

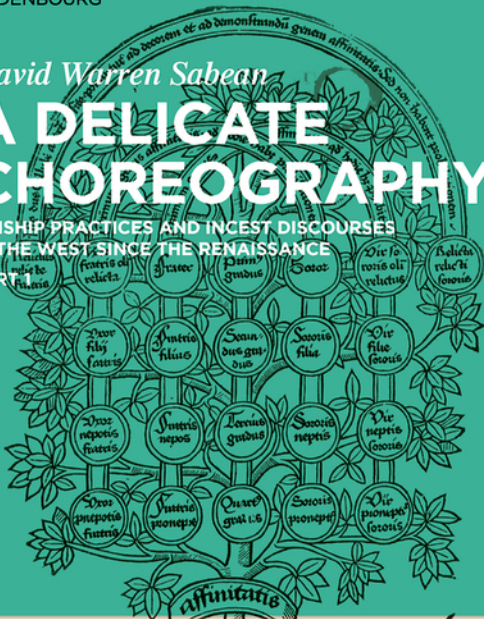
DE GRUYTER  
OLDENBOURG

David Warren Sabean

# A DELICATE CHOREOGRAPHY

KINSHIP PRACTICES AND INCEST DISCOURSES  
IN THE WEST SINCE THE RENAISSANCE

PART I



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David Warren Sabean

**A Delicate Choreography**



David Warren Sabeau

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the Renaissance

Part 1

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## Cover Image for Vol. 1

The cover image is taken from Johannes Andreae (1270–1348), *Super arboribus consanguinitatis et affinitatis et cognationis spiritualis* (Nürnberg, 1477) (Bayerische Staatsbibliothek München, 2 Inc.c.a. 560, fol. xxx). I follow the interpretation of the tree diagram offered in a German edition (*Vßlegung Vber den boume der sypschafft, Vßlegung Vber den boume der magschaft* ([Strassburg], 1482–1483). The diagram is meant to illustrate the various kinds and degrees of affinity. Affinity arises from sexual intercourse, whether marital or extramarital, which secures a relationship between a partner and the other partner's blood relatives. Such a relationship hinders marriage forever with any such kin to the fourth degree (third cousins). It used to be the case that in-laws of in-laws were forbidden, but the Fourth Lateran Council of 1215 restricted the prohibition to the direct in-laws, or the "first kind of affinity." For example, with any person, a husband has the same degree of affinity as his wife has degree of consanguinity. A spouse cannot be an affine with a spouse but only with the consanguines of that spouse. There is no affinity between the blood relatives of one spouse and the blood relatives of the other spouse. Thus the husband's brother can marry the wife's sister, since there is no affinity between them. To take the example of the wife's sister's daughter: she is a blood relative of the wife in the second degree and thus a second degree affine of the husband. The author was quite aware that the tree diagram was very hard to understand! He wanted to illustrate with the outer cells, the second and third kinds of affinity that were no longer to be observed and with the middle cell, the degrees of consanguinity and affinity that needed to be considered when reckoning a proposed marriage.



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To  
William Clark (1953–2017)  
and  
Peter Hanns Reill (1938–2019)





# Preface

The year 2019 took the lives of Bill Clark and Peter Reill, and with them, two influential presences in my life. This book is dedicated to them.

I first met Bill Clark in 1983 when I came from Göttingen to teach at UCLA. Two years later he joined my seminar on the “History of Individualism,” which assembled a remarkable group of graduate students. Early on, he offered a brilliant (and witty) report on Durkheim’s *Division of Labor in Society*, which he had reduced to a 3” x 5” note card. He told us all that if you could not get the essence of a book onto such a small surface, you did not understand the book. After that, everyone else competed to produce their own notes on Hegel, Dumont, or Simmel in like manner. Some worked, some didn’t. Over the next four years, I read chapters of his dissertation on the origins of the German university seminar, and he read my book manuscript for *Property, Production, and Family in Neckarhausen, 1700–1870*. No one has ever read anything I have written with such penetration. It took Bill nineteen years to rewrite his dissertation into the great work it became: *Academic Charisma and the Origins of the Research University*. In the meantime, he published a string of important papers, all with an anthropologist’s eye for telling detail and with the historian’s taste for irony. I always admired his playful Latinity. He taught at Columbia and Bryn Mawr before becoming an Akademischer Rat in Göttingen, then held teaching appointments at Cambridge, UCLA, UCSD, and UCR. He also held a long-term fellowship at the Max Planck Institute for the History of Science in Berlin. But despite his skill at teaching and the influence of his writings, Bill never received tenure, and towards the end of his life he gave up academic work altogether. In 2014, I asked him to read and comment on section I of this book, after which I undertook a thorough revision. Two years later when it came time to read section II, he no longer wanted to engage with scholarly writing. That was my loss. But the end of his career and the abrupt end of his life were everyone’s loss.

During the late 1970s, while I was a fellow at the Max Planck Institute for History in Göttingen, Peter Reill came to spend a sabbatical year, during which I got to know him as a great conversationalist. In the institute’s *Teeküche*, we argued about everything, especially about the advisability of living in Los Angeles. For a whole year we regaled the staff and fellows on the pros and cons of the place. He loved the city. I thought of it as a horror, never having been there. In 1982, I had to move our teenage children back to the US to finish high school, and so I began to search for a job. There were only two, one of them at UCLA, in the dreaded city. The great conversationalist Peter, as it happened, was also a persuasive voice. Indeed, I think of him as the Hound of Heaven. Had he not pursued me, I never would have ended up in the university and city I have come to love. (I really wanted to go to Iowa.) Conversions being tricky, my first one did not stick, and after a couple of years, I ran off to Cornell. But not before proposing Peter as department chair—during his two-year absence in Europe. To my surprise, I quickly began to miss the intellectual life of UCLA and the delights of big city life. So, after a second conversion, assisted again by Peter, I returned. Shortly thereafter, he

took the step that dramatically changed his life, when he accepted an appointment as director of the UCLA Center for 17<sup>th</sup>- and 18<sup>th</sup>-Century Studies and the William Andrews Clark Memorial Library. Under his nearly twenty-year leadership, the combined Center-Clark developed into a lively international center attracting scholars from all over the globe. With Peter's premature retirement in 2011, followed by departure for Miami, the university lost a man who had gladly dedicated himself to its intellectual and cultural growth, and he lost the place that had sustained him since 1966. His loss of his cherished place was our loss too. And now, tragically, our loss is permanent.

## Acknowledgments

I began thinking about incest and marriage prohibitions while researching my study of kinship and family in the village of Neckarhausen. Chapter 3 of *Kinship in Neckarhausen, 1700–1870* (Cambridge University Press, 1998) was titled: “The Politics of Incest and the Ecology of Alliance Formation.” There I was trying to figure out what marital alliances were possible under different regimes of prohibition and how they in turn helped structure the larger universe of social ties. I carried on early discussions about the Neckarhausen project, which blossomed out to research on Western kinship practices from the Middle Ages to the present, at the Max Planck Institute of History in Göttingen with Hans Medick, Jürgen Schlumbohm, Peter Kriedte, Alf Lüdtke, Jonathan Knudsen, Robert Berdahl, Peter Becker, and Gerald Sider.

During the 1990s, as I formulated the project which issued into the current book, I discussed various issues with Jan Reiff, Mary Lindemann, Isabel Hull, C. J. Koepf, Ludolf Kuchenbuch, Gérard Delille, Bernard Derouet, Carola Lipp, Michael Mitterauer, Heidi Rosenbaum, Edith Saurer, Seth Denbo, Wolfgang Kaschuba, Martine Segalen, Josef Ehmer, and Reinhard Sieder. All of them posed penetrating questions, suggested sources, and drew my attention to things to read. Karin Hausen was especially helpful for introducing me to the literatures on gender and patriarchy. Regina Schulte pointed me to the mother and son issues, which became section III, Ulrike Gleixner guided me early on through the thickets of recent feminist discussions of father-daughter relations, and Sara Melzer helped me with readings of Corneille and other seventeenth-century literary texts. Jack Goody awakened my interest in kinship already in the late ‘60s, pointed out the importance of getting a grasp on the dialectics of incest and kinship, and, in an important paper and other historical and ethnographic work, provided models for figuring out how to think about structural interactions. Over the years, I have found in conversations with William Reddy inspiration for interdisciplinary approaches to social and cultural analysis.

From the beginning of my research on kinship and incest, four people have allowed me to talk to (at) them at great length and have read and commented on chapters and articles. Both Simon Teuscher and Christopher Johnson have joined me in putting together conferences and editing books. Both of them also have read most of the manuscript and provided extensive comments. I am never sure where their thinking leaves off and mine begins. Gadi Algazi has been there from the beginning and has offered encouragement all along the way. And Jon Mathieu, who has the same taste for irony as I, has relished pointing out the contradictions and untapped possibilities. I have benefited from time to time from discussions with an extraordinary group of anthropologists: Janet Carsten, Susan McKinnon, Kath Weston, Jeannette Edwards, Thomas Zitelmann, Sarah Franklin, Judith Schachter, and Andrew Strathern.

Several institutions in Berlin have provided support over the years for my research and opportunities to meet other scholars with whom I could talk about my work. During the academic year 2001–2002, I discussed comparative kinship and family issues at length with Beshara Doumani and profited from conversations about bio-evolution

with Raghavendra Gadagkar at the Wissenschaftskolleg. In the same year, across town, the Max Planck Institute for the History of Science began a long-term project on heredity under the direction of the director Hans-Jörg Rheinberger and Staffan Müller-Wille, both of whom offered critical comments on my contributions to the history of inheritance practices in Europe. That set in motion fifteen years of fruitful interaction at the institute with them and with two of the directors, Lorraine Daston and Jürgen Renn. Over at the American Academy, I discussed the history of the family with Heide Fehrenbach during the fall 2008. And for the years 2004–2007, Claudia Ulbrich hosted me at the Freie Universität Berlin as the recipient of an Alexander Humboldt Foundation Research Award. Professor Ulbrich made her staff available for obtaining research materials and provided a needed forum for discussing early versions of the then overly long chapters. Finally, a year at the International Research Center Work and Human Lifecycle in Global History (re:work) at the Humboldt Universität Berlin (2010–2011) allowed me to think through the labor of *Geselligkeit* and to contribute to *To Be At Home: House, Work, and Self in the Modern World*, ed. Felicitas Hentschke and James Williams (Oldenbourg, 2018).

During the spring 2010, I spent several fruitful months at the Internationales Forschungszentrum Kulturwissenschaften in Vienna. My next opportunity came from the Universität Bielefeld, where during 2016–2017, I was co-director of a research group “Kinship and Politics” at the Center for Interdisciplinary Research (ZiF). The other directors, Erdmute Alber, Tatjana Thelen, and Simon Teuscher, patiently listened to my slowly maturing ideas on incest and offered trenchant comments. The year provided not only time to draft or revise most of the chapters of the book, but also constant feedback from the several dozen scholars we hosted. Caroline Arni read the chapters in sections II and III and offered important ideas about how to think about gender. Jeannett Martin introduced me to the literature on *Kuckuckskinder* and the cultural assumptions behind challenges to paternity. Albrecht Schachter read most of what I had written by then very closely and offered copious notes of comment. He was especially important for my thinking about the sociology of law and drew my attention to post-war legal decisions in Germany.

During the two decades of the new millennium, my thinking continued to evolve in response to encounters with a number of scholars and their research. There was always the important work of Margaret Lanzinger on nineteenth-century marriage prohibitions. Nacim Ghanbari offered trenchant ideas about the reconceptualization of the house and called my attention to the portrait of the Kaulla family reproduced in section II chapter 1. Claudia Jarzebowski offered insights from her own work on eighteenth-century Prussian legislation on marriage prohibitions. Joachim Eibach’s reconceptualization of the house in the Sattelzeit was also important. Michaela Hohkamp introduced me to elements of the culture of siblinghood in the seventeenth and eighteenth centuries. Martin Lutz extended my knowledge of kinship among entrepreneurial families. Elisabeth Joris offered reflections on the labor of women in the nineteenth century for constructing the web of kinship. Bernhard Jussen was the first to intro-

duce me to the critical literature around the Goody thesis about the origins of Western kinship in the late imperial and early medieval periods. And Karl Ubl helped me with reinterpretations of the sources. A café in Paris provided the locus of a significant turning point for this project. There, Enric Porqueres i Gené and Adam Kuper, two great scholars of incest in the West, spent an afternoon with me discussing the ins and outs of kinship and marriage prohibitions. Dorothee Wierling, who read and commented on all of the chapters, was especially helpful for managing the material in section III. She drew attention to the mothers of World War I, and our discussions of her own book helped me to formulate my own, still inchoate ideas. It is useful now and again to talk to a contemporary historian. When it comes to the Middle Ages, I am nothing but an amateur, so it was all the more fortunate that I was introduced to Anita Guerreau-Jalabert, a brilliant philologist/ethnographer who straightened out the kinship universe of the Middle Ages for me. During the last few years, I put together a long chapter on the biological discourses about incest, and then pestered my history-of-science colleagues Norton Wise and Soraya de Chaderavian to read it. They saved me from at least the most elemental mistakes.

Back around 2000 my Cambridge University Press editor, Frank Smith, encouraged me to finish up the book. He was always very supportive, and I wish he had not retired so soon. At UCLA, I have been blessed with a number of skilled research assistants: Deborah Kwon (undergrad), Charles Case, Richard Bowler, Chris Kenway, Laura Kinsey, Kierra Crago-Schneider, Rachel Schley, Carrie Sanders, Anna Suranyi, Ben Marschke, Sam Keeley, John Mangum, Lucian Staiano-Daniels, Charlton Torres, Susan Kling, Tamara Zwick, and Andrea Mansker. Beverly Grindstaff, Adam Lawrence, and Ofer Nur contributed numerous citations. Daphne Rozenblatt had her finger on the pulse of popular culture and fed me with titles of novels, films, and TV programs over fifteen years. Over the years, I benefitted from the conversations and helpful suggestions of many people: Nathalie Büsser, Jill Bepler, Daniela Saxer, Jason Coy, Claudia Verhoeven, Britta McEwen, Jared Poley, Angela Mace Christian, Claire Gilbert, Iris Wien, Alexandra Garbarini, Eric Johnson, Christian Wieland (who brought my attention to Trollope), Ruth Perry, François-Joseph Ruggiu, Laurance Fontaine, Gabriel Wolfenstein, Jay Goodale, Roi Ball, Amir Teicher, Ritika Prasad, David Luebke, Ann Goldberg, Jesse Sadler, Christine Borgman, Jürgen Kocka, Bernard Vernier, Stefani Engelstein, Georg Fertig, Guido Alfani, Hilde Bras, Jenna Gibbs, Ruth Perry, Sandro Guzzi-Heeb, Ted Porter, Mary Yeager, Govind Sreenivasan, and Christine Fertig. Susan Judy worked assiduously compiling the bibliography. John Diefenbach enthusiastically lent his skilled services for genealogical research. Towards the end, I profited greatly by Bill Clark's comments on section I.

I also want to thank the staff from the many institutions and libraries who have assisted me. I spent many months at the libraries of the University of Göttingen, Herzog August Bibliothek in Wolfenbüttel, and the Staatsbibliothek in Berlin and at the Württemberg State Archives in Stuttgart and Ludwigsburg. The staffs at various centers helped me to obtain research materials and library books while I was resident: in Göttingen, the Max Planck Institute for History; in Berlin, the Wissenschaftskolleg,

the American Academy, the Max Planck Institute for the History of Science, the Friedrich Meinecke Institute at the Freie Universität, and the Research Center Work and Human Lifecycle in Global History (re:work) at the Humboldt Universität; in Bielefeld, the Center for Interdisciplinary Research; in Vienna, the Internationales Forschungszentrum Kulturwissenschaften; and in North Carolina, the National Humanities Center at Research Triangle Park. I also used the resources and special collections at Syracuse University, UCLA, Cornell University, the Library of Congress, the New York City Public Library, the National Library of Medicine, the Bibliothèque Nationale de France in Paris, the British Library in London, and the Getty Research Institute in Los Angeles. Christian Nitz at the Käthe Kollwitz Museum in Cologne came to my rescue with an important image. Marissa Kings at the Southern Research Library Facility housed at UCLA provided many high-resolution scans for use in the book. And Mahea Ayoso Sadsad at the UCLA History Department efficiently dealt with financial issues. I want to thank Virginia Steel at the UCLA Research Library for providing funds for open access publication. Over the years, I have been able to discuss my work and bring together a remarkable group of historians interested in Western kinship and in the problem of incest at the German Studies Association annual conferences and at the European Social Science History Conferences.

Most important for the entire manuscript were two incisive critics. Eric Hounshell, who was writing a dissertation on Paul Lazarsfeld, spent a year as a fellow in Bielefeld with me. We were able to discuss everything I was writing day in, day out, while feasting on the bounty from the Saturday market (rabbit, hare, quail, guinea fowl, grouse, pheasant, wild boar, venison, offal, wild mushrooms, and a bewildering variety of cheeses, Wurst, and lardo). The following year, he read through the entire manuscript and commented in detail. After I thoroughly revised, my editor, Ellen Judy Wilson, kindly tore the whole thing apart (I thought I was a good writer). What you now see is the rigorous version. I cannot thank her enough for spending more than two years working over every line.

I want to thank the four anonymous readers for Cambridge University Press and De Gruyter for their incisive remarks. I have had the pleasure of working with two amazing editors at De Gruyter, Rabea Rittgerodt and Jana Fritsche. Their professional expertise, enthusiasm, and efficient response to my many questions turned the last hectic months completing the manuscript into a pleasure.

My family has lived with this for a long time, offering love, support, distraction, and ironic remarks. My wife Ruth, who has retired from her own career as a systems analyst and university administrator, hopes I will venture out from my study to take up bird watching, the dobro, photoshop, and fly-fishing. But I am only eighty-three, with at least two more twenty-five-year books in me. Still I do look forward to many years of travel together. Now that I am finished, Mark, Emma, and Lucas will have more time to listen to my sage advice.

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# Introduction

The male camel declines intercourse with its mother; if his keeper tries compulsion, he evinces disinclination. On one occasion, when intercourse was being declined by the young male, the keeper covered over the mother and put the young male to her; but when after the intercourse the wrapping had been removed, though the operation was completed and could not be revoked, still by and by he bit his keeper to death. A story goes that the king of Scythia had a highly-bred mare, and that all her foals were splendid; that wishing to mate the best of the young males with the mother, he had him brought to the stall for the purpose; that the young horse declined; that after the mother's head had been concealed in a wrapper he, in ignorance, had intercourse; and that, when immediately afterwards the wrapper was removed and the head of the mare was rendered visible, the young horse ran away and hurled itself down a precipice. — Aristotle<sup>1</sup>

A certain secular law in the Roman State allows that the son and daughter of a brother and sister, or of two brothers or two sisters may be married. But we have learned from experience that the offspring of such marriages cannot thrive. Sacred law forbids a man to uncover the nakedness of his kindred; hence it is necessary that the faithful should only marry relations three or four times removed, while those twice removed must not marry in any case, as we have said. — Pope Gregory I, 601 CE

As the race was extended and the bonds of relationship grew weaker, the flame of love, deprived, as it were, of its kindling, grew cold as the result of human depravity. Therefore, to restore the flickering fire of mutual love, the contract of marriage was thereupon introduced. For since earthly time evolves through six ages and the life of man is also so bound, the very force of nature provides that familial love asserts itself up to the sixth degree of kinship and gives forth, as it were, an odor of an innate association among them. But where the power of blood relationship which drew the captive it had taken fails, the grappling-hook of marriage is at once at hand to retrieve the fugitive. — Peter Damian, 1046<sup>2</sup>

Whether . . . doctour mayster Martine Luther hymself . . . whom god in many places of holy scripture hath commanded to kepe his vowe made of chastitey, when he then so farre contrary ther unto toke out of religion a spouse of Christ, wedded her himself in reproche of wedlocke, called her his wyfe, and made her his harlot, and in double despite of marriage and religion both, liveth with her openly and lyeth with her nightlye in shamefull incest and abominable bycherye. — Sir Thomas More, 1528

In Mississippi, code of 1880, it is provided that “the marriage of a white person to a Negro or mulatto or person who shall have one-fourth or more of Negro blood, shall be unlawful”; and as this prohibition does not seem sufficiently emphatic, it is further declared to be “incestuous and void,” and is punished by the same penalty prescribed for marriage within the forbidden degrees of consanguinity. — Charles W. Chesnutt, 1889<sup>3</sup>

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1 Aristotle, *Historia animalium* 9.47.630<sup>b</sup>32–631<sup>a</sup>7. I used *Historia animalium* 9.47, trans. D ‘Arcy Wentworth Thompson, in vol. 4 of *The Works of Aristotle*, ed. J. A. Smith and W. D. Ross (Oxford, 1910), p. 630<sup>b</sup>.

2 Peter Damian, *The Letters of Peter Damian* 1–30, trans. Owen J. Blum, O.F.M. The Fathers of the Church Medieval Continuation 1 (Washington, DC, 1989), Letter 19, pp. 176–77.

3 Charles W. Chesnutt, “What is a White Man?,” *The Independent*, May 30, 1889, pp. 5–6, accessed March 26, 2021, <https://chesnuttarchive.org/Works/Essays/whiteman.html>.

*Blutschande* is among the most serious crimes that the criminal code recognizes. — Draft of the German Penal Code, 1962

The word “incest” derives from the Latin *castus* (pure) and *in* (not): *incestus* (not pure, defiled, polluted). Most European languages have adopted their term from the Latin root—German, *Inzest*; French, *inceste*; Spanish, *incesto*; Italian, *incesto*; English, *incest*. It has to do with relations of a certain kind between humans, usually but not always sexual. The uncleanness, impurity, or defilement is associated most often with sexual or marital relations thought to be too close.<sup>4</sup> These relationships are set off from others by some kind of boundary, but where that boundary is drawn, how it is determined, and how it is policed are matters varying from one culture and period to the next. In other words, there is nothing universal or eternal about that line. In the popular imagination, and more frequently in the arguments of scholars and scientists, incest is sometimes confused or conflated with another term carrying connotations of closeness: “inbreeding.” But that presumed equivalence overlooks the transgression, violation, or fault associated with incest. And it does not take into account the fact that incest taboos in almost all cultures cover relationships that cannot be thought of as inbred: sex with spiritually set apart persons or with relatives not related by blood, for instance. Indeed, the edginess connoted by the “too closeness” of the incestuous allows for all kinds of linguistic slippages, embellishments, and symbolic usages; even the extension of the term to relationships utterly nonsexual. All societies entertain some restrictions on marriage or sexual relations, but the same details about what is considered transgressive certainly are neither found everywhere, nor given the same weight. And very few cultures have justified the incest taboo in terms of the physical and mental consequences for progeny.

It is possible today, however, to find scholars who insist on using the term incest for animals whose breeding behavior, driven by genetic makeup or some other mechanism, includes avoidance of parents or siblings as mates, or, for that matter, of members of the same band or individuals sharing a more or less restricted territory. In such arguments, Aristotle, with his stories of horses and camels who refused to mate with their dams sometimes serves as evidence of a long tradition of knowledge about humans and animals programmed to avoid breeding back into the same stock.<sup>5</sup> Nevertheless, apply-

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4 Philippe Moreau, *Incestus et prohibita nuptiae: Conception romaine de l'inceste et histoire des prohibitions matrimoniales pour cause de parenté dans la Rome antique* (Paris, 2002), pp. 18–19, discussed the semantics of *incestus*, rooted in religious ideas and rituals. He insisted that the term did not have any assumptions about biological consequences for offspring (pp. 64, 151) and that its use for both marriage or sexual relations with close kin and for sexual relations with vestal virgins precludes restricting its association only to illegitimate relations among blood relatives (p. 137). He pointed out additionally that in Rome incest also extended to kin by marriage (affines) (pp. 233–56). The crime of incest was a violation of the divine order and a moral fault (p. 29).

5 Moreau, *Incestus et prohibita nuptiae*, p. 80, insisted that violation of the divine order figured in Roman conceptions of incest and that the rules were valid only for humans. As Moreau pointed out,

ing a term like incest to animal behavior makes little etymological sense: a peregrine falcon tripping over the horizon to find a stranger is hardly prompted by terrors of pollution. So, the better strategy is to distinguish between incest and inbreeding; to reserve the latter term for animal behavior and to use both, perhaps, for humans. That strategy, however, raises the question of whether inbreeding is the real object of study; or, to put it another way, whether humans are animals, in the sense of having been formed by evolutionary forces, among which are inborn mechanisms for avoiding close kin. But that does not address the issue of the taboo itself, with all its moral trappings. After all, it would take a lot of skilled hocus-pocus to strip those connotations away; or, conversely, to moralize animal breeding behavior. Some scholars and scientists have discussed the origins of the taboo in terms of the relative weight of nature and nurture, whether we are designed to avoid kin or taught to do so. In contrast, in considering the taboo question for this book, I have found the nature/nurture (or nature/culture) distinction to be of little use, although I admit that it will take the reader a lot of pages to figure out why.

Many discussions of the incest taboo try to deal with it as a universal or cross-cultural phenomenon, but I use an historical/comparative approach and stay within the confines of experiences and ideas in Europe and the United States where I have some hope of controlling, if not mastering, the literature. Despite the fact that modern popular culture and many scientists think of incest as essentially a biological issue, with negative consequences for the offspring of closely related couples, such concerns historically have not stood at the heart of Western understandings and deployments of the term. During the European Middle Ages, the word was used to designate marriage or sexual relations with close kin—including (and this is important) kin by marriage—but was also extended to “spiritual” kin and to individuals who had taken an oath of chastity. “Spiritual incest” dealt with sexual relations between godparents and godchildren and here and there could even involve couplings of “co-godparents” of the same children or the children of godparents with the godchildren. And the concept of spiritual incest extended to sexual relationships with a priest or nun—a usage of the term well within the frame of impurity but not of reproductive danger. Sir Thomas More, for example, castigated “Mayster Martine Luther” for taking “out of religion a spouse of Christ” and for living with her “openly . . . in shamefull incest and abominable bycherye.”<sup>6</sup> The offense of “spiritual incest” could even be charged for holding two benefices, when one of them had the patronage of the other; an outrage, perhaps, but not of a sexual order. Clearly the conceptual frame in all these instances was impurity, not reproductive danger.

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Aristotle clearly held contradictory positions, since, for example, he understood very well that sheep in flocks interbred among the closest “kin.”

<sup>6</sup> Thomas More, *The Workes of Sir Thomas More Knyghte, sometyme Lorde Chauncellour of England, wrytten by him in the Englyshe tonge, 1557*, facsimile repr. with intro. by K. J. Wilson, 2 vols. (London, 1978), vol 1, p. 361, col 1.

Throughout this book, I will point out that “biological” issues played no role in arguments for marriage prohibitions until around 1800. Some people who have read my manuscript in its various permutations have objected, for example, that “biology” is a nineteenth-century persuasion and that to claim that St. Thomas or some other cleric did not make biological claims about potential damage to progeny is therefore an anachronism. Of course, descriptive terms like “physiology” or “reproduction” or “psychological” or “sociological” have the same problem. So I wish to clarify: When I say that this or that writer was not interested in biological issues, I mean that he or she did not justify the incest taboo on the basis of deleterious physical or mental effects upon progeny. Furthermore, I do not wish to conflate “biological” and “genetic,” distinctions that will become clear as the argument develops. Psychology, sociology, and biology were all constructions filled in during the nineteenth and twentieth centuries, which in the process made available fresh components for persistent reconfigurations of the entrenched dangers of sexual transgression.

“Incest” might have been most commonly used for marriage or sexual relations with close kin, but then that had everything to do with who kin were and what “close” meant. Canon law (the medieval Church succeeded in establishing jurisdiction over marriage) conflated kin by blood and kin by marriage. For any individual, the circle of in-laws considered off limits—relatives of a spouse or spouses of parents and grandparents, uncles and aunts—had the same extent as the circle of relatives by descent. A linguistic distinction could be made between “consanguines” (people related to each other by “blood”) and “affines” or “allies” (people related to each other through marriage), and that distinction became ever more worked over in the early modern period. But in fact, in the Middle Ages kinship relations were not modeled in terms of blood, and *consanguineus* and *consanguinitas* translated “an undifferentiated conception of kinship.”<sup>7</sup> Both were interchangeable with such other terms as *propinquus* (near kin, or kindred), *affinis* (in-laws), and *amici* (friends). As for “incest,” sexual relations with the sister and with the (deceased) wife’s sister were equally violations of the natural or civil order.

Some modern biologists, concerned with negative genetic consequences for the offspring of close-kin relationships, want to restrict incest to the immediate family and use the term “inbreeding” for relatives such as cousins—only arguing about how serious the consequences might be. Yet, judging from television talk shows, at least in the United States, cousin marriage is edgy enough to warrant the label of “incest.” And in the 1970s and ‘80s, the term was conflated (some would say confused) with misuse or abuse. As

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7 See two works by Anita Guerreau-Jalabert; “Flesh and Blood in Medieval Language about Kinship,” in *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher (New York and Oxford, 2013), pp. 61–82; and “La désignation des relations et des groupes de parenté en latin médiévale,” *Archivum Latinitatis Medii Aevi* 46–47 (1988): 65–108. See also Simon Teuscher, “Flesh and Blood in the Treatises on the *Arbor Consanguinitatis* (Thirteenth to Sixteenth Centuries),” in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 83–104.

one popular writer opined: “We must look not at the blood bond, but at the emotional bond between the victim and the perpetrator.”<sup>8</sup> Here incest was modeled on older-man-and-younger-woman as an improper use of power, keeping the idea of “nearness” (as in dentist or coach), but uncoupling it from biological or genetic issues altogether.<sup>9</sup>

Closeness even by itself can prompt the word “incest” and thus give a situation hints of illicitness or steamy eroticism. Today, we often harness the power of the word to refer not only to sexual relations but also to many social or political situations that are too enclosed, too turned in on themselves. In English, at least, the political machinations of a group of cronies or an in-group of academics reviewing each other’s work can be described as “incestuous”—or an actor like Dustin Hoffman can remark about his wife Lisa that “we’re so close it is almost like incest.”<sup>10</sup>

In the Middle Ages, the issue of what constituted “close,” or what we might think of as the incestuous core, came to the fore. Clearly the distance separating any intimate pair was significant in determining the consequences of a marriage or sexual union. But then it also was possible to think of a great, great, great grandparent or a brother’s wife as closer to a particular individual than a cousin. This was captured in the fantasy that if Adam came looking for a wife today, he could not find anyone to marry. There were significant debates about which relatives might be marriageable with dispensation. And the relative weight of taboo could be coned from how high in the church hierarchy one had to go to secure the prized permission. Some who were willing to say that the pope could dispense any relationship (often as a mere academic quibble or fine theological principle) made the point about the sanctity of a core by stressing the extreme rarity or practical impossibility of dispensations for parents and children and so forth. In any event, a distinction should be made between an incest taboo and marriage prohibitions, even though some commentators extended the notion of incest to all the prohibitions—which in Europe at their height extended to everyone descended from a great, great, great, great, great grandparent or from the great, great, great, great, great grandparent of a deceased spouse. And for some time in the Middle Ages, the in-law of an in-law of an in-law was included in the circle of forbidden sexual partners.

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<sup>8</sup> E. Sue Blume, *Secret Survivors: Uncovering Incest and Its Aftereffects in Women* (New York, 1991), p. 2.

<sup>9</sup> As Margareth Lanzinger, in *Verwaltete Verwandtschaft: Eheverbote, kirchliche und staatliche Dispenstpraxis im 18. und 19. Jahrhundert* (Vienna, 2015), p. 41, pointed out, what constitutes near and far varies considerably according to the concrete cultural, legal, and social context. She dealt with shifts and changes in the notion of kin proximity in Central Europe and Italy from the Middle Ages through the nineteenth century.

<sup>10</sup> *Cosmopolitan* 208 (1990), p. 128. While we’re on the subject of show business, Elvis Presley said he could not have sex with his wife once she was a mother. The matter of his sex life was perhaps more complicated than that, but there is a suggestion that the mother of one’s child is too close to be a sexual object—or subject. See Laura Dorwart, “Showbiz CheatSheet,” accessed March 23, 2021, <https://www.cheatsheet.com/entertainment/elvis-presley-told-priscilla-presley-he-wouldnt-have-sex-with-her-after-she-became-a-mother.html/>.

By the sixteenth century, German sources used the term *Blutschande* (a shaming, dishonoring, scandalizing, disgracing of blood) as much as they did *Inzest* or *incestus*. Of course, this word pointed to the understanding that what qualifies as polluting is a violation of blood. But the term was never restricted to consanguineal kin and certainly covered relatives by marriage prohibited from marrying each other. In the racialized discourse of the nineteenth- and early-twentieth-century *völkisch* and Nazi movements, *Blutschande* slipped away from a discourse about divine and natural law forbidding sexual relations among family members to one about marriage or sexual intercourse with the racial stranger; with the mixing of Aryan with Jewish or Negro blood.<sup>11</sup> And this shift allowed the competing latinized *Inzest* to shunt the now compromised *Blutschande* aside in postwar German culture.<sup>12</sup> But what is fascinating here is the way a powerful term for illicit sexual relations of the closest kind was adapted and reconfigured for those with the racial “stranger;” those who were supposed to be furthest away. What links the usages is violation of socially and culturally understood boundaries. And a similar slippage can be documented in other cultures. For example, some of the miscegenation laws in the United States put incest and racial mixing in the same paragraph of forbidden pleasures. In 1880, for example, the state of Mississippi banned interracial marriage, declaring it “incestuous and void.” “The powerful ally of the incest taboo helped to enact and enforce these laws and to keep them on the books against political opposition.”<sup>13</sup>

There were other ways that incest and boundaries could be represented. In 1215, at the Fourth Lateran Council, the medieval Church redesigned the rules of incest (canon 50) and had things to say about mistaken sexual relationships between Christians and Jews (canon 68). The council demanded that Jews and Saracens be distinguished in dress from Christians, precisely to prevent untoward intercourse with the religious

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11 Christina von Braun, “*Blutschande*: From the Incest Taboo to the Nuremberg Laws,” in *Encountering the Other(s): Studies in Literature, History, and Culture*, ed. Gisela Brinker-Gabler (Albany, 1995), pp. 127–48.

12 On February 26, 2008, the Bundesverfassungsgericht (German High Court) rendered judgment on a case of incest between half siblings. See Die Strafvorschrift des § 173 Abs.2 Satz 2 StGB, die den Beischlaf zwischen Geschwistern mit Strafe bedroht, ist mit dem Grundgesetz vereinbar. Bundesverfassungsgericht 2BvR 392/07, accessed March 21, 2021, [https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2008/02/rs20080226\\_2bvr039207.html](https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2008/02/rs20080226_2bvr039207.html). In referencing older legal texts from the mid-nineteenth century through the 1960s, the judges found the use of the term “*Blutschande*” alongside “incest.” A draft from 1962 of the penal code called “*Blutschande* . . . among the most serious crimes that the criminal code recognizes.” It was only then that sexual relations with affinal kin were considered to be a moral issue without legal (criminal) consequences. This distinction was rather reluctantly made, since it had been part of Nazi ideology with its eugenicist presumptions to restrict incest to blood relations. For the rest of the long judgment, only the term “incest” appeared—in keeping with postwar usage. In their treatment of the issues, they highlighted sociological and psychological matters and found “genetic motives” supportive but distinctly of secondary interest.

13 Werner Sollers, *Neither Black Nor White Yet Both: Thematic Explorations of Interracial Literature* (New York and Oxford, 1997), p. 316.

other. Subsequently—at least in Spain—the sparse language of the Lateran text was glossed with St. Paul’s injunction against sex with prostitutes, under the notion that such intercourse made a man one flesh with the “harlot.”<sup>14</sup> Here, Spanish theologians and lawyers saw the dangers of kinship spreading across well-policed social borders. Any man who became one flesh with a woman also was joined in the flesh with any other of her lovers. The argument suggested that Christian men could become one flesh with Jewish or Muslim men who visited the same prostitute. To guard against this, Jews were to wear a yellow badge so that Christian prostitutes could recognize and avoid them.<sup>15</sup> In sixteenth-century England, the same idea was expressed with the phrase *contagio carnalis*, a principle that did much service in the divorce proceedings of Henry VIII against his first two wives.<sup>16</sup> The problem in both cases was the incestuous relationship growing out of the unity of flesh: Henry married his deceased brother’s wife (Catherine of Aragon), and he had sexual relations with Anne Boleyn’s sister. All these examples taken together reinforce the notion that the term “incest” has often been used to track the violation of boundaries—familial, religious, and racial.

This book is about incest as it is *found*. It does not assume a particular perspective from the outset; for example, that *real* incest is about sexual relations among close biological kin. It is a misuse of history and anthropology to comb through texts to cherry-pick passages to support a particular understanding of the term. In such manner, much use—I might say misuse—has been made in current evolutionary biology studies of a letter of Pope Gregory the Great, sent to Augustine of Canterbury around 601 CE, in response to Archbishop Augustine’s question about the marriage of kindred (*propinquis*). Gregory narrowed the question and offered two grounds for prohibitions beyond what he alleged had been allowed in imperial Roman law: first that the offspring of *cousins* do not “thrive” and second that they were forbidden by Moses in Leviticus.<sup>17</sup>

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14 1 Corinthians 6:16 (AV): “What? know ye not that he which is joined to an harlot is one body? for two, saith he, shall be one flesh.”

15 David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton, 1998), pp. 154–56.

16 Marc Shell, *Elizabeth’s Glass*, with “*The Glass of the Sinful Soul*” (1544) by Elizabeth I and “*Epistle Dedicatory*” & “*Conclusion*” (1548) by John Bale (Lincoln, NB, 1993), p. 10.

17 The letter was found in *Bede’s Ecclesiastical History of the English People* (I, 27) (published ca. 731). I used the Oxford Clarendon Press 1991 edition, edited by Bertram Colgrave and R. A. B. Mynors, with the Latin text and an English translation, pp. 84–85. There has been a great deal of discussion about the authenticity of the letter (discussed pp. lxii–lxiv). See the article by Bill Friesen, “Answers and Echoes: the *Libellus responsionum* and the Hagiography of North-western European Mission,” *Early Medieval Europe* 14 (2006): 153–72. Augustine had posed the question, “Within what degree may the faithful marry their kindred; and is it lawful to marry a stepmother or sister-in-law?” Pope Gregory answered: “A certain secular law in the Roman State allows that the son and daughter of a brother and sister, or of two brothers or two sisters may be married. But we have learned from experience that the offspring of such marriages cannot thrive. Sacred law forbids a man to uncover the nakedness of his kindred; hence it is necessary that the faithful should only marry relations three or four times removed, while those twice removed must not marry in any case, as we have said.” He went on to say that the stepmother and sister-in-law



Little has been made of the second justification (Leviticus does not mention cousins), but many commentators have cited the other explanation to argue that at the foundation of canon law lies an understanding of the biological consequences of close marriage. The trouble is that in none of the many other secular or ecclesiastical legal texts from ancient Rome or the early Middle Ages is there any explanation for the prohibition that points to reproductive dangers. Biological consequences can hardly have been the basis of canon law proscriptions.<sup>18</sup>

The approach to the study of incest discourse in this book is meant to be historically critical. By setting off different period-cultures against each other, it attempts to destabilize meanings, undermine certainties, and offer a foundation for critical reflection. It also seeks to understand the different conditions in which particular discourses arise. The historian's "discipline of context" is a useful tool for calling generalizations about human nature into question. Incest, for example, became a hot topic among feminist writers of the 1970s and '80s as a tool to pry open the central features of what was a predominantly dehistoricized idea of patriarchy. Many writers thought of incest as a crime of fathers (or dominant men, genetically programmed to violence in the Pleistocene) and divined a millennia-long conspiracy of silence about the phenomenon—only uncovered by the political work of the recent women's movement. An almost universal phenomenon was finally being unmasked, with revolutionary implications for family structure. What was missing in such representations was any sense of historical shifts and changes in understandings of incest. Also missing was an understanding of the particular context in which such an account of patriarchal misdeeds could be so compelling; namely, the constellation of the stripped down, twentieth-century nuclear family and the particular composition of postwar households, divisions of labor, generational transitions, familial disintegration (rapidly rising rates of divorce), all on the eve of radical reconfiguration of families and households.

The concept of the "nuclear family" itself invites reflection upon several issues. Some anthropologists have argued that the nuclear family—or the small household—is a feature of almost all societies, while others seek to restrict its existence to Western or

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were forbidden on grounds of being one flesh, respectively with the father or the brother. The Latin verb *succrescere* was translated here as "thrive." It means "to grow up after" or "succeed," here, perhaps better, "to grow up as a successor." Apart from the question of what kind of experience Gregory was alluding to, it is not obvious that succeeding had anything to do with physically or mentally deleterious consequences of cousin marriage observed in his time. The disarray assumed to follow from incestuous relations might have been understood to offer a poor environment for a child to prosper. Aquinas, later, was of the opinion that a disorderly family was not capable of raising a child well. Gregory might well have been alluding to Leviticus 21:20–21, which threatens childlessness for sexual relations with an uncle's or brother's wife. There were various issues discussed by contemporaries about this letter, mostly about the range of kin to be avoided, but they were not interested in the question of the effects on offspring of close marriage.

<sup>18</sup> Karl Uhl, *Inzestverbot und Gesetzgebung: Die Konstruktion eines Verbrechens (300–1100)* (Berlin and New York, 2008), p. 114, pointed out that cousin marriages in the sixth and seventh centuries were hard to find. They were not at all the custom among the Romans or the Franks.

Northwestern Europe or even to the “West” in the years around World War II. Certainly, the use of the phrase emerged in the postwar period. And with or without the attribute “nuclear,” “family” had already become a crucial part of Western self-reflection, contrasting itself with societies characterized by “kinship.” This distinction became central, for example, for postwar development projects, concerned with breaking up kinship networks and installing modern, small, flexible, and progressive families. The argument throughout this book is that the old history of supplanting kinship in the West by the family is wrong. And in a kind of reverse colonialist gaze, it seeks to recover the category of kinship to analyze social configurations for “modern” Western nations. That by no means implies that kinship is a single thing, a domain, or a specific set of practices. I will seek to show that the analytical tools developed by the West for the Rest are supple instruments for reconsidering Western historical change, patterns of social reproduction, and linkages between households and political formations. While I do think that small households are characteristic of most societies, insisting upon that does not say very much. It makes all the difference how households articulate with other institutions and social and cultural configurations. And they are just as much subject to historical change as any other institutions. Incest discourses articulate with these changes and with the more encompassing practices of kinship, although not in any simple way. It is the task of this book to unpack both the systemic linkages and contingent relations within the field of kinship that connect kinship to its associated dangers.

## The medieval background

We certainly do not reserve leniency for incestuous marriages, unless they [the spouses] heal the adultery through separation. Indeed, incest should not be veiled by the name of marriage [hence no divorce]; apart from those which even to name is calamitous/inauspicious [e.g. incest with daughter/mother], we decree these [to be incestuous]: if anyone through carnal intercourse violates the brother's widow, who had already practically become a sister; if a brother takes the sister of his wife; if anyone marries a stepmother; if anyone might marry a first or second cousin. As we at the present time forbid this, we do not dispense from those [prohibitions] which previously have been established: if someone has carnal intercourse with the widow of a mother's brother or father's brother or pollutes a stepdaughter through intercourse. To be sure: for those for whom illicit marriages will be forbidden, they will have freedom to enter into better marriages. — Council of Epaone, 517<sup>19</sup>

Now, as all these degrees are related to their ancient origin so that they do not lose the new kinship with those who come from them in either direction, but that the process not go on *ad infinitum*, the holy fathers set an appropriate limit, namely, that so long as there are titles of succession, relationship should still endure. Hence, it became customary that the portrayal of consanguinity follow

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<sup>19</sup> *Concilia Aevi Merovingici*, ed. Friedrich Maassen, Monumenta Germaniae Historica, Legum; Sectio III Concilia 1 (Hannover, 1893), p. 26. Karl Ubl graciously came to my aid with the translation, and Sylvia Neri explained the grammatical difficulties.

the form of the human body. For as the body of man is endowed with six members below and the same number above, both of which are also named after their sides [sc., right and left]; hence also the sex, which is on neither side, is as it were the sixth, which indeed can easily be determined from the second fingers of the hands or from the second toes of the feet; so likewise this diagram of human succession comes to an end with six degrees, both above and below, and with those that are related, although for the sake of greater precaution a seventh generation is added to them. — Peter Damian, 1046<sup>20</sup>

It is clearly in accord with the idiom of Sacred Scripture that the offspring of several brothers are included together in this manner [i.e., as one generation], as if the sequence of succession were composed of those descending from one man. . . . Take note, therefore, judges that in counting incorrectly you oppose numerous witnesses from Sacred Scripture that file a counterclaim against you; and that in the process of introducing the filth of incest under the title of marriage, you are attempting to defile the stainless chastity of the Church. — Peter Damian, 1046<sup>21</sup>

As for consanguinity, no one may marry up to the seventh generation, or as far as kindred can be known. — Pope Nicholas II, 1059

It must not be deemed reprehensible if human statutes change sometimes with the change of time, especially when urgent necessity or common interest demands it, since God himself has changed in the New Testament some things that He had decreed in the Old. Since, therefore the prohibition against the contracting of marriage *in secundo et tertio genere affinitatis* [in-laws of in-laws or in-laws of in-laws of in-laws] and that against the union of the offspring from second marriages to a relative of the first husband, frequently constitute a source of difficulty and sometimes are a cause of danger to souls, that by a cessation of the prohibition the effect may cease also, we . . . decree in the present statute that such persons may in the future contract marriage without hindrance. The prohibition . . . is not in the future to affect marriages beyond the fourth degree of consanguinity and affinity [third cousins and third cousins of a spouse]; since in degrees beyond the fourth a prohibition of this kind cannot be generally observed without grave inconvenience. . . . [and] because there are four humors in the body, which consist of four elements. — Fourth Lateran Council, 1215<sup>22</sup>

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<sup>20</sup> Damian, Letter 19, pp. 174–75. He went on to write: “Under the direction of the Church, matrimonial law was composed with such technical skill that the essential bond of mutual love among men might be preserved, that is, so that to whatever length the order of descent might be extended, a mutual love of neighbor should be provided from the very connection of relationship. But since in the absence of technical terms it is impossible to determine the nature of relationship, the laws of matrimony immediately step in and call back the one who has gone afar as if he were a fugitive and restores the rights of ancient love between new men,” pp. 175–76.

<sup>21</sup> Damian, Letter 19, p. 182. He developed an argument about degrees and argued for the idea of the generation as the unit that determined degree; that is, that in assessing the degree of relationship between two relatives one counted by generations: “It should be noted that in counting generations of relatives there must always be more than one person, for a generation cannot consist of one person. Only then can one speak of a generation when a child proceeds from its parent. . . . That persons exceed the degree, is clearly indicated in the diagram found in the canons, where it is stated that father and mother are contained in the first degree of the ascending line, son and daughter of the descending line. Therefore, since father and son are placed in one degree, it undoubtedly follows that in the table of relationship persons exceed degrees,” pp. 187–88.

<sup>22</sup> The Canons of the Fourth Lateran Council, Canon 50, at Medieval Sourcebook: Twelfth Ecumenical Council: Lateran IV 1215, accessed March 26, 2021, <https://sourcebooks.fordham.edu/basis/lateran4.asp>.

Sexual intercourse with women related by consanguinity or affinity is unbecoming to venereal union on three counts. First because man naturally owes a certain respect to his parents and therefore to his other blood relations, who are descended in near degree from the same parents. . . . The second reason is because blood relations must needs live in close touch with one another. Wherefore if they were not debarred from venereal union, opportunities of venereal intercourse would be very frequent and thus men's minds would be enervated by lust. . . . The third reason is, because this would hinder a man from having many friends: since through a man taking a stranger to wife, all his wife's relations are united to him by a special kind of friendship, as though they were of the same blood as himself. . . . Aristotle adds another reason: for since it is natural that a man have a liking for a woman of his kindred, if this be added the love that has its origins in venereal intercourse, his love would be too ardent and would become a very great incentive to lust: and this is contrary to chastity. — St. Thomas Aquinas, *Summa theologiae*, 1270s<sup>23</sup>

The investigation in this book starts with the period after the Reformations of the sixteenth century. The problem of incest and related marriage prohibitions in canon law had triggered the break with Rome in England in 1543. And although the same cannot be said of Germany, it is nevertheless a fact that Martin Luther, having already issued the challenges to papal authority that led to his 1521 excommunication, chose to marry a former nun in 1525, and thus to enter into an incestuous union as defined by canon law. Famously, of course, he consigned that law to the flames, with the contention that its extensive marriage prohibitions were basically a swindle to cash in on dispensations. As a result of such challenges, the papacy at the Council of Trent (1545–1563) prepared to reconsider canon law and come up with an authoritative statement of Catholic doctrine, including the rules of valid marriage, the legitimacy and extent of incest prohibitions, and ecclesiastical policies and powers of dispensation. In the end, many Protestant states revived canon law principles. Even in England, which departed from medieval ecclesiastical law the most, commentators implicitly used this or that argument well-established in medieval texts and thus breathed a second life into canon law. And in the aftermath of the Reformation, theologians and legal scholars all across Europe continued to comb through the entire literature, from imperial Rome and ancient Israel through the Church Fathers and early Christian synods, to the theologians and philosophers and lawyers of the high and late Middle Ages, the only added source being the new travel literature.

Although I do not want to enter into the large and complex scholarship about the origins and development of medieval incest rules, my goal of situating those rules and the discourse supporting them in their cultural-historical-developmental contexts requires sketching in some of the major concerns transmitted to the West from late

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Cited hereafter as Medieval Sourcebook: Lateran IV 1215, Canons. The Medieval Sourcebooks project is located at the Fordham University Center for Medieval Studies and is part of the larger Internet History Sourcebooks Project located at the Fordham University Department of History.

<sup>23</sup> St. Thomas Aquinas, *Summa theologiae*, Pt. II-II, Q. 154, Art. 9, at Medieval Sourcebook: Aquinas on Sex, accessed March 29, 2021, <https://sourcebooks.fordham.edu/source/aquinas-sex.asp>. Cited hereafter as Medieval Sourcebook: Aquinas on Sex.

antiquity, along with the salient features of the rules themselves on the eve of the Reformation. Recent scholarship on the extensive canon law marriage prohibitions, the peculiarities of Western kinship, and the lineaments of family structure formed in the West during the transition from antiquity to the medieval era is more-or-less a long argument with the 1983 book by anthropologist Jack Goody: *The Development of the Family and Marriage in Europe*. Goody, an Africanist by trade, had long been concerned with the characteristic institutions of different cultural areas. Originally he compared the Euro-Asian land mass with Africa, contrasting plough with hoe cultures, dowry with bridewealth, and various domestic groups, clans, lineages, and systems of devolution.<sup>24</sup> In an earlier paper, he argued that the incest prohibition was not a single, universal norm; that it had always taken its form in relation to the kind of kinship that a culture or political order aimed at preventing.<sup>25</sup> In the 1983 book, he sought the key features of European kinship and family in a fundamental break with the ancient world in the several centuries after 300 CE. He maintained that the ever-more-powerful Church establishment pursued a strategy of breaking up integrated kinship groups, clans, and lineages in order to reduce the number of claimants on property and facilitate transfers of wealth to the Church itself. Over several centuries, vast amounts of land were ceded to the Church by individuals concerned with their own salvation and uninhibited by claims of relatives.<sup>26</sup> What endures in Goody's account is the insistence that incest regulations have to be understood in the context of kinship practices, projects, and policies.

Goody argued that “in-marriages” were standard issue before Europe's conversion to Christianity. He thought that in both Roman and Germanic societies, cousin marriages and marriages to the father's or brother's widow were frequent. Systems of exogamy and endogamy each have a cluster of features that go with them, and much of Goody's analysis aimed at figuring out the interlocking elements of the rise of exogamy—marriage with people not recognized as kin. At the center of his argument was the notion that incest taboos have very much to do with how family and kinship are organized and how power and authority are exercised. The new system rejected the marriage of close consanguineal kin and close affinal kin, concubinage, polygyny, divorce, and adoption. “One aspect of all the rejected practices . . . has to do with the inheritance of family property, with the provision of an heir, and with the maintenance of status in a stratified society.”<sup>27</sup> From the fourth to the eleventh century, ever-wider circles of kin were

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24 Jack Goody and S. J. Tambiah, *Bridewealth and Dowry* (Cambridge, 1973). Jack Goody, *Production and Reproduction: A Comparative Study of the Domestic Domain* (Cambridge, 1976); *The Development of the Family and Marriage in Europe* (Cambridge, 1983); *The Oriental, the Ancient, and the Primitive: Systems of Marriage in the Pre-Industrial Societies of Eurasia* (Cambridge, 1990).

25 Jack Goody, “A Comparative Approach to Incest and Adultery,” ch. 2 in *Comparative Studies in Kinship* (London, 1969), pp. 13–38. For an assessment of Goody's arguments and understanding of Roman notions of legitimate marriage, see Moreau, *Incestus et prohibita nuptiae*, pp. 302–17.

26 Goody, *Development of Family and Marriage*, pp. 134–46.

27 Goody, *Development of Family and Marriage*, pp. 43–46, here p. 42.

excluded as marriage partners. Goody rightly pointed out that there was no justification for preventing marriages with cousins in Mosaic law, and he also thought that Roman law did not proscribe marriages with cousins.<sup>28</sup> He pointed out that at the same time as marriage with first cousins was condemned, marriage with a sister-in-law (brother's wife or wife's sister) also was decreed to be illegitimate.<sup>29</sup> With the development of "spiritual kinship" and proscriptions of marriage between godparents and godchildren, exogamy rules extended beyond relatives to include close friends. All of this was not prompted by doctrines of faith: "Their one common feature was the control they gave over strategies of heirship, and in particular the control over close marriages, those between consanguineal, affinal and spiritual kin."<sup>30</sup>

From the fourth century onwards, Goody argued, marriage prohibitions "played a central part in the life of the Church."<sup>31</sup> By the eleventh century, according to the rules, every marriage was essentially incestuous.<sup>32</sup> By then canon law had adopted a principle that excluded any partner related to a person to the seventh degree (sixth cousins) or related in the seventh degree to a deceased spouse. Along with this had been a shift in how kin were counted from the Roman law method to a "Germanic" calculation, the former based on each generative act and the latter, according to Goody, on the "unity of the sibling group."<sup>33</sup> The Romans had established kinship by counting upwards through each set of parents and then downwards to the person in question. So, for example, a sibling was a kin in the second degree, a first cousin, in the fourth degree. In Germanic reckoning, the two people in question counted up to a common ancestor, siblings thus being related in the first degree and first cousins in the second degree.<sup>34</sup> I do not want to examine all the implications of the two systems of reckoning for matters like property devolution but should point out that the system of reckoning adopted by canon law has been credited with shifting attention away from agnatically constructed lineages (the prohibitions were reckoned through both paternal and maternal kin), on the one hand, and to ego-focused reckoning, on the other, which Goody and a host of anthropologists

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28 Goody, *Development of Family and Marriage*, p. 49–50.

29 Goody, *Development of Family and Marriage*, pp. 55–57.

30 Goody, *Development of Family and Marriage*, p. 84.

31 Goody, *Development of Family and Marriage*, p. 134.

32 Ubl, *Inzestverbot und Gesetzgebung*, p. 4.

33 Goody, *Development of Family and Marriage*, p. 136. But the arguments of Peter Damian (see the epigraphs) are about generation reconfigured by looking at the number of generations descending from a common ancestor. In thinking through how to quantify by degrees, Damian considered the parents and children to be a unity, the starting point for the first degree.

34 Goody, *Development of Marriage and Family*, pp. 134–44. Ubl, *Inzestverbot und Gesetzgebung*, pp. 9–10, 21–27, 75–84, 112–14, shows that there was no ethnic or tribal Germanic way of reckoning kinship. On the invention of the new system of calculation by Peter Damian, see Simon Teuscher, "Quantifying Generation: Peter Damian Develops a New System of Kinship Calculation," in *The Politics of Kinship* ed. Erdmute Alber, David Warren Sabean, Simon Teuscher, and Tatjana Thelen (New York and Oxford: Berghahn Press, forthcoming, 2023).

have seen as a fundamental building block in the construction of European individualism.<sup>35</sup> According to Goody, the way the Church imagined all of this was to shift the system to the married couple and their union in the flesh, precluding the search for collaterals (inheritance never goes upwards) and stressing the direct line of descent. Ultimately the point for both Church and state was to ensure their own growth by limiting and weakening groups and “ranges of kin.”<sup>36</sup>

Scholarly discovery of ever-more-extensive incest rules between the fourth and the eleventh centuries was well established before Goody began his study. His contribution was to draw sharp lines between the ancient and medieval worlds and between the areas north of the Mediterranean and everywhere else, to treat different elements of kinship as structurally coherent, and to see the engine of change, not in religious faith or Christian dogma, but in the real estate politics of the Church, and later, of expanding states. He argued that there was a monumental struggle, particularly between the Church and the various European aristocracies, but that by the eleventh century, the Church had gotten hold of the institutions of marriage and heirship.<sup>37</sup> Altogether the book was a great synthesis of earlier and current scholarship, and it set the agenda for several decades. Nevertheless, bit by bit researchers chipped away at the edifice he constructed and that process led eventually to a great monument of German scholarship, Karl Ubl’s *Inzestverbot und Gesetzgebung*.

Departing from Goody’s focus, Ubl approached the history of incest rules by detailing the practical political context for all the discussions and lawgiving from the fourth to the eleventh centuries. He argued that concerns with incest (and therefore with kinship) had everything to do with the break-up of the Roman imperium and the collapse of central authority.<sup>38</sup> In the context of political struggle, bishops emerged as key figures for establishing and maintaining social order, and it was important to see both that they themselves came from old senator families or emerging aristocracies, and that their projects did not conflict with those of other elites. They were trained in Roman law and acted right on through the tenth century as conduits for traditional legal ideas.<sup>39</sup> But the nature of law did undergo significant change in that it took on a more symbolic aspect in the context of the inability of elites to enforce proscriptions.<sup>40</sup> In a sense, lawgiving became future oriented, concerned with building Christian states. Significantly, the challenges to Roman law were not made from the perspective of a unified body of Germanic law, as no such body existed. And the eleventh-century reorientation in counting and representing kin was not prompted by ethnic cultural differ-

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35 Moreau, *Incestus et prohibita nuptiae*, p. 168, argued that incest prohibitions in Rome were always reckoned from the point of view of the individual, that is to say, were “ego-focused.”

36 Goody, *Development of Family and Marriage*, p. 142; the argument spelled out pp. 139–46.

37 Goody, *Development of Family and Marriage*, p. 185.

38 Ubl, *Inzestverbot und Gesetzgebung*, p. 29.

39 Ubl, *Inzestverbot und Gesetzgebung*, pp. 28–30, 114–16.

40 Ubl, *Inzestverbot und Gesetzgebung*, pp. 31, 33, 64, 181, 274, 289, 476, 484, 496.

ences but worked out in specialized legal discussions within the Church itself. Indeed, Ubl found that marriage practices among the Romans and Franks were similar, that for both, marriages with blood relatives were infrequent before Christianization, and that exogamous rules were in fact followed even if some few had recourse to the occasional cousin.<sup>41</sup>

Goody's account of the history of endogamy also had many problems. As Ubl pointed out, Rome had not had a single, unproblematic history of cousin marriage.<sup>42</sup> Indeed Republican Rome had considered such alliances as illegitimate. During the Empire cousin marriages had become quite possible, but in the course of the fourth to sixth centuries, attempts to renew the Empire had brought about a new culture of discipline among both heathens and Christians, one element of which had been to introduce greater strictness in marital alliance and a renewed proscription of cousin marriage.<sup>43</sup> There was nothing particularly Christian about the rising prejudice against endogamy; indeed, Diocletian (284–305) both introduced the persecution of Christians and, as one of the first acts of his reign, promulgated laws against incest.<sup>44</sup> Ubl also challenged Goody's linear account of ever-progressive restrictions of endogamous marriage by emphasizing two significant breaks, the first around 500 and a second around 1000.<sup>45</sup>

Another of the chief critiques of Goody's synthesis was provided by Michael Mitterauer, who argued that social and political explanations for the history of incest prohibitions did not take into consideration the significant role of religious ideology.<sup>46</sup> With reference to several New Testament texts that displace the natural relationships of birth in favor of those created through conversion, Mitterauer argued for a fundamental antagonism between Christianity and lineage/descent (*Abstammung*).<sup>47</sup> Like Goody, he saw a linear history of ever-greater restriction of the circle of suitable marriage partners, but he considered it to be an unfolding of the basic enmity of Christianity to widespread family ties. Ubl, in contrast to both Mitterauer and Goody, saw no logical development from the fourth to the eleventh century, but instead emphasized the contingent aspect of the changes. The confluence of unrelated forces at particular junctures of time and

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41 Ubl, *Inzestverbot und Gesetzgebung*, pp. 21–27, 75–84, 112–14.

42 Ubl, *Inzestverbot und Gesetzgebung*, pp. 35–46.

43 This is documented in detail by Moreau, *Incestus et prohibita nuptiae*, pp. 286–89, 309–11, 316–17, 373–74, 405–12.

44 Ubl, *Inzestverbot und Gesetzgebung*, p. 71.

45 Ubl, *Inzestverbot und Gesetzgebung*, p. 485.

46 Michael Mitterauer, "Christentum und Endogamie," in *Historisch-anthropologische Familienforschung: Fragestellungen und Zugangsweisen* (Vienna and Cologne, 1990), pp. 41–85; *Warum Europa?: Mittelalterliche Grundlagen eines Sonderwegs* (Munich, 2003), pp. 70–108; "Christianity and Endogamy," *Continuity and Change* 6, no. 3 (1991): 295–333. A short summary of Mitterauer's arguments is in Ubl, *Inzestverbot und Gesetzgebung*, pp. 9–13.

47 He cited, for example, Luke 18:29–30: "And he [Jesus] said unto them, Verily I say unto you, There is no man that hath left house, or parents, or brethren, or wife, or children, for the kingdom of God's sake, Who shall not receive manifold more in this present time, and in the world to come life everlasting."



the fact of continuous social change over the period—the context of lawgiving was continuously changing, and the waxing and waning of concern reflected issues that never remained stable—meant that chance had to be taken into account. The break around 500 CE with the older Roman alliance structures took place in the context of a political and lawmaking center in decline, during which marriage and social ties provided the crucial mechanisms for order and stability. Therefore, it was marriage above all that drew the attention of lawgivers.<sup>48</sup>

In Roman law of the republican and imperial periods, incest prohibitions and the civil laws defining kin did not coincide with each other, as Ubl pointed out. Counting who was kin was a matter of inheritance and property claims, and recognition of those who had a mutual interest in property extended by Roman calculation to kin of the third or fourth degree—to uncles and first cousins and eventually beyond to second cousins. Incest prohibitions had nothing to do with the recognition of kin through descent. The first major break in the history of incest prohibitions in the West was based on extending the rules of exogamy to all kin recognized by Roman civil law. A key figure here was Avitus of Vienna (470–519), whose influence in the Burgundian kingdom was central, not only to the subject at hand but also in the conversion of the royal house from Arianism to Catholicism. Almost all the Church synods of the sixth and seventh centuries had incest as the most prominent—or even single—item on the agenda. The most important council in this regard, which took place in Epaone in 517, offered the most detailed list of forbidden partners and was continuously referenced throughout the Merovingian period into the eighth century and beyond.<sup>49</sup>

The novelty at Epaone was the extension of exogamy rules to the whole kin as understood by Roman civil law. And what must be underscored is that affinal kin were as important as consanguineal kin and had been in the center of discussion since the fourth century. Indeed, until the eleventh century, there was greater emphasis placed on kin by alliance than kin by blood in the representation of incest at all of the many synods. At Epaone, the incest prohibitions included the brother's wife (levirate), the wife's sister (sororate), the stepmother (the prohibition of marriage with step parents was a kernel of Roman law before Christianization, *pace* Goody), first and second cousins, the uncle's wife, and the stepdaughter. Second cousins were new, and Avitus was conscious of the fact, but he grounded his argument in Roman law.<sup>50</sup> What was also new was the use of Old Testament arguments taken from Leviticus 18:6, which forbade marriage with those linked together by flesh. On the principle of husband and wife being one flesh and therefore linked through flesh to each other's consanguines, the prohibition was re-stated to cover the brother's wife, wife's sister, stepdaughter, and stepmother. From then on the conflation of Old Testament and Roman legal ideas

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48 Ubl, *Inzestverbot und Gesetzgebung*, pp. 11–12, 211, 384, 478.

49 Ubl, *Inzestverbot und Gesetzgebung*, pp. 115–33.

50 Ubl, *Inzestverbot und Gesetzgebung*, pp. 131–33.

dominated discussions. Behind the reconfiguration of argument and extension of the prohibitions lay an attempt to put a lid on licentiousness and offer a picture of Christian morality in a period of plague, civil war, and invasion, all seen as evidence of God's displeasure with a disorderly population. The ideology here reflected the sentiments of the elites. There was no great resistance among the aristocracy as Goody had assumed. And there was nothing unique here yet about the West.<sup>51</sup>

The second break came around the year 1000, and with it, as far as incest prohibitions were concerned, Roman law was abandoned. Ubl carefully reviewed all the texts of the tenth century to show that no one yet used canon law reckoning and that a variety of essentially private texts circulated, such that there was no unified position throughout the Frankish Empire. Although here and there the prohibition was understood to extend to the "seventh degree," that would have included only the second-cousin-once-removed by Roman law calculation. By contrast the law adopted in 1059 at the Council of Rome used canon law reckoning and forbade marriage with any blood relative to the seventh degree (sixth cousins) or relative of a previous spouse, also to the seventh degree. To figure out if you were related to a potential spouse, you would have to go back 200–300 years to 128 ancestors, and (assuming two children per family) have to take into account 8,192 cousins (with any marriage adding another 8,192 cousins). The *symbolic* nature of this was clear, and it was adopted by the reformed papacy as part of a program to make all sexuality suspect, to reinforce notions of purity in order to support celibacy and reinforce the spiritual hierarchy.<sup>52</sup> Needless to say, there now was considerable opposition among the laity, on the one hand, and on the other, a liberal policy of dispensations from Leo IX (1002–1054) and Alexander II (1061–1073), precisely the popes responsible for promulgating the new rules.<sup>53</sup>

Peter Damian was the major intellectual force behind the eleventh-century revolution in counting kin. In two letters on the subject, he entered the lists against the new schools of Roman law scholarship at Bologna and Ravenna. Damian's innovations have been the subject of close analysis by Simon Teuscher, who made it clear that the incest prohibitions redacted in canon law had nothing to do with issues of biological consequences for offspring.<sup>54</sup> Damian was concerned with technical questions of quantifying degrees of relationships and drew his evidence from biblical passages utilizing the language of generation. For example, Genesis 50:22–23 spoke of Joseph witnessing his offspring to the third and fourth generation. From that text, Damian argued on the one hand that both lines were counted together, not separately as in Roman law calculation. And on the other hand, he pointed out that a proper reading of Roman law had to assume a similar calculation—in this he was innovating wildly. In any event, he drew analogies from six parts of the body and from what he called the six ages of man to

<sup>51</sup> Ubl, *Inzestverbot und Gesetzgebung*, pp. 170–74.

<sup>52</sup> See Teuscher, "Quantifying Generation."

<sup>53</sup> Ubl, *Inzestverbot und Gesetzgebung*, pp. 2–4, 237–38, 384–440, 454–58, 466, 575, 484–85, 494.

<sup>54</sup> Teuscher, "Quantifying Generation."

argue for his calculation of six generations. This was not an argument about blood and not an argument about any dangers for the children of close unions. Indeed, the choice of sixth cousins as the boundary between licit and illicit marriage suggests a purely abstract consideration of near kin. What Damian was after was a form of exogamy that knit society together through love. That he made explicit.<sup>55</sup>

Ubl's account of marriage prohibitions, like Goody's, looked at their function for the construction of kinship. In the context of political disintegration, social integration through rulership disappeared and was reestablished through mechanisms of societal ties such as brotherhoods, and through marriage alliance.<sup>56</sup> The first effect of the system of alliance was the emergence of an intensive regionalization.<sup>57</sup> It was in this context that Saint Augustine's argument that exogamy was well-fitted to extend Christian love, repeated by Peter Damian among others, made a great deal of sense. The Merovingian (mid-fifth to mid-eighth centuries) obsession with incest has to be seen in terms of rulers' strategic interest in the alliance formations of subordinate elites. Yet the Merovingian kings did not have the administrative and political muscle to go much beyond symbolic gestures. This changed with Charlemagne, who pursued practical results, including the construction of an imperial aristocracy, by forcing a transregional marriage market. The two hundred or so families of the imperial aristocracy were themselves concerned with status equal marriages (isogamy), but Carolingian policies demanded marriage partners outside of this restricted group: the rules of exogamy cast alliances across regions and enforced greater social mobility. What was at issue here was not the breakup of the bonds of kinship (Goody) but the construction of a transregional, cohesive imperial aristocracy.<sup>58</sup>

Ubl asked whether the incest prohibitions had the effect on European history that Goody thought; i.e., whether the innovations in incest rules were essential to the construction of the European family by impeding the development of "traditional clan

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<sup>55</sup> See, for example, the quotation from Damian, Letter 19, pp. 176–77, as printed in the first set of epigraphs to this Introduction. Damian argued further: "Let us inquire about the descendants from two full brothers. At what degree can they succeed one another as heirs? Judges, I again address you and sue you at your own law. And now I speak to you as lawyers and inquire of you who scrutinize the laws and plead at court: can one who is a descendant of one brother in the sixth degree rightly succeed to the inheritance of him who is related to the other brother also in the sixth degree? Surely to this question it is impossible to reply in the negative, since in our case, if one of the two dies intestate and no closer relative is living, the other by law is declared his heir. . . . If, therefore, reciprocal rights obtain, no matter how remote the degree not only linearly but also collaterally; and, as was said before, since one cannot succeed to a deceased person unless it be evident that he is related, it is quite absurd and disconcerting to state that those who are related to true brothers in the fourth degree may marry, since those who come after them do not as yet lose their rights of inheritance. One right cancels out the other; so that it would be illegal for a man to marry her whom he can succeed as heir, and on the other hand, one ceases to be an heir to her whom he may legally marry," pp. 178–79.

<sup>56</sup> Ubl, *Inzestverbot und Gesetzgebung*, pp. 30–32, 72, 454.

<sup>57</sup> Ubl, *Inzestverbot und Gesetzgebung*, p. 214.

<sup>58</sup> Ubl, *Inzestverbot und Gesetzgebung*, p. 290, 435, 473–76, 495.

structures and [making] the nuclear family the dominant model of social organization.”<sup>59</sup> The first problem with this claim was that the nuclear family was present before the extension of incest prohibitions. There was no tribal culture for which cousin marriage was the expression—the nineteenth-century idea of the Germanic *Sippenverband* (clan) had long been completely demolished. Ubl concluded that the laws that extended exogamy were not “promulgated in societies characterized by tribalization.”<sup>60</sup> Rather, they were developed in large empires after the fall of ancient state structures. Elites were concerned with communication across regions inside the aristocracy, and they found Roman legal traditions amenable to the task. The high point of transregional alliance formation came under Charlemagne with his creation of an imperial aristocracy. Thus, the history of incest lawgiving involved a long conversation between kings, aristocracies, and ecclesiastical authorities, the chief tendency of which was to counteract the regionalization of the elite in the aftermath of the collapse of the Roman state.<sup>61</sup> Ubl concluded that the extension was not a mechanism to shift focus onto the nuclear family but just the opposite; one to refocus the components of alliance in a desperate attempt to create public order.<sup>62</sup>

The break with the Roman legal tradition in the eleventh century and the reformulation of canon law effected uniformly and universally from the center offered a substantial counterweight to forms of familial representation that placed emphasis upon agnatic or uterine lineages or coherent groups selected through unilineal devolution. Anthropologists and historians have often thought of European kinship as “bilateral” or “cognatic” (relatives through the mother or through the father treated equally) or “ego-focused” (supporting individualism) on account of the fact that the group of relatives calculated according to canon law begins with a particular person, so that, for example, the kin of a father and son are different even if overlapping. And furthermore, they have noted that the one-flesh doctrine, with its supposed emphasis on the married couple, ultimately implied a social order based upon the nuclear family. It is possible, however, to distinguish between the nature of the representation developed in eleventh-century canon law and its practical use. And to argue, as I will in this book, that the adoption of canon-law incest prohibitions did not preclude lineage structures, systemic alliance patterns, contrasting configurations of siblings and cousins, permeable households, or variable recognition of kin; furthermore, that the range of incest prohibitions and the type of relatives included in the prohibition always have depended throughout the West on the time and place.

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59 Ubl, *Inzestverbot und Gesetzgebung*, p. 496. Seventeen years later, Goody wrote: “We know of virtually no society in the history of humanity where the elementary or nuclear family was not important, in the vast majority of cases as a co-residential group.” Jack Goody, *The European Family: An Historico-Anthropological Essay* (Oxford, 2000), p. 2.

60 Ubl, *Inzestverbot und Gesetzgebung*, p. 497.

61 Ubl, *Inzestverbot und Gesetzgebung*, pp. 114, 376, 494.

62 Ubl, *Inzestverbot und Gesetzgebung*, p. 498.

The system of incest prohibitions adopted in the eleventh century lasted for about one hundred fifty years. At their height, the prohibitions covered not only sixth cousins by descent and by relation to a deceased spouse, but also in-laws of in-laws of in-laws (impossible to calculate or control), spiritual kin (including the children of a godparent with the godchildren), and anyone who had taken a vow of celibacy. Sexual intercourse itself was understood to create a kinship bond, precluding marriage, for example, with the sibling of a sexual partner. All of this has to be seen within the context of ecclesiastical suspicion of sexuality and obsession with pollution/purity. It allowed the Church to insert itself into intimate familial relations and also to supervise alliances between families. Since another chink in the edifice of Church marriage and family policy consisted of monogamy and the practical impossibility of divorce, a dispensation (in the difficult situation of finding an unrelated spouse) guaranteed the legitimacy of any marriage and precluded any subsequent challenge on the basis of (a conveniently discovered) incest. However, in face of considerable criticism of the system and resistance on the part of powerful and ever more self-conscious elites, the edifice was modified in important ways under Innocent III (1160–1216).

The Fourth Lateran Council (1215) redrew the circle of prohibited degrees with more realistic boundaries.<sup>63</sup> The system of reckoning remained the same, but the prohibited degrees shrank from the seventh to the fourth degree (third cousins) for both consanguineal relatives and relatives of a deceased spouse. The prohibitions against three kinds of in-laws were abrogated as well. And the justification for four degrees was found in the four humors, akin to an earlier analogy drawn between seven degrees of separation and the seven days of creation. There was no suggestion of biological, social, or psychological issues—just an analogy about the successive loss of a common substance for each degree of distance. This points to a deeper issue—justifications for incest prohibitions can be quite absurd, based on limited reasoning, false reading of texts, or mistaken science. The particular justification has never been adequate to the fear, nor has it sufficiently expressed the social meaning or cultural purpose descried in transgression.

There were many attempts to expand upon the reasoning of the Fourth Lateran Council, but I want to focus here on just one, by the much-cited theologian Saint Thomas Aquinas (1225–1274).<sup>64</sup> Aquinas was part of a generation concerned with shifting the

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<sup>63</sup> Medieval Sourcebook: Lateran IV 1215, Canons, accessed March 24, 2021, <https://sourcebooks.fordham.edu/basis/lateran4.asp>.

<sup>64</sup> The sources for Aquinas's writings are online. For the *Summa theologiae* passages on incest (Pt. II-II, Q. 154, Art. 9) and on sex (Pt. II-II, Q. 153, Arts. 2–3; Q. 154, Arts. 1–10), see Medieval Sourcebook: Aquinas on Sex, accessed March 24, 2021, <https://sourcebooks.fordham.edu/source/aquinas-sex.asp>. For the Latin text of Pt. II-II, Q. 154, Art. 9, see the website Corpus Thomisticum, *Sancti Thomae de Aquino Summa Theologiae, secunda pars secundae partis a quaestione CXLVI ad CLIV*, accessed March 24, 2021, <http://www.corpusthomicum.org/sth3146.html>. For the text of the *Summa contra Gentiles*, see the translation by Joseph Rickaby, SJ, ch. 125, accessed March 24, 2021, <https://d2y1pz2y630308.cloudfront.net/15471/documents/2016/10/St.%20Thomas%20Aquinas-The%20Summa%20Contra%20Gentiles.pdf>. For the Latin

focus of the doctrine of sexuality away from images of pollution to the morality of reproduction.<sup>65</sup> There was proper, disciplined sex, oriented towards the production and care for children, and there was “lust,” defined as “incompatibility with the right use of venereal actions.” In the *Summa theologiae*, Aquinas dealt with the issues in classic scholastic form, posing the arguments on both sides and resolving them, usually with a series of selected citations appropriate for the position he represented. In this major statement of Christian doctrine, it did not occur to him to offer a single text suggesting that there might be “biological” risks for progeny in sexual intercourse with women “related by consanguinity or affinity.” What there is, is a summary of the chief arguments to support Aquinas’s view of orderly reproductive practices. First was the issue of “respect,” which emphasized the intergenerational relationships between parents and children but also encompassed relatives closely related to parents through descent. What made for the incompatibility of child/parent relations and sexuality was a fundamental shamefulness in all venereal acts: “shame is inconsistent with respect.” Interestingly enough, Aquinas here chose to cite a text from pagan Rome, wherein a son could not properly bathe with his father, since the son ought not to see his father naked. And as he developed his point, he referenced the passage from Aristotle about a stallion with such *filial respect* that it committed suicide after mistakenly covering its mother. Second, he offered an explanation for incest prohibitions with a more “sociological” cast. Blood relatives have had to live close to each other, such that if they were not forbidden to engage in sexual intercourse with one another, they would exhaust themselves with lust. Here Aquinas coned the list in Leviticus 18 with the remark that it selected the very persons who in Hebrew society were apt to live together. With this point, Aquinas assumed, on the one hand, that a rule was necessary, and on the other, that sexual reproduction required orderly care for children and respectful obedience on their part. Third, he argued that the incest rules relied on Augustine’s notion of spreading amity by marrying “strangers,” precisely the point that elites like Damian had made in the aftermath of the breaking up of the imperial Roman polity. Finally, almost as an afterthought, Aquinas added a fourth point, taken from Aristotle, that overlaying one form of love with another (love of kin and love arising through sexual desire) produced

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text of the *Summa contra Gentiles*, caput 125, see the website Corpus Thomisticum, Sancti Thomae de Aquino, *Summa contra Gentiles, liber III a capite CXI ad caput CXLIII*, accessed March 24, 2021, <http://www.corpusthomicum.org/scg3111.html>. For the 1947 Benziger Brothers edition of the *Supplement* to the *Summa theologiae*, translated by Fathers of the English Dominican Province, see <https://aquinas101.thomisticinstitute.org/st-suppl>. Its relevant questions are Nr. 54, “Of the Impediment of Consanguinity,” accessed March 24, 2021, <https://aquinas101.thomisticinstitute.org/st-suppl-q-54#XPQ54OUTP1>, and Nr. 55, “Of the Impediment of Affinity,” accessed March 24, 2021, <https://aquinas101.thomisticinstitute.org/st-suppl-q-55#XPQ55OUTP1>.

<sup>65</sup> See James A. Brundage, *Law, Sex, and Christian Society in Medieval Europe* (Chicago and London, 1987), pp. 173–75, 421–86.

an intensity incompatible with the orderly, chaste relationship appropriate for raising children. To underscore this point, Aquinas reiterated that everything he had argued was valid as much for kin through marriage as for kin through descent. Right through the text, incest was treated primarily in intergenerational terms, which ultimately led Aquinas to the notion that all forms of incest were derived from relations to parents: any other relationship, such as that between siblings, was secondary, derivative, and subject to custom and law.

In his earlier major work, *Summa contra Gentiles*, Aquinas essentially developed the same arguments about respect/shame, orderly households, moderate passion, and the extension of friendships. Here too, he made no mention of possible physical or mental damage to progeny. And in the *Supplement* to the *Summa theologiae* compiled after his death from his manuscripts, the text enlarged on many of the issues to be found in the chief work under the headings of impediments of consanguinity and affinity. The article on consanguinity, Q. 54, emphasized that anything that opposed the good of the children is an impediment to marriage. Here Aquinas did cite the Gregorian text: “We have learnt by experience that the children of such a union [with cousins] cannot thrive.” But this appeared in the context of the scholastic opposition of arguments from both sides, and therefore, *this is not his position*. As he proceeded to resolve the contradictions, he did not return to Gregory’s point, which in any event was ambiguous—after all the cause for the children not “thriving” was not necessarily understood as physiological but could just as well have arisen from oversexed parents, disorderly households, or disrespectful relationships. Aquinas explained that the “essential and primary end of marriage is the good of the offspring.” It is, of course, possible that his synthesis took up the Gregorian argument implicitly, but then his reading had to do with nourishing and socializing children so that they prosper. All of his examples are those between parents and children, the problem always being the maintenance of respectful relations in the first place and in the second place, putting a brake on concupiscence and extending friendships.

Aquinas noted that the degrees for which consanguinity had been an impediment to marriage “have varied according to various times.” For example, at the beginning of the world, it was necessary for siblings to marry and reproduce, but as the world became populated, “persons were debarred from marrying one another who are wont to live together in one household”—to prevent lust. With the coming of the “New Law,” “it was necessary that men should be yet more withdrawn from carnal things by devoting themselves to matters spiritual, and that love should have a yet wider play.” Aquinas here defended extending prohibitions to seven degrees as a means for building wider friendships. But he noted that “because it became useless and dangerous to extend the prohibition to more remote degrees of consanguinity,” the Church later narrowed the prohibitions to four degrees. He thought that in his times, fairly extended kin had pretty much become strangers to each other, so that it was sensible to cut back on the wider restrictions.

In Q. 55, dealing with the relation of affinity, the *Supplement* stressed the necessity of sexual intercourse to the constitution of the relationship. A mere betrothal did not do the deed, since there had to be a completed ejaculation: “In carnal intercourse man and woman become one flesh by mingling of seeds. Wherefore it is not every invasion or penetration of the hymen that causes affinity to be contracted, but only such as is followed by a mingling of seeds.” It was useful to be cautious in this matter, however, since betrothal was not to be taken lightly. Here Aquinas introduced the notion of “public honesty,” which, while not formally introducing affinity did establish an impediment to marriage and that to the same degree as consanguinity and affinity. He seemed, however, to distinguish between “betrothal” and the marriage “contract,” which did indeed create affinity. In collating the manuscripts, the redactor of the *Supplement* had problems preserving consistency here. Perhaps the tension in the argument arose from two different perspectives about marriage. The one put the accent on the consent of the partners and the other on the physical act of consummation. Here it is clear that affinity arose through extra-marital intercourse, on the one hand, and in the formal exchange of mutual consent on the other. But the physical act still played a prominent role in the representation of valid marriage. In any event, affinity, once established, offered the same impediment to marriage as consanguinity, and on similar grounds: living arrangements, the need to extend friendships, curbing concupiscence. The issue of consent would heat up throughout Europe during the sixteenth century as parents and kin tried to establish control over marriage, putting the status of mere consent for establishing a valid marriage into question. And the issue of sexual intercourse as a precondition for contracting affinity also became a much-discussed topic, with Aquinas a frequently quoted authority on the physiology of sex.

This discussion of medieval approaches to incest prohibitions suggests a number of themes that will recur in the following chapters. It would seem that the incest taboo is universal but that most of the details are not. At least there has been a long tradition of trying to account for this conundrum and to bring order into the prohibitions. For example, given the premise of the biblical creation account, one suggestion to deal with sibling marriage was to argue that all the children of Adam and Eve were born as twins and that the twin sets were exogamous. Additionally, it appears that kinship structures and marriage prohibitions are intertwined, such that incest taboos aim at making certain alliances impossible or infrequent or subject to social or political hierarchies. Goody suggested that rules of exogamy or endogamy have been part of a series of interlocking elements, but if this is so, then the logic of the coordinates needs to be explored. Which elements are to be understood as contingent (Ubl), and which form a coherent strategy across time? Arguments about incest in the Western tradition have constantly referred back to ancient texts and have marshalled evidence for particular positions through practices of citation. However, it is often not clear what weight to give to any justification for this or that explanation as scholars worked from a tradition of reference and re-reference. Citing Augustine’s famous justification for exogamy (which he in turn took from Plutarch) as instituted by God to integrate people through love



seems frequently to be a pro forma exercise in learned allusion. Then there is the question of the relationship of the “nuclear family” to the alliance system or of the marital bond to the bonds of descent. And finally, there is the political field in which the rules and practices of exogamy/endogamy are constructed. Is it true that the aggrandizement of the Church or state meant the atrophying of kinship ties? How have kinship ties been shaped by the laws of incest? And is it possible that canon law rules of exogamy are more or less a statement about “Western” kinship—cognatic, ego-focused, and individualistic? I will endeavor to show that kinship structures and kinship practices over the four and a bit centuries since the Renaissance have exhibited considerable changes and that they can by no means be deduced from eleventh-century maps of prohibited couplings, as is often the case in the anthropological literature.

## The argument

There is no practice so evil as not to find Advocates. . . . Some pretend that Death puts an end to all Relations, and that therefore a Mans Wives sister is no more his Sister after his Wives death, and consequently that he may Lawfully Marry her. . . . It is as if it should be affirmed, that because Men have transgressed against the light of Nature, they may do so still, and live in that Sin though it be to the Eternal Damnation of their Souls. Such Marriages are wickedly incestuous; and therefore to Question whether the Civil Authority may permit Persons so concerned to continue in Conjugal Communion, is, to make it a Question, whether Magistrates may not indulge the most Scandalous transgressions of the Moral Law. — Increase Mather, 1695<sup>66</sup>

For thee, my own sweet sister, in thy heart / I know myself secure, as thou in mine; / We were and are—I am, even as thou art— / Beings who ne'er each other can resign; / It is the same, together or apart, / From life's commencement to its slow decline / We are entwined—let death come slow or fast / The tie which bound the first endures the last! — George Gordon Lord Byron, 1816<sup>67</sup>

The hour of sex strikes. But there is your child, bound, helpless. You have already aroused in it the dynamic response to your own insatiable love-will. . . . You have got your child as sure as if you had woven its flesh again with your own. You have done what it is vicious for any parent to do: you have established between your child and yourself the bond of adult love. . . . It is a sort of incest. It is a dynamic *spiritual* incest, more dangerous than sensual incest. — D. H. Lawrence, 1922<sup>68</sup>

If incestuous abuse is indeed an inevitable result of patriarchal family structure, then preventing sexual abuse will ultimately require a radical transformation of the family. — Judith Herman, 1981<sup>69</sup>

<sup>66</sup> Increase Mather, *The Answer of the Ministers in and Near Boston to that Case of Conscience: Whether it is Lawful for a Man to Marry his Wives own Sister?* (Boston, MA, 1695).

<sup>67</sup> George Gordon Lord Byron, “Epistle to Augusta,” in Byron, *Poetical Works*, ed. Frederick Page, rev. ed. John Jump (Oxford, 1970 [1904]), pp. 90–91, undated but written in 1816.

<sup>68</sup> D. H. Lawrence, “*Fantasia of the Unconscious*” [1922] and “*Psychoanalysis and the Unconscious*” [1921] (London, 1977), p. 120.

<sup>69</sup> Judith Lewis Herman, with Lisa Hirschman, *Father-Daughter Incest* (Cambridge, MA, 1981), p. 202.

You're 40, happily married—and then you meet your long-lost brother and fall passionately in love. This isn't fiction; in the age of the sperm donor, it's a growing reality: 50% of reunions between siblings, or parents and offspring, separated at birth result in obsessive emotions. — Alix Kirsta, 2003<sup>70</sup>

I want to trace some of the steps that brought me to this topic and to reveal the underlying assumptions that will inform my narrative. I spent the better part of my career trying to figure out how to conceptualize the notion of “kinship” for European societies. I started with a simple problem that had to do with the development literature of the postwar period, much of which contained explicit injunctions for third world populations to break up extended familial ties to free up energies for progress—in other words, to make their families look more like stripped down families characteristic of the West. I designed my research to review the received wisdom about the rise of the nuclear family in advanced nations, and following leads from social anthropology about field research in small places, I delved into the details of family and kinship life in one South German village during the transition characterized by the agricultural revolution.<sup>71</sup> In the process of understanding radical shifts in how villagers constructed alliances and utilized kin, I had to deal with incest rules and the more encompassing set of marriage prohibitions. Both from my own work and from an extensive reading of the anthropological literature, I came to realize how notions of boundaries implicit in rules about licit marriage were tied up with familial and personal identity, forms of reciprocity and exchange, and the practical experiences of obligation, trust, competition, duty, and reliance; in short, about how that society was able to reproduce itself and to negotiate continuously innovating or disrupting political and economic forces.

My first encounter with marriage proscriptions offered two puzzles: the scrapping of the inherited, very extensive prohibitions during the course of the eighteenth century and the obsession with marriage between a man and his deceased wife's sister during the seventeenth century. At first, I was taken aback by the insistence that sexual relations with a sister-in-law were seen to be incestuous, but more than that, by the thousands of pages written on the subject. And then I was fascinated by the seemingly unrelated fact that during the process of “modernization,” the villagers I was studying increasingly sought out the closest kin to marry. What was seen to be incestuous and polluting during the Baroque was championed from the Enlightenment onwards. Perhaps the terms “Baroque” and “Enlightenment” seem out of place in a village history, but it turned out that the same story about incest, marriage alliance, and kinship structures could be told at least about all property-holding and professional groups in Western Europe, from Scandinavia to Spain during what has come to be called “modernization.”

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<sup>70</sup> Alix Kirsta, “Genetic Sexual Attraction,” *The Guardian*, May 16, 2003, accessed February 19, 2021, <https://www.theguardian.com/theguardian/2003/may/17/weekend7.weekend2>.

<sup>71</sup> David Warren Sabean, *Property, Production and Family in Neckarhausen, 1700–1870* (Cambridge 1990); *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998).

This book leaves the village behind, but the lessons learned from immersion in local records continue to inform my historical/anthropological practice. Like a field worker watching people interact day after day, I go over and over diverse texts to add layer upon layer of observation, slowly teasing out patterns. This seems to me to be the core of what social history is about. To grasp the central features of social interaction implies looking closely and patiently and repeatedly at suitable variations. Each conclusion needs to be extensively tested, all the while anticipating objections and counter readings. The details matter, and the method encourages a lengthy exposition.

At the same time as I was absorbed by the intricacies of seventeenth- and eighteenth-century discourses about incest, I was shocked to hear the stories of women during the 1970s and '80s who had experienced incestuous violence, had repressed all memory of sometimes repeated and distressing episodes, and had often only recovered those memories after prolonged engagement with psychotherapy or hypnosis or drugs. Was there something about the contemporary family to be uncovered or were therapists delving into a heretofore hidden but universal phenomenon? The more I looked at the historical record, the more I found no reticence about incest; in fact, exactly the reverse. It was just that the pair caught in the headlights of scientific and popular engagement changed quite radically over time. And further, it became clear that giving thought to connections between representations of incest and family and kinship structures would lead to new understandings of some of the issues. In order to find a manageable entry into the problematic, I decided to confine my study to Western societies—Europe and America—using the languages I am familiar with. This by no means is meant to reify the West but rather to use a colonialist perspective to reevaluate its history. Nor does my choice of England, France, Germany, and the United States imply a particular definition of the West but rather simply reflects the limitations of my capacities for reading and the languages I feel comfortable with. In order to handle the literature with enough complexity, on the one hand, and to operate with a time-span long enough to support cogent comparisons, on the other, I marked this study out from the beginning rumbles of Baroque culture to the present day.

During the seventeenth century, a substantial literature arose precisely on the incestuous character of marriage or sexual relations with a sister-in-law. Every state in Europe, either through ecclesiastical prohibition, civil law, or state injunction, forbade marriage with the deceased wife's sister or with the deceased brother's wife. If there was an obsession with this pair within Baroque culture, by the late Enlightenment and Romantic periods, interest had shifted to the brother/sister dyad. Around 1900, it shifted again, to the mother and son. (Indeed, Freud thought that the foundations of human culture and the origins of everyman's psyche were to be found in the desire of a male child for his mother.) And then, in the aftermath of World War II, with the apotheosis, crisis, and incipient dissolution of the nuclear family, the father/daughter connection crowded out all others for several decades.

My original intent was to deal with these four periods, but I am very slow. In fact, so slow that while I was working on the book, a whole new set of considerations about incest developed. My original conception of the book was fixed around an end point of 1995, but now it is two-and-a-half decades later, and the new millennium has shifted the center of gravity to the brother/sister dyad once again, albeit in a context quite different from Enlightenment and Romantic cultures and framed in the newly fashionable language of genetics. And so the end point has moved forward. Each of the first four periods have four or five chapters devoted to different themes and motifs, but for this last period, I offer just one concluding chapter, called “Coda,” which goes over the earlier themes and motifs but also functions as an independent passage to close everything off before something else happens. As I pieced together the discourses from the five periods, I found that over hundreds of years, incest was far more associated with moral, social, and political issues than with biological and physiological issues. Nonetheless, a concern with the physical and mental consequences of close marriage did arise around the middle of the nineteenth century, with its own experts and rhetorical strategies. I therefore worked through this literature in a separate chapter, called “Intermezzo,” and inserted it in between the third and fourth sections of the book.

The historical-critical problem I have set myself is to grasp the structural aspects of kinship practices and incest discourses in these five periods throughout Europe and North America and to handle the difficulties arising from a simple logic of comparison. For each period is characterized by an entirely different set of cultural forms, different languages, and different scientific disciplines—and this very fact frequently makes each period almost opaque to the others. In each period as well, fears of violation, notions of boundary and transgression, and representations of pollution and danger are all connected implicitly to structural and systemic forms of everyday practices of kinship interaction, connections which are seldom explicitly remarked upon by the “natives”—and here I mean theologians, lawyers, novelists, biologists, filmmakers, internet bloggers and any other “informants” I can find. Despite the paucity of explicit comment on such connections, the historian’s fate is to dig for those elusive, discursive shards and then to extricate and critique. Finally, in each period, the thing, the substance, the stuff, the material that has connected relatives together has always evidenced considerable variability both metaphorically and “substantively.” The book will look at the five periods I have outlined and for each of them take on four issues: the way incest dangers were concentrated on particular pairs, the language that conveyed discussions and concepts of incest, the relationship of practices of kinship to the incestuous imaginary, and the “material” or substantive vector connecting one relative with another. I am adopting the term “discourse,” since nothing else seems serviceable to capture the interlocking features of cultural assumptions about licit sexual relations, ecclesiastical and governmental rule making, scientific and philosophical reflection, and public representations of pundits, bloggers, pastors, and storytellers. Discourses have shape but not necessar-

ily consistency. What does seem remarkable, however, are the congruences between high and popular culture and the often-unarticulated sensibilities characteristic of a social order. I tend to treat nations and states like rather outsized villages.<sup>72</sup>

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72 After surveying all the marriages in the decades around 1700 in the village I studied, I found not only did villagers not marry first and second cousins (forbidden by law), but they also failed to marry third and fourth cousins (descended from great, great grandparents). I first entertained the thought that this degree of exogamy had been instilled through seven centuries of incest fears prompted by ecclesiastical authorities. And in this Protestant village, periodic reminders of the prohibitions out to second cousins more than did their job. But this did not seem plausible. Upon further reflection, I found the more likely explanation to lie in village politics and local government. Close relatives expected favors from each other. In that context, second cousins were banned from serving together in the village magistrates by state authorities for fear of coordinated and corrupt dealings, a policy eagerly adopted by subjects of the duchy. How this affected marriage alliances is too complex to get into here, but villagers clearly monitored marriages, encouraging practices of extensive exogamy. This example illustrates how discourses at many different levels can interact, that behaviors can be affected by a complexity of cultural forces, and how social practices can be overdetermined. Sabeau, *Kinship in Neckarhausen*, pp. 37–62.

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Section I: **Baroque Europe: The Bible Tells Me So**



# Chapter 1

## Introit: The Wife's Sister

Leviticus 18:4–18, 24–28. 4 Ye shall do my judgments, and keep mine ordinances, to walk therein: I *am* the LORD your God. 5 Ye shall therefore keep my statutes, and my judgments: which if a man do, he shall live in them: I *am* the LORD. 6 None of you shall approach to any that is near of kin to him, to uncover *their* nakedness: I *am* the LORD. 7 The nakedness of thy father, or the nakedness of thy mother, shalt thou not uncover: she *is* thy mother; thou shalt not uncover her nakedness. 8 The nakedness of thy father's wife shalt thou not uncover: it *is* thy father's nakedness. 9 The nakedness of thy sister, the daughter of thy father, or daughter of thy mother, *whether she be* born at home, or born abroad, *even* their nakedness thou shalt not uncover. 10 The nakedness of thy son's daughter, or of thy daughter's daughter, *even* their nakedness thou shalt not uncover: for theirs *is* thine own nakedness. 11 The nakedness of thy father's wife's daughter, begotten of thy father, she *is* thy sister, thou shalt not uncover her nakedness. 12 Thou shalt not uncover the nakedness of thy father's sister: she *is* thy father's near kinswoman. 13 Thou shalt not uncover the nakedness of thy mother's sister: for she *is* thy mother's near kinswoman. 14 Thou shalt not uncover the nakedness of thy father's brother, thou shalt not approach to his wife: she *is* thine aunt. 15 Thou shalt not uncover the nakedness of thy daughter in law: she *is* thy son's wife; thou shalt not uncover her nakedness. 16 Thou shalt not uncover the nakedness of thy brother's wife: it *is* thy brother's nakedness. 17 Thou shalt not uncover the nakedness of a woman and her daughter, neither shalt thou take her son's daughter, or her daughter's daughter, to uncover her nakedness; *for they are* her near kinswomen: it *is* wickedness. 18 Neither shalt thou take a wife to her sister, to vex *her*, to uncover her nakedness, beside the other in her life *time*. . . . 24 Defile not ye yourselves in any of these things: for in all these the nations are defiled which I cast out before you: 25 And the land is defiled: therefore I do visit the iniquity thereof upon it, and the land itself vomiteth out her inhabitants. 26 Ye shall therefore keep my statutes and my judgments, and shall not commit *any* of these abominations; *neither* any of your own nation, nor any stranger that sojourneth among you: 27 (For all these abominations have the men of the land done, which *were* before you, and the land is defiled;) 28 That the land spue not you out also, when ye defile it, as it spued out the nations that *were* before you. AV

Genesis 2:23–24:23. And Adam said, This *is* now bone of my bones, and flesh of my flesh: she shall be called Woman, because she was taken out of Man. 24 Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh. AV

God is not to be provoked to jealousy, for we are not stronger than God, but to marry with the Brother's Widow, or the deceased Wife's Sister is a provoking of God's Jealousie, and a bringing down Wrath and Vengeance upon ourselves, and upon the land. — John Quick, 1703<sup>1</sup>

No one in Europe in the seventeenth century thought of incest as a *biological* issue.<sup>2</sup> Certainly there were consequences for marrying close relatives, but they were expressions

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1 John Quick, *A Serious Inquiry into that Weighty Case of Conscience, whether a man may lawfully marry his deceased wife's sister* [ . . . ] (London, 1703), p. 39.

2 I began looking at incest in David W. Sabean, "The Politics of Incest and the Ecology of Alliance Formation," *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998), pp. 63–89. See the introduction to the project "Inzestdiskurse vom Barock bis zur Romantik," *L'Homme. Zeitschrift für feministische Geschichtswissenschaft* 13 (2002): 7–28. See also my articles "Kinship and Prohibited Marriages in Baroque Germany:



of God's wrath, signs revealing transgressions of manifest commandments. Indeed, children might turn out to be sickly, but it was just as likely that they would simply lead unhappy lives, or that family members would end up fighting with each other or treating each other with contempt, or *parents* face illness or even death.<sup>3</sup> The story was told about a man who, on his way to the capital city for a dispensation to marry his wife's niece, broke his neck by falling off his wagon.<sup>4</sup> In this German Protestant sermon *exemplum* (and there were many just like it), there was—as we would understand it—no blood or genetic relationship between the espoused lovers, and the outcome had nothing to do with their progeny. What then did the thousands of pages devoted to the subject of incest during the “long” seventeenth century concern?

Contemporary writers offered this or that explanation for the extensive marriage prohibitions in canon or ecclesiastical law, but no one provided a trenchant analysis of the *psychological* dimensions of *horror naturalis* or spilled much ink over the *sociological* advantages of exogamy. Theologians and political theorists sometimes gave the nod to St. Augustine's surmise that God established rules of exogamy in order to bind society in a network of “friends” as a genial idea, but more often they dismissed it as merely “political”

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Divergent Strategies among Jewish and Christian Populations,” *Leo Baeck Institute Year Book* 47, no. 1 (2002): 91–103; “Fanny and Felix Mendelssohn-Bartholdy and the Question of Incest,” *The Musical Quarterly* 77, no. 4 (1993): 709–17. There are two excellent articles by Már Jónsson on incest discourse during the period: “Incest and the Word of God: Early Sixteenth Century Protestant Disputes,” *Archiv für Reformationsgeschichte* 85 (1994): 95–118; “Defining Incest by the Word of God: Northern Europe 1520–1740,” *History of European Ideas* 18 (1994): 853–67.

<sup>3</sup> See for example Friedrich Ernst Kettner, *Gründliche Untersuchung der hochangelegenen und bißher vielfältig bestrittenen Gewissens-Frage: Ob jemand seines verstorbenen Weibes leibliche Schwester nach Geist- und Weltlichen Rechten heyrathen darff? Darinnen die Argumenta, so in Hrn. Doct. Wagenseili und Bruckneri Schrifften/ wie auch in Actis Oettingensibus zu finden/ Aus Gottes Wort/ denen Geist- und Weltlichen Rechten/ und grosser Potentaten Verordnungen geprüft werden/ Nebst unterschiedlichen Beylagen/ vornehmer Lehrer Responsis, und einer abgenöthigten Apologia* (Quedlinburg, 1707), p. 125. Kettner was a *Superintendent* (Lutheran bishop) and consistory counselor (*Consistorial-Rat*) in Quedlinburg. See also *Die aus Gottes Wort/ denen-Geist- und Weltlichen Rechten/ auch Christl. Regenten Löbl. Verordnung fest-geschmiedete/ von einem Grob-Schmiede unter dem Nahmen Irenaei Friedlibii Gutfreundes/ zwar plump zerhämmerte/ aber noch unzergliederte Schluß-Kette/ daß zwo Schwestern zu heyrathen/ dem Göttli-Worte/ auch denen Geist- und Weltlichen Rechten zu wider sey*, Beilage (Addendum) II, p. 18, in Kettner, *Gründliche Untersuchung*. The children might be unhealthy from marriage with a wife's sister or any other forbidden degree, such as an uncle's widow: Kettner, *Des Hoch-Ehrwürdigen Ministerii zu Frankfurt an Mayn/ zu Lübeck/ Hamburg/ Lüneb. und Hildesheim/ wie auch Hr. D. Opitii, Hr. Dassovii und Hr. Casparis Neumannii Judicia und Responsa von der Ehe mit des Weibes Schwester, Samt Schriftmäßiger Vertheidigung der vormahligen Untersuchung/ Pastoris zu Halberstadt/ Viele Zunöthigungen* (Quedlinburg, [1708]), p. 26. Here Kettner argued that to marry a wife's sister would cause a man to be conscience stricken all his life. At p. 66, he argued, not that incest had a deleterious effect on the children but that sex with a menstruating woman certainly did in many cases—the children were full of *Unreinigkeit* (impurity).

<sup>4</sup> *Des Ministerii zu Hildesheim Judicium Anno 1596, das D. Heshusius sup. verfertiget*, in Kettner, *Gründliche Untersuchung*, Beilage XI, p. 72.

and not up to the severity of divine and civil retribution.<sup>5</sup> In post-Reformation discussions, ideas of respect for parents did much service, and by the end of the seventeenth century natural law theorists began to explore general notions of shame and modesty. But all the way through the period, the central issues were ones of law—law thought of as commandment, always more or less arbitrary. Jurists, theologians, and natural law scholars chewed over sacred texts, classical literature, Roman and customary legal proscriptions, and travel reports to figure out just what the rules were supposed to be, who knew them, and how they were sanctioned. Above all, they worried the list of forbidden sexual contacts from Leviticus, the third book of Moses, quarreled over principles for reading it, and disputed its validity for all of humanity in general and for Christian states in particular.

While biblical scholars, lawyers, professors of natural law, and judges commented at length on each and every forbidden partner, they developed a particular fondness for the sister-in-law, the deceased wife's sister, which they expressed in thousands of pages on the legitimacy, or not, of marrying two sisters, one after the other. This preoccupation with the sister-in-law is the knot that needs to be disentangled.<sup>6</sup> Yet on the question

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5 For example, see Christian Thomasius, *Ausgewählte Werke*, ed. Werner Schneiders, 24 vols. (Hildesheim, 1993–2010), vol. 4, *Göttliche Rechtsgelahrheit*, ed. and pref. Frank Grunert (repr. Hildesheim, 2001), p. 122. This volume is a critical reprint edition of Thomasius's *Drey Bücher der Göttlichen Rechtsgelahrheit* [. . .] (Halle, 1709). It is cited hereafter as Thomasius, *Rechtsgelahrheit*. See also Hugo Grotius, *The Rights of War and Peace* [1625], from the edition by Jean Barbeyrac [1724], ed. and intro. Richard Tuck, 3 vols. (Indianapolis, 2005), vol. 2, p. 527: "For as to that Reason which *Plutarch* in his *Roman Questions* offers, and *St. Austin* after him, in his *City of GOD*, B. XV. C. 16. of extending Friendships by extending Alliances, is not so much Weight and Consideration as to make one believe that Marriages contrary to such an End are to be reputed void or unlawful." In the first English edition (London, 1682), translated by William Evats, the text runs thus: "strengthening ourselves with new Alliances . . . savours more of Policy than true Piety." Christoph Friedrich Ammon, *Ueber das moralische Fundament der Eheverbote unter Verwandten; 1. Abhandlung* (Göttingen, 1798); 2. *Abhandlung* (Göttingen, 1799); 3. *Abhandlung* (Göttingen, 1801); here 1. *Abhandlung*, p. 16. Moysse Amyraut, *Moysis Amyraldi, theol. et philosophi clarissimi, de jure naturae, quod connubia dirigit, disquisitiones sex*, trans. from the French with added notes Bern. Henr. Reinoldo and Gerh. von Mastricht (Stade, 1712), p. 173. Johann Franz Buddeus, *Einleitung in die Moral-Theologie, Nebst den Anmerckungen des Herrn Verfassers ins Deutsche übersetzt [Institutiones theologiae moralis]* (Leipzig, 1719), p. 596. Samuel Pufendorf, *The Law of Nations: or, A General System of the Most Important Principles of Morality, Jurisprudence, and Politics*, trans. Basil Kennet, with Prefatory Discourse, An Historical and Critical Account of the Science of Morality, &c. and the Progress it has made in the World, from the earliest Times down to the Publication of this Work, ed. Jean Barbeyrac, 5th ed. (London, 1746), p. 588. Friedrich Schnaderbach, *De Respectu parentelae* (Halle, 1723), p. 9.

6 Françoise Héritier, *Les deux soeurs et leur mère. Anthropologie de l'inceste* (Paris, 1994), pp. 11–12, 22, 29–31, 53, dealt with the issue of affinal alliance. She found the most elemental incest taboo to be that of sex with a mother and daughter or with two sisters or a woman with two brothers. She called this kind of prohibition a second kind of incest, which we do not usually bring under the sign of incest. The prohibition, she argued, calls on universal principles of same and difference, which in turn are founded on a fundamental logic of sexual difference. The violation associated with the second kind of incest is matching same with same. Furthermore, the second type of incest has to do with the way any society construes the circulation of fluids, which in turn is about how it construes identity and difference. The fundamental criterion of incest, for her, was putting identical humors into contact with each other. Pro-

why this obsession there is no direct evidence apart from the interminable wrangling within juridical discourse itself over how to parse a few lines of Scripture. This suggests that one step towards grasping the self-understanding of incest in Baroque Europe is to examine its culture of law. But while law might have provided the idiom for social practices, and juridical contention may have been symptomatic of social unease, the connections between societal norms, legal preoccupations, and scholastic pedantry are not at all easy to figure out and certainly do not lie immediately to hand. What follows here and in the next several chapters is an attempt to parse the contexts in which people *in the seventeenth century* found incest troubling, all the while making it clear that their construal of the dangers is not ours.

Marriage prohibitions, of course, are about who makes a suitable sexual or marriage partner, and they establish just how people are already thought to be connected with each other. Since the prohibitions are so closely related to how individuals, families, and larger groups of relatives think about themselves, it lies close to hand to consider how ideas of incest take shape within practices of kinship interaction and reciprocity. In Baroque era legal, theological, and literary texts about incest, a peculiar symbolics of blood, a newfangled modeling of marriage, family, and kin through bodily fluids, floods older tropes of flesh and invites us to examine the interplay of metaphors of blood and practices of lineage development. This chapter will offer an introduction to incest discourse during the seventeenth century, and it will be followed by chapters devoted to the culture of law, practices of scriptural interpretation, the rise of blood symbolism, and trends in kinship practices and alliance.

## A European problem

I may marry my wife's sister or fiancée's sister after her death and also my brother's wife after his death. . . . Whatever additional persons or degrees are forbidden our clerical tyrants have done so in order to make money, which can be seen by the fact that they offer the same persons and degrees

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ceeding from this idea, Hérítier attempted to develop a single theory to cover all incest prohibitions. Her method was to skip about in history and through ethnographic examples, to attempt to show that there is a universal reflection on same and difference in bodies, humors, and substances. The ancient laws defining incest not between consanguines or affines but between a man and a series of women who are kin among themselves but not kin with him are an example of her analysis. Consanguines who share the same partner introduce an inconceivable carnal intimacy among consanguines. While I find some connections Hérítier makes fruitful, I am proceeding from an historical-critical approach, which attempts to specify the conditions in which particular practices develop. In *La prohibition de l'inceste: Critique de Françoise Hérítier* (Paris, 2009), one of Hérítier's critics, Bernard Vernier, has judged her readings of texts arbitrary (p. 14). His final summary captures nicely the differences between her approach and mine: "the economic, political in a larger sense, symbolic, . . . psychological, and sexual explanations are considered [by her] as minor, superficial, and without interest," p. 250.

for sale, giving permission to marry. Where one does not pay up, such marriages are ripped apart against God and all justice. — Martin Luther, 1522<sup>7</sup>

On the eve of the Reformation, all across Europe, canon law and Church officials controlled marriage and its rules, including those defining incest. For close-relative unions, prohibitions extended just as far for kin-by-marriage (affines) as for kin-through-procreation (consanguines): if one could not marry a third cousin, so one could not marry a third cousin of a deceased spouse. Without dispensation, such marriages invoked punishment by the Church. They also could have negative civil consequences affecting family property, legitimate succession, and, in scandalous cases, life and limb. It was the universal application of canon law that the Reformation rattled, with its authority over marriage and incest one of the major points of contention. Indeed, Luther straight-away consigned volumes of canon law to the bonfire, called the extensive prohibitions a papal swindle designed to bring in cash through a liberal policy of dispensations, and wrote that only the Bible could establish a legitimate foundation for rules of incest.<sup>8</sup>

<sup>7</sup> Martin Luther, “Welche Personen verboten sind zu ehelichen” (1522), in WA, vol. 10.2, pp. 263–66, here p. 266.

<sup>8</sup> Hartwig Dieterich, *Das protestantische Eherecht in Deutschland bis zur Mitte des 17. Jahrhunderts* (Munich, 1970), p. 19, pointed out that the law of marriage in the Protestant territories remained connected to medieval canon law in its organization but took its contents from a variety of legal sources—the Old and New Testaments, Roman, Byzantine, canon, local and regional law. On Luther’s critique of canon law and the reaction of other Protestant leaders to his “radicalism” (pp. 97–100). A detailed handling of the matter can be found in Jónsson, “Incest and the Word of God,” pp. 98–102; Jónsson, “Defining Incest by the Word of God,” pp. 854–58. Thomasius referenced Luther on this point in *Rechtsgelahrtheit*, p. 445. For the Luther texts “Welche Personen verboten sind zu ehelichen” and *Vom ehelichen Leben* (Wittenberg, 1522), see Luther, WA, 10.2, pp. 263–66, 267–304. Both texts appeared also in Otto Clemen, ed., *Luthers Werke in Auswahl* (Berlin, 1950), vol. 2, pp. 335–59. Luther’s approach was tracked well into the seventeenth and eighteenth centuries, and his authority on the issues was much debated. A good example can be seen in Saxon-Gotha jurist and counselor Hieronymus Bruckner’s *Decisiones Iuris Matrimonialis Controversi Quibus tam ea, quae per proximos Triginta & amplius Annos de Causis Matrimonialibus inter Eruditos variis Scriptis pro & contra disputata sunt, quàm aliae communiter receptae Opiniones & Sententiae, secundum Normam Scripturae S. Principia Juris Naturalis & Positivi, atque Regum, Electorum, Principum & Statuum Evangelicorum Constitutiones Matrimoniales, examinantur, deciduntur & Lectorum quorum vis Judicio submittuntur* [ . . . ] (Frankfurt and Leipzig, 1692), pp. 307–8. Christoph Joachim Buchholtz, *Pro Matrimonio Principis cum defunctae Uxoris Sorore Contracto. Responsum Juris collegii Jctorum in Academia Rintelensi* (Rinteln, 1651), p. 77. Martin Chemnitz (1522–86) argued that Luther changed his mind on the issues and introduced canon law reckoning in later writings: *Loci Theologici Reverendi et Clarissimi Viri Dn. Martini Chemnitii* [ . . . ]: *Quibus et loci communes D. Philippi Melancthonis perspicue explicantur & quasi integrum Christianae doctrinae corpus, Ecclesiae Dei sincerè proponitur; Editi opera & studia Polycarpi Leyseri D. Editio nova, Emaculata: cui nunc recens accesserunt. Fundamenta Sanae doctrinae de vera & substantiali praesentia, exhibitione, & sumptione corporibus & sanguinis Domini in Coena, repetita ab eodem. D. Martino Chemnitio. Item Libellus de duabus naturis in Christo, earundem hypostatica unione &c. De Communicatione Idiomatum, ejusdem Auctoris* (Wittenberg, 1623), Locus: De conjugio, pars. 3, p. 224. Johann Friedrich Wilhelm Jerusalem, an eighteenth-century ecclesiastical politician and neologist theologian, denied that Luther

His parsing of the classical text of marriage proscription from the Old Testament book of Leviticus (chapter 18)—the list was composed in the form of *commandment*—essentially restricted prohibitions to mother, sister, and aunt, and expressly made the wife's sister available as a marriage partner.<sup>9</sup> Although swiftly countered by opponents, both Catholic and Protestant, this move called canon law into question and initiated a veritable industry of scholarly textual criticism.

In England, the divorce by Henry VIII from his first wife, Catherine of Aragon, relied on the canon law principle that earlier marriage to a brother violated the rule against marriage with a close in-law: Catherine was the widow of Henry VIII's deceased brother, Arthur, and the pope had dispensed the marriage.<sup>10</sup> Henry and his theologians pointed to the Leviticus prohibition of marriage with a brother's wife (Leviticus 18:16), which they interpreted as a divine commandment, therefore absolute, something not even a pope could dispense. Therefore, the marriage, complete with its papal dispensation, was invalid—and a displeased God was punishing Henry by not giving him sons. Leaving aside all the subtleties of theological argument, the upshot of the Protestant Reformation in England was to dismiss the system established at the Fourth Lateran Council (1215) and to rewrite the list of marriage prohibitions.<sup>11</sup> This list, eventually redacted in the *Book of Common Prayer*, was read periodically to all Anglican congregations.<sup>12</sup> It placed the accent on sisters-in-law, both brother's wife (Henry's problem with Catherine of Aragon) and wife's sister (part of Henry's problem with Anne Boleyn, since

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changed his mind. See J.F.W. *Jerusalems Beantwortung der Frage ob die Ehe mit der Schwester-Tochter, nach den göttlichen Gesetzen zulässig sey. Mit Anmerkungen erläutert von Johann Friedrich Gühling* (Chemnitz, 1755), p. 102.

9 Jónsson, "Incest and the Word of God," p. 102.

10 See Henry Ansgar Kelly, *The Matrimonial Trials of Henry VIII* (Stanford, 1976). Also, Edward Sturtz, SJ, and Virginia Murphy, eds., *The Divorce Tracts of Henry VIII* (Angers, 1988).

11 The prohibitions as printed in 1571, although not approved by Queen Elizabeth, were treated as valid. They can be found in Edward Cardwell, ed., *The Reformation of the Ecclesiastical Laws as Attempted in the Reigns of King Henry VIII, King Edward VI, and Queen Elizabeth* (Oxford, 1850), pp. 46–9. For an overview of the history of incest law in England, see Randolph Trumbach, *The Rise of the Egalitarian Family: Aristocratic Kinship and Domestic Relations in Eighteenth-Century England* (New York, 1978).

12 Bruce Thomas Boehrer, *Monarchy and Incest in Renaissance England: Literature, Culture, Kinship, and Kingship* (Philadelphia, 1992), p. 1. Boehrer provides the reference for the Henrician text: *Statutes at Large*, 25 Henry VIII c. 22. In the American colonies, the English precedents were followed for the most part. States like Massachusetts and Connecticut had the prohibition against sister-in-law marriage on the law books, but beyond that churches themselves would exclude those who entered such marriages from communion. See, for example, Increase Mather, *The Answer of the Ministers in and Near Boston to that Case of Conscience: Whether it is Lawful for a Man to Marry his Wives own Sister?* ([1695]; repr. Boston, 1711). This is a reprint from a 1695 edition. During the eighteenth century, the controversy over such marriages heated up and by the end of the century and the early republic, various states began to revise the laws of incest. Connecticut repealed the prohibition against the wife's brother's and wife's sister's daughter in 1750, and in 1793, revoked the prohibition of the wife's sister. But as late as 1813, it was still illegal to marry a brother's widow. See the anonymously printed pamphlet *A Consideration of the Right of Marrying the Sister of a Deceased Wife* (Hartford, CT, 1813), p. 4.

he had had sexual relations with her sister).<sup>13</sup> Cousins no longer appeared on the list (as his fifth wife, Henry had chosen Katherine Howard, Anne's first cousin).<sup>14</sup> Nowhere, it must be emphasized, did Anglican understandings of incest demonstrate an interest in biological consequences of inbreeding.

The uncertainty caused by the Reformation for theological doctrine and the validity of canon law prompted the Council of Trent (1545–1563) not only to restate and reformulate Roman dogma and reaffirm the marriage principles of the Fourth Lateran Council, but also radically to restrict recourse to dispensation. Consequently, well into the seventeenth century, the practice of dispensation was severely curtailed and dispensations for marriages among cousins and close in-laws in all Catholic territories were few. But the practice slowly resumed late in that century and produced a steady increase in dispensation numbers over the next century, which reached flood proportions in the nineteenth.<sup>15</sup> Nevertheless, the prohibitions as such remained on the books until early in the twentieth century. In seventeenth-century Catholic France, for example, where the very principle of papal dispensation was much in dispute, many late sixteenth-century redactions of French customal laws expressly forbade marriage with a sister-in-law—under pain of death, even with an ecclesiastical dispensation.<sup>16</sup>

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**13** Marc Shell, *Elizabeth's Glass: With "The Glass of the Sinful Soul" (1544) by Elizabeth I and "Epistle Dedicatory" & "Conclusion" (1548) by John Bale* (Lincoln, NB, 1993), pp. 9–10. Archbishop Cranmer ruled that Henry VIII's marriage with Anne Boleyn was incestuous because he had had relations previously with her sister, and that Elizabeth was a bastard because Henry had married his brother's wife.

**14** It was not in fact until the end of the seventeenth century that popular opinion and legal jurisprudence accepted such marriages. Trumbach, *Egalitarian Family*, pp. 18–19. Spiritual courts in England tended to prosecute on grounds of canon law. But in 1669, Chief Justice Vaughan declared marriages between cousins german (first cousins, the children of siblings) in fact legalized by Henrician statute. See Jeremy Taylor, *Ductor Dubitantium* (London, 1660), Edward Vaughan, ed., *The Reports and Arguments of Sir John Vaughan* (London, 1706), and Samuel DuGard, *The Marriages of Cousin Germans Vindicated from the Censures of Unlawfulness, and Inexpediency* (Oxford, 1673), reprinted in Nancy Taylor, ed., *Cousins in Love: The Letters of Lydia DuGard, 1665–1672, with a new edition of "The Marriages of Cousin Germans"* (Tempe AZ, 2003), pp. 148, 151–53 (page references from the new edition). Although eighteenth-century statute law and Mosaic laws allowed first cousins to marry, the feelings against such marriages did not die out with sixteenth-century changes in ecclesiastical law. The English really started to marry cousins about the same time that people on the continent did.

**15** Jean-Marie Gouesse, "Mariages de proches parents (xvie–xxe siècle). Esquisse d'une conjoncture," in *Le Modèle familial européen: Normes, déviances, contrôle du pouvoir. Actes des séminaires organisés par l'École française de Rome et l'Università di Roma (1984)*, Collection de l'École française de Rome 90 (Rome, 1986), pp. 31–61.

**16** Lucien Soëfve [avocat au Parlement], *Nouveau recueil de plusieurs questions notables tant de droit que de coutumes, jugées par arrests d'audiences du parlement de Paris depuis 1640 jusques à present*, 2 vols. (Paris, 1682), ch. 78, pp. 316–17. A turning point for French law from the 1680s: C.B., "Si la dispense au premier degré d'affinité est valable," *Journal du Palais* 9 (Paris, 1684): pp. 119–54. Note that dispensations were very expensive, and the cases in the French legal literature dealt only with people of extraordinary wealth (and determination). Charles Févret [conseiller secrétaire du roy, au Parlement de Bretagne], *Traité de l'abus et du vrai sujet des appellations qualifiées du nom d'abus*, 2 vols. (Lyon, 1736),

In the end, Luther's radical attack on canon law, together with his permissive position on the sister-in-law, found little traction with most Protestant theologians and legal scholars, even at his home institution of Wittenberg. Indeed, canon law principles were reinstated in all Central European Protestant states between the 1540s and 1580s, bringing them, as we shall see, in close but not complete conformity with European Catholic states, all still under canon law. Nonetheless, the very fact that Protestants had reviewed all the details and reasons for incest rules meant that their legal scholars and theologians had reread Roman legal compilations, Scripture, Church synods and councils, medieval theological and philosophical arguments, all the sources of relevant knowledge in other words, as they developed the long chains of reasoning that made the Baroque truly baroque. Each sovereign Protestant territory had to formulate its own ecclesiastical law, and each of the more than thirty German universities had to establish its reputation in theological and philosophical disputation. As a result, the Protestant states generated a vast literature about incest, partly because of the need to make everything explicit. Some of the following discussion privileges this literature. It should be stressed, however, that the values and reasoning on display were rooted deeply in various European traditions, most especially in medieval canon law and baroque style, the former predating the permanent ecclesiastical divide and the latter cutting across it.

## Making church law

So that [the holy estate of marriage established by the Almighty Himself] will take place all the more properly and so that no one can make excuses out of ignorance, the pastor should read this marriage ordinance clearly from the pulpit twice a year and where necessary explain the Latin words, and on the previous Sunday at the end of the sermon he should admonish the congregation to attend the reading of the marriage ordinance without fail. — Braunschweig-Wolfenbüttel Kirchenordnung 1569<sup>17</sup>

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vol. 1, pp. 476–77, vol. 2, p. 85; hereafter Févret, *Traité de l'abus*. Pierre Le Ridant, a parlement avocat, went over many cases from the sixteenth to the eighteenth century, following the eventual relaxation of the law concerning affinity marriages by the mid-eighteenth century: [Pierre Le Ridant], *Code matrimonial, ou Recueil complet de toutes les Loix Canoniques & Civiles de France, des dispositions des Conciles, des Capitulaires, Ordonnances, Edits & Déclarations; & des Arrêts & Réglemens de tous les Parlemens & Tribunaux Souverains, rangés par ordre alphabétique, sur les Questions de Mariage*, new ed., 2 vols. (Paris, 1770), vol. 1, pp. 396–438; vol. 2, pp. 506–9.

17 3. Kirchenordnung unnsrer, von Gottes genaden Julii, Herzogen zu Braunschweig und Lüneburg, etc. [. . .] 1569, in Emil Sehling, ed., *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts*, 24 vols. (Leipzig, Tübingen, 1902–2017), vol. 6.1, pp. 83–280, here pp. 219–25; cited hereafter as Braunschweig-Wolfenbüttel Kirchenordnung 1569. The ordinance was published originally in Wolfenbüttel. It lists one hundred thirty-nine forbidden marriage partners, together with eleven rules. Short title for the Sehling collection: Sehling, *Kirchenordnungen*.

Throughout Europe in the aftermath of the Reformation, commissions composed of lawyers and theologians were charged with reconsidering and revising church law. This was, of course, an especially pressing matter for Protestant territories in the Holy Roman Empire and for England, although, of course, the same was true for the Catholic church, leading up to the Council of Trent. The Protestant ecclesiastical ordinances drawn up between the 1540s and 1580s in the Holy Roman Empire set the agenda for all discussions of marital prohibitions well beyond the following century, and they therefore offer a good departure point for discussion.

The ordinances on marriage typically began with references to “these wicked times,” wherein “godless conduct” had “powerfully gained the upper hand,” especially among the “wanton,” “shameless,” “ill-disciplined rabble” who increasingly seemed inclined to marry affinal or consanguineal relatives too close in degree.<sup>18</sup> The rhetoric here was designed in part to rescue the Reformation leaders from charges of moral laxity—after all Luther himself had been charged with incest for marrying a former nun—but even more to justify social intervention by Protestant authorities.<sup>19</sup> In conjunction with the latter goal, the ordinances built upon the idea of law as above all an instrument of discipline, intended for moral instruction. As Wittenberg professor Philipp Melanchthon put it: “God desires through civil laws and the education of children to drive people to honest customs. . . .”<sup>20</sup> The law taught through fear and punishment, and it did so not only through violence meted out by authorities, but also through sickness, poverty, war, and deprivation visited by God. It was particularly useful for the “sermon of wrath,” in which, Melanchthon said, “God through preaching of the law powerfully convicts, terrifies, and drives the heart into despair.”<sup>21</sup>

**Text Box 1: Merseburg: Instructions on Forbidden Degrees**

Simplified instructions with regards to forbidden persons and degrees and how superintendents and pastors in Merseburg are to act in matters of marriage, formulated also for other pastors for Christian service and use, 1548

Since in these wicked times when godless creatures have powerfully taken the upper hand, and to lead and carry on church government has become difficult and dangerous, and every day much lawlessness and many scandals take place, we want, as befits all of you as well, out of respect for our office [to establish] with all due diligence correct Christian doctrine, proper use of the holy sacrament, and true (as founded in God’s Word) divine church service, to which we are directed (as 2 Cor. 4 commands) before God toward the consciences of all men. Therefore we warn all of you, as our dear brothers and

<sup>18</sup> Einfeltiger Unterricht von verbotenen personen und graden [. . .], issued by Georg, Fürst von Anhalt, coadjutor in Anhalt, and addressed to Superintendents and pastors in Merseburg (Merseburg, 1548), in Sehling, *Kirchenordnungen*, vol. 2, pp. 28–36; hereafter Einfeltiger Unterricht.

<sup>19</sup> Shell, *Elizabeth’s Glass*, p. 9.

<sup>20</sup> Philipp Melanchthon, *Heubtartikel Christlicher Lere/ im Latin genandt/ Loci Theologici/ Etwa von Doctor Justo Jona in Deutsche sprach gebracht* [. . .] (Wittenberg, 1561), fol. liii verso; hereafter, Melanchthon, *Loci Theologici*.

<sup>21</sup> Melanchthon, *Loci Theologici*, fol. cxxxii, recto and verso.



co-workers in Christ Jesus, out of respect for your office to be diligent and upright. . . . Therefore have care for yourselves and for the whole flock, among which the Holy Spirit has put you to care for and shepherd the congregation of God, which He has paid for with His own blood, etc. . . . If we faithfully pasture the flock of Christ, we have the consolation that when our head shepherd appears, we will receive the untarnished crown of honor. Furthermore, concerning the present matter and publication, you are all reminded of what we in all our synods (concerning the things of marriage) have instructed and commanded to be done. Because many, varied, and difficult cases almost daily occur and out of ignorance the common man reaches too far into the degrees, they often grossly act against the command of God and the magistrates, committing *incestus* and *Blutschanden*. Because of this, we see that the lord God has often allowed whole kingdoms and principedoms, land and people, to be terrifyingly laid waste, as the text in Leviticus 18 says—therefore keep my commandments and laws and let no one commit this horror, so that the land itself not spit you out when you pollute it, just as the heathen that were before you were vomited out. In order to avoid these sins and the wrath of God, we have considered it for good that the degrees and persons we have forbidden be displayed in the following document in the simplest manner for the common man, since not everyone understands how to reckon according to degrees, and to be read by you Superintendents and pastors—all of it every quarter word for word to the whole parish as it is contained here, together with other attached articles and warnings, so that they are instructed not to go against divine and state prohibitions in the matters of marriage to their own and to others' damage and destruction. Hopefully, such a simple statement will be serviceable for God's honor and the use by the community of Christ and for the discipline of government, as well as for church government (for them to do service more diligently and concerned). We hear every day about those kinds of complaints and wrong doings taking place in matters of marriage, by which pastors are often stymied in their church duties and urgent tasks. We know well that scholars have much shorter and more correct rules and demonstrations, by which the forbidden degrees and persons can be shown. Because they are not well understandable in the German language and able to be clearly communicated, what is offered here is the simplest form developed for instruction for the unscholarly and common man though not necessary for scholars who can deal with complicated texts. Finally, we want to warn you nevertheless and no less than before to report confusing marriage issues to our consistory and wait for their judgment and in no way undertake to disobey or in any other way begin to discuss such cases.

Sehling, *Kirchenordnung*, vol. 2,1, pp. 28–9.

The ordinances, together with their prologues, were to be read periodically to all the assembled congregations in their respective territories.<sup>22</sup> Sometimes the lists of prohibited individuals went on for pages, and they must have sounded a bizarre litany, despite their cadences designed for oral reception. One wonders what parishioners made of it all. As a pedagogical practice, the readings supplemented the messages of pastors delivered from the pulpit. Sermons on sexual misconduct made plain, over and over again, the connection between individual behavior and communal well-being. Incest, in particular, they treated as a polluting agent with potentially dire consequences for whole communities. The message also functioned as a justification for civil government, characterized as the link connecting secular with divine rulership. Intervention by author-

<sup>22</sup> For example, the *Einfeltiger Unterricht*, p. 34, Merseburg's 1548 ordinance, provided for a reading of the whole article on marriage prohibitions to the assembled congregations each quarter at a Sunday service.

ities in matters of morality therefore could protect the community against terrible and terrifying eruptions of the divine, those unpredictable, widely destructive, but inexplicable phenomena all too familiar in the sixteenth century—epidemic disease, harvest failure, violent storms, population extermination.<sup>23</sup>

Along with this thundering from the pulpit, Protestant states, followed decades later by Catholic states, began to record essential life-cycle events in registers of baptism, marriage, burial, and sometimes confirmation and communion. Initially aimed at ensuring conformity to territorial church rituals, by the first decade in the seventeenth century and for the first time in Western history, this record-keeping was providing governments with tools for the kind of “objective” genealogical research necessary to enforcing extensive marriage prohibitions. And pastors, as the states’ representatives in parishes, were being strictly brought to book for failing to enforce the rules.<sup>24</sup> Surely every parish every year must have had a few cases to puzzle over and negotiate with their pastors.

Despite the rhetoric written into ordinances and expounded from pulpits, we should not take at face value the image of a disorderly population wallowing in unrestrained incestuous lust in the absence of extensive prohibitions and strict enforcement. There is strong evidence to suggest that people on the whole were just as concerned as the authorities to prevent the coupling of the same families over several generations, and that they were uneasy about, even shocked by marriages uniting close blood relatives or in-laws. A good example comes from the study of one south German village in the territory of Württemberg, in the early eighteenth century. By 1680, the territory had put in place a new system of dispensations, allowing marriages of second cousins for a fee. For this particular village, the complete “reconstitution” of all families, beginning from the 1580s, showed that even after that change, sixty years passed before inhabitants began tentatively to marry second cousins. Indeed, the study showed that from the 1580s through to the 1740s, villagers completely avoided marriages among third, fourth, and fifth cousins, well beyond the prohibited second cousins. All of the evidence shows *that the traditional notion that rural people in the*

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23 Sehling, *Kirchenordnungen*. See the prologues to various ordinances: Pommern (1542), vol. 4, p. 367; Merseburg (1548), vol. 2, pp. 28–29, 34–36; Brandenburg (1573), vol. 3, p. 126; Mecklenburg (1570), vol. 5, p. 236; Kurpfalz (1556), vol. 14, p. 223; Hohenlohe (1572), vol. 15, p. 180; Grubenhagen (1581), vol. 6.2, p. 1064.

24 Johann Gerhard (1582–1637), author of a nine-volume Protestant *summa*, published a judgment (*Rescriptum*) of the Wittenberg consistory on an “awkward, irritating” case of marriage with the deceased wife’s sister. A peasant had impregnated his sister-in-law and his pastor had instructed him to take her to the altar. Reports eventually made their way to the Saxon elector, who referred the case to the Wittenberg consistory, which in turn consulted the university theologians. The marriage could not be tolerated and had to be annulled. To scare off anyone else, the couple was sentenced to several weeks in jail, and the pastor himself was sent to the lock-up for eight days. Cited in D.I.P.O.A.F [Johann Philip Odelem], *Allerhand Außeresene rare und curiöse Theologische und Juristische Bedencken von denen Heyrathen mit der verstorbenen Frauen-Schwester/ Schwester-Tochter/ Brudern-Wittwe/ Brudern-Tochter* (Frankfurt and Leipzig, 1733), p. 5; hereafter, D.I.P.O.A.F. [Odelem], *Außeresene* [ . . . ] *Bedencken*.

*past were closely intermarried with each other is simply a myth.* Indeed, it was not until the nineteenth century that cousin marriages in Europe for the most part became frequent, even in isolated villages.<sup>25</sup> And in England, where Henrician and Elizabethan statutes implicitly legitimized cousin marriages, seventeenth-century texts document a widespread conservatism in the population, expressed in the dominance of opinion against cousin marriages until late in the seventeenth century.<sup>26</sup>

In several ways, the Protestant ecclesiastical ordinances and statutory law in England continued the canon law tradition of distinguishing between incest proper and a wider set of marriage prohibitions. Occasionally a couple, ignorant of or willfully ignoring the list of prohibitions, slipped by the authorities and actually married. To distinguish levels of violation, judges in such cases frequently had recourse to the list of punishments in biblical texts. If the couple merely had violated prohibitions established by secular authorities, some sort of punishment—a fine, a few days in the lock-up, embarrassment before the assembled congregation—would do, and the marriage would stay in force.<sup>27</sup> But were the couple found to have violated “natural and divine law,” the marriage would be annulled, the couple thus forced to separate. The least sanction in such cases would be a combination of heavy fines, whipping, and exile.<sup>28</sup> For the worst infractions, usually incest between parents and children, execution might even be ordered.<sup>29</sup>

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25 Sabean, *Kinship in Neckarhausen*, pp. 79–85, 108, 441–44.

26 DuGard, *Marriages of Cousin Germans*, pp. 148–52 [A2v–6]. pp. 148–49 [A3–A4]: “*And indeed when I consider how much some Cousin Germans, whose prudent Love may have engag’d them in Marriage, have been worried by the Censures of the Many; how some also to their great misery, and sometimes to almost their Ruin, have been crost by their Friends, who have either thought such Wedlock unlawfull, or else who have set themselves against it out of a Scrupulosity of their own Credit, or perhaps too great a Compliance with some men who love to be offended with many things they have nothing to do with; and lastly how others after Marriage, not being able to defend what they have done, have by the misguided zeal of some, been brought to think they have committed a great Crime, and so are made to interpret, whatever Crosse they suffer, to be a judgment upon them for their Loves. . . .*”

27 Of course, “discovery” of a violation later on in a marriage could be used to attempt divorce, a deep taboo in its own right for Protestant authorities. In *Answer of Several Ministers*, p. 2, Increase Mather and fellows in Massachusetts declared themselves scandalized by the idea that a marriage involving a sister-in-law might be allowed to continue once discovered: “It is as if it should be affirmed, that because Men have transgressed against the light of Nature, they may do so still, and live in that Sin though it be to the Eternal Damnation of their Souls. Such Marriages are wickedly incestuous; and therefore to Question whether the Civil Authority may permit Persons so concerned to continue in Conjugal Communion, is, to make it a Question, whether Magistrates may not indulge the most Scandalous transgressions of the Moral Law. . . .”

28 See the Preussen [Prussian] Consistorialordnung 1584, in Sehling, *Kirchenordnungen*, vol. 4, pp. 123–38, at p. 133. Here certain couplings (brother and sister, for example) were to be punished by the sword; others, according to the case and severity of the crime, with beating and exile. See also the Erfurt Polizei Ordnung, in Sehling, *Kirchenordnungen*, vol. 2, p. 372, which distinguished between the rules of Moses and rule extensions formulated by current civilian authorities.

29 In a case of a man who had engaged in intercourse with his wife's sister in 1609, the court con-

In the ideology of the ordinances, a genuine fear of the consequences of violating positive divine commandment rubbed shoulders with the notion that appetite and prohibition were closely linked, that transgression would be most likely to occur precisely at the boundary between the licit and the illicit. To forbid was to stimulate desire, and this justified building a “fence” around the alarming core. Nowhere in Scripture were first or second cousins prohibited, but authorities nevertheless extended the prohibitions to them, so that the imaginations of the swinish multitude might busy themselves with something pointedly forbidden yet not dangerous, and in this way aid the disciplinary function of the law.<sup>30</sup> In anthropology and evolutionary biology circles today, there is considerable debate on the issue of sexual desire. Here discussion centers largely on the work of the early twentieth-century anthropologist Edward Westermarck, who argued powerfully that early association and mutual socialization produced sexual disinterest and a disinclination to find partners among close kin or even close associates.<sup>31</sup> Most of the texts from the seventeenth century, by contrast, assumed that desire was *produced* by the rule and that close association itself did not inhibit sexual interest at all. Law was understood as pedagogical and disciplining, as a hedge against disorder, and yet, paradoxically, as itself productive of disorder.

The schedules of forbidden partners in the Central European ecclesiastical ordinances and English statutes took as their point of departure and source of fundamental principles, the list in Leviticus 18, supplemented with this or that notion from Roman, canon, and territorial law. Interpretations of Leviticus 18 will be taken up in chapter 3, but a few points can be made here at the outset. The text contains a generalization about not marrying near kin (18:6) and then goes on to list a series of forbidden partners, topping it all off with dire threats for violation. Although the phrase “near of kin” was construed as forbidding sexual relations with individuals near in “blood” or “flesh,” that construal opened up as many questions as it answered. Much of the subsequent controversy turned around notions of “proximity,” “blood,” and “flesh,” also around “shame” and “nakedness,” two terms that functioned like drumbeats in the list. The divine threats alone lent an existential urgency to getting the meaning right, on the one hand, and suggested, on the other, a commandment to

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demned the man to beheading. The document is only one page long, and it appears that the case was one of rape. WHSA, Stuttgart, Bestand A209 Bü 369 (1609).

<sup>30</sup> Von der Ehesachen (Kurfalz, 1556), in Schling, *Kirchenordnungen*, vol. 14, p. 223: “Since the civil magistrate is commanded to preserve decent discipline among its subjects and administer divine, natural law for proper order and because the common rabble nowadays has gotten itself into such ill-judged behavior and willfulness that even siblings would want to marry each other if cousins were allowed, so the prince despite the fact that marriage between relatives of the second degree on the equal line [first cousins] is allowed in divine and imperial law, in order to keep the common man all the more orderly in obedience to divine and natural law, forbids the said second degree, indeed the third degree [second cousins] as well.”

<sup>31</sup> On Westermarck, see Arthur P. Wolf and William H. Durham, eds., *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century* (Stanford, 2005), especially pp. 9–11, 114–38.

be received without question—a quite impossible conundrum requiring strict obedience to obscure texts. Particularly vexing was Leviticus 18:18, which forbade marriage with the wife's sister while the wife was alive. What to do when polygyny was no longer practiced? Or when the wife had died? Did her death create a substantial difference? Was this Old Testament Hebrew prohibition still valid in some way for Christian nations? Leviticus 18:16, clearly forbade marriage to the brother's wife, but did that mean that all sisters-in-law were structurally the same? If so, then what to do about the levirate, the passage in Deuteronomy 25:5–10 *commanding* a man to marry his brother's wife under certain conditions? It was all very confusing and called for sharp minds to figure it out.

Scripture had to be raked over for interpretative clues, and one passage might be called in to gloss another. Particularly crucial was Genesis 2:24, which introduced the notion that sexual intercourse made a man and wife “one flesh” (*una caro*). Was the term “revealing nakedness” in Leviticus the same as joining in “one flesh” in Genesis? There had been considerable medieval deliberation about *una caro*, but the biblicism of Protestant hermeneutics nevertheless set up a squabble lasting into the twentieth century. And that dispute almost always centered on the figure of the sister-in-law.

The list of prohibited marital (or sexual) partners in Leviticus was pretty stripped down, at least compared to what the theologians would do with it once they brought their interpretive powers to the text. If Leviticus 18 came up with more-or-less eighteen prohibited partners, a typical Protestant ecclesiastical ordinance read it as implying over one hundred sixty.<sup>32</sup> In such calculations, the canon law system of reckoning was adopted in the face of Luther's vituperative rejection. According to its arithmetic, the general principle for establishing a relation between two people was to count through both males and females up to a common ancestor, starting with the parents. Siblings, just one step away from their parents, were first degree relatives. First cousins were second degree relatives, second cousins third degree relatives, related through a common grandparent in the first case, or great grandparent in the second.<sup>33</sup>

The whole system of canon law degrees relied on the principle of generation, with the degree of relation calculated by the number of generations from a “stem.” Completely “bilateral,” the system paid no attention to distinctions of agnatic and uterine descent; that is, descent through the father or the mother. One must, however, be careful not to take canon law principles as descriptions of fundamental Western kinship cate-

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<sup>32</sup> See chapter 3 of this section for an analysis of scriptural interpretation. The proliferation of proscribed partners is nicely illustrated in a small format book, probably thought of as a gift for newlyweds, by Johann Michael Dilherr, *Ehre die Ehe. Das ist/ Wolgemeine Anweisung: Wie man den Ehestand vernünftig und christlich anfangen/ und fortsetzen solle* (Nürnberg, 1662). It contains a long list of prohibited marriages, offering thirty different kinds of in-laws not to be considered, including for example the stepfather's step grandparent's wife.

<sup>33</sup> For an extended treatment, see Sabeau, *Kinship in Neckarhausen*, pp. 74–79.

gories—a point I will come back to in later discussions. This is especially so, since canon law and Protestant adaptations treated affinal and consanguineal kin as invoking the same dangers, as parallel and more or less co-extensive categories. It is a symmetry that simply does not fit very well with the development of agnatically structured lineages characteristic of Europe from the late Middle Ages well into the nineteenth century and beyond.<sup>34</sup>

## Affinity and its challenges

As close as the blood relatives of my wife are to her in degrees of consanguinity, so are they also related to me in degrees of affinity and forbidden to take in marriage. — Dietrich Reinkingk, 1656<sup>35</sup>

Your Relation of Affinity, was but in the nature of a Bargain, and upon your Lady's death, the lease expired, and the whole Contract ended. — Charles Blount, 1693<sup>36</sup>

Each country or principality in seventeenth-century Europe had its own rules and prescriptions about prohibited marriages. In England, the politics of marriage and succession, together with the peculiarities of the Reformation settlement, provided the starkest deviation of the Reformation from canon law tradition, although not from canon law principles of calculation. However, because of the particularities of Henry VIII's divorce and subsequent break with Rome, the prohibition of marriage with sisters-in-law became embedded in English law (and would have a second life in the nineteenth century). In principle, of course, all Catholic countries came under a uniform canon law marriage code, which prohibited marriage of consanguineal kin as distant as third cousins (children from common great great grandparents) and as distant as third cousins of a deceased spouse. But disputes over the extent of the prohibitions and papal dispensing authority sometimes produced positions even more conservative than those of Rome. In a series of celebrated seventeenth-century French cases, for example, courts nullified papal dispensations for deceased-wife's-sister marriages as abusive.<sup>37</sup> On the continent, each Protestant territory reconfigured canon law and promulgated its own ordinances, although the practice of copying from one another kept all the results more or less on the same page.

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<sup>34</sup> For extended discussions of these issues, see Christopher Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher, eds., *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present* (Oxford and New York, 2013).

<sup>35</sup> Dietrich Reinkingk, *Biblishe Policye/ Das ist: Gewisse/ auß heiliger göttlicher Schrifft zusammen gebracht/ auff die drey Haupt-Stände: Als Geistlichen/ Weltlichen/ und Häußlichen/ gerichtete Axiomata, oder Schlußreden* (Frankfurt, 1656), p. 728.

<sup>36</sup> Charles Blount, *Oracles of Reason* (London, 1693), in *Miscellaneous Works* (London, 1695).

<sup>37</sup> [Le Ridant], *Code matrimonial*, vol. 1, pp. 396–438.

In the 1590s, Protestant Hildesheim set an example in the realm of incest judgments that would be followed for more than a century. The entire Jewish community was ejected from the city for incest in 1595, after two of their men married their deceased wives' sisters, and in 1597, a Christian couple was exiled for committing the same crime.<sup>38</sup> The local church *Superintendent*, Heinrich Heshusius, was already primed for action. In the 1580s, his father, Tilemann Heßhusius, had published an instruction booklet for pastors on the forbidden degrees, and the booklet had been republished in 1591.<sup>39</sup> In it Heinrich had read that it was the pastor's job to continually hold up the truth about "terrible land scourges visited upon such wicked viciousness"; that a violation could bring God's wrath not only upon the culpable person but also upon the whole community; that Leviticus 18 was the source for all laws about marriage, which despite having been given to the Hebrew nation, had universal applicability—for all peoples in all the world. From that text, the father and son figured they could derive the rule that all the blood relatives of one spouse were affines of the other and thus prohibited to the same degrees as if they were blood relatives. Well into the eighteenth century, both the Hildesheim incident and Tilemann Heßhusius's tract were cited to buttress the prohibition of marriage with the deceased wife's sister.

For the most part during the first half of the seventeenth century, marriage with near affinal kin was closely monitored and severely dealt with in Protestant Germany. In Saxony, an out-of-wedlock pregnancy involving a peasant and his deceased wife's sister sent both parties to prison, along with the pastor who had instructed them to

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38 The Jewish leader of Hildesheim, Nathan Schay, and another member of the community had married their deceased wives' sisters. In 1601, after considerable political negotiations, they were allowed back into the city on payment of a large fine. Although there were other contributing forces and hidden issues, the ostensible cause for expulsion was the prohibited marriage. Heinrich Heshusius (1557–1597) led a popular attack on the local Jews because of the spiritual danger and divine threat to the local community posed by what was considered to be incest. But not just the Jewish population was at risk here, for the Christian couple was exiled in 1597 for contracting the same kind of marriage. In many ways, his discussion fit nicely into the Melanchthonian pastoral rhetoric of the period, which drew heavily upon the passages in the book of Leviticus where the Canaanites were expelled from the land for pollution brought about by the violation of the incest rules—Melanchthon was Heinrich Heshusius's teacher—and which specified that warning his flock against committing *Blutschande* unknowingly was one of a preacher's major tasks. On this case, see Sabean, "Kinship and Prohibited Marriages," p. 97. For the instruction booklet, see Tilemann Heßhusius, *Von Eheverlühnissen und verbotenen Gradibus. Wie nahe und fern der Verwandtnis ein Christ mit gutem Gewissen freyen möge* (Erfurt, 1591); and Heßhusius [sometimes Heshusius], *Von Eheverlühnissen und verbotenen Gradibus. Wie nahe und fern der Verwandtnis ein Christ mit gutem Gewissen Freyen möge* (Erfurt, 1603). I used the 1603 edition. Peter Aufgebauer, *Die Geschichte der Juden in der Stadt Hildesheim im Mittelalter und in der frühen Neuzeit*, Schriftenreihe des Stadtschreibers und der Stadtbibliothek Hildesheim 12 (Hildesheim, 1984).

39 With father and son, the spelling of the family name varies: With Tilemann, the name appears with an *eszett* (Heßhusius); with Heinrich, with a simple "s" (Heshusius). I have preserved the difference but should note that the German form of the patronym is Heshusen, and that digital catalogues often use it for Tileman's pamphlets.

marry.<sup>40</sup> Adultery warranted milder punishments than incest in Protestant Württemberg, but incest *aggravated* by adultery could result in the death penalty for both partners. At the very least the pair would be sentenced to some combination of display on the pillory in an iron collar, severe whipping, and exile in different directions, with rivers protectively dividing the community from the sinners and perhaps also signifying the cleansing power of banishment.<sup>41</sup> The point was to get the offenders as far away from the community as possible—let the lightning of divine wrath strike somewhere else. Despite the documented severity in some of the cases, authorities usually were careful to consider the circumstances and seek mitigating particulars, with the result that over time, argumentation seems to have become ever-more nuanced. But this did not guarantee lighter sentences. As late as 1745, Tübingen professors from the legal faculty advised beheading for both partners in a case of adultery with the wife's sister (both parties being married), even though the sister-in-law was described as not very bright (*Simpelhaft*) and the brother-in-law had apparently raped her.<sup>42</sup> The usual excuse for a woman as being from the *sexus imbecilitatis* or *sexus muliebris fragilitas* had no effect here. Even where there was no impropriety and couples petitioned for dispensations, the Württemberg state took a conservative position, turning down a request as late as 1784 for a man to marry his wife's sister. Only with publication of a revised schedule of dispensations in 1797 did it become possible to make such a marriage, and then only with payment of a considerable fee.<sup>43</sup>

#### **Text Box 2: Incest and Property Devolution in France**

A doctor from the city of Beauvais, Sieur Vaillant, married one Antoinette Adrian and had several children with her. During the marriage he allegedly began an affair with her sister Louïse and had a child with her. Upon the death of Antoinette, Vaillant took Louïse off to Rome to acquire a dispensation, offering as a reason only that they had “mutual esteem” for each other, and to get married in 1664. For this scandalous behavior, her two brothers, a Sorbonne doctor and a *curé*, disinherited her and made donations to their sisters and to a niece of Antoinette, alleging that the disinheritance and the donations were all made out of disgust with the “illicit commerce” of Louïse. She in turn maintained that the dispensation had established her marriage as quite legal and her children as legitimate. Before any decision, Louïse died, and Vaillant had himself made the tutor of the children of the second bed (i.e., his own children by Louïse). Acting upon this authority, he obtained a letter naturalizing the children with a clause that the king had confirmed the dispensation. The appellants replied that the king should not be understood to prejudice the rights of another by these sorts of letters and did not wish to prejudice the donations made to their profit, still less should it be understood to confirm a dispensation of the first degree of affinity, whose

<sup>40</sup> D.I.P.O.A.F [Odelem], *Außerlesene* [ . . . ] *Bedencken*, p. 5.

<sup>41</sup> Various cases from the WHSA, Bestand 209: Bü 145 (1608), Bü 173 (1687), Bü 473 (1667), Bü 790 (1685), Bü 518 (1725–26), Bü 1081 (1729), Bü 1318 (1609).

<sup>42</sup> WHSA, A209 Bü 1685 (1745).

<sup>43</sup> For details on the laws of marriage for Württemberg, see Sabeau, *Kinship in Neckarhausen*, pp. 63–89, with a table of dispensations from 1797, pp. 87–88. August Wilhelm Reyscher, ed. *Vollständige historisch und kritisch bearbeitete Sammlung der württembergischen Gesetze*, 19 vols. (Stuttgart and Tübingen, 1828–51), vol. 6, pp. 715–68.



execution was abusive. They disputed the form of the dispensation and its execution. The form was suspect and could only have come from corruption or a *surprise* of an officer of the inquisition. They called attention to the document not being on the prescribed parchment or sealed with the proper seal. In any event, the dispensation could only have been fulminated (registered) if they had told the truth to the bishop. As French citizens, they could not have claimed residence in Rome and gotten married there. The appellants appealed to one authority in the field who argued for the similarity of kinship through either generation or affinity through the *mélange* of blood. Incest and living children render the dispensation void and contrary to all civil and canonic laws. Vaillant's contention that affinity is only a fiction violated the principle that affinity is constituted by a mixing of blood. And the appellants further contended that up until then, there had been no example of a judgment confirming marriage in the first degree of affinity (with a sister-in-law). And furthermore, papal dispensations could be seen as an attack on the purity of the Gallican church. Above all, the appellants argued, the case for divine prohibition is based on proper biblical hermeneutics; it is not just a matter of the list in Leviticus 18, but anyone *like* someone on the list is also included: if the brother's wife, so also the wife's sister. Vaillant challenged the whole suit with the remark that Louïse's brothers had tried for ten years to get their hands on her property, and he also disputed the allegation that he had had *mauvais commerce* before his marriage with Louïse. In 1683, the *Grand Chambre* finally rendered the judgment that the marriage was legitimate and that the donations between the siblings to the disadvantage of the children of the second marriage were void.

—A case discussed by Louis d'Hericourt [advocat au parlement], *Oeuvres posthumes*, 4 vols. (Paris, 1759), pp. 242–4; for an extended treatment: C.B., "Dispense au premier degré d'affinité," *Journal du Palais*, 9 (Paris, 1684), pp. 119–154; see also Le Ridant, *Code matrimonial*, vol. 1, pp. 429–31; and Christian Thomasius, *Göttliche Rechtsgelahrheit*, p. 442.

For seventeenth-century France, one of the best sources for studying marriages among affinal kin is a series of celebrated legal cases around the devolution of property and the legitimacy of ecclesiastical dispensations. A good example of contested sister-in-law marriage in France comes from the 1620s.<sup>44</sup> The case had to do with the relations between a robe nobleman and his brother's widow. After vigorous protest by the kin, a condemnation to death by the provincial court of Poitiers, a dramatic prison escape to Rome to get a dispensation, an intervention by the king, and suit by the children of the first marriage to declare the children of the second "bed" illegitimate, the dispensation and fulmination abusive, the advocate general of the Parlement of Paris ruled that the pope could not dispense a divine law clearly pronounced in Leviticus. There could be no *véritable mariage* with a brother's wife where there had been children from the first marriage.<sup>45</sup>

44 Pierre Jacques Brillon, *Dictionnaire des Arrêts ou jurisprudence universelle des Parlemens de France et autres tribunaux*, 2nd ed., 6 vols. (Paris, 1727), vol. 4, pp. 301–4. Févret, in *Traité de l'abus*, vol. 1, p. 477, offered an example of the pope concurring with plaintiffs over an issue in which "incest" played a role in a property dispute. In this instance, a man was engaged to an underage girl who had come to live in his household. She died before they were able to marry. Later he married her cousin, and this was challenged by what Févret called "interested parties." The pope declared the marriage void. In this instance, the marriage was not consummated, and one should note that the affinal kin who was off limits was a cousin of the fiancée—taken just as seriously as a consanguineal cousin.

45 [Le Ridant], *Code matrimonial*, vol. 1, p. 429. In the French legal order, considerable attention was given to the problem of property disputes among children from two different wives (in the parlance of

Disputes over marriage in France regularly pitted the Gallican Church and the royal courts against Rome. Papal lawyers and clerics, out to buttress papal aspirations to absolute power over Roman Catholic affairs, saw rightly that the pope's ability to dispense canon law prescriptions served that purpose. The papal claim was that certain marriages constituted incest simply because they were forbidden, but that with a papal or episcopal dispensation, such marriages would become legitimate. Clearly the ultramontane position underscored a notion of law as volitional, meaning in part that it could be set aside, either by God Himself or by His representative (vicar) on earth, an idea that will be discussed more thoroughly in the next chapter.<sup>46</sup> Here, as in the lands of Protestant reform, the issue of incest had nothing to do with biology.

Through the first half of the seventeenth century, provincial courts and parlements as well as the Paris Parlement continued to challenge dispensations either as violations of immutable divine commandment or as intrusions by Rome into the jurisdictional sphere of French customary law. Only after the death of Innocent XI in 1689, with the attempts by Louis XIV to repair relations with the papacy, did the royal council begin to interfere and allow a few marriages with the wife's sister to be considered legitimate. Despite the many, often long, convoluted legal proceedings, we should be clear that dispensations from the pope were neither easy to come by nor frequent. In general, they were available only to the high nobility and wealthy bourgeois, people willing and able to expend quite considerable fortunes to negotiate their way through the labyrinthine Roman bureaucracy.<sup>47</sup> The evidence from several cases suggests that lawyers procuring

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the time, from two different "beds"). The idea was supported by the passage in Deuteronomy 25:5, which initiated the so-called levirate enjoining a brother to marry his deceased brother's wife *if the brother had had "no child."* This seemed to contradict the general prohibition in Leviticus 18:16: "Thou shalt not uncover the nakedness of thy brother's wife: it is thy brother's nakedness." In the 1620s case, the existence of an earlier child was a crucial point. There is another passage from Deuteronomy (21:15–17) that spoke to the seventeenth-century French issues of prerogative rights among children from different wives and especially the rights of the firstborn.

46 Thomasius, *Rechtsgelahrheit*, p. 448. On this page, Thomasius referenced the *Journal du Palais* article "Si la dispense au premier degré d'affinité est valable," in arguing that the pope could not dispense divine prohibition.

47 Antoine Arnauld (1612–1694), not to be confused with his also renowned eponymous father (1560–1619), was disgusted with the practice of going to Roman bankers with cash to get dispensations. The practice was spreading disorder, he claimed, and leading to a "horrible concubinage of the human race and an almost universal incest." A papal dispensation might conceal disorderly desire, he said, but could not release anyone from a guilty conscience. See "Ecrit. Sur un mariage proposé pour le Marquis de Pomponne avec Mademoiselle Hebert sa Cousine Germaine," in Antoine Arnauld, *Lettres de Monsieur Arnauld*, 9 vols. (Nancy: Aux dépens de Joseph Nicolai, 1727), vol. 7, pp. 236–61, here p. 255, accessed November 13, 2022, <https://books.google.com> (complete URL in bibliography); hereafter, [Arnauld], "Ecrit. Sur un mariage." At p. 235, a note states that the "Ecrit" was created by Père Quesnel together with Arnauld, although it technically is Quesnel's: "Cet Ecrit est du P. Quesnel; mais comme il fut fait de concert avec M. Arnauld, & qu'il en contient les sentimens sur le sujet dont il s'agissoit, on a cru le pouvoir inferer ici. M Arnauld en parle en ces termes dans un billet à Madame de Fontpertuis, du 17. Octobre 1693. 'Nous avons parler le Prieur (le P. Quesnel) & moi, du cas que vous nous avez proposé. Je l'ai prié

dispensations in Rome demanded vast sums of 25,000–30,000 livres in the seventeenth century and somewhat less in the eighteenth.<sup>48</sup> And the receipt of a papal dispensation did not settle the matter within the French church. A couple had to appear before their bishop with the document and prove that all the statements therein were true and that full disclosure of the facts had taken place. Only then would the dispensation be “fulminated.”<sup>49</sup> There were, of course, quite different interests in play throughout this history. Ecclesiastical disputes among gallican and ultramontane authorities were one thing, and among provincial, royal, and ecclesiastical authorities another, and families negotiating issues of property devolution within the shifting legal landscape, utilizing legal strategies consonant with their particular interests, quite another.

The six-volume dictionary of parliamentary judgments compiled by Pierre Jacques Brillon and issued in 1727, rehearsed a series of cases from the mid-sixteenth century onwards, in which various courts ruled on marriages between affines. In 1553, for example, marriage with a wife's sister was voided.<sup>50</sup> In 1607, the issue was a papal dispensation allowing the union of a man with his deceased wife's father's widow. Despite ecclesiastical opinion supporting this marriage, the court invalidated it. In Toulouse, in 1586, the parlement condemned a woman to death (*amende honorable*) for marrying her daughter's fiancé. Even marriage with a wife's cousin could be grounds for legal wrangling if dispensations were not in order. In 1621, to illustrate, the children of a “first bed” challenged the legitimacy of those of the second because the father had sought a dispensation only years after marrying his deceased wife's cousin and had died before a dispensed remarriage could take place. The plaintiffs claimed that incestuous children could not be legitimized, but the courts found for the defendants. And as a final example, in 1670, the royal council itself found a marriage between a widow and her husband's son-in-law to be “abusive” (a legal violation). Here the charge of “carnal affinity” was brought by the husband's brother as tutor of the children of the first bed.

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de mettre par écrit ce que nous en pensons. Cela ne pourra vous être envoyé que demain.” Madame Fontpertuis was a devout Jansenist.

48 [Le Ridant], *Code matrimonial*, vol. 1, p. 396, showed 24,000 livres for a wife's sister in 1623, with an original asking price of 30,000 livres; 4000 livres in 1740. The third new edition of the collection originally compiled in 1713 by Jean-Laurent Le Semelier, *Conferences ecclesiastiques de Paris, sur le mariage, où l'on concilie la discipline de l'Eglise avec la jurisprudence du royaume de France, établies & imprimées par ordre de S. E. Monseigneur le Cardinal de Noailles, archevêque de Paris*, 3rd new ed., 5 vols. (Paris, 1775), vol. 3, p. 448, showed in the 1770s, for an uncle and niece, 10,000 livres, plus a trip from America to Rome to sign the petition. It is difficult to establish what these figures meant. The values might have been more rhetorical than real. In 1709, a cow was worth 50 livres. This would suggest that a sister-in-law in 1623 was worth on the order of 480 cows, but came somewhat cheaper one hundred twenty years later at just 80. For some sense of the value of the livre, see “The Value of French Currencies in the 17th & 18th Centuries,” [http://www.vt-fcgs.org/french\\_money.htm](http://www.vt-fcgs.org/french_money.htm).

49 C.B., “Si la dispense au premier degré d'affinité est valable,” pp. 121–23.

50 Brillon, *Dictionnaire des Arrêts*, vol. 4, pp. 301–4.

Of two instructive English examples of ecclesiastical law impinging on private desires, the first, dating from 1673, shows Samuel DuGard defending marriage between cousins german (first cousins, children of siblings) even while acknowledging the widespread prejudice (“Error of the Multitude”) against such unions.<sup>51</sup> Having rehearsed all the arguments he could find against such a marriage, DuGard countered by pointing out that the Henrician statutes, reinstated by Elizabeth, were the law of the land and based on Leviticus 18—itself a summary of natural law. Nowhere in Scripture or in English law could there be found any prohibition of the marriage of first cousins. He particularly denied that there was any evidence that such marriages or their progeny would not “prosper.”<sup>52</sup> What prompted DuGard to write was his desire to marry his own first cousin. He needed to overcome the objections of his own family. And he did marry the girl.<sup>53</sup>

The second example involves Charles Blount, who, in 1693, desired to marry his deceased wife’s sister. His tract alleged that the extant prohibition in English law had been included only to “gratify the lust of an imperious prince.”<sup>54</sup> Blount’s treatise began with a preface by C. Gildon, which used Leviticus 18 to challenge the authority of canon law: “Upon the whole, if (as I think is evident) the Marriage of a Brother’s Widow be not forbid, the *ubi eadem Ratio, ibi idem Jus* of the Canonists, is quite out Doors against the Marriage of Two Sisters.”<sup>55</sup> Blount himself went on to write: “Your Relation of Affinity, was but in the nature of a Bargain, and upon your Lady’s death, the lease expired, and the whole Contract ended. Cousin *Germans* (who marry daily) have a near consanguinity and mixture of the same Blood, whereas you two have not one Drachm of the same.”<sup>56</sup> There being no way to overcome the law, Blount shot himself to death.<sup>57</sup>

Although marriage uniting close affinal kin had supporters, resistance to change persisted throughout Central and Western Europe. Philipp Melanchthon, in 1559, had no doubt that the proposed marriage of a prince with his wife’s sister was not to be tolerated. And he admonished all the pastors in Saxony to proclaim the list of forbid-

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51 DuGard, *Cousin Germans*.

52 DuGard, *Cousin Germans*, pp. 160–65, 179.

53 DuGard, *Cousin Germans*, pp. 145, 148–49.

54 Blount, *Oracles*, p. 149.

55 C. Gildon, preface to Blount, *Oracles*, penultimate page, unnumbered.

56 Blount, *Oracles*, pp. 150–51.

57 Blount, *Oracles*: At the beginning of the volume is this dedication: “To the Honourable and Divine HERMIONE Giving an account of the Life and Death of the Author,” signed by “Zealour Adorer Lindamour.” This is unpaginated. Lindamour wrote: “But when my Friend, possess’d with the justest and most violent of Passions, found no hopes of obtaining, and in the midst of Despair found Life would be a perpetual *Evil*, without *Astrea*, he did but according to the Precepts of Nature and Reason, in doing what he did, and by consequence did nothing unworthy of a *Philosopher*, that is to the Action.” In *A Serious Inquiry*, pp. 24–26, John Quick counseled against such a passion. Once married, the conscience never rests. People will gossip and the children will be mocked. He knew a man who entered such a marriage: “the very Bowels of this unfortunate husband are torn in pieces.” He was the victim of his own lusts.

den marriages to their flocks twice a year, warning them particularly about the wife's sister and other kinds of close affines, such as the uncle's wife or the aunt's husband.<sup>58</sup> His jurist colleague and promoter of canon law reckoning, Joachim à Beust, argued for the universal validity of the lists in Leviticus and, as a hedge against polluting the land, supported extending the prohibitions to all consanguineal and affinal kin in the same degrees as in Scripture. So, if not the sister, then not the sister-in-law.<sup>59</sup> Decades later, the Danish royal counselor and chancellor of Schleswig-Holstein, Dietrich Reinkingk, called the proposed marriage in 1625 of a prince with his wife's niece (wife's sister's daughter) too close "in blood" (*ins Geblüt*) and a violation of the knowledge inscribed in every rational human heart.<sup>60</sup>

In the long run, however, skepticism about such biblical-based reasoning undermined the authority of the prohibition. Franciscus Pfeil, a syndic of Magdeburg, published a *consilium* (legal opinion) in 1600, which entertained the question whether a man could marry the sister of his recently deceased fiancée.<sup>61</sup> His answer observed that although God had actually blessed the marriages of the patriarch Jacob with two sisters, He apparently had changed His mind in dictating the Leviticus texts to Moses. Still a close examination of the sister-in-law passages showed clearly that there was no problem marrying one sister after the first was dead. And if one sought a parallel with the brother's wife, then the levirate (the command to marry a brother's wife if the brother had produced no children) pulled the grounds out from under any notion of a total prohibition. So there could be no *biblical* ground for forbidding marriage with the deceased wife's (or in this case, the deceased fiancée's) sister. Fortunately, there were other grounds, Pfeil went on to suggest, since both imperial and canon law forbade partners who, while beyond the list provided by Moses, still embodied

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58 Excerpted in D.I.P.O.A.F. [Odelem], *Außerlesene* [ . . . ] *Bedencken*, pp. 3–4. Melancthon thought that marriage with blood relatives or a marriage repeated within the same set of in-laws could not offer the proper respect between spouses: Georg Dedekenn, ed., *Thesauri consiliorum et decisionum* (Hamburg, 1623), vol. 3, pp. 220–23.

59 D.I.P.O.A.F. [Odelem], *Außerlesene* [ . . . ] *Bedencken*, p. 7.

60 Reinkingk, *Bibliche Policy*, p. 728. The prince decided not to go through with the proposal, p. 20. Dietrich Reinkingk [latinized as Theodorus Reinking] was a Danish Rat (counselor) and Canzler (chancellor) in Schleswig-Holstein. Axiomata VI from this work is excerpted in D.I.P.O.A.F. [Odelem], *Außerlesene* [ . . . ] *Bedencken*, pp. 20–21: "Through the prophet Ezechial, God the Lord lost His temper and complained bitterly about the *Blutschänder* who act against the law. And such incestuous behavior is the chief reason why He so violently visited his people with war and other serious plagues. They commit atrocities, He says, among themselves, friend with friend's wife; they violate their own daughters-in-law with every degree of wantonness; they rape their own sisters, their father's daughter. Incest is one of those sins that cries to heaven. . . . Decent heathens out of the light of nature without knowledge of revelation, just as innate in every rational human heart and in the published law of God, have had disgust and revulsion against marrying too close in blood . . ." Reinkingk found marriage of the prince with a wife's sister's daughter to violate this principle.

61 Franciscus Pfeil, *Responsorum et Informationum, qui vulgò Consilia Iuris appellantur* (Magdeburg, 1600), pp. 2–4.

the spirit of Mosaic proscriptions. The point of such laws was to provide discipline and honesty, it being “dishonest and indecent for people closely related through blood [*bluthalben*] to each other in consanguinity [*Freundschaft*] or affinity [*Schwägerschaft*]” to be promised, let alone united in marriage.<sup>62</sup> No matter what the origins of the prohibition, long usage had established it as a matter of customary law. And in this case of a dead fiancée’s sister, it was necessary to consider that by law anyone who had taken an oath to marry was considered to be married and that they and their blood-related relatives were as mutually obligated as if they had lived together in matrimony. Having found no biblical grounds for the prohibition, Pfeil fell back on custom and state policy, both of which could be and would be eaten away in the acid of Baroque era rationalism.

## The nature and purpose of marriage

It is to be feared that conjugal love will degenerate into brutal passion and excessive ardor, when close kin, already tied by blood and a familiarity formed already from infancy, come to add conjugal love and tenderness, which are ordinarily so ardent and alive between a man and wife and which normally increase and heat up from day to day by familiarities, indulgences, common interests, and the fruits of marriage. — Antoine Arnauld, 1693<sup>63</sup>

There were many views of marriage in the seventeenth century, and it would be a mistake to think that the moralists, pastors, lawyers, and judges spoke for everyone. Nonetheless, there was a complex dialectic between social values and practices to be found in the various European populations and in the teachings and preachings of the authorities. We must not think that local pastors and priests were trying to instill a moral system dreamed up in lecture halls and monasteries, or that parishioners agreed with all the ideas they heard from the pulpit, any more than people sitting in the pews Sunday after Sunday do today. The key point for most considerations of marriage prohibitions and incest avoidance was that marriage was an institution to dampen passion, and from many a passage in the treatment of these issues, it would seem that marriage with the “stranger” was a good means to that end. And note here, that this contention on the part of seventeenth-century observers reverses the expectations of evolutionary biologists today, who associate active libido with difference.

In 1693, the French Jansenist theologian Antoine Arnauld—known as the “great Arnauld”—was asked by an aristocrat if he could in all good conscience go to the pope for a dispensation to marry his cousin.<sup>64</sup> Arnauld warned that even with the pope’s permission, he was in serious danger: “God . . . does not bless what does not conform

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62 Pfeil, *Responsorum*, p. 3: “The first principle of law is to live honestly.”

63 [Arnauld], “*Ecrit. Sur un mariage*,” pp. 244–45.

64 [Arnauld], “*Ecrit. Sur un mariage*,” for this paragraph, pp. 236, 244, in that order.

to His will.” This marriage prohibition was a matter of universal law recognized by the Church and founded upon its sacraments. Hardly an arbitrary invention of a few prelates, it was rooted firmly in natural instinct, in a modesty before God’s commandment and a horror at even entertaining thoughts about such things. The whole point of the interdiction was to ensure that marital love would not “degenerate into brutal passion and excessive ardor,” as it surely would, were conjugal passion to be superimposed onto affections of blood and familiarity.

In Germany, the ecclesiastical ordinances from the late sixteenth century had set a similar tone. Marriage, an institution given by God to discipline unruly passions and preserve social order, depended on mutual respect among spouses for its efficacy. Melancthon thought that marriage with blood relatives or a marriage repeated within the same set of in-laws could not provide this respect.<sup>65</sup> To form a disciplined and honest alliance required finding a partner among strangers. One Lutheran moralist late in the seventeenth century, reflecting the opinion that strong passions within marriage and social order were incompatible, thought of marriage as a lifelong crucifixion of the flesh, an exercise incumbent on every Christian. Indeed, passion in marriage was to be understood as a form of fornication—an acting out of unbridled lust.<sup>66</sup>

Several of the well-known academic moralists of the early eighteenth century continued to think of marriage outside the circle of kin as supporting a holy life and fulfilling best the essential task of reproduction. Johann Franz Buddeus, one-time professor of ethics in Halle and later professor of theology in Jena, in 1719 made it clear that excessive desire unsettled marriage and that a man ought to look for a virtuous woman beyond those closely related to him. He particularly worried about the deceased wife’s sister, who on his reading of the Leviticus text was completely out of bounds. And he paired interest in wedding any close relative with unbridled desire and inordinate lust: “We only need to look at those who want to marry within the prohibited degrees; they usually have no other reason than to still their wicked lusts. Whoever selects a spouse with no other object than virtue would easily find someone beyond his family or allied

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<sup>65</sup> Dedekenn, *Thesauri consiliorum et decisionum*, vol. 3, pp. 220–23.

<sup>66</sup> Heinrich Müller, *Evangelischer Hertzens-Spiegel, in Öffentlicher Kirchen-Versammlung/ bey Erklärung der Sonntäglichen und Fest-Evangelien/ Nebst beygefügeten Passion Predigten/ Der Gemeine Gotte/ zu S. Marien/ vorgestellt von Heinrich Müllern* [ . . . ] (Frankfurt am Main, 1679), pp. 88, 94. “Children of the world treat marriage as a carnal estate and with this idea enter marriage to tickle the flesh and spend their lusts. With that, many commit more fornication and adultery in marriage than someone who has sex with other women outside of it,” p. 88. Fornication was a sexual sin between unmarried people. Christian Thomasius worried about men who treated their wives like whores—one’s mental power declined with too much sex. “If he is really suitable for marriage, he will marry not to commit whoring in marital activity but to avoid it.” Christian Thomasius, *Kurtzer Entwurff der politischen Klugheit* [ . . . ] (Frankfurt and Leipzig, 1725), pp. 284–85. When one unites with someone without regard to education or temperament, that love is bestial, or like whoring: *Von der Kunst vernünftig und Tugendhaft zu lieben*, 6th ed. (Halle, 1715), p. 169. He goes on to say that “it often is more bestial in marriage beds than in a common whorehouse,” p. 186.

kin fitting to stand by his side and behave properly.”<sup>67</sup> In his thick tome on moral theology, Halle Pietist and professor of theology Siegmund Jacob Baumgarten found that alliance—relationships arising through marriage—created the same binding force as blood.<sup>68</sup> Marrying out increased the number of ties useful for the fundamental tasks of individual families, such as raising children. Indeed, marrying the wife’s sister was contrary to the kind of respect that brothers- and sisters-in-law were supposed to have for each other.

Towards the end of the seventeenth century, within academic discourse the number of voices casting doubt on scriptural interpretations and natural law justifications for the prohibition of marriage with the sister-in-law was increasing. Despite growing criticism of the foundations of law, both state and church codes throughout Europe continued until well into the eighteenth century to forbid sister-in-law marriages, although here and there dispensations might be had for a certain amount of cash. Some theologians worried that the proscriptions, which, after all, were read several times a year to assembled congregations, were so intertwined with the authoritative interpretation of Christian truth that relaxing the policing of boundaries of incest might lead to doubt about much else. I will examine some of the chief steps in the debate below, but I think it is important to emphasize again how much *marriage as discipline* was coupled with exogamy in Baroque discussions of incestuous couplings and to understand how long this way of thinking would take to fade away, even as new concerns introduced in the Enlightenment whittled at its core.<sup>69</sup>

## Marriage among allies: A seventeenth-century argument

Affinity according to Saint Thomas can never be produced except by completed copulation; that is to say, in that it leads to the mixing of seed. — Jean Pontas, 1715<sup>70</sup>

<sup>67</sup> Buddeus, *Einleitung in die Moral-Theologie*, p. 601.

<sup>68</sup> Siegmund Jacob Baumgarten, *Unterricht vom rechtmässigen Verhalten eines Christen oder theologische Moral zum academischen Vortrag ausgefertigt* (Halle, 1738), pp. 385–92.

<sup>69</sup> An anonymous eighteenth-century German tract, “Umständliche Widerlegung obigen Bedenkens,” in *Bedenken über die Frage ob die Ehe mit des Bruders Wittwe erlaubt sey?* (Frankfurt and Leipzig, 1758), p. 114, asked why God forbade marriage with the brother’s wife? The point was to dampen lustful carnal intercourse and to restrain satisfying *libidinis furiosae*. Subsequent citations: “Umständliche Widerlegung obigen Bedenkens.” An alternative title for this volume is *Gothaisches Bedenken über die Frage: Ob die Ehe mit des Bruders Wittwe erlaubt sey? Samt derselben umständlicher Widerlegung* (Gotha, 1752; Frankfurt and Leipzig, 1758).

<sup>70</sup> Jean Pontas, *Dictionnaire de cas de conscience ou decisions des plus considerables difficultez touchant la morale & la discipline ecclesiastique, tirées de l’écriture, des conciles, des decretales des papes, des peres, & des plus célèbres théologiens & canonistes*, 2 vols. (Paris, 1715), with supp. (1718), vol. 1, case 1, unpaginated. In vol. 1, case 9: “Female seed is not a necessary material for conception. Whence it follows that it is sufficient for semen only on the part of the male to effect affinity. By the mixing of seed (*commixtio seminum*) therefore is to be understood with regards to the part of the female either that which



In early modern Europe, no distinction was typically made between different kinds of in-marriage spouses, between “step” and “in-law” relations. So all the arguments marshalled for or against a stepmother or a stepsister could apply to a mother-in-law or a sister-in-law: they were all “affinal” kin—all relatives who “married in.” Although it was linguistically possible to distinguish the different relationships, it was common in most European languages to call upon similar terms to cover them. For example, in English the word “mother-in-law” referred both to the wife’s or husband’s mother and to a stepmother, and French and German *belle mère* or *Schwiegermutter* covered the same two relationships. In his *Compendium Moralis* of 1675, the professor of theology at Altdorf, Johann Dürr (1625–1677), offered the traditional view of how all of this worked. “Because affinity,” he argued, “is a *simulacrum* of consanguinity, no person may be considered a legitimate spouse who is made one flesh with someone who is related proximately by blood to me. Thus it is not legitimate to marry a stepmother, because she has been made one flesh with my father, from whose blood I have been made, nor a daughter-in-law, because she has been made one flesh with my son, who has been born from my blood, nor a stepdaughter who has come from the flesh of my wife, nor my brother’s wife, who is one flesh with my brother, who is one flesh with me, nor a wife’s sister, who is one flesh with my wife, with whom I am made one flesh.”<sup>71</sup> While the wife’s sister certainly provided the figure for most discussion in the seventeenth century, all the other close affines, the stepmother, the brother’s wife, and the wife’s sister’s daughter, among others, provided focal points for worry.<sup>72</sup> This allows us to bring together representations in literature, here and in section II, that deal with a man and his brother’s wife (*Hamlet*), or his wife’s sister (*Love-Letters between a Nobleman and His Sister*), or his stepmother (*Phèdre*).

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is true seed or that which is in the place of seed, such as blood, from which and from the male seed, according to Aristotle, generation is able to follow.”

71 Johann Conrad Dürr, *Compendium theologiae moralis*, 2nd. ed. (Altdorf, 1675), p. 366.

72 All the different permutations were dealt with in D.I.P.O.A.F [Odelem], *Außerlesene* [. . .] *Bedencken*.



**Fig. 1:** Lot and His Daughters.

Leo Steinberg once drew attention to the fact that artists during the Renaissance might fix on an object or idea of scant concern for writers. That seems to have been the case for the biblical story of Lot and his daughters (Genesis 19) in the sixteenth and seventeenth centuries. The family had fled the city of Sodom, which the Lord destroyed by fire and brimstone as punishment for unrestrained sin. In the refuge of a cave, the daughters, fearing no men would survive, got their father drunk and—according to the account—lay with him to conceive children and preserve his seed, though “he perceived not.” The theme became popular with Mannerist and Baroque artists such as Hendrick Goltzius, as it allowed an open depiction of sensuality. In keeping with the biblical account, Lot was routinely represented as passive and oblivious. However, in an anonymous painting from the Louvre (once ascribed to Lucas Van Leyden) that narrates the story of urban destruction, flight, fatal backward glance of Lot’s wife, and seduction scene, he seems to be a willing

participant. In the incest texts of the Baroque, Lot and his daughters were occasionally, briefly, mentioned as a case of divine dispensation (that is, that effectively there was no incest), with no discussion of transgression. Modern feminist takes suggest that the story was a patriarchal cover-up of a straightforward rape. Antonin Artaud (1896–1948) was captured by the Louvre painting, which “makes the four or five hundred years of painting that comes after [it] useless and invalid” (1932): the painter understood the “profoundly incestuous quality of the old theme.” Artaud found in the energy, fire, light, and violence a metaphysical lesson for his modern theater project. Around that time, the gay Artaud was being seduced by Anaïs Nin (1903–1977), who among many other affairs, including with her two analysts, was involved in an incestuous relationship with her father, shocking even Artaud. Accompanying him to the Louvre, Nin had her own encounter with the picture: “joy and terror of love,” “joy of the father’s hand upon the daughter’s breast,” “joy of the fear racking through her”: “No cry of horror from Lot and his daughter but from the city in flames, from an unquenchable desire of father and daughter, of brother and sister, mother and son.”

Paintings: Anon., *Loth et ses filles*, Louvre, ca. 1517. Asset Image Nr. AR6139511, ©RMN-Grand Palais/Art Resource, NY, photo by Michel Urtado. Hendrick Goltzius, 1616, *Lot and His Daughters*, Rijksmuseum, Amsterdam, The Netherlands, <https://www.rijksmuseum.nl/en/collection/SK-A-4866>. Text: Leo Steinberg, *The Sexuality of Christ in Renaissance Art and in Modern Oblivion*, 2nd ed. (Chicago and London, 1996), pp. 33–35; Kath-



erine B. Low, "The Sexual Abuse of Lot's Daughters: Reconceptualizing Kinship for the Sake of Our Daughters," *Journal of Feminist Studies of Religion* 26 (2010): 37–54; Antonin Artaud, "Mise en Scène and Metaphys-

ics," in *Selected Writings*, ed. Susan Sontag, trans. Helen Weaver (New York, 1976), pp. 227–39, here pp. 227–30; Anais Nin, *House of Incest*, foreword by Gunther Stuhlmann (Athens, OH, 1979), pp. ix, xii, 34–36.

When the term "flesh" appeared in seventeenth-century legal sources on marriage, it usually was taken in its literal, material sense, as referring to bodily substance—semen or blood. In all cases of disputed relationship in Germany, the courts delved into the details of sexual intercourse to find out if semen had actually flowed into the vagina.<sup>73</sup> And under Henry VIII, amendments to English law emphasized intercourse (licit or illicit) rather than the contractual and ritual aspects of marriage.<sup>74</sup> Most legal and ecclesiastical scholars in France thought that affinity arose only with a completed act of intercourse and sprang just as much from such acts outside as inside marriage. In 1713, Jean-Laurent Le Semelier published a five-volume edition of ecclesiastical conferences on marriage held in Paris to reconcile the discipline of the church with French jurisprudence. In that work, he distinguished between consanguinity, which dealt with relations through blood coming from one stem, and affinity, which derived from mixing (*mêlant*) blood to form a stem.<sup>75</sup> Decades later, Pierre Toussaint Durand de Maillane, an advocate at the Parlement of Aix, still argued that it was necessary for male seed to flow into the vagina for affinity to arise. In principle, then, for establishing affinity, an unconsummated marriage did not count.<sup>76</sup>

What did count was the moment of consummation. Jean Pontas, a doctor in canon law in the Paris faculty, in his 1715 edition of cases of conscience, posed the instance of a man whose wife died after the wedding but before the marriage was consummated. Could he marry her second cousin without a papal dispensation? Yes, because affinity could only come from a completed intercourse, a *commixtio seminum*.<sup>77</sup> Once created, however, the effect of affinity persisted even after the death of a spouse. Another case dealt with *coitus interruptus*, whether upon taking the virginity of a woman, withdrawing, and spilling his seed outside of her vagina, "Peter" had created an impediment of marriage with her consanguineal relatives?<sup>78</sup> Since two only could become one flesh through the mingling of seed, no affinity had been contracted. Pontas then went on to take up the hypothetical case of a man who introduced his seed into the vagina without

73 Material to a case from 1750–57 in Württemberg was whether semen entered the vagina: WHAS, A209 Bü 642. The same was true in an earlier case from 1725–26: A209 Bü 518.

74 Kelly, *The Matrimonial Trials of Henry VIII*, pp. 247, 277, 282.

75 See Le Semelier, *Conferences ecclesiastiques* (1775 ed.), vol. 2, p. 505.

76 Pierre Toussaint Durand de Maillane, *Dictionnaire de droit canonique et de pratique bénéficiale* [ . . . ], 2nd ed., 2 vols. (Lyon, 1770), s.v. *affinité*.

77 Pontas, *Dictionnaire de cas de conscience*, vol. 1, unpaginated, case 1.

78 Pontas, *Dictionnaire de cas de conscience*, vol. 1, case 8.

penetration—would affinity arise then? Yes, because it was just the same as if there were a mixture of seed from the two partners.<sup>79</sup>

## German scandals

We do not say that the wife's sister is one flesh with the sister's husband before *commixtionem* in such a manner as his wife, for only through consent and conjugal act does she become maritally one flesh with him. Rather mediated first by the wife, whose flesh is that of her sister does the sister consequently become near flesh of the husband in affinity of the first kind, and then she is considered to be the same as if she were the sister of the man, because spouses are one flesh. A sister is not, according to Scripture, the shame and nakedness of the other sister, but, note well, the nakedness of the husband becomes the nakedness of two sisters by the conjugal act. The sister of the wife uncovers the husband's nakedness of her sister. — Friedrich Ernst Kettner, 1707<sup>80</sup>

The issue of the wife's sister flared up in the German territories three times from the middle of the seventeenth to the beginning of the eighteenth century, prompting in each instance a series of publications for and against such a marriage. Together the controversies generated many thousands of pages of closely reasoned polemics and biblical exegesis. The first controversy involved the marriage of the Duke of Holstein in 1649 to his wife's sister.<sup>81</sup> In some ways, the concern was the obverse of the Tudor problem—*she* became worried about having violated divine commandment and feared God's punishment. A prince of the south German Protestant territory of Oettingen set off the second controversy in 1681, when he called an academic conference to debate the issue of marrying his wife's sister, published the results, and went ahead and married the woman.<sup>82</sup> But he died soon thereafter, his wife died in childbirth, and the pastor who joined them succumbed before seeing another birthday. These apparent signs of God's presence in the world and quite decided displeasure with violations of His commandments put a damper on such marriages for many decades. And at the beginning of the eighteenth century, the marriage of Johann Melchior Götze, theology professor, church counselor in Braunschweig-Wolfenbüttel and Sachsen-Eisenach, and preacher in the city of Halberstadt in the territory of Prussia, precipitated the third of these controversies. After his wife died, pleading that he needed a mother for his children and was too busy to

<sup>79</sup> Pontas, *Dictionnaire de cas de conscience*, vol. 1, case 9.

<sup>80</sup> Kettner, *Gründliche Untersuchung*, pp. 62–63.

<sup>81</sup> A list of the writings is provided by a professor of law in Helmstedt, Johann Bartholdus Niemeier, *Dissertatio theologica VII, De conjugio cum uxoris sorore, divino jure prohibito*, in *De conjugiiis prohibitis Dissertationes junctim Editae* (Helmstedt, 1705). Not paginated. See paras. 85, 86.

<sup>82</sup> *Hochangelegene/ und bißhero vielfältig bestrittenen Gewissens-Frage/ Nemlich: Ob Jemand seines verstorbenen Weibes Schwester/ sonder Ubertretung Göttlicher und Natürlicher Gesetze/ in wiederholter Ehe zu heuraten berechtiget? Durch auff dem in der Fürstlichen Residentz zu Oettingen den 10. Octobr. Anno 1681 gehaltenen COLLOQUIO [. . .]* (Frankfurt and Leipzig, 1682). Hereafter cited as *Colloquio*.

look around, he obtained a royal dispensation from Prussia to marry her sister.<sup>83</sup> Rather than investigate these cases in detail—however fascinating such inquiry might be—I instead will use the literature they generated to document the continuing concern in German territories with marriages between affinal kin, to examine the salient features of the arguments, and to open up assumptions about familial relations and kinship embedded in the texts. All of the pamphlets and books concentrate on parsing Leviticus 18 and Genesis 2:24.

One central issue—to be explored in more detail in chapter 4 of this section—had to do with what it meant for a husband and wife to be one flesh (*una caro*). A burning concern for seventeenth-century culture, this question spilled over into others such as how flesh was connected to blood, who was a blood relative, and what did alliance entail? The idea that a man and wife became one flesh through marriage or through intercourse could have been understood simply as a legal fiction, so that they would not actually have become consanguines. Yet Baroque culture was seldom satisfied with metaphor simply as metaphor. One of the critics of the Holstein marriage was sure of the reality of the joining of flesh: if the general proposition of avoiding “near kin” (Hebrew, *she'er basar*; Latin, *caro carnis*; English, flesh of flesh) in Leviticus 18:6 was to have any meaning, one had to be clear on the ways of sharing flesh. He distinguished between *becoming* one flesh *ex carnis copulatione* (as husband and wife) and *being* one flesh *ex carnis generatione* (two sisters). One aspect of flesh connected with the other as “flesh of flesh” came under the general condemnation of Leviticus 8:6.<sup>84</sup>

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<sup>83</sup> Friedrich Ernst Kettner, *Commentarius über das XVIII. und einen Theil XX Cap. in dritten Buch Mosis/ Von den Göttlichen Eh-Gesetzen oder Erklärung der grösten Schwürigkeiten/ die bey den verbotenen Ehen sich befinden/ zu Gottes Ehr verfertigt/ zum Nutzen angehender Prediger/ denen dergleichen Casus in ihren Aemtern fürkommen/ wie auch zum Unterricht derjenigen Personen/ die bey streitigen Ehen nicht wissen/ welcher Meynung sie beypflichten sollen* (Quedlinburg, [1703]). Kettner, *Gründliche Untersuchung*. This contains as addenda some of the key pamphlets exchanged in the bitter dispute.

<sup>84</sup> Michael Havemann, *Gamologia Synoptica, istud est Tractatus de jure connubiorum* [ . . . ] editio postrema accurate Autoris industria novissime emendate, atque interpolate, innumerisque locis aucta (Frankfurt and Hamburg, 1672), p. 243. Havemann produced an exhaustive, more than 600-page, systematic treatment of marriage, with almost 20 percent devoted to marriage prohibitions, a tribute to the importance these issues assumed in contemporary moral theology and political culture. He accused Christoph Joachim Buchholtz, the main supporter of the duke's marriage with his sister-in-law, of playing around dangerously with sacred texts directly inspired by the Holy Spirit and having the effrontery to contradict the entire theological tradition—except that later he thought Buchholtz to have been influenced by Jewish and Talmudic readings and by Jesuits—it all depended on what tradition one ascribed to. Havemann even went so far in his rendering of the Leviticus texts to say that the gentiles had been punished not so much for bestiality and buggery (Leviticus 18:22–23) as for illicit intercourse with close relatives, especially with the wife's sister. Such relationships were an abomination to God and, since they led to punishment of those who had not received Mosaic law, must be considered to be prohibited by natural law. Havemann stressed the one flesh argument of Genesis 2:24, drawing a parallel between copulation and propagation, both of which created proximity of flesh. A man was one flesh with his wife *ex carnis copulatione*, and the wife was one flesh with her sister *ex carnis generatione*. Therefore someone like a stepmother or a wife's sister came under the general prohibition of Leviticus 18:6 against sexual

The chief proponent of the Holstein marriage, Christoph Joachim Buchholtz, and his opponents wrote extensive pages on the meaning of “flesh,” “flesh of flesh,” “propinquity,” and “blood,” with fine reasoning about how kinship and familial relationships were to be modeled. Buchholtz distinguished affines from blood relatives and allies from the agnatic line much more than his critics were willing to countenance.<sup>85</sup> The issue had everything to do with whether affines shared substance with their allies or not. The arguments in the Oettingen conference report continued to turn around the meaning of “flesh,” “flesh of flesh,” and “proximity of flesh,” distinctions between flesh and blood and between “propinquity” and “proximity,” the difference between consanguinity and affinity, and what constituted marriage—consent or intercourse. Here too, within the confines of the narrow discussion of the particular marriage at hand, lawyers and clerics got to think about the nature of lineage and the problem of how lineages could be reproduced. The chief end of marriage, some argued, was to increase the size and prestige of a lineage, and almost everyone thought that that could best be done by marrying out, by multiplying the number of families who as affines could be utilized to support the ever-

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relations with “flesh of flesh.” Along the way, Havemann developed two interesting points. He explained the prohibition against marrying the brother’s daughter (not explicitly handled in Leviticus) with the contention that a daughter received hereditary material from her father and that whoever married her raised the dead father’s seed. The point here was the confusion of the seed of two brothers—another take on the problem that worried Buchholtz. The second point found a way around the levirate, always a seeming contradiction to the universal prohibition against the brother’s wife in Leviticus 18:17. The goal of the Leviticus 18 prohibitions, Havemann argued, was to keep the Jewish tribes separate—something that the God of nature insisted upon—so that there would be a clear genealogy for the Messiah in one tribe. Once Christ appeared, the levirate, having served its purpose, was abrogated, and the exception to the law of nature—valid for only one nation and for a particular period of time—no longer challenged universal applicability.

**85** Christoph Joachim Buchholtz, *Pro Matrimonio Principis*, pp. 100–14. Also *Christoph. Joachimi Buchholtz Jcti Consiliarii Hassiaci Vindiciae Secundum Dispensationem matrimonii cum defunctae uxoris sorore ab infelici Defensione Mosaica Dn. Michaelis Havemanni liberatam cum appendice ad speculum propinquitatis Conjugalıs Dn. M. Matthiae Bugaei et indice omnium quæstionum* (Helmstädt, 1769), pp. 97–111. This is bound together with many works of controversy such as Aegidius Strauch’s conflict with Calixtus and Buchholtz. It is 236 pages, dated 1769, and must be a new edition, although it does not say so on the title page. It seems that Bugaeus reissued it, adding his appendix. I am not sure how this relates to the other work from 1662: *Christoph. Joachimi Buchholtz Juris Consulti Examen adsertionis responsi non Mosis Sed Dn. Michaelis Havemanni Contra matrimonium cum defunctae uxoris sorore* [ . . . ] (Bremen, 1662). The 1662 volume is much thicker. I checked Jacob Gabriel Wolf, *Rechtliches Gutachten über die Zulässigkeit der Ehe mit der verstorbenen Frauen Schwester; In welchem dieselbe nach hinlänglichen Gründen behauptet, und wieder mancherley Einwürfe bescheidenlich gerettet worden. Bey Gelegenheit einer anderweiten Hohen Reichs-Fürst. Vermählung Im Jahr 1732. Ertheilet; Nunmehr aber, auf Einrathen guter Freunde, zum gemeinen Besten, an das öffentliche Licht gestellt* (Halle, 1736), pp. 24–25, and he said that the *Vindiciae* was published in 1669 and was subsequent to the *Examen*. Buchholtz wrote both the Holstein *Gutachten*, which was published, and a subsequent defense of it. This was followed by a reply to Havemann in 1662 and another in 1669. It could be that the date in the volume I am reading is simply false—one too many “C”s in the date. In any event, the controversy raged for twenty years.

tighter agnatic structures that were in fact being constructed during the seventeenth century—the egoism of the line balanced by extended exogamy. The issue came down to whether there could be an exception in this instance, with a few voices suggesting that the wife's sister might be a particularly good mother for her nieces.

How to think of joining flesh—metaphor or physical reality—reached a high point in the Götze marriage controversy. Götze dismissed the “unity of flesh” idea as mere legal fiction: the two kinds of flesh (*unitas carnis per conjugium* and *unitas carnis per consanguinitatem*) could not be melded together. And in Baroque hyperbole, he called the wife's sister “flesh of flesh of flesh!”<sup>86</sup> His opponent in the affair, Friedrich Ernst Kettner, denied that the biblical notion of “one flesh” was a fiction or simple conceit. Once the physical act between spouses was completed, the wife mediated the connection between her husband and sister. Her flesh *was* that of her sister, and the flesh of the sister became therefore that of the husband.<sup>87</sup> “Remember,” he went on to say, “the Holy Ghost Himself spoke of *caro carnis* for both consanguines and affines.”<sup>88</sup> Every other reason besides the unity of flesh was secondary, and ultimately it came down to the will of God and His explicit command: “flesh of flesh is a person who is close to us either with consanguinity or affinity, who is or participates in our flesh and blood.”<sup>89</sup> A few decades after this controversy, one theologian wrote that “the first degree of affinity (either sister-in-law) is not *conceptibile* without the idea of consanguinity.”<sup>90</sup> And by no means could the relationship atrophy with the death of the mediating spouse.

A second issue had to do with the parallelism between the two kinds of sisters-in-law: brother's wife and wife's sister. Leviticus 18:16 seemed to condemn the brother's wife more forthrightly than did the verse (Leviticus 18:18) about the wife's sister, which prompted an ever-more accepted notion that arguments about the one could not be arguments about the other. Defending the Duke of Holstein's marriage, his counselor and professor of law, Buchholtz, put the matter this way: with the brother's wife, there was a “confusion of seed” of two brothers in one vessel (womb), while with the wife's sister, the male seed was distributed in two “diverse vessels.”<sup>91</sup> In the Oettingen debate, those who saw the two kinds of sister-in-law as essentially the same were more prone to stress the interrelationships between the different lineages and to point out that the close connections and moral responsibilities provided by a marriage did not by any

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86 Johann Melchior Goetze [Götze], *Die annoch ungekränckte Ehre der Ehe mit der verstorbenen Frauen Schwester; in unterschiedlichen folgenden Tractaten erwiesen, das [sic] diese Ehe nach göttlichen und weltlichen Rechten zulässig sey. Deme mit beygefüget drey hochgelahrte Responsa* [. . .]. (Frankfurt am Main, [1707]), pp. 67–68. See also the previously cited anonymous tract, “Umständliche Widerlegung obigen Bedenkens,” p. 89.

87 Kettner, *Des Hoch-Ehrwürdigen Ministerii*, pp. 76–79; Kettner, *Gründliche Untersuchung*, pp. 62–63.

88 Kettner, *Gründliche Untersuchung*, p. 64.

89 Kettner, *Commentarius*, pp. 50–51.

90 “Umständliche Widerlegung obigen Bedenkens,” pp. 89–90.

91 Buchholtz, *Pro Matrimonio Principis*, pp. 36–39.

means end with the death of one or both spouses.<sup>92</sup> But those who wanted to draw a sharp distinction between the wife's sister and the brother's wife, being particularly horrified by the idea of a man marrying someone so closely identified with agnatic relatives as the brother's wife, used such vivid images for intercourse with a brother's wife as "plunging (*profundieren*) his blood into his own flesh."<sup>93</sup> In this representation, the absence of reciprocal action—the wife did not cause blood to flow into the husband—sharply distinguished the two kinds of sister-in-law from each other.

In the Götze marriage dispute, Kettner took up the issue of seed in single or multiple wombs. Commentators had made a distinction between "active" and "passive" seed, apparently thinking along contemporary models of mingling male and female seed in intercourse. The active, male seed had an effect upon the woman, which the passive, female seed did not have for the man. With this formulation, one could argue that a man made a woman one flesh with him (so the man would be entertaining his own flesh by having intercourse with his brother's wife), while the reverse, the woman making a man one flesh with her, did not occur (so the woman would not be transferring her sister's flesh to him). But Kettner maintained that it was as sinful to plant seed in two sister's wombs as for two brothers to put seed successively in one womb: "on both sides the same sexual organs, whether male or female, are commingled with the flesh of flesh; diversity of sex does not free up the sister. The passive confusion of seed is just as wrong as the active confusion of seed."<sup>94</sup>

Throughout the three controversies, one of the worrisome issues had to do with shaking confidence in the authoritative interpretation of scriptural truth. Any attempt to change practices embedded in ecclesiastical and state law could lead to widespread disbelief in the entire edifice among the general population. In the introduction to the conference papers for the Oettingen marriage, the author emphasized that this was about the marriage of a *prince*.<sup>95</sup> Nothing said in the discussion was meant to open the floodgates for the common man. Indeed, the whole point of marriage law was to dampen affects and to put them into well-established limits. Even many of those who argued that God had forbidden marriage with the deceased wife's sister thought that princes were an exception, with some of them drawing an analogy to the patriarch Jacob who had been married to two sisters—and that simultaneously. Old Testament heroes could be models for contemporary high political figures. In the later controversy over Pastor Götze's marriage, a critic of that union registered fury at having had the pastor's tract held up to his face by a mere artisan to assert the right to marry his deceased wife's sister.<sup>96</sup>

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<sup>92</sup> *Colloquio*, p. 215.

<sup>93</sup> *Colloquio*, p. 280.

<sup>94</sup> Kettner, *Des Hoch-Ehrwürdigen Ministerii*, p. 84.

<sup>95</sup> *Colloquio*, pp. 5–9.

<sup>96</sup> Kettner, *Gründliche Untersuchung*, 124.



## The slow death of affinal prohibitions

Louis XV had compounded adultery with incest because fornicating with sisters had an incestuous character in eighteenth-century eyes. — Robert Darnton, 2003<sup>97</sup>

In the course of the eighteenth century (especially after midcentury and the example of Frederick the Great in Prussia, who immediately after assuming the throne in 1740, as part of population policy, abandoned many marriage restrictions, including marriage with the wife's sister), various German Protestant territories began to allow marriage with the deceased wife's sister, although with considerable opposition and continued sentiment against the brother's wife.<sup>98</sup> I will offer only one example here, the Imperial City of Ulm, which can be taken as more-or-less typical.<sup>99</sup> In the 1740s, officials received several requests for permission to marry various kinds of affinal kin or first cousins. In a 1744 case, where a man wanted to marry his cousin, the church authorities found that during the previous thirty-five years there had been only two local examples of dispensation. Clearly, not many people had tried to make such marriages, and one had to search diligently in the records to find any instances. The authorities were amenable to the marriage in this case, since it would protect a considerable inheritance and keep a tavern running.<sup>100</sup> By 1804, they remarked that this kind of request was a "completely trivial dispensation case" and assessed only a small fee. Over sixty years, sentiment and practice had changed completely.<sup>101</sup>

In contrast to petitions for cousin marriages, those for affinal kin in the same decade in Ulm generated considerably more concern and extensive discussion. In 1746, a man applied to marry his wife's father's half sister and was turned down with the usual argument that affinity paralleled consanguinity. But because an affinal aunt was the proposed spouse, the effect of such a union on parental respect entered into the deliberations as well, even though the aunt in question was just two years older than the petitioner.<sup>102</sup> When the couple persisted, the authorities looked more closely into the matter and found that the following had all been turned down in the past several years: mother's half brother's wife, wife's sister's daughter, husband's sister's son, father's half

<sup>97</sup> Robert Darnton, "The News in Paris: An Early Information Society," ch. 2 in *George Washington's False Teeth: An Unconventional Guide to the Eighteenth Century* (New York, 2003), pp. 25–75.

<sup>98</sup> See the careful analysis of the legal changes and the practical implementation by Claudia Jarzebowski, *Inzest: Verwandtschaft und Sexualität im 18. Jahrhundert* (Cologne, 2006).

<sup>99</sup> Stadtarchiv Ulm, Bestand A [1777–79]. In Bestand A [1777], Dispensationsfälle 1743–68, I found a total of 60 petitions and calculated the relationships. First cousins: 9. First cousins once removed: 16; Total cousins: 25. Wife's sister: 3; Husband's brother and sister's son and wife's brother and sister's daughter: 10; Husband's or wife's cousin: 16; Husband's or wife's uncle: 2; Total affines: 31. Miscellaneous affines: 2; Miscellaneous: 2; Total miscellaneous: 4.

<sup>100</sup> Stadtarchiv Ulm, Bestand A [1777], #7.

<sup>101</sup> Stadtarchiv Ulm, Bestand A [1779], #16.

<sup>102</sup> Stadtarchiv Ulm, Bestand A [1777], #19.

brother's wife, and wife's brother's daughter. In the end, the city council, rejecting the advice of the ecclesiastical authorities, allowed the couple to go ahead, but indicated their reluctance to consider their decision a precedent. So the first steps towards allowing affinal kin marriages were quite tentative. In 1762, a man applied to marry his wife's sister.<sup>103</sup> By this time, the authorities accepted that such a marriage did not violate divine or natural law even though it was forbidden by imperial, papal (canon), and territorial law. Yet they still rejected the application. The chief reason for the prohibition, they declared, is "discipline [*Zucht*] and respectability, because it is considered to be disorderly [*unzüchtig*] and disreputable to have marital intercourse with each other when [a couple] *because of blood* [emphasis added] are closely related through consanguinity [*Freundschaft*] or affinity and, as Moses says, to reveal their nakedness to each other."<sup>104</sup>

A few years later (1765), the Ulm authorities finally allowed marriage with the wife's sister.<sup>105</sup> Nonetheless, they assessed the considerable fee of 50 fl. for the privilege (enough at that time for a farmer to buy three cows, a significant part of the working capital of a farm). Citing the Holstein, Oettingen, and Pastor Götze cases, opponents of the marriage argued that the sister-in-law was subject to *reverentia sanguinis* (respect of blood). As they put it, the "relation and reverence for blood sticks to the body." But the city council was inclined by this time to see the one flesh idea as essentially a moral concept. They insisted on the real blood connection between ascendants and descendants and between siblings but loosened the relationship between spouses by restricting the idea of "flesh of flesh" to consanguines. Even so, into the early nineteenth century, they kept high fees in place for dispensations, higher in fact than those for blood relatives like cousins. Any argument that in general people "knew" that inbreeding can be a significant problem is undercut by this calculation of the dangers.

In Ulm, throughout the first half of the eighteenth century, ever-stronger arguments distinguishing kin through marriage from kin through descent in archival documents show that greater emphasis was being placed on the agnatic lineage. Brothers were thought so tied to each other through blood that marriage with the brother's wife remained for many more decades a much stronger taboo than marriage with the wife's sister. In petitioning in 1780, for a dispensation to marry his brother's wife, Matthias Jäger argued that the prohibition was limited to Hebrew law and that here and there in surrounding territories such marriages had been allowed, although he recognized that he had made the first request of this nature in the entire history of the city.<sup>106</sup> One

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<sup>103</sup> Stadtarchiv Ulm, Bestand A [1777], #185.

<sup>104</sup> *Freundschaft* changes its meaning according to context. It can mean simply "friendship," the state of being a friend to another, but in this period it usually designated kin. It most often was used for kin-by-marriage, but when coupled with allies (as here, with the concept "affinity"), it designated kin related by blood. In this quotation, therefore, it designated consanguines. It must not be forgotten, however that both consanguines and affines were understood to be related through blood.

<sup>105</sup> Stadtarchiv Ulm, Bestand A [1777], #202.

<sup>106</sup> Stadtarchiv Ulm, Bestand A [1778], Fall 1, #1–17.

solicited opinion drew a strong parallel between the father's wife and the brother's wife, placing emphasis on agnatic relationships. In this argument, even though the one flesh argument had lost purchase with regards to the wife's sister, it kept its persuasive power for the brother's wife. Permitting such a marriage would "corrupt the common man." A local pastor, however, found a series of grounds making the marriage useful: for example, the couple could take better care of their children. By being so closely related and familiar with each other, they would have greater awareness of their temperamental failures and virtues. Thus, they would be able to overcome the problems associated with step parents, being not so much "step" parents as real ones. He also thought that the theory of *commixtio seminis* (mingling of seed) violated physical principles, once several months had gone by, and that in any event it would hold true for any second husband. Despite these arguments, the Ulm authorities could not overcome their distaste for marriage with a deceased brother's wife. And it was not until 1796 that they allowed a marriage with a deceased half brother's wife.<sup>107</sup>

In general, by the late eighteenth century, the issue of the wife's sister had played itself out in Germany, while the brother's wife continued to cause considerable unease. The matter was raised by Johann Melchior Goeze, the temperamental Hamburg pastor, foe of Lessing and grandson of the Johann Melchior Götze who early in the century had married his deceased wife's sister.<sup>108</sup> The grandson wrote that anyone who thinks that the sister-in-law makes the best mother for the children should be made aware of the sorry history of his poor father.<sup>109</sup> Experience showed, he argued, that when the wife's sister had children of her own, the result was great disunity in the family. Auntly love

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107 Stadtarchiv Ulm, Bestand A [1778], Fall 2, #1–9.

108 Johann Melchior Goeze, *Johan Melchior Goezens gewissenhaftes Glaubens-Bekänntnis die, 3 Mos. im achtzehenden Hauptstücke verbotenen Ehen naher Anverwandten, betreffend* [ . . . ] (Hamburg, 1780). One of his sparring partners was Johann Heinrich Daniel Moldenhawer, who published in the same year, *Untersuchung der 3 Mose 18, 7–18. befindlichen Israelitischen Ehegesetze* (Hamburg, 1780). Some of the flurry of tracts from that year: *Betrachtungen über die Antwort des Herrn Hauptpastor Johann Melchior Goezen auf den Extract eines Protocolls des ehrwürdigen Ministeriums* (Hamburg 1780); *Fortsetzung der Betrachtungen über des Herrn Hauptpastor Goezens Antwort an das ehrwürdige Ministerium in Betref seines Protocolauszuges* (n.p., n.d.); *Zweyte Fortsetzung der Betrachtungen über des Herrn Hauptpastor Goezens Antwort an das ehrwürdige Ministerium in Betref seines Protocolauszuges* (Hamburg, 1780). After Goeze's work was reviewed negatively, there was a further exchange with Moldenhawer, *Abge-nöthigte Vertheidigung seiner Untersuchung der Israelitischen Ehegesetze* (Hamburg, 1780). This book is a text by Goeze attacking Moldenhawer, with many long footnotes by Moldenhawer defending himself. Goeze was not pleased with the review in the *Reichspostreuter* and protested that the review picked out bits and pieces (p. 4). He pointed out that Moldenhawer had married his wife's sister and therefore had skin in the game. Moldenhawer objected to this move as a "Präoccupation." Another pastor in the lists: [Hermann Erich Winkler], *Antwort auf des Herrn Johann Melchior Goezens, Pastoris zu St. Cathar. in Hamburg, Glaubens-Bekänntnis die, im 3 Mos. Cap. 18. verbotenen Ehen naher Anverwandten, betreffend, von einem Mitgliede E. hochehrw. Ministeriums in Hamburg* (Hamburg, 1780); hereafter [Winkler], *Antwort auf des Herrn Pastor Goezen Gegenantwort auf meine Antwort* (Hamburg, 1780).

109 Goeze, *Gewissenhaftes Glaubens-Bekänntnis*, p. 9.

was not enough to overcome the provocations that would turn a wife into a bad stepmother.<sup>110</sup> During the exchange of tracts, a great deal of heat was generated by the fact that the “man on the street” was being drawn into the debate with the result that questions that should have remained within the purview of clerics were being exposed to public review—and ridicule.<sup>111</sup> Here was the culmination of an issue first adumbrated during the seventeenth-century Holstein controversy when scholars shifted from Latin to German to the consternation of many observers.

Goeze was worried that the recent vote by the Hamburg ministers in 1771 to allow dispensations for the wife’s sister, together with open discussion, would lead to a crisis in clerical authority.<sup>112</sup> Reflecting the shift in understanding the nature of Mosaic jurisprudence, he abandoned defending the prohibition as a matter of natural law, and instead turned to older but no longer dominant notions of legal voluntarism. It was simply that God had forbidden such marriages, and there was no room for arguing. He based his position on the idea that the sister-in-law was the closest of relatives, but he did not call into play ideas of flesh or blood. Rather, in interpreting the text, he relied on analogy, without which, he suggested, there was no way of making any sense at all out of Leviticus 18.<sup>113</sup> Since—as almost everyone agreed—the brother’s wife was forbidden, so must be the wife’s sister: *par parium est ratio*.<sup>114</sup> This prompted a few of Goeze’s fellow ministers, sometimes anonymously, to enter the lists, occasionally with sober argument, and others to join in with a series of scurrilous broadsheets hawked in the streets.<sup>115</sup> From the *Epistle of a Layman*, one of the more temperate responses to Goeze, it was clear that the argument from analogy was no longer compelling: “If I marry the wife that my deceased brother had in marriage and into whose womb [he] let flow his seed, so—don’t be disturbed, Dear Pastor, that I call the things by their correct names (*naturalia non sunt turpia*), and in any event Holy Week is past us, when you, most reverend Herr pastor! issued your tract in public from simple piety and for the edification of our church community—, I say, the semen of two brothers come into one womb, *in unam vas*, and that is a true *confusio sanguinis* or commingling of blood. That God did not want. That is a shameful act, for it is your brother’s nakedness [*Scham*].”<sup>116</sup> This,

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110 Johann Melchior Goeze, *Johan Melchior Goezens, Hauptpast. zu St. Cathar. in Hamburg, Bestätigung seines gewissenhaften Glaubens-Bekänntnisses, die, 3 Mos. 18, verbotenen Ehen naher Anverwandten betreffend: Gegen die in öffentlichen Schriften dagegen gemachten Einwürfe* (Hamburg, 1780), p. 10.

111 *Extractus Protocolli Reverendī Ministerii den 25 Febr. 1780. Nebst der Antwort von Johann Melchior Goezen* (Hamburg, 1780), p. 5. Goeze, *Bestätigung*, pp. 1–6.

112 Goeze, *Gewissenhaftes Glaubens-Bekänntnis*, pp. 3–4.

113 Goeze, *Gewissenhaftes Glaubens-Bekänntnis*, pp. 17–22.

114 Goeze, *Gewissenhaftes Glaubens-Bekänntnis*, p. 18.

115 See for example, the anonymous *Danksagungsschreiben an Herrn Pastor Goeze in Hamburg für sein gewissenhaftes Glaubensbekänntnis von einem evangelisch-lutherischen Christen, der mit seiner verstorbenen Frauen Schwester in der Ehe lebt* (n.p., 1780).

116 *Sendschreiben eines Layen an den hochehrwürdigen Herrn Johann Melchior Goeze* (n.p. 1780), p. 4, an anonymous pamphlet.

of course, is so very different from marriage with the wife's sister: one sister is not the other's nakedness nor did the seed of the deceased wife flow into her husband. In this instance there are two different wombs, *duo diversa vasa*.<sup>117</sup>

In the *Letter of a Child to the Very Worthy Herr Pastor Goeze in Hamburg*, we encounter open ridicule.<sup>118</sup> The "child" wrote that his father happily married his wife's sister and had several sons with her. He himself, he noted, liked to read a whole lot of bibles at the same time, and he too knew a little Latin, and he, like his hero Goeze, liked to dispute. The problem was that his brothers and parents did not listen to him. Suitably they were all going to hell to be gored by Satan's horns. The very existence of his brothers was a sin. Finally, the *Frank Letter of a Lady, who is Inclined to Marry Her Good Brother-in-Law* took the polemical jest to absurdity.<sup>119</sup> All the young girls who had the hots for their brothers-in-law were really annoyed by Goeze's tract: *par parium est liram larum*. She herself had been engaged to her brother-in-law for a year and a day. They planned to kill off her sister, the first wife, by having her give birth to as many children as possible. And then she, as the dead woman's successor could raise them

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117 *Sendschreiben eines Layen*, p. 5. See Johann Nikolaus Misler, *Opus Novum quaestionum practico-theologicarum, sive casuum conscientiae* (Frankfurt, 1676), p. 579, for a seventeenth-century text that makes the same point: "A woman cannot have two brothers because of the confusion of seeds, which come in contact within one subject." But a man "can have two sisters because seed is not confounded in diverse persons": Buchholtz, who in *Pro Matrimonio Principis*, wrote several thousand pages on marriage with the wife's sister and who argued that scripture did not forbid it, did see marriage with the brother's wife as illegitimate, precisely because of the mixing of seed of two brothers in one woman (pp. 36–38). It is, of course, possible to see this as a metaphor for confusion of descent, with two first born in one lineage. In the Oettingen *Colloquio* (1682), the first contributor against marriage with the brother's wife on the grounds of confusion of seed made explicit that this was to be understood as a wider issue of confused inheritance and succession. There are very strong male lineage ideas here. As he put it, in marrying two sisters, the blood runs in two different lineages (*Geschlechter*), although how two sisters represent different lineages is left unexplained: *Colloquio*, pp. 21–23. The jurist Bruckner (sometimes Brückner) cited a *consilium* dealing with the case of a noble whose brother had been married to the woman he now wished to marry. He claimed that the first brother had been impotent, that there was no *commixtio seminis et sanguinis*, and that therefore he could marry her in good conscience. According to the *consilium*, "*vir enim & mulier efficiuntur demum in Carnali Copula Una Caro per commixtionem Seminum*." If the couple got a medical attestation that the first brother had been impotent and that there was no commingling of semen and blood so that no true affinity had arisen, the second brother would not commit incest. A brother who had intercourse with his brother's wife was one flesh with her through sexual intercourse but also through his flesh's flesh; that is, was one flesh with the flesh of his brother, when his blood flowed into her flesh, into which his deceased brother's blood had flowed: Bruckner, *Decisiones iuris matrimonialis controversi*, pp. 273–79.

118 *Schreiben eines Kindes an Se. Hohehrwürden den Herrn Pastor Goeze in Hamburg* (Hamburg, 1780), pp. 3–10, another pamphlet.

119 *Frey müthiges Schreiben eines Frauenzimmers, die sehr geneigt ist ihren guten Schwager zu heyrathen auf die Bestätigung des Glaubensbekenntnisses Sr. hohehrwürden des Herrn Pastors Goezen in Hamburg* (1780), pp. 2–11. See also *Anti-Götzisches Glaubensbekenntniß an das unpartheyische gewissenhafte Publicum von einer Dame* (n.p., 1780).

all. Clearly, by the late eighteenth century, the issue of the wife's sister had become a matter for popular parody and the occasion for ridiculing latinizing pedantry.

How much the *frisson* of sexual relations with sisters continued into the eighteenth century in France can be seen from a curious incident concerning the monarchy itself. Robert Darnton has chronicled the complex story of the desacralization of the French king through widespread publicity about Louis XV's sexual life.<sup>120</sup> There was considerable condemnation of his affairs and of his mistresses who meddled in the affairs of state. But at the outset of his reign, Louis XV had the good will of the general populace, and his position as mediator between the realm and God was well-assured. He continued the tradition of the French thaumaturgic kings by touching two thousand scrofula victims lined up at the Louvre, and for the next seventeen years, he represented the *roi-mage*. What destroyed the sacred bond was his taking up with three sisters, one after the other. In the eyes of the clergy and people, the king's incestuous relations with two sisters, which threatened divine punishment of king and realm, was signaled here by a singular exaggeration. In order to continue to touch the sick, Louis had to purify himself by confession and taking communion, but as long as he refused to give up the mistress-sister(s), his confessors refused him this crucial ritual. After the death of the third sister, Louis for the most part avoided Paris, no longer confessed or took communion, and ceased to touch the sick. "This breakdown in ritual signaled the end—or at least the beginning of the end—of the *roi-mage*, the sacred, thaumaturgic king. . . . By mid-century Louis XV had lost touch with his people, and he had lost the royal touch."<sup>121</sup> Darnton goes so far as to argue that the loss of sacrality and the end to Louis XV's effectiveness as a mediator between God and the people was an important factor leading to the collapse of the Old Regime. It was not until the French Revolution and the break with the Church that French law was changed to allow marriage with the deceased wife's sister. With the Restoration, however, she once again was an illegitimate object of desire. But then, from the monarchy of Louis Philippe onwards, as far as the French were concerned, marriage with the wife's sister was fully legal and quite popular.<sup>122</sup>

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<sup>120</sup> Darnton, "The News in Paris," pp. 25–75.

<sup>121</sup> Darnton, "The News in Paris," p. 47.

<sup>122</sup> Gouesse, "Mariages de proches parents."



the levirate (Deuteronomy 25:5), since his brother had not died without issue but was very much alive although divorced by Herodias. The statue is in a nineteenth-century church but may well be much older. It witnesses the ecclesiastical prohibition of marriage with the brother's wife, an issue that continued to distress the Church until it gave up in the twentieth century. The relevance of Hebrew law for contemporary government and Christian societies was a much-discussed issue during the seventeenth and eighteenth centuries. In this representation, articulating the Old Testament proscription against marriage with a sister-in-law, John plays the role assigned to him in the New Testament as the divinely appointed link between old and new biblical covenants, making Hebrew law directly relevant for Christian states.

Statue of John the Baptist in the Église Saint-Laurent, Murzo, Corsica. Photos by Simon Teuscher.

**Fig. 2:** John the Baptist and King Herod.

John the Baptist points to a scroll that reads: "It is not lawful for thee to have thy brother's wife" (Mark 6:18). John had accused King Herod of illicitly marrying his brother Philip's wife, Herodias, and on her complaint, the king had jailed the prophet (Matthew 14:3–4, Mark 6:17–18, and Luke 3:19). John based his accusation on Leviticus 18:16: "Thou shalt not uncover the nakedness of thy brother's wife: it is thy brother's nakedness." Herod could not excuse himself with the practice of



England was the outlier with regards to the wife's sister. Perhaps the sister-in-law problematic was so deeply imprinted with the Reformation that it was hard to let go. It was always possible to get permission for such a marriage by an act of Parliament, but, of course, that was an expensive matter and success hard to come by. There were increasing calls during the eighteenth century to abandon the prohibition and a rash of parliamentary exceptions in the new century. The matter came to a head in the early 1830s,

just when the French made marriage with the deceased wife's sister legal. Through a parliamentary maneuver in 1834, the House of Lords, led by the Anglican bishops, managed to embed the prohibition in civil law and in this way set off an eighty-year fit of vituperative tracts: "English feeling still, for the most part we are assured, shrinks from these unions as revolting and incestuous . . . [even while] every sort of incest has become habitual in nations highly civilized."<sup>123</sup>

## Excursus. Incestuous sheets from Hamlet to Phèdre

Two seventeenth-century iconic texts, *Hamlet* and *Phèdre*, from England and France respectively, put affinal incest at the center of their arguments. Since Freud's construction of the incest problematic, readings of *Hamlet* have frequently been confounded with the Oedipal triangle of Father-Mother-Son. Indeed, Ernest Jones turned around every relationship in the play to reveal the child's working out of a guilty desire for his mother.<sup>124</sup> The father-daughter relationship of Polonius and Ophelia, he argued, was a derivative of the Oedipal complex. In the brother-sister constellation of Laertes and Ophelia, the sister was a replacement of the mother. And then almost as an aside, Jones brought Claudius and the queen under the sign of brother and sister—and so made them incestuous. After all, asserted Jones, brother-sister is just another form of son-mother. Claudius was conflated with Hamlet and even Laertes equaled Hamlet (and the struggle between Laertes and Hamlet was also a father-son contest). Finally, Shakespeare himself, Jones argued, had undergone an intense Oedipal drama, such that his own emotional experience had to correspond with the "underlying themes of the tragedy."<sup>125</sup>

Reading *Phèdre* under the sign of psychoanalysis baffled modern commentators like Roland Barthes, since biologically related kin did not drive the tragic action and outcome. It was the *stepmother's* desire for her *stepson* that was at issue. Most psychoanalytic approaches have assumed a universal structure to human nature, and they also consciously or unconsciously have recovered the evolutionary biological palimpsest underneath the Freudian corpus.<sup>126</sup> Persistent incest was bad because of social (phylogenetic) and individual (ontogenetic) consequences: close marriages had biological consequences for progeny and could lead to degenerate lineages or corrupt cultures (reconfigured in the Freudian narratives as having consequences for attaining

<sup>123</sup> Edward Bouverie Pusey, *A Letter on the Proposed Change in the Laws Prohibiting Marriage between Those Near of Kin* (Oxford, 1842), p. 9; reprinted from *British Magazine*, November 1840.

<sup>124</sup> Ernest Jones, *Hamlet and Oedipus* (New York, 1976 [1949]). For the original publication, see Ernest Jones, "The Œdipus Complex as an Explanation of Hamlet's Mystery: A Study in Motive," *American Journal of Psychology* 21.1 (1910): 72–113.

<sup>125</sup> Jones, *Hamlet and Oedipus*, p. 114.

<sup>126</sup> On Freud and evolutionary biology, see Frank J. Sulloway, *Freud, Biologist of the Mind: Beyond the Psychoanalytic Legend* (New York, 1979).



adulthood or building civilizations). While I make no claim to having mastered the literature on the subject, the mining of unconscious, esoteric, latent meanings in the texts, it seems to me, deflected from the conscious, exoteric, and quite manifest themes of incest repeated throughout both plays. However compelling the psychoanalysts' treatment of profound psychostructures, their passing references to the *surface* problematic tended to be quite "superficial." Indeed, Jones called attention to the passages in *Hamlet* accusing Claudius and Gertrude of incest without subjecting them to inquiry until the end when he alluded vaguely to "Christian" notions of a brother-in-law and sister-in-law as brother and sister, whose sexual relations violated an elemental taboo (always derived from mother-son).<sup>127</sup>

Let's look at the *Hamlet* text itself.<sup>128</sup> Both Hamlet and the ghost/father accused the mother/wife and uncle/brother of incest. In Hamlet's initial handling of the theme, it was not exactly clear whether his mother's chief fault lay in her haste to remarry after her husband's death or in marriage per se with her husband's brother (although, as I will argue, marriage to a close relative was associated with unruly desire, lust, and, perhaps in this context, undue speed). The phrase "with such dexterity to incestuous sheets" captured the double transgression.<sup>129</sup> In its first appearance, the ghost of the elder Hamlet referred to his brother (Claudius) as "that incestuous, that adulterate beast."<sup>130</sup> There has been some speculation that Claudius had already had sexual relations with Gertrude before the elder Hamlet's death (and even that young Hamlet's real father was Uncle Claudius), which, if true, would have given force to the charge of adultery.<sup>131</sup> But apart from the term "adulterate," there is no obvious textual support for the idea of sexual union before the death of the brother. Rather, the word seems to have been chosen to underscore the charge of lust, and it was often used by contemporaries to speak of licentiousness in general. The ghost went on to say: "Let not the royal bed of Denmark be / a couch for luxury and damned incest."<sup>132</sup> In Act 3, when Hamlet caught the uncle at prayer (an inopportune moment for assassination), he rather preferred to carry out the deed "when he [Claudius] is drunk, asleep or in his rage, / or in the incestuous pleasure of his bed."<sup>133</sup> At the end, when Hamlet forced the king to drink from the

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<sup>127</sup> Jones, *Hamlet and Oedipus*, p. 140.

<sup>128</sup> For references to *Hamlet*, I have used the two volumes from The Arden Shakespeare Third Series, both edited by Ann Thompson and Neil Taylor: *Hamlet* (London, 2006) (Q2, 1604–5), and *Hamlet: The Texts of 1603 and 1623* (London, 2006) (Q1, 1603; F, 1623). Q1 and Q2 are the first quarto editions and F is the first folio edition.

<sup>129</sup> Q2: 1.2.163, p. 179; F: 1.2.155, p. 192; Q1: 2. 69–70, p. 74: "To make such / Dexterity to incestuous sheets."

<sup>130</sup> Q2: 1.5.42, p. 214; F: 1.5.42, p. 212; Q1: 2.36, p. 74: "That incestuous wretch."

<sup>131</sup> See the point made by Anselm Haverkamp in "The Ghost of History: Hamlet and the Politics of Paternity," *Law and Literature* 18 (2006): 55–82, here p. 58.

<sup>132</sup> Q2: 1.5.82–83, pp. 217–18; F: 1.5.82–83, p. 213.

<sup>133</sup> Q2: 3.3.89–90, p. 332–33; F: 3.3.90, p. 287. Q1: 11.42, p. 131, adds in the scene where Hamlet confronts his mother: "To live in the incestuous pleasure of his bed." And later (11.47, p. 132): "but still to persist and dwell in sin."

poisoned cup, he exclaimed: “Here, thou incestuous, damned Dane!”<sup>134</sup> From Hamlet’s first soliloquy to his last act, incest was on his mind, not the longing for his mother but the specific relationship (in marriage) of his uncle and mother, or to put it otherwise, marriage with the deceased brother’s wife.<sup>135</sup>

King Claudius underscored the problematic relationship in his first entry onto the stage, referring to “our sometime sister now our Queen.”<sup>136</sup> And Hamlet addressed the issue in almost biblical terms: “You are the Queen, your husband’s brother’s wife.”<sup>137</sup> As Leviticus 18:16 put it: “Thou shalt not uncover the nakedness of thy brother’s wife: it is thy brother’s nakedness.” There was, of course, the other biblical possibility, the levirate found in Deuteronomy 25:5, where a man living with a married brother who died was enjoined to marry the widow but only on the expressed condition that the deceased brother had not had a child. In the Hamlet predicament, this stipulation was very much not the case, since the son of the deceased king/eldest brother was quick, present, and bearer of the lineage—even to the extent of having his father’s name.

All proponents of marriage impediments with affinal kin in the sixteenth and seventeenth centuries had recourse to the one flesh doctrine. Molière parodied the idea in a scene where he had a doctor examine the father when the daughter was sick on the grounds that they were one flesh and blood.<sup>138</sup> And the joke in German literature made a similar point about the marital one flesh doctrine—a man thought that only *he* needed to eat at the tavern, since he and his wife were one flesh. Hamlet, too, mordantly jested about the one flesh doctrine after the king corrected him for addressing him as “mother.” Hamlet’s response: “My mother. Father and mother is man and wife. / Man and wife is one flesh. So—my mother.”<sup>139</sup> But the passage underscores the nature of the incest. It was a violation of biblical law, canon law, English ecclesiastical law, and natural law, with the governing principle being the unity of flesh of two brothers and the unity of flesh of husband and wife: the uncle/king had penetrated his own flesh by taking his brother’s wife.<sup>140</sup>

One of the reiterated ideas of the period was that marriage with close kin brought disarray into the kin-name system and therefore uncertainty about the offices appro-

<sup>134</sup> Q2: 5.2.309, p. 457; F: 5.2.279, p. 356.

<sup>135</sup> In *The Rise of the Egalitarian Family*, p. 18, Trumbach documented popular horror against marriages between the brother’s wife or the wife’s sister in England as late as the eighteenth century.

<sup>136</sup> Q2: 1.2.8, p. 166.

<sup>137</sup> Q2: 3.4.14, p. 336.

<sup>138</sup> Molière, *Le médecin volant*, Sc. 4, in *Œuvres de Molière*, ed. Anatole Montaignon and T. de Wyzewa, ill. Jacques Leman and Maurice Leloir, 9 vols. (Paris 1882–96), vol. 5, pp. 43–44: “Le sang du Père et de la Fille ne sont qu’une seule et même chose, et par l’altération de celui du Père, je puis connoître la maladie de la Fille.”

<sup>139</sup> Q2: 4.3.49–50, p. 365.

<sup>140</sup> The printed commentary of 1571, argued Edward Cardwell in *The Reformation of the Ecclesiastical Laws*, 48, reflected the mature view of Archbishop Thomas Cranmer: since husband and wife were one flesh, whatever relationship one spouse had in consanguinity, the other had in affinity.

prate to any particular person within the kingroup.<sup>141</sup> Through such overlapping, the structural features of the kinship landscape were obscured or erased. An aunt had specific tasks to fulfill for a niece or nephew, for example, which could be undermined by taking the place of a mother. Claudius expressed the accumulation of functions early on with the phrase “my cousin (i.e., nephew) Hamlet, and my son.”<sup>142</sup> And then: “think of us / As of a father.”<sup>143</sup> In the first quarto edition of the play (Q2), the king insisted repeatedly on the relationship of son in a dense and tense confrontation after the murder of Corambis.<sup>144</sup> In any event, Hamlet saw the overlapping roles as highly problematic: “A little more than kin, and less than kind.”<sup>145</sup> Perhaps here the “less than kind” served to make the point that the uncle-nephew relationship was not supposed to be characterized by the same tension as the father-son relationship. The marriage of the uncle with the father’s widow obscured the function of uncle or, better, effaced the specific role that an uncle could be expected to play. Hamlet gave voice to the ambivalent nature of the combined roles and the inability of the son to figure out just how to refer to the king and queen: “my uncle-father and aunt-mother.”<sup>146</sup>

In the seventeenth century, each relative-role was understood to have a more or less specific position in the scale between close and distant, with consequent emotional attachment. Relations between marriage partners were supposed to be characterized by respect, modesty, and temperance.<sup>147</sup> Too much desire was thought to be disruptive, and betrothal was something to be dictated by reason (in the form of parental consent or consultation with kin). In any event, close relatives were those whom a person was expected to love. The problem with marrying a relative was its potential to redouble love. Something of this way of thinking seems to have been driving Hamlet’s critique of the brother-in-law to sister-in-law marriage of Claudius and Gertrude. In his first soliloquy, Hamlet faulted his mother’s marriage precisely as beyond the bonds of “reason”: too speedy on the one hand, and with his father’s brother, on the other.<sup>148</sup> And the ghost described his

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141 Jacob Gabriel Wolf, *Rechtliches Gutachten über die Zulässigkeit der Ehe mit der verstorbenen Frauen Schwester; in welchem dieselbe nach hinlänglichen Gründen behauptet und wider mancherley Einwürfe bescheidenlich gerettet worden*, 2nd. ed. (Halle, 1756), pp. 85, 95. Kettner, *Gründliche Untersuchung*, pp. 116–17.

142 Q2: 1.2.64, p. 170.

143 Q2: 1.2.107–8, p. 174.

144 Q2: 11.128, p. 138; 11.139, p. 138; 11.147, p. 139.

145 Q2: 1.2.65, p. 170.

146 Q2: 2.2.312–13, p. 261. I am not at all sure how to understand the exchange here between Hamlet and Guildenstern: Hamlet suggested that the king and queen were deceived. And to Guildenstern’s query “In what, my dear lord,” Hamlet returned, “I am mad north-north-west. When the wind is southerly I know a hawk from a handsaw”: Q2: 2.2.314–16. It is possible that he was referring to the uncle-father/aunt-mother conflations and that he well knew what the difference was supposed to be.

147 As the Wittenberg professor Melanchthon put it: “God desires through civil laws and the education of children to drive people to honest customs,” *Loci Theologici*, fol. liii verso.

148 Q2: 1.2.150, p. 178.

own marriage to Gertrude as one of dignified love, the marriage to his brother as one founded on lust.<sup>149</sup> Hamlet summed up the charge in the confrontation with his mother after the death of Polonius: “Nay, but to live / In the rank sweat of an enseamed bed / Stewed in corruption, honeying and making love / Over the nasty sty—.”<sup>150</sup> Marriages to siblings-in-law, the closest relatives suited to call each other “brother” and “sister,” could only be marriages of irrationality, unbridled desire, and corrupt brutality.<sup>151</sup>



**Fig. 3:** Hamlet, the Closet Scene, and the Crimes of Affinity.

The first illustrations of *Hamlet* occur in editions from 1709 and 1714. All early images depict the “closet scene” (Act 3, Sc. 4) during which Prince Hamlet, having hidden behind a curtain, jumps out to confront his mother over the death of his father, the king, and kills the current king’s advisor while he is at it. In the 1603 version, the advisor is Corambis; in the 1623 version, Polonius. Just after that killing, the ghost of the king/father appears, perceived only by Hamlet. In this 1714 engraving, two additions to the scene—a bed and a royal truncheon pointing to the queen’s genital area—underscore her sexual activities. On the wall is a portrait of the dead king and a partly obscured one of Claudius, his brother, Hamlet’s uncle, who by marrying Hamlet’s widowed mother, is now king. In the 1603 text of the closet scene, Hamlet accuses his mother of killing the king and marrying his brother, mocks the “pleasure” of her bed, and taunts her as “incestuous.” After gesturing to his father’s portrait, he glances at his uncle’s portrait with a look “fit for murder and a rape.” He is appalled that his mother has left the one for the other. “Ah, have you eyes, and can you look on him / That slew my father and your dear husband— / To live in the incestuous pleasure of his bed?” Accusing her of dwelling in sin and continuing in lust when her appetite should have been “on the wane,” he pleads with her to avoid the “adulterous bed” that night. The 1604–5 text has Hamlet telling his mother in bib-

**149** An eighteenth-century German tract cited earlier asked why God forbade marriage with the brother’s wife? The point was to dampen lustful carnal intercourse and to restrain satisfying *libidinis furiosae*: “Umständliche Widerlegung obigen Bedenkens,” p. 114.

**150** Q2: 3.4.89–92, p. 343.

**151** The author of an anonymous German tract from the eighteenth century lamented that in some places the wife’s sister, quite contrary to Scripture, had become allowable, and now folks were turning to the brother’s wife. Soon some would defend the stepsister and after that the full sister—a return to a state of pure nature: all this because people forgot that marriage was a matter of dampening desire and that the best means to that end was to marry strangers: “Umständliche Widerlegung obigen Bedenkens,” pp. 167–68.

lical terms that she was “your husband’s brother’s wife,” inferring incest by calling attention to divine prohibition. Here is also the phrase “rank sweat of an enseamed [greased] bed / Stewed in corruption, honeying and making love / Over the nasty sty—.” (OED, s.v. sty, “an abode of bestial lust.”) In the scene’s 1623 version, the indirect accusation of incest is also present: killing a king and marrying his brother. Again, Hamlet points to the two portraits. This time he describes Claudius as a “mildewed ear / Blasting his wholesome brother.” And to his mother: “You cannot call it love, for at your age / The heyday in the blood is tame, it’s humble / And waits upon the judgement. . . .” Finally, he forbids her to go to

his uncle’s bed, having accused her, as in the 1604-5 text, of living over a sty, in a sweaty, enseamed bed, “stewed in corruption, honeying and making love.” But the epithet “adultery” has disappeared.

Plate opposite the title page of *Hamlet*, in *The Works of Mr. William Shakespear*, (London: printed for J. Tonson, 1714), vol. 6, p. 301. Image courtesy of the Huntington Library, San Marino, California. Call no. 89205. See Alan R. Young, “Visual Representations of Hamlet 1709–1900,” [trigs.djvu.org/global-language.com/ENFOLDED/YOUNG.index.htm](http://trigs.djvu.org/global-language.com/ENFOLDED/YOUNG.index.htm), accessed 15 January 2020. Quotations are from the Arden Shakespeare editions of *Hamlet*.

If Shakespeare’s tragedy *Hamlet* appears to be *a*—perhaps *the*—central text of English culture, Racine’s *Phèdre* fills the same role for the French.<sup>152</sup> One of the things that makes the two texts resonate with each other is the mediating position of the “mother.” In *Hamlet*, King Claudius, in describing the recent events in the kingdom (the death of his brother and his own ascendance to the throne), refers to Queen Gertrude, now his wife, as the “imperial jointress,” the person whose marriage makes possible his succession to the throne.<sup>153</sup> Exactly how that was supposed to work, either in English or Danish law, is unclear, but Hamlet makes it explicit that his immediate succession to the throne had been blocked by this move: “He that hath killed my King and whored my mother, / Popped in between th’election and my hopes, / thrown out his angle for my proper life / And with such cozenage.”<sup>154</sup> Here “cozenage” could be a play on meanings: deception and kinship (in this case, cousin or uncle). In the Racine play, where the succession rights of Hippolyte, Thesée’s son by his first marriage, have been weakened by Thesée’s subsequent marriage to Phèdre, Hippolyte enunciates the central political point of the play: “A mother, jealous of her children’s rights, seldom forgives the son of a first wife.”<sup>155</sup> Phèdre now has two sons from the king, and this throws the succession into question upon the (false) news of Thesée’s death. All along Phèdre has been trying to repress her desire for Hippolyte, the stepson, but now it appears that the situation

<sup>152</sup> Jean Racine, *Phèdre* (1677), bilingual French-English ed., Eng. trans. Margaret Rawlings (Harmondsworth, 1991).

<sup>153</sup> Q2: 1.2.9, p. 166. See the very interesting argument on this whole subject of inheritance, succession, and the issue of “jointure”: Margreta de Grazia, “Generation and Degeneracy,” ch. 4 in *Hamlet without Hamlet* (Cambridge, 2007), pp. 81–128.

<sup>154</sup> Q2: 5.2.63–66, p. 438.

<sup>155</sup> Racine, *Phèdre*, Act 2, Sc. 5, p. 79.

has altered. The logic of action at this point turns around whether affinity, the relation constituted through marriage, ends with the death of one of the parties.<sup>156</sup>

Phèdre momentarily follows advice that death does disrupt affinal bonds and that consequently her desire for Hippolyte now is legitimate, a *flamme ordinaire*.<sup>157</sup> In trying to entice Hippolyte, she offers him the throne, displacing her own children from the succession. Just as in *Hamlet*, what Hippolyte, Thésée, and Phèdre herself ultimately agree upon is that incest—unlawful, unnatural, and polluting—is the central mechanism for disrupting lineage and expected succession. Affines were supposed to support familial rights by being engaged but disinterested parties. And Phèdre recognizes that her unruly passion comes from redoubling the love expected for her stepson with love for him as a husband—she sees the son in the father’s face, rather than the reverse, which would give primacy to her husband. In Shakespeare’s play, the final point comes when Hamlet forces Claudius to drink the poison cup in revenge for his incest (not for the murder of his father). In Racine’s drama, it comes as Phèdre, accusing herself of incest, voluntarily drinks from the poison cup.<sup>158</sup>

In the Racine take on Phaedra/Hippolytus, there is a reworking from the two ancient versions. The playwright introduced a love interest for Hippolyte in the form of Aricie, the only survivor of the lineage that would have succeeded to the throne had Hippolyte’s father, Thésée, not defeated its army in battle. Intent on obliterating all traces of the defeated line, Thésée had ordered all its male members killed.<sup>159</sup> Hippolyte, in defiance of his father, fell in love with Aricie and planned ultimately to displace the father and rule through Aricie’s succession claims.<sup>160</sup> But Phèdre disrupted all the plans by spilling out the secret of her incestuous desire to Hippolyte, a revelation that led to her own death and to the curse of Thésée falling upon his son and causing his death.

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156 Most French commentators argued that affinity once contracted could not be abrogated with the death of one of the partners, although Févret entertained the idea that since affinity could only be understood in terms of carnal intercourse, when the intercourse ended, so did the affinity: *Traité de l’abus*, vol. 1, p. 477. But he quickly dismissed the idea and found that dispensations for marriage to sisters-in-law would be judged abusive in French courts.

157 Racine, *Phèdre*, Act 1, Sc. 4, p. 57. A. W. Schlegel was shocked at this and the notion of *flamme ordinaire*: A. W. Schlegel, *Comparaison entre La Phèdre de Racine et celle d’Euripide* (Paris, 1807). Subligny was also irritated: Adrien-Thomas Perdou de Subligny, *Dissertation sur les tragédies de Phèdre et Hippolyte* (1677), in François Granet, *Recueil de dissertations sur plusieurs Tragédies de Corneille et de Racine, avec des réflexions pour & contre la critique des ouvrages d’esprit & des jugemens sur ces dissertations* (Paris, 1739), vol. 2, p. 375.

158 Racine, *Phèdre*, Act 5, Sc. 1, p. 167. The source for Shakespeare, Saxo Grammaticus, has Amleth (Hamlet) kill the stepfather king, Feng, for murder and incest, so it seems significant that Shakespeare left out the accusation of murder at this point, underscoring the centrality of incest among the king’s crimes. For Saxo Grammaticus, see *The Danish History, Books I–IX*, Project Gutenberg, prod. Douglas B. Killings and David Widger, p. 93, accessed September 14, 2019, <https://www.gutenberg.org/files/1150/1150-h.htm>.

159 Racine, *Phèdre*, Act 2, Sc. 1, pp. 65–67.

160 Racine, *Phèdre*, Act 2, Sc. 4, pp. 65–71.

All that was left was Aricie, whom Thésée eventually adopted as a daughter and his successor, thereby restoring the original line to the throne.<sup>161</sup> His two sons by Phèdre were forgotten.



Fig. 4: Phèdre, Hippolyte, and the Crimes of Affinity.

In Act 2, Sc. 5 of Racine's *Phèdre*, Phèdre, taking the advice of Oenone, her nurse and confidant, confesses her passionate love to Hippolyte, her husband Theseus's firstborn son, her stepson. All along she has feigned hatred for him, an attitude he finds quite understandable: "A mother, jealous of her children's rights, / Seldom forgives the son of a first wife." He thinks of affinity as a problem for inheritance, succession, and property devolution, with him preceding Phèdre's own son in the line of succession. Phèdre, who believes erroneously that Theseus is dead, now sees Theseus standing before her—in the son. "He breathes in you." "He had your walk, your eyes, your way of speaking; /

He could blush like you." Musing on the back story of Theseus and her sister, Ariadne, she declares that if Hippolyte had come to Crete in place of his father, she would have descended with him into the Labyrinth and returned or perished. Hearing this all too clear sexual allusion, Hippolyte now understands and is horrified at the thought of a connection between son and father's wife. Phèdre protests that it is madness, a *fol amour* that she herself condemns. He ought to punish her for "such a hideous and illicit love," to be like his father and rid the world of a "monster": that the widow should love the son is a horror. "If your hatred envy me a blow / Of such sweet torture, or if blood too vile / You think

<sup>161</sup> Racine, *Phèdre*, Act 5, p. 169.

would therefore drench your hand, then give, / Give me, if not your arm, at least your sword!" Garnier captures the moment where she grasps the sword, pointing the weapon at her genitals, while a frightened Hippolyte turns away. The tragedy will end with the deaths of all three people in the scene after the unexpected return of Theseus brings the dramatic action to its climax. In the eyes of all, the mere thought of stepson and stepmother lying

together conjures the label of "incest," a crime meriting death—suicide or punishment by the gods.

Etienne-Barthélémy Garnier, *Hippolyte après l'aveu de Phèdre, sa belle-mère*, 1793. © Montauban, Musée Ingres Bourdelle, photo Marc Jeanneteau. Quotations from Jean Racine, *Phèdre*, trans. Margaret Rawlings (Harmondsworth and New York, 1991).

What constituted the incest in these two texts? And what made incest edgy or scandalous in the seventeenth century? And how was it related to property, statecraft, and legitimate succession? Both constellations in these plays came under the heading of what was considered affinity, a category that in early modern Europe often made no distinctions among the kinds of relatives one might acquire by marriage. Thus, all the arguments marshaled for or against marriage with a stepmother or a stepsister, for example, could be used for a mother-in-law or a sister-in-law. All of them were affinal kin—all, relatives who already had "married in."

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Although academic argument, ecclesiastical inertia, legal precedent, and bureaucratic regulation played significant roles in giving particular weight to affinal relations in the seventeenth century, it seems likely that the *persistence* of concern about such relations reflected the nature of social relationships in early modern European societies. Ecclesiastical intervention at the parish level was so successful because it fed from widespread, if not universal, opinion, itself regularly reinforced by pastors. Consequently, examples of indifference or of attempts to overstep particular thresholds do not tell us much about the delineation of social boundaries or about cultural understandings of transgression. What we need to grasp are the lines of demarcation in society, the construction of attachments, and the practices of reciprocity. Of course, there could be varying opinion or vigorous argument about their implications, and different values might well be in conflict. In early twenty-first century debate about gay marriage, for example, we find animated disagreements about how people ought to be coupled and uncoupled, about boundaries and transgressions, and about representations of ethical behavior. Attitudes underscoring marriage as an institution for companionship seem to have become the standard at least throughout the Western world, with implications for marital instability, on the one hand, and for definitions of legitimate couplings, on the other. Social relations occasion bitter argument just because they are so fundamental, vital, and urgent. And because meanings can be implicit, they often are not articulated. People, for example, could argue through many pages of text about affinal kin without ever offering any direct hint about the particular familial or kinship constellations in which affines acted or might provoke concern, except for the reference to respect. We



have to read “against the grain” in order to piece together some of the practices that might have prompted the peculiar seventeenth-century discourse.

In the following chapters, I will document the shift in kinship relations from the late Middle Ages into the early modern period. The rise of lineage thinking and of practices that stressed male succession and restricted the devolution of property are key to understanding the shifts. In Baroque culture, there was a palpability, substantiality, and corporality to the lineage. And for matters of legitimate descent and succession, the family was perceived on a vertical axis emphasizing agnatic ties, the flow of vital substance through male lines, and an extreme egoism of familial identity.

It is just because individual agnatic lines could not reproduce themselves without help from strangers that they had to enter into dangerous marital alliances with other groups, each of which in turn had its own sense of identity. Women were brought in to care for the line, and their “blood” was crucial for the success of father-son continuity. The link between two clans or lineages or descent groups or families had to be substantial enough to provide a foundation for continuous exchange. The alliance was so important that women of an allied family could no longer be available as objects of sexual desire or for reproduction. Commentators found the mutual exchanges between allied families and their responsibilities for each other to be of such intimacy that marriage back into the same family overlay substance with substance, flesh with flesh. As the author of the *Jüdische Merkwürdigkeiten* put it, marriage with a wife's sister was too close *ins Geblüt*.<sup>162</sup> Obligation required the right degree of distance and a systematically constructed set of roles with carefully maintained boundaries. In this construction, the set of rights, duties, obligations, and claims, the circulation of goods, the patterns of exchange, and the tensions between vertical and horizontal relationships, between consanguineal and affinal kin, between structure and change, and between identity and difference created considerable unease in Renaissance and Baroque culture about repeated marriage into the same family, symbolized through a set of scriptural and medical metaphors of flesh and blood.

Perhaps the central feature in alliance lay in the structural importance of affinal kin for the prosperity and reputation of a household or lineage. The brother-in-law was in principle a central figure in the management of his sister-in-law's interests. (In the Shakespeare and Racine tragedies, it was the wife, stepmother, mother, sister—the figure who was supposed to be trusted with protecting and reproducing legitimate agnatic succession—who was at issue.) The tension between engagement and distance would have been disrupted through subsequent marriage. Within the field of intense interaction with allied kin, the sister-in-law occupied two positions: she was the most intimate of the intimate, and she functioned as a proxy for all possibilities that grew

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<sup>162</sup> Johann Jacob Schudt, *Jüdischen Merkwürdigkeiten vorstellende was sich curieuses und denkwürdiges in den neuern Zeiten bey einigen Jahr-hundertern mit denen in all IV. Theile der Welt/ sonderlich durch Teutschland/ zerstreuten Juden zugetragen* (Frankfurt am Main and Leipzig, 1714), pt. 1, pp. 240–42; pt. 2, pp. 220–21.

out of the alliance. In theological parlance *she* was flesh of flesh. She was the symbolic center of social order. In a sense, the wife and her sister were cooperating partners in the system of mediations that moderated the egoism of the agnatic lineage, the one incorporated, the other forever at an intimate distance. In *Hamlet*, the brother's wife violated the distance, and despite the fact that young Hamlet contended that she was too old for active sexuality, he still found it useful and necessary to mobilize the threatening image of lustful desire. By accumulating kinship offices, her passions became structurally unruly as her actions interrupted the line of succession. In *Phèdre*, Hippolyte had a tenuous claim to succession because of the fatal flaw (for the Greeks) of having been born of a foreign mother. Phèdre was supposed to be the guarantor of legitimate succession. But her ambivalence towards her husband made her a poor support for his lineage, and her preference for the stepson set the wheels of tragedy in motion.

## Chapter 2

# The Culture of Law

The Question about the Marriages of those who by Blood or Affinity are related, is a nice and difficult Point, and which has frequently been managed *pro* and *con*, with no little Heat and Com-motion. For whoever attempts to assign certain and natural Reasons why such Marriages are unwarrantable, in the Manner they are prohibited by the Laws and Customs of Nations, will by Experience find it a Task not only difficult but impracticable. — Hugo Grotius, 1625<sup>1</sup>

During the seventeenth century, the discussion of incest and marriage prohibition was framed, as we saw in the first chapter, in a discourse of law. In order to understand how law was connected to the problematic of incest, we need to explore how law was conceived, where it was located (written on tablets, written in hearts, brought to us by princes), what it was meant to do, and how it was to be administered. Almost no one considered incest without reference to Old Testament law, although much ink was spilled about the status of rules promulgated for Israelites.<sup>2</sup> Some kernel of revelation, at least, was understood to be the short version of natural law. In this chapter, we will be concerned with the relationship of biblical prescriptions to other kinds of law—universal natural law, universal positive law (commandment), special law for the Hebrew nation, and civil law for contemporary states. And in the following chapter, we will look at the rules and procedures for interpreting biblical texts. Now we will be concerned with what the law is and what it does, and then we will consider what laws are and what hermeneutical exercises are necessary to discover them.

It should be stressed from the outset that law stood at the heart of theological understanding and debate in post-Reformation Europe. Not only was it crucial for doctrines of sin and salvation, but also for moral theology, with its assumptions about the importance of discipline and reality of divine intervention into human affairs. Underpinning most Baroque interpretations of law, whether divine or secular, were voluntarist principles—law as will expressed through the act of lawgiving. The emphasis was on the will of God, not His reason and intellect. If God had his reasons, they were in the last instance unknowable by the human intellect. Only principles revealed in Scripture or through signs in nature could be analyzed and extended by logical extension to new situations. It might be granted that human reason could do service in interpreting a specific biblical proscription, but it also had to be understood that in the first instance God's law was commandment. The phrase "I am the Lord," repeated four times in the

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<sup>1</sup> Hugo Grotius, *The Rights of War and Peace*, from the edition by Jean Barbeyrac, ed. and intro. Richard Tuck, 3 vols. (Indianapolis, 2005), vol. 2, p. 526; hereafter Grotius, *Rights of War and Peace*.

<sup>2</sup> For example, the Consistorialordnung from 1570 for Mecklenburg, in Emil Sehling, ed., *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts*, 24 vols. (Leipzig, Tübingen, 1902–2017), vol. 5, here p. 237; collection cited hereafter as Sehling, *Kirchenordnungen*.

first six verses of Leviticus 18 underscored that fact—the list of prohibited marriages was a matter of divine *fiat*.

The idea of law as fundamentally an expression of will (intention) fit well with the seventeenth-century notions of statecraft so often summarized by historians under the concept of “absolutism.” Voluntarism supported the demands for obedience made by kings, princes, and even urban councils, and it justified their punitive actions against subjects who contested their commands. It also implicitly characterized the ultramontane assertion that by decree the pope could sanctify even the marriage of brothers and sisters and erase the very fact of incest.<sup>3</sup> With such a position, what made incest was prohibition; therefore, permission by God or God’s chief representative on earth reordered the facts of the case and annulled the transgression—or better, redefined the situation as non-transgressive. Overall then, the effect of voluntarist concepts of law was this: whoever had the power to author a law likewise had the power to change, abrogate, or suspend it. In matters of incest, “biology”—the justification for incest and inbreeding avoidance since the second half of the nineteenth century—had no role to play in the argument.

During the second half of the sixteenth century, many European states and provinces codified or systematized their laws, summarizing, synthesizing, and bringing up to date customary and statutory criminal and civil law.<sup>4</sup> In England, in the German Protestant territories, and for the Catholic Church, commissions were established to revise canon or ecclesiastical law to lay the foundations for the political, moral, and spiritual consolidation of the Protestant and Catholic Reformations. In France, the great redactions of provincial customal law were compiled and published under the same impetus; they too dealt with marriage, family, and rules of exogamy.<sup>5</sup> Whether in civil law, where more space was given to family property issues than to any other matter, or in ecclesiastical law, long passages on family formation characterized the texts.

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3 See Robert Bellarmine on Thomas Cajetan and on God’s dispensing the sexual relations between Lot and his daughters: “Duodecima controversia generalis de extrema unctione, ordine et matrimonio Controversia V, de impedimentis matrimonii,” in *Ven. Cardinalis Roberti Bellarmini Politiani SJ Opera omnia* [ . . . ], ed. Justinus Fèvre, 12 vols. (Paris, 1873; repr. Frankfurt am Main, 1965), vol. 5, pp. 100–46, here pp. 139–40. This text cited hereafter as Bellarmine, “De impedimentis matrimonii.” See also Jared Wicks, SJ, ed. and trans., *Cajetan Responds: A Reader in Reformation Controversy* (Washington, DC, 1978), pp. 175–88, 241–43.

4 Hartwig Dieterich, *Das protestantische Eherecht in Deutschland bis zur Mitte des 17. Jahrhunderts* (Munich, 1970). For a German example of revision of the law code, Rolf-Dieter Hess, *Familien- und Erbrecht im württembergischen Landrecht von 1555 unter besonderer Berücksichtigung des älteren württembergischen Rechts* (Stuttgart, 1968).

5 An example of the revision and synthesis of a French provincial law code is Henri Basnage de Franquesnay, *La Coutume réformée du pais et duché de Normandie, anciens ressorts et enclaves d’iceluy, expliquées par plusieurs Arrests et Reglements*, 2 vols. (Rouen, 1678–81). For a systematic use of these law codes, see Jean Yver, *Egalité entre héritiers et exclusion des enfants dotés: Essai de géographie coutumière* (Paris, 1966).

The extensive discussions of illicit, improper, and forbidden marriages in the sixteenth-century German Protestant ecclesiastical ordinances provide insight into the rhetorics of law in the subsequent construction of Baroque culture. With their careful and detailed lists of marriage prohibitions, they offer a good place to start a discussion of juridical discourses during the seventeenth century. Here can be found clues to the assumptions of legal argument at the outset of the period and evidence of the significant role played by these ordinances in the often-heated debates about the very nature of law, its origins, extent, purposes, and legitimacy.<sup>6</sup> The ordinances also afford a segue into the great restructuring of natural law theory during the seventeenth century. By focusing primarily on German texts in what follows, I aim to sharpen and deepen the argument about that process. During the past half century, there has been a renaissance in scholarship on the development of natural law theory, mostly concerned with Protestant texts, and that scholarship has thrown considerable light on the contemporary understanding of incest.

Throughout the Protestant ecclesiastical texts and in discussions of canon law, distinctions between prohibitions rooted in “divine and natural law” and those expressing the exigencies of the political and social order provided the conceptual categorical foundations necessary to setting off incest proper from “dishonest” forms of sexual expression and marriage alliance as defined by the state.<sup>7</sup> In the Braunschweig-Wolfenbüttel Ecclesiastical Ordinance of 1569, for example, marriage with anyone in the direct line—and to make the point, the ordinance referred to relations between great, great, great grandchildren and great, great, great grandparents—induced “horror” in both God and all creatures.<sup>8</sup> And incest, or *Blutschande*, the kind of action that polluted or

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6 The form and content of the Protestant ecclesiastical laws were frequently copied from one territory to the other, and the same people were often called in to help in their formulation. For example, the ecclesiastical ordinance for Braunschweig-Wolfenbüttel was largely written by Jacob Andreae, the chancellor of the Württemberg University of Tübingen, and Martin Chemnitz, superintendent of the City of Braunschweig, who had a hand in other legal codifications: 3. Kirchenordnung unser, von Gottes genaden Julii, herzogen zu Braunschweig und Lüneburg, etc. . . . 1569, in Sehling, *Kirchenordnungen*, vol. 6.1, pp. 83–280, here pp. 216–17; code cited hereafter as Braunschweig-Wolfenbüttel Kirchenordnung 1569. After a few decades of consultations, judicial decisions, and learned opinions, considerable uniformity developed across Protestant Germany. Dieterich, *Das Protestantische Eherecht*, p. 20: There were more similarities among Protestant confessions on laws of marriage than on anything else, so Theodore Beza, for example, a Calvinist, could be easily cited by Lutherans.

7 Dieterich, *Das Protestantische Eherecht*, p. 48: Canon law and scholastic philosophy saw law as a set of ranks. The superordinate divine law was unchangeable and removed from human grasp. It took two forms, natural law and positive divine law. While natural law was universally innate, positive divine law in the stricter sense was revealed to Christians. Alterable human laws were subordinate to divine law and limited by it, and that meant that civil law was subordinate to ecclesiastical law. Among divine laws to be especially counted were the commandments of God in the Old and New Testaments—the establishment of marriage, its indissolubility, monogamy, and the particular marriage impediments.

8 Braunschweig-Wolfenbüttel Kirchenordnung 1569, p. 220. The phrase “all creatures” was frequently taken quite literally, and instances of animals horrified at incest were taken from Aristotle and other sources. See also the Pommern Kirchenordnung 1542, in Sehling, *Kirchenordnungen*, vol. 4, p. 367.

defiled the actors, was extended to anyone in a position of parent to child, like an uncle or great aunt, or, generated from the same parents, like a brother and sister.<sup>9</sup> Throughout English and French texts of the same period, the incestuous core was always understood to be the direct line of descent. But siblings presented a conundrum—always forbidden except at the moment when God commanded the children of Adam to “be fruitful and multiply,” when presumably there were only siblings around to do so. Cousins fell under different rules and considerations, depending on their distance. They might be prohibited in imperial Roman or territorial law even when marriage between them was not understood to violate divine or natural law.<sup>10</sup> Most discussions among Catholic writers provided an ambivalent defense of the extensive proscriptions of quite distant cousins in canon law, which clearly were scandalous only because proscribed.<sup>11</sup> In sum, almost all European legal and theological commentators distinguished a core of inherent or intrinsic transgressions—incest proper—from secular or civil violations of public decency, but there the linguistic and analytic consistency ended. Sometimes all prohibitions fell under the heading of “incest,” perhaps because they lacked the concept of inbreeding.

A central consideration for the seventeenth century—marriage between affinal kin—was also present in sixteenth-century lawgiving, and dealt with under different aspects of divine, natural, and secular political law. *Schwägerschaft*, or “affinity,” encompassed both step relatives and in-laws and, depending on the degree of relationship, brought different principles of law into play. Some prohibitions about marriage with affines came under the rule of parental ties and could be derived from the commandment to “honor father and mother.” Even marriage or sexual relations with a step great granddaughter or great grandson’s wife could violate divine and natural law and “all human reason.”<sup>12</sup> As we shall see, the most difficult category was what the 1569 Braunschweig-Wolfenbüttel Ecclesiastical Ordinance designated as “affinity of lateral lines” (*Schwegerschaft Seydwartslinien*), the set of collateral relatives that could include, for example, a great uncle’s widow (grandfather’s brother’s wife), a maternal uncle’s widow, a deceased wife’s maternal aunt or sister or sister’s daughter, or grand nephew’s widow. In the Henrician statutes, marriages with certain affines were characterized as prohibited by God’s laws—that is, eternal and unalterable law. Archbishop Parker’s 1573 list of prohibited marriages, meant to be a gloss on the statutes, included

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9 Braunschweig-Wolfenbüttel Kirchenordnung 1569, pp. 220–21: “Reminder: The fourth commandment of God (Ex 20:12), you should honor father and mother. There can be no greater and shocking dishonor for father and mother and all those considered in their stead than to be violated and polluted by their children. . . . For brothers and sisters to marry or touch each other is forbidden by all divine, natural laws and ordinances. . . .” *Inzest, inceste, incestus*, and *Blutschande* were used in the sixteenth and seventeenth-century texts indiscriminately.

10 Braunschweig-Wolfenbüttel Kirchenordnung 1569, p. 221.

11 For example, Bellarmine, “De impedimentis matrimonii,” pp. 138–45.

12 Braunschweig-Wolfenbüttel Kirchenordnung 1569, pp. 233–34.

twenty affinal kin, twice as many as for consanguineal kin.<sup>13</sup> And French legal cases also treated marriages with certain in-laws, such as the stepmother or mother-in-law, as violations of the divine order to respect parents.<sup>14</sup>

There could be a great deal of confusion about which principle to apply in affinity cases. Some cases might be placed under the rule of parental-filial obligation, while others might be interpreted through the lens of Genesis 2:24, the idea that in sexual commerce a man and a woman become one *flesh*, which increasingly in the early modern period made them connected to one another's relatives through *blood*. Luther's rendering of Leviticus 18:6 with the German *Blutsfreundin* ("near of kin" in the AV, *caro carnis* [flesh of flesh] in the Latin) prompted creative readings about propinquity of flesh and blood. As I will show in chapter 4, there was a tendency for a semantics of blood to overlay or even supplant the semantics of flesh during the seventeenth century. Medieval texts had not modeled familial connections around streams of blood: that was left to the Baroque to work out. The quite typical Braunschweig-Wolfenbüttel Ecclesiastical Ordinance of 1569 shifted easily between flesh and blood, and brought sexual relationships among the specified affines under the heading of *Blutschande* (a violation, desecration, or spoliation of blood).<sup>15</sup> And well into the eighteenth century, French canonists elaborated on these ideas with details about how the flow of semen created a blood

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13 Edward Cardwell, ed., *The Reformation of the Ecclesiastical Laws as Attempted in the Reigns of King Henry VIII, King Edward VI, and Queen Elizabeth* (Oxford, 1850), pp. 46–49. Henry Ansgar Kelly, *The Matrimonial Trials of Henry VIII* (Stanford, 1976), p. 283. In *The Statutes of the Realm*, vol. 3, 1509–1545 ([London, 1817] repr. London, 1963), see An Acte for the establishment of the Kynges succession (1533–34), 25. Hen. 8. c. 22, pp. 471–74; also An Acte for the establishment of the succession of the Imperyall Crowne of this Realm, 28. Hen. 8. c. 7, pp. 655–62, at pp. 658–59. The statutes are cited hereafter as either 25. Hen. 8. c. 22, or 28. Hen. 8. c. 7. See also *An admonition to all such as shall intend hereafter to enter the state of matrimonie goddily and agreeably to lawes set forth by the most reverend father in God, Matthew [Parker] Archbishop of Canterburie [1559–75] [ . . . ]* (London, 1600). This is a one page sheet. There were many editions of the list of prohibited marriages. Various articles of visitation were published to guide bishops' inquiries into parochial conditions. One published for 1663 in London mentioned as item 8, marriages within the prohibited degrees according to the 1563 table.

14 Jean-Laurent Le Semelier, comp., *Conferences ecclesiastiques de Paris sur le mariage, où l'on concilie la discipline de l'Eglise avec la jurisprudence du royaume de France*, 5 vols. (Paris, 1713), bk. 9, pp. 505–29.

15 A typical example comes from the Preussen Consistorialordnung 1584, in Sehling, *Kirchenordnungen*, vol. 4, pp. 134–35: “. . . because husband and wife become one flesh through marriage and all blood relatives (*Blutsfreunde*) of the husband in whatever degree of consanguinity they are related to him, are also in that same degree related to the wife in affinity, and vice versa . . . whereby then anyone to the degree that he is obligated to refrain from his own blood relatives [must do so with his affines to the same degree], so that in the case under consideration affinity just as in consanguinity the third degree unequal line [second cousins once removed] is forbidden. . . .” The Rostock Ehesachen 1581, in Sehling, *Kirchenordnungen*, vol. 5, p. 294, declared it a misconception to think that the rules of affinity arose only in “papal” law and did not derive from natural law. Marriage prohibitions were the same for consanguinity and affinity. Both here and elsewhere the justification for considering affinity and consanguinity alike came from the fact of unity of flesh/blood through marriage or sexual union. Cf. Braunschweig-Wolfenbüttel Kirchenordnung 1569, in Sehling, *Kirchenordnungen*, vol. 6.1, p. 225.

relationship with affinal kin.<sup>16</sup> One of them even drew the conclusion that having sex in an adulterous relation with a wife's sister rendered the wife an affine and thus transformed intercourse with her into incest.<sup>17</sup> The first divorce bill granted to a woman in England (1801) followed precisely this argument.<sup>18</sup>

**Text Box 3: Merseburg: Resolution**

These are the person and degrees, which in part from God Himself, some however through natural law and the authorities, are forbidden to marry or have relations with by severe penalty and punishment, such as excommunication and exclusion from the community of the Christian church by church authorities, separation, and punishment by secular authorities by fire and sword and even more. Therefore let each person be careful not to pollute himself or other people by undertaking incest [*Blutschande*] and not marry forbidden persons or have sexual intercourse with them, so that he keep a pure, Christian conscience, and not bring upon himself the wrath of divine majesty or the anger and severe punishment of secular authorities, indeed not pollute land and people through such sins and bring them into misery and distress, as held up to us by the terrible examples in Holy Scripture, whereby we see how severe God at all times punishes incest and fornication, as shown by the flood, Sodom and Gomorrah, and Shechem, who because of the fornication of one man a whole city was laid waste and devastated, or Numbers 25, where because of whoring twenty-four thousand, or Judges 20, where twenty-five thousand from the tribe of Benjamin, and so many peoples in the land of Canaan were slain and driven from the land. Therefore, speaks the Lord God, in the third book of Moses chapter eighteen, keep my commandments and judgments, and not commit any of these abominations so that the land not spue you out when it is defiled, just as the heathen were spued out, who came before you, for it is the will of God (says Saint Paul) for your salvation that you flee whoring and each know how to hold his temple (that is, his body) holy and in honor and not in the sickness of lust as the heathen, who know nothing of God, so help us Father, Son, and Holy Ghost, Amen. We want the following article, together with the warning we have just written be read word for word on a Sunday every quarter. And so that everyone knows how to behave in matters of

<sup>16</sup> Pierre Collett, *Traité des dispenses en général et en particulier; dans lequel on résout les principales difficultés, qui regardent cette matière*, 3 vols (Paris, 1752–53), vol. 3, p. 143. Jean Pontas, *Dictionnaire de cas de conscience ou décisions des plus considerables difficultez touchant la morale & la discipline ecclesiastique, tirées de l'écriture, des conciles, des decretales des papes, des peres, & des plus célèbres théologiens & canonistes*, 2 vols. (Paris, 1715, with supplement, 1718), vol. 1, unpaginated, cases 1, 4, 8, 9. Charles Févret, *Traité de l'abus et du vrai sujet des appellations qualifiées du nom d'abus*, 2 vols. (Lyon, 1736), vol. 1, p. 477.

<sup>17</sup> See Jean Gerbais, *Traité du pouvoir de l'église et des princes sur les empeschemens du mariage avec la pratique des empeschemens suivant la jurisprudence, qui est aujourd'huy en vigueur dans le royaume*, nouv. éd. (Paris, 1697), p. 434, on a man who slept with his wife's sister or cousin after marriage. He could not require his wife to have sexual relations with him. Jean Pierre Gibert, *Consultations canoniques sur le sacrement de mariage, fondées sur l'écriture, les conciles, les statuts synodaux, les ordonnances royaux, & sur l'usage: où l'on explique ce qu'il y a de plus important dans les commandemens de Dieu & de l'église, & dans les loix civiles qui les font executer*, 2 vols. (Paris, 1727), vol. 2, p. 170, raised the question whether a man who had illicit relations with kin of his wife became his wife's affine, so that cohabitation with his wife was illicit.

<sup>18</sup> "The first parliamentary divorce brought by a woman," Commons Select Committee, *Petition of the Month*, accessed May 8, 2020, <https://www.parliament.uk/business/committees/committees-a-z/commons-select/petitions-committee/petition-of-the-month/the-first-parliamentary-divorce-brought-by-a-woman/>. Lawrence Stone, *Road to Divorce: England 1530–1987* (Oxford, 1990), p. 360.



marriage and not bring themselves into disgrace or suffer complaint, whenever they consider betrothal, to first enquire of kin and in-laws, and if they find that they are rather close, notify their pastor, and if he is not capable of making a decision, the consistory, to see if the couple can have each other according to divine and secular ordinance, so that they can avoid later, once engaged, being separated at considerable cost and loss of reputation.

Sehling, *Kirchenordnung*, vol. 2,1, p. 34.

The rhetoric of the ecclesiastic ordinances coupled the trespassing of divine commandment and natural law with dire consequences, both for the individual and the community. Violating nature rent the fabric of the community as well as the order connecting God to His world.<sup>19</sup> The arguments drew liberally from the language of the Old Testament to underline and support popular values as well as to legitimize official authority and administrative practices. The voice of the documents thus always expressed the perspective of God, the prince, or the magistrates, even while it articulated the often quite conservative attitudes of local populations. The prince fulfilled his duty as God's anointed by creating order within the community and thereby staving off direct interventions of divine wrath. In the Pomeranian ordinance of 1542, the effect can be seen in warnings to subjects to pay attention to the rules of incest or risk suffering the same punishment God had visited upon the Canaanites whom he had driven from the land for showing no "respect for blood."<sup>20</sup> In Germany, the ordinances were widely supported. Indeed, discontent with the loosening of restrictions suggested by Luther and other reformers may have motivated their formulation—at least in part. Their reinstallation of extensive prohibitions clearly was a conservative reaction to attempts to slim them down to the Leviticus list. And in England, despite the legal claim to forbid only what was in Leviticus, the population in general, like on the Continent, remained conservative and continued to view cousin marriages, which were not at all on the list of Mosaic transgressions, as unseemly and socially disruptive.<sup>21</sup>

<sup>19</sup> The Catholic court secretary in Munich, Aegidius Albertinus, described the meaning of different kinds of thunder. A loud bang was spiritual and threatened dire punishment for the sin of pollution. *Der Welt Tummel- und Schaw-Platz. Sampt der bitter-süssen Warheit* [. . .] (Augsburg, 1612), pp. 101–3.

<sup>20</sup> Pommern Kirchenordnung 1542, p. 368.

<sup>21</sup> Samuel DuGard, *The Marriages of Cousin Germans, Vindicated from the Censures of Unlawfulness, and Inexpediency* (Oxford, 1673); reprinted in Nancy Taylor, ed., *Cousins in Love: The Letters of Lydia DuGard, 1665–1672, with a new edition of "The Marriages of Cousin Germans"* (Tempe, 2003). In the introduction, "Epistle to the Reader," pp. 148–50, the author said that the majority were against such marriages. Some who have entered them, the author declared, have become convinced by others that they have committed "a great Crime, and so are made to interpret, whatever Crosse they suffer, to be a judgment upon them for their Loves. . . ." He wondered how the idea became "generally received," "as it was got out of the Papists hands" and made free by Henry VIII, Edward VI, and Elizabeth. It was only there to increase the pope's treasure by payments for dispensations. Those that continued to believe in this were shown to be the pope's friends. Late in the seventeenth century, John Turner, a fellow of Christ's Church, Cambridge, wrote decidedly against the marriage of cousins, although he thought that opinion was shaky on the issue: ". . . and if it were so hard a matter to perswade the Irish not to draw

## Divine and natural law

These forbidden couplings and incests are expressly forbidden in the third book of Moses, chapters 18 and 20, and in the second chapter of the first book, and these laws concerning the degrees in the third book of Moses are not ephemeral or civil laws, which are only valid for the Jews and have nothing to do with us heathen as the other ceremonies and laws of Moses, but are the immutable rules of the wisdom and justice of God, whereby He desires to uphold and regulate the virtues of modesty in the human race. — Mecklenburg Consistory Ordinance, 1570

The German Protestant ecclesiastical ordinances, the Henrician statutes, and the canon law revisions of the Council of Trent, all from the sixteenth century, contain notions of law that were discussed and debated at great length among legal and theological scholars and philosophers for the next one hundred fifty years. The problem of incest—the violation of blood (*Blutschande*) and the regulation of marriage through extensive prohibitions—was located in legal categories taken from a variety of sources: Roman law, Hebrew law, territorial edicts, ecclesiastical canons, and customary law; theological jurisprudence and pastoral rhetoric; and theoretical enquiries into nature and the political order. The texts we have been examining almost always coupled God with nature in the phrase “divine and natural law,” but they did not specify the exact relationship between God’s law and nature. On the matter of ways that men could access God’s intent, the ordinances indicated various possibilities: through nature (even animals might observe the law), reason, revelation, or instruction from pastors and magistrates.<sup>22</sup> Certainly the jurists and theologians who formulated the legal prescriptions thought of revelation—written Scripture—as the clearest source, but even so they added this or that relative to the Leviticus list according to their preferred methods of reading the logic of biblical proscriptions, a subject to be taken up in chapter 3.

From the later sixteenth century to the early decades of the eighteenth century, writers on law began decoupling divine law from natural law, and secular lawgiving from its divine counterpart. By the late seventeenth century, the divine *and* natural law of the later sixteenth century was divine law *or* natural law. And after just a few more decades, the process of secular lawgiving, in the hands of some writers, was at least implicitly completely divorced from God’s lawgiving as revealed in His commandments. Even so, during the “long” seventeenth century, biblical marriage prohibitions remained part of natural law, which still was understood as an expression of God’s will. Towards the conclusion of this chapter, I will examine the arguments of Christian Thomasius, the early Enlightenment legal scholar who eventually abandoned the idea

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the Plough by the tails of their Horses, much more will it be difficult to conquer the received Opinion of the Lawfulness of the Marriage of Cousin Germans . . .”: John Turner, *A Letter of Resolution to a Friend Concerning Marriage of Cousin Germans* (London, 1682), preface. He went on to say that there was no friendship so reliable as that among consanguines and affines. If these were to marry among themselves, they would become divided and quarrelsome.

<sup>22</sup> Dieterich, *Das Protestantische Eherecht*, p. 97.

of Scripture as the reference point for marriage prohibitions. Some time would pass, however, before the effects of Thomasius's critique, although considerably influential, would play out in a broader consensus among German jurists.

The key problem for Baroque pundits was the relationship of God to nature. Could humans have access to moral law through their own understanding, or did they need God's direct command? The Dutch natural law theorist Hugo Grotius (1583–1645), whom I will take up in due course, argued that the foundations of society and of right, obligation, and judgment were all true *with or without God*; that what was against human judgment was against human nature.<sup>23</sup> But his “impious hypothesis” did not serve well in an absolutist age that readily found a metaphysics of law based on will more suitable to the political assumptions of the state. Grotius's contention raised the question whether there was something in nature prior to God that He obeyed; in other words, whether divine law was an expression of Reason, of God's being or essence, rather than will. Did humans interpret nature or Scripture according to some prior set of values to which they either were socialized or given access through the capacity to reason? Or did they simply take the scriptural texts at face value and obey their precepts, because what was moral was obedience to the will of God?

Despite certain contradictions and ambivalences in the ecclesiastical ordinances, these texts stayed rooted in voluntarism—behind law lay will.<sup>24</sup> Incest polluted because it violated the order that God instituted, and the rules were there because God commanded them (“I am the Lord”). Even without the list Moses redacted, all men, or at least most men could get the gist of God's commands, either through reading His Creation or through legal traditions passed down from generation to generation. Were this not the case, the drastic punishment of the Canaanites, who had been driven out from their lands before the laws were written down (Leviticus 18:24–30), would not have been fair (then, again, “fairness” was not the first thing that contemporaries thought of when they imagined God). Nevertheless, even if access to the content of divine law was in fact universally available, it was more direct, specific, clear, and binding in its scriptural form. But the Old Testament prescribed many rules specific to the polity and society of Israel, which had to be distinguished from those that continued to be obligatory for Christian states. And this posed a challenge—one of many challenges—to deciphering holy writ that would keep an army of scholars busy over the next centuries (see

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<sup>23</sup> Grotius, *Rights of War and Peace*, vol. 1, pp. 87–90, 93, 155. T. J. Hochstrasser pointed out that Grotius essentially put the congruence of divine and human essence into question when he argued for the possibility of moral norms existing in the absence of God: T. J. Hochstrasser, *Natural Law Theories in the Early Enlightenment* (Cambridge, 2000), p. 83.

<sup>24</sup> The influence of Philipp Melanchthon was crucial in the formulation of the Protestant ecclesiastical ordinances and for their conceptions of law. His introduction to the study of natural philosophy as a pro-paedeutic to the study of natural law became part of the curriculum at Protestant universities. For his understanding of nature and natural law and his influence, see Sachiko Kusukawa, *The Transformation of Natural Philosophy: The Case of Philip Melanchthon* (Cambridge, 1995), pp. 165–67.

chapter 3). By the mid-eighteenth century, the chief strategy for reconfiguring legislation involved working out the inner essence or moral logic of the Leviticus prohibitions. Along the way, much exegetical invention went into their elucidation.

The ecclesiastical ordinances distinguished between divine revealed law, found in nature and Scripture (Mosaic law), natural law, universal commandment, prescriptions for the people of Israel, and various forms of positive law, whether scriptural, canon, imperial Roman, territorial, secular (*weltlich*), or civil (*bürgerlich*).<sup>25</sup> “Positive” law denoted law introduced after Creation, in the course of time, either by God or by governments. If God meant a new law to be valid for everyone from then on, then it was considered to be “universal.” So, for example, some of the forbidden partners in Leviticus were proscribed for all peoples at all times. But if a particular prohibition could be moved from the column of divine or natural to that of non-universal positive law, then it safely could be considered optional, a matter to be left to the discretion of individual rulers. Still, as we have seen earlier, once the list of prohibitions became part of ritualized, recurrent readings in church services, officials were reluctant to tamper with it for fear of introducing doubt in the population about other “revealed” truths. Moreover, behind much of this lawgiving lay crucial social objectives: giving order and form to society, creating discipline in the population, providing a mechanism for developing morality among the subjects of a territory. Here law’s form as command was fundamental to its effectiveness. Obedience and compliance trumped internalization and understanding. And the very arbitrariness of a law based on the will of God in the first instance—and only derivatively on the will of the prince or the magistrates—made scriptural norms pertinent to contemporary lawgiving. When princes widened prohibitions on their own authority, they justified their actions in terms of obeying divine commandment to introduce order and discipline among their ignorant, lustful, bestial, and anarchic subjects.<sup>26</sup>

Law was not conceivable without the threat of punishment for lawbreaking, and pastoral rhetoric of the period repeatedly expressed the idea that incest, being a defiling, polluting form of lawbreaking that introduced a fundamental fissure in society and nature, was an especially egregious transgression. The incestuous act certainly had consequences for the offending individuals. But it also contaminated their community at large, which could not be punished for this defilement by the authorities but certainly could be by God—and in catastrophic ways.<sup>27</sup> Sermons and tracts drew time and again

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<sup>25</sup> Knud Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge, 1996), 16.

<sup>26</sup> Melancthon was crucially important for the development of Protestant rhetoric in this regard. See Dieterich, *Das Protestantische Eherecht*, p. 88.

<sup>27</sup> For an English example, John Quick, *A Serious Inquiry into that Weighty Case of Conscience, whether a man may lawfully marry his deceased wife’s sister* [ . . . ] (London, 1703), p. 39: “God is not to be provoked to Jealousie, for we are not stronger than God, but to marry with the Brother’s Widow, or the deceased Wife’s Sister is a provoking of God’s Jealousie, and a bringing down Wrath and Vengeance upon ourselves, and upon the Land.”

upon Old Testament warnings of exile or invasion, of a land vomiting out a corrupt people or a community sullied by the actions of individuals and thus visited with collective divine retribution.<sup>28</sup> It was in the context of divine intervention directly into the temporal order that secular authorities often justified their lawgiving: through their policing practices they were protecting the people against God's wrath. The count of Oldenburg, for example, expressly published the list of forbidden alliances to prevent the "lamentation and distress" that would occur in the community if incestuous violations were to provoke God.<sup>29</sup>

Extended marriage prohibitions were conceived as a fence placed well away from the dangerous area of incest proper that actually needed protection, and this for several reasons. Law had its disciplinary effect precisely by creating desires that had to be curbed. Wherever the line was drawn separating licit from illicit acts, there desire was evoked. (God's single commandment in the Garden of Eden about forbidden fruit offered the perfect model.) By its very nature as prohibition, a law forbidding sexual relations among brothers and sisters stimulated human imagination.<sup>30</sup> And a boundary put well away from that dangerous core, at second and even third cousins, ensured that appetite would develop at that distant place, and that self-discipline would be practiced in that less dangerous space. Failures of the required self-restraint would be subject to secular sanctions enhanced by dramatic symbolic displays—whipping or leading the culprits out of the town in opposite directions and across different bodies of water. Princes claimed that their policing actions were meant, on the one hand, to appease God, to turn away His anger so that the community would be safe and on the other, to carry out their responsibilities to discipline the people. Here the key word was "honesty," the sense of a

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<sup>28</sup> The rhetoric characteristic of European pastoral injunction was of course to be found in the American colonies as well. Increase Mather, *The Answer of Several Ministers in and near Boston, to that Case of Conscience: Whether it is Lawful for a Man to Marry his Wives own Sister?* ([1695]; repr. Boston, 1711), p. 2, suggested that such "wickedly incestuous" marriages [as with the wife's sister] could not be countenanced by the authorities without bringing the "guilt of those Crimes upon the Government, and upon the whole Land where they are perpetrated." If men should go on to practice a thing so "vile" with the "connivance of those who ought by Severe and Righteous Laws to inhibit it; we may fear what God will do," p. 8. A century later, in *An Appeal to the Public, relative to the Unlawfulness of Marrying a Wife's Sister*, 2 pts. ([New Haven], 1810), pt. 1, p. 4, Connecticut minister Benjamin Trumbull, still concerned with the corrupting effect of marriages with sisters-in-law, expected "divine judgment" and the "wrath of God" to fall "on the children of disobedience." He drew upon the passages of Leviticus 18 that spoke of a "defiled" nation and a land that got sick enough to vomit out its inhabitants (pt. 1, p. 10; pt. 2, p. 2).

<sup>29</sup> Grafschaft Oldenburg Kirchenordnung 1573, in Sehling, *Kirchenordnungen*, vol. 7.2, pp. 986–1162, here p. 1161.

<sup>30</sup> In 1535, Johannes Brenz, in a draft for a Württemberg marriage ordinance, made the same argument and wanted third cousins off limits to keep the common man from even thinking about first or second cousins or even siblings: Brenz, "Entwurf einer Eheordnung Württemberg 1535," in Sehling, *Kirchenordnungen*, vol. 16, pp. 83–91, here, p. 86.

people prospering, acting in a way consistent with honorable action and behaving with restraint.<sup>31</sup> Evoking desire and constraining it accorded well with the notion of marriage as a disciplinary institution grounded in the exercise of tempered reason rather than passion.

## Setting the agenda

Civil law is used to bind all people everywhere, whether or not they are saved, and this outward obedience is to some degree possible for all humans out of free will, as already said, and it is God's earnest desire that all men live in outward discipline, and have outward vice punished in this life, with multiple public plagues, with the sword by rulers, and otherwise through sickness, poverty, war, abandonment, sick children, and with all kinds of destruction. — Philipp Melanchthon, 1561<sup>32</sup>

The theologian who did most to put the Lutheran Reformation on a path of natural law enquiry was Philipp Melanchthon (1497–1560). At Wittenberg, he introduced the natural law tradition back into the university curriculum.<sup>33</sup> He regularly taught the Aristotelian texts, wrote commentaries about them, and rearranged their contents under his *loci communes*.<sup>34</sup> In fact his *loci*—a grouping of materials under rubrics or topics—became the skeleton upon which a series of orthodox Lutheran theologians constructed their own commentaries, expanding his 400 pages into weighty tomes and many thousands of pages.<sup>35</sup> And, of course, Melanchthon was frequently translated and widely read throughout Protestant Europe.<sup>36</sup>

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<sup>31</sup> Brenz, “Entwurf,” p. 86. Quoting imperial law, Brenz pointed out that it was not a question of what is allowed but what is honest.

<sup>32</sup> Philipp Melanchthon, *Heubartikel Christlicher Lere/ im Latin genandt/ Loci Theologici/ Etwa von Doctor Justo Jona in Deutsche sprach gebracht/ jetzund aber im M.D.LV jar/*, trans. from Latin Justus Jonas (Wittenberg, 1561); hereafter Melanchthon, *Loci Theologici*.

<sup>33</sup> Haakonssen, *Natural Law and Moral Philosophy*, p. 15, noted that there was considerable continuity between scholastic natural law and the developing Protestant natural law tradition.

<sup>34</sup> Melanchthon, *Loci Theologici*.

<sup>35</sup> Hochstrasser, *Natural Law Theories*, p. 3, offered a short genealogy of Protestant discourse for the next 200 years. Melanchthon synthesized Protestantism and Aristotelianism, based on the assumption that man was made in the image of God.

<sup>36</sup> Ian Hunter, *Rival Enlightenments: Civil and Metaphysical Philosophy in Early Modern Germany* (Cambridge, 2001), p. 36. Melanchthon's curriculum offered the religious and political elite an “orthodox intellectual comportment.” Citing Kusakawa, Hunter showed how Melanchthon taught the natural sciences as the key to reading the signs of God's presence in nature. Dieterich, *Das Protestantische Eherecht*, pp. 19, 75–79, 88–92, 175–78, 251, 258, argued that it is incorrect to follow a line of influence from Luther through the ecclesiastical ordinances to the Protestant *summae* and legal and theological discourses of the seventeenth century but rather to start with Melanchthon. “Thanks to Melanchthon's influence, the Lutheran marriage law remains a part of ecclesiastical law,” p. 251. Luther's doctrine of the “two kingdoms” put much of marriage law into secular hands.

In much of the discourse of the sixteenth and seventeenth centuries, theological questions and assumptions were never far from the surface, although the manner in which a specific issue was posed would differ somewhat for a philosopher, a jurist, or a theologian. There was always the problem of the relationship of the eternal to the temporal, of salvation to life in the mundane world, of the spiritual to the secular.<sup>37</sup> While Melanchthon kept within the boundaries of the Lutheran doctrine of the necessity of grace for salvation, he elaborated considerably on mundane life and secular law. Natural human reason was perfectly capable of understanding law in the form of *Gesetz*—explicit or implicit commandment, prohibition, injunction, interdiction, necessarily bracketed with punishment, retribution, castigation, or revenge. This reason also could figure out the significance of signs, whether as evidence of order in the universe or punishments for violations. Everything from personal frustrations in daily life to the grand catastrophes of failed harvests, violent storms, and marauding soldiers offered to natural reason both an indication of a violation of order and the possibility of proceeding through a process of reasoning to the statute, ordinance, edict, precept, rule, or mandate that had been violated.<sup>38</sup> Explication of natural law provided the foundations for moral philosophy, which, in turn, dealt with civil behavior.<sup>39</sup> Furthermore, the principles of moral philosophy could be demonstrated as surely as mathematical principles.<sup>40</sup>

For Melanchthon, the ultimate foundation of law lay in God's freedom and will.<sup>41</sup> God was not bound by secondary causes (nature) and could even stop the sun or let the sea stand still (Joshua 10:13; Exodus 14:21).<sup>42</sup> Consequently, from the point of view of the subject, law was arbitrary and by that very fact quite suited to its purpose as an agent of restraint and education. Through its mechanisms of enforcement, it was a

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37 Hochstrasser, *Natural Law Theories*, p. 83: The Melanchthonian synthesis started with the idea that man was made in the image of God, guaranteeing a harmony between man's nature and the structure of the universe.

38 Philipp Melanchthon, *Philosophiae moralis epitome libri duo*, vol. 16 of *Corpus Reformatorum*, ed. Karl Gottlieb Bretschneider and Heinrich Ernst Bindseil (Halle, 1850). The first edition was 1538, followed by 1539 and 1540 [1542–46]. Moral philosophy was part of divine law and the wisdom of God, even if it was not the gospel. Philosophy involved clear demonstrations, which are capable of offering explanations (*explicatio*) of human nature (p. 23). See also Melanchthon, *Loci Theologici*, fol. xxxix.

39 Melanchthon, *Philosophiae moralis epitome*, pp. 23–24.

40 Melanchthon, *Philosophiae moralis epitome*, p. 25.

41 See, for example, Kusakawa, *Transformation*, pp. 87–95, on Melanchthon's notion of the relationship of God's will to Creation. Melanchthon's textbook, *Commentarius de anima* (Wittenberg, 1540), a commentary on Aristotle, became one of the most printed and widely influential books on the topic. In that work, he defended a notion of will as the dominant faculty, supreme and freely acting.

42 "God works through free will and is not captive or bound to created nature": Melanchthon, *Loci Theologici*, fol. li, and fol. v. "For He wants for all men to be ruled by external discipline and to learn the difference between the powers of free and bonded will, so that we can think at least to some degree that God acts with free will and is not a captive or constrained Lord": Melanchthon, *Loci Theologici*, fol. liii.

bridle to keep people from doing worse than they do.<sup>43</sup> These mechanisms were two-fold—expressions of God’s wrath, legible in current and historical events (a displeased God might send misery and calamity, war, bad government, tyranny, disease, poverty, disunity, disgrace, and all kinds of plagues), and physical sanctions imposed by secular rulers (always understood as an instrument of divine purpose): “He [God] desires that the civil magistrates act with vigor to maintain honest discipline.”<sup>44</sup> The important point to take away from this is that the function of law as discipline lay in constraint and obedience, not in rational judgment or internalized control. When it came to incest laws, the purpose was not to found prohibitions on some rational principle, such as mental or physical pathologies in progeny, but to portray the consequences of such acts as part of God’s repertoire for retribution.

A telling example of how law worked to create a *habitus* through discipline or extended practice came from the ceremonial laws of Israel: with repetition the population became accustomed to them. This example of the relationship between ceremony and the long-term inculcation of morality also pointed to the essential arbitrariness of statute law. In some ways, it did not make any difference what the laws were so long as they did not violate divine justice or natural law, since the point of such laws was restraint and moral formation. While implicitly, prohibition could stimulate desire, rules, particularly arbitrary rules, invoked obedience, and in so doing they served the cause of dampening passions. What was more, law could be used in sermons of wrath (*Zornpredigten*) to evoke terror and conviction.<sup>45</sup> In the end, however, Melancthon was pessimistic about the moral and self-disciplinary potential of ordinary people. Prone to continual disobedience and subject to an “infinity of inordinate desires,” the lower classes needed the strong arm of the state to counter their natural tendency to

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<sup>43</sup> Melancthon, *Philosophiae moralis epitome*, p. 43.

<sup>44</sup> Melancthon, *Loci Theologici*, fol. lv. In the *Philosophiae moralis epitome*, at p. 20, Melancthon talked about a pedagogical function of law: “And each punishment from magistrates and others should remind us of God’s anger against our sins and should warn us to conversion and reform.”

<sup>45</sup> Melancthon, *Loci Theologici*, fol. cxxxviii. Melancthon then took up the question of natural law: “the single, eternal, and unchangeable wisdom in God, which He revealed in the Ten Commandments.” Just as God implanted the basic numbers in man at Creation, so He implanted knowledge of this law: Melancthon, *Philosophiae moralis epitome*, p. 23. Melancthon emphasized that while all men have access to a basic understanding of law (*Gesetzverstand*), the fact of human corruption and dimming of the light led God to reveal the law in written form. This revelation, in the form of the Ten Commandments, obliged all civil authorities to extend law further so long as they did not contradict divine commandment: Melancthon, *Loci Theologici*, fol. cxlii. Civil authorities were there to implement God’s wrath and revenge and to exercise their office in God’s place. Melancthon was clear that men could do quite well as far as civil life was concerned: Melancthon, *Philosophiae moralis epitome*, p. 43. With his Lutheran hat on, he made a distinction between interior and pure (*integra*) obedience to God’s law and the morality of civic life with moderation of feelings towards one’s fellows and fulfilling the duties of a citizen, which could be brought under the heading of external, honest action: Melancthon, *Philosophiae moralis epitome*, pp. 47–48.



anarchy.<sup>46</sup> It was a point of view that would carry over into the rhetoric of the ecclesiastical ordinances.

## A discourse of law

Since civil authorities are commanded to maintain discipline and further proper order among their subjects by keeping divine, natural law, while the common rabble nowadays have gotten themselves into such unreason and wantonness that even siblings would want to marry each other if the marriage of first cousins were allowed, so the prince, despite that marriage between kin in the second degree on an equal plane [first cousins] can be permitted according to divine and imperial law, not only the second degree, but also the third degree [second cousins] in consanguinity is forbidden, so that the common man will be kept all the more orderly and in obedience to divine, natural law. — Von der Ehesachen, 1556<sup>47</sup>

There are key issues in the texts we have cited, which are fundamental for understanding how the seventeenth-century discourse of incest, and particularly of sexual relations with the deceased wife's sister, was conducted. I cannot insist too strongly that this discourse was one of law, and that it distinguished between natural and divine law, with the former usually included in the latter. Divine law could come in different forms. It could refer to that which was coeval with Creation, available through natural reason but communicated more efficiently, explicitly, and certainly through Scripture. And it also could refer to laws *universally valid in time*—before the Fall, at the Fall, or after the Flood. These laws were not “natural,” as in primeval, but “positive,” as in command. Even when unwritten, as sometimes was the case, they were nonetheless valid, although when they acquired that status for specific peoples was a matter of aca-

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<sup>46</sup> Melanchthon, *Philosophiae moralis epitome*, pp. 54, 61. From natural reason, we know that we ought to obey God and that God punishes wickedness. Natural reason also commands the observation of oaths and knows that various ceremonies are necessary for civil life. Universal justice requires that we conform to all honest notions: Melanchthon, *Philosophiae moralis epitome*, p. 62. From these principles, it followed that we were born to procreate, protect progeny, and to live in society. Hence these laws: children were to be protected, society was to be preserved, and those who undertook to subvert communal society were to be destroyed. From these laws arose certain virtues, such as *pietas*: from the law that progeny should be protected, and from the fact that the weak were to be ruled by the strong, we could know that children should obey parents. From other laws concerning the preservation of society arose justice, which prohibited injury, as did those virtues that necessarily accompany justice, gratitude and generosity. Melanchthon went on to derive truthfulness from the necessity to support society through *veritas* in contracts and judgments. Other virtues such as temperance and continence could be generalized from the effects of moderation in eating and drinking on our own preservation. Thus, it was easy to understand how different virtues could be deduced from the laws of nature, those ideas divinely impressed in the mind, and known through inspection of the cause and effects proper to man: Melanchthon, *Philosophiae moralis epitome*, p. 62.

<sup>47</sup> Von der Ehesachen, in Sehling, *Kirchenordnungen*, vol. 14, p. 223. See also the Ehegerichtsordnung 1563 of the Electoral Palatinate, in Sehling, *Kirchenordnungen*, vol. 14, p. 312.

demical dispute. Here, as with law coeval to Creation, Scripture was there to clarify the rules, including the universal commands not directly available to natural reason. In England, for example, all discussion for two hundred years was set by the Henrician statutes, which proclaimed the list of prohibited marriages in Leviticus 18 to be “God’s laws,” unalterable and indispensable. That entire discourse was about the relationship of statute law to natural law and divine law.<sup>48</sup>

It followed from the prominent position given to God’s will, the modeling of law on commandment, and the expectation of obedience to inherently arbitrary commands, that much of the discussion about incest focused on how to locate the law and how to interpret written texts. The thousands of pages about incest were mostly endless hermeneutic exercises derived from readings of Leviticus 18, which, apart from raising the specter of visible punishment for violations, offered scant commentary on the potentially harmful effects of particular incestuous acts for familial relations or society in general.<sup>49</sup> The issues became what exactly was commanded and which commandments continued to be valid. And what was the form in which God spoke? Sometimes God seemed to speak apodictically and lapidarily—the kind of communication suited to a couple of stone tablets—and sometimes He seemed to speak by example. So, if you were forbidden to have relations with your mother, what about your grandmother or great grandmother, neither of whom were mentioned in the revealed list? And if you were forbidden to marry your wife’s sister while your wife was alive (Leviticus 18:18), what about after she died? Could you marry her mother? Her daughter? What about her sister’s daughter? If a partner was proscribed in the context of polygamy, was the prohibition valid in a time and place with a different constitution? Were there principles behind the list of forbidden sexual partners, a logic, grounds for generalization? If so, how were they to be applied? Here the issue is the text as normative. In the following chapter, we will concern ourselves with the technology of reading it.

There would be much discussion and splitting of hairs about the heading under which particular prohibitions might come. Natural law, divine law, and positive law underwent scholastic exercises in distinction that were—fittingly for the seventeenth century—truly baroque. Violations of the most basic tenets of natural law or divine commandment—and they were always listed as adultery, fornication, murder, sorcery, and incest—polluted or defiled a population in such a way that God’s indignation would

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<sup>48</sup> Cardwell, *Reformation of Ecclesiastical Laws*, p. 47. See 25. Hen. VIII. c. 22, p. 472.

<sup>49</sup> Haakonssen, *Natural Law and Moral Philosophy*, p. 26. Protestant moral theology, he argued, is an ethics of duty, and modern natural law places an overwhelming emphasis on duty. There were, of course, wider assumptions about the way society and the political order should work behind a great deal of the reasoning. See Ursula Vogel, “Political Philosophers and the Trouble with Polygamy: Patriarchal Reasoning in Modern Natural Law,” in *Grotius, Pufendorf and Modern Natural Law*, ed. Knud Haakonssen (Aldershot, 1999), pp. 559–81, here p. 568. Some writers invoked the relation between lord and servants or sovereign and subjects. The implication was always the same: the person superior in rank and power must command inferiors.

be clearly visible in nature, society, and history. Yet for Reformation pundits, issues of sexual behavior were prominent and fraught with troubling implications for social stability.<sup>50</sup> Key mechanisms for preserving social peace involved regulated family hierarchies, support for the *pater familias*, control of marriage by parents, and regulation of property devolution, all potentially disruptable by passion, sexual license, and inordinate desire.

Behind all law lay sanction, punishment, and the (re)establishment of justice, without which it was meaningless. This was the point that Hobbes (a voluntarist) made in his discussion of contract—no contract would be valid without a power of enforcement outside of the contracting parties themselves. Throughout the period, storms, crop failures, and marauding soldiers were all significant because they were read as God's vengeance for sinful behavior—God's pedagogy to call people to obedience. The threats at the end of Leviticus 18 became the stuff of many a sermon and were underscored in the ritual practice of reading the list of marriage prohibitions in every parish in every state every three months or so. By the mid-nineteenth century, many generations of parishioners had had practice in hearing ritualized readings of the lists, which suggests that popular reservations about endogamous marriages, or what came to be known as “inbreeding,” could hardly have been shaped by observation of inherited pathologies but rather must have been configured in hundreds of years of dialogue among officials, clerics, and the people who heard their words.

## Natural law and voluntarism

GOD does not *will* a Thing because it is just; but it is just, that is, it lays one under an indispensable Obligation, because GOD *wills* it. And this Law was given either to all Mankind, or to one People only: We find that GOD gave it to all Mankind at three different Times. First, Immediately after the Creation of Man. Secondly, Upon the Restoration of Mankind after the Flood. And thirdly, Under the Gospel, in that more perfect re-establishment by CHRIST. These three Laws do certainly oblige all Mankind, as soon as they are sufficiently made known to them. — Hugo Grotius, 1625

I shall consider Hugo Grotius at length because for well over a century, universities training the pastors, lawyers, judges, and administrators who would make and execute laws used his massive *Rights of War and Peace* as a central textbook for lessons in natural law.<sup>51</sup> Even though Grotius started with assumptions about God's lawgiving proceeding from His being as rational and good, nonetheless he made a great deal out of

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<sup>50</sup> Of course, Christianity had always put sex at the center of both private and public behavior, or at the center of selfhood. James A. Brundage, *Law, Sex, and Christian Society in Medieval Europe* (Chicago and London, 1987); Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity*, 2nd ed. (New York, 2008).

<sup>51</sup> Haakonssen, *Natural Law and Moral Philosophy*, pp. 24–30, 37–46.

God's expressed will, which made it possible to read much of his work in a voluntarist mode.<sup>52</sup> And so his greatest influence would be on natural law theorists for whom voluntarism was a starting assumption. If society was to exist, Grotius argued, language, compassion, care for the young, and a basic impulse to conserve it were necessary. And these principles all were true with or without God. This proposition, the so-called impious hypothesis, shocked many of Grotius's contemporaries precisely because they mostly emphasized the voluntary and therefore arbitrary nature of law—some of God's revealed law they thought must simply be accepted even though the grounds could not be totally understood.<sup>53</sup> For Grotius, divine will was a "second law"; that is, a secondary principle introduced by God after the Creation.<sup>54</sup> Therefore natural law, rather than being encompassed by divine law, as in Melancthon, was prior to the laws that proceeded from God's free will. So voluntarism as a principle of law was not a foundational principle but secondary and derivative, introduced by God to support and help enforce what already lay in nature, instilled in us as socially created beings. God had introduced His law only to buttress weak understanding and restrain passions, to provide a useful mechanism to preserve society. This underplaying of the voluntarist aspect of law and the related understanding of God's will as something undifferentiated from His being appeared also in seventeenth-century Lutheran school orthodoxy.<sup>55</sup> At the end of the century when dispute erupted between Lutheran orthodox philosophers and Leibniz,

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52 Grotius, *Rights of War and Peace*, vol. 1, pp. 90–91.

53 Horst Denzer, *Moralphilosophie und Naturrecht bei Samuel Pufendorf: Eine geistes- und wissenschaftsgeschichtliche Untersuchung zur Geburt des Naturrechts aus der Praktischen Philosophie* (Munich, 1972). Denzer tended to underplay the voluntarist elements in Grotius himself. See also M. B. Crowe, "The 'Impious Hypothesis': A Paradox in Hugo Grotius?," in Haakonssen, *Grotius, Pufendorf and Modern Natural Law*, pp. 3–34, here pp. 4, 9, 10, 12. Crowe maintained that it was broadly true that the Reformers took the Occamist or voluntarist line on the precepts of morality, while Catholics tended towards the objectivist or "intellectualist" view. He suggested that the trajectory of Grotius's thinking on the subject was from voluntarism to intellectualism under the influence of the Spanish Jesuit Francisco Suárez (1548–1617), whose work, *De legibus*, published in 1612, was the most complete and influential scholastic treatment of the philosophy of law. In the generation following, there was a great deal of criticism of Grotius's dependence on the scholastics. Samuel Pufendorf (1632–1694), the holder of the first German chair of natural law, rejected the notion that morality could exist without God (*etiamsi daremus*) as absurd (pp. 12–15).

54 Richard Tuck, in *Philosophy and Government 1572–1651* (Cambridge, 1993), pp. 172–77, stressed Grotius's original voluntarism, found in his 1604–5 manuscript "De Indis," which was published in 1868 as *De jure praedae*. Voluntarism, Tuck observed, seemed appropriate in the context of widespread philosophical skepticism, since it did without basing principles of morality on human rational introspection. Grotius, however, differed from most theologians and lawyers of his era, in looking for the content of morality in the design of nature rather than in Scripture. "After 1618 and the political crisis surrounding Calvinism, he abandoned his early voluntarism and argued that the law of nature consisted only of propositions which are absolutely obvious and will be denied by no one," p. 186.

55 Haakonssen, *Natural Law and Moral Philosophy*, p. 6. Haakonssen argued that the big issue in natural law discussion by the end of the seventeenth century was whether natural law depended on God's will or had independent moral authority. Still, it was difficult for anyone to think of God as somehow unfree, as bound to nature or to some morality prior to His volition.

on the one hand, and Pufendorf and Thomasius, on the other, central to the conflict was precisely the relationship within God between His being and His will and what it meant to describe God as free.<sup>56</sup>

Grotius distinguished between the law of *nature* and the law of *nations*, the latter being the application of natural law to the exigencies of particular localities.<sup>57</sup> Natural law in itself knew of no variation, for its propositions were both certain and unquestionably true: “as none can deny, without doing Violence to his Judgment. For the Principles of that Law, if you rightly consider, are manifest and self-evident, almost after the same Manner as those Things are that we perceive with our outward Senses, which do not deceive us, if the Organs are rightly disposed, and if other Things necessary are not wanting.”<sup>58</sup> The problem, of course, was to figure out how to derive such evident principles. For Grotius the answer lay frequently in a kind of triangulation procedure, an extracting of truths by sifting out universal notions from the opinions of the best and wisest minds of philosophers, poets, historians, and the like. But then there was still a distinction to be made between things that were merely everywhere observed (law of nations) and universals that could be derived from certain principles (law of nature). Unlike the law of nature, the law of nations introduced the principle of free will. What was more, the laws found in the Old Testament did not necessarily correspond with natural law, since many of them proceeded from the free will of God.<sup>59</sup> Holy law commanded many more things than were to be found in the law of nature, and these commands could continue to be valid past the expiry date of the old dispensation: the New Testament did not abrogate everything in the Old Testament. Furthermore, it was important to distinguish between what was commanded and what was commended. Of course, these considerations had fundamental implications for reading and applying the Leviticus text.

The fundamental theoretical proposition for Grotius, then, was that natural law was both immutable and accessible to human reason: “The Law of Nature is so immuta-

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<sup>56</sup> Hochstrasser, *Natural Law Theories*, pp. 4–6, argued that natural law theories before the seventeenth century were dominated by a principle of theistic origins: God was the source of all laws perceived as natural by the human reason. After Grotius, the question of origins became more problematic. Throughout the period the conflict between voluntarism and rationalism was central, though voluntarists held the upper hand.

<sup>57</sup> Haakonssen, *Natural Law and Moral Philosophy*, p. 27. Haakonssen argued that Grotius’s position was founded on two features of human nature: natural drives, such as that for self-preservation, and sound judgment of what was “honest.” On the principle that natural law prescribed any action that did not injure that which belonged to another person, society could be constructed—indeed it could not be constructed on any other foundation. Even though God did command this action, since the behavior was obligatory in itself, it was not the same as divine positive law. With this position, he separated natural law from Christian religion and did not, like most writers of the seventeenth century, find the foundation of natural law in the Old or New Testaments.

<sup>58</sup> Grotius, *Rights of War and Peace*, vol. 1, p. 111.

<sup>59</sup> Grotius, *Rights of War and Peace*, vol. 1, pp. 124–25.

ble that God himself cannot alter it. . . .” And it is different both from human laws and voluntary divine laws.<sup>60</sup> Having established this, Grotius then took up divine voluntary law—the express will of God—which was of two kinds, either given to all mankind or to only one nation. In the first category, Grotius put the matter within God’s plan for the historical unfolding of salvation (*Heilsgeschichte*). Time and history were important here—such laws were not coeval with Creation, not natural in the sense of being inscribed in nature. God gave law to all mankind three different times: after Creation, after the Flood, and with Christ’s appearance. “These three Laws do certainly oblige all Mankind,” he stated, “as soon as they are sufficiently made known to them.”<sup>61</sup> Six laws binding all peoples had been given to Adam and to Noah—nowhere recorded or written down. They prohibited false worship and enjoined honoring the name of God, established justice (founding magistrates and judicial administration), set bounds to lust by establishing prohibited degrees, and forbade the shedding of blood, theft, and rapine. The Israelites however, had received other laws directly from God, binding just themselves—the whole Mosaic corpus, for example. In Grotius’s reading, therefore, incest rules, which numbered among the Mosaic laws and had been imposed after the fact, so to speak, were knowable only through communication, either directly from God or indirectly from persons divinely instructed.

How then did Grotius treat the laws of incest and marriage prohibitions? The epigraph introducing this chapter shows that he clearly thought of the whole subject as a minefield, a position he further demonstrated by reviewing the inadequacies of the major ancient traditions.<sup>62</sup> St. Augustine, Philo, St. Chrysostom, and Plutarch, for example, all found the key idea to lie in the necessity to make alliances, to extend relations beyond the close set of familial ties, in order to avoid the egoism of restricted kinship and to generalize friendship within society (Lévi-Strauss is the modern representative of this position). But this idea could not meet the conditions necessary for a general principle of universal natural law, even though it could offer suggestions for politically prudent lawgiving. There were a host of circumstances which could justify contrary actions: for example, the levirate to provide a deceased brother with progeny or the marriage of an heiress back into the family to preserve the name and estate.<sup>63</sup>

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60 Grotius, *Rights of War and Peace*, vol. 1, p. 159: “Now that any Thing is or is not by the Law of Nature, is generally proved either *à priori*, that is, by Arguments drawn from the very Nature of the Thing; or *à posteriori*, that is, by Reasons taken from something external. The former Way of Reasoning is more subtle and abstracted; the latter more popular. The Proof by the former is by shewing the necessary Fitness or Unfitness of any Thing, with a reasonable and sociable Nature. But the Proof by the latter is, when we cannot with absolute Certainty, yet with great Probability, conclude that to be by the Law of Nature, which is generally believed to be so by all, or at least, the most civilized, Nations. For, an universal Effect requires an universal Cause. And there cannot well be any other Cause assigned for this general Opinion, than what is called Common Sense.”

61 Grotius, *Rights of War and Peace*, vol. 1, p. 166.

62 Grotius, *Rights of War and Peace*, vol. 2, p. 526.

63 Grotius, *Rights of War and Peace*, vol 2, pp. 527–28. “It may possibly so happen, that some greater

What, then, was repugnant to nature? Grotius followed out a line of reasoning here that assumed certain hierarchies to be necessary for social integration. To begin with, all marriages in the direct line violated basic principles of honor and respect. After all, a husband would be caught in an inevitable contradiction trying at once to be respectful to a mother and to rule her as a wife. Nor could a daughter have the freedom and familiarity of a wife to a father, for whom she must show reverence. Son and husband, daughter and wife were positions that ought not to be confused, since such mingling violated another fundamental principle, modesty, derived from properly functioning familial forms of precedence. Grotius thought there was something anarchic and vicious about such possibilities.<sup>64</sup> That was natural which was “practised by the Generality of such People as are uncorrupted, and live according to Nature,” which had led Hippodamus the Pythagorean to call these incestuous commixtures “unnatural and immoderate Lusts, unbridled Passions, most impious Pleasures.”<sup>65</sup>

Grotius derived a second explanation for incest laws from classical texts, which he also ran by his readers. Aristotle and Xenophon had found that marriages between parents and children involved a disparity in age, with a consequent effect on progeny—barrenness, misshapen children. But that argument would preclude any marriage involving age differences, which clearly could not be a rule of nature.<sup>66</sup> In his reservation about their explanation, Grotius drew from the rhetorics of respect, reverence, modesty, subordination, duty, pollution, punishment, and unnatural or unbridled behavior and passions. It was not just that God punished the violation of strict boundaries but that society itself was so organized as to fall apart without underlying lines of authority within the family. Many commentators would follow a similar line in the discussion of marriage prohibitions, suggesting that different relations had particular

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Advantage, however great this may be, may interfere with and oppose it, and this too, not only in the Case which GOD in the *Jewish Law* has excepted, when a *Man dies without Issue*, in Order to keep the Estate of their Ancestors still in the Family: on which Reason is founded another Regulation, wherein the *Attick Law* was conform to that of the *Hebrews*, I mean in reference to Virgins, who are sole Heiresses, called by them *ἐπίκληροι*, but also in many other Cases that we frequently meet with, or may imagine ourselves.”

<sup>64</sup> Grotius, *Rights of War and Peace*, vol. 2, pp. 528–29. “When I speak of the Difficulty and Impossibility of shewing by convincing Reasons, that Marriage between such as are related by Blood or Affinity are criminal and void by the Law of Nature, I except the Marriages of Fathers and Mothers with their Children of any Degree or Remove; the Reason why such Marriages are unlawful, being, if I am not mistaken, sufficiently evident. For neither can the Husband, who by the Law of Marriage is the superior, pay to his Mother (if his spouse) that respect which Nature requires: Nor a Daughter to her Father, because tho’ she be his inferior, even in Marriage, yet that Union introduces such a Familiarity as is incompatible with such a Respect. Very well has *Paulus* the Civilian, when he had said before, that *in contracting Marriages we ought to consult the Right of Nature, and the Decency of the Thing*, subjoined, that *it was a Breach of Decency to marry one’s own Daughter*. Such Marriages therefore, there is no Room to doubt, are unwarrantable, and *ipso Facto* void, because the Effect of them is attended with a perpetual Crime.”

<sup>65</sup> Grotius, *Rights of War and Peace*, vol. 2, pp. 529–30.

<sup>66</sup> Grotius, *Rights of War and Peace*, vol. 2, p. 530.

offices or functions, such that marriage among them would introduce at least ambivalence and confusion if not outright chaos. Some even argued that the titles or names of particular relationships—“father,” “uncle,” “cousin”—should not be muddled through impolitic marriages, since each had a particular office to represent or fulfill. Here again, law was understood as an institution for introducing order and form.

Grotius’s influence on this debate was significant but not straightforward, perhaps not least because his text presented several different ideas on the subject. Grotius began with an understanding of familial hierarchy, such that marriage, or sexual relations, between generations would shake up lines of authority. He next moved to ideas of sin, pollution, and sacrality, for which he provided no justification, except to associate domestic instability with sin. And then, he picked up on orthodox theological arguments connecting sin with retribution, although his account of retribution was not so much focused on divine intervention as on the argument that social disorder could have vicious and contradictory consequences. His final argument pointed to “common,” although not “universal” practices, with its evidence selected from nations he found “uncorrupted”—the circularity of the argument here being apparent. He assumed, without pointing to any particular examples, the existence of entire societies subject to unregulated lusts and unbridled passion.

Grotius went on to entertain the question “whether, besides that which we said might be conceived by the Light of Reason, there be not in Men, whom a bad Education has not spoiled, a certain Aversion grafted in their very Tempers, something shocking, and that makes nature recoil at the Thoughts of mingling with their Parents, or their own Progeny, since even some Beasts naturally shew such an Abhorrence.”<sup>67</sup> Here, he cited stories from Aristotle and Pliny to the effect that some animals recognized their kin—the famous stallion that committed suicide out of despair after discovering it had been tricked into covering its mother. So it was evident that the rhetorical question was to be answered affirmatively, and this suggested that nature not only provided the possibility of arriving at true ideas through ratiocination, but also instilled moral sentiment or an emotional compass suitable to primary attachments. But what about those affines and collaterals not clearly forbidden by nature who nevertheless were subject to the will of God, expressed not just to the Hebrews but to all mankind? Here Grotius referenced Leviticus 18:24–25, with its pronouncement that all the nations God had punished before He promulgated these laws, had defiled themselves with precisely the acts He now was explicitly forbidding. As an example of the inferences that this passage would support, Grotius offered this: that beyond the natural law prohibition of sexual relations with parents, relations with a mother-in-law also constituted a foul crime.<sup>68</sup>

If all the laws prohibiting incest could not be derived from the law of nature, then some must have been communicated from generation to generation, given to Adam

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<sup>67</sup> Grotius, *Rights of War and Peace*, vol. 2, p. 530.

<sup>68</sup> Grotius, *Rights of War and Peace*, vol. 2, p. 531.



at Creation or to Noah in the aftermath of the Flood, an idea Grotius found in ancient rabbinical writing and in the Jewish medieval philosopher Moses Maimonides (ca. 1135–1204). Grotius posited two possibilities. First was the idea that a natural modesty, which discouraged sexual relations with close blood relatives or allies, must have been handed down from generation to generation.<sup>69</sup> Second was a notion that fornication or even adultery could occur if sexual relations or the hope of marriage were to be allowed among those who every day were in contact with each other.<sup>70</sup> With these considerations in mind and parsing the Leviticus list, the universal rule was clear: no one could marry or have sexual relations with anyone in the direct line, ascendant or descendant, or with those directly connected to them, like a father's or mother's brother or sister, or a sibling's child.<sup>71</sup> And the prohibition had to be extended to anyone in kinship positions similar to those on the list.

Despite the fact that Grotius wanted to derive the first principles of natural law from “being” and not from will, much of his treatment of the laws of incest was voluntarist, which could be why he found the subject so difficult to get a handle on. He was clear on the point that there could be no violation without an expressed law, but then there were the prohibitions subject to extreme punishment which could not be deduced from first principles and must have come, therefore, from direct *fiat*. Thus, riffing on the idea that positive, voluntarist, promulgated law had to happen in time yet nevertheless could be universal, he reasoned that certain prohibitions must have been offered as soon as there was someone to talk to—to Adam in other words. And these prohibitions had to have proscribed incest. Even the prohibition of siblings marrying each other had to have been directly communicated by God to Adam, and then suspended so that Adam's offspring, the only humans on earth besides their parents, could be fruitful

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<sup>69</sup> The first notion that must have been handed down, Grotius derived from natural modesty, “which will not suffer Parents to mingle with their Issue, either in their own Persons, or the Persons of them to whom they are by Blood or Marriage nearly related”: Grotius, *Rights of War and Peace*, vol. 2, p. 534. This contrasted with his earlier argument that modesty derived from hierarchies inherent in the nature of such institutions as the family. In this passage, modesty with regards to parents was commanded.

<sup>70</sup> The second notion was “that the Familiarity and Freedom with which some Persons daily converse together, would give Occasion to fornications and Adulteries, if such Amours might terminate in a lawful Marriage”: Grotius, *Rights of War and Peace*, vol. 2, p. 534.

<sup>71</sup> Grotius, *Rights of War and Peace*, vol. 2, pp. 534–35: “those who are related by Affinity in the direct Line [like the mother-in-law or step mother]; and also, those who are related by Consanguinity in the first Degree of the collateral Line [siblings], which in Reference to the common Stock is usually called the *Second*, cannot marry together for the first Reason, because of the too lively Image of their common Parent, whom every Child immediately represents. And this is founded on that which if not proscribed by Nature, is at least pointed out to us by the Light of Nature, as more decent than its contrary; as many other Things which make the Subject of the Laws both Divine and Human. On this Principle, the Rab- bins say, that in the Degrees forbidden in the direct Line [now referring to the Leviticus text], some are comprehended that are not mentioned in the Law, but in Regard to which the same Reason manifestly takes Place.”

and multiply.<sup>72</sup> In answering the objection that there was no record of God ever having given such laws to Adam, Grotius relied on the rabbinical argument that the fact was implicit in the punishment meted out to nations that had violated them.<sup>73</sup>

I will have more to say in the next chapter about the hermeneutical principles for reading scriptural proscriptions, but it is useful here to note Grotius's reading of the marriage-with-the-sister-in-law text. After carefully parsing Leviticus 18, he concluded that the Canaanites were extirpated because of sodomy, bestiality, and sexual relations with parents, siblings, and other people's wives. All the other prohibitions were added as "fences" to restrain people from violating core laws. Even though there was a prohibition of marrying two sisters at once, the patriarch Jacob had done so without any further ado. "But yet the primitive Christians were very much in the right of it, who voluntarily observed not only those Laws which were given in common to all Men, but those which were peculiarly designed for the *Hebrew* People: Nay, and extended the Bounds of their Modesty even to some farther Degrees of Relation, that in this Virtue too, as well as in all others, they might excel the *Jews*."<sup>74</sup> Indeed, while St. Augustine's general principle about enlarging the circle of friends was not enough to ground universal law, it was still quite a good idea and suitable as prudential custom. The Church Father had noted that few people in his day married first cousins, not because of a law against it, but because cousins were so much like siblings. Custom found such pairings distasteful: "They dreaded . . . a warrantable Action for its Nearness to what is unwarrantable."<sup>75</sup>

Grotius had considerable influence on contemporary and subsequent writers, but the most important of these, Thomas Hobbes (1588–1679), John Selden (1584–1654), Samuel von Pufendorf (1632–1694), and Christian Thomasius (1655–1728), all stood clearly in the voluntarist camp. The English jurist Selden, a Hebrew scholar familiar with the Talmudic texts, picked up on several of Grotius's suggestions about laws given to Adam and Noah; that is, unwritten laws accessible to all mankind through tradition. Selden's work was especially important, for it was from it that several generations of subsequent scholars obtained most of their knowledge about Old Testament law and about Talmudic and rabbinical scholarship. Knud Haakonssen has made the point that Selden could not understand the moral community except "as an effect of God's

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72 Grotius, *Rights of War and Peace*, vol. 2, pp. 535–36: "Now the *Hebrews* think that these Laws, and those that prohibit the Marriages of Brothers and Sisters, were given to *Adam* at the same Time as that Injunction of serving GOD, of administering Justice, of not shedding Blood, of not worshipping false Deities, of not Robbing; but so that these matrimonial Laws should not be in force 'till Mankind was sufficiently multiplied, which could never have been if, in the Beginning of the World, Brothers had not married their Sisters."

73 Grotius, *Rights of War and Peace*, vol. 2, pp. 535–36: "Nor do they look upon it all as material, that *Moses* has said nothing of it in its proper Place; because it was enough that he had tacitly signified it in the Law itself, by condemning foreign Nations upon that very Account."

74 Grotius, *Rights of War and Peace*, vol. 2, p. 540.

75 Grotius, *Rights of War and Peace*, vol. 2, p. 540.

imposition and enforcement of the moral law as promulgated in the precepts given to the sons of Noah.”<sup>76</sup> Richard Tuck spelled out the implications: through the mere light of natural reason there were no principles of morality accessible to all men, and it is not natural reason that gives laws their validity.<sup>77</sup> If not natural reason, then what made law binding? According to Selden, the command of a superior coupled with the necessity of obedience. And what made this idea universal? The Grotian technique of surveying societies, to identify the law common to all.<sup>78</sup> Obligation was possible only with the admission of the necessity to obey the orders of a superior “with the power to inflict punishment”; therefore, “God was the only possible source of moral obligation.”<sup>79</sup> Selden found good historical grounds to suppose that God gave His orders to mankind first at the creation of Adam and later at the renewal of the human race with Noah—the *praecepta Noachidarum* of the Talmudic tradition.<sup>80</sup> The details, Selden maintained, were transmitted to posterity through the operation of the “active intellect” of Jews, God’s chosen people.<sup>81</sup> Here he departed from Grotius, who assumed that most peoples passed on their knowledge over generations. Selden placed much greater emphasis on the peculiar position of the Jews in maintaining a written documentation. He insisted on the divine inspiration of Hebrew institutions and based his whole theory of natural law upon this fundamental principle.

With Selden’s approach, the problem for incest laws and marriage proscriptions was to understand just how to read the passages in Scripture, particularly the list provided in Leviticus 18. This is the point that needs to be underlined here. Given a voluntarist notion of law as command requiring obedience and the assumed universal-

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<sup>76</sup> Haakonssen, *Natural Law and Moral Philosophy*, p. 30.

<sup>77</sup> Tuck, *Philosophy and Government*, pp. 209–15.

<sup>78</sup> J. P. Sommerville, “John Selden, the Law of Nature, and the Origins of Government,” in Haakonssen, *Grotius*, pp. 119–29, originally published in *The Historical Journal* 27, no. 2 (1984): pp. 437–47, argued that Selden’s account of the law of nature was far more conventional than Tuck suggested (p. 119). And he also disagreed with Tuck’s reading of Selden’s account of the transmission of laws. The principles of natural law were given to the human race at inception, and every rational soul was naturally endowed with a faculty by which those things were revealed, like principles or theorems in demonstrative matters, to every man whose mind was not depraved or corrupted. God informed and commanded the rightly disposed intellect with regards to things naturally good or evil (p. 124). Without God’s aid, however, man could not know the natural law. The obligation to obey the natural law came from God’s command—although what natural law enjoined was intrinsically good or evil. In Sommerville’s account, Selden was a conventional voluntarist (a law to be binding had to be promulgated by someone in authority), and he contributed little that was original to contemporary debate on the law of nature and the origins of civil government (pp. 125, 128).

<sup>79</sup> Tuck, *Philosophy and Government*, p. 215.

<sup>80</sup> Sommerville, “John Selden,” p. 120.

<sup>81</sup> Tuck, *Philosophy and Government*, p. 216. Selden was strongly influenced by the philological method developed in France: John Selden, *On Jewish Marriage Law: The Uxor Hebraica*, trans. and intro. Jonathan R. Ziskind (Leiden, 1991), p. 3. The historical-philological approach followed by Selden had been used throughout the Renaissance by biblical and Hebraic scholars.

ity of incest prohibitions, the problem was not to be found in society, or in the nature of family or moral sentiment, and the like, but in the text of the law itself. Therefore, Selden undertook an exercise in scriptural hermeneutics, which gave pride of place to Jewish exegetical traditions.

In Germany, dominant natural law scholars such as Pufendorf also stood in the voluntarist camp.<sup>82</sup> Pufendorf himself derived most of natural law from a notion of “sociality,” defined, however, not in terms of human interest or divine essence, but of divine command—God’s command to be social. He explicitly rejected Grotius’s contention that natural laws were valid with or without God: a society of atheists could not exist.<sup>83</sup> “This is a *fundamental Law of Nature*, That every Man ought, as much as in him lies, to preserve and promote *Society*; that is, the *Welfare of Mankind*.” Even the notion of self-preservation could only be understood as based on the will of God. To live in society was an obligation “positively enjoy’d by God upon *men*. . . .”<sup>84</sup> This voluntarism, Haakonssen argued, with some variation, became the common form of natural law theory in Germany and influenced the legal thinking behind enlightened absolutism. And, we can add, this form played an essential role in decisions about what incest was and how to implement related sanctions.

Despite the dominant voluntarism of the period, there always were strong currents of moral realism or intellectualism, partly Platonic and partly scholastic-Aristotelian in inspiration and pedigree, but even in this tradition writers had to find room for the voluntarist element required of Christianity.<sup>85</sup> In Germany, the most prominent representative of this approach was Gottfried Wilhelm Leibniz (1646–1716), who sought a notion of justice universal for all rational beings and common to God and man.<sup>86</sup> If justice, which followed certain rules of equality and proportion, was simply a matter of God’s will, then there was no rational account of why we should praise God

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<sup>82</sup> Samuel Pufendorf, *The Whole Duty of Man According to the Law of Nature*, 2nd ed. (London, 1698).

<sup>83</sup> Denzer, *Moralphilosophie*, p. 83. Obligation necessitated a law, Denzer pointed out, that had been promulgated by a superior and the free will to do it or not. Obligation was a moral accompaniment of will, which freely bound itself to the norm because to do the opposite was against its reason. The norm was a law and for law there was always obligation, but obligation also always implied free will not just the power of a superior to enforce (p. 85).

<sup>84</sup> Pufendorf, *Whole Duty*, p. 45: “It must be supposed to be the *Will of God*, that Man should make use of those Faculties with which he is peculiarly endow’d beyond the Brutes, to the *preservation* of his own Nature; and Consequently, that the Life of Man should be different from the lawless Life of the *Irrational Creatures*.” This was obligation, not a matter of utility or humor. Haakonssen argued that Pufendorf turned the idea of sociability into a full-fledged voluntarism by first agreeing with Hobbes that people were naturally egoistic and that sociability, which for him was the law of nature, was a means that reason suggested to curb egoism, and then by adding that the law of nature was obligatory upon us because it was the will of God: Knud Haakonssen, “Hugo Grotius and the History of Political Thought,” in Haakonssen, *Grotius*, pp. 36–61, here p. 49.

<sup>85</sup> Haakonssen, *Natural Law and Moral Philosophy*, p. 46.

<sup>86</sup> Haakonssen, *Natural Law and Moral Philosophy*, pp. 47–48. He [Leibniz] saw justice as reason and will coming together, a position from which he launched an attack on voluntarism.

as just.<sup>87</sup> The anti-voluntarist tradition of the seventeenth century would become the most widely held position in philosophy, *but not in jurisprudence*, by the time of Wolff and Kant in the next century. Until then, with the partial exception of Grotius, the most frequently read writers on law, Hobbes, Pufendorf, Selden, and Locke, for example, held that there were no moral or political meanings inherent in the structure of things. All meaning or value was willed or constructed and imposed on a natural world that in itself was amoral and apolitical.<sup>88</sup> The act of will that brought the world into existence was that of God, but the acts of will that imposed order on human societies were the commands issued by enlightened rulers or states, in expectation of obedience. The voluntarist approach to law in the seventeenth century had significant implications for statecraft, and the textbooks of the natural law school were the foundation for university lectures geared to the aristocracy, who flooded into the universities, and to the bourgeois, who took on the administrative positions in states emerging from the Thirty Years War.

## Lawgiving secularized

One should do that which allows a person to live long and be happy, and avoid that which makes life unhappy and hastens death. — Christian Thomasius, 1709

The obligation of a prince as prince is not rightly to make his subjects virtuous. — Christian Thomasius and Enno Rudolph Brenneysen, 1713

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<sup>87</sup> Leibniz here was following one line of anti-voluntarism in orthodox Lutheran thinking, one of its key figures being the academician at Leipzig, Valentin Alberti, a bitter opponent of Thomasius. I will discuss Alberti below.

<sup>88</sup> Haakonssen, *Natural Law and Moral Philosophy*, p. 102. Valentin Alberti (1635–1697), the leading professor at Leipzig and the most subtle of Pufendorf’s critics, offered in his *Compendium juris naturae, orthodoxae theologiae conformatum* (Leipzig, 1678) a restatement of the orthodox Lutheran and Aristotelian synthesis on divinely imposed nature and origin of natural law. The uncorrupted remains of divinely created nature persisted in the post-lapsarian world as natural law. On Alberti, see Haakonssen, *ibid.*, pp. 44–45. According to Hochstrasser, *Natural Law Theories*, pp. 73–80, Leibniz, in his early *Discourse on Metaphysics* (1686), argued that there were eternal verities which were not adjuncts of divine power but ideas embedded in God’s mind—analogue to the truths of mathematics and logic. It was not the will of God but His wisdom that was the final standard of justice. Ian Hunter, in discussing the implications of voluntarism, suggested that in drawing on voluntarist theology to place the divine mind beyond human reason—hence beyond credal formulation and civil enforcement—civil philosophers such as Pufendorf and Thomasius sought to confine salvific religion to private life. Hunter, *Rival Enlightenments*, pp. 26–27, 96: “Through its voluntarist-theological exclusion of transcendent intellection from the domains of ethics, politics, and jurisprudence, Pufendorffian natural law effected a profound detranscendentalizing of civil governance,” p. 26. See also Werner Schneiders, *Naturrecht und Liebesethik: Zur Geschichte der praktischen Philosophie im Hinblick auf Christian Thomasius* (Hildesheim, 1971), pp. 66–70.

Among the elite university students exposed to the treatises of Grotius and Pufendorf were the pastors who peopled every village throughout Protestant Germany. Their training in theology and pastoral care was very much shaped by the basic ideas of natural law. Grotius and other natural law theorists were constantly cited in legal opinions about the advisability of marriages with, say, the deceased wife's sister's daughter or stepmother's sister. But rather than explore this phenomenon, in this final section, I want to consider a later influential legal scholar and philosopher, whose works pastors in training also would encounter. This is Christian Thomasius (1655–1728) who, born seven years after the close of the Thirty Years War, straddled the Baroque and Enlightenment worlds. He grew up in the orthodox Lutheran academic circles of Leipzig where his father was a professor. In 1684, he began teaching law there himself, but his temperament as a controversialist, his conversion to voluntarist natural law theory—he was deeply impressed by Pufendorf—and his ridicule of orthodox Lutheran colleagues led to a warrant for his arrest.

After a hasty exit from Leipzig, Thomasius found refuge in Prussia, where he was eventually invited by the king to take part in the founding of a new university in Halle (1694), which quickly became famous for its “radical” philosophy and Pietist departures from Lutheran orthodoxy. Thomasius himself was deeply influenced by Pietism, and his attempts to rethink natural law show important traces of Pietist spiritualism. From the lecture hall to the king's councils to the deliberations of legislators, his political influence was considerable. He began his tenure at the University of Halle as professor of law, accepted an appointment to the Prussian Privy Council in 1709, and in 1710 assumed the rectorship of the university. Along the way, he edited a magazine of contemporary thought dedicated to reviewing current literature, with special emphasis on the latest French novels, and published widely on issues of witch persecution (he was against it), bigamy (he could find no *rational* argument against it), torture (he was against it too), and incest (eventually he would rework its foundations). All these issues bumped up against one of his deepest concerns: developing an answer to the question of which aspects of juridical authority properly belonged to religion and which to the state. Over the long run, he developed a critical stance against the “clerisy,” the learned theologians who exercised so much control over statecraft and jurisprudence.

Thomasius's work became a touchstone for administrators and jurists, and during his many years at Halle, he packed the halls with students. He was especially interested in training the considerable number of aristocratic students who visited the university, and that was one of the reasons why he became so interested in French popular literature. Scudéry's novels, with their epic plots of the doings of young aristocrats in Roman guise, were among the texts he tapped to introduce students to the intricacies of moral judgment and prudent action.<sup>89</sup> A typical plot could be interrupted by several hundred

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89 Christian Thomasius, *Summarische Anzeige und kurtze Apologie, wegen der vielen Anschuldigungen und Verfolgungen/ damit ihn stiche Chur-Sächische Theologen zu Dresden/ Wittenberg und Leipzig nun*

pages of discussion or commentary on, for example, the morality of opening up a letter addressed to someone else. The pedagogical goal was not so much to find an answer to moral conundra as to train students to weigh opinions and argue coherently. No doubt the approach contributed to Thomasius's effectiveness as a political figure outside the university.

Working in the context of the political settlements that ended the Thirty Years War, natural law and political theorists of the later seventeenth century thought that "the key to peaceful legal coexistence of rival confessions lay in the sovereign power's indifference to their transcendent truth claims."<sup>90</sup> Indeed, they abandoned the notion that the exercise of civil authority could lead to moral regeneration, an important point dealing with the capacity of law to create morally better citizens. According to Ian Hunter, their political goal required a "recalibration" of politics and law as instrumental disciplines restricted to the political order. That is why they were unwilling to follow neo-scholastic attempts to found natural law in the transcendent truths of man's moral nature or moral community, and instead, like Hobbes, grounded natural law in the limitless human capacity for self-destruction. This supported a conception of politics and law understood in secular terms: the commands of a secular sovereign being issued for the sole end of maintaining social peace.<sup>91</sup> Thomasius focused on the uncontrollable passions and their

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*etliche Jahr her belegt und diffamiert*, in Christian Thomasius and Enno Rudolph Brenneysen, *Das Recht evangelischer Fürsten in theologis. Streitigkeiten gründlich ausgeführt und wider die papistis. Lehr-Sätze eines Theologi zu Leipzig [Carpzov] vertheydigt*, 2nd ed. (Halle, 1696), pp. 241–88, here pp. 258–59. Thomasius boasted that young noblemen crowded into his courses in Leipzig, and that that was why the Brandenburg prince decided to build up the University of Halle. Christian Thomasius, *Schertz- und Ernsthafter/ Vernünftiger und Einfältigen Bedancken über Allerhand Lustige und nützliche Bücher und Fragen* (Frankfurt and Leipzig, 1688), defended teaching with love stories. They were pleasant to read, sharpened understanding, and were easy to remember. The writer of a novel had to have the skill of an historian, so that one learned through example and not so much from rules.

<sup>90</sup> Ian Hunter has emphasized the particular context in which natural law discussions from Pufendorf to Thomasius took shape; namely, the political settlements in the wake of the Thirty Years War. In this paragraph, my argument and all quoted phrases derive from Hunter, *Rival Enlightenments*, p. 89. At pp. 126–27, Hunter argued that scholastic reasoning modeled the person as a being capable of natural knowledge of divine moral law. By the end of the seventeenth century, any claim to special insight into transcendent law was rejected by civil philosophers such as Pufendorf and Thomasius. They thought that such arguments were a power move on the part of ecclesiastical orders to intervene in secular affairs. Championing a secularized state in the aftermath of the bloodletting of the Thirty Years War, Pufendorf and Thomasius reconstructed natural law to "reflect the secularization of civil governance that had taken place in the political-jurisprudential sphere," p. 127.

<sup>91</sup> Already in 1696, Thomasius had written a tract calling into question the idea that the prince through lawgiving and the enforcement of law could make his people more moral. See Thomasius and Brenneysen, *Recht evangelischer Fürsten*. Given the notions of law in the seventeenth century, especially the idea of law as dampening lust or disciplining a population, this appears to be a reversal of standard ideas. On the other hand, Thomasius apparently was making a clear distinction between external practice and internal consciousness. Virtue was closely related to the Lutheran notion of what was spiritual, which was clearly distinguished from the political/social order. It was not the task of the state to make people

dangers to a society lacking mechanisms for civil restraint and political control. And he embraced the arguments that the authority of *positive law*, or *lex*, lay in the order of a superior, and that the source of all laws was the will of God. In these respects, Thomasiaus was arguing in a traditional vein and continuing to work the post-Reformation themes and ideas at the heart of absolutist government. Where he differed was in his explication of the connection between divine command and human lawgiving. What motivated God to command this or that action was not subject to human understanding, but human lawgiving was, as its roots lay in the exigencies of human social interaction. Divine jurisprudence and natural law were parallel but different things, with different epistemologies and different intellectual foundations requiring different courses of study.<sup>92</sup> Thomasiaus sought to revise the understanding of both.

Although Thomasiaus would reformulate his metaphysics and epistemology of law after experiencing an intellectual crisis in 1699–1700, he always remained committed to the idea of will as the dominant human faculty.<sup>93</sup> He dragged voluntarism along with him, so to speak, even as he relocated the metaphysical foundation of natural law in human psychology.<sup>94</sup> Having begun with Pufendorf's sourcing of law in human sociality, over time he shifted his emphasis to human passions and sought motivation and ethical action in the desire of all humans to pursue their own happiness.<sup>95</sup> In the process, he began to think of natural law as a kind of spiritual guide, a set of internalized recommendations or counsels that could shape moral, individual, self-directed action. In this sense it might be said that Thomasiaus spiritualized natural law. Whatever the case, he most certainly separated the realm of natural law from the realm of positive law or *lex* (Melanchthon's *Gesetz*), with its commands and punishments for disobedience. These he left to state authorities.

In his first major work on natural law, the three books on divine jurisprudence (*Institutionibus iurisprudentiae divinae*) published in 1688, Thomasiaus set out to clarify the differences among moral, ceremonial, and "forensic" (state) laws, and between

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moral or more virtuous, or to teach them the spiritual path to salvation. This understanding of the relationship of state practice to personal morality called into question the post Reformation idea that the purpose of extensive marriage prohibitions was to instill knowledge of ethical principles through their disciplinary effect.

<sup>92</sup> Hunter, *Rival Enlightenments*, p. 23. Schneiders, *Naturrecht und Liebesethik*, pp. 58–60, traced his understanding of will to Pufendorf, who in turn was dependent on Hobbes (p. 60). Hunter, *Rival Enlightenments*, pp. 72–73. Hochstrasser, *Natural Law Theories*, pp. 116–17, 119.

<sup>93</sup> Hochstrasser, *Natural Law Theories*, p. 131. Hochstrasser argued that after the crisis, Thomasiaus modified his voluntarism beginning in an essay, "Natura hominis, libertas voluntas, imputatio in poenam." But he still held onto will as the dominant human faculty.

<sup>94</sup> Hochstrasser, *Natural Law Theories*, p. 131.

<sup>95</sup> Hochstrasser, *Natural Law Theories*, p. 132. Sociability's role now was taken over by pure eudaimonism—all man's actions are determined by a quest for happiness, and the combination of fear and hope constrain men to act virtuously.



divine natural law and divine universal revealed or published laws.<sup>96</sup> Many moral laws could not be derived from natural law, as they had been promulgated over time, in the form of revelation—laws on polygamy and *Blutschande*, for example. Much of his discussion came down to explicating how to access divine published law and how to interpret it once it had been located.<sup>97</sup>

Already in this early text, Thomasius contended that legal scholarship dealt with conditions after the Fall—how to get order and peace in this life. He wanted to distinguish the law of nature from what he called “universal divine revealed law,” and he defended the notion that prohibitions against polyandry, polygyny, or incest could not be derived from the law of nature but only from Scripture.<sup>98</sup> Divine given law dealt with things that were not necessarily tied up with man’s rational nature. Indeed, such law had to be understood as transcending human reason. God after all was not subject to any law; ergo all human calculation was for naught. Thomasius here clearly embraced a straightforward voluntarist notion of law. Command and unquestioning obedience were two sides of the same thing. Indeed, in keeping with Lutheran tradition and in a way not unlike Hobbes, postlapsarian mankind in Thomasius’s hands emerged as willful, prone to wickedness, and incapable of following rational nature, traits that necessitated institutions strong enough to keep human evil within bounds.<sup>99</sup> While the essence of natural law lay in the principle “do that which necessarily agrees with the social life of humans and desist from that which does not,” revealed law went beyond what was tied to the social nature of humans; it could not be derived from sociality. And although Scripture certainly revealed what was obligatory for all humans, it was not

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96 Thomasius’s *Institutiones Jurisprudentiae divinae*, published in 1688, was translated into German and published as *Herrn Christian Thomasii Drey Bücher der göttlichen Rechtsgelahrheit, In welchen die Grundsätze der natürl. Rechts nach denen von dem Freyherrn von Pufendorff gezeigten Lehrsätzen deutlich bewiesen/ weiter ausgearbeitet/ Und von denen Einwürffen der Gegner desselben/ Sonderlich Herrn D. Valentin Alberti befreyet . . .* (Halle, 1709). By this time Thomasius had already published a major revision of the *Institutiones*, titled *Fundamenta Juris Naturae et Gentium*, which I will discuss at length below.

97 Thomasius, *Rechtsgelahrheit*, p. 13. Peter Schröder, *Christian Thomasius Zur Einführung* (Hamburg, 1999), pp. 48–56: The goal of Thomasius’s early doctrines was to create the secular-legal foundation for human living together. If God’s commands had the eternal as goal, then they belonged to theology. When they had to do with the temporal order, then they were a matter of happiness and fell under the purview of jurisprudence. Fundamentally, Thomasius was only interested in the temporal relations of humans with each other. Schröder maintained that Thomasius worked out a position that was no longer interested in the permanent intervention of God in human affairs (pp. 85–96).

98 Thomasius, *Rechtsgelahrheit*, pp. 58–68.

99 Thomasius, *Rechtsgelahrheit*, pp. 100–103. Thomasius argued that the existence of eternal law was a figment of scholastic reasoning: published law was not derived from a natural law in agreement with God’s holiness prior to His will. Thomasius, *Rechtsgelahrheit*, pp. 103–10. He then developed an argument about the immanence of rationality to society, in the first instance rooted in the very nature of language and the communication process. Thomasius, *Rechtsgelahrheit*, pp. 117–20. Reason was never outside of discourse (*Rede*), which in turn had no meaning outside of society. Saying that the human was rational was the same as saying that the human was social.

written in the hearts of men. So where did that leave the laws that governed marriage and defined incest?

Through a series of logical steps, Thomasius showed the flaws in arguments that suggested that basic rules of marriage and incest could be derived from pure reason or natural law. For example, prostitution did not conform to traditional understandings of honorable marriage, but this was not a sufficient ground for condemning it. In fact, there was no way to get out of the tangle of reasons without recourse to Christian legal scholarship—that is, without the express command of God as revealed in Scripture.<sup>100</sup> Take for another example the incest rules.<sup>101</sup> Although Grotius and Pufendorf had shown that all societies with polite customs forbade marriage with some people, it was difficult to come up with good arguments as to why any particular person had been proscribed. Most everyone talked about the direct line of ascent and descent being forbidden because of a community of blood, but it was not obvious how the *natural* community of blood produced a *moral* effect. What about the argument that rooted the proscription in natural deference between parents and children? Deference grounded in nature would preclude marriage between a prince and a commoner even more, yet no one disputed the possibility of such a marriage.<sup>102</sup> “Therefore,” said Thomasius, “I would also here rather recognize the imperfection of our reason and say that the marriage between parents and children is not a matter for the proscriptions (*Gesetze*) of nature but of a different [special] divine ordinance (*Gesetz*).”<sup>103</sup> The implications of this argument should be clear: incest as a moral or social issue followed from proscription, and this proscription did not follow from moral or social exigencies.

Taking up the general issues of incest and marriage prohibition, Thomasius pointed out that, although sex with relatives, and particularly with a wife’s sister, had provoked more quarrels than anything else during one hundred years of legal scholarship, still there had been agreement that individuals must “abstain from intercourse between parents and children, or brothers and sisters, and those who are in the position of parents and children and who are from this perspective related to you.”<sup>104</sup> Thomasius proceeded then to argue that since marriage prohibitions and incest rules could not be demonstrated or derived from natural law through reason, then all this could only be a matter of revealed law. In Leviticus 18:24–25, God clearly said that the heathen had been punished for sinning against the laws; therefore, such laws had to have been proclaimed (*publiciert*) orally by Noah or Adam and passed down since.<sup>105</sup> With this notion, that the incest taboo had to be passed on through tradition and taught to each ensuing

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<sup>100</sup> Thomasius, *Rechtsgelahrheit*, p. 387.

<sup>101</sup> Thomasius, *Rechtsgelahrheit*, p. 396.

<sup>102</sup> Thomasius, *Rechtsgelahrheit*, p. 398.

<sup>103</sup> Thomasius, *Rechtsgelahrheit*, p. 400.

<sup>104</sup> Thomasius, *Rechtsgelahrheit*, p. 423. His reference: “Havemann, *Gamalogia*, l. 2. tit. 5 posit. 6 p. m. 233. seqq.”

<sup>105</sup> Thomasius, *Rechtsgelahrheit*, pp. 423–24.

generation, Thomasius was following in the footsteps of Grotius and Selden. Universality, on the one hand, coupled with law introduced in the course of time, on the other, implied, he thought, just this notion of intergenerational communication.

By drawing on legal reasoning for the foundation of his rules of interpretation, Thomasius found much to say about how to read the Leviticus 18 text. We will dwell in the next chapter on his rules for textual interpretation. Suffice it to say here that he found in v. 6 (“None of you shall approach to any that is near of kin to him, to uncover *their* nakedness: I *am* the LORD”) the key to reading each of the individual prohibitions in the subsequent verses, the fundamental point being the command to avoid those closely allied in blood (chapter 4 of this section considers this text as a matter of *blood*). In any event, why this should be the rule was not told to us by God: the rule was a command that we simply had to obey. But of course we also had to figure out exactly how to *apply* the rule.

The problem of the wife’s sister was just one of many challenges that Thomasius tried to resolve. He approached it from the context of affinity (*Schwägerschaft*). The list of affines in Leviticus offered the following: the father’s wife is the father’s shame; the father’s brother’s wife is your aunt (*Base*); your daughter-in-law (*Schnur*) is your son’s wife; your brother’s wife is your brother’s shame; your wife’s daughter, wife’s son’s daughter, wife’s daughter’s daughter are your *Blutsfreundinnen*, and to have sexual relations with any of them is a vice (*Laster*).<sup>106</sup> Taking all these affines together, Thomasius derived the rule that if a person was forbidden to someone through consanguinity, then the spouse of that person also was forbidden because of affinity. Father’s shame, brother’s shame, aunt, son’s wife, wife’s closest blood relative: all were prohibited on the same blood-based principle of law. An in-law (*Schwager*) could be understood in two senses: as a blood relative of a wife or as an affine who had married a man’s blood relatives.<sup>107</sup> So, for example, the prohibition between a man and his stepdaughter came about because she was the wife’s closest blood relative. Neither a wife nor her husband could have intercourse with her close relatives: they all were one flesh. Nor could a man be permitted to have intercourse with his stepmother or brother’s wife, the reason here being the father’s or brother’s shame: just as a sister or anyone in his ascending line was prohibited to a man, so also was the woman who had become his mother or one who had become his sister in unions with his father or brother. The matter was even clearer with the prohibition of the father’s brother’s wife, since she was an aunt: just as a man

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<sup>106</sup> AV Leviticus 18: “8 The nakedness of thy father’s wife shalt thou not uncover: it is thy father’s nakedness. . . . 14 Thou shalt not uncover the nakedness of thy father’s brother, thou shalt not approach to his wife: she is thy aunt. 15 Thou shalt not uncover the nakedness of thy daughter in law: she is thy son’s wife; thou shalt not uncover her nakedness. 16 Thou shalt not uncover the nakedness of thy brother’s wife: it is thy brother’s nakedness. 17 Thou shalt not uncover the nakedness of a woman and her daughter, neither shall thou take her son’s daughter, or her daughter’s daughter, to uncover her nakedness; for they *are* her near kinswomen: it is wickedness.”

<sup>107</sup> Thomasius, *Rechtsgelahrheit*, p. 440.

could not marry his father's sister, so he could not marry his father's brother's wife, who in her union with the father's brother would have to be treated as if she were the father's sister. The conclusion was that among related persons in the direct line, marriage was forbidden without limit. The relationship of father and son encompassed all forefathers and progeny. So marriage was prohibited to a stepfather, stepmother, son-in-law, daughter-in-law, father-in-law, mother-in-law, stepson, stepdaughter, husband's or wife's blood relatives, grandfather-in-law, or grandson-in-law, and on without end.<sup>108</sup>

With respect to the collateral line in affinity, Thomasius considered those who were like brother and sister: husband's brother and brother's wife and sister's husband and wife's sister.<sup>109</sup> Although Leviticus was clear that the brother's wife was forbidden, it was less so about the wife's sister, and this had given rise to much debate. Thomasius quoted Leviticus 18:18: "Neither shalt thou take a wife to her sister, to vex *her*, to uncover her nakedness, beside the other in her life *time*," and showed that it had originated in the context of polygamy, but also that "sister" also could have meant simply any other woman in Israel, which would have meant that one should not take a second wife without the first's consent. Read in the more restricted sense, the text would have meant that a man was permitted to take another wife without the first's consent so long as his new wife was not his first wife's actual, physical sister. Given this ambiguity, Thomasius observed, it was necessary to stand simply by divine law, which forbade a sister's husband from taking his wife's sister because she was his wife's flesh, that is, her closest blood relation, and as new wife, would be the shame of her sister. This latter was an inference, not in the 18:18 text but derived by Thomasius from his reading of blood into the 18:6 text and his treating of blood as the principle to be applied to all the prohibitions.<sup>110</sup>

By slipping from flesh to blood in his wording, Thomasius brought the issue in that Leviticus passage back to the principle of avoiding blood relations (Luther's *Blutsfreundin*), and he also brushed aside the context of polygamy and marriage with two *living* sisters. The wife's sister and the mother's brother's wife (only the father's brother's wife was expressly forbidden, Leviticus 18:14) were not to be allowed on exactly the grounds that God had given; namely, the unity of flesh between spouses and the blood relationship (*Blutsfreundschaft*) of spouses with their own consanguines (*Blutsfreunden*). And then, as if he wished to prove his Baroque credentials, he concluded: "Therefore there is no doubt that just as a brother is related to the other brother and the brother's wife has become one flesh with her husband, so also to the same extent a sister is related to the other sister, and the sister's husband is one flesh with his wife, and furthermore, that just as the brother's son is related to the father's brother and the father's brother's wife

<sup>108</sup> Thomasius, *Rechtsgelahrheit*, p. 441.

<sup>109</sup> Thomasius, *Rechtsgelahrheit*, p. 442.

<sup>110</sup> Thomasius, *Rechtsgelahrheit*, pp. 442–43. The Leviticus passage in Luther's German Bible of 1545: "Du solt auch deines weibes Schwester nicht nemen neben jr jre schambd zublössen / jr zu wider / weil sie noch lebt."

is united with the father's brother; so also there is then the same kind of relationship between the sister's son and the mother's brother with the same blood relationship between the mother's brother and his wife." He went on to argue that no prince, not even the pope, could dispense what God had forbidden.<sup>111</sup> And he pointed out that even in Catholic France, dispensations by the pope had been disallowed in the civil courts.<sup>112</sup>

During the Reformation, important issues emerged about the relation of church and state, especially about the latter's role in matters of salvation. Melancthon's recourse to natural law and vigorous defense of divine installation of rulers laid grounds for the construction of sacralized states, and it was these grounds that Thomasius revisited and deconstructed a century later. He argued that princes were not established in natural law but rather were introduced by populations, to create order among themselves, as they came together in large groups.<sup>113</sup> The state, therefore, was not an instrument for inculcating the inner morality demanded by natural law but existed only to provide for a modicum of peace. Furthermore, the prince could not make his subjects virtuous because his only instruments were coercive, and virtue could not be obtained by force.<sup>114</sup> Just as importantly, rulers were not responsible for the salvation of their populations. And for that matter, the obligations of a Christian ruler, as ruler, were no different from those of a heathen lord.<sup>115</sup> With this argument, Thomasius abandoned the notion that incest rules had a pedagogical function—one of the core ideas in the ecclesiastical ordinances. Acknowledging the utility of such rules, he nevertheless argued that they had a very limited role in shaping individuals through discipline. And he broke the link between infraction and punishment. No fear of the consequences of violation, no divine threat, could be called upon to justify the rule or laws of princes. By decentering rulers from their earlier position as mediators between subjects and God and refitting biblicism as a matter of personal salvation, Thomasius thus contributed significantly to the conceptual secularization of rulership. But it was only after the turn of the century, after his intellectual crisis, that he worked out the full implications of his reasoning.

This he did when he took up the task of revising his earlier major work. The result, *Fundamenta juris naturae et gentium*, came off the press in Halle in 1705, followed by a German translation in 1709, titled *Grund-Lehren des Natur- und Völker-Rechts*.<sup>116</sup> In it

<sup>111</sup> Thomasius, *Rechtsgelahrtheit*, p. 448.

<sup>112</sup> Thomasius referred to two articles from France, one by Soëfve and the other from the *Journal du Palais*. Lucien Soëfve, *Nouveau recueil de plusieurs questions notables tant de droit que de coutumes, jugées par arrêts d'audiences du parlement de Paris depuis 1640. jusques à present*, 2 vols. (Paris, 1682), ch. 78, pp. 316–17; and C.B., "Si la dispense au premier degré d'affinité est valable," *Journal du Palais* 9 (Paris, 1684): pp. 119–54.

<sup>113</sup> Thomasius and Brenneysen, *Recht evangelischer Fürsten*, pp. 26–28.

<sup>114</sup> Thomasius and Brenneysen, *Recht evangelischer Fürsten*, p. 29.

<sup>115</sup> Thomasius and Brenneysen, *Recht evangelischer Fürsten*, p. 40.

<sup>116</sup> Christian Thomasius, *Fundamenta juris naturae et gentium ex sensu communi deducta, in quibus ubique secernuntur Principia Honesti, Justi ac Decori, cum adjuncta Emendatione ad ista Fundamenta Institutionum Juris prudentiae Divinae, in usum Auditorii Thomasiiani* (Halle, 1705). The 1709 German trans-

Thomasius retained a pessimistic Lutheran conception of the broad mass of the population as irrational and bestial (*Bestien Menschen*) and defined his task as one of holding up to these people the possibility of happiness rooted in rational love. This was the kind of love that one could find in the works of Seneca, Cicero, and other Roman writers who had come a long way towards the Christian goal. In his earlier work, he remarked, he had failed to sort out the various meanings of the term “ordinance” (*Gesetz*), had assumed that divine and human ordinances were of the same genus (*Gattung*), and had argued that divine ordinances, in so far as they were part of the law of nature and of nations, were like laws in the common sense of the term. But careful distinctions had to be made, especially in the realm of positive law with its dependency on the threat of punishment. Divine and human punishments were of different orders altogether. The authority of human positive laws depended on the ability of secular authorities to physically punish in this world. Divine punishments, in contrast, were a matter of internal obligation, a more perfect (godly) form than external obligation with its physical sanctions.

In developing this line of thought, Thomasius sharpened distinctions between the sacred and the profane. Divine law now had more to do with inner conviction, the life of the believing Christian, and salvation than with practical matters of statecraft.<sup>117</sup> Indeed, both natural and divine law were removed to the level of advice (*Rathschlägen*). After all, it was hardly reasonable to think of God as a ruler or king delivering arbitrary punishment against violators of natural law. The argument shows that Thomasius had left the punitive God of the Reformation behind, in favor of a deity exercising *paternal* power who entered history as a pedagogue. Accordingly, although he remained here in the tradition of modeling punishment as an arbitrary act of will, he now found such a model unsuitable to God. Only human law, established by rulers, could be understood to need recourse to overt punishment to ensure its efficacy. When God delivered punishments, He did so secretly, in a hidden manner. With this principle, Thomasius undercut one of the chief genres of pastoral communication—so dear to the heart of Melancthon and central to the discursive practices of Baroque Europe—the *Zornpredigt*, the sermon of wrath. Since the relationship of punishment to sin did not

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lation is Christian Thomasius, *Grund-Lehren der Natur- und Völker-Rechts. Nach dem sinnlichen Begriff aller Menschen vorgestellt/ In welchen allenthalben unterschieden werden Die Ehrlichkeit/ Gerechtigkeit und Anständigkeit; Denen beygefüget Eine Verbesserung der Göttlichen Rechts-Gelahrheit nach dessen Grund-Lehren zum Gebrauch* (Halle, 1709); hereafter cited as Thomasius, *Grund-Lehren*. A modern English edition of the 1688 *Institutiones jurisprudentiae divinae*, translated in 1709 as *Drey Bücher der göttlichen Rechtsgelahrheit, In welchen die Grundsätze der natürl. Rechts nach denen dem Freyherrn von Pufendorff gezeigten Lehrsätzen deutlich bewiesen/ weiter ausgearbeitet/ Und von denen Einwüffen der Gegner desselben/ Sonderlich Herrn D. Valentin Alberti befreyet* (Halle, 1709), is Christian Thomasius, *Institutes of Divine Jurisprudence*, with selections from *Foundations of the Law of Nature and Nations* (Halle, 1705), ed., trans., intro. Thomas Ahnert (Indianapolis, 2011). These selections are from the *Grund-Lehren*.

<sup>117</sup> Thomasius, *Grund-Lehren*, p. 100. The natural and given, divine and human, are not of the same nature.

reveal itself to the eye, there would be no point in discovering in storms and plagues revenge for particular violations in this or that town or village.<sup>118</sup> It served no purpose to think of God as an absolute monarch or despot. Revealed laws did not have a universal quality because they were fitted to the changeable nature of men. Furthermore, however useful, these laws could not be seen to follow from rational deduction. In the end, punishment was about instilling fear in those who could not figure out otherwise how to act consequentially.

The sharper distinction Thomasius made between divine and human ordinance had crucial implications for the usefulness of Scripture in determining marriage prohibitions. The schoolmen—Thomasius’s catch-all phrase linking medieval Catholic and orthodox Lutheran academic/theological establishments—had imported many things into the moral law which had been designed only to obligate the Jewish people, and they had done this, he claimed, in the interest of supporting the power of ecclesiastics in secular affairs. A key instrument in their philosophical tool kit was the invention of “divine positive universal law (*Gesetz*),” a kind of middle thing between the law of nature and the ordinances of Moses given to the Israelites. Having tried to work with this concept, Thomasius now wanted to be the first to discard it in the interest of not confounding Scriptural matters and natural law, which had quite separate ends in mind. Thus, now he found that while the Holy Scriptures were concerned with the happy life in a future world, moral doctrine (*Sittenlehre*) and the entire science of law (*Rechts-Gelahrheit*) were directed only at true happiness in this present life.<sup>119</sup>

Thomasius’s 1705 revision also took up issues of incest, with a few shifts in treatment.<sup>120</sup> Here his approach was based in part on a series of fluid distinctions among a trio of actions—the just, honest, and respectable—and their corresponding rules. But his arguments were not always clear and posed definite challenges to the interpreter—then and now. Apparently the rules governing the just were not only the more general of the three types, but also were sometimes to be equated with natural law. The rules of honesty and respectability were tied up more with usefulness. They varied according to the particular social order for which they were designed. At one point, Thomasius argued that the rules of justice aimed at taming the greatest wickedness, but those of honor, at the chief good. In any event, while the general commandment for honesty (*Ehrlichkeit*) was universal, its specific content varied according to context. As one commentator, struggling admirably to sort all this out, put it, the rules of honesty were there to regulate human affairs in order “to offer the person an inner balanced and peaceful life.”<sup>121</sup> He found the tensions in the argument to derive from Thomasius’s intentions to speak about practical, personal morality, offer advice to legislators, and discuss the ways and means of God’s intervention into human society—all at the same time.

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118 Thomasius, *Grund-Lehren*, p. 101.

119 Thomasius, *Grund-Lehren*, pp. 4–6.

120 Thomasius, *Grund-Lehren*, p. 171.

121 Schröder, *Thomasius*, p. 94.

On the matter of incest Thomasius continued to argue that it was not subject to mere rational deduction from first, universal principles of natural law. Even in the direct line—in both consanguinity and affinity—the rules were a matter of honesty and decency (*Anständigkeit*). As far as the rest of the rules were concerned, they were aimed at preventing licentious intercourse among young people in daily contact in the hope that they could get married if necessary. Since there could be no universal rules about how far such prohibitions should extend, they remained a matter for the civil authorities who would determine the matter according to the customs of their subjects. In other words, there had to be some rules, but whatever they were could not be universal. The rules found everywhere, such as the prohibition of sexual relations between brothers and sisters, derived from the fact that in all societies siblings were raised together. Presumably where they were not, there would be no problem. As in other sources from the period at hand, the biological consequences of incest made no appearance in Thomasius's treatise. But his work did offer a new kind of reasoning in its claims that rules could be understood to arise from sentiments inculcated in well-regulated households. Although it could not be shown that incest violated laws of justice (*Gerechtigkeit*), it could be said that it stepped over lines of decency and honesty, and thus posed problems for the face of families in the arena of public performance. It was a mode of reasoning that would come to dominate the new century, as will be seen in section II.

Thomasius went on to argue that the marital institutions of heathens, which had not been regulated according to written or innate law, still had been derived, albeit imperfectly, from natural law. Here he was calling into question the very notion he had earlier affirmed, of universal, revealed, positive laws transmitted in an oral tradition from Adam or Noah. There was no proof at all that such laws had been provided by God. And although it was clear that marriage as an institution was God's handiwork, that did not make the prohibitions against certain partners a matter of divine law—the prohibitions were not *commanded*, but *commended*. Similarly, the list provided in Leviticus could not be taken as universal law but only as civil, Mosaic law. And with that stroke, the complex, confusing task of understanding the list was rendered simply irrelevant. What was the point of knowing the reason for this law, he asked? The doctrines then extant in Germany and Europe expressed the interests of the papal clerisy who sought to weaken the power of secular rulers by taking marital matters into their own hands.

Failing a universal revealed law, princes were free to act as they saw fit. Only the commandments of natural law and the law of nations required their observance. The rest seemed to be a matter of prudence and the lawgiver's skill. Certainly natural law required princes to respect honesty and decency. But it would violate "natural honesty and decency" were incest among parents and children to be allowed. The other kinds of incest were not contrary to natural law. Nevertheless, given the fact that many people considered the prohibitions to be rooted in religion, a prudent prince would



not allow any dispensations: the superstitious had to be taken into account.<sup>122</sup> So after deconstructing contemporary legal codes with their long lists of proscribed marriages, Thomasius drew back from the abyss and decided to leave the unruly masses in their ignorance—at least for the time being. However, in the end, his writing and teaching played an important role in reconfiguring the incest prohibitions: twelve years after his death, Frederick the Great abolished a long list of illicit marriages, freeing stepfathers to marry their stepdaughters, brothers-in-law to marry their sisters-in-law, and cousins to marry one another.<sup>123</sup>

In this discussion, I have highlighted the Protestant natural law tradition, the one that has been the focus for most scholarship over the past several decades, and I have given a great deal of space to the German legal scholar Thomasius because of his central role as a theoretician of enlightened despotism and his place as a transitional figure, symptomatic of shifts that were occurring in analyzing how incest rules get formulated. Of course, not everything changed with the work of one or two philosophers. A long time passed before voluntarism gave way to rationalism, and the passing was more drawn out in jurisprudence than in philosophy. Biblicism was slow to lose its punch. New ways of using Scripture and of thinking about the nature of man had to take the place of older ones. And in desacralizing states the question of how to fit moral laws into restructured, thoroughly temporal polities had to be raised. The resulting arguments would be extensive. Thomasius was a key figure in transforming lawgiving into an autonomous task, freed from biblical exegesis (where he himself started) and from the fingers of what he called the clerisy. In the end, he deconstructed all incest rules, suggesting that they were merely conventional, a matter for basic social order, changeable with every society and culture, and subject to prudential exigencies. He wasted no breath on hereditary weakening or psychological trauma, or, apart from generalizations about social order, on analysis of the details of society. But in some of his writings, he had a great deal to say about moral action, respect, and the nature of love and attachment—as witnessed by his long reviews of contemporary multivolume French novels and his use of them in classroom discussions of ethical choices. Nevertheless, because his revised analyses remained within the parameters of legal knowledge, with its categories of command and obligation, his late consideration of incest was even more arbitrary than the earlier one, and just because of that, less convincing.

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I can make no pretension to surveying legal discourse from the seventeenth century, which was complex and varied and had rather different trajectories in the different countries I am dealing with in this book. Nonetheless, I do think that I have captured the key elements of legal representation in discourses of incest and prohibited mar-

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<sup>122</sup> Thomasius, *Grund-Lehren*, pp. 171–75.

<sup>123</sup> Claudia Jarzebowski, *Incest: Verwandtschaft und Sexualität im 18. Jahrhundert* (Cologne, Weimar, Vienna, 2006).

riages. While of course there were shifts in emphasis and differences in interpretation and controversies that seemed at the time to be of major consequence, I think it is safe to say that in general there were a number of themes common to most of the treatises, dissertations, and works of dogmatic and moral theology. The central concern all the way through the century was to figure out what to do with the eighteenth chapter of Leviticus and to underscore God's presence in the world, His interventions to punish violations of his commandments. Whether the goal was to emphasize God's mind, or goodness, or will and judgment, almost everyone thought that a great deal of His activity unfolded in time, not just in eternity, and that it involved positive lawgiving—God deciding to reveal certain commandments for reasons that were not to be enquired about too closely. The notion of law as command or commandment was quite compatible with the understanding authorities had of themselves. The very term *raisonieren*, borrowed from neighboring languages that put a rational spin on the word, meant simply “complaining” in German, and complaining was something authorities did not often tolerate.<sup>124</sup>

In discourses about incest, law had several functions. Its arbitrariness served the cause of imposing form on a social order represented on the verge of anarchy. Eliciting obedience from subjects through laws that did not necessarily make any sense to them was understood to establish discipline. It was not a question of internalizing the law or a moral code. Heinz Dieter Kittsteiner illustrated how this worked in terms of models of “conscience”; conscience, for Luther and sixteenth-century theologians and moralists, being a mechanism for convicting individuals of having sinned—*after* they had violated the law.<sup>125</sup> Luther's interpretation of the parable of the Prodigal Son, for example, deemed the older brother who stayed home and tried to earn his father's favor as the true sinner. He wanted something in return for his obedience. The proper hero of the story was the son who ran off and sinned and returned with nothing to offer. During the Enlightenment, that model was replaced by what was called the “prevenient conscience.” This was an internalized model, a kind of personal steering mechanism or guide allowing an individual to control impulses in advance. With this in hand, the older brother in the parable became the figure to admire. With an internalized conscience went an internalization of law and new discourses about the rationality of law and the fittingness of its proscriptions to people increasingly thought of as citizens and less as subjects. We have watched just such a shift from Baroque to Enlightenment concerns in the thinking of the law professor, Christian Thomasius.

Marriage prohibitions were read to assembled parishioners in all of their detail several times a year. How this was done, or whether it was done at all, or just how much

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<sup>124</sup> For an example, see David Warren Sabeau, *Kinship in Neckarhausen, 1700–1800* (Cambridge, 1998), pp. 295, 315.

<sup>125</sup> H. D. Kittsteiner, *Gewissen und Geschichte: Studien zur Entstehung des moralischen Bewußtseins* (Heidelberg, 1990); Kittsteiner, *Die Entstehung des modernen Gewissens* (Frankfurt am Main and Leipzig, 1991).

sank in, historians can only imagine. The phenomenon of couples who got themselves pregnant with the expectation of marriage and then claimed when brought up short that they did not know their relationship was forbidden, certainly suggests either that they had not been listening closely or that they thought they might get away with it. During the course of the sixteenth century, all ecclesiastical establishments instituted annual visitations by regional bishops or superintendents, who checked up on the local pastors to see if they were reading the wanted posters, official orders, and marriage laws to the assembled folk. Indeed, one of the brakes on change during the eighteenth century was the idea that the marriage prohibitions were so well known that to change them would shake the pillars of revealed religion.

Even though states in the early modern period worked out parallel hierarchies of ecclesiastical and governmental institutions, with specialists in statecraft and theology carrying on their separate conversations, the overlap was considerable. When a particular marital alliance was in dispute, university legal faculties would be called upon to render an opinion, a *consilium*. There they would quote authorities of all kinds—theologians, Scripture, Roman law specialists, canon law, territorial codes, and natural law texts, and they would cite precedents from neighboring territories as well. In the background, at least rhetorically, violations of divine commandments against incest brought on various kinds of tragedy. And since the list of dire consequences included disasters on the order of harvest failures, hail storms, or marauding soldiers, whole communities could be implicated in the transgressions of individuals and punished along with them. And that offered princes the chance to mediate between God and whatever village might be in the firing line. This was made palpable in the prologues to the lists of forbidden attachments declaimed from the pulpit, and it was the stuff of many a sermon. In this configuration, the state, the ruler, the magistrates made strong claims to represent God and to have a divine mission to assist their subjects in finding salvation and to inculcate morality. As a landgrave of Hesse put it, “if God were not god, who better to be god than our prince,” meaning himself.

In the end, the important point to take away is the notion that incest rules were a matter of arbitrary law. The best minds of the seventeenth century did not concern themselves with deleterious physical or mental causes of inbreeding. Literature on “monstrous” births, for example, did not draw the conclusion that ill-developed fetuses were the consequence of couplings too close in blood.<sup>126</sup> Incest was wrong because it

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<sup>126</sup> Lorraine Daston and Katherine Park, *Wonders and the Order of Nature, 1150–1750* (New York, 1998). See also *A Most Strange and true discourse of the wonderfull judgement of God. Of a monstrous deformed Infant, begotten by incestuous co-pulation, betweene the brothers sonne and the sisters daughter; being unmarried persons. Which was borne at Colwall, in the County and Diocese of Hereford vpon the sixth day of January last, being the feast of the Epiphany commonly called Twelfth Day. 1599. A notable and most terrible example against Incest, and Whoredome.* (London, 1600). Despite the title, this text mostly described the physical abnormalities of the child. It is interesting that first cousins were seen as incestuous in the title, since ecclesiastical law in England did not continue the prohibition of cousin marriage from canon

was forbidden, not forbidden because it was wrong. But to forbid something had the peculiar effect of evoking desire: sinful people wanted precisely what they could not have. Political prudence, therefore, worked not just through sanction but by overshooting the mark, so to speak. If incestuous desires of brothers for sisters might cause the local river to flood the wheat fields, then let desires unfold for second and third cousins. There is where the theater of restraint could best play out. Nowhere did Scripture forbid a second or third cousin, let alone the second or third cousin of a deceased wife. Limiting choice in this respect was simply a mechanism for preventing social chaos by restraining and disciplining people, and by spurring them to base their marital choices on reason (property and work). If those in charge half-believed their own rhetoric, they were a fearful lot, and they needed all the help they could get from Holy Writ.

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law. Furthermore, the issue seemed to be fornication as much as close marriage. And the consequences did not come from some inherent (“biological”) closeness of blood but from divine intervention to punish sin. Although I did not do a systematic reading of all the pamphlets on “monstrous” births published during the period in England and Germany, I did read enough of them with no mention of incest to warrant no further research in this direction.

## Chapter 3

### How to Read the Book

There is a common rule for both consanguinity and affinity. If the fiancé's and the fiancée's grandfather and grandmother were first cousins, then the marriage is forbidden because of consanguinity and affinity by common and customary laws. — Braunschweig-Wolfenbüttel Kirchenordnung 1569

There is in the Scripture an express Prohibition with such as are no nearer akin than a Mans Wives Sister is. To instance. A man may not Marry his Brothers Wife, *Lev.* 18.16 and 20.21. *Math* 14.4. Which Implies that a man may not Marry his Wives Sister, who is as near akin to him as his Brothers Wife. Persons not named in the Law, and in terms forbidden to joyn in Marriage Relation together, are comprehended in that Law. — Increase Mather, 1695

During the Middle Ages, marital issues came progressively under the control of the Church, and multiple synods and councils busied themselves with issues of fornication, adultery, celibacy, and, of course, incest. Although the Reformation at first threw the relevance and status of canon law into doubt, even Protestant states relegated marital issues for the most part to ecclesiastical discipline. Lawyers and theologians were kept busy trying to figure out how to revise legal proscriptions and provide a justification for the administration of justice. No one thought that Holy Scripture was irrelevant to defining and devising punishments for incest. Indeed, the English Reformation was closely tied to the possibility of arguing that Henry's marriage to Catherine, his deceased brother's wife, was incestuous on account of its violation of Leviticus 18:16. God was punishing Henry for this transgression by denying him a male heir. Both Protestant and Catholic theologians weighed in on the issue, which after all had the highest political and ecclesiastical stakes. At one level, the problem of what was to be prohibited raised fundamental epistemological issues. Given the possibility of divine retribution for violations of divine law and the fundamental role of statutes, rescripts, and commands for inculcating discipline in potentially or really unruly populations, it was imperative to figure out the foundations of law—how did one know what divine law was, and how could particular proscriptions be derived from general principles? At bottom, the question was one of hermeneutics: parsing the rather cryptic verses of Leviticus 18. Despite Luther's dramatic act of consigning canon law to the bonfire, it had soon become clear that the *sola scriptura* principle carried a significant burden—resolving scriptural obscurities could put your life on the line. The deep *Angst* characteristic of the period proceeded in part from the assumption that divine commandment and secular lawgiving were intimately linked, and that authorities were charged with mediating between sacred and profane injunctions, between God's will and the social order.

The challenges facing any *sola scriptura* interpreter were abundant. Luther himself left evidence of that. With vituperative remarks about papal swindle, he argued in his highly influential little book on marriage that as far as marital proscriptions were concerned, anyone could see that the straightforward list in Leviticus was all that God was

worried about. Regrettably, however, on the several occasions that he dealt with the issue, he conned the list differently.<sup>1</sup> Meanwhile, the Catholic prelates at the Council of Trent (1545–63) put a definitive stamp on theological and ecclesiastical principles of the Church and clearly differentiated its doctrines from those of various reformers. In the case of marriage and its prohibitions, long-standing canon law interpretations prevailed. Session 24 (1563) incorporated the one-flesh doctrine derived from Genesis 2:24, and Canon 3 of that session took Luther directly to task for claiming that the list in Leviticus 18 was exhaustive. The council not only damned anyone who said so, but further consigned to hell (pronounced anathema upon) anyone who argued that the Church could not dispense any and all of the prohibited degrees. This position left intact the expanded list (to third cousins and third cousins of a deceased spouse) from the Fourth Lateran Council (1215), but it also preserved at least the theoretical possibility that the pope could dispense marriages, even those that most Protestants would categorize under the heading of universal natural law. No marriage with a dispensation could be understood to be incestuous in the eyes of the Catholic Church.<sup>2</sup>

In the aftermath of the Reformation, issues of textual interpretation that had exercised ancient and medieval rabbinical scholars, the Church Fathers, medieval scholastics, and Renaissance philologists took on a new urgency and led to considerable rethinking and systematic development of a science. Modern hermeneutic philosophers trace their roots back to Protestant scholarship and note that the very word “hermeneutics” first appeared in a Protestant treatise on interpretation in 1629.<sup>3</sup> Yet there seems to have been nothing particularly Protestant about the problems of textual interpretation. Whether one proceeded on the principle of *sola scriptura* or adopted a more encompassing revelation embracing Scripture and tradition, the same episte-

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1 Hartwig Dieterich, *Das protestantische Eherecht in Deutschland bis zur Mitte des 17. Jahrhunderts* (Munich, 1970), pp. 51, 61, 75. Már Jónsson, “Incest and the Word of God: Early Sixteenth Century Protestant Disputes,” *Archiv für Reformationgeschichte* 85 (1994): pp. 95–118, here p. 102.

2 Council of Trent, *The Canons and Decrees of the Sacred and Oecumenical Council of Trent*, ed. and trans. J. Waterworth (London, 1848), p. 194. This can be consulted on line at <http://hanover.edu/project.html>. The Latin original is *Sacrosancti et oecumenici concilii tridentini sub Paulo III. Julio III. Paulo IV. Pontificibus Maximis celebrati canones et decreta* (Rome, 1564). Session 24, Canon III: “If anyone saith, that those decrees only of consanguinity and affinity, which are set down in Leviticus, can hinder matrimony from being contracted, and dissolve it when contracted; and that the Church cannot dispense in some of those degrees [*in nonnullis illorum*], or establish that others may hinder and dissolve it; let him be anathema.” At issue here also were the prohibitions surrounding marriage between godparents and godchildren, as well as those for sexual relations and marriage with clerics and nuns, both regarded as “spiritual kin.” Luther, of course, had married a former nun, and thus was vulnerable to the accusation of incest according to canon law. Sessions 17–25 of the council took place at Trent between 1559 and 1563.

3 Jean Grodin, *Introduction to Philosophical Hermeneutics*, trans. Joel Weinsheimer (New Haven, 1994), pp. 47–48.

mological problems bedeviled theologians, historians, philologists, and legal scholars of all confessions.<sup>4</sup>

Most recent scholarship on the practices and rules of text interpretation from the late sixteenth through the eighteenth century has concentrated on philological and epistemological issues and on the interplay between traditions of logic and rhetoric and the emerging autonomous science of hermeneutics. This research seldom has examined the fate of particular texts over time and has failed to probe the broader set of assumptions that guided textual exegesis. I cannot go into the developing science of interpretation in any detail, except to note here and there the way various principles might be brought to interpret biblical texts on forbidden marriages. Nor can I retrace step-by-step the hundreds of readings of Leviticus 18 during several centuries of engagement with it. Instead, I will begin with an overview of the text, note how the Protestant ecclesiastical ordinances expanded its scope, and follow that with the interpretive maneuvers of Robert Bellarmine, SJ (1542–1621), Jesuit apologist and defender of the Council of Trent, and of Johann Gerhard (1582–1637), Lutheran dogmatician and professor of theology at the University of Jena. These two men consolidated their respective theologies at the beginning of the seventeenth century. I will then look at a midcentury Protestant jurist, Christoph Joachim Buchholtz (1607–1679), a professor of law at the University of Rinteln who came close to taking Bellarmine’s side and contributed crucially to the long dismantling of orthodox Lutheran opinion on the subject, and finish with Christian Thomasius (1655–1728), Pietist, natural law theorist, and rector of the University of Halle, whose exegetical method at first supported orthodox readings but in the long run provided the theoretical justification for undermining them.

## An overview of leviticus 18

Leviticus 18:1–5 (section 1). 1 And the LORD spake unto Moses, saying, 2 Speak unto the children of Israel, and say unto them, I am the LORD your God. 3 After the doings of the land of Egypt, wherein ye dwelt, shall ye not do: and after the doings of the land of Canaan, whither I bring you, shall ye not do: neither shall ye walk in their ordinances. 4 Ye shall do my judgments, and keep mine ordinances, to walk therein: I *am* the LORD your God. 5 Ye shall therefore keep my statutes, and my judgments: which if a man do, he shall live in them: I *am* the LORD. AV

Leviticus 18:6–18 (section 2). 6 None of you shall approach to any that is near of kin to him, to uncover *their* nakedness: I *am* the LORD. 7 The nakedness of thy father, or the nakedness of thy mother, shalt thou not uncover: she *is* thy mother; thou shalt not uncover her nakedness. 8 The nakedness of thy father’s wife shalt thou not uncover: it *is* thy father’s nakedness. 9 The nakedness of thy sister, the daughter of thy father, or daughter of thy mother, *whether she be* born at home, or

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<sup>4</sup> Reimund Sdzuj, *Historische Studien zur Interpretationsmethodologie der frühen Neuzeit* (Würzburg, 1997), pp. 27–28.

born abroad, *even* their nakedness thou shalt not uncover. 10 The nakedness of thy son's daughter; or of thy daughter's daughter; *even* their nakedness thou shalt not uncover: for theirs *is* thine own nakedness. 11 The nakedness of thy father's wife's daughter, begotten of thy father, she *is* thy sister; thou shalt not uncover her nakedness. 12 Thou shalt not uncover the nakedness of thy father's sister: she *is* thy father's near kinswoman. 13 Thou shalt not uncover the nakedness of thy mother's sister: for she *is* thy mother's near kinswoman. 14 Thou shalt not uncover the nakedness of thy father's brother; thou shalt not approach to his wife: she *is* thine aunt. 15 Thou shalt not uncover the nakedness of thy daughter in law: she *is* thy son's wife; thou shalt not uncover her nakedness. 16 Thou shalt not uncover the nakedness of thy brother's wife: *it is* thy brother's nakedness. 17 Thou shalt not uncover the nakedness of a woman and her daughter; neither shalt thou take her son's daughter; or her daughter's daughter; to uncover her nakedness; *for they are* her near kinswomen: *it is* wickedness. 18 Neither shalt thou take a wife to her sister; to vex *her*, to uncover her nakedness, beside the other in her life *time*. AV

Leviticus 18:19–23 (section 3). 19. Also thou shalt not approach unto a woman to uncover her nakedness, as long as she is put apart for her uncleanness. 20 Moreover thou shalt not lie carnally with thy neighbour's wife, to defile thyself with her. 21 And thou shalt not let any of thy seed pass through *the fire* to Molech, neither shalt thou profane the name of thy God: *I am* the LORD. 22 Thou shalt not lie with mankind, as with womankind: *it is* abomination. 23 Neither shalt thou lie with any beast to defile thyself therewith: neither shall any woman stand before a beast to lie down thereto: *it is* confusion. AV

Leviticus 18:24–30 (section 4). 24 Defile not ye yourselves in any of these things: for in all these the nations are defiled which I cast out before you: 25 And the land is defiled: therefore I do visit the iniquity thereof upon it, and the land itself vomiteth out her inhabitants. 26 Ye shall therefore keep my statutes and my judgments, and shall not commit *any* of these abominations; *neither* any of your own nation, nor any stranger that sojourneth among you: 27 (For all these abominations have the men of the land done, which *were* before you, and the land is defiled;) 28 That the land spue not you out also, when ye defile it, as it spued out the nations that *were* before you. 29 For whosoever shall commit any of these abominations, even the souls that commit *them* shall be cut off from among their people. 30 Therefore shall ye keep mine ordinance, that ye commit not *any one* of these abominable customs, which were committed before you, and that ye defile not yourselves therein: *I am* the LORD your God. AV

Genesis 2:23–24. 23 And Adam said, This *is* now bone of my bones, and flesh of my flesh: she shall be called Woman, because she was taken out of Man. 24 Therefore shall a man leave his father and his mother; and shall cleave unto his wife: and they shall be one flesh. AV

1 Corinthians 6:16. What? know ye not that he which is joined to an harlot is one body? for two, saith he, shall be one flesh. AV

The Reformation brought about a crisis in authority and posed significant issues about the sources and nature of law. Both sides of the ecclesiastical divide sought for authority in Scripture, whether *scriptura sola* or the sacred texts coupled with pronouncements of synods and councils and the sanctioned voice of bishops and popes. Of course, the decisions of councils and sentences of popes needed to be construed as much as any biblical passage. Where to find the law and how to interpret it became the chief problems for the following century and a half. And whether it was the Jesuit Bellarmine or



the evangelical schoolmaster Melancthon, the starting place was Leviticus 18. We can begin there too.<sup>5</sup>

The first five verses offer a prologue concerning God's revelation to Moses, who in turn was to promulgate the law to the people of Israel, who in their turn were to distinguish themselves in law and custom, not only from the people of Egypt whose land they had fled, but also from the people of Canaan to whose land they were headed. In taking the form of commandment, vv. 4–5 signal clearly that their content expresses God's will: "I am the LORD," each verse proclaims.

The next section, vv. 6–18, develops the list of forbidden marriages, with v. 6 providing an introduction: "None of you shall approach to any that is near of kin to him, to uncover their nakedness: I am the Lord."<sup>6</sup> There would be considerable discussion about whether the subsequent prohibitions (vv. 7–18) were illustrations of this general point, an exhaustive list derived from v. 6 acting as principle, or only a disjointed set of individual rules. The key v. 6 term in contention, translated in the AV as "near of kin," had been taken from the Hebrew *she'er basar* and glossed as "piece of flesh" or "flesh of flesh" or "relict of flesh" (in Latin, *caro carnis*). In Luther's Bible, the term became *nächste Blut[s]freundin*, or closest (female) blood relative, and in the French Genevan Bible of 1557, "femme prochaine de sa chair." A great deal was riding on how the term was translated and whether it could be seen as a principle. Were partners forbidden because they were your flesh, near your flesh, flesh of your flesh, some "remainder" of your flesh, or carriers of your blood? Or was the accent to be placed on the word "nakedness," *Scham* in Luther's translation, construed variously as "shame" or "genitals," glossed either in terms of those for whom one ought to show respect and display modesty or as a metaphor for sexual relations.

The third section deals with sex during menstruation, adultery, temple prostitution, sodomy, and bestiality (vv. 19–24). And finally, there is a section (vv. 24–30) of warnings and threats of dire punishment: "Defile not ye yourselves in any of these things: for in all these the nations are defiled which I cast out before you: And the land is defiled: therefore I do visit the iniquity thereof upon it, and the land itself vomiteth out her inhabitants" (vv. 24–25). The fact that the people of Canaan had been obliterated for committing the sins listed in the previous verses was taken for the most part to prove that they had known the law before it was published by Moses and that therefore it could come under the heading either of innately known natural law or of universal divine law passed down by oral tradition, as I have discussed in chapter 2 of this section. But whether such sanctions were for everything listed in Leviticus 18, primarily for the list of marriage prohibitions (and then, perhaps, only for the most serious ones), or more for the coda of sexual irregularities following the incest rules (vv. 19–23) was a matter of considerable con-

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<sup>5</sup> For convenience I have divided the long passage into four sections at the head of this chapter. My division is, of course, not innocent. Many seventeenth-century interpreters would take issue with how I have done it. I find my division useful as an aid to the discussion that follows—with the obligatory caveats.

<sup>6</sup> All quotations are taken from the English Authorized Version of 1611.

tention. Most of the interpretations of the Leviticus text during the seventeenth century showed little interest in “section three” about bestiality and such and jumped from the marriage prohibitions of section two (vv. 7–18) directly to section four (vv. 28–30) to underscore their universal applicability.

There are eighteen prohibited marriage partners in the Leviticus chapter, more or less, depending on how the list is read (*pace* Luther). How astonishing then to find the Braunschweig-Wolfenbüttel Ecclesiastical Ordinance from 1569 obviously planted in Leviticus, but sprouting one hundred sixty-three forbidden partners—almost ten times as many! How could such intellectual fecundity have been supported? Primarily by applying two principles to the Leviticus prohibitions: “reciprocity” and “respect,” the operations of which will become evident as my analysis of an analysis unfolds. As a first step, the ordinance noted that the Mosaic proscriptions, for the most part, detail the illicit couplings from a male point of view. For example, v. 8 forbids a son from uncovering the nakedness of his father’s wife, but the reciprocal rule for the daughter regarding the mother’s husband is missing. In much ancient commentary, canon law, and here in the ecclesiastical ordinance, it was taken for granted that what was valid for the father, son, brother, or husband also was valid for the mother, daughter, sister, or wife, but not everyone agreed with that idea: Leviticus forbade a man taking his father’s brother’s wife but recorded nothing about a woman taking the father’s sister’s husband, for example. And some commentators thought that that was quite all right.

Now recall for a moment the Leviticus list. With a man always the focal point, the schedule begins with parents (v. 7) and stepmothers (v. 8), proceeds to full and half sisters (v. 9), and then moves downwards to granddaughters—son’s or daughter’s daughters (v. 10). Next, in prohibiting marriage with the daughter of one’s father’s second wife, v. 11 appears to reinforce the rule for v. 9 against half sisters. Verses 12–14 deal with various kinds of aunts, the father’s sister, mother’s sister, and father’s brother’s wife (technically not a blood relative). Verses 8 and 14 introduce two examples of relatives related not by blood but by marriage: a stepmother (v. 8) and a father’s brother’s wife (v. 14). In seventeenth-century discussion, all in-marrying spouses would be treated without distinction as affinal kin. Verse 15 forbids sexual relations with a daughter-in-law and v.16, with a sister-in-law; namely, a brother’s wife. According to v. 17, a man must not have sexual relationships with both a mother and daughter, or with a woman and her son’s daughter or daughter’s daughter. And finally, v. 18 introduces the other sister-in-law, the wife’s sister—“neither shalt thou take a wife to her sister, to vex her, to uncover her nakedness, beside the other in her lifetime”—a text that whatever else it did, endlessly vexed seventeenth-century exegetes.

Was this last prohibition to be understood as parallel to the one in v. 16 about the brother’s wife? If a man could not marry a woman and her daughter or a woman and her mother, was not the woman and her sister just as problematic? Was the prohibition to be understood only in the context of polygyny, no longer relevant and therefore a special rule only for the people of Israel; or in the absence of multiple wives, a rule

against such a marriage altogether? Whose nakedness is in question here, the wife's sister or the wife's? And finally, what did all this language about "nakedness" mean? If it was to be understood in light of v. 6, then it appears that "nakedness" was equivalent to "flesh" or "nearness of flesh" or "flesh of flesh" (*caro carnis*), that is, that someone related to you could be construed as your own nakedness or shame.

Although Leviticus 18 was the lead text in all of the discussions, several other passages were brought into play, among them the marital prohibitions in Leviticus 20:11–12, 14, 17, 19, 20–21. Interspersed among these verses are proscriptions against temple prostitution, adultery, cursing parents, sodomy, and bestiality, with specific punishments for each. These passages were thought to offer clues as to how seriously certain relationships should be taken and how the prohibitions could be interpreted in terms of universal, natural, or divine law. The following examples demonstrate the point. A man who lies with his father's wife uncovers his father's nakedness—both culprits are to be put to death (v. 11). A man and his daughter-in-law (v.12) receive the same punishment, for "they have wrought confusion"—there is no question here of an innocent party. To take a wife and her mother is "wickedness" (v. 14)—all three are to be "burnt with fire" so "that there be no wickedness among you." Similarly, for a man to take his full or half sister, to see her nakedness, and she to see his, is a "wicked thing" (v. 17)—they both will be "cut off in the sight of their people." Should a man have sexual relations with an aunt, whether father's or mother's sister—both parties "shall bear their iniquity," for the man has uncovered "his near kin" (v. 19). Nor can a man have sexual relations with his uncle's wife, his "uncle's nakedness"—"they shall die childless" (v. 20). And finally, to take a brother's wife is "an unclean thing," for she is the "brother's nakedness"—this couple too will die childless (v. 21). The other sister-in-law, the wife's sister, it must be noted, makes no appearance in these lists, although by logical extension she will become the subject of much exegesis.

The brother's wife posed a conundrum because of what came to be called the "levirate" (from the Latin *levir* or husband's brother), based on Deuteronomy 25:5–10. This passage deals with the special case of brothers who live together, with one of them dying childless. The surviving brother is enjoined to marry the widow in order to produce a son ("a firstborn") to succeed the deceased brother. Most interpreters during the seventeenth century saw this as a special case without relevance to modern Christian society. Thus the general prohibition against marrying the deceased brother's wife still held. Although some commentators during the Enlightenment began to think of the deceased brother's wife as a possible spouse, they often found her licit only on the condition that there had been no child in the first marriage.

Another—and most crucial—text brought to bear on the Leviticus list and especially on v. 6 was Genesis 2:24, which offered an understanding of the notion of "flesh," useful in parsing the meaning of "nakedness" as "common flesh" or "propinquity of flesh." The verse is part of the story of the creation of what was understood to be the institution of marriage after God made woman from Adam's rib: "23. And Adam said, this is now bone of my bones, and flesh of my flesh. . . . 24. Therefore shall a man leave

his father and mother, and shall cleave unto his wife: and they shall be one flesh.” Much of the discussion of the Leviticus prohibitions, and especially the problem of the sister-in-law, centered on the meaning of “one flesh” (*una caro*).

## German protestants reformulate the law

The father shall not take: I. His daughter, even one that he had outside of marriage; II. The daughter's daughter, nor the son's daughter; III. The daughter's daughter's daughter, nor his son's daughter's daughter's daughter, and counting all the way down all are forbidden. Rule: All marriages and sexual intercourse between parents and children are forbidden by divine and natural law by severe temporal and eternal punishment. — Braunschweig-Wolfenbüttel Kirchenordnung, 1569

Luther's dismissal of canon law and its marriage proscriptions did not go unchallenged for long.<sup>7</sup> Several theologians and the legal establishment throughout Germany regrouped from the 1530s onwards to re-establish traditional categories of forbidden partners, but they were careful to trim their principles to scriptural authority. Thus the first attempts to construct a catalog of incestuous couplings married *sola scriptura* criteria with traditional models for calculating relationships. But these attempts implicitly drew upon Roman law ideas of paternal authority as well. Their arrangement reordered the Leviticus list according to a pre-established understanding of how people are connected to each other and what the rank order of authority and obedience in the family ought to be.

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<sup>7</sup> The legal faculty in Wittenberg was among the first to challenge Luther's position. A handy source for documents about affinal marriages from the sixteenth century onwards is D.I.P.O.A.F. [Johann Philip Odelem], *Allerhand Außeresene rare und curiöse Theologische und Juristische Bedencken von denen Heyrathen mit der verstorbenen Frauen-Schwester/ Schwester-Tochter/ Brudern-Wittwe/ Brudern-Tochter* (Frankfurt and Leipzig, 1733), pp. 232–35; Karl August Moritz Schlegel, *Kritische und systematische Darstellung der verbotenen Grade der Verwandtschaft und Schwägerschaft bey Heyrathen* (Hannover, 1802), pp. 254–70; Heinrich W. J. Thiersch, *Das Verbot der Ehe innerhalb der nahen Verwandtschaft, nach der heiligen Schrift und nach den Grundsätzen der christlichen Kirche* (Nördlingen, 1869), p. 119. A key figure at the Wittenberg legal faculty was Joachim à Beust, whose *Tractatus de sponsalibus et matrimoniis ad praxim forensis accommodatus* (Wittenberg, 1586) laid the groundwork for the Saxon ecclesiastical law of marriage.



Fig. 5: Luther Burns Canon Law and Papal Bull.

Martin Luther, in a 1522 book on marriage, remarked: “Let us now consider which persons may enter into marriage with one another, so that you may see it is not my pleasure or desire that a marriage be broken and husband and wife separated. The pope in his canon law has thought up eighteen distinct reasons for preventing or dissolving a marriage, nearly all of which I reject and condemn. Indeed, the pope himself does not adhere to them so strictly or firmly but what one can rescind any of them with gold and silver. Actually, they were only invented in order to be a net for gold and a noose for the soul . . . . The first impediment is blood relationship. Here they have forbidden marriage up to the third and fourth degrees of consanguinity [second and third cousins]. If in this situation you have no money, then even though God freely permits it you must nevertheless not take in marriage your female relative within the third and fourth degrees . . . . But if you have the money, such a marriage is permitted . . . . I will now list the persons God has forbidden, Leviticus 18, namely, my mother, my stepmother; my sister, my stepsister; my child’s daughter or stepdaughter; my father’s sister; my mother’s sister . . . . From this it

follows that first cousins may contact a godly and Christian marriage, and that I may marry my stepmother’s sister, my father’s stepsister, or my mother’s stepsister. Further, I may marry the daughter of my brother or sister, just as Abraham married Sarah. None of these persons is forbidden by God, for God does not calculate according to degrees, as the jurists do, but enumerates directly specific persons. Otherwise, since my father’s sister and my brother’s daughter are related to me in the same degree, I would have to say either that I cannot marry my brother’s daughter or that I may also marry my father’s sister. Now God has forbidden my father’s sister, but he has not forbidden my brother’s daughter, although both are related to me in the same degree . . . . The second impediment is affinity or relationship through marriage. Here too they have set up four degrees, so that after my wife’s death I may not marry into her blood relationship, where my marriage extends up to the third and fourth degrees—unless money comes to my rescue! But God has forbidden only these persons, namely, my father’s brother’s wife; my son’s wife; my brother’s wife; my stepdaughter; the child of my stepson or stepdaughter; my wife’s sister while my wife is yet alive. I may not marry any of these persons; but I may marry any others, and without putting up any money for the privilege. For example, I may marry the sister of my deceased wife or fiancée; the daughter of my wife’s brother; the daughter of my wife’s cousin; and any of my wife’s nieces, aunts, or cousins. In the Old Testament, if a brother died without leaving an heir, his widow was required to marry the closest relative in order to provide her deceased husband with an heir. This is no longer commanded, but neither is it forbidden.”

Sixteenth-century anonymous woodcut. Source: Hans Lilje: *Martin Luther: En bildmonografi*. Stockholm 1966. Wikimedia Commons (CC0 1.0). Text from “The Estate of Marriage [1522],” in *Luther’s Works*, vol. 45, *The Christian in Society II*, ed. Walther I. Brandt and Hartmut Lehmann (Philadelphia, 1962), pp. 22–24.

The Braunschweig-Wolfenbüttel Ecclesiastical Ordinance documented the typical effects of this interpretative strategy.<sup>8</sup> It grouped its one hundred sixty-three forbidden part-

<sup>8</sup> 3. Kirchenordnung unser, von Gottes genaden Julii, Herzogen zu Braunschweig und Lüneburg, etc. [. . .] 1569, in Emil Sehling, ed., *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts*, 24 vols.

ners into nine categories of consanguineal kin (*Blutsfreundschaft*) and eight categories of affinal kin (*Schwägerschaft*). Among blood relatives, category one dealt with the son and mother, and category two, with the daughter and father, a relationship missing in the Leviticus text. These two groupings began with the prohibition in Leviticus 18:7 against sexual relations with father or mother, but the authors made clear that what was forbidden to the son was also forbidden to the daughter—a rule of reciprocity that ran through the entire document. And they extended the principle of parental proscription to include all of the ancestors: “reckoning upwards, the son shall not take anyone” according to the rule that “no marriage can be allowed between parents and children, whether they are related near or far, even if they are apart from each other through a thousand links.” Here we see how the lawyers and theologians were able to riff on the Leviticus text by turning the specificity of a given verse into a general and generative principle. The two parents of v. 7, became ten individuals, including the grandmother’s mother’s mother and the grandfather’s father’s father. Taken to its logical conclusion, the principle would have required listing every ancestor back to Adam.<sup>9</sup> The third and fourth categories looked downwards in the direct line of blood relatives towards daughters and sons, and thus filled in a blank space in the Leviticus list; namely, its silence on the subject of a father having sexual relations with a daughter despite the fact that v. 10 explicitly forbade granddaughters.<sup>10</sup> The idea here was built on reciprocity: what was forbidden in the direct line upwards was forbidden to the same degree in the direct line downwards—thus among others, the daughter’s daughter’s daughter’s daughter. Altogether fourteen individuals are listed.

On the matter of aunts, the ordinance replaced the Levitical idea of “near kinship” with the Roman law notion of “respect,” to justify its expansion of this category to include such faraway and unlikely candidates as the grandmother’s mother’s sister.<sup>11</sup> And it also viewed the similar relationships downwards, treating nieces and nephews as reciprocals of aunts and uncles, even though nieces and nephews were not mentioned in the Levit-

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(Leipzig and Tübingen, 1902–2017), vol. 6.1, pp. 83–280; here the section titled “Von der blutsfreundschaft und schwegerschaft,” pp. 216–17; this ordinance hereafter cited as Braunschweig-Wolfenbüttel Kirchenordnung 1569.

<sup>9</sup> Bellarmine, besides taking the teeth out of natural law, argued that blood thinned after several generations, and that there could be no argument about near blood relations in the direct line after four generations. In fact, the *virtus* contained in blood, the basis for mutual affection between relatives, disappeared down the line. What was more to the point for him was the absurdity of even thinking about marriage with such disparities of age. But then there were the Old Testament heroes, long in the tooth. So he worked out calculations for generational length to show that there was little likelihood for a great-great-great-grandfather coming across a great-great-great granddaughter at all. See Bellarmine’s “Duodecima controversia generalis de extrema unctione, ordine et matrimonio Controversia V, de impedimentis matrimonii,” in *Roberti Bellarmini Opera Omnia*, ed. Justinus Fèvre (Paris, 1873; repr. Frankfurt am Main, 1965), vol. 5, pp. 100–46; here 122–23; hereafter, Bellarmine, “De impedimentis matrimonii.”

<sup>10</sup> No commentators before the feminist writers in the 1970s ever thought that this omission meant that daughters were allowed.

<sup>11</sup> This, of course, was also true for Bellarmine, “De impedimentis matrimonii,” pp. 123, 138, 144.

icus text. From a principle of respect joined with the one of reciprocity, the ordinance concluded: “You should honor father and mother. There can be no greater and shocking dishonor to father and mother and all those who are considered to be in place of our fathers and mothers than to be dirtied and shamed by their children.” If Adam were alive and were to come calling, he would find no woman he could legitimately marry.

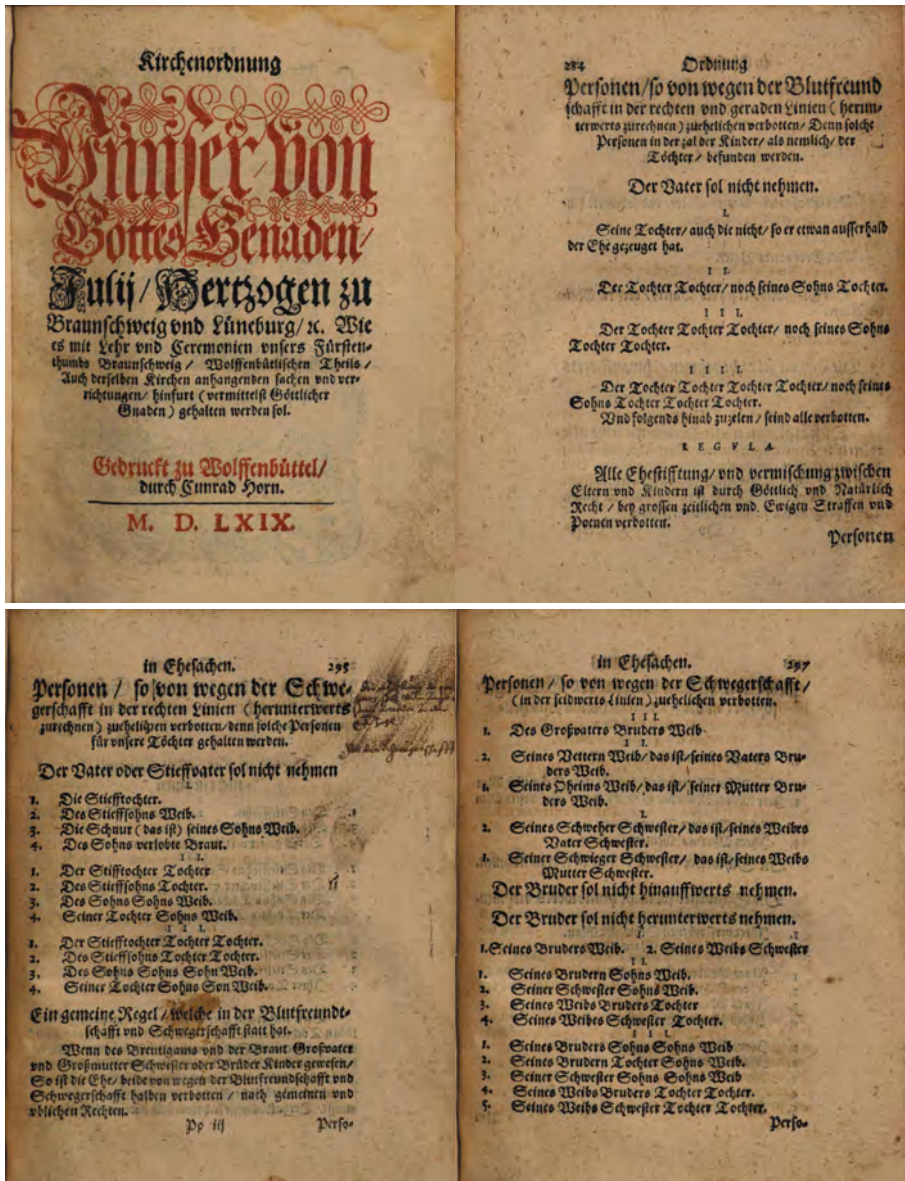


Fig. 6: Pages from the Braunschweig-Wolfenbüttel Ecclesiastical Ordinance of 1569.

In the top right page: “The father shall not take his daughter, also not one he fathered outside of marriage.” In position III: “the daughter’s, daughter’s, daughter’s daughter, nor his son’s daughter’s daughter’s daughter.” The rule: “All marriages and sexual intercourse between parents and children is by divine and natural law by severe secular and eternal punishment and penalty forbidden.” The page lower left introduces affinity in the direct line, all the instances to be treated as “our daughters.” Examples from the list: the stepdaughter, stepson’s wife, the son’s fiancée, his son’s or daughter’s son’s wife, the daughter’s son’s son’s wife. The page on

the lower right deals with “persons who because of affinity (in the collateral line) are forbidden to marry.” These include the grandfather’s brother’s wife, father’s brother’s wife, wife’s father’s sister, wife’s mother’s sister, brother’s wife, wife’s sister, sister’s son’s wife, wife’s sister’s daughter, brother’s son’s son’s wife, wife’s brother’s daughter’s daughter.

*Kirchenordnung unnsrer von gottes Genaden Juliii/ Hertzogen zu Braunschweig und Lüneburg / etc. [ . . . ]* (Wolfenbüttel, 1569). The images (Res/H.ref. 754r, Titelblatt, pp. 284, 295, 297) are provided with permission by the Bayerische Staatsbibliothek-München.

After dealing with all the relationships between generations, under the heading of ascending and descending lines, the ordinance turned to horizontal relationships within the consanguineal group, shifting back to nearness of kinship and away from principles of respect. The text alternated rather easily between Mosaic and Roman law. Extending outward in the collateral lines it forbade both first and second cousins, and thereby imposed restrictions not found in Leviticus and not considered a matter of divine law, but judged useful for imposing good order on family life. Here the Protestants reintroduced Catholic canon law principles but distinguished themselves by not going quite so far as the Fourth Lateran Council; that is, by ratcheting the forbidden degrees back a notch from third to second cousins.<sup>12</sup>

The final section in the list of prohibited marriages dealt with affinal kin in eight categories, beginning with a list of thirty-eight relatives who might act in place of mother and father. For example, the ordinance named the grandmother’s stepmother, wife’s grandfather’s mother, and a stepfather’s grandmother, in the ascending generations, and in the descending generations, the stepdaughter’s daughter’s daughter and son’s son’s son’s wife. Passages like these offer a good introduction to Baroque rationalism and extravagant embellishment. The calculus moved on to another thirty-eight persons under the rubric of “ascending and descending collateral lines,” including implausible candidates such as grandfather’s brother’s wife and the wife’s father’s sister, but more importantly for the next two centuries, also the brother’s wife and wife’s sister: “Because man and wife are become one body and one flesh through marriage, each of

<sup>12</sup> Braunschweig-Wolfenbüttel Kirchenordnung 1569, in the section titled “Von der blutsfreundschaft und schwegerschaft,” pp. 216–17. A list of rules follows, pp. 219–25. “There is a common rule for both consanguinity and affinity. If the fiancé’s and the fiancée’s grandfather and grandmother were first cousins, then the marriage is forbidden because of consanguinity and affinity by common and customary laws,” p. 223. This introduced considerable confusion, since such a relationship was not at all a matter of *affinal* kinship and it made third cousins illegitimate partners as in Catholic canon law, even though this ordinance explicitly forbade only second cousins.



them should abstain from the other's blood relatives." This category covered all relatives of half birth and all those born out of wedlock "who through natural law on account of blood [*Gebliüt*] are related to each other." Finally, because the ordinance considered marital-type relationship to be established through sexual contact outside of legitimate marriage or through promise of marriage, it also, forbade a young man to marry a woman who had had intercourse with his brother or a woman who had been engaged to his father. Nothing was to be left to chance. And all of the Lutheran ecclesiastical ordinances offered similar prohibitions.

Contemporaneous with the German Protestant revisions, a commission in England was reworking that nation's laws of marriage. The results were printed in 1571.<sup>13</sup> Like their German counterparts, the English commissioners continued medieval ideas to parse Leviticus 18 in terms of degrees. Although the Holy Spirit listed specific persons, they said, the list could be extended to anyone in the same position (*paribus graduum*) as the expressly mentioned relative. If the son could not take the mother, then the daughter, not the father. Any prohibition for a man was also valid for a woman. And because the husband and wife were one flesh, whoever was a consanguine of one spouse was an affine of the other.<sup>14</sup> Among the affines, the commissioners dropped the cousin and, following statutory law, emphasized permutations of affinal kin not explicit in Leviticus—the brother's son's wife, wife's sister's daughter, and husband's brother's son. Although the English list did not include symbolically far-fetched individuals, the practical results, except for consanguineal and affinal cousins, were similar to those in the ordinances of their continental comrades. In the late seventeenth century, for

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<sup>13</sup> Edward Cardwell, ed., *The Reformation of the Ecclesiastical Laws as Attempted in the Reigns of King Henry VIII, King Edward VI, and Queen Elizabeth* (Oxford, 1850), pp. viii–x.

<sup>14</sup> In early American discourse, greater emphasis was placed on Leviticus 18:16, forbidding marriage with the brother's widow, than on 18:18, where two sisters were the issue. John Henry Livingston [Eudoxius, pseud.] stated in *The Marriage of a Deceased Wife's Sister* (New York, 1798), p. 24, that what was valid for men was valid for women and that relations of the same degree came under the same rule. Marriage with a wife's sister could be construed as two sisters having the same man, which could not be seen as different from two brothers having the same woman. Jonathan Edwards, a New Haven pastor, in his 1792 Yale address, called attention to the irony of his using the brother's wife text to argue against marrying the wife's sister: *The Marriage of a Wife's Sister Considered in a Sermon Delivered in the Chapel of Yale-College On the Evening after the Commencement, September 12, 1792* (New Haven, [1792]), pp. 3–4. He got the book wrong, citing Exodus rather than Leviticus. The argument appeared in the earlier text by Increase Mather, *The Answer of Several Ministers in and near Boston to that Case of Conscience: Whether it is Lawful for a Man to Marry his Wives own Sister?* (Boston, 1695; repr. Boston, 1711), p. 4: "There is in the Scripture an express Prohibition with such as are no nearer akin than a Mans Wives Sister is. To instance. A Man may not Marry his Brothers Wife, *Lev. 18.16 and 20.21. Math. 14.4.* Which Implies that a man may not Marry his Wives Sister, who is as near akin to him as his Brothers Wife. Persons not named in the Law, if they have the same nearness with those expressly and in terms forbidden to joyn in Marriage Relation together, are comprehended in that Law."

example, the English spiritual courts negated marriage with a maternal grandfather's brother's widow. So maybe the German cautionary list was not so fantastical after all.<sup>15</sup>

It is important to underline here that although the marriage prohibitions and rules of incest were a matter of ecclesiastical law throughout Europe, they were backed up by the sanctions of secular legal procedure and state administration. But the goals and interests of church and state could be at cross purposes from time to time.<sup>16</sup> Thus, despite having been clarified by various church establishments during the second half of the sixteenth century, the rules would come in for elaborate discussion over the next two centuries. In fact, throughout the nineteenth century, commentators would find it hard to let go of biblical injunction and principles derived from a reading of Leviticus.

## Post-Tridentine hermeneutics

We think all marriages in whatever degree to be dispensable by God: therefore there is no degree in which marriage is so intrinsically evil as to be incompatible with some good. — Robert Bellarmine, SJ, 1601

Marriage prohibitions and concepts of incest raised significant issues about secular and ecclesiastical competence. Indeed, the separation of the English church from Rome had a great deal to do with the power of the pope to dispense a marriage “clearly” prohibited in Leviticus. With the hardening of lines subsequent to Trent, controversies swirled around the nature of Levitical prohibitions, their relationship to natural law, the right of the Church to extend prohibitions beyond the bare-boned Old Testament list, and the legitimacy of dispensation. The Jesuit Catholic theologian who set the tone and entered the lists as the chief controversialist, Robert Bellarmine (1542–1621), aimed to balance the considerable set of prohibitions promulgated by the Fourth Lateran Council and the canon law mode of reckoning relatedness with the power of the pope to dispense, in principle, everything on the Leviticus list.<sup>17</sup>

Bellarmino's procedure in scriptural interpretation developed from the idea of Scripture's subordinate position to tradition, understood as the authority of the Church in biblical exegesis. Scripture was not its own interpreter, and it did not have precedence in determining matters of faith. Moreover, revelation of the Word of God continued throughout time; in other words, was not limited to the biblical record. Indeed, the

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15 Edward Vaughan, *The Reports and Arguments of that Learned Judge Sir John Vaughan* (London, 1677), pp. 206–7.

16 For example, in one French seventeenth-century case, a provincial Parlement condemned a couple to death because they were brother- and sister-in-law, even though they had obtained a papal dispensation for their marriage. Lucien Soëfve (avocat au Parlement), *Nouveau recueil de plusieurs questions notables tant de droit que de coutumes, jugées par arrêts d'audience du parlement de Paris depuis 1640. jusques à present* [. . .], 2 vols. (Paris, 1682), vol. 1, p. 316.

17 Bellarmine, “De impedimentis matrimonii,” pp. 100–46.

Bible was not the word of God but only contained it: the relationship between Scripture and tradition could be understood in Aristotelian terms as that of matter to form. Still, Bellarmine attempted throughout his polemical writings to document his positions with biblical citations in order to deny Protestants the very grounds on which they argued.

Reformers such as Martin Luther and Johannes Brenz (1499–1570) had argued that Mosaic prohibitions were universally and eternally valid principles of nature and thus in force for Christians. In light of this position, Bellarmine had to take up the status of the Mosaic texts and read them in the framework of a considered theory of natural law. Even though he defended the right of the pope to dispense all possible permutations of marital conjugation, he took care to point out that popes had a conservative track record, that none of them were about to throw caution to the winds.<sup>18</sup> Before starting to interpret the list, he argued, one had to make prior distinctions about what constitutes natural law, and a careful examination revealed that there were three kinds or modes that governed different possibilities. The first kind of natural law was intrinsic and indispensable. Under this heading came such things as lying and denying God. The second was indispensable as well, except under extreme necessity. In the circumstances at the beginning of the world, for example, because God commanded Adam to be fruitful and multiply, marriage with the sister could have been countenanced, as no one but siblings were around. However once the necessity ceased, so did the permission. The third kind of natural law depended solely on conditions. Take the commandment not to kill. The public authority could put people to death for certain kinds of crimes. So under varying circumstances, the injunction not to kill did not have the force of law.

Bellarmino denied that any of the precepts in Leviticus were to be understood as part of the first two modes of natural law, and argued furthermore, that while the first degree in the direct line (parents and children) fell under the third aspect of natural law, many of the others did not even do that.<sup>19</sup> A reading of Leviticus 20 showed that there was variability in the seriousness of individual violations. Take, for example, the prohibition against marrying the deceased brother's wife, coupled with the levirate, the command to marry her under particular circumstances. Clearly, the injunction was a positive law promulgated for Jews and not valid for all peoples at all times. There was nothing intrinsically evil about such a marriage. And there were plenty of Old Testament examples of valid and divinely approved marriages (the patriarch Jacob's marriage to two living sisters, for example) that violated the later Mosaic interdictions. Many of the prohibitions could be understood not in terms of innate moral principles, horrifying to nature, but as sensible restrictions based on age, gender hierarchies, and particular circumstances. And these considerations were proper to introduce in rendering a convincing reading of the law. But what about Melancthon's contention that the great punishments meted out to the various inhabitants of Canaan were for violations

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<sup>18</sup> Bellarmine, "De impedimentis matrimonii," p. 125.

<sup>19</sup> Bellarmine, "De impedimentis matrimonii," p. 130.

of the marriage prohibitions? These punishments were for the sins of adultery, sodomy, bestiality, and idolatry, not for violations of the earlier table of prohibited marriages.<sup>20</sup>

Taking the punishments found in Leviticus 20 into consideration and reasoning from various principles that had to do with moral hierarchies, Bellarmine drew up a list of the prohibitions according to their seriousness. The worse sin was the conjunction of mother and son because this not only violated the closeness of blood but also reversed the natural lines of authority. While marriage between a father and daughter was also repugnant, it was a tad less sinful, since it did not invert the order of hierarchy. Each possible pairing was assigned a position in a sequence of declining disgust, but in none of these degrees, or in any degree, was marriage intrinsically evil.<sup>21</sup> There could be no doubt that God could dispense any and all couplings: witness the situation of Lot and his daughters, a case of extreme necessity.

The institution of dispensation was key here. In challenging the notion that the Leviticus text offered a summary of immutable natural law, whittling down the table, and assigning all of the unions to circumstantial law, Bellarmine underscored divine power to abrogate any particular rule—an approach fitting to the period's voluntarism. But by no means was he condoning any license. The prohibitions had important practical meaning for preventing sinful behavior inside the house, for multiplying social ties, and for dampening lust—here, a reiteration of the formulas of Aquinas and late medieval interpreters. The Church was the guardian of household morality, marital behavior, and honest union. And the pope, as Christ's vicar on earth, had the power to abrogate divine law, so long as the means he pursued were suited to the eternal salvation of the faithful.<sup>22</sup>

It is useful to draw attention to two aspects of Bellarmine's argument. First, his hermeneutics involved two procedures: an explicit reading of scriptural texts in light of prior principles, on the one hand, and an assumption of the unity of Scripture, on the other, such that he could read one textual passage against another to parse its meaning. Second, his understanding of "incest" was a continuation of late medieval considerations of marriage and sexuality in terms of orderly procreation. It was not a matter of physiological consequence but of disorder in the household and impurity. And because it was not intrinsic, it could be erased by divine or papal fiat.

## The hermeneutics of *Sola Scriptura*

In Leviticus it is not so much the persons expressly named as the degrees equally distant that are prohibited . . . for as much as it is not licet to marry the brother's widow, Lev. 18, v. 16, so neither the deceased wife's sister; as they are in the same first degree, equal line, in affinity. — Johann Gerhard, 1610

<sup>20</sup> Bellarmine, "De impedimentis matrimonii," p. 135.

<sup>21</sup> Bellarmine, "De impedimentis matrimonii," pp. 145–46.

<sup>22</sup> Bellarmine, "De impedimentis matrimonii," pp. 145–46.

While Bellarmine was consolidating post-Tridentine theology and mobilizing Catholic responses to the Protestant challenge, his younger contemporary Johann Gerhard (1582–1637), professor of theology at the University of Jena, was systematizing Lutheran theology. With his *Loci theologici* (1610–25), a multi-tomed Protestant *summa*, he attempted to devise clear rules for reading Scripture. He covered 135 quarto, double-columned, small print pages in the 1775 edition, just in treating the Leviticus text.<sup>23</sup> The point here is to grasp Gerhard’s interpretative principles and to illustrate seventeenth-century scholastic consideration of the issues. Gerhard maintained at the outset that Holy Scripture provided its own principles of interpretation, and he placed great stress on its inner coherence and transparency (*perspicuitas*).<sup>24</sup> Nonetheless, he brought into play all the analytic categories of Aristotelian logic, grammar, and rhetoric. Although there could be only a single and simple meaning in a specific passage, its underlying *causae* or principles could be discerned through an analytical process that led back to a general principle (*unum*)—of the text itself and its purpose or intention, without any importation.<sup>25</sup> The first step in interpreting a scriptural passage was to attain its historical meaning, and the next to place passages alongside each other in order to facilitate analogical reasoning. Rendering this text or any text could only be accomplished with the aid of reason—Scripture could not contradict itself.

In keeping with his method, Gerhard began his analysis of Leviticus 18 with general principles, which he proposed to locate directly in the biblical text.<sup>26</sup> The “cause” or principle of the whole was the notion of “propinquity” found in v. 6, which functioned as an introduction to the verses that follow. Given in the form of commandment and as a general idea, v. 6 could not have been intended as just a matter of social order (“forensic”) or as law limited to the Israelites.<sup>27</sup> Rather it was an eternal, perpetual commandment, which human beings could not deduce from the wisdom of God because they had not been created with access to it. They could know only that a husband and

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23 I consulted various editions in several libraries and ended up taking extensive notes from a nineteenth-century reprint: Johann Gerhard, *Loci theologici cum pro adstruenda veritate tum pro destruenda quorumvis contradicentium falsitate per theses nervose solide et copiose explicati*, ed. and pref. Friedrich Frank, 10 vols. (Leipzig, 1885). After the preface by Frank, there is a new title page: *Locorum theologicorum . . .* (Jena, 1610).

24 Reinhard Kirste, *Das Zeugnis des Geistes und das Zeugnis der Schrift: Das testimonium spiritus sancti internum als hermeneut.-polem. Zentralbegriff bei Johann Gerhard* [ . . . ] (Göttingen, 1976), pp. 63, 143.

25 Kirste, *Zeugnis*, pp. 27–28.

26 Gerhard, *Loci theologici*, vol. 7, Locus 25, *De conjugio*, pp. 1–466. Cap. V: *De causa materiali conjugii*, pp. 101–234. Articulus Posterior, *De relata qualitatum in personis matrimonio copulandis requisitarum consideratione*, pp. 143–234. Pars Prior, *De propinquitatem matrimonium impediende, ubi de graduum prohibitionem tractatur*, pp. 143–224, here p. 143.

27 Gerhard, *Loci theologici*, p. 143: “Nimiam propinquitatem esse impedimentum matrimonii, constat ex manifesta divini codicis sanctione. Leviticus 18:6: *Nullus ad propinquam carnis suae accedat ad revelandam nuditatem ejus*, quam sanctionem juris non solum forensis et Mosaici, sed etiam moralis ac perpetui inferius suo loco demonstrabimus.”

wife are one flesh (Genesis 2:12 and Matthew 19:6), that those who have propinquity with one another and are already bound by flesh were forbidden to marry (on voluntarist notions of law, see this section, chapter 2), and that the prohibition for the people of Israel to marry among Canaanites meant that it was also forbidden to marry too far away—for example, eunuchs could not enter into matrimony.<sup>28</sup> Of course this latter prohibition was a rule for those Israelites, but the moral content of the rule was universal and eternal.

In this passage, Gerhard left an excellent example of his hermeneutical procedures. He understood the Bible to be a unified text, inspired by a single author, the Holy Spirit. The meaning of any particular passage could be pried open by marshaling the array of relevant texts. More broadly, ascertaining the universal moral message in the particular historical circumstances required ordering the meaning of the Old Testament to the New, the law to the gospel. Reason could allow humans to avoid contradictions, but not to penetrate divine purpose—except as directly revealed by God in Scripture. If Bellarmine’s voluntarism was prompted by a defense of ecclesiastical authority, Gerhard’s can be traced to an understanding of law as an expression of divine will, which in turn offered a model for the authority of secular magistrates.

“Natural” or “carnal” propinquity, Gerhard argued, derived from two possibilities: generation (*ex carnis propagatione*), which established consanguinity, or sexual intercourse (*ex carnis copulatione*), which established affinity.<sup>29</sup> Natural propinquity consisted in consanguinity, while affinity was a *simulacrum* (taking the form) of the former. Constituted through intercourse and not generation, the set of people close to a person through affinity were constructed metaphorically, as an image of consanguinity. Consanguines were those who shared the same blood, who descended from the same ancestor, whether male or female. Here Gerhard first cited Bellarmine, who had defended canon law (the principles of the Fourth Lateran Council of 1215, reiterated by the Council of Trent), to the effect that consanguinity disappeared after four generations; disappeared, that is, between collateral relatives, since each subsequent generation brought in spouses from other families.<sup>30</sup> Then he turned to the method of calculating

<sup>28</sup> Genesis 24:3, 24:37, 28:1, 28:6. It is interesting that the laws of the state of Mississippi followed a similar logic, in condemning miscegenation, even calling marriage between disparate races “incest”: Werner Sollers, *Neither Black Nor White Yet Both: Thematic Explorations of Interracial Literature* (New York and Oxford, 1997), p. 316.

<sup>29</sup> Gerhard, *Loci theologici*, par. 239, p. 143: “Propinquitias juxta quosdam est triplex, vel νόμου, vel πνεύματος vel σαρκός ἢ φύσεως, *legalis, spiritualis, naturalis*. Legalis est *ex adoptione*; spiritualis *ex compaternitate*; naturalis sive carnalis est vel *ex carnis propagatione*, unde consanguinitas, vel *ex carnis copulatione*, unde affinitas.”

<sup>30</sup> Gerhard, *Loci theologici*, par. 240, p. 144: “Consanguinei ergo sunt, qui ab uno communi parente tanquam stipite orti et prognati sanguinis necessitudine invicem junguntur ac *lineis et gradibus* discernuntur, Germanice *Blutsfreunde, Blutsverwandten*. *Stipes sive stirps* est persona, a qua illi, de quorum naturali propinquitate quaeritur, originem ducunt, vel est communis ille parens, qui cognationi ac propinquitati aliquorum causam praebuit, Germanice *ein Stamm*, ubi notandum juxta jurisconsultorum

closeness, which he derived from the principle of generation: it was necessary to count how close two people were to the common ancestor—standard canon-law reckoning.

With selections from several centuries of Catholic literature on reckoning prohibited marriages, Gerhard tried to define the operative concepts necessary to understanding how relatives are connected to one another. The “line” was his chief tool. By definition a line was that which connected people together by blood, and by universal agreement, he noted, lines were considered to be of two kinds: direct (*recta*) and oblique. Individuals in the direct (perpendicular) line all were ascendants and descendants of a specific person. The collaterals were those on an oblique (transversal) line—on an equal line when they were equidistant from the stem and on an unequal line when they were not.<sup>31</sup> The key point to be made here is that the system was thought of in terms of generation or propagation; in other words, of sexual reproduction. What connected people by generation was the flow of blood, which could be imagined as thinning out with distance—a notion well-established and developed by Aquinas. And the canon law concept that was brought in and crucial to all arguments in the seventeenth century was “degree”; that is, the calculation of distance from the stem, which gave substance to the central notion of “propinquity.”

As far as the direct line was concerned, however, the notion of a thinning of blood did not really apply. For one thing, in the case of any individual, the category of *propinquitates* (near relatives) covered all ascending and descending relatives no matter the number of generations. No matter how far back up a line one looked, or how far down, persons generated from a specific individual were considered to be near relatives.<sup>32</sup> Furthermore, the notion of direct line was obscure, since each ascending generation bifurcated into separate lines. Yet, in the many seventeenth-century writers on marriage prohibitions I have read, no one seems to have thought that ancestral blood itself was anything but a unique, unchanging thing. And that meant, using this form of reckoning, that going back just to the tenth generation, a person potentially had more than one thousand ancestors, all considered to be *propinquitates*. To borrow once more the example so often brought up in this period: If Adam were around looking for a mate, he would be out of luck. Everyone would be too close.

What about affinity? Affinity was defined by the tie (*vinculum*) between persons contracted through marriage.<sup>33</sup> Here Gerhard quoted Aquinas to the effect that affinity

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regulam, *masculinum genus etiam complecti femininum*, neque enim tantum communis aliquis pater, sed etiam mater cognationi originem praebet.”

31 Gerhard, *Loci theologici*, par. 242, p. 145: “Quando enim ex uno stipite duo vel plures filii oriuntur et ex illis rursus in suas distinctas lineas propagantur posterius, tunc illi inter se mutuo collati vocantur *collaterales*.”

32 While there are similarities with popular understandings of modern genetics in how blood is understood to be constituted, the two systems do not overlap.

33 Gerhard, *Loci theologici*, par. 243, p. 145: “Affinitas definitur, *quod sit vinculum certarum personarum novis nuptiis contractum*.”

was the closeness (*proximitas*) of all kin (*parentela*) or cognates (*cognatione*) acquired from the carnal conjunction of husband and wife. It followed that the blood relatives of one of the spouses were the affines of the other because the husband and wife were one flesh. Therefore, the impediment of marriage existed between a spouse and the consanguines of the other spouse.<sup>34</sup> However, since affines were not generated from one another and generation was the principle of reckoning, the concept of degree was not logically operative for them, although the form of degree calculation could be imitated.<sup>35</sup>

In canon law, Gerhard pointed out, to find the degree of relations between a father and his son, it was necessary to count the two persons and subtract one, which would give the number of generative acts—the two were related in the first degree. What counted was the degree from the common stem, so that two collaterals figuring their degree of relationship—say two first cousins—would have had to count up to the grandparent to find that they were related in the second degree. If the two were not equidistant from the stem, it was the degree of the most distant that counted. So first cousins-once-removed (as we might say) were related in the third degree, the same as if they were second cousins. This all of course dealt with consanguines. For affines, the rule worked similarly: if the mother of a wife was the wife's first degree consanguine—because husband and wife are one flesh—then she also was the first degree affine of the husband: and likewise the wife's sister was the husband's first degree affine.<sup>36</sup>

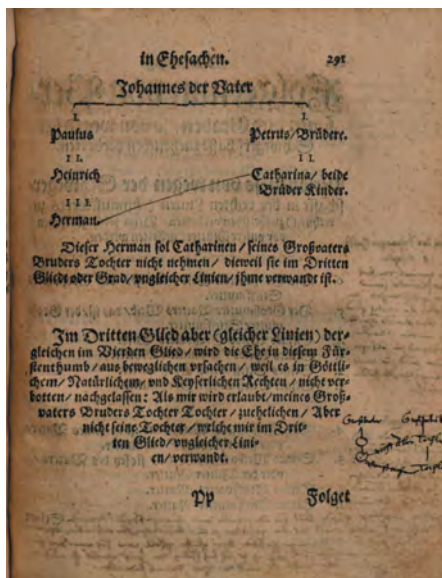
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34 Gerhard, *Loci theologici*, par. 243, p. 145: “Qui enim unius conjugum, mariti scilicet vel uxoris consanguinei sunt, nuptiis contractis alteri conjugum fiunt affines, hoc est consanguinei mariti fiunt affines uxoris et consanguinei uxoris fiunt affines mariti; ratio pendet ex eo, quia maritus et uxor, per conjugium fiunt *una caro*.”

35 Gerhard quoted the third century juriconsult Modestinus: “Affinity does not have any degrees because affines are not generated by affines. But because nevertheless affinity is in some way a simulacrum of consanguinity, for that reason likewise degree and lines are established in affinity and calculated in the same way as in consanguinity. Therefore, this general rule is granted: by whatever degree someone is a consanguine of a wife, by that same degree he is an affine of the husband, and, vice versa, by whatever degree someone is a consanguine of the husband he is in that same degree of affinity to the wife.” Gerhard, *Loci theologici*, par. 244, p. 146: “*Gradus affinitati nulli sunt, quia affines ab affinibus non generantur*. Quia tamen affinitas est simulacrum quoddam consanguinitatis, ideo similitudine quadam gradus et lineae in affinitate statuuntur, ac eodem modo, quo in consanguinitate numerantur, ubi traditur haec generalis regula: *Quo gradu quis est consanguineus uxori, eo gradu fit affinis illius marito, et vice versa, quo gradu quis est consanguineus marito, eo gradu fit affinis illius uxori*.”

36 Gerhard, *Loci theologici*, par. 252, p. 151: “Sic quia soror uxoris est ejus consanguinea in primo gradu, ideo etiam est marito affinis in primo gradu, quarum regularum fundamentum pendet ex pronuntiato divino. Conjuges non amplius sunt duo, sed *una caro* Gen. 2, v. 24. Matth. 19, v. 6.”





**Fig. 7:** Page from Braunschweig-Wolfenbüttel Ecclesiastical Ordinance of 1569.

In this diagram, if Heinrich, the grandson of Johannes, wants to know how he is related to Catharina, the granddaughter of Johannes, he counts up to Johannes, starting with his father, Paulus. There are two steps, so they are related in the second degree (*Grad* or *Glied*). In position II on the right, Catharina has the added tag, “both brothers’ children,” that, is she and Heinrich are descended from brothers. This couple can be described in various ways: “cousins german” (“german” designating siblings; thus cousins through siblings), “siblings’ children” (*Geschwisterkinder*), “second degree cousins,” or “first

cousins.” The diagram here is concerned with asymmetricality, where one of the two people is set off a generation, namely, how to determine the relationship between Herman (III) and Catharina (II). Herman counts up to his great-grandfather Johannes, starting with his own father, three degrees. In this reckoning, he is a third degree relative to Catharina. When two such people are in question, one takes the person furthest from the stem to count. The text explains: This Herman shall not take Catharina, his grandfather’s brother’s daughter, because she is in the third link (*Glied*) or degree (*Grad*), unequal line, related to him. The reckoning in this canon law system counts by generation: Heinrich and Catharina are two generations from the stem Johannes. In Roman law reckoning, one counts the individuals. Herman would count his father, grandfather, great-grandfather, great-grandfather’s son (Petrus) and granddaughter Catharina) to arrive at a fifth degree relationship. The text at the bottom elaborates: “In the third degree on the same line [second cousins], however [for example, if Catharina had a daughter in position III], and also for the fourth degree [third cousins], marriage is allowed in this principedom from weighty considerations, because it is not forbidden in divine, natural, and imperial laws: so I am permitted to marry my grandfather’s brother’s daughter’s daughter, but not his daughter who is related to me in the third degree on the unequal line.” To the right of the text, someone has sketched a diagram to illustrate the problem.

*Kirchenordnung unnsrer von gottes Genaden Julii/ Hertzogen zu Braunschweig und Lüneburg / etc. [ . . . ]* (Wolfenbüttel, 1569), p. 291. The image (Res/H.ref. 754r, p. 29) is provided with permission by the Bayerische Staatsbibliothek, München.

The fact that Gerhard preferred canon law reckoning to its Roman law counterpart speaks to issues of blood, substance, and common descent, as well as inheritance and succession. Roman law reckoning was a system to figure out who might have had a claim on property. It had nothing to do with any kind of a shared substance. Nuptial prohibitions in Gerhard’s reading of canon law were a matter of cognatic propinquity or respect (*reverentiam*) for blood from descent (*ex eo ortam*); before all else it was necessary to know something about the common stem, the source of cognation. How many generations separated two individuals from a common ancestor? As far as collaterals were concerned, it was obvious that a brother was not related to a brother except

through the father from which both descended. This meant that the brothers were as close to each other as a son was to a father. Respect for blood (*reverentiam sanguinis*) required determining the distance of two brothers, not from each other but from their common stem.

Whatever the origin of these ideas, both their reproduction and increasing salience in seventeenth-century discussions were closely tied up with the ever-greater social value of the line of descent. This line defined the rights and obligations of collaterals, as well as their access to the family property and status, all in terms of relative position within a lineage (see chapter 5 of this section for a discussion of lineage). Gerhard's principles of interpretation assumed social categories, definitions, and inferences rooted in an amalgam of Roman and canon law, traditions of biblical exegesis, and implicit renderings of contemporary social values and practices. His contemporaries were reworking the rules of descent and defining more closely who had legitimate claims to property and office, and the emphasis by theologians on the palpability of lineal relations resonated with contemporary values and with the reconfiguration of inheritance laws.

Gerhard made clear the distinction between incest—or *Blutschande*—and more extended marriage prohibitions, which we saw implied in the Protestant Ecclesiastical Ordinances. Incest properly speaking was that which violated divine law, whereas the merely illicit was that which contravened ordinances of civil magistrates (“human” laws).<sup>37</sup> Divine law prohibitions were all found in Leviticus 18 (repeated in Leviticus 20) and in Deuteronomy 27. Always, the explicit issue was approaching someone of close *blood*. After parsing the Hebrew and Greek phrases, Gerhard translated the issue into the prohibition to approach *ad relictionem carnis suae*. He then glossed this to mean that no one could approach the flesh of his flesh; that is, to the *propinquam* of his flesh, “to the flesh of flesh of his close kin, near by birth and proximity of blood” (*ad carnem carni ejus propinquitatem generis et sanguinis proxime adhaerentem*). And the prohibition held for affines as well as consanguines. All the particular prohibitions of the subsequent verses thus derived from the general prohibition of v. 6: they were forbidden because they were flesh of flesh (*carnem carnis*) or a female relative (*propinquam*) closest to flesh of my flesh (*propinquam carnis carni meae proxime*).

Gerhard's subsequent method consisted primarily of a close reading of each Leviticus 18 verse, with an occasional use of verses from other parts of Scripture to elicit principles. For example, he categorized the prohibition in Leviticus 18:7, “the nakedness of thy father, or the nakedness of thy mother, shalt thou not uncover: she is thy mother; thou shalt not uncover her nakedness,” according to canon law reckoning, as stemming from “first degree of consanguinity in the direct line.” Here, he concluded

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37 Gerhard, *Loci theologici*, par. 258, p. 154: “*Ego Dominus Deus vester, cujus scilicet praeceptis obedientiam debetis, quique praeceptorum suorum transgressores ad meritas, easque gravissimas poenas pertrahet.*”

that, although the list expressed the matter from the male point of view, it covered the female as well.<sup>38</sup> The prohibitions against the aunts in vv. 12–13 stemmed from their status as the closest relatives (*propinqua*) or blood relatives of either father or mother; their flesh. So the maternal aunt was the flesh (*caro*) of the mother, which was to say the *proxima propinqua* of the mother.

Throughout his exegesis, Gerhard placed a grid of “degrees” over the set of kin, which created a systematic calculus. Each member of the kin group was subject to a uniform system of placement, an exact reckoning of position, such that any relationship between two people could be ordered against any other relationship in terms of relative distance. Taking all of his exegetical exercises together, Gerhard concluded that it was degrees, not persons, that mattered in parsing the list of prohibited couplings. The inferred and expanded rules were universal prohibitions, not just rules for the Jews. Because the system of calculation was based on degrees, there was what Gerhard called a rule of parity. Where there was the same reason, there was the same rule: if not the wife of a paternal uncle (explicit) then not the wife of a maternal uncle (implicit). Moreover, paternal and maternal lines did not differ in the degree of consanguinity. Moses, Gerhard concluded, computed by example but thought analogically: he might have constructed the list from a male point of view but still have reckoned the same prohibitions for the female—same degree, same rule.<sup>39</sup> Gerhard proceeded with the assertion that each principle he divined in Scripture was laid down by *fiat*, yet he devised a system that looks so very rationalist to the twenty-first-century reader.

Having clarified (!) these issues, Gerhard proceeded to elicit a further series of rules, each derived from a reading of Scripture in accordance with principles supposed to come from God Himself.<sup>40</sup> First, there was no difference between masculine and feminine. If a man could not marry his brother’s wife, then a woman could not marry her husband’s brother. Second, the rules were reciprocal, which was clear from v. 6 and the prohibition of near flesh. Because a daughter could not marry a father, a father could not marry a daughter. If a son of a brother could not marry his paternal aunt, the son of a sister could not marry his maternal aunt. Third, the prohibitions in the ascendant line were valid for the descendant line. If a stepson could not marry a stepmother, a first degree affine in the ascendant line, then the same held for a stepfather and his stepdaughter, his first degree affine in the descendant line. If a son could not marry a mother, then a father could not marry a daughter. Gerhard continued on

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38 Gerhard, *Loci theologici*, par. 261, p. 155: “Quamvis enim in sequentibus legibus tantum femellarum mentio fiat, qui scilicet masculi, cum quibus feminis non debeant matrimonium contrahere, tamen ex hac prohibitionem primo loco posita recte infertur, nullam hic statuendam esse sexuum differentiam, sed sicut in linea recta aequae prohibentur nuptiae inter matrem et filium quam inter patrem et filiam, ita quoque in linea collateralis eandem esse prohibitionis rationem, sic quia soror patris masculino prohibetur, ideo etiam frater patris feminae prohibitus intelligitur.”

39 Gerhard, *Loci theologici*, par. 275, p. 161.

40 Gerhard, *Loci theologici*, pars. 275–90, pp. 161–68.

like this to derive twenty-eight rules for reading the Leviticus text, among them, that closer degrees were prohibited whenever more remote ones were (the prohibition was greater where the *propinquititas* was greater); that the rules were universal; that both sisters-in-law were prohibited on grounds of similar propinquity; that propinquity did not expire with death; and that within the degrees prohibited by divine law, there could be no dispensation.

On this last matter, Gerhard took up the third canon of Session 24 of the Council of Trent: “Whoever says that the Church (Roman, Pontifical) is not able to dispense in any degrees of consanguinity and affinity that are listed in Leviticus, let him be anathema.”<sup>41</sup> What was in question here was not divine dispensation but papal dispensation. Gerhard admitted that different punishments were meted out for different degrees of sin but insisted that that did not argue for a different kind of law. Adultery, for example, was punished by different peoples in different ways, but that did not mean that it was any the less repugnant to the law of nature. He challenged Bellarmine, who listed all the Old Testament exceptions and contradictions, by countering with arguments about divine dispensations (only God could dispense His commandments) and insisting that the prohibitions in Leviticus had to be understood in terms of degrees, not persons. What mattered was not the specifics of the list but the principle behind it, *propinquitatem sanguinis*, the nearness of blood.<sup>42</sup>

Having established his principles of interpretation, Gerhard took up the issue of the deceased wife’s sister.<sup>43</sup> He noted that in the current Saxon provincial code, in-laws were prohibited out to the third degree on the unequal line; namely, to the first-cousin-once-removed of a deceased spouse. So even more was the deceased wife’s sister forbidden, since she was much closer in relationship. But the sister-in-law was a matter of divine law as well as civil law. Of course, the key prohibition, Leviticus 18:18, referred to a man taking the sister of a living spouse as wife and could be understood in the context of polygyny. But again, it was the kinship degrees that mattered, not the specific persons. Here Gerhard reinforced his interpretation with reference to a previous verse that forbade a brother’s marriage to his deceased brother’s wife. Both the sister of a living wife and the deceased brother’s wife were first degree affinity on the equal line. It was strictly a matter of propinquity of flesh, which was the same for the two kinds of sisters-in-law. Verse 6 actually required reference to the one flesh idea. Once a husband and wife were joined in one flesh, the wife’s sister became a *proxima carnis*. There was another principle, too; namely, that if someone more distant was prohibited, certainly someone closer was also. A man was forbidden to take his wife’s sister’s daughter: ergo much less might he take the wife’s sister herself, who was much closer to him.

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41 Gerhard, *Loci theologici*, par. 307, p. 178.

42 Gerhard, *Loci theologici*, pars. 291–92, p. 168.

43 Gerhard, *Loci theologici*, par. 347, p. 202.

Gerhard consolidated the main Protestant line on interpreting Leviticus, but of course every lawyer and theologian during the ensuing century and a half had his own take on every aspect of the argument. In a sense, Gerhard laid out the agenda and established the main lines for contention over the epistemological issues of law. A central academic problem well into the next century had to do with the nature, origins, and access to natural law, and the subject of the Leviticus text offered scores of dissertation writers a convenient means for promotion and publication. It would be a daunting task to follow the ins and outs of philological research and fine logical reasoning. The results of Talmudic discussions and continuing traditions of Jewish scholarship had made their way into the Protestant and Catholic academies during the sixteenth century, and readings of this material flourished during the seventeenth century as knowledge of Hebrew and cognate languages proliferated. In particular, the exhaustive accounts of Old Testament scholarship, rabbinic texts, and the writings of various Jewish sects, such as the Karaites, published by the English natural law writer John Selden would provide sources for all future writers on the subject.<sup>44</sup> But the reception of Selden and of natural law writers Grotius, Hobbes, and Pufendorf for the hermeneutics of biblical interpretation has yet to be written. To continue my account, I want to consider two writers, Christoph Joachim Buchholtz, a jurist who entered the hermeneutical lists on the side of defending marriage with the deceased wife's sister, so long as it was just a matter of the highborn, and Christian Thomasius, heir to Pufendorf, rector of the new University of Halle and transition figure in the early German Enlightenment, whose notion of law I have explored in chapter 2 of this section.

## Doubts about the unity of the Leviticus list

That Moses only counted and forbade the degree and not the expressly named persons goes against clear evidence and is not shown to be the case by opponents, and Moses did not at all enumerate degrees or name them, since one did not know about them at all at that time. — Christoph Joachim Buchholtz, 1669

Johann Gerhard approached Leviticus with the idea that there had to be a single principle behind the catalogue of proscribed liaisons, a notion already contested by the Jesuit Bellarmine, who opposed any pretensions to a *sola scriptura* reading of the text. Bellarmine typified the era in grounding his technical apparatus for rendering the much disputed biblical passage on considerations of law. During the ensuing century and a half, legal assumptions or principles from natural law scholarship explicitly or implicitly informed hermeneutic debates from both sides: those who thought they could approach Scripture on its own terms and those who disagreed. Even Protestant schol-

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<sup>44</sup> John Selden, *On Jewish Marriage Law: The Uxor Hebraica*, trans. and intro. Jonathan R. Ziskind (Leiden, 1991).

ars could abandon *sola scriptura* arguments, and the more so if they drank deeply from the well of natural law theory. Well into the eighteenth century, struggles over reading scripture had significant political consequences and played directly into how states formulated laws affecting families and family formation through marriage alliance. What method one chose to read Holy Writ and how one thought God communicated his expectations to man were substantially interwoven with assumptions about law and attempts to formulate it.

A good example of how state officials turned to biblical hermeneutics for guidance comes from Christoph Joachim Buchholtz (1607–1679), who entered the discussion about marriage prohibitions and the interpretation of the Leviticus text as a professor of law (from 1642) at the Hessian university in Rinteln. He served as the director of the Hesse-Kassel privy council and chancellery from 1663, and in the same year took on the position of chief legal counsellor of the city of Hameln. In this section's first chapter, I introduced a series of seventeenth- and eighteenth-century “scandalous” marriages in Germany. All of them involved marriage with the deceased wife's sister, and all prompted a flurry of publications about how to interpret and apply Old Testament scriptural passages. It was the first of these *causes célèbres* that drew Buchholtz into a bitter, indeed scurrilous battle among university faculties over how to read “The Book.”

In 1651, a ducal family member from Holstein asked the Rinteln law faculty for an opinion concerning his recent marriage with his deceased wife's sister. The newlyweds both were worrying about the possible consequences of divine punishment. Buchholtz, who chaired the investigating committee and wrote the opinion, assured the duke and duchess that such a marriage was not at all a violation of natural law or even of the divine positive law applicable to Christians.<sup>45</sup> Several orthodox theologians attacked this opinion, and the controversy heated up until a spurt of publications appeared in 1669. Buchholtz is interesting for a number of reasons. For many years, he had been the chief advisor (*Assessor*) of the Hessian consistory, the highest administrative and judi-

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45 See the following six titles by Christoph Joachim Buchholtz: *Pro Matrimonio Principis cum defunctae Uxoris Sorore contracto. Responsum Juris collegii Jctorum in Academia Rintelensi* (Rinteln, 1651); *Examen Adsertionis responsi non Mosis, Sed Dn. Michaelis Havemanni Contra matrimonium cum defunctae uxoris sorore. Quò Omnibus argumentis contrariis, ordine rejectis, nec à Mose, nec à Natura istas, & id genus alias nuptias prohibitas esse, solidè demonstratur* (Bremen, 1652); *Kehr-ab. Der kurtzen Erinnerung und Berichts Herrn D. Aegidii Strauchen zu Wittenberg So weit er die löbliche Juristen Facultät zu Rinteln und mich D. Christoph Joachim Buchholtzen darin gantz unschuldig beschuldiget und verleumbdet* (Helmstädt, 1669); *Gründlicher Beweis/ Der Kehr-ab Strauchischer Erinnerung und Berichts noch feste stehe/ und Ich D. Christoph Joachim Buchholtz von D. Aegidio Strauchen zur ungebühr und unschuldig verleumbdet worden* (Helmstedt, 1669); *Abgenöhtigte Remonstratation der elenden Ignorantz und groben Schmehe-sucht D. Aegidii Strauchen/ zu Wittenberg/ sambt Gründlicher Ablehnung dero mir D. Christoph Joachim Buchholtzen von ihm verleumbdich beygemessenen Verstocking* (Helmstedt, 1669); *Christoph. Joachimi Buchholtz JC<sup>ci</sup> Consiliarii Hassiaci Vindiciae Secundum Dispensationem matrimonii cum defunctae uxoris sorore ab infelici Defensione Mosaica Dn. Michaelis Havemanni liberatam cum appendice ad speculum propinquitatis Conjugalıs Dn. M. Matthiae Bugæi et indice omnium quæstionum* (Helmstädt, 1769).

cial organ of the state church, and had almost always voted against petitions to marry a deceased wife's sister. Indeed, in instances where such marriages were discovered to have taken place, he voted to separate the couples.<sup>46</sup> Nonetheless, he now argued insistently that the prohibitions against either sister-in-law were not at all a matter of immutable natural law, that they had been promulgated only as special laws for the Hebrew nation, and that they were fully dispensable among Christians. This, despite the fact of long traditions of canon and statute law against such marriages, including in Saxony, Hesse, and Holstein where the matter was being discussed in ducal courts and university law and theological faculties.

Buchholtz was of the generation that had fully assimilated Grotius yet did not hesitate to reference Catholic legal scholars, particularly Spanish Jesuits writing on natural law. Indeed he answered one critic by acknowledging that his approach to reading Scripture had more in common with Bellarmine than with Gerhard.<sup>47</sup> Several principles informed Buchholtz's interpretative method. First, any law had to be explicit and not function as a foundation for extension away from its obvious terms.<sup>48</sup> What was not expressly prohibited was to be considered as allowed. Second, an historical approach to what might be called the author's intent or conceptual framework had to be taken. The very concept of "degree," for instance, could not have been known to Moses, since it derived from later Roman law. Nor could Moses have reasoned from a notion of "generation," since that too was first worked out in Roman civil jurisprudence.<sup>49</sup> And third, a Grotian lens had to be applied to the Old Testament, so that distinctions could be discerned between natural law proper and the law of nations, between immutable law and positive laws subject to the cultural dispositions of different times and places.<sup>50</sup>

Like Grotius, whom he continually cited, Buchholtz considered God to be bound by certain moral absolutes. Thus, unlike most natural law theorists of the period, he did not begin his arguments with a voluntarist position.<sup>51</sup> Natural law was the same as moral law: it proceeded from God's justice and wisdom and was a matter of principle that God could not, not will. Such law was inscribed in nature and men's hearts. Buchholtz thus underlined the "necessary" or non-voluntary aspect of natural law. The power to alter such law lay neither with God nor men.<sup>52</sup> It was to be found in the very nature of things; or, as Buchholtz put it, it was *per se*.<sup>53</sup> Like most writers on natural law, he defended the universality of general moral principles, for they were the very foundation of human

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46 Buchholtz, *Abgenöhtigte Remonstration*, p. 6.

47 Buchholtz, *Vindiciae secundum*, pp. 216–17.

48 Buchholtz, *Vindiciae secundum*, pp. 12–13.

49 Buchholtz, *Gründlicher Beweis*, p. 33.

50 Buchholtz, *Kehr-ab*, pp. 12–15.

51 He cited particularly Grotius, *War and Peace*, Book 1, ch. 2, par. 5. For this, see Hugo Grotius, *The Rights of War and Peace*, ed. and intro. Richard Tuck, 3 vols. (Indianapolis, 2005), vol. 1, p. 190. Buchholtz, *Pro Matrimonio Principis*, p. 82. See chapter 2 of this section.

52 Buchholtz, *Vindiciae secundum*, pp. 2–7; *Pro matrimonio*, pp. 80–83; *Kehr-ab*, pp. 12–15.

53 Buchholtz, *Pro Matrimonio Principis*, pp. 121–22.

society—well, at least of societies with some degree of civilization and not too much corruption. And like Grotius, he hedged his generalization.

Buchholtz described the basic principles of natural law in several places, with some variation. In one formulation, the principles included praising God, respecting parents, loving country, protecting self, and maintaining public honesty by avoiding incest.<sup>54</sup> In another, just two principles, honoring God and parents, informed all natural law.<sup>55</sup> From this, he drew the conclusion that sexual congress between parents and children, indeed in the direct line altogether, was subject to immutable, universal prohibition. In this respect, reading Scripture was an exercise in the application of right reason. There was a second form of divine law, however, which proceeded, not from necessity but from God's will. Because this divine law was voluntary, it was subject to change. Moreover, many laws had been left to human volition, alteration, and judgment according to the context of particular customs and constitutions. It was this last position that brought the charge against Buchholtz of agreeing with the Tridentine defender Bellarmine. The point here is that Buchholtz thought such laws existed to constitute a people—they were “judicial” or “forensic,” not intrinsic, and as such, their alteration was not repugnant to natural reason. Buchholtz, of course, was bound to consider Old Testament law and to figure out which parts—like the Ten Commandments—were for all people at all times and which were positive divine commandments fitted peculiarly to the Israelites—like circumcision, sacrifice, the death penalty for crimes not considered capital offenses by modern states, and sex with kin not in the direct line and position of parent and child. He went so far as to say that no Old Testament laws were binding for modern states unless they were a matter of natural law, and furthermore, that the text of Leviticus 18 combined both natural and positive laws, which had to be carefully distinguished from each other. Some were only for the Hebrew nation and consequently did not apply for all peoples through all time.<sup>56</sup>

The issue of siblings was a case in point. To argue that God offered a dispensation from natural law in order for the human race to get started contradicted the fundamental nature of that law, which lay in its universality and immutability. Therefore, clearly, the prohibition against sexual relations between brothers and sisters had to be a matter of positive law, something developed as the human race progressed, and also quasi-universal, in that all nations of higher civilization had adopted it. “Lateral” marriages could not have been a matter of *jus naturale*.<sup>57</sup>

Buchholtz departed radically from Gerhard on the unity of the Leviticus list. Clearly there could not have been a single principle or cause behind all of the prohibitions. There were two concepts, Buchholtz declared, that governed Gerhard's reading: “nakedness” and “flesh” (or “blood”). But a close reading of the list revealed that nakedness

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<sup>54</sup> Buchholtz, *Pro Matrimonio Principis*, p. 122.

<sup>55</sup> Buchholtz, *Vindiciae secundum*, p. 39.

<sup>56</sup> Buchholtz, *Vindiciae secundum*, p. 41.

<sup>57</sup> Buchholtz, *Vindiciae secundum*, pp. 105–11.



occurred only in particular passages; no grounds existed, therefore, for assuming the idea where it was not even mentioned. “Nakedness” was a term referring to the genitals and acting as a metaphor for sexual intercourse.<sup>58</sup> So clearly describing the wife of a brother as being the brother’s “nakedness” made sense. Thus the relevant passage could be construed as forbidding a man to have sexual relations with his sister-in-law because his brother had had sexual relations with her as her lawful husband.<sup>59</sup> But this could not mean, as Gerhard argued, that a sister was the nakedness of another sister, for that would require the two siblings to have had sexual relations with one other. The one flesh idea was a legal fiction, which described a sexual union and a union of love.<sup>60</sup> Nothing in the idea could be read to mean that a husband and wife became blood relatives or cognates of each other. That would have violated physical laws, and it would have meant that a husband would have had to abstain from his wife—a first intercourse, establishing cognation, would have precluded a second or third. The only thing that established cognation was descent from parents: parents and children, grandparents and grandchildren, were of one flesh, which could also be understood as being of one blood. But siblings were not one flesh, since they were not related through one of them engendering the other. And not being in the direct line, but rather in the “transverse” one, they did not fall under the category of the law of nature.<sup>61</sup>

Buchholtz stressed the line, the substantiality of descent, and the inherent distinctiveness of each lineal group as a discreet unity in a physical sense, a group constituted by blood. And this idea governed his reading of the Leviticus text. The border of each group remained in place even as two diverse cognate groups became linked through a particular couple’s marriage. “Flesh of flesh” was a matter of consanguinity and descent; therefore, the generalization in v. 6 could not cover all the relationships that followed in the list, and it could not provide a foundation for a reckoning by degrees. Just as the notion of “flesh” was confined to blood relatives, “propinquity” was a term that referred only to consanguines in the direct line of descent. Affines, who did not share in the same substance, could not be of proximate flesh. Here Buchholtz gave Gerhard’s word “simulacrum” a stronger spin by suggesting that consanguinity and affinity were different operational values altogether.<sup>62</sup> In the end, his arguments boiled down to this: Neither the deceased brother’s wife nor the deceased wife’s sister was a matter of universal natural law. Why? Because natural reason could not find anything intrinsically sinful in their conjunction. Therefore, the prohibition of the wife’s sister was a matter of *human* positive law, alterable with time and dispensable at any time.

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<sup>58</sup> Buchholtz, *Vindiciae secundum*, pp. 83–92.

<sup>59</sup> Buchholtz, *Pro Matrimonio Principis*, pp. 104–5.

<sup>60</sup> Buchholtz, *Pro Matrimonio Principis*, pp. 111–15; *Vindiciae secundum*, pp. 65–66.

<sup>61</sup> Buchholtz, *Pro Matrimonio Principis*, pp. 109–10.

<sup>62</sup> Buchholtz, *Pro Matrimonio Principis*, pp. 109–10.

## Uncoupling Scripture from modern statecraft

If you ask what the reason for this principle is, and why God wanted to ban certain marriages because of a close relationship by blood, I will reply that there is no need for us to inquire into this, because we are not interpreting human law, in which we commonly inquire into the utility of the commonwealth, which the prince must keep in mind when making his laws. We are interpreting divine law, and the desire to search into its reasons, when they are not revealed to us, is incompatible with the reverence that is owed to God.<sup>63</sup> — Christian Thomasius, 1688

After encountering Pufendorf's great treatise on natural law of 1672 and deciding to devote himself to the study and profession of law, Christian Thomasius developed a far-going critique of Lutheran scholasticism. His own foundational work on natural law appeared in 1688, in Latin, and in 1709, in a German translation.<sup>64</sup> As I have shown in chapter 2 of this section, this treatise carefully went over the natural law texts of Grotius and Pufendorf and developed readings of other natural law writers such as Hobbes. In applying the lens of legal argument to the task of reading Scripture and also critiquing orthodox moral theology, it offered an important late seventeenth-century hermeneutic innovation. Yet its approach to issues of incest and to the particular problem of marriage with the deceased wife's sister remained more rooted in orthodox argumentation than might be expected. In the next decade, Thomasius was run out of Leipzig, restarted his career in the newly founded Prussian university in Halle, and experienced a conversion to Pietism. In 1705, he published, in Latin, a fundamental revision of his 1688 work (both the original treatise and the self-critique were published in German in 1709).<sup>65</sup> By means of systematic commentary on his earlier work, he quite radically reconsidered his thinking about the relationships between natural law, civil law, scriptural authority, and the authority of the state. Along the way, he also changed his opinion on the issue of sister-in-law marriage. Thomasius stands as a transition figure from seventeenth-century Baroque concerns to early Enlightenment interests: from debates about human

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63 Christian Thomasius, *Institutes of Divine Jurisprudence*, with selections from *Foundations of the Law of Nature and Nations* (Halle, 1705), ed., trans, intro. Thomas Ahnert (Indianapolis, 2011). This edition and translation by Ahnert is excellently done. I discovered it too late to smooth out my own translations from the Latin and German versions.

64 Christian Thomasius, *Institutionibus Jurisprudentiae divinae* (1688), translated into German as *Drey Bücher der göttlichen Rechtsgelahrheit, In welchen die Grundsätze der natürl. Rechts nach denen von dem Freyherrn von Pufendorff gezeigten Lehrsätzen deutlich bewiesen/ weiter ausgearbeitet/ Und von denen Einwürffen der Gegner desselben/ Sonderlich Herrn D. Valentin Alberti befreyet* (Halle, 1709); cited hereafter as Thomasius, *Rechtsgelahrheit*.

65 Thomasius's major revision was published in 1705 as *Fundamenta Juris Naturae et Gentium*. Like its predecessor, it was translated into German and published in Halle in 1709. Its title is *Grund-Lehren der Natur- und Völcker-Rechts, Nach dem sinnlichen Begriff aller Menschen vorgestellt/ In welchen allenthalben unterschieden werden Die Ehrlichkeit/ Gerechtigkeit und Anständigkeit; Denen beygefüget Eine Verbesserung der Göttlichen Rechts-Gelahrheit nach dessen Grund-Lehren zum Gebrauch*; cited hereafter as Thomasius, *Grund-Lehren*.

rationality to debates about human passions, and from moral theory and marriage law dominated by theology to a secularized ethics and theory of sexuality.

Thomasius developed a set of rules for reading the texts, the kind of rules typical of legal analysis in the law faculty. “We assume that any law [*Gesetz*] can be susceptible to an explanatory—limiting or broadening—interpretation if one only knows the grounds for the law and the lawgiver has not forbidden such extension,” he wrote.<sup>66</sup> From this it followed that only the grounds given by the author were valid, and that the purpose of interpretation was to discover the will of the lawgiver. A consideration of the Leviticus text (God’s direct revelation) showed that the prohibitions took the form, not of a rule but rather of a simple list of the various individuals whom one had to keep from marrying. The quarrel over the list had arisen on the one hand, from its seemingly significant omissions—it never mentioned the daughter—and on the other, from attempts to discover its logic. Thomasius pointed out that much interpretation of these passages had relied on rabbinical teachings, which he wanted to get beyond, or at least to put to the proof of the texts themselves. Hebrew interpreters, he noted, grounded their interpretations in a pair of concerns, the first being with modesty (*Schamhaftigkeit*), seen as a preventive against intercourse among parents and children or closest relations, and the second being with adultery or prostitution, understood as a temptation among those in everyday contact with each other—especially if they had the hope of marrying.<sup>67</sup> From this latter principle, it was argued, for example, that the aunt was prohibited but not the niece, because young men frequented their grandparents’ houses but not so often those of their brothers.<sup>68</sup>

Thomasius found neither of the rabbinical explanations convincing: both had a rather ad hoc character, one concerned with the direct line from parents to children and the other with collaterals.<sup>69</sup> Leviticus 18:12–13, dealing with the father’s sister and mother’s sister, made clear that the issue was blood (*nahe Verwandtschaft des Geblüts*). As for the possibility of seduction, the argument from everyday contact did not make sense and was the source of considerable erroneous thinking. While it could be taken as a subsidiary of the general principle of close relations of blood, the text actually had nothing to say about daily social intercourse. To bring in such an explanation was, in effect, to try to improve on divine wisdom. Besides there were all kinds of contradictions and factual errors on the matter of which relatives were allowed to live closely

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<sup>66</sup> Thomasius, *Rechtsgelahrheit*, p. 424.

<sup>67</sup> Thomasius, *Rechtsgelahrheit*, p. 425.

<sup>68</sup> Such arguments appeared in Aquinas, Grotius, and Pufendorf, but especially in Selden, although they became much more central in the sociological reasoning of later Enlightenment commentators like the Göttingen Old Testament scholar Johann David Michaelis (1717–1791). In a footnote, Thomasius suggested that many scholars took over the rabbinical ideas in discussing the wife’s sister and noted that Pufendorf did not criticize them, p. 813. He himself was of opinion that they violated the principles of interpretation. As for those who disagreed with him: “May God convert them and help them flee the spirit of pride and greed.”

<sup>69</sup> Thomasius, *Rechtsgelahrheit*, p. 426.

with which others. The argument seemed to fit one particular set of relatives but clearly could not apply to others. Therefore, no general explanation imported from outside the text could be useful to its interpretation.<sup>70</sup>

Thomasius then returned to the Leviticus 18 text and found that v. 6 contained a general commandment from God: “no one should sleep with the closest (female) blood relative (*Blutsfreundin*—Luther’s translation).<sup>71</sup> This, he argued, was a general law and the grounds (*causae*) for the rest of the passage.<sup>72</sup> He followed Gerhard here: “Where the same [degree] of consanguinity is to be found, there is then the same prohibition as well for those persons who are not expressly mentioned.” Thomasius’s treatment of v. 6 provides a key to understanding his legal thought. Given that the general prohibition of blood relatives was a command, there was no point to exploring why God forbade certain marriages because of blood. Indeed, to try to get behind the *fiat* was quite illegitimate. Nevertheless, given that Leviticus 18:6 expressed a general prohibition, it was possible to follow out a ratiocinative process, in which the subsequent verses provided strict guidelines as to how far and in what direction one could legitimately extend the reasoning. The prohibition of blood was not a human law for which we can seek a particular utilitarian design, but rather a divine law before which we should simply honor God and obey—without question.<sup>73</sup>

In 1705, Thomasius provided a different hermeneutic.<sup>74</sup> His shift of position had to do with a redrawn relationship between natural and positive law. Now he began by observing that nature and revelation arose from wholly different principles, and that natural law writers had no business either interpreting Scripture or abstracting principles from it to justify or formulate secular laws.<sup>75</sup> This meant also that his earlier effort to find universal positive laws in the revealed Word had to be abandoned.

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<sup>70</sup> Thomasius, *Rechtsgelahrheit*, p. 427.

<sup>71</sup> Thomasius, *Rechtsgelahrheit*, pp. 427–30.

<sup>72</sup> Thomasius, *Rechtsgelahrheit*, p. 430: “. . . when the following special reasons clearly offer a new reason/ which diverges from the closest blood relatives/ so the common general principle of a proper interpretation teaches/ that one rather stays with that/ and ought to extend to persons/ which are not so closely related in consanguinity. This general reason should regularly act/ that where the same consanguinity exists, so the same prohibition also is valid for persons/ who are not expressly named. Still the special reasons will show/ in what instances the prohibition is valid beyond consanguinity. In one word: it allows to conclude affirmatively from this reason but not negatively. Therefore it is not necessary/ for us/ as many do/ to push the doctrine of reckoning degrees too far/ because the causes given by God will show/ that the meaning of the prohibition/ if no particular degree is thought about/ can be explained quite well.”

<sup>73</sup> After all, we cannot even figure out an explanation behind the reason for many even quite harsh civil laws. And the explanation God did give—“for I am the Lord thy God” in Leviticus 18:6—was meant to cut off all such enquiry. Thomasius, *Rechtsgelahrheit*, p. 431. See chapter 2 of this section.

<sup>74</sup> This is the previously noted work printed in Halle in 1709, to which I have assigned the short title Thomasius, *Grund-Lehren*.

<sup>75</sup> Thomasius, *Grund-Lehren*, pp. 4–6.

The approach to incest laws in the new edition illustrated the effects of these shifts in his thinking. Ultimately these laws were a matter for the exercise of the prince's prudence or good judgment, fitted to the task of maintaining social order.<sup>76</sup> And even though some incest prohibitions (marriage or sexual relations among ascendants and descendants in the direct line, for example) could be seen as natural law in that they were inscribed in the human heart and accessible to the light of reason, they had to be thought of, not as statute law but as recommendation. Natural law was not a matter of command to be obeyed. In making this point Thomasius laid down conceptual grounds that radically undercut the Baroque practice of reading external signs in natural and human events as direct communications of God (see chapter 2 of this section). There was no relationship between violations of natural law and visible punishment in the world. Indeed, the divine could not be modeled on the absolute monarch or despot but rather needed to be thought of more like a benevolent father or wise teacher.<sup>77</sup> The locus and style of God's intervention was now displaced from dramatic, theatrical display in this world to an inner realm of communication with the heart and mind of the individual sinner. And the relationship between natural law and will was broken in the precise sense that only the law of secular, civil authorities, on account of the very nature of earthly rule, had to take the form of command. The purpose of this secular law was not to teach but to impose obligation—to keep human will in check—and that was best effected through fear. Such law had to be expressed as a general rule, or "norm," which, Thomasius argued, was the same thing as to say that it was an expression of the ruler's power (*Herrschaft*). Punishment for violating secular laws instituted by ruling humans could not be anything but arbitrary.<sup>78</sup>

In this line of argument, Thomasius radically distinguished the nature of divine action in the world from that of the prince. With respect to law and lawgiving, the relationship was not simply a matter of hierarchy. The prince was obligated to act prudentially, and a prince who chose to shock his subjects by overthrowing long-received customs of marriage would be making a mistake.<sup>79</sup> But he was by no means bound by Mosaic law. Moreover, only restrictions between parents and their children were subject to understanding in the light of reason; the other prohibited couplings on the Mosaic list were not. Certainly God did reveal the list, but His act had to do only with the specific constitution of the Hebrew nation, not with lawgiving for nations with other customs and social organization.<sup>80</sup>

In taking this position, Thomasius abandoned any search for universal positive law in revealed Scripture. The prohibition of sexual relations in the direct line became a matter of honesty (*Ehrlichkeit*: sincerity, integrity, fairness) and respectability (*Anständigkeit*: propriety, decency, decorum), which heathen nations discovered

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<sup>76</sup> Thomasius, *Grund-Lehren*, p. 171.

<sup>77</sup> Thomasius, *Grund-Lehren*, pp. 92–100, 172–76.

<sup>78</sup> Thomasius, *Grund-Lehren*, pp. 90–102.

<sup>79</sup> Thomasius, *Grund-Lehren*, pp. 177–78.

<sup>80</sup> Thomasius, *Grund-Lehren*, pp. 175–76.

for themselves through their use of reason. They did not need access to God's commandments passed down through oral tradition. Natural law was unchangeable, now, because the nature of human reason was universal—another displacement from the idea of natural law as an expression of God's arbitrary will to something embedded in human nature. Revealed law, however, was neither a matter of the nature of all men, nor of good and evil for all time. As a form of positive law, it was to be judged by the criterion of usefulness—another justification for abandoning Scripture as the rule book for contemporary lawgiving. And with this idea, Thomasius launched into a critique of the “clerisy,” those theologians and moral philosophers who intervened in the process of formulating rules for contracting marriage. The implications here supported withdrawing marriage law and marriage prohibitions from the purview of ecclesiastical institutions and placing both in civil law.

Thomasius was willing to say that both Scripture and the light of reason teach that there is a universal principle for formulating law; namely, honesty (*Ehrlichkeit*). But that was to be understood as an abstraction. All the specifics of its application had to be fitted to the changeable nature of men—now thought of, not in terms of a universal human rationality but of evolving configurations of social relations and customs.<sup>81</sup> Thomasius was driving towards a position that relocated general principles to immanent human interactions: to social relations and customs as they now exist. The only general principle that could guide human moral action was to do whatever prolongs life and makes it happy; or, negatively stated, to not do what brings unhappiness and death.<sup>82</sup> This line of reasoning led to an extended consideration of human psychology, pedagogical institutions, and distinctions between integrity, decency, and justice. Now all of Thomasius's arguments were fitted to analyzing the foundations of human social interaction and liberating the prudential prince from professors and priests.

Armed with his revised understanding of natural and civil law, Thomasius revisited the issue of the deceased wife's sister in a 1707 opinion about the notorious marriage of Pastor Götze to his deceased wife's sister (see chapter 1 of this section).<sup>83</sup> At the center of his advice was of course the much fought over verse Leviticus 18:18. By what principle could it be read and what was its status on the Leviticus 18 list. Indeed, what was the status of the list altogether? In his earlier consideration, Thomasius had developed the argument that the list had been promulgated by divine fiat—as universally valid positive commandment. And he had sought for principles applicable to the whole set of verses in the general prohibition against sexual intercourse between people related by blood. Furthermore, he had read specific liaisons as expressions of divine arbitrary will forbidding relations between partners of consanguines. It was not so much his method

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<sup>81</sup> Thomasius, *Grund-Lehren*, p. 103.

<sup>82</sup> Thomasius, *Grund-Lehren*, p. 114.

<sup>83</sup> Johann Hieronymus Hermann, Responsum VIII, in *Johann Hieronymus Hermanns J. U. Lic. Sammlung allerhand auserlesener Responsorum* (Jena, 1734), Bd. 1, Teil 2, pp. 69–83. See chapter 1 of this section.

for reading the text that changed in 1707 as his position on what understanding of law could be validly applied to the text. Now he argued that direct divine intervention in these matters was only for the Jews, and that there was no reason to see the list as relevant for any other collectivity, let alone for Christians. This allowed v. 18, now uncoupled from any link to a universal prohibition about blood, to be read for what it directly offered—a prohibition in the context of polygamy in the specific context of ancient Israel, lacking relevance to other polities with different constitutions. Lawgivers in Christian states might well have promulgated laws putting the sister-in-law off-limits, but their acts were simply a matter of positive civil law, dispensable by any prince.

Neither Thomasius, nor his generation of natural law thinkers, nor their students blew the competition out of the water. Interpretations of Leviticus continued to worry jurists, theologians, and lawgivers for many generations, and in England, issues about marriage with the deceased wife's sister would be fought all over again during the course of the nineteenth century, albeit by coupling arguments from Scripture with far-reaching psychological and sociological considerations.<sup>84</sup> In some other areas, such as Austria during the nineteenth century, conservative Catholic writers also maintained a lively discourse about the dangers of sisters-in-law to spiritual health, and, as biology came to dominate thinking about reproduction, some of them actually warned against the danger of physical deformity in progeny from such unions!<sup>85</sup> For the most part, a bitter fight developed over the issue of repeated unions from the same sibling group, and the scriptural interpretations relied on terms already set by the discourse of the long seventeenth century. Thomasius's turn to issues of general happiness in this world and analyses of human passions as the foundation of prudent legislation initiated a shift in consideration of incest prohibitions. Some later Enlightenment scholars would develop thoroughgoing sociological readings of Old Testament texts in an attempt to dismantle and reconfigure the rules of family formation. But others would abandon interest in the biblical hermeneutic enterprise altogether and attempt to build a moral project on principles of human psychology and socialization. And with that, sisters-in-law ceased, for the most part, to be at the center of interest.

In England and on the Continent during the eras of later Enlightenment and Romanticism (there are important inner continuities between the two movements), considerable opinion favored marriage with the deceased wife's sister. But from the 1830s, that coupling again crowded no end of pundits' agendas. It would be very difficult to figure out the sociological differences between domestic institutions in England and Germany during the first half of the nineteenth century. As we will see in section II, issues of

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<sup>84</sup> Mary Jean Corbett, "Husband, Wife, and Sister: Making and Remaking the Early Victorian Family," in *Sibling Relations and the Transformations of European Kinship, 1300–1900*, ed. Christopher H. Johnson and David Warren Sabean (New York and Oxford, 2011), pp. 263–88; Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009), pp. 65–82.

<sup>85</sup> Margareth Lanzinger, *Verwaltete Verwandtschaft: Eheverbote, kirchliche und staatliche Dispenspraxis im 18. und 19. Jahrhundert* (Vienna, Cologne, Weimar, 2015), p. 80.

incest were worked out through arguments about sentimental attachments rooted in family life in both countries. In Germany, close attachments made the sister-in-law a natural choice for a widowed husband to wed. In England, however, precisely the nearness and attachment were seen to be obstacles. In any event, it would be a mistake to look for continuities between Baroque and Victorian concerns, even when biblical interpretations pop up again, with endless controversies about the meaning of “one flesh.” The central decades of the nineteenth century showed little interest in notions of blood, on the one hand, and on the other, presented a social context for transgression that was radically different from that of the seventeenth century.



## Chapter 4

# Cultural Meanings of Blood in the Baroque

Genesis 2:24. Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh. AV

Leviticus 18:6. None of you shall approach to any that is near of kin to him, to uncover *their* nakedness: I *am* the LORD. AV

Matthew 19:5–6. For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder. AV

I Corinthians 6:16. What? know ye not that he which is joined to an harlot is one body? for two, saith he, shall be one flesh. AV

Ephesians 5:31. For this cause shall a man leave his father and mother, and shall be joined unto his wife, and they two shall be one flesh. AV

Flesh is not able to live without blood. — Elias Schneegass, 1693

During the early modern period, the organization of kinship relations was increasingly structured vertically and hierarchically around restricted succession to office, rank, and privilege, aided by ever-more clearly regulated, often more narrowly defined mechanisms for distributing familial and personal wealth. The rules of devolution underwent considerable revision through activities of state officials, law courts, and family councils, touching rural folk, townspeople, merchants, magistrates, aristocrats, and rulers. I will consider the dynamics of kinship construction in the next chapter, but here the problem to be worked out is how such general trends found their way into cultural representations of family, succession, and social cohesion. As verticality, lineality, hierarchy, and familial particularity were distilled from social and political processes from the end of the Middle Ages onwards, fundamentally new issues of how particular units, structured agnatically, might interact in neighborhoods, friendship circles, and marriage alliances arose and themselves invited new kinds of representation. *No family could reproduce itself without creating allies.* Even though property and office increasingly came to be thought of as a vertical flow, in practice the patterns of circulation were more complex.<sup>1</sup> Given the ever-more narrowly defined understanding of the line or lineage and the wide circle of prohibitions, marriage had to be with “strangers,” and that fact brought to the surface the problem of how to determine the strength and nature of negotiated ties. Upon becoming the intimates, friends, or allies of a direct family line, strangers and their own families assumed the image (the *simula-*

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<sup>1</sup> A fascinating example of this is provided by Elisabeth Claverie and Pierre Lamaison, *L'impossible mariage. Violence et parenté en Gévaudan, xvii<sup>e</sup>, xviii<sup>e</sup>, xix<sup>e</sup> siècles* (Paris, 1982). There is a summary of this book in David Warren Sabean, *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998), pp. 407–16.

*crum*), as theologians and lawyers would put it, of lineal descendants but were not quite the same: their rights and obligations were significantly different. They can perhaps best be described as intimates-at-a-distance. Historians have adopted the term “egoism” to characterize the self-absorption of emerging lineages, but obsession with their own ranks implied tightly coordinated attachments to shore up and support their property, status, and reputation.

Many seventeenth-century texts tracked in one way or another the social and cultural practices of descent and alliance through the figure of blood, and it is this conceptual development that I want to explore in this chapter. The point of entry has to do with prohibitions against marriage or sexual relations with in-laws in general—the sister-in-law in particular—on the grounds of an impediment of blood. Looking at the representation of familial connection and how substance and carnal association were linked to obligation and rights will help prepare the discussion of kinship in the following chapter, where I will explore the social context in which the wife’s sister proved to be so worrisome.

During the seventeenth century, the substance that connected people was alternately thought of as “flesh” (*caro*) or “blood” (*sanguis*). Which of these substances appears more prominent depends a great deal on publication genre. In natural and criminal law and theological discussions about incest and marriage prohibitions, flesh played a much greater role than in literature, civil law, philosophy, autobiography, or theater. In the matter of incest, so much of the *science* was obliged to reference the Genesis 2:24 and Leviticus 18:6 texts, which explicitly founded marriage and sexual intercourse on a semantics of carnality, that thinking in terms of flesh was unavoidable. The binary opposition of spirit and flesh also played a role, especially in devotional literature and dogmatics. But even with the biblical tropes of flesh at hand, there was continuous slippage to blood in the discussions of proscribed marriages. Read for all of their implications, it is possible to see that these two terms conveyed particular understandings of kinship, described just how people were thought to be related to each other, and indicated those who were not considered to be part of familial networks. Intimates-at-a-distance were attached by streams of blood, and a semantics of blood configured talk of the sexually/maritally forbidden.

Flesh and blood rendered kinship relationships in rather different ways. The tendency to overlay or supplant the former with the latter in the representations of incest was prompted by the adoption of blood as the central metaphor for, or substance of, kinship during the era of the Baroque.<sup>2</sup> But blood as a trope for kinship also had distinct

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<sup>2</sup> I have dealt with this in an earlier article, David Warren Sabean, “Descent and Alliance: Cultural Meanings of Blood in the Baroque,” in Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher, eds., *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present* (New York and Oxford, 2013), pp. 144–74. For an extraordinarily useful review of different meanings of blood and the continuous exchange of theological and social meanings, see Gérard Delille, “The Shed Blood of Christ: From Blood as Metaphor to Blood as Bearer of Identity,” in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 125–43.

national and class differences. During the sixteenth century, the French nobility, for example, adopted blood as central to its self-understanding in ways that do not seem to have been followed to the same extent in Germany or England.<sup>3</sup> The body of literature that would have to be examined to get the differences just right is too large to consider here, so I will have to be content with a few generalizations. I will also have to leave aside how the “purity of blood” in Spanish discourse since the fifteenth century articulated with kinship issues and marriage impediments.<sup>4</sup> This chapter will begin with a consideration of blood in texts dealing with incest and will follow that with a discussion of the larger context of blood and kinship during the period: the role of blood in constituting lineages, in constructing alliances, mediating communities, creating obligation, defining boundaries, locating the sacred in material life, providing models of social circulation, and parsing the roles of gender.

How people were connected by blood—or by flesh—in seventeenth-century discourse was a matter for considerable disagreement and had a great deal to do with how moral and social obligation were modeled and what the nature of family was thought to be. The word “family” itself was much less extensively used to describe relationships among kin than “house,” “lineage,” “line,” “clan,” and “friendship,” and distinctions were made between consanguines and affines—people connected directly by descent or by a common ancestor (collaterals) as opposed to those allied through marriage.<sup>5</sup> Still, for the most part, alliance itself came to be understood as constituted through blood. I will have more to say about how medical discourse considered the tie, although it is important to understand that there was not necessarily a demand for consistent categorization across disciplines. Certain ideas from one or the other could be pressed into service, but flesh and blood in law, theology, moral philosophy, and medicine could mean rather different things that did not necessarily track one another. And within one discipline, rival notions from another discipline might be used simultaneously, without acknowledging or, perhaps, noticing contradiction. There also were common cultural assumptions, such as the widespread notion that semen and milk were either forms of blood or final “distilla-

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3 See André Devyver, *Le sang épuré. Les préjugés de race chez les gentilshommes français de l'Ancien Régime (1560–1720)* (Brussels, 1973). A very useful guide to the French history of blood is Guillaume Aubert, “Kinship, Blood, and the Emergence of the Racial Nation in the French Atlantic World, 1600–1789,” in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 175–95. English historians have underplayed the role of “blood” in aristocratic discourse, but see Patricia Crawford, *Blood, Bodies and Families in Early Modern England* (Harlow, 2004), pp. 114–15. She found blood to be a key concept in understanding a man’s relation to his children and kin. It was a real, physical bodily essence as well as a metaphor for social relations. It could stand symbolically for a line of descent and be used to calculate degrees of honor of different families.

4 On Spain, see Teofilo F. Ruiz, “Discourses of Blood and Kinship in Late Medieval and Early Modern Castile,” in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 105–24.

5 See the chapter by Jon Mathieu, “Domestic Terminologies: House, Household, Family,” in *The Routledge History of the Domestic Sphere in Europe 16th to 19th Century*, ed. Joachim Eibach and Margareth Lanzinger (London, 2020).

tions” of blood, such that partaking of either was a sharing of blood and a communication of all the qualities that were thought to adhere in blood.<sup>6</sup>

The metaphor of mingling blood in intercourse through flows of semen was common currency. As late as 1745, in a six-volume history of the sacraments, the French Benedictine Charles-Mathias Chardon (1695–1771) made the point that what constitutes affinity is the mixing of blood in the union of bodies.<sup>7</sup> Several decades earlier, the German theologian Kettner, in controversy with Pastor Götze, who had married a sister-in-law (see chapter 1), argued that carnal copulation was necessary to establish a marital tie (*conjugium*) and that the mixing of seed was physical; neither metaphor nor fiction.<sup>8</sup> Kettner’s contemporary, Wittenberg professor of law Johann Karl Naevius (c. 1650–1714), maintained that affines were constituted by blood just as much as consanguines, not only through the flesh as with blood relatives but through the mingling of blood (*commixtio*

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6 Hohberg, writing in 1716, suggested that blood (*Gebliüt*) in the womb (*Mutterleib*) went to the breasts as milk: Wolff Helmhard von Hohberg [Wolf Helmhardt von Hohberg], *Georgica Curiosa Aucta. Das ist umständlicher Bericht und klarer Unterricht von dem vermehrten und verbesserten Adelichen Land- und Feld-Leben* (Nuremberg, 1716), p. 278. And the mother’s milk implanted character. There was considerable danger in relying upon a wet nurse, since it was her character that would be implanted in the child. Indeed the mother who would not wet nurse was only half a mother. He referred to Van Helmont on the hereditary character in milk. See John Baptista Van Helmont, *Workes, Containing his most excellent Philosophy, Physick, Chirurgery, Anatomy, Wherein the Philosophy of the Schools is Examined, the Errours therein Refuted and the whole Art Reformed and Rectified*, trans. J. C. (London, 1664), p. 798: “In the next place, it is not sufficient for the material Diseases of the Milk, the hidden Consumption of Diseases, and their hereditary Roots, to be transplanted by the milk into the sucking Infant, and to be most stubbornly incorporated into the Life: But also the morral Seminaries of any kinde of Vices do pierce inwardly with the milk and preseveres for the term of Life. So I have observed, that a leacherous, theevisish, covetous, and wrothful Nurse, hath transferred her Frailty on the Children. So an unwonted blockishnesse, anger, madnesse, and many Passions of the Mind (also beside moral Defects) sleeping a long while, and at length being under the maturity of Dayes, unfolded, do bewray themselves on Families, they being begged from Nurses, and propagated by the Milk. . . . Lastly, the milk undergoes diverse Impressions every hour, from all the disturbances of the Mind; from whence it not only waxeth clotty, and putrifies or stinks: but also by an unsensible quality it puts on deformities, which the guiltless Infant drinks, and is held to pay the punishment of: For the Nurse doth not alwayes bridle her Mind, with one tenor; but the failles, being sore smitten with a thousand Apprehensions of Anger, Sorrow, Agony, Envy, Wantonness, Theft, Covetousness, etc. all whereof, there is no doubt, but that they badly dispose the Milk, as well in respect of the Body, as the Soul: For they are most of them unavoidable, yet dangerous.”

7 Charles-Mathias Chardon, *Histoire des Sacremens, ou de la manière dont ils ont été célébrés & administrés dans l’Eglise, & de l’usage qu’on en a fait depuis le temps des Apôtres jusqu’à présent*, vol. 6, *Suite de l’ordre. Du mariage* (Paris, 1745), p. 349.

8 Friedrich Ernst Kettner, *Gründliche Untersuchung der hochangelegenen und bißher vielfältig bestrittenen Gewissens-Frage: Ob jemand seines verstorbenen Weibes leibliche Schwester nach Geist- und Weltlichen Rechten heyrathen darff? Darinnen die Argumenta, so in Hrn. Doct. Wagenseil und Bruckneri Schriften/ wie auch in Actis Oettingensibus zu finden/ Aus Gottes Wort/ denen Geist- und Weltlichen Rechten/ und grosser Potentaten Verordnungen geprüftet werden/ Nebst unterschiedlichen Beylagen/ vornehmer Lehrer Responsis, und einer abgenöthigten Apologia* (Quedlinburg, 1707), pp. 66–67. Cited hereafter as Kettner, *Gründliche Untersuchung*.

*sanguinis*).<sup>9</sup> As the jurist, legal scholar, and syncretist Elias Schneegass (d. 1697) put it: “flesh is not able to live without blood,” and “the first effect of carnal conjugal union is consanguinity.” Since the blood of two sisters was one blood, a husband had to be one blood with his wife’s sister.<sup>10</sup>

The principle of mixing blood or seed as the foundation of affinity was well-recognized in French law and French moral theology. The canonist Jean Pierre Gibert (1660–1736), writing in 1727, reported that some thought that if a man had sex with one of his wife’s relatives, that very fact would turn his wife into an affine with whom he could no longer have intercourse.<sup>11</sup> Another French canonist, Jean Pontas (1638–1728), developed a casuistic argument on the issue of contracting affinity only through the flow of semen into the vagina. Affinity could never arise except from a completed intercourse; “that is to say, attended by *commixtio seminum*.”<sup>12</sup>

While many authors thought of affinity as constituted by blood, it is safe to say that blood was more often thought of in terms of lineage. A key issue was just how two lineages were joined through the marriage of a particular couple. Some commentators, in thinking about “the family,” stressed the line of descent (consanguines, those tied together through the flow of blood down the generations), while others, pondering the

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9 Johann Karl Naevius, *Jus conjugum, Oder das Ehe-Recht* (Chemnitz, 1709), p. 258: “nicht allein *participatio carnis*, wie bei denen Bluts-Freunden/ sondern auch *commixtio sanguinis*, wie bei denen Schwägern [. . .].”

10 Elias Schneegass, *Nova, sed antiqua, inaudita, sed in verbo DEI fundata, de Conjugio jure naturae prohibito* (Rostock, 1693). The book is not paginated. Earlier in the century, the natural law theorist, Benedict Wincler [Winkler, Winckler] made a similar point, arguing that marriage could not be constituted without a *commixtio sanguinis*. Consent, of course, was necessary for a legitimate marriage, but there could be no community between spouses before they mingled their respective bloods. Benedict Wincler, *Principiorum iuris libri quinque* (Leipzig, 1615), pp. 264–67.

11 Jean Pierre Gibert, *Consultations canoniques sur le sacrement de mariage, fondées sur l'Écriture, les Conciles, les Statuts Synodaux, les Ordonnances Royaux, & sur l'usage; où l'on explique ce qu'il y a de plus important dans les Commandemens de Dieu & de l'Église, & dans les Loix Civiles qui les font exécuter*, 2 vols. (Paris, 1727), vol. 2: pp. 440–42. See chapter 3 above.

12 Jean Pontas, *Dictionnaire de cas de conscience ou décisions des plus considerables difficultez touchant la morale & la discipline ecclesiastique, tirées de l'écriture, des conciles, des decretales des papes, des peres, & des plus célèbres theologiens & canonistes*, 2 vols. (Paris 1715), with supp. (1718), vol. 1, unpaginated, hereafter Pontas, *Dictionnaire de cas de conscience*. These come from the article on “obstacles arising from affinity.” The same issue of completed intercourse can be found in the criminal records of the German state of Württemberg. In many of the incest cases, extensive testimony was gathered about the precise details of the sexual act. Did the man penetrate completely and did his semen flow into the body of the woman, or was it more simply a *crimen onaniticum*? In 1728, for example, there was a case of adultery and incest with the widow of a brother. The nature of the crime circled around whether there had been a true *commixtionem sanguinis* through the immission of seed. In another case, the following phrase is to be found: *wirklich per sanguinis et seminis commixtionem* (actually mingled through blood and semen). Württemberg Hauptstaatsarchiv, Stuttgart, Bestand A209, Bü 630 (1728) and 1194 (I failed to note the date).

special ties of marital alliance, sometimes contrasted blood (descent) with flesh (marriage) but increasingly by the end of the seventeenth century brought blood into the sphere of alliance. Nothing in these accounts changed the implication that arose from the construal of the set of allies (affines) as a simulacrum of the consanguineal group, that however close and important such in-marrying kin might be, they were secondary to the group of blood relatives: the language symbolized closeness and distance at the same time.<sup>13</sup> Working with this implied “social imaginary” of kinship, writers reflecting on incest considered just how much weight to place on affinity, and each author distributed contrasting weight to the line or to the alliance through a semantics of flesh and blood.

In analyzing the blood metaphors used by the sixteenth-century Huguenot writer Théodore-Agrrippa d’Aubigné (1552–1630), Marie-Hélène Prat made an interesting point about structure and movement, which captured the difference, I think, between descent and alliance. She used the figures of “anatomy” and “biology,” the first being static and the second introducing movement. The contrast was between relation, structure, hierarchy, and proportion, on the one hand, and life, change, and purpose, on the other. Prat saw d’Aubigné’s work as a kind of poetics of circulation. Good blood, which was dynamic, entered into the sphere of circulation. Blood returning to blood was corrupt because it was immobile.<sup>14</sup> As a metonym for heredity, blood expressed the horror of incest as well. Thus d’Aubigné’s criticism of the Cardinal of Lorraine for having relations with his sister-in-law: “That he had soaked his bawdiness inside his own blood, / When in the same subject he became monstrous / Adulterer, bawd, bugger & incestuous.”<sup>15</sup>

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13 The jurist Buchholtz, for example, denied that there was any natural law prohibition of the wife’s sister, maintaining that someone could only be the flesh of other persons by being born from them or by generating them: Christoph Joachim Buchholtz, *Abgenöhtigte Remonstracion der elenden Ignorantz und groben Schmehesucht D. Aegidii Strauchen/ zu Wittenberg/ sambt Gründlicher Ablehnung dero mir D. Christoph Joachim Bucholtzen von ihm verleumbdisch beygemessenen Verstocking* (Helmstedt, 1669), pp. 20–23. Sisters, Buchholtz said, could not be thought of as being one flesh. And he made a strict separation of affines from blood relatives, of allies from the line: *Christoph. Joachimi Buchholtz JC<sup>i</sup> Consiliarii Hassiaci Vindiciae secundum dispensationem matrimonii cum defunctae uxorisore ab infelici defensione mosaica Dn. Michaelis Havemanni liberatem cum appendice ad speculum propinquitatis conjugalitatis Dn. M. Matthiae Bugaei et indice omnium quaestionum* (Helmstädt [sic], 1769), pp. 105–18.

14 Marie-Hélène Prat, *Les Mots du Corps. Un imaginaire lexical dans les Tragiques d’Agrrippa d’Aubigné*, Travaux d’Humanisme et Renaissance 103 (Geneva, 1996), pp. 197–98.

15 Prat, *Mots du corps*, p. 200, quotes from d’Aubigné’s epic poem, *Les Tragiques*: “Qu’il a dedans son sang trempé sa paillardise, / Quand en mesme sujet se fit les monstrueux / Adultere, paillard, bougre & incestueux.”

## Biblical and classical sources for flesh and blood

The female always provides the material, the male provides that which fashions the material into shape. . . . Thus the physical part, the body, comes from the female, and the Soul from the male, since the Soul is the essence of a particular body. — Aristotle<sup>16</sup>

Of the various biblical texts (Genesis 2:24, Leviticus 18:6, Matthew 19:5–6, 1. Corinthians 6:16, Ephesians 5:31) touching on the one flesh representation of the marital union, 1. Corinthians 6:16 demonstrates that the figure could be understood as more than metaphorical. In that passage the apostle Paul asked rhetorically: “What? know ye not that he which is joined to an harlot is one body?” And immediately he explained: “for two, saith he, shall be one flesh.” Clearly it was sexual intercourse that established one flesh. This idea was expressed in the conclusions of the Fourth Lateran Council in 1215, which obligated Jewish men to wear a yellow insignia on their clothing. Commentators understood the sign as a warning to Christian prostitutes: Jewish men and Christian men could become one flesh with each other through intercourse with the same woman.<sup>17</sup> The term “carnal contagion” (*contagio carnalis*) frequently occurred in the sixteenth century and beyond in England, although I have not found it yet in seventeenth-century continental texts—the basic idea, however, was certainly current.<sup>18</sup>

More or less explicitly paralleling, underpinning, or overlaying biblical passages were ancient texts by Hippocrates, Galen, and Aristotle on blood and generation. In the Galenic understanding of the latter, both the male and the female generated seed—a concoction of blood—that mixed to produce a child.<sup>19</sup> Both partners communicated blood,

<sup>16</sup> Aristotle, “On the Generation of Animals” 2.4.738b20–26, in *Generation of Animals*, trans. A. L. Peck, Loeb Classical Library 366 (Cambridge, MA, 1942), pp. 184–85; also *ibid.* 1.19.727a–2.1.735a, at pp. 95–157 in the Loeb edition cited here. Page numbers in subsequent references are to the Loeb edition.

<sup>17</sup> David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton, 1996), pp. 154–56.

<sup>18</sup> Marc Shell, *Elizabeth’s Glass: With “The Glass of the Sinful Soul” (1544) by Elizabeth I and “Epistle Dedicatory” & “Conclusion” (1548) by John Bale* (Lincoln, NB, 1993), p. 10. Archbishop Cranmer used the doctrine of carnal contagion to rule that Henry VIII’s marriage with Anne Boleyn was incestuous because he had had relations previously with her sister and that Elizabeth was therefore a bastard. According to Shell, the doctrine of *contagio carnalis* involved the spread of blood kinship as if it were a disease. That sexual relations had something to do with blood was implied by the frequently repeated phrase, *reverentiam sanguinis* (respect for blood). For an early seventeenth-century German example: Johann Philip Schierstab, *Speculum conjugale, Das ist: Christlicher Ehe- und Hausspiegel* (Nürnberg, 1614), p. 12.

<sup>19</sup> Harvey characterized the positions, which he went on to criticize, this way: “But that neither the *Hen* doth emit any Seed in *Coition*, nor poure forth any blood at that time into the cavity of the *Vterus*; as also that the *egge* is not formed after *Aristoteles* way; nor yet (as *Physitians* suppose) by the commixture of Seeds, and likewise that the *Cocks* seed doth not penetrate into the hollow of the *womb*, nor yet is attracted thither, is most manifest from this one observation, namely, that after *coition* there is nothing at all to be found in the *Uterus*, more than there was before.” See William Harvey, *Anatomical Exercitations Concerning the Generation of Living Creatures: To which are added Particular Discourses of Births, and of Conceptions*, &c. (London, 1653), p. 199. Compare the discussion in Gianna Pomata, “Blood Ties and

and the question was whether that act of substantial communication not only produced progeny but also led to the sharing of each other's blood.<sup>20</sup> In the Aristotelian account, the male and female contributed different things altogether: the female provided the matter, or blood; the male, the form, or seed.<sup>21</sup> Seed acted upon blood as a carpenter acted on wood, giving it form, shaping it according to an idea, acting as a causal principle.<sup>22</sup> And there was room for the man to act upon the woman in a manner that was not reciprocal—a position exaggerated, as we will see, by William Harvey.<sup>23</sup> In the early years of uni-

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Semen Ties: Consanguinity and Agnation in Roman Law," in *Gender, Kinship, Power: A Comparative and Interdisciplinary History*, ed. Mary Jo Maynes, Ann Waltner, Birgitte Soland, and Ulrike Strasser (New York and London, 1996), pp. 43–64, here 51–57.

20 In 1615, Wincler, *Principiorum iuris*, pp. 267, 333, gave a Galenist interpretation of marriage as a *commixtio sanguinis*; i.e., explicitly a mixing of blood. And he also spoke of a *reverentiam sanguinis*. Naevius, *Jus conjugum*, pp. 256–58, as late as 1709, saw sex with in-laws as a commixture of blood. It was not just consanguines that came from one blood but also affines. It was not just participation in the flesh as with blood relatives but also *commixtio sanguinis* as with in-laws. In "Empêchement de l'affinité," Case 8 in *Dictionnaire de cas de conscience*, Pontas stressed that affinity arose only with a *commixtio seminum* and once established did not end with death. Breaking the hymen and withdrawing did not count. In criminal law, semen had to flow into the vagina to establish intercourse as mixing flesh. In 1752–53, Pierre Collett, writing on a case of conscience in which a man wanted to marry the sister of a girl with whom he had had relations when he was twelve years old, once again made the flow of semen into the girl necessary to creating an impediment: Pierre Collett, *Traité des dispenses en général et en particulier, dans lequel on résout les principales difficultés, qui regardent cette matière*, 3 vols. (Paris, 1752–53), vol. 3, pp. 143–44. In J. Bertaut, *Les Œuvres poétiques* (Paris, 1611), a man refers to the strict ties of blood that unite him with his wife. In *Andromède* (1650), Act 4, Sc. 6, Corneille's character talks about a man and woman linking their blood in a *mélange*: *Andromède*, in Pierre Corneille, *Théâtre complet de Corneille*, ed. Maurice Rat, 3 vols. (Paris, n.d. [1942]), vol. 2, p. 389. All subsequent references to Corneille's plays come from this edition, cited as Rat, *Théâtre complet de Corneille*.

21 William Harvey described the position as follows: "For some conceive the *Seed* and *Blood* to be the *Matter* which doth *constitute* the *chicken*: Others conceive the *Seed* to be the *Efficient* and *producing cause*, or *Artificer* that *builds* the *fabrick* of it: when yet upon deliberate consideration it appears most infallible, that there is *no matter at hand at all, nor no menstruous blood*, which the *Seed* of the *Male* can fall to work upon, or coagulate: (as Aristotle would have it) *nor is the Foetus made of the Seed of the Male or Female, or any Commixture of them both*"; Harvey, *Anatomical Exercitations*, pp. 79–80.

22 See the important account on Aristotle by Giulia Sissa, "Subtle Bodies," in *Fragments for a History of the Human Body*, ed. M. Feher, with Ramona Naddaff and Nadia Tazi (New York, 1989) (New York, 1989), vol. 3, pp. 133–41.

23 One of the scholars who participated in the conference in Oettingen, arguing for the wife's sister and against the brother's wife, maintained that God did not allow the confluence of seed in one vessel but did allow the communication of seed in different vessels. The wife did not cause blood to flow in the husband: *Hochangelegene/ und bißhero vielfältig bestrittenen Gewissens-Frage/ Nemlich: Ob Jemand seines verstorbenen Weibes Schwester/ sonder Ubertretung Göttlicher und Natürlicher Gesetze/ in wiederholter Ehe zu heuraten berechtigt? Durch auff dem in der Fürstlichen Residentz zu Oettingen den 10. Octobr. Anno 1681 gehaltenen COLLOQUIO Ergangene Wechsel-Schriften/ Responsa und hochvernünfftige Judicia; Nach höchtes Fleisses überlegten beyderseitigen Rationibus, und hierüber gefaßten Grund-Schlüssen Erörtert: Und als ein Curiöses und ungemaines Zweifel-Werck/ Zu eines jeden genugsamen Unterricht in öffentlichem Truck ausfertiget* (Frankfurt and Leipzig, 1682), pp. 293–94. Hereafter cited as *Colloquio*. But a juridical



versity education, pastors and jurists were exposed to the classical texts, and the various notions of how generation took place informed their takes on incest, although they may have failed to clearly distinguish between the Galenic and Aristotelian accounts.

The Galenic (blood/semen exchanged in the sexual act) and Aristotelian (form provided by the father; blood/matter, by the mother) understandings provided rather different sets of metaphors for modeling the connection between spouses and between families.<sup>24</sup> Drawing on Aristotelian conceptions, it was possible to think of maternal blood as in some way the intermediary or instrument for creating alliance. Thus the paternal principle might offer form and govern the replication of the line, the incarnation of the father in the son, the incorporation of a self both differentiated in person and substantially the same; while the maternal principle, nourishing, caritative, cooperative, and indispensable to male continuity, might provide a vector for solidarity between allies and a channel for social circulation.<sup>25</sup> In contrast, with the Galenic model, whereby intercourse involved the expression of “semen” by both partners, it was possible for a group of males, an agnatic line, a house, a *race* to think of the marriage of one of their members with another house as a mingling of blood.<sup>26</sup> Whether Aristotelian or Galenic

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*consilium* reported in Bruckner (1692) argued that *a man became one flesh with his brother* when his blood flowed into the flesh into which his deceased brother’s blood had flowed. Clearly here the ejaculation of semen was seen as a flow of blood, which left something permanent in the woman, so that the next man who caused his blood to flow into that woman contracted something from the first man. For a brother to do so seemed to redouble a substance in an illegitimate way: Hieronymus Bruckner, *Decisiones Iuris Matrimonialis controversi Quibus tam ea, quae per proximos Triginta & amplius Annos de Causis Matrimonialibus inter Eruditos varis Scriptis pro & contra disputata sunt, quam aliae communiter receptae Opiniones & Sententiae, secundum Normam Scripturae S. Principia Iuris Naturalis & Positivi, atque Regum, Electorum, Principum & Statuum Evangelicorum Constitutiones Matrimoniales, examinantur; deciduntur & Lectorum quorumvis Iudicio submituntur* [ . . . ]. (Frankfurt and Leipzig, 1692), p. 279, hereafter Bruckner, *Decisiones Iuris Matrimonialis controversi*. The great French court preacher Jean-Pierre Camus, in one of his early seventeenth-century homilies, explained the generation of Christ in purely Aristotelian terms. The Virgin Mary provided the pure blood, while God provided the spirit for the conception: Jean-Pierre Camus, *Homélie des États Généraux (1614–1615)*, ed. Jean Descrains (Geneva, 1970), p. 259.

24 For the Hippocratic texts, see *Hippocratic Writings*, ed. G. E. R. Lloyd, trans. J. Chadwick and W. N. Mann (London, 1983), pp. 319–24. For a discussion of Galen and Aristotle, see Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, MA, 1990), pp. 38–43. Aristotle, “On the Generation of Animals,” 1.19.727<sup>a</sup>–2.1.735<sup>a</sup>, pp. 95–157. See also Pomata, “Blood Ties and Semen Ties,” p. 51.

25 P. J. Crébillon Père, *Idomenée* (1706), in *Oeuvres de Crébillon*, (Paris, 1831), vol. 1, p. 68: the son says to the father that he recognizes the blood that made him. In *L’Etourdi* (1663), Molière lets a character speak of his father as the source of his blood and author of his being: Molière, *Œuvres de Molière*, ed. E. Despois, new ed., 13 vols. (Paris, 1873), vol. 1, p. 235; this Molière edition hereafter; Despois, *Œuvres de Molière*. In one of Honorat de Bueil de Racan’s “psalms,” a man is conceived of the *same blood* as his father in the womb of his mother: “Le LXVIII<sup>e</sup> Pseaume [sic],” in *Œuvres complètes de Racan*, ed. M. Tenant de Latour, 2 vols. (Paris, 1857), vol. 2, pp. 179–85, here p. 181.

26 The image of mixing the blood of two lineages or families through the agency of a son or daughter was a recurring theme in the seventeenth century. For example, François de Maynard, in a poem written to Cardinal Mazarin, expressed astonishment that the cardinal had not married his sister off to the

in inspiration, thinking about alliance in terms of blood required using the language of flows, channels, conduits, coursings, and circulations.<sup>27</sup> Rival schools of medicine in the seventeenth century channeled either Aristotle or Galen in their quarrels, and playwrights, poets, pastors, theologians, and jurists grabbed their metaphors to suit the occasion, without paying much attention to coherence.

## Protestant theological reflections on flesh, blood, incest, and social reproduction

Men are not kin to each other unless they are made from the same blood; and this blood is not one unless it descends from a single individual and comes from the same vein. — Moyses Amyraut, 1648<sup>28</sup>

The Lutheran theological consolidator, Johann Gerhard, whose work I explored in chapter 3, drew upon Roman and medieval canon law to trace a careful distinction between affinity and consanguinity. Although an affinal relation was, for him, by necessity, acquired voluntarily in the act of consenting to marry, it had to be understood as *like* a blood relation, an imitation of consanguinity, a *simulacrum*.<sup>29</sup> Affines were those relatives not connected through the natural transmission of blood but through an artificial, contractual coupling and the resulting union of two joined in one flesh.<sup>30</sup> This

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nobility, thereby mixing his blood with a noble lineage: *Œuvres poétiques de François de Maynard réimprimées sur l'édition de Paris (Augustin Courbé 1646)* [ . . . ], ed. Prosper Blanchemain (Paris, 1864), p. 8. In Corneille's plays, which I will explore in some detail below, there are multiple examples of marriage being conceived as a union of the blood of spouses and their families. In *Théâtre complet de Corneille*, the aforementioned Corneille edition by Maurice Rat, see for example: *Polyeucte*, Act 3, Sc. 3, vol. 2, p. 46; *Andromède*, Act 1, Sc. 1, vol. 2, p. 550; *Toison d'or*, Act 3, Sc. 1, vol. 3, p. 118. In *Sertorius*, the queen's marriage was intended to commence a union between two people, leading to many marriages, chaining two nations, mixing blood and common interest, making one people from two: *Sertorius*, Act 1, Sc. 2, vol. 3, p. 170. In *Agésilas*, a political marriage was intended to link the blood of the two leaders: *Agésilas*, Act 1, Sc. 2, vol. 3, p. 367. Bossuet, in a funeral sermon for a noble woman, spoke of her having united the blood of the Gonzagas and Clèves, and Lorraine and France; *Oraison funèbre d'Anne de Gonzague* (1685), in Jacques Bénigne Bossuet, *Œuvres oratoires*, ed. J. Lebarcq, rev. Ch. Urbain and E. Levesque, 7 vols. (Paris, 1924–1926), vol. 6, p. 291. In Jean de Rotrou's *Le véritable St-Genest* (1647), ed. E. T. Dubois (Geneva, 1972), p. 62, a man gave his own blood to his son-in-law through his daughter.

<sup>27</sup> Although the analogy was never perfect, what constituted the Church, the body of believers, the bride of Christ (at least in some Catholic texts) was the mutual consumption of Christ's blood (which they thought of as Mary's blood).

<sup>28</sup> Moyses [Moïse] Amyraut, *Considerations sur les Droits par lesquels la nature a réglé les mariages* (Saumur, 1648), p. 267.

<sup>29</sup> Johann Gerhard, *Loci theologici cum pro adstruenda veritate tum pro destruenda quorumvis contradicentium falsitate per theses nervose solide et copiose explicati*, ed. Friedrich Frank, 10 vols. (Leipzig, 1885), vol. 7, p. 239; hereafter Gerhard, *Loci theologici*.

<sup>30</sup> "No one," Gerhard said, "shall approach the flesh of his flesh, by which words in general are prohibited whoever is close (*propinquam*), whose flesh is close to his own, or to the flesh of his flesh, that is,

modeling of kin distinguished allied groups from each other according to descent and emphasized, on the one hand, their separateness, and on the other, the carnality of the marital tie.<sup>31</sup> The assumptions behind Gerhard's hermeneutics resonated powerfully with the lineage models that were under construction just at the time he wrote. They relied on an earlier tradition that emphasized the coherence of familial ties *incarnated* or *incorporated* by means of physical generation.

Although Gerhard's semantics worked effectively in the subsequent decades to shape the terms of Protestant discourse in Germany, in both Protestant and Catholic Europe from the sixteenth to the seventeenth century, there were slippages away from flesh towards a symbolics of blood as a more suitable medium to convey agnatic descent structures. Gerhard, however, was not just concerned with the issue of descent ties but wanted also to grasp the essential problem of social reproduction through alliance. The tie *between* two descent groups was so elemental that it could not end with the death of one of the spouses, which meant that two families linked through a marriage were bound to each other indefinitely. As an expert witness, Gerhard condemned a proposed marriage with a wife's sister's daughter on the grounds that she was as close to the man as a daughter because a man and wife are one body.<sup>32</sup>

While Gerhard kept his cards close to his chest, refusing to speculate on why God distinguished the way he did between alliance (flesh) and descent (blood), other theologians did not hesitate. Writing at midcentury, the Huguenot controversialist Moysse Amyraut argued in his six-volume *Morale chrestienne* that the kinship that came from

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whoever is either propagated from my flesh and therefore prohibited by close degrees of consanguinity or on account of carnal mingling (*carnalem commixtionem*) is made flesh of my flesh through nearness of blood." Gerhard, *Loci theologici*, vol. 7, p. 266.

31 The clear distinction between flesh and blood was not always kept. An anonymous tract from 1758 stated that "God always establishes [the prohibition] *pro Ratione Legis Carnem Carnis*, but not at all *Respectum parentelae*. If, however, *consanguinitas* is the *solum & unicum fundamentum* on which all *prohibitiones hujus generis* rest, as without any doubt was the case; so the prohibition also continues to be valid after the death of the partner, who had been the *vinculum*, which has bound me so closely to a *tertio vel tertia*, that she must be called my *caro carnis*. For the *vincula consanguinitatis non dissolvuntur per mortem unius Individui statu, uti fuerunt antea, permanent*"; that is, the tie that was established with marriage was one of blood, and it did not end with the death of one of the partners: "Umständliche Widerlegung obigen Bedenkens," in *Bedenken über die Frage ob die Ehe mit des Bruders Wittwe erlaubt sey?* (Frankfurt and Leipzig, 1758), p. 127; cited hereafter as "Umständliche Widerlegung obigen Bedenkens." See the bibliography for alternative title information. The author further said that a man's closest blood relation could not be his wife, for then he could not have sexual relations with her. Rather, that closest relative was her sister (p. 244). On the palpability of the one flesh notion, compare the 1618 text by Heinrich Leuchter (pastor and superintendent in Darmstadt), with its analogy between Adam's rib and the wound in Christ's side—both were incorporating, making one flesh, just as the husband made the wife one flesh: Heinrich Leuchter, *Eva formata, Das ist/ Ein christliche Hochzeitpredigt von der wunderlichen Bildung Evae/ Gen. 2 Cap [ . . . ]* (Giessen, 1618), pp. 16–17.

32 Johann Bechstad, *Collatio jurium connubialium, tam universorum & communium, quam municipalium quorundam, inter cognatos & affines; annexo jure dispensationis, respectu utrorumque* (Coburg, 1626), pp. 414–28. Bechstad was a Saxe-Coburg counsellor and consistory judge.

consanguinity was closer and stricter than the kinship of alliance or affinity, and he used the idea of “copy” here as Gerhard did—affinity was a reflection, a copy, a less distinct form of the original.<sup>33</sup> Relations through blood were immediate and compelling, while those of affinity came from the realm of communication; they were mediate. As with Gerhard, assumptions about male lineage organization underpinned Amyraut’s representation. The unity of blood in descent, as he put it, was a living thing flowing in “one vein.”<sup>34</sup> Here it is possible to see more clearly the way discourses of flesh and discourses of blood placed the emphasis on rather different things. With Gerhard, the concentration on flesh metaphors put the weight on incorporation through sexual intercourse, while with Amyraut lineage and substance received the greater stress. Gerhard emphasized the indissolubility of those ties that allied families contracted/contacted, while Amyraut focused more on the dynamics of lineage. Readers familiar with twentieth-century anthropological distinctions between descent and alliance theories will find similar formulations here.

The problem of how much weight to give to relatives through marriage ran through theological discourse right on into the eighteenth century, and the issue could be seen from many perspectives. Prompted in large degree by the exigencies of textual interpretation, theologians thought through differences among kinds of kin and their obligations to one another by means of a conceptual distinction between flesh and blood. But great clarity was not always the result. One professor in 1738 argued that entering into “one flesh” produced at least the same ties as those of blood.<sup>35</sup> Another, around the same time, thought that the first degree of affinity was not *conceptible sine Idea Consanguinitatis*: “If consanguinity is the sole and unique foundation on which the prohibitions of this kind rest, as it indubitably is, then the prohibition continues to be in force after the death of the one who was the link that tied me so closely to a third person, such that she has to be called my *caro carnis*.”<sup>36</sup> The point here, as with Gerhard, but strengthened, was a prohibition against repeated sexual relations with the same blood, the same lineage, the same house.<sup>37</sup> That is, “consanguinity” marked off people of the same group

33 Moyse Amyraut, *La morale chrestienne*, 4 pts. in 6 vols. (Saumur, 1652–60), p. 246.

34 This idea was grasped by Madame de Sévigné in a lyrical passage written to her cousin in 1686: “Let us enjoy, my dear cousin, this lovely (*beau*) blood that circulates so gently and agreeably in our veins.” Marie de Rabutin-Chantal, Marquise de Sévigné, *Correspondance*, 3 vols. (Paris, 1972–78 [1675–96]), vol. 3, p. 254; hereafter, Sévigné, *Correspondance*.

35 Siegmund Jacob Baumgarten, *Unterricht vom rechtmässigen Verhalten eines Christen oder theologische Moral zum academischen Vortrag ausgefertigt* (Halle, 1738), p. 386.

36 “Umständliche Widerlegung obigen Bedenkens,” pp. 89–90, 129.

37 One could add another mid-eighteenth-century voice, the one of theologian Johann Lorenz von Mosheim, here. He glossed the Hebrew term *Scheer Basar* [*she’er basar*] from Leviticus 18:6 as “Überbleibsel von Fleisch,” meaning, he maintained, flesh that had something in common with a third thing. “Consequently, the words in the sixth verse [of Leviticus 18] intend to say: no one may approach that relative who descends with him from a common forefather; no one may marry a person who is too close to someone with whom he is considered to be one flesh, or with one he already shares with a third person, for *quae*—

and “double dipping” was a violation of flesh. Such violation evoked fears of pollution, a cultural response to a form of social disorder that we need to examine at greater length.

### Blood, seed, and confusion: the wife’s sister versus brother’s wife

Because of the confusion of related seed in one subject and thus on account of incest, women are not permitted to marry two brothers. — Christoph Joachim Buchholtz, 1651<sup>38</sup>

An emerging issue during the seventeenth century was whether the prohibitions against brother’s wife and wife’s sister had the same grounds. One way of thinking about the problem could oppose Aristotelian and Galenic reasoning. Those who drew upon Galen’s notion that intercourse caused a commingling of semen (blood) might understand both relationships as essentially the same, since both women became one flesh with a man in the same fashion, through the *commixtio sanguinis*. With Aristotelian assumptions, the two relatives could be sharply differentiated, since the man’s seed was conceptually different from the matter or blood of the wife. The idea was put this way: a man with two sisters inserted his seed into two different “receptacles” (wombs) (*vasa*), but two brothers with the same wife mingled their seed in the same receptacle.<sup>39</sup> A text from the late-eighteenth century brought the issue to the point: “If I marry the woman whom my brother had in marriage and have carnal intercourse with her and allow my seed to flow into her womb, then the seed of two brothers comes into one womb, *in unum vas*, and that is a true *confusio sanguinis* or mixing of blood, and God did not want that; it is a shameful act, for it is your brother’s nakedness.”<sup>40</sup> At the beginning of the eighteenth

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*cunq̄ue sunt connexa in uno quodam tertio: sunt etiam connexa inter sese*: Johann Lorenz von Mosheim, *Sitten-Lehre der heiligen Schrift*, 9 vols. comprised of various editions, here vol. 8, ed. Johann Peter Miller (Göttingen and Leipzig, 1767), p. 106. The Altdorf professor of theology and moral philosophy, Johann Conrad Dürr, thought that once Adam’s blood had been dispersed into enough different veins to allow the propagation of humans, then it was repugnant for anyone to pour his blood back to the author of his origin or to mix with anyone known to be born from the same fountain: Johann Conrad Dürr, *Compendium theologiae moralis*, 2nd. ed. (Altdorf, 1675), p. 363.

<sup>38</sup> Christoph Joachim Buchholtz, *Pro Matrimonio Principis cum defunctae Uxor̄is Sorore contracto. Responsum Juris collegii jctorum in Academia Rintelensi* (Rinteln, 1651), p. 37, hereafter Buchholtz, *Pro Matrimonio Principis*. Buchholtz, as I discussed in chapter 3, saw no problem with the wife’s sister, but thought that the brother’s wife was an altogether different matter.

<sup>39</sup> [Johann Christoph Meinig], ed., *Enunciata und Consilia Juris unterschiedener Rechts-Gelehrten berühmter Facultäten und Schöppenstühle* (Leipzig, 1724), p. 409. See Pomata, “Blood Ties and Semen Ties,” pp. 51ff.

<sup>40</sup> *Sendschreiben eines Layen an den hochwürdigen Herrn Johann Melchior Goeze* (n.p., 1780), p. 5. For a seventeenth-century text that made the same point, see Johann Nikolaus Misler, *Opus Novum quaestionum practico-theologicarum, sive casuum conscientiae* (Frankfurt, 1676): “A woman cannot have two brothers because of the confusion of seed, which come in contact within one subject.” But a man “can have two sisters because seed is not confounded in diverse persons.” Buchholtz, who wrote several thousand pages on marriage with the wife’s sister and argued that scripture did not forbid it, did see marriage

century, Superintendent Kettner, in an unintended caricature of Baroque prose, denied that the confusion of seed was the issue and reasserted the principle of the unity of the flesh: “We only say not that the wife's sister *ante commixtionem* is *una caro* with the sister's husband in the same way as with his wife, for she only *per consensum & actum conjugalem* becomes one flesh with him in marriage, but only *mediante uxore priore, cujus caro soror fuit*, does the *soror* become *consequenter caro mariti propinqua eius, affinitate primi generis*, and she is treated the same, as if she were the man's sister, because a marital couple are *una caro*.”<sup>41</sup> Together with his own tract, Kettner printed a 1596 opinion from the Hildesheim ministers, in the case of sister-in-law marriages among Jewish inhabitants. They found that a marriage was a substantial and indissoluble alliance of two sets of kin (*Freundschaften*). The prohibition derived from affinity came from the fact that it involved a linking together of two lineages (*cognationum*), an alliance of two kinship groups (*Freundschaften*).<sup>42</sup>

There were two positions here, inconsistent in that they called on two different ideas about generation and the implications of sexual intercourse, but consistent in

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with the brother's wife as illegitimate, precisely because of the mixing of seed of two brothers in one woman: Buchholtz, *Pro Matrimonio Principis*, 36–38. It is, of course, possible to see this as a metaphor for confusion of descent, with two first born in one lineage. In the Oettingen *Colloquio* (1682), the first contributor argued against marriage with the brother's wife on the grounds of confusion of seed and made explicit that this was to be understood as a wider issue of confused inheritance and succession. There are very strong male lineage ideas here. As he put it, in marrying two sisters, the blood runs in two different lineages (*Geschlechter*), although how two sisters represented different lineages was left unexplained: *Colloquio*, pp. 21–23. The jurist Hieronymus Bruckner cited a formal opinion (*consilium*) dealing with the case of a noble whose brother had been married to the woman he now wished to marry. He claimed that the first brother had been impotent, that there was no *commixtio seminis et sanguinis*, and that therefore he could marry her in good conscience. According to that opinion, “*Vir enim & mulier efficiuntur demum in Carnali Copula Una Caro per commixtionem Seminum*.” If the couple got a medical attestation that the first brother had been impotent and that there had been no commingling of semen and blood so that no true affinity had arisen, the second brother did not commit incest. A brother who had intercourse with his brother's wife was one flesh with her through sexual intercourse but also through his flesh's flesh, that is, he was one flesh with the flesh of his brother, when his blood flowed into her flesh, into which his deceased brother's blood had flowed: Bruckner, *Decisiones Iuris Matrimonialis controversi*, pp. 273–79. A French example, cited in chapter 1, from a book on cases of conscience by Jean Pontas (1715–18), presented the argument in a confused Aristotelian/Galenic mixture, citing the authority of Aquinas. The question was posed whether Pierre, in taking the virginity of Marie but withdrawing before the flow of semen, had become one flesh with her. The answer was no, because there was no *commixtio seminum*. “*Vir & mulier,*” inquit beatus Thomas, *efficiuntur in carnali copula una caro per commixtionem seminum. Unde quantumcumque aliquis claustra pudoris invadit vel franget, nisi commixtio seminum sequatur, non contrahitur ex hoc affinitas.*” And then a more interesting question was posed. But what if a man emitted semen into the *vagina sine membri genitalis introductione*? Would they be one flesh? They certainly would be, because according to Aquinas and Aristotle, the woman's semen was not necessary to conception, and the male seed was enough to act as an efficient cause: Pontas, *Dictionnaire de cas de conscience*, vol. 1, cases 1, 8, 9.

41 Kettner, *Gründliche Untersuchung*, pp. 62–63.

42 *Des Ministerii zu Hildesheim Judicium Anno 1596, das D. Heshusius sup. verfertigt*, in Kettner, *Gründliche Untersuchung*, Beilage XI, p. 61.

that they both required the flow of semen into the vagina to contract a valid relationship and posited that such a relationship would be contracted even without marriage. Both approached the issues of kinship definition and constitution from the perspective of male-defined lineage. And both relied on assumptions of an essential role for blood in the reproduction of existing kinship by descent, with its accompanying rights and duties, and in the creation of new kinship by affinity, with its claims, and obligations.

## Fungible blood and paternal idea: Appropriations of Aristotle

The wetnurse is the real mother. — Aegidius Albertinus, early seventeenth century

The idea or appearance of the genitor remaining in the uterus generate[s] a foetus like to himself.  
— William Harvey, 1653

Having followed some of the academic discourse up to this point, I want to use two other texts to open up considerations about paternal blood; a popular, moralistic tract by Aegidius Albertinus (1560–1620), a privy council secretary in Bavaria, and a scientific treatise by William Harvey (1578–1657), the physician in England famous for his “discovery” of the circulation of blood. I want to bring these quite different accounts together as an illustration of two contrasting ways of appropriating Aristotle to suggest agnatic or paternal continuities through the action of blood. Albertinus offered this on issues of blood and relationship: “Children who are given to a wet nurse should be considered as bastards and illegitimate, since the mother gives to her own children nothing but a part of her blood, out of which the potency of the man makes flesh and bone. But the wet nurse who suckles the child gives the same thing because milk is blood and in the same blood works exactly the same potency of the father, who lives in the son.”<sup>43</sup> Considered correctly, according to Albertinus, the wet nurse of a child was the true mother; and the birth mother really just a stepmother who had sold to her husband a child as his son and heir who in reality was neither hers nor his, but rather the child of the wet nurse who, in turn, might be a mere serf or slave.<sup>44</sup> There are many elements in this text to draw our attention. First, it appears that the author was thinking in more or less Aristotelian terms, since it was the man who actuated the blood of the woman. This was put quite straightforwardly here. First, her blood, once activated by the man, mediated his potency and would continue to do so were she to breastfeed the infant. So when the woman gave her blood to the child she was mediating the father’s potency. The child

<sup>43</sup> Aegidius Albertinus, *Hortulus muliebris. Quadri Partitus, das ist/ weiblicher Lust-Garten/ in vier unterschiedene Theil abgetheilt* (Leipzig, n.d.), pp. 8–9.

<sup>44</sup> The Huguenot theologian Amyraut argued that blood formed ties between mother and child in the womb but also through suckling: Moyses Amyraut, *Moyses Amyraldi, theol. et philosophi clarissimi, de jure naturae, quod connubia dirigit, disquisitiones sex*, trans. from the French with added notes Bern. Henr. Reinoldo and Gerh. von Mastricht (Stade, 1712), pp. 90–91.

was the product of the man who actuated the blood of the mother. Second, blood was fungible. It could take the form of milk or semen. Third, the author thought in terms of male lineages. The son and the father were the issue, and the text circled around issues of legitimacy, descent, and the flow of vital substance through the male line. The wife/mother was essentially just an instrument for the construction of male lines. But she was a dangerous instrument, and the text set up the problematic of inherent threat to the substance of a lineage posed by alliance. In its representation of agnatic lines and alliance, this text by a Catholic folk moralist drew upon the same images and symbols found in academic writing of the period.

Another “Aristotelian” modeling of sexual communion and generation comes from the English Protestant William Harvey. Although he explicitly denied both the Galenic and Aristotelian accounts of generation—having found no semen or blood in the uterus of hundreds of slaughtered deer and chickens examined directly after mating—there were still elements of an Aristotelian way of viewing things in his argument.<sup>45</sup> He liked the idea of male precedence in the process: “The virtue proceeding from the male in coitus has such fructifying power that it changes the whole female both in her attitude of mind and in her bodily vigour.”<sup>46</sup> He found the tissue of the uterus to resemble that of the brain—that was why both of their functions were called conceptions; something analogous to imagination and appetite was awakened in the uterus by coitus: “From the male as being the more perfect animal and, as it were, the most natural object of desire, the natural conception arises in the uterus of a woman even as the animal conception is made in the brain.”<sup>47</sup> Also because conception was the work of the male, the offspring were like the male progenitor: “For just as we fashion from the conception of a form or an idea in the brain its likeness in the works of our hands, so does the idea or appearance of the genitor remaining in the uterus generate a foetus *like to himself* [my emphasis] by the help of the formative faculty, that is to say, by imposing upon its own workmanship its own immaterial appearance.”<sup>48</sup>

What is interesting in this account is the way the male principles of form, spirit, idea, fertility, fecundity, and efficacy gave the male precedence of place in the formation of the fetus. Neither parent offered blood to the child, yet (although Harvey did not use the word) the child was a kind of “avatar” of the father, generated as from an idea. The blood that the child develops was the principle of its life and the seat of its soul; or as Harvey put it, “the first genital particle, the fountain of life, the first to live and the last to die, the chief habitation of the soul, in which (as in its fountainhead) heat first and

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45 William Harvey, *Anatomical Exercitations*. I started with this edition and later began to read a modern edition, *Disputations Touching the Generation of Animals: Translated with Introduction and Notes by Gweneth Whitteridge* (Oxford, 1981) that appends another piece on generation; cited hereafter as Harvey, *Disputations*.

46 Harvey, “Of Conception,” appended to Harvey, *Disputations*, p. 444, hereafter Harvey, “Of Conception.”

47 Harvey, “Of Conception,” pp. 445–46.

48 Harvey, “Of Conception,” pp. 445–46.



chiefly abounds and flourishes, and from which all the other parts of the body are cherished by the inflowing warmth and derive their life.”<sup>49</sup> There appeared to be a kind of gap, then, between the blood of the parents and that of the child. The blood “lives and is nourished of itself—even when the fetus is stamped by a paternal idea.”<sup>50</sup>

## Jesus’s blood, Mary’s blood: Catholic theologians consider lineage and alliance

The divine birth is accomplished in the Virgin. He is flesh of her flesh and bone of her bone. It is in her and by her that He is made flesh of her flesh and bone of her bone and that He takes her blood, the precious blood that the torturers took from His veins. — Pierre de Bérulle, 1614<sup>51</sup>

### The “Immaculate Conception” and the origins of salvific blood

Just as fountains always remember their source, throwing up the water into the air that falls back, we fear not to say that the blood of our Savior will return its virtue right back to the conception of His mother, to honor the place from which it came. — Jacques Bénigne Bossuet, 1660

Theological discourse of the seventeenth century was full of tropes about family, lineage, succession, sexuality, alliance, and substances, whether flesh or blood, that connected people together as relatives or as Christians.<sup>52</sup> Sacred and profane metaphors continuously informed and supported each other in the service of particular arguments or images. A case in point is provided by Jacques Bénigne Bossuet (1627–1704), bishop of Meaux and court preacher of Louis XIV, whose highly popular and influential sermons, delivered from pulpits in Paris and at Versailles, were widely disseminated. In one daring example of oratorical flourish, Bossuet drew a startling analogy between ingesting the Host (body of Christ) and sexual intercourse. Both, he proclaimed, involved physical enjoyment, incorporation, and substantial union.<sup>53</sup> In sermons written for feast days celebrating events in Mary’s life, Bossuet represented the blood ingested by

49 Harvey, *Disputations*, p. 244.

50 Harvey, *Disputations*, p. 247.

51 Pierre de Bérulle, *Conférences et Fragments*, in *Œuvres complètes*, ed. Michel Dupuy (n.p., 1995–), vol. 1, pt. 3, p. 76.

52 For an earlier take on Bossuet and Corneille, see Sabeau, “Descent and Alliance,” pp. 144–74.

53 A modern French theologian worked with the same ideas. François Varillon, *Joie de croire, joie de vivre: Conférences sur les points majeurs de la foi chrétienne* (Paris, 1981), pp. 280–81. There was a strict union between the sacrament of marriage and the eucharist. Marriage in the strongest sense was becoming one flesh. The desire of love was fusion without confusion, a desire to eat each other and be consumed. At the foundation of the eucharist was the idea of nourishment: the reality of fusion of love between spouses.

the faithful as the blood of both the Virgin Mary and her son. But how could that be? To understand all of this, he and the other theologians and preachers of his generation had to consider the nature of human sexuality, the physiology of generation, the unity of the human race, the heritability of substance and sin, the dynamics of lineage, and the characteristics of both paternity and maternity.

For Bossuet, a great deal of the answer hinged on the doctrine of the Immaculate Conception of the Virgin Mary, which, in turn touched on Mary's physical relationship with her son Jesus, the Christ; with the connection, that is, between her substance (blood and flesh) as mother and His as her son. At the heart of the theological problem lay the notion that Christ had been conceived without sin. This meant that His conception had necessitated not just the miracle of a virgin birth but also the purity of the human flesh he assumed. Although His conception and birth were unique, Mary's had had to take place in the normal way through human sexual intercourse—otherwise an infinite regress of miraculous conceptions would have been required. Clearly there was a conundrum to be resolved. So how did Bossuet go about it? With the issues of blood and flesh that we have found in other seventeenth-century texts.<sup>54</sup> And of course with contemporary ideas of descent, consanguinity, and the unity of the flesh.

To craft his solution, Bossuet began with Augustine's account of the Fall: the idea that the original disobedience (sin) in the Garden of Eden led to the corruption of flesh by concupiscence, and that since then, the sex act had communicated corrupted flesh, and its unruly passions and desires, in a continuous chain down through the generations.<sup>55</sup> Theologians following Augustine elaborated his point to make it more precise. The union of male and female seed produced a matter that was itself sinful, *caro peccati*, corrupted by an *infectio carnis* or *qualitas morbida*, "imprinted quasi physically by the disorderly pleasure of the parents."<sup>56</sup> In so far as these theologians made a distinction between the first moment of conception, which produced the flesh, and a second, during which God infused that flesh with a not-yet-corrupted soul, they argued that the soul was immediately corrupted at the moment of union.<sup>57</sup>

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54 In an exhaustive and fascinating study of the rise and development of the Immaculate Conception doctrine (from the twelfth to the fifteenth century), Marielle Lamy, *L'immaculée conception: Étapes et enjeux d'une controverse au moyen-âge (xii<sup>e</sup>–xv<sup>e</sup> siècles)* (Paris, 2000), p. 69, showed that after 1180, school doctrine progressively shifted from a Galenic to an Aristotelian notion of conception, which played out in the discussions surrounding the conception of Mary.

55 Lamy, *L'immaculée conception*, p. 41. The following discussion is based closely on Lamy. For Bossuet's use of Augustine, see "Premier sermon pour la fête de la conception de la sainte vierge," in *Œuvres complètes de Bossuet: publiées d'après les imprimés et les manuscrits originaux* [. . .], ed. Lachat, 31 vols. (Paris, 1862–66), vol. 11, pp. 1–20, here p. 4. This edition of Bossuet's complete works hereafter cited as Lachat, *Œuvres complètes de Bossuet*.

56 Lamy, *L'immaculée conception*, p. 41.

57 Peter Lombard, Sentences, 1.II, d. 31, c. 4, as cited in Lamy, *L'immaculée conception*, p. 42: "In concupiscentia igitur et libidine concipitur caro formanda in corpus prolis. Unde caro ipsa, quae concipitur in vitiosa concupiscentia, polluitur et corrumpitur; ex cuius contactu anima, cum infunditur, maculam

The problem for the generation of Jesus arose from the fact that Mary was conceived “by ordinary means,” which could only be construed as through sexual intercourse, which in turn led back to the consequences of the Fall and the problems of desire, lust, and irrationality. The implications worried late medieval theologians. Because Mary was conceived like all other humans, her flesh must have been corrupted by the effects of original sin, and thus she, like all descendants of Adam and Eve, needed salvation. How then could the transmission of her corrupted flesh have been avoided in the conception of Jesus, the uncorrupted Son? How could she have been both sinless (although conceived in the ordinary way) and in need of salvation (the universal task of Christ), a gratuitous act where there is no sin? Duns Scotus—among other theologians—offered one resolution to Catholic theology with his notion of extraordinary grace exercised at the moment of Mary’s own conception, which freed Mary from sin—the Immaculate Conception. In the case of Mary’s flesh then, Christ’s sacrificial act was inscribed backwards, so to speak: He was a “prevenient Mediator.”<sup>58</sup>

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trahit qua polluitur et fit rea, id est vitium concupiscentiae, quod est originale peccatum.” Bernard of Clairvaux in the twelfth century, much cited by Bossuet for his veneration of the Virgin Mary, offered a strong voice in the Augustinian tradition, seeing a necessary connection between sexual union and sin: Lamy, *L'immaculée conception*, p. 107. At the end of the twelfth and beginning of the thirteenth century, Alexander Neckham expressed the dominant position that the soul being substantially present in the smallest particle of the body, when Adam’s soul was corrupted, all his flesh was corrupted: Lamy, *L'immaculée conception*, p. 138.

58 For a standard view on Duns Scotus, see the *New Catholic Encyclopedia*, 2nd ed., s.v. Duns Scotus, John. In *L'immaculée conception*, pp. 345–78, Lamy looked at all the evidence for Duns Scotus being the “hero” of the doctrine of the Immaculate Conception and came to the conclusion that his texts were at best ambivalent. Bossuet put the matter of prevenient mediation in terms of God’s foresight or predestination—Mary would have been lost without the intervention of His grace. Bossuet, “Premier sermon pour la fête de la conception de la sainte vierge,” p. 5: “Marie étoit perdue tout ainsi que les autres hommes, si le Médecin miséricordieux qui donne la guérison à nos maladies, n’eût jugé à propos de la prévenir de ses grâces.” It was implied from the nature of God, who is eternal and unchangeable, that this election had to have been from eternity (*alliance éternelle*). Mary profited from the fact that her son existed already before her. In fact, however, to speak correctly, she was already His mother and He her son. Bossuet, “Premier sermon pour la fête de la conception de la sainte vierge,” p. 11; Bossuet, “Second sermon pour la fête de la conception de la sainte vierge,” in Lachat, *Œuvres complètes de Bossuet*, vol. 11, pp. 20–42, here p. 36. Lamy, *L'immaculée conception*, pp. 166–80, shows how the doctrine of predestination played a central role in the development of the immaculist argument already in the twelfth century. In the treatise of Pseudo-Mandeville, it was argued that before all other creatures were created, Mary was conceived in the divine spirit and always united to God and never separated from him (pp. 167–68). The difference here between son and mother is that He was engendered and she created, but being in the mind of God before creation sounds very much like a platonic idea. She then becomes the prototype of humanity, the model by which men are created, with the implication that man would have been made not in the image of God but of Mary. The argument from predestination was that Mary could not have been predestined and left to sully the dignity of being mother of the Word, and therefore an intervention by God was necessary (p. 170). The idea of a preventative action or purifying put attention on the son rather than the mother, and Mary became a mediator by offering the Redeemer through her consent to incarnation and to being the necessary channel (p. 176). Although fully associated with the

How did the substance blood come into this doctrine? In two ways, according to Bossuet. First, Christ's shed blood was necessary for the action that made Mary pure, and second, the blood that Mary carried and gave to her son (that which made Him man) had to be pure, in turn.<sup>59</sup> The purity was reciprocal: it circulated, flowed back and forth, like fountain water being sprayed into the air only to fall back to join its source. It was the essential communicating element between mother and Son, as between Son and mother. The blood of the Son that saved Mary was the blood that had been taken from her chaste body. In fact, the conception of Mary was the first source of the blood of Christ.<sup>60</sup> And what is more, the blood that coursed among members of the Church and the flesh that united them in Christ, was in some essential way Mary's flesh and blood.<sup>61</sup> Mary, the mother, conceived the flesh that we receive, and she is the source of the blood that "flows [*est coulé*] in our veins through the sacraments."<sup>62</sup>

In this understanding of generation and alliance, the substance that transmitted essential properties from parent to child was blood and the same blood linked believers together in alliance. The parallelism that Bossuet saw between ingesting the eucharistic sacrifice and sexual intercourse derived from his understanding of the circulation of blood—both receiving the Host and engaging in sexual intercourse involved

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gift, she was not the source but the first beneficiary. But predestination raised her place more directly into participation in the redemptive work. Osbert de Clare made of Mary conceived without sin a predestined auxiliary of the redressment of the human race (p. 177). Here the descentance, lineage, or seed of the woman was fundamental (p. 179). In all of these twelfth-century writings, the predestination of Mary imagined as the Immaculate Conception, was motivated by the thought of there being a special participation of Mary in the work of redemption.

59 See the discussion by Caroline Walker Bynum, *Wonderful Blood: Theology and Practice in Late Medieval Northern Germany and Beyond* (Philadelphia, 2007), for late medieval discussions of Mary's blood and Christ's body, pp. 117–18, 158–59, 161.

60 Bossuet, "Second sermon pour la fête de la conception de la sainte vierge," p. 29. In *De sanguine* (1440–42), John of Capistrano argued that Christ's body was composed completely from Mary's blood. In the medieval theory of generation, the body was composed of menstrual blood. See Bynum, *Wonderful Blood*, pp. 117–18.

61 In a sermon on the Annunciation, one of Bossuet's influential contemporaries, the Jesuit preacher Louis Bourdaloue, made a similar point: "Second sermon sur l'annonciation de la Vierge," in *Œuvres complètes de Bourdaloue de la compagnie de Jésus*, new ed., 6 vols. (Paris, 1905), vol. 5, pp. 265–84, here pp. 268, 275. Mary was a co-optrice in human salvation, since she formed the Savior and gave the blood that was the price of redemption. According to Bourdaloue, when the Word took on human flesh, that in itself constituted an alliance, and the flesh of man became the flesh of God. At the moment when the virginal flesh of Christ was conceived, all human flesh was penetrated by the unction of God. In this formulation, the alliance constituted by the united flesh of the Virgin and the son was a general alliance of divinity and humanity, and Mary's flesh and blood had cosmic significance. Bynum, in *Wonderful Blood*, argued that in the fifteenth-century representation around the south German monastery of Weingarten, Christ's body almost became Mary's blood, pp. 158–59, 161. The hesitation was gone for Bossuet.

62 "Troisième sermon pour la fête de la nativité de la sainte vierge," in Lachat, *Œuvres complètes de Bossuet*, vol. 11, pp. 100–21, here p. 119: "Elle est Mère de Jésus-Christ; nous sommes ses membres: elle a conçu la chair de Jésus; nous la recevons: son sang est coulé dans nos veines par les sacramens."

an exchange of blood and an operation that incorporated the self into an other. Both were closely tied up with the idea of a woman as the necessary instrument for the male strategy of transmission—incarnation, uniting the substance of God with the substance of man. God’s paternity of Jesus was at heart an alliance through a particular woman, which in turn was the center of a larger, more encompassing alliance. The central idea of circularity—whereby the blood of Jesus intervened preventively to purify Mary’s blood at the moment of her conception—was similar to the Aristotelian notion that in the generative act, male form acted in such a way on female matter that the blood of the child could be said to be that of the father. Jesus (the son) as God (the father) secured his own blood and determined his own succession.

### Medieval tropes of flesh give way to Baroque tropes of blood

Mary and her son have only one flesh. But the flesh of the father and mother of Mary are not one flesh with her, for their flesh is sinful and that of Mary is not, but it would have been if it had not been preserved. — Anonymous, 1515

We could say that the conception of Mary is as the first origin of the blood of Jesus. It is from then that this beautiful stream begins to be expanded, this stream of graces which courses in our veins by the sacrament. — Bossuet, 1660

The ever-greater stress on lineage in the social and political lives of Europeans from the Renaissance onwards paralleled the development of a semantics of blood both in cultural and theological discourses.<sup>63</sup> Bishop Bossuet put his own stamp, so to speak, on these cultural shifts and drew upon a rich accumulation of metaphors for an audience well into projects of kinship reorganization. We will deal with the reordering of kinship in the next chapter, but here the point is to get a general idea of the shift to blood as a discursive element and to examine some of the implications of that shift, which Bossuet and his fellow preachers inherited.

According to Marielle Lamy’s detailed account of the evolution of the doctrine of the Immaculate Conception from the twelfth century onwards, it appears that all the way into the fifteenth century the terms of discourse were of “flesh” not “blood.”<sup>64</sup> At

<sup>63</sup> Bynum, *Wonderful Blood*, pp. 157, 256, made the important point that blood devotion in the fifteenth century very rarely extended blood images to kinship or especially to lineage, and she suggested that older literature overemphasized lineage in the later Middle Ages. If she was right, the use of blood as a symbol of lineage and line post-dated the fifteenth century.

<sup>64</sup> See Lamy, *L’immaculée conception*. Of all of the writers that Lamy dealt with, the only one who spoke of blood rather than flesh was Pope Benedict XII (Jacques Fournier), but he was not concerned with blood in terms of inheritance or as a substance that connected families, lineages, or descent groups together. In his manuscript sermon, blood was equated with sin: “by blood one understands sins or inclination to sin derived from first sin or the corruption of the human body from the fault of sin,” p. 447. All sin could be called blood, but it more properly meant original sin. “Et sic per sanguinem peccata intelliguntur, vel

the heart of twelfth-century immaculist thought was the intimacy of the flesh of the Son and mother: already at the moment of *Mary's* conception her body and her Son's body were a *single body*.<sup>65</sup> It was through this union that the Son sanctified the mother at the moment of her conception.<sup>66</sup> Using the nuptial symbolism of Genesis 2:23–24, one author saw the Son as “bone of her bone and flesh of her flesh,” even while he reversed the Genesis gender pattern (Eve is derived from Adam in Genesis; here, Jesus is derived from Mary). There was almost a strictly *physiological* necessity for the Word to assume an innocent flesh.<sup>67</sup> And the fleshly unity of mother and son was modeled on the unity of spousal flesh—always already implicitly a sexual union.

Staying with the theology of the Immaculate Conception, I want to introduce a Renaissance text that illustrates how long tropes of “flesh” persisted. I am not concerned with exactly dating the change in discourse, but I do want to note that well into the sixteenth century “flesh” remained the central conceptual tool in theological thinking, giving way to “blood” during the seventeenth century.<sup>68</sup> Even then, as we have seen, the shift was not total. Flesh remained a discursive element into the early eighteenth century. One typical text of the sixteenth century, the anonymous *Defensoire de la conception de la glorieuse Vierge Marie* (1515) quoted in the epigraph, considered the doctrine of the Immaculate Conception and the relationship of Mary to Jesus almost solely in terms of body and flesh; blood was scarcely mentioned.<sup>69</sup> In elucidating the relationship of parents to progeny, the author included a description of the precise way by which original sin was transmitted from generation to generation. But the emphasis on lineage and line that seems to have motivated Bossuet's later adoption of a language of blood is missing here, and this underscores the fact that blood metaphors and lineage construction developed during the sixteenth century in a parallel, secular track that theologians only subsequently worked into their conceptual toolkit. In this earlier treatise, Mary marked an abrupt break with the sinful *masse* of Adam and all those generated from him, a breaking off of genealogical connection. Mary and her son had only one

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inclinatio ad peccandum ex peccato precedenti causata, vel corruptio corporis humani introducta merito peccati. . . . Quamvis autem omne peccatum etiam actuale sanguis dici possit supradicto modo, tamen magis proprie peccatum originale et fomes vel inclinatio ad malum sequens ipsum et mors carnis que ex peccato originali in omnes homines venit. . . . Et sic emundari id est perfecte mundari sanguis id est originale peccatum dicitur, cum et ipsum tollitur et inclinatio eius absciditur et mors que ipsum consequitur in incorruptionem transmutatur, quod non potest fieri nisi per Deum,” pp. 447–48.

65 Lamy, *L'immaculée conception*, p. 162.

66 Lamy, *L'immaculée conception*, p. 164.

67 Lamy, *L'immaculée conception*, p. 196.

68 See Bynum, *Wonderful Blood*, pp. 10–11, 93, 117, 127, 154.

69 *Le Defensoire de la conception de la glorieuse Vierge Marie, en forme de dialogue a Rouen chez Maistre Martin Morin, l'An de grace 1515*, in Pedro de Alva y Astorga, ed., *Monumenta Italo-Gallica ex tribus auctoribus maternâ linguâ scribentibus pro Immaculata Virginis Mariae Conceptione*. Scilicet, P. Domenico de Carpane, Nicolao Grenier, & anonymo colloquio inter sodalem & amicum. Pars secunda, 3 vols. in 2 (n.p. [Louvain], 1666; repr. Brussels, 1967); hereafter, *Defensoire*.

flesh, but Mary's parents were not one flesh with her.<sup>70</sup> The author imagined that the moment of contracting sin came with the infusion of the pure soul from God into the morbid body formed from seminal matter: "For when the flesh is conceived according to the common law of libidinous concupiscence, there is formed a pollution of the flesh. And when the soul is infused in such corrupted flesh, original sin is contracted, and it is stained as a body debauched from its flesh, like a soiled vestment. But the soul is stained and soiled from the righteous law of the divine justice of God, since the union is made of the soul with an infected body. . . ."<sup>71</sup> In the case of Mary, the seed or *masse* from her body was organized (*organis e*) by the action of God, and, being consecrated at that very moment (*in instanti suae conceptionis*), was preserved from the *fomes peccati* (concupiscence, lit. kindling wood of sin).<sup>72</sup> In other words, by the time the soul was infused, Mary's body was pure and clean.

The treatise relied on flesh, body, *masse*, and seed to convey its argument. Seed was associated, not with blood but with *masse*; that is, with a substance that could be thought of as solid or "doughy." It was not a fluid coursing down the generations.<sup>73</sup> The accent was on the sexual act, with the paternal seed the only concern. From its *masse* the embryo was formed, but it awaited an organizing principle, the soul, which God subsequently infused into the body (following Aristotle, forty days after conception for boys and eighty days for girls).<sup>74</sup> The author conceived of the union of body and soul as a sexual act—each was incomplete in itself and desired the other.<sup>75</sup> This desire, a fundamental aspect of human nature, was transmitted from father to son by the *vertu seminale*, but it was the union with body, imagined as a whore, that actually corrupted the soul.<sup>76</sup> All flesh generated by male seed was corrupt, morbid, and susceptible to the *fomes peccati* once joined with a soul.<sup>77</sup> Christ, however, was excepted because not generated by seed, and Mary excepted through divine intervention and a disaggregation of her flesh from the seed (*masse*) of her parents.<sup>78</sup>

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<sup>70</sup> *Defensoire*, p. 196. The author's understanding of original sin leaned heavily on the Augustinian tradition, with elements from Anselm's reworking of the process of transmission, in which the moment of contracting sin came with the infusion of the pure soul from God into the morbid body formed from seminal matter. See Lamy, *L'immacul e conception*, pp. 40–41, 125–28, 158, and the discussion of the notion of *infectio carnis*.

<sup>71</sup> *Defensoire*, p. 39.

<sup>72</sup> *Defensoire*, p. 87.

<sup>73</sup> *Defensoire*, pp. 87, 90.

<sup>74</sup> *Defensoire*, pp. 37–41, 95.

<sup>75</sup> *Defensoire*, p. 34.

<sup>76</sup> *Defensoire*, p. 35.

<sup>77</sup> *Defensoire*, pp. 8, 35, 39, 101.

<sup>78</sup> *Defensoire*, pp. 196, 200. Mary's seminal conception was sanctified from the beginning as a chalice (*calcise*) without a soul. p. 217. A dialogue written slightly later by Nicole Grenier, a canon regular of Saint Victor, and published in 1549, dealt with many of the same issues. Here again, flesh lay at the center of the discussion and blood did not enter. The late medieval notions of prevenient grace were central to the argument, but so also was the stress on the role of male seed in the propagation of original

## Christ and Mary prompt thoughts on descent, blood, alliance, and mediation

The more a son is a son, the more he is of the same substance and nature as the father, the more he is one with him. — Bossuet, ca. 1695

As the previous sections have shown, in Christian theology, the physical connection between mother and Son had to be established for Christ to take on human flesh.<sup>79</sup> In one sermon, Bossuet, following Saint Gregory, limned the doctrine with characteristic meta-

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sin. Nicole Grenier, *Tome second du Bouclier de la foy contenant l'antidote contre les adversaires de la pure conception de la mere de Dieu* (Paris, 1549), in Alva y Astorga, *Monumenta Italo-Gallica*. According to the law of human propagation, a blot or stain (*macule*) was communicated to the newly constituted body (p. 121). This process was grasped in terms of “contagion,” which communicated to the newly generated human body a fetid quality, an inevitable stain (*tache*). This blemish (*souillure*) and corruption dwelt in the flesh, and when the soul was joined to the body it was infected by original vice, just as a pure liquid was corrupted by a soiled vessel (p. 121). In a sense, there were two conceptions, the first through the mixing of parental seed and the generation of a body, and the second when the rational soul was infused into the body (p. 210). Christ was unique in that he was not conceived through *male* seed—and the stress throughout the treatise was on male seed—but he also was not conceived through the action of female seed. The same point about male seed or the seed of Adam was part of orthodox Christian argument but reiterated in discussion of the Immaculate Conception doctrine. For example, more than sixty years later St. François de Sales (1567–1622) explained that Christ was of the *masse* of Adam but not of his seed: “Sermon LXVII, Sermon pour la fête de l'immaculée conception de la sainte vierge (1622),” in *Œuvres de Saint François de Sales* [ . . . ], *Édition complète* (Annecy, 1898), vol. 10, pp. 399–405, here p. 403. Grenier explained the action of the Holy Spirit on Mary as like the action of a dye on pure, white wool (p. 125). Mary, of course, was conceived in the ordinary way, but *her flesh* was conveniently preserved by the *flesh* of Jesus Christ because his flesh was her flesh (p. 33). Once again, the spousal passage of Genesis 2:24 was brought to bear to explain the relation of Mary's flesh to that of her son (p. 34). The mother was destined as spouse. Grenier referred in several passages to the sermon on Mary's conception by Gerson, who talked about the son of God taking on human flesh as a marriage of divinity to humanity. Mary was Christ's mother, sister, spouse, and lover (*mie*): “Sermon de la conception nostre dame,” in *Six Sermons français inédits de Jean Gerson*, ed. Louis Mourin (Paris, 1946), pp. 387–429, here pp. 387, 394. Human redemption began with the Immaculate Conception, the corporeal substance of Christ, p. 226.

<sup>79</sup> At the heart of the Catholic construction of marriage lay consent. Alliance, unlike inheritance, which inscribed hierarchies, duties, rights, and social order, was an act of will, or compliance, of taking on an obligation. In the case of Mary, accepting the role of mother of Christ also implied consent. But that consent indicated not only her acquiescence to the acts of conceiving and giving birth, but also consciousness of her predetermined salvific role: she had to desire the salvation of mankind through the sacrifice of her son and cooperate in the mystery of the incarnation by her act. See Bossuet, “Troisième sermon pour la fête de la conception de la sainte vierge,” in Lachat, *Œuvres complètes de Bossuet*, vol. 11, pp. 42–63, here p. 43; and Bossuet, “Troisième sermon pour la fête de l'annonciation,” in *ibid.*, pp. 164–76, here p. 172. This gave precedence to the spiritual over the physical, a decision prior to the conception. Bossuet argued that Mary was different from all other mothers in that she conceived her Son by spirit before she conceived Him in her womb (*entrailles*): “Premier sermon de la nativité,” 76. In fact, he went on to say, she did not conceive by nature but by faith and by obedience. For ordinary mothers, the union began in the body and was formed primarily from blood, but for Mary the first imprint was made in the heart. Her alliance with her Son originated in spirit because she had conceived by faith.



phorical flourish: “the finger of God” composed the flesh of the Son from the pure blood of Mary.<sup>80</sup> Clearly these images were informed by Aristotelian categories and arguments which posited that in ordinary intercourse, male semen produced form, something spiritual, mental, while female material provided the substrate, the blood, necessary for the formation of a child.<sup>81</sup> Form and matter together produced substance. Mary offered the same material conditions as other women, but the conception took place outside the normal condition of physical intercourse. And because Mary remained a virgin, the blood that she contributed had a peculiar purity.<sup>82</sup> The holy flesh of the Savior was improved

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**80** Bossuet, “Troisième sermon pour la fête de la nativité de la sainte vierge,” p. 106: “Lorsque le doigt de Dieu composoit la chair de son Fils du sang le plus pur de Marie, ‘la concupiscence,’ dit-il [here, “il” is Saint Gregory], n’osant approcher, regardoit de loin avec étonnement un spectacle si nouveau, et la nature s’arrêta toute surprise de voir son Seigneur et son Maître dont la seule vertu agissoit sur cette chair virginale. . . .” In another sermon, Bossuet stated that Jesus saw (*regarde*) Mary as his mother from the moment of her birth, saw in her that blood from which His flesh had to be formed, which He considered already as his own. See Bossuet, “Second sermon pour le jour de la nativité de la Sainte Vierge,” in Lachat, *Œuvres complètes de Bossuet*, vol. 11, pp. 84–99, here p. 93: “Dès le premier jour qu’elle naît au monde, il la regarde comme sa Mère, parce qu’elle l’est en effet selon l’ordre des décrets divins. Il regarde en elle ce sang dont sa chair doit être formée et il le considère déjà comme sien, il s’en met pour ainsi dire en possession en le consacrant par son Esprit-Saint; ainsi son alliance avec Marie commence à la nativité de cette Princesse [. . .].” Note that the point in time which Bossuet considered in any text was determined by its occasion, a sermon on the conception of Mary, or on her birth, etc.

**81** Lamy discussed the problem of Aristotelian and Galenic categories for twelfth-century theologians in her *L’immaculée conception*, pp. 159–60. Virginal conception supposed that the embryo was produced without male seed. How? The role of mother was different in different schools. For the Aristotelians, there was no female seed, and the role of the mother was purely passive—she simply provided a matter, the menstrual blood, while the male seed acted on that matter to give it form and life. In the Galenic tradition, there was a maternal seed, although inferior in quality and importance to the male seed, which united with the latter to form the embryo, and maternal blood offered nourishment for the embryo (p. 160). As for the virginal birth, in the Aristotelian tradition male seed acted not as a material principle but as form and spirit, and possessed *vis generativa*. It was not impossible to see divine power playing this role, unless the *vis generativa* was exceptionally given to the mother. In the Galenic perspective, the mystery seemed impenetrable, because the material aspect, with the union of two seeds, did not allow a simple substitution of the divine power as the power carried by paternal seed. In either case, one could think that Mary had taken a part greater than other mothers in the generation of the flesh of her son. The absence of a male seed signified in a certain way the non-separation between the body of the mother and of the child, between the *caro mariae* and the *caro Verbi*. This non-separation seemed to have a decisive consequence—the attributes of the one were those of the other. This ambiguity linked to virginal conception predated the discourse on the Immaculate Conception.

**82** Bossuet, “Troisième sermon pour la fête de la nativité de la sainte vierge,” p. 112. Behind this idea lay the notion that for a woman, the experience of desire, the awakening of sexuality, first took place when she was “opened” by a man—a peculiar, male equation of purity with virginity (and represented nicely in the overwrought language of Harvey). If ordinary commerce, because it had something of impurity, made a mixture of impurity enter into our bodies, the fruit of a virginal flesh would take a “marvelous purity” from such a pure root. Because the body of the Savior had to be “more pure than the rays of the sun” (Augustine), Christ chose a virgin mother from eternity, according to which she would engender Him without any concupiscence by the sole virtue of faith. Speaking to the Virgin, God (in Bossuet’s

(*embellie*) through the purity of a virginal blood.<sup>83</sup> And the blood that He shed on the cross was that virginal blood.<sup>84</sup> At the moment of Mary's conception of Jesus, the Holy Spirit filled Mary with a "celestial germ" through "chaste embracings" (*embrassements*), flowing in an ineffable manner into her virginal body.<sup>85</sup> Once again, Bossuet told his listeners and readers that the blood that Christ sacrificed was Mary's blood—the pure distillate, given form and direction through the divine "germ," idea, or spirit, actuated, made efficacious by a male principle.<sup>86</sup>

In taking up the genealogy of Jesus-Christ, Bossuet had to wrestle with a particular conundrum: the gospel writers had taken more pains to determine the genealogy of Mary's husband, Joseph, and his descent from David, than to establish her ancestral line.<sup>87</sup> Bossuet explained this by suggesting that there was a good reason for Joseph and Mary to be closely related, to be in fact of the same *race*, even though they descended through different channels. Mary's blood came strictly through the line of Judah (the royal line, therefore having no priestly function), while Joseph's had a stream from Aaron and Levi (with priestly function) as did Mary's cousin, Elizabeth, the mother of John the Baptist. It was suitable (*il convenoit*) for the two lines of this *race* to be related through alliance, because, although the priestly line of Aaron could not be the direct one of Jesus, who had to descend from the royal line, still that priestly line ought not to be entirely foreign or strange (*étranger*) to Him.<sup>88</sup> Bossuet reiterated the point in remarking that in Christ's genealogy through Mary, there were two women, Ruth and Tamar, both from "infidel races." The remark suggests, once again, the importance of alliance as well as descent. In the case of Joseph and Elizabeth, the allies provided caritative functions. They were excluded from the rights of descent but were closely bound up with the allied

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voice), said: "He will unite with your body, but it is necessary that it be as pure as the rays of the sun; the very pure unites only with purity; He conceives his Son only without sharing his conception with another; He wants, when He comes to be born in time, to share only with a virgin and does not allow [*souffrir*] there to be two fathers." Jacques Bénigne Bossuet, *Élévations sur les mystères*, ed. M. Dréano (Paris, 1962), p. 271; hereafter Bossuet, *Élévations sur les mystères*.

**83** Bossuet, "Troisième sermon pour la fête de la nativité," p. 112–13: Car il étoit bienséant que la sainte chair du Sauveur fût pour ainsi dire embellie de toute la pureté d'un sang virginal."

**84** Bossuet, "Troisième sermon pour la fête de la nativité," p. 114; "Troisième sermon pour la fête de l'annonciation," pp. 176.

**85** Bossuet, "Précis d'un sermon pour la fête de la nativité de la sainte vierge," in Lachat, *Œuvres complètes de Bossuet*, vol. 11, pp. 121–29; here p. 128.

**86** Note that the male semen in the Aristotelian understanding was ultimately immaterial, much in the way Harvey understood it to be. On the Aristotelian understanding see Sissa, "Subtle Bodies."

**87** Bossuet, *Élévations sur les mystères*, p. 297.

**88** Bossuet, "La généalogie royale de Jésus-Christ," in Lachat, *Œuvres complètes de Bossuet*, vol. 7, pp. 228–31; here p. 230: En cinquième lieu, quoique Jésus-Christ dût descendre de Juda, et non de Lévi ni d'Aaron, il convenoit qu'il y eût quelque parenté entre sa famille et celle d'Aaron: ce qui fait que la sainte Vierge étoit cousine d'Elisabeth, et que ces deux saintes parentes ont eu des ancêtres communs: par où il paroît qu'encore que le sacerdoce d'Aaron ne pût être celui de Jésus-Christ, il ne devoit pas lui être entièrement étranger, et qu'il devoit y avoir de l'alliance entre les deux."

family and committed to its well-being. The alliances through Tamar and Ruth built on “near” and “far” as basic elements of kinship strategy: a core of descent with its close allies had to reach out from time to time to explore new possibilities and make friends among strangers.<sup>89</sup> And the idea that through their descent from the lineage of Aaron and Levi the allied lines of Joseph and Elizabeth had priestly functions suggests as well the crucial function of mediation in alliance.

### Male lineages and intrusive allies: an alternative account of generation

Even though [God] is only father and that the name of mother, which is attached to a sex, imperfect in itself and degenerate, does not belong to Him, He always has a maternal-like womb where He carries his son. — Bossuet, ca. 1695

In a late work, published posthumously, Bossuet pushed the generation of Christ back, so to speak, into eternity, and to address the fact that generation required male and female, he thought of God as father *and* mother. But here, after having said so much earlier about Mary and purity and her merit, Bossuet had recourse to another set of values; those which saw woman as an imperfect, even degenerate form of being. Consequently, God could only be named “Father,” even though he carried the Son in His womb (*sein*) from eternity. He conceived and carried His fruit, who is coeternal, in Himself: “While He is uniquely father, and the name of mother, which is attached to a degenerate [*dégénérant*] sex, imperfect in itself, is not suitable for Him, still He has always a maternal-like womb [*un sein comme maternel*] where he carries His Son.”<sup>90</sup> Bossuet went on to say that the more a son was a son, the more he resembled the father.

In this text, gender images appeared in a quite new perspective, with male and female principles pulling in different directions and notions of inheritability suggesting a kind of combat between them in the act of generation, and with the outcome determined by the relative potency of the male “germ.” The stronger the formative male principle, the more the offspring resembled the father. In this account, Bossuet seemed once again to be following classic Aristotelian ideas.<sup>91</sup> In any event, Christ was coeternal with God and

<sup>89</sup> Bossuet, *Élévations sur les mystères*, p. 298.

<sup>90</sup> Bossuet, *Élévations sur les mystères*, p. 99: “Encore qu’il ne soit que père et que le nom de mère que est attaché à un sexe imparfait de soy et dégénérant ne luy convienne pas, il a toutefois un sein comme maternel où il porte son fils. . . .”

<sup>91</sup> Aristotle, “On the Generation of Animals,” Loeb edition. In Aristotle’s account, the male semen is the active principle that works on the passive, female material (p. 395; bk 4, 766b, 13–16). If the male seed “gains the mastery,” then a male like itself is produced. If, on the other hand, it gets mastered, it changes over into its opposite and a female is produced. In general, males take more after their fathers and females after their mothers (p. 401; bk 4 767a, 36–37, 767b, 1–8). Interestingly, here Aristotle argues that any deviation from the parents is formally a “monstrosity,” and the “first beginning of this deviation is when a female is formed instead of a male. . . .” He speaks of the *logos* of the movement caused by the

so His generation was from eternity. He was the same substance as God: "immaterial, incorporeal, pure, spiritual."<sup>92</sup> So when Christ was born in time, the act of the celestial father was to extend in Mary His eternal generation. He produced His son in her womb (*sein*).<sup>93</sup> The Son received from the Father the same substance, without any division. It was commonly understood, Bossuet declared, that a son was another self (*lui-même*) of the father. In the act of engenderment, children were made to be what the father was.<sup>94</sup> I suspect, that in this unpublished work, Bossuet was formulating an "esoteric" account of the generation of Christ, one that fit more readily into contemporary representations of male lineage constructs, which treated women as problematic intrusions, as deficient, degenerate, mediate, and instrumental, as vessels for the reproduction of male *soi-mêmes*. In this text, at least, Mary (as woman) is implicitly an ambivalent figure.

### A sacrament models alliance: communion, consummation, and flows of blood

What then is the true effect of the thing of this sacrament? To be incorporated with Jesus Christ, to be perfectly united according to the body and the Holy Spirit, to be with Him the same flesh and the same spirit by the consummation of this chaste marriage. To be bone of His bone and flesh of His flesh as a faithful spouse. — Bossuet, ca. 1693<sup>95</sup>

Bossuet found the "virtue" consonant with Christ's body to lie essentially in the blood. In order to explain how the Catholic Church could administer the sacrament of Communion in such a way that reserved the wine (blood) to the priest but nevertheless communicated both body and blood to parishioners given only the bread (body/flesh), Bossuet argued that at the Resurrection, Christ's blood had remained united with His flesh. Therefore, to ingest the body alone was also to ingest the blood.<sup>96</sup> And, of course,

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semen: "if this movement gains the mastery it will make a male and not a female, and a male which takes after its father, not after its mother," p. 403; bk 4, 767b, 23–27. It is possible that the seed will not be able to master every "faculty" (defined as a particular characteristic of a parent), and where it fails, in that aspect the offspring is "deficient." In this way, a male can be produced that takes after his mother, even though most males take after their fathers (pp. 407–9; bk 4, 768a–768b). "Gaining the mastery at one place but not at another, causes the embryo that is taking shape to turn out diversiform," pp. 411–13; bk 4, 768b–769a. Aristotle clearly thought that form was superior to matter, male to female (p. 133; bk 2, 732a, 4–8). In fact, the female is defined in negative terms, as the one who has an "inability" to "concoct semen" (p. 103), that is, to give form, to instigate movement, to act as artificer.

92 Bossuet, *Élévations sur les mystères*, p. 106.

93 Bossuet, *Élévations sur les mystères*, p. 271.

94 See also Bossuet, "Sermon sur le mystère de la très-Sainte Trinité," in *Œuvres complètes de Bossuet* (Paris, 1846), vol. 4, pp. 1–8, here p. 3.

95 Jacques Bénigne Bossuet, *Méditations sur l'Évangile*, éd. critique M. Dréano, Études de théologie et d'histoire de la spiritualité (Paris, 1966), p. 420; hereafter Bossuet, *Méditations*.

96 Bossuet, *Tradition défendue sur la matière de la communion sous une espèce*, in Lachat, *Œuvres complètes de Bossuet*, vol. 16, pp. 365–679, here p. 368.

consistent with Catholic doctrine of the real presence, the body and blood of Christ were truly the elements ingested in the Communion. In contrast to the Lutheran understanding, which represented communication through the concept of the “word,” Bossuet conceived the *material* act of eating the flesh of Christ as itself an act of communication.<sup>97</sup>

Bossuet saw in Communion the constitution of the Church, the union of believers, the substantial moment in which the alliance of the Church and Christ was founded, an alliance that he understood through the metaphors of marriage: the communicant (or sometimes the Church) was bride and Christ, the groom.<sup>98</sup> Indeed, he dwelt on the erotic imagery, turning it around and around to evoke an ecstatic union, an unloading of pent-up desire.<sup>99</sup> His metaphors had an extraordinary material palpability.<sup>100</sup> It was for the bride and groom to anticipate and carry through the enjoyment of their bodies.

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97 In the Christian reconfiguration of sacrifice, the Hebrew prohibition of ingesting blood was canceled, as Christ commanded the drinking of His blood: Bossuet, *Exposition de la doctrine de l'église catholique sur les matières de controverse*, in Lachat, *Œuvres complètes de Bossuet*, vol. 13, pp. 51–104, here p. 74. For his argument, the notions of sacrifice, the sacrificial victim, and the necessity of eating the flesh of the sacrifice found in Old Testament practices became central: the union was not just spiritual but substantial. Here the notion of victim was important. Following Catholic doctrine on the matter, Bossuet argued that Christ was our victim, and therefore, given the law of sacrifice, had to be consumed by us. The mass was the occasion where the faithful presented Him to God as their unique victim, as their unique propitiator by His blood. Thus the institution of Communion had to be understood as a true sacrifice: Bossuet, *Exposition*, pp. 88–89. Contrast this with the fifteenth-century theological discourse where the Eucharist as sacrifice represented God as victim, celebrant, and recipient, with the Christian a passive observer with regards to sacrifice; Bynum, *Wonderful Blood*, pp. 240–44.

98 “The Eucharist explains to us all the words of love, of *correspondence*, of union, which are between Jesus Christ and His Church, between spouse and spouse (*l'époux et l'épouse*), between Him and us:” Jacques Bénigne Bossuet, “XXIVe Journée, Par la communion, le fidèle consommé en un avec Jésus-Christ,” in Lachat, *Œuvres complètes de Bossuet*, vol. 6, p. 369. In this unfinished work begun in his old age, he evoked the image of marriage in the two sacraments of baptism and Communion. See Bossuet, *Méditations*, p. 184. In the former, the bride is prepared with the wedding gown and furnished with the ring of espousal. And the bride in this case to be married to the “son of the king” is both the Church and the individual celebrant. In this scenario, Communion is the festive supper, with the nuptial bed prepared. There is nothing unusual in Bossuet’s use of this imagery, since the classic biblical texts speak of the Church as the bride of Christ, and churchmen had worked the figures over and over.

99 Piero Camporesi, reflecting on various Baroque texts: “The red saccharinity of blood flows over the prescientific religious imagination as an unsettling real presence. Nothing possessed greater concretion than the metaphorical, nothing more bodiliness than the symbolic. It was a mental universe that managed to be perfectly abstract because it was completely immersed in realities measurable and verifiable with the senses. In this dimension, the blood of Christ acquired the precious thaumaturgical value of a magic ointment that could annihilate the stench of sin, the fetor of the excremental human being, the acrid, fusty stench of the polluted community, the miasmas of malignity. . . .”: Piero Camporesi, *The Juice of Life: The Symbolic and Magic Significance of Blood* (New York, 1995), pp. 71–72.

100 In *Mots du Corps*, pp. 220–28, Marie-Hélène Prat showed how d’Aubigné’s rhetorics was a rhetorics of blood, directed against Catholic power and ideology. His refusal to entertain Catholic carnal forms of mysticism grew out of a critique of Catholic polemics as a form of ritual violence. He associated Catholic belief with practices of barbarism and animality.

And the eucharistic celebration was a “consummation of sacred marriage,” the moment at which all the saints were united to Christ, body to body, spirit to spirit, and heart to heart, with the bride literally consuming the groom in an act of eating. This was an act of incorporation, through which the celebrant became bone of His bone and flesh of His flesh (the bride’s ardor was greatest when she was enjoying the sacred body).<sup>101</sup> The purpose of Communion was to unite substance to substance, flesh to flesh, and blood to blood. What vivified was the communicant’s belief that Christ had taken a human flesh, a human blood, which He had given to his disciples, and which was given again in Communion and was truly that which He had taken in from the breast of His blessed mother.<sup>102</sup> In this argument, Bossuet reflected the common understanding of bodily fluids as fungible forms of blood (drinking the mother’s milk was to take in the mother’s blood), as well as the idea that both Communion and marriage were a material, substantial becoming one.

Bossuet’s theological images—and those of many of his fellow preachers—resonated continuously with contemporary understandings of lineage and the transmission of paternal substance. The central problem in the management of property and status was to construe the line as the channel along which rights and obligations flowed. Bossuet found the language of conduits and circulation useful to model the relationship of the humanation of the Son Jesus to the eternal paternity of God. In contemporary society, the status of the heir could not be abstracted from the materiality of the actual flow of blood from parent to child. And that blood in the vessel of a woman could only be actualized, given form, or purified through agnatic intervention. In Bossuet’s final thoughts on the subject, God Himself superseded Mary as mother, since just as for a male lineage, the female instrument by which the line was reproduced was of secondary importance, a threat to paternal transmission, a problem for continuous agnatic purity. The stronger the male power in the act of conception the more the image of the father was to be found in the son. And yet it was the blood of the woman that was essential to the construction of alliance. Without her mediation, no line could reproduce

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**101** Bossuet, *Méditations*, pp. 184, 370–78, 387, 420, 431; Bossuet, “Quatrième fragment sur l’eucharistie,” in *Œuvres complètes* (1846), vol. 8, pp. 35–90, here p. 89. In this use of “bone of bone and flesh of flesh” imagery of Genesis 2:23, Bossuet shifted the action from the male (Adam—who declared Eve to be bone of his bone, etc.) to the female (the celebrant as bride consuming the body and blood of Christ). In this respect, taking Communion was a mutual enjoyment of bodies, in which the body of the consuming bride was taken over by the consumed groom. The Darmstadt Lutheran preacher Heinrich Leuchter (1558–1623) drew an analogy between the wound in Christ’s side and the rib excision in Adam, both making one flesh. “The woman becomes one body and one flesh with Adam/ so is also Christ united most completely with His believers/ and is one with them. Therefore Paul writes/ we are members of His body/ of his flesh/ and of His bones . . .” Quoted from Leuchter, *Eva formata*, pp. 16–17. In Bossuet, it was the same body and blood that Jesus sacrificed that was eaten. But the sharing of bodies was mutual—just as bride and groom gave their bodies to each other in marriage, so did the individual communicant and Christ in the act of ingesting the bread of Communion. Bossuet, *Méditations*, p. 370.

**102** Bossuet, *Méditations*, p. 390.

itself, and without the wider set of allies connected through the blood of the spouse, no line, not even the divine lineage, could overcome its isolation.

## Literature and the blood of heredity and alliance

When I have merited her by his death, / I will link my blood-stained hand with hers. — Pierre Corneille, *Cinna*, 1640

Having explored how the semantics of blood and assumptions about family, kinship, descent, property, and social boundaries were fundamental for seventeenth-century constructions of sacred history, I want now to turn to the secular realm, to consider the depiction of these matters in literary texts from that century. At the center of the analysis will be plays written by Bossuet's older contemporary, the court dramatist Pierre Corneille (1606–1684).<sup>103</sup> We should always remember that writers and audiences in seventeenth-century France were steeped in Catholic culture and that theologically generated metaphors, images, and perceptions resonated profoundly with such diverse realms as family, kinship, friendship, criminality, and war. As I have many times pointed out, the circulation of blood had two vectors in seventeenth-century discourse, one of which spread downwards through inheritability (the blood of a father and son flowing in one vein) and the other horizontally through exchange, or joining, or merger (the blood of alliance). Each kind of stream, so to speak, connected people in different ways, allocating different kinds of rights, duties, and sentiments.<sup>104</sup> In almost all of Corneille's

<sup>103</sup> In his already cited edition of Corneille's plays, Maurice Rat includes notes, variants, an introduction, and a glossary. He based these texts on the edition of Corneille's works from 1682.

<sup>104</sup> The semantics of "blood" can be traced in part in seventeenth and eighteenth-century French dictionaries. Significantly, in the early seventeenth century, blood was something ascribed to social forms, and had only to do with the royal family. By the end of the century, blood had spread to all social stations, but was particularly relevant for the nobility. In Jean Nicot, *Thresor de la langue françoise* (Paris, 1606), blood was said to be appropriated by antonomasia to the kin of the king: "Accordingly one speaks of being the Blood of France, that is, kin to the kings of France. . . ." When one was speaking of princes of the blood, then, only the kin who were capable of succeeding to the crown were understood. In the 1694 first edition of the *Dictionnaire de L'Académie française*, "blood" (*sang*) had come to signify *race* or extraction in general, and there were various kinds: vile and abject, noble, illustrious, royal, the blood of France. One could say "he is your son, he is your blood." Princes of the blood were those who belonged to the royal family. The fourth edition (1762) of the *Dictionnaire de L'Académie française*, perpetuated pretty much the definitions and usages from the late seventeenth-century first edition but contrasted noble and vile (*vil*) blood a little more clearly. It added the idea of two people being of the same blood, as for example, in a more restricted sense, children in relation to their *father*. It also added a new notion about the right of blood, the right that birth bestowed. Furthermore, one could speak of the "force of blood," the sentiments that one could claim nature sometimes gave to someone of the same blood. Note that Madame de Sévigné used this phrase in this manner: Sévigné, *Correspondance*, vol. 3, p. 356. There was a further extension of meaning tending in the same direction of inherited substance in the phrase "good blood does not

plays, these matters were represented, albeit from different points of view. It will be useful, therefore, to gather together the ways “nature” (inherited blood, innate status, filial obligation) and “love” (alliance, sentiment, contract, choice) were modeled in his texts, whether comedy or tragedy.

### Blood as idiom, obligation, and mediation

Come my son, come my blood, come remove my shame; / Come avenge me. — Corneille, *Le Cid*, 1636

Blood in Baroque culture was an idiom that mediated identity, exchange, honor, justice, and enmity. It constructed and maintained boundaries and created undeniable ties. Spilling blood could create a debt or pay a debt, or perhaps better put, could create a social break that could only be bridged with an equivalent act. In many ways, the better strategy for dealing with enemies was to marry them—to mingle the blood of two opposed lines together. Yet the dilemma of primary affiliation and primary allegiance required the extraordinary act of transferring such affiliations and allegiances, at least on the part of women, and in plays like *Le Cid* (1636) and *Horace* (1640), Corneille set up scenarios where this was painfully difficult. In *Horace*, the action turned around patriotism, blood, male-centered belonging, alliance, and exchange of women. *Le Cid*, by contrast, developed arguments about agnatic lineage obligations, marital union, status, and state interests in the formation of familial alliance.<sup>105</sup>

### Lines of blood establish legitimacy

Chimène: Go, let me die. Rodrigue: Only four words; / And then answer only with this sword. / Chimène: What! Still dripping with the blood of my father! / Rodrigue: Chimène . . . Chimène: Take away this hateful thing, which speaks against your crime and life / Rodrigue: Regard it more to spur your hate, / To swell your wrath and speed my punishment. / Chimène: It is tainted with my blood. / Rodrigue: Plunge it in mine; / And make it blot the stain of yours. — Corneille, *Le Cid*, 1636

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disappoint [*mentir*; lit. to lie or betray],” meaning that children normally retained the good qualities of their fathers and mothers. Again, this was a usage found in Sévigné’s seventeenth-century texts: Sévigné, *Correspondance*, vol. 1, p. 101

<sup>105</sup> In another of Corneille’s historical dramas, *Cinna*, the plot took up issues of “private” vengeance and public virtue. Cinna, the lover of Emilia, as a prerequisite to their union, was suborned by her to kill Augustus to avenge the death of her father in Augustus’s climb to the top. *Cinna*, Act 1, Sc. 3, in Rat, *Théâtre complet de Corneille*, vol. 1, pp. 729–32. As the grandson of Pompey, he was already part of a conspiracy that viewed the killing of Augustus as an issue of state and an act against tyranny. The argument in the play dealt with typical seventeenth-century issues of succession, kin obligation, legitimate rulership, and how private and public motives intersected. Kinship, alliance, legitimacy, succession, inheritance, descent, aristocratic motivation, royal office, and divine judgment were arrayed and considered in the play’s rhetorical agonism.



In the Middle Ages, as I have pointed out already, lineage and line and kinship relations in general were not modeled on and did not derive their metaphors from blood. Caroline Bynum's exhaustive study of blood in religious discourse of the later Middle Ages found little interest in using blood as an idiom to grasp the salient features of genealogical connection.<sup>106</sup> And Anita Guerreau-Jalabert's survey of legal and literary texts during the Middle Ages found that "flesh" offered the key metaphor for modeling kinship; that where "consanguinity" could be found, it was used for any kind of kin (including affines) and friends. She suggested that the "lexical evolution" from "flesh" to "blood" towards the end of the medieval period was based on notions of the spiritual qualities of blood and was first used to denote the blood of kings—an attempt to compete with the Church and to sacralize royalty.<sup>107</sup> Simon Teuscher's research found a closer tie to new practices of lineage construction: "We can associate the metaphors of flesh and of the unification of flesh through sex and marriage with the older system and its stress on marriages as central hitches in an extended network of kin related by a variety of different dyadic relationships. Metaphors of blood, by contrast, are adjusted to conceptions of kinship that attached greater importance to lineage and descent, the constitution of kin-relationships around a patrimony that should be 'kept within the family' over generations."<sup>108</sup> Blood was better suited to capture the vertical flows of property and status.

By the seventeenth century, a discourse of blood was fully available. The argument here is that a consideration of kinship in terms of blood developed with the rise of lineal thinking in its agnatic form.<sup>109</sup> Blood as metaphor handled issues of purity and legitimacy, but as something palpable, real blood flowing through the veins of fathers and sons, it distributed both privileges and moral obligations and formed the basis for political and social practices.<sup>110</sup> In *Le Cid*, the nobleman Diego referred to his son, Rodrigo, as "my blood," and charged him with the task of avenging the insult done to him by the betrothed's father.<sup>111</sup> People could actually talk this way: Madame de Sévigné, for

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<sup>106</sup> Bynum, *Wonderful Blood*, pp. 157–58, 187, 256.

<sup>107</sup> Anita Guerreau-Jalabert, "Flesh and Blood in Medieval Language about Kinship," in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 61–82.

<sup>108</sup> Simon Teuscher, "Flesh and Blood in the Treatises on the *Arbor Consanguinitatis* (Thirteenth to Sixteenth Century)," in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 83–104, here p. 100.

<sup>109</sup> Saint-Simon was furious over Louis XIV's taking the idea of his mere blood and not his "legitimate" blood as establishing lines of precedence (that is promoting his illegitimate children). Louis de Rouvroy, Duc de Saint-Simon, *Mémoires*, 20 vols. (Paris, 1691–1723), paginated by ARTFL, <https://www.lib.uchicago.edu/efts/ARTFL/databases/TLF/>. Pagination here does not correspond to that of the original edition.

<sup>110</sup> Saint-Simon contrasted Spanish ideas with those of France, suggesting that in Spain it was not so much a matter of agnatic lineage as closeness of blood that established precedence (although he also pointed to the increasing practice of *fidei commissum*, which did structure property devolution along patrilineal lines): Saint-Simon, *Mémoires*, vol. 3, pp. 92–95.

<sup>111</sup> *Le Cid*, Act 1, Sc. 5, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 600. A few decades earlier, Jean-Pierre Camus in *Palombe, ou La femme honorable* (Paris, 1625), worked with similar idioms. There is the

example, addressed her cousin in a letter as “my blood.”<sup>112</sup> Bloodlines and their purity as well as proper alliances were set up in *Le Cid* at the beginning. Chimène, Rodrigue’s fiancée, said that her blood was her father’s blood and by implication that the blood on Rodrigue’s sword (that killed her father) was her blood, a construction similar to Bossuet’s understanding of Christ’s sacrificial blood being that of Mary: the parent’s blood was substantially the same as the child’s.<sup>113</sup> Rodrigue made the same point: as son, he *was* blood of his father.<sup>114</sup> Thus instead of mingling their blood in intercourse, Rodrigue suggested that Chimène plunge the sword dripping with her father’s blood into him “to efface the stain of your [her] own blood.”<sup>115</sup> Given the argument about blood up to that point, Rodrigue conveyed to his fiancée that there was more than one way for them to mingle their blood. Both marrying and killing an enemy provided the possibility, with the figure of the dripping sword in Chimène’s hand perhaps a rather frightening image of sexual union.

In *Horace*, the issues of descent and alliance were intertwined with patriotism, filial duty, obligation to the state, and attachment to family. Each of the roles in the play provided an occasion to think through different positions about familial obligations. Both Horace and his father saw blood strictly in terms of agnatic succession. Whereas the Alban ruler contended that Rome was derived from Alban blood (Romulus was from Alba) and that the two cities were so intermingled—Alba over many generations provided wives for Rome—as to be one blood, Horace found that *patrie* trumped all other relations.<sup>116</sup>

Young Horace’s wife (Sabine) and sister (Camille) differed on how to interpret alliance, particularly the place of women in marital exchange, and Sabine also provided an alternative interpretation of identity with another. Camille believed that marriage completely transferred loyalty. Sabine countered that marriage did not erase earlier ties and responsibilities; it did not abolish the profound character of attachment to origins. Nature established such ties as a matter of first right, and indeed, while anyone could

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idea of a sibling being “of my flesh and my own blood;” that is, born of the same parents (p. 19). And later, “am I not of the same blood, and of the same nature, and from an equal house” as “my brother,” p. 412. This passage is an attack on primogeniture.

112 Sévigné, *Correspondance*, vol. 1, p. 459 (1677). In another passage, she so sympathizes with her cousin’s head injury that she senses mutuality of blood. They were so close, of the same blood, as to take interest in each other’s fortunes; vol. 1, pp. 88, 92 (1668). She once asks if there were “little spirits” in their blood that tied them together in spite of themselves; vol. 1, p. 457 (1677). The source of their friendship is “in her blood”; vol. 3, p. 246 (1686).

113 *Le Cid*, Act 3, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 622.

114 *Le Cid*, Act 2, Sc. 2, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 605. Molière made fun of the notion that a child had the blood of the parent. In *Le médecin volant*, the doctor explained why he was examining the father when the daughter was sick—they are the same blood, so he can look at either one for his diagnosis: *Le médecin volant*, Sc. 4, in *Œuvres de Molière*, ed. Anatole Montaignon and T. de Wyzewa, 9 vols. (Paris, 1882–96), vol. 5, p. 58.

115 *Le Cid*, Act 3, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 622.

116 *Horace*, Act 1, Sc. 3 and Act 2, Sc. 3, in Rat, *Théâtre complet de Corneille*, vol. 1, pp. 672 and 678 respectively.

choose a spouse, no one could choose siblings. They provided an essential identity—they were *nous-mêmes*; consequently, it was criminal to oppose voluntary ties to those that birth had rendered necessary.<sup>117</sup> I will come back to the counter positioning of nature and choice (will) but should note that blood ties, those from procreation or descent, did not arise from any act of decision: they were ascribed, spontaneous, derived from nature. Throughout the Cornelian *œuvre*, the identity of people of the same blood provided explanatory power for action.<sup>118</sup> In all of the texts, descent provided an identity of substance for parents, their children, siblings, and members of the same nation, all considered as engendered, embodied, and incorporated through material sanguinary channels. As we have seen with Bossuet's texts, blood transmitted essential properties from parent to child and constructed a material identity among those of the same

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117 Horace, Act 3, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 1, pp. 691–92.

118 For an example from “real” life, Mathieu Molé, president of the Parlement of Paris, in his *Mémoires*, copied a letter from Louis XIII, who referred to Cardinal Richelieu as “notre cousin” (p. 15) and “notre dit cousin” (p. 16). The king was being reconciled with his brother, the duc d’Orléans, and receiving assurances of his affection, “et lequel [the duc] a cognu en nous ce qu’il s’en étoit toujours dû promettre par une propension que nous avions vers lui, lié par le sang. . .”: Mathieu Molé, *Mémoires*, ed. Aimé Champollion-Figeac, 4 vols. (Paris, 1855–57), vol. 4, pp. 15–16. See also a passage in Nicolas Goulas’s memoirs, where Pope Innocent (X) was faulted for pursuing the “blood” of Urban (VIII), to whom he owed his fortune: Nicolas Goulas, *Mémoires*, ed. Charles Constant, 4 vols. (Paris, 1879), vol. 2, p. 117. Molière’s plays offered several examples. In *L’étourdi*, Horace, seeing his father, recognized him as the source of his blood and author of his being: *L’étourdi*, in *Œuvres de Molière*, ed. Despois, vol. 1, p. 235. In *George Dandin*, Angélique’s father recognized his blood in his daughter’s actions (in *ibid.*, vol. 6, p. 563), and in *Le malade imaginaire*, the father said “you are my true blood, my own daughter” (in *ibid.*, vol. 9, p. 433). Corneille treated Pompée antonomasially as the blood of Rome. To kill him was at once to strike a major blow at Rome itself: *Pompée*, Act 1, Sc. 1, in Rat, *Théâtre complet de Corneille*, vol. 2, p. 94. In *Théodore*, Placide, son of Emperor Valens, after having stabbed himself with the dagger that killed Théodore, staggered to court crying that in killing himself he was shedding the blood of his father: *Théodore*, Act 5, Sc. 9, in *ibid.*, vol. 1, p. 453. In *Nicomède*, the half-brothers Attale and Nicomède were rivals for the throne and for the girl, but Attale did not wish to entertain anything dishonorable in competition with his brother: “If I am his rival, I am also his brother, we are one blood and this blood in my heart in no way allows for calumny”: *Nicomède*, Act 3, Sc. 8, in *ibid.*, vol. 2, p. 719. Nicomède told his father that to punish him was at the same time to expose the father’s royal blood: *Nicomède*, Act 4, Sc. 2, in *ibid.*, vol. 2, p. 723. In a dispute with his father over the succession, he pointed out that it did not make any difference what the father arranged, for once the latter was dead, the rights of blood would reassert themselves. Only by “sacrificing your blood,” that is, by killing the son Nicomède, the first-born son, could the father make a disposition able to outlive him: *Nicomède*, Act 4, Sc. 3, in *ibid.*, vol. 2, p. 727. When it turned out that Attale in disguise had rescued his brother from prison and execution, Nicomède exclaimed, “Oh, leave me always this worthy mark to recognize in my blood the true blood of a monarch”: *Nicomède*, Act 5, Sc. 9, in *ibid.*, vol. 2, p. 744. And the scheming stepmother, Arsinoé, came to her senses and recognized in the action of her son, Attale, the action of her own blood. Domitie in *Tite et Bérénice*, plotting to get to the throne, was willing to marry either Tite or Domitian, whichever one guaranteed her desire. Although Tite was on the throne then, the two brothers, she argued, came from the same womb (*flanc*) and had the same blood: *Tite et Bérénice*, Act 1, Sc. 2, in *ibid.*, vol. 3, p. 508.

lineage.<sup>119</sup> Blood not only conveyed moral obligation and legitimate rights through its coursing down the generations, but also carried with it moral worth, personal qualities, and the rights and privileges of station.

### Blood links “houses,” political groups, and cultures

Queen Viriate wants to marry me; / She wishes by this choice that her ambition / For her people begins with our union, / With our two nations tied together with each other / Mixing blood and common interest so well / That they soon render one people from two. — Corneille, *Sertorius*, 1662

Lysander, my father, is keen to promise you / To unite by our marriage your blood and his. —Corneille, *Agésilas*, 1666

A central aspect of the rhetoric in Corneille’s representation of the dynamics of kinship had to do with blood as a vector of alliance.<sup>120</sup> Sometimes this treatment of blood functioned as metaphor, but most often, given widespread assumptions about the exchange of fluids in intercourse, it pointed to a substantial, carnal, physical link that carried moral weight. Blood bound together “houses,” political and ethnic groups, circles of kin, lineages, clans, nations, and cultures through the strategic marriage of “strangers.” Just as much as descent was understood as a passage of blood through generations, so much was alliance represented as a sharing of blood among horizontally positioned groups. The former implied the idea of an apical ancestor, whose substance was communicated through progeny, whose proximity and obligation to each other in turn were determined by the degree to which they shared that substance; while the latter involved a nodal pair, whose substantial union also determined relationships of nearness and distance. Many theologians grasped the principle in the formula that the distance between a man and his affinal kin paralleled the distance between himself and his consanguineal kin: a sister and a wife’s sister were equally distant, and that was because of shared substance.<sup>121</sup>

119 In Corneille’s first comedy, *Mélie*, courtship, love and friendship were examined in a tense rivalry between two men for one girl. Éraсте decided to attack “his friend” Tircis by pretending to love and then betray the latter’s sister, Chloris, the point being that because brother and sister were considered to be one, they could be alternative targets: *Mélie*, Act 2, Sc. 5, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 36.

120 There is a passage in Saint-Simon about the duc de Rohan seeking an alliance with royal blood: Saint-Simon, *Mémoires*, vol. 9, p. 119.

121 In *Le Cid*, Don Rodrigue (the Cid) and Chimène were engaged to be married, the point being to link their houses by “sacred bonds” through a marriage arranged by their fathers: *Le Cid*, Act 1, Sc. 3, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 595. Similarly, Lysander in *Agésilas*, wanted to unite his blood with that of a Persian nobleman by making the latter his son-in-law: *Agésilas*, Act. 1, Sc. 2, in *ibid.*, vol. 3, p. 367. In *Polyeucte*, Félix, the Roman governor of Armenia, arranged a political marriage between his daughter, Pauline, and Polyeucte, a high Armenian noble, after snubbing a Roman suitor who was the object of his daughter’s passionate affection. Félix was aiming through this marriage alliance to bring

Particular marriage alliances were frequently thought of as networks that redoubled moral claims by the very fact that they criss-crossed and frequently combined friendship with kinship. “Friendship” itself was a multivalent term, which could denote close relations between non-kin. But the concept “friends” in the seventeenth century, both in semantics and in widespread practice, designated not only relatives created through affinal ties but also, sometimes, all relatives, kin through blood and kin through alliance. The terminology in any particular context was seldom really ambiguous even if multivalent, so that for example, “kin and friends” would mean relatives by blood and relatives by marriage in one context, whereas in another, “kin” might designate relatives of any kind, while “friends” might extend beyond kinship boundaries. I have sometimes even found “friends” used for consanguineal relatives (*Blutsfreunde*, for example).

French anthropologists looking at the way alliances reinforce each other in particular rural regions today have developed the concept of “re chaining” to describe the practice of redoubling paths in a kinship network through criss-crossing affinal ties, and historians have shown that before the nineteenth century such practices allowed families to create dense networks of exchange among related kin without violating the prohibitions of cousin marriage.<sup>122</sup> The tangled connections in Corneille’s comedy *Mélite* offer a good example.<sup>123</sup> After various relationships were sorted out through treacherous behavior, mistaken deaths, contrition, and reconciliation, Tircis and *Mélite* were joined in marriage. *Mélite* and Chloris, having become sisters-in-law, addressed each other

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together two different nations, states, social orders, and cultures: *Polyeucte*, Act 1, Sc. 3, in *ibid.*, vol. 2, p. 20. In the complicated drama *Héraclius*, where various boys had been switched at birth, Héraclius, knowing that he was the true brother of Pulchérie, told her that it was not for them to unite houses and that she should look to Martian (the one for whom he had been exchanged at birth) for that purpose. Martian, still confused as to their true identities, suggested to Pulchérie that she marry his friend Héraclius as another *moi-même*, but then went on to a more strategic consideration; namely, that such a marriage would prevent Héraclius from becoming an oppositional figure: *Héraclius*, Act 2, Sc. 4 and Act 3, Sc. 1, in *ibid.*, vol. 2, pp. 474 and 491 respectively. In *Othon*, the emperor Galba was intent on joining the blood of two lineages in a political marriage. Childless, he considered his niece to be the “remnant of his blood,” and he wanted her married to Pison who, in turn, carried the blood of Pompey and Crassus: *Othon*, Act 3, Sc. 3, in *ibid.*, vol. 3, pp. 323–24. One marriage, of course, could be followed by many more. The Roman general Sertorius in the tragedy bearing his name considered marriage with the Spanish queen Viriate. That would have begun a series of marriages between the two *nations*—thousands would follow and “would chain one to the other, mixing so well blood and common interest that they would soon reduce two people to one”: *Sertorius*, Act 1, Sc. 2, in *ibid.*, vol. 3, p. 170.

<sup>122</sup> Tina Jolas, Yvonne Verdier, and Françoise Zonabend, “Parler famille,” *L’Homme* 10 (1970): 5–26, here pp. 17–22. For examples of re chaining in a German village at the beginning of the eighteenth century, see David Warren Sabeau, *Kinship in Neckarhausen*, pp. 100–26. This practice appears also in the nineteenth and twentieth centuries in particular regions. See, for example, Martine Segalen, *Fifteen Generations of Bretons: Kinship and Society in Lower Brittany 1720–1980*, trans. J. S. Underwood (Cambridge, 1991).

<sup>123</sup> *Mélite*, Act 5, Sc. 4 and Act 5, Sc. 6, in Rat, *Théâtre complet de Corneille*, vol. 1, pp. 75 and 76–78 respectively.

as “sister,” a conflation of connection quite normal in the seventeenth century. Éraste turned his earnest attention to Chloris *because* she was the friend of his former flame Mélite, and Chloris obeyed her brother Tircis’s wish that she marry his friend Éraste. Chloris expected that her marriage would link the two men closer than before; that as brothers-in-law they would act as brothers. And she advised her fiancé to find in his former “lover” a proper sister. As with many of Corneille’s comedies, the action ended with the creation of a group from a series of marital exchanges. Corneille, however, was displeased with the way he resolved the connections in the final scene. A third young man, Philandre, had been the suitor of Chloris at the outset of the play but had to be satisfied in the end with just a maid. In the *Examen* introducing the published play, Corneille said that it would have been better had Philandre gotten a cousin of Mélite or a sister of Éraste “in order to be united with the others.”<sup>124</sup> This solution echoed the “re chaining” practices of kingroups, where a group of affinal kin circled back on itself. Here the two friends exchanged a sister and their fraternal and sororal bonds settled a rivalry. Philandre, the third friend should also have been brought into the kinship circle. His marriage to a cousin of Mélite would have conformed with the widespread early modern practice of two first cousins marrying two people who were siblings (or, in this case, close friends—like brothers). Alternatively, through marriage to a sister of Éraste, he would have become like a brother to Éraste, and Chloris (his first fiancée), through her marriage to Éraste, would have become like a sister.<sup>125</sup>

Pure loyalty to lineage values always set the dead hand of the past on each successive generation, but the dynamic forces associated with the set of loyalties constructed by the new generation also countered the dead-hand effect. Although I will come back to this issue shortly, it is important to note here that each new alliance brought uncertainty into family relations, and that a dense set of overlapping alliances was strategically useful for the next generation making its way in the world. These new kinship

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<sup>124</sup> *Mélite*, *Examen*, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 8.

<sup>125</sup> *La Veuve*, another play with a false friend and misunderstandings, in the end also found a resolution in a chaining together of interrelated households: *La Veuve*, Act 5, Sc. 8 and Act 5, Sc. 10, in Rat, *Théâtre complet de Corneille*, vol. 1, pp. 227–30 and 230–31 respectively. In this case the brother/sister pair, Philiste and Doris, mediated a series of relations, both of their own generation and the previous one. The brother and sister manipulated the mother to choose his friend Célidan, but it turned out that the mother had not been allowed to marry her own true love, Célidan’s father, and she now thought that Célidan had rights of succession (*droit successif de famille*) to her daughter. Célidan, in the original, more risqué version, pointed out that through intercourse with the sister, he and Philiste would become more than friends (“a sister who shares my bed makes an even stronger bond to our friendship”): *La Veuve*, Act 5, Sc. 8, in *ibid.*, vol. 1, p. 228 (footnote). Philiste also succeeded in love and got to marry the widow Clarice. Thus the double marriage united two friends, two siblings, and two families that had failed to unite in the older generation. The circle was this: mother, daughter, brother, friend, lover—connecting three, possibly four (assuming Célidan’s father was alive) households. It is precisely this kind of marriage circle that detailed analysis of seventeenth-century kinship systems has found. The resolution in *Clitandre* once again created a circle of kin, a criss-crossing of interests and loyalties: *Clitandre*, Act 5, Sc. 4, in *ibid.*, vol. 1, pp. 147–49.

arrangements were constructed from multiple elements: older ties, friendship, property, status, and patronage. At the conclusion of *Clitandre*, the king announced a double wedding.<sup>126</sup> Through the marriage of his two daughters to men who were enemies (one the favorite of the king, the other the favorite of the king's son), these enemies and the king's son all became brothers-in-law. In this double marriage, the political strategies of the older generation (the king) were folded into those of the younger generation (his son, the prince), and the emotions of rivalry and hatred of the younger men were resolved through reciprocal ties that bound the protagonists in new configurations.

### Blood mingled among families, lineages, houses, and cities

In marrying Pauline, he has become your blood. — Corneille, *Polyeucte*, 1641

Up to now, we have been looking at marriage as an exchange moment between different kinds of groups. Now the issue is to explore the way the texts reveal concerns about blood—mixed, exchanged, mingled. I have already alluded to the moment in *Le Cid* when Rodrigue challenged Chimène to stab him with the sword dripping with her father's blood. In this act the blood of the two lines was to be effectively mingled in death.<sup>127</sup> We have also seen the king of Alba in *Horace* suggest that historic ties had made the two cities, Alba and Rome, one blood.<sup>128</sup> Similar images in *Polyeucte* examined mingled blood in a rather different way. The Roman governor Félix, father of Pauline and thus father-in-law to her husband, Polyeucte, was caught between paternal sentiment and a state law condemning Christians to death—Polyeucte was a Christian. In a confrontation with Félix, Pauline said that in marriage, her husband, Polyeucte, *had become Félix's blood*.<sup>129</sup> Elsewhere, working with the same thought, an interlocutor of Félix accused him of shedding *his own blood* by his own hand in condemning Polyeucte to death.<sup>130</sup> Pauline's argument was a classic statement of alliance. Her marriage had made the two men so close that they were to be considered of the same blood: the daughter/wife conveyed the father's blood to the son-in-law. She was the conduit or channel for the coursing of blood both between generations and between allies.<sup>131</sup>

<sup>126</sup> *Clitandre*, Act 5, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 1, pp. 147–49.

<sup>127</sup> *Le Cid*, Act 3, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 622.

<sup>128</sup> *Horace*, Act 1, Sc. 3, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 673.

<sup>129</sup> *Polyeucte*, Act 3, Sc. 3, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 46. In discussing the transference of blood to a son-in-law, Saint-Simon deals with the tangled problems of inheritance, rights, and dignities arising from multiple marriages and blood-based claims: Saint-Simon, *Mémoires*, vol. 1, p. 63.

<sup>130</sup> *Polyeucte*, Act 5, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 2, p. 73.

<sup>131</sup> *Polyeucte*, Act 5, Sc. 4, in Rat, *Théâtre complet de Corneille*, vol. 2, p. 73.

In the last act of *Polyeucte*, Pauline used different terms to describe her relationships with father and husband: “nature” for the former and “love for the latter.”<sup>132</sup> Nature, blood, birth were all ascribed characteristics; they created primary loyalties and duties and were crucial to the moral order. Love, by contrast, was negotiable, derivative, created, dependent. It also was part of the moral order, but it was situational and followed from the primary obligations. It had two aspects, one related to the senses and passions, suspect, transient, creating no permanent attachment, and the other hardwired, derived from the facts of the social order and consequences of primary allegiances, assumed and permanent. Here alliance was presented from different points of view: as an exchange relationship set up between two families, lineages, or houses, with in-law connections, hierarchies, intimacies, and distances, and as a particular couple, the nodal point in the wider system of reciprocities, the individuals who are exchanged and whose marriage provided the structural permanency and functions to reproduce the system through the bearing of children.<sup>133</sup> All of the images of becoming one blood assumed the exchange of fluids in intercourse.

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<sup>132</sup> *Polyeucte*, Act 5, Sc. 3, in Rat, *Théâtre complet de Corneille*, vol. 2, pp. 69–70.

<sup>133</sup> The distinction between ascriptive obligations established by nature and negotiated duties worked out in the exchanges of friendship and alliance was central to many of the Cornelian plays. In *Le Cid*, inherited blood had ascriptive power and took priority over relationships based on negotiation and choice. The plot moved towards an aporia, where members of two families were honor bound to kill each other despite conflicting desires, and Chimène, finding no ultimate resolution for her ambivalent motives, planned to kill herself right after her lover’s death: *Le Cid*, Act 3, Sc. 5, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 627. In *Polyeucte*, Pauline, as we have seen, distinguished between “nature” and “love”: *Polyeucte*, Act 5, Sc. 3, in *ibid.*, vol. 2, pp. 69–70. Nature derived from blood and birth and necessitated primary loyalties, obedience, and ascribed duties. And nature was the foundation of the moral order. Love was a derivative concept, dependent upon primary obligations. In so far as it was based on attraction or passion alone, it was transient and could not be the foundation for permanent relationships. Whether love derived from nature, from the facts of birth, or secondarily from an alliance based on paternal authority, it was fundamental for the moral order. In this Christian drama, the only challenge to the blood of families was Christ’s salvific blood with the extension of the blood of martyrs as the seed of the Church, a point made explicitly by *Polyeucte*: *Polyeucte*, Act 5, Sc. 2, in *ibid.*, vol. 2, p. 67. In this case, it was the specific blood of the martyr/husband that led to Pauline’s sudden conversion—the image was at once drawn from the offices of the lover/husband and the Christ/martyr. It is subsequent to this that Pauline announced her disobedience to her father, to the laws of birth. The rights over her had been transferred to the new alliance—to the husband/martyr and to the Christian faith: *Polyeucte*, Act 5, Sc. 5, in *ibid.*, vol. 2, p. 74. Even in a situation of moral failure, as in *Rodogune*, the mother expected the sons implicitly to share her rage, and not to do so was to violate nature. In the debate, Antiochus maintained that love and nature had separate, compatible rights, while the mother feared that love could snuff out nature. Among other aspects of the conflict within this family, the debate circled around duties transmitted by descent (nature) and obligations of contract (love). Recognition of a blood attachment, cousins, for example, evoked claims of support and moral obligation: *Rodogune*, in *ibid.*, vol. 1. In *Théodore*, a key figure in the plot was Cléobule, Placide’s friend and Théodore’s blood relative, who spoke of their closeness as derived from “rights of blood”: *Théodore*, Act 1, Sc. 1, in *ibid.*, vol. 2, p. 393. Marcelle expected that Cléobule would support Théodore just because she was his kin: *Théodore*, Act 1, Sc. 2, in *ibid.*, vol. 2, p. 395. In *Héraclius*, marriage, once accomplished, brought in its train the same



### Women as mediators

Whatever they are, my sister, the ties are very different / Without forgetting them, one leaves her parents: / Marriage does not erase their profound character; / In order to love a husband, one does not hate her brothers; / Nature always keeps her first rights; / At the cost of their life, one does not chose at all: / Just as much as with a husband, they are our other selves / . . . It is a crime to oppose voluntary ties / To those that birth has made necessary. — Corneille, *Horace*, 1640

In almost all of Corneille's plays, alliance was a matter of agnatic lineages, royal houses, or parents arranging for the marriages of their children, with a strong sense that it was women who were exchanged between lines. Nonetheless women were actors in their own right. They may have had to obey, but even when they bent to the will of a parent by agreeing to accept an unwanted husband, they tried to negotiate. In many situations, especially in the comedies, the trick was to get the parents to come around to support the children's own inclinations. Nonetheless, without exception, the young women maintained that the decision, or ultimate decision, lay with the father (or failing him, the mother, or occasionally a brother, who as head of the house wielded *paternal* authority). A clear distinction was made between sentiment and emotion, between the love that arose with mutual attraction and the love that bound spouses in a settled marriage. The latter always was accompanied by reason—and frequently “reason” was understood to be what proceeded from paternal decision. Love based on sexual attraction was too unsteady and impermanent to be the foundation of a long-lasting marriage, and in the context of infrequent divorce, the decision of whom to take as spouse was too important to leave to sentiment. Even with these exigencies, it was still the case

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kinds of sentiment found through blood: Pulchérie feared that if her marriage to the tyrant Phocas's son were to take place while Phocas was alive, then she would inevitably shift her affective stance towards the father-in-law/tyrant. She would be united to the family, and he would be her father and she his daughter. She would owe love, respect and fidelity merely by such a connection: “My hate would no longer be impetuous and all my wishes for you [Martian] would be timid and weak when my wishes against him would be of parricide”: *Héraclius*, Act 3, Sc. 1, in *ibid.*, vol. 2, p. 491. Thus her wish to see Phocas dead before the wedding. *Médée*, of course, portrayed a tragedy which turns on love and passion breaking with primary loyalties, on betrayal of father and country. *Médée* does not find any mediation between ascribed loyalties and negotiated ones. She thinks her betrayal of all her duties to family and kin should bind Jason to her all the more securely: *Médée*, Act 1, Sc. 4, in *ibid.*, vol. 1, p. 454. But passions, especially Jason's, were a weak cement, unable to reproduce structure. In *Toison d'or*, which looked at the *Médée*-Jason connection in an earlier phase, the same issues of choice (love) and nature (blood) were dealt with. King Aëte, after his daughter *Médée* has betrayed him and helped Jason get the fleece, says to his son: you know too little how a wild love surpasses tyranny. It does not spare rank, country, father, modesty. Maybe you yourself are the enemy of your father. All my blood revolts and betrays my hopes. Everything becomes suspect. I do not know what to believe, only what to fear. Love keeps little respect for the rights of blood. Everyone can be innocent or culpable: *Toison d'or*, Act 5, Sc. 2, in *ibid.*, vol. 3, p. 147. In the end, after having helped Jason steal the fleece, *Médée* proclaimed: “from the country of blood, love breaks the ties and the gods of Jason are stronger than mine”: *Toison d'or*, Act 5, Sc. 5, in *ibid.*, p. 153.

that women were actors in their own right, with claims (an expectation to a marriage of suitable status, for example) and obligations. They were frequently the key players in keeping an alliance alive and mediating between agnatic groups.<sup>134</sup> In a sense, they continued to share the blood of their ancestors even after being incorporated in the blood of their husband's lineage.

The issues of identity were explored at length in *Horace*. Sabine opened the play by observing that she had become Roman by virtue of her marriage to Horace.<sup>135</sup> This suggests rules of patrilocality and the assumption of a new status through marriage. There was never a hint that Horace had become Alban through marriage. As befitted her position (woman as connecting link, the person who gets uprooted but who maintains sentiments, passions, and desires connected to her family of origin and country of birth), Sabine was caught in a dilemma of loyalty. Her birth family and Horace's, her birthplace (Alba) and Horace's (Rome), had become fighting enemies. On balance, she now found herself Roman and primarily loyal to her husband; she was Roman because Horace was Roman. But she retained sentimental attachments with the place and family of her birth. Birth mattered and blood mattered, and by distinguishing her position from that of a slave, she suggested that, despite being a wife, she continued to have the rights and claims of a free person; her place, between two cities and two families endowed her with an active role, the one of mediator. She found herself suspended, hating whichever side won and weeping for the losers.

The tragedy unfolded after Horace killed Sabine's three brothers in battle and then his own sister, who had suggested to him that *her* sentiments were less tied to her own blood and his glory than to her hope for marriage to one of those fallen brothers, Curiace, by which she would have become an Alban. Sabine could not stop lamenting the deaths of her brothers. Horace, however, expected her to cease mourning and told her that "if the absolute power of a chaste passion allows us both only one thought and only one soul, it is for you to raise your sentiments to mine and not for me to descend to the shame of yours."<sup>136</sup>

In the action of the play, the city of Alba played the female to Rome's male role: Alba was alternatively "mother" of Rome or the origin of its wives. It was the Alban king who stopped the battle on grounds that the two cities were allied—one blood. No Roman hesitated to pursue the conquest. Young Horace killed his sister over the suggestion that the alliance between the two cities that might have come with her marriage to Curiace was one of balanced reciprocity. Sabine was not prepared to give up the ties that came from her family of origin. They were rooted in nature and provided precisely the iden-

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134 In *Le Cid*, the problem was that Rodrigue, defending the honor of his father, had killed Chimène's father in a duel. This opened up a gulf between the engaged individuals who were honor bound to act for their lineages even while being in love and betrothed with the prior consent of their parents: *Le Cid*, Act 2, Sc. 8, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 615–16.

135 *Horace*, Act 1, Sc. 1, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 666.

136 *Horace*, Act 4, Sc. 7, in Rat, *Théâtre complet de Corneille*, vol. 1, p. 706.

tity that distinguished a wife from a slave. She continued to argue that she had obligations through both necessary ties (of birth) and voluntary ties (of marriage). In the end, however, she made clear that blood would triumph over alliance because otherwise her freedom and essential identity would be compromised.<sup>137</sup>

## Conclusion. Reproducing the lineage

There is no doubt anymore that the kinship which lies in consanguinity is closer and stricter than that which consists only of alliance and affinity. For all that alliance can do is imitate consanguinity. The reason for this is clear: in consanguinity, nature is in its proper seat, while what there is of nature in affinity comes by communication. Hence the result that the relations that arise from consanguinity are immediate; for nature has not put anything, for example, between the father and son. But the relations produced through affinity are from the mediation of some other thing: because the daughter-in-law [*brus*], for example, is this father's daughter only by the intervention of his son that she has married. — Moyses Amyraut, 1654<sup>138</sup>

Alliance and descent were the two axes between which the various conceptualizations of blood during the seventeenth century alternated. An examination of many of the texts suggests that the treatment of blood resonated with models of social circulation and of the way people were or could be connected with each other. On the one hand, there was the question of descent, heredity, inheritance, and succession, the axis of relations that worked downwards—or vertically—from parents to children and over generations. On the other hand were the connections set up through exchange, alliance, and affinity, which tended to configure relations within a generation or—abstracted from time—horizontally. While considerations of how blood worked, both metaphorically and really, were part of thinking about relationships that we can broadly conceptualize as vertical or horizontal, each of these in turn was subject to a series of different ways of drawing connection: generation, engenderment, conception, substantiation, replication, incarnation,

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137 The obligation of women to defend the family was crucial to the argument in *Pompée*, where Pompée's widow was destined forever to identify with her deceased spouse: *Pompée*, Act 4, Sc. 4, in *Rat, Théâtre complet de Corneille*, vol. 2, p. 129. In fact, without him alive to release her, there was no possibility for her to act on her own and make peace with Caesar. Cornélie tells Caesar that a chasm now divided them forever because he had shed her current husband Pompée's blood. Throughout, her interests and positions vis-à-vis other people were strictly tied to her husband. She had two stories to tell about herself—descent from a Roman hero and two marriages to Roman heroes. Her motivations were sorted out in such a way as to have romanness encompass her private or domestic loyalties. She acted most Roman when she acted in tandem with the house into which she married, where she could carry out her duty. She was now allied with Pompée's sons, the sons of Cato, and other kin against Caesar: *Pompée*, Act 5, Sc. 4, in *ibid.*, vol. 2, pp. 139–40. In some ways, the play suggested, the split in interests could have been overcome if Pompée had lived to submit to Caesar and been pardoned by him. But his death forever precluded submission by the wife.

138 Moyses Amyraut, *La morale chrestienne*, pt. 2, p. 247.

ingestion, incorporation, exchange, and contagion. The images depended very much on what was thought to happen in sexual intercourse and on how generation or conception was presumed to take place. Blood could be construed as a link between parents and children in general or between *one* of the parents and the (male) children in particular. And it could be communicated through lactation as well as through gestation.<sup>139</sup> It could connect the generations, providing particular privileges, obligations, and rights, and it could connect allies in friendship, in the exchange of the substance of a line, lineage, or *race* with other similar entities. In any genealogy, each consanguineal link was a conduit of blood and each alliance a sharing of blood. And it was through metaphors of blood that contemporaries conveyed points of danger and ambivalence, fears of violation and transgression, and hopes for intimacy and care.

Images of blood in the seventeenth century offered models of social circulation. The relationship of a man to his progeny, the circulation of blood down the generations, followed the same conduits as property, status, and privilege. The coursing of blood was a function of nature, and the connections made among those whose veins flowed with the same juice were ascriptive, not subject to negotiation, choice, or contract. The key terms for grasping the group whose substance was shared constantly reappeared in literature, legal discourse, and theology: *Geschlechter*, *lineages*, *cognationum*, *Freundschaften*, *races*. Such groups of kin were internally differentiated and hierarchically ordered according to principles of age, gender, and birth order, accompanied by moral demands, sentimental attachments, and orientations of identity.<sup>140</sup> In Baroque culture there was a palpability, substantiality, and corporality to the lineage. And the family was perceived on a vertical axis in terms of legitimate descent and succession, all emphasizing agnatic ties, the flow of vital substance through male lines, and an extreme “egoism” of familial identity.

It was just because each agnatic line could not reproduce itself without help from strangers that it had to enter into dangerous alliances with other groups, each with their own sense of identity. Women were brought in to care for the line, and their blood was crucial for the success of father/son continuity. Maternal blood was passive, actuated by a male spark, concept, idea, or form, effecting a kind of transubstantiation such that the maternal blood necessary for generation was, in the children, ironically paternal. The blood actually transmitted to the son was the father’s blood, even in the Aristotelian understanding of generation where semen was robbed of its materiality and worked its magic through spirit. Like Mary, who, in accepting the conception and birthing of

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<sup>139</sup> On the fungibility of blood, see Laqueur, *Making Sex*, pp. 35–43; Barbara Duden, *The Woman Beneath the Skin*, trans. Thomas Dunlap (Cambridge, MA, 1991), pp. 124–26; see also Pomata, “Blood Ties and Semen Ties,” pp. 56–57.

<sup>140</sup> Recall the careful distinction between descent (consanguinity) and alliance (affinity) made by Huguénot theologian Amyraut in *La morale chrestienne*, pt. 2, p. 247, quoted in the epigraph to this conclusion.

Christ, chose to do her duty, women were supposed to be the counters in a game of significance beyond themselves. But women also stood at the danger point in an alliance. The twinned couple (the wife and her sister) embodied especially highly charged risks, threatening, vulnerable, indispensable, responsible, demanding, and dependent. Vertical flows of blood, redirected horizontally, offered apt metaphors to convey intimacy-at-a-distance, new boundaries to respect, and territories not to trespass.

# Chapter 5

## Lineage and Alliance in the Seventeenth Century

In many cases there can be probably no more prudent marriages than these [with the wife's sister or brother's wife], both in consideration of the persons marrying and for the children they bring to each other. Such persons have had freer interaction with those from among their kin and already discovered many things unknown to others than the closest relatives as well as intimate accounts from the deceased spouse about their circumstances, faults of temperament and virtues, and therefore have much better knowledge about them than about others. They can also better know if they are suited to each other or not, and here there is much less danger for both partners to be misled than when one has to believe the calculated report of proxies. — Pastor Max Conrad Hummel, 1780<sup>1</sup>

The link between two clans or lineages or descent groups or families during the seventeenth century had to be substantial enough to provide a foundation for continuous exchanges over the long term. Any particular marriage was only the starting point for a series of reciprocities expected to outlast the lives of the coupled individuals, and the resultant traffic between a line and its affines could be so heavy that women of an associated family could become off limits as objects of sexual desire or for reproduction. The thesis I want to explore here is this: that behind the force of this idea lay the many valuable services provided by close allies.<sup>2</sup> Allied males could act as guardians for chil-

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1 Stadtarchiv Ulm, Bestand A, Akten 1780–81, Nr. 12, report (*Bericht*) by Max Conrad Hummel, pastor in the Dreifaltigkeitskirche, supporting the petition of a man to marry his deceased brother's wife.

2 Jonathan Edwards (1745–1801), pastor of a church in New Haven, made the point in general terms, arguing that apart from divine commandment, this was the most practical concern. To allow such marriages with any close affines as with the wife's sister would contract the “kind offices” that affines provided. He was against abrogating the Connecticut law prohibiting marriage with a sister-in-law: Jonathan Edwards, *The Marriage of a Wife's Sister Considered in a Sermon Delivered in the Chapel of Yale-College On the Evening after the Commencement, September 12, 1792* (New Haven, [1792]), p. 5, cited hereafter as Edwards, *Marriage*. A Dutch Reformed pastor from New York and New Jersey, John Henry Livingston (1746–1825), entered the lists twice. His first book, published under the pseudonym Eudoxius, was *The Marriage of a Deceased Wife's Sister* (New York, 1798). The second book, *A Dissertation on the Marriage of a Man with his Sister-in-Law* (New Brunswick, NJ, 1816), contained a long passage, pp. 25–34, on the characteristics of affinity, which remarked (p. 29) that a sister-in-law was truly a sister. The logic of the argument was important, since, of course, the incest prohibition brought the relationship under the sign of sex and potential desire. Livingston started with the divine prohibition, the motives for which were not open to human judgment. But the consequences were clear. The prohibition allowed the same kind of intimacy between a man and his wife's sister as he had with his own sister. So she was a “real” sister, but then again there was a difference, as with all affinal kin. The husband could be *more* open in a way (although this was only implied here) because what was called for was the use of time and the offer of due diligence with no potential conflict over inherited property and no memory of competition for parental favor. These writers participated in a considerable debate about church discipline and legal proscriptions. In the early years of the new republic, there was a tendency among legislators to repeal laws against sister-in-law marriages, just as on the European continent. For example, already in 1750,

dren, gender tutors for sisters- and mothers-in-law, estate administrators, curators for widows, legal representatives for married and single women, executors of wills, underwriters and guarantors of liens and contracts, patrons or clients, and political supporters. Reproducing a line made allied kin all the more necessary and all the more useful, precisely because they had no expectation to property. The sister-in-law of any man truly became a sister—and in some respects, even more than a sister—and so closely associated to him that marriage or sexual relations in the hope of marriage would—through passion or aggrandizement—alter the framework of rights and duties regulated by law.

Commentators found the exchanges between allied families and their reciprocal responsibilities to be of such intimacy that marriage back into the same family overlay substance with substance, flesh with flesh, or was too close *ins Geblüt*.<sup>3</sup> At the very end of the seventeenth century, the French jurist Jean Domat (1625–1696) pointed out that the social relationships established through marital alliance, which were in fact the basis for the laws that forbade marriages among them and for those that made them responsible for offices as guardians, disallowed their testimony in circumstances of potential kin-related bias.<sup>4</sup> Domat's contemporary, the Jansenist theologian Antoine Arnauld (1612–1694), expressed the fear that conjugal love would degenerate into brutal passion and excessive ardor if kin closely linked by blood and familiarity were to add conjugal tenderness to their already strong ties. This seems to me to have been a way of suggesting that the set of reciprocities accompanying alliance required a certain degree of distance and a systematically constructed set of roles with carefully maintained boundaries. In this construction, it was the set of rights, duties, obligations, and claims, the circulation of goods and other patterns of exchange, and the tensions between vertical and horizontal relationships, between consanguineal and affinal kin, between structure and change, between identity and difference that explained the considerable unease in Baroque culture about repeated marriage into the same family.

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Connecticut repealed the prohibition against the wife's brother's or sister's daughter, and in 1793, did the same for the wife's sister. Still in 1813, it was illegal to marry a brother's widow: *A Consideration of the Right of Marrying the Sister of a Deceased Wife* (Hartford, CT, 1813), p. 4; hereafter *Consideration of the Right of Marrying*. Edwards and Livingston were witnesses to considerations that characterized the seventeenth and early eighteenth centuries. Shifts away from lineage construction as the eighteenth century wore on, and the opening up of new social and economic possibilities, brought about a reordering of kinship and new forms of alliance—I will discuss these changes in section II. Suffice it to say here that the nature of sister-in-law relations was reconfigured and interest in prohibiting marriage with the deceased wife's sister declined—except in England. On England, see Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009).

<sup>3</sup> John Turner, *A Resolution of Three Matrimonial Cases* (London, 1684), pp. 4–6, considered the situation of a proposed marriage with a deceased wife's sister's daughter, which he found unlawful. It was in the very interest of mankind that mutual interests among allied kin and their various dependencies as well as the continuation of friendship precluded such couplings.

<sup>4</sup> Jean Domat, *Les loix civiles dans leur ordre naturel*, 2nd ed., 5 vols. (Paris, 1695–1703), vol. 1, p. 20.

The scriptural and medical metaphors of flesh and blood, so predominant during this period, symbolized that unease.

Incest fears and formal marriage prohibitions can offer starting points for understanding who counts as a relative or who counts as what kind of a relative in any particular society. And they can also tell us a great deal about how families, households, clans, and kindreds can set up boundaries and cast new ties from generation to generation. If incest ideas play a role in shaping kinship, kinship structures and practices, in turn, give meaning and point to what is considered forbidden, edgy, or scandalous. Incest fears and kinship practices thus act reciprocally in a field that is continuously remapped and re-explored. Accordingly, it is not surprising that there was no universal agreement in Europe in the seventeenth and eighteenth centuries about what constituted incest or made it so worrying. Precisely where some commentators invoked feelings of horror and disgust, others, like Pastor Hummel (see the epigraph), were ready to find the best solution for a particular family problem. In short, while the weight of opinion in the seventeenth century and of laws everywhere found marriage with the deceased wife's sister abhorrent and almost certainly prohibited by God, there were voices here and there suggesting, for example, that such marriages might be best for the children.<sup>5</sup> Who better than the aunt to step into the mother's place?<sup>6</sup>

Despite the few who questioned conventional attitudes, the Baroque era as a whole was so conservative on the matter of marriage with already linked relatives that even after some liberalization for consanguineal kin during the eighteenth century, the sister-in-law remained off limits.<sup>7</sup> And so the questions remain: Why were these relatives

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5 In my study of the village of Neckarhausen—with a complete family reconstitution between 1580 and 1869—I found no cousin marriages at all before the 1740s. According to Württemberg ecclesiastical law, among consanguineal kin, the prohibition extended only to second cousins. Yet until the 1740s there were no marriages of third, fourth, or fifth cousins traced through any permutation of cognatic relationship. Until that time, there were no marriages at all with people having the same surname—so no even remote agnatic cousins. In the 1680s, the state established a fee structure for dispensations, and already anyone could marry a second cousin with a modest payment. Yet sixty years passed before anyone applied. Here is evidence that there was no popular pressure behind the change in law, at least at first and among the vast majority of rural inhabitants. The issue of the wife's sister was brought up by one town dweller in Württemberg in 1784—no swell of urban demand either. Not until 1796 did the state allow subjects to purchase dispensations for in-laws. A sister-in-law cost the same as a first cousin and a wife's cousin cost the same as a second cousin. In Neckarhausen, by the 1830s, four or five couples (in a village of 800 inhabitants) had taken advantage of the new law to marry a sister-in-law, but by this time marriages of first and second and third cousins were quite normal. David Warren Sabean, *Kinship in Neckarhausen 1700–1870* (Cambridge, 1998), pp. 81–84.

6 This argument continued, with ever-greater cogency. It was raised and dismissed by Edwards, *Marriage*, p. 22, in late eighteenth-century Connecticut.

7 The first attempt to get a dispensation for a deceased brother's wife in the South German city-state of Ulm, for example, occurred in 1780, and the first granting of such a dispensation (for a half brother's wife) took place in 1796. In England, just as several decades of practical tolerance were about to lead to overturning the ecclesiastical statute, Parliament made it a violation in civil law (1834) and refused



forbidden—and often treated with great severity—throughout the seventeenth century and well beyond? And why the sister-in-law in particular? In our first four chapters, we have seen that Luther attacked the whole structure of canon law and insisted that the letter of the Leviticus text provided the only grounds for denying any kind of marriage tie, but also that within a few decades, the newly established Protestant churches all refitted canon law for themselves and prohibited in principle a range of in-laws paralleling the one for blood kin. *Sola scriptura* hermeneutics provided the grounds for these Protestant codes despite dodgy attempts at literal readings of Mosaic law.<sup>8</sup> But worry about marriage with the wife's sister—even more the brother's wife—persisted longer than worry about other close-kin marriages. People were just much more conservative about the sister-in-law, and the shrill tone of argument itself testifies to a widespread social unease.

The continuous reproduction of marriage prohibitions with affinal kin during the Baroque era, the obsession with the deceased wife's sister, and the conservatism that saw more dangers in sisters-in-law than cousins taken together present a puzzle asking for explanation. I will attempt an answer by setting the puzzle in the context of the particularities of kinship and alliance during the period, always with the full knowledge that the connections I make are tentative, and not to be found ready-made in the sources. I will begin by recalling many of the points outlined in my earlier chapters and then trace in broad strokes the salient features of kinship formation during the Baroque era: the emphasis on line and lineage, the nature of alliance, and the use of allied kin by the line. Some time ago Simon Teuscher and I published a joint piece containing some of what I present here, but since then I have tested our hypotheses by reading considerably more literature. Here I attempt to broaden the interpretations by taking into consideration a wider set of practices.<sup>9</sup> In service to that goal, this discussion of kinship structures and practices will take us away from incest for a while before returning to ponder how allied kin might provoke fears of sexual violation.

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to budge on the matter until the first decade of the twentieth century. For a good introduction to the problem of the wife's sister in nineteenth-century England, see Mary Jean Corbett, "Husband, Wife, and Sister: Making and Remaking the Early Victorian Family," in *Sibling Relations and the Transformations of European Kinship, 1300–1900*, ed. Christopher H. Johnson and David Warren Sabean (New York and Oxford, 2011), pp. 263–87. See also Corbett, *Family Likeness: Sex, Marriage, and Incest from Jane Austen to Virginia Woolf* (Ithaca, 2008).

<sup>8</sup> Of course, there were good reasons for Protestant authorities during the early years of the Reformation to be conservative about marriage laws, not least because marriages they might have allowed could have been annulled in Catholic territories, leading to fears of conversion to obtain an easy divorce.

<sup>9</sup> David Warren Sabean and Simon Teuscher, "Kinship in Europe: A New Approach to Long-Term Development," in *Kinship in Europe: Approaches to Long-Term Development (1300–1900)*, ed. David Warren Sabean, Simon Teuscher, and Jon Mathieu (New York and Oxford, 2007), pp. 1–32. This co-edited volume cited hereafter as Sabean, Teuscher, and Mathieu, *Kinship in Europe*.

## Lineages depend on allies to grow and prosper

A noble lineage was that much more dependent on its cognates and affines the more it attained the ideal of a closed lineage in one line. — Karl-Heinz Spieß, 1993<sup>10</sup>

Moral theology during the “long” seventeenth century seems to have assumed a strong ethical and even emotional bond between a man and his sister-in-law, but this assumption was coupled with a notion that at first glance seems to contradict it. Marriage was supposed to be with “strangers,” not with affinal or collateral kin. Once a particular alliance took place, the allied lineage moved from the stranger column into the one of intimates. Since marriage was supposed to dampen passions, the logic of the argument suggested that intimacy and desire were not easily disconnected. The fact that the Protestant Melancthon and the Jansenist Arnauld both thought that marriage with a stranger would dampen passion and underscore respect suggests that they thought of passion as an inherent attribute of the familiar. In the second decade of the eighteenth century, Professor Buddeus nixed the wife’s sister precisely because of the dangers of excessive desire.<sup>11</sup>

All this talk of an emotional connection to affinal kin took place in the context of kinship constellations specific to the early modern period, and moral theologians offered comments on these structures from time to time. Their observations might appear in pedagogical manuals, as, for example, the one compiled by Siegmund Baumgarten, an eighteenth-century Pietist who was rector of the University of Halle. Baumgarten distinguished clearly between the group of kin constituted through blood relations and those through marriage.<sup>12</sup> Because the consanguineal group could not grow and prosper without the services of allies, relations with in-laws, once established, had continuous binding force. Here the moral theologian as pedagogue was repeating an argument that had been circulating widely already for one hundred fifty years. The *cause célèbre* provided another vehicle for disseminating ideas. The Oettingen marriage disputation, for example, offered participants the occasion to ruminate about lineage claims and the bonds of alliance or, more simply, to consider how lineages could reproduce or prosper. The motive was to increase the status of the lineage by marrying out, since that strategy expanded the networks of people who could be helpful in consolidating the ties of descent, with those who were not to be incorporated into the lineage but were neces-

<sup>10</sup> Karl-Heinz Spieß, *Familie und Verwandtschaft im deutschen Hochadel des Spätmittelalters 13. bis Anfang des 16. Jahrhunderts* (Stuttgart, 1993), p. 502.

<sup>11</sup> Johann Franz Buddeus, *Einleitung in die Moral-Theologie, Nebst den Anmerkungen des Herrn Verfassers ins Deutsche übersetzt [Institutiones theologiae moralis]* (Leipzig, 1719), p. 601.

<sup>12</sup> Siegmund Jacob Baumgarten, *Unterricht vom rechtmässigen Verhalten eines Christen oder theologische Moral zum academischen Vortrag ausgefertigt* (Halle, 1738), pp. 385–92; hereafter Baumgarten, *Unterricht*.

sary for its physical reproduction and social prosperity.<sup>13</sup> Thus the tension for many of these writers was between the group of consanguineal kin thought of as a lineage and relatives attached to the lineage through marriage.

Towards the end of the seventeenth century, writers increasingly worried the issue of whether the two sisters-in-law—the wife’s sister and the brother’s wife—were to be understood in terms of the same principles, and that debate took place precisely around the status of blood kin and allies. Those who saw the two kinds of sisters-in-law as essentially the same were more prone to stress the interrelationships between different lineages, to point out the close connections between them and underline their mutual moral responsibilities.<sup>14</sup> By contrast, those who distinguished between them spent a great deal of time pondering the implications of descent and giving considerable thought to the trajectory of blood. For them, blood was peculiarly something that created an intimate identity among agnatic relations by coursing down generations from father to son. To marry a deceased brother’s wife was to marry someone who had become the flesh and blood of the brother through sexual intercourse. As some of them put it, to have sexual relations with the brother’s wife was to plunge a man’s blood into his own flesh. And as others said, that act poured blood into the flesh of the late brother. Well into the eighteenth century, the dispute over the two kinds of sister-in-law offered a field in which theological imaginations could blossom, but the images also tracked central social con-

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**13** Mathieu Molé of the Parlement of Paris wrote in 1634: “Marriages are not made for the persons who contract [them] but for the honor and advantages of families; . . . One passes a [marital] contract not as an individual accord but as [an accord] common to all relatives, since [through marriage] one gives to them [parents and relatives] heirs and allies whom they cannot receive against their will.” Mathieu Molé (1584–1656), *Mémoires*, ed. Aimé Champollion-Figeac, 4 vols. (Paris, 1855–57), vol. 2, p. 227, quoted in Sarah Hanley, “A Juridical Formula for State Sovereignty: The French Marital Law Compact, 1550–1650,” in *Le second ordre: l’idéal nobiliaire. Hommage à Ellery Schalk*, ed. Chantal Grell and Arnaud Ramière de Fortanier (Paris, 1999), pp. 189–95, here p. 193. Hanley characterized the “marital compact” law as a matter of social control supporting familial networking, with parents gaining control of family formation.

**14** It is interesting that in late American colonial and early United States Republic debate, many writers did not derive the prohibition against marrying the deceased wife’s sister from Leviticus 18:18, which dealt with marrying two sisters, but from 18:16, the prohibition for taking the brother’s wife. The argument was based on propinquity and gender neutrality. The sister’s husband was as close a relative to a woman as the brother’s wife was to a man. See Edwards, *Marriage*, p. 3; Livingston, *Dissertation*, pp. 81–82; Benjamin Trumbull, pastor of the church in North Haven, *An Appeal to the Public, Relative to the Unlawfulness of Marrying a Wife’s Sister* ([New Haven], 1810), pp. 4–5. Trumbull’s argument had been developed much earlier by Increase Mather in Boston: *The Answer of Several Ministers in and near Boston to that Case of Conscience Whether it is Lawful for a Man to Marry his Wives own Sister?* (Boston, 1711), p. 4. There were several editions of Mather’s text, the earliest in 1695. Such a marriage, it proclaimed, was “utterly unlawful, incestuous, and an hainous sin in the sight of God,” p. 3. Even an opponent of Trumbull and an advocate for allowing marriage with both kinds of sisters-in-law could see no difference between them—although in 1813, the prohibition of the brother’s wife was still on the Connecticut books: *Consideration of the Right of Marrying*.

cerns about the coherence of agnatic lineages with their ascriptive bonds and the implications for them of alliances constructed in the first instance through choice, but meant to issue into intimate and enduring ties.<sup>15</sup>

I have shown already that seventeenth-century incest discourse developed around representations that put ever-greater stress on lineage as the organizing principle of familial relationships, and that “blood” proved congenial to the representation of agnatic lineal ideas.<sup>16</sup> A legal scholar and practical jurist like Christoph Joachim Buchholtz made a strict separation between affines and consanguines and stressed the coherence and moral unity of the agnatic lineage as a community of blood. A near contemporary, the French Huguenot theologian Moyse Amyraut, thought of consanguinity as a direct, given relationship and of affinity as a matter of communication, mediation, and choice. The moral force of affinal relationships was derived from the antecedent, primary attachments of the male line, and in a sense it was always a reflection or imitation of those bonds that took precedence. Almost all of these writers stressed the opposition of these two kinds of kin, always keeping a sense of primary attachment and

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<sup>15</sup> It is important to emphasize again how much a notion of marriage as discipline was coupled with exogamy in Baroque discussions of incestuous couplings and to understand that this way of thinking took a long time to fade, whittled away by new concerns introduced in the Enlightenment. In 1751, a pair of anonymous tracts dealing with marriage with the brother’s wife were published together, one arguing for the permissibility of such a marriage and one against. The volume I saw was published in 1758, but seems to have been a reprint. It is dated 1751 at the end of the first tract: *Bedenken über die Frage ob die Ehe mit des Bruders Wittwe erlaubt sey?* (Frankfurt und Leipzig, 1758). There is an alternate title: *Gothaisches Bedenken über die Frage: Ob die Ehe mit des Bruders Wittwe erlaubt sey? Samt derselben umständlicher Widerlegung* (Gotha, 1752; Frankfurt und Leipzig, 1758). The first tract, “Bedenken über die Frage” or “Gothaisches Bedenken über die Frage” is pp. 1–65, and the second tract, the critique, “Umständliche Widerlegung obigen Bedenkens,” is pp. 66–252. The second tract treats marriage with either sister-in-law (brother’s wife or wife’s sister) as disgraceful. “Only souls who seek excuses and cover for their own disorderly desires or obsequiously endorse those of others will object to the arguments mustered here,” p. 94. Why did God forbid marriage with the brother’s wife? To dampen lustful carnal intercourse and to restrain satisfying *libidinis furiosae*, p. 114. But where there would be no such satisfaction and the flesh was suitably crucified, then such a marriage could be a good idea; namely, where a man was commanded—one could say condemned—to raise children to his deceased brother. There was no contradiction here, since the levirate had to do with domestic order, was not in any way rooted in desire, and was the very antithesis of personal gain. Wherever unruly motives existed, this kind of marriage would be shameful indeed, pp. 126–27. But when marriage was commanded, then the flesh was not gratified, for it was a matter of severe constraint (*gewaltsamer Zwang*) under the yoke of God’s will. Of course, such arguments were a purely academic exercise designed to deal with biblical texts in tension or contradiction with each other but with no practical purpose, since the institution of the levirate was irrelevant in a Christian context with no polygamy. The author lamented that in some places the wife’s sister, quite contrary to Scripture, had become allowed, and that now folk were turning to the brother’s wife. Soon some would be defending the stepsister and after that the full sister—and a state of pure nature would be the result: all this because people forgot that marriage was a matter of dampening desire and that the best means to that end was to marry strangers, pp. 252–53.

<sup>16</sup> See section I, chapter 4.

underlining the moral claims of blood. Yet affines were peculiarly important. The term “graft,” chosen by Nicolaus Hieronymus Gundling (1671–1729) to underscore the indissolubility of the bond, suggested the image of a trunk that had taken on a new limb.<sup>17</sup> Another image, appearing in the collection of ecclesiastical conferences compiled by Jean-Laurent Le Semelier, figured the same elements as a mixing of bloods. And despite the fact that it was a particular couple whose blood mingled, the idea here was that in marriage, two lineages draw blood from one another.<sup>18</sup> Baumgarten stayed with the one flesh image from Genesis, which implied that allies were subject to the same ties as those of blood.<sup>19</sup>

I have noted earlier that the line was thought of as a channel along which rights and obligations flowed. The status of the heir was not abstracted from the materiality of the actual flow of blood. Lines of flowing blood produced lineage obligations and determined the status of every particular individual. What we have found in the moral theologians, legal scholars, and dramatists suggests a configuration that needs to be contextualized. Just who were allies such that a second marriage with them provoked widespread disgust? Were all forms of reattachment to allies problematic? It may well have been that marriage with outsiders was crucial for the reproduction of the lineage, a possibility captured in the idea that blood in women was only actualized through agnatic intervention. But the wife of one generation became the mother of the second, the wife’s sister became the maternal aunt, and the brother-in-law the maternal uncle and so affinity merged into consanguinity. Whatever the discourse developed around the identity and self-absorption of the patrilineal descent group, the kin of the mother were important, and they need to be explored for their structural valence.

## Agnatic descent and the rise of lineage thinking in the early modern period

What, in sum, is to be said of the strict settlement? Above all, it is to be recognized as having established a family constitution, the character of which is summed up in three words: patrilineal, primogenitive, and patriarchal. — Eileen Spring, 1993<sup>20</sup>

<sup>17</sup> Nicolaus Hieronymus Gundling, *Discours über das Natur- und Volcker-Recht nach Anleitung und Ordnung des von ihm selbst zum zweyten mahl herausgegeben iuris naturae ac gentium*, 2nd ed. (Frankfurt, 1734), p. 369.

<sup>18</sup> Jean-Laurent Le Semelier, comp., *Conferences ecclesiastiques de Paris sur le mariage, où l’on concilie la discipline de l’Eglise avec la jurisprudence du royaume de France* (Paris, 1713), bk. 9, p. 505.

<sup>19</sup> Baumgarten, *Unterricht*, pp. 394–96. In fact, he thought that they might even be stronger.

<sup>20</sup> Eileen Spring, *Law, Land and Family: Aristocratic Inheritance in England 1300–1800* (Chapel Hill, 1993), p. 144.

I propose then the following hypothesis: that the idea of the heredity of qualities and the conception of a nobility of blood cultivating virtue were largely diffused beginning in the fifteenth century. — Michel Nassiet, 2002<sup>21</sup>

There is a tension in historical description between the overall trajectory or central tendency of an era and the complex variations visible at any particular moment. Not only can differences be found to separate social elites (in the case of the seventeenth century, aristocrats, high office holders, and urban patriciates) from townspeople and village dwellers, but in any one milieu or particular family, numerous strategies, attitudes, and values might be evident, all of which historians must find ways to interpret. When the scholarly gaze is extended across regional or national boundaries, these considerable differences can be magnified, not least by the provincialism of much history writing; by the tendency, that is, for scholars in one country to take up issues uninteresting to researchers in another, or to find peculiarities that do not hold up in thorough and rigorous testing.<sup>22</sup> With all these caveats in mind, historians recently have been working with the notion of a general “transition” in kinship systems from the medieval to the early modern period.<sup>23</sup> In what follows, I want to bring the argument up to date, seeking to characterize with broad strokes a shift in the way large segments of Western European populations constructed their moral attachments, formed identities, and established social boundaries and reciprocities. The approach is synthetic, in the sense that it attempts to weave together recent research results and to tease out structural features or systemic patterns common to these societies.

One of the confusing terms to be found in the medieval to early modern period is “lineage.”<sup>24</sup> From the 1950s through the 1980s, a consensus developed among historians that beginning around the early eleventh century agnatic lineages pushed aside earlier kinship configurations, which perhaps could best be grasped by the notion of “kindred,” a group recruited from both maternal and paternal kin, from allied families, perhaps even from “friends.”<sup>25</sup> In the earlier system, there may have been a male bias in the

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21 Michel Nassiet, “Pedigree AND Valor. Le problème de la représentation de la noblesse en France au xvi<sup>e</sup> siècle,” in *La Noblesse de la fin du xvi<sup>e</sup> au début du xx<sup>e</sup> siècle: un modèle social?*, ed. Josette Pontet, Michel Figeac, and Marie Boisson, 2 vols. (Anglet, 2002), vol. 1, pp. 251–69, here p. 266, this book cited hereafter as Pontet et al., *La noblesse*.

22 Peter Baldwin in another context adapted from Freud the term “narcissism of minor differences” to characterize the problem. *The Narcissism of Minor Differences: How America and Europe are Alike* (New York and Oxford, 2009).

23 Sabeian and Teuscher, “Kinship in Europe,” tried to synthesize the literature on Western Europe in 2007.

24 Michel Nassiet, *Parenté, noblesse et états dynastiques: XV<sup>e</sup>–XVI<sup>e</sup> siècles* (Paris, 2000), pp. 13–14, 67–69, has carefully distinguished between the late medieval and early modern French use of the term and the use by twentieth-century anthropologists and showed how much historians have confused the two uses.

25 The first synthesis was provided by Karl Schmid and Georges Duby: Karl Schmid, “Zur Problematik von Familie, Sippe und Geschlecht, Haus und Dynastie beim mittelalterlichen Adel. Vorfragen zum Thema ‘Adel und Herrschaft im Mittelalter,’” *Zeitschrift für Geschichte des Oberrheins* 105 (1957): 1–62;

holding of properties and the wielding of authority, but women nevertheless possessed rights, often inherited considerable amounts of property and exercised rule, and all sons had a more or less equal claim to the properties and rights of their forebears. Primogeniture emerged along with building castles and founding house monasteries. Although this model, which had been constructed in the late 1950s and early 1960s by the Tellenbach school and Karl Schmid in Germany and by Georges Duby in France, had early critics, it began really to fall apart during the 1990s.<sup>26</sup>

The historian who has done the most careful philological investigation for medieval France, Anita Guerreau-Jalabert, has emphasized that the words “lignage” and “lignée” were not associated in the Middle Ages with notions of unification in the way expected from and often confused with the scientific vocabulary of social and cultural anthropology.<sup>27</sup> She points, for example, to the late twelfth-century French edition of Gratian’s *Decretum*, where the word “lignage” stood in for five Latin terms, *consanguineus*, *consanguinitas*, *cognatio*, *propinquitas*, and *parentela*, which we might translate, respectively, as consanguine, blood relatives, maternal kin, relatives, and kindred. *Cognatio* (maternal kin or kin in general) was translated once as *lignée* (line), and *genus humanum* (humankind or the human race) as *l’humain lignage* (the human lineage). In contrast with the seventeenth century, as we shall see, “lineage” in this earlier era covered relatives in general and did not convey any sense of devolution through a male line. It designated the kindred of a person, the *parentela*, the set of relatives seen from the perspective of an individual, what anthropologists call an “ego-focused” kin group.

Recent work on the details of kinship construction in France and Germany also has underscored the cognatic—sometimes called “bilateral”—structure of kinship relations well into the high Middle Ages. In research on aristocratic families of Champagne, Theodore Evergates demonstrated convincingly that through the thirteenth century primo-

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Georges Duby, “La noblesse dans la France médiévale: une enquête à poursuivre,” *Revue Historique* 226 (1961): 1–22; Georges Duby, “Lignage, noblesse et chevalerie au XII<sup>e</sup> siècle dans la région mâconnaise. Une révision,” *Annales ESC* 27 (1972): 803–23.

26 Gerd Tellenbach, “Vom karolingischen Reichsadel zum deutschen Reichsfürstenstand,” in *Herrschaft und Staat im Mittelalter*, ed. Hellmut Kämpf (Darmstadt, 1956), pp. 190–242. There have been various attempts to review the subsequent debate: Martin Aurell, “La parenté en l’an mil,” *Cahiers de civilisation médiévale* 43 (2000): 125–42; Janet Nelson, “Family, Gender and Sexuality in the Middle Ages,” in *Companion to Historiography*, ed. Michael Bentley (London and New York, 1997), pp. 153–76.

27 Anita Guerreau-Jalabert, “Flesh and Blood in Medieval Language about Kinship,” in *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jusen, David Warren Sabean, and Simon Teuscher (New York and Oxford, 2013), pp. 61–82. In a footnote (16), she writes: “Etymologically derived from the Latin *linea*, *lignage* designated the group of lines (of kinship) to which Ego was attached, thus cognatic kinship; the word also designated the kinship relationship. As is the case for other terms and also in other languages, further precision could be added when necessary: *lignage de par père* or *de par mère*. . . . In view of the tendency to structural indistinctiveness that characterizes medieval kinship terminologies, *lignage*, taken as the equivalent of *parents*, *parenté*, or *parentage*, may possibly have included spouses in certain cases.”

geniture right did not exist.<sup>28</sup> Partible inheritance was a fundamental feature of property devolution, and all sons claimed a right to the patrimony. But even daughters were never displaced by agnatic lineage principles preferring male cousins in the absence of sons. Under the pressure of partition in each succeeding generation, land and properties fragmented in each succeeding generation. Like Guerreau-Jalabert, Evergates found that the notion of *lignage* applied to all blood relatives. His work brought to conclusion a fundamental critique of the Duby/Schmid model—and that with detailed research on the area of France that Duby himself had investigated. Schmid's work on Germany has not fared any better. Werner Hechberger, in a study summing up the literature to 2005 on medieval kinship in Germany, concluded that the *Sippe* or kindred was never defined in law.<sup>29</sup> Furthermore, in sources right through to the end of the Middle Ages, he found no support for the idea of an agnatic structure to familial relationships among the nobility. Even in the fifteenth century, cognatic connections—those through maternal relatives—were just as meaningful and practical as those reckoned through paternal relatives.<sup>30</sup>

David Crouch offered the kind of detailed comparative study that has been too seldom undertaken.<sup>31</sup> Recognizing that English and French medievalists asked quite different kinds of questions, he undertook a systematic comparison of the two countries by reviewing their historical literatures and comparing sources in the light of their opposing historiographies. He found that the nobility in the two countries followed the same path up until the fourteenth century where his account stops. Like the other recent historians, he saw no evidence for either country of the development of lineages in the anthropological sense. The old idea that primogeniture was well-established in England by this time could not hold up in the face of overwhelming evidence of partitions systematically leading to estate fragmentation.

From the 1990s onwards, historians began to reflect on how medieval kindreds actually worked. Heather Tanner's study of the region of Boulogne, where Duby had thought to discover lineages, reviewed the sources from the ninth to twelfth centuries and found no essential structural changes during the period.<sup>32</sup> Kinship and alliance indeed were the organizing principles of both government and politics of the region, but Tanner argued that action groups based on kindred were always *ad hoc* coalitions

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28 Theodore Evergates, *The Aristocracy in the County of Champagne, 1100–1300* (Philadelphia, 2007), pp. 82–88, 119–22.

29 Werner Hechberger, *Adel im fränkisch-deutschen Mittelalter: zur Anatomie eines Forschungsproblems* (Ostfildern, 1005), pp. 304–24.

30 While the word “cognatic” (*cognatio*) borrowed from Roman law initially designated maternal relatives, it came also to mean “relatives-in-general,” or more restrictively even just “blood relatives” during the course of the Middle Ages.

31 David Crouch, *The Birth of Nobility: Constructing Aristocracy in England and France: 900–1300* (Harlow and New York, 2005), pp. 105–23.

32 Heather J. Tanner, *Families, Friends, and Allies: Boulogne and Politics in Northern France and England, c. 879–1160* (Leiden and Boston, 2004), pp. 4–14.



of bilateral kin (paternal and maternal blood relatives), affines, and friends, varying in size and composition according to the task at hand. Here she leaned on anthropologist J. D. Freeman's idea of "overlapping." When called together by a particular person, these "relatives" interacted and promoted further ties among themselves. It was this overlapping feature that constituted the kindred in Freeman's analysis.<sup>33</sup>

A historian who early on raised fundamental objections to the Duby synthesis, Stephen White, took on one of the most important sources that had been used to look at family structures, the *laudatio*, the type of document signed by relatives upon the occasion of ceding land to a monastery.<sup>34</sup> In a brilliant demonstration of the historian's craft, he deconstructed the documents and put paid to the idea that they "give up the secrets" of familial organization: they turned out altogether to be a poor source to study the family. White was one of the first to show that coalitions of relatives were unstable, with the task at hand determining their composition. Too often, he pointed out, mistakes of interpretation have been made by generalizing from one set of documents. There *were* changes in family organization during the high Middle Ages, but they were not premised upon the development of agnatically structured lineages. Rather, as male heads of families took advantage of the ever-greater complexity and systematic organization of the legal order, more authoritarian forms of familial organization emerged, which in turn strengthened aristocratic power. Certain legal novelties, such as the practice of *retrait lignager*, allowed those who had been potential heirs to a property (both maternal and paternal) the right to recover, at the sale price, property that had been alienated. Some of the legal innovations developed in order to handle a growing land market, while others reflected familial strategies to preserve or extend family authority in the face of growing state power: the right won by parents to bind their heirs, for example, created intergenerational bundles of rights protected from state intrusion.

Karl-Heinz Spieß surveyed the situation in German-speaking lands at the end of the Middle Ages among the high nobility, with occasional references to the lower nobility as well.<sup>35</sup> He pointed out that by this time aristocrats had developed a strong ideology of the "house" or "dynasty." The larger family presented itself to the outside as a united association (*Familienverband*), but in fact, for most purposes the smaller (nuclear) family played a much greater role. He found no evidence as late as the fifteenth century of collective consciousness of any but the immediate ancestors. It was only at the end of that century that aristocrats influenced by humanist writers turned to family history and began to construct house chronicles. Historians had already shown that from the

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33 J. D. Freeman, "On the Concept of the Kindred," *Journal of the Royal Anthropological Institute* 91 (1961): 192–220.

34 Stephen D. White, *Custom, Kinship, and Gifts to Saints: The laudatio parentum in Western France, 1050–1150* (Chapel Hill, 1988), pp. 184–203.

35 Spieß, *Familie und Verwandtschaft*, pp. 485–531. See also his more recent article, "Lordship, Kinship, and Inheritance among the German High Nobility in the Middle Ages and Early Modern Period," in Sabean, Teuscher, and Mathieu, *Kinship in Europe*, pp. 57–75.

early Middle Ages through the thirteenth century, both agnatic and cognatic principles were at work in families, with no shift to favor one or the other.<sup>36</sup> Spieß now amassed evidence to show that the agnatic model did not work even for the later Middle Ages: in everyday life there was no strong distinction between maternal and paternal kin. And affinal kin were frequently made to sound like nuclear family on account of the practices of designating relatives: the son-in-law became “son,” the sister-in-law, “sister,” and the father-in-law of a son, “brother.” More extended blood kin could be brought closer as well, the maternal cousin as “brother” being but one example.

Until the end of the fifteenth century, the devolution of property recognized cognatic principles, and aristocrats were less likely to be concerned with the larger lineage than with their own “line.” In the absence of sons, property and rights would go to sons-in-law or to the daughter’s son. Contrary to the expectations of historians, extended agnatic relatives were sometimes brought in to witness contracts devolving property upon close relatives descended through women. Conversely, cognates and in-laws were often preferred as witnesses for partitions and successions, mediators in conflicts, and guarantors for contracts, since the brother-in-law or the sister-in-law’s brother might be more trusted than blood relatives; this, precisely because as in-laws they did not have a direct claim to the property of the direct line. Cognates and affines frequently settled feuds or acted as guardians, even when agnates were available. In many instances, lands, offices, and rulership rights were administered by “strangers” to the line. Spieß points out that *Freundschaft*, the constellation of friends created through marriage (that is, the affinal relatives) and consanguinity, the group of consanguine relatives, were almost equivalents, and that an affine in one generation became a cognatic consanguine in the next—a brother-in-law is the son’s maternal uncle.

Jörg Rogge devoted a special study to the house of Wettin (Saxony) during the late Middle Ages on into the sixteenth century.<sup>37</sup> While much of his story coincided with Spieß’s, he devoted a great deal of attention to the various options of lineage devolution, a matter that Spieß also took up in a later study.<sup>38</sup> He concerned himself largely with how different lines or families of the larger lineage or dynasty dealt with the competing claims of brothers. The challenges here defied simple, singular solution. Rather, maintaining the wealth, prestige, and coherence of the dynasty called for experimentation,

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36 Michael Mitterauer and Reinhard Sieder, *The European Family: Patriarchy to Partnership from the Middle Ages to the Present*, trans. Karla Oosterveen and Manfred Hörzinger (Oxford, 1982); Mitterauer, “Mittelalter,” in *Geschichte der Familie*, ed. Andreas Gestrich, Jens-Uwe Krause, and Michael Mitterauer (Stuttgart, 2003), pp. 160–363; Mitterauer, *Historische Verwandtschaftsforschung* (Vienna, Cologne, and Weimar, 2013). Constance Bouchard, *Sword, Miter, and Cloister: Nobility and the Church in Burgundy, 980–1198* (Ithaca, 1987); Bouchard, *Those of My Blood: Constructing Noble Families in Medieval Francia* (Philadelphia, 2001).

37 Jörg Rogge, *Herrschaftsweitergabe, Konfliktregelung und Familienorganisation im fürstlichen Hochadel: das Beispiel der Wettiner von der Mitte des 13. bis zum Beginn des 16. Jahrhunderts* (Stuttgart, 2002), pp. 316–35.

38 Spieß, “Lordship, Kinship, and Inheritance.”

for the adoption of new strategies determined by the size of the sibling group and a kaleidoscopic set of alliances and relationships with other family members and powerful figures. By the later fourteenth century, the male members of the dynasty were entering contracts together, to let the dynastic collectivity decide matters of inheritance and succession. That, of course, did not stop disputes from erupting, sometimes violently. Throughout the fifteenth century, in-law princes could be seen mediating among competing brothers. Various solutions were tested, including having the headship of the clan and the rights of the prince rotate annually among the brothers.

With fits and starts, Rogge showed, the Saxon house moved through the fifteenth century, from a form of devolution giving all sons a chance to rule to one designating a “senior” (the *Seniorat*) among the brothers; essentially a principled primogeniture. The same trend appeared among the Habsburgs during the same period. One way of dealing with younger sons was to send them into the church, a policy which was followed from around the middle of the fourteenth century whenever there were more than two brothers (note also that Henry VIII in England was bound for the church while his older brother was the royal successor). Younger sons could also be paid off or even allowed to form their own courts, so long as they did not establish independent rule. Rogge pointed out that in general the trend among the high nobility throughout Germany in the fifteenth century was to adopt the *Seniorat* and abandon the idea that all sons could be treated as equal. At the beginning of the sixteenth century there might still be divisions—as with the Wettins—but the separate lines developed strategies to ensure unity and clear hierarchies. Spieß pointed out that among Protestant princes the growing practices of primogeniture were interrupted during the sixteenth century because the option of sending younger sons into the church, perhaps to become bishops and powerful princes in their own right, was no longer open to them. But the long-term trajectory was the same: the second half of the seventeenth century “brought the triumph of primogeniture in virtually all of the dynasties.”<sup>39</sup>

Beginning for the most part in the fifteenth century, the extension of the principles of single son inheritance or succession took place in all parts of Europe, but at different speeds. And in many areas, legal practices developed to ensure that descent would take place in the male line, so that in the absence of sons, property and rights to rule would fall to a cadet line and not to the daughter, son-in-law, or daughter’s son. The most detailed and rigorous study of this transition is to be found in Michel Nassiet’s account of kinship and nobility in France from the fifteenth to the sixteenth century.<sup>40</sup> For the earlier period, Nassiet utilized sources ignored by many other historians: coats of arms, seals, and shields. Coupled with the development of patronyms, these showed a slow development of linear thinking towards the end of the thirteenth century, followed from the fourteenth to the seventeenth century by the construction of patrilineages “in the

39 Spieß, “Lordship, Kinship, and Inheritance,” 60.

40 Nassiet, *Parenté*.

ethnological sense,” that is, unilinear groups based on filiation. Nassiet chronicled the ever-greater consciousness of patrilineal descent from the fifteenth to the seventeenth century. Even commoners got into the act, as administrative officers, for example, passed on offices from father to son. The *paulette* of 1604 capped off the practice by offering legal guarantee of ownership and succession to office. During the sixteenth century, noble families undertook detailed genealogical investigations and after 1620 began to publish the results. Cadets, discouraged from founding houses, went into the church and military, and during the seventeenth century celibacy rates fluctuated between 40 percent and 52 percent. Nonetheless there was often a process of bifurcation as younger males established their own lines within the lineage (*maison* or *sang*). For recognition as belonging to the same lineage, the reference to a common ancestor was necessary, but this was also symbolized in elements of a coat of arms and in the patronym.<sup>41</sup>

Nassiet suggested that the process of lineage formation was completed for the lower nobility no later than the late sixteenth century, but that strategies varied across French provinces because of significant differences in their forms of law. In the southwest, testamentary practices and recourse to *fideicommissum* (a strict form of male succession) from the fourteenth century onwards avoided partition, and property and rights fell to cadet lines, not to daughters and sisters. In the northern customary areas, property could devolve onto a daughter in the absence of sons, but efforts were made to marry such an heiress to a man with the same name and coat of arms. Nassiet pointed out that the Rohan lineage accomplished four such marriages in a period of sixty years. By the eighteenth century, knowledge of allied lines could reach back two hundred fifty years. And marriages were tightly controlled by extended family members, since every union determined the crucial political and social networks of each of them. Undertaking marriage negotiations meant mobilizing cousins and cousins of cousins.

As the transition to agnatic lineages and patrilineal descent was taking place, the rights of women to inherit property and office were increasingly restricted. A survey of the literature on the position of noble women throughout Europe showed that their inheritance rights and claims on familial property were increasingly shifted to dowries and marriage portions, with a consequent formal abdication of other types of claim.<sup>42</sup> With

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<sup>41</sup> Nassiet, *Parenté*, pp. 67–86.

<sup>42</sup> Jennifer C. Ward, “Noblewomen, Family, and Identity in Later Medieval Europe,” in *Nobles and Nobility in Medieval Europe: Concepts, Origins, Transformations*, ed. Anne J. Duggan (Woodbridge, 2000), pp. 245–62. England was by no means an outlier. Eileen Spring’s groundbreaking study of strict settlement in England showed that the early modern period saw the establishment of a family constitution that was patrilineal, primogeniture, and patriarchal. There was a growing dominance of males in the family and a growing emphasis on descent in the patriline. One of the key projects was the exclusion of women from the ownership of land, and through marriage portions, the cost of an aristocratic widow was transferred effectively to her own family. Spring, *Law, Land and Family*, pp. 16–19, 27–34, 50–52, 78, 93, 144–46. Ute Essegern chronicled a similar shift away from property claims by in-marrying women in Electoral Saxony, with their widowhoods essentially paid for by their families of origin, this in the context of ever-stricter rules and practices of patrilineal descent: “Kursächsische Eheverträge in der ersten

the transfer of considerable wealth from one family to another, the father of the bride himself might be the one to insist on the bridegroom becoming the sole heir.<sup>43</sup> Thus it was not just the working out of the distribution of rights within the lineage or clan (*Geschlecht*), but pressures within the alliance system itself that could support the principle of primogeniture.

The situation throughout Central Europe, where the nobility was a much more complex matter, was not so straightforward as in France. Primogeniture emerged slowly among the Austrian nobility from the end of the sixteenth century.<sup>44</sup> The strictest form of male lineage contract, the *fideicommissum*, specified the holding of property within the family with the particular holder having only use rights and no right of alienation. The rules of succession were spelled out, with the inheritance falling to the closest male claimant. This institution, which by the sixteenth century had spread into Central Europe from Spain, was popular among the lower noble families that were monopolizing the administrative positions and rulership of the many ecclesiastical states in Germany. It was not much adopted in Prussia until the nineteenth century. A study of the southwest German nobility showed that after 1550 there was an abrupt shift in succession practices to favoring the eldest son, and that for the next two centuries the majority of estates went undivided to sons occupying this position.<sup>45</sup> Among the nobility of Saxony, there was a slow progression from the sixteenth century to the end of the Thirty Years War, from organizing the agnatic lineage by means of explicit contracts allocating rights to all the male members of the lineage, to adopting the *Majorat*.<sup>46</sup> The *Majorat* was not so distinguishable from the *fideicommissum*, since both excluded women. It ensured that property would fall undivided to the oldest male, the point being to secure a long-term material basis for male descent within a lineage.

In most of Europe during the early modern period the younger sons of the nobility came to be “disadvantaged” in one way or another. But they were still part of the family, and their lives were determined by the fact that practices of closed inheritance were adopted to ensure the preservation of the power and wealth of a family. There were many possibilities for younger sons besides taking up opportunities in the church or the military. Eventually, the Prussian nobility solved the problem of younger sons by

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Hälfte des 17. Jahrhunderts,” in Maria Schattkowsky, *Wissenschaft in der frühen Neuzeit: Fürstliche und adlige Witwen zwischen Fremd- und Selbstbestimmung* (Leipzig, 2003), pp. 116–35.

43 Spieß, “Lordship, Kinship, and Inheritance,” pp. 69–71.

44 Karin J. MacHardy, “Cultural Capital, Family Strategies and Noble Identity in Early Modern Habsburg Austria 1579–1620,” *Past and Present* 163 (May, 1999): 36–75, here pp. 71–72. Her work is a model of detailed social analysis.

45 Judith J. Hurwich, “Inheritance Practices in Early Modern Germany,” *Journal of Interdisciplinary History* 23 (1993): 699–718.

46 Josef Matzerath, “‘Dem ganzen Geschlechte zum besten’: Die Familienverträge des sächsischen Adels vom 16. bis zum 19. Jahrhunderts,” in *Geschichte des sächsischen Adels in der frühen Neuzeit*, ed. Katrin Keller and Josef Matzerath (Cologne, 1997), pp. 291–319.

tapping the resources of the lineage “trunk” to establish them in military careers.<sup>47</sup> In the Habsburg areas and among the imperial nobility, the sixteenth and seventeenth centuries saw a rush to academies and universities for a humanist education prior to placement in the service of the monarchs.<sup>48</sup> The many German houses scattered their younger sons among allied courts, where they could be maintained in return for their offices as informal diplomats and sources of information. In England, where education was a key to entry into royal service, the education of younger sons was part of an overall concern to consolidate a family’s status; fathers and brothers were most keen to promote the careers of younger sons and siblings.<sup>49</sup> Linda Pollack has pointed out that the relations between the heir and the younger sons were reciprocal in nature, and that it is best to understand their relationships within the context of the patron and client constellations that characterized social, political, and economic relations in early modern England more generally. The treatment of family members was subject to a well-policed code of honor, and the prestige of a house accrued through the allocation of resources to clients.

Despite the fact that the most detailed studies of lines, lineages, primogeniture, and the placement of younger sons have concentrated on practices among ruling, aristocratic, or landed gentry families, there are indications in regional studies of urban and rural farm families of parallel processes at work in matters of inheritance. Richard Grassby, the historian who has carried out the most detailed work on business families in seventeenth-century England, has shown that just as for gentry families, primogeniture “bound the nuclear family together.”<sup>50</sup> Younger sons were supplied with the necessary funds to start their own careers, but the trajectory of their lives always was intimately related to the coherence of lineal succession.

The great historian of inheritance practices in France, Bernard Derouet, remarked on the importance of distinguishing between “succession” and “inheritance,” since even in partible inheritance regions, where both movable and immovable property could be divided among the children, offices and statuses could not be; only one son could succeed at any time to a given office or status.<sup>51</sup> The study of the village of Neck-

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47 Frank Göse, *Rittergut-Garnison-Residenz. Studien zur sozialstruktur und politischen Wirksamkeit des brandenburgischen Adels 1648–1763* (Berlin, 2005), pp. 245–58.

48 MacHardy, “Cultural Capital,” pp. 36–39, 49–53.

49 Linda Pollock, “Younger Sons in Tudor and Stuart England,” *History Today* 39 (1989): 23–29.

50 Richard Grassby, *The Business Community of Seventeenth-Century England* (Cambridge, 1995), p. 330. It would not be proper, however, to see Grassby’s work on commercial classes as supporting a strong idea of lineage. He stressed flexibility and gave the development of horizontally structured networks through the use of cousins and in-laws a central place. Stembridge in his study of the Goldney business family showed that even they established an entail to pass the property to the next male heir among the cousins: P. K. Stembridge, *The Goldney Family: A Bristol Merchant Dynasty* (Bristol, 1998), p. 81.

51 Bernard Derouet, “Political Power, Inheritance, and Kinship Relations: The Unique Features of Southern France (Sixteenth–Eighteenth Centuries),” in Sabean, Teuscher, and Mathieu, *Kinship in Europe*, pp. 105–24; Bernard Derouet, “Les Pratiques familiales, le droit et la construction des différences (15<sup>e</sup>–19<sup>e</sup>”

arhausen in southern Germany during the eighteenth and nineteenth centuries showed the same situation. There was great prestige in holding a position among the magistrates of the village, and in the long run such a position could be used to accumulate property and make strategic marriage alliances over the course of a career. As in all Württemberg villages, all Neckarhausen children, sons and daughters, inherited equal amounts of land, buildings, and movable property, but only one son, almost always the eldest, could take a father's position on the court or council. By the early nineteenth century, it was usual for siblings to sell their portions of the house to the oldest son, thereby providing both symbolic and material continuity to a house.<sup>52</sup>

The sixteenth-century Brandenburg nobility, by contrast, tended to buck the trends elsewhere and to establish equality, at least among the sons.<sup>53</sup> However, the inevitable fissioning of land and wealth posed significant problems for maintaining status. In the period following the Thirty Years War, a solution was found by introducing strict discipline within the lineage in regards to marriage prospects. The firstborn son, who was not obliged to pursue a military career and seldom did so, was free to marry as soon as he could succeed to the property complex. But for him and for any other brothers, marriage was possible only with a social equal able to bring in a dowry commensurate with his own status. Younger sons could marry only if and when they attained a high enough rank within the military: the extended family would not tolerate any marriage that violated the principles of status equality and sufficient wealth. The great legal scholar and historian of inheritance, succession, family property, and marriage among the German nobility, Johann Stephan Pütter (1725–1807), pronounced in 1796, that primogeniture had by that time become the rule in Brandenburg-Prussia.<sup>54</sup>

The key thing to understand is that the transition in familial organization from the late medieval to early modern period involved strategies that concentrated property, wealth, or status on male lines. In many contexts, observers came to use terms such as “lineage,” “house,” “bloodline” (*sang*, *Gebliut*), and “dynasty” to describe kinship. The dynamics of family relations were structured by “properties” that descended generation by generation from father to eldest son or from a senior lineage to its cadet counterpart—ever-more and more ordering of life chances and identities around a “trunk”

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siècles),” *Annales HSS* (1997): 369–91; Bernard Derouet, “La transmission égalitaire du patrimoine dans la France rurale (xvi<sup>e</sup>–xix<sup>e</sup> siècles): Nouvelles perspectives de recherche,” in *Historia de la familia: una nueva perspectiva sobre la sociedad europea*, vol. 3, *Familia, casa y trabajo*, ed. F. Chacón Jiménez (Murcia, 1997), pp. 73–92; Bernard Derouet, “Pratiques successorales et rapport à la terre: Les sociétés paysannes d’ancien régime,” *Annales ESC* (1989): 173–206; Bernard Derouet, “Territoire et parenté: Pour une mise en perspective de la communauté rurale et des formes de reproduction familiale,” *Annales HSS* (1995): 645–86.

<sup>52</sup> David Warren Sabean, *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998), pp. 272–74, 321–26; Sabean, *Property, Production, and Family in Neckarhausen, 1700–1870* (Cambridge, 1990), pp. 371–415.

<sup>53</sup> Göse, *Rittergut-Garnison-Residenz*, pp. 50–56.

<sup>54</sup> Johann Stephan Pütter, *Ueber Mißheirathen teutscher Fürsten und Gräfen* (Göttingen, 1796), hereafter Pütter, *Ueber Mißheirathen*.

or “line,” whatever its fortunes turned out to be. In 1693, Gerhard Hagemann (?–1702), a scholar of noble life, emphasized that all of this had to do with maintaining the status of a lineage, something in which all members had a significant stake.<sup>55</sup> And in 1682, the great theoretician of the aristocratic household, Wolff Helmhard von Hohberg (1612–1688), pointed out that flows of property and blood (male) overlapped to preserve the lineage and its prestige, and that really, the best way to do that was to introduce the *Majorat* or *fideicommissum*.<sup>56</sup> There were many ways to symbolize this idea. In a treatise published in 1693, another well-read commentator on aristocratic families, Philip Knipschild (1595–1657), thought of the son as being one person with the father. And further that the blood of ancestors flowed in the veins of the children.<sup>57</sup> In the same year, Hagemann borrowed from Aristotle—perhaps unconsciously—the idea that the father was the more powerful cause of the generation of children.<sup>58</sup> The propensity to virtue was to be found in male seed. The historian Nassiet, commenting on the ideology of the early modern French nobility (and on French elites as a whole), pointed out that there was a propensity to think of fathers and sons as alike: *parenté*, *filiation*, *sang*, and *race* were all essentially synonymous.<sup>59</sup> Taking all the indications together, an ever-growing egoism of the line is apparent. However, each line had to proceed with great caution as it linked itself with others whose identity was tied up with their own dynastic self-interest.

## Linking lineages: Guaranteeing status, providing clients

In the marriage contracts, the formulation was to be found that the marriage was concluded with the advice and knowledge of the *Freundschaft*. — Anke Hufschmidt, 2001<sup>60</sup>

When two lineages formed an alliance through marriage, they seldom were equals, even though they had to have a certain status (*standesgemäss*) to allow marriages to take place. Anthropologists and historians have developed a vocabulary to describe the relative status of marriage partners. “Homogamy” suggests relative equality, while “hypermogamy” describes marrying up and “hypogamy,” marrying down. For efficient

55 Gerhard Hagemann, *De omnigena hominis nobilitate libri IV. Quæis pertractantur, quæ ad usum & utilitatem, de nobilitate hominis naturali* [ . . . ] *Digest Ex Iure Divino, Canonico, Civili, Feudali, Publico* [ . . . ] (Hildesheim, 1693), pp. 16–17, 32, 110–14, 134, 152.

56 Wolff Helmhard von Hohberg, *Georgica Curiosa, Aucta. Das ist umständlicher Bericht und klarer Unterricht von dem vermehrten und verbesserten Adelichen Land- und Feld-Leben* (Nürnberg, 1716 [1682]), pp. 11–12.

57 Philipp Knipschild, *Tractatus politico-historico-juridicus* [ . . . ] *in libros tres* [ . . . ] *de Nobilitate* (Campoduni [Kempten], 1693), p. 146.

58 Hagemann, *De omnigena hominis nobilitate*, p. 134.

59 Nassiet, *Parenté*, p. 67.

60 Anke Hufschmidt, *Adlige Frauen im Weserraum zwischen 1570 and 1700: Status—Rollen—Lebenspraxis* (Münster, 2001), p. 131.



description and comparability, the latter two terms describe the movement of women. Each of these forms, if widespread, has systematic consequences for how families could be related to each other. Here and there historians have paid close attention to the kinds of marriage that are usual or possible in a particular milieu, but no one has developed an overview that would allow any kind of generalization for Europe as a whole. Nassiet, whose previously cited analysis established the patterns and shifts of the fifteenth and sixteenth centuries in the French nobility, argued that it is crucial to look at the long-term consequences of any marriage. Frequently these were fully revealed only in the next generation. He found that it was normal for allied lines to be unequal, and that various elites of sixteenth-century France practiced systematic hypogamy—the line of the wife being superior to the line of the husband.<sup>61</sup> Although he did not deal with marriage prohibitions, and contemporaries never really developed the theme of asymmetrical relationships between families as a problem that might make people uneasy about marriage with the sister-in-law, it may well have been that an inequality between spouses that suggested linking families as patrons and clients might have added a dimension to the hesitation. I am not sure how that might have worked, but in this instance, there might have been considerable prejudice within a superior family against offering a husband a second chance when he was already absorbed into their network and expected to continue to show loyalty.

In 1556, in France, a law forbidding clandestine marriages was promulgated to counter regulations adopted by the Council of Trent reinforcing the ecclesiastical idea of marriage as a simple matter of consent. With this legal strengthening of familial authority, parents and other kin acquired a central role in determining how and whether two patrilineages could be linked. The meaning of any proposed marriage had to be evaluated in the context of earlier marriages and the genealogical network. Nassiet showed, for example, how mechanisms such as marriage with in-laws of cousins could systematically link three, four, and five lineages over time. I will develop this issue later. Here the main point is that the repetition of hypogamy over generations created descendent chains of asymmetrically linked cousins of cousins. In hypogamy, as Nassiet pointed out, the husband was inferior to his brother-in-law, who could rely on the man of lower status to provide various kinds of services, while a generation later, the son would find a protector in his mother's brother, or maternal uncle. Over several generations, clienteles could be constructed through patrilateral cross-cousins—that is, through the superior line finding clients among the children of the paternal aunt.<sup>62</sup> Another frequently found marriage structure among sixteenth-century elites was that of two cousins who marry siblings—again this form will come in for consideration below, but the point here is that Nassiet associated it with linking unequal lineages and constructing patron/client relationships.<sup>63</sup>

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<sup>61</sup> Nassiet, *Parenté*, pp. 135–56.

<sup>62</sup> Nassiet, *Parenté*, pp. 135–73.

<sup>63</sup> Nassiet, *Parenté*, pp. 159–64.

He cited recent work to show that the networks constructed through marriage policies were essential for building loyalty—fidelity was based on concrete and physical personal relations. Inequality was absolutely essential to the creation of the kinds of networks that made up the social and political system of sixteenth-century French elites.<sup>64</sup>

Such lineage-based network building could operate hand in hand with dowry practices. Although he did not go into detail, Nassiet suggested that a decline in hypogamy and an inflation of dowries occurred together in seventeenth-century France.<sup>65</sup> And for Germany, Spieß found mechanisms among the lower nobility to ensure homogamy through the exchange of suitable dowries.<sup>66</sup> The point seems to have been to use the circulation of dowries to strengthen the cohesion of the separate lineages through an ever-more closed circle of socially endogamous exchanges. Long-term networks also were created through such reciprocities, and the consequence seems to have been not just the establishment of clienteles but also the construction of tight, reiterated, overlapping ties, which could be used in a variety of situations.<sup>67</sup>

Throughout Europe during the early modern period marriage increasingly became a matter of families rather than individuals, often involving quite extended kin. In a study of the family structures and marriage politics of the members of the Parlement of Rouen, Jonathan Dewald related the case of a son who contracted a marriage on his own in 1608. The family had both spouses flogged and exiled.<sup>68</sup> To build their wealth, families had to pay close attention to the size of dowries, and after 1570, money became

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<sup>64</sup> Sharon Kettering, *Patrons, Brokers, and Clients in Seventeenth-Century France* (New York and Oxford, 1986); Kristin W. Neuschel, *Word of Honor: Interpreting Noble Culture in Sixteenth-Century France* (New York and London, 1989). Malcolm Walsby, in *The Counts of Laval: Culture, Patronage and Religion in Fifteenth- and Sixteenth-Century France* (Burlington, VT, 2007), pp. 52–68, studied the development of the extensive clientele of his subject counts during the fifteenth and sixteenth centuries. In the records, this large clientele was frequently captured by the term “affinity.” The collateral branches acted as part of the inner circle of the count’s affinity. Walsby showed that distant cousins were in close contact with the counts and that dynastic loyalty was dependent on reciprocity. In other words the dynamics of kinship relations were organized around the considerable resources of the senior agnatic line. Junior lines had their own connections through marriage with dependent lines, and that, of course, expanded the system and the number of people the counts could call upon. And they themselves were quite active in promoting marriages among their “affinity.”

<sup>65</sup> Nassiet, *Parenté*, p. 149.

<sup>66</sup> Spieß, *Familie und Verwandtschaft*, p. 532.

<sup>67</sup> Sven Rabeler, *Niederadlige Lebensformen im späten Mittelalter: Wilwolt von Schaumberg (um 1450–1510) und Ludwig von Eyb d. J. (1450–1521)* (Würzburg, 2006), pp. 37–48, 150–54, 286, 389–91, carried out a careful study of a lower noble network around the court of the bishop of Eichstätt at the end of the Middle Ages. There the construction of agnatic lineages (*Geschlecht*) was possible only through the networking growing out of strategic marriages. Rabeler showed how the nature of familial relationships shifted as his subject families over three generations worked with different resources—property, office, nepotism (once they controlled the bishopric itself). Cognatic kin and allies made integration of lineages possible in the first place.

<sup>68</sup> Jonathan Dewald, *Formation of a Provincial Nobility: The Magistrates of the Parlement of Rouen, 1499–1610* (Princeton, 1980), p. 253.

the chief concern in negotiations. Marriage was used to build the patrimony. Dewald argued that the seventeenth century witnessed an ever-greater tendency to hypergamy, with the transfer of wealth up the status hierarchy; and that hypergamy, like hypogamy, created both asymmetry among kin and the possibility of long-term patron/client relationships. He insisted, further, that the network of kin was crucial for the health of a dynasty. With the institutional backing of the state, families developed practices to negotiate their members' conflicting interests on the occasion of any particular marriage.<sup>69</sup> Among the high nobility in eighteenth-century France, each marriage assembled the entire clan from each side.<sup>70</sup>

In Germany, a considerable literature developed over the possible consequences of unequal marriages—what status did a wife have vis-à-vis her husband and whose status did the children follow, the father's or the mother's? A treatise by French jurist André Tiraqueau (1480?–1558), published in the later sixteenth century, argued that the wife's status was derived from that of her husband: where the man was ignoble, the children were ignoble. To make his case, Tiraqueau called upon Aristotle—the form (male) is active and the matter (female) passive. With the form more potent than matter in generation, the father determined the status of the progeny.<sup>71</sup> In the following two centuries, the consensus developed that marriages ought to be of equal status—prince with prince, duke with duke, and so forth. In 1742, an imperial decree enunciated the legal norm forbidding marriages that violated the social order (not *standesgemäß*).<sup>72</sup> In the Saxon and Anhalt ruling families, there already had been considerable opposition to unequal marriages. By the seventeenth century, the so-called *Stiftsadel*—those noble families in the extensive ecclesiastical territories who controlled the administrative and clerical offices—began to insist that each spouse have sixteen quarterings, that is, that all of their sixteen great, great grandparents had to have been nobles.<sup>73</sup>

<sup>69</sup> Dewald, *Provincial Nobility*, pp. 254–57.

<sup>70</sup> Jacques Cuvillier, *Famille et patrimoine de la haute noblesse française au XVIII<sup>e</sup> siècle: le cas des Phélypeaux, Gouffier, Choiseul* (Paris, 2005), pp. 22–27, 59–61. Arlette Jouanna, “Le modèle nobiliaire aux États provinciaux de Languedoc,” in Pontet et al., *La noblesse*, vol 2, pp. 7–19, here pp. 7–8, pointed out that in their assembly of 1655, the Languedoc barons formally rejected *mésalliances*.

<sup>71</sup> Andreas Tiraquellus [André Tiraqueau], *De Nobilitate et Jure Primigeniorum* [ . . . ] (Frankfurt, 1574), p. 84.

<sup>72</sup> Pütter, *Ueber Mißheirathen*, p. 274. Dietmar Willoweit, *Standesungleiche Ehen des regierenden hohen Adels in der neuzeitlichen deutschen Rechtsgeschichte*, Sitzungberichte der bayerischen Akademie der Wissenschaften, Philosophisch-historische Klasse 5 (2004) (Munich, 2004), p. 30, pointed out that from the seventeenth century onwards, inequality of birth was increasingly a theme, pp. 196–97.

<sup>73</sup> Christophe Duhamelle, “The Making of Stability: Kinship, Church, and Power among the Rhenish Imperial Knighthood, Seventeenth and Eighteenth Centuries,” in Sabean, Teuscher, and Mathieu, *Kinship in Europe*, pp. 125–44.

For England, John Cannon reviewed all the statistics concerning the marriages of peers for the eighteenth century.<sup>74</sup> He found considerable interest in creating legal barriers to children making their own marriage plans, not least in Parliament, where a series of bills, culminating in 1753, was introduced to forbid clandestine marriages as a danger to property. Whatever their lack of success, these bills reflected both the ideology and the practices of the great land owners, who in fact maintained a tight social endogamy right on through the eighteenth century. But equal marriages were not restricted to landed families. Richard Grassby showed that the majority of marriages among the business classes involved spouses from similar social and economic levels.<sup>75</sup> These were crucial for cementing business networks, and in the town and among the trades they helped support, oligarchical control. He found that parents and guardians played the preponderant role in marriage negotiations, that prospective marriage partners needed formal consent, and that intermediaries facilitated courtship. After all, marriage was an important source of working capital.

Grassby provided massively detailed evidence to track how kinship in business families was reconfigured and reinforced through marriage. These families operated within a “dense, tribalistic network,” reinforcing family cartels through intermarriage.<sup>76</sup> Their marriage practices reached beyond the crafts and trades of family founders to link up different sectors of the economy. And overall, they depended “just as much on patrimony and kinship as the landed family.”<sup>77</sup> Marriage unions in the family of merchant Dudley North, Grassby found, rested on property and functioned as nodes in complex networks that ensured the employment of kin. For example, North’s sister’s marriage opened up new trading networks and trade in new commodities for Dudley. In the case of North himself, kin were crucial in discouraging his marriage with the woman he truly loved in favor of a woman judged more suitable.<sup>78</sup>

## Systemic practices of alliance: Operationalizing in-laws

Kinship was the primary bond of early modern society. This was true of early modern France as it was of Britain and North America. This said, relatively little is known about the nature of the bond or the way in which it operated. — Rosemary O’Day, 1994<sup>79</sup>

<sup>74</sup> John Cannon, *Aristocratic Century: The Peerage of Eighteenth-Century England* (Cambridge, 1984), pp. 74–90.

<sup>75</sup> Grassby, *Business Community*, p. 307. Richard Grassby, *Kinship and Capitalism: Marriage, Family, and Business in the English-Speaking World, 1580–1740* (Cambridge, 2001) [I.5 note 75]

<sup>76</sup> Grassby, *Business Community*, p. 329.

<sup>77</sup> Grassby, *Business Community*, p. 332.

<sup>78</sup> Richard Grassby, *The English Gentleman in Trade: The Life and Works of Sir Dudley North, 1641–1691* (Oxford, 1994) [I.5 note 78]

<sup>79</sup> Rosemary O’Day, *The Family and Family Relationships, 1500–1900: England, France and the United States of America* (Houndmills and London, 1994), p. 66.

Even as the control of marriage and the social status of partners was changing in Europe, marriages among consanguines, those who were related to each other by blood, still generally did not take place. First of all, ecclesiastical and canon laws forbade marriage with third cousins (Catholic) or second cousins (Protestant). England was the outlier, since ecclesiastical law there had concentrated on marriage with the brother's wife (and parallel to that, the wife's sister) in the aftermath of Henry VIII's divorce. But as we have amply documented, until late in the seventeenth century, in that country as elsewhere, marriages among first cousins were rare and almost everyone thought them to be illegal. Of course, the highest nobility and royalty in Europe married cousins for political and status reasons, but in Catholic countries, after the Council of Trent put teeth back into the marriage prohibitions, dispensations for such marriages were hard to come by, infrequent, and very costly well into the eighteenth century, even for many elites.<sup>80</sup> It was possible for consanguines outside the range of the prohibitions to link up, but most of the examples that have been studied closely suggest either an attempt to capture heiresses for the lineage or to associate hierarchically ordered lines already part of the system of clientage. In general, however, the key mechanism to create tighter alliances among kin was to operationalize affinal (in-law) relationships.

Much of the discussion so far in this chapter has been devoted to nobilities and other elites, with the nod here and there to merchant and business classes. It adds another dimension, therefore, to turn attention to the rural folk, peasants and artisans in villages that have been studied in depth. The Neckarhausen study began with a baseline at the end of the seventeenth and beginning of the eighteenth centuries. In the extended generation or two during that period, there was no systematic hypergamy or hypogamy, but nonetheless almost all marriages brought together couples that were unequal in wealth.<sup>81</sup> That inequality contrasted remarkably with the form of partible inheritance characteristic of the Württemberg duchy, where all children, both sons and daughters, inherited equal amounts and the same kinds of property. Daughters received as much land and building accommodations as their other siblings, and all of the brothers and sisters married. The only privileging of any of them had to do with office holding and status, which usually devolved upon the eldest son, but it was also possible to find similar continuity between a man and one of his sons-in-law.<sup>82</sup> As a consequence of these practices, almost every marriage linked together families of differential wealth and dissimilar positions in the village hierarchy. Looked at most generally, these inheritance and marriage practices together prompted in each generation a mixing together

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<sup>80</sup> Jean-Marie Gouesse, "Mariages de proches parents (xvi<sup>e</sup>–xx<sup>e</sup> siècle). Esquisse d'une conjoncture," in *Le Modèle familial européen: Normes, déviations, contrôle du pouvoir. Actes des séminaires organisés par l'École française de Rome et l'Università di Roma (1984)*, Collection de l'École française de Rome 90 (Rome, 1986), pp. 31–61.

<sup>81</sup> Sabeau, *Property, Production and Family*, pp. 223–38.

<sup>82</sup> Sabeau, *Property, Production and Family*, pp. 247–58.

of all the strata of the village: in fact, the wealthier the one spouse, the poorer the other. Either spouse could bring the lion's share to a marriage.

Given the nature of the documentation, it is impossible to tease out the structures in Neckarhausen before the 1680s, but between around 1680 and 1740 the patterns remained consistent.<sup>83</sup> Cousins did not marry each other. I was able to follow the lines to see that villagers avoided all blood kin at least up to fifth cousins and that no one married anyone with the same surname, but also to see that they found other ways to link up through kin. There were two major patterns. One of them resembled the pattern Nassiet found among the French elites: two people who were first cousins to each other married two siblings. Any possible permutation among the spouses could be found: the siblings could be sisters, brothers, or brothers and sisters, and the cousins similarly could be of either sex. What was peculiar was the fact that the cousins were always descended from brothers: there were no cases where they were the offspring of sisters or of a brother and sister. They were, in anthropology-speak, "patrilateral parallel first cousins." These "cousins" did not have to be of the same generation; sometimes an uncle and his brother's daughter might marry two siblings. The consistency of this pattern suggests, as Derouet argued for similar partible inheritance regions in northern France, that it was quite possible for dynasties based on agnatic succession principles to emerge even where there was no practice of unigeniture in property devolution. Depending on whether members of the senior generation were alive, this kind of marriage pattern by itself would link two, three, or four households together, and given the asymmetrical marriage pattern, would connect families with disparate resources—land, space, equipment, capital, and political connection. The other most frequent pattern also linked three or four households of a single generation together, but this time through affinal chains: household A contracted a marriage with B, B with C, and C with A again, or A to B to C to D to A. Of course, there was mixing and matching: for instance, in the situation involving two patrilateral parallel cousins where one marries into household A and the other into the linked household B. Wherever a family had three or more children, each of them could help develop a pattern of overlapping affinal links.

This pattern of asymmetrical affinal chains always found one wealthy farmer or a village magistrate at one node. The political structure of Württemberg villages during this period was based on the development of clienteles, which had these affinal chains as the central structural element. Reciprocities functioned within the overlapping affinal circles in several ways. Thus, for example, although there was not a great deal of land for sale in this early period—a land market only developed in the course of the eighteenth century—sales did follow along the networks of linked households. A typical purchase took place between a sister-in-law's brother-in-law or the latter's brother.<sup>84</sup> Guardians were frequently found among affinal kin and could be chosen

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<sup>83</sup> For the following discussion, see Sabeau, *Kinship in Neckarhausen*, pp. 92–168.

<sup>84</sup> Sabeau, *Property, Production and Family*, 371–85.

from a linked household. And the kin relations through marriage also offered a grid for ritual kinship—godparentage supplemented and reinforced the system of affinal ties. Finally, houses were part of an elaborate system of reciprocal services. Although no one worked for free, individuals relied on connections to find paid jobs and to amortize the costs of the expensive equipment that facilitated agricultural exploitation. During this period, plowing, harrowing, and carting depended on horses, which were expensive to equip and maintain. Wealthy farmers with the requisite equipment found among their cousins and affinal kin small landholders who needed to buy their services. And reciprocally, the smaller holders and artisans supplemented their agricultural production and craftwork by selling their labor for wages—once again the analysis of relationships shows how fundamental was the network of houses linked together through marriage for a system of clientage.

The social system of Neckarhausen in the early eighteenth century involved the construction of kindreds through myriad ties of reciprocity: labor, services, political favors, corruption, ritual kinship, guardianship, fosterage—all reinforcing the durable ties of affinal connection.<sup>85</sup> Within this structure, however, there was also a recognition of continuities running down a line from father to son. The patronym signified identity—in cursing a fellow villager, one might say that all the “Hentzlers” had the same faults. Sons followed fathers into village offices, so that certain powerful families held the chief offices over three or four generations. And families were often linked through godparentage over many generations as well. A wealthy officeholder might act as godparent for the parents of a family and then for their children, with his wife, son, or daughter stepping in to assume the role in the next generation and pass it along to subsequent generations. A wealthy farmer needed his affinal kin to reproduce his “house,” and a magistrate needed a following in the village to ensure succession to a son.

By no means was kinship structured consistently in the same way across Europe during the early modern period. French nobles might have practiced hypogamy for the most part during the sixteenth century, but in the course of the seventeenth century hypergamy emerged. Political and social contexts continually shifted, and emerging lineages developed flexible ways to meet new situations. Nonetheless, there were similar issues in many different milieus, all of which came down to strengthening patrimonies of all types and to maintaining or building them through strategic marriage. Similar or parallel or analogous solutions could be found in quite different strata and quite different regions. One example very like Neckarhausen, but in rural Naples, has been studied by Gérard Delille.<sup>86</sup> In the region along the Amalfi Coast and the Valley of the Irno, where small- and medium-sized cultivators produced wine, fruit, and textiles, the villages developed agnatic lineage quarters during the fifteenth and sixteenth centu-

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<sup>85</sup> On the construction of kindreds, see Sabeau, *Kinship in Neckarhausen*, pp. 43–45.

<sup>86</sup> Gérard Delille, *Famille et propriété dans le royaume de Naples (XV<sup>e</sup>-XIX<sup>e</sup> siècle)* (Rome and Paris, 1985). There is a summary and analysis in Sabeau, *Kinship in Neckarhausen*, pp. 399–407.

ries, and practiced a system of equal inheritance among sons: women received movable property and resided with their husbands' families. The continual division and extension of houses and lands frequently produced fortress blocks containing numerous agnatically linked families.

What is remarkable is that this region, with its significant contrasts to south German village organization and family structures, developed similar strategies of marital alliance, but for one quite notable difference. In the Italian example, there were numerous cases of sibling exchange, where two brothers married two sisters or a brother and sister married a brother and sister. In Neckarhausen, by contrast, this pattern only emerged in the nineteenth century, together with a complete reorganization of kinship structures. Despite their differences, both regions exhibited the pattern of two patrilineal parallel cousins marrying siblings. A similar alliance form extending along an affinal axis involved the marriage of two cousins with two people who in turn were cousins to each other. As in Neckarhausen, rural Naples displayed a structural pattern of intermarriage in which lineage A was linked to a household from lineage B, which in turn was linked to lineage C, which closed the loop with a marriage to lineage A. And, as in Neckarhausen, these affinal networks could involve four or five households, and any household might acquire several such circles through the marriages of its children. In his work on noble families from the same Neapolitan region, Delille found patterns like those he saw among peasant landholders. The point to these kinds of alliances, he argued, was to calculate the best possible alliance in terms of the most advantageous possibility for reproducing the group. These affinal alliances created tight bonds of mutual interest and coordinated practice. Together, the overlapping forms of exchange allowed the set of siblings to coordinate their marriages to maximize the strategic position of the whole lineage, and functioned to maintain a system of clients and linkages with powerful patrons. The principles of filiation coupled with the various strategies of alliance allowed for the construction of vertically integrated groups of kin who worked, socialized, and carried on politics together. In both Neckarhausen and rural Naples agnatic principles of organization were stressed within a larger structure of cognatic reckoning of kin. In this Neapolitan region, only males inherited land and immovable property, which gave greater coherence to the male lineages in terms of residence and the holding of blocks of land, but even in Neckarhausen, where daughters inherited exactly as much and the same kinds of things as sons, agnatic forms of linking—revealed in the coordinate marriages of patrilineal parallel cousins (and in naming practices)—dominated marriage, the construction of clientages, and village politics.<sup>87</sup>

Several studies of alliance structures in merchant families of the early modern period also have traced out the elements of reciprocity. Taken together, their descriptions

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87 On naming practices, see David Warren Sabean, "Exchanging Names in Neckarhausen around 1700," in *Theory, Method, and Practice in Social and Cultural History*, ed. Peter Karsten and John Modell (New York, 1992), pp. 181–98. See also, Sabean, *Kinship in Neckarhausen*, pp. 159–68.



of the construction of networks through marriage alliance have suggested that similar affinal strategies were at work in families engaged in commerce in many different European milieus. For example, in his three-generational study of the English Goldney grocer family, P. K. Stembridge found a series of marriages occurring within a circumscribed circle, such that affinal ties emerged as crucial for mutual aid. And as frequently was the case in England, the affinal networks developed within a property regime that entailed property to male cousins.<sup>88</sup> In a study of sixteenth-century Toulouse, Gayle Brunelle described as well the construction of networks of in-laws. They functioned in the field of politics and office-holding, and the affinal network mediated the patronage system.<sup>89</sup> She also studied merchants in the city of Rouen from the middle of the sixteenth to the middle of the seventeenth century, where marriage strategies emerged within the context of commercial ties. Dynasties of merchants invested time and resources into expanding networks through marriage, thereby multiplying the personal connections necessary for the aggrandizement of the lineage.<sup>90</sup> In comparative study of early modern societies of England, France, and North America, Rosemary O'Day made the general point that in the early 1690s kinship was the primary social bond, but she thought that little was known about how it operated. She did, however, note the construction of networks through marriage within structures that emphasized lineage principles.<sup>91</sup>

Certainly the most detailed and rigorous treatment of European business families during the early modern period, in this case for England, is to be found in Richard Grassby's work.<sup>92</sup> Grassby emphasized the fluidity of kinship relations and the importance of continuously constructing and reinforcing them. In describing networks of reciprocity, he underscored the centrality of affinal ties.<sup>93</sup> But in the plethora of transactions he studied, he found it hard to distinguish between agnatic and affinal connections. Marriage was fundamental for accruing a family's working capital and for multiplying the connections so vital for business. Although Grassby did not analyze the forms of affinal connections in detail, he noted multiple examples of brother/sister exchange, or of marriages of parent and child with another parent and child or siblings; in other words, of tight, interlocking exchanges between households. In any event, marriage involved the "multilateral consent of all the interested parties," not least because of its implications for property devolution, touching on everyone in the extended family.<sup>94</sup> When a merchant wanted to marry, he relied on kin to locate a suitable spouse, and negotiations

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<sup>88</sup> Stembridge, *Goldney Family*, pp. 1, 10, 81.

<sup>89</sup> Gayle K. Brunelle, "Kinship, Identity, and Religion in Sixteenth-Century Toulouse: The Case of Simon Lecomte," *Sixteenth Century Journal* 32 (2001): 669–95, here pp. 680–87.

<sup>90</sup> Gayle K. Brunelle, *The New World Merchants of Rouen, 1559–1630* (Kirksville, MO, 1991).

<sup>91</sup> Rosemary O'Day, *The Family and Family Relationships, 1500–1900*, pp. 66–75.

<sup>92</sup> Grassby, *Kinship and Capitalism*.

<sup>93</sup> Grassby, *Kinship and Capitalism*, pp. 219–57.

<sup>94</sup> Grassby, *Kinship and Capitalism*, p. 66.

could be lengthy and elaborate. In this milieu, the strategy was to match spouses of equal status—wealth, family politics, reputation, and religion.<sup>95</sup>

Grassby argued that kinship was a matter of continual improvisation, especially since the majority of kin were affinal rather than consanguineal, and that ties needed to be continually reinforced, as they were essential to the well-being of any individual or family, a conduit for services without which no family could prosper. As Grassby put it, the organizational chart of any business resembled a family tree, but beyond the family business—and fundamental for its success—was a “huge” kinship universe.<sup>96</sup> Family patronage gave access to apprenticeships, markets, and capital. Simply put, business depended on connection, and careers, on patronage. Marriage consolidated networks and secured mutual interests, eliminated competition, merged firms, enlarged fortunes, and reconfigured them. In every town, the dominant cliques were linked together through affinity. Beyond the town boundaries, “a bilaterally extended, dense, tribalistic web of relations linked different sectors of the domestic and world economy.”<sup>97</sup> Indeed with the growth of capitalism, kinship became more, not less important. But here was a contrast with landed estates, in that firms were discontinuous. Unlike their aristocratic counterparts, a given business family did not control and manage a specific firm over generations, although municipal dynasties did develop within guilds and establish control over municipal offices. Politics offered the possibility of resources that could pass down the generations, while business was more kaleidoscopic.<sup>98</sup>

If businesses did not often descend through a male line, they certainly did through kin. Although Grassby did not use the term, it is useful to think here of overlapping kindreds.<sup>99</sup> Lacking generational depth, such groups could distribute resources in contexts where a particular business could not be “governed by hereditary principle.”<sup>100</sup> Anchoring resources, business families probed and improvised along affinal networks, placing their “personnel” in ever-new constellations of opportunity. Here Grassby’s work raised an important issue. For some parts of European society, especially the sectors engaged in trade, the available resources were fluid and not conducive to structuring lineages and dynasties. In such contexts, multiplying and tightening affinal kin relations could offset vulnerabilities.<sup>101</sup> From his data base of 28,000 London businessmen for the

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95 Grassby, *Kinship and Capitalism*, pp. 58–83.

96 Grassby, *Kinship and Capitalism*, p. 269, see the discussion on pp. 219–69.

97 Grassby, *Kinship and Capitalism*, p. 311.

98 Grassby, *Kinship and Capitalism*, pp. 410–13.

99 See Tina Jolas, Yvonne Verdier, and Françoise Zonabend, “Parler famille,” *L’homme* 10 (1970): 5–26. These French anthropologists (see chapter 4) developed the concept of “re chaining” in 1970 to describe such formal and informal networks that ally households in overlapping circles through marriage. See also the study of affinal marriages by Martine Segalen, *Fifteen Generations of Bretons: Kinship and Society in Lower Brittany 1720–1980*, trans. J. S. Underwood (Cambridge, 1991); Segalen, “Parenté et alliance dans les sociétés paysannes,” *Ethnologie Française* 11 (1981): 307–9.

100 Grassby, *Kinship and Capitalism*, p. 416.

101 This point also was made by Peter Mathias, “Risk, Credit and Kinship in Early Modern Enterprise,”

period 1580–1740, Grassby concluded that kinship had its own grammar, governed by still unknown rules.<sup>102</sup>

What is remarkable is that the strategies of linking families and creating networks through affinal ties were repeated in geographically quite different contexts and in classes and professions that had quite different resources to hand. In many situations, there was systematic asymmetricality, such that marriage policies created ties of patronage. When hypergamy or hypogamy was practiced over several generations, certain families were linked for many years as clients or patrons to others. In more fluid situations—among merchants, for example—dense kindreds could be constructed within which interests could be shared, but that never meant that power, status, and wealth was at all equal. Certain forms did recur, such that the marriage of cousins with siblings, for example, could offer a ready instrument for integration for French nobility or German peasants. In some instances, quite well-defined lineages operationalized ties among in-laws, but in others, the concept “lineage” does not fit the evidence. In the English business groups chronicled by Grassby, for example, “kindred” works better to describe the more fluid relationships built on movable wealth and investment and trading opportunities. In any event, similar practices throughout Europe put the stress on affinally constructed alliances. These were absolutely crucial for social survival, but they operated on a different plane from inherited relationships. In some ways, they probably required much more energy to maintain, since they involved continual reciprocities, negotiations, and contracts, and were not built on enforceable rights to estates. It is in the context of considerable ambivalence about such relationships that a lingering whiff of incest continued to characterize marriage with relatives of a spouse long after cousins became (preferred) objects of desire. I will explore the rise of cousin marriage in section II.

## Using kin: Expectations for service, assumptions of obligation

The most important task for any new businessman was creating a network of business associates and a client base. Businesses were built through kinsmen. — Richard Grassby, 2001<sup>103</sup>

In the early modern period, when the combination of familial identities, coordinated politics, and systems of property devolution crystallized to form agnatic lines, lineages, clans, and dynasties, the problem of marriage alliance and affinal connection focused

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in *The Early Modern Atlantic Economy*, ed. John J. McCusker and Kenneth Morgan, (Cambridge, 2000), pp. 15–35. In trade, he suggested, there were no dynasties. Assets had to be realized quickly and then invested in land. Manufacturing, by contrast, with its fixed assets could offer the foundation for the construction of dynasties.

<sup>102</sup> Grassby, *Kinship and Capitalism*, p. 12.

<sup>103</sup> Richard Grassby, *Kinship and Capitalism*, pp. 302–3.

attentions and caused people to invest enormous amounts of time and considerable resources and to place their reputations at risk. Although I have already drawn attention to affinal kin as players in these matters, it might be helpful to consider once more the myriad services expected from in-laws. There has been work on French family councils dealing with the interests and property of orphans.<sup>104</sup> It has shown both sides of an orphan's family representing that child's interests, with brothers and brothers-in-law acting as tutors and guardians of females. A study of seventeenth-century kinship in Nottinghamshire has demonstrated that affinal kin posted bonds and acted as executors and registering of wills.<sup>105</sup> With the core of kinship organized around dynasties, members of other families were brought in to care for dynastic needs at critical moments. For sixteenth-century Toulouse, research has demonstrated that networks of affinity provided political support.<sup>106</sup>

The upward mobility of a family was impossible without assistance from allied kin. In Rouen during the century after 1550, for example, families brought together resources through strategic marriages.<sup>107</sup> Brothers-in-law underwrote debt for allied families, and allies lent money to their in-laws. A survey of kinship and risk for business enterprises in early modern Europe has shown, that few great fortunes were made in one generation.<sup>108</sup> For a family to prosper, it needed significant support from allied kin. The wife and her family were an important source of capital, and the larger allied kin-group provided essential information, customers, and suppliers. Since business in the early modern period was primarily an insider's world, such ties gave crucial access to the knowledge needed to operate.

Successful marriage strategies could be as important as entrepreneurial skills, and well-established kinship groups had a cumulative advantage. In surveying the kinship ties linking England with the North American colonies, David Cressy showed in great detail that cousinage and affinity together were the basis for favor, preferment, and profit.<sup>109</sup> With kinship claims so crucial to social and economic negotiations, marriages of a group of siblings multiplied the possible links that people continuously called upon. Cressy also made the important point that many ties were latent and could become actualized on specific occasions: recourse to a genealogical grid conveyed moral force and evoked powerful claims.<sup>110</sup> Grassby emphasized the role of allied kin in recurrent

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**104** Sylvie Perrier, "Rôles des réseaux de parenté dans l'éducation des mineurs orphelins selon les comptes de tutelle parisiens (xvii<sup>e</sup>-xviii<sup>e</sup> siècles)," *Annales de démographie historique* (1995): 125-35.

**105** Anne Mitson, "The Significance of Kinship Networks in the Seventeenth Century: South-West Nottinghamshire," in *Societies, Cultures and Kinship, 1580-1850*, ed. Charles Phythian-Adams (Leicester and London, 1993), pp. 24-76, here p. 70.

**106** Brunelle, "Kinship, Identity and Religion," pp. 681-83.

**107** Brunelle, "New World Merchants of Rouen," pp. 73-75.

**108** Mathias, "Risk, Credit and Kinship," p. 17.

**109** David Cressy, *Coming Over: Migration and Communication between England and New England in the Seventeenth Century* (Cambridge, 1987), pp. 263-87.

**110** Cressy, *Coming Over*, p. 287.

crisis situations, and although he did not describe individual examples in any detail, he suggested that affinal relatives offered “wide-ranging essential services.”<sup>111</sup> He pointed to their responsibilities as executors and overseers and debt collectors. They acted as foster parents, godparents, patrons, witnesses, sureties, guarantors, lenders, business partners, masters, employers—and of course, reciprocally, as apprentices, workers, borrowers, and so forth. Businesses were built through kinsmen.<sup>112</sup> Most studies have done little with the place of women in constructing and constructed networks, although Grassby did demonstrate just how central they were to negotiating relationships and minding the business. And there is now also considerable interest in the roles played by aristocratic women in Germany as marriage brokers, spies, cultural patrons, educators, and religious advocates.<sup>113</sup>

### Ascription vs. negotiation: Women mediate relations

Demographic factors, economic needs, and force of personality gave wives much more power and independence than they were supposed to have. Wives defined their own standards of acceptable behavior and reconstructed themselves with their husband’s identity. Marriage in the business community did not just transfer power over women from father to husband. Companionate marriage required concessions from both partners and met needs overlooked or downplayed by theorists and historians of the family. — Richard Grassby, 2001<sup>114</sup>

In general, the literature from the early modern period considers blood ties as ascriptive and ties through marriage as negotiable or negotiated in the first instance.<sup>115</sup> As I have noted, the Huguenot theologian Moysse Amyraut, writing in the mid-seventeenth century, grasped this principle quite well. Affinity was a matter of communication and

<sup>111</sup> Grassby, *Kinship and Capitalism*, p. 229.

<sup>112</sup> Grassby, *Kinship and Capitalism*, 302–11.

<sup>113</sup> Ute Essegern, *Sachsens heimliche Herrscher: Die starke Frauen der Wettiner* (Dresden, 2008); Kathleen Bierkamp, Michael Sikora, Ute Essegern, and Ulrike Weiß, eds., *Frauen der Welfen* (Berlin, 2010); Ute Essegern, *Fürstinnen am kursächsischen Hof: Lebenskonzepte und Lebensläufe zwischen Familie, Hof und Politik in der ersten Hälfte des 17. Jahrhunderts* (Leipzig, 2007); Sophie Ruppel, *Verbündete Rivalen: Geschwisterbeziehungen im Hochadel des 17. Jahrhunderts* (Cologne, 2006); Dorothea Nolde and Claudia Opitz, eds., *Grenzüberschreitende Familienbeziehungen: Akteure und Medien des Kulturtransfers in der Frühen Neuzeit* (Cologne, 2008); Mara K. Wade, *Triumphus Nuptialis Danicus: German Court Culture and Denmark: The “Great Wedding” of 1634*, Wolfenbütteler Arbeiten zur Barockforschung 27 (Wiesbaden, 1996).

<sup>114</sup> Grassby, *Kinship and Capitalism*, p. 116.

<sup>115</sup> David Cressy quoted a seventeenth-century English merchant: “Kindred of blood that binds the bowells of affection in a true lover’s knot.” See his “Kinship and Kin Interaction in Early Modern England,” *Past and Present* 113 (November, 1986): 38–69, here p. 47. “Kinship,” Cressy wrote, “involved a range of possibilities, rather than a set of concrete obligations. These possibilities began with acknowledgement, advice and support, stretched to financial help and career encouragement, and also included emotional comfort and political solidarity. At issue is not propinquity, network density or frequency of involvement, but rather the potency and instrumentality of extended family ties,” p. 49.

mediation. He thought that consanguineal ties were natural, given, non-negotiable, and morally binding. But the primary obligations and sentiments derived from filiation could be mapped onto allies.<sup>116</sup> The German eighteenth-century philosopher Gundling considered affinity as consanguinity effected through marriage.<sup>117</sup> Some writers put the accent on lineage ties and others on the ties of alliance. The Lutheran theologian Gerhard argued that joining two lineages in the flesh bound the families so tightly together that the death of a spouse could not disturb the moral and affective bonds between them.<sup>118</sup> Still, across Europe the ideas of communication, negotiation, and mediation were fundamental to conceptions of affinity. That is why in so many different milieus, wide sets of kin were given a say in marriage negotiations. Grafting on new kin by choice was both necessary and dangerous. Until recently, historians have been mostly concerned with who marries whom but not with the continuous relations between families over a generation. Yet the focal point of mediation lies in the “in-between” and it lies with women—at least with the women (wives and sisters) who were key players in the long-term construction of relationships between families.<sup>119</sup>

During the past several decades, detailed studies of the activities of women in German court society have been published.<sup>120</sup> Sophie Ruppel, for example chronicled sibling relations among the high nobility. In one case, dealing with the count Palatine family, she showed that the birth order of women in a family determined precedence and rights just as much as the birth order of men. Here she examined the activities of a very powerful woman who arranged marriages for her nieces and nephews despite

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116 Moysse Amyraut, *La morale chrestienne*, 4 pts. in 6 vols. (Saumur, 1652–60), pt. 2, p. 247.

117 Gundling, *Discours über das Natur- und Volcker-Recht*, p. 369.

118 See the *Concilium* by Johann Gerhard printed in Johann Bechstad, ed., *Collatio iurium connubialium, tam universorum & communium, quam municipalium quorundam, inter cognatos & affines; annexo jure dispensationis, respectu utrorumque* (Coburg, 1626), pp. 414–28.

119 See Ingrid Tague, “Aristocratic Women and Ideas of Family in the Early Eighteenth Century,” in *Family in Early Modern England*, ed. Helen Berry and Elizabeth Foyster (Cambridge, 2007), pp. 184–208. Remarking on the eighteenth-century emphasis on male lineages, Tague pointed to the development of extended kinship networks to preserve and increase their political power and with that, to a growing insistence, she argued, on a special role for women. Sara Chapman, “Patronage as Family Economy: The Role of Women in the Patron-Client Network of the Phélypeaux de Ponchartrain Family, 1670–1715,” *French Historical Studies* 24 (2001): 11–35, offered a trenchant study of women building networks to support the lineage into which they married. She looked at three women, each from a different milieu, who with varying resources worked crucial ties, often centered on their own kinsmen. Their informal patron-client networks were the “primary conduit for political power,” p. 13. “Women contributed in significant ways to building and maintaining their families’ patronage networks within the web of alliances of their kinship ties, which included both the family they married into and their family of origin, or birth family,” p. 15. The Pontchartrain family showed that matrilineal ties were what united the powerful ministerial clans (p. 21).

120 Sophie Ruppel, “Subordinates, Patrons, and Most Beloved: Sibling Relationships in Seventeenth-Century German Court Society,” in *Sibling Relations and the Transformations of European Kinship, 1300–1700*, ed. Christopher H. Johnson and David Warren Sabean (New York and Oxford, 2011), pp. 85–110.

their wishes and the opposition of her brother, the head of the house. Siblings and nieces and nephews were scattered among the various German courts and were crucial sources of information and diplomacy for the ruling head of the family. In such situations, women became crucial go-betweens. They often raised their own nieces and nephews and then played important roles in determining their future chances. Certain key women accrued considerable power in familial politics, since their brothers and many other members of the family were dependent on their good will. Women developed considerable power positions, and sisters were primary mediators between dynasties. Dynasties had to give up a substantial portion when their women married into other families, and these resources provided a foundation of support in sometimes quite lengthy widowhoods. All the members of a family depended on its resources, and everyone had to contribute to its reputation and goals. In such a situation, aunts, wives, and sisters wove a web of influence between competing lineages and determined to a large extent the reciprocal movements of personnel.

An investigation of the Electoral Saxon princesses offers a similar picture.<sup>121</sup> Princess Hedwig at the beginning of the seventeenth century married the king of Denmark, making her the highest ranking person in the Saxon family. She raised her ducal brother's children at her court, where her nephew met his future bride. She maintained a large network through correspondence, visiting, and gifts, and arranged marriages throughout her dynasty, here again, sometimes defying the wishes of various fathers. Not only did family members circulate through the various courts—in Northern Germany, Denmark, and England—but artists, artisans, and court nobility, sent back and forth among sisters, aunts, wives, and cousins, did so as well. In all these exchanges, women frequently acted independently, but in the end their chief power was expressed in marriage policies.

Much of the research on women in Germany during the early modern period has dealt with the high nobility, and most of it with ruling houses in the small and medium sized territories of Protestant Northern Europe. But one author, Anke Hufschmidt, turned her attention to the much larger class of noble women in the Weser River region from 1570–1700.<sup>122</sup> Here noble families organized themselves around feudal properties (*Lehen*) and formed patrilinear kinship groups. A strong differentiation between agnatic lineage kin and cognatic and allied kin was captured in the term “friends”: in-laws were called *Freunde* and relatives on the mother's side, *geborene Freunde* (friends by birth). Both of these kinds of friends participated in crucial activities of the lineage, especially in arranging and consulting about marriage. In fact, it was their obligation to initiate marriages, offering both advice and consent. And this was understood to be a matter of trust: friends could have such a crucial role just because they were not “interested” parties. In such a context, women played central roles in constructing the web of

<sup>121</sup> Essegern, *Fürstinnen am kursächsischen Hof*, pp. 182–97.

<sup>122</sup> Hufschmidt, *Adlige Frauen*, pp. 130–57.

kinship, by acting as guardians, writing family chronicles, and keeping the genealogies. Married women kept their own names and continued to see themselves as belonging to their houses of origin, all the better to function as intermediaries.

In a completely different context, Grassby dealt with the wives of businessmen in London during the seventeenth century.<sup>123</sup> Here again, women developed powerful positions, beginning with the right to benefit from the joint estate. In general, marriage took place through the mediation of the large group of relatives, and equal status was important. Women brought connections crucial for the prosperity of a firm, and, of course, were active in keeping the network functioning. After all, it was they who were familiar with all the possibilities in the widespread group of kin. And in a period when trading networks and business connections were based on personal relationships, women were all the more valuable in mediating among clients and patrons. Grassby pointed out that there were no clear lines in many families between the household and the place of business. Women were by no means marginalized: when men were away—and they frequently were—the wives were in charge. They acted as brokers, were business partners of their husbands, brought working capital to the marriage, and tapped the financial resources of kin.<sup>124</sup>

Historians are beginning to examine the social practices of gender for the early modern period in a new light. What I want to underline here is the importance of affinal kin relations and the absolute dependence of families, lineages, and kindreds on the negotiating capacities of women: sisters, wives, and their sisters in turn. It may well be right to speak of the “egoism,” the aggrandizement, and the self interest of agnatically constructed lineages during the centuries beginning in the late Middle Ages and Renaissance, but to ignore the strategic role of the affinal kin—and above all women—in advancing projects of property, status, power, and wealth of the agnatic lineage during this era would be to distort our understanding of the historical process.

## Conclusion

It might well be that there was no single, overriding reason why people in seventeenth-century Europe and North America put so much energy into preventing marriages between closely allied kin. The disinclination to marry the wife’s sister was overdetermined, part of a diffuse set of moral attachments linking families together. Early modern society cannot be understood without recourse to lively and vigorous kinship relationships, to well-schooled habits growing out of practices dependent on critical and enduring personal relationships. During the course of the sixteenth century, families wrested control of marriage from their children everywhere, and in many contexts quite extended

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<sup>123</sup> Grassby, *Kinship and Capitalism*, pp. 86–95, 116, 130.

<sup>124</sup> Grassby, *Kinship and Capitalism*, p. 116.



kin took the trouble to interfere in marriage choice by initiating alliances or demanding a seat at the table of negotiations.<sup>125</sup> Individual marriages were the link that brought together larger configurations of relatives who by close association made moral claims upon each other. However open the expectations might be, both consanguineal and allied kin offered a grid of potential collaborators, individuals who could be mobilized through personal engagement.

Marriage was a lasting affair in the seventeenth century and therefore, like filiation, it produced structure. Perhaps one could think of marriage alliance in terms of hard-wired connections, offering, if not the same kind of coherence that could be found with agnatic lineages, then a simulacrum that felt like the original. Godparentage was another institution that could also create long-term structurally significant lines of force.<sup>126</sup> To keep with the analogy, all the actual exchanges and reciprocities that the hard-wiring made possible provided the software of the system. There was a widespread understanding in seventeenth-century society that the facts of birth had social and moral implications. In this pre-Humean world, before the idea that value could be derived from fact was witheringly critiqued, obligation was understood to grow out of birth relations. Marriage, by contrast, was a matter for choice, for negotiation, for alliance. Yet marriage was no light matter. It opened up a network of possibilities, to be sure, but flesh and blood were involved: the couple joined in flesh and the clans mixed their blood.

It might be enough to say that a new family was now close enough for its members to be intimates, to develop—in the parlance of the seventeenth century—*passionate* attachments for one another. What the historical literature now underlines is just how close and vigorous the attachment with former “strangers” could turn out to be. With the progress of generations, in-law relationships would become blood relationships, if not of descent like father to son, which still had their special valence, of blood nonetheless. The brother-in-law (frequently called simply “brother”) would become the maternal uncle of the children, perhaps a patron, perhaps a friend, perhaps a guardian, and in similar fashion, a sister-in-law would become the maternal aunt of the children. Think of Thomasius’s insistence that any blood relative of my blood relative is in turn my own blood relative—so the maternal aunt of my child is perhaps even more directly my consanguine than through the relation with my wife.<sup>127</sup> It is not at all necessary to

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125 A good example of how this was done in a rural German Lutheran environment is provided by Thomas Robisheaux, *Rural Society and the Search of Order in Early Modern Germany* (Cambridge, 1989).

126 See Guido Alfani and Vincent Gourdon, “Spiritual Kinship and Godparenthood: An Introduction,” in *Spiritual Kinship in Europe, 1500–1900*, ed. Guido Alfani and Vincent Gourdon (Houndmills, 2012), pp. 1–43.

127 Christian Thomasius, *Göttliche Rechtsgelahrheit*, ed. and pref. Frank Grunert (Hildesheim, 2001), vol. 4 of *Ausgewählte Werke*, ed. Werner Schneiders and Frank Grunert, 24 vols. (Hildesheim, 1993–2015). This volume is a critical reprint edition of Thomasius’s *Drey Bücher der Göttlichen Rechtsgelahrheit* [. . .] (Halle, 1709).

think in terms of individual scenarios—perhaps the wife dies childless and the sister-in-law therefore has no direct blood connection through progeny—to understand that the society could mark such intimate ties as endogamous.

Another possibility lies in the structural importance of affinal kin for the prosperity and reputation of a household or lineage. Here it is necessary to think of the myriad real and potential services that allied kin could provide each other: intimacy on the one hand and distance on the other. In-laws could be trusted to handle lineage property—wills, sureties, guardianships, tutorships, witnessing, fosterage, executorships—precisely because they had no claims to succession. The brother-in-law was in principle a central figure in the management of his sister-in-law's interests, but, given the intimacy of ties with all the siblings and close relations of his first wife, he might well be seen as illegitimately interfering with property relations by pursuing one of her sisters. The tension between engagement and distance necessary to successful mediation would have been stretched to the breaking point through marriage. Within the field of intense interaction with allied kin, the sister-in-law occupied two positions: she was the most intimate of the intimate, the one for whom the greatest responsibility was to be shown, and also the proxy for all possibilities that grew out of the alliance. In theological parlance, *she* was flesh of flesh. She was the symbolic center of social order. In a sense, the wife and her sister were cooperating partners in the system of mediations that moderated the egoism of the agnatic lineage, the one incorporated, the other forever at an intimate distance.



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Section II: **From Enlightenment to Romanticism:  
Sentimental Journeys**



# Chapter 1

## Kinship: The New Alliance System

Internal family love, often with incestuous undertones, underpins the new consanguineous kinship system and is a central factor in the life of the nineteenth-century bourgeoisie.

Sibling love flowed everywhere; marriages were ‘arranged’, one might say, by siblings for siblings; in other words, cousin marriage became rampant and only increased in the next generation.  
—Christopher Johnson, 2015

Representations of incest in any culture or at any period of history do not stand alone but connect at various points to lines of societal demarcation, protocols of social order, standards of propriety, and topographies of the sacred. Anxiety about transgression together with the policing of boundaries can scarcely be understood as more-or-less involuntary impulses erupting from evolution-determined biogenetic successes.<sup>1</sup> Nor are the complex rules, their analysis or justification, likely to be the outcome of reflection on sad cases of degenerate reproduction.<sup>2</sup> Indeed the intricate networks of cultural beliefs and pressures could engender eye-popping, confounding interpretations. In the late nineteenth century, for example, as biologists began to worry about the consequences of inbreeding for progeny, some Catholic apologists, determined to shore up the received wisdom of canon law, suggested that marriage with a wife’s sister would produce kids with six fingers or weak eyes—as was well-known from experience.<sup>3</sup> Glossing this or that rule or vindicating a particular fear can scramble cultural synapses, crossing currents originally wired for different purposes.

I have suggested for Baroque Europe, that the long, slow transition to new forms of property devolution and access to status and resources, together with the reorganization of familial patterns around lineage values and more clearly articulated hierarchies, underscored a particular take on the nature of affinal ties; that these changes, in turn, supported the effort to mark with greater precision the valence of relatives connected through marriage; and that for beliefs about incest, one point of articulation was with kinship. I would argue for a similar connection for any society, since such beliefs offer

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1 See Patrick Bateson, “Inbreeding Avoidance and Incest Taboos,” in *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century*, ed. Arthur P. Wolf and William H. Durham (Stanford, 2005), pp. 24–37: “I suggest that it is unlikely that inbreeding avoidance and incest taboos evolved by similar mechanisms or even have a common utility in modern life,” p. 34.

2 Bateson, “Inbreeding Avoidance,” p. 35: “It [inbreeding avoidance] had nothing to do with society not wanting to look after the half-witted children of inbreeding, since in so many cases they had no idea that inbreeding was the cause.” See Adam Kuper, “Incest, Cousin Marriage, and the Origin of the Human Sciences in Nineteenth-Century England,” *Past and Present* 174 (2002): 158–83.

3 This from a remark by the bishop of Salzburg: Margareth Lanzinger, *Verwaltete Verwandtschaft: Eheverbote, kirchliche und staatliche Dispenspraxis im 18. und 19. Jahrhundert* (Vienna, Cologne, Weimar, 2015), p. 80.

clues to figure out relatedness as well as illicit associations. Marriages that are quite impossible in one culture or period become all the rage in others—cousins in nineteenth-century Europe and America being an outstanding example. While it might not be probable that practices of kinship interaction and formation *determine* incest rules, it is true that both incest and kinship fashion connectedness, boundaries, respectability, and morality in ways that interact with each other. As this study proceeds, it will become apparent that structures of kinship and patterns of relatedness in Western societies not only have changed, but are constantly changing. It is to be expected that the particular weight placed upon different constellations of forbidden relatives will evolve as well. Each time and place will chew over its own issues.

### Reordering kinship: New forms of alliance

The consequences were profound. Marriages between relatives sustained networks of kin. Veritable clans emerged and might persist for several generations—in the case of the Darwin-Wedgewoods for over a century, and they were not exceptional. These webs of relationships delivered enormous collateral benefits, shaping vocations, generating patronage, yielding information, and giving access to capital. A young man with such family connections began his career with a decisive advantage. — Adam Kuper, 2009<sup>4</sup>

I structured the argument in section I as a kind of puzzle to which the analysis of kinship offered what I hope was a plausible solution. The pair around which so much concern was articulated—the deceased wife's sister—offered a figure for examining the significance of alliance with “strangers” and the understanding that particular marriages bound independent lineages together in a tight embrace. And yet I did not and do not want to argue from cause and effect, that a pattern of reciprocities or the social and economic ordering of kinship produces particular notions of incest. The interconnections are far too complex and the actual variations in values great enough (in every period, incest rules are subject to considerable contestation) that it would be simplistic to derive the one from the other. Indeed, I did not want to begin section I with an account of early modern structuring of kinship that might mislead the reader into thinking that fears of transgression are some kind of epiphenomena derived from more fundamental social relations. Here, however, I am going to turn the narrative around and begin with the reordering of kinship, family relations, and household structures during the second half of the eighteenth century and first half of the nineteenth century in order to draw a clear contrast with the seventeenth century. I will argue over the next chapters that the new figure for the obsessions of the period was the brother-sister relationship and

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<sup>4</sup> Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009), p. 24. Kuper's focus is on the bourgeoisie of England, but the comment could be written for most West European countries and the United States and for more class situations and milieus beyond. Kuper's analysis will be taken up later in this chapter.

that the discourse on this subject accompanied not only a “horizontalization” of kin relations and a reshaping of interactions within households but also a restructuring of the alliance system around “cousins.”<sup>5</sup> Eroticized sibling relations allowed cousins to seem a natural choice for marriage, and since cousins are the offspring of siblings, seeing their children attached to each other was a welcome sight for sibling-parents, who in this period forged unusually close bonds.<sup>6</sup> Uncles and aunts became fathers- and mothers-in-law, intensifying and making tighter the relations children grew up with. And cousins often lived together in familial circles that did not distinguish them sharply from siblings.

During the century from 1750 to 1850—called the *Sattelzeit* by Reinhart Kosellek to designate the complex political and cultural reconfiguration that moved Western Europe from “traditional” to “modern” forms of society—the patterns of reciprocities between and among families changed in far-reaching ways.<sup>7</sup> Although marriage alliances are the

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5 Lanzinger, *Verwaltete Verwandtschaft*, pp. 33–34, discusses the rise of cousin marriages in Central Europe and suggests that the high point of such alliances was reached in the decade of the 1870s. Both the rate of cousin marriages and the number of petitioners for dispensations fluctuated, however, according to Catholic Church policies, even when the population pursued ever stricter practices of endogamy. At times during the nineteenth century, the church establishment was more serious about affinal than about consanguineal kin. Ecclesiastical officials insisted throughout that incestuous marriage was a moral issue and showed little interest in biological arguments, except when they served their own interests. It is often argued that when medical writers began to build their arguments about the deleterious effects on progeny of close marriage, they were simply secularizing older religious ideas. By contrast, Catholic administrators, when they did muster biological arguments, actually were doing the opposite, focusing on marital conflict, unhappiness, even illnesses afflicting parents and their offspring, yet not ascribing the illnesses of the children to consanguinity.

6 Mary Jean Corbett, in *Family Likeness: Sex, Marriage and Incest from Jane Austen to Virginia Woolf* (Ithaca, 2008), provides a subtle analysis of nineteenth-century English families, sibling relations, and cousin marriage. “I posit that cousin-marriage, which has since become regarded as an anomalous and stigmatized form of what we now call heterosexual union, once held its place alongside the ‘exogamous’ plot of romantic love and, further, that conceptions of incest, like configurations of family or household have differed quite dramatically over time,” pp. 36–37. See also her article, “Husband, Wife, and Sister: Making and Remaking the Early Victorian Family,” in *Sibling Relations and the Transformations of European Kinship, 1300–1900*, ed. Christopher H. Johnson and David Warren Sabean (New York and Oxford, 2011), pp. 263–87.

7 For an introduction to the transition, see David Warren Sabean and Simon Teuscher, “Kinship in Europe: A New Approach to Long-Term Development,” in *Kinship in Europe: Approaches to Long-Term Developments (1300–1900)*, ed. David Warren Sabean, Simon Teuscher, and Jon Mathieu (New York and Oxford, 2007), pp. 1–32, esp. 16–24. I first handled the changes during the *Sattelzeit* in David Warren Sabean, *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998). I began by examining the reordering of kinship in the village, pp. 208–92, and then looked at other European examples (pp. 398–427), at demographic features of the transition for Europe as a whole (pp. 428–48), and finally at European middle-class and aristocratic societies (pp. 449–510). Jon Mathieu tested the thesis for Switzerland, in “Verwandtschaft als historischer Faktor: Schweizer Fallstudien und Trends, 1500–1900,” *Historische Anthropologie* 10 (2002): 225–444, and “Kin Marriages: Trends and Interpretations from the Swiss Example,” in Sabean, Teuscher, and Mathieu, *Kinship in Europe*, pp. 211–30. For a trenchant review of the shift, especially for France,



easiest part of any “kinship system” to mark, the many extant studies of marriage have only just begun to provide insight into these shifts. The few systematic studies of godparentage have added to our knowledge, but the evidence to date for matters such as fostering, exchange of children and youths, guardianship practices, patronage, recreation, and cultural and political networking is scattered in bits and pieces across local studies focused on other topics.<sup>8</sup> In some ways, it is useful to see marriage alliances—and perhaps sometimes godparentage—as the hard-wiring of the system, since they provide a map of potential “friends.” But no account of kinship is adequate if it fails to chronicle the actual patterns of reciprocities of families and kin as they happened over time.

In section I, I tried to figure out when the system of canon law proscriptions began to break down. Between 1740 and 1800, for example, in the Imperial City and Territory of Ulm, dispensations for cousin marriages went from being very infrequent exceptions to unremarkable, everyday occurrences. Many German states—Württemberg comes to mind—were reluctant to change their laws and kept them on the books in the fear that to rattle such ancient codes might shake the faith of the populace in official interpretations of scriptural truths.<sup>9</sup> But then they made dispensations ever-cheaper and more routine, so that in the end the formal prohibitions and restrictions against cousin marriages no longer mattered. Prussia was the leader in Germany in establishing the changes: one of the first acts of the “enlightened” Frederick the Great in 1740 was to revise ecclesiastical marriage law to legalize previously forbidden brothers- and sisters-in-law and first and second cousins.<sup>10</sup> Motivated to stimulate population growth, he saw this revision as a keystone of his political project.

There is a nice study of the implementation of the new rules in Prussia, which shows that after a few decades of confusion and reluctance on the part of some pastors,

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see Christopher H. Johnson, “Das Geschwister Archipel: Bruder-Schwester-Liebe und Klassenformation im Frankreich des 19. Jahrhunderts,” *L’Homme. Zeitschrift für feministische Geschichtswissenschaft* 13 (2002): 50–67. Especially important is the work of Gérard Delille, *Famille et propriété dans le royaume de Naples (xv<sup>e</sup>–xix<sup>e</sup> siècle)* (Rome and Paris, 1985). A summary of Delille’s argument is found in Sabean, *Kinship in Neckarhausen*, pp. 399–407. While I do not want to latch onto modernization theory here—similar changes in familial organization and forms of alliance marked regions and classes that were tied into market structures, state formation, and capital accumulation in quite different ways—I still find Koselleck’s marking off the period of dramatic change quite useful.

<sup>8</sup> Interesting new work is being done on godparenting: Guido Alfani and Vincent Gourdon, *Spiritual Kinship in Europe, 1500–1900* (Houndmills, 2012).

<sup>9</sup> Sabean, *Kinship in Neckarhausen*, pp. 82–85. But Württemberg had other peculiarities. Income from dispensations went straight to the duke, while the parliament controlled many other forms of state income. The duke refused the parliamentary request to do away with many of the marriage prohibitions precisely because of its effects on his working capital.

<sup>10</sup> Heinrich W. J. Thiersch, *Das Verbot der Ehe innerhalb der nahen Verwandtschaft, nach der heiligen Schrift und nach den Grundsätzen der christlichen Kirche* (Nördlingen, 1869), p. 137, offers references to the Prussian Kabinettsordre of 3 June 1740. See Leopold von Ranke, *Neun Bücher Preußische Geschichte*, 9 bks in 3 vols. (Berlin, 1848), vol. 2, pp. 57–59.

the rules were fully accepted.<sup>11</sup> Yet, as elsewhere, it was much easier to allow cousins to marry than brothers- and sisters-in-law: lingering concerns about the propriety of affinal kin to renew alliances outweighed any issues of inbreeding. In general, it is safe to say that voices sounding the theme of degeneration from consanguineal alliances began to be listened to seriously only after the middle of the nineteenth century, well after such marriages had become frequent throughout Europe, and that even then, the adducible evidence concerning sickly progeny was not rigorous enough to overcome serious skepticism.<sup>12</sup> Cousin marriage in Europe probably hit a high point statistically in the 1880s and only declined rapidly three or four decades later. There is no plausibility to the idea that empirical evidence of a slowly degenerating population played any role in the shift from endogamous to exogamous marriages early in the twentieth century. That reorganization of marital customs was a much more complex matter, which will be taken up in section III.

It was not just in Germany that marriages with close consanguineal kin took off after the mid-eighteenth century. In England, as I have argued, there had been no formal ecclesiastical law against cousin marriages, and indeed under Henry VIII such marriages were tacitly considered to be legitimate. Consequently, they did not figure on the lists of prohibited marriages published in the Book of Common Prayer or posted in churches. Nevertheless, evidence shows that most people in England thought of them as illegal, and that widespread prejudice against such alliances persisted at least until the end of the seventeenth century—indeed the ecclesiastical courts mostly followed the older canon law. Chief Justice Vaughan, late in the seventeenth century, explicitly ruled that there were no grounds in English law or Scripture for forbidding cousins, and some historians have seen this ruling as the point of departure for the rise of cousin marriage in England.<sup>13</sup> Nonetheless, it took many decades for practices among the general popu-

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11 Claudia Jarzebowski, *Inzest. Verwandtschaft und Sexualität im 18. Jahrhundert* (Cologne, Weimar, and Vienna, 2006).

12 This does not mean that no voices were making the connection. But their statistical reasoning was unconvincing and no consensus emerged until the eve of World War I. For a recent review of the issue for the United States, see Susan McKinnon, “Kinship Within and Beyond the ‘Movement of Progressive Societies,’” in *Vital Relations: Modernity and the Persistent Life of Kinship*, ed. Susan McKinnon and Fenella Cannell (Santa Fe, NM, 2013), pp. 39–62, here pp. 39–41. A thoroughgoing review of the evidence in the late nineteenth century was offered by Alfred Henry Huth, *The Marriage of Near Kin: Considered with Respect to the Laws of Nations, the Results of Experience and the Teachings of Biology*, 2nd rev. ed. (London, 1887), who came to the conclusion that the marriage of cousins had no systematically deleterious effect. Charles Darwin, who married his cousin, prompted his son George, who was also married to a cousin, to look into the matter, but George remained skeptical that there was any evidence to draw a connection between cousin marriage and health issues for children: George H. Darwin, “Marriages between First Cousins in England and their Effects,” *Journal of the Statistical Society* 38 (1875): 153–84. For a more detailed assessment of the issue of biological and mental consequences of inbreeding, see the chapter “Intermezzo” in Part 2.

13 Randolph Trumbach, *The Rise of the Egalitarian Family: Aristocratic Kinship and Domestic Relations in Eighteenth-Century England* (New York, 1978), pp. 19–21.

lation to change. The Protestant state of Württemberg is instructive here. In 1688, with the revision of ecclesiastical law, it became quite easy to get a dispensation for a second cousin and not too difficult even for a first cousin. Nonetheless, villagers did not begin to marry second cousins until sixty years later, and found first cousins attractive only three or four decades after that.<sup>14</sup> For Catholic Europe, there was a more or less strict adherence to the prohibition of cousins and close affinal kin after the Council of Trent. Taking 1583 as a base year, a ratio of 1:11:55 for the number of dispensations obtained in Rome was registered for the years 1583, 1683, and 1783, respectively. After the mid-eighteenth century, there was a sharp rise in dispensations, followed by a flood in the nineteenth century.<sup>15</sup> Evidence from places as far apart as Protestant Sweden and the Catholic Amalfi Coast similarly documents a rise in cousin marriages from the middle to late eighteenth century.<sup>16</sup> Whether cousin couplings were ever seen as “incestuous” is an open question. In section I, I noted the sixteenth-century distinction between divine (incest) and civil (extended) prohibitions, the latter being where cousins were located. But since in most of Europe even second and third cousins were illegal in ecclesiastical law backed by secular authority, it was not always clear how far incest proper actually extended. By the late nineteenth century, it was quite usual to distinguish (for human populations) between “incest” and “inbreeding,” with cousin marriage discussed under such terms as “endogamy” and “inbreeding,” leaving aside, for the most part, moral sentiments.

## Cousin marriage the new norm

Foundation of the Genest Family Association Berlin, 1914. Purpose: To maintain and further the welfare and reputation of the family Genest . . . to cultivate family feeling, and to maintain kinship relations. To carry on and publish a genealogy and history of the family. To protect and occasionally or permanently support members of the family as well as help with the education of children and the care of daughters. Members of the Association can be adult male and female relatives of the family Genêt and the like who are demonstrably related through the male line with Imer Genêt, who died in Bergholtz i. U. 15 July 1690.<sup>17</sup>

<sup>14</sup> Sabeau, *Kinship in Neckarhausen*, pp. 79–81.

<sup>15</sup> Jean-Marie Gouesse, “L’endogamie familiale dans l’Europe catholique au xviii<sup>e</sup> siècle: première approche,” *Mélanges de l’École française de Rome. Moyen âge. Temps modernes* 89 (1977): 95–116; Gouesse, “Mariages de proches parents (xvi<sup>e</sup>–xx<sup>e</sup> siècle). Esquisse d’une conjoncture,” in *Le Modèle familial européen: Normes, déviances, contrôle du pouvoir. Actes des séminaires organisés par l’École française de Rome et l’Università di Roma* (1984). Collection de l’École française de Rome 90 (Rome, 1986), pp. 31–61.

<sup>16</sup> Carl Henry Alström, “First-Cousin Marriages in Sweden 1750–1844 and a Study of the Population Movement in Some Swedish Subpopulations from the Genetic-Statistical Viewpoint: A Preliminary Report,” *Acta Genetica* 8 (1958): 295–369. Delille, *Famille et propriété*.

<sup>17</sup> “Die deutschen Familie Genest, eingetragener Verein (3 Jan 1914),” Familienverein Genest, Landesarchiv Berlin, Vereinsregister B Rep. 042, nr. 26305.

Some of us have used “cousin” marriages to characterize nineteenth-century practices of endogamy. That can be a little misleading. There is no question but that cousin marriages appeared all over Europe, among property-holding and professional classes, from peasants, to petit bourgeois, to educated and entrepreneurial middle classes, to high nobility.<sup>18</sup> But two caveats are to be heeded. First, in any particular region, diverse classes or occupational groups could develop quite different patterns. In the Western Pyrenees, for example, smallholders in one locale preferred first-cousin marriage, but in another, while the more substantial farmers or peasants did the same, the artisans chose to marry second cousins or to eschew endogamous liaisons altogether.<sup>19</sup> In Sweden, another example, the low and high nobilities had high rates of cousin marriage, while the middle nobility did not.<sup>20</sup> And rates of cousin marriage could have different meanings in contexts of different densities of relatedness.<sup>21</sup>

Second, it might be more advisable to speak of “endogamy” rather than to use the short-hand descriptor “cousin,” even though I will continue to do so. There are occasional milieus where the rate of cousin marriage could reach a substantial 20–30 percent, but even where marriages with consanguineal kin became quite usual, the percentage of marriages among *first cousins* might rise only 1–2 percent. That figure might seem inconsequential, but it can indicate much higher rates of inbreeding. For example, in the detailed study of a Württemberg village, the rate of consanguineal alliances rose 400 percent between 1740 and 1870.<sup>22</sup> By the end of the period, while only 2.4 percent of marriages involved first cousins, exactly half of all marriages were with kin of some kind and just over a third with consanguineal kin (including third cousins). In dozens of studies, first-cousin marriage rates of 1–2 percent accompany substantially higher rates of consanguineal marriage.<sup>23</sup> There are indications that in many settings, social interactions with second and third cousins increased over the nineteenth century, with the result that these consanguineal kin were more frequently chosen as spouses and that people sought second marital partners among the close relatives of the first—a sister, cousin, or niece—a dramatic departure from the early modern period.

Here and there, demographers and evolutionary biologists have noted the tendency towards endogamy and have tried to account for it with various arguments. One suggestion, by French demographers, was that there were upward trends in both childless and

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<sup>18</sup> There are too few studies of cousin marriage among workers to warrant inclusion in this statement.

<sup>19</sup> Andrew Abelson, “Population Structure in the Western Pyrenees: Social Class, Migration and the Frequency of Consanguineous Marriage, 1850–1910,” *Annals of Human Biology* 5 (1978): 167–78; “Population Structure in the Western Pyrenees: II. Migration, the Frequency of Consanguineous Marriage and Inbreeding,” *Annals of Human Biology* 12 (1980): 92–101.

<sup>20</sup> Alström, “First-Cousin Marriages in Sweden,” pp. 295–369.

<sup>21</sup> Christine Fertig, *Familie, verwandtschaftliche Netzwerke und Klassenbildung im ländlichen Westfalen (1750–1874)* (Stuttgart, 2012).

<sup>22</sup> Sabeau, *Kinship in Neckarhausen*, pp. 429–30.

<sup>23</sup> This is treated at greater length and with fuller references to the literature in Sabeau, *Kinship in Neckarhausen*, pp. 431–36.

child-rich families, meaning for the latter, ever-greater chances that the children would survive to marriage age.<sup>24</sup> Those who wished to marry had fewer families to choose from, on the one hand, and a cornucopia of available cousins, on the other. By itself, such an explanation does little justice to the complexity of the new marriage system or to its geographical distribution. To begin with, it does not explain the radical shift from far to near, from marriage with the stranger to marriage with the most familiar, nor does it do justice to the different strategies of various groups in the same locality. Gérard Delille, the historian who has done most to track the changes from a broad comparative perspective and with detailed empirical work—on Spain, Italy, France, Germany, and England—has noted that the timing of the change tracks badly with the demographic transition (with many families limiting their fertility) even in France where the correlation was first developed by demographers.<sup>25</sup> And the demographic explanation certainly does not work for all the countries outside of France that only began to limit fertility about a century later. Furthermore, cousin marriage itself was a highly differentiated phenomenon. In one South German village, second-cousin marriage began around the mid-eighteenth century. Fifty years later, first cousins outpaced second cousins as marriage partners. Then for the next fifty years, although the increase in first-cousin marriages continued, that of second cousin and then third cousin unions did so much more rapidly. Other detailed village studies have shown preferences in one place for third cousins, in another for second cousins, and in yet another for first cousins. However, for other socio-economic classes, no adequate studies proffering a statistical grasp on shifts, changes, and preferences have been done.<sup>26</sup>

Perhaps the best way to construct a general portrait of the shift in marriage structure during the transition period is to read through the genealogical literature and to supplement the evidence there with the wealth of anecdotal evidence to be found in biographies, autobiographies, and correspondence, not least because there was a common—but by no means total—shift in how lineages were represented. From the fifteenth century onwards, institutions like primogeniture, *fidei commissum*, and strict entail, which slowly spread throughout Europe, favored the development of agnatic lineages in which cadet lines were relegated to secondary status, or cadets themselves married not at all or relatively late.<sup>27</sup> Historians used to contrast the values and practices of middle-class and aristocratic families, noting that the middle classes favored partible inheritance systems, which they embedded in law whenever possible, as in the Napoleonic Code. But this does not explain the demise of *fidei commissum* in Spain and Italy among aristocrats in the early nineteenth century. Nor does it account for the restructuring of aristocratic values around rather different principles of descent in Germany, where, from the Sattelzeit onwards, instead of increasingly tracing the main line from father to son, the point for aristocrats was to locate all male descendants

24 Jean Sutter, "Fréquence de l'endogamie et ses facteurs au xix<sup>e</sup> siècle," *Population* 23 (1968): 303–24.

25 Delille, *Famille et propriété*, pp. 368, 386.

26 See the discussion in Sabean, *Kinship in Neckarhausen*, pp. 428–41.

27 Sabean and Teuscher, "Kinship in Europe," pp. 4–16.

from a particular ancestor. Over the course of the nineteenth century, the number of recognized kin proliferated, prompting the rise of associations to locate them all on a genealogical grid and to encourage continual social interaction.<sup>28</sup> The same thing was going on among the middle classes. Within any generation of a family, ever-more kin were recognized, not merely as a result of genealogical research but, as I shall show, from new ways of constructing reciprocities in practice.

The new representations of lineage beginning in the early nineteenth century and proliferating down the generations put a premium upon the surname, with the clear understanding that in each generation the daughters/sisters of the family would become attached to other lineages and in-marrying wives would be absorbed. That was how lines and lineages and families-over-time were thought of. Such continuities were important, given that family memories were being cultivated with increasing attention. But then as the nineteenth century unfolded, the alliances that lineages made with each other also became part of what was remembered.

Among cousin marriages, there are essentially two kinds, with rather different implications.<sup>29</sup> “Cross-cousin” marriages on the order of mother’s brother’s daughter link two different surname groups or lines together. “Parallel-cousin” marriages, such as the father’s brother’s daughter, take place, as it were, back into the lineage, although they might be thought of as linking two separate lines of a lineage together. First-cousin marriages connect “adjacent” generations, the children of siblings, while second-cousin marriages link “alternate” generations. Third-cousin marriages go wider afield, finding spouses from families joined three generations back; in other words, from lines or lineages produced from the sibling set of great grandparents or from the brothers- and sisters-in-law of that generation.

This description parses the grammar of the system on the order of single sentences, but we should think of paragraphs or books—in this instance whole sibling sets, for two or more siblings might marry into the same line. In a rural village, for example, one could find three siblings marrying three second-cousin siblings, or in the case of Charles Darwin’s family, two siblings taking two first-cousin siblings as spouses. Or, to give another example, a group of siblings could each enter into exchanges with different lineages already linked to their family in earlier generations, thereby consolidating and integrating a series of affiliated families. It was not unusual for one child to make a first-cousin marriage with one associated family; a second, a second-cousin marriage

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28 David Warren Sabean, “From Clan to Kindred: Thoughts on Kinship and the Circulation of Property in Premodern and Modern Europe,” in *Heredity Produced: At the Crossroads of Biology, Politics, and Culture, 1500–1870*, ed. Staffan Müller-Wille and Hans-Jörg Rheinberger (Cambridge, MA, 2007), pp. 37–59; Sabean, “Constructing Lineages in Imperial Germany: eingetragene Familienvereine,” in *Alltag als Politik—Politik im Alltag. Dimensionen des Politischen in Vergangenheit und Gegenwart*, ed. Michaela Fenske (Berlin and Münster, 2010), pp. 143–57.

29 See the account of marriage alliance and the references to Claude Lévi-Strauss in Sabean, *Kinship in Neckarhausen*, pp. 16–23.

with another; and a third, a second- or third-cousin marriage with yet another. And many a detailed genealogy reveals that some of these allied families were, in turn, allied with each other.<sup>30</sup> Furthermore, families could be connected in such a way that a new marriage renewed the alliance without the spouses being blood relatives of each other at all: one line of a “patrilineage” could marry into a particular family, with another line picking up the alliance a generation or two later. Sibling exchanges—a brother and a sister espousing a brother and a sister—became more frequent. And except in England (a matter to be taken up later), the rates of marriage to the deceased wife’s sister—that coupling over which so much ink was spilled in Baroque Europe—grew significantly (by the late nineteenth century, in France a full 3 percent of all marriages were with the wife’s sister).<sup>31</sup> Remarriage into the wider kin group of a deceased spouse offered a genial solution for many people. And best friends liked to match their children together (which sometimes later issued into cousin marriages). Finally, it made good sense for a sibling set to marry near and far, consolidating alliances and opening up fresh possibilities—new alliances that might endure over time.<sup>32</sup>

## Endogamy, milieu, and class

Samuel fell in love with Ellen Taylor, younger sister of his cousin, brother-in-law, and absent partner, Peter Alfred Taylor. — D. C. Coleman, 1969<sup>33</sup>

<sup>30</sup> A good example of this is provided by the genealogy of the Delius family in Ute von Delius, ed., *Deutsches Geschlechterbuch. Genealogisches Handbuch bürgerlicher Familien*, vol. 193; also published as *Westfälisches Geschlechterbuch*, vol. 7 (Limburg an der Lahn, 1987). This is analyzed in Sabean, *Kinship in Neckarhausen*, pp. 452–53.

<sup>31</sup> Gouesse, “Mariages de proches parents,” pp. 49–52.

<sup>32</sup> Many examples and references are provided for the argument in the previous paragraph in the chapter “Kinship and Class Formation,” in Sabean, *Kinship in Neckarhausen*, pp. 449–89. See also David Warren Sabean, “Kinship and Class Dynamics in Nineteenth-Century Europe,” in Sabean, Teuscher, and Mathieu, *Kinship in Europe*, pp. 301–13; Johnson, “Das Geschwister Archipel.” I had finished writing section II when I received a copy of Stefani Engelstein, *Sibling Action: The Genealogical Structure of Modernity* (New York, 2017). I confess that I did not get to read it before I had finished the whole book. Engelstein’s study examined siblings, kinship, and subjectivity from the middle of the eighteenth to the middle of the twentieth century. She extended the period of consideration of siblinghood beyond what I do here. Her book is a must read for anyone interested in the issues I raise, but it explores a much larger terrain. She called into question an earlier understanding of the history of the family which put at the center of the history of the nineteenth-century family individualism, personal preference in marriage and a private sphere built around the “family.” “New research has . . . fundamentally altered the previous paradigm, setting the newly affectionate conjugal pair in the context of an extended kinship network whose maintenance formed a large and crucial aspect of the activity of women in the long nineteenth century, and which was foundational for the emergence of a bourgeoisie in the newly capitalist economy,” p. 15.

<sup>33</sup> D. C. Coleman, *Courtaulds: An Economic and Social History*, vol 1, *The Nineteenth Century: Silk and Crepe* (Oxford, 1969), p. 56. The marriage took place in 1822.

The frequency of cousin marriage can be ascribed to “assortative mating by social class.”<sup>34</sup> In other words, the endogamy is of two kinds—into the same social stratum or milieu and with close blood relatives. The south German village already referred to offers a good example. The first to begin creating alliances with second cousins around the mid-eighteenth century were the dominant political families, followed over the next two decades by the most substantial farmers as a whole.<sup>35</sup> But this new ordering of alliance was part of a more complex set of changes. Early in the century, newly married spouses seldom brought the same quantity of resources together: the wealthy and the poor were constantly intertwined. Indeed, the wealthier one of the partners, the greater the disparity was likely to be. Around midcentury, this form of alliance gave way to one in which each spouse exactly matched the other’s endowment. As the daughters of the wealthy were withdrawn from the general village pool—they became available only for their peers, and this more or less drove the marriage market into an endogamy characterized by wealth. Nevertheless, neither the distribution nor the form of kin marriages remained stable. Over the last forty years of the eighteenth century, the wealthiest group of landholders moved towards ever-closer inbreeding, characterized by a significant number of first-cousin marriages by 1800. And another piece of the puzzle: around the mid-eighteenth century, they also withdrew from the practice of standing as godparents for non-kin and for individuals lower in the social order. Just as they sought out cousins as spouses, so too they tapped them as godparents.<sup>36</sup>

One of the significant and expanding groups in the village was composed of artisans and construction workers, many of whose tasks took them into the surrounding territory. While they developed patterns of inbreeding, they were never much interested in first cousins and were much slower to develop a pattern of second cousin marriage, really only getting around to it a half century after the farmers. And rather than favoring kin from the village, they found their partners in the surrounding villages and beyond.<sup>37</sup> Perhaps such families, rooted in the locality yet dependent upon labor opportunities outside, found it useful to construct networks over a broader area. But clearly, with the expansion of the population at risk, so to speak, inbreeding was a choice, part of a strategy of occupational alliance that cannot be ascribed to a density of kinship already in place.

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<sup>34</sup> Abelson, “Population Structure,” pp. 174–76. The issue of assortative mating was raised by Pearson in a criticism of Francis Galton’s use of statistics: Robert Olby, *Origins of Mendelism*, 2nd ed. (Chicago and London, 1985), p. 67.

<sup>35</sup> Sabeian, *Kinship in Neckarhausen*, pp. 170–206.

<sup>36</sup> A peculiarity of Württemberg godparentage was that the set of godparents stood for all of the children, which meant that that institution involved a continuous set of reciprocities over many years, first with the parents and then with the godchildren. Indeed, there were two different words to express the two relationships: *Gevatter* (the godparent relationship for the parents) and *Dôte* (the godparent relationship for the child): Sabeian, *Kinship in Neckarhausen*, pp. 23–26.

<sup>37</sup> Sabeian, *Kinship in Neckarhausen*, pp. 272–92, 527–56.



The example of the village suggests that a good way to think of the issues on a European plane is to pay attention to the mutual constitution of kinship and milieu. Recent work has explored this possibility for the political life of a late eighteenth- and nineteenth-century Swiss valley, for example.<sup>38</sup> In that region, marriages of cousins became statistically significant, but upon closer examination, it turned out that they were confined to one political group. This group of radical democrats with densely networked families was characterized not only by political allegiance but also by specific attitudes towards education, religion, and sexuality. For instance, they accounted for a large percentage of the illegitimate children of the region, and the parents of the illegitimate children—although often related to one another—were not necessarily the ones to marry each other. Furthermore, the illegitimate children were part of the marital exchange system, linking political lineages together. In this valley, alliance and allegiance acted reciprocally to produce and reproduce a particular social and cultural milieu with considerable staying power. And the exchange of cousins stitched the system together.

One could hop and skip around Europe to find other examples of the reciprocal constitution of kinship and milieu, but one example from England might suffice: the Courtauld family, textile manufacturers and merchants, whose fortune was first built during the *Sattelzeit*.<sup>39</sup> Over this period, throughout Europe, start-ups were dependent on capital and credit provided by a network of friends and family members.<sup>40</sup> In this regard, the Courtaulds were no different. The financial interdependency could be one of the supports for the new alliance system, with its dense and overlapping connections among kin of all kinds. To marry a cousin, for example, made all siblings of the spouse at once cousins and brothers- and sisters-in-law. Second and third cousins could be particularly interesting, since such marriages could bring together a much wider set of relatives. And it was precisely from the interacting network of uncles and aunts, cousins and in-laws, that the resources could be found for entrepreneurial activities of all sorts. In the case of the Courtaulds, family members took over many positions in the expanding firm, from managers to clerks to sales personnel. But there was no inherent necessity for people connected to each other through blood or through marriage to support each other in any particular way. Relationships had to be cultivated, and while

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<sup>38</sup> Sandro Guzzi-Heeb, *Passions alpines: sexualité et pouvoir dans les montagnes suisses (1700–1900)* (Rennes, 2014). Guzzi-Heeb, “Spiritual Kinship, Political Mobilisation and Social Cooperation: A Swiss Alpine Valley in the Eighteenth and Nineteenth Centuries,” in Alfani and Gourdon, *Spiritual Kinship*, pp. 183–206. Guzzi-Heeb, “Sex, Politics and Social Change in the Eighteenth and the Nineteenth Centuries: Evidence from the Swiss Alps,” *Journal of Family History* 36 (2011): 367–86.

<sup>39</sup> Coleman, *Courtaulds*.

<sup>40</sup> See, for example, Friedrich Zunkel, *Der Rheinisch-Westfälische Unternehmer 1834–1879: Ein Beitrag zur Geschichte des deutschen Bürgertums im 19. Jahrhundert* (Cologne, 1962); Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class 1780–1850*, paperback ed. (Chicago, 1991); Philipp Sarasin, *Stadt der Bürger, Bürgerliche Macht und städtische Gesellschaft: Basel 1846–1914*, 2nd ed., revised and expanded (Göttingen, 1997), pp. 91–136, 198–215; Jon Mathieu, “Verwandtschaft als historischer Faktor,” pp. 225–44.

they may have turned out to be useful, they were not necessarily tended to with instrumental intent.

For the Courtaulds, a particular religious milieu provided the context of friendship and desire. Many of their relationships came through membership in Unitarian chapels, and the wide circle of relatives carried on a vigorous correspondence full of religious ideas. In addition, family members pursued similar political goals and were active in the public sphere. Their milieu was radical dissent, and their family was integral to maintaining and constructing the social and cultural ties that defined that environment in which they themselves moved.<sup>41</sup> And so everything overlapped: in this milieu they found their marriage partners, creditors, clients, and business personnel. And marriage strategies themselves played a significant role. During the last decades of the eighteenth century, individuals of the generation prior to the founding of the firm in 1828 made many marriages among a few Unitarian families, with the first ones linking men who had served their apprenticeships together. Then their children intermarried, and those alliances were repeated until later in the century when practices of exogamy once again became the dominant pattern. Brothers, brothers-in-law, cousins, fathers and sons, uncles and nephews cooperated in religion, politics, and business. Sisters, aunts, and female cousins provided capital—and they were actively interested in family politics as well. The women were almost certainly central figures in constructing the alliances that determined the flow of resources, the promotion of individuals, and the coherence of their particular milieu. All of these patterns together make the history of this family a good example of the close articulation of social and familial endogamy.

The new patterns and structures can best be captured perhaps by a series of contrasts. Families in the early modern period were pretty much articulated towards each other by well-defined hierarchies, and the relations between allied families can often best be described as forms of clientage. In the new system, with the ever-expanding recognition of relatives from the same generation, the stress was put on affinal and cousin networks and the give and take of mutual exchange among equals. Historian Christopher Johnson has adopted the term “horizontalization” to characterize how these new networks reconfigured the nature of social bonds.<sup>42</sup> If the central structural element in the earlier system stressed the relative importance of succession, the new one put the accent on alliance. Inheritances of land, guild monopolies, and merchant oligarchies were partially displaced in an expanding industrial and trading economy, agricultural investment, and the mobilization of landed wealth. The practical exigencies for support of kin took a new shape: where in the earlier period private ownership and public office were conflated, now families had to develop new strategies in an era pushing promotion by merit and unmasking secrets in the bourgeois public sphere. In some ways, the center of gravity shifted from the protection of a patrimony to socialization, education,

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<sup>41</sup> Coleman, *Courtaulds*, pp. 203–9.

<sup>42</sup> Johnson, “Das Geschwister Archipel.”

and strategic support for careers. Structures that emphasized descent, inheritance, succession, patriline, agnatic lineage, discipline, and exogamy gave way to alliance, sentiment, interlocking networks of kindred, and social and familial endogamy. And while agnatic lines did not disappear, they were reconfigured to expand the possibilities for developing political, social, cultural, and economic ties.<sup>43</sup>

Kinship ought not to be seen as a dependent variable, something that disappeared with modern states and (later) welfare systems or with the spread of productive and consumer relations of capitalized economies.<sup>44</sup> In fact, during the era of rapidly modernizing Western economies and states at the turn of the nineteenth century, kinship practices acted as innovative responses to newly configured relationships between people and institutions, around the circulation of goods and services, and within newly organized polities. The alliance system under construction in the early nineteenth century was crucial for concentrating and distributing capital; providing strategic support over the life of individuals; structuring dynasties and recognizable patrilineal groupings; maintaining access points, entrances and exits to social milieus through marriage, godparentage, and guardianship; creating cultural and social boundaries by extensive festive, ludic, competitive, and caritative transactions; configuring and reconfiguring possible alliances between subpopulations; developing a training ground for character formation and style; shaping desire and offering practice in code and symbol recognition; training rules and practices into bodies; and integrating networks of similar people.

## Middle-class kinship practices

### The Remy family on the middle Rhine: Industrial entrepreneurs

In this period, the families Remy, Hoffmann, and Freudenberg formed a syndicate in the iron industry around the middle Rhine, a considerable empire, which certainly has not yet been fully totaled up. —  
Brigitte Schröder, 1986

In the current historical literature, the new kinship dynamics are described in most detail for the middle classes. Here I can offer examples from Germany, France, and England; to begin with, the Remy family from Bendorf, near Koblenz in the Rhenish Palatinate, early entrepreneurs and merchants in mining, iron, and steel.<sup>45</sup> While most such families developed a series of alliances with particular families, they also married continuously back into the same surname group; that is, into the broader agnatic lineage. They

<sup>43</sup> Sabeau, "Kinship and Class Dynamics."

<sup>44</sup> This paragraph follows closely the argument in Sabeau, *Kinship in Neckarhausen*, p. 451.

<sup>45</sup> Brigitte Schröder, "Der Weg zur Eisenbahnschiene. Geschichte der Familie Remy und ihre wirtschaftliche und kulturelle Bedeutung," in *Deutsches Familienarchiv. Ein genealogisches Sammelwerk* (Neustadt an der Aisch, 1986), vol. 91, pp. 3–158.

continually celebrated themselves with a lively round of festivities, which supported the development of endogamous desire.

In a recent study of this family, Brigitte Schröder offered five kinship diagrams, depicting ninety-two marriages. Admittedly, the charts do not chronicle all of the marriages contracted by children of the family and cannot demonstrate how alliances with selected families fared over several generations—the total field of allied families is too complex. In other words, it is not possible to estimate the rates of cousin marriages where the surnames are not the same. But what is fascinating is that roughly 20 percent of all the marriages since 1700 depicted in the five *Stammtafeln* linked individuals with the Remy surname. This is a very good example of the strategy of consolidating the agnatic lineage by continuously bringing different branches of the family back into intimate contact. While a strong sense of lineage could work with the systematic cultivation of alliances with other families (and the Remy did that as well), here the endogamous strategies kept reinforcing the internal ties of the group that provided members with their most crucial sense of identity. It is easy to find many other examples of the same phenomenon—the Delius or Siemens families among them—where it is possible also to trace multi-generational alliances with other agnatic lineages.<sup>46</sup> It is important to underline that particular marriages were never isolated but part of a larger package, or perhaps better put, that particular marriages were the means of mediating larger group relations.

Social scientists frequently explain the phenomenon of endogamous marriage, particularly where members of the same lineage marry each other, by the desire to keep property in the family. But this explanation has little relevance for entrepreneurial families such as the Remy, Delius, or Siemens—or, as we shall see, for families of professionals and intellectuals, like the Darwin. They all were part of an expanding economy, searching for the means to coordinate their business activities, mobilize fluid resources, and construct a political and social cultural field in which to feel at home. Indeed, the new alliance system developed step-by-step with the opening up of the economy. It is not a matter of *keeping* but of *grasping*. We often find passages in letters or memoirs where such diverse elements as love, cultivation, style, success, ties with wider kin, domesticity, and business are woven into an intricate mosaic of intense intercourse between whole families. Affective relations have to be seen in the context of a wide range of everyday practices—social, economic, and cultural. Schröder showed how each union among her subject families brought opportunities for trading and investment in its train. Around 1800, the Remy were part of a series of alliances linking three families multiple times, such that they became a powerful economic consortium: “In

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<sup>46</sup> Delius, *Deutsches Geschlechterbuch*, vol. 193. David Warren Sabean, “German International Families in the Nineteenth Century: The Siemens Family as a Thought Experiment,” in *Transregional and Transnational Families in Europe and Beyond: Experiences since the Middle Ages*, ed. Christopher H. Johnson, Simon Teuscher, David Warren Sabean, and Francesca Trivellato (New York and Oxford, 2011), pp. 229–52.

this period, the families Remy, Hoffmann, and Freudenberg formed a syndicate in the iron industry around the middle Rhine, a considerable empire, which certainly has not yet been fully totaled up.<sup>47</sup> They were rapidly building trade networks between Holland and the Rhineland. For this region, the historian Friedrich Zunkel put the roots of the great expansion in the last third of the eighteenth century and provided evidence to show that the systematic use of marriage to create trading networks, to concentrate capital, and to attract able young men from the right families to a firm expanded at the same time.<sup>48</sup>

The examination of many middle-class (aristocratic as well) genealogies like that of the Remy demonstrates different patterns, two of which are continuously encountered.<sup>49</sup> The first pattern involves a set of families making a considerable series of marriages within a decade or so, creating intense interactions, the implications of which can last over a generation and well beyond. The other pattern braids interrelated families together over two, three, and sometimes four generations. Many an autobiography attests to the opening up of connections between families proffered by a union. Socially, culturally, and economically, friendship and marriage provided bonds not just between individuals but between houses, families, lineages, dynasties, circles, and networks. It is hard to avoid the conclusion that the work that went into the new kinship system was related to a new kind of economy. The old system focused on maintaining a patrimony or building it over several generations, while the new acceded to a much more open and flexible way of managing and creating opportunity. This worked for the old nobility as well. For example, the tight inheritance-driven system in the German ecclesiastical territories gave way to the construction of regional elites through marriage alliance and the cultivation of emotional social networks. No longer could noble families monopolize office through hereditary right or openly practice nepotism.<sup>50</sup> With the growth of government to keep pace with the economy, here too was an expanding field of opportunity for advancement. The whole system performed in the fashion of Lévi-Strauss's "generalized exchange." Rather than maintaining a particular right to a particular property or office, families gave up, or were forced to give up, such claims, with the expectation, however, that what they gave in one place, they would receive in another. Politics of this sort involved cultivating intensively narrow and extensively extended groups of kin.

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47 Schröder, "Weg zur Eisenbahnschiene," p. 53.

48 Zunkel, *Rheinisch-Westfälische Unternehmer*, pp. 9–23.

49 The following paragraph is taken from the longer treatment in Sabeau, *Kinship in Neckarhausen*, pp. 468–69.

50 Christophe Duhamelle, "The Making of Stability: Kinship, Church, and Power among the Rhenish Imperial Knighthood, Seventeenth and Eighteenth Centuries," in Sabeau, Teuscher, and Mathieu, *Kinship in Europe*, pp. 125–44. Duhamelle, *L'héritage collectif. La noblesse d'Église rhénane, 17<sup>e</sup>–18<sup>e</sup> siècles* (Paris, 1998). See also Heinz Reif, *Westfälischer Adel 1770–1860. Vom Herrschaftsstand zur regionalen Elite* (Göttingen, 1979).

A great deal can be said about how particular milieus were constructed through patterns of reciprocity among allied kin. At the heart of building a culture, of course, were socialization, education, and apprenticeship. Many of the German educated middle classes sent their sons off to live with relatives and to attend higher schools. Among entrepreneurial and merchant families, placing children with relatives as apprentices and for practical experience was a more frequent option. The Remy family and its allies traded children with various merchant houses for apprenticeship training over many generations during the eighteenth and nineteenth centuries—up and down the Rhine and back and forth between Germany and Holland.<sup>51</sup> Altogether, kin offered strategic support for one another, above all in the development of careers. Later in the nineteenth century, when families began to form formal associations, the primary purpose stated in their articles of association was the education and placing of their youth.<sup>52</sup> Daughters were sent back and forth to learn manners, perform household duties, and to help raise children and care for the ill and aged. In short, already in the late decades of the eighteenth century, the central tasks for allied kin included seeing that their youth got proper educations, that daughters were provided with dowries, and that capable and enterprising young men were backed with capital. The circulation of goods and services was redirected in a new system of exchange.

During the *Sattelzeit*, families engaged in the construction of the new alliance system and developed events for engaged activity and mutual reciprocity, and here again, the Remy family offers a good example. Festivals, birthdays, christenings, anniversaries, funerals, and family days offered opportunities for gathering all the clans together, often for many days or even weeks to celebrate themselves.<sup>53</sup> Frequently, a particular day during the year was designated for everyone to get together—and before the railroad, travel was arduous enough to warrant long-term stays. While many families were dispersed across Germany and even Europe, making large gatherings possible only every four or five years, many others were concentrated regionally. The Remy family worked around that problem by developing an intensive interchange between Frankfurt and Bendorf, about seventy-five miles apart, through visits and a stream of correspondence. During the late eighteenth century, the related families of Remy, Freudenberg, and Hoffmann developed the practice of gathering in Bendorf to play games, hold balls, take boat trips, and commission commemorative paintings, poems, and books. This, of course, brought all the cousins together—they were the first playmates of young children and the chief circle of friends during the period of entering society and courtship.

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51 Schröder, “Weg zur Eisenbahnschiene,” pp. 19–21, 40, 47, 55–67. See also the pioneering article by Jürgen Kocka, “Familie, Unternehmer und Kapitalismus. An Beispielen aus der frühen deutschen Industrialisierung,” *Zeitschrift für Unternehmensgeschichte* 24 (1979): 99–135, here pp. 103–5.

52 Sabean, “Constructing Lineages.”

53 Schröder, “Weg zur Eisenbahnschiene,” pp. 21–22. See the discussion in Sabean, *Kinship in Neckarhausen*, pp. 474–82.

The lively and engaged family life was central for the creation of cultural understanding and practice, and the patterns of social intercourse helped shape the formation of social consciousness. Friedrich Zunkel puts it this way: “Each self-conscious social stratum tended to consider its specific values and modes of behavior as superior and to raise claims for their general validity in the society. . . . In cities and industrial areas, clans formed out of entrepreneurial families of similar rank, which mostly belonged to the same economic branch, which agreed with each other in their social and political opinions, and which operated in the pursuit of their economic interests.”<sup>54</sup>

### **The Galles, Jollivet, and Le Ridant families in Brittany: Business and military middle classes**

Close siblings made for close marriages. — Christopher Johnson, 2015

Christopher Johnson has offered a detailed study of a Breton family during and beyond the period of transition I am trying to get a handle on. Based on a remarkable set of documents—including over one thousand letters—he chronicled the development of a social milieu, centered on the city of Vannes in Brittany, and organized around three families: Galles, Jollivet, Le Ridant.<sup>55</sup> Here cross-cousin marriages consolidated ties among the families, originally founded on publishing houses and later on military careers. “The expanding networks of kin . . . ultimately linked them to most of the city’s elite.”<sup>56</sup> Understanding how such a milieu was constructed involved investigating the political culture, business practices, emotional lives, gendered spaces, careers, sentiments, and pursuits. But Johnson thought beyond “milieu” to “class” itself and insisted on the “continuing relevance of class analysis.”<sup>57</sup> It is impossible, he argued, to understand nineteenth-century class outside of sociability, everyday interpersonal relations, and kinship—itsself increasingly based on consanguineal marriages.

The social and political rise of these three families depended on their kin connections. By the 1830s they had consolidated their leadership in political and administrative offices and in cultural and civil affairs. Their practices of intermarriage and their construction of a particular political culture—moderate, straddling the middle of the political spectrum—have to be seen as complementary activities. Johnson stressed that siblings had come to the center of the kinship system. During the period from the end

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<sup>54</sup> Zunkel, *Rheinisch-Westfälische Unternehmer*, p. 82.

<sup>55</sup> Christopher H. Johnson, *Becoming Bourgeois: Love, Kinship, and Power in Provincial France, 1670–1880* (Ithaca and London, 2015).

<sup>56</sup> Johnson, *Becoming Bourgeois*, p. 1.

<sup>57</sup> Johnson, *Becoming Bourgeois*, p. 5.

of the Ancien Régime to the July Monarchy, the dynamics of familial interaction came to rely less on age hierarchies, the authority of older generations, and the maintenance of a patrimony, and more on horizontal relations, radiating from siblings outwards to cousins, more distant kin, and friends. This is a key point for rethinking both the connection between households and families more narrowly defined and the wider interactions of kin throughout Europe: siblings lay at the heart of the new system. Johnson wanted “to show how internal family love, often with incestuous undertones, underpins the new consanguineous kinship system and is a central factor in the life of the nineteenth-century bourgeoisie.”<sup>58</sup> The tenor of familial relations entered a new “register” during the empire, and here, as in many families throughout Europe during the period, relations were marked by a whole new level of correspondence. “Sibling love flowed everywhere; marriages were ‘arranged’, one might say, by siblings for siblings; in other words, cousin marriage became rampant and only increased in the next generation.”<sup>59</sup>

As I have documented elsewhere for Neckarhausen, Johnson found a key element in the new kinship system to be a shift away from marriages with unrelated and often economically unequal partners. The new system could be construed as “horizontal” in several ways. Siblings, cousins, uncles, aunts, brothers- and sisters-in-law facilitated courtship and watched over the suitability of partner choices. And the new linkages made for “horizontally extensive” ties, radiating outwards, rather than ties built on vertical lineages and agnatic succession. At the heart of this analysis lies the brother-sister dyad. After all, cousins are the offspring of siblings. But the new sentimental attachments of siblings provided the ground for latching onto cousins as marriage prospects. “Close siblings made for close marriages.”<sup>60</sup> It seems to me that Johnson has made a crucial contribution to the understanding of endogamous marriage. He has insisted that one cannot get around love: the form of attachments and the tenor of emotions, together with the spaces wherein they are nourished and cultivated, have to be brought to the center of the analysis. “In the fertile soil of sibling emotions . . . the new family and kinship regime of the nineteenth century took root.”<sup>61</sup>

Siblings, yes. But cousins were often raised together to be like siblings. Johnson documented with meticulous detail (what one often finds with less dense documentation) just how intimate relations of cousins could be from childhood through to courtship. There are enough examples to give the lie to current evolutionary biological surmises about the reluctance of young people brought up together to think of each other as sexual partners. The steamy correspondence of newlywed cousins suggests

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58 Johnson, *Becoming Bourgeois*, p. 18.

59 Johnson, *Becoming Bourgeois*, p. 19.

60 Johnson, *Becoming Bourgeois*, p. 23.

61 Johnson, *Becoming Bourgeois*, p. 24.



more complex cultural forces were always at play. One woman, reflecting in 1817 on the impending marriage of her brother with their cousin (and foster-sister), wrote: “The affection you have one for the other with Adèle cannot be extinguished, as often happens in *mariages d’inclination* [love matches], since it does not go back only a few years, but all your lives. Accustomed from your childhood to your *chérie* as a sister and she loving you as a brother, you have contracted an affection that will die only with life itself.”<sup>62</sup>

Johnson has put paid to the idea that class analysis has lost its punch. The families he has chronicled created constantly overlapping spheres in cultural life, the world of letters, kinship, business, and civic responsibilities. In all of this, he has emphasized the practices of weaving the multiple strands of common recognition. Borrowing a concept from Pierre Bourdieu, he has offered a detailed account of the making of a bourgeois *habitus*, a set of dispositions suitable for coordinating intellectual and social life and for cultivating alliances among the similarly disposed.<sup>63</sup> He has shown step-by-step how the kin-connections of his three families “swelled as their leading members fully integrated into the social and political life of the new era and eagerly grasped the professional and economic opportunities it offered.”<sup>64</sup> The key thing to see is that the interconnection of locality, milieu, and opportunity provides the foundation for casting ties across much wider spaces of region and nation to construct recognizable class associations. “Opportunity” is fundamental for understanding the reconfiguration of both kinship and class dynamics.

It may have been adults who created the ever-renewed alliances, but the sentiments that welded them in later life were forged in childhood associations. Long vacations together, piled into summer homes, provided the first moments of intimacy, with fifteen to twenty children filling their days with games, sport, rambling, and eating together. “One cannot overemphasize the importance of the rural idyll as a factor in . . . bourgeois consciousness”; it was a “private and love-bound haven for family, kin, and personal friends.”<sup>65</sup> At the heart of the companionship and familiar intercourse was what Johnson called the “sibling archipelago,” a core clustering together in mutual support: “Through this sibling archipelago we can view the construction of a different kind of kinship system in which marriage is less a means of forming exogamous connections for mutual advantage than a mode of horizontal, often consanguineous consolidation of a way of life already achieved. . . . In this system, love and lifelong devotion between siblings, is increasingly taken for granted, cousins are prized and often wed.”<sup>66</sup>

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<sup>62</sup> Johnson, *Becoming Bourgeois*, p. 24.

<sup>63</sup> Johnson, *Becoming Bourgeois*, p. 7.

<sup>64</sup> Johnson, *Becoming Bourgeois*, p. 121. See also Johnson, “Into the World: Kinship and Nation-Building in France, 1750–1885,” in Johnson, Sabeian, Teuscher, and Trivellato, *Transregional and Transnational Families*, pp. 201–28.

<sup>65</sup> Johnson, *Becoming Bourgeois*, p. 133.

<sup>66</sup> Johnson, *Becoming Bourgeois*, p. 134.

There is a great deal of family correspondence around the marriage of the cousins Eugène Galles and Adèle, who had grown up in the “*vie intime* of the sibling archipelago.”<sup>67</sup> These two had been raised together—indeed because of family deaths had been thrown together in the same household. They had spent many hours with each other as children and later as teenagers, and family members remarked that they “completed each other in perfect harmony.”<sup>68</sup> They were like brother and sister—“and in this age, brother-sister love was only with great effort of will removed from the realm of sex.”<sup>69</sup> Interestingly enough, the first openings to courtship came from Eugène’s sisters, one of whom, contemplating her own exogamous marriage, showed much greater interest in coupling her brother to their cousin. The courtship between the two cousins, carried on through correspondence, invoked three siblings and the cousin, and most of the letters of the future wife were penned by her together with one of the groom’s sisters. “The overlapping lines of emotional connection revealed here [in the letters] speak to the heart of the new sibling-based familial universe of the age.”<sup>70</sup> But the central feature of the new marital regime was cousin marriage, cultivated in the warmth of sibling love. “It was an embedded love, a participatory love, where family swirled about the lovers, indeed where family often *were* the lovers.”<sup>71</sup> One nagging question is prompted by current debates in evolutionary biology that suggest that childhood association puts a damper on marital desire. At least the couple followed so lovingly by Johnson found powerful physical attraction for each other that lasted through their marriage.<sup>72</sup> For them, the sibling trope signaled sexual desire: Eugène signed his first letter after their union as “your brother and husband.”

While specific, this example was not at all unique. As Johnson remarked, within the bourgeoisie, “a culture of endogamy was emerging.”<sup>73</sup> Still he denied that the word “strategy” could properly describe what was going on. Certainly there were economic and political consequences to such marriages, and one could not understand bourgeois class consolidation without taking them into account, but perhaps it was going too far to think of the alliances as more or less reflecting class *interest*. “The cultural sources of the eighteenth- and nineteenth- century beliefs in which romantic love, itself rooted in incestuous desire, comes to animate family and kinship patterns of behavior have

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67 Johnson, *Becoming Bourgeois*, p. 144.

68 Johnson, *Becoming Bourgeois*, p. 145.

69 Johnson, *Becoming Bourgeois*, p. 146.

70 Johnson, *Becoming Bourgeois*, p. 151.

71 Johnson, *Becoming bourgeois*, p. 152.

72 During the courtship of the two cousins, Eugène addressed Adèle alternatively as “ma chérie,” “ma bonne amie,” “ma bonne femme,” “ma chère cousine,” “ma très chère soeur.” Johnson, *Becoming Bourgeois*, p. 153.

73 Johnson, *Becoming Bourgeois*, p. 156.

their own autonomy beyond the claims of socio-economic forces.”<sup>74</sup> Here Johnson put his finger on a crucial issue for understanding the reconfiguration of kinship and the development of class dynamics. But to tie this to the upper middle classes as such, will not do, for similar dynamics can be discerned among aristocratic classes, petit bourgeois, land-holding peasants, and farmers during the same period. And furthermore, the links between cultures of sentiment and new economic and political regimes are too easily seen as “parallel” rather than as different aspects of the same phenomenon. Interest and emotion are not opposing categories but inextricably implicated in each other.<sup>75</sup> The political and social integration promoted by a *habitus* instilled in childhood association might not have been foreseen or even intended by anyone. Insisting on the autonomy of emotional life might resolve the question of how particular dispositions came about, but it does not ultimately resolve the question of why.

### The Darwin family: Consolidation of intellectual life in England

The lady is my cousin, Miss Emma Wedgwood, the sister of Hensleigh Wedgwood [Darwin’s special friend at Cambridge], and of the elder brother who married my sister, so we are connected by manifold ties, besides on my part by the most sincere love and hearty gratitude for her accepting such a one as myself. — Charles Darwin, 1838<sup>76</sup>

The anthropologist *cum* historian Adam Kuper offered an English example of the new kinship system. Drawing on a detailed study of the Darwins, he showed that professionals of all kinds—often from families of businessmen—intermarried, developed continuous reciprocities, and “came to recognize that they were the same kind of people.”<sup>77</sup> He remarked that marriages of cousins began to appear among aristocrats in the eighteenth century, but did not take note of the increase in their numbers throughout the century.<sup>78</sup> He did point out the sharp rise that occurred in the nineteenth century.

74 Johnson, *Becoming Bourgeois*, p. 161.

75 Hans Medick and David Warren Sabean, “Family and Kinship: Material Interest and Emotion,” *Peasant Studies* 8 (1979): 139–60. A reworked version in Italian, “Note preliminari su famiglia e parentela: interessi materiali ed emozioni,” was printed in *Quaderni Storici* 45 (1980): 1087–1115, and the article also appeared in a revised version as “Interest and Emotion in Family and Kinship Studies: A Critique of Social History and Anthropology,” in *Interest and Emotion. Essays on the Study of Family and Kinship*, ed. Hans Medick and David Warren Sabean (Cambridge, 1984), pp. 9–27; There is a simultaneous German edition: *Emotionen und materielle Interessen: sozialanthropologische und historische Beiträge zur Familienforschung* (Göttingen, 1984).

76 Charles Darwin, announcing his engagement, quoted in Kuper, *Incest and Influence*, p. 4.

77 Kuper, *Incest and Influence*, p. 8.

78 As I noted in section I, while English law formulated during the Reformation did not explicitly forbid cousin marriages, it was not until the late seventeenth century that the ecclesiastical establishment, the lawyers, and the population began to get over their prejudices against such marriages.

I do not follow his surmise that this had to do with some kind of embourgeoisement of the aristocratic class. What seems to be the case throughout Europe is a parallel shift in practice among all propertied, intellectual, and professional classes. Different classes might have led the way in particular regions and milieus, but there is no evidence that the cultural practices of one class came to be copied by others. Indeed, while Kuper surmised that the influence went the other way around, that the aristocracy was following bourgeois practices, he explicitly denied that the bourgeoisie married cousins in imitation of the aristocracy. “They were impelled by their own characteristic interests, informed by a distinctive pattern of family sentiment, governed by their own standards of decorum and morality.”<sup>79</sup>

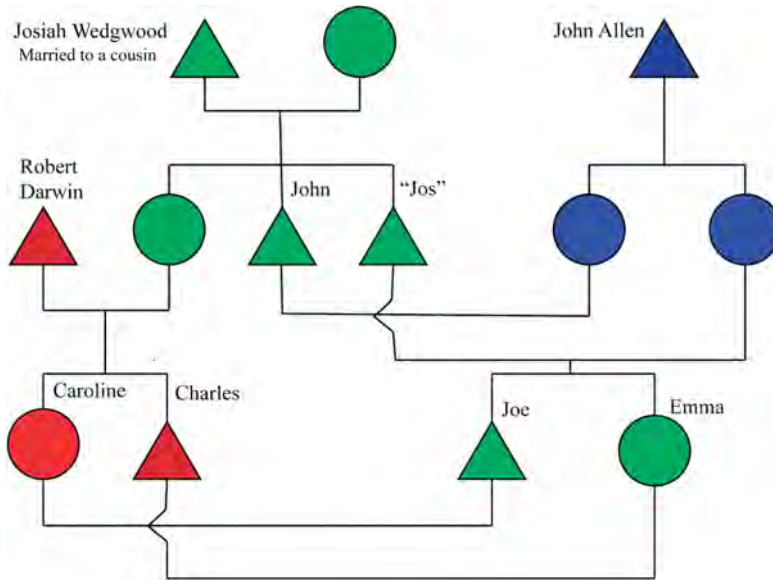
Crucial for arranging marriages in Europe during the Sattelzeit were sisters and aunts, the ones who knit together the well-integrated networks of kin. Families were keen to support marriages that continued the intimacy between allied families. They allowed cousins to frequent together and guarded against outsiders. Cousins often therefore might easily fall in love. Kuper found the same dynamic in England that others have found in Germany and France: several families intermarrying with each other, forming what Kuper called “clans” and reinforcing their ties over several generations. He gathered together a set of “bourgeois clans” and found that over ten percent of their marriages brought together first and second cousins.<sup>80</sup> As I pointed out earlier for German materials, it was quite possible for lines and lineages to intermarry repeatedly without the couples being actual blood relatives of each other, and there were other options for strengthening ties. In the case of the Darwins, for example, not only did Charles marry his first cousin, but his sister married that first cousin’s brother.<sup>81</sup> So there were many ways for interlocking families to reinforce alliances. It was in the intimacy of social intercourse that people fell in love with each other.

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<sup>79</sup> Kuper, *Incest and Influence*, p. 24.

<sup>80</sup> Kuper, *Incest and Influence*, pp. 18, 24, 27.

<sup>81</sup> Kuper, *Incest and Influence*, pp. 3, 17–18.



**Fig. 8:** Genealogy of the Wedgwoods, Darwins, and Allens.

This diagram demonstrates a typical familial alliance in nineteenth-century England and would have been familiar to anyone in France, Germany, or the United States. Josiah Wedgwood made his fortune with his pottery works at Etruria, the Staffordshire, England district he so renamed. Once he had accumulated enough wealth, he was able to marry his cousin in 1764. She brought a substantial dowry to the marriage. Josiah engaged his brother and nephew and leased one of his pottery works to a cousin, who in turn married Josiah's niece. Two of his sons, John and Jos, married two sisters, daughters of John Allen, a country gentleman. Josiah's daughter, Susannah, married the son (Robert) of his friend Erasmus Darwin, doctor, natural philosopher, and poet. The two men exchanged literary works and other gifts, and the families visited each other often. The two brothers-in-law, Robert and Jos, were

very close—Robert was Jos's financial advisor and lent him considerable sums—and they encouraged the two cousins Joe and Caroline to marry (1837). Two years later Charles and his cousin married. Four of the six of Jos's children who married, married cousins. One of them, Henry, married Jessie Wedgwood, Jos's niece twice over. Many of these matches were arranged by women of the family against the wishes of the fathers. Jos Wedgwood's daughter married a clergyman, who after her death married one of Charles's sisters: his two wives were sisters-in-law to each other and first cousins. And the alliances went on in the next generation.

See Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009), pp. 126–29. Drawing by DWS.

Kuper noted that this marriage pattern lasted for one hundred fifty years and that, just as in France and Germany, it broke up with the First World War. I would suggest that it might better be seen, not as a stable pattern but rather as one that with each generation, created greater complexity and thus posed more problems to solve—for example how to maintain intimacy with an expanding circle of kin. The rise of exogamy on the eve of World War I is itself a complex issue to analyze and understand.

I have argued elsewhere that the new alliance system constructed in the decades around 1800 was closely tied up with economic and political changes.<sup>82</sup> Cousin marriages offered the possibility for integrating families who were negotiating political and bureaucratic careers, supporting business starts and entrepreneurial imaginations, and building cultural capital. As elsewhere, the success of families in England—so Kuper argued—was closely related to their “preference for marriages within the family circle.”<sup>83</sup> For a series of nineteenth-century genealogies, he documented the systemic pattern of exchanges from generation to generation. And he nicely characterized how the system worked: “Uncles, aunts, cousins, and brothers- and sisters-in-law often settled within visiting distance of one another. They congregated for Sunday lunches or teas, holidayed together, attended the same churches. The extended family was the main arena in which women were active, while the men shared interests in business enterprises or in intellectual or religious or political projects that might be yet more absorbing. This emotionally charged family circle was regularly reinforced by the marriage of cousins or in-laws. And the most successful clans persisted for generations, producing many of the leading politicians and bureaucrats, the titans of finance and industry, the scientists and engineers, and the great writers of Victorian England.”<sup>84</sup> The same could be written for France, Germany, or the United States.

## Reconfiguring the “house”

The question about new spatial-social boundaries during the “Sattelzeit” pertains concretely to the forms of access to areas of the house. In this respect, there was no simple break between the open, socially heterogeneous household of the Early Modern period and the closed, privatized family of the modern. Rather, from an analysis of routines and rituals, new forms of social openness and public relevance come into view. The period between roughly the middle of the eighteenth and middle of the nineteenth century can be understood as its own era and specific type of “open house.” — Joachim Eibach, 2015<sup>85</sup>

It was not just the alliance system that was reconfigured around 1800, but also the household and intimacy itself. While the philological work for all the European languages has yet to be done, indications from German and French suggest a broadening of the concepts of “house” and “household,” on the one hand, and the introduction and proliferation of “family” during the decades around 1800.<sup>86</sup> After the mid-nineteenth

82 Sabeian, *Kinship in Neckarhausen*, ch. 22, “Kinship and Class Formation,” pp. 449–89.

83 Kuper, *Incest and Influence*, p. 27.

84 Kuper, *Incest and Influence*, p. 134.

85 Joachim Eibach, “Das Haus in der Moderne,” in *Das Haus in der Geschichte Europas: Ein Handbuch*, ed. Joachim Eibach and Inken Schmidt-Voges (Berlin and Boston, 2015), pp. 19–37, here p. 31.

86 One must not be misled by uses of this or that term into thinking that over time, people were talking about the same thing. Many terms have multiple and even conflicting meanings. A good example is offered by the 1576 original French edition of Bodin’s *Six Livres de la République*. Bodin used three words

century, social commentators such as Frédéric Le Play and Wilhelm Riehl reached back beyond the period of rapid social and cultural changes to revive classical, paternalistic understandings of the house, with accents on discipline and the devolution of property. This culturally conservative reaction to urbanization, pauperization, mobility, capitalized agriculture, industrialization, and the literature of sentimentality tried to reconceptualize the living unit, which had become increasingly characterized by openness—more porous and less bounded. Le Play and Riehl feared that the lines of authority and power had shifted, perhaps in the favor of the wife/mother but probably more significantly from vertical to horizontal forms.<sup>87</sup> I will take a look at some of the forces refashioning the internal ordering of the house and the articulation of its members with the outside world. Here, I note simply that the growing use of the word “family” suggests new standards of intimacy, an emphasis on the psychological interplay of particular household members characterized by the closest sentimental ties.

Some decades ago, Claude Karnoouh pointed out that in France during the course of the eighteenth century, the word “family” came to replace “house” in middle-class discourses. In part the change reflected the proliferation of a literature serving an emerging bourgeois public.<sup>88</sup> The middle classes needed a word less oriented towards the description of dynastic groupings or purposeful aristocratic matrimonial alliances and more fitting for their own domestic interactions. Only in the nineteenth century did the word become generalized to characterize domestic residence altogether. German research from the 1970s suggested that the “house” was a neologism of the sixteenth century and best understood as an ideological/scientific/practical construct of the early modern period. As Dieter Schwab, after a careful survey of the literature, pointed out, there was no “prescientific” word in the Middle Ages to distinguish a particular family

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to talk about families: *ménage*, *famille*, and *maison*. His opening line is about a republic composed of *ménages*—that is, properly of “households.” And he defined a family as including all those in a household under the authority of a father and went on to argue that the members of this ménage did not even have to live in the same *maison*, here meaning building. A 1955 English translation of the opening line translated *ménages* as “families.” The 1592 German edition translated *ménages* as *Häuser* (i.e., “houses”). Bodin himself oversaw a translation of the *Six Books* into Latin and used *familia* to translate *ménage*. This is enough to suggest that “family” in English and *famille* in French most often referred to the house or household until well into the eighteenth century. Locke for example referred to the “master of a family” with all his “subordinate relations of wife, children, servants, and slaves, united under the domestic rule of a family.” The Germans adopted the word *Familie* from the French *famille* in the eighteenth century, but there seems to have been no continuity with or direct derivation from the Latin *familia*. See Jon Mathieu, “Domestic Terminologies: House, Household, Family,” in *The Routledge History of the Domestic Sphere in Europe 16th to 19th Century*, ed. Joachim Eibach and Margareth Lanzinger (London, 2020).

<sup>87</sup> Wilhelm Riehl, *Die Familie*, vol. 3 of *Die Naturgeschichte des Volks als Grundlage einer deutschen Social-Politik*, 3rd ed. (Augsburg, 1855), pp. 118, 207–8. M. Frédéric Le Play, *L'organisation de la famille selon le vrai modèle signalé par l'histoire de toutes les races et de tous les temps* (Paris, 1871), pp. 6–7, 28–29.

<sup>88</sup> Claude Karnoouh, “Penser ‘maison’, penser ‘famille’: résidence domestique et parenté dans les sociétés rurales de l’est de la France,” *Etudes rurales* 75 (1979): 35–75.

at all.<sup>89</sup> Terms like “house” and “domus” were used exclusively to designate the buildings belonging to a particular holding, a spatial area, not the people in it. It was only in the sixteenth century, in the works of philosophers and theologians digging around in ancient classical literature that these terms came to connote the domestic group as a unit. In the Middle Ages, the word *familia* might include the household slaves or dependent serfs on an estate, but it would not include the manorial head, his spouse, children, or relatives.

Concepts designating the simple family living together in one dwelling came from the scholarly world, both from philosophy, which offered a theory of the house as a part of the doctrine of the state, and from theology, which was searching for a locus of practical morality.<sup>90</sup> In each case, the starting point was a translation of *pater familias*, an attempt to grasp a new unity bound together by paternal discipline. Moralists and ecclesiastics described the various elements of marriage, parenthood, consumption, and economy as welded together into a unity under the domination of the lord of the house (*Hausherr*), while sermons and religious literature disseminated the idea to wider groups within the population. Historians and anthropologists have latched onto the concept of the house, although for the most part they tried to write its history from normative texts.<sup>91</sup> Until recently, the “household” has been a weak analytical tool for discovering historical change, since it obscured most of the interesting changes in relationships among family members—for example, far-reaching and important shifts in the sexual division of labor—and tended to connote a closed, more-or-less autarchic unit.<sup>92</sup> The task here is to explore some of the recent literature on household and family during the Sattelzeit, on the social dynamics behind the sentimentalization of relationships, the stress on sensibility and intimacy, the nurturing of feelings and emotions, and the redrawing of lines of attachment. This will show that relatives in this era were understood to be constructed in the warmth of intimate contact and not just by flows of blood.

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89 Dieter Schwab, “Familie,” in *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, ed. Otto Brunner, Werner Conze, and Reinhart Kosellek, 8 vols. (Stuttgart, 1975), vol. 2, pp. 253–301, here 255–58.

90 The materials here were developed at greater length in David Warren Sabean, *Property, Production, and Family in Neckarhausen, 1700–1870* (Cambridge, 1990), pp. 88–101.

91 The most influential postwar statement was by Otto Brunner, in the chapter “Das ‘ganze Haus’ und alteuropäische ‘Ökonomik,’” of his *Neue Wege der Verfassungs- und Sozialgeschichte*, 2nd ed. (Göttingen, 1968), pp. 103–27.

92 Jane Guyer criticized the limitations of household for capturing important changes in contemporary Africa—the relationships between older and younger men, between men and women, and among different domestic groups “where wealth or control of resources vary widely,” in Jane I. Guyer, “Household and Community in African Studies,” *African Studies Review* 24 (1981): 87–137, here p. 91. See also David Warren Sabean, “The History of the Family in Africa and Europe: Some Comparative Perspectives,” *Journal of African History* 24 (1983): 163–71.



The new kinship dynamics of the Sattelzeit took shape most crucially from within domestic settings. The historians Joachim Eibach and Inken Schmidt-Voges have undertaken the task of rethinking the history of the house during the early modern period through to the middle of the nineteenth century and beyond, and while their work has frequently centered on Germany, they have incorporated materials from England and France to offer a broad, comparative review of the contours of households over the period under consideration here.<sup>93</sup> I want to draw attention here to two aspects of their synthesis. First, the older view of the early modern closed, autarchic house simply does not do justice to the openness evident in those sources that offer insight into the practices of everyday life. And secondly, it no longer suffices to see the house and family during the period 1750–1850 as simply a transition to something called the “modern.”

Historians have at least partly abandoned static, normative, and institutional presumptions about families and households in favor of heterogeneity, process, and variation.<sup>94</sup> Eibach challenged the idea that the late eighteenth-century revolutionary era witnessed a transformation from an open early modern household, oriented towards both work and family life, constantly in flux and well-articulated with its neighbors, to something like a homogeneous house, arena of intimate, emotional relations, with a clear division between the public and private where work no longer intruded—the private sphere a place of female activity with the male breadwinner off pursuing an occupation.<sup>95</sup> Ever since Habermas’s highly influential work on the “bourgeois public sphere,” historians have been trying to chronicle the shifting relationship between the “public” and the “private.” They have frequently “outsourced” onto the public sphere features that were supposed to have characterized private households—work, education, healthcare—which in effect has reduced the private sphere to a place of small-bore intimacy, non-work relaxation, and population reproduction—in short, the “bourgeois family.” But what needs to be taken into account is the intensification of activities in the domestic sphere that historians are increasingly observing precisely for the period when the “modern” reconfiguration was supposed to be taking place: the complexity of residents in households, the domestic sphere as a hub of political alliance and cultural activity, the flourishing of correspondence networks, and the elaboration of exchanges in the context of the reorganization of kinship alliances and intensification of kinship reciprocities. As Eibach has underscored, along with the dismantling of a society of orders, certain innovations in kinship proliferated, based on endogamous marriages, family alliances, political networking, class formation, and cousin marriages, while socialization, education, and health care continued to be centered mostly in the house. In the aftermath of a generation of research, Eibach and Schmidt-Voges’s *Handbuch* has come back to an original insight of Habermas; namely, that the public sphere of the

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93 Joachim Eibach and Inken Schmidt-Voges, eds., *Das Haus in der Geschichte Europas: Ein Handbuch* (Berlin and Boston, 2015).

94 See David Warren Sabean, “Geleitwort,” in Eibach and Schmidt-Voges, *Handbuch*, pp. xiv–xvi.

95 Eibach, “Das Haus in der Moderne,” pp. 19–37.

nineteenth century began in the house. It was the house that produced and sustained milieus, classes, neighborhoods, and networks and accomplished the work of socialization necessary for action in politics, government, education, business, and cultural production.

If the public sphere began in the house, then what about the women of the house? The old "story" found no place for chronicling and evaluating their crucial work in constructing and maintaining networks, managing complex households, sustaining the rich and detailed culture of visiting, elaborating new practices of interior, material comfort, advising family members in political and commercial activities, providing ever-greater services in the education and socialization of children, offering continuously more complicated health care, and (very important) developing a style suitable for the milieu in which a particular family participated. The new story writes them back into this history.

What is specific to the *Sattelzeit*? Certainly there was a trend towards spatial differentiation within the houses among many different classes in Europe, with rooms devoted to specialized purposes, the nursery, the children's rooms, and spaces allowing for sociality of varying types.<sup>96</sup> Most work has been done on the reordering of the bourgeois house, but even in villages, "private" space for adolescent and adult daughters was afforded for the visits of young men.<sup>97</sup> Or the front room of the rural house might offer space for regular attendance at prayer meetings or gatherings of the Pietist faithful to interpret Scripture. The rituals that opened up space for all kinds of gatherings simply increased for all classes during the *Sattelzeit*. There was a much greater need to develop social distinctions through ritualized performances. The house and family were crucial for asserting status, and the style performed in particular houses became ever-more important. There may well have been a new cultivation of the individual, but it went hand in hand with a configuration of interiors oriented to expressing values to outside visitors. House routines were socially constituted. Indeed, if there was an aspect that particularly characterized this period it was the articulation of sociality, what the Germans call *Geselligkeit*.<sup>98</sup>

To evaluate changes in the location of social activities during this period, the older idea that employment and occupation were largely removed from the house needs to be greatly modified. Traders and professionals for the most part carried on their activities at home. Apprenticeships, education, and training still were very much part of domestic arrangements. In some situations, the service personnel were pushed to the periphery of the house, but it is a great exaggeration to see them as not fully present in the day-to-

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96 The Eibach and Schmidt-Voges *Handbuch* contains seven articles on house and space for Germany, England, France, Italy, Sweden, the Netherlands, and Bohemia, together with an introduction by Eibach (pp. 41–46).

97 See David Warren Sabean, "Unehelichkeit: Ein Aspekt sozialer Reproduktion kleinbäuerlicher Produzenten: Zu einer Analyse dörflicher Quellen um 1800," in *Klassen und Kultur: Sozialanthropologische Perspektiven in der Geschichtsschreibung*, ed. Robert Berdahl et al. (Frankfurt, 1982), pp. 54–76.

98 Especially interesting is the discussion in Eibach, "Haus in der Moderne," pp. 30–33.

day activities of the house. And diaries, memoirs, and correspondence fully document the presence also of relatives, friends, guests, and neighbors in middle- and upper-class urban, small town, and rural houses well into the middle of the nineteenth century. During the middle third of the nineteenth century, the period of “masculine domesticity,” men were supposed to spend their free time at home. While the house did come to incorporate many more activities than were to be found in the early modern period, there was no essential break, according to Eibach, between the open, socially heterogeneous household of the premodern era and a closed, privatized family of the modern. It may have been the case that access to a house during the *Sattelzeit* was more selective than before, but it certainly was not so formalized and regulated as later. Many sources show how non-private the bourgeois domestic sphere really was—well into nineteenth century. Eibach pointed to the rich life of visiting and to the testimony in letters and diaries to a familiar intercourse with renters, servants, and lodgers. In short, it is not very useful to see the house as a closed container; it was more like a hub of social connections of all kinds. Given how much entertainment went on in so many households of the period, it might be easiest to think of their sociality as a kind of “competitive sport.”

## Houses during the *Sattelzeit*

### A South German Jewish entrepreneurial family

Brother and sister embody a dynastic pair. — Nacim Ghanbari, 2011

Here I shall explore the varieties of household experience during the *Sattelzeit* through three recent publications, the first being a fascinating study of the house by Nacim Ghanbari. In her analysis of a portrait of the Kaulla family, Ghanbari has provided an instructive example of familial performance around the turn of the century.<sup>99</sup> She noted that traditionally, it has been thought that the figures in the painting (1797) are Chaile (Karoline) Raphael Kaulla, Jakob Raphael Kaulla, and little Salomon Jakob, depicted in a stylized “Holy Family” portrait.<sup>100</sup> Father, mother, and son sit together. As was characteristic of family representation of the time, the parents are connected through the child—each of them touches the son. The man has his arm around the woman, while she touches the shoulder of the boy, and all three join hands at the central focal point. Here is the most intimate and touching representation of the “nuclear” family possible. But a surprise comes in with the idea that the two adults, as traditionally identified, are brother and sister, father and aunt/grandmother to the boy, and that together they constitute a “house.”<sup>101</sup> More recently, it has been maintained that they are not the brother

<sup>99</sup> Nacim Ghanbari, *Das Haus: Eine deutsche Literaturgeschichte, 1850–1926* (Berlin and Boston, 2011).

<sup>100</sup> Ghanbari, *Haus*, p. 6.

<sup>101</sup> Ghanbari, *Haus*, p. 7.

and sister, but rather the brother and his wife, the daughter of the sister. Still the century-and-a-half-long belief by the Kaulla family that the adults were the brother and sister raises important questions.



**Fig. 9:** The Holy Family.

This picture by the Württemberg court painter, Johann Baptist Seele, has provided observers with material for radically different interpretations. It represents Jakob Raphael Kaulla (1750–1810) and his son, but who is the woman? His wife or his sister? Family tradition had it that she was the sister, Madame Karoline Raphael Kaulla (1739–1809), but modern art historians believe she was his wife, Michele, Karoline's daughter (1761–1822), his niece. Indeed, as a second name, Michele had been given "Raphael" from her uncle (later husband), instead of the traditional name of her father. The confusion stems from the fact that Madame Kaulla founded an important trading and banking house, bringing in her eleven-years younger brother as her partner. Together they founded the "house" of Kaulla: brother and sister, a dynastic pair "incorporated." The surname "Kaulla" was a play on her first name and was adopted as the family name by her husband, her brothers, and all their heirs. Her husband's surname, Auerbach, disappeared. The

brother and sister were so closely associated that it was easily assumed that they were the subjects of the portrait, together with his son, her nephew/grandson. To the brother, she was both sister and mother-in-law. They lived together in Stuttgart, and she arranged the marriage to her daughter to bind the brother more closely than ever. Even if brother and sister were not the couple in this portrait, Seele did paint them around 1800 in a classic husband and wife pendant pairing, he turned to the right and she to the left, toward each other. Madame Kaulla designed an impressive monument in the Hechingen graveyard where she, her brother, her husband, and her daughter were buried. Her larger stone, with the inscription "in wisdom and counsel, she was more important than a man," stood in the middle, flanked by smaller stelae of brother and husband. Michele was shunted completely to the margins of the plot.

Image from Heinrich Schnee, "Madame Kaulla: Deutschlands bedeutendste Hoffaktorin und ihre Familie 1739–1809," in Max Miller and Robert Umland, eds., *Lebensbilder aus Schwaben und Franken*, vol. 9 (Stuttgart, 1963), pp. 85–104. Scan courtesy of University of California Southern Regional Library Facility. Nacim Ghanbari, *Das Haus: Eine deutsche Literaturgeschichte, 1850–1926* (Berlin and Boston, 2011), pp. 6–8. Rotraud Ries, "An Weisheit und Rat war sie bedeutender als ein Mann"—Madame Kaulla (1739–1809) und die Formen der Memoria für eine ungewöhnliche Frau," *Laupheimer Gespräche 2004* (Stuttgart, 2009), pp. 111–34. Rotraud Ries, "Unter Königen erwarb sie sich einen grossen Namen": Karriere und Nachruhm der Unternehmerin Madame Kaulla (1739–1809)," in *Aschkenas: Zeitschrift für Geschichte und Kultur der Juden* 17, no. 2 (2007): 405–31. Hermann Mildenerberger, *Der Maler Johann Baptist Seele* (Tübingen, 1984), p. 263.

Karoline and her brother Jacob shared the common name "Raphael," which they both inherited from their father, a naming practice that Jakob repeated in giving his own name to his son: Salomon Jakob. Furthermore, the surname Kaulla was an invention, constructed through phonetic manipulation of the sister's name: Chaile. Thus, the sister

transferred her name to the brother and then to all descendants. The relationship drew even closer when Jakob Raphael married Karoline's daughter, his niece. So, Karoline also was his mother-in-law and his son Salomon's maternal grandmother and aunt. Ghanbari pointed out that the two siblings were also business partners and that Karoline ("Madame Kaulla") had named her daughter Michle Jakob, after her brother. Normally the second name would have come from the father, but in this instance, it came from the uncle and future spouse. The two siblings embodied, Ghanbari pointed out, a dynastic pair, the dynasty they founded being double-headed. They lived together in the same house and shared the chief office of the firm. On his gravestone, Jakob Raphael Kaulla was memorialized as *one* head of the family. His son, the boy at the center of the picture, was at once the nephew of his father's sister and her grandson.<sup>102</sup>

Ghanbari drew the conclusion from this example that the "house" is an institution capable of considerable innovation. She argued that the network of kin could be operationalized in many different ways to ensure continuity and, when necessary, to outflank inheritance rules. There is an openness and flexibility to the structuring of occupation, domestic arrangements, emotional attachment, marriage, adoption, succession, and the configuration of kin ties in the record of this Jewish entrepreneurial family. The Kaulla family story poses a methodological challenge—how to describe overarching changes in a way that can account for regional and class differences, milieus, dependencies, contrasting structural features, styles of performance, the mobilization of resources, demographic variations, and power constellations. It exemplifies the rewards that have come to historical understanding from conceptualizing the "house" as a dynamic and diverse institution. In this case, the Kaullas themselves quite consciously adopted the concept of "house" to designate their foundation of a dynasty, but they were also open to the notion of "family," with all its connotations of intimacy and emotion. The historiographic practice of contrasting traditional, materially-grounded familial dynamics with those of the so-called modern family, characterized by warmth and emotion, does not help to understand a configuration of the type embodied by the Kaullas. Interest and emotion there were fully coordinated with each other, quite evidently aspects of the same thing.<sup>103</sup> And, to comment once again, the most intimate bonds grew out of the original attachment of brother and sister.

### The family of a Hamburg jurist

The generation of those who looked back to their childhood during the first half of the nineteenth century regularly emphasized in their memoirs that a steady stream of visitors surged through the houses of their parents. — Frank Hatje, 2015

<sup>102</sup> Ghanbari, *Haus*, pp. 7–8.

<sup>103</sup> See Medick and Sabean, "Interest and Emotion."

The second example I want to explore comes from Frank Hatje, who chronicled the German house-as-theater through to the mid-nineteenth century.<sup>104</sup> Older historians projected back into that period the idea of the home as a private refuge, with sociality already displaced to the public sphere. Hatje has co-edited ten volumes of the diary of Hamburg jurist Ferdinand Beneke, with more to come. His analyses of the diary have provided one of the most detailed studies of the day-to-day life of a professional at the turn of the century.<sup>105</sup> In Beneke's house, apprentices were still part of the family, and work was not separated from the goings-on in the family: clients, customers, and neighbors were to be found in both working and living spaces. Whatever models might exist for intimacy of the period, the withdrawal of the German family to its own spaces for important hours during the day was seldom a reality. The not-so-very-wealthy lawyer Beneke housed his mother and sister and for some time his brother as well. His wife was supported in child care by her sister-in-law and two or three servants. At any midday meal, there were likely to be clients, friends, relatives, even neighbors at the table, but not just any neighbors. Beneke considered "neighbors" to be people who lived close by *and* who were admitted to the house; in other words, those who displayed a certain kind of bourgeois style.<sup>106</sup>

It is quite usual in the literature to suggest that servants were relegated more and more to the peripheral areas of the house and to think of them as quickly replaceable and their employment as unsteady. Germans, at least, tried to build long-term relationships with servants and to integrate them into the family.<sup>107</sup> They relied upon their loyalty for buttressing the reputation of a family or house, a matter of considerable cultural and social importance. After all, servants often came from nearby areas and had considerable social power of their own in retailing their knowledge of a family's "secrets." In the case of the Benekes, the employer offered medical care and paid attention to matters of marriage and relations to parents and siblings of household members. They concerned themselves with the education of their servants and kept in contact with them if and when they left.

Hatje pointed to the many ways that houses were open to individuals well outside the nuclear family. Even renters shared essential space with the landlord. Early in his career, Beneke had taken rooms in another house where he often ate together with the landlord and his family.<sup>108</sup> His own area was part of the sociality of the house, and

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**104** Frank Hatje, "Die private Öffentlichkeit des Hauses im deutschen und englischen Bürgertum des 18. und 19. Jahrhunderts," in Eibach and Schmidt-Voges, *Handbuch*, pp. 503–23.

**105** Ferdinand Beneke, *Die Tagebücher*, ed. Juliane Bremer, Jan-Christian Cordes, Frank Eisermann, Frank Hatje, Angela Schwarz, Ariane Smith, Birgit Steinke, and Anna-Kristin Voggenreiter: 1. *Abteilung (1792–1801)*, 5 vols. (Göttingen, 2012); 2. *Abteilung (1802–1810)*, Göttingen, 2019); 3. *Abteilung (1811–1816)*, 7 vols. (Göttingen, 2016). The Hatje cited here comes from the volume covering the years 1802–1810, while it was in preparation for publication.

**106** Hatje, "Private Öffentlichkeit," pp. 506–9.

**107** Hatje, "Private Öffentlichkeit," pp. 509–10.

**108** Hatje, "Private Öffentlichkeit," pp. 511–13.

guests could spend time in what we might treat as private space. Beneke considered the servants of the house as his own servants. And it is hard to see from entries in his diary how any parts of the house were closed off. As soon as he moved into a newly developed bourgeois suburb, he began to make the rounds to his neighbors, extending his network to their kin. And his own house was open to a stream of “guests”: in the first three months of 1799, for example, Beneke noted about one thousand contacts with over three hundred persons.<sup>109</sup> During one five-month period, he had a widow living with him, whose correspondence with her family and friends reported on all the goings-on in the house. We know from many other instances that such letters were often read aloud by the recipients to their family and friends.<sup>110</sup>

Already in 1793, the social commentator Knigge noted that it was the custom of the times to meet people frequently in large groups.<sup>111</sup> And after the mid-nineteenth century, those who wrote memoirs often recalled the streams of visitors they had experienced during their childhoods. Sociality was a matter of informal visits, balls, soirées, and dinners. Individuals might visit one of the new reading societies that were becoming an essential part of bourgeois culture.<sup>112</sup> Or families and friends might meet weekly for coffee and conversation. Whatever the activity, all of this channeling of social energy was centered in houses. There, individuals made essential business and social contacts, and families arranged marriages. There, social styles were produced and reinforced. And there, in house *Geselligkeit*, women were the center or middle point, as coordinators of the activity and often as participants in discussions of political, social, cultural, and religious topics. Hatje referred to an eleven-day visit of the Voss family to a wealthy, Hamburg bourgeois family.<sup>113</sup> Only once did the two families eat together without company. For the rest of the time, they dined with groups of fifty people, stretched between two or three rooms, or sometimes, more modestly, with a mere twenty to thirty. In this example, the visit of a well-known writer was the occasion for working out networks that would stretch well beyond the confines of Hamburg itself. The associations of Enlightenment formed through visiting and correspondence and the vivid culture of clubs and societies of the Vormärz all were built in large part on foundations in houses.<sup>114</sup>

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<sup>109</sup> Hatje, “Private Öffentlichkeit,” p. 514.

<sup>110</sup> Hatje, “Private Öffentlichkeit,” p. 515.

<sup>111</sup> Hatje, “Private Öffentlichkeit,” p. 513, quoting Knigge.

<sup>112</sup> On sociality in Germany during the years around 1800 through the Vormärz, see Hatje, “Private Öffentlichkeit,” pp. 513–18. He compared the German bourgeoisie with the English “gentility” and their “unsocial sociality,” pp. 518–21.

<sup>113</sup> Hatje, “Private Öffentlichkeit,” pp. 514–15.

<sup>114</sup> See the conclusion to the article, Hatje, “Private Öffentlichkeit,” pp. 521–23.

## A professional family from Bordeaux

In a very real sense, Marie and Marianne filled the functional, as well as the emotional, role of wives to their brothers. — Christine Adams, 2000

The third example comes from Christine Adams, who studied the provincial French bourgeois Lamothe family of Bordeaux, during the last three decades of the eighteenth century.<sup>115</sup> This was a family of educated elites, with the males practicing law, medicine, and theology. From the union of the patriarch, Daniel, with Marie de Sérézac, there were seven surviving children, with three sons studying law, one becoming a priest, and another a medical doctor. Only one son, Delphin, married, and he did so only after the death of his two sisters, who had acted as “surrogate wives” to their unmarried brothers, both functionally and emotionally.<sup>116</sup> One of the sisters, Marie, once spoke of Delphin as a *fidel époux*—underlining the quasi-marital status of the relationship.<sup>117</sup> Indeed the intimate tie to his two sisters became Delphin’s model for his marriage, which occurred only when he was already forty-seven-years-old. With marriage, the point was to develop a close, loving relationship with his wife along the model provided already by his sisters. And the new wife established close relationships with her brothers-in-law, all in the same house.<sup>118</sup>

Adams argued that relations within this family of co-resident siblings, even when the father and mother were alive, were less based on hierarchy than on affection. But still there was a special intensity of sibling bonds. The two eldest sons were designated by the father as co-heirs, with the provision that they were to care for their siblings. All of them remained in the family house, although one of them, for a time (up to the 1789 revolution), followed a legal career in Paris. There was no idea here of promoting just one of the sons to establish a lineage. Each of the male siblings cultivated his individual calling and kept his own accounts, while at the same time contributing to the economy of the house community. It is important to see here that cooperation and life together under one roof and care for the individual careers of each of the brothers, allowed for the individual flourishing of each of them. All the family resources went into the education of the brothers, but each was treated equally, and the sisters themselves received an education equal to the brothers up to the point of professional training. What mattered was family discipline and close ties to each other. The three brothers and wife who lived together invested their funds by mutual consent, but each member carefully

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115 Christine Adams, *Taste for Comfort and Status: Bourgeois Family in Eighteenth-Century France* (University Park, PA, 2000).

116 Adams, *Taste for Comfort*, pp. 7–20, 28, 44–45.

117 Adams, *Taste for Comfort*, p. 27.

118 Adams, *Taste for Comfort*, pp. 28, 44–45



calculated his or her own contribution to the family funds. Although each kept legal title to his own property, all of them worked together for the whole.<sup>119</sup>

Despite the fact that the most essential loyalties of the Lamoths were to the “nuclear family”—and they seldom used *famille* to designate anyone beyond the immediate family—they cultivated close ties with what Adams called a “vast network of relatives” and friends over an extensive area. The close kin made up a “self-conscious group” with a collective identity, grounded in professional, geographic, and social links. They exchanged goods and services and founded networks of patronage and clientage among themselves. The mutual ties, important for professional success, also provided the foundation for cultural recognition. The exchange of names linked a circle of cousins and generations. Whenever a marriage was proposed, aunts, uncles, and cousins participated in the decision-making deliberations. And like the German bourgeoisie, family members and kin developed in this generation a practice of traveling, visiting far-flung cousins, establishing open houses, often staying with relatives for many weeks at a time. In many ways, the culture of traveling, helped to cement vigorous ties with kin by providing care for the ill, offering lodging for the education of their youth, and exchanging daughters for care and socialization. Cousins could offer the services of a bank, and the wide circle of intimate ties could be operationalized for news and professional contacts.<sup>120</sup>

## Conclusion

Despite extensive fusion with the bourgeoisie, noble families knew how to maintain their own identity through effective monopolizing of and frequent marriages among kin. — Rüdiger von Treskow, 1991<sup>121</sup>

One of the significant problems for historical analysis of the family and kinship is the multiplicity of forms, strategies, and experiences actually encountered in the sources. It may well be that there were dominant values or hegemonic norms to be found in sermons, novels, school curricula, and court litigation, which guided people in making claims on each other, in adjusting their behaviors or judging the failings. But the history of practices cannot be written from normative sources. It will not do to speak of the changes we have been chronicling as narrowly focused on *the* bourgeois family, although many of the sources we have encountered did originate from a heterogeneous

<sup>119</sup> Adams, *Taste for Comfort*, pp. 72–85.

<sup>120</sup> Adams, *Taste for Comfort*, pp. 87–94.

<sup>121</sup> Rüdiger von Treskow, “Adel in Preußen: Anpassung und Kontinuität einer Familie 1800–1918,” *Geschichte und Gesellschaft* 17 (1991): 344–69, here p. 357.

set of business, religious, professional, and literary families.<sup>122</sup> Those who speak of a “bourgeois political economy” should not draw the conclusion that there was in fact a normative bourgeois family or that they know how it worked. To begin with there is a great deal of research to be done to understand the economic and cultural factors that underpin family and kinship practices, and to see that there are elements of domestic interaction and kinship construction to be found throughout a social system not confined to this or that class.<sup>123</sup> It is often argued that there is a particular way for bourgeois families to be (Oedipal, nuclear, sentimental). And historians get into a tangle when they find aspects of what they consider to be inherently bourgeois practice in other classes. Trying to untie the tangle or quiet their amazement by speaking of “embourgeoisement” resolves nothing. What I want to argue is that family and kinship generate class, but also that all classes use similar forms to construct their own social practices and to differentiate themselves from other socio-economic groups. Rural folk might not have read novels or found in *belles lettres* a mirror to capture their images, but they heard sermons from pastors who did, read devotional literature to engage their emotions, and took part in discussions of cleanliness, order, respectability, and love, which helped to knit together the sinews of class. And when middle-class families began to love their cousins, and peasants to love their cousins too, it was not a matter of social practice trickling down. Most of the treatment of family and kinship is focused on one country or cultural area and deals with one class at a time, with explanations for social change and depictions of particular milieus suffering from viewing matters from a too limited horizon.<sup>124</sup>

I have made the point earlier that there are few surveys of kinship practices for nineteenth-century Europe and that historians must bring together a rather disparate set of sources to begin to understand the range of practices experienced within different families, milieus, and classes. As they build up a series of dossiers, the danger to be avoided is essentialism, the practice of seeing a feature as inherent to a particular class no matter when or where that feature is encountered. Many of the examples I have used in this chapter about the deployment of certain mechanisms of kinship construction have their basis in middle-class sources. But I have also shown that the same findings could hold for peasant families busy building their own networks and working out new religious and political cultures. Rüdiger von Treskow’s trenchant analysis of

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122 “Families are filled with gaps and transected by breaks that are not familial.” Quotation from Gilles Deleuze and Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia*, trans. Robert Hurley, Mark Seem, and Helen R. Lane (London and New York, 2004), p. 107; cited in Timothy Laurie and Hannah Stark, “Reconsidering Kinship: Beyond the Nuclear Family with Deleuze and Guattari,” *Cultural Studies Review* 18 (2012): 19–39, here p. 21.

123 Laurie and Stark, “Reconsidering Kinship,” p. 20.

124 Kuper, *Incest and Influence*, and McKinnon, “Kinship,” both offer observations about class that they consider to be specific to the milieus they treat and offer explanations for local situations that are too limited and would have to be modified if they took into consideration a range of comparative materials.

the marriage politics of the aristocratic von Treskow family from the early nineteenth century onwards has demonstrated the construction of a particular milieu through the same kinship resources we have been following in this chapter.<sup>125</sup> Daughters of the family were expected to develop the same virtues and kinship skills: “The education of a girl [from the von Treskow family], which in Prussia up to 1908 was open neither to higher schooling nor to the university, was aimed at developing household virtues and the readiness to take over the expected familial roles.”<sup>126</sup> The family was part of a systemic alliance system with other particular families that issued into many cousin marriages. Von Treskow’s account was one of the few to look closely at long-term marriage strategies that were carefully calibrated to maintain a “clan”; its style, its values, its political position, and its wealth, suspended, so to speak, between two other classes, the high nobility and the wealthy, Protestant, Prussian, merchant bourgeoisie. Utilizing the mechanism of dowry, his subjects deployed policies of hypergamy to construct repeated alliances with particular families: they “received” wealthy daughters from the merchant (often Huguenot) elites and provided daughters to the high nobility. They cultivated relationships in a regionally limited circle of noble estate owners and created their own identity through frequent marriages of near kin.<sup>127</sup> The highly mobile petit bourgeois Pfannkuchen family offered a contrasting example.<sup>128</sup> Here was a set of families of small shopkeepers, distributed from Vienna to Göttingen to Berlin, who utilized the mechanisms of cousin marriage at least over three generations to maintain a set of intimate alliances. At the center of the network were women knitting the whole thing together through correspondence and households opening themselves to family visitors. Similar strategies, similar mechanisms, similar forms, resulting in the construction of quite different milieus, political values, and class identities. The new patterns of kinship construction that arose during the Sattelzeit were widely distributed, but the central point is that open households and integrated kinship alliances could be the matrix for different class practices. What we have to avoid is the assumption that these were systems that hummed along without breakdowns, misdirections, or accidents. Inside the many new patterns that emerged during the period, desires were developed, some of which led to fulfilling familial expectations and cementing the network of multiple reciprocities, and others, clearly not “foreseen,” arising despite the structure. Perhaps it is useful to think of the family as “a network of personal, financial, and political investments in which multiple, often contradictory desires are produced.”<sup>129</sup>

As I shall show in the next chapters, the social imaginary of incestuous desires during the Sattelzeit was closely linked to the new dynamics of households and kinship networks. Bourgeois culture, certainly, but reconfigured aristocratic and small-town,

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125 Von Treskow, “Adel in Preußen,” here pp. 358, 367–68.

126 Von Treskow, “Adel in Preußen,” p. 358.

127 Von Treskow, “Adel in Preußen,” pp. 354–55.

128 Friederike Fricke, ed., *Aus dem Leben unserer Mutter. Familienbriefe für die Familie* (Göttingen, 1929).

129 Laurie and Stark, “Reconsidering Kinship,” p. 33.

petit bourgeois cultures as well, even village culture, all turned towards endogamous ties, which became the main instrument for integrating milieus and for creating the essential recognition that made classes possible, reproduced structures, and provided the groundwork for political alliance. It is, as I have documented in this chapter, impossible to think of the new intimacy without taking into account a familial theater reconfigured by intense, emotional performances of siblings, joined by a troop of cousins.

In this new universe of sentimental attachment, emotion was not decoupled from material considerations. Marriage integrated families, structured careers, and founded houses, which in turn offered stages for the proliferation of new social ties. Businesses of the period relied upon reiterated alliances among families, and political culture, civic activity, and the cultivation of religious activities all grew out of networks rooted in the sociality of households. Cousins were the first playmates. They grew to love each other and they found themselves attracted to each other as marriage partners. The intense *Geselligkeit*, the practices of visiting, the controlled openness of houses to friends, relatives, and neighbors provided the spaces for recursive links, the foundation for self-conscious clans, the cross-fertilization necessary for the evolution of class and political culture. In so many ways, siblings were at the heart of the system. They provided the models for emotional attachment and desire. They arranged marriages, encouraged affairs, and wove together the networks of familial alliance. As Johnson put it, “close siblings make for close marriages.” And the sibling trope of the period can scarcely be cleansed of physical intimacy, sensual attachment, and sexual desire. Sibling sentiment sometimes integrated and other times disrupted. But above all it shaped the social imaginary through processes that involved toying with the transgressive, or worrying the boundaries of the permissible, or finding ways to represent the precise valence of sentimental attachments distinguishing sisters, from wives, from lovers.

## Chapter 2

# Introduction to the Brother/Sister Imaginary

The love of a brother and his sister is at once the strongest and purest of all attachments. — Christoph Martin Wieland, *Geschichte des Agathon*, 1794

I can not lose you, so long as I live, if only you live, oh you lusty one, rejoice, rejoice, you will see my sister, my life. — Clemens Brentano to Achim von Arnim, 1802

For thee, my own sweet sister, in thy heart / I know myself secure, as thou in mine; / We were and are—I am, even as thou art— / Beings who ne'er each other can resign; / It is the same, together or apart, / From life's commencement to its slow decline / We are entwined—let death come slow or fast / The tie which bound the first endures the last! — George Gordon Lord Byron, “Epistle to Augusta,” undated<sup>1</sup>

I have been loved, too much loved. The angel who surrounded me with her mysterious tenderness closed forever the sources of my existence. All love is a horror for me—nothing else can approach the model of woman before me. . . . An unknown poison mixes with all my sentiments. . . . The all powerful Lord calls to me in my solitude—René, René what have you done with your sister. Am I then Cain? — François-René de Chateaubriand, *Les Natchez*, 1825–26

Last evening Felix composed, and his eyes were beautiful. There is something peculiar to his eyes: in no other person's eyes have I perceived a soul so directly. You must love him without end, and between the three of us everything must be perfectly proper and harmonious and true—then in this world I will have no unhappy moments. — Fanny Mendelssohn to her fiancé, Wilhelm Hensel, 1829

His very blood seemed to flow through all his arteries with unwonted subtleness, when he thought that the same tide flowed through the mystic veins of Isabel. — Herman Melville, *Pierre; or, The Ambiguities*, 1852

I have shown that, with the reorganization of the patterns of kinship reciprocity, the reconfigurations in household arrangements, and the socially integrative force of familial sentiment, the “sibling archipelago” offered a source for the construction of political and cultural networks, the expression of desire, the consolidation of milieus, the staging of emotion, the practices of social gathering, and the ritualization of familiarity.<sup>2</sup> The physical and emotional closeness of siblings during the revolutionary epoch has prompted the music historian Angela Mace Christian to coin the word “siberotic,” to avoid the scandalous implications of “incest” and to make the point that the “edgy” tone in sibling correspondence did not mean that siblings were actually experimenting

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<sup>1</sup> Byron, “Epistle to Augusta,” in George Gordon Lord Byron, *Complete Poetical Works*, rev. ed. John Jump (Oxford, 1970 [1904]), pp. 90–91, here p. 91. This poem was written in 1816. The edition is cited hereafter as Byron, *Poetical Works*.

<sup>2</sup> The term “sibling archipelago” is Christopher Johnson's, from his monograph, *Becoming Bourgeois: Love, Kinship, and Power in Provincial France, 1670–1880* (Ithaca and London, 2015). I discussed the term in chapter 1 of section II.

together with sexuality.<sup>3</sup> Nonetheless, historians have tiptoed around the phenomenon with descriptions such as “steamy” or “hothouse” or “adhesive” to characterize the highly erotic—or passionately intimate—language brothers and sisters used to express their feelings towards each other. What needs to be underlined, as Christopher Johnson has admirably shown, is that the patterns of consanguineal affection had cultural and political implications, for the “public” during this era began in the house, the reconfigured house, on that stage where status, morality, and respectability were performed, boundaries patrolled, and styles elaborated. Perhaps the most suitable image for the culture is one of overlapping spheres, all oriented towards recognizing and cultivating the same kind of people, with the eroticism of sibling attachment the dynamic center of the whole.<sup>4</sup>

Two novels bookend this period: Fürchtegott Gellert’s *Das Leben der Schwedischen Gräfin von G\*\*\** (1747–1748) and Herman Melville’s *Pierre; or, The Ambiguities* (1852). The first deals with a wedded pair finding they are brother and sister, while the second worries the erotic, magical attraction of a newly discovered sister. There were many “real” sibling couples who exchanged letters of intense emotion during the Sattelzeit. Certainly the style was new, and later observers have often chalked it up simply to an overwrought manner of expression and underplayed the physical closeness of the period. But the theme of sibling love resonating in these epistolary exchanges also found its way into what can be called the “cultural imaginary.” There was a great deal of attention in literature given to sorting out sibling feelings and distinguishing the kind of love and desire suitable for wives from that suitable for sisters. It does seem that the obsession of the Sattelzeit for circling around the theme of incest was prompted by new relationships in houses where the literary themes of incest were eagerly consumed. How to think about desire and how to manage it in the new alliance system were central topics on the agenda. In this chapter, I will explore a few examples of intense brother and sister relationship, along with several takes on incestuous feelings in novels and poetry. I will not in each instance set author against work but rather will

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3 Angela Mace Christian, in an unpublished paper delivered to the German Studies Association Annual Meeting in Kansas City, September 2014, entitled “Fathers, Brothers, Husbands, and Music: Family Dynamics, Sibling Relations, and the Question of Incest in the Letters of Fanny Mendelssohn Hensel,” p. 9. See also Mace Christian, “Sibling Love and the Daemonic: Contradictions in the Relationship between Felix and Fanny Mendelssohn,” in *Rethinking Mendelssohn*, ed. Benedict Taylor (Oxford, 2020), pp. 140–57.

4 Stefani Engelstein, *Sibling Action: The Genealogical Structure of Modernity* (New York, 2017), p. 35: “The compass of the sibling in nineteenth-century European culture can hardly be overstated. Siblinghood, in the forms of both fraternity and sorority, was intricately bound up with the political. Siblinghood also stood at the center of understandings of kinship in the long nineteenth-century, encapsulating the significance of blood-relatedness, structuring marriage choices, and yet unsettling the boundaries of group identity. Collectives such as race and nation, and the epistemological structures that supported them, emerged from the interplay of political theory and kinship. The formation of modern subjectivity itself cannot be understood without working through the figure of the sibling.”

explore connections and the field of lives and cultural production, giving more or less weight to letters, formal writing, and memoirs, as appropriate. Although this procedure by no means exhausts the theme, it does allow me to highlight the centrality of sibling intimacy and to suggest some of its structural features.

## A novelist negotiates the sister/wife/lover boundaries

The simple memories which remained of her gave him a far greater pleasure than the feelings that any other beauty was capable of arousing in him. — Christoph Martin Wieland, *Geschichte des Agathon*, 1794

Many novels, plays, and epic poems of the period under consideration worked through two fundamental *topoi*. The first, the device of a marriage or sexual desire between siblings ignorant of their relationship, presented the attraction as arising from their sameness, as in a narcissistic reflection or sympathy of blood. The moral/emotional issue, then, was how to plot the sentiments of these siblings after they discovered their kinship. The second, the motif of reflection as an element of character building, touched on the emotional, moral, and intellectual formation of the self within the dynamics of the family, but family structured less by vertical relationships than by horizontal ones: the sister as a mirror in which the brother comes to know himself.<sup>5</sup> The 1766 philosophical novel *Agathon*, by the German author Christoph Martin Wieland (1733–1813), worked both of these themes and offered a good introduction to the brother/ sister imaginary of the period in a narrative loaded with dense discussions of Plato, moral sentiment, political theory, and court society.<sup>6</sup> In this story, set in ancient Greece, the first love of the hero Agathon initiated intense feelings accompanied by interminable caresses: he and Psyche came to find themselves essential parts of each other. Destiny separated them before they could consummate their relationship, and later on in the story they learned that they were actually brother and sister. Agathon's other great love was Danae, a woman trained in the arts of sensual seduction. She had been given the task at court to seduce Agathon, but her developing interest in Agathon as an "ideal" lover and her own desire to go beyond carnal pleasure caused her to become ambivalent about her duty. Although she and Agathon eventually consummated their relationship, both of them were more interested in pursuing an *ideal*, which seemed to entail a

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5 There may well be passages where a sister speaks of her self formed in the looking glass of her brother, but they are less frequent and tend to be less self-absorbed. The examples I will examine here work with the tropes of a brother finding his reflection in the sister or of the sister as his echo. Many a brother was willing to say that his sister developed her character because of him. Male writers often projected their own desires onto their sisters.

6 Christoph Martin Wieland, *Geschichte des Agathon*, vol. 1 of *Sämmtliche Werke*, ed. Hamburger Stiftung zur Förderung von Wissenschaft und Kultur, 14 vols. (Hamburg, 1984). The Leipzig 1794 edition, of which this is a reprint, offered *Geschichte des Agathon* in 3 *Teile* (parts).

sublimation of sexual desire and a mutual construction of self beyond—but in the first instance through—physical expression. In the end, Danae became Psyche's intimate companion, and with sex only a memory, another sister to Agathon. In a sense then, that love which reflected back upon an essential self (the ideal) was rooted in sibling attachment, born in physical desire but subjected progressively to rational control, a necessary sublimation of an inevitable erotic attraction.

The story of Agathon's encounter with Psyche provided the author with a chance to work over the theme of desire and restraint. Agathon discovered Psyche after she had been abducted—by pirates, a favorite mechanism of the period to drive narrative along—and washed up in Delphi where he was raised: “their souls recognized each other immediately and seemed at one glance to flow into one another.”<sup>7</sup> In this example of the brother-sister story, the two young people developed their aesthetic capacities and moral virtue in an intense exchange with each other, even though they were unaware of the true nature of their relationship. The very fact that they were siblings determined the similarity of their dispositions and characters, and the argument of the novel made clear that no one could substitute for either of them. The development of selfhood, personality, identity was intimately bound up with the implicit and direct understanding that came from sharing the same blood; or, put another way, the same physical features and souls: “Even though we could not always suppress the seductiveness of this adopted language of blood, we did find all the more pleasure in the ideas of a natural siblingship of souls.”<sup>8</sup> And yet, the erotic dimension was undeniable. The early stirrings of sexuality were experienced by the brother and sister together, and only chance prevented the fulfillment of their desire for one another: their feelings were clearly incestuous, but the root of the incest lay in the drive to complete the self in a narcissistic coupling: “The use of speech ends,” Agathon declared, “when souls directly share, gaze at, and touch each other, and feel in one moment more than the tongues of the muses could express even in a whole year.”<sup>9</sup> Psyche told Agathon that she considered herself to be completely a part of his being. And what did he find in her? Nothing less than the “eternal” and “infinite”; and also, his moral sense and his virtue (*Tugend*), developed in the hours spent in her arms.<sup>10</sup> It seems to me that the only way to understand this is that the arousal—here of two scantily clad, post-puberty adolescents spending hours doing what we can only call “petting”—was precisely the point.

But how could arousal possibly be linked to moral sense and virtue? Indications of an answer lie embedded in other parts of Wieland's narrative. After the siblings were parted, Agathon found himself in the home of a sophist philosopher where young women were running around in diaphanous garb. The possibilities of sexual encounter clearly aroused him. Here Wieland set up the contrast between the sister and women

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7 Wieland, *Agathon*, pt. 1, p. 37.

8 Wieland, *Agathon*, pt. 2, pp. 55–56.

9 Wieland, *Agathon*, pt. 1, p. 38.

10 Wieland, *Agathon*, pt. 1, pp. 41, 57, 310.



of purely erotic attraction.<sup>11</sup> Agathon readily admitted his desire but countered it with his sense of morality, precisely that aspect of his character that had developed in the intimacy of sibling association. The image of his early encounter with Psyche, with the two barely clothed young people continuously lying-in-embrace, alluded to a discipline born from a never-consummated-but-persistent arousal and established the idea that self-restraint, that essential building block of character, depended on the experience of the kind of erotic stimulation that occurred within the family. I do not think that “repression” would be quite the right word to describe the mechanism here. But clearly, self-restraint could not make sense except in a field of temptation: virtue arose from a determination to limit oneself.<sup>12</sup> I can only conclude that Wieland modeled the development of the integral self as a process of sublimation: there could be no self-discipline without an initial desire. It was a position shared by some theologians of the era, as I shall show. All love was sensual, but moral love was marked by restraint.

The twinned point reiterated throughout *Agathon* was that the entire model of future possibility grew out of the relationship of brother to sister and that the moral character of a man was created in relationship to his sister: “I have thought,” Agathon said, “knowing so much about our souls, that with each of them, in their considerable development over time, I conceive progressively a specific ideal beauty, which unconsciously determines our taste and our moral judgment and which provides the general model by which our imagination projects those pictures that we call great, beautiful, and splendid.”<sup>13</sup> Trying to capture the way beginnings rooted in sibling affection determined the outcome of character, Agathon dismissed various other paths to self-development: “that spiritual beauty of the soul and this noble direction of its operation according to the intent of the lawgiver of our being, I believed to find most certainly in the observation of nature, which I thought of as a mirror, from which the most essential, incorruptible, and divine is reflected back to our spirit.”<sup>14</sup> Neither this nor the pursuit of friends or the counsel of priests had offered him the possibility of self-directed moral development. Nature not only provided the occasion for contemplating beauty, but also, “with the tender [*gefühlvoll*] Psyche, it [nature] touched the most sensitive strings of her heart. The conversation, into which we fell without noticing it, revealed an agreement in our taste and in our dispositions, which quite quickly brought about just as intimate a sympathy in our souls as if we had known each other for many years. It was as if everything that she said I read in direct contemplation of her soul and in return, what I said, was a pure echo of her own feelings or were the development of those ideas that lay in her soul as embryos.”<sup>15</sup> In the short time these siblings spent together, their inti-

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<sup>11</sup> Wieland, *Agathon*, pt. 1, pp. 103, 210.

<sup>12</sup> Wieland, *Agathon*, pt. 2, pp. 52–56.

<sup>13</sup> Wieland, *Agathon*, pt. 2, p. 7.

<sup>14</sup> Wieland, *Agathon*, pt. 2, p. 24.

<sup>15</sup> Wieland, *Agathon*, pt. 2, p. 51. For the latest exploration of the Antigone theme, see Engelstein, *Sibling Action*, pp. 37–56.

mate “conversation” gave birth to their aesthetics, goals, moral principles, identities, and character.

Being together of course pushed the siblings in the direction of sexual union: here and in the discourse of the period the sibling relationship was grasped as erotic, and the ethical had a deep association with the physical. A Freud observing the constellation of bourgeois families in this epoch would have understood the sexual dynamic to inhere not in mother and son but in brother and sister.<sup>16</sup> A son did not leave the mother in search of her replacement, but left the sister to find her double: “. . . the love of a brother and his sister is at once the strongest and purest of all attachments,” declared Agathon.<sup>17</sup> Playing with the idea of the intensity of the brother-sister relation, Wieland had Agathon say that even before he and Psyche knew they were siblings, they talked a lot about the sibblingship of their souls.<sup>18</sup> Wieland’s choice of terms to describe their relationship—sympathy, harmony, kinship, love, bond—were precisely those developed in Enlightenment moral philosophy to portray the house and family as the location for nurturing social feeling and developing a sense of self.<sup>19</sup>

In *Agathon*, a great deal of the story circled around the difference between ideal and erotic love and pitted the (pre-social) experience with Psyche against the out-in-the-world negotiation of new desires. Agathon’s relationship with Danae evolved in a kind of dialectic between his imagined picture of what she was or could be and his encounter with her reality. All along Psyche retained the first place in his heart, as the model of what he sought. He simply rejected the idea of replacing her, “because the simple memories which remained of her gave him a far greater pleasure than the feelings that any other beauty could arouse in him.”<sup>20</sup> Even as Agathon was becoming attached to the erotically charged Danae, Psyche continued to leave her imprint on his emotional and aesthetic life, and he attempted to base his new love on the experience of the first: “Indeed he loved her [Danae] with such an unselfish, so spiritual, so desire-free love, that his boldest wish went no further than to be with her in that sympathetic union of souls that Psyche had given him to experience.”<sup>21</sup> In this state, Psyche came to him in a dream. “It appeared, he thought, that their love had been that of a brother and sister, a love of souls, and not that which is normally called love. The picture he had of Psyche was inseparable from virtue, and he realized that for a long time he had confused the two whenever he thought of her.”<sup>22</sup> In other words, he had reworked the memory to edit out traces of physical desire.

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<sup>16</sup> Judith Butler, *Antigone’s Claim: Kinship between Life and Death* (New York, 2000), pp. 57–60, 65–67, 69–71, raises the question, earlier posed by George Steiner.

<sup>17</sup> Wieland, *Agathon*, pt. 2, p. 55.

<sup>18</sup> Wieland, *Agathon*, pt. 2, p. 56; vol. 3, p. 194.

<sup>19</sup> Wieland, *Agathon*, pt. 1, p. 210. For further discussion, see my next chapter in this section.

<sup>20</sup> Wieland, *Agathon*, pt. 1, p. 210.

<sup>21</sup> Wieland, *Agathon*, pt. 1, pp. 237–38.

<sup>22</sup> Wieland, *Agathon*, pt. 1, p. 309.

At the end of the story, all the relationships were reconfigured to reflect the final stages of sublimated desire. Agathon ended up in the household of an old friend from Athens who had married Psyche, who now revealed to her brother that she and he were actually siblings. Rewriting the history of their relationship as it had been developed earlier in the novel, Agathon then mused: “This love had always been more of that kind which nature establishes between siblings of harmonious temperaments, than that compared to common passion, which is founded on the magic of another instinct. Theirs had always remained free from the feverish symptoms of this last kind. They had found a special pleasure imagining that at least their souls were intimately connected [*verschwistert*—connected as brother and sister], since they had not had enough grounds (as much as they had wished it) to ascribe to a sympathy of blood the innocent pleasure that they felt for one another.”<sup>23</sup>

Just as Agathon had searched for fulfillment in a new Psyche, so now she found his double in one of his friends—“a second Agathon.”<sup>24</sup> Meanwhile Danae popped up again bearing a new name, Charikleia, which reflected her newfound character and dedication to Psyche’s kind of virtue.<sup>25</sup> Now sister and former lover, Psyche and Danae, developed the deep friendship of siblings for one another, and Agathon and Danae found their love for each other, “healed by virtue,” born again.<sup>26</sup> Danae spent her time helping to raise Psyche’s children, who came to think that they had two mothers—the two women called each other “sister.”<sup>27</sup> Worried that his physical desire for Danae would overwhelm him (she was now sister to his sister, after all), Agathon left town for a while, then returned to bathe in a love feast of friendship. “What their friends found so perfect [*Vollkommen*] was the observation that Agathon made no distinction between Psyche and Charikleia and seemed to have completely forgotten that the latter once had been Danae and what she had meant to him.”<sup>28</sup> Having lost all sexual desire for Danae, Agathon finally found in her a true sister—a resolution that suggested that pure moral attachment could only be a sibling one. In a later poem, “First Love,” Wieland had Agathon address Psyche: “O Magic of first love! / Now that my life / Turns toward evening, / Still you bless me.”<sup>29</sup>

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23 Wieland, *Agathon*, pt. 3, p. 199.

24 Wieland, *Agathon*, pt. 3, p. 210.

25 Charikleia was the name of the heroine in the third-century Greek novel *Aethiopia*, by Heliodorus of Emesa. The novel was discovered and translated into various Western European languages in the sixteenth century and had significant influence on novel form for the next two centuries, including on *Agathon*. The use of “Charikleia” by Wieland here was not so much a reference to the Greek novel as a way of denoting Danae’s change of character. The name combines two ideas: elegance and grace, and glory or reputation.

26 Wieland, *Agathon*, pt. 3, p. 240.

27 Wieland, *Agathon*, pt. 3, p. 418.

28 Wieland, *Agathon*, pt. 3, p. 423.

29 Christoph Martin Wieland, “Die erste Liebe. An Psyche im Jahre 1774,” in *C.M. Wielands Sämmtliche Werke* (Hamburg, 1984), vol. 3, p. 171; reprint of vol. 9 in the Leipzig 1795 edition.

Wieland scholars have searched for models of Psyche and Danae in his autobiography, and most have found elements of Sophie Gutermann (later Sophie von la Roche), his first love (and fiancée), in both figures.<sup>30</sup> What is of interest here is that Sophie was Wieland's cousin, reconfigured in the story as sister. The cousin/sister switch was a common one throughout the period. We saw in the previous chapter how one sister in an extended Breton family encouraged her brother who was marrying one of their cousins to see in her a true sister and, therefore, a perfectly compatible life-long companion. The cousin as sister was a frequent literary trope as well. Mary Shelly's Dr. Frankenstein, for example, was destined to marry a cousin who had been raised in his family as a sister.<sup>31</sup> In Wieland's case, the cousin Sophie was able to stand in for the sister he lacked. He rhapsodized in letters about the harmony of their souls and characterized their relationship as a kind of conversion experience (she "metamorphosed" him).<sup>32</sup> There clearly was considerable physical play between them—he spoke many times of prolonged kissing, caressing, and staring into each other's eyes, and repeatedly drew the connection between unconsummated fondling, spiritual and intellectual intimacy, self discovery, and the development of "virtue."<sup>33</sup> Karl Hoppe wrote that Wieland's "ambivalent relation to reality experienced a correction only through the path of erotic-human relations."<sup>34</sup> Indeed his retreat to an enthusiastic friendship of souls was nothing more than the expression of "failed gratification," which is but another way of saying that morality springs not from sublimation but from disappointment!<sup>35</sup>

In some ways, the positions Wieland took in *Agathon* resembled arguments made by the German theologian Carl Ludwig Nitzsch who wrote a generation later that with a wife or sexual partner there was always an objective moment that instrumentalized the relationship.<sup>36</sup> The only solution Wieland could find for his hero to see in his lover a true subject was to turn her into a sister. For Nitzsch and *Agathon*, although the sexual

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30 See Irmela Brender, ed., *Christoph Martin Wieland: mit Selbstzeugnissen und Bilddokumentation* (Reinbek bei Hamburg, 1990), p. 47. Wolfgang Paulsen, *Christoph Martin Wieland: Der Mensch und sein Werk in psychologischen Perspektiven* (Bern, 1975), discusses the literature connecting Sophie with Psyche and Danae and argues that the figures in the novel are just literary types (p. 214), but he goes on to say that the experience with Sophie was a central component of his portrait of Psyche (pp. 214–15).

31 Mary Shelley, *Frankenstein*, ed. J. Paul Hunter (New York, 1966), p. 19.

32 Karl Hoppe, *Der junge Wieland: Wesensbestimmung seines Geistes* (Leipzig, 1930), p. 72. See Wieland's letter to his friend and teacher Johann Jakob Bodmer in Brender, *Wieland*, p. 17.

33 Hoppe, *Junge Wieland*, pp. 76–77. See Matthew G. Bach, *Wieland's Attitude toward Woman and Her Cultural and Social Relations* (New York, 1922), pp. 16–18. Brender, *Wieland*, pp. 17–23. See also Michael Zarembo, *Christoph Martin Wieland: Aufklärer und Poet, Eine Biographie* (Cologne, 2007), p. 38.

34 Hoppe, *Junge Wieland*, p. 73.

35 Hoppe, *Junge Wieland*, p. 75.

36 Carl Ludwig Nitzsch, *Neuer Versuch über die Ungültigkeit des mosaischen Gesetzes und den Rechtsgrund der Eheverbote in einem Gutachten über die Ehe mit des Bruders Wittwe* (Wittenberg and Zerbst, 1800), pp. 74–75.

drive was completely selfish, sexual desire itself developed only after a benevolent disposition had been formed within the family, setting up proper objects of desire.<sup>37</sup> Nietzsche drew two further points from the intimacy developed within the family. First, he suggested that in order to reduce its instrumental core, marriage partners ought to consider how the alliance of two families binds together people from within the same cultural milieu. By approaching marriage this way, a person ought to be able to find a spouse culturally and sensibly rather like a sibling—the very theme doubly developed in *Agathon*.<sup>38</sup> Second, he thought that whatever came out of a marriage, the tenderness between spouses never attained the level of intensity characteristic of siblings.<sup>39</sup> Love between a brother and a sister was the model of purity, of selflessness, of a relationship as end in itself. This appears also to have been the idea behind the dénouement in Wieland's novel. But a cousin conceived as an extension of the sister with just enough distance, or, as in *Agathon*, a friend close enough to be a stand-in for a sibling (Psyche's eventual husband, Agathon's best friend, was his copy or double) might be a substitute. In the spurt of marriages joining cousins or close friends of a brother or sister that can be observed around the turn of the nineteenth century, it is hard to ignore the complicating factor of erotic attraction between siblings.

At the center of Wieland's argument was a trio of ideas: that the development of a moral self must be the outcome of an original physical relationship, that morality lies essentially in the development of rational control, and that the aesthetic and the moral are closely tied together. All have an erotic foundation, rooted in sibling attachments that develop within families. In the absence of actual sexual exchange, there were "flows" between the brother and sister essential to their preoccupation with each other. Wieland described this at times as a movement or sympathy of souls, but these are souls with a palpable reality—they gaze and they touch. One way relations between men and women were conceptualized during this period was through the trope of "completion"; each half of a couple striving to find completion in the other, an other that had precisely what the one alone did not. There were many ways of thinking about the kind of sympathy that attracted the different sexes to each other, but Wieland thought of intimacy/sympathy/agreement as a triad to be found only with a sister. Only the brother and sister could have truly harmonious temperaments, and a man could not find a true subject in anyone but a sister—once sexual desire had been overcome. This raised questions central to the age. How could the love or benevolence or attachment or sympathy of a wife or sexual partner be distinguished from similar emotional sentiments in a sister, and how could intimacy experienced at home shape the nature of desire out-in-the-world?

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37 Nietzsche, *Neuer Versuch*, pp. 66–85.

38 Nietzsche, *Neuer Versuch*, p. 74.

39 Nietzsche, *Neuer Versuch*, pp. 74–75.

## Brother/Sister: A central literary theme

Incest is like many other *incorrect* things a very poetical circumstance. It may be the excess of love or hate. It may be that defiance of every thing for the sake of another which clothes itself in the glory of the highest heroism, or it may be that cynical rage which confounding the good & the bad in existing opinions breaks through them for the purpose of rioting in selfishness & antipathy.  
—Percy Bysshe Shelley, 1819<sup>40</sup>

Reading around in family correspondence and philosophical, theological, and moral texts suggests that the incest problematic shifted during the Sattelzeit from sister-in-law to brother and sister. That was certainly true for the narrative literature of the period. In a database of about five hundred literary texts written between 1770 and 1830, the period encompassing the late Enlightenment through the successive literary waves of sensibility, Sturm und Drang, classicism, and romanticism, Michael Titzmann found a common structure in the representations of incest.<sup>41</sup> What needs to be underlined here is the centrality of the theme in the literature of the period. Indeed, Titzmann found it in at least ten percent of the books he surveyed.<sup>42</sup> While he concentrated on German literature and found that almost every prominent author took up the theme, his results also fit well the novels, theater, and epic poetry of England, France, and the United States; of Chateaubriand, Shelley, Byron, and Melville. If there are no surveys comparable to Titzmann's for these literatures, except perhaps the one by Twitchell, their rhythms nevertheless seem to be similar: the rise in the number of instances of an incest theme begins around 1770, jumps sharply after 1790, and then tapers off.<sup>43</sup> Remarkably, the slope off towards the 1840s coincides with the findings of Heinz Reif on the correspondence among the German nobility: an intense, intimate style, expressing incestuous feelings, in letters exchanged between brothers and sisters, which dropped out of fashion after the fourth decade of the nineteenth century.<sup>44</sup>

Titzmann found that the overwhelming majority of instances of the incest theme dealt with brother and sister.<sup>45</sup> And the theme had many variations. In some portrayals,

<sup>40</sup> *The Letters of Percy Bysshe Shelley*, ed. Frederick L. Jones, 2 vols. (Oxford, 1964), vol. 2, p. 154.

<sup>41</sup> Michael Titzmann, "Literarische Strukturen und kulturelles Wissen: Das Beispiel inzestuöser Situationen in der Erzählliteratur der Goethezeit und ihre Funktionen im Denksystem der Epoche," in *Erzählte Kriminalität. Zur Typologie und Funktion von narrativen Darstellungen in Strafrechtspflege, Publizistik und Literatur zwischen 1770 und 1920*, ed. Jörg Schönert, Konstantin Imm, and Joachim Linder, Studien und Texte zur Sozialgeschichte der Literatur 27 (Tübingen, 1991), pp. 229–81, here p. 229. Titzmann's approach suggested a core problematic across culturally defined periods that are often seen in conflict or contrast with each other. His approach is mine here as well.

<sup>42</sup> Titzmann, "Strukturen," p. 248.

<sup>43</sup> James B. Twitchell, *Forbidden Partners: The Incest Taboo in Modern Culture* (New York, 1987). Twitchell does not develop the kinds of statistic found in Titzmann.

<sup>44</sup> Heinz Reif, *Westfälischer Adel 1770–1860: Vom Herrschaftsstand zur regionalen Elite* (Göttingen, 1979), pp. 266–67.

<sup>45</sup> Titzmann, "Strukturen," pp. 248–50.

as in *Agathon*, the characters did not know about their relationship, while in others, one or both were well-aware. In general, where both were aware, the incest was not completed. In the cases of father-daughter incest, there was usually a representation of violence, and the daughter resisted the advances of the father.<sup>46</sup> In representations of mother-son incest (around 7 percent of the cases), most often neither member of the amorous pair knew of the relationship, and, as Titzmann pointed out, the handling of the theme for that couple suggested the “degree of the culturally unthinkable.”<sup>47</sup> For the most part, only the brother-sister connection was charged with eroticism. The poet Shelley distinguished between “good” incest and “bad” incest, implying that the eroticism between brothers and sisters had something positive about it (Byron was his pal, after all), while sexual relations between fathers and daughters were inevitably tinged with violence.<sup>48</sup> Taking all the findings from literature, it becomes apparent that during the Sattelzeit there was a remarkable interest in working out issues of aesthetics, selfhood, and desire through the trope of brother-sister incest.

## A poet courts a sister, a lover, and a brother-in-law

I long for a pure and deep, pliant and forming, female heart, in which I might worthily reflect all my love and her creations as in a pure, beautiful mirror. — Clemens Brentano, ca. 1802

A particularly good example of the interplay of intimate sibling relationships, friendship, and courtship is offered by the brother-sister pair Clemens Brentano and Bettine Brentano (von Arnim).<sup>49</sup> The history of that relationship and the place of incest in Clemens Brentano’s writings is worth considerable attention, but here I will sketch in only a few points to explore the tone of sibling intimacy during the period around 1800.

I want to draw particular attention to what I think it is fair to call Brentano’s overlapping “courtships” of three individuals: Bettine (1785–1859), Sophie Mereau (1770–1806), and Achim von Arnim (1781–1831); respectively his sister, fiancée/wife,

<sup>46</sup> Titzmann, “Strukturen,” pp. 252–60.

<sup>47</sup> Titzmann, “Strukturen,” p. 251.

<sup>48</sup> Twitchell, *Forbidden Partners*, pp. 118–19: “If we can evaluate his views by his art (a critical act Shelley would have insisted on) then parent-child sex is despicable to the nth degree but sibling love, even a love implying sexual relations, is the ultimate self-completion. Such an act finally restores what single sexuality has rent asunder: it returns us to a primal unity where male and female are no longer oppositions but continuities.” At p. 120: “In a sense, the romantic poet co-opted the now mentionable subject of family sex and used it in the service of the struggle for self-knowledge, which led either to destruction (paternal incest) or to redemption (sibling incest). The salvation that Christianity had effected through the father was now to be found through the sister who, as well, took on attributes of a pagan earth-mother.”

<sup>49</sup> As an author, she spelled her name “Bettina.” In the edition she did of the correspondence between her brother and her, the name is spelled “Bettine,” and sometimes “Betine.” I will use Bettine.

and friend/future brother-in-law.<sup>50</sup> Most of the “action” in this saga unfolds during the years 1801–1804, and it begins with Bettine. Clemens (1778–1842) had not seen very much of Bettine as they were growing up, since they were raised in separate households until he was twenty and she, fourteen. Together with three of her sisters, she had been put into a convent, while Clemens and his older sister, Sophie, had been sent to live in the household of an aunt. At about the time Clemens was able to resume contact with Bettine, he was writing his novel *Godwi* (1801), and in it, he described Bettine’s growing erotic attraction, expressing pleasure at her maturing breasts.<sup>51</sup> He and Bettine paired off in an intense relationship, frequently carried on in an exchange of letters, part of which she later heavily edited in *Clemens Brentanos Frühlingsskranz*.<sup>52</sup> The letters show Clemens handling the brother-sister love theme much as Wieland did in *Agathon*: in the relationship with Bettine, he was seeking a notion or the experience of what he called the “ideal” and model for all future love possibilities.<sup>53</sup> Even as he pursued his future wife, Sophie Mereau, he wrote to his sister that she remained “the measure of his

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50 Clemens Brentano throughout his life reflected from time to time on his mother, who died when he was fifteen and Bettine, eight, and on his sister, Sophie, who died suddenly at twenty-four, when Clemens was twenty-two. He apparently rhapsodized enough about his mother to have some think he went too far in his “poetic affection” for her. For example, see a letter to Sophie Mereau, October 7, 1803, in *Clemens Brentano: Sämtliche Werke und Briefe*, vol. 31, *Briefe III 1803–1807*, ed. Lieselotte Kinskofer (Stuttgart, 1992), p. 215; hereafter *Briefe III*. He was very close to his sister, Sophie, with whom he was brought up. There are a series of intriguing similarities that followed him through his love affairs and his religious activities. One of the brothers said that Sophie Mereau, his eventual wife, looked like Sophie Brentano, only with bigger breasts. Clemens, in a letter to his brother Franz (December 20, 1798), soon after meeting Sophie Mereau, described her as “quite physically and spiritually the picture of our departed mother.” See *Clemens Brentano: Sämtliche Werke und Briefe*, vol. 29, *Briefe I 1792–1802*, ed. Lieselotte Kinskofer (Stuttgart, 1989), pp. 149–50; hereafter *Briefe I*. Clemens noted that Luise Hensel, to whom he later proposed, looked a lot like his dead sister: Lujo Brentano, *Clemens Brentanos Liebesleben: Eine Ansicht* (Frankfurt am Main, 1921), p. 198. And then the stigmatic nun, Anna Katharina Emmerick, with whom Brentano was associated for many years and whose works he authored, was in turn the image of Luise Hensel: *Clemens Brentano: Sämtliche Werke und Briefe*, vol. 28, pts. 1–2, *Materialien zu nicht ausgeführten Werken religiöse Werken. Anna Katharina Emmerick-Biographie*, ed. Jürg Mathes (Stuttgart, 1981–82), pt. 1, p. 15; pt. 2, pp. 100–101.

51 Clemens Brentano, *Clemens Brentano: Sämtliche Werke und Briefe*, vol. 16, *Godwi oder das steinerne Bild der Mutter: Ein verwildeter Roman von Maria*, ed. Werner Bellmann (Stuttgart, 1978), p. 407.

52 For Bettine’s work, see *Clemens Brentano: Sämtliche Werke und Briefe*, vol. 30, *Briefe II. “Clemens Brentanos Frühlingsskranz” und handschriftliche überlieferte Briefe Brentanos an Bettine 1800–1803*, ed. Lieselotte Kinskofer (Stuttgart, 1990); this volume hereafter Brentano, *Briefe II* (letters undated). From the very beginning, the oldest sister, Kunigunde, was suspicious of Brentano’s intentions with regards to Bettine: Brentano, letter of mid-January 1801, *Briefe I*, p. 299. At the time, Bettine was sixteen and Clemens twenty-two.

53 Lujo Brentano, *Clemens Brentanos Liebesleben*, p. 20. After Brentano returned home, he became especially close to Bettine. He wanted to form her according to his own soul. He considered her spiritually as his own creation. “She would become his ideal, in which he located everything beautiful, good, and noble and on which he would measure everything.” Lujo Brentano was Clemens’s nephew.



feelings and his trusted god on earth.”<sup>54</sup> Bettine’s assigned roles as measure and god and beloved are evident in the many letters she received from Clemens describing his new lovers or lusts: One Walpurgis, he remarked, clearly edging into flirtation with his sister, attracted him because of features like hers. In this case, Bettine reacted intensely, and Clemens then tried to back away.<sup>55</sup> He protested that whenever he ran around after girls, it was *because* he had a home in Bettine—whatever that was supposed to mean! At least one of the letters listed all his new conquests or attempted conquests, then claimed that Clemens wanted to do nothing more than think of Bettine, although it neglected to make clear whether she was just another one on the list or an alternative to his exhausting affairs.<sup>56</sup> Another letter, beginning a theme about self construction in the intimacy of sibling exchange, offered this remark: “I have often undertaken to make my love for you my own work, but that was a mistaken prank. I am the work of my love to you and not this love my work.” Yet Clemens also was aware that sometimes he was just an annoying brother, offering unsolicited and often unwelcome advice: get some exercise and spend more time in the kitchen!<sup>57</sup> And Bettine was quite ready to resist his didactic tone.<sup>58</sup>

Throughout his life, Brentano sought a woman to act as mediator between himself and God or transcendent reality, and he moved constantly between images of purity and sensuality.<sup>59</sup> He could only see himself as a self when constituted in an other. Lujo Brentano, Clemens’s nephew, quoted a passage from one of his letters to Achim von Arnim, his friend and Bettine’s future husband: “I will tell you what I long for: I long for a pure and deep, pliant [*bildsam*] and forming [*bildend*], female heart, in which I might worthily reflect all my love and her creations as in a pure, beautiful mirror.”<sup>60</sup> Writing to von Arnim in 1802 about his then seventeen-year-old sister, he said: “My love for her [Bettine] is itself not genuine. I stand shyly next to her because she shows me nothing other than a more beautiful image of my self.”<sup>61</sup> A few days later, to another friend, he described Bettine as “my double.”<sup>62</sup> The form, the being, the self of each of them was shaped in the intense exchange of mutual intimacy. Writing to his fiancée in 1803, he remarked: “This girl, Sophie, is mine, mine alone, and if I am good, I am good in order to be like her [*ihr zu gleichen*], because of her love, and to earn her sweet reproach that she is everything through me.”<sup>63</sup> In September 1801, he had begun to worry that his love

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54 Brentano, *Briefe II*, no. 255, p. 281.

55 Brentano, *Briefe II*, no. 221, p. 53.

56 Brentano, *Briefe II*, no. 233, p. 154–55.

57 Brentano, *Briefe II*, no. 234, p. 165, for the quotation and paraphrase following it.

58 Brentano, *Briefe II*, no. 245, p. 241.

59 This aspect of Brentano’s need for women in a mediating role is very nicely handled in Gabriele Brandstetter, *Erotik und Religiosität: Eine Studie zur Lyrik Clemens Brentanos* (Munich, 1986), p. 156.

60 Lujo Brentano, *Clemens Brentanos Liebesleben*, p. 72.

61 Brentano, letter of September 8, 1802, *Briefe I*, p. 500.

62 Brentano, letter of late September 1802, *Briefe I*, p. 512.

63 Brentano, letter of March 18, 1803, *Briefe III*, p. 62.

for Bettine was getting out of hand and that he ought to shift to a more brotherly set of feelings.<sup>64</sup> Yet in November that year, he still thought of her as his accomplishment—“I am the being through which she will be completed.”<sup>65</sup> And in 1802, in his first expression of ambivalence about Sophie Mereau, he cast Bettine in yet another role, when he wrote to von Arnim that “only this angel [Bettine] could suck the poison from the bite by the beautiful witch in Jena [Mereau].”<sup>66</sup> To Bettine herself, he wrote that it was she who had nourished his heart and made him into a human and saved him from despair.<sup>67</sup> In this amazing set of letters, Brentano oscillated between narcissism and the need for someone to rescue him from self-absorption, and that someone would do so—in his mind at least—by allowing him to mold her to his desires and fears at the same time.

Brentano constantly let the image of his sister and his lover fade into each other. In the letter to Sophie, he said: “. . . she is beautiful, you are beautiful, oh if only you were beautiful sisters, belles soeurs [a pun on sister-in-law].”<sup>68</sup> To Friedrich Karl von Savigny (another brother-in-law to be), he wrote that he would only receive Sophie Mereau out of Bettine’s hands.<sup>69</sup> Indeed, he wanted to let Bettine be the one to decide over the marriage. Besides no wife really could—next to his sister—be anything more than a sleeping partner and housekeeper.<sup>70</sup> He wrote to his sister that he would never marry Sophie if Bettine were not prepared to love his choice. He loved his sister more than all other human beings.<sup>71</sup> He would even leave Sophie if Bettine asked him to.<sup>72</sup> Then he wrote to Sophie that Bettine “is except for God the highest that a human can love, and when I show you to her then you will have gotten everything from me—more than that I have nothing.”<sup>73</sup> Several weeks later, he asked Sophie to continue the kind of love he got from his sister: “. . . oh if only you would really love me, so very intimately, as I hardly can do it myself, as only Bettine has tried.”<sup>74</sup> He went on to write that he would hold her in his arms that evening and kiss her and make life sweet for her—and read letters once again from Bettine. So, in the throes of making love to his fiancée, the only thing

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64 Brentano, letter to Savigny, September 8, 1801, *Briefe I*, p. 372.

65 Brentano, letter of early November 1801, *Briefe I*, p. 384.

66 Brentano, letter of May 4, 1802, *Briefe I*, p. 436.

67 Brentano, *Briefe II*, no. 255, pp. 280–81.

68 Brentano, letter of March 18, 1803, *Briefe III*, p. 62.

69 Brentano, letter of March 7/8, 1803, *Briefe III*, p. 105: “Oh Bettine, holy, dearest Bettine, who understands my heart as you do?”

70 Brentano, letter of mid-April 1803, *Briefe III*, p. 65: “Between Bettine and me there is a union, a quietly burning love.”

71 Brentano, *Briefe II*, no. 257, p. 287.

72 Brentano, *Briefe II*, no. 257, p. 290.

73 Brentano, letter of mid-June 1803, *Briefe III*, p. 112.

74 Brentano, letter of July 3, 1803, *Briefe III*, p. 123; and letter of July/August 1803, p. 131: “You love me as I and Bettine love each other.”

that came up was his sister.<sup>75</sup> He even told Sophie that he loved Bettine above all else.<sup>76</sup> Not long thereafter his imagination brought up complementary images of sexuality and innocence: he met a girl along the path on a starlit night. They both stood still for a time before she retraced her steps. Perhaps she was a whore but he decided to think of her as innocent and started to call “Bettine” after her, but found himself unable to speak.<sup>77</sup> Later, he wanted Mereau and himself to “unite” with his sister.<sup>78</sup> On the heels of that idea, he imagined what it would be like if Bettine were not his sister and she were as old as Mereau—which would he choose? Of course he would be passionately in love with Mereau and desire her, but Bettine would win him—although in Bettine, he would not forget Mereau. “But since things are otherwise, you are there and are the only one.”<sup>79</sup>

Finally, he felt he had to defend himself to his fiancée against charges of incest: “. . . the crime that was in me was not against the divine, for I had already rescued the divine in my heart and brought it in safety from myself and my contempt for my destiny . . . and that circle of people who constructed incestuous anecdotes out of my poetic fondness for my mother [she had died when he was fifteen] and the deservedly honest love for my sister, can probably regale you with many more of my remarks.”<sup>80</sup> Even after Brentano and Mereau were married and she was pregnant, he wrote to her that Bettine was the “most lovable creature in the world.”<sup>81</sup> But not very long thereafter, he was defending his actions around his sister and remarking that he now felt that with the marriage Bettine was lost—she no longer clung to him. As a final comment on his transition from sister to wife, he wrote to Mereau: “Bettine’s connection to me is like the connection of two friends who live somewhere where talking is forbidden. One of them, however, has prayed out loud, told a woman he loved her, comforted a dying person, and called out in the night to someone walking into an abyss. Because of this, one has cut out his tongue. That is I. Now the other one goes around in all the joys of life, greets

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75 Certainly, Brentano and Mereau were already consummating their relationship. To his friend Achim von Arnim, he wrote on August 23, 1803, *Briefe III*, p. 139, about the latter standing as godfather if they were to have children (a son to be named Achim, a daughter, Bettine) and hinted that she might already be bearing the godchild.

76 Brentano, *Briefe II*, no. 258, p. 294.

77 Brentano, letter of July/August 1803, *Briefe III*, p. 132.

78 Brentano, letter of August 25/26, 1803, *Briefe III*, pp. 153–54.

79 Brentano, letter of September 13/14, 1803, *Briefe III*, pp. 183 ff.

80 Brentano, letter of October 7, 1803, *Briefe III*, p. 216. Brentano often either directly or indirectly thought of his feelings for Bettine as incestuous. In a letter to Savigny, for example, he mentions a drama by Arnim with the theme of incest and in the next sentence mentions a letter from Bettine: Brentano, letter of July 1, 1802, *Briefe I*, p. 452. And he had even written directly to Bettine that their love for each other was so obvious that members of the family were likely to be displeased and make objections, Brentano, *Briefe II*, no. 264, p. 334. At the end of December 1801 (*Briefe I*, p. 404), he had written to Sophie: “the being that I should love, oh I could do it, if I was permitted to fan the unhappy flame that consumes her against the laws, this holy child, this is my sister Bettine. As long as you do not know this girl (*Jungfrau*), you will not be happy.”

81 Brentano, letter of January 16, 1804, *Briefe III*, p. 285.

every now and then the mute, but she is fearful, and does not talk, and then the consoling glances become more seldom. And thus everything perishes, without being unjust, without revenge. Oh if only the dumb one had a tongue again, he would ask her to love him, even without any hope and would lose his tongue again.”<sup>82</sup> And then he protested that he had never committed any sin.

Sophie Mereau and Bettine Brentano were not the only ones Clemens Brentano was in love with during the courtship. Clemens met Sophie in Jena where he was studying at the university in the winter of 1798. At that moment Jena was a hotbed of Romanticism and the location where many of the major literary and philosophical figures of the ensuing years gathered. Brentano was able to become friends with Professor Mereau and his charming wife, Sophie, to share midday meals with them, and eventually, of course, to take her off with him. About three years later, after the death of another Sophie, his beloved sister (September, 1800) Clemens transferred his affection to Bettine. At about the same time, he met the man who became his most intimate friend and collaborator, Bettine’s future husband, Achim von Arnim.<sup>83</sup> For a while, Brentano was hoping to marry off his sister to Friedrich Karl von Savigny, but Savigny preferred the eldest Brentano sister, Kunigunda, with whom Clemens often had a strained relation, partly because she disapproved of the intense connection developing between brother and younger sister.<sup>84</sup> So Clemens turned to von Arnim and began to tell him, in essence, that with Bettine, he would get him too.<sup>85</sup> He wrote that he longed for him and for Bettine: “apart from you two, I have no more desire—you are the duality that makes me what I am, and you do not know each other.” As he was writing to von Arnim, he received a letter from Bettine: “no human can write like that; it is God who speaks. You need to know all that and you need to kiss the girl.” She wrote that the moon was the reflection of their love, that their love was specially destined and great above all other things and described the world as a bed in which they were sleeping together. And Clemens advised Achim that he should get to know this image of God: “I can not lose you, so long as I live, if only you live, oh you lusty one, rejoice, rejoice, you will see my

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<sup>82</sup> Brentano, letters of January 17 and 20, 1804, *Briefe III*, p. 287.

<sup>83</sup> In 1805, Clemens and Achim published a collection of folk songs, *Des Knaben Wunderhorn*.

<sup>84</sup> Brentano, *Briefe I*, mid-January 1801, p. 299 and March 10, 1801, *Briefe I*, p. 313. On March 10, 1801, Brentano wrote to Kunigunda that he was coming home: “your love is nice (*mir lieb*), Bettine’s love too fond (*zu lieb*). What should I do with everything when we gather closely together? Will you be in a good mood and will you not be yielding? Or will I see you next to me take the opposite to what I esteem and be annoying? Bettine will be so intense with me, so desiring, that I will have to push her away from me . . . —let it alone[:] my connection with Bettine is the only virtuous thing that I have ever had in my life. . . .” In mid-September 1801 (*Briefe I*, p. 380), Brentano wrote to Savigny that Kunigunda was “boring.” Although Brentano was close with Savigny, he never addressed him except with the formal *Sie*. With von Arnim, the address was the intimate *Du*.

<sup>85</sup> Brentano, letter of mid-February 1802, *Briefe I*, p. 419.

sister, my life.”<sup>86</sup> Then he went on to say that he expected to see Achim in Frankfurt in a month, that were Achim not there, he and Bettine would die from desire and expect that he was dead, would cry over his corpse, and expect to eat him in heaven.

Once Achim was in the mix with his sister, Brentano’s prose began to slide into the bizarre. A few months after his overwrought pouring out of love for Achim and Bettine, he wrote a letter to Johanna Kraus, a former girlfriend, addressing her as “Arnim” at the outset and throughout the rest of the letter as “new Arnim,” and signing the letter as “Sophie.” Who was Clemens addressing? It is quite uncertain. But his subject clearly was Bettine, and the love he described was the sentiment for what the object would become, not for what the object (“she”) was then. He protested to the addressee: “See, dear Arnim, I never offended you; I had you so dear [*gleich lieb*] as a sister.” To whom is he talking here? Johanna? What is the point of calling her “Arnim”? And then, “Dear Arnim, if it is not true that you love me, it would be too stupid. Bettine heard me with deep pleasure as I spoke to her about you. She will write to you and please you, you are already rich. You possess the heart of this angel through me.”<sup>87</sup> A few months later he played with the “new” and “old” Arnim in a letter to Achim himself. He wished he were Achim’s brother, but then Bettine would not be his sister. “My only living language that I can speak is with the old and my new Arnim.” And then the run-on sentence: “Think how I think of you, my girl is called Arnim, think dear girl, how I think of you my friend is called Arnim, think Bettine, how I think of you my girl and my friend are called Arnim, think all of you how I think of you, I am called Clemens.”<sup>88</sup> In one of the undated letters from the *Frühlingskranz*, probably from about this time, he wrote to Achim: “Arnim, Arnim, I always call after you; only next to you do I want to live and die—both are necessary since I have known you, and I wish to do it as well, etc.”<sup>89</sup> At the beginning of the letter, he was not sure who would be the recipient. After the passionate passage to Arnim, he addressed Bettine: “You are it, you darling girl, who will get this letter. You are my only friend.” He sent her a poem he had written after seeing (in France) Arnim’s current girlfriend, with the remark: “I actually wrote it as I was thinking of you.” Arnim himself delivered this letter, after which Bettine admitted to her brother that Arnim’s beauty and youth electrified her.<sup>90</sup> But now, suddenly in love with Arnim, she insisted to her brother that he, Clemens, was the only object of her love. In this constellation, the brother/lover and sister/lover switch turned on all the time repeatedly.

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<sup>86</sup> Brentano, letter of May 4, 1802, *Briefe I*, p. 436.

<sup>87</sup> The letter is excerpted in Lujo Brentano, *Clemens Brentanos Liebesleben*, pp. 72–75. See also Brentano, letter of July 1802, *Briefe I*, p. 467.

<sup>88</sup> Brentano, letter of September 6, 1802, *Briefe I*, p. 495.

<sup>89</sup> Brentano, *Briefe II*, no. 235, p. 185.

<sup>90</sup> Brentano, *Briefe II*, no. 238, p. 191.

Brentano constantly coupled Achim and Bettine in his letters to Sophie Mereau, and sometimes he threw Savigny into the mix. He wrote to Savigny to arrange for Sophie to stay at his estate, but ended his letter with the wish that he could have Arnim, Bettine, Savigny, and Sophie all together. Then came the bizarre thought about one of them murdering him—which one of them he asked, and which one would bury him, cry over him, die with him?<sup>91</sup> Right away he wrote to Sophie and repeated the same passage, having been so moved.<sup>92</sup> He found himself alone without his collection of letters from Bettine and from Arnim, and he missed the latter's picture. He needed to strike something out of a book he was writing that should not be made public. "If I ever express what it is that puts Bettine under my spell, and me under hers, then such a good book also has to perish." Not much longer after that, he wrote to Sophie that he had trouble concentrating his thoughts on her, since Arnim and Bettine kept appearing and disappearing.<sup>93</sup> After he married Sophie, he wrote to Arnim that he would name their child Achim Ariel. "I am loved by Sophie, but I long for you."<sup>94</sup>

Once again, at the heart of the relationships imagined by Brentano was physical attraction, for his sister, his fiancée, his friend, and eventually a stigmatic nun. Throughout the correspondence with his friends, his fiancée, and his relatives, he continuously shifted the balance of his desires between the sensual and the spiritual. And he could not think of morality outside of aesthetic categories. Sometimes his sister was the image of the ideal, of purity, of beauty, of selflessness, even of God, and other times she just as easily conjured up the whore, or the whore prompted him to think of her. At moments when he fantasized most about the coming sexual relations with his fiancée or lusted after a new girlfriend or even someone else's girlfriend, the next image that sprang to his mind was that of his sister. He was well-aware that his desires for Bettine were "sinful," a violation of divine law, always on the verge of transgression, but in the course of his reveries he was able to glide from dreamlike images of the pure sister to the physically desired sister. He continuously dangled hints of his incestuous feelings. And he tried to synthesize them—"synthesize" is not quite the right operator for the shape-shifting image that shimmered before him—into a figure to lead him to salvation. With his Catholic sensibility, the sensual and the sublime were linked in a continual—and, as it were, mystical—transubstantiation. A kind of "physical presence" contained at once all the elements of danger and purity, and of a consumption that opened up communication with the divine.

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<sup>91</sup> Brentano, letter of June 7/8, 1803, *Briefe III*, p. 105.

<sup>92</sup> Brentano, letter of June 8, 1803, *Briefe III*, p. 106.

<sup>93</sup> Brentano, letter of September 1, 1803, *Briefe III*, p. 158.

<sup>94</sup> Brentano, letter of March 1, 1804, *Briefe III*, p. 298. On May 23, 1804 (*Briefe III*, p. 319), he wrote that the son was born and had Arnim's name.

Throughout his correspondence, Brentano constructed his sister as a mediator. Sometimes she offered a vision of the sublime, or figured, perhaps in the classic logic of a mystic, as the means for him to rise from the material to the spiritual. Only through her could he find himself. In one way, this idea was close to fellow Jena denizen Hegel's notion that one comes to know oneself in the reflection of another; that without this recognition of the other there could be no access to the self. For Brentano the primary reflective relations were with his sister and later with his friend; that friend whom he sometimes confused with his lovers and sister. When he wrote a letter replete with images of fusion he did not always know whether his friend or his sister would be the recipient. The sister was also the one who would give him a wife, and the wife had to be a continuation of the sister—access to the one came only through the other. A friend's marriage with the sister could mediate the tie. And were the friend to die, then, in an image of eucharistic mediation, the friend as Jesus in heaven would still unite the brother and sister—they could both ingest him.

Among many other possibilities, the story of the Brentanos offers an alternative reading of the phenomenon of the *Sattelzeit* “open house,” replete with jumbled, troubled notions of family, kinship, and household. The Brentano siblings actually lived together in a household only for a brief time, having been dispersed to convents, schools, merchant houses, and relatives after their mother's death. And during the time of his complicated courtships, Clemens was rather constantly on the move, traveling from Jena to places on the Rhine and into France. All of his correspondents seemed also to be moving about in kaleidoscopic fashion. But still we find that the brother's friends became the sisters' spouses. Or even that older “kinship” relations provided a matrix for new ties. Wieland, for example, had been in love with his cousin, but she could not wait around for him to find himself. That cousin, Sophie von la Roche (née Sophie Gutermann), was the grandmother of Clemens, Bettine, and Sophie Brentano. She worried about the torrid connection between Clemens and Bettine but allowed her granddaughter Sophie to go off to live with Wieland, where the old man and the young woman developed an intimate relationship. The main house for the Brentano clan was in Frankfurt, and Clemens and Bettine thought of it as the central place of their belonging, even when they were not there. Longing for each other was perhaps the stronger for their distance. In the imaginary space of Wieland's novel and in the actual living space of the Brentano siblings, there was no association from childhood. What determined the tone of the relationship was late discovery and not the intimate give-and-take of children growing up together, as will be shown with the Mendelssohns and as has been seen in the example of the Breton family chronicled by Christopher Johnson. The open house together with the family traipsing between varied spaces for indeterminate lengths of time offered but one alternative for thinking about the constructions of intimacy, sentiment, and emotion, or about the relationships between households, families, and networks of friends and kin.

## A musician longs for/to be her brother

I . . . stop before your portrait and kiss it every five minutes . . . I love you, adore you immensely.  
— Fanny to Felix, 1829

The bond between Felix and Fanny Mendelssohn-Bartholdy was extraordinarily complex and has elicited considerable comment from biographers.<sup>95</sup> These siblings were very close throughout their lives, and their attachment seems to have had a strong erotic component. Biographer Eric Werner, having spoken of their “consanguinity,” which “evoked almost physical impulses and instincts in Fanny,” added that “she adored him, but this was not enough: She wanted to possess him, body and soul.”<sup>96</sup> Another biographer, the music critic Herbert Kupferberg, reported that the relationship between Fanny and Felix was so close “that [it] has engaged the attention of more than one amateur psychoanalyst over the years. Even in their own times, there were remarks upon the subject, with several family friends jovially asking the Mendelssohns when Fanny’s marriage to Felix would take place.”<sup>97</sup> He suggested that Felix liked to arouse and assuage Fanny’s jealousy by turns in his letters.<sup>98</sup> At age twenty-four, during her engagement to Wilhelm Hensel, Fanny wrote to Felix: “I . . . stop before your portrait and kiss it every five minutes . . . I love you, adore you immensely.” Hensel, of course, was painting the picture that so aroused her passionate interest.<sup>99</sup> On her wedding day, she wrote to Felix: “I have your portrait before me, and ever repeating your dear name, and thinking of you as if you stood at my side, weep . . . [every morning and every moment of my life I shall love you from the bottom of my heart,] and I am sure that in so doing I shall not wrong Hensel.”<sup>100</sup> The translation in Kupferberg is very free, and the passage in brackets does not actually appear in the letter. I will quote the entire passage later.

The theme, however delicately handled by these authors and however softened by protestations of sublimation, is, of course, incest.<sup>101</sup> The somewhat veiled accounts of

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95 I originally dealt with the relationship between Fanny and Felix Mendelssohn in “Fanny and Felix Mendelssohn-Bartholdy and the Question of Incest,” *The Musical Quarterly* 77 (1993): 709–17. Since then, the issues have been taken up and thoroughly reviewed by Angela Mace Christian, first in her dissertation: Angela Regina Mace, “Fanny Hensel, Felix Mendelssohn Bartholdy, and the Formation of the Mendelssohn Style” (PhD diss., Department of Music, Duke University, 2013), ch. 5; hereafter Mace, “Fanny Hensel.” Mace [now Mace Christian] follows the correspondence in detail, drawing each time judicious conclusions. Her treatment is more thorough than I can offer here.

96 Eric Werner, *Mendelssohn: A New Image of the Composer and His Age*, trans. Dika Newlin (New York, 1963), quoting pp. 76, 77, in that order.

97 Herbert Kupferberg, *The Mendelssohns: Three Generations of Genius* (New York, 1972), p. 155.

98 Kupferberg, *The Mendelssohns*, p. 158.

99 Kupferberg, *The Mendelssohns*, p. 160.

100 Kupferberg, *Mendelssohns*, p. 161.

101 For another take on the relationships, see Regina Schulte, “Sisters, Wives, and the Sublimation of Desire in Jewish-Protestant Friendship: The Letters of the Historian Johann Gustav Droysen and the



many biographers imply that Felix was the object of longing and that he played with Fanny's affections, occasionally warning her that she was coming too close. Many of the passages which have elicited comment come from Fanny's letters to Felix in 1829, when he was in England and she was engaged to Wilhelm Hensel (1794–1861). Early in that year, shortly after her engagement, she wrote to her fiancé: "Last evening Felix composed, and his eyes were beautiful. There is something peculiar to his eyes: in no other person's eyes have I perceived a soul so directly. You must love him without end and, between the three of us everything must be perfectly proper and harmonious and true—then in this world I will have no unhappy moments. If you really love each other, I will be content with my relationship to you both."<sup>102</sup> She wrote to Felix on May 27: "I picture a very lovely scene to myself—out of the raging chaos, in which there's nothing to grasp except one's thoughts, you come home in the evening and gradually come in contact with your heart's innermost feelings again. Then each of us appears in turn and embraces you, and then at the end, shortly before you fall asleep, the full image of home flashes violently, until everything dissolves into a serene mist and blur. Who accomplishes the monumental task of waking you each morning?"<sup>103</sup> On June 3, she mentioned her fiancé and said: "By the way, believe it or not, when we're together, you, and then you again, are always the topic of our conversations."<sup>104</sup> She confessed on June 11, that she and her two sisters often sat for hours in front of his picture (painted by Hensel) waiting for it to "move" them.<sup>105</sup> A few weeks later: "Once again I need assurance that you're happy. Sometimes it's as necessary to me as air is to life, and then it will tide me over for a while."<sup>106</sup> On July 8, she wrote to Felix about his plans to visit and help celebrate their parents' silver anniversary: "And I can also assure you that you will play undisturbed at my house—no mouse may touch you. All the touching will be from within. Hensel is a good man, Felix, and I am content in the widest sense of the word, happier than I ever imagined possible. For I dreamed and feared that such a rela-

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Composer Felix Mendelssohn Bartholdy," in *Sibling Relations and the Transformation of European Kinship, 1300–1900*, ed. Christopher H. Johnson and David Warren Sabean (New York and Oxford, 2011), pp. 239–62. I used the term "incest" to gloss what the commentators were suggesting but rather coyly danced around. Angela Mace Christian, "Fathers, Brothers, Husbands, and Music," p. 9, prefers the term "siberotic."

<sup>102</sup> Quoted in Mace, "Fanny Hensel," p. 241. The original is in Martina Helmig and Annette Maurer, "Fanny Mendelssohn Bartholdy und Wilhelm Hensel: Briefe aus der Verlobungszeit," in *Fanny Hensel geb. Mendelssohn Bartholdy: Das Werk*, ed. Martina Helmig (Munich, 1997), pp. 139–63. The translation is from R. Larry Todd, *Fanny Hensel: The Other Mendelssohn* (Oxford, 2009), p. 127.

<sup>103</sup> Fanny Hensel, *The Letters of Fanny Hensel to Felix Mendelssohn*, comp., ed., and trans. Marcia J. Citron (Stuyvesant, NY, 1987), p. 42; hereafter, Hensel, *Letters*.

<sup>104</sup> Hensel, *Letters*, p. 44.

<sup>105</sup> Hensel, *Letters*, p. 53.

<sup>106</sup> Hensel, *Letters*, p. 57.

tionship would tear me away from you, or rather alienate us, but it is, *if possible*, just the opposite. I've gained more awareness than before, and therefore am closer to you. I reflect more often, and therefore I reflect on you more often. And the more I have now and will have in the future, the greater I will have you and need you. It's not possible for you to take any of your love away from me, because you must know, as I do that I can't do without even the smallest part of it. I'll repeat the same to you on my wedding day, because thus far, I've never known any emotion or situation in which I wouldn't have thought and said the same thing."<sup>107</sup>

Just before her wedding, she wrote a rather obscure passage to her brother in an incredible emotional outpouring. The editor of her letters suggested that she was announcing to her brother that she was a virgin, but the grammatical structure of the sentences suggests that she might have been confiding just the opposite and filling in the name of her first lover: "I can't conceal from you that my crown adorns a new bride, dear Felix." The German is "zählt"—not "adorns" but "belongs to" or "designates." The floral crown and the ceremony that went with it symbolized virginity. Non-virgins being married for the first time traditionally had to wear a crown of straw. "Two years ago," she continued, "I would've hesitated to share this news with you, especially with your little foot wound, out of fear of increasing your fever. But ever since the time when the entire Lake Sacrow [near Berlin], together with its house, garden, vineyards, heliotrope fragrance, vanilla tea, and people, was transformed into a quartet, you can probably hear with coolness that I—don't venture that [dare not]—O Ritz!—[that]—Victoire—and [with]—Rudolph (Not Gustav) Decker—not Magnus—Oh no, now it's out, and it's very likely that you're falling into a dead faint."<sup>108</sup>

On her wedding day (October 3): "I am very composed, Dear Felix, and your picture is next to me, but as I write your name again and almost see you in person before my very eyes, I cry, as you do deep inside [wie Du mit dem Magen], but I cry. Actually, I've always known that I could never experience anything that would remove you from my memory for even one-tenth of a moment. Nevertheless, I'm glad to have experienced it, and will be able to repeat the same thing to you tomorrow and in very moment of my life, And I don't believe I am doing Hensel an injustice through it. Your love has provided me with an inner worth, and I will never stop holding myself in high esteem as long as you love me."<sup>109</sup>

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<sup>107</sup> Hensel, *Letters*, p. 62.

<sup>108</sup> Hensel, *Letters*, pp. 87–88; brackets in the printed text.

<sup>109</sup> Hensel, *Letters*, p. 90. In "Fanny Hensel," Mace commented on this passage: "She was still clearly feeling almost guilty about marrying Wilhelm, as if by doing so she was betraying Felix. At the same time, she recognized that the strength of her feelings for Felix was a problem for her relationship with Wilhelm and felt the need to justify those feelings by contextualizing her attachment to Felix as necessary for giving her the 'inner worth' necessary to make a good wife for Wilhelm."

There are a number of issues that I wish to sketch in, and I want to put this sibling relationship into the context of middle-class family life during the first half of the nineteenth century. A central problem for Fanny was to assert her own talent or find a space for her own activity. As in many bourgeois families of the period, up to a certain age boys and girls received similar educations, but young women then learned abruptly that they could develop no further (or that they would now enter separate tracks). Fanny's father wrote to her when she was fourteen: "Music will perhaps become his [Felix's] profession while for you it can and must only be an ornament, never the root of your being and doing . . . and your very joy at the praise he earns proves that you might, in his place, have merited equal approval. Remain true to these sentiments and to this line of conduct; they are feminine, and only what is truly feminine is an ornament to your sex."<sup>110</sup> When she was twenty-two, he wrote: "you must prepare more earnestly and eagerly for your real calling, the *only* calling of a young woman—I mean the state of a housewife."<sup>111</sup> Fanny continued her musical development, but as long as the elder Mendelssohn was alive, she published nothing under her own name. After his death Felix perpetuated the attitude. In 1837, their mother asked Felix to encourage Fanny to publish some of her *Lieder* and piano pieces: "that *you* haven't requested and encouraged her to do it—this alone holds her back."<sup>112</sup> Felix wrote back that he could not in good conscience encourage a woman.

Fanny and Felix are but one of the sibling pairs from the period to have elicited considerable comment. The relationship between Goethe and his sister Cornelia—to take the most famous example—has been analyzed as incestuous by Otto Rank, Kurt Eissler, and others.<sup>113</sup> Indeed Eissler commented that here "one touches possibly the very nerve center of Goethe's creativity."<sup>114</sup> "Her imago became his indelible companion."<sup>115</sup> For both pairs, the suggestion has been made that the man's creativity grew out of the specific sexual/emotional dynamics of the bourgeois family. Angela Mace Christian put it this way: "Brothers, as they became men, returned to their sisters as the foundation of their identities, their touchstones for reality and moral and ethical standards."<sup>116</sup> In both cases, the woman, after an early education undifferentiated by gender, was abruptly made to understand that her destiny was to be radically different from that of her brother. And in both cases, the brother pursued strategies to enforce the gender divide.

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110 Hensel, *Letters*, p. xl.

111 Hensel, *Letters*, p. xl.

112 Hensel, *Letters*, p. xli.

113 Otto Rank, *The Incest Theme in Literature and Legend: Fundamentals of a Psychology of Literary Creation*, trans. Gregory C. Richter (Baltimore, 1992); Kurt Robert Eissler, *Goethe: A Psychoanalytic Study, 1775–1786*, 2 vols. (Detroit, 1963).

114 Eissler, *Goethe*, vol. 1, p. 33.

115 Eissler, *Goethe*, vol. 1, p. 32.

116 Mace, "Fanny Hensel," p. 236.

In Goethe's generation this led to the early death—through suicide or depression—of a whole series of young women; Cornelia herself took to her bed in sorrow and depression right after her marriage to Goethe's friend.<sup>117</sup> Ulrike Prokop has observed: "To an explosive self-consciousness of young men corresponds passivity and depression of the young women of their age . . . I am certain that a systematic analysis would demonstrate an extraordinarily high number of depressive young women among the intelligentsia who even died because of it . . . Cornelia Goethe's experience was no exception."<sup>118</sup>

By Fanny and Felix's time, some accommodation had taken place, but the problem of autonomy for women remained, with the brother's individuality and self-determination, if not the brother himself, an object of longing. Prokop's analysis of Goethe's letters to his sister could stand for a problematic running through such relationships up to Fanny and Felix's generation: "The letters to Cornelia are interwoven with a structural contradiction. The sister is addressed as a rational being, as an equal among equals in the Republic of Argument. At the same time, as soon as she is addressed as woman, prohibitions are expressed and boundaries are drawn . . . [There is] an insoluble contradiction between the developmental needs of female individuality and the prescribed gender roles of the woman . . . Cornelia's concern with the objects of culture, her devotion to the object, is through violence, through external pressure bent back to the motif: to educate oneself in order to please. Education remains limited to the house, held at a low level, and broken off in development."<sup>119</sup> And further: "No man can replace her brother. Not only, as psychoanalytic interpretation maintains because she is fixated on the brother incestuously, but because the valid rules between man and woman with respect to their experience describe a dogmatic stupidity [*bornierte Beschränktheit*]."<sup>120</sup>

The connection between Fanny and Felix Mendelssohn developed inside the peculiarly contradictory dynamics of the early nineteenth-century bourgeois family. During that period family relations were being reconfigured to emphasize emotional training, self-development, and sharply differentiated gender role expectations. The emphasis on feeling articulated strongly with a sometimes steamy but always eroticized environment.<sup>121</sup> Nancy Anderson described the English variant in terms of "strong unconscious

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117 Ulrike Prokop, *Die Illusion vom grossen Paar*, 2 vols. (Frankfurt am Main, 1991), vol. 1, pp. 78 ff., listed among the Frankfurt and Darmstadt intellectual families a dozen or so women around 1770 who died in their twenties from melancholia, "weakness," suicide, or "consumption."

118 Prokop, *Illusion*, vol. 1, p. 78.

119 Prokop, *Illusion*, vol. 1, pp. 52–53.

120 Prokop, *Illusion*, p. 53. For a rather different take, see Mace, "Fanny Hensel," pp. 262–65, where she analyses Fanny's response to Goethe's notion of "demonic" influence, which she applied to her brother.

121 Mace, "Fanny Hensel," p. 236: "In the late eighteenth and early nineteenth centuries, upper-class family units were so tightly organized that siblings were thrown into nearly suffocating proximity to one another."



**Fig. 10:** Song Without Words.

Late in the nineteenth century, the Austrian artist and art professor Robert Poetzelberger (1856–1930) painted a representation of the siblings Fanny and Felix Mendelssohn in the Romantic style. It is not clear where the original painting is, but a screen print was published in 1888, the version we usually see. It was reprinted in magazines, newspapers, and books, and was widely distributed as a single-page lithograph. Sometimes picture captions listed the names of the two siblings. But other times, as in the magazine *Die Gartenlaube* (1889), the image was labeled “Lieder ohne Worte” or in English publications, “Song [sing.] without Words,” referencing one of Felix’s most famous compositions, slyly suggesting an intimate scene of lover and beloved and obscuring the fact that the pair are brother and sister. Poetzelberger captured the sense of intimacy

between the siblings, but he also underscored the nineteenth-century presumption of creative talent as masculine. Here the four-years-older sister, a serious composer in her own right, leans on the brother and presses her hand to his shoulder in an intimate gesture, listening, touching, dreaming.

“‘Song without Words’ from a painting by R. Poetzelberger,” in Walter Rowlands, *Among the Great Masters of Music: Scenes in the Lives of Famous Musicians: Thirty-Two Reproductions of Famous Musicians* (Boston, 1900), p. 190. The reproduction of the print is provided by the University of California Southern Regional Library Facility. The print also appeared in *Die Gartenlaube* (1889). Janet I. Wasserman, “Felix Mendelssohn-Bartholdy and Fanny Mendelssohn Hensel: Portrait Iconographies,” *Music in Art* 33 (2008): 317–71.

incestuous feeling” and uses the word “adhesive” to capture the tenor of relations.<sup>122</sup> The peculiar stress on brother-sister relationships during the period 1750–1850 had roots in the intimacy of family life and also, frequently, in a thoroughgoing equality in education through and beyond puberty. The close bonds offered possibilities for experimenting with feelings and emotions, often set off against parental constraint. The contradictions of the family came to be borne most severely by the young women, who often rather abruptly learned how severely limited their horizons were to be.<sup>123</sup> Fanny’s father had to warn her about her impending fate precisely because her imagination had been opened up in a household where she had been able to develop her talent and fantasize possibilities for expressing it. All she could do while her father was alive was live vicariously through her brother. Her longing for him was as much a longing for what he could do as for re-establishing a lost intimacy. The family was at once a training ground for rules and discipline and for the untrammelled flowering of individuality. In many ways these two aspects became embedded in differentiated gender roles. But the heady emotional climate in which women were raised was not just something in stark contradiction to their future roles as housewives and mothers, but rather also part of the dynamic of a new alliance system, where “free choice” directed young people towards proper matches and women mediated between connected households and cultivated relationships between newly mobile kin.

## A son and the double death of the father

I continuously struggled with my innocence against the storms of a premature passion and the terrors of superstition. — François-René de Chateaubriand, *Memoirs From Beyond the Tomb*, 1849–50

Misdirection is a central feature of the writings of the novelist, poet, and politician Chateaubriand (1768–1848).<sup>124</sup> Nowhere is that more evident than in the life-work thread

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122 Nancy Fix Anderson, “Cousin Marriage in Victorian England,” *Journal of Family History* 11 (1986): 285–301, here p. 285.

123 Mace, “Fanny Hensel,” p. 215: “This was an age when young girls (at least in upper class families) were educated alongside their brothers, so that they were able to take an equal part in the intellectual pastimes of their brothers—although the education for girls was discontinued when they reached marriageable age, of course, leading to an aborted intimacy between siblings and hard feelings as the brother was encouraged to keep developing his skills while the sister was discouraged and told to prepare for her life as a wife and mother.” But if we take Clemens and Bettine Brentano as an example, it is not at all clear which sibling suffered the most in the long run. Even in the public space, Bettine was probably the most successful, both in her writing and in her Berlin salon.

124 Jean-Christoph Cavallin, *Chateaubriand cryptique ou Les Confessions mal faites* (Paris, 2003), pp. 22–23, 45. Fabienne Bercegol, *Chateaubriand: une politique de la tentation* (Paris, 2009), p. 467; hereafter Bercegol, *Chateaubriand*. Also François-René de Chateaubriand, *Oeuvres complètes*, dir. Béatrice Didier, vol. 16, *Atala. René. Les Aventures du dernier Abencérage*, ed. Fabienne Bercegol (Paris, 2008), here Fabienne Bercegol, “Présentation,” pp. 30–31, which will be cited subsequently as Bercegol, “Présentation.”

that begins with his birthname René. About to take his first Communion, he had to be prodded by his confessor to reveal his penchant for masturbation, although much of his time during the past year or so had been passed in onanistic reveries and consonant fears of damnation (and terror about the consequences of not revealing the sin in face of the eucharistic ritual).<sup>125</sup> At the same Communion, he received an additional name, Auguste, which became part of his signature: François-René-Auguste Chateaubriand. This name came to his rescue, offering a possibility for concealment. He signed his works as François-Auguste.<sup>126</sup> René became his private, secret name, reserved for himself and for the hero of *René*, one of his best-selling novels, and this has led to speculation about how much the character in the novel is based on himself. Rumors among his contemporaries suggested that intimacies with his sister, Lucile (1764–1804), prompted his fascination with the theme of incest, as expressed in his novels *René*, *Atala*, and *Les Natchez*, written during his early twenties. Both siblings protested their innocence, but the obvious working over of incidents, desires, and feelings from their youth in his later works has nevertheless fed two centuries of speculation.<sup>127</sup> Significantly, critics have accepted the pair as a given: aspects of Chateaubriand are to be found in the character René, while aspects of Lucile can be divined in René's sister Amélie. But Chateaubriand's customary use of misdirection may be at play here; there is no reason to doubt it. In *René*, the secret of the sister is an unconquerable incestuous desire for the brother. Why is this not a projection of his own desires rather than Lucile's? In his *Mémoires d'Outre-Tombe*, he tells us that he acted as his sister's "protector" within their highly dysfunctional family, yet given the age difference—she was older by four years—it was certainly the other way around.<sup>128</sup> At best, he provided the warmth and attention of a younger brother. As the youngest son, he was doubly disenfranchised, neglected by parents who put all their love and respect into their eldest son and heir.<sup>129</sup> When young François-René returned from the wet nurse at age three, there was his seven-year-old sister, with whom he at first shared a bed, a comforting image of intimacy and innocence portrayed in her last letter to him.<sup>130</sup>

125 François-René de Chateaubriand, *Mémoires d'outre-tombe*, édition du centenaire, établie par Maurice Levaillant, augmentée par Pierre Riberette, préface par Jean d'Ormesson, 9 vols. (Paris, 1948), vol. 1, p. 178, 227–33. Cavallin, *Chateaubriand cryptique*, pp. 10, 49–57.

126 George D. Painter, *Chateaubriand: A Biography*, vol. 1, *The Longed-for Tempests* (London, 1977), p. 47.

127 Jean d'Ormesson, preface in Chateaubriand, *Mémoires d'outre-tombe*, vol. 1, p. xvii. François-René de Chateaubriand, *Atala, René*, ed. Gilbert Chinard (Paris, 1930), p. xxxvi. Christophe Penot, *Chateaubriand aujourd'hui. Entretiens de Christoph Penot avec Jean-Paul Clément, Guillaume de Bertier, et al.* (Saint Malo, 1998), pp. 35, 111–12. Richard Switzer, *Chateaubriand* (New York, 1971). Bercegol, *Chateaubriand*, pp. 298–301.

128 Chateaubriand, *Mémoires d'outre-tombe*, p. 220.

129 Chateaubriand, *Mémoires d'outre-tombe*, p. 124.

130 Cavallin, *Chateaubriand cryptique*, p. 80–81; Chateaubriand, *Mémoires d'outre-tombe*, vol. 3, pp. 227–28. See the passage in *René*: François-René de Chateaubriand, *Atala/René*, trans. and intro. Irving Putter (Berkeley and Los Angeles, 1952), p. 102, where Amélie writes a last letter to her brother,



**Fig. 11:** A Winter Evening at the Château de Combourg.

In his *Mémoires d'outre tombe*, François-René de Chateaubriand described his adolescence at the family mansion in Brittany. His aging father became melancholic and seemed to be only interested in tracing his aristocratic genealogy. Inside the house, he was silent, despotic, and menacing. When René and his sister Lucile whispered, the father silenced them with a word. Although their mother's humor contrasted with the father's demeanor, she concen-

trated all her affections on the oldest son and heir, Jean-Baptiste. René was mostly abandoned to the servants. Chateaubriand thought of his sister as a figure from Walter Scott—beautiful and endowed with second sight. The two of them took long walks together. When they spoke of the world, it was the one they carried inside themselves, which had little to do with anything real. When Lucille told René he should paint the solitude, her remark revealed his calling—a “divine breeze” shot through him. They passed the days talking together, showing each other what each had written, and they discussed and interpreted works in common. Her thoughts, often hard to express, were characterized by elegance and sensibility. What did she write about? The moon, dawn, and innocence. The etching here captures something of the age. Of course, not all parents and children were so alienated from each other, but the break in how relations were structured around the period of the French Revolution suggests some widespread changes. Like Goethe's parents, Chateaubriand's, also the outcome of an arranged marriage, did not grow up in the culture of sensibility. As in this etching, father and mother failed to relax in their mutual company. The children paired off in a new kind of intimacy characteristic of the age, one that frequently had the whiff of incestuous longing.

Mauduison fils, d'après Philippoteaux, *Une soirée d'hiver au Château de Combourg*, illustration for François-René de Chateaubriand, *Mémoires d'outre-tombe* (1849–50), vol. 1, frontispiece. Image courtesy of the General Research Division, The New York Public Library.

Chateaubriand's memoirs indicate that he spent much of his time during early adolescence in onanistic fantasies.<sup>131</sup> His awakening took place from a chance reading of an unexpurgated Horace and a confessor's manual spelling out the torments of hell for the sins of the flesh. The first book stimulated his young imagination, while the second terrified him in the aftermath of prolonged masturbation. At the outset, however, he had no real object for his dreams except for the women close at hand. But he soon constructed his fantasy “Sylphide,” a composite figure initially drawn from mother, sister, and neighbor's wife; and eventually from all the women he knew and all the portraits in

reminding him of sharing a bed when they were children; cited hereafter as Chateaubriand, *Atala/René*.  
 131 Chateaubriand, *Mémoires d'outre-tombe*, pp. 227–33.



the family gallery. Although his private fantasies mingled shifting images of innocence and tenderness together with sexual desire, integral to their daily construction was an unsullied starting point: this, Chateaubriand made clear in his memoirs. Beginning with innocence, his reveries proceeded to voluptuousness, with the whole fused in the image of the girl of his desire. He apparently spent most days building up to a climax followed by remorse and visions of damnation. Throughout the much-revised volumes of the memoirs, there is an overlay of familial intimacy and tenderness with sexual desire, which I will explore now in his fictional settings of incest. Here it is not the question of actual incest with his sister Lucile that matters so much as her presence in his fantasy world and his incorporation of sororal feelings into sexual desire.

Jean-Christophe Cavallin found in the biblical figure of Onan the perfect symbol of the expiration of a patriarchal world—the work of the Revolution.<sup>132</sup> So the fatal habit contracted with too much reading was an emblem of historical rupture, of dynastic extinction, formulated by Chateaubriand in opposition to the transmission of life.<sup>133</sup> Note that Chateaubriand's father seemed to care about nothing but the family genealogy, while the son found no comfort in generational succession but reconstructed with his sister a new familial order in which they appropriated all the roles to themselves. The youngest brother—the new Onan and new prodigal son—killed the father in himself and transformed his personal experience in his memoirs into a vast allegory of the patriarchal world.<sup>134</sup> It is possible to go further than Cavallin, who saw in the refusal of exogamy a figure for the end to the order of fathers. The reorientation towards the axis of siblings was characteristic of the period, and some scholars have even seen in the Revolution the band of brothers putting paid to patriarchy.<sup>135</sup> It might only have been the ashes of destruction that Chateaubriand decried, but the Phoenix arising from the ashes that he decried intimated a reorientation mostly felt as a disorientation.<sup>136</sup> And his German contemporary Hegel also puzzled over the conundrum of love and exogamy, finding no wife the equal to a sister, no husband so essential to the orientation of selfhood as a brother.<sup>137</sup>

Chateaubriand considered his sister to be a great beauty. As a young teenager, he took long walks with her, partly to get away from their gloomy country house and its inhabitants, and partly to share thoughts with her. Brother and sister experienced nature together and interpreted the things they read in common with the same sensibility. Both of them had a penchant for melancholy and saw in each other a reflection

132 Cavallin, *Chateaubriand cryptique*, ch. 2, "Onan Théosophe."

133 Cavallin, *Chateaubriand cryptique*, p. 56.

134 Cavallin, *Chateaubriand cryptique*, p. 49.

135 Lynn Hunt, *The Family Romance of the French Revolution* (Berkeley and Los Angeles, 1992).

136 Cavallin, *Chateaubriand cryptique*, pp. 54, 56, 84.

137 G. W. F. Hegel, *The Phenomenology of Mind*, trans. and intro. J. B. Baillie, 2nd ed. (London, 1949), pp. 476–77.

of self.<sup>138</sup> It is harder to see Lucile, who is visible only through what the brother said about her or made available in excerpts from her correspondence, than it is to assess his narcissism, in which his sister is but mirror of himself. As he put it, she was his “muse.”<sup>139</sup> Their friendship was their whole life. In one passage on a young man who could not control his passions, Chateaubriand easily slipped to God and then to Lucile, and he was not sure which of them should come first. He *knew* that only God was supposed to be adored, but he *felt* that his sister had precedence. Perhaps she mediated the relationship. She was the one who told him, during one of their long promenades, that he should paint the solitude. It was a revelation and a calling, a “breath of the divine” passing over him.<sup>140</sup> In an undated letter, she recalled their mutual need as adolescents to see each other constantly. Even now, she wrote, her feelings for no one approached the sincerity and tenderness of her helpless love for him.<sup>141</sup>

During the decades around the turn of the century when the practice of taking a cousin as wife developed, another possible choice was the close friend of a sibling or the sibling of a close friend, a way to resolve passionate feelings in a suitable direction. Returning from a year’s adventure in America at the age of twenty-four, Chateaubriand immediately married Lucile’s closest friend, whom he had never met, an aristocrat from Lucile’s convent, with the financial resources to ensure his independence.<sup>142</sup> He was soon off in political exile, and while he circled back to his wife continuously (she died in 1847, a year before he did), he was notoriously unfaithful. Whether this marriage was simply an arrangement of material calculation or a promise of erotic attraction from within the sister’s milieu is unclear. In any event, Lucile took on the role of the wife’s companion in the husband’s absence and after her own brief marriage, returned to that household and ran it, until her friend grew tired of her imperiousness.<sup>143</sup> Chateaubriand saw signs of growing mental instability in his sister’s sadness and noted her subsequent penchant for isolation. Reflecting on one of her letters, he thought of her lonely “heart” as a place of refuge or retreat where he could escape the alienation he experienced in the world of affairs among strangers.<sup>144</sup>

In the end, Lucile died alone, an apparent suicide, and was buried anonymously in an unmarked grave that Chateaubriand professed to be unable to find.<sup>145</sup> But her death prompted thoughts of fusion and incorporation. They were formed of the same blood, and she had offered the complement to his existence, which now, with her passing, was beginning to break apart. Reflecting on her death more than two decades later, he

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138 Chateaubriand, *Mémoires d'outre-tombe*, vol. 1, pp. 124, 220–24. Painter, *Chateaubriand*, p. 64.

139 Chateaubriand, *Mémoires d'outre-tombe*, vol. 1, p. 221.

140 Chateaubriand, *Mémoires d'outre-tombe*, vol. 1, p. 220.

141 Chateaubriand, *Mémoires d'outre-tombe*, vol. 3, p. 227–28.

142 Chateaubriand, *Mémoires d'outre-tombe*, vol. 2, p. 126.

143 Chateaubriand, *Mémoires d'outre-tombe*, vol. 3, p. 43.

144 Chateaubriand, *Mémoires d'outre-tombe*, vol. 3, p. 232.

145 Chateaubriand, *Mémoires d'outre-tombe*, vol. 3, p. 232.

found himself weeping every day.<sup>146</sup> Her existence persisted in a place of solitude in his heart, and it came to an end only at his death. Cavallin found in the absence of burial a keystone for Chateaubriand's treatment of identity in his memoirs.<sup>147</sup> In 1811, with the shock of the deaths of a lover and his sister, the bereaved brother began what would be thirty years of reworking and continuously expanding his memories of his sister: "The intimate self of the memorialist is embodied around the place left void by the disappearance of the remains of Lucile."<sup>148</sup> She had written to him just before she died, retracing the past so as to have a place in his heart. In turn her heart was the only asylum for him on this earth. So in a sense, although Cavallin did not make this point, Chateaubriand had no place to go after her death. The absence of a burial spot prompted him instead to become the crypt of the sister. Indeed, he used the image of "cradle" for tomb, an allusion to the Church of the Holy Sepulcher.<sup>149</sup> "The death of Lucile reached him at the source of his soul and broke the last thread that linked him to the cradle and his origin."<sup>150</sup> The man of the *Mémoires* became quite literally the tomb of the sister whose death affected the source of his existence. The echo and confusion of identity between the two was one of the wishes most recurrent in the text—"all the notes and letters testify to the sad nostalgia of an impossible reunion or impossible fusion between brother and sister."<sup>151</sup> Cavallin saw in the origins and construction of the memoirs a closing of the self and a refusal by their author to enter into communication with anyone but himself: in the *cryptic* self could be found the root of Chateaubriand's characteristic misdirection.<sup>152</sup>

Chateaubriand put the theme of incest at the heart of the three novels, *René*, *Atala*, and *Les Natchez*, that he set in the American wilderness, with interlocking characters. Fabienne Bercegol found in incest a "passionate crime fascinating by the energy of remorse that it provokes, by the metaphysics of desire that it reveals, and, by the major test it constitutes in the history of a soul."<sup>153</sup> Both *René* and *Atala*, replete with themes of law, sin, and temptation, were originally incorporated into Chateaubriand's work of Christian apology, *La Génie du Christianisme* (*The Genius of Christianity*). Some scholars have seen the novels as more intimate and less concealing than the memoirs.<sup>154</sup> Indeed, as I have already noted, the characters René and Amélie were so closely drawn from many aspects of Chateaubriand (René) and Lucile, that many contemporaries thought of *René* as a thinly disguised account of their relationship.

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146 Chateaubriand, *Mémoires d'outre-tombe*, vol. 3, pp. 232, 443.

147 Cavallin, *Chateaubriand cryptique*, p. 72.

148 Cavallin, *Chateaubriand cryptique*, p. 72.

149 Cavallin, *Chateaubriand cryptique*, p. 74.

150 Cavallin, *Chateaubriand cryptique*, p. 76.

151 Cavallin, *Chateaubriand cryptique*, p. 80.

152 Cavallin, *Chateaubriand cryptique*, pp. 81–82.

153 Bercegol, *Chateaubriand*, p. 324.

154 Cavallin, *Chateaubriand cryptique*, p. 45.

From a place among the Natchez on the Mississippi River, his refuge after a tragedy involving his sister, Amélie, Chateaubriand's character René related the story of their relationship to Chactas, his Indian foster father, and to a priest-missionary, Father Souël. The tale he told was one of his sister's incestuous passions for him, which he alleged never to have suspected: it was she who provided the revelation. With his mother's death at his birth and father's neglect (interested only in the eldest son and heir—like Chateaubriand's own father), he was thrown into the company of his sister.<sup>155</sup> They were closely bound by "tender affinities in mood and taste," and they were both touched by a profound sadness.<sup>156</sup> Like Chateaubriand and Lucile, they spent their adolescence in long intimate walks, whispering poetry to one another. But then came a series of what René experienced as brutal rejections by Amélie: she seemed glad when he decided to go abroad. But she rushed back to him when she suspected he intended suicide, only to pine away afterwards and flee to a convent. She left René a farewell letter, in which she recalled how she had rocked his cradle and slept with him but also said that now she must tear herself away so that they could one day be united in the tomb.<sup>157</sup> The letter hoped that he would find a wife, so that he would feel he had *found a sister* again.<sup>158</sup> He had been imagining an ideal creature as object of some future passion. He wanted God to give him an Eve drawn from his side, a fantasy of a double, someone of his own flesh, as intimate as, or even more than, a sister.<sup>159</sup> Amélie was," he told Chactas, "the only person in the world I had ever loved and all my feelings converged in her with the sweetness of my childhood memories."<sup>160</sup> Clearly the reveries of sister and the dreams of an Eve partook of the same vision.

Amélie, René related, asked him to take the place of the father in her ceremony of taking vows.<sup>161</sup> He intended to disturb her by sacrificing and stabbing himself; the images here being those of his blood flowing in their final embrace, as their breaths mingled. For the ceremony, she came forth in all the finery of the world, so beautiful that everyone gasped. As her hair was about to be shaved, passion flamed up in him: shaved, she never had appeared so beautiful. And then she murmured to God to lavish His blessings on the brother who never had shared her passion. With the "horrible truth" suddenly clear, he fell across her and pressed her in his arms, falling into unconsciousness. Now he understood the meaning of all her efforts to avoid him. To Chactas, he remarked, in concluding his story, that religion substituted "for the most violent passion . . . a kind of burning chastity in which lover and virgin are one."<sup>162</sup>

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155 Chateaubriand, *Atala/René*, p. 86.

156 Chateaubriand, *Atala/René*, p. 87.

157 Chateaubriand, *Atala/René*, pp. 87–101.

158 Chateaubriand, *Atala/René*, p. 103.

159 Chateaubriand, *Atala/René*, p. 98; Chateaubriand, *Oeuvres complètes*, p. 385.

160 Chateaubriand, *Atala/René*, p. 99.

161 Chateaubriand, *Atala/René*, pp. 106–8.

162 Chateaubriand, *Atala/René*, p. 111.

Chateaubriand originally planned to include *René* in *Les Natchez*, but instead he published it in the first version of *La Génie du Christianisme*. *Les Natchez* came out only several decades later, in 1826, in the first edition of his complete works. In the general preface to the edition, Chateaubriand recommended reading the novels dialectically with the autobiographical memoirs. For Bercegol, this invited “a reading of confessions in disguise,” thereby setting off a round of gossip by teasing the reader with the incest theme and the possible parallels between his characters and his life.<sup>163</sup> This practice of “oblique writing,” Bercegol suggested, transformed the “detour of the lie of fiction” into an act to reveal the truth.<sup>164</sup> The theme of incest in the “American fictions” helped to create “the illusion of a possible return to some forms of original love which do not yet have the experience of sin.”<sup>165</sup> Rituals of vocation, extreme unction, and burial, the deepest religious moments, were always touched with eroticism, first loves were always pure, and first incestuous relations were always innocent. And the characters, set as savages in the wilderness, children of Adam not yet subject to the repressions of Western Christianity, always encountered each other with passionate desire mingled with familial tenderness.<sup>166</sup>

In *Les Natchez*, Chateaubriand spun out the story of René and his adoptive father, Chactas, in more detail.<sup>167</sup> Chactas arranged for René to marry the beautiful and faithful Céluta, but René was unable to bond with her because of the back story of his sister. He insisted that his daughter be called Amélie, against Indian matrilineal custom and considerable opposition.<sup>168</sup> Throughout the tale, he was always called the “brother of Amélie.”<sup>169</sup> In this novel, the account of how he came to marry Céluta was told rather differently than in *René*. Here the issue was one of his becoming a blood brother of the Indian Outougamiz, a deep and peculiar friendship, perhaps symbolizing a homoerotic relationship. Céluta was the sister of Outougamiz, who wanted her to marry René in order to strengthen the blood-brother relationship. René reluctantly agreed.<sup>170</sup> Old ties weighed heavily on the brother of Amélie. No passion could enter his heart; there was no room in the depths of his soul; the void left by Amélie could not be filled.<sup>171</sup> In a sense, what Céluta could not be was his sister. Indeed, when Outougamiz himself married, he and his wife affirmed that they wanted to be brother and sister (an image of intimacy much greater than that of man and wife).<sup>172</sup> Off on a journey, René left a

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163 Bercegol, “Présentation,” p. 28.

164 Bercegol, “Présentation,” p. 30.

165 Bercegol, “Présentation,” p. 41.

166 Bercegol, “Présentation,” p. 42.

167 Chateaubriand, *Les Natchez*, in François-René de Chateaubriand, *Oeuvres romanesques et voyages*, vol. 1, texte établi, présenté et annoté par Maurice Regard (Tours, 1969), pp. 147–594.

168 Chateaubriand, *Les Natchez*, p. 383.

169 For example, Chateaubriand, *Les Natchez*, p. 170.

170 Chateaubriand, *Les Natchez*, p. 308.

171 Chateaubriand, *Les Natchez*, pp. 360–74.

172 Chateaubriand, *Les Natchez*, p. 442.

letter for Céluta. His misfortunate youth made him what Céluta now was having to encounter. “I have been loved, too much loved. The angel who surrounded me with her mysterious tenderness closed forever . . . the sources of my existence. All love is a horror for me: nothing else can approach the model of woman before me. . . . An unknown poison mixes with all my sentiments. . . . The all powerful Lord calls to me in my solitude . . . ‘René, René what have you done with your sister.’ Am I then Cain?”<sup>173</sup> Interestingly enough, Father Souël never believed René’s account, on two grounds: René could not have been so obtuse as not to see what was going on with his sister, perhaps because of his own guilty, repressed—or not so repressed—desire, and he had taken “pleasure in the grief centered on himself,” while either “ignoring the distress of Amélie or integrating her into a vision only oriented on himself.”<sup>174</sup> Even apart from desire and will, René was not innocent. In a scene where he was talking in his sleep and Céluta entered into a dialogue with him, he was dreaming of his sister. He asked why she had left him. Céluta asked who? “I love her.” Who? Answer. “Death.”<sup>175</sup> The passage finished with the observation that if there were some families that destiny seemed to persecute, it was not the fault of Providence. Amélie was received by heaven, but her brother, René, carried the double chastisement of culpable passions: “The one who even involuntarily is the cause of some misfortune or crime is never innocent in the eyes of God.”<sup>176</sup>

*Atala* offered another take on the incest theme through the device of Chactas’s back story.<sup>177</sup> Here it was not a matter of incest as a biological relationship, since the two central characters, the young Chactas and *Atala*, were linked only through adoption.<sup>178</sup> Nonetheless, familial sentiments were part of the urgency of their mutual passion. Chactas ran the risk of enslavement but was rescued and adopted by a Spanish merchant named Lopez (who incidentally lived with his own sister).<sup>179</sup> But he left his adoptive father after a few years and spent some time in the wilderness. Muskogees captured him and slated him for execution, but *Atala*, the adopted daughter of the sachem, secretly secured his release. Chactas and *Atala* fell in love and wandered through the forest, just like Chateaubriand and Lucile in their promenades: “O first walk of love, your memory must surely be powerful, since you still stir the heart of old Chactas after so many years of misfortune.”<sup>180</sup> As with Amélie in *René*, *Atala* was continually attracted to and repulsed by Chactas, but this time there was a further obstacle. Her mother, a Christian, had dedicated her to Maria, taking a vow of virginity for the infant child. Now, lying in Chactas’s arms, *Atala* struggled constantly between the pull of love

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173 Chateaubriand, *Les Natchez*, pp. 499–500.

174 Colin Smethurst, introduction to *René*, in Chateaubriand, *Oeuvres complètes*, vol. 16, p. 388.

175 Chateaubriand, *Les Natchez*, pp. 550–51.

176 Chateaubriand, *Les Natchez*, p. 575.

177 Chateaubriand, *Atala*, in Chateaubriand, *Atala/René*, pp. 17–89.

178 In canon law, such a connection was just as much an impediment to marriage as consanguinity.

179 Chateaubriand, *Atala*, p. 23.

180 Chateaubriand, *Atala*, p. 28.

and the demands of religion. When she told Chactas her history, and he told her his, they learned that her father, Philip Lopez, was his adoptive father, the merchant named Lopez. Chactas later related that the “fraternal affection which had come upon us, joining its love to our own love, proved too powerful for our hearts.”<sup>181</sup> At the moment her resistance was giving way (a storm was raging, symbolizing passion’s height), and Chactas was recognizing her as his bride, lightning split the tree under which the lovers lay, and they fled, only to encounter the reclusive Father Aubry in his model Indian village (a model because they now accepted private property).<sup>182</sup> To him they spilled out their troubles in love—her mother’s vow and their mutual origins.

Bercegol argued that the revelation of familial ties was the apogee of this story of love, the theatrical coup that filled the lovers with confusion and joy and threw them into each other’s arms. It gave their love an incestuous character that delighted but also put them, teetering, on the point of committing the irreparable. In *Atala* and *Les Natchez* such love participated in the praise of primitive civilizations exempted from all forms of sexual repression. The joy of *Atala* and Chactas came with the superposition of the different types of affection found in incestuous union. The intensity of their happiness and their impression of fullness depended in part on the plurality of sentiments.<sup>183</sup>

To save herself from her passion, *Atala* had taken poison only to learn from Aubry afterwards that her mother’s vow had not been licet and that he could have arranged for the marriage. And so, as she lay dying, she told both Chactas and Aubry what she had done. Aubry found two things to say to “comfort” the young lovers. First, the marriage of brothers and sisters had a precedent in the children of Adam, in those “unutterable unions, when sister was wife to brother, when love and brotherly affection blended in the same heart and the purity of one swelled the delight of the other.”<sup>184</sup> And second, alas, no marriage ever had remained or would remain in a happy state—not even the marriage of Adam and Eve. And if that pair could not do it, then what chance did Chactas and *Atala* have? Love was an illusion.<sup>185</sup> Never for long would a man’s soul lavish its love on the same object. The implication was that death offered the better resolution for passion by prolonging it in the cryptic heart, in eternal reunion, in the tomb. In any event, as *Atala* was dying, the two lovers insisted on calling each other “brother” and “sister.” *Atala* referred to Lopez as “your father and mine.” And she told her “brother” she would wait for him in the celestial realm; that he should prepare for their reunion.<sup>186</sup>

A central theme throughout Chateaubriand’s life—both in his writing and in his relationship with his sister was the overlay of two kinds of intimacy, the very imbrication at the heart of his Romantic vision of passion. There was, he felt, a fundamental

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<sup>181</sup> Chateaubriand, *Atala*, p. 46.

<sup>182</sup> Chateaubriand, *Atala*, pp. 44–47.

<sup>183</sup> Bercegol, *Chateaubriand*, p. 366.

<sup>184</sup> Chateaubriand, *Atala*, p. 58–65; quotation, p. 65.

<sup>185</sup> Chateaubriand, *Atala*, p. 67.

<sup>186</sup> Chateaubriand, *Atala*, pp. 69–71.

tenderness experienced in growing up with a sister that could never be replicated in adult life. And the fraternal-sororal sentiments both bordered on and were caught up in sexual desire. It was this redoubling of the two kinds of emotions or two kinds of love that attracted the imagination. Like Clemens Brentano, Chateaubriand sexualized the purity of the sister. In his onanistic fantasies, the starting point was always the innocence of relationship with a pure image and that in itself heightened the build-up of erotic stimulation. The sister might play a crucial role as mediator—through Lucile, Chateaubriand found his calling and a wife—but then, she also could be so potent a love object that successful transfer of passion elsewhere could not occur. Where there was a confusion of identities, mediation could not take place, since it required the action of an independent third party (an independent sister, not a double of the self) to effect an exchange between new lovers. Blurring or fusion strove towards oneness, towards non-differentiation, and made it impossible for the sister to play the transactive instrumental role or become the mediating figure. Chateaubriand’s work offered a long meditation on the problem of sibling intimacy and its relation to out-in-the-world experience: the impossible, contradictory, and ultimately doomed task of finding a wife like a sister.

## A poet and the “pleasures of illicitness”

Great is their love who live in sin and fear;  
And such, I feel, are waging in my heart — Lord Byron, *Heaven and Earth, A Mystery*, 1821<sup>187</sup>

George Gordon Lord Byron (1788–1824) presents an unusual subject for the problem of incest because of his sexual omnivorousness. At the age of nine, he was introduced not only to sexuality by a Bible-reading, Calvinist nurse, but also to practices labeled at the time as “perverse.” Some biographers have seen in this incident his life-long inability to stay very long with any sexual partner and his oscillation between sexual excess and “Calvinist” guilt.<sup>188</sup> Indeed, the relationship with his half-sister, Augusta Leigh (1783–1851), seems to have been given extra stimulation by the very fact of transgression.<sup>189</sup> The objects of his first fantasies were all cousins. But at Harrow he discovered the pleasures of boys, and at Cambridge he participated in an underground culture of homosexual attachment. Perhaps the deepest and longest-lasting love of his life was a choir boy

<sup>187</sup> Byron, *Heaven and Earth, A Mystery*, in Byron, *Poetical Works*, pp. 545–59, quotation, p. 546. The poem was written in 1821 and first published in 1823.

<sup>188</sup> Fiona MacCarthy, *Byron: Life and Legend* (London, 2002), p. 23. Peter Gunn, *My Dearest Augusta: A Biography of Augusta Leigh, Lord Byron’s Half-Sister* (New York, 1968), p. 90. Bernard Grebanier, *The Uninhibited Byron: An Account of His Sexual Confusion* (New York, 1970), p. 154.

<sup>189</sup> Benita Eisler, *Byron: Child of Passion, Fool of Fame* (New York, 2000), p. 403. MacCarthy, *Byron*, p. 211. Michael Bakewell and Melissa Bakewell, *Augusta Leigh: Byron’s Half-Sister: A Biography* (London, 2000), p. 104; hereafter Bakewell, *Augusta Leigh*. Grebanier, *The Uninhibited Byron*, p. 160.



whose origins enhanced passion with the *frisson* of crossing social boundaries.<sup>190</sup> Byron later seduced his page, and during his first trip to the continent and to Greece and the Ottoman Empire, he actively pursued boys and girls, young men and married women. Back in England, between 1811 and 1816, he kept any attachment to men well under wraps because of the severe consequences under English law for active homosexual relations.<sup>191</sup> During that period, he had several well-known and well-publicized affairs, principally with married women and, like many men of his class, consumed the service personnel for dessert.<sup>192</sup> His quite disastrous marriage broke up rather quickly amid suppressed charges of incest with his sister and buggery with his wife.<sup>193</sup> During all this time, he kept his male friends apprised of his activities, blabbed frequently to his female confidants and sexual partners, and apparently took as much pleasure in disclosing shocking details as in pursuing his latest conquest. Indeed these appear to have been tightly interwoven activities. All told, he was alleged to have had sexual partners in the four figures, although perhaps three or four hundred is the better estimate.<sup>194</sup>

Byron did not meet Augusta until 1801, when he was a thirteen-year-old school boy at Harrow.<sup>195</sup> She was five years his senior and entered his life despite the efforts of his mother, Catherine Gordon Byron, to keep them apart. Catherine may have feared having a rival to her affection in the stepdaughter; her back story lent weight to her concerns. Her husband, Jack Byron, the father of the half siblings, had pursued an incestuous relation with his sister, Frances Leigh, and had lived with her for some time in France. Frances's son, cousin to Byron and Augusta, was Augusta's husband (cousin marriages or liaisons were scattered throughout the family).<sup>196</sup> Although Byron and Augusta probably corresponded all through his Harrow years, the first letter to be preserved dates from 1804, when he wrote: "Recollect, My Dearest Sister, that you are the *nearest relation* I have in *the world by the ties of Blood* and affection."<sup>197</sup> Around this time, she played an important role in cushioning him against his "embarrassing" mother.

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190 MacCarthy, *Byron*, p. 73.

191 MacCarthy, *Byron*, p. 139.

192 MacCarthy, *Byron*, p. 147.

193 Eisler, *Byron*, p. 500. Grebanier, *The Uninhibited Byron*, p. 272. MacCarthy, *Byron*, pp. 268–69. Elwin disagrees: Malcolm Elwin, *Lord Byron's Family: Annabella, Ada, and Augusta, 1816–1824*, ed. Peter Thomson, from the author's typescript (London, 1975), p. 1.

194 Grebanier, *The Uninhibited Byron*, p. 181.

195 Eisler, *Byron*, p. 56. MacCarthy, *Byron*, p. 43. The Bakewells put it in 1803: Bakewell, *Augusta Leigh*, p. 55.

196 MacCarthy, *Byron*, p. 7. A. L. Rouse, "Byron's Cornish Ancestry," in *Byron: A Symposium*, ed. John D. Jump (London and Basingstoke, 1975), pp. 1–15, here pp. 4, 7. Gunn, *My Dearest Augusta*, p. 47. Later, Augusta married her eldest daughter to a cousin (Augusta probably had had an affair with him), but he ran away with the daughter/wife's younger sister, with whom he had three children: Rouse, "Cornish Ancestry," p. 4.

197 Gunn, *My Dearest Augusta*, p. 46.

In current discussions about the genetics of sexual avoidance and sexual attraction, scholars have raised the question about the relationship of early childhood attachments to later desire. There is one argument suggesting that early childhood association of siblings dampens sexual interest, but there is another widespread observation that familial relationships formed after puberty are marked by strong attraction. The literature also promotes the idea that there is a particular kind of stimulation prompted by physical and emotional resemblance. Many contemporaries of the Byron siblings remarked on their strong resemblances, on the “striking similarities” to be found “in mobile traits—fleeting changes of facial expression, of manner and gesture. They were said to have the same laugh, for example, and both suffered from the excruciating Byron shyness with strangers.”<sup>198</sup> Peter Gunn, Augusta’s biographer, remarked on a sketch of her at age twenty-nine: she had “the same large eyes, fine nose, and expressive mouth.” The half siblings indulged in mimicry and mockery and exploded in laughter to relieve strain. They both had difficulty pronouncing *r*’s. “But more than all else, he found in her the most complete, spontaneous and instinctive sympathy; they were both Byrons, they spoke the same language; through their veins the same blood, which responded to similar impulses and emotions flowed.”<sup>199</sup> Byron thought of their blood ties as a “mystical bond of flesh and spirit.”<sup>200</sup>

The relationship between Byron and Augusta developed mostly through correspondence until 1806, when he cut her off for two years over financial issues and what he judged as her meddling in personal relations with a mutual relative.<sup>201</sup> In 1812, after he returned from two years traveling on the continent, he published the first cantos of an epic poem based loosely on his wanderings, *Childe Harold’s Pilgrimage*. He sent a copy to Augusta with an inscription: “To Augusta, my dearest sister, and my best friend, who has loved me better than I deserved, this volume is presented by her *father’s* son, and most affectionate brother. B.”<sup>202</sup> Not long afterwards he visited his sister at Six Mile Bottom in Cambridgeshire. She then went down to London where he squired her around town in what amounted to a passionate courtship. Byron wrote to one friend that “never having been much together, we are naturally more attached to each

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<sup>198</sup> Eisler, *Byron*, p. 57.

<sup>199</sup> Gunn, *My Dearest Augusta*, p. 82: “She felt the exciting paradox of his being a stranger whom she had known all her life.”

<sup>200</sup> Eisler, *Byron*, p. 395. In the dramatic poem *Manfred*, Byron dwells on the recognition of oneself in a sibling and the physical attraction of siblings for each other. Manfred finds himself in conversation with a witch: “She was like me in lineaments; her eyes / Her hair, her features, all, to the very tone / Even of her voice, they said were like to mine; / but soften’d all, and temper’d into beauty: / She had the same lone thoughts and wanderings, / The quest of hidden knowledge, and a mind / To comprehend the universe: nor these / Alone, but with them gentler powers than mine. . . . Her faults were mine—her virtues were her own— / I loved her, and destroy’d her.” Byron, *Manfred: A Dramatic Poem*, in Byron, *Poetical Works*, pp. 390–406, here p. 397.

<sup>201</sup> Gunn, *My Dearest Augusta*, p. 58.

<sup>202</sup> Gunn, *My Dearest Augusta*, p. 79.

other.”<sup>203</sup> Soon after that, they became lovers, and he told his confidant Lady Melbourne that seduction had never been so easy.<sup>204</sup> Indeed, he was soon writing that the two of them planned to run off to the continent, leaving her husband and children behind. On that plan, she got cold feet, but they continued their affair; and, as was his wont, he worked through the force of his passion in a poem. By late 1812, he was intensely engaged with *The Bride of Abydos*, the first canto of which depicted the passionate love between brother and sister. But thinking this might be too embarrassing for Augusta, he resolved the relationship into cousinship in the subsequent cantos. He also remarked that “in so doing [I] have weakened the whole, by interrupting the train of thought; and in composition I do not think *second* thoughts are best, though *second* expressions may improve our first ideas.”<sup>205</sup> The heroine of this poem, Zuleika, made love to her brother, Selim (at least she thought he was her brother at the time): “My love thou surely knew’st before, / If ne’er was less, nor can be more, / To see thee, hear thee, near thee stay, / . . . With thee to live, with thee to die, / I dare not to my hope deny: / Thy cheek, thine eyes, thy lips to kiss / Like this—and this—no more than this; / For, Allah! sure thy lips are flame: / What fever in thy veins is flushing? / My own have nearly caught the same, / At least I feel my cheek too blushing.”<sup>206</sup> In the second canto, Selim revealed that he was not her brother, which panicked her with the thought *that he would love her less or not at all*: “Oh! not my brother!—yet unsay— / God! am I left alone on earth / To mourn—I dare not curse—the day / That saw my solitary birth? / Oh! thou wilt love me now no more! / My sinking heart foreboded ill; / But I know *me* all I was before / Thy sister—friend—Zuleika still.”<sup>207</sup>

Byron, who was writing this poem at the height of his emotional tangle with Augusta, recorded in his journal that he wanted to distract his “thoughts from \*\*\*\*\*.”<sup>208</sup> “The poem’s theme of incest, barely disguised,” noted one biographer, “played a dangerous variation on his need to tell and not tell. He both wanted and dreaded the poem to be understood for what it was: a love song to his sister.”<sup>209</sup> Even as he disguised the incest in the poem, he was revealing it to his friend Lady Melbourne and telling her that he was more than ever in love with his sister. “I am afraid that that perverse passion was my deepest after all.”<sup>210</sup> Augusta replied to his gift of *The Bride of Abydos* with a poem in French (translated here): “To share all your sentiments / To see only with your eyes / To act only by your counsel / To love only for you, those are my / Vows, my

203 Grebanier, *The Uninhibited Byron*, p. 153.

204 Eisler, *Byron*, p. 395.

205 Eisler, *Byron*, p. 399.

206 Byron, *The Bride of Abydos*, in Byron, *Poetical Works*, pp. 264–76; here canto 1, st. 13, p. 268.

207 Byron, *Bride of Abydos*, canto 2, st. 11, p. 271.

208 Eisler, *Byron*, p. 408.

209 Eisler, *Byron*, p. 408.

210 Eisler, *Byron*, p. 409.

projects, and the only / Fate that can make me happy.”<sup>211</sup> She sent a lock of her hair, which he put into a packet labeled “La Chevelure of / the *one* whom I / most loved +.”<sup>212</sup> The cross was their personal sign, interpreted by some as an emblem signifying sexual consummation and by others as a kiss.<sup>213</sup> In any event, it is to be found throughout their letters to each other.

To Professor Clarke at Cambridge, Byron wrote about his intentions in *The Bride*: “. . . I felt compelled to make my hero and heroine relations, as you well know that none else could there obtain that degree of intercourse leading to genuine affection; I had nearly made them rather too much akin to each other; and through the wild passions of the East . . . might have pleaded in favour of a copyist, yet time and the north . . . induced me to alter their consanguinity and confine them to cousinship.”<sup>214</sup> Referring to the same poem he recorded in his journal entry of November 14: “I believe the composition of it kept me alive—for it was written to drive my thoughts from the recollection of—‘Dear sacred name, rest ever unreveal’d.’ At least, even here, my hand would tremble to write it.”<sup>215</sup> This private inhibition—in writings intended only for his eyes—certainly contrasted with the more public self, blabbing all over town about their relationship and exposing their affair over and over again in published works. Byron seemed to be always hiding and revealing himself at the same time.

During the period when Byron showed up anytime Augusta’s husband was away, he sent verses expressing the “tortured profundity of his love for Augusta” to his friend Thomas Moore, and always remarking on the contradiction of reveling in an open secret: “I speak not, I trace not, I breathe not thy name, / There is grief in the sound, there is guilt in the fame: / But the fear which now burns on my cheek may impart / The deep thoughts that dwell in the silence of my heart. / Too brief for our passion, too long for our peace, / Were those hours—can their joy or their bitterness cease? / We repent, we abjure, we will break from our chain,— / We will part, we will fly to—unite it again! Oh! thine be the gladness, and mine be the guilt! / Forgive me, adored one!—forsake, if thou wilt;— / But the heart which is thine shall expire undebased, / And *man* shall not break it—whatever *thou* mayst. / And stern to the haughty, but humble to thee, / This soul, in its bitterest blackness, shall be; / And our days seen as swift, and our moments more sweet, / With thee by my side, than with worlds at our feet. / One sigh of thy sorrow, one look of thy love, / Shall turn me or fix, shall reward or reprove; / And the heartless may wonder at all I resign— / Thy lip shall reply, not to them, but to *mine*.”<sup>216</sup>

One of the consequences of the siblings’ affair was the uncertain paternity of Augusta’s daughter, Elizabeth Medora. She might have received the name Medora from

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211 Eisler, *Byron*, p. 409.

212 Eisler, *Byron*, p. 409.

213 Grebanier, *The Uninhibited Byron*, p. 163.

214 Gunn, *My Dearest Augusta*, p. 98.

215 Gunn, *My Dearest Augusta*, p. 98.

216 Gunn, *My Dearest Augusta*, p. 106.

the lover of the hero in the poem *The Corsair*, which Byron wrote at Six Mile Bottom and some judge his most autobiographical work. But then Medora also was the name of the godmother's husband's race horse!<sup>217</sup> Be that as it may, Byron wrote rather enigmatically to Lady Melbourne about the child's birth: "Oh! but it is 'worth while'—I can't tell you why—and it is *not* an 'Ape' and if it is—that must be my fault—however I will positively reform—you must however allow—that it is utterly impossible I can never be half as well-liked elsewhere—and I have been all my life trying to make some one love me—and never got the sort that I preferred before—But positively she & I will grow good—and all that—and so we are *now* and shall be these next three weeks & more so."<sup>218</sup> The reference to an ape, many commentators have suggested, was drawn from the "popular assumption" that incest would—or could—result in a so-called monstrous birth. But there was another popular idea; namely, that intercourse during pregnancy with a man who was not the father could affect the child adversely.<sup>219</sup> There is evidence that Augusta's husband had had sexual relations with his wife around the same time that the half siblings were carrying on their affair. If true, the only possible conclusion is that Byron *could* have been father to Augusta's daughter. But then, he never showed any interest in her.<sup>220</sup> Lady Melbourne, in any event, placed all the blame for the affair on Augusta, but Byron defended her in a remarkably curious way: "*She* was not to blame—one thousandth part in comparison—she was not aware of her own peril—till it was too late—and I can only account for her subsequent '*abandon*' by an observation that I think is not unjust—that women are more *attached* than men—if they are treated with anything like fairness or tenderness."<sup>221</sup> And in *The Giaour*, he penned the lines: "I loved her—love will find its way / Through paths where wolves would fear to prey." And "Yes, Love indeed is light from heaven; / A spark of that immortal fire / With angels shared by Alla given, / To lift from earth our low desire." And then "I grant *my* love imperfect, all / That mortals by the name miscall; / Then deem it evil, what thou wilt; But say, oh say, *hers* was not guilt! / she was my life's unerring light; / that quench'd, what beam shall break my night?"<sup>222</sup> And in *The Corsair*, he expressed the ambivalence of desire and guilt: "Things light or lovely in their acted time, / But now to stern reflection each a crime; / The withering sense of evil unrevealed, / Not cankering less because the more concealed— / All, in a word, from which all eyes must start, / That opening sepulchre—the naked heart."<sup>223</sup> And in the suppressed first lines of the sequel to *The Corsair*, *Lara*: "When she is gone—the loved, the lost—the one / Whose smile had gladdened though perchance undone— / Whose name too deeply cherished to impart / Dies on the lip but

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217 MacCarthy, *Byron*, p. 214.

218 Bakewell, *Augusta Leigh*, p. 121.

219 MacCarthy, *Byron*, p. 214.

220 Bakewell, *Augusta Leigh*, p. 122.

221 Eisler, *Byron*, p. 426.

222 Byron, *The Giaour: A Fragment of a Turkish Tale*, in Byron, *Poetical Works*, pp. 252–64, here pp. 261–62.

223 Byron, *The Corsair*, in Byron, *Poetical Works*, pp. 278–303, here canto 2, st. 11, p. 290.

trembles in the heart— / Where sudden mention can almost convulse / And lightens through the ungovernable pulse. . . . / Oh best and dearest, thou whose thrilling name / My heart adores too deeply to proclaim.”<sup>224</sup> Well, everyone seems to have known. It even made it to the newspapers.<sup>225</sup>

Augusta encouraged Byron in his pursuit of his short-term wife, Annabella Milbanke, since she thought that marriage would relieve all the problems stemming from the open secret of their affair. Byron wrote to Lady Melbourne that Augusta was encouraging the marriage “because it was the only chance of redemption for *two* persons.”<sup>226</sup> During the courtship, Augusta wrote to Byron: “My dearest B + [,] As usual I have but a short allowance of time to reply to your tenderness + but a few lines I know will be better than none—at least I find them so + It was very + very + good of you to think of me amidst all the visitors. . . . I have not a moment more my dearest + except to say ever thine.”<sup>227</sup> The marriage seems to have been a horror from the very beginning. Annabella claimed that Byron had told her “that no one would ever possess so much of his confidence and affection as Augusta”; that soon after their marriage they had gone to Six Mile Bottom, where Byron had played outrageous sexual games, hinting from time to time about incest with Augusta; that every night he had sent his wife to bed early with the words: “We can amuse ourselves without you my *charmer*.”<sup>228</sup> Two gold brooches arrived from London, each with a lock of hair accompanied by three incised crosses. Both Byron and Augusta wore the jewelry ostentatiously. While Annabella wept upstairs in her room, the brother and sister talked and laughed below into the early hours of the morning. Byron also got up early to be with Augusta. Lying on the sofa, he would summon both women to kiss him in turns, and then compare Annabella’s kisses unfavorably. Nonetheless, through all of this, Augusta refused to engage in intercourse with him—which might explain his heavy drinking. In any event, the whole scene was repeated not long afterwards in London.<sup>229</sup> All of this, played out continuously in scenes of anger and coldness, brought the marriage to a crisis. Annabella sued for divorce. And soon Byron left England forever.

On the eve of his departure, Byron wrote the “Stanzas to Augusta”: “When all around grew drear and dark, / And reason half withheld her ray— / And hope but shed a dying spark / Which more misled my lonely way; / In that deep midnight of the mind, /

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224 Gunn, *My Dearest Augusta*, p. 107.

225 One example, a review of *Manfred* in the *Day and New Times*, quoted in Bakewell, *Augusta Leigh*, p. 248: “Manfred has exiled himself from society, and what is to be the ground of our compassion for the exile? Simply the commission of one of the most revolting of crimes. He has committed incest! Lord Byron has coloured Manfred into his own personal features.”

226 Gunn, *My Dearest Augusta*, p. 110.

227 Gunn, *My Dearest Augusta*, p. 120.

228 Eisler, *Byron*, quoting from pp. 445 and 459 in that order.

229 Eisler, *Byron*, p. 459.

And that internal strife of heart, / When dreading to be deem'd too kind, / The weak despair—the cold depart; / When fortune changed—and love fled far, / And hatred's shafts flew thick and fast, / Thou wert the solitary star / Which rose and set not to the last. . . / Then let the ties of baffled love / Be broken—thine will never break; / Thy heart can feel—but will not move; / Thy soul, though soft, will never shake."<sup>230</sup>

Soon after reaching the continent, Byron, with Shelley, visited Lake Geneva's Château Chillon, which inspired *The Prisoner of Chillon*. What became the "Epistle to Augusta" was excised from the published version at her request. "My sister! my sweet sister! if a name / Dearer and purer were, it should be thine; / Mountains and seas divide us, but I claim / No tears, but tenderness to answer mine: / Go where I will, to me thou art the same— / A loved regret which I would not resign, / There yet are two things in my destiny,— / A world to roam through, and a house with thee. / The first were nothing—had I still the last, / It were the haven of my happiness; / But other claims and other ties thou hast, / And mine is not the wish to make them less. / . . . I have sustain'd my share of worldly shocks, / The fault was mine: nor do I seek to screen / My errors with defensive paradox; / I have been cunning in mine overthrow, / The careful pilot of my proper woe / . . . Had I but sooner learnt the crowd to shun, / I had been better than I now can be; / The passions which have torn me would have slept; / I had not suffer'd, and *thou* hadst not wept. / . . . For thee, my own sweet sister, in thy heart / I know myself secure, as thou in mine; / We were and are—I am, even as thou art— / Beings who ne'er each other can resign; / It is the same, together or apart, / From life's commencement to its slow decline / We are entwined—let death come slow or fast / The tie which bound the first endures the last!"<sup>231</sup>

During the first year of his exile, Byron wrote the dramatic poem *Manfred*. Augusta was not warned that his passion for her would make an appearance there. "Her faults were mine—her virtues were her own— / I loved her, and destroy'd her."<sup>232</sup> In this story of the guilty passion that had consumed Manfred and his victim, Astarte, Byron was making a public spectacle—literally—of his love for his sister: "I say 'tis blood—my blood! the pure warm stream / Which ran in the veins of my fathers, and in ours / When we were in our youth, and had one heart, / And loved each other as we should not love, / And this was shed: but still it rises up, / Colouring the clouds, that shut me out from heaven, / Where thou art not—and I shall never be."<sup>233</sup>

Another of his dramatic poems written in exile, *Cain: A Mystery*, took up the issue that had worried theologians and scholars for some centuries; namely, the fundamental incest at the foundation of the human race. All along Byron had played with pleasure in

<sup>230</sup> Byron, "Stanzas to Augusta," in Byron, *Poetical Works*, pp. 88–89.

<sup>231</sup> Byron, "Epistle to Augusta," pp. 90–91.

<sup>232</sup> Byron, *Manfred*, p. 397.

<sup>233</sup> Byron, *Manfred*, p. 395.

transgression, a heightened passion accompanying the breaking of divine law and the tragedy of arbitrarily limiting the expression of kinds of love. Apparently he thought that the story of Adam’s children spoke directly to his own experience. In his setting of the story, right at the outset, Cain and Abel expressed their closeness to their wives by addressing them as sister.<sup>234</sup> Cain said of Adah, his wife: “She is my sister, / Born on the same day, of the same womb.”<sup>235</sup> And they started talking with Lucifer, who seemed to have the issue in hand. Adah and Cain exchanged declarations of love, and Lucifer asked her if her love for the brother/husband was greater than that for her parents. She agreed that it was and wondered if that might be a sin. Then Lucifer delivered this clever line: “No, not yet; / It one day will be in your children.” Adah was quite shocked to hear that her daughter would not be able to love her brother Enoch. “Oh, my God! / Shall they not love and bring forth things that love / Out of their love? Have they not drawn their milk / Out of this bosom? was not he, their father, / Born of the same sole womb, in the same hour / With me? did we not love each other? and / In multiplying our being multiply / Things which will love each other as we love / Them?—And as I love thee, my Cain! go not / Forth with this spirit; he is not of ours.” Adah was unable to believe that the love of brother and sister could not be a love of marital harmony and so she suggested that the very idea was a devilish plot. Lucifer replied: “The sin I speak of is not of my making, / And cannot be a sin in you—whate’er / It seem in those who will replace ye in / Mortality.” And she then asked the question that vexed so many theologians, “What is the sin which is not / Sin in itself? Can circumstance make sin / Or virtue?—if it doth, we are the slaves / Of—Lucifer: Higher things than ye are slaves: and higher / Than them or ye would be so, did they not / Prefer an independency of torture / To the smooth agonies of adulation, / In hymns and harpings, and self-seeking prayers, / To that which is omnipotent, because / It is omnipotent, and not from love, / But terror and self-hope.”<sup>236</sup>

Cain and Lucifer entered into a discussion of the beautiful, which Cain suggested was rooted in what was nearest, giving as an example his sister/wife. And he compared her to all those things that poets waxed about, like the moon: “All these are nothing to my eyes and heart, / Like Adah’s face: I turn from earth and heaven— / To gaze on it.” Lucifer, like Father Aubry in the American wilderness, put his finger on the problem. Everything was transient. Cain thought that he could transcend himself through love and that it was love that made his “feelings more endurable, / and is more than myself, because I love it.” Lucifer then offered the critique that Cain’s love was based on perceiving beauty, and that just like the apple in his mother’s eye, “when it ceases to be so, thy love / Will cease, like any other appetite. / Cain: Cease to be beautiful! how can that be? / Lucifer: With time.” And then: “I pity thee who lovest what must perish.”<sup>237</sup>

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<sup>234</sup> Byron, *Cain: A Mystery*, in Byron, *Poetical Works*, pp. 520–45, here pp. 522, 525.

<sup>235</sup> Byron, *Cain*, p. 525.

<sup>236</sup> Byron, *Cain*, p. 526.

<sup>237</sup> Byron, *Cain*, pp. 532–36.



By early 1819, after three years of wandering around the continent, Byron, living in Italy and about to settle down with his last lover, addressed a letter to Augusta: “We now have nothing in common but our affections & our relationship. . . . But I have never ceased nor can cease to feel for a moment that perfect & boundless attachment which bound & binds me to you—which renders me utterly incapable of *real* love for any other human being—what could they be after *you* . . . We may have been very wrong—but I repent of nothing but that cursed marriage—& your refusing to continue to love me as you had loved me—I can neither forget nor *quite forgive* you for that precious piece of reformation—but I can never be other than I have been—and whenever I love anything it is because it reminds me in some way or other of yourself. . . . It is heart-breaking to think of our long Separation—and I am sure more than punishment enough for all our sins—Dante is more humane in his ‘Hell’ for he places his unfortunate lovers (Francesca of Rimini and Paolo whose case fell a good deal short of *ours*—though sufficiently naughty) in company—and though they suffer—it is at least together. . . . They say absence destroys weak passions—& confirms strong ones—Alas! *mine* for you is the union of all passions & of all affections—Has strengthened itself but will destroy me—I do not speak of *physical* destruction—for I have endured & can endure much—but of the annihilation of all thoughts and feelings or hopes—which have not more or less a reference to you & to *our recollections*.”<sup>238</sup>

Once again, one of the period’s tropes apparently was the idea that genuine affection was to be found only among siblings; or at least that the sentimental attachment of brothers and sisters was especially poignant and different from any other possible attachment. The inability to find in a wife or sexual partner what one found in a sister was the essence of tragedy. That did not inhibit the search, but kept it coming up empty. It does seem with Byron that the passionate connection with his sister was spurred by transgression. Perhaps that was the problem with a heterosexual marital solution; being quite within both divine and human law it lacked the ultimate *frisson* of passionate attachment. The emotional height the poet strove for could only be fulfilled with his sister. There were several parts to the equation: resemblance (physical and emotional), recognition of self in the other, sharing similar sentiments, and pleasure in transgression. But the transgression itself had several elements. Byron was well-aware that he was violating human laws or at least public expectations, and that awareness apparently fed his need to publish the affair, to acknowledge civil order as a restricting power on his elemental desire. Yet what he was willing to say in public he apparently could not bring himself to acknowledge in the strictest privacy of his diary. It may be that the intimacy was so strong and seemingly divine that he dared not spell out the name, fearing to destroy the intimate bond. More probably he felt a deeper, divine prohibition, which he eventually experienced as a threat of terror, as arbitrary commandment, the more arbitrary because based on circumstance—hardly original and hardly universal. What

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238 Bakewell, *Augusta Leigh*, p. 259.

God had done was set the stage for Byron to be enticed to do what was prohibited (love his sister) and to be unable to do what was enjoined (love another).

## A novelist on siblings and lovers

Much that goes to make up the deliciousness of a wife, already lies in the sister. — Herman Melville, *Pierre; or, The Ambiguities*, 1852<sup>239</sup>

The plotting in Melville's novel *Pierre; or, The Ambiguities* depends on a typical narrative device of the period: a missing father without whom the whole story never could have occurred. Pierre Glendinning's father, also named Pierre, died just as the son was about to enter into puberty.<sup>240</sup> It was the father's inexorable sin that made possible the unexpected discovery of an older sister, who throughout the story was the active partner in the development of a sibling obsession. With the father out of the picture, son and mother became like lovers, but also like siblings. Mrs. Glendinning remained sexually attractive, surely able to entice the occasional youth hoping for a match, but "a reverential and devoted son seemed lover enough for this widow."<sup>241</sup> And Pierre's fantasies ran to murder for any potential rival. One of the things that encouraged the passion of mother and son was the "striking personal resemblance between them." "In the clear-cut lineaments and noble air of the son, [she] saw her own graces strangely translated into the opposite sex." But then, they also shared the unusual confidences of siblings and were wont to call each other "brother" and "sister."<sup>242</sup>

The plot quickly provided a foreboding of what was to come. Pierre felt the lack of a "real" sister as an essential gap in his existence. "A sister had been omitted from the text. He mourned that so delicious a feeling as fraternal love had been denied him. This emotion was most natural; and the full cause and reason of it even Pierre did not at that time entirely appreciate. For surely a gentle sister is the second best gift to a man; and it is the first in point of occurrence; for the wife comes after. He who is sisterless, is a bachelor before his time. For much that goes to make up the deliciousness of a wife, already lies in the sister."<sup>243</sup> In his reverie about the missing sister, he wished not that his *mother* had had a daughter but that his *father* had had one. Pierre was in love with a neighbor girl, but when he was with her, his thoughts turned towards an imagined

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239 Herman Melville, *Pierre; or, The Ambiguities*, in Melville, *Pierre*. Israel Potter. *The Piazza Tales*. *The Confidence Man*. *Uncollected Prose*. *Billy Budd*, ed. Harrison Hayford, Library of America 24 (New York, 1984), pp. 1–421, here p. 12.

240 Melville, *Pierre*, pp. 82–89.

241 Melville, *Pierre*, p. 9.

242 Melville, *Pierre*, p. 9.

243 Melville, *Pierre*, pp. 11–12.

sister. He also had his mother, to whom he gave the name “sister.” He helped pin up her hair and offered her the admiring glances she fed from. There was between them the “highest and airiest thing in the whole compass of the experience of our mortal life,” the love experienced in courtship before its inevitable evaporation in actual marriage, “miraculously revived in the courteous lover-like adoration of Pierre.”<sup>244</sup> She saw no rival in Pierre’s intended bride, the obedient Lucy, “beautiful, and reverential, and most docile”; thus, no threat of estrangement.<sup>245</sup>

During impassioned lovemaking with Lucy, Pierre sketched out the story of a haunting face. And Lucy wanted him to tell over and over again the story of the “dark-eyed, lustrous, imploring, mournful face, that so mystically paled, and shrunk at thine.”<sup>246</sup> Until the riddle of that face was resolved, she thought, Pierre would never take her to the altar. Pierre, riding alone through the village, also could not rid himself of his obsession with it. In fact, it was not some fantasy but an actual face he had seen at an evening sewing circle, a face that had shaken him to the core: “the face somehow mystically appealing to his own private and individual affections; and by a silent and tyrannic call, challenging him in his deepest moral being, and summoning Truth, Love, Pity, Conscience to the stand.”<sup>247</sup> And what was it that stirred him so deeply? He was hazily aware that he had seen “traits of the likeness of that face before.”<sup>248</sup> There seemed to be some “radiations” from her, “embodied in the vague conceits which agitated his own soul.”<sup>249</sup> Those conceits, as it turned out, were the melancholic thoughts of a wanting sister.

That sister, Isabel, revealed herself in a letter and pleaded with her brother to come to see her. Pierre’s first reaction was to blame his father—“no more a saint.”<sup>250</sup> He recalled that his father had called out for a daughter on his death bed and that he had brushed the incident out of his mind as delirium; a seed had been planted then, which now was springing into full fruit.<sup>251</sup> And he thought of that strange portrait of his father, guarded by the elder Pierre’s sister, the image Mrs. Glendinning could never abide. It turned out that it had been painted just after the father returned from one of his regular visits to the French emigrant community, where he had taken a young lady lover: the secret had been “published” in the portrait.<sup>252</sup> Isabel’s letter prompted a sudden revelation: “All that had been inextricably mysterious in the portrait, and all

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244 Melville, *Pierre*, p. 22.

245 Melville, *Pierre*, p. 27.

246 Melville, *Pierre*, p. 46.

247 Melville, *Pierre*, p. 61.

248 Melville, *Pierre*, p. 61.

249 Melville, *Pierre*, p. 63.

250 Melville, *Pierre*, p. 79.

251 Melville, *Pierre*, p. 86.

252 Melville, *Pierre*, pp. 88–89.

that had been inextricably familiar in the face, most magically these now coincided. . . . they reciprocally identified each other, and, as it were, melted into each other.”<sup>253</sup> Pierre dreaded revealing the sister’s existence to his mother and also quite precipitously broke off his engagement with Lucy. That decision prompted Mrs. Glendinning to refuse the appellation of “sister” and to insist on being addressed as “mother.”<sup>254</sup> Pierre then strengthened his resolve not to confront his mother with his knowledge after she and the local pastor conspired to reject from the community a young woman seduced and abandoned by her lover. The split between son and mother became inevitable once he convinced himself that Isabel really was his sister: “This being is thy sister; thou gazest on thy father’s flesh.”<sup>255</sup>

Soon thereafter he wrote to his newfound sibling: “Know me eternally as thy loving, revering, and most marveling brother, who will never desert thee, Isabel.”<sup>256</sup> As the relationship progressed, both he and she played upon long dead memories, and Pierre continuously pondered the bond between them: “his very blood seemed to flow through all his arteries with unwonted subtleness, when he thought that the same tide flowed through the mystic veins of Isabel.”<sup>257</sup> Yet her life remained for him an “unraveled plot,” with the mysteriousness of her origins and the ambiguity of his own memories remaining part of Melville’s plot to the very end. In the meantime, one of her letters “gushed with all a sister’s sacred longings to embrace her brother, and in the most abandoned terms painted the anguish of her life-long estrangement from him.”<sup>258</sup> When they actually met, there was a shyness in their encounter, since both were aware of feelings that were more than fraternal: “Fate had done separated the brother and the sister, till to each other they somehow seemed so not at all. Sisters shrink not from their brother’s kisses. And Pierre felt that never, never would he be able to embrace Isabel with the mere brotherly embrace.”<sup>259</sup> Quite soon, Pierre became aware of an irresistible power Isabel had over him, a physical and spiritual spell he was unable to break, yet his first feelings were of a transcendent pure and perfect love, symbolized by a first “sacramental supper”: “Eat with me.”<sup>260</sup>

Pierre’s first thought was of a fictitious marriage to Isabel to enable them to live together: “possibly the latent germ of Pierre’s proposed extraordinary mode of executing his proposed extraordinary resolve—namely, the nominal conversion of a sister

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253 Melville, *Pierre*, p. 103.

254 Melville, *Pierre*, p. 115.

255 Melville, *Pierre*, p. 134.

256 Melville, *Pierre*, p. 152.

257 Melville, *Pierre*, p. 166.

258 Melville, *Pierre*, p. 169.

259 Melville, *Pierre*, p. 170.

260 Melville, *Pierre*, p. 193.

into a wife—might have been found in the previous conversion of a mother into a sister; for hereby he had habituated his voice and manner to a certain fictitiousness in one of the closest domestic relations of life.”<sup>261</sup> Pierre now confronted a dilemma of his own making. He found he could not acknowledge Isabel as a sister because that would have soiled the memory of his father. And his “marriage” to her would break all bonds with his mother. The domestic arrangement soon brought the siblings to the brink of physical love: she was to “become a thing of intense and fearful love for him.”<sup>262</sup> So Pierre destroyed his past—burned the portrait of his father and consigned to the flames his packages of family letters and other family memorials—and the two left for New York City where, after a discussion about virtue and vice, sin and the law, they consummated their relationship.

When Pierre’s mother died, she left everything to his cousin, who now courted Lucy, who in turn resolved to fly to New York to pose as a cousin (“thy resolved and immovable nun-like cousin”) and to serve the “wedded” couple.<sup>263</sup> In the meantime, Pierre and Isabel re-emphasized their siblingship, calling each other “brother” and “sister” when they were alone together. Life together proved difficult. Nothing ended well of course. Pierre failed to earn a living as an author and ended up killing his cousin, the heir, who himself wanted revenge for Pierre’s “theft” of Lucy. Visited in jail by Lucy and Isabel, Pierre rejected them both. At Isabel’s cry of “my brother, oh my brother,” Lucy, shocked by the truth, died, followed by brother and sister taking poison—Isabel “fell upon Pierre’s heart, and her long hair ran over him, and arboresced in ebon vines.”<sup>264</sup>

There is an approach to familial constellations—prompted, of course, by Freud—that sees in any figure a substitute for a primary attachment. Thus Ernest Jones turned every permutation in Hamlet’s interactions into an expression of the mother-son relationship. And in nineteenth-century Britain, the wife’s sister (such a marriage being forbidden) substituted psychologically for the sister herself. Were one to follow that line of thought, then with Melville, the mother was the sister, although Melville offered an intriguing mechanism for how it worked: “conversion.” Just as the mother was *converted* to a sister, so the sister was converted to a wife. All along, in Pierre’s fantasy world, the central figure was a sister, such that when one came along claiming that role, he jumped at the chance to fill that absence in his life and read into her features a patrilineal blood tie. In many of the vignettes developed in this chapter, the longing was for a “real” sibling, but in this case the longing was for an unoccupied but certainly fantasized place. A sister was consistently the center of his attention. Even in the throes of love-making (just as with Brentano), his first thought was of the woman who turned out to be his sister. One could say with Melville that separation kindled desire, but in *Pierre* she was never not there. Any wife would be secondary: derived from a real sister

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261 Melville, *Pierre*, p. 209.

262 Melville, *Pierre*, p. 233.

263 Melville, *Pierre*, p. 361.

264 Melville, *Pierre*, p. 421.

or an imagined sister, she, the wife, was already in the sister. It was the sister that mattered, the sister that was desired, and whatever might have been satisfactory in a wife (or mother) was so to the extent that she occupied the sororal imago.

## Conclusion

During the *Sattelzeit*, European literature put considerable emphasis on the problem of incest. Michael Titzmann found that the numerous plottings of the matter overwhelmingly concerned relations between brothers and sisters. But the theme of sibling incest in no way reflected actual incidents within bourgeois families, Byron's excesses notwithstanding. Rather it provided the opportunity to think about problems of sentiment, emotional attachment, feelings, duties, and obligations within the family, as reflected in the intense emotional attachments among siblings of the era. And it offered the chance to explore the terrain of love and eroticism and the different kinds of emotions connected with each of them. In the stories where a couple in love did not know that they were brother and sister, the point of the narrative often was to observe characters sorting out their feelings under the changed conditions of their knowledge. A central problem for the age was to figure out the differences between sibling and marital attachments.



Fig. 12: Real Presence.

Franz Wipplinger (1805–1847) was an Austrian landscape painter, son of Franz Wipplinger (1760–1812), an architect who drowned in the Danube at the age of fifty-two. The younger Franz drowned, in turn, in the river Ybbs, at the age of forty-two. This painting by Franz Eybl (1806–1880), a contemporary at the Vienna Art Academy, represents the younger Wipplinger at age twenty-eight, mourning his deceased adult sister, Maria Anna (1799–). When Franz was only fifteen, Maria Anna, at just twenty-one, married Balthasar Gramich (with a dispensation for being underage). As both parents were already deceased she might have played the role of substitute mother for her younger brother. I have not been able to locate her death date in the burial registers for the parishes in Austria where she lived. Nor have I found any possible children in the baptism registers. She might well have died in childbirth or succumbed to the Vienna cholera epidemic of 1831–1832. In Eybl's painting, Wipplinger is dressed in what appear to be mourning clothes, but the white gloves

suggest a later stage in the customary six months of mourning for a brother or sister. Some viewers of the painting believe that Wipplinger is wearing evening clothes—male mourning attire differing from evening wear only in certain details—and that the painter simply captures Wipplinger in a pause before going out. Whatever the case, he has been looking at his sister’s picture through the pincez, now in his left hand, and his gaze lifts above her image in a moment of reflection. Given the sparse details of the surrounding room, it may well be that the picture occupied a mourning niche. Not knowing exactly when Maria Anna died makes it dif-

ficult to go deeper into the narrative. A death many years earlier would suggest the portrayal of a recurring ritual of remembrance rather than mourning. Eybl, a fashionable portraitist of the time, chose this moment to convey the most essential thing about his friend: sibling attachment and loss.

Franz Eybl, *Der Maler Franz Wipplinger, das Miniaturporträt seiner verstorbenen Schwester betrachtend* (1833). Open Content, Belvedere Museum, Vienna, CC-BY-SA 4.0. John Diefenbach assisted with genealogical information. Alessandro Nicola Malusà and Cally Blackman provided help with interpretation.

The wife, conceived as a continuation of the sister, certainly complicated finding a solution to that challenge. The search was for someone with similar dispositions, capable of prolonging the intimacy shared by children and adolescents. But more to the point was the discourse around how a sister tracked with a sexual partner or a wife. For Sattelzeit writers there were many possible solutions to this problem. Hegel, for example, made a sharp distinction between wife and sister; a wife could never be like a sister. A brother and sister constructed their characters and their aesthetic and moral sense in an intimacy endowed with a valence that could never exist with a spouse. By the time husbands and wives came together, the essential sinews of selfhood already had grown to maturity. And sexual desire, Hegel thought, developed only for the unfamiliar and unfamiliar. That was not how Clemens Brentano experienced the matter. Every one of his lovers reminded him of a sister, and the sister he focused on offered him the ideal model of a wife. That did not at all dampen his sexual desire. With Wieland, the arousal of sexual desire for the sister and its subsequent taming both were crucial for the formation of a disciplined and integrated self, a self able to try out a tamed desire with a lover/wife who, after a greater struggle and more prolonged mastery, might herself also end up as a sister. For Chateaubriand, in both life and works, tragedy entered the picture in the guise of an inability to transfer love for a sister onto someone else as wife.

A central challenge for the social historian is to determine how to connect the incest fantasies of the Sattelzeit to the era’s reconfigured kinship system and new house dynamics. Here the example of Fanny and Felix Mendelssohn offers a model: the intense bourgeois familial life, in which the bonds of siblings raised together in households provided the emotional threads from which many strands of cultural and social activity were spun. Yet neither Fanny nor Felix chose a spouse who could be characterized as “familiar.” Fanny found Wilhelm Hensel outside the close circle of relatives and friends, and Felix found his wife in the Frankfurt Huguenot milieu: the family did not meet her until a year after their marriage. Fanny, at least, worried a great deal about whether her attachment to Hensel might destroy that relationship which previously always had taken precedence—the one with her brother. In some ways, her marriage to Hensel

fulfilled the Hegelian ideal: her self had been formed in intimacy with her brother, but she sought a husband well outside the familiar sphere. So, the social historian studying family also must determine how best to think about “same” and “other” in this context. Fanny may well have looked for a husband unlike her brother (perhaps not to shake that relationship at all). Nevertheless, what she found was a husband who came from the same kind of cultural milieu, the one of artists.

One of the key ways the “social imaginary” played with elements from the kinship and household configurations of the period lies in the focus on the sister as mediator. We have seen in the previous chapter that sisters were quite active in the construction of kinship networks, playing important roles in marital politics but also in maintaining ties between relatives. Fanny Mendelssohn, for example, put a great deal of effort into making sure that the two brothers-in-law would develop suitable emotional ties. But the understanding of mediation was complex and worked at many different levels. In Wieland’s narrative, the sister was the medium through which male desire was shaped and fitted for action out in the world, but she was also the sibling who created the “home” to which the brother returned: she married the protagonist’s closest friend, turned his lover into a sister, and revealed to him his own history. Brentano was much more direct and continuously thought of a woman as giving him access to God and even to himself. His sister was to be the one who would approve his choice of a wife, and she would be the link that tied him as close as possible to his friend. Of course mediation did not always work out. Byron went into a marriage, encouraged by his sister. But he could not give up the sister, and consequently the marriage fell apart.

A final point for consideration: the practices of intimacy in the households of the *Sattelzeit* cannot be understood without putting physical desire at the center of sibling relationships. Certainly this is evident in the overwrought correspondence of Fanny Mendelssohn. And in Wieland’s case, in both his steamy love-making with a cousin and the imagined embraces of his fictional hero and sister, growing up together engendered the erotic element at the core. Wieland thought that moral character could not even be conceived in the absence of the inner discipline and self-restraint that comes from temptation. In many ways, the image of purity ascribed to the sister was very much a past projection and an erasure of part of the text. In any event, Wieland thought that the tenderness of siblings for each other was more intense than that between spouses. Ideals of beauty and moral sense both had an erotic foundation. With Brentano, whether it was the face of his sister or the stigmatic wounds of a nun, the sensual and spiritual were intimately bound together. Chateaubriand, likewise, brought the erotic and the religious onto the same page, with the former thoroughly rooted in the sibling constellation. For Byron, physical and emotional attraction were two sides of the same thing. Once he had found his sister, he thought at least for a time that no further love was possible. And finally, Melville used the figures of sister imagined and sister attained to explore the dynamics of physical desire. All of this suggests that the open house of the *Sattelzeit* and the horizontalization of kinship relations need to be thought of not just in instrumental terms; that the emotional aspect of familial relations must be read into



the equation. Whether pastors, lawyers, philosophers, novelists, playwrights, or poets, writers of this era strove to understand the terms of intimacy and worried the erotics of love. Kinship networks could not be constructed without shaping desire, and it was desire that, in turn, shaped the connection between households and the larger universe of kin and friends.

## Chapter 3

# Moral Sentiment: A New Language of Cultural Meaning and Foundation for Law

Let us proceed to another source of happiness or misery, our sympathy or social feelings with others, by which we derive joys or sorrows from their prosperity or adversity. . . . While there's any life or vigour in the natural affections of the social kind, scarce any thing can more affect our happiness or misery than the fortunes of others. — Francis Hutcheson, 1742<sup>1</sup>

I have already pointed out that each of the periods in this book was dominated by its own particular discipline. As I proceed, it will become apparent that the discourses of each succeeding epoch are like palimpsests, replete with half erasures from by-gone eras. In the period under consideration here, stretching from approximately 1750 to 1850, law surely did not disappear, nor did fierce arguments about the best way to regulate marriage and sexual relations.<sup>2</sup> Nonetheless, with gathering cogency, moral philosophy in one form or another worked its way into the seams and channels of political, legal, and social discourses. The voluntarist idea of law as an arbitrary expression of will lost its persuasive power as theologians, jurists, economists, philosophers, and state officials, reconsidering the legitimacy and practical effect of statutes and ordinances, put them to the test of human happiness and moral sentiment. Henceforth the route between the state and the individual ran through the passions.

No matter what the debate about near and far marriages, practices were changing everywhere in Europe, at least among the property-holding, professional, and merchant classes. For the last thirty or forty years of the eighteenth century, couplings with near kin, and if not with near kin, then with neighbors, close friends, or individuals of the same class, were building up steam.<sup>3</sup> Even writers who, like Hegel, encouraged complementarity and difference in marriage selection had class similarities in mind, but they were whistling in the dark when it came to suggesting that marrying strangers was the best way to create lifelong attachments. The culture encouraged alliances of like with like and developed practices that supported the construction of intricate networks and novel political, religious, and social milieus.<sup>4</sup> Emotional connections and aesthetic

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1 Francis Hutcheson, *Philosophiae Moralis Institutio Compendiaria with a Short Introduction to Moral Philosophy*, ed. and intro. Luigi Turco (Indianapolis, 2007), p. 60.

2 Isabel Hull, *Sexuality, State, and Civil Society in Germany, 1700–1815* (Ithaca, NY, 1997).

3 I do not want to be misunderstood here. In any one locality or region, a particular professional group or class might take up marrying their cousins, while similar groups or classes elsewhere might behave differently. But, for example, there were aristocrats all over Europe marrying close consanguineal kin, in some regions more frequently than others. It was a general but not a universal phenomenon.

4 Margareth Lanzinger, *Verwaltete Verwandtschaft: Eheverbote, kirchliche und staatliche Dispenspraxis im 18. Und 19. Jahrhundert* (Vienna, 2015), pp. 255–56, discusses the nineteenth-century familialization of social relations. She offers as one example the novel use of aunts for godmothers and discusses the

recognition played an essential role in choosing one's fellows, and the mechanisms of attachment were schooled in house sociality. This was a period when, at least in theory, the reins controlling young people were loosened enough to allow them the fantasy of falling in love. Perhaps this was what lay behind the sentimentalization of the family and the greater accent on emotional training—directing choice in marriage through cultural recognition and sensibility.<sup>5</sup> Nonetheless negotiations around dowries and the mobilization of siblings, parents, the wider set of kin, and well-informed networks all could be part of the rituals of courtship. Any familiarity with the networks of entrepreneurs during the first half of the nineteenth century and beyond, for example, reveals the tracks of social, occupational, and familial endogamy.

The problem for many commentators was to figure out the connections between the emotional configuration of the family one grew up in and the passionate commitment to a new one. How was desire to be cultivated and directed toward a suitable object? Just what was the relationship between emotions, passions, sentiments, and the moral? These questions, of course, raised the issue of incest. At first philosophers, novelists, and theologians concerned themselves with the goings-on in a well-defined space—the “house” or “household”—but over time their language slowly slipped towards a new configuration, the “family,” which on the one hand, drew a boundary around a smaller group within the household, and on the other, shifted the accent from spatial administration and paternal control to intimacy, to the evocation and repression of desire, and above all, to the special bonds linking brothers and sisters together in life-long attachments.

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implications for household and kinship relations. In later passages, she discusses the role of marriage strategies for maintaining social status and the construction of milieu (pp. 278, 343–44) and associates endogamy with the fear of strangers (p. 346).

5 See the literature on the history of emotions: Hans Medick and David Warren Sabean, eds., *Interest and Emotion: Essays on the Study of Family and Kinship* (Cambridge, 1984); William M. Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge, 2001); Catherine A. Lutz and Geoffrey M. White, “The Anthropology of Emotions,” *Annual Review of Anthropology* 15 (1986): 405–36; Peter N. Stearns and Carol Z. Stearns, “Emotionality: Clarifying the History of Emotions and Emotional Standards,” *American Historical Review* 90 (1985): 813–30; William M. Reddy, “Emotional Liberty: History and Politics in the Anthropology of Emotions,” *Cultural Anthropology* 14 (1999): 256–88; William M. Reddy, “Sentimentalism and Its Erasure: The Role of Emotions in the Era of the French Revolution,” *Journal of Modern History* 72 (2000): 109–52; David Denby, *Sentimental Narrative and the Social Order in France, 1760–1820* (Cambridge, 1994); Barbara Rosenwein, “Worrying about Emotions in History,” *American Historical Review* 107 (2002): 821–45; Joan DeJean, *Tender Geographies: Women and the Origins of the Novel in France* (New York, 1991); G. J. Barker-Benfield, *The Culture of Sensibility: Sex and Society in Eighteenth-Century Britain* (Chicago, 1992); Emma Rothschild, *Economic Sentiments: Adam Smith, Condorcet, and the Enlightenment* (Cambridge, MA, 2001); William M. Reddy, *The Making of Romantic Love: Longing and Sexuality in Europe, North Asia and Japan, 900–1200 CE* (Chicago and London, 2012); Ute Frevert, *Emotions in History—Lost and Found* (Budapest, 2011); Ute Frevert et al., *Emotional Lexikons: Continuity and Feeling 1700–2000* (Oxford, 2014); Ute Frevert, *Kapitalismus, Märkte und Moral* (Vienna, 2019).

In this new discourse, there were particular fears about the effects of childhood and adolescent intimacy with their sisters on the reproductive vigor of young brothers. The desires engendered in these early relations—a cousin would do in the absence of a sister—were presumed to be essential to the development of moral capacities in young men. But those desires had to be transferred from the sister to the wife, and most commentators thought that the wife should be as like the sister as possible, or that with time she should become the same kind of friend the sister had been.<sup>6</sup> Yet there were voices—like Hegel’s—denying the possibility that a spouse could ever replace a sibling or offer the same intimacy.

In all these cases sexuality was the core concern. If the sibling became too close as sexual partner or object of longing, the possibilities of performing at all in a marriage or offering emotional stability to offspring would be impaired.<sup>7</sup> What is more, sibling longing might tempt young men to masturbate. This, after all, was the period of the great scare about onanism, a practice that people thought would wear a young man out and make him unsuitable for responsibilities as a father.<sup>8</sup> Early sexual indulgence and sexual relations with a sibling were thought to be no different. That, at least, was one scenario. Fear of a house in disarray was another. The strong incest taboo was necessary just because all intimate relationships and all emotional attachments were sensual, physical at the core. Analogies from animal husbandry or breeding practices usually failed to convince because there seemed to be little commonality between the emotional household of humans and the breeding instincts of animals—a hesitation to transfer knowledge about animals to humans that disappeared during the twentieth century. What, then, could lessons from the natural world teach those trying to puzzle out the differences between a sister and a wife, or to link the sensuality and physicality to morality, or to derive benevolence and social sentiment from sexual attraction?

## Happiness, sentiment, order

The true foundation of moral teaching and obligation is this: the happiness of mankind depends on uncorrupt actions. — Johann David Michaelis, 1754<sup>9</sup>

<sup>6</sup> Stefani Engelstein, in *Sibling Action: The Genealogical Structure of Modernity* (New York, 2017), p. 95, notes the “domestication of the spouse, that is, the re-creation of the husband or wife as a form of brother or sister constituted in negotiation with the boundaries of the incest taboo, which accompanied the transformation of ancien régime patriarchy into bourgeois fratriarchy.”

<sup>7</sup> Hutcheson, *Philosophiae Moralis*, pp. 218, 220. David Hume, *Enquiries Concerning Human Understanding and Concerning the Principles of Morals*, reprinted from the 1777 edition with Introduction and Analytical Index by L. A. Selby-Bigge, 3rd ed., rev. and notes P. H. Nidditch (Oxford, 1975), pp. 206–8. Johann Jakob Cella, *Über Verbrechen und Strafe in Unzuchtsfällen* (Zweibrücken and Leipzig, 1787), p. 130.

<sup>8</sup> Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, MA, 1990), pp. 227–33.

<sup>9</sup> Johann David Michaelis, review of David Hume’s *Principles of Morals*, *Göttingische Anzeigen von gelehrten Sachen* 44 (13 April 1754): 369–73, here p. 370.

Enlightenment philosophers and biblical scholars certainly thought of incest as deleterious. But they removed it from its earlier biblical framework of law and punishment, and instead, working from a philosophical perspective, set it as a behavior threatening the very purpose of morality; that is, as a threat to the attainment of “happiness,” with the potential to disrupt social order, particularly within the household. Now, honoring obligation and controlling intimate attachments replaced rendering obedience as the principle tasks of the ethical individual. And biblical injunction, whatever its validity, needed to conform with new standards of social feeling and forms of societal structure.

The work of Göttingen Old Testament scholar Johann David Michaelis (1717–1791) can serve here as an introductory case in point. Michaelis first took on the problem of incest in 1755, by subjecting the Leviticus 18 text to a thoroughgoing philological critique and by asking how law for the Israelites might have relevance for contemporary European cultures.<sup>10</sup> In German lands, as officials revised the ecclesiastical and state laws on marriage prohibitions, Michaelis was the touchstone, and his Enlightenment reasoning continued to win him fans and critics for the next century or so. He based his argument on “happiness” and “perfectibility,” key concepts, he pointed out, in the moral philosophies of the German and Scottish Enlightenment writers of his era such as Christian Wolff and David Hume.<sup>11</sup> By implication, any interpretation of sacred texts had to pass through the lens of ethical theory and support the possibility of social improvement. Michaelis met these criteria and potential objections by arguing that God Himself (“The Highest Lawgiver”) expected each of us to search for happiness and perfectibility and by introducing a comparative methodology based on critical considerations of historical context and change. The institutions of one nation or people could not simply be taken over by others, since happiness and unhappiness varied with time and place. The beneficial or harmful consequences of any action or any legal proscription always had to be considered. And the central principle of moral philosophy—“seek to promote your perfections”—needed to be complemented by an additional maxim—“seek to avert your imperfections.”<sup>12</sup>

Michaelis located the impropriety of incest in the harm it did, and he found adultery and incest to be similar in the way they damaged social relationships. The physical connection between people, their relation through flesh or blood or any other substance, did not concern him. Rather, it was a matter of who inhabited the closest social space, the place of the most intimate daily communication, and that place and space was the house. It was there, among the members of the household, that adultery and harlotry (*Hurerei*) had to be curbed, in order to prevent the terrible repercussions of disorder.<sup>13</sup> In a confused household, for example, a father would not be able to rec-

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<sup>10</sup> Johann David Michaelis, *Abhandlung von den Ehe-Gesetzen Mosis welche die Heyrathen in die nahe Freundschaft untersagen* (Göttingen, 1755).

<sup>11</sup> Michaelis, *Abhandlung*, pp. 152–65.

<sup>12</sup> Michaelis, *Abhandlung*, p. 154.

<sup>13</sup> Michaelis, *Abhandlung*, pp. 146, 154–60, 192.

ognize his own children, and care and education would fall upon the overburdened mother. Providing for children, even keeping them alive, required the energy of both parents. Furthermore, the kind of turmoil in families where parents and siblings had unregulated sexual access offered a breeding ground for the spread of venereal and other diseases. And seduction early in life always brought in its train great unhappiness, which, if unchecked by a society, would slowly spread like a cancer, eventually to consume the social body. Incest laws were a necessary part of the moral order, even though their content might have to vary according to the circumstances peculiar to particular peoples.

Well before he published his five-volume systematization of Mosaic law (1772), Michaelis intervened in what he considered to be a central political issue in contemporary state practice: the nature of marriage and boundaries of permissible alliance.<sup>14</sup> During the 1750s, as he worked out his new reading of Leviticus 18, he gave close attention to David Hume's recently published *Enquiry Concerning the Principles of Morals* (1751) and found that he could not distinguish his own thinking from Hume's.<sup>15</sup> Both men premised the prohibition of close marriage on its harmful consequences. But Michaelis was not willing to accept Hume's wholesale derivation of moral principles from "utility" or "usefulness." He still clung to the idea of a drive implanted by God impelling man towards virtue, as did Hume's Scottish contemporary and correspondent, Francis Hutcheson.

Hume and Michaelis both found in the general happiness or "satisfaction" of society the chief criterion for arriving at moral judgments.<sup>16</sup> Neither of them put the individual at the center of the argument, and both thought that there might be circumstances in which an individual might be perfectly happy in violation of a strict rule. Michaelis, for example, considered the plot of Fürchtegott Gellert's recent novel, *The Swedish Countess of G . . .*, which portrayed the horror felt by a married couple upon discovering that they actually were brother and sister. He saw no point to breaking up the marriage—biological consequences not being the issue.<sup>17</sup> He and Hume both were interested in general principles of interaction at the level of the state or society. But Hume thought that usefulness lay at the foundation of societal happiness and virtuous action. There was nothing arbitrary about law: it was not will alone which lay behind the legal order. "The good of mankind is the only object of . . . laws and regulations," he declared.<sup>18</sup> That did not mean, however, that any particular law could be considered to be universal, for all times and places. "The laws have, or ought to have, a constant reference to the constitution of government, the manners, the climate, the religion, the

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<sup>14</sup> The Mosaic law systematization is Johann David Michaelis, *Mosaisches Recht* (Frankfurt am Main, 1772).

<sup>15</sup> Michaelis, *Abhandlung*, p. 160.

<sup>16</sup> Hume, *Enquiries*, pp. 178–79, 193–206.

<sup>17</sup> Michaelis, *Abhandlung*, p. 296.

<sup>18</sup> Hume, *Enquiries*, p. 192.

commerce, the situation of each society.”<sup>19</sup> This was a starting point for Michaelis as well, but he declined to root his argument *only* in human psychology, in “sentiment,” “benevolence,” and “sympathy,” as Hume had done. He still thought that God had had a hand in Old Testament lawgiving.<sup>20</sup> While the principle motivation for divine intervention had been human happiness and perfectibility, Mosaic law had been devised in the context of social relations and political organization in a particular society. The goal for legal scholars and moral philosophers was to discover the general principles behind particular prohibitions and to consider how those principles should be adapted for contemporary states.

Hume thought of sexual indulgence as a public harm. He began his argument with a consideration of government and the human motivation for obedience to authority. “The sole foundation of the duty of allegiance,” he declared, “is the *advantage*, which it procures to society, by preserving peace and order among mankind.” No person could maintain himself apart from association, and that implied a need for laws of equity and justice. Indeed, he said, the “*moral obligation* holds proportion with the *usefulness*.”<sup>21</sup> This held for the family as well: order was its principle. “The long and helpless infancy of man requires the combination of parents for the subsistence of their young; and that combination requires the virtue of chastity or fidelity to the marriage bed. Without such a *utility*, it will readily be owned, that such a virtue would never have been thought of.”<sup>22</sup> But then why would any woman past childbearing age have needed to act with restraint? Hume thought that “women, continually foreseeing that a certain time would bring them the liberty of indulgence, would naturally advance that period, and think more lightly of this whole duty, so requisite to society.”<sup>23</sup> He harnessed the same logic to the task of explaining why siblings might not marry: if they might eventually do so, then that expectation would encourage early seduction. Sexual disorder was damaging for society, brought unhappiness in its train, and violated the principle of utility: children could not prosper in such an environment. Michaelis most certainly agreed.<sup>24</sup>

For both men, then, the problem with incest was a matter of social disorder. “Those who live in the same family,” Hume wrote, “have such frequent opportunities of licence of this kind, that nothing could preserve purity of manners, were marriage allowed, among the nearest relations, or any intercourse of love between them ratified by law and custom. Incest, therefore, being *pernicious* in a superior degree, has also a superior turpitude and moral deformity annexed to it.”<sup>25</sup> Incest was a vice because of its harmful consequences for social relationships, not because of biological consequences

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<sup>19</sup> Hume, *Enquiries*, p. 196.

<sup>20</sup> Michaelis, *Abhandlung*, p. 160.

<sup>21</sup> Hume, *Enquiries*, p. 205.

<sup>22</sup> Hume, *Enquiries*, pp. 206–7.

<sup>23</sup> Hume, *Enquiries*, p. 208.

<sup>24</sup> Hume, *Enquiries*, p. 208. Michaelis, *Abhandlung*, p. 165.

<sup>25</sup> Hume, *Enquiries*, p. 208.

for progeny. Next, Hume turned to a sociological argument grounded in moral sentiment and cultural difference, which would become part of the analytical *instrumentarium* of Michaelis and many others over the next century. This argument began with ancient Athenian law, which allowed marriage with the half-sister by a father but not by a mother.<sup>26</sup> All seventeenth-century European commentary would have found either half-sister to be the same kind of relative. But in Athens the two were not social equals. The proscription did not grow from ideas about shared blood or substance in the case of half-siblings, but rather from habitation rules. A man was not allowed to visit any apartment where women lived, with the sole exception of those of his own mother, where his full sisters or maternal half-sisters also lived. A stepmother and her children were no more approachable than women of any other family. Therefore, there was never any danger of “criminal correspondence between them.” Here Hume linked marriage prohibitions to the possibility of early seduction. In a society where habitation practices forbade mingling with paternal half-sisters, there would be no possibility of disorder, and therefore no objection to such marriages. Hume also pointed out that uncles and nieces could marry in Athens for the same reason—no possibility of early contact. All this could be nicely contrasted with Roman rules. Neither uncles and nieces nor half-brothers and sisters could marry at Rome, because the society accepted casual contact among these relatives and was more susceptible to illicit early sexual intercourse. Precisely because early seduction among close kin was possible, the Roman rules of marriage precluded such alliances, in order to prevent sexual activity in the anticipation of marriage. As Hume put it: “Public utility is the cause of all these variations.”<sup>27</sup>

Michaelis considered moral law to be a matter for state authority and did not see the prohibitions of marriage or sexual relations with close relatives as matters either of universal positive law or divine commandment. He did consider briefly the proposition that animals might have some natural instinct to avoid siblings but quickly dismissed it as lacking evidence and irrelevant for human society. He also thought that there could not have been a human instinct implanted at the beginning of the world, and that there could not have been any proscription from God on the matter of avoiding close relatives. God clearly had not been disgusted with couplings between the children of Adam. After all, He could have created several pairs but never thought to do so. And, of course, Adam and Eve were much more closely related than any brother and sister. To figure out the Mosaic principles, promulgated for the Israelite “republic,” it was necessary to understand the nature of that particular society. Every society was enjoined to maintain order in the family, but each could do it in its own way.<sup>28</sup>

Where, then, had the possibilities for disorder lain in the time of Moses? Was premature seduction an issue? Moses had made law for a transhumant society of sheep

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<sup>26</sup> Hume, *Enquiries*, p. 208.

<sup>27</sup> Hume, *Enquiries*, p. 208.

<sup>28</sup> Michaelis, *Abhandlung*, pp. 34–56.



herdsmen, in which polygyny was customary. The men were wanderers, and their wives were distributed in different households; or, as Michaelis put it, in different tents. The children of one mother were raised together. So, the issue was to understand why Moses forbade certain marriages, which he found to be sinful, but not others, which in European culture had long been so characterized. Michaelis thought that if the ultimate purpose of the law could be discovered, then its rational moral doctrine could be derived and a rigorous epistemology for making rules would be the result. After a close philological analysis of Leviticus 18:6, he remarked that all of the marriages from the subsequent list had one cause, to avoid the closest relations; they are part of your body. There was nothing here about natural instinct, nothing about *horror naturalis*. Rather it was education that taught a man to feel a “natural” repugnance against marriage with a sister or a father’s sister. But what about a mother? A son was raised to respect a mother: it was part of his education. There was no need for a special instinct. And that pertained also to anyone in the mother’s place. Siblings also were raised to think of desire for each other as sinful, but in any event love between them was rare, because they were used to each other; it was more a matter of indifference than of natural horror. Still these arguments were not sufficient as explanations. There were all kinds of situations where respect did not inhibit new relations—a son, for example could inhabit a magistrate’s office with his father, under his authority. Therefore, “it is not sinful to stand in more than one relation to another.”<sup>29</sup>

It all came down, Michaelis argued, to relationships within the family; or, better said, within the household. It would be impossible to prevent “Hurerey” (sexual disorder) and premature seduction if close relations (parents and children, or siblings) had any hope of covering their scandal with subsequent marriage. “The first seduction of a virtuous woman occurs usually in the hope of marriage.”<sup>30</sup> Without any question, the consequences of seduction in the family were disastrous for the psychological (i.e., moral) well-being of its inhabitants, especially its youth. Although Michaelis centered his argument on sibling relationships, he also suggested that the power of fathers could be illicitly exercised, and that this risked enmity between mother and daughter and betrayal of a son-in-law. If in the time of Moses, there was no problem with marrying the father’s daughter, even while marriage with the mother’s daughter was prohibited, “the only grounds could be that the children of one mother lived together in one house and have closer relations with each other than children of one father.”<sup>31</sup> Having noted that Semitic cultures controlled who might enter a house and be in the presence of unveiled women, Michaelis then drew on cultural comparison to support this proposition. In German society, he pointed out, polygyny was no longer practiced and half siblings through either parent were as close as full siblings, raised together in the inti-

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<sup>29</sup> Michaelis, *Abhandlung*, pp. 108–43, here p. 143.

<sup>30</sup> Michaelis, *Abhandlung*, p. 148.

<sup>31</sup> Michaelis, *Abhandlung*, p. 168.

macy of a single household. Therefore, laws needed to be and were different. Cousins, however, now were raised in different households and thus did not have opportunities to experience the kind of intimacy that would preclude marriage. This, Michaelis contrasted with the situation in ancient Rome, where cousins had lived together. In the end, Moses forbade particular persons because of close relationship without forbidding others that might seem similar. But the argument that the father's sister is as close as the brother's daughter would have made no sense to the Israelites. In Semitic cultures, a nephew had free contact with an aunt but an uncle did not have the same freedom with a niece, and with no possibility of seduction, the niece was quite possible as the object of marriage.<sup>32</sup>

Michaelis was the crucial theologian in Germany for shifting the focal point in the incest discussion away from the wife's sister to siblings, from arguments about substance (blood) to arguments about intimacy, from structural features to sentiment, from universal arbitrary commandment to considerations of particular cultures, social order, and human improvement. When for example, the city and territory of Ulm began to consider the possibility of allowing a man to marry his deceased wife's sister or other close kin like the sister's daughter, the magistrates called upon his writings to support the change.<sup>33</sup> The key issues circled around the nature of the household and the happiness of its inhabitants, not around Old Testament commandments or arguments about flesh and blood. Michaelis was certainly not the first to propose that Leviticus 18:18, which treated the wife's sister, had to be read in the context of polygyny, or to draw the conclusion that the passage only prohibited having two sisters at the same time. He discarded the idea that there might be a contagion of blood or flesh between affinal kin: the wife's sister did not become one flesh with the husband. He also abandoned the canon law principle of degrees, with its assumptions of inherited substance, in favor of reading the Leviticus list in the context of social intimacy. For this reason, the two sisters-in-law, the wife's sister and the brother's wife, could not be brought under the same category, since they filled quite different positions in the familial order.<sup>34</sup>

Michaelis's arguments figured as a subject for satire in the comedy *Der neue Menoza oder Geschichte des Cumbanischen Prinzen Tandi* (1774) by Jakob Michael Reinhold Lenz (1751–1792).<sup>35</sup> Lenz came from a Livonian Pietist pastor's house, studied in Königsberg with Kant, became a friend of Goethe in Strassburg and with other late Enlightenment, pre-Romantic figures, such as Herder, broke with Goethe in Weimar, experienced several mental breakdowns, found jobs as a tutor here and there, and ended up in Riga and then Moscow, hanging out with Freemasons. The dramatic action of Lenz's play turns on two people who marry, discover they are siblings, then discover they are not—a

<sup>32</sup> Michaelis, *Abhandlung*, 192–221.

<sup>33</sup> Stadtarchiv Ulm, Bestand A, 1780–81, #3, 5, 8, 17; 1796, #1–9; 1780–1810, #10.

<sup>34</sup> Michaelis, *Abhandlung*, pp. 185–232.

<sup>35</sup> Jakob Michael Reinhold Lenz, *Der neue Menoza oder Geschichte des Cumbanischen Prinzen Tandi: Eine Komödie*, in Lenz, *Werke und Briefe*, ed. Sigrid Damm, 3 vols. (Leipzig, 1987), vol. 1, pp. 125–90.

typical plot of the era. The central scene is an exchange over incest laws, a parody on academics who were willing to defend anything. The academic figure in the play, Magister Beza, maintains that the greatest scholars of divinity have shown that there is no danger from God's word regarding an innocently consummated marriage: God did not forbid close marriage. Furthermore, Beza says that he can demonstrate his claim from Arabic customs and practices. It all goes back to the state constitution of the Jews and the customs of seeing the closest relatives without a veil in order to prevent premature *Hurerei*.<sup>36</sup> Prince Tandi, the character whose marriage was in question, asks Beza how he knows this? "Because marriages with kin were forbidden, they were allowed to see them without a veil, just as the Romans could kiss them."<sup>37</sup> Then, says the prince, all God had to do was forbid uncovering altogether; that is if He had no other reason. Beza tells him to read Michaelis: it was just a political institution by God that has nothing to do with us, otherwise He would have offered a reason for the prohibition. The prince exclaims that the reason is right there in large print—you cannot marry your sister because she is your sister (alas, Tandi is confusing texts; namely, the prohibition against taking the father's wife's daughter because *she* is your sister) and woe to anyone who does not understand that. How can there be happiness in the world if sentiments are not harmonically attuned? Do you want the sentiments felt towards parents, sibling, wife, and blood relatives to be the same as for all others? Without differences and an order that distinguishes those most near from others, the whole world will become a pig stall.<sup>38</sup> Lenz clearly wanted to make fun of academic discourse and he deftly parodied Michaelis's social-historical arguments, but in the end, to ground his own positions, he fell back on happiness, sentiment, and order, just as Michaelis and Hume and so many others had done and would do.

Over the next several decades arguments about inherent disgust, general, almost universal feelings implanted with divine intent, and other considerations would continue, but with a more-or-less greater emphasis on psychology (emotions, feelings, sentiments, inherent sense of shame), or on social and political order (house, state, kinship, alliance). These were emphases, issues of origins, and logics of behavior, all fitted together conceptually in different ways. When the focus was incest, what perhaps bound the parts together in a continuing argument about the nature and meaning of incest during the Enlightenment and Romantic periods was intimacy, its nature and practices.

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36 Lenz, *Neue Menoza*, pp.167–74.

37 Lenz, *Neue Menoza*, p. 174.

38 Lenz, *Neue Menoza*, pp. 174–75.

## The morals of civil society

Incest is a crime against the laws of morality, not against that morality which only deals with the particular person but rather against that which takes cognizance of its connection to civil society.  
— Johann Jakob Cella, 1787

While Michaelis had considerable influence on how German states reframed their laws of marriage, significant change had been underway since 1740, well before he began publishing, when Prussia, under Frederick the Great, reworked its ecclesiastical code, with the purpose of encouraging population growth: no longer in this kingdom would there be any problem with cousins or the wife's sister. Much of what the legal scholars would do over the next half century aimed at figuring out how to justify the Prussian break with tradition and how to spread the news (thus Lenz's dig at Michaelis for being a Prussian shill). A good case in point is Johann Jakob Cella (1756–1820), a widely read author in juridical and political circles and high official for the principality of Nassau and the kingdom of Bavaria, whose 1787 study of sexual crimes contained an extended treatment of *Blutschande*.<sup>39</sup> Cella, clearly influenced by Scottish philosophers and Michaelis, was concerned with developing an argument consonant with European social and historical institutions, particularly the small household. He pointed out that siblings in such spaces had thousands of chances without witnesses to see each other unclothed.

His work offered a slightly new take on sibling marriage and its dangers, similar to what Edward Westermarck (1862–1939) would develop around the turn of the twentieth century. Westermarck thought that children socialized together would be indifferent to one another; that strong libidinal attraction simply would not exist between them. Cella's point was a little different: boredom generally settled in in marriages after a few years of intercourse. In fact, he said, marriage was often unbearable in the first year, although he did not pursue the matter. The point seems to have been that settling down sex drives took a while. Siblings allowed to have intercourse would be so tired out and bored with sexual activity that they would be unfit for marriage altogether—not so much indifferent to each other as indifferent to any sexual partner. In this scenario, incest was not a crime against natural law but against the morality of civil society, which depended on stable marriages to reproduce itself. In fact, there was no feeling, no indifference, towards a sibling as a marriage partner as such, so long as they had not already worn themselves out sexually. Incest was a crime against the laws of morality, not, however, merely against the morals of particular persons, but against the morals of civil society. And it was a matter of state and social order, not in the first instance prompted by natural respect between parents and children. Nonetheless, the incest prohibitions, Cella thought, ought not go beyond the narrowest definition of the “family”: parents, full and half siblings, step parents and parents-in-law, in Europe or any land

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<sup>39</sup> Cella *Über Verbrechen*.

characterized by monogamy. Not having the same intimacy or familial origins, in-marrying “siblings” did not count. Borrowing from Michaelis’s examples, Cella argued that the central issue was to find the point where intimacy was usually developed, and that determining that point was the job of each regent in each European country. In the end rules were there to develop and maintain moral feeling among citizens.<sup>40</sup>

Enlightenment discourse essentially refit the arguments about incest to the parameters of moral sentiment, social order, and the well-regulated house. The semantics of familial discourse, meanwhile, were beginning to shift away from the “house” or “household” to the “family,” in a process that would continue into the first decades of the nineteenth century. The emergence of “family” was closely tied to the narrowing down of the unit under consideration to an intimate core, characterized by sentimental attachment, by feeling, by a peculiar moral sensibility. This was not a “statistical” change articulating measurable facts such as smaller households, fewer servants, and not so many collateral kin or elderly parents, but rather a change of focus capturing the greater attention then being paid to the dynamics of sibling interaction.

## Moral sentiment and representations of incest

It is evident, that near Kindred, such as are of the same House (even by the Ties of Nature) are much more obliged to aid, assist, direct and admonish one another, to save and prevent each other from such Evils as they are likely to be tempted to, than others are. — John Fry, 1756

Here, rather than broadly surveying the literature of the Enlightenment, I will sample writers from the period who were widely read, in order to provide a sense of the variations in discourse among moral philosophers, theologians, legal scholars, and political commentators. Since they frequently cited each other and references flowed easily back and forth, what I am after is a conversation linking ideas of moral sentiment and representations of incest. I will begin with Johann Heinrich Daniel Moldenhawer (1709–90), a professor of theology in Königsberg and later cathedral pastor in Hamburg who followed the new fashion and married his deceased wife’s sister.<sup>41</sup> For him, natural law essentially came down to keeping healthy, improving the “power of the soul,” furthering pleasure and happiness, and helping others out. He read the Leviticus text as precluding marriage with a woman to whom one owed respect (your mother, for example, such a marriage being as prohibited as your taking a royal widow as your maid), but above all with intimates from the house. Like Michaelis, he did not like to think of the domestic setting as a potential whorehouse. And if, as seldom was the case—why he thought so

<sup>40</sup> Cella, *Über Verbrechen*, pp. 129–45.

<sup>41</sup> Johann Heinrich Daniel Moldenhawer, *Abgenöthigte Vertheidigung seiner Untersuchung der Israelitischen Ehegesetze* (Hamburg, 1780), p. 4. The work under consideration here is Johann Heinrich Daniel Moldenhawer, *Untersuchung der 3 Mose 18, 7–18. befindlichen Israelitischen Ehegesetze* (Hamburg, 1780).

is unclear—two parents brought children into a marriage, they had to be continuously vigilant. The prohibition against the wife's sister was just a measure to prevent jealousy in the context of polygyny and no longer relevant. For his own era, familiar as it was with the terrible reputation of stepmothers, the best solution for the kids was to marry their aunt.<sup>42</sup>

Another theologian of great influence was Johann Lorenz von Mosheim (1693–1755), chancellor of Göttingen University. His *Institutes* came out in new translations into English from 1764 to 1892, and his *Ecclesiastical History* appeared in English in 1842. His *Sitten-Lehre der heiligen Schrift* eventually appeared in nine volumes. Its eighth volume (1767), which I cite here, actually was finished by Johann Peter Miller (1725–1789), a professor of theology whom Mosheim originally brought to Göttingen as his personal secretary.<sup>43</sup> Mosheim constructed the history of the church in parallel to the history of the state. His method involved a critical reading of sources and the assumption of human rather than divine origins for historical phenomena. In the Mosheim/Miller account, incest laws were all about virtue and supporting the institution of the family, and natural law was not their source. The reasoning went something like this: Given the biblical example of the marriages of Adam's children, there could not be a universal prohibition against sibling marriage (the advice was to leave alone any brother and sister who married in ignorance of their kin relation); therefore, because natural law was universal by definition, the prohibition itself was not a product of natural law. What was a product of that law was an inner feeling of shame instilled in the human rational mind about the physical and moral nature of human relationships. Because the intimacy of the house, with its *difficult and impure instincts*, was the locus for intense human relationships, it was the chief source of concern, but there were other relatives and even siblings not raised in the same house who were similarly prohibited on grounds of disorderly passion.<sup>44</sup>

The Mosheim/Miller *Sitten-Lehre* gave favorable attention to an English work by John Fry.<sup>45</sup> Fry was certainly moving in the same direction as other early Enlightenment theologians in suggesting that the English ecclesiastical courts had done great injustice to the Leviticus texts, “ruining whole families” in the process.<sup>46</sup> But, by denying that the passages in Leviticus had anything at all to do with marriage, his exegesis went much further than most. A careful reading of the biblical prohibitions showed, he said, that

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<sup>42</sup> Moldenhawer, *Untersuchung*, pp. 4–13.

<sup>43</sup> Johann Lorenz von Mosheim, *Sitten-Lehre der heiligen Schrift*, 9 vols. There are various editions; e.g., vol. 1 is 3rd ed. (Helmstädt, 1742), while vol. 8, is comp. Johann Peter Miller (Göttingen and Leipzig, 1767).

<sup>44</sup> Mosheim, *Sitten-Lehre*, vol. 8, pp. 102–35.

<sup>45</sup> John Fry, *Case of Marriage between Near Kindred Particularly Considered, With Respect to the Doctrine of Scripture, the Law of Nature and the Laws of England. With Some Observations Relating to the Late Act to Prevent Clandestine Marriages* (London, 1756).

<sup>46</sup> Fry, *Case of Marriage*, p. vii.

they were geared to “defilement” of close relatives under particular situations where there were “more frequent opportunities” for such.<sup>47</sup> Take the matter of a man engaging in sexual relations with his brother’s wife. Because a “Woman is the Husband’s as long as he lives only,” sexual relations with a brother’s wife while he was alive would be a particularly heinous act of adultery, but there was nothing wrong with pursuing her after his decease. “Some of the best of God’s people married kindred and told their children to. Those who did so were more blessed by God.”<sup>48</sup> After all, what was the point of marriage? “Satisfaction and Felicity.” Like his German contemporaries, Fry centered his considerations on the house: “It is evident, that near Kindred, such as are of the same House (even by the Ties of Nature) are much more obliged to aid, assist, direct and admonish one another, to save and prevent each other from such Evils as they are likely to be tempted to, than others are.”<sup>49</sup> In the end, Fry argued, if the prohibitions were to be properly reconceptualized to fit the current times, it was necessary first to understand the principle of the three-thousand-year-old law that was their source: “The preventing of Uncleaness therefore (as Families are now generally circumstantiated, Male and Female Children being usually brought up together) may . . . be a *good reason* for the discountenancing of Marriage betwixt Brother and Sister; but then it cannot reasonably be extended *any further*; for if you extend it *any further* than to Brother and Sister, you may as well extend it to *Neighbors, School-fellows, and all other Persons* that use to converse freely together.”<sup>50</sup> Fry then turned this criticism of extensive marriage prohibitions into an argument *against* exogamy: since the end of marriage is “help and comfort,” the people who know each other best make the best partners,” he declared. “And therefore wise and good Men usually advise their sons not to go among Strangers to take their Wives.”<sup>51</sup> The most suitable marriage prospects were those fitted for “mutual society, help, assistance, comfort and support,” so who better for a younger son than his elder brother’s daughter of his own age with his own sentiments: “What marriage, in such Circumstances can be supposed more fit and proper.”<sup>52</sup> The same could be said of marriage with the wife’s sister. Fry’s take on the issues puts the emphasis on intimacy, sentiment, social endogamy, on the marriage of like with like, and on the closest possible relatives beyond siblings as the most suitable target for wedlock.

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<sup>47</sup> Fry, *Case of Marriage*, pp. 12–17.

<sup>48</sup> Fry, *Case of Marriage*, p. 7.

<sup>49</sup> Fry, *Case of Marriage*, p. 50.

<sup>50</sup> Fry, *Case of Marriage*, p. 73.

<sup>51</sup> Fry, *Case of Marriage*, p. 74.

<sup>52</sup> Fry, *Case of Marriage*, p. 80.

## Inbreeding vs. incest: New considerations

A mixture of different families may be necessary to prevent degeneracy of the human race; as some pretend that such intermixtures, or crossing the strain by cattle of a different breed, is necessary to prevent their degeneration; if we can decently make such comparisons. — Francis Hutcheson, 1755<sup>53</sup>

Although there are instances of mid-eighteenth-century writers drawing analogies between animal and human reproduction or between the practices of inbreeding among domestic animals and endogamy in human societies, there was in fact still no consensus by the mid-nineteenth century about the relevance of animal studies for humans, or, in animal studies, about the advisability of crossbreeding (or “outbreeding,” breeding unrelated stock). Nevertheless, in the decades around 1800, most commentators differentiated “incest” (a moral matter) from “inbreeding” (a technical, agricultural procedure). The possible physiological effects of marrying close kin offered neither a sufficient explanation for the incest taboo, nor a sufficient guide for lawmakers working to establish the criteria relevant to preserving the state’s interests. But there were a few scholars who did entertain the presumption of dangers for progeny from consanguineal marriage and who were roundly criticized for it well into the nineteenth century. The most prominent among them were the French naturalist Georges-Louis Leclerc, comte de Buffon (1707–1788) and his older sometime contemporary, Scottish philosopher Francis Hutcheson (1694–1746). Buffon was one of those in the eighteenth century who began to consider incest as a problem of physical reproduction and who often treated humans as part of the animal kingdom; who even took up plants to argue the point in some cases. New knowledge from breeding practices, however much disputed, caused a few authors like Buffon to suggest that domestic livestock breeding had implications for rules of incest in human political systems. Hutcheson entertained the idea of reproductive fallout late in his career. Nevertheless, what coupled him with Buffon in the minds of later writers was their shared notion that incest was bad because of its consequences, not because of its inner shamefulness. In this, of course, Michaelis, Hume, Mosheim, and Cella stood on the same page.

I want to deal at some length with Hutcheson, the teacher of Adam Smith and a major figure in the Scottish Enlightenment (often referred to as its “father”), because he is sometimes considered by recent writers of the socio-biological persuasion as one of their forerunners. In most of his writings, however, he comes across as a more-or-less orthodox Enlightenment thinker who grounded his argument in moral sentiment, or what he labeled “benevolence.” In 1742, just four years before he died, he offered a thoroughgoing critique of Hobbesian, Pufendorfian, and Lockean voluntarism.<sup>54</sup> He

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<sup>53</sup> Francis Hutcheson, *A System of Moral Philosophy in Three Books*, ed. Francis Hutcheson, M.D., 2 vols. (Glasgow, 1755), vol. 2, bk. 3, sec. 10, p. 172.

<sup>54</sup> Hutcheson, *Philosophiae Moralis*. pp. 33 ff.



based his arguments on sympathy, on the human propensity towards benevolence, and on an innate moral sense, which he thought of as analogous to what was to be found in God Himself: what God willed could not be separated from His goodness. Human moral behavior could not be separated from this moral sense, but this sense did not depend for its development on fear of divine punishment. Here indeed was a radical break away from Baroque cultural ideas.<sup>55</sup> “When we praise the divine laws as holy, just and good, ‘tis plainly on this account, that we believe they require what is antecedently conceived as morally good.”<sup>56</sup> Moral philosophy was essentially concerned with human happiness, not primarily for the individual but for society as a whole. “Whosoever in a calm hour takes a full view of human nature, considering the constitutions, tempers, and characters of others, will find a like general propension of soul to wish the universal prosperity and happiness of the whole system.”<sup>57</sup> Humans all were outfitted with conscience, a sense of what was “good and honourable,” which in turn was based on “kind affections” and steady purposes.<sup>58</sup>

Hutcheson developed his argument in a kind of empirical procedure that required his readers to observe their own psychological make-up. In the place of systematic references to sacred writings or other authorities, he put forward a steady sequence of assertions for general assent. In one remarkable passage, an account of the spread of happiness and a genealogy of moral sensibility, he moved from sexual attraction, to mating, to reproduction, to the natural affections of kin, to benevolence towards neighbors, to general good will: “There are many sorts of kind affections in the several relations of life, which are plainly implanted by nature. Thus nature has implanted in the two sexes a strong mutual affection, which has a wonderful power; . . . as a friendly society for life, founded upon that endearment which arises from a mutual good opinion of each others moral characters, of which even beauty of form gives some evidence. There’s also implanted a strong desire of offspring, and a <special care and> [added by the 1747 translator from the Latin original] a very tender peculiar affection toward them. In consequence of this, there are also natural affections among brothers, sisters, cousins, and remoter kindred, and even such as are allied by marriages. But there are still more subtile social bonds. Good men who know each other have a natural affection not unlike that among kinsmen. . . . But benevolent affections still spread further, among acquaintances and neighbors. . . . Nay they diffuse themselves even to all our Countrymen, members of the same polity. . . . {And in men of reflection} [omitted from the 1747 translation] there’s a more extensive good-will embracing all mankind.”<sup>59</sup>

Hutcheson here fit into a long tradition of Enlightenment argument that specified the household as the crucial space where moral sentiment was first exercised and

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55 Hutcheson, *Philosophiae Moralis*, pp. 60–61, 81–86, 121–22.

56 Hutcheson, *Philosophiae Moralis*, p. 37.

57 Hutcheson, *Philosophiae Moralis*, p. 32.

58 Hutcheson, *Philosophiae Moralis*, p. 61.

59 Hutcheson, *Philosophiae Moralis*, p. 81.

took shape, and that made sentiment a product of sexuality. In the household, individuals first experienced spontaneous affection, that sentiment which in adulthood would characterize neighborliness, friendship, and love of nation and humanity. That general love had its first expression in erotic friendship and in controlled and disciplined sexual expression. In his *Essay on the Nature and Conduct of the Passions and Affections*, Hutcheson made clear that the crucial movement of affection was from the family to the wider sphere of humanity and not the other way around: “An Offspring of such Creatures as Men are, could not be preserved without perpetual Labour and Care; which we find could not be expected from the more general ties of *Benevolence*.”<sup>60</sup> The tender affection of siblings could be construed as a kind of replication of the friendship that developed between spouses. There was something similar, in Hutcheson’s account, about a wife and a sister.

The discussions of marriage and family in the *Philosophiae Moralis* came under the heading of *Oeconomices*. But Hutcheson used the Latin *domestica*, more properly translated as “household,” to signify the social unit of his concern; the choice of “economics” for the heading was derived from the Greek *oikos*, or household. Economics in the modern sense had to await Hutcheson’s successors. It was the 1747 English edition of this work that transformed Hutcheson’s *domestica* into “family.”<sup>61</sup> So it was less the family than the household and its intimate space that exercised Hutcheson’s imagination, although there was some slippage towards the members of the household characterized by particular ties of sentiment, prompting the confusion between “household” and “family.” He began his consideration with the necessity of constant and attentive care for human offspring. Nature implanted a “strong parental affection,” which enjoined both parents to take part in nurturing children and which would be quite impossible had parents not previously come together “in love and stable friendship.”<sup>62</sup> The strong impulses of virtuous sexual attraction, he declared, “plainly shew it to be the intention of nature that human offspring should be propagated only by parents first united in stable friendship, and in a firm covenant about perpetual cohabitation and joint care of their common children. For all true friendship aims at perpetuity.”<sup>63</sup> Above all, sexual activities had to be reined in to prevent “all dissolute procreation without any proper covenant about a friendly society for life. For if such indulgence were allowed to all, it must destroy both the bodies and minds of the youth, produce a race destitute of all paternal assistance, and expose the incautious mothers to infamy, poverty and a perpetual course of debauchery, without any hopes of ever attaining any reputable state

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<sup>60</sup> Francis Hutcheson, *An Essay on the Nature and Conduct of the Passions and Affections, with Illustrations on the Moral Sense* (1728), ed. Aaron Garrett (Indianapolis, 2002), p. 45.

<sup>61</sup> Hutcheson, *Philosophiae Moralis*, p. 255.

<sup>62</sup> Hutcheson, *Philosophiae Moralis*, p. 218.

<sup>63</sup> Hutcheson, *Philosophiae Moralis*, p. 218.

in life.”<sup>64</sup> Impediments to marriage insured against injuries of affection and violations of intimacy. Marriage in the direct line, between parents or grandparents and children, violated the principles of “conjugal affection and intimacy,” by impinging upon the “reverence implanted by nature towards parents and confirmed by education.”<sup>65</sup> There were no *natural* reasons, however, to warrant prohibiting marriage in what Hutcheson called the “transverse line” (siblings and cousins), even though it was usual among most nations to forbid such liaisons.<sup>66</sup> Here Hutcheson fell back on the Noachide idea, that God had introduced the law to Noah and his progeny, and that vestiges of that law continued in the codes of various nations. Hutcheson was quite hesitant in all of this. “The intention of this law has probably been to diffuse further among many families that good-will and endearment which frequently arises from consanguinity and affinity,” he said.<sup>67</sup> And as an addendum, he made this vague remark: “The Deity may also have had in view some other advantages to human offspring to arise from such intermixtures of different families.”<sup>68</sup> Did he have inbreeding in mind? He did not elaborate.

In an earlier treatment of incest written into his *Inquiry into the Original of our Ideas of Beauty and Virtue* (1725), Hutcheson had a slightly different take on the problematic.<sup>69</sup> Here he dealt with an objection to his contention that all humans were outfitted with an innate moral sense, suggesting that the variety of customs in different parts of the world with regards to marriage impediments offered a good example to support his point. That is, he argued, fear of incest was not an innate moral idea but rather just one example of a general principle. The objection pointed to great variations in the incest taboo, which underscored the idea that it was just a matter of “custom and education.” There were some places where certain actions were met with the greatest abhorrence but where no breach of benevolence could be discerned and other places where the same actions were seen as innocent. If incest was a matter of nature, it would elicit the same response everywhere, but witness the Greeks who married their half-sisters and the Persian priests who took on their mothers. Hutcheson’s answer suggested that the moral response was social, in the sense that people blame/judge others who violate the rules. The horror of incest was a very strong emotion, which elicited disgust in observers. The very abhorrence presupposed a sense of moral good. And it did not matter whether some people, unaware of the public consequences of incest, thought the act offensive to God and subject to his wrath. What made incest so reprehensible to

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64 Hutcheson, *Philosophiae Moralis*, p. 220. The great example of this was provided by Afra Behn, *Love-Letters Between a Nobleman and His Sister [Sister-in-Law]*, ed. Janet Todd (London and New York, 1996 [1684]).

65 Hutcheson, *Philosophiae Moralis*, p. 223.

66 Hutcheson, *Philosophiae Moralis*, p. 223.

67 Hutcheson, *Philosophiae Moralis*, p. 22.

68 Hutcheson, *Philosophiae Moralis*, p. 224.

69 Francis Hutcheson, *An Inquiry into the Original of our Ideas of Beauty and Virtue* (1725), ed. and intro. Wolfgang Leidhold (Indianapolis, 2004), pp. 144–45.

everyone, even those convinced of the Deity's distaste, was its "want of benevolence." "We must apprehend the Incestuous, as exposing an Associate, who should be dear to him by the ties of Nature, to the lowest State of Misery, and Baseness, Infamy and Punishment."<sup>70</sup> "But in those Countrys where no such Opinion prevails of the Deity's abhorring or prohibiting Incest; if no obvious natural Evils attend it, it may be look'd upon as innocent. And further, as men, who have a moral Sense, acquire an Opinion by implicit Faith, of the moral Evil of Actions, altho they do not themselves discern in them any tendency to natural Evil; imagining that others do: or, by Education, they may have some Ideas associated, which raise an abhorrence without Reason."<sup>71</sup>

With this analysis, Hutcheson was trying to account for varying psychological dispositions, peculiar to time and place, customs and education, while clinging to the idea of an innate moral sense: not about incest as such but about actions detrimental to others, which showed no sympathy and violated the principle of benevolence. The strength of reactions to a perceived transgression was beside the point. What mattered in incest was its violation of the love and care owed to closest kin, its abnegation of fundamental responsibility, its betrayal of that innate moral sense common to all humankind. Given a diversity of social situations, the attendant "natural social evils" would bring about variety in customs, with a range of possible emotional responses, some as reactions to divine prescription and others worked out through reason. What made incest an issue was its deleterious effects on the social order, which depended on benevolent care and nurture: unbridled sex within the intimate confines of the family, morally corrupted youth, and a selfish egotism that precluded the extension of well-regulated sentiments from the family to fellows and friends and the construction of the happiness and well-being of the social and political order.

In the posthumous *System of Moral Philosophy*, Hutcheson took up the issue of incest one more time, to account for the strong universal abhorrence it evoked: the monstrous Persians, notwithstanding.<sup>72</sup> He first noted that feelings against sexual relations in the ascending and descending line were stronger than against those involving siblings.<sup>73</sup> Then he considered the idea that brothers and sisters, as intimates, needed strong prohibitions because of the problem of premature sexuality, but noted that would be the case with any kind of intimacy—between cousins, for example—and anyway, he found no "dismal effects."<sup>74</sup> Yet even in uncivilized nations, the aversion to marriage between a brother and sister had to be accounted for, as it was so much stronger than "any reasons of expediency or prudence." Prudent rulers might see that if marriage were to be allowed among siblings, "the sacred bonds of affection would be too much confined,

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<sup>70</sup> Hutcheson, *Inquiry*, p. 145.

<sup>71</sup> Hutcheson, *Inquiry*, p. 145.

<sup>72</sup> Hutcheson, *System*, vol. 2, bk. 3, § 10. Hutcheson's eponymous son, an M.D., published this work in 1755, from his father's original manuscript.

<sup>73</sup> Hutcheson, *System*, vol. 2, p. 170–71.

<sup>74</sup> Hutcheson, *System*, vol. 2, p. 171.

each family would be a little system by itself, detached from others.”<sup>75</sup> But because such pairings have been prohibited, “multitudes of families are beautifully interwoven with each other in affection and interest and friendly ties are much further diffused.” That, however, did not seem to explain the strong emotions associated with incest. So Hutcheson quite tentatively suggested a “biological” reason, the one that would couple him with Buffon; namely, the analogy with domestic animals that called forth so many criticisms from so many writers and that perhaps grounded his own hesitation. There may be, he suggested, “reasons in nature not known to us or not yet observed.” “A mixture of different families may be necessary to prevent degeneracy of the human race; as some pretend that such intermixtures, or crossing the strain by cattle of a different breed, is necessary to prevent their degenerating; if we can decently make such comparisons.”<sup>76</sup> In any event, Hutcheson wanted to account for the *moral* opprobrium regarding incest, and he seems not to have found the argument from cattle breeding really to the point. What was to the point was the culture that produced the opprobrium: prohibitions themselves, prudent legislation, education, even divine guidance. There was no *innate* disinclination to court a sibling. Or, as Hutcheson put it: “But that there is not a necessary invariable turpitude or moral impurity in all these marriages ordinarily called incestuous, antecedently to the prohibition of them, must be owned by such as consider that God laid the immediate children of Adam under a necessity of inter-marrying and for some political reasons ordered such marriages on certain contingencies as were ordinarily prohibited.”<sup>77</sup>

## Lessons from horse breeding

One might believe that from an experience no longer remembered men once knew the evil that results from alliances with the same blood, since among the least policed nations it has rarely been permitted for a brother to marry his sister. This custom, which for us is based on divine law and for other peoples related only to a political perspective, has perhaps been founded on observation. — Georges-Louis Leclerc, Comte de Buffon, 1753

Georges-Louis Leclerc, Comte de Buffon was the most cited author to consider the biological consequences of inbreeding during the late eighteenth century and early decades of the nineteenth. His thirty-six-volume *Histoire Naturelle* was widely disseminated and read throughout Europe.<sup>78</sup> Appointed director of the Jardin du Roi (now Jardin des Plantes) in Paris, in 1739, he turned the institution into a major research

<sup>75</sup> Hutcheson, *System*, vol. 2, p. 172.

<sup>76</sup> Hutcheson, *System*, vol. 2, pp. 172–73.

<sup>77</sup> Hutcheson, *System*, vol. 2, p. 173.

<sup>78</sup> Buffon [Georges-Louis Leclerc, Comte de Buffon], *Histoire naturelle, générale et particulière, avec la description du cabinet du Roy*, 36 vols. (Paris, 1749–89).

center on animals and plants, dedicated to collecting specimens from around the world and to studying issues of breeding and acclimatization. In his essay on horse breeding in the *Histoire Naturelle*, he added some general remarks about humans, even though he thought that the processes of reproduction in humans and animals were rather different.<sup>79</sup> With horses, the practice was to bring studs from Spain or North Africa to mix with native mares, although one could get similar results by importing mares: the key thing was to mix native with foreign stock. Because the progeny more often resembled the male progenitors than the female, it was better to move males around and keep mares in place. One stud, of course, could service many mares. Without such crosses, within three generations the horses showed no evidence of traits associated with foreign stock. Buffon made a great deal out of the effects of climate and food, arguing that without the importation of foreign studs, climate and food would come to dominate, and matter would take over form, disfiguring the “non-essential traits” of subsequent generations.<sup>80</sup> Presumably those non-essential traits were the external features of the individual. By regularly mixing in foreign “races,” form would be perfected, even improved over generations. Or at least that was the expected pattern, although sometimes acclimatization would require several generations and set in only after a first degenerate generation or two. It was best to think of breeding as a matter of long-term influence and slow changes of temperament, and to crossbreed in each generation. Farmers and herders had been crossbreeding animals and seeds for many decades, Buffon noted, in order to guarantee traditional levels of production. It was a kind of rule of thumb that new blood had to be introduced to maintain healthy and fertile stock. But quite contrary to Buffon’s claim, modern breeding in his time had come to be based on the line, or, as it was put, on in-and-in breeding. Those breeders who developed the great reputations stressed the importance of selecting the best among offspring to be bred back into the same stock. The debate to some degree pitted improvement (inbreeding) against preventing degeneration (crossbreeding).<sup>81</sup>

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79 Buffon, “Le Cheval,” in Buffon, *Oeuvres*, ed. Stéphane Schmitt and Cédric Crémière, pref. Michel Delon, Bibliothèque de la Pléiade 532 (Paris, 2007), p. 523. The essay appeared first in Buffon, *Histoire naturelle générale et particulière, avec la description du Cabinet du Roi*, vol. 4, *Discours sur la nature des Animaux. Les Animaux domestiques* (Paris, 1753), pp. 174–257.

80 Buffon, “Le Cheval,” pp. 528–29.

81 Roger J. Wood, “The Sheep Breeders’ View of Heredity Before and After 1800,” in *Heredity Produced: At the Crossroads of Biology, Politics, and Culture, 1500–1870*, ed. Staffan Müller-Wille and Hans Jörg Rheinberger (Cambridge MA, 2007), pp. 229–50. According to Staffan Müller-Wille and Hans-Jörg Rheinberger, *A Cultural History of Heredity* (Chicago and London, 2012), p. 61, the transferral of plants and animals to plant and zoological gardens during the eighteenth century initiated practical attempts to make them flourish in new environments. Organisms were altered by the conditions they encountered, a phenomenon that elicited considerable discussion about the transmission of such changes to their offspring in the long run. Eighteenth-century naturalists called this “degeneration,” using the term quite differently from its later, negative connotations of pathology. “Buffon was one of the first naturalists to speculate that degeneration in this sense could even lead to the formation of new species,” pp. 61–62.

Buffon was well aware that humans posed a difficult problem.<sup>82</sup> Of course there were no managed breeding programs, but he thought that past migrations might have led to the favorable blending of different groups of humans. Furthermore, humans were not subject to the same rigors of climate as horses, since they could vary their nourishment and put roofs over their heads. And because they were creatures of culture, they could manage to avoid inbreeding by establishing wise rules. But then how and why did they do that? The new knowledge gained from studying and experiencing the variety of human societies and from culling ancient literature showed that even “badly policed nations” did not allow siblings to marry. Since that was the case, there did not seem to be much experience for people to draw from. What empirical foundation was there, then, for almost universal laws? Buffon, of course, could not have developed the kind of idea current among our evolutionary biologists about successful strategies being encoded in human genetic material, but he could speculate about experience buried in the deep past, yet accessible to memory of the human race. “If men have once known by experience that their race would degenerate each time they wanted to preserve it in the same family without mixing, they would have regarded alliance with stranger families as a law of nature and would all agree not to suffer the mixing of their own children.”<sup>83</sup> His argument for exogamy dealt primarily with physical characteristics, although in another text, he emphasized the power of soul as a distinguishing characteristic of humans and presumably would have included degeneration of mind or character among the results of inbreeding.<sup>84</sup> He embedded marriage prohibitions in human experience and thought of divine law as a human gloss on what the race had learned over time through experimentation. His understanding of the issues was closely allied with agricultural practices and the practical knowledge of animal breeders and crop farmers. But many of his contemporaries and subsequent commentators would find no clear connection between his “materialist” explanations and moral feelings, which were their principal concern. They were fixed on quite other consequences, those of a social rather than a physical order.

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Eighteenth-century usage according to the OED could mean the changing of one kind into a “viler kind,” but also the more neutral “transmutation.” Buffon employed the term in the context of introducing studs from Spain or North Africa to breed with domestic mares. He seemed to work with Aristotelian categories of male form and female matter. The new form would disappear after two or three generations as climate, food, and matter (the female principle) caused a reversion to type. Buffon, “Le Cheval,” pp. 530–32.

<sup>82</sup> Buffon, “Le Cheval,” p. 532.

<sup>83</sup> Buffon, “Le Cheval,” p. 532.

<sup>84</sup> Buffon, “De la dégénération des animaux,” in Buffon, *Oeuvres*, p. 1017. First published in Buffon, *Histoire naturelle*, (Paris, 1766), vol. 14, pp. 311–74.

## Objections to the argument from degeneration

Both authors did not know much about horse breeding but only heard about it from a distance. —  
Johann David Michaelis, 1770–71

Michaelis, in his *Mosaisches Recht*, took on the Buffon and Hutcheson hypotheses about physical degeneration from inbreeding.<sup>85</sup> All their knowledge, he declared, came on the one hand from horse breeding, which had little to do with humans, and on the other, from third-hand accounts. They knew nothing from their own practical experience with breeding. But from his examples of alleged incest and degeneration among North American Indians, it is clear that Michaelis likewise had little practical experience or first-hand knowledge of breeding.<sup>86</sup> Of course, it was true that the best horses would be mated, he wrote, and that they might not be the most closely related, but this had no application to humans, since there was neither regulated mate selection nor the desire to prevent mediocre people from marrying. And it was possibly true that breeders brought in horses from all over, mating, for example, big English horses with fast-paced Arabians for racing. But no one thought that humans should scour the earth for mates or select for particular qualities in producing children. Leaning on the literature about breeding experiments, Michaelis concluded that mating “brother” and “sister” (can one use these sociological terms for horses?) did not lead to any change in form, just in size.<sup>87</sup> Each generation of successive breeding with siblings would be smaller, so maybe one could use this argument for them, but that did not seem to be the case for mating a horse with its daughter and granddaughter down the line. This practice had no effect on form or size. And, more importantly, “the simple conclusion from horse to human, considered in turn as an animal, is not very logical, [since the human] does not at all belong to the class of horses, and can only open up possible questions but is not sufficient for belief or determination.”<sup>88</sup> Among all of the ancient peoples who practiced close marriage—Egyptians, Persians, Phoenicians, Spartans, and Athenians—there was not the slightest trace of physical degeneration. Moses himself was impressed with the size of the Canaanites who, he surmised, had attracted God’s wrath on account of their incestuous behavior. In considering American Indians and their allegedly incestuous ways, Michaelis was rather naive in his reading of the available literature. He looked around for causes like pestilent swamps and reported size abnormalities to explain what was understood to be degeneration, which, in any event, he thought, did not seem to be the result of inbreeding: “at least the example from America is neutral,” he said.<sup>89</sup>

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<sup>85</sup> Johann David Michaelis, “Verbot naher Heyrathen,” in Michaelis, *Mosaisches Recht*, pt. 2, par. 105, p. 237. The first edition was 1770–71. I used the 1772 edition.

<sup>86</sup> Michaelis, “Verbot naher Heyrathen,” pp. 240–43.

<sup>87</sup> Michaelis, “Verbot naher Heyrathen,” pp. 238–40.

<sup>88</sup> Michaelis, “Verbot naher Heyrathen,” p. 240.

<sup>89</sup> Michaelis, “Verbot naher Heyrathen,” p. 243.



Whatever the cogency of his argument, most moral philosophers and theologians for the next fifty or sixty years thought it had demolished the human-as-horse argument.

In the considerable discussion, especially among improving farmers and agricultural specialists, about the lessons to be learned from inbreeding (which occasionally was referred to as “incest”), a nascent discourse about the negative [undesirable] biological effects of sexual union between closely related domestic animals can be detected. However, selection and breeding in, supplemented by the occasional cross, dominated practice well into the nineteenth century and were thought to be the responsible methods for improving agriculture. Roger Wood has offered a careful overview of sheep-breeding theory and practice in the decades around 1800, which can function as an introduction to the broader knowledge of agronomists and breeders of the period.<sup>90</sup> As in Buffon’s *Histoire*, the agricultural literature depicted blood and locality as interacting forces, and there were many early experiments with transporting and adapting breeds to new territories. Introducing males from another area and then breeding them with their progeny for several generations was seen as a way to “acclimatize” or “grade up” the newly introduced blood. One of the most well-known and influential breeders, Robert Bakewell (1725–1795), Buffon’s younger contemporary, rigorously selected his animals for certain traits and inbred them very closely: the practice that became known as “breeding in-and-in.”<sup>91</sup> To a large degree, Bakewell’s success was based on testing the progeny in cooperation with other farmers, a method that provided enough data to draw reasonably sound conclusions and to enhance his skill at selection. Bakewell and his fellow breeders thought less in terms of individual sheep than of whole flocks, and they were concerned with the stability and predictability over many generations that came with “minimal intermixture with other breeds.” As one commentator wrote in a published letter: “The alterations that can be made to any breed of animals by selection, can hardly be conceived by those who have not paid some attention to this subject; they attribute every improvement to a cross, when it is merely the effect of judicious selection.”<sup>92</sup> It also was possible to be “injudicious,” and extreme selection could lead to degeneration. In fact, when many breeders around 1800 adopted Bakewell’s approach, but without his expertise and care, problems in constitution and fertility began to arise. Nonetheless, his theory and practices spread to the continent and breeding in-and-in made it into the textbooks.

One of the most important centers on the continent for developing the techniques of inbreeding was established in Brno, Moravia, where in 1817 controversies arose “about the value of inbreeding as a means of ‘fixing’ traits”; that is, as a method for establishing a more constant transmission down through generations.<sup>93</sup> The question turned around the problem of inherited traits, with some arguing that whatever weaknesses were to

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<sup>90</sup> Wood, “Sheep Breeders’ View.”

<sup>91</sup> Wood, “Sheep Breeders’ View,” pp. 232–33.

<sup>92</sup> Wood, “Sheep Breeders’ View,” p. 236.

<sup>93</sup> Wood, “Sheep Breeders’ View,” p. 239.

be found in progeny were there before inbreeding began to take place. It was precisely uncertainty about the relative effects of inheritance and mating that characterized discussions throughout the period. The upshot of the debate was that inbreeding had led to remarkable successes, and in Brno, the Association of Friends, Experts and Supporters of Sheep Breeding continued to recommend close inbreeding right up to 1845, when the group was dissolved: “Constancy of inheritance could only be maintained by matching the best rams to their close female relatives, each ram forming a ‘sire’s family’.”<sup>94</sup> In 1836, the abbot of the Augustinian monastery in Brno (which Gregor Mendel would join in 1843) used the term “mutual elective affinity” (*gegenseitige Wahlverwandschaft*) to grasp those characteristics of ram and ewe that offered the “inheritance capacity” derived from purity of stock, “enhanced by selective improvement.”<sup>95</sup>

## An argument for exogamy

This unfamiliarity, this full diversity between man and wife, which alone can produce pure positive and negative, we never find between relatives who closer or more distant carry one and the same blood. — Johann Christian Gottfried Jörg and Heinrich Gottlieb Tzschirner, 1819

There was at least one text in the second decade of the nineteenth century in Germany that without reservation proposed applying the science of “physiology” to human relations, most notably to the question of prohibited degrees. This was *Die Ehe aus dem Gesichtspunkte der Natur, der Moral und der Kirche*, by Johann Christian Gottfried Jörg (1779–1856) and Heinrich Gottlieb Tzschirner (1778–1828).<sup>96</sup> As far as I have been able to determine, the book was seldom if ever cited, except by Heinrich W. J. Thiersch, a conservative theologian writing in 1869, who wanted to bring back the rules of the seventeenth-century ecclesiastical establishment, and who thought that the work of Jörg and Tzschirner represented the low point of argument about the nature of incest proscriptions.<sup>97</sup> Jörg was a professor of obstetrics in Leipzig and director of the maternity school, and Tzschirner, the pastor of the Thomaskirche in Leipzig, *Superintendent* and advisor to the Saxon Consistory, and professor of theology. The pair argued that the stronger the somatic and moral bond of a couple, the more their marital unit would embody male and female ideals. This suggested that for the best outcomes in marriage and procreation, the two members of the couple had to be as unlike as possible, purely positive and negative poles reaching towards each other.<sup>98</sup> Such marriages were the

<sup>94</sup> Wood, “Sheep Breeders’ View,” p. 239.

<sup>95</sup> Wood, “Sheep Breeders’ View,” p. 240.

<sup>96</sup> Johann Christian Gottfried Jörg and Heinrich Gottlieb Tzschirner, *Die Ehe aus dem Gesichtspunkte der Natur, der Moral und der Kirche* (Leipzig, 1819).

<sup>97</sup> Heinrich W. J. Thiersch, *Das Verbot der Ehe innerhalb der nahen Verwandtschaft, nach der heiligen Schrift und nach den Grundsätzen der christlichen Kirche* (Nördlingen, 1869), p. 154.

<sup>98</sup> Jörg and Tzschirner, *Die Ehe*, pp. 3–17.

happiest and produced children of notable fitness and individuality.<sup>99</sup> The necessary strangeness and contrast required for successful partnership could never happen among relatives who shared the same blood, however close or distant they might be. Like repelled like, they thought, perhaps echoing principles of physics, and relatives with the same “physical substrate” could never have a real marriage. And the proof? Because the practice of breeding animals with others of the same blood weakened the race. Note that this argument had nothing to do with intimacy, nurturing, or early association and used “blood” as a metaphor for individuals with the same psychological, physical, and moral traits. The doctor and the pastor combined their points of view to suggest that the somatic argument was also a moral one; positive and negative poles were necessary to attraction, and the sexual desire of closely related individuals was weak.

Jörg and Tzschirner asserted that only among cousins could the first glimmerings of sexual love be found, and then only when there was no other choice. First cousins were too close to allow for a happy and consequential marriage.<sup>100</sup> Equally important, the development of individuality depended on the heterogeneity of the couple; another way of saying that distance and even polarity were necessary to attraction between husband and wife. The authors even went so far as to deny a difference between sexual relations with someone of “analogous blood” and onanism, that most solitary of sexual acts.<sup>101</sup> However, in contradistinction to most seventeenth-century commentators, they stressed that sexual intercourse did not create a single blood in spouses. Therefore, if a spouse died, the obvious place to find a replacement was among the affines, her blood relatives, those embodying the counter pole to oneself and able to sustain the individuality of the marital community. If the spouse’s siblings were like the spouse, then mutual love was bound to arise, and that would guarantee the best care for the children.<sup>102</sup>

Although Jörg and Tzschirner rooted their argument in the science of breeding, they built upon notions of human sexual attraction, as I have just outlined, and also on emotional satisfaction and a not-very-well-articulated notion of morality, apparently a matter of mutual happiness, commitment to marital stability, and orientation towards child-rearing set within the emerging standards of bourgeois individuality. They called upon the ancillary arguments of possible seduction, adultery, murder, and parental disrespect, in order to proscribe adoptees, stepchildren, and children-in-law.<sup>103</sup> For a son to marry his stepmother, while not technically incestuous, was nonetheless *Blutschande* because it introduced dishonor into the partnership. In the matter of marriage prohibitions, the authors called for abandoning all traditions of Mosaic and Roman law in Protestant states in favor of grounds drawn from physiology, the “new somatic science

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<sup>99</sup> Jörg and Tzschirner, *Die Ehe*, p. 185.

<sup>100</sup> Jörg and Tzschirner, *Die Ehe*, pp. 186, 192–95.

<sup>101</sup> Jörg and Tzschirner, *Die Ehe*, p. 187.

<sup>102</sup> Jörg and Tzschirner, *Die Ehe*, pp. 188–89.

<sup>103</sup> Jörg and Tzschirner, *Die Ehe*, pp. 191, 195–97.

of man.”<sup>104</sup> Although they still were influenced by half a century of moral philosophy, they represent an early effort to articulate a novel paradigm in what would become a new epistemic order. They concluded on a slightly triumphal note—we moderns know a lot about matters not known to Moses or the Roman lawyers; namely, physiology and anatomy. And then this mysterious *non sequitur*: Now that we have obstetric schools, men are allowed to know the physical secrets of the female.<sup>105</sup>

## Reconstructing the foundations of incest prohibitions

Nature established that the sex drive is not awakened before benevolent affection can be determined, shaped, and nourished and that that is first and quite automatically directed to those persons that nature has determined to share our destiny and that we recognize as our closest blood relatives, indeed with those who tie us most closely to the instinct for preservation and whom we have daily before our eyes. Therefore it is only to be expected that the sex drive, which has nothing to do with selfless benevolence, has to be awakened and stimulated much more readily by different people for whom we feel no such affection and who are not everyday objects for us. — Carl Ludwig Nitzsch, 1800

Around 1800, two German theologians, Carl Ludwig Nitzsch (1751–1831) and Christoph Friedrich (soon to be “von”) Ammon (1766–1850), feeling their way out from under Enlightenment rationalism towards Pietism and the emotionalism associated with Romanticism, reconsidered the foundations for incest prohibitions, given that neither natural law explanations nor biblical-historical scholarship convinced anyone anymore and biology had little yet to say about moral feeling. Reacting to a half century of rational critique, which had shaken confidence in law, Nitzsch, whom I mentioned in chapter 2 of this section, professor of theology at the University of Wittenberg, published a book in 1800, which sought to re-establish the feeling of shamefulness or disgracefulness (*Schändlichkeit*) as the prompt for incest prohibitions.<sup>106</sup> Meanwhile, Ammon, professor of theology in Göttingen and later court preacher in Dresden, considered the question in three essays dated 1798, 1799, and 1801, which thus bracketed Nitzsch’s book. Their serial nature gave him the chance to respond to his colleague’s work, while still thinking the matter through.<sup>107</sup> The two men had a great deal in common, but they could not agree about the difference between a sister and a wife.

<sup>104</sup> Jörg and Tzschirner, *Die Ehe*, pp. 198–99.

<sup>105</sup> Jörg and Tzschirner, *Die Ehe*, p. 201: “Nur erst seitdem die Geburtshilfesschulen allgemeiner und öffentlicher eingerichtet wurden, nur erst seit dem die Männer, die Ärzte mehr zu den körperlichen Heimlichkeiten der Weiber zugelassen wurden, hat man das Wesen des Weibes, im gesunden und kranken Zustande mehr durchschaut.”

<sup>106</sup> Carl Ludwig Nitzsch, *Neuer Versuch über die Ungültigkeit des mosaischen Gesetzes und den Rechtsgrund der Eheverbote in einem Gutachten über die Ehe mit des Bruders Wittwe* (Wittenberg and Zerbst, 1800), p. x.

<sup>107</sup> Christoph Friedrich Ammon, *Ueber das moralische Fundament der Eheverbote unter Verwandten*, 1. *Abhandlung* (Göttingen, 1798), 2. *Abhandlung* (Göttingen, 1799), 3. *Abhandlung* (Göttingen, 1801).

Nitzsch found traditional biblical scholarship, with its legal foundation, quite insufficient to capture the spirit of Mosaic prescriptions. Staying within the letter of the law was infantilizing, he thought, hardly in line with Christianity's emphasis on inner freedom. And all prior attempts to appeal to evil consequences as a justification for the prohibitions had failed to grasp the fact that most cultures (as history testified) had scarcely been able to make that connection. The problem with incest was not that it was harmful (*schädlich*) but that it was shameful (*schändlich*).<sup>108</sup> Besides, no one had been able to demonstrate any physical repercussions: where, after all, were nations debilitated by close marriages to be found? The starting point for any consideration of the issues had to lie in the very nature of sexuality itself, for the sex instinct as such (completely egoistic) had nothing generous about it. It developed well after the objects of benevolent sympathy had been determined in everyday familial—but not necessarily household—intercourse. The development of the instinct of care, in other words, preceded that of mating.<sup>109</sup> The selfless sharing found among close kin was simply incompatible with self-serving sexual desire. And yet there was a connection in that the benevolence felt for relatives had a powerful counter side: the natural abhorrence against injuring the selfless affection for those one grew up with provided a considerable force to the provocation of a foreign object.<sup>110</sup> Apparently the repression of desire in the household directed it towards those outside that bounded space, towards the stranger. Although both forms of love, benevolence and desire, were necessarily sensual, they were incompatible with each other: the tenderness between siblings far outranked any such feelings between spouses.<sup>111</sup> To marry relatives was to injure their human dignity and to turn them into mere tools of arbitrary power. Regard for a wife—who *always* would be instrumentalized—could never replace the generous love for a sister.<sup>112</sup>

Ammon, too, rejected natural law explanations for marriage prohibitions. They were a matter for the exercise of state prudence and for introducing good manners in a population.<sup>113</sup> It was a question of long-term historical improvement of the human race: God had started with simple people and moved them through stages of innocence, guilt, and education to perfection.<sup>114</sup> None of the extant explanations, such as preventing early seduction, extending social ties, or avoiding jealousy among kin, were equal to the task of establishing morality. Ammon particularly singled out Hutcheson and Buffon, both of whom had ruffed on the deleterious consequences of close marriage. Ammon faulted them for confusing the historical necessity for beginning the human race with

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108 Nitzsch, *Neuer Versuch*, pp. 49–59.

109 Nitzsch, *Neuer Versuch*, pp. 66–67.

110 Nitzsch, *Neuer Versuch*, p. 74.

111 Nitzsch, *Neuer Versuch*, pp. 74–75.

112 Nitzsch, *Neuer Versuch*, p. 92.

113 Ammon, *Moralische Fundament, 1. Abhandlung*, p. 7.

114 Ammon, *Moralische Fundament, 1. Abhandlung*, pp. 9–10.

inbreeding and for misunderstanding the role of freedom in advancing virtue.<sup>115</sup> *Objectively* unjustifiable immoral acts, such as the coupling of Adam's children, could be *subjectively* excusable in the face of still immature morality. "Only wise, educated, and virtuous nations can alert us to the traces of pure and uncorrupted nature."<sup>116</sup> There was no palpable instinctual horror in the human race (nor in animals, *pace* Aristotle or Pliny with their suicidal stallions) to prevent couplings by closest relatives. Whatever shame there was, was a result of laws; not their cause.<sup>117</sup> At this point, the end of the second essay, Ammon left his readers with a cliffhanger—the truth would be revealed in the final essay. But then he read Nietzsche.

Both Nietzsche and Ammon agreed that grounding the concept of incest in what they considered to be external, physical, and political consequences rather than internal, inherent shamefulness completely destroyed it. But Ammon could not follow Nietzsche's discourse on sexuality. The sympathy built within families was just a matter of instinct, not of moral reason, and anyway the love for kin usually died after the children left home, unless it was reconstructed through the operation of free rationality.<sup>118</sup> Just look at all those families where indifference, enmity, and disrespect had overcome instinct: not much benevolent sympathy there. In any event, sexual impulses and altruistic sympathy were not at all contradictory. Among moral people, the sexual drive and love of kin were directly connected and both were restrained. Indeed, the association of sexual instinct with feelings for relatives was so deeply rooted in the nature of mankind and experience that moral exigencies might be derived just from that fact. Additionally, there were no grounds for thinking, either that altruistic sympathy weakened sexual love, or that the satisfaction of the sexual drive in a rational marriage was a mere matter of the flesh (*tierisch*), or of stunted noble feelings. Rational sexual union led to a progressive harmony of hearts and mutual moral development, and Ammon did not see how the non-instrumental tenderness for a sister differed—at least in the long run—from that for a wife. The wife was like a sister in that both transformed unselfish benevolence into sympathy.<sup>119</sup>

For my purposes, Nietzsche and Ammon stand as witnesses to a problematic that characterized the mid-eighteenth to mid-nineteenth century, the period of transition to an endogamous marriage system. Up to this point I have followed a series of interlocking changes in social and political arenas, literary representations, and theological, philosophical, and legal arguments for the same period. In the first chapter of this section, I traced out some of the features of the new alliance system, emphasizing along the way that novel mechanisms had to be put into place to channel familial energies and regulate socially sanctioned marital choices. Families became the focal point for developing

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115 Ammon, *Moralische Fundament*, 1. *Abhandlung*, pp. 14–15.

116 Ammon, *Moralische Fundament*, 2. *Abhandlung*, p. 31.

117 Ammon, *Moralische Fundament*, 2. *Abhandlung*, pp. 34–38.

118 Ammon, *Moralische Fundament*, 3. *Abhandlung*, pp. 4–9.

119 Ammon, *Moralische Fundament*, 3. *Abhandlung*, pp. 10–11.

sentiment, managing cultural style, and directing erotic desires, and during this period brothers and sisters not only learned to school themselves in sentiment but also to articulate towards each other a language of pure affection and love. Attachment to a future spouse grew out of feelings, and moral style developed among siblings or sets of cousins who grew up together (see this section, chapter 2). As I have pointed out, Goethe himself is a good example, having grown up with his beloved sister during the 1750s and '60s. The incredible outpouring of correspondence among pairs of siblings during the period offers insight into the practices of the new intimacy. So too do the scads of novels, epic poems, plays, and theological treatises concerned with sorting out the legitimate and illegitimate feelings shared between brothers and sisters. Nitzsch and Ammon both attempted to differentiate love of kin from erotic desire and to manage the dangerous connection between the two. Thus, they can serve as representatives of discourse shifts embraced by theologians as the late Enlightenment was giving way to early Romanticism.

But there is another fascinating representative of theological thought from the same transitional period; namely, the eldest of the three Schlegel brothers, Karl August Moritz (1756–1826). Lesser known and less prolific than his younger siblings, Friedrich (1772–1829) and August Wilhelm (1767–1845), Karl published only one major work—on the prohibited degrees.<sup>120</sup> Like his father, Karl decided for a clerical career. He became *Superintendent* in Göttingen in 1796 and then *Generalsuperintendent* in Harburg near Hamburg in 1816. He remained in contact with his two famous brothers and thought of them as important representatives for a renewal of German letters, but he was ambivalent about many of the German Enlightenment influences on religion and seems to have directed his energies towards ecclesiastical reform in the mode of the Pietist Friedrich Schleiermacher (1768–1834)—there is not much literature on him. His interest in the marriage prohibitions stemmed from the fact that all Protestant pastors had the annual duty to inform their parishioners about the rules, to ground them in moral and biblical doctrine, and to represent the state in this regard. His approach was thoroughly historical-critical, and to this day his book provides one of the best accounts of the history of incest rules from the ancient world through to the early nineteenth century.

Karl argued that the Protestant ecclesiastical marriage rules owed far more to Roman law than to Mosaic law, and he was interested in cleaning out the vestiges of canon law, especially the idea of degrees, which in any event were not part of the mental equipment of Moses.<sup>121</sup> In interpreting the biblical texts, he followed Michaelis's lead, while also praising the Jesuit Bellarmine's observations about Mosaic law. Moses had proceeded from moral principles, mixed together, however, with religious and civil concerns specific to the Hebrews.<sup>122</sup> His marriage proscriptions were not based on natural

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<sup>120</sup> Karl August Moritz Schlegel, *Kritische und systematische Darstellung der verbotenen Grade der Verwandtschaft und Schwägerschaft bey Heyrathen* (Hannover, 1802); cited hereafter as Schlegel, *Verbotenen Grade*.

<sup>121</sup> Schlegel, *Verbotenen Grade*, pp. iv–xvii.

<sup>122</sup> Schlegel, *Verbotenen Grade*, p. 112.

law, and therefore, for the task of rethinking the relation of natural law to marriage ordinances, it was best to have recourse to the legal tradition that had given birth to them: Roman law. Having taken this position, Schlegel then drew a strong contrast between consanguinity (a natural tie) and affinity (a legal tie), and found absurd the idea that intercourse established a blood relationship among allies. All connections constructed through marriage were a purely civil matter; nothing about them arose from nature. In general, the first prohibitions in the Leviticus list were derived from the parent-child relationship, as in Roman law, with any extensions, such as to the stepmother, tied to its logic.<sup>123</sup>

Ultimately Schlegel, like Nietzsche and Ammon, wanted to figure out the moral foundation of the marriage prohibitions. If the laws were to have any necessary binding force, they had to be based on moral principles, not on Old Testament revelation or regulations. And if natural law were to be retained as the framework, then it had to be derived from practical reason or from a rational principle of obligation to obey external laws.<sup>124</sup> There was no sufficient physical argument for the matter. Arguments put forth by Hutcheson and Buffon had failed to demonstrate a causal link between the pairing of relatives and degeneration. Michaelis had destroyed their arguments. Besides, Buffon had made illegitimate inferences from horses. And the “political” arguments in favor of extending friendship evinced by Plutarch and Augustine did not add up to indispensable law.<sup>125</sup> Like Nietzsche and Ammon, Schlegel did not see how inner shame could spring from purely civil requirements. There were, he noted, a number of moral theories floating around. The *horror naturalis*, mooted by Arnobius and taken up in scholastic theory, with its idea that revulsion is even found in animals, was just a physical feeling of disgust; hardly universal anyway. The natural shame hypothesis of Pufendorf and others was still physical and in any event insufficient and too closely tied to different manners. While the argument about respect for parents (Philo, Grotius) was based on Roman law and tied obligation to a purely natural principle, it did not work for collaterals like siblings. And although the ideas of Hume and Michaelis about the negative consequences of such marriages (familial disorder) were telling, they were not the essential reasons for the prohibitions. Indeed, it was impossible to solve the problem of marital prohibitions by finding a single principle.<sup>126</sup>

Marriage prohibitions between parents and children and between siblings were based, argued Schlegel, on different “moral facts” and therefore involved different moral principles. The origins of the race in sibling marriage among the children of Adam could hardly have been incestuous, and, given the commandment to be fruitful and multiply, such marriages were fully moral. But there was no evidence in history that parents and children were ever allowed to marry, and certainly not at the beginning of the world.

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<sup>123</sup> Schlegel, *Verbotenen Grade*, pp. 116, 137–41.

<sup>124</sup> Schlegel, *Verbotenen Grade*, pp. 526–46.

<sup>125</sup> Schlegel, *Verbotenen Grade*, pp. 550–53.

<sup>126</sup> Schlegel, *Verbotenen Grade*, pp. 556–82.



In the not-good example of Lot, the daughters had to get him drunk. The natural feeling in the two kinds of marriage was totally different. The very sense of obligation, which would eventually take a rational form, grew out of inner-familial physical life. Even religious obligation and religious feeling towards parents took their origin in the *Pietas* instilled in childhood dependence, which, Schlegel insisted, gave all ideas, all obligations, and all sentiments a material, psychological, sensual, erotic foundation. Schlegel's argument here was determined by notions of passion and sentiment as essential human qualities and came close to suggesting that moral action sprang from the instinct of nurturing and the experience of care. All moral principles developed from the conjunction of religion and *Pietas*, parental honor and respect; they were not in the first instance a matter of reason but of feeling. The prohibition of marriage between parents and children in all cultures had been based on the sacredness of the parent-child relationship. Reverence for God grew out of reverence for parents, and that in turn reinforced and enriched the ordinary *Pietas*. Religion, which sacralized the parent-child relationship, was itself a form of *Pietas*. All moral development among humans was an extension of the respect for parents. That was what motivated shame when the relationship was violated; that was what allowed the extension of incest prohibitions with regards to anyone in a parent-like position, like a stepmother, before whom one ought to act with reverence. Ultimately, the reason that an individual could not enter into a sexual or marital relationship with a parent had to do with psychological motives, feelings of shame.<sup>127</sup>

The issue of siblings was also one of morality and closely tied to feelings of shame as well. Children grew up in an intimate setting, and their intimacy was the seedbed, so to speak, for their moral development. The fearsome consequences of fornication among them were not so much physical as moral—their moral feeling would be deadened, just as Michaelis had so well described. It was this effect on young children that motivated prohibitions against sibling marriages. Societies had grasped the dangers and developed maxims to preclude the possibilities. In individual, private families, children were schooled in moral instinct and experienced their relations as holy long before they could discern the moral meaning of any prohibition. But this did not hold for children brought into a household from different marriages. Never quite equal to the original full siblings, they also never would experience the same kind of intimacy. Thus the prohibition did not need to extend to them. In the end what underlay both prohibitions, parent-child and sibling pairs, was the very physical, sensual, or erotic (*sinnlich*) nature of humans, which implied the necessity to develop morality in individuals and make moral laws that they would respect and practice. Laws, however, needed to shy away from limiting freedom unless for good reason. It was possible on political grounds to extend prohibitions to cousins or sisters-in-law, but Schlegel was unable to find any pressing moral or legal reason to do so.<sup>128</sup>

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127 Schlegel, *Verbotenen Grade*, pp. 584–602.

128 Schlegel, *Verbotenen Grade*, pp. 614–29.

As these excursions have shown, after decades of living with biblical criticism and secular moral philosophy, theologians turned to reconsidering the nature of moral principles and began founding them in the psychological and physical nature of the human. Such considerations, in turn, offered criteria for reassessing the usefulness of any particular scriptural text. No longer seeking the origins of moral feeling in divine fiat or Creation, these theologians looked at practices of intimacy in households and the effects of nurture and education. The caregiving of parents and especially the intimate commerce of siblings evoked and repressed desires. The writers differed over whether the expression of sexuality could be altruistic, but just thinking about that question brought the sister and the wife into focus. If those two contrasted essentially with each other, then the sister had primacy as the most intimate, tender, and selfless partner, with whom sensuality could be experienced as not instrumentalized, not selfish, not ambivalent. But if the wife and sister were not in the long run to be strictly differentiated, then the wife took on the imago of the sister. Sexuality and altruism in this construction were not incompatible with each other. All of these writers were essentially working out their ideas of moral principle in the context of contemporary practices of intimacy, and their own experiences had everything to do with how philosophical and theological issues presented themselves. Moral sentiment was understood to unfold over time within the space of the family or household; it was in domestic interplay that desires were evoked, benevolent sympathies were schooled, and love shaped by the intimacies of everyday life. At the core of all of this were brothers and sisters, and it was the shape of their relationships that offered the clue to moral sentiment, which in turn told the story of who counted as family and how strands of connection could be cast in the constant construction and reconstruction of kinship ties.

## Conclusion

The true cause why a people that does not want to allow the worst depravity to break out forbids—without the hope of any dispensation—the closest marriages; namely, those between parents and children, siblings, and with stepmothers, stepdaughters, and daughters-in-law, is to be found in the following: that it is not possible, given the close association which these persons have with each other, who in part live together from the earliest age in one house, to prevent habitual whoredom in the family and to prevent the earliest seduction, if there was the faintest hope of covering up a past disgrace with a subsequent marriage. — Johann David Michaelis, 1770–71<sup>129</sup>

In some ways, the moral philosophy of the Sattelzeit was a philosophy of intimacy. It grounded its arguments in the material space of the household and considered the social and moral ties that were generated through close association. The human being was fundamentally sensual or erotic, and it was from this characteristic that all aspects of morality could be derived. All intimate relationships were sensual; some would even

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129 Michaelis, *Mosaisches Recht*, pt. 2, pp. 250–51.

say sexual. Individuals learned to moderate their passions and desires through education and in interaction with their siblings. In exchanges with siblings, benevolence was born and affections first constructed. The central problem for pundits of the age was how to imagine the transference of sentiment from one household to another, from the home to marriage, from the sister to the wife; or, in more general terms, how to understand the reproduction of the social order; how to support an ordered family and stimulate desire for sexual reproduction. Thus incest laws had a practical meaning. They were not, in the first instance, a matter of the divine order, prohibitions commanded by a far-away deity. They were immanent in any social and political order, although their specifics varied considerably according to context. What was right for one society could be seen as transgressive for another. It was always a matter of the place where intimate relationships were to be found in any particular society. And therefore, re-reading Scripture was done through the lens of intimacy experienced in the closest quarters—the house, a hotbed of “impure instincts” requiring channeling more than repression. Perhaps that was the fundamental problem of the age—to recognize the erotic core of the intimate relationships among siblings, to direct their attention to a suitable spouse, and to fit them for sympathetic attachment in the wider world.

## Chapter 4

# The Search for the Same: Familial/Familiar

The concept of “bloodline” simply lost its salience. On the broader scale, among the elites, generations of intermarriage produced a vast *cousinage* that achieved a remarkable social and political hegemony later in the century. In place of *blood relations*, the simple word *famille* is everywhere. In short, as the distinction between “blood relatives” and relatives by marriage became more difficult to discern, the use of blood as a metaphor for kinship tended to disappear along with the passing of “father-right” patriarchy and the patriline. — Christopher Johnson, 2013<sup>1</sup>

If what constituted the family in the seventeenth century was thought to be blood, by the later decades of the eighteenth century, in both Enlightenment discourse and familial self-representation, it was less blood that played the formative role than the emotions, sentiments, and moral ties created within the intimacy of the home and then generalized beyond that space. Notwithstanding regional, national, and linguistic differences and with fits and starts in different disciplines and literatures, there was a general move during the same period to re-emphasize and reconfigure the semantics of the “house,” and also to adopt and find ever new uses for the word “family” (*Familie*, *famille*). “House” had done service in two directional senses, the first lineal, the second, horizontal. In the first sense, it was a term defining a lineage, a set of people bound together through reproduction and blood lines associated with paternalistic assumptions and hierarchical thinking; in the second sense, a concept designating the collectivity of people gathered in a particular space under the authority of a household head. During the *Sattelzeit*, it was the “openness” of the house in the second, horizontal sense, its articulation with neighbors, social milieus, religious associates, professional and business friends, and kin, that came to the fore in thought about how the domestic unit was connected to the outside world.<sup>2</sup> “Family,” meanwhile, shifted focus to a different reproductive unit; not to the farm, or the estate, or the office, or the cobbler shop, but to the set of people who had a particular responsibility for producing psychologically armed personalities capable of negotiating their way in a rapidly changing world.<sup>3</sup> For the Scottish Enlightenment and Michaelis and the Wolfian school, family primarily was the institution that provided long-term care to children and shaped moral sentiments

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1 Christopher H. Johnson, “Class Dimensions of Blood, Kinship, and Race in Brittany, 1780–1880,” in *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher (New York and Oxford, 2013), pp. 196–226, here pp. 200–201.

2 See the discussion in section II, chapter 1. A revision of our understanding of the “house” and “household” during the *Sattelzeit* is to be found in Joachim Eibach and Inken Schmidt-Voges, eds., *Das Haus in der Geschichte Europas: Ein Handbuch* (Berlin and Boston, 2015).

3 This is a key idea in Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge MA, 1989; 1st paperback ed., 1991), pp. 43–50, 141–58.

in its nurturing bosom. But family also came to be seen as the place where siblings formed the sentimental attachments presumed central to the development of selfhood. An “emotionalization, intensification, and individualization of intrafamilial relations” occurred during the eighteenth century, which in turn emphasized sentimental attachment as the matrix for the construction of kinship bonds.<sup>4</sup> This should not, however, be taken to imply that emotion and sentiment were not instruments of social and political reproduction, closely tied to material interests, and monitored all the more for their potential to foster unruly desires.<sup>5</sup>

“Blood” could still appear in considerations of kinship ties during the decades around 1800. Hegel, for example, remarked on the peculiar valence of the blood tie.<sup>6</sup> But, as Christopher Johnson and Guillaume Aubert have shown, thinking about blood changed during the second half of the eighteenth century. Aubert, following a thread through French sources, described how notions of blood circulated from sixteenth- and seventeenth-century aristocratic discourses into and through colonial practices and back to the metropole towards the end of the eighteenth century, so that it came to characterize nation, ethnicity, and racial identity. In this way a discourse originally about aristocratic family and kin was remapped onto relationships and connections well beyond the bloodlines of particular lineages and thus fitted out for new imperial ambitions.<sup>7</sup> Christopher Johnson offered a careful word search through French family correspondence from two periods, the seventeenth century and the 1780s–1830s.<sup>8</sup> He found that the valence assigned to “blood” in the first period weakened during the second; and that in French literature touching on family, usage of the term similarly declined. It was also during the course of the eighteenth century that philosophers, theologians, and legal commentators abandoned the idea that sexual intercourse could constitute any kind of blood tie.

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4 Michael Titzmann, “Literarische Strukturen und kulturelles Wissen: Das Beispiel inzestuöser Situationen in der Erzählliteratur der Goethezeit und ihre Funktionen im Denksystem der Epoche,” in *Erzählte Kriminalität. Zur Typologie und Funktion von narrativen Darstellungen in Strafrechtspflege, Publizistik und Literatur zwischen 1770 und 1920*, ed. Jörg Schönert, Konstantin Imm, and Joachim Linder (Tübingen, 1991), pp. 229–81, here p. 226.

5 Lawrence Stone is responsible for many “misreadings and misunderstandings” in his misguided attempt to read the history of the English family as a move from dispassionate, calculated, interested transactions to emotion and love. David Cressy nicely brings together the critical literature on Stone: “Foucault, Stone, Shakespeare and Social History,” *English Literary Renaissance* 21 (1991): 121–33. Lawrence Stone, *The Family, Sex and Marriage in England, 1500–1800* (New York, 1977). For an earlier critique, see Hans Medick and David Warren Sabean, “Interest and Emotion in Family and Kinship Studies: A Critique of Social History and Anthropology,” in *Interest and Emotion: Essays on the Study of Family and Kinship*, ed. Hans Medick and David Warren Sabean (Cambridge, 1984), pp. 9–27.

6 G. W. F. Hegel, *Elements of the Philosophy of Right*, ed. Allen W. Wood, trans. H. B. Nisbet (Cambridge, 1991), p. 208–9.

7 Guillaume Aubert, “Kinship, Blood, and the Emergence of the Racial Nation in the French Atlantic World, 1600–1789,” in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 175–95.

8 Johnson, “Class Dimensions,” pp. 197–203.

## How is kinship made?

With our relatives we perhaps live as is the case in so many families only in distanced or even in tense relationships and have only a conventional association with each other, see each other only when forced to do so or with detached eyes. — Carl Friedrich Pockels, 1813<sup>9</sup>

What makes for a family relationship and what kind of relationships do families seek with other families? In the aftermath of the 1980s critique of kinship studies as an illegitimate mapping of Western folk ideas about blood onto non-Western cultures, some anthropological studies offered “nurture” as a key element for forging kinship ties.<sup>10</sup> But the attack on the notion of “kinship” in the first place was partly based on an uncritical reading of Western history, which failed to remark both the rise and fall of “blood” as a metaphor for understanding kinship relationships in the Western past, on the one hand, and, on the other, to note the considerable shifts in the meaning of blood over time and in different contexts.<sup>11</sup> In any event, “substance” is the more useful term for modern scholarship, allowing, for example, bodily properties such as “flesh” to be considered. But there are also ways of building or representing kinship ties that do not involve physical properties at all. The concept “nurture” is, of course, useful, but it too has problematic origins, and its analytical use among anthropologists ought to be examined in the context of other similar fashionable ideas such as “bonding” and “motherhood,” developed in the wake of the second feminist movement. What the current discussion offers is the possibility of becoming attuned to the nuances of kinship construction in different times and places. During the period under consideration here, blood and ascriptive obligations as foci of concern ceded place to the construction of relationships through sentimental attachment, emotional closeness, and sympathy; that is, to relationships that were cultivated rather than given. This directed ever-greater attention to the interactions among siblings. Hegel, for example, commenting on the Antigone story, contrasted the functions of the brother and the husband in constructing a woman’s moral selfhood. In principle, Hegel thought, husbands were irrelevant but brothers integral to a woman’s sense of self: losing a husband was no big deal, but the loss of a brother was irremediable. Hegel argued this point along with the suggestion that successful marriages brought together people who were unlike each other, complementary, and who, by implication, had had no effect on each other’s personality development.<sup>12</sup> While some of Hegel’s contemporaries also thought of alliance in terms of difference, theirs was by no means the dominant position of the period. The search was

<sup>9</sup> Carl Friedrich Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, 2 vols. (Hannover, 1813), vol. 2, p. 11; hereafter Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*.

<sup>10</sup> Janet Carsten, *After Kinship* (Cambridge, 2004).

<sup>11</sup> See David Schneider, *A Critique of the Study of Kinship* (Ann Arbor, 1984), pp. 49–72, for the idea of anthropologists transferring European folk ideas about blood. An attempt to rethink the history of “blood” in Western culture is to be found in Johnson, Jussen, Sabean, and Teuscher, eds., *Blood and Kinship*.

<sup>12</sup> Hegel, *Elements*, pp. 201–8.

for attachments that linked culturally similar families, that participated in the construction of milieus and that matched like with like. In a marriage partner, as Christopher Johnson has admirably demonstrated, no one could be better than someone as much like a brother or sister as possible, and that gives the lie to Hegel's assumption that psycho-moral development ceased with adulthood and marriage. Not only was there a growing literature on how husbands were to shape their wives' intellectual development and wives were to socialize and discipline their husbands, but there was also considerable interest, as we have seen, in shaping a spouse into a sibling.

## Same and other: The evocation of desire

The sexual drive gathers repelling power from the natural benevolence for blood relatives and is strengthened by the stimulation that draws it to a foreign object. — Carl Ludwig Nitzsch, 1800<sup>13</sup>

The relationship between Johann Wolfgang Goethe (1749–1832) and his sister Cornelia (1750–1777) can illustrate some of these themes. Having grown up together early in the period I am trying to get a handle on, they offer a good example of a brother and sister bonding and distancing themselves in different ways and at different times from their father and mother respectively. And they offer a lesson on the construction of sameness and difference functioning as a link between the family of childhood and adolescence and the one entered into as an adult, between the sibling constellation and the married pair. It was quite possible to think of a husband and wife as complementary opposites in a psychologically gendered sense. In the decades after 1770, the binaries defining male and female that would dominate the nineteenth century were worked out: outside/inside; far/near; public/house; energy and force/frailty and surrender; independent/dependent; giving/receiving; violence/love; antagonism/sympathy; reason/feeling; knowledge/faith; abstracting and judging/understanding; dignity/tact and modesty.<sup>14</sup> The developing relationship between Johann Wolfgang and Cornelia harbored considerable ambivalences: they were educated together, traded novels secretly, and spent hours in intimate conversation.<sup>15</sup> But he would leave, and she would stay, and with time, he would come to think of himself as her tutor, advising her on suitable and unsuitable reading. As children they might have been considered “twins,” but a progressive deepening of fissures between male and female was part of the plot. Indeed, the gender complementarity expected of spouses was schooled

<sup>13</sup> Carl Ludwig Nitzsch, *Neuer Versuch über die Ungültigkeit des mosaischen Gesetzes und den Rechtsgrund der Eheverbote in einem Gutachten über die Ehe mit des Bruders Wittve* (Wittenberg und Zerbst, 1800), p. 74.

<sup>14</sup> Karin Hausen, “Die Polarisierung der ‘Geschlechtscharaktere’—Eine Spiegelung der Dissoziation von Erwerbs- und Familienleben,” in *Sozialgeschichte der Familie in der Neuzeit Europas: Neue Forschungen*, ed. Werner Conze (Stuttgart, 1976), pp. 363–93.

<sup>15</sup> Ulrike Prokop, *Die Illusion vom Großen Paar*, 2 vols. (Frankfurt am Main, 1991), vol. 1, p. 46.

already in brother and sister performances. He was willing to support the new rules, while she had to endure them.

Independent of gender, it was possible to think of another kind of psychological polarity; this one dependent on distance. In their consideration of a successful and fruitful marriage, Jörg and Tzschirner, cited in the previous chapter, developed ideas of both gender characteristics and familial identity.<sup>16</sup> The more a husband and wife represented male and female ideals, the more they were unlike each other and therefore the more they could be attracted to each other. But this kind of differentiation was quite possible for brothers and sisters as well, although sisters—like Cornelia Goethe and Fanny Mendelssohn—were more apt to suffer under imposed models. Jörg and Tzschirner suggested that there was another kind of sibling closeness derived, not from the valence of male-female complementarity but from physical resemblance, which in turn shaped similar psychological, mental, and moral traits. In this sense, the resemblance or alikeness of brother and sister could be quite strong, and commentators throughout the period considered whether people sought out or ought to seek out partners that resembled their siblings, or were the closest associates of their brothers and sisters, or surrogates like cousins.<sup>17</sup>

While Jörg and Tzschirner and Hegel thought that distance in both senses was integral to a successful marriage alliance, and Christopher Johnson's families were sure that intimacy provided the surest foundation for lifelong conjugal success, the theologian Carl Ludwig Nitzsch saw both distance and intimacy as necessary.<sup>18</sup> Like Hegel, he drew a strong contrast between the sibling and the spouse, and thought that a man's unselfish love for a sister could not be attained for a wife.<sup>19</sup> Why? Because the moral character instilled in a man within the intimacy of his family determined the direction of his sexual desire and dampened it. Thus, although he would seek in a potential spouse the manners and cultural traits familiar from his childhood home, his chosen woman, although sisterlike in that respect, would necessarily be distanced from the intimate ties of home and thus inevitably objectified. Distance was essential to marriage. Nevertheless, nearly all commentators thought that the best solution in the event a spouse died was remarriage with his or her closest relation, a wife's sister, for example. As grounds they relied on familiarity and the fact that the two families had come to be integrated. The widowed man already knew all about the manners, morals, and predilections of

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<sup>16</sup> Johann Christian Gottfried Jörg and Heinrich Gottlieb Tzschirner, *Die Ehe aus dem Gesichtspunkte der Natur, der Moral und der Kirche* (Leipzig, 1819).

<sup>17</sup> Prokop, *Illusion*, vol. 1, p. 26. It was common to extend the word "cousin" to intimate friends of a family. Mary Jean Corbett, in *Family Likeness: Sex, Marriage and Incest from Jane Austen to Virginia Woolf* (Ithaca, 2008), closely analyzed the issues of likeness, the differences between the sibling bond and the conjugal bond, and the equivalency of consanguineal and affinal ties for nineteenth-century England, pp. 39, 59, 67, 85.

<sup>18</sup> See the discussion in section II, chapter 1.

<sup>19</sup> Nitzsch, *Neuer Versuch*, pp. 74–75, 92.



his deceased wife's family, which suggested that the most successful solution both for him and any children left behind was someone already intimate with the household. The arguments are like those of the much-admired English writer John Fry who disapproved of exogamy altogether. For him, people who knew each other the best made the best marriage prospects—how else to get “mutual society, help, assistance, comfort and support.”<sup>20</sup> He even liked marriage between uncles and nieces.

## Goethe, *Bildung*, and sex

In the opposition of the siblings, an enthusiastic understanding developed for the literature they contrasted to the rigid system of rules from authority and tradition. — Ulrike Prokop, 1991

In her analysis and description of the Goethe sibling couple, Ulrike Prokop has offered an essential insight into patterns and dynamics characteristic of middle-class family relationships during the late decades of the eighteenth century. “The ‘twins’ lived in their own world. Quite soon, as we have to suspect, without the mother, from whom the children, especially the daughter estranged themselves. Cornelia and her brother sought models for a different reality, and this other world was one of fantasy, was imaginary, consisted in theater, novels, and poetry. The texts that at the beginning were part of their educational program made themselves independent and initially became the unnoticed expression of non-conformity but in the end, of opposition. Klopstock, Lessing, later the much-loved novels of Richardson told of people who had a life destiny full of meaning. In the opposition of the siblings, an enthusiastic understanding developed for the literature they contrasted to the rigid system of rules from authority and tradition. The literary figures were at once part of the play between brother and sister and through them worked their emotional and subversive effect.”<sup>21</sup> Prokop pointed out that the mother originally was part of the conspiracy to smuggle “subversive” literature into the house, but that over time the children kept to themselves and shut her out.

Prokop's work has shown how much the children of a bourgeois family organized their feelings and emotions around novels and poetry and found in literary representation the means to subvert an unbearable paternal and even maternal “tyranny.”<sup>22</sup> Imaginative literature prompted living life more in fantasy than in reality. That, Prokop suggested, could explain the particular destructiveness of this period for young women—several decades of depression, wasting away, and suicide.<sup>23</sup> It took a few generations for

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<sup>20</sup> John Fry, *Case of Marriage between Near Kindred Particularly Considered, With Respect to the Doctrine of Scripture, the Law of Nature and the Laws of England. With Some Observations Relating to the Late Act to Prevent Clandestine Marriages* (London, 1756), p. 79.

<sup>21</sup> Prokop, *Illusion*, vol. 1, p. 46.

<sup>22</sup> Prokop, *Illusion*, vol. 1, pp. 48–49.

<sup>23</sup> Prokop, *Illusion*, vol. 1., pp. 78–79.

women to adapt to unfamiliar obligations, at the heart of which stood that differentiation of gender roles so precisely prescribed in the new literature. While polarities between reason (male) and emotion (female) made no initial sense in the egalitarian intimacy of young teenage siblings, they abruptly narrowed the horizons of sisters stepping into adulthood.<sup>24</sup> And so did the associated new asymmetries. Hegel thought that the essential personality of a woman was formed by her brother; he had nothing to say about the brother being formed by a sister. Brentano insisted that his sister was his creation and descried in her only *his own* reflection. And Goethe, after leaving home for university, abandoned all pretense of equality. He wrote to his sister that she should only read what he prescribed, pay attention to the household, learn to cook, and pass the time by playing the piano: “for these are all things that a girl [*Mädgen* (sic)] who ought to be my pupil [*Schülerin*] necessarily has to possess.”<sup>25</sup> Cornelia needed to learn to dance, play cards, and use make-up expertly. “If you have done everything according to my prescription, when I come home, I guarantee by my head that in one short year you shall be the most sensible, well-behaved, pleasant, amiable girl, not only in Frankfurt, but also in the whole empire.” So the freshman tried to assume the role of teacher for his sister and thought he knew how to tell her to be a woman. And when it came time for Cornelia to marry (at twenty-three), she rather naturally accepted the proposal of her brother’s close friend, not because she felt the kind of emotional commitment or love she carried around in her imagination, but because she knew that marriage was the only established path for her and that the proposed spouse was from the right class, the right milieu (Frankfurt where she grew up and lived)—and guaranteed by her brother.<sup>26</sup>

Goethe played with all of the themes of attachment and sentiment, desire and distance, and the search for the “same” in a one-act drama, *Die Geschwister* (The Siblings) (1776).<sup>27</sup> The narrative turns around the entangled feelings of love uniting three living characters (Wilhelm, Marianne, Fabrice) and a dead one (Charlotte) whose shadow hovers over Wilhelm to drive part of the plot. Wilhelm had been in love with Charlotte, a widow with a young daughter, Marianne, who eventually grew up to resemble the mother physically and morally. As Charlotte was dying, she entrusted her daughter to Wilhelm, who then raised the girl with the story that he was her older brother. Wilhelm had a very close friend and confidant, Fabrice, who fell in love with Marianne, and it was at that point that the shadowed reality of the brother-sister relationship began to make itself felt. This basic design allowed Goethe to work several contemporary themes: the direction of desire mediated by friendship (best friend’s sister; perhaps a homoerotic relation resolved heterosexually through the “twinned” sister), intense emotional attachment to a brother, the tutorial brother, the one who knows the wider picture and

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<sup>24</sup> Prokop, *Illusion*, vol. 1, pp. 50–54.

<sup>25</sup> Prokop, *Illusion*, vol. 1, p. 54.

<sup>26</sup> Prokop, *Illusion*, vol. 1, pp. 14–15.

<sup>27</sup> Johann Wolfgang Goethe, *Goethe's Werke*, vol. 4, *Die Geschwister* (1787), ed. Wolfgang Kayser, Hamburger Ausgabe, 10th ed. (Munich, 1990), pp. 352–69; hereafter Goethe, *Geschwister*.

who shapes the sister to be his companion, the search for the familiar (the daughter as replica of the mother), erotic feelings in the intimacy of the home, and the “brother” and “sister” among themselves (the excluded or missing parents).

The plot points responsible for driving the story to resolution were several, each of them touching on Goethe’s complicated themes. For one, “brother” Wilhelm had come to desire Marianne as more than a sister. But was it she he really desired? Goethe left a clue. In the household, as everyday rituals like cooking and sharing meals were being carried out, Wilhelm found himself dreaming of Charlotte: “I believe that I see you again, believe that fortune has given you young all over again to me, and that I can remain united with you and can live together with you again, as I was not allowed to do in the first dream of life.”<sup>28</sup> Meanwhile, Fabrice, having come to press his suit, not only evoked Wilhelm’s jealousy, but also found Marianne disinclined to ever leave her brother. He wondered if they might live together as a threesome. Here it must be kept in mind that neither Fabrice nor Marianne yet knew that Wilhelm was not in fact her brother. In response to Fabrice’s suit, Marianne explained how intimately she was tied to Wilhelm: “I do everything for myself although it seems to me that I am doing everything for him because even for those things I do for myself, I am always thinking of him.”<sup>29</sup> She could never love a husband more than she loves her brother; indeed, she could sit for hours and just look at him. Fabrice told her that she knew everything about him, that as close friend he was one with her brother, and that she could not hope for a purer bond than with him: “I will leave your brother his place; I will be brother to your brother, and we will care for him together.”<sup>30</sup> He then told Wilhelm that Marianne loved him (Wilhelm) more than himself and said, “I am satisfied with that. She will [not?] love the husband more than the brother—I will step into your rights and you into mine, and we will all be pleased.”<sup>31</sup> After Wilhelm revealed the truth of the matter, he protested that Fabrice would take away all of his joy, the last of his hopes. He bemoaned the fact that he had allowed Fabrice, and only Fabrice, entry to his house and had not noticed that Fabrice’s regard for Marianne was anything but brotherly until now. Marianne, still in the dark, remarked that she could and wanted only to live with Wilhelm: “This has always rested in my soul, has struck me, forcefully struck me—I love only you! . . . with time you will probably take a wife, and even if I will want so very much to love her, it will always hurt me—no one has ever been as fond of you as I, and no one can ever do so.”<sup>32</sup> And then she used examples of star-crossed lovers and brothers and sisters from the sentimental novels that she and Wilhelm had read together — the same literature Johann Wolfgang and his sister Cornelia had shared. Fabrice provoked Wilhelm into telling Marianne the truth about his feelings for her, which prompted the “brother” into

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<sup>28</sup> Goethe, *Geschwister*, p. 354.

<sup>29</sup> Goethe, *Geschwister*, p. 359.

<sup>30</sup> Goethe, *Geschwister*, p. 359.

<sup>31</sup> Goethe, *Geschwister*, p. 363.

<sup>32</sup> Goethe, *Geschwister*, p. 366.

giving her a more than brotherly kiss: “What kind of kiss was that, brother?!”<sup>33</sup> They finally embraced—but only after Wilhelm, exclaiming that she was not his sister, called her “lover” and “wife.”

About a year before he published this play, Goethe wrote to his correspondent Auguste zu Stolberg (they never met—she was sister to his friend): “I do not want to give you any name, for what are the names friend, sister, lover, bride, wife, or a word that includes a complex of all such names against immediate feeling.”<sup>34</sup> Goethe most certainly conflated the sibling and lover names and relationships around the similarities of emotional attachment. It was quite possible for a wife to be like a sister; at least it was not easy to sort out all the possible relationships built on erotic feeling. In *Die Geschwister*, however, the sister was not able to transfer the sentimental attachment from brother to husband that her suitor thought might be possible. To Stolberg, Goethe suggested a malleability of male desire, which he denied the female/sister in the play. The sister wanted to keep the intimacy of the domestic space, while the imagination of the brother—in this case Goethe himself—shifted easily from outside (friend) to the equally interesting inside (sibling intimacy), from the family with sister to the family with wife. He readily negotiated the transfer from sister to wife (lover, bride). Not one of these sentiments was clearly differentiated from the others, and they all could be thrown together into the same mix.

Goethe definitely worked the theme of incest on several other occasions as well, always with particular emphasis on the brother and sister couple. Here I want to take up just one story, “The Man of Fifty,” from book 2, chapter 3 of *Wilhelm Meisters Wanderjahre*, a late work published in its original version in 1821 and in the final revision in 1829.<sup>35</sup> Here the protagonists were members of a landholding, military family: the eldest son, a childless senior marshal and proprietor of the family estate, who, desiring to live comfortably on revenues from the estate without having responsibility for managing it, wanted to turn the properties over to the second son (the major), their sister (the baroness), and their children. The major and his sister planned to have their children marry—a first cousin marriage would link the various interests together. As the fifty-year-old major put it: “We can quietly watch our children grow up, and it is up to us and to them to hasten their union.”<sup>36</sup> Several problems arose of course, not least of which was that the baroness’s daughter, Hilary, fell in love with the major. Because her daughter’s desire was based on “very serious emotions,” the baroness seemed fine with

<sup>33</sup> Goethe, *Geschwister*, p. 368.

<sup>34</sup> Goethe, *Geschwister*, p. 612: “Ich will Ihnen keinen Namen geben, denn was sind die Namen Freundin, Schwester, Geliebte, Braut, Gattin oder ein Wort, das einen Komplex von all denen Namen begriffe, gegen das unmittelbare Gefühl.”

<sup>35</sup> Johann Wolfgang von Goethe, *Wilhelm Meister*, trans. H. M. Waidson (Richmond, UK, 2013). This edition offers Goethe’s two Wilhelm Meister novels, *Wilhelm Meisters Lehrjahre* and *Wilhelm Meisters Wanderjahre*, in one volume.

<sup>36</sup> Goethe, *Wilhelm Meister*, p. 600.

the idea.<sup>37</sup> The major at first found it “unnatural,” although what exactly was against nature was left unsaid. His sister, assuming age difference was the cause of his discomfort, tried to assure him and he soon began hesitatingly to look at Hilary with new eyes: “To be sure, Hilary was most attractive, for her manner combined in the most sensitive way delicate modesty towards a lover and free informality towards an uncle; for she loved him really and with all her heart.”<sup>38</sup> Here Goethe treated positively that doubling of two kinds of love that so disturbed seventeenth-century commentators.

Goethe introduced the question of marrying close or far through a preoccupation with genealogy. As the major and the baroness stood in front of the representation of their family tree, they noticed how the fate of members accorded with the flow of property and wealth.<sup>39</sup> The major then explained to Hilary that in-marrying women often changed the “character of whole lines.”<sup>40</sup> Although he did not elaborate the point, his words alluded to both the advantages and disadvantages of marrying close and far. In the case of Hilary and the major, familial endogamy would be as close as possible, a product of the original sentiments between brother and sister. Such a marriage would support the integrity of the lineage—like allied with like. “The Baroness had so much loved her brother from childhood onwards that she preferred him to all men, and perhaps Hilary’s fondness itself had been nurtured by the mother’s partiality. All three were now united in *one* love, *one* sense of pleasure, and thus the happiest hours flowed past for them.”<sup>41</sup> But there was still the son to deal with.

The major’s son, Flavio, had his own surprise. He certainly liked Hilary, but only as a friend: she was just an agreeable relative. His passion and heart were directed elsewhere, to a beautiful young widow. The major, uncertain about what was best for everyone, although quite pleased that the son’s desires were directed elsewhere, offered this to Flavio: “The whole understanding between the remaining members of our family rests on the assumption that you will be united with Hilary. If she marries a stranger; the entire beautiful and elaborate unification of a considerable fortune is invalidated again.”<sup>42</sup> He then suggested a way out—he himself would marry the son’s cousin—to which the son expressed the greatest pleasure. But then came a fatal introduction: the son took his father off to meet the “beautiful widow,” who spent the evening doing her best to charm the older man. She had been stringing the son along and had no enduring interest in him.<sup>43</sup> She fascinated the father and eventually rejected the son.

Flavio’s distress at being rejected by the “seductive widow” led to his mental and physical breakdown and a return home, to be nursed by none other than Hilary while

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<sup>37</sup> Goethe, *Wilhelm Meister*, p. 601.

<sup>38</sup> Goethe, *Wilhelm Meister*, p. 601.

<sup>39</sup> Goethe, *Wilhelm Meister*, p. 608.

<sup>40</sup> Goethe, *Wilhelm Meister*, p. 609.

<sup>41</sup> Goethe, *Wilhelm Meister*, p. 609.

<sup>42</sup> Goethe, *Wilhelm Meister*, p. 611.

<sup>43</sup> Goethe, *Wilhelm Meister*, p. 612.

the major was away on business. As Hilary came to his sick bed, he offered his hand: “Greetings, dear sister”—that went to her heart, he did not let go of her hand, they gazed at one another, a splendid couple, forming a contrast in the pleasantest sense.”<sup>44</sup> What moved her most was that he had called her “sister.” Flavio complained that the doctor had been bleeding him, for the blood belonged to the beautiful widow. Hearing this Hilary was moved to exclaim: “The Blood! It all belongs to her, to her, and she is not worthy of it. The unhappy man! The poor fellow! With these words,” the narrator proclaimed, “the most bitter flood of tears brought relief to her afflicted heart.”<sup>45</sup> A few discoveries followed—a youthful picture of the major, the spitting image of the son, and the son, now recovered, dressed in the father’s clothes. “Hilary was affected, she knew not how.”<sup>46</sup> The resemblance of the picture to the “fresh, living presence of the son” was uncanny. Seeing each other regularly of course awakened sympathy and eventually love. The two parents next took it upon themselves to bring the young cousins together. The baroness told Hilary that her feelings for her uncle were quite understandable, but that she should look at the resemblance in the son who had the advantage of youth; the son “if at the same time chosen as a fully congenial husband might fairly promise in time to be the complete realization of the father’s existence.”<sup>47</sup> Then she turned to the material advantage of such a union and to the settlement already worked out. Unfortunately for the family plans, the girl had other ideas, and “she energetically and sincerely emphasized what was improper, indeed criminal, about such a union.”<sup>48</sup> Here the point seems to have been that she could not simply transfer an inner feeling and sentimental tie from one object to the other. Only one character articulated a resolution to the story, the “beautiful widow,” who confessed to the major how wrongly she had treated his family. And did she make amends? Nothing was said, by anyone. But in the next chapter she appeared traveling together with Hilary—with no further explanation.<sup>49</sup> Goethe left the reader hanging.

This story of a brother-sister intimacy, which the pair sought to resolve in the union of their children, presented a number of themes resonant with the marital politics of the period. Indeed, it was the sister who first recognized in her nephew a continuation of her brother. The sentimental attachment that Hilary experienced as love for the uncle was easily transferred to his son, even if the accompanying emotional conflict presented a serious obstacle. She began to fall in love with her cousin at the moment he recognized her as a “sister”—a moment filled with erotic overtones. Overlaying the emotional closeness of a sibling/uncle/cousin with marital desire was treated as unproblematic. Instead of evoking an unruly, gross passion, through redoubling the

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<sup>44</sup> Goethe, *Wilhelm Meister*, p. 628.

<sup>45</sup> Goethe, *Wilhelm Meister*, p. 629.

<sup>46</sup> Goethe, *Wilhelm Meister*, p. 631.

<sup>47</sup> Goethe, *Wilhelm Meister*, p. 640.

<sup>48</sup> Goethe, *Wilhelm Meister*, p. 641.

<sup>49</sup> Goethe, *Wilhelm Meister*, p. 654–55.

different kinds of love, as would have been expected in the Baroque era, the move offered a moderated, long-lasting desire; this in contrast to the short-lived passion for the stranger. Furthermore, endogamy was overseen by the family, while exogamy had an air of selfishness and individualism about it. Dangerous passions were associated with the outsider, and an in-marrying woman presented difficulties for the continuity of the line—blood estranged in alliance with an unsympathetic intruder.

Goethe's narrative developed a line of argument about property and alliance well worth extended comment. The future of the two children was only to be guaranteed by their marriage, although exactly how the family settlement was to be worked out the story neglected to reveal. I have already dealt with property and alliance in chapter 1 of this section, but here I want to pick up on certain issues connecting these to the search for the same. It is a commonplace in the historical and anthropological literature that endogamy functions as a means to keep property in the family. However, there are other means for familial aggrandizement, including restricted forms of devolution, such as primogeniture, but also out-marriage with families of similar or greater fortune. Real property is often treated as part of a zero-sum game, not negotiable or mobile like forms of mercantile or financial wealth; thus, the argument that families structured around landed wealth seek to maintain their property through marriage within the lineage. That scenario does not fit well with the early modern European family, which was characterized by the construction of ever-more-well-integrated lineages promoting family and clan aggrandizement together with *exogamous* marriage. National aristocracies, regional elites, and local farm families worked within systems of reciprocity in which families gave with one hand and received with the other. But Goethe was writing in a period during which the kinship system was rapidly changing and landed property was being subjected to considerable capital investment, improvement, complex contracts, the intrusion of mercantile wealth, investment, and the development of markets in land itself. Underneath the story as he told it peeked issues of modern management, mortgages, contracts, leases, trusts, and other such fiduciary obligations. In short, land was being mobilized, and endogamous marriage was not so much a matter of holding on to something as of taking advantage of the new conditions of accumulating wealth.

### Like with like: Assortative mating

It is continually proven that nothing surpasses the circle of true friends built around ourselves from youth. — Cleophea Bansa, 1837

I have argued elsewhere that the development of an endogamous alliance system went together with “the articulation and systematic integration of classes,” and I dealt

with the usefulness of class in chapter 1 of this section.<sup>50</sup> Here I want to point out that class endogamy is one form of the marriage of like with like and that assortative mating, also discussed in chapter 1, can be documented as a widespread practice for nineteenth-century society. I pointed out how the new forms of landed and mercantile wealth, together with developing bureaucratic systems of government supported the new alliance system built and sustained around cousin marriages and the other forms of continuous exchange that integrated networks of kin across a generation, kin who could be called upon for investment, management, information, support, connection, and advice. Kinship endogamy and class endogamy were two sides of the same coin, a system reliant on reciprocity for its sustenance. But such a system must not be seen as arising solely from considerations of interest, for the exchanges could not have occurred in the absence of emotional support from friends and kin. It is naive, then, to think that material interest and emotion oppose each other in any essential way.

Earlier treatments of class often thought in terms of the nation, coordinated groups of people with similar political views (when they knew what was good for them) based on particular positions in the productive order. Once again, a thoroughgoing consideration of class would be out of place here, but it strikes me that kinship and class have in common that they are lived locally and that both depend for their reproduction on people constantly making choices: “Social class is always constantly being generated, and kinship ties are always constantly being negotiated.”<sup>51</sup> Neither of them is bounded. They are less to be understood as “groups” than as “networks.” Both involve inclusion and exclusion. Kathleen Canning put it this way: “the boundaries of class are seldom fixed—class formations and the exclusions on which they are based were continually contested and transformed.”<sup>52</sup> Just as there are not fixed boundaries, so also there is no unity at the core—class is made up of a “multiplicity of different milieus. Class in formation in the nineteenth century was a process of making connections across localities and regions, between more or less well-articulated milieus, neighborhoods, clans, and strata, and among occupational, professional, and craft groups with strong traditional practices of exclusion.”<sup>53</sup>

But then how were milieus assembled, and how did they operate? In the first instance, marriage alliance was the mechanism for recognizing who belonged, for associating people with similar cultural, political, religious, and economic interests. And marriage alliance provided the stage for the hundreds of everyday transactions that

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50 David Warren Sabean, *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998), p. 449. I reference again two writers who develop extended arguments about kinship and class. Gérard Delille, *Famille et propriété dans le royaume de Naples (xv<sup>e</sup>–xix<sup>e</sup> siècle)* (Rome and Paris, 1985); Christopher H. Johnson, *Becoming Bourgeois: Love, Kinship, and Power in Provincial France, 1670–1880* (Ithaca and London, 2015).

51 Sabean, *Kinship in Neckarhausen*, p. 487.

52 Kathleen Canning, “Gender and the Politics of Class Formation: Rethinking German Labor History,” *American Historical Review* 97 (1992): 736–68, here p. 744.

53 Sabean, *Kinship in Neckarhausen*, p. 487.



cemented friendships and shaped values. Cleophea Bansa (1793–1875), the matron of a Frankfurt merchant family offered a nice analysis in answer to her son’s criticism of three cousins for accepting arranged marriages: “What you remark about matters of the heart, I wholeheartedly approve of. You should act just like your father, who let himself be bound to a relationship by no one and nothing except the voice of his heart, which promised him [someone of] the same cultivation [*Bildung*] and perspectives, together with suitably respectable external circumstances—which is absolutely necessary for continual contentment in the fusion of two families that ought to constitute *one*. Although everyone calls the three young men in question too young, still very favorable circumstances and their mutual families bless them.”<sup>54</sup> All the families were connected to the same firm, and the daughters were raised to make their husbands happy in quiet domesticity. In this gloss on marriage alliance, Bansa brought together such diverse elements as upbringing and love, cultivation, style, and success, nuclear family and surrounding kin, domesticity and business into an intricate mosaic of intense intercourse between whole families. She captured what can be described for the decades spanning 1800, as the intentional use of marriage alliance to link two realms, the social and affective, the internal and the external. Such alliances forged business connections and fit together culturally similar people at the same time and over time. “Marriage alliances and business alliances moved on two planes, constantly tracking each other, creating connections on one level that frequently transformed those on the other. One lesson to be learned from a close study of familial relations is that the kinship business required labor, time, and investment to bridge differences, coordinate energies, combat indifference, and counteract competing desires.”<sup>55</sup>

The middle classes made a great deal of fuss about love as the foundation of marriage, yet that has to be brought together with the fact that marriage involved substantial transfers of property. One study of regional merchant families showed that from the eighteenth to the early nineteenth century the average dowry rose on the order of 3,000 fl. to 50,000 fl.<sup>56</sup> Just when an ideology of love was being promulgated, the cost of finding a suitable husband was rising—as much as sixteen times.<sup>57</sup> The details of any recorded courtship reveal love, feeling, and emotion at the heart of the affair, along with calculation and contractual concerns. And, of course, the parties knew that exchanges

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54 Otto Bansa, ed., *Ein Lebensbild in Briefen aus der Biedermeierzeit. Zur Geschichte der Familie Bansa in Frankfurt a. M.* (Frankfurt am Main, 1914), p. 161. This is discussed in Sabean, *Kinship in Neckarhausen*, p. 456.

55 Sabean, *Kinship in Neckarhausen*, p. 458.

56 Wolfgang Zorn, *Handels- und Industriegeschichte Bayerisch-Schwabens 1648–1870: Wirtschafts-, Sozial-, und Kulturgeschichte des schwäbischen Unternehmertums* (Augsburg, 1961), p. 266.

57 Thomas Piketty, *Capital in the Twenty-First Century*, trans. Arthur Goldhammer (Cambridge MA, 2014), argues that there was very little monetary inflation during the nineteenth century, pp. 103, 131. This puts dowry inflation in perspective. Capital was largely in land or government bonds, pp. 113–15. In the nineteenth century, inherited wealth afforded a great deal more “comfort” than work or study, pp. 240–41, 412. An ambitious young man was best off marrying a woman with wealth than trying to make his way by work, pp. 262, 413–14.

of wealth and property among allied kin groups did not end with the tying of the knot. For one thing, the large amounts of capital necessary for any kind of business enterprise flowed readily along lines of kinship. The system depended on women following their inclination and sentiment, but because they were “free” to choose, they also had to be hedged in by pressure, steered in the right direction. Just this has been emphasized by Leonore Davidoff and Catherine Hall for English middle-class families.<sup>58</sup>

The new alliance system did not just involve entrepreneurial families. I have provided evidence for similar dynamics in village life, while Heinz Reif, Rüdiger von Treskow, and Christophe Duhamelle have done the same for different aristocracies and rural groups, Friederike Fricke for the Central European petite bourgeoisie, and Adam Kuper for English intellectual and professional classes.<sup>59</sup> From the perspective of endogamy, holders of public office were no different. By the early nineteenth century, merit increasingly controlled the transmission of office from one incumbent to the next, and nepotism could no longer operate openly in recruitment. Nonetheless office-holding families spawned officeholders. The whole system performed in the fashion of Lévi-Strauss’s “generalized exchange.”<sup>60</sup> Rather than maintaining a particular right to a given property or office, families gave up, or were forced to give up, such claims with the expectation that what they gave in one place, they would receive in another. Such politics involved cultivating intensively and extensively narrow and extended groups of kin, and the whole game had to be played differently, with familial relationship to institutions recast. It now became important for allied kin to see that their youth were properly educated, that daughters were provided with dowries, that capable and enterprising young men were backed with capital. The circulation of goods and services was redirected in a new system of exchange.

People of the nineteenth century had to learn to manage quite different kinds of networks, in a delicate new choreography that required families and their members to present themselves according to the rules of the particular stratum and cultural sphere in which they wished to operate.<sup>61</sup> The private house and its activities had to articulate

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58 Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780–1850*, paperback ed. (Chicago, 1991), p. 219.

59 Sabeau, *Kinship in Neckarhausen*. Heinz Reif, *Westfälischer Adel 1770–1860: Vom Herrschaftsstand zur regionalen Elite* (Göttingen, 1979); Rüdiger von Treskow, “Adel in Preussen: Anpassung und Kontinuität einer Familie 1800–1918,” *Geschichte und Gesellschaft* 17 (1991): 344–69; Christophe Duhamelle, “The Making of Stability: Kinship, Church, and Power among the Rhenish Imperial Knighthood, Seventeenth and Eighteenth Centuries,” in *Kinship in Europe: Approaches to Long-Term Development (1300–1900)*, ed. David Warren Sabeau, Simon Teuscher, and Jon Mathieu (New York and Oxford, 2007), pp. 125–44; Christophe Duhamelle, *L’héritage collectif. La noblesse d’Église rhénane, 17<sup>e</sup>–18<sup>e</sup> siècles* (Paris, 1998); Friederike Fricke, ed., *Aus dem Leben unserer Mutter. Familienbriefe für die Familie* (Göttingen, 1929); Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009).

60 See the discussion in Sabeau, *Kinship in Neckarhausen*, pp. 468–69.

61 The content of the following four paragraphs is treated at greater length in Sabeau, *Kinship in Neckarhausen*, pp. 469–82.

with a broader network of social connections and aesthetic assumptions. The education of both men and women to open and fluid systems within which couples had to cooperate in tasks of social representation required protracted drills in taste, morality, sentiment, and style. Love, sentiment, and emotional response, whether developing or fully developed, were built into the very nature of familial circuitry. Love always determined the flow of capital, access to office, the course of a career—and everyone knew it.

Alliances between families, especially cousin marriage, marriage with two sisters, sibling exchange, and similar forms, or marriage of business or political allies or social friends, all strengthened ties through the exchange of marriage partners. Thus marriage itself, perhaps godparentage, and especially repeated marriages between families offered structure to the system. In cities and industrial areas, these practices produced clans (*Sippenkreise*) formed out of entrepreneurial families of similar rank, which mostly belonged to the same economic branch, which agreed with each other in their social and political opinions, and which cooperated in the pursuit of their economic interests. Myriad other exchanges deepened these ties, or some of them at least, and created intimate bonds. Festivals, birthdays, anniversaries, and family days provided opportunities for families to gather, and also christenings, confirmations, funerals, or just the wish to spend time visiting brought families together for more or less extended periods of time. Especially during the 1790s, judging from several different studies of the Rhineland, Hamburg, Swabia, and Silesia, extended families began exhibiting what has been described as a “travel fever.”<sup>62</sup> In the next century, moving about in service of family connections only became easier as technologies of road-building improved and railways appeared on the scene. Nevertheless, some families stayed perennially centered in the same town or village: whole clans in many cities. Memoirs and autobiographical literature provide many accounts of local visiting among families living close to one another. For example, Christoph Ernst Luthardt (b. 1823), an academic theologian, described the life of his childhood in Schweinfurt. There were about fifty cousins, “all bound in familial love with each other,” all of whom “maintained a common family spirit.”<sup>63</sup> This intense family life, whether urban or rural, was central for the creation of cultural understanding and practice. Such social intercourse, as the historian of the Rhineland entrepreneurs put it, was crucial for the formation of stratified consciousness: “Each self-conscious social stratum [*Schicht*] tended to consider its specific values and modes of behavior as superior and to raise claims for their general validity in the society.”<sup>64</sup>

Cleophea Bansa in Frankfurt thought that intense emotional activities within the family trained young people in certain kinds of social attachment, while activities in larger social spheres with people of the right station taught them to mask their true feel-

<sup>62</sup> See the discussion in Sabeian, *Kinship in Neckarhausen*, p. 479.

<sup>63</sup> Christian Ernst Luthardt, *Erinnerungen auf vergangenen Tagen*, 2nd ed. (Leipzig, 1891), p. 9.

<sup>64</sup> Friedrich Zunkel, *Der Rheinisch-Westfälische Unternehmer 1834–1879: Ein Beitrag zur Geschichte des deutschen Bürgertums im 19. Jahrhundert* (Cologne, 1962), p. 82.

ings in order to negotiate among strangers. She wrote in a letter to her son: “It is continually proven that nothing surpasses the circle of true friends built around ourselves from youth. What develops later is never so open and sincere for us, and such intercourse remains always stuck with flattery, which shows us its artificiality. Le jargon du monde is still something else again, to which flattery necessarily belongs as a master key. When I feel myself in such a circle, I always find that I do not play such a bad comedy and that I declaim my role *prima vista*, also *con amore*. Still such stiff evil also has its place, and I wish that you might find occasion to practice this innocent game. The everyday world would nauseate us without this completely expedient throwing ourselves into the thing—which we (can more easily rank as) can call dissimulation [*Verstellung*]. I would like, like Uncle Conrad, to be able to lunch with the King of Prussia without losing face or letting myself be embarrassed.”<sup>65</sup> She was describing the interchange of a group of cousins in Frankfurt who met alternately at houses of their mothers and aunts; cousins often being the first childhood playmates and schoolmates; cousins learning through their intense shared experiences how to act inside the family and outside in the world; cousins who might later become spouses.

It was within the boundaries of the family that children observed and learned the behaviors and attitudes appropriate to the family status. In 1819, for example, Bansa received a letter from her Aunt Moser: “The number of your relatives is so great that when you are all together it makes for a considerable society. There the hearts understand each other and there is no need for trite conversation.”<sup>66</sup> Writing later in the century, but capturing the practices that were developed during the *Sattelzeit*, the feminist Louise Otto remarked on aesthetic education in the home: “Everything that in this connection is neglected in the earliest age can never later be completely recovered or replaced. . . . The whole atmosphere which dominates [in the home] is crucial for the development of every noble instinct.”<sup>67</sup> Observers like her, or like Ernst Brandes, writing in 1802, shared the conviction that class was a matter of moving, carrying oneself, speaking, and acting in a certain way. These practices were worked into the flesh in a continual set of everyday exercises. Brandes made it clear that girls, now free to choose their spouses, had to be trained to recognize the right man from the right class (*Stand*): “The power of physical impression is there, however, above all only then really there, where it is internalized [*hineingeträgt*] in the girls, where mothers put great store in social charm [*Annehmlichkeit*].”<sup>68</sup> The manners one learned at home

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<sup>65</sup> Bansa, *Lebensbild*, p. 146.

<sup>66</sup> Bansa, *Lebensbild*, p. 90.

<sup>67</sup> Louise Otto, *Frauenleben im deutschen Reich: Erinnerungen aus der Vergangenheit mit Hinweis auf Gegenwart und Zukunft* (Leipzig, 1876), p. 219.

<sup>68</sup> Ernst Brandes, *Betrachtungen über das weibliche Geschlecht und dessen Ausbildung in dem geselligen Leben*, 3 vols. (Hannover, 1802), vol. 2, p. 114.

created the instinctive foundations for boundary patrolling, the implicit recognition of who belonged and who remained outside.<sup>69</sup>

Recognition of similarity and difference had a great deal to do with physical characteristics and the rhythms of corporal movement. Among the ideas that Brandes treated as apodictic was this: that “a great part of the reputation of the higher classes [Stände] rests on external cultivation [Bildung].” For him, the body projected rank when it modeled propriety.<sup>70</sup> Over and over, observers stressed carriage, grace, and style as crucial for successful negotiation in everyday social, economic, and political life. Deportment and gesture contained clues and codes that everyone read in contemplating marriage alliances. Education was about developing internalized skills, savoir faire, and a mimetic incorporation of gesture. Both Otto and Brandes accented grace and style, the outcome of training in music, dancing, and drawing. Dancing cultivated grace in bodily carriage, the art of presenting oneself, and the avoidance of unpleasant movement. Music developed a feeling for harmony, rhythm, and measure. Painting gave a sense of form. Carefully nurtured and shaped traits like these facilitated the adaptable, resourceful, and versatile alliance politics that sustained social and familial endogamy. The way a body moved had everything to do with how capital was concentrated and property transferred. Families and clans provided the soil for the nursing of tender plants: in their protective environment, children and young people received training in style, tone, desire, and boundary marker recognition. Friedrich Zunkel found that the large extended families of the industrial Rhineland offered a cultural and social stage upon which families from similar social strata could coordinate desires, values, and interests.<sup>71</sup> Much of this fits into that part of class forming and structuring that Lorenz von Stein, in 1880, called “social feeling.”<sup>72</sup> He argued that similar forces produced similar attitudes and feelings. Different families and clans developed analogous traditions, secrets, and habits of self-recognition: what appeared to be due to individual cultivation of a particular style and behavior was conditioned by similar social arrangements. In other words, family was connected to class as one of the most important sites of coordination.

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<sup>69</sup> Bonnie G. Smith described this recognition process for northern France later in the century: “Within each social occasion lay the possibility that some outsider would betray with an untoward gesture that he or she did not belong.” See Bonnie G. Smith, *Ladies of the Leisure Class: The Bourgeoises of Northern France in the Nineteenth Century* (Princeton, 1981), p. 130.

<sup>70</sup> Brandes, *Betrachtungen*, vol. 2, p. 232.

<sup>71</sup> Zunkel, *Rheinisch-Westfälische Unternehmer*, p. 82.

<sup>72</sup> Lorenz von Stein, *Die Frau auf dem socialen Gebiete* (Stuttgart, 1880), p. 63.

## Marriage and sexual attraction

The Oriental cannot as a rule experience sexual tenderness for his spouse. He can love her passionately but he cannot consider her as the trusted, self-chosen sister or friend. — Friedrich Wilhelm Basilius von Ramdohr, 1798<sup>73</sup>

There were of course many different writers around 1800 trying to rethink the nature of marriage and sexual attraction. Here I want to discuss at some length the work of one quite secondary writer, someone much more successful as a jurist and diplomat. This was Friedrich Wilhelm Basilius von Ramdohr (1757–1822), who entered the lists with *Venus Urania*, a vast three-volume work on the nature of desire.<sup>74</sup> I like to think of this kind of writing as “social testimony”; in Ramdohr’s case, as the work of an observer of manners who was largely dismissed for his inability to deal with sophisticated theoretical issues. His contemporaries wanted more of a moralist in the style of Kant or Schiller, but scholars today value an observer, dismissed or not, as an individual recording and reflecting on his era. Thus, even if Ramdohr’s work offers the categories of the notable literary and philosophical writers of his time in merely half-digested form, it is nevertheless valuable for its rich tapestry of everyday, commonplace observations. Perhaps it was his powers of observation that made him successful at court, in the courtroom, and in diplomacy.

In the *Venus Urania*, Ramdohr tried to work out a psychology of choice and a hermeneutics of desire. He did this in the aftermath of several decades of discussion about human nature—was it essentially passionate or rational or some mixture of the two—and about the ends of human society, now secularized and geared to happiness or perfectibility. All the talk was about what constituted the specifically human, but then questions arose about whether men and women were equal representatives of the human and what to do about sexual differentiation. One response involved thinking of the truly human as a coupling, a union of opposites, a resolution of polarity through emotional attachment. Some went so far as to think of male and female as essentially two different kinds of beings, but the consensus was (and this was embedded in all the major encyclopedias for the next century and a half) that the sexes could best be understood as a set of complementary oppositions. So that was one way to think of same and other.

Ramdohr thought that love was a matter of approaching another human whose combination of “dispositions” was different from one’s own, although he usually spoke of a “he” looking for a complementary “she.” Men, tightly wired, exhibited strength, while women showed tenderness and delicacy. Of course these were pure types: actual

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<sup>73</sup> Friedrich Wilhelm Basilius von Ramdohr, *Venus Urania: Ueber die Natur der Liebe, über ihre Veredlung und Verschönerung*, 3 vols. (Leipzig, 1798), vol. 1, p. 214.

<sup>74</sup> Ramdohr, *Venus Urania*. On Ramdohr, see the *Allgemeine deutsche Biographie*, s.v. Ramdohr, Friedrich Wilhelm Basilius von, vol. 27, pp. 211–12.

men and women were a mixture of both qualities. They exhibited sympathy for individuals of the opposite sex whose special traits could strengthen or mitigate their own characteristics. Later, Ramdohr called this phenomenon chemical affinity.<sup>75</sup> Erotic feeling was stimulated by the commingling or marriage of male tension (*Spannung*) and female tenderness (*Zärtelung*).<sup>76</sup> There was a dialectic, too. A woman received strength from a man and then communicated it back to him, augmenting his strength, and the communication of tenderness from a woman worked the same way.<sup>77</sup>

For Ramdohr, the issues of friendship and love were not exhausted in sexual convergence. Same sex relationships had also to be seen in terms of sexual desire. Men liked to hang around with other men, since support from the strong would increase their own individual strength. And women's tenderness was sustained in the presence of other women.<sup>78</sup> Yet sexual dimorphism stimulated the desire for a sexual union of opposites—it was only possible to become a full, complete individual in that type of union, and then only so long as the coupling pair were the *same kind of people*.<sup>79</sup> There was no stronger erotic drive than domesticity, the impulsion for male and female to become one, to found a family.<sup>80</sup> Even in a household where adult brother and sister satisfactorily dwelt together, they were to be seen as a sort of husband and wife.<sup>81</sup> But more to the point, it was in the relationships of siblings that the notion of sexual dimorphism and its corollary, sexual sympathy, were born. Siblings experienced their sexual difference in erotic terms, then continued to experience it that way even as they founded separate households. The man and woman who united in marriage effectively extended to each other brotherly and sisterly hands, as he put it, with all their complementary characteristics. The sympathy inspired by the experience of sexual polarity therefore propelled people towards domesticity.<sup>82</sup> In a successful domestic union, however, sexual polarity would have sameness as a companion: the similar tastes and other compatibilities that suggested cultural familiarity.<sup>83</sup> In European culture, Ramdohr explained, a wife was expected to be a friend to her husband, like a sister, and to operate in the same social sphere and share the same amusements. Her circulation in local society contributed to his reputation. Clearly, marriage was a search for someone with the same “knowledge, arts, objects of observation, thoughts, judgment.”<sup>84</sup> And therefore a significant component of friendship was necessary in sexual relations.<sup>85</sup> Between family members

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75 Ramdohr, *Venus Urania*, vol. 1, pp. 119, 144, 201. He drew the analogy eleven years before Goethe did.

76 Ramdohr, *Venus Urania*, vol. 1, p. 127.

77 Ramdohr, *Venus Urania*, vol. 1, pp. 155–56.

78 Ramdohr, *Venus Urania*, vol. 1, p. 162.

79 Ramdohr, *Venus Urania*, vol. 1, pp. 206, 213.

80 Ramdohr, *Venus Urania*, vol. 1, p. 170.

81 Ramdohr, *Venus Urania*, vol. 1, p. 172.

82 Ramdohr, *Venus Urania*, vol. 1, p. 175.

83 Ramdohr, *Venus Urania*, vol. 1, p. 213.

84 Ramdohr, *Venus Urania*, vol. 1, p. 216.

85 Ramdohr, *Venus Urania*, vol. 1, p. 229.

of different sexes, there was always an element of sexual attraction, a longing for an indispensable bliss or transfer of the whole being into the being of another, almost an illness—so long as a union did not take place.<sup>86</sup> Part of what Ramdohr was saying here seems incoherent, since he was not speaking of a sexual “union” between brothers and sisters but only insisting on the erotic character of their feelings for one another. Perhaps what he was suggesting was that the fever of frustrated fusion between brothers and sisters was what drove the desire to unite with someone allowed by law and to create a new household. Yet it still seems that the erotic tension inside the family—based on gender polarity and friendship—was continuous with sexual desire beyond the family, also accompanied by physical and mental difference and the pleasures of common pursuits.

In imagining the circulation of local members of town or court society, Ramdohr emphasized a kind of eroticized aesthetic. The expression of aesthetically determined love was very much like dancing or playing music. It involved skills and performance before an audience.<sup>87</sup> It depended for its existence on aesthetically pleasing bodies.<sup>88</sup> But connecting humans and knitting society together also required the sexual sympathy of souls, and that sympathy could take two forms, perhaps expressed best in English as “liking” and “desiring.”<sup>89</sup> Even spiritual desire could be expressed in erotic terms. “The tender devotion and loving passion for a person of the other sex could not be thought of apart from the participation of sexual sympathy [*Geschlechtssympathie*] of both the body and the soul.”<sup>90</sup> Nor could sexual sympathy be absent in any tender devotion, whether of brother and sister, father and daughter, mother and son.<sup>91</sup> The “nature [of sexual sympathy],” he thought, “consists of a gentle tension, which happens whenever enhancing tenderness coincides with flexible force, and those persons who live together in domestic intimacy (in itself an erotic idea [*üppige Vorstellung*]) offer the senses erotic impressions through forms, physical expression and attachment and convey sensuous ideas through thoughts, feelings, expressions, phrases, characters and relations of souls—they should not obey the universal laws of nature? Impossible!”<sup>92</sup> Ramdohr suggested that his reader test himself, let the brother hug the brother and then the sister: he will feel the difference. It was not necessary to think of the “coarse symptoms” of what Ramdohr called the “nameless drive.” “Still the whole power of education and duty is necessary to curb the urgency of desires, even those among parents and children and among siblings.”<sup>93</sup>

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86 Ramdohr, *Venus Urania*, vol. 1, pp. 234, 236, 255–56.

87 Ramdohr, *Venus Urania*, vol. 2, p. 85.

88 Ramdohr, *Venus Urania*, vol. 2, p. 96.

89 Ramdohr, *Venus Urania*, vol. 2, p. 98.

90 Ramdohr, *Venus Urania*, vol. 2, p. 100.

91 Ramdohr, *Venus Urania*, vol. 2, p. 101.

92 Ramdohr, *Venus Urania*, vol. 2, p. 102.

93 Ramdohr, *Venus Urania*, vol. 2, p. 102.



With observations of local town or court life in mind, Ramdohr offered advice to those searching for a wife. “The wife must have become skilled through early education to show herself with propriety in the local society in which she one day will appear on the hand of her loved one as member and promoter of societal amusements.”<sup>94</sup> She had to come from the same social circles as her husband, since without the relevant training, she would be unsuited for everyday intercourse: “It belongs to the independence of a woman that she can maintain her place in the local society as a useful member, useful for social participation.”<sup>95</sup> The husband’s standing was intrinsically tied to that of his wife. Were he to choose a spouse lacking his cultivation, their union would show itself to be flawed. As husband he no longer could be judged by society as a single person. “One will not feel the perfection of your union, and for you as for your spouse, the high pleasure of knowing that your compound person is the object of agreeable inspection will be missing.”<sup>96</sup> There was some reciprocity here. A woman herself could only be attracted to a man who found her to be important for him, valuable in their class.<sup>97</sup> In turn, the man who sparkled in her social circle had the first claim for her approbation.<sup>98</sup>

This observer of German social life emphasized the generation of sympathetic feeling in the family in a manner that cannot be divorced from erotic drives. Any sexual difference offered complementarity, in marked contrast with social and cultural differences, which were not opposed forces striving for unity: there was no sexual attraction to be found in social dissimilarities. Were a mistake in judgment to be made about the character of a future spouse, society would make it known and the one who made the mistake would live with regret. The search for the same involved a familiar/familial aesthetic. The first arena for encountering familiarity and learning to choreograph movement in conjunction with others was the household in which one grew up. The tension underneath gender polarity was always to be found in that arena, for brother and sister, as for husband and wife. In that sense, there was no difference between a sister and a wife, even though there was an added element of “passion” when a man went out in search of a wife. Still the more the “air” around the wife was like that around the sister, the greater the chance a marriage would be successful. While Ramdohr offered his observations through commonplaces of gender polarity and the notion that full humanity necessitated the fusion of sexually complementary beings, that was as far as difference went. Yet it always was there. Only the prohibition to sexual union among those from the same household forced a man to move out—but not very far. As soon as he latched onto someone familiar, someone with all the cultural and social attributes he knew best, he could be assured that the new compound person would be able to negotiate the dangerous waters of the small society in which they were destined to live.

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<sup>94</sup> Ramdohr, *Venus Urania*, vol. 2, p. 191; also vol. 2, p. 190 for another variant of this idea.

<sup>95</sup> Ramdohr, *Venus Urania*, vol. 2, pp. 101–2.

<sup>96</sup> Ramdohr, *Venus Urania*, vol. 2, p. 192.

<sup>97</sup> Ramdohr, *Venus Urania*, vol. 2, p. 205.

<sup>98</sup> Ramdohr, *Venus Urania*, vol. 2, p. 206.

## Kinship and milieu

The association with really sensitive men and women with a proper, lively, truly warm, unartificial, open and strong feeling is without doubt the most splendid in all of life, and only between such can a true sympathy prevail. These are the people who understand us immediately and know how to enter into our feelings and conditions. — Karl Friedrich Pockels, 1813

There were several popular philosophy writers around 1800 who, like Ramdohr, gave considerable thought to the societies in which people actually lived. Perhaps there was something in the air of Lower Saxony that prompted prolix proto-psychological discourses on the sexes. Ramdohr was from Hannover and Celle, and, like Ernst Brandes (1758–1810) whom I already have mentioned, was a Hannoverian official. A contemporary of theirs from nearby Braunschweig, Carl Friedrich Pockels (1757–1814), court counsellor and ducal tutor there and court counsellor in Great Britain as well, published his own long treatise on the psychology of the sexes. He offered another riff on the search for the same, which also underscored the notion that kinship depended on feeling for its existence. It was ties of sentiment that made kinship, while at the same time they enabled kin recognition by defining kinship's boundaries. Where no emotional ties to someone existed, even though the relation might be formally plotted on a genealogical grid, no authentic kinship existed. What allowed for recognition was the affection arising from and continuously cultivated by association. However, it was one thing for people to recognize others they belonged to and quite another to construct new relationships, whether in friendship or marriage. Both types of new relation were matters of social endogamy, of reaching for the familiar, of keeping to one's class or status.

Pockels was interested in what he called "sociality": how to associate with one's fellows and how to pick what fellows to associate with. He offered a long riff on behavior in social gatherings and on the basic need for all humans to be sociable.<sup>99</sup> Along the way, he had many things to say about the family, and often, by implication, about kinship and local social milieus. The first and most crucial society was that of the family, the unit grounded in marriage; that is, founded by the desire of two people to belong to each other for support and mutual happiness. That institution expressed an eternal law, the law of universal sociality (*Geselligkeit*).<sup>100</sup> The desire and necessity to live in society was based on the fact that the human was fundamentally a creature based on reciprocity, which in turn could be thought of as an instinct for sociality.<sup>101</sup> Like many pundits from the previous decades, Pockels accepted human perfectibility as a given, which from one point of view increased the desire for individuality, with the caveat that the individual could only reach his goals in concert with others.<sup>102</sup> He picked up

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99 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*.

100 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 15.

101 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 38.

102 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 50.

on commonplaces in the moral philosophical literature about human nature, such as instinctual sympathy, natural sensibility, and affection for others.<sup>103</sup>

People, Pockels thought, were rooted in their localities in a most material sense; that is, in the landscape and horizons of their neighborhoods.<sup>104</sup> Indeed the moral character of a man, for example, came from his social life, and the moral feeling he learned in the give and take with his fellows shaped his activity with mankind. Obligations first felt within the family were mapped successively onto neighbors, friends, and beyond.<sup>105</sup> In addition, there was a primitive desire among all humans to associate with others who embraced the same values (*Sitten*) and to bond with those who shared the same aesthetics: “The uniformity of similar attitudes and ethical feelings conveys a comfort, which one has to call the highest happiness of the human spirit.”<sup>106</sup>

If Pockels emphasized association with those like oneself, he also understood the societies he knew firsthand as systems of well-articulated ranking. Even in a local village, peasants differentiated among themselves and made sure that marriage alliances were formed with families of the same status. Any misalliance was paid for by the contempt of other villagers for the offspring.<sup>107</sup> In towns, differences in status and relative distance were measured with an exactness that would seem comical were it not so serious.<sup>108</sup> Pockels saw these attitudes as a characteristic of enclosed societies, whether village, guild, or court society, wherein constant observation and the comment of all against all could not be escaped.<sup>109</sup> The idea of social life had acquired many variants, dependent on time and place, in all of which similarity of feelings promoted association (*Umgang*). “So the highest commandment of humanity, namely companionableness [*Umgänglichkeit*], prevails throughout the entire human world as a universally held and universally loved institution.”<sup>110</sup> Individuals had a perpetual inclination to find themselves in other people. “In this, sociality receives its universal form, its colors, its inner contentment, and all the benefit that more or less conducts identically tuned souls.”<sup>111</sup> People seek a similarity of feeling.<sup>112</sup> “The similarity of business, studies, life-

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103 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 65.

104 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 101.

105 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 109.

106 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, pp. 115–16, here. p. 116.

107 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, pp. 182–83.

108 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 184. “If one wanted to concede a hair’s breadth, he would be thought of as ill-bred, and lose the trust of all the other townspeople. One expects from him as a universal obligation to stand fast on that rank that the formalities of his corner of the earth have assigned to him,” p. 185.

109 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 185.

110 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 183.

111 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 189.

112 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, pp. 190–91.

style, guild, has always tied humans to each other, and from that comes brotherhoods, orders, and institutes of all kinds, in their serious and silly forms.”<sup>113</sup>

Pockels suggested that all individuals spend most of their time hanging around their friends, spouses, and children, those with whom the bond was an authentic feeling. Marriage was actually a conjunction of true friends.<sup>114</sup> “The tenderest friendships are always those that arise out of similarity of noble sentiments, open and trusted character and the same kind of mind.”<sup>115</sup> The figure and pleasure of friendship found its perfection in the marriage of educated people. It was an association more intimate than friendships among men, something also beyond sex and even possibly free of sensuality. Pockels, like Ramdohr and many others, mapped the intimacy of home life with the intimacy of marriage. All of these writers thought of sensuality and eroticism as two poles of a continuum. If, like Pockels, the erotic dimension between parents and children and among siblings was underplayed, then it was underplayed for spouses as well. The wife was always like a sister. Contrariwise, if the erotic nature of spousal life was emphasized, then, in a sense, the sister was more like a wife, in the way Ramdohr viewed the matter.

In the late eighteenth century, all levels of discourse displayed a growing consensus that the recognition of kin was at heart dependent, not on blood, but on sensibility (sentiment, feelings, emotions) and on associations as incubators of similar cultural understandings and intimacy. Indifference, an absence of sentiments or feelings, set up boundaries. Where there was no emotional attachment, there was no recognition of kin.<sup>116</sup> Thus for many people who might have been called kin according to genealogy, the sentimental distance was so great as to support no more than a conventional association. The choice of a spouse, then was a matter of recognizing those who were similar, who offered the relevant sensibilities and traits of class and status. Indeed, it was an understanding of the dynamics of class and status that allowed individuals to negotiate their social and moral lives: “This is all the more necessary, since every human being hangs by preference on his status group, and not without reason, because born, educated, and raised in it as a second fatherland, he exercised his capabilities in it, extended his knowledge, inherited his rights, and sucked in probably his fondest opinions and prejudices, and found there his wife and children”<sup>117</sup>

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113 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 200.

114 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 242.

115 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 1, p. 244.

116 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 2, p. 11.

117 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 2, p. 14. “If the true social association which livens and informs the heart, which offers us male and female friends and amiable characters, spiritualizes us, and heals us for humanity—if it is maintained and founded through the equality of conditions and standpoint in human life, through the equality of rights and feelings in us, through self-understanding, without rank and empty forms, then can one really not say that there is a true association between the high and the low, and each does best to remain in his own sphere.” vol. 2, p. 29.

The next several hundred pages of Pockels's work were essentially a handbook for bourgeois who had to or wanted to negotiate in different social circles—how do deal with the prejudiced aristocrat, the small-minded sectarian, the misanthrope, the blabbermouth, and so forth; in other words, how to develop the so-called “good tone.” But choosing to move in such strange social circles would entail serious deprivation: “The association with really sensitive men and women with a proper, lively, truly warm, unartificial, open and strong feeling is without doubt the most splendid in all of life, and only between such can a true sympathy prevail. These are the people who understand us immediately and know how to enter into our feelings and conditions.”<sup>118</sup> Only in such circles would a man find another man of true human feeling who could offer his hand as if he were a brother.<sup>119</sup> Women with all of these characteristics clearly would make the best mothers and marriage partners, the best raisers of children, proper housewives.<sup>120</sup> The most fulfilling possible society was the one of a marriage where intimacy could surpass even that of brother and sister.<sup>121</sup>

Among these writers a consensus formed around the idea of endogamy. Finding a mate was tied up with ideas of sentiment, affection, and sympathy, precisely those characteristics of the familiar, of the family, worked out over years among siblings. Human happiness and perfectibility could not be thought of outside categories of sensibility and manners. All relations of friendship and intimacy were in some ways underscored by the physical, by sensuality, and by the desires stimulated in erotic associations. Only strict education and discipline could draw lines that sharply differentiated the relationships of brothers and sisters from husbands and wives. What one did learn in the family was how to recognize people with the same cultivation, with the same class culture and status. The sinews of kinship were knit together by sentiment. All the discourse about true humanity circled around understandings of authenticity, intimacy, and ethical feeling. These were experienced in the first place in families, each one with its own peculiar atmosphere, where like individuals acquired a particular valence, such that upon leaving the home of the birth family, the search was on for others as much like themselves as possible.

## Conclusion

There were two “building blocks” for family and kinship in the decades around the turn of the nineteenth century: being born into a particular household and marrying into a particular family. They were thought to be closely connected. The experience of childhood and adolescent intimacy shaped expectations for adult sexuality and mar-

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118 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 2, p. 280.

119 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 2, p. 281.

120 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 2, p. 282.

121 Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, vol. 2, p. 334.

riage. Contemporaries often connected the two through a notion of sociality. It was, as Pockels put it, through the sociality of the family that an instinct for sympathy was cultivated. Each family, however, was “local” in the sense that it existed in a particular neighborhood and class context. Members of a household were educated to represent themselves and each other through participation in wider circles of social intercourse, but the place where they first tested the skills and honed them was their local milieu. Children learned at home that kin were those with whom a certain kind of intimacy was shared and mutually understood feelings and sentiments were expressed. Kinship was constructed through emotional and cultural exercises, and the bonds of kinship extended as far as emotional contact was felt. Everyone recognized that blood in some way or other set up the potential network of kin, but they also understood that this provided only the materials to work with, and that therefore kinship was not simply given but constructed in a series of reciprocities—first, perhaps, in the intimacy of the household but more broadly in mutual relationships with cousins, aunts, and uncles. In any event, family and kin provided the matrix for class recognition and the search of like for like.

Much of the literature that siblings shared with each other provided an imaginary that was shot through with sexuality. Someone like Ramdohr made it clear that what he called the impulsion towards domesticity, towards marriage and the founding of a house combined aesthetic and erotic drives that had their roots in the reciprocities of siblings during childhood and adolescence. Indeed, in many respects a brother and sister were already like a husband and wife, and movement outwards from home was an extension of brother-sister bonds. Sexual sympathy was learned in the domestic setting, and it was there that an individual came to desire a mate who would continue and develop the same cultural forms. A man searched for a wife like a sister, however the sister was experienced. Yet contemporaries were not always sure how to think of matching like with like. Around 1800, a great deal of thought was given to the polarity of the sexes, and siblings like the Goethe “twins” or Fanny and Felix Mendelssohn experimented with gender specific behaviors, although not always with the wholehearted cooperation of the sisters. In any event, it was quite possible for siblings themselves to demonstrate the kind of gender polarity that many pundits thought was a good thing for spouses to possess. Friedrich Schlegel thought that a stable marriage could only be founded on complementarity, that passionate love, in contrast, was more or less to be understood as an expression of narcissism antithetical to reason and therefore to happy life together in the long term.<sup>122</sup> In a sense, then, the hotbed of eroticism in the family could set up two quite different possibilities: an inability to get over the sister (as a projection of the self) or the finding of a sister (as a complementary figure) in a

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<sup>122</sup> See Friedrich Schlegel’s review of Goethe’s *Die Wahlverwandtschaften* (Elective Affinities) from *Österreichischen Beobachter* (1810), in Friedrich Schlegel, *Kritische Ausgabe*, vol. 3, pt.1, *Charakteristiken und Kritiken II* (1802–1829), ed. Hans Eichner (Munich, 1975), Beilage II, pp. 176–77.

new wife. In his novel *Geschichte Gifers des Barmeciden* (1792), Friedrich Maximilian Klingler (1752–1831), a friend and early client of Goethe, turned round and round the issues of early childhood association, erotic sibling attachment, and exogamy in a fantasy-full story set in ancient Persia. The essential tragedy grew from the ruler's inability to give up his sister, precisely because she was a projection of himself: "She grew up on my breast—I formed [*bildete*] her, awoke the first feelings of her heart, developed with care the bloom of beauty of her body, of her mind. Mine were her first sentiments, now flowing back to my heart more transfigured and more beautiful. With the gentleness of her spirit, graced, newly animated, I heard my thoughts again. . . . How the pure brother love began—turned—to selfish passionate perversion, I do not know. It arose without my knowing it, without seeing it, without wanting it, and once it was there, already burning in my breast, then I could no longer not wish that it might be otherwise."<sup>123</sup> With some minor changes, Clemens Brentano could have written this passage about his narcissistic reflections on his own sister.

Even those who, like Jörg and Tzschirner, thought that exogamy was a good thing, since the physical, moral, and mental characteristics of close relatives were too uniform to offer enough difference to engender significant creative sexual and psychological tension, still plumped for an endogamy of class. So, the argument turned around the problem of similarity and the level at which likeness was to be desired. There was sharp disagreement over whether one was most sexually stimulated by someone most familiar, someone you had grown up with, or someone of considerable difference and distance. But most moralists of the period did think that a stable marriage over the long term took on the cast of siblinghood. Passion itself was short-lived, so to be happy and pursue one's perfectibility, it might be best to shape a spouse into a sibling. Male writers, at least, thought that they knew best how to do this, since they had had long experience shaping their sisters and finding ego satisfaction in their tutelage. In the social imaginary of the time, it seemed to be a good thing to double up the kind of erotic feelings for a sibling with those of a new spouse, but the model worked rather differently from that of the seventeenth century. Rather than propelling an untoward passion, sisterly affection tempered passion and could be thought of both as a measure for ideal sentiment, emotion, and love and as a goal towards which a person could strive. A man started off with a sister/sibling and ended up with a sister/wife. That was one way of thinking about it. But whether the sister assigned the task of sublimation continued to be erotically charged, or became like a wife—whatever a wife was thought to be—the sister was always the central figure to con the central features of intimacy. Some thought that the intimacy of adolescent siblings could never be surpassed, while others observed couples where emotional expression could go the brother-sister connection one better. And almost everyone was concerned with how families could manage their social net-

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<sup>123</sup> Friedrich Maximilian Klingler, *Geschichte Gifers des Barmeciden: Ein Seitenstück zu Fausts Leben, Thaten und Höllenfahrt*, 2 vols. (St. Petersburg, 1792–94), vol. 2, pp. 449–51.

works. The goal was no longer “intimate distance” good for a generation, as in Baroque culture, but fusion, an extension of fraternal and sororal intimacies throughout the network of cousins and brothers- and sisters-in-law, renewing attachments between households and families, and making and remaking socially cohesive and self-conscious milieus.

There was nothing automatic about kinship, no mechanism like blood that told a person who a relative was. Consanguinity and alliance may well have offered a ready grid of connection, but true kin were those who recognized sentimental and emotional attachments to one another. The Frankfurt bourgeoisie Cleophea Bansa, who chronicled an intense mutuality among related families in the early part of the nineteenth century, also told how the intimate network entered into a cooling phase: “Each family in the family lives now more for itself and its adults and small children and gathers a group of friends which suits it atmosphere.”<sup>124</sup> The son of another family described how relations cooled with his mother’s relatives: “Various branches got into trouble through frivolity of their own fault or morally sank.”<sup>125</sup> Recognition of kin over the long term followed the paths of sentiment and cultural recognition. The more one reads into the moral and belletristic literature of the period, the more it appears that bonds of intimacy were modeled on sibling attachment. From the dynamics of early household life arose the expectations for cultural identities, and the materials for constructing social milieus and networks of friendship were found in familial style, aesthetics, and expectations for intimacy. As Cleophea Bansa’s aunt put it, it was the heart that made possible the construction of a clan. The decades around 1800 offered one of those periods in Western history when a premium was placed on authenticity (this was the period when the modern concept of alienation was worked out by philosophers from Hegel and Schleiermacher to Marx), and the model presented by so many pundits circled around the small-town circles of cousins, neighbors, and intimate friends where genuine intimacy was to be found.

During the decades around 1800, incest played a central role in the social imaginary at the same time as philosophers and theologians tried to put the incest taboo on a new footing, tying it to the emotional household of the physical household. This was also the period when the system of marriage alliance shifted from practices of exogamy to practices of endogamy. Cousins became viable as marriage partners, often, as with the Britany clan studied by Christopher Johnson, just because cousins were as like siblings as possible: “close siblings make for close marriages.” Among his interrelated families or, as we have seen with Brentano and his sister, or Chateaubriand and his sister, or Fanny and Felix Mendelssohn, or Byron and his sister, there were powerful forces of physical attraction. And it took a great deal of will to remove the sister or brother from the realm

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124 Bansa, *Lebensbild*, p. 210.

125 Wilhelm Olbers Focke, ed., *Briefe von Doris Focke geb. Olbers an ihren Bruder; für die Familie als Manuscript gedruckt* (Bremen, 1886), pp. 246–51.



of sexual desire. Perhaps it helped that so much of the literature of the period allowed young people to reflect on or dream about their own desires, lost in onanistic reveries, as with Chateaubriand, or openly toying with physical attraction, as in the case of Fanny Mendelssohn. “Siberoticism” seems to be a good term to capture the mood of the age. Sometimes intense sibling bonds were played out in the house. In chapter 1 of this section, I dealt with the Bordeaux Lamothe family where the brother essentially acted as spouse to his sisters, all of them collected together for life in the ancestral home. The streams of visitors and house sociality extended their bonds of intimacy to neighbors and kin. Sometimes siblings circled around each other in and out of houses like the Brentano’s, where they all hooked up their friends in kaleidoscopic alliances with their brothers and sisters. Clemens Brentano himself offers a good example of expressive eroticism tying wife, sister, and friend together in a tight knot of desire.

Moral philosophers and moral theologians of the period thought that virtue was something earned. It was a matter of restraint and self-discipline, acquired in a process of overcoming something. And not something trivial. They were pondering sexuality—how was sexuality to be integrated into the personality and how could a man or woman play an adult role as sexual partner. Wieland, for example, thought a great deal about sublimation in his life and in his writings. Physical attraction and physical desire were first encountered among intimate kin, and childhood and adolescent play both allowed a search for an aesthetic (the “ideal” for Wieland and Brentano) and molded the character soon to be presented to the public. As households were being reconfigured in the Sattelzeit and the term “family” was becoming a more common marker of the most intimate relations, real desires were being transposed in the literature of the period into imagined transgressions. For writers concerned with the nature of ethical or moral action, the issue of using people, of instrumentality, became a central problem, and some were unable to see sex as anything more than narcissistic or onanistic pleasure. The problem was often put in terms of encountering the other as object or subject. Could a wife, for example, be a true subject so long as one thought of sex as self pleasure? As a past projection, the sister who was never violated could be construed as a true subject where intimacy was shared and desire was checked. She could therefore offer the image of purity. Still, someone like Chateaubriand could imagine the height of joy in incestuous transgression or never find a wife to replicate a sister. Once the experience of a sister marked a man, the search for her copy was on. Byron could not get over the physical “twinning” his sister provided, and neither he nor Chateaubriand could imagine the transfer from sibling to wife. But what if there were no sister or no sister substitute to be found. How could one learn moral restraint? That is the problem Melville posed in *Pierre*. There was a hole in the self where there was no “sister in the text.” Pierre never became an integrated, self-disciplined adult, so that when a possible sister appeared, authentic or not, he abandoned kin and society and turned away from his proposed wife who could not substitute for a sister.

In reconfiguring the incest taboo, writers paid little attention to parents and children. Someone like Karl August Moritz Schlegel even thought that the prohibitions of

parent-child incest and sibling incest were derived from quite different principles. The accent was always on the house as a place of emotional training that took place in a dialectic of evoking and repressing or restraining desire. All human intimacy was sensual, so the problem was how intimacy was to be construed as not incestuous in the first instance. At first, at least, in the early Enlightenment, those like Michaelis, who gave long attention to the issue, thought of it as a matter of order or disorder. One prohibited siblings from having sex by not allowing them to marry. With sex out of the question, it was thought, they would turn their desires to the outside. For the most part incest was a problem of siblings transgressing boundaries and not an issue of producing flawed offspring. It was always the house as a hotbed of desire that seemed to float in their minds, and they all searched for the mechanism that would allow passions to be reined in. The problem of order gave way for the Romantics to inner shamefulness, something that had to be taught, for there was no natural wellspring of avoidance. They all knew only too well that the feelings and sentiments they were so fixed on as a mechanism of social benevolence were originally sexual in nature. Given the erotic, sensual nature of the human, only self-discipline or parental instruction could instill shame for transgression. In the end, then, all of this posed the questions how to think about sexuality and how to differentiate the wife, the legal sexual partner, from the sister, desired but off-limits. As I pointed out in chapter 3 of this section, those who contrasted the wife and the sister almost always gave the sister precedence as the intimate partner. But those who saw the wife and the sister as pretty much the same thought of the wife essentially as another sister.



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Section III: ***Fin-et-Début-de-Siècle*** Europe and America



# Chapter 1

## Introduction to the Problem of the Mother and Son

Just to look at the female form teaches that the female is not destined for great intellectual or physical work. It takes on the burdens of life not through action but suffering, through the pains of birth, care for the child, and the subjection to the man, for whom it should be a patient and cheerful companion . . . Its life should run stiller, less important and milder than the male's . . . Females are fitted to be the caregivers and nurturers because they are childlike, foolish and shortsighted – all their lives – big children: a kind of middle stage between child and man as the actual human. — Arthur Schopenhauer, 1851<sup>1</sup>

My mind, always in communication with my mother's, was developing itself, so to speak, in hers. — Alphonse de Lamartine, 1853

Woman in her beauty became something divine, since she was called upon to perform the most important function in life, the continuation of the species. — Leopold von Sacher-Masoch, 1870<sup>2</sup>

A mother, animalistic, naked, the light-colored body of her dead child between her thighs and arms, seeks with her eyes, her lips, her breath to swallow back into herself the disappearing life that once belonged to her womb. — Comment on Käthe Kollwitz's 1903 *Pietà*

The development, the inner reconfiguration of marriage will be mostly in the hand of the woman . . . She, her manner, her character is determinant for the tone in the house. For she is not only spouse, but she is also the mother, the guide for the rising male generation [*Männergeschlecht*]. Her influence is enormous even where it cannot clearly be traced. What fails her as spouse, that she can perhaps attain through the son or through the grandson. — Gabriele Reuter, ca. 1909<sup>3</sup>

Man has assumed the gentle, all-sympathetic role, and woman the active, effective, authoritative. So that the male acts as the passive, or recipient pole of attraction, the female as the active, positive, exertive pole, in human relations. Which is a reversal of the old flow. The woman is now the initiator, man the responder. — D. H. Lawrence, 1922

Could it be that making the mothers cold and hard as steel betrays a fear of *intimacy* as something terrifying, and of a mother's *warmth* as something in which a son might easily perish? — Klaus Theweleit, 1977, English trans. 1987

Perhaps the deepest incest taboo is the idea of sexual relationship between a man and his mother. The very thought of desire by a mother for a son seems unthinkable. Or is it the other way around? One commentator on an early paper I presented challenged me to come up with any real case where such a thing ever took place. I countered with the Oedipus story, but that did not offer a reality check. The occasion being a polite one, I chose not to

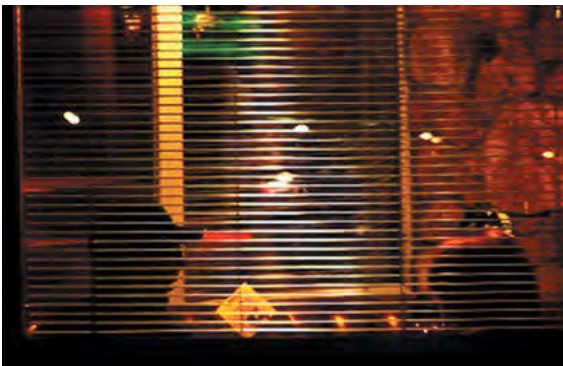
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1 Arthur Schopenhauer, "Ueber die Weiber," in Schopenhauer, *Sämtliche Werke*, ed. Arthur Hübscher, 7 vols. (Mannheim, 1988), vol. 6, *Parerga und Paralipomena II*, pp. 650–63, here 650–61; hereafter "Ueber die Weiber." The essay is chapter 27 in *Parerga and Paralipomena II*. The present edition follows the first edition of Schopenhauer's collected works, edited by Julius Frauenstädt, published in 1851.

2 Leopold von Sacher-Masoch, *Venus in Furs*, in *Masochism* (New York, 1991), pp. 143–276, here p. 179.

3 Gabriele Reuter, *Das Problem der Ehe* (Berlin, n.d.), pp. 66–67.

bring up the American term “motherfucker” to suggest that, at the very least, the routine inference of such relations pulls the sting of transgression even while meaning to shock. But the ubiquity of this slur offers a good example of how an image can become a central figure in the social imaginary – in this case an overused gesture of quotidian banality – and of how the real incidence of the act is beside the point. In *Brothers and Sisters in Love*, a 2008 BBC documentary featuring a carefully chosen set of siblings talking about their sexual proclivities, the film makers could not resist bringing in a mother-son couple whose behavior they conveyed as edgy through the use of dark interiors, disguised faces, and hushed tones. In light of the several recent decades of talk about paternal abuse, it was especially notable that this documentary propagating the idea of “genetic sexual attraction” nowhere mentioned father-daughter incest: a behavior now perhaps seen as the ultimate transgression or at least as having no place in a program about desire except as a foil against which to measure other, more intriguing possibilities.<sup>4</sup> Instead the film makers presented brothers and sisters – elderly and youthful, distributed among three countries, consummated and unconsummated, with and without children – with a sympathetic eye, while they used the mother-son example to suggest a coupling not easily countenanced even in a twenty-first-century culture of relationship premised on desire and companionship.



**Fig. 13:** Mother/Son Taboo?

In this still from the BBC documentary “Brothers and Sisters in Love” (2008), the filming and editing techniques heavily disguise the mother and son couple being interviewed. The couple acknowledge breaking the most “ancient taboo.” She gave birth at fourteen and put the son up for adoption; twenty-seven years later, when she was forty-one, he was able to track

her down. As of 2008, they had been together for ten years. She admitted that their sexual relationship was the “worst thing” they could do and that they had to keep it totally hidden to avoid being subject to violence. She talked about an “infant lost,” while he mentioned searching for a missing sense of safety. They believed their coming together was not a conscious choice and phrased their desire as an impulse to become one, even using metaphors of physical consumption. Commenting to the audience, a psychoanalyst observed that the couple thought their relationship transcended ordinary human experience and so also transcended ordinary laws. Their mutual longing for something missing overcame their ability to reason.

Still from *Brothers and Sisters in Love*, Walker George Films Ltd., 2008.

<sup>4</sup> The program is sometimes hard to locate. As of 8 January 2017, I found it at this site: <http://walkergeorgefilms.co.uk/documentaries/brothers-and-sisters-in-love/>. There is an ABC News review of the documentary: <http://abcnews.go.com/Primetime/story?id=2886819&page=1>.

During the six decades 1870–1930, European and American cultures obsessed about the sexuality of women. Self-help books on the physiology of marriage flooded the market, doctors entered the lists to combat female frigidity, vaginal and clitoral orgasms contended for pre-eminence, and everyone wondered whether whores liked to have sex. Books in German asked what the *Bestimmung* (purpose or fate) of the woman in the world could possibly be. Yet while lots of people thought they knew why the man was there, no one wrote a book about it – or at least such books are rare enough not to be readily found. “Woman” is perhaps the wrong word here, for in German the term of choice was almost always the neuter-gendered noun *das Weib*, best rendered as “the female,” rather than the feminine *die Frau*. In English, however, some texts employed the generic “woman.” Indeed, Freud’s famous question is usually mistranslated into English with a personalist spin: *was will das Weib?* becomes “what does a woman want?” Thus, in Anglo-American psycho-speak, the abstract female (*the female*) – a biological entity – metamorphosed into a concrete, socially inscribed individual (*a woman*).<sup>5</sup> In any event, discourse around the turn of the century was about the female whose destiny, whether grounded in physiology, God’s will, Evolution, or a duty towards folk, nation, state, or human race, was to reproduce. *Das Weib was Mutter*. And the maternal was sexual – or at least that was what the argument was about. As most of the writers who assumed the burden of explaining women were men (sons), the discourse about “mother” and “motherhood” was clearly overdetermined. In a later chapter, I will explore how the kinship structures of the late nineteenth century fit mothers into a peculiar, even dominant position, but in this chapter I want to rattle around in a series of texts that imagined the mother-son pair to have cosmic-sexual significance.

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5 The question, mistranslated into English, is quoted by Ernest Jones in *Sigmund Freud: Life and Work*, 3 vols. (New York and London, 1953–57), vol. 2, p. 421: “The great question that has never been answered, and which I have not yet been able to answer, despite my thirty years of research into the feminine soul, is ‘What does a woman want?’” It was supposed originally to have been addressed to Marie Bonaparte. Jones offered the original German in a footnote: “Was will das Weib?” The translation of the German *will* as “want” is too weak. In German, it has a less passive connotation and might be better translated as “demand,” “require,” “desire,” “seek,” “resolved to do,” or “determined to do.” Admittedly the pithiness of the quote is lost, but something like “what does the female demand or seek” captures the nuances of Freud’s question better. The provocateur Paul Julius Möbius, in *Ueber den physiologischen Schwachsinn des Weibes* [*On the Physiological Idiocy of the Female*], 9th ed. (Halle, 1908), defended his own use of *Weib* instead of *Frau*. It was now unusual to designate sex with the word *Frau*, a polite form of address meaning *Herrin*, *Domina*, *Dame*, and only to be applied to a married woman. The opposite term for *Mann* was *Weib*, the term that designated a sexual being (*Geschlechtswesen*). When the subject was the nature of the sexes, the proper usage was *Mann* and *Weib*.



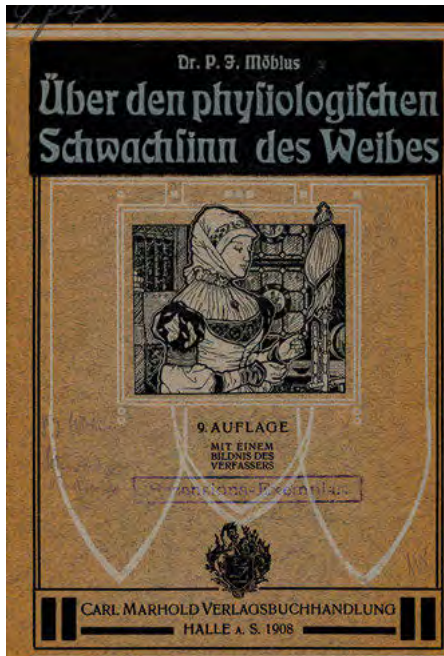


Fig. 14: Physiological Idiocy.

Neurologist Paul J. Möbius noted in the revised edition of his book *On the Physiological Idiocy of the Female* that he had been taken to task for using the

word “Weib” (female), which, it was alleged, was long out of date for the designation of sex: “Frau” had become the preferred term. But to change the usage here, he insisted, would violate his intent. Check the standard historical-etymological dictionary founded by the Grimm brothers. There you would find that “Frau” was used as polite address in social situations. It was not at all the correct term to distinguish the sexes from each other or to designate the female as sexual being (*Geschlechtswesen*). Whenever it was a question of dealing with the nature of the sexes, the proper contrast was “Mann und Weib,” not “Mann und Frau.” Möbius was quite right that his use of the word was unexceptional among medical and other scientific writers of the time, especially for those who wanted to draw conclusions from anatomy and physiology for the mental and moral characteristics and capacities of women. Grasping woman, as he put it, was best done teleologically. The linguistic stakes in the use of “Frau” or “Weib” in German and “woman” (abstract), “a woman” (concrete), or “female” in English were high at the turn of the century and dogged the literature on gender.

Paul J. Möbius, *Über den physiologischen Schwachsinn des Weibes*, 9th ed. (Halle, 1908). Image courtesy of University of California Southern Regional Library Facility.

The purpose of the present chapter, an exegesis of a series of texts, is to provide material to probe the cultural assumptions that lay underneath the strategic deployment of this or that argument about mother and son during the years around 1900. My intent is to map the erotic force of the elemental maternal being across a very complicated and multi-layered landscape, as registered in period texts with radically different purposes, strategies, and resources. This is not meant to be an intellectual history setting this explicit argument against that one or chronicling step-by-step the development of a particular discourse. The point is to get at structures, at the implicit meanings consonant with the period’s particular configuration of matrifocal kinship, its maternally dominated households, and its families organized on a mother/son axis – I will deal with these in a later chapter – and to examine some of the manifold links between social practices and cultural representations. As I have already made clear, it is possible to think of incest as a matter of sexual relations or marriage between closely related kin, although, as I also have shown, the question of just how close has been fraught with much uncertainty. In the sixty years straddling 1900, as I will demonstrate over the next four chapters, the social imaginary worried the mother-son relationship and often eroticized it.

I do not think that incest in the sense of completed sexual intercourse was particularly frequent, but that would not have been the point, say, in Freud's analysis of the son's desire for the mother. "Motherhood" was on the agenda in many different ways during this period, yet almost always when mothers were addressed, they were addressed as mothers of *sons*. It is hard to read through volume after volume about the female or the mother without being struck by how eroticized the language of motherhood could be.



Fig. 15: Mommy.

Two lovers out for a stroll rest in a meadow at the edge of a forest, his hat on the ground. Leaning on one arm in her lap, with the other around her waist, he looks up at her, while she meets his gaze with an intimate tip of the head and caresses his brow. The woman is much the dominant figure in

the picture, with her bright red, billowing dress and imposing posture. He blends in with the scenery. The poem, entitled "Mommy" or "Mama" (*Mütterchen*, the diminutive of *Mutter*), ends with *Mütterlein* (another diminutive) and is written from the young man's perspective. He has already experienced the world as alienating and finds in his lover the possibility of regression to the protected world of childhood, the images of mother and lover fading into each other. As future wife, she will mother him. All her voluptuousness is distilled in a maternal image.

#### Mommy

You, a tender little maiden,  
Me, a rascal, long and tall.  
(And you let the rascal's head  
Rest untroubled in your lap).

From the brow the gloomy wrinkles  
You quickly brush away.  
Your rosy little hands  
Make me a child again.

And your eye looks down upon me  
In such a cozy tender glow  
Seems to me a charming pretty  
Dearest little mommy.

Poem by Korfiz Holm. Drawing by A. Jank, *Simplicissimus* 1, no. 8 (May 23, 1896), p. 8. Image courtesy of Getty Research Institute, Los Angeles (85-S1389).

## Mother as text

It was in my mother's soul especially that I sought nurture; I read through her eyes, I felt her feelings, I loved through her love. She translated everything for me: nature, sentiment, sensations, thoughts. Without her aid, I would not have known how to spell in the book of creation, which was open before my eyes; but she directed my finger and placed it on everything. — Alphonse de Lamartine, 1853

Several publications targeting mothers appeared around 1870 – the beginning of the sixty-year period I want to examine – or, if composed a little earlier, continued to be frequently cited in the subsequent decades. A good text to start with is Alphonse de Lamartine’s riff on his mother’s journal, initiated in 1858, which his wife/niece published in 1871, two years after his death, as *Le manuscrit de ma mère*.<sup>6</sup> Lamartine (1790–1869), French poet and politician, worked quite freely with his mother’s text, taking but a small portion of it, rewriting a great deal of what he took, and constructing his own autobiography out of what originally had been his mother’s examination of conscience. Indeed, he wrote about himself and his own memories for almost eighty pages before he let his mother, Alix de Lamartine (1766–1829), speak at all.<sup>7</sup> Even then, to ensure his place at the center of her being, he sometimes re-wrote her words so that they said the opposite of what she actually had set on paper.<sup>8</sup> For example, he made up a totally fictional account about his courtship and marriage to an English, Protestant woman to remedy the paltry references in the journal. He also took the last page of the journal, written a few weeks before his mother died, re-dated it to his birthday, and had it speak of himself, so that in his version, the first and last pages of the journal were about him – “placing thus his existence in that of his mother.”<sup>9</sup> And then he wrote an epilogue about her burial and “resurrection.”

Lamartine was in Paris when his mother died painfully after an accident and was hastily buried. He wrote to his wife that Alix had wished to be buried in Saint-Pont, around 160 kilometers away, and that a month after she had been interred, he had had the coffin exhumed and carried to her final resting place. The snow had made it difficult for horses to pull the wagon, so he had hired a pair of oxen to do the job. He himself had arrived without much effort. But in the *Manuscrit*, he developed a completely different scenario. Here the snow was deep and difficult, the coffin was carried on the shoulders of four men (almost 100 miles!), with four more breaking a path and a crowd of peasants from the surrounding villages following silently behind the slow procession. In this version, he broke open the coffin (she had been dead already for a month) and kissed his mother one last time, before finally seeing her laid to rest.<sup>10</sup> The description of the procession, with only the sounds of the wooden clogs of mothers holding their children by the hand and the occasional shifting of the coffin on the shoulders of the men, reminded readers of the stations of the cross and of chastisement inflicted on a son for not being able to make amends for the pain he had inflicted on his meritorious mother.<sup>11</sup>

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6 A. de Lamartine, *Le manuscrit de ma mère avec commentaires, prologue et épilogue* (Paris, 1871). See Christian Croisille, “*Le Manuscrit de ma mère: une autobiographie déguisée*,” in *Lamartine: autobiographie, mémoires, fiction de soi*, ed. Nicolas Courtinat (Clermont-Ferrand, 2009), pp. 143–60, here p. 143.

7 Croisille, “Manuscrit,” p. 145.

8 Croisille, “Manuscrit,” p. 146.

9 Croisille, “Manuscrit,” p. 156.

10 Croisille, “Manuscrit,” pp. 158–59.

11 Croisille, “Manuscrit,” p. 159.

The son's appropriation of the mother's voice suggests several avenues of pursuit. For example, the literary historian Aimée Boutin has tried to capture the relationship with psychoanalytic categories: "The mother's memoirs represent the very body of the woman writing them; conversely, the son's reading of them enacts his return to the breast, or to a state of incestuous closeness often referred to as the mother-infant bond. The editorial project therefore enacts a narcissistic fantasy of return to the maternal body. At the heart of this fantasy lies a desire to find in the mother's text an ideal depiction of the self."<sup>12</sup> One might ask for more textual support for the psychoanalytic incest plot here, but Boutin's treatment of the *Manuscrit* as a mirror – perhaps a better metaphor would be a canvas – in/on which Lamartine designed a portrait of himself seems well-grounded.<sup>13</sup> In an earlier attempt at autobiography (the fourth book of the *Confidences*), he considered point by point how he resembled his mother and how he had developed "in symbiosis" with her.<sup>14</sup> She was the source of his being, both physically and symbolically.<sup>15</sup> While he resembled the mother physically, the correspondence went well beyond that: "My mind, always in communication with my mother's, was developing itself, so to speak, in hers. Other mothers bear their children only nine months in their wombs; I can say that mine bore me twelve years, and that I was nourished by her moral life, as I had been by her physical life in her womb, until the moment when I was torn away to go and live in boarding school."<sup>16</sup>

Even in commenting on the effects of his father's reading to the family, Lamartine focused on the mother: "It is from these [readings] that I drew, as the plant does from the earth, the first nourishing sap of my youthful mind. But it was in my mother's soul especially that I sought nurture; I read through her eyes, I felt her feelings, I loved through her love. She translated everything for me: nature, sentiment, sensations, thoughts. Without her aid, I would not have known how to spell in the book of creation, which was open before my eyes; but she directed my finger and placed it on everything. Her soul was so rich in brilliancy, color and warmth that it illuminated and heated everything it approached. By making me understand everything little by little, she made me love everything. In a word, the imperceptible instruction which I was receiving was not a lesson; it was the very action of life, thought, and feeling performed under her eyes, with her, through her, and as she herself performed it."<sup>17</sup> Nevertheless, in the *Manuscrit*, it was not so much she who stood at the origins but he who envel-

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12 Aimée Boutin, "Confessions of a Mamma's Boy: Lamartine's *Manuscrit de ma mère*," in *The Mother in/and French Literature*, ed. Buford Norman (Amsterdam and Atlanta, 2000), pp. 125–38, here p. 127.

13 Boutin, "Confessions," p. 129.

14 Alphonse de Lamartine, *Les Confidences*, in *Oeuvres complètes de Lamartine*, vol. 29, *Les Confidences, Graziella, Nouvelles Confidences* (Paris, 1863); Boutin, "Confessions," p. 131. *Les Confidences* was first published in 1849.

15 Boutin, "Confessions," p. 134.

16 Aimée Boutin, *Maternal Echoes: The Poetry of Marceline Desbordes-Valmore and Alphonse de Lamartine* (Newark and London, 2001), p. 100.

17 Lamartine, *Les Confidences*, p. 77; The translation is from Boutin, *Maternal Echoes*, pp. 100–101.

oped her. As Boutin put it: “the mirroring and identification inevitably led to fusion and confusion.”<sup>18</sup> *Le Manuscrit* might even be thought of as an example of “reverse gestation.” In using and publishing her diary, Lamartine himself became the origin of her autobiographical voice.<sup>19</sup> As author, the title page has “A. de Lamartine,” which could refer either to Alix or Alphonse, or precisely pinpoint an ambiguity of identity.<sup>20</sup> At least one modern voice steeped in psychoanalytic culture with a touch of Jacques Lacan has inscribed Lamartine’s method into the Oedipal framework: “In a century fraught with Oedipal struggles (against the father figure whether he be king or the head of the traditional household), Lamartine openly asserts a forbidden desire for the mother’s body. Against the laws of the father, he seeks out the mother as a source of inspiration.”<sup>21</sup> But it is not necessary to perform a mystical incarnation of text (logos) or ascribe lawgiving to the phallic-wielding Wotan proxy to see in this text elements of fusion, identity confusion, and filial ventriloquism. The father had so little presence in all of Lamartine’s writing that to ascribe to him a lawgiving capacity would give insufficient weight to the actual text.

The psychoanalytic approach to the Lamartine texts offered interesting insights, but it also assumed the presence of certain elements simply because the theory required them. This can be seen in Boutin’s extended treatment of Lamartine’s landscape poetry. “If we read Lamartine’s landscapes closely we see . . . that the maternal, especially the fantasy of *Le corps-à-corps avec la mère*, plays a central role in his poetics – a poetics that critics have said explores the distinction between me and not-me, self and (m)other.”<sup>22</sup> There was a continual dynamic of expansion and contraction in the representation of landscape, with uncertain and unstable boundaries between the subject and his environment. Such is characteristic of infantile experience, Boutin suggested: Lamartine’s maternal images drew from the infant’s inability to distinguish between his own and his mother’s body. Boutin tied this bodily fusion with its unmarked boundaries tightly to the infantile experience of the mother, understood in psychoanalytic terms. This I would argue is unnecessary, as there is no need to drive everything back to the first stages of infant development or to reduce the maternal to the physical bond with the post-parturition infant. Lamartine’s childhood and adolescent experiences of family and environment were enough to evoke his crucial images of a maternal “valley” or “uterine landscape.”<sup>23</sup>

I could say more or less the same of Lamartine’s images of mother, which move back and forth between sexuality and asexuality, but which Boutin used to underscore the

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18 Boutin, “Confessions,” p. 136.

19 Boutin, “Confessions,” p. 135.

20 Boutin, *Maternal Echoes*, p. 101.

21 Boutin, “Confessions,” p. 136.

22 Boutin, *Maternal Echoes*, p. 94.

23 Boutin, *Maternal Echoes*, p. 109.

“faceless sense of enclosure and sensuality.”<sup>24</sup> In *Harmonies poétiques et religieuses*,” Lamartine wrote: “That heart, source of my heart, that womb [*sein*] which conceived me, that breast [*sein*] which fed me with milk and tenderness, those arms always a cradle of caresses, those lips from which I received all!”<sup>25</sup> And in an 1857 poem, “La Vigne et la Maison”: “Warmth of the maternal breast where God made us hatch, like a newborn’s downy blanket, it envelops us still . . . . Aftertaste of milk from which woman weans us, even when it runs dry, it still embalms the lips . . . . Oh! Let all sons call anathema any madman who blasphemes against you!”<sup>26</sup> It might be possible to find in these texts, as Boutin did, some aspects that are not necessarily sexual, but I find throughout them little distancing from incestuous desire.

For sixty years after the publication of *Le Manuscrit*, a number of features of the mother-son relationship as characterized by Alphonse/Alix de Lamartine recurred; perhaps only because it was sons who wrote the overwhelming majority of texts about “mother” during that period. It seems to have been a feature of the age for men to find in their mothers both the physical and spiritual source of their being. Like Lamartine, men frequently sought to envelope or incorporate their mothers, and images of fusion and flows flooded the texts of the period. As for maternal images, they could be implicitly or explicitly erotic, and they also could demonstrate fear of or distaste about mother’s sexuality. Whatever the case, sexuality was never far beneath the surface. In contrast to the mother, the father was simply missing or shunted aside in these texts. Lamartine listened to the words his father read aloud but thought only about his mother’s reception – he did not perceive the story through his father’s voice so much as through his mother’s eyes or heart. His physical features were matched by his mother’s. She, and not the father, was the crucial mirror in which he could see himself. And she, not the father, apparently embodied the “law.” It was the mother’s moods, strictures, and expectations that had to be continually monitored and respected.

## Mother as lawgiver

I want your power over me to become law. — Leopold von Sacher-Masoch, 1870<sup>27</sup>

*Venus in Furs* by Leopold Sacher-Masoch (1836–1895), another typical book of the age, appeared in 1870. In the first instance, the story seems not to offer a great deal on the topic of motherhood, but a reading by Gilles Deleuze has challenged that impression by uncovering the text’s reliance on late nineteenth-century issues of the maternal figure and power, law, and desire. Here, after outlining the plot briefly, I want to highlight

<sup>24</sup> Boutin, *Maternal Echoes*, p. 98.

<sup>25</sup> Boutin, *Maternal Echoes*, p. 98.

<sup>26</sup> Boutin, *Maternal Echoes*, p. 99.

<sup>27</sup> Sacher-Masoch, *Venus in Furs*, p. 195.

the cogency of Deleuze's account and connect the Sacher-Masoch text to others I am looking at in this chapter. Although Deleuze was more interested in readings of Freud and Lacan than I am, several of his points in this regard are worth drawing attention to; not least among them, that *Venus in Furs* inspired Krafft-Ebing to coin the term "masochism" after the author, and that Freud's treatment of masochism as the flip-side of "sadism" was wrong-headed – theoretically, sociologically, and historically.

The story of *Venus in Furs* dealt with power relations between the sexes, the essential characters of modern men and women, the dynamics of domination and subjection, and the evocation of desire. The central theme running through the text was the notion that female dominance evoked desire in the male. At least that was the situation in the modern world, where male sensuality took a form that required ever-renewed stimulus and sustained itself by responding to heightened degrees of pain: "Nothing could be more attractive to man than the idea of a beautiful tyrant, both voluptuous and cruel, who insolently and inconsistently changes her favorite to suit her humor," the narrator explained.<sup>28</sup> The perpetual psychological fear of loss was experienced as a form of pleasure, and the ability to feel pleasure required a growing exposure to pain.

The plot of this odd *Bildungsroman* developed around the character Severin who spent a year trying to establish a permanent, stable relationship with Wanda, in the hope of ultimately obtaining her commitment to marriage. His endeavors had two sides. First, to maintain his own attention, he embarked on a continuing round of ever-greater incitement, and second, the strategy he hit upon was to allow her to dominate him through physical pain, moral abjection, enslavement, and betrayal. The latter solution happened also to maintain her engagement, by affording her ever-new expressions of power, caprice, and cruelty. Severin concluded from all this that in male-female relations, one either could be the anvil or the hammer: "Woman's power lies in the passion she can arouse in man and which she will exploit to her own advantage unless he remains always on his guard. Man has only one choice: to be slave or to be a tyrant."<sup>29</sup> Wanda had warned him at the beginning of the relationship that she could only commit herself to a "real man who commands my respect and enslaves me by his innate power . . . . As soon as a man falls in love he becomes weak, pliable and ridiculous."<sup>30</sup> Throughout scenes of bondage, beating, and humiliation, Wanda continuously referred to Severin as her "child."<sup>31</sup> But Severin turned this woman-child relationship around to suggest that men ascribed divinity to "woman" because of her reproductive function.<sup>32</sup> Wanda observed in reply, that under patriarchy women could accrue power only indirectly through deceit, the premier weapon of the weak. It helped women to fulfill their destiny – continuing the human race – and to keep men chained to their

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<sup>28</sup> Sacher-Masoch, *Venus in Furs*, p. 146.

<sup>29</sup> Sacher-Masoch, *Venus in Furs*, pp. 150, 172.

<sup>30</sup> Sacher-Masoch, *Venus in Furs*, p. 168. See also p. 259.

<sup>31</sup> Sacher-Masoch, *Venus in Furs*, pp. 191, 203, 252, 264.

<sup>32</sup> Sacher-Masoch, *Venus in Furs*, p. 179.

own purposes: “Every woman, good or bad, is capable at any moment of the most diabolical thoughts, actions or emotions, as well as the most divine; the purest as well as the most sordid. In spite of all the advances of civilization, woman has remained as she was on the day Nature’s hands shaped her.”<sup>33</sup> And so Severin endured Wanda’s repeated rejections, despite his total abjection. He experienced, or wanted to experience, Wanda’s power over him as “law.”<sup>34</sup> But when he finally broke free, he remarked: “I suddenly saw with alarming clarity how blind passion and lust have always led men . . . into the net of woman’s treachery, into poverty, slavery and death.”<sup>35</sup>

Once Severin returned home after his ultimate failure to win Wanda, he turned to rational labor as the task most fitting for men. Finding fulfillment in work – the thing men do to build civilization – he was able to find the proper perspective to generalize from his ill-fated experience and to find a moral to the story: “That woman, as nature created her and as man up to now has found her attractive, is man’s enemy; she can be his slave or his mistress but never his companion. This she can only be when she has the same rights as he and is his equal in education and work. For the time being there is only one alternative: to be the hammer or the anvil.” The woman’s liberation conclusion seems a *non sequitor* to the story, given Severin’s judgment concerning all history and the present predicament of modern civilization. As with Lamartine’s poetry, what emerges are themes that show up in the literature of the next seventy years or so: the exploitation of desire, character as destiny, gendered symbolics of law, and the instrumentalization of sexuality.

Deleuze called attention to the way Sacher-Masoch drew implicitly on certain maternal images which characterized his time and lasted into the following decades. A careful reading of *Venus in Furs*, he argued, reveals an underlying schemata taken over from the jurist, philologist, and student of matriarchy, Johann Jakob Bachofen (1815–1887).<sup>36</sup> From Bachofen’s conceptualization of a tripartite evolutionary history, leading from an original culture dominated by mother-right to its dissolution through patriarchy, Sacher-Masoch took the three maternal types associated with each of the three stages and posited their continued existence as contemporary structural alternatives. From his examinations of archaeological and mythic evidence, Bachofen characterized these three eras as the Aphroditic, the Demetrian, and the Apollonian. The first period, the Aphroditic, was one of historic life in primeval swamps where the primitive, uterine, feminine principle dominated and relations between men and women were fleeting and chaotic. The second period, the Demetrian, was one of land drainage and early agriculture, with women dominating in a strict gynocracy. The third period, the Apollonian, was the one during which men established a patriarchal order and matriarchy was reduced

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<sup>33</sup> Sacher-Masoch, *Venus in Furs*, p. 192. “Man, even when he is selfish or wicked, lives by principles; woman only obeys her feelings.”

<sup>34</sup> Sacher-Masoch, *Venus in Furs*, p. 195.

<sup>35</sup> Sacher-Masoch, *Venus in Furs*, p. 269.

<sup>36</sup> Gilles Deleuze, *Coldness and Cruelty*, in *Masochism* (New York, 1991), pp. 9–138, here pp. 52–53.



to a degenerate, Dionysian form, armed only with the weapons of the weak. As for Sacher-Masoch, he located in the gynocracy of the Demetrian second stage a point at which the structure oscillated between the first and the third forms.<sup>37</sup>

In glossing the Bachofian structure in Sacher-Masoch's novel (Wanda represented all three maternal figures, moving from one to the other as the plot required), Deleuze noted a characteristic of late nineteenth- and early twentieth-century literature about "mother"; namely, the missing or meaningless father: "A point of great significance in the fantasy of the three mothers is the symbolic transfer or redistribution of all paternal functions to the threefold feminine figure: the father is excluded and completely nullified."<sup>38</sup> The three female figures together constituted a symbolic order missing the father from the very beginning.<sup>39</sup> A half century after *Venus in Furs*, D. H. Lawrence worked the same idea in *Sons and Lovers*: the father missing from the outset and the mother seducing the son and laying down the law. She simultaneously represented the purity and the potentially transgressive sexuality of the female; indeed, the conjunction of woman and whore was a commonplace for the *fin-de-siècle*. She, not the father, was the source of continuous enslavement and betrayal; she, the forger of the relationship that could only be broken with a violent psychological expression of will. "In masochism," wrote Deleuze, "the woman assumes the function of prostitution in her capacity as honest woman."<sup>40</sup> This mother was expected to carry out all the functions of the other Bachofian female figures. The upshot, according to Deleuze: "In masochism the masculine impulse is embodied in the role of the son, while the feminine impulse is projected in the role of the mother."<sup>41</sup>

In an entirely different genre, Sacher-Masoch worked many of the themes I have explored in Lamartine. Both men located the origins of the symbolic order in the figure of mother. Indeed the reception of Bachofen by Sacher-Masoch shows that these near contemporaries shared an interest in using myth to map the distribution of cultural symbols, and that, in so far as law and the symbolic order were closely related, the social imaginary around 1870 apparently fixed increasingly on the maternal origins of law. The father and the paternal order were brushed aside, consigned to another realm. In masochism, according to Deleuze, the alleged psychological mechanism required that the son should desire the mother and be punished for it; not by the father's prohibition, but by the mother herself.<sup>42</sup> The figure of the mother/whore and the easy slippage

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37 Deleuze, *Coldness and Cruelty*, p. 53.

38 Deleuze, *Coldness and Cruelty*, p. 61. "There is no doubt that the masochist lives in the very depths of guilt; but far from feeling that he has sinned against the father, it is the father's likeness in him that he experiences as a sin which must be atoned for" (p. 101). This is Deleuze working with the phenomenon of masochism and going well beyond the text of *Venus in Furs*, where there is no suggestion of father/son identity.

39 Deleuze, *Coldness and Cruelty*, p. 63.

40 Deleuze, *Coldness and Cruelty*, p. 62.

41 Deleuze, *Coldness and Cruelty*, p. 68.

42 Deleuze, *Coldness and Cruelty*, p. 63. Jacques Lacan (1901–1981) had argued that the emergence of

between purity/ideal/distant perfection and dissolution/intimacy/fusion pointed to an ambivalence characteristic of late nineteenth-century culture. I will take up this assemblage again with the Freikorps literature of the 1920s where the ambivalences will take on a particularly compelling form – especially for the sons.

Once masochism and sadism had received their sharp contours, it seemed natural to regard the one as the flipside of the other – the acts of giving or receiving pain constituting a single phenomenon, “sodomasochism.” Quite convincingly, Deleuze disarticulated this figure, first by locating the texts of de Sade and Sacher-Masoch in their respective historic contexts: France and Central Europe, as each was dealing with the consequences of socio-political revolution, but more than fifty years apart. Precisely at the time of the French Revolution when de Sade was writing, the conflict in society centered around paternal/fraternal and patriarchalism/fraternalism themes. Indeed, one interpretation of the Revolution has figured it as an act of parricide.<sup>43</sup> In de Sade’s take, Deleuze argued, the father both laid down the law and violated it, and destroyed the family by entering into a sexual relationship with the daughter.<sup>44</sup> “Sadism is in every sense an active negation of the mother and an exaltation of the father who is beyond all laws.”<sup>45</sup> The principle figures in this account were “law of the father,” “father-daughter incest,” “negation of the mother,” “destruction of the family,” and “tyranny of the patriarchal order.” All these elements entered into the feminist critique of incest after World War II when father-daughter relations were central to the social imaginary, but the figure of the mother at the end of the nineteenth century worked a different familial axis. Sadism was a syndrome constructed from paternal symbols, and it contrasted significantly with the maternal symbolic origins of masochism, a later nineteenth-century construction. If it was the father’s law that governed the former, the latter, Deleuze suggested, in a glancing blow at Freud and Lacan, revealed a heretofore unrecognized, lawgiving mother. Implicitly, Sacher-Masoch was drawing on these maternal images.

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the symbolic order was the result of paternal law. Nature (female) in this construct was contrasted to culture (male). As with Freud, it was men who made civilization. And in the figure of Oedipus, there was a necessary triangle whereby the father forbade the son (established law) who desired the mother. In much of the literature of the sixty years around 1900, however, wherever the *female* was considered, there was no father present to lay down the law. It was Deleuze’s genial idea to see this and to see also that Sacher-Masoch’s reworking of the Bachofen material allowed not only the mother to lay down the law but also, thereby, a symbolic order to emerge, p. 195.

<sup>43</sup> Lynn Hunt, *The Family Romance of the French Revolution* (Berkeley and Los Angeles, 1993).

<sup>44</sup> According to Deleuze, the sadistic fantasy rested on the theme of the father destroying his own family by inciting the daughter to torture and murder the mother: Deleuze, *Coldness and Cruelty*, p. 60. Deleuze cited Pierre Klossowski, “Éléments d’une étude psychanalytique sur le Marquis de Sade,” *Revue française de Psychanalyse* 6 (1933): 458–74, on this point.

<sup>45</sup> Deleuze, *Coldness and Cruelty*, p. 60.

## A middle stage between man and child

The short grown, small shouldered, broad hipped, and short legged sex could be called beautiful only by a male intellect befogged by the sex drive: for all female beauty is reduced to this instinct.  
—Arthur Schopenhauer, 1851

In the decades leading up to World War I, one of the most widely cited writers on the female was the philosopher Arthur Schopenhauer (1788–1860) – no doubt partly for his quite scurrilous screed, which I have included in the opening epigraphs of this chapter. It is perfect for sensationalist citation. Schopenhauer spent a great deal of time suffering from the distance and criticism of his “bad” mother, Johanna (1766–1838), being distressed about the lack of warmth and apparent love between his parents, and biting back at Johanna about her spending habits and control over considerable portions of his father’s legacy.<sup>46</sup> He angrily criticized his mother for giving parties while his father was dying and for “[amusing] herself while he [the father] was suffering bitter agonies. That is the love of women!”<sup>47</sup> Johanna was a very successful and fashionable writer of romantic novels and a central figure in Weimar culture, with a much-visited, twice-weekly salon. When Arthur was nineteen, she wrote to him that he was “irritating, unbearable,” and “difficult to live with.”<sup>48</sup> She ended the letter with another dig: “If you were less like you, you would only be ridiculous, but thus as you are, you are highly annoying.”<sup>49</sup> After a disastrous attempt at living under the same roof together, the pair broke off relations, and over the next twenty-five years they never met again, confining all contact to intermittent letters.<sup>50</sup> What Arthur wrote about *das Weib* was very much a riff on a fraught mother-son relationship.

His most telling words appeared in “Ueber die Weiber,” an essay in a volume expanding on aspects of his philosophy, which was printed in 1851, as *Parerga und Paralipomena*.<sup>51</sup> Here he essentially relegated the female to the task of reproduction. Indeed, a cursory glance at the female form confirmed that it was made for bearing and rearing children and offering a man companionship. What really exercised the son was any sign of independence in a mother. She was to live in subjection to a man (the father, the husband, and then the son), a condition he expressly brought under the sign of “suffering” as part of the woman’s destiny. He thought that no woman should have direct access to the hard-won capital accumulated by male effort. The administration of a fortune was beyond the capacities of childlike, foolish, and shortsighted females, whose job description did not run beyond care-giving and nurturing. Even as adults,

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46 David E. Cartwright, *Schopenhauer: A Biography* (Cambridge, 2010), p. 13.

47 Cartwright, *Schopenhauer*, p. 87.

48 Cartwright, *Schopenhauer*, p. 129.

49 Cartwright, *Schopenhauer*, p. 133.

50 Cartwright, *Schopenhauer*, p. 23.

51 Schopenhauer, “Über die Weiber.”

*Weiber* failed to develop the full capacities of the human and remained a kind of middle thing between man and child. You could even call them big children. And this was so because they developed too quickly and reached maturity at eighteen, a good ten years before the more slowly developing man – maturing to reason and intellectual power took time. In their half-child state, adult females exhibited a kind of intellectual myopia, with a sharp intuition for things near at hand, but without either broad prospective vision (planning complex projects) or retrospective sense (history). In their hearts, Schopenhauer claimed, females thought that the whole purpose of men was to earn money, which it was their task, as women, to spend – if possible while the man lived, but in any event after he died.

Read for subtextual content, this text takes on the character of a gloss by Arthur on Johanna, which even were it based on a wider experience with women or on nothing at all, still provided no escape clause for Johanna – nor for any mother. Women may have had pity for the small and weak but they had no well-developed sense of justice. Because of their inability to reason or reflect, they worked with artifice, an instinctual capacity for dissimulation, and a tendency to lie. “A completely honest woman is impossible,” Schopenhauer declared.<sup>52</sup> From this fundamental fault arose falseness, infidelity, betrayal, and ingratitude. The secret, implicit moral guiding females was this: we have the right to go behind those who do not support us enough. All these traits of the female character were in turn rooted in their purpose: women existed only for the propagation of the human race, and their fundamental deceptiveness was a tool for supporting the rights of the species – they cared not for the rights of individuals – since they could not see beyond the concrete to the abstract, indeed had little aptitude for abstraction and moral consistency. They lived more a species than an individual existence. Perhaps reflecting on his parents’ marriage, Schopenhauer blamed this syndrome for marital disunity.<sup>53</sup>

As for the supposed attractiveness of the female, the citation from Schopenhauer much favored well into the third decade of the twentieth century said it all: “The short gown, small shouldered, broad hipped, and short legged sex could be called beautiful only by a male intellect befogged by the sex drive: for all female beauty is reduced to this instinct.”<sup>54</sup> The female sex was unaesthetic, had no real sense for art, failed in objectivity, and exercised power only indirectly (thus her dissimulation). The most eminent women had done nothing really great or original in art, had created nothing of lasting worth, had substituted industriousness for creativity. Females were the *sexus sequior*, in every respect the backward second sex, and while they needed protection there was

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<sup>52</sup> Schopenhauer, “Über die Weiber,” p. 654.

<sup>53</sup> Cf. Arthur Schopenhauer, *Die Welt als Wille und Vorstellung*, ed. Ludger Lütkehaus, 2 vols. (Munich, 1998, orig. 3rd ed., 1859), vol. 1, p. 649 in the chapter on the metaphysics of sexual love: “Happy marriages, as is well known, are seldom, because it lies in the nature of marriage that its chief purpose is not the present but the coming generation.”

<sup>54</sup> Schopenhauer, “Über die Weiber,” p. 656,

no purpose to venerating them – here a comment on his mother’s quite amazing success as a novelist by the philosopher/son who failed to hold onto his university job. At Johanna’s peak, she was the most widely read author in Germany, and Goethe came every week to her living room to eat sandwiches and toss back a glass of wine. For his own books, Arthur was lucky to get a print run of seven hundred fifty. She told him that the all the copies of his books would sit in the shops as hers were flying out the door.<sup>55</sup> His retort: “The current European *Dame* is a being that should not at all exist; rather, there should only be housewives and girls that hope to become one someday. And thereby they should be raised not to arrogance but to domesticity and submissiveness.”<sup>56</sup>

It was really the punch line, so to speak, the buildup to the final argument that revealed what all this was really about: his fury at his mother’s control of a large share of the paternal patrimony. After all, what any husband diligently worked for his whole life was to build up a property to pass on to his children. But the whole thing could be dissipated by the widow on a lover.<sup>57</sup> (It was conflict over his mother’s live-in favorite, and probable lover that, to a large degree, drove the twenty-five-year-old Arthur from his mother’s house.)<sup>58</sup> “The original mother love,” Schopenhauer asserted, “is with humans as with animals purely instinctive and lasts only as long as the physical helplessness of the children. In its place should come one based on custom and reason, but that is often missing, especially when the mother did not love the father (as in the Schopenhauer family case). The love of a father for his children is of another kind and more solid: it rests on a recognition in them of his own most inner self and is therefore of a metaphysical origin.”<sup>59</sup> Everywhere except in Europe, he went on, property was inherited only through male descent, and then doubled back to the ever-repeated refrain: “That the property acquired by men with great difficulty through hard, laborious work and effort subsequently gets into the hands of females, who in their irrationality within a short time consume or otherwise waste it, is as bad an inconvenience as it is a frequent one, which one should prevent through limiting female inheritance rights.”<sup>60</sup> Incapable of administering property, women should not have any kind of unconditional ownership. Above all they should never have guardianship over the property of their own children. That the female by nature is ordained to obedience could be seen in the fact that when one of them – against nature – was totally independent, she attached herself to a man, by whom she then allowed herself to be directed and ruled. If she was young, she took a lover; if old, a confessor.<sup>61</sup>

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55 Cartwright, *Schopenhauer*, p. 236.

56 Schopenhauer, “Über die Weiber,” p. 658.

57 Schopenhauer, “Über die Weiber,” pp. 662–63.

58 Cartwright, *Schopenhauer*, p. 231.

59 Schopenhauer, “Über die Weiber,” p. 662. See Cartwright, *Schopenhauer*, p. 13.

60 Schopenhauer, “Über die Weiber,” p. 662.

61 Schopenhauer, “Über die Weiber,” p. 663.

Throughout the period under consideration here, the destiny or purpose of the female was tied to reproduction and contrasted sharply with production. Like Schopenhauer, many writers started with the form or physiology of the female to derive the maternal function, and they saw in the task of nurturing, a continuation of the reproductive function, which in turn necessitated subordination to male authority. Quite fascinatingly, Schopenhauer found suffering to be a fundamental feature of the life of the female, not just in fact but as moral imperative linked to their necessary subordination to men: including eventually to sons. Furthermore, the physiology of women (what Paul Julius Möbius later would call a “physiological idiocy”) and the task of reproduction had implications for the moral and intellectual lives of females. They could not be true individuals, because individuality, in Schopenhauer’s ethics, required consistency, rationality, abstraction, and property administration. Instead, they were more-or-less part of nature, instinctual, living that already noted “species” existence. And when they accrued authority in contemporary life, they did so on account of the irrationality of a system that allowed accumulated property to fall into their hands. The Johanna Schopenhauer who stylized her life through public performance in salons and in the pages of her published books is a pendant to the Alix de Lamartine imagined by her son. Johanna entered into a marriage of pure convenience, refused intimacy and nurture for her son, and, as far as he was concerned, wasted emotional energy and resources outside the arena of her true calling, the domestic sphere. The two sons, Alphonse and Arthur, both obsessed with their mothers, offered contrasting but complementary judgments on motherhood, which together constituted the figure of the nineteenth-century bourgeois mother as seen by the son. In conflict with his mother, Schopenhauer nevertheless produced a critique of the female, which echoed readily in the judgments of many sons with less ambivalent relationships.

## Sons and mothers

You have got your child as sure as if you had woven its flesh again with your own. You have done what it is vicious for any parent to do: you have established between your child and yourself the bond of adult love. — D. H. Lawrence, 1923

On the eve of World War I there appeared another widely read portrayal of the mother-son relationship, D. H. Lawrence’s *Sons and Lovers* (1913).<sup>62</sup> Much of the material for the narrative was reworked autobiographical experience, and the first love affair in the novel, the one of “Paul Morel” with “Miriam,” was based on Lawrence’s real life relationship with Jessie Wood.<sup>63</sup> She was appalled by his account and contested his interpre-

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<sup>62</sup> D. H. Lawrence, *Sons and Lovers*. ed. Helen Baron and Carl Baron, The Cambridge Edition of the Works of D. H. Lawrence (Cambridge, 1992, paperback ed., 2001).

<sup>63</sup> Lawrence, *Sons and Lovers*, p. vii.

tation in a pseudonymous publication in 1935.<sup>64</sup> In 1921 and 1922, Lawrence revisited many of the novel's themes in two treatises, *Psychoanalysis and the Unconscious* and *Fantasia of the Unconscious*, both of which contained a thoroughgoing critique of the mother-son relationship that he so very much had valued as a twenty-eight-year old, just finishing up his major novel.<sup>65</sup>

From the outset, both in the novel and in his life, the father was “missing.” Mr. Morel (in the novel) was physically present, but very much an outsider, subject to the unremitting contempt and hatred of his wife and the children.<sup>66</sup> Both in letters about the relationship between his parents and in his novel, Lawrence wrote of the crucial break for him that took place even before he was born. At some point during gestation, the father had locked his wife out of the house, and she had spent the night in the dark, essentially plotting revenge. This incident became part of the family narrative, seared into the minds of the children and reworked in the novel.<sup>67</sup> There was no Oedipus here. The father never laid down the law; he had no authority in the household and played no role in determining the futures of the children. Mr. Morel was a “husk,” and his son, Paul Morel, hated him with a “fervent private religion.”<sup>68</sup> Lawrence wrote to one acquaintance that he himself had only ever had one parent, and Jessie Wood referred to his “poor disinherited father,” noting that in all the times she visited the family she rarely actually saw Mr. Lawrence.<sup>69</sup> When she asked Mrs. Lawrence for the reason the son so thoroughly hated his father, the response went back to that incident of being put out of the house during her pregnancy.<sup>70</sup> Mrs. Lawrence clearly worked that episode to deny her husband access to the children, and so from the beginning, in both the novel and the Lawrence family, the children lived in a mother-constructed milieu where they never needed to struggle against a paternal order.

Lawrence was a voracious reader who continuously up-dated his knowledge of the science of his day, and I expect that he was familiar with Freud before he met his future wife, Frieda Weekley/von Richthofen, at the age of twenty-seven, a year and a half after his mother died. It was in his initial conversation with Frieda that the figure of Oedipus arose, and it seems clear that she was the one to introduce the idea.<sup>71</sup> In her own memoir, she said that they talked about Oedipus “and understanding leaped through our words,” which suggests that even if he had been familiar with the idea, it

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64 E. T. [Jessie Wood], *D. H. Lawrence: A Personal Record* (London, 1935).

65 D. H. Lawrence, *Fantasia of the Unconscious* (1923) and *Psychoanalysis and the Unconscious* (1921) (London [Harmondsworth], 1977).

66 Lawrence, *Sons and Lovers*, p. xxi.

67 Lawrence, *Sons and Lovers*, p. 34; E. T., *D. H. Lawrence*, p. 138.

68 Lawrence, *Sons and Lovers*, pp. 62, 82.

69 The remark by Lawrence is from his letter to Rachel Annand Taylor, October 3, 1910, in D. H. Lawrence, *The Letters of D. H. Lawrence. Volume I (1901–1913)*, ed. James T. Boulton (Cambridge, 1979), p. 181. The Jessie Wood quotation is from E. T., *D. H. Lawrence*, pp. 36, 56.

70 E. T., *D. H. Lawrence* p. 138.

71 Lawrence, *Sons and Lovers*, pp. xxv, xliv–xlv, li, 473.

never had occurred to him to press his own experience into that straitjacket.<sup>72</sup> In one of Lawrence's letters to his editor, she added a few lines to the effect that he really had loved his mother more than anyone else, and she glossed the relationship with "Oedipus."<sup>73</sup> But the Freudian notion necessitated a triangle, an initial conflict with a father over a mother, the violation of a paternal law. Here there was no such phallic symbolic order. The mother had done away with the father, and it was her law that could only with difficulty be violated.

In Lawrence's narratives, the crucial bond was between sons and mothers, despite the presence of daughters. He taunted his own lover Jessie Wood with the idea that her mother, too, was only really interested in the sons.<sup>74</sup> He also wrote to a friend that he and his mother had been "great lovers," and that they had loved like "husband and wife."<sup>75</sup> Although he always drew a careful line between their passionate love and any possible sexual contact, there was often a striking undertone of eroticism in his account of the relationship. He clearly thought of himself as an essential part of her.<sup>76</sup> Like many accounts of the mother-son relationship during this period, the word "fusion" tripped on the tongue, a "fusion of soul" that did "not seem natural" – here the hint of incestuous feelings.<sup>77</sup> As in Lamartine's appropriation of his mother's voice, Lawrence worked his way into the mother's thoughts to place himself, as Paul Morel, at the center of her life. Carrying him in her womb and being kicked out of the house, alone in the garden, "she did not know what she thought. Except for a slight feeling of sickness, and her consciousness in the child, her self melted out like a scent into the shiny, pale air. After a time, the child too melted with her in the mixing-pot of moonlight, and she rested with the hills and lilies and houses, all swum together in a kind of swoon."<sup>78</sup>

Sorting out Lawrence's relationship with his own mother from his representation of Paul Morel's with his mother in the novel is not always easy to do and perhaps not really to the point. Jessie Wood observed that Lawrence's mother ruled by "divine right of motherhood." She was like a priestess, the secret of whose power was the "belief in her own rightness."<sup>79</sup> In the novel, it is hard to avoid the mother's emotional control of the situation. As Paul Morel courted Miriam, Mrs. Morel fought tenaciously against

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72 Frieda Lawrence, *Not I, But the Wind* [ . . . ] (New York, 1934), p. 4.

73 Lawrence, letter to Edward Garnett, March 11, 1914, in *The Letters of D. H. Lawrence, Volume II (1913–1916)*, ed. James T. Boulton (Cambridge, 1981), p. 449.

74 E. T., *D. H. Lawrence*, p. 51.

75 Lawrence, letters to Rachel Annand Taylor, November 15 [?], 1910 and December 3, 1910, in Lawrence, *Letters*, vol. 1, pp. 187 and 190 respectively.

76 Lawrence, *Sons and Lovers*, pp. xxii–xiv, 117, 142, 150, 197, 251–52, 322, 389, 442, 451, 464, 473. Lawrence, letter to Taylor, December 3, 1910, in Lawrence, *Letters*, vol. 1, p. 190. E. T., *D. H. Lawrence*, pp. 62, 149, 184.

77 Lawrence, *Sons and Lovers*, p. xxii; Letter to Taylor, December 3, 1910, in Lawrence, *Letters*, vol. 1, p. 190.

78 Lawrence, *Sons and Lovers*, p. 34.

79 E. T., *D. H. Lawrence*, p. 138.



their relationship, waiting up for him and creating tense moments shot through with jealousy when he arrived home. In a scene leading up to his break with Miriam, Paul protested that he achieved release only when he came home to his mother who would throw her arms around him and whimper. She was well-aware that he needed sexual release, but, as she put it, Miriam would “leave her no room.”<sup>80</sup> “And I’ve never – you know, Paul – I’ve never had a husband – not really – ’ He stroked his mother’s hair, and his mouth was on her throat. ‘And she exults so in taking you from me – she’s not like ordinary girls.’ ‘Well, I don’t love her, mother,’ he murmured, bowing his head and hiding his eyes on her shoulder in misery. His mother kissed him a long, fervent kiss: ‘My boy!’ she said, in a voice trembling with passionate love.”<sup>81</sup> In a similar fashion, Jessie Wood’s take on Lawrence was that he loved his mother like a lover – a “strange obsession” – so he could never offer his love to her; that even after his mother’s death, he was being strangled – and this in an even more powerful bond.<sup>82</sup>

At the heart of *Sons and Lovers*, of course, is a coming-of-age story, the struggle of a young man to come to terms with his own sexuality. The problem was initiated by the intense love and emotional tie to the mother, which was erotic while precluding sexual release. Paul Morel was not at all sure how to want a woman he knew, how to express sexual desire for any particular woman, since his experience of love made it impossible to cross the line to sexual desire. Whenever he did have sex with neighbor Miriam or city-girl Clara, he experienced a crippling alienation afterwards: “A good many of the nicest men he knew,” Paul thought, “were like himself, bound in by their own virginity, which they could not break out of. They were so sensitive to their women, that they would go without them for ever rather than do them a hurt, an injustice. Being the sons of mothers whose husbands had blundered rather brutally through their feminine sanctities, they were themselves too diffident and shy. They could easier deny themselves than incur any reproach from a woman. For a woman was like their mother, and they were full of the sense of their mother. They preferred themselves to suffer the misery of celibacy, rather than risk the other person.”<sup>83</sup> Lawrence, speaking in Morel’s voice, proclaimed a syndrome familiar to many young men of his own age. Sex had become so complicated for Morel that he would have denied ever wanting Clara or Miriam or any other woman he *knew*. Sexual desire was rather a detached thing that did not belong to a woman.<sup>84</sup>

In a letter to his editor, Lawrence summarized what he thought the novel to be about.<sup>85</sup> In some ways, it was a story of class – the mother married beneath herself,

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<sup>80</sup> Lawrence, *Sons and Lovers*, p. 252. In other passages, it seems to be a struggle for his “soul,” and the mother laid claim to the first and deepest love, pp. 231–32.

<sup>81</sup> Lawrence, *Sons and Lovers*, p. 252.

<sup>82</sup> E.T., *D. H. Lawrence*, pp. 192, 193, 200.

<sup>83</sup> Lawrence, *Sons and Lovers*, p. 323.

<sup>84</sup> Lawrence, *Sons and Lovers*, p. 319.

<sup>85</sup> Lawrence, *Sons and Lovers*, p. xlv; Lawrence, letter to his editor, November 19, 1912, in *Letters*, vol. 1, pp. 476–79.

at least culturally. While the children are “born of passion,” “as her sons grow up she selects them as lovers . . . When they come to manhood, they can’t love, because the mother is the strongest power in their lives, and holds them.” Each son suffers in specific ways under this burden: the second one (Paul) “gets a woman who fights for his soul – fights his mother . . . The battle goes on between the mother and the girl, with the son as object. The mother gradually proves stronger, because of the tie of blood. The son decides to leave his soul in his mother’s hands . . . and go for passion. He gets passion. Then the split begins to tell again. But, almost unconsciously, the mother realises what is the matter, and begins to die. The son casts off his mistress, attends to his mother’s dying. He is left in the end naked of everything, with the drift towards death.” Lawrence thought that story was quite generalizable, and that he could stand as a witness, in a sense, to his age. “It is a great tragedy, and I tell you I’ve written a great book. It is a tragedy of thousands of young men in England.”

English does not offer quite the same linguistic trick as German, with its multilayered strategic possibilities in the words *Weib* and *Frau*. Lawrence attempted something similar to “Weib” in his use of the word “woman,” which designated a general being without social specificity. It is the *woman* that he could desire, but as soon as she acted or became concrete, he lost the connection. Speaking of his lover Clara, Paul said to his mother: “You know mother, I think there must be something the matter with me, that I *can’t* love. When she’s there, as a rule I *do* love her. Sometimes, when I see her just as *the woman*, I love her, mother. But then, when she talks and criticises, I often don’t listen to her.”<sup>86</sup>

In a “Foreword,” which was not published with the novel and may not have been written with it, Lawrence worked through Christian theological and evolutionary biological ideas to get a grasp on what he called “woman”; an abstract, biological being who acted in the world much in the same way as the *Weib* did in the Freudian drama, or indeed in most of the discourses in turn-of-the-century German culture.<sup>87</sup> Here he worked the novel’s material from the perspective of the image of “flesh,” beginning with a gloss on John 1:14, “The Word was made Flesh.” Some of his later ambivalence about “mother” or about “woman” can already be seen here, as he seems to play with Freudian categories while shifting all the meanings to give primacy to the actions and desires of the mother.<sup>88</sup> Beginning with the flesh, Lawrence reversed the relationship between the two orders of being as depicted in John’s gospel.<sup>89</sup> It was from the woman’s flesh that everything proceeded, and the son, sometimes called the “Utterer,” took the position of the Word.<sup>90</sup> The “Father,” the eternal, unquestionable lawgiver, should more

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<sup>86</sup> Lawrence, *Sons and Lovers*, p. 395.

<sup>87</sup> Lawrence, *Sons and Lovers*, pp. 469–73.

<sup>88</sup> In “*Not I, But the Wind*,” p. 56, Frieda Lawrence wrote that later in life Lawrence said: “I would write a different ‘Sons and Lovers’ now; my mother was wrong, and I thought she was absolutely right.”

<sup>89</sup> Lawrence, *Sons and Lovers*, p. 467.

<sup>90</sup> Lawrence, *Sons and Lovers*, p. 470.

correctly have been called “Mother,” Lawrence wrote, since humans only had access to the eternal and to law through woman. It was the son who produced – who would go out and come in – but he always had to return to the woman for renewal: “man shall ever come and go, go to his work, his Uttering – and then come home to his woman, through whom is God the Father, and who is in herself, whether she will have it or not, God the Father.”<sup>91</sup>

But man, the husband or the son running around and ending up at home for rest and recreation, was not the only actor in this drama; woman was pivotal, *demanding* that the man – here Lawrence was thinking of the husband – come home for renewal. His failure to do so would exhibit weakness, and she would reject him in favor of a man of greater strength. Or – and this is the case that fundamentally interested Lawrence – she would turn to her son as her lover.<sup>92</sup> Neither son nor mother could be completely satisfied with this arrangement, however. For with the son as only “part lover,” there would be, Lawrence intimated, a sexual incompleteness damaging to both parties. Here, I think, Lawrence was considering the son/lover who could not connect to other women because he had split love off from sexuality; his inability to combine the two exhibited the fundamental weakness. Perhaps the relationship could not be squeezed into the confines of the Oedipus story – the son was not the sexual companion of the mother – but it nevertheless crippled the son psychologically, filled him with demons he could not exorcise. “The man who is the go-between from Woman to Production is the lover of that woman. And if that Woman be his mother, then is he her lover in part only: he carries for her, but is never received unto her for his confirmation and renewal, and so wastes himself away in the flesh. The old son-lover was Oedipus. The name of the new one is legion [multiple demons, Mark 5:9]. And if a son-lover take a wife, then is she not his wife, she is only his bed. And his life will be torn in twain, and his wife in her despair shall hope for sons, that she may have her lover in her hour.”<sup>93</sup>

In 1923, Lawrence revisited the relationship of mother and son once again in his *Fantasia of the Unconscious*.<sup>94</sup> He offered a thoroughgoing critique of the social and cultural power of mothers, which he thought characterized his age. In the next several decades, there would be many voices trying to reinsert the authority of the father and critiquing what Philip Wylie in the early 1940s called “momism.” That story will be taken up later. Here, in *Fantasia*, Lawrence witnesses to structural features of the first decades of the twentieth century as seen through a prism fashioned from the bits and pieces of contemporary reflection on gender.

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<sup>91</sup> Lawrence, *Sons and Lovers*, p. 471.

<sup>92</sup> Lawrence, *Sons And Lovers*, pp. 472–73.

<sup>93</sup> Lawrence, *Sons and Lovers*, p. 473.

<sup>94</sup> Lawrence, *Psychoanalysis*, pp. 221–22.

At the outset, Lawrence insisted upon the necessity of the connection to both parents. Indeed, it was the synthesis of the two “germs” that made for a unique individual.<sup>95</sup> That said, danger seemed to lie in the closer association with the mother in the womb and during early child rearing. The “father-spark” offered counter “vibrations” to the mother.<sup>96</sup> While the father might instinctually avoid contact with the baby, nevertheless his roughness, his outsider position, and his authority were fundamentally necessary to “stiffen the child’s independence.”<sup>97</sup> This remote father love would break the *unison* between mother and child, by acting particularly upon the centers of will, responsibility, and authority. Without citing Otto Weininger – a subject for the following two chapters – Lawrence picked up on one of his most fundamental ideas; namely, that children were born sexed and that the whole psyche and physique of an individual was either male or female.<sup>98</sup> Indeed every cell throughout the body was either male or female. And this established a fundamental polarization of the sexes: the man centered on volition and the woman centered on sympathy.<sup>99</sup>

Sexual dimorphism might well cut down through the physical and cultural orders, but society could be arranged so as to violate fundamental laws of nature – something Lawrence descried in his own culture. “Man has assumed the gentle, all-sympathetic role, and woman the active, effective, authoritative. So that the male acts as the passive, or recipient pole of attraction, the female as the active, positive, exertive pole, in human relations. Which is a reversal of the old flow. The woman is now the initiator, man the responder.”<sup>100</sup> Certain features remained constant: man was still the “doer and thinker.” But what had happened in the present day was that “the majority of men concur in regarding woman as the source of life, the first term in creation: woman, the mother, the prime being.”<sup>101</sup> And in this constellation, male action and thought were carried out in the “service of emotional and procreative woman.”<sup>102</sup> Everyone was stuck in this: “life, thought, and activity, all are devoted truly to the great end of Woman, wife and mother.”<sup>103</sup> It had turned men into worshipers of pity and tenderness and weakness. “Woman meanwhile becomes the fearless, inwardly relentless, determined positive party. She grips the responsibility. The hand that rocks the cradle rules the world . . . She is now a queen of the earth, and inwardly a fearsome tyrant. She keeps pity and tenderness emblazoned on her banners. But God help the man whom she pities. Ultimately she tears him to bits.”<sup>104</sup>

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95 Lawrence, *Fantasia*, p. 30.

96 Lawrence, *Fantasia*, p. 33.

97 Lawrence, *Fantasia*, p. 49.

98 Lawrence, *Fantasia*, p. 96.

99 Lawrence, *Fantasia*, p. 97.

100 Lawrence, *Fantasia*, p. 97.

101 Lawrence, *Fantasia*, p. 98.

102 Lawrence, *Fantasia*, p. 98.

103 Lawrence, *Fantasia*, p. 99.

104 Lawrence, *Fantasia*, p. 99.

There is an undeniable resonance in the *Fantasia's* bitterness of Lawrence's relationship to his own mother – something he certainly agonized over well into his twenties. Looking back, he thought that pubescent boys needed a break, a time away from their mothers.<sup>105</sup> Otherwise the false relationship of lovers would continue. A mother's sympathetic, selfless love, Lawrence claimed, “stimulates the child into a consciousness which does not belong to it, on the one plane, and robs it of its own spontaneous consciousness and freedom on the other plane.”<sup>106</sup> The artificial stimulation by “the adult personal love-emotion” awakened a sexual desire in the child with no objective possibility of fulfillment. And this he hated as a “holy obscenity.”<sup>107</sup> By the time the child's sexuality matured, it was already “bound and helpless. You [Lawrence is speaking to the mother] have already aroused in it the dynamic response to your own insatiable love-will. You have already established between your child and yourself the dynamic relation in the further plane of consciousness. You have got your child as sure as if you had woven its flesh again with your own. You have done what it is vicious for any parent to do: you have established between your child and yourself the bond of adult love.”<sup>108</sup> This bond of sympathy was not one of sex, but of “pure sympathy, sacred love.” And it deserved the label of “incest.” Indeed, this *spiritual* incest was more dangerous than “sensual” incest just because it was less “instinctively repugnant.”<sup>109</sup>

Lawrence argued that even if the love relations established by a parent did not issue into sexual consummation, those relations aroused sexual feelings in the child. Up to now, for the most part, he had spoken of “parent” and “child,” but he now he shifted to “mother.”<sup>110</sup> With this he came back to an old theme. Precisely at the time when the husband, as mature male, turned to productive activity, which prevented his coming home to rest, the woman demanded more and more love and inevitably turned to the son: “Seeking, seeking the fulfilment in the deep passional self; diseased with self-consciousness and sex in the head, foiled by the very loving weakness of the husband who has not the courage to withdraw into his own stillness and singleness, and put the wife under the spell of his fulfilled decision; the unhappy woman beats about for her insatiable satisfaction, seeking whom she may devour.”<sup>111</sup> Thus she “throws herself into a last great love for her son, a final and fatal devotion, that which would have been the

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105 Lawrence, *Fantasia*, p. 113, 118, 120.

106 Lawrence, *Fantasia*, p.118.

107 Lawrence, *Fantasia*, p. 120.

108 Lawrence, *Fantasia*, p. 120.

109 Lawrence, *Fantasia*, p. 120.

110 Lawrence, *Fantasia*, p. 124.

111 Lawrence, *Fantasia*, p. 125.

richness and strength of her husband and is poison to the boy.”<sup>112</sup> And this all comes from the fact that woman has an “endless demand for love, demand of being loved.”<sup>113</sup>

Lawrence was addressing what he called “the actual state of affairs today.” He found the poles between the sexes reversed. “The woman is now the responsible party, the law-giver, the culture bearer. She is the conscious guide and director of the man.”<sup>114</sup> Characteristically, once women reached the age of thirty, they developed contempt for their husbands. Then she started a “new game”: the woman searched for an object of her sympathy, and her search naturally fell upon the children. She would give a child what was good for it. “She loves it as a chemist loves his test-tubes in which he analyses his salts. The poor little object is his mother’s ideal. Out of her head she dictates his providential days, and by the force of her deliberate mentally directed love-will she pushes him into boyhood. The poor little devil never knows one moment when he is not encompassed by the beautiful, benevolent, idealistic, Botticelli-pure, and finally obscene love-will of the mother.”<sup>115</sup> Nowadays mothers never allow “us” to escape their “ideal benevolence, even for a single moment.”<sup>116</sup> “Always this infernal self-conscious Madonna starving our living guts and bullying us to death with her love.”<sup>117</sup> The son encountered her sensually only in wet-dreams, but every man upon waking hated the dream and wanted to be free of the “persistent mother-image or sister-image of the dream. It is a ghoul, it haunts his dreams, this image with its hateful conclusions.”<sup>118</sup> Even when he dreams of his wife, for years and years insistently “the dream-process will persist in substituting the mother-image. It haunts and terrifies a man.”<sup>119</sup>

Lawrence, as this chapter already has made evident, was not alone in testifying to the problem of the missing father. He even formulated in theological terms the idea that access to God the Father was possible only through the Mother – the “law” could be known only through her, and it was not even clear that that law was His law. After all her power was essentially sexual, yet as wife, she could not exercise it on lovers and husbands who, in their turn, were already in thrall to their own mothers. As sons of mothers, they too had learned to split off love from sexuality, which made them incomplete as full-blooded companions to their own women. The mother-son relationship

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112 Lawrence, *Fantasia*, p. 125. “And, as we see, the establishment of the upper love-and-cognition circuit inevitably provokes the lower sex-sensual centres into action, even though there be no correspondence on the sensual plane between the two individuals concerned. Then see what happens. If you want to see the real desirable wife-spirit, look at a mother with her boy of eighteen. How she serves him, how she stimulates him, how her true female self is his, is wife-submissive to him as never, never it could be to a husband. This is the quiescent, flowering love of a mature woman,” p. 126.

113 Lawrence, *Fantasia*, p. 128.

114 Lawrence, *Fantasia*, p. 141.

115 Lawrence, *Fantasia*, p. 142.

116 Lawrence, *Fantasia*, p. 143.

117 Lawrence, *Fantasia*, p. 143.

118 Lawrence, *Fantasia*, pp. 167–68.

119 Lawrence, *Fantasia*, p. 168.

had to be labeled “incest.” The emotional tie binding the son to the mother was erotic from the outset, an expression of the mother’s deep need for sexual fulfillment. Coincidental with the woman/mother/sexuality construction of these son-writers was their unraveling of woman’s purpose: she was the source of life. Her reproductive activity, both physical and spiritual, made her the sexual being *par excellence*. At least that was the story the sons learned to tell.

## Love and sexuality

Even mother love, which is often counterposed to sexual love, as a sacred feeling opposed to the physical (*tierischen*), as selfless opposed to egocentric – it is, when we look at the matter up close, strictly connected to sexuality and is not conceivable without it. — Gabriele Reuter, 1914<sup>120</sup>

Gabriele Reuter (1859–1941) was a much-admired writer at the turn of the century, and some of her short stories were considered significant enough to be anthologized with writers such as Thomas Mann. She grew up partly in Saxony and partly in Egypt, and always had a kind of outsider/insider perspective on German social life. Her outlook was certainly informed by her relatives’ Pietist milieu, but it changed once she left that conservative atmosphere. The transformed Gabriele Reuter was acutely sensitive to intergenerational conflict and the power of cultural conventions. She wrote a number of compelling novels about daughters and wives, mapping the field of power relations between the genders. She had a great deal to say about mothers, and, like many commentators of her generation, she thought that mother *as mother* was an essentially sexual being.

For Reuter, as for Schopenhauer whom she read closely, all forms of love came from the common root of sexuality. “It forms the dark soil (*Mutterboden*) from which sprouts the tree of love in its manifold branches from the beginning of things. Even mother love, which is often counterposed to sexual love, as a sacred feeling opposed to the physical (*tierischen*), as selfless opposed to egocentric – it is, when we look at the matter up close, strictly connected to sexuality and is not conceivable without it.”<sup>121</sup> So began her 1914 tract on the right of women to vote. It proceeded with an analysis of love as possession and worked out a notion of attachment that respected the subjective needs of lovers and children. But it culminated in the argument that having sons was the essential work of mothers, that their task was to send the boys off to face the world’s frightful dangers – this despite the fact that her only child was a daughter. “With the greatest love,” she declared, “Germany’s mothers let their sons go into the fever-laden swamps, through ordeals of thirst, under the poisonous weapons of negroes in the colonies, to conquer the earth. It is the highest love with which they [allow] their sons to soar up into the air – and

<sup>120</sup> Gabriele Reuter, *Liebe und Stimmrecht* (Berlin, 1914), p. 13.

<sup>121</sup> Reuter, *Liebe und Stimmrecht*, pp. 12–13.

they sit and wait until one brings the son with shattered limbs back home to them. They do not hold them back from conquering the empire of the air! This is no longer mother hen love – this is heroic love! We demand such love. Will Germany's men allow themselves to be shamed by Germany's mothers? No – we do not believe that. We women think too highly of the great spirit and heroic power of German men."<sup>122</sup> So it was the mothers – not the fathers – who sent the sons off to dangerous exploits. I am not sure when this 1914 tract appeared. If it came out before the outbreak of war in August, then it is all the more interesting for suggesting maternal expectations of sons. But it might have been gestating for some time, with its final paragraph added only after the war had started, to suggest that it was mothers who had conspired to send their sons to war.

In a pamphlet published in 1907, *The Problem of Marriage*, Reuter looked at the power relations between the sexes. There she pleaded for equality and the elevation of relations between male (*Mann*) and female (*Weib*) to a higher cultural level, which would lead to a motherhood “refined for the work of human development.”<sup>123</sup> Once again the punchline led to mothers of *sons*. The inner reformation of marriage would depend mostly on woman, on the harmonic feminine personality (*Frauenpersönlichkeit*). “She, her manner, her character, is determinant for the tone in the house. For she is not only spouse, but she is also the mother, the guide for the rising male generation [*Männergeschlecht*] . . . . What fails her as spouse, that she can perhaps attain through the son or through the grandson.”<sup>124</sup>

While she wove observations about sexuality into her project about male companionship and a reformed male character, Reuter also considered the mother-son relationship in *Die Jugend eines Idealisten*. This novel appeared in 1917, during the war, yet contained no hint of the war experience.<sup>125</sup> The protagonist, young Frank von Welzien, grew up on a Mecklenburg estate separated from his mother, Elena (*née*) Schneider, now an actress in Berlin. As a boy, Frank lived next door to a childhood companion, Else, the prototype of purity and deep friendship, with whom he was in love. The mother, the back story revealed, had abandoned the infant son over the sexual misconduct of her husband who also was Else's father (known to all the adults but not to the children). So, at one level, the story was about brother-sister incest, or impending incest. But the more central concern was the young man's encounter with his mother, the beautiful, sensual Elena, a highly successful Berlin actress. While the adults pulled strings behind the scene to keep the young people away from each other – nineteen-year-old Frank was sent to Berlin to live with his mother and Else was kept at home to prepare for finishing school – the two young people, knowing nothing of their ties of blood, continued to correspond and plan a future together. Of course, tragedy ensued.

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<sup>122</sup> Reuter, *Liebe und Stimmrecht*, p. 53.

<sup>123</sup> Reuter, *Problem der Ehe*, p. 66. There is an inscription on the title page of my copy from September 1909.

<sup>124</sup> Reuter, *Problem der Ehe*, pp. 66–67.

<sup>125</sup> Gabriele Reuter, *Die Jugend eines Idealisten* (Berlin, 1921).



Frank was a bit of a naïf, an idealistic Protestant kid bent on saving the world – he just did not yet know how. Reuter had much of the action turn on this youth thrown into the delights of the big city and temptations of the Berlin student milieu. In situation after situation, Reuter finely scrutinized Frank's sexual desires and fantasies as he struggled to identify his calling. And what did that calling turn out to be? The one of sexual reformer and educator of youth, of those young men who needed to learn to treat women as subjects rather than objects. Much of his own coming to terms with sexuality was worked through his late discovery of his mother and his encounter with her as a fully sexual being. Indeed, one of the first scenes featured him, still living on his father's estate, venturing down to Berlin incognito to see his mother on the stage and being transfixed – one could say intoxicated – by her wonder, “sucking into himself her last look.”<sup>126</sup> When he was sent to live with her, at the first encounter, he recalled the theater visit, proud that he had had the courage to go: “He stood before her, legs spread, awkward and gazed down at her as at a valuable prize [*Beute*: prey, booty, prize]. Inconceivably beautiful she appeared to him, with damp shimmering eyes.”<sup>127</sup> And she reacted with a silent promise to become young and vain again and to cultivate her figure for “these critical boyish eyes.”

The point here is not to follow the story but to examine the erotic through the eyes of son and mother. For the son, there are a number of observations from the Berlin years. Early on he visited a party where fashion dictated so much exposed flesh – almost “obscene,” Reuter declared – that it was next to impossible to tell the difference between the loose girls and the house mothers.<sup>128</sup> This provoked the young man's fantasies, which then posed problems for him after he went back home to his “goddess” mother.<sup>129</sup> Meanwhile, the luscious young aristocrat Marlinde, whom Frank first encountered in a chance meeting with his elderly godfather, offered an erotic pole to both the distant Else and the very much present mother. There were hot kisses, intimate embraces, and long evening dinners with Marlinde, which aroused him and elicited more sexual fantasies. After an encounter with Marlinde, he confessed difficulty thinking of Elena as a mother: just what was the difference between the two beautiful women?<sup>130</sup>

A key turning point in the story came with Frank's attendance at a theatrical performance in which his mother played the role of a courtesan who ended up in an incestuous relationship with a son she had not raised. There he saw her expressing a sexuality

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126 Reuter, *Idealisten*, p. 21.

127 Reuter, *Idealisten*, p. 27. Just after he entered her apartment, she noted that he had her eyes. She took his head in her hands and kissed his eyelids. “‘Mutting’ [an endearing word for *Mutter*]—he murmured, drunk under these soft, tremulous contacts of her lips, ‘my mother—my mother . . .’ And he again lay his arm around her figure and pressed her with a strength which took away her breath, so that quite faint and abandoned she let her head fall on his shoulder and with closed eyelids rested there,” p. 25.

128 Reuter, *Idealisten*, p. 37.

129 Reuter, *Idealisten*, p. 78.

130 Reuter, *Idealisten*, pp. 99–101, 131, 202–3.

that made him wonder how she knew to perform it. A cousin, the one who introduced him to the student milieu and the delights of carousing around Berlin, remarked on how young she looked, and how magical, and suggested that Frank must be in love with her, to which Frank reacted with confused and contradictory feelings.<sup>131</sup> Her familiar voice as the voice of seduction disturbed him. A while later he turned down the overtures of a street prostitute who laughed at his timidity. “There it was again the pain in the breast, just as acute, sudden, and agonizing as earlier in the theater . . . With the same tone he had heard his mother laugh during the bacchanal in the first act . . . Where did she know that from? Where did she know this tone, from which sounded something painful and at the same time abysmally common – in order to be able to imitate it so well? – Her dress had been shameless, although the people around him had called it only ‘suggestive’.”<sup>132</sup> He thought “art” was all right; it was just that his mother ought not to have anything to do with it. A little later, at a restaurant, he watched all the women with exposed breasts, including Marlinde who was flirting with a young man: “Between them floated as a shadow the form of his mother.”<sup>133</sup> But then mother was different: she only played a role; in truth, she stood alone on an untouchable height. That was one thought, which called forth another: “she had felt it all – in every detail felt it through-out.”<sup>134</sup> And he called on God for help with these confused thoughts.

Instead of God, Else came into his mind to rescue him with her clarity, cool lips, and sweet mouth that he had once touched fleetingly with his own. These thoughts were supposed to be a magic robe to protect him from evil. “But thoughts, desires, fantasies, rose up in him, which nauseated him, which he did not want, and which swarmed through his brain like night birds that agitatedly beat their wings.”<sup>135</sup> Maybe he should have gone with the streetwalker. At home, he blamed his mother for taking on that seductive role – he found it unbearable to hear his mother express the erotic so engagingly. But she expected him to learn to distinguish her acting from her person.<sup>136</sup> He could not get over the fact that she used the same smile on the stage that she used for him at home – he thought it was only for him, he told her.<sup>137</sup> In the play, there was a moment when motherliness dawned on her character; when she realized that only in the past weeks with Frank had she learned what motherliness was like, so that she could convey it on stage.<sup>138</sup>

There were other moments when Frank expressed the problem of mother and sexuality. Else’s supposed father had died and her mother had remarried, which was creating

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<sup>131</sup> Reuter, *Idealisten*, p. 106.

<sup>132</sup> Reuter, *Idealisten*, p. 130.

<sup>133</sup> Reuter, *Idealisten*, p. 131.

<sup>134</sup> Reuter, *Idealisten*, p. 131.

<sup>135</sup> Reuter, *Idealisten*, p. 133.

<sup>136</sup> Reuter, *Idealisten*, p. 135.

<sup>137</sup> Reuter, *Idealisten*, p. 136.

<sup>138</sup> Reuter, *Idealisten*, p. 136.

serious tensions between mother and daughter; especially with the new husband's wandering gaze. Frank told his mother: "A mother, who suddenly once again becomes a quite young woman, that is indeed downright unnatural."<sup>139</sup> And he admitted that had Elena remarried, he would not have come to her; for him she would have remained a stranger *Dame*.

Elena thought of Frank, her son, as a part of a life and death struggle. She was fighting to win him from the father; from the girlfriend, from his worldly cousin, from the student milieu, and from the voluptuous and experienced Marlinde. Elena wanted to master herself in order to master her son. Her step-by-step process began in a conversation with him about Else's mother, who to some degree had acted as his mother *in situ*. Elena impulsively took his head between her hands and, looking deeply into his eyes, admitted her jealousy: "I tremble before anyone who has stolen a piece of your heart from me – and hate anyone from whom I fear it."<sup>140</sup> She tried to warn him – he never took the hint – that neither his father nor her mother would allow a marriage between him and Else. He did not see why, for after all they had been raised together as brother and sister!<sup>141</sup> Elena wondered how a nineteen-year-old could be so dumb. She also wanted him to promise that no matter what might happen, he would never leave her. As she embraced him and wept on his breast, he felt a strong male need to protect her.<sup>142</sup> The next step took Elena from her son to her life on stage. In private, she pondered her role as courtesan. Then, in performances she acted out the character in ways the playwright had not envisioned: "Instead, she let a form arise full of deep, human truth from dark subsurfaces – the eternal female in wild quest for her original innate ideal that with failing strength, bleeding from deadly life wounds, crashed down, when out of the son's love hot male desire groaned against her."<sup>143</sup> Why, she wondered, could not some girl seduce Frank to get him over his idealistic love? And then she mused on how lucky she was not to have entered into a passionate affair – she was free to give herself totally to Frank. In many ways, Reuter's narrative echoed D. H. Lawrence's analysis of the split between love and sexuality that so crippled mother-son relationships. Whenever Frank objectified a woman who had attracted him, he found it impossible to integrate his feelings of attachment with sexual desire.

After all this, Frank entered into a phase of distancing from his mother over the issue of her occupation. But all the time, he continued to experience arousal and desire, to let his eye follow the curves of the women he saw on the street, and to find himself drawn to women who expressed desire for him. But "love, true love should protect him from these disgusting [uncontrolled] forces," he thought.<sup>144</sup> He was right to judge his

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<sup>139</sup> Reuter, *Idealisten*, p. 140.

<sup>140</sup> Reuter, *Idealisten*, p. 100.

<sup>141</sup> Reuter, *Idealisten*, p. 142.

<sup>142</sup> Reuter, *Idealisten*, p. 144.

<sup>143</sup> Reuter, *Idealisten*, p. 148.

<sup>144</sup> Reuter, *Idealisten*, p. 202.

mother, “because she was able to portray sensual women with convincing spontaneity [*Naturwahrheit*], and he drew the conclusion from her acting that erotic experiences were not unknown to her. Pfui Teufel! – Pfui Teufel! But he wanted to have his mother different – she should be a Greek goddess on a white marble pediment, beautiful and chaste . . . . Would a man dare think of his mother or Else with such images as he now got with so many women who passed him by on the street – Oh God – he would rather kill them than know that they were exposed to such degradation.”<sup>145</sup> He looked at the girls with such powerful lust that he considered self destruction rather than be untrue to Else. Yet he wanted so much to sin.<sup>146</sup> One of the images continuously evoked in turn of the century scientific literature and journalism was the “mother/whore” – as will become evident in the next two chapters. In her story of Frank and his mother, Reuter explored that construction through the figure of the mother as actor, with the purpose of creating an image of the postsexual mother – her sexuality resolved as she gave way to domination by the son, a son formed in the crucible of her erotic attraction.

Hearing that Else was going to pass through Berlin on her way to school, Frank decided to find out if the two of them really wanted a life together. He found her quite suited to him – after all they felt as if they were deeply related, like brother and sister, and for a marriage to be true, it had to bring spouses together who intimately understood one another, as if they were brother and sister.<sup>147</sup> Then came the terrible revelation. They really were brother and sister. With that, Frank disappeared, and Else drowned herself. After that tragic climax, the rest of the book, much like a *Bildungsroman*, traced Frank’s path towards finding his calling. He began to recognize that had desire not sullied his relationship with Else, he could have been the rescuing brother. Now whenever he was drawn to a girl, he thought of her as a sister, and every desire was snuffed out.<sup>148</sup> He confessed to his mother that he too was guilty of all the dirt caused by men. He brushed his father aside as just another skirt chaser – someone unable to even know what he had had in Elsa. He told his mother that he had heard a voice: “The voice spoke: ‘Look at the country house in which sin after sin took place – which is now deserted and disgraced – because this old man, your father, lives under the terrible hand of lust – ? Here in these rooms you should gather boys – adolescents – around you and teach them what you have found in nameless hours of torment: to see in woman – in every woman – a sister – the holy human sister.’”<sup>149</sup> All the striving of women would be in vain so long as the minds of men remained unchanged, “so long as

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145 Reuter, *Idealisten*, pp. 202–3.

146 Reuter, *Idealisten*, pp. 206–7.

147 Reuter, *Idealisten*, p. 215: “I always think that just out of the heartfelt, out of trust—indeed from brother- and sisterhood—must a true marriage grow, that marriage that alone is constant.” To which Marlinde answers: “Oh go on Frank, that sounds like incest [*Blutschande*].”

148 Reuter, *Idealisten*, pp. 305–6.

149 Reuter, *Idealisten*, p. 340.

the inner vision of the woman is not purified in the imagination of the man.”<sup>150</sup> There had to be a comradeship between the sexes. And he saw that it was his calling to teach boys true brotherly love, so that they go into the world and spread this new gospel. Men had to take brother love into marriage, if marriage ever were to become something more than just a battle of the sexes.

For a while, Frank left his mother in order to study and gather experiences to give him direction, and to this end he took a room in a poor section of Berlin so that he could get to know the *Volk*. One of his last trials was a temptation from the voluptuous and frivolous aristocrat Marlinde – escaped only when she took off for India with his cousin.<sup>151</sup> That left him alone, finally, with his mother, who, having resolved their discord by abandoning the theater, had come to underwrite his life’s mission: “now she wanted only one thing, to serve humbly the one in whom she saw her own nature blossoming, stronger and more purified but still essentially and in will the same, new, different, and deeply familiar – the son.”<sup>152</sup> She did it with the pleasure of love, and she expected that her son would accept her sacrifice, as every man in human history had accepted the sacrifice of the woman who was necessary for his work – Schopenhauer transfigured! She wanted to spend a few years learning from her son, after which they would found a home for endangered children together. Behind the scenes, she forced Frank’s father to turn over the country house, so that they would have a place for their institution. She told Frank that Marlinde wanted to possess him as master and slave at the same time; that Marlinde could only have been won in the storm of a sexual encounter. Only then could he have had power over her, but that ultimately would not have satisfied his longing. “Only great, exclusive, all powerful love possesses the power of wonder!”<sup>153</sup> Frank admitted that he never had felt that with Marlinde, since there always had been a reserved bit of egoism. Elena told him to raise his head – he was created to be filled with the hot flames of heavenly love. “Am I less than Marlinde Gröna – ? My son – know one thing – I offer you for your heart! I was disgusted with the world, deadly ill, sick, and wounded in soul – but through you I have learned again to believe in the power of the holy and pure. – Through you I have recovered. Should I not serve the god who gave you the power of atonement?”<sup>154</sup> As she stood before him, the force of a crystalline stream of pure love surged from her heart towards her son. He embraced her and they stood united. He kissed her brow: “Mother – comrade!”<sup>155</sup>

There is no getting around the erotic in Reuter’s handling of the mother-son relationship. All love proceeded from deep wells of sexuality. There was, however, a shifting of the direction of influence and power over the course of the life cycle. The mother

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150 Reuter, *Idealisten*, p. 341.

151 Reuter, *Idealisten*, pp. 367–74, 380–89, 392.

152 Reuter, *Idealisten*, p. 395.

153 Reuter, *Idealisten*, p. 399.

154 Reuter, *Idealisten*, p. 400.

155 Reuter, *Idealisten*, p. 401.

shaped – perhaps created – the man, who in turn took over the lead from the mother once he fully was a man. Sexuality was something that needed to be brought under strict control, but doing so required walking through the fires, so to speak, of arousal, imagination, and desire. In the end, it was only disciplined sexuality that had the strength to direct energies towards productive creativity. Each sex had to learn to control sexuality in different ways. In all of this, there was no hint of the father's law, or of the father's prohibition. Indeed, the father was brushed aside as irrelevant. Thus, it was not the father's relationship to the mother that the son challenged, as in the Oedipal drama, but rather the father's generalized desire for all women; or at least the father's male gaze, for in the son's eyes, that gaze and the related desire simply diminished the father – and all the father's friends.

From the point of view of the mother, winning the son was a matter of competition, against other men and their values (father, godfather, students, male friends, and relatives) and against attractive girls of all social standings. In a sense, as the son learned to turn all women he desired into sisters, he also turned his mother into a sister. The key thing about a sister-brought-under-a-proper-relationship was its comradeship (*Kameradschaft*). Teaching young men about the secrets of treating women as comrades became Frank's life task. In the end the mother became even more than that: a life partner. Reuter wrote *Gefährtin* (companion) here, a term designating a steady (monogamous) sexual partner (*Lebensgefährtin*), with or without the marriage license. So perhaps the ambiguity of the term conveyed the mother as a kind of wife. Having already had experiences of sexuality – Elena, it was inferred, certainly had – the mother also needed to be purified, and that came to pass through the grown son. Once the stage of companionship was attained, mother and son could become as one.

## Sons and mothers at war

There comes a day when you are needed, so be ready. And in the dying flame throw yourself in as the last log. — Lily Braun to her son Otto at the Eastern Front, 1916

Perhaps there is no more radical moment for revealing the mother-son complex than war. Without a doubt, World War I, the Great War, offered a stage on which to work out the *fin-de-siècle* culture of mother and son relations.<sup>156</sup> The artist Käthe Kollwitz

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<sup>156</sup> Cf. Susan R. Grayzel, "Mothers, Mairaines, and Prostitutes: Morale and Morality in First World War France," *The International History Review* 19 (1997): 66–82. This deals with a phenomenon known as godmotherhood—a relationship of women on the home front with soldiers. It was meant to be caring and supporting, but often had sexual overtones and realities. There was a lot of ambivalence about women both guaranteeing morality and social order and threatening it (p. 67). "At the heart of the debate about the role of French women in the First World War can be heard the patriotic call to motherhood." One of the issues was repopulating the nation, reproduction as a national duty. And this became stronger during the war with so many soldiers dying, and provoked tensions with factory work. The

(1867–1945), for example, noted time after time in her diary, her longing for her son Peter – for his death as much as for his life – and her wish to eradicate all boundaries between them.<sup>157</sup> In a study of mothers and sacrifice, Regina Schulte carefully went through Kollwitz's diary.<sup>158</sup> She found that Kollwitz confided to the diary that it was she who had encouraged Peter to sign up in the early days of the war, over the father's objections – she had “offered him up.”<sup>159</sup> Upon Peter's death in Flanders a few days after reaching the front in October 1914, Kollwitz conceived the idea of a monument that would stand in for all the sons\heroes, with herself as the mother who would give form to the sacrifices of all the mothers: “I want to honor the death of all you young volunteers embodied in your [Peter's] form.”<sup>160</sup> So, with candles, literary texts, and letters from the son read aloud, she turned his bedroom into a shrine open to anyone who might want to participate in the devotions. It was there that she sought to erase all boundaries between herself and the dead son: “[W]hen I remember Peter, I am at prayer. The need to kneel down and let him flow through me. To feel completely at one with him.” She let the images of the crucified Christ and the “martyred” son continuously fold into each other as well. Like the dead Christ, Peter's figure in her fantasized monument expressed the call to surrender to God: “Here am I.” This allowed her to take the position of the Mother of Sorrows, the Pietà. She drew on Old Testament images of sacrifice, represented herself as the sacrificial mother, and pushed her husband to the side as a “Joseph's figure.”<sup>161</sup> “The sacred circle is finally completed,” Schulte observed, “in an image in which Käthe Kollwitz stylizes herself as an archaic Mother Earth, who has taken her son back into her womb and will now carry him to term”: Pietà, Abraham, Mother Earth, all at once.<sup>162</sup>

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pronatalist Adolphe Pinard wrote: “woman . . . has but one natural aptitude for which she was created: *the production of the child*” (p. 68). There was even support for unwed motherhood and polygamy.

<sup>157</sup> Käthe Kollwitz, *Die Tagebücher 1908–1943*, ed. Jutta Bohnke-Kollwitz (Munich, 2012 [1989]).

<sup>158</sup> Regina Schulte, “Käthe Kollwitz's Sacrifice,” trans. Pamela Selwyn, *History Workshop Journal* 41 (1996): 193–221.

<sup>159</sup> Schulte, “Kollwitz's Sacrifice,” p. 194; Kollwitz, *Tagebücher*, p. 152.

<sup>160</sup> Kollwitz, *Tagebücher*, p. 177.

<sup>161</sup> Schulte, “Kollwitz's Sacrifice,” pp. 196–99.

<sup>162</sup> Schulte, “Kollwitz's Sacrifice,” p. 199.



**Fig. 16:** Pietà.

For this 1903 etching by Käthe Kollwitz, the models were herself and her seven-year-old son, Peter, who later died on the Western Front in the early days of World War I. A friend reacted to the etching with these words: “A mother, animalistic, naked, the light-colored body of her dead child between her thighs and arms, seeks with her eyes, her lips, her breath to swallow back into herself the disappearing life that once belonged to her womb.” Eleven years before the war, Kollwitz drew upon the image of Mary’s sacrifice for a vision of her own sacrifice of her son. She wrote in her diary on August 10, 1914, when the eighteen-year-old Peter asked permission to enlist, that her husband, Karl, tried to talk him out of it. Peter turned silently to her, with pleading eyes, and then said: “Mother as you

hugged me, you said that you did not think I am a coward, we are ready.” The two of them went to the door, hugged, kissed, and then she asked her husband for Peter: “This sacrifice to which he enraptured me and to which we enraptured Karl.” On August 17, after Peter enlisted, Kollwitz confided to her diary that Gabriele Reuter had written in the newspaper about the task of women now. “She spoke of the voluptuousness of sacrifice – an expression that hit me hard.”

Käthe Kollwitz, *Woman with Dead Child*, 1903. Line etching, drypoint, sandpaper and soft ground with imprint of ribbed laid paper and Ziegler’s transfer paper. Kn 81 VIII a, Cologne Kollwitz Collection © Käthe Kollwitz Museum Köln.

It rather comes as a shock that Kollwitz finished her famous Pietà etching, *Mother with Dead Son*, in 1903, with herself and seven-year-old Peter as the models. Schulte argued that Peter was already doomed, his death and her sacrifice already fantasized. In point of fact, a friend reacted to the etching with considerable consternation: “A mother, animalistic, naked, the light-colored body of her dead child between her thighs



and arms, seeks with her eyes, her lips, her breath to swallow back into herself the disappearing life that once belonged to her womb.”<sup>163</sup> Two years after Peter’s death, she wrote “. . . that when I, too, am dead, we shall perhaps find each other again in a new form. That we are flowing together. Let you not be for yourself and I for myself. Let me be of service to you. Perfect your form through mine. That your brief earthly life may someday be perfected – perhaps somewhere else altogether – in another form. [Schulte left out these diary lines: “I want to be there with you. Stuff of your stuff or spirit of your spirit.”] I want to merge with you, like a river flows into another and then onward *together*, united, stronger, deeper, more tumultuous. Dearest, dearest – together with you. Can this not be, may this not be, that kindred elements shoot together, like crystals forming?” [Left out again, the passage’s end: “When I am free from this earthly form, then cannot my spirit be assigned some office as for a servant? My freed spirit seeks and melds with related spirits. And the people, who one loved so much here, they can unite in a new form.”]<sup>164</sup>

In the next entry, Kollwitz wrote that she could often feel Peter’s being. He helped her with her work. And she meditated on the bodily presence here and now and the spirit freed from the body: “I mean, if here in sensual life a tie can be produced between the still corporeal living human and the being of the corporeal dead.”<sup>165</sup> In another passage, she wrote: “Earlier I lived in Peter, he was always around me, everything, everything reminded me of him.”<sup>166</sup> Throughout the diary of the war years, she confronted possible images of her son returning from the battlefield, dispiriting images of weakness and weariness, belying the son as “strong and unflinching” warrior. She really only could wish him dead, and she contrasted her willingness to sacrifice the boy with her husband’s caring and nurturing, the all too “weakly human” parent. According to Schulte, “power was what her son Peter, the warrior, embodied. He symbolized manliness, which she associated completely with the war, the front and his sacrifice for the fatherland. He was the virginal man who went from his mother’s womb to his death. The symbiotic mother-son relationship was severed neither by another woman, nor by an occupational wish undesirable to his mother, for Peter was a painter, an artist like herself.”<sup>167</sup>

Schulte noted that the mother with her dead child was a central theme for Kollwitz from 1903 onwards.<sup>168</sup> She put this in the context of middle-class images of motherhood widespread during the late nineteenth century; and of course of Freud, who found in the mother-son relationship the “basic pattern for an ideal love relationship between man and woman.”<sup>169</sup> She quoted Freud to the effect that a marriage was “not made

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163 Schulte, “Kollwitz’s Sacrifice,” p. 201.

164 Schulte, “Kollwitz’s Sacrifice,” p. 202. The original is in Kollwitz, *Tagebücher*, p. 282.

165 Kollwitz, *Tagebücher*, p. 282.

166 Kollwitz, *Tagebücher*, p. 287.

167 Schulte, “Kollwitz’s Sacrifice,” p. 206.

168 Schulte, “Kollwitz’s Sacrifice,” p. 207.

169 Schulte, “Kollwitz’s Sacrifice,” p. 209.

secure until the wife succeeded in making her husband her child as well and in acting as a mother to him. Here Freud elevated an incestuous ideal of love to the status of a norm, in which the ‘masculinity’ developed in the relationship to his mother only devolves upon the man who finds his mother in his wife.”<sup>170</sup>

More recently, Dorothee Wierling examined the dynamics of another family, the Brauns, paying particular attention to the mother-son constellation of the feminist Lily Braun and her son, Otto, who died 29 April 1918 near Marcelcave on the Western Front.<sup>171</sup> As in the case of Peter Kollwitz, the father tried to restrain the son from signing up, while the mother – even more than Käthe – actively supported the son who was chafing at the bit to get into the war. He saw fighting as a high cultural calling, a test of fire to season his generation into men.<sup>172</sup> Daughter of a successful general from the earlier war against France, Lily encouraged the son to tie his identity to his maternal grandfather rather than to his father, and thus to a genealogy of warriors. In that spirit, Otto, in prayer at the graveside of his maternal grandfather, addressed him simply as “Vater” and asked for his protection.<sup>173</sup> In his *Tagebuch*, which he shared with his parents, Otto wrote: “I know that the future needs me, and therefore you Miss Future may not let me go, you in whose body I have already begun to sink my plow, and there your painful cry was only a sign of burning anticipation, on which I may drive deeper furrows, and let the brown earth pile up in thick slices. Great is the triumph of your groaning members.”<sup>174</sup>



Fig. 17: Memorial for Otto and Lily Braun.

Otto, son of Heinrich and Lily Braun, died in 1918, a casualty of the Western Front. His mother had preceded him to the grave in 1916. During June 1918, Julie Vogelstein, Lily's intimate friend and permanent house guest, and Heinrich, whom Julie eventually would marry, exchanged letters about Otto. Julie was assembling correspondence, diaries, and schoolwork for an edition of the son's texts, *Otto Braun. Aus Nachgelassenen Schriften eines Frühvollendeten* (1922). She wrote to Heinrich about his depression, counseling him to act as his son would expect him to. The more he accomplished, the more he would feel Otto living and working. The two of them were to arrange their lives through the memory of the fallen soldier. Julie dreamed of Otto as an ambassador from the beyond, associated with the vision of a life-giving temple. Heinrich,

<sup>170</sup> Schulte, Kollwitz's Sacrifice," p. 209.

<sup>171</sup> Dorothee Wierling, *Eine Familie im Krieg: Leben, Sterben und Schreiben 1914–1918* (Göttingen, 2013).

<sup>172</sup> Wierling, *Familie im Krieg*, pp. 43–49, 53–54.

<sup>173</sup> Wierling, *Familie im Krieg*, p. 49.

<sup>174</sup> Wierling, *Familie im Krieg*, pp. 50–51.

who figured Otto as a building stone of that temple, wanted Lily inscribed onto the memorial they were planning, and he asked Julie to make a sketch for the sculptor Hugo Lederer. Heinrich described the image as Otto striding in front of the temple into Lily's open arms, fulfilling Julie's dream. The deceased were to be clothed in ancient Roman dress to convey the idea of the warrior nation. I discussed the scene with Dorothee Wierling and expressed the possibility that it was less a question of the mother receiving the son, than

of her farewell and blessing for a son about to depart for war. In this monument, Otto is represented in heroic proportions, although he was certainly shorter than his tall mother, probably around 5ft. 6ins.

Memorial erected in the garden of the Braun residence, Kleinmachnow, Germany. Photo by David Warren Sabean. Dorothee Wierling, *Eine Familie im Krieg: Leben, Sterben und Schreiben 1914–1918* (Göttingen, 2013), pp. 373–75.

While the son went off to his regiment, the mother prepared a lecture trip to broadcast the blessings of the war, although she still had enough time to talk with Käthe Kollwitz about raincoats and warm socks for their soldier sons.<sup>175</sup> Otto did not take at all well to life in the barracks and urged his parents to ready a fake telegram to get him home. In response to this plea, Lily rushed off to his regiment to make sure that he stayed. She wrote to him that she had probably raised him too gently, and now he and she had to pay for it. He was to take the bit in his mouth and get over his anxiousness, which she found embarrassing. Think of his friends who all had volunteered as well. He was to obey his mother's command and stay – which he did.<sup>176</sup> Of course, she also told him to be sure to brush his teeth. In another letter, sixteen-pages long (full of advice about staying dry), she remarked that the harsh schooling was good for him. It would make him a healthy, resilient man.<sup>177</sup>

It was not until the summer of 1915 that Otto made it to the battlefield on the Eastern Front.<sup>178</sup> The news filled Lily with “pride and joy.”<sup>179</sup> She had been competing with other mothers in a string of letters that shared news of the battle accomplishments of Otto's school friends. Now she sent her son the ribbon from her father's Iron Cross and hung the medal

175 Wierling, *Familie im Krieg*, pp. 55–56, 70.

176 Wierling, *Familie im Krieg*, pp. 58–61.

177 Wierling, *Familie im Krieg*, pp. 61–62. In early 1915, Lily published a tract, “Women and the War.” She wrote that it was up to German women to rise above themselves, “no, to return to themselves, the holiest law of their nature, through the strong, conscious will to motherhood . . . for each hand that in dying now clutches a weapon, produces new hands—many small child hands, which yearn to stretch out for the sun, which will build the temple of peace, on which our sacrificial fire once burns. And for all the brains through which bullets bore, other brains produce lots of small child brains, which can finally think through the great thoughts of the emancipation of humanity from the bonds of slavery.” Wierling noted that there were three concepts central to her text. The “female” as a sexual being tied to motherhood, “nature” as a regaining of consciousness based on pure, original condition, and “war” as the highest stage of culture. Lily thought of the female in terms of a regained physicality that could overcome class differences, a primitive essence of femaleness, defined as maternal. The central point of being female was to be mother, and the very idea of the female was closely tied up with a positive idea of primitive sexual feeling (p. 82).

178 Wierling, *Familie im Krieg*, p. 225.

179 Wierling, *Familie im Krieg*, p. 233.

on his picture at home – symbolically creating an identity from her father and his reincarnation in her son.<sup>180</sup> Shortly afterwards, she and Otto started to exchange letters about female sexuality after Otto complained about reports he had heard of the morals of the women back home. Lily wrote that the men at the front should remember that healthy women unaccustomed to abstinence had sexual needs, which, if they were not satisfied, would drive them crazy.<sup>181</sup> And anyway, many of the women at home struggling with damned up passions were being seduced by soldiers on leave, so the men had few grounds for complaint. Otto went on to be considered for promotion to officer and to receive an Iron Cross, which led Lily to intensify the son-grandfather identity. In their correspondence, she expressed satisfaction that Otto had stayed the course and reached her ideal of becoming a man.<sup>182</sup>

Before Otto saw action, both of his parents, separately, were able to visit him near the front. In May, 1915, he and his mother took long walks together, and he was quite shaken when she had to leave. But he was most affected by her composure, which distressed him more than if she had broken down. The next month, on his eighteenth birthday, he wrote her a poem for her impending fiftieth: “. . . And my love, like a falcon / Casting its eye upon the land sees your growing beauty / Then looks closer and scarcely detects it: / Beauty jointed with dignity, only now beautiful / And your brow only now royal / Seasoned, clear, great like the solemn brow of a goddess / And your eyes also just now so deep and pure; / Like those eyes of the grave and maternal, / Who rest in the glow and radiance of heaven / But are born from the brown earthy soil . . .”<sup>183</sup>

His mother, delighted with the gift, responded in a correspondingly erotic tone, signing uncharacteristically with her first name, thus obscuring the relationship of mother and son: “in longing love your Lily embraces you.”<sup>184</sup> Once Otto actually went into battle, the mother’s thoughts turned to “sacrifice,” and in an exchange over a poem by the Goethe scholar Friedrich Gundolf (1880–1931), Lily suggested as life’s motto the last line: “There comes a day when you are needed, so be ready. And in the dying flame throw yourself in as the last log.”<sup>185</sup>

In August 1916, while working on a novel, Lily collapsed, and she died before Otto could get home from the front.<sup>186</sup> On the way, he penned verses to the gods, asking them to save his mother’s life and promising to slaughter victim after victim or even to offer his own death in exchange. He awaited death to be with his mother.<sup>187</sup> Contemplating her corpse, he found in her death a sacrifice for the son who most certainly would have died in the renewed Russian attack on the front had he not been home on emergency

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180 Wierling, *Familie im Krieg*, p. 234.

181 Wierling, *Familie im Krieg*, p. 237, see also pp. 110–11.

182 Wierling, *Familie im Krieg*, p. 238.

183 Wierling, *Familie im Krieg*, p. 149.

184 Wierling, *Familie im Krieg*, p. 150.

185 Wierling, *Familie im Krieg*, p. 296.

186 Wierling, *Familie im Krieg*, p. 287.

187 Wierling, *Familie im Krieg*, p. 288.

leave.<sup>188</sup> But then he read her diary and found in it evidence of her affair with an Italian lover. His shock was all the greater at seeing her age: fifty, presumably too old for sexual adventures. She left a testament, only parts of which have been preserved in quotations from others. To Otto, she wrote: “Over all the chasms of my life blazed for me the greatest, the *only* joy of the female (*Weib*): my child and my love.”<sup>189</sup> Although she did not specify the object of her love, Wierling speculated that she was referring to her lover, but it may well have been that she was doubling the image, her son and love being the same person. Otto, in any event, latched onto her desire to have lived life in the full but saw the impossibility for her to survive the war. The injury to everyone was too great. He now saw her death as a sacrifice so that all the others could continue to live after the end of the war without the disgrace of her connection with the Italian.<sup>190</sup>

At the front, fantasies about his mother’s sexual life festered, and he obsessed about the shame his family would have endured had she survived the war and gone to her lover. To be sure, the novel she was working on, which the family eventually destroyed, would have brought the affair out into the light of day. Thoughts of revenge made their way into a remarkable letter from Otto to his father – labeled by the father’s second wife, “The Orestes Letter.” “An unbroken chain of mutual and individual suffering [would have been] insufficient; I would not have been weakened by it so much that gushing thoughts of expiation and retribution and bloody vengeance would not have erupted like a volcano and destroyed everything. There is not the slightest comforting or reconciling thought to be had out of what Mama’s life would have become. I only see annihilation [*Vernichtung*: he started to write *Zerstörung* (destruction)], but since apparently annihilation was not the intent of the gods, there was no other way out of the inextricability of this intertwined destiny, which out of necessity as in a Greek tragedy offered the death of the one – even this one who to a certain extent died reconciled – through which everyone was to be preserved from destruction.”<sup>191</sup> Here, as Wierling pointed out, was an image of the returning soldier wreaking vengeance on the mother and her lover. But perhaps also, the mother’s sexuality was just too much for the son, a betrayal of the implicit contract between the warrior and the one who sent him off to war.

## Rage against mothers

The holy cow of motherhood was never slaughtered. — Klaus Theweleit, 1977, English trans., 1987

It would be an exaggeration to conclude from these cases that men went off to war because their mothers told them to, but in the postwar literature of male warriors,

188 Wierling, *Familie im Krieg*, pp. 288–89.

189 Wierling, *Familie im Krieg*, pp. 289–90.

190 Wierling, *Familie im Krieg*, pp. 290–91.

191 Wierling, *Familie im Krieg*, p. 302.

tales of 1920s Freikorps violence and the nascent fascist movement, there was a peculiar revenge of sons visited upon their mothers. Images of women – mothers, sisters, nurses – oscillated between purity and defilement, and the race of women was split between the unsullied mother and the whore. All of this literature circled around themes of sexuality and rage. Some time ago, Klaus Theweleit, in his two-volume *Male Fantasies*, focused his attention on the armies of volunteers who were used by the nascent Weimar Republic to bring order during the immediate aftermath of the war, a period of revolutionary ferment.<sup>192</sup> For five years, the proto-fascist Freikorps fought against communists and various nationalists on the fringes of the German Empire and against the political stirrings of the working class. Theweleit was the first to take their memoirs and the adventure novels about violent interventions seriously and to subject that literature to a close reading. I will not follow the ins and outs of his critique of Freudian psychoanalysis, nor get into his use of Melanie Klein or Gilles Deleuze and Félix Guattari.<sup>193</sup> The point is to pick up on his reading of the texts that reflected in one way or another on the mother-son constellation.

“Had the gaze [contemporary psychoanalysis] cast on society been a little bolder, it might have recognized society’s murderous nature; more specifically, it would have been forced to acknowledge the significance of the mother . . . for its analyses. Then as now, psychoanalysis largely ignored crucial maternal influences on the lives of sons of the aristocracy and the bourgeoisie, the peasantry, and even to an extent the proletariat – on sons who were later only too eager to insert themselves into the deadly macromachines of fascism . . . . Thus the holy cow of motherhood was never slaughtered.”<sup>194</sup> It may well have been that there was a particular configuration of mothers and sons in German society, stretching from the later decades of the nineteenth century, but many of the elements can be found also in England, France, and the US. Without careful and detailed comparison, it is very dangerous to draw national or class-specific psycho-profiles, as there are too many disparate elements for a coherent agenda. I have simply found too many common themes in Western societies to draw rapid conclusions about either similarities or differences.

Since Theweleit – despite all of his weaving together of so many bits and pieces of male ego construction over the course of European history from the Renaissance onwards – focused on Germany in the 1920s, I will stay with the point from which he viewed the period: the sons and their highly charged relationships to mothers. One central moment Theweleit excavated was an impulse towards fusion, which he tried to anchor in the early process of personal individuation, or “full birth,” as he called it.<sup>195</sup> Among other notable features, the social type drawn to postwar violence – the “half-born” son – did not follow the Freudian Oedipal route; he barely noticed the father.

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192 Klaus Theweleit, *Male Fantasies*, trans. Stephen Conway, 2 vols. (Minneapolis, 1987).

193 Theweleit, *Male Fantasies*, vol. 1, pp. 216–17; vol. 2, pp. 210–22, 264–65.

194 Theweleit, *Male Fantasies*, vol. 2, p. 384.

195 Theweleit, *Male Fantasies*, vol. 2, p. 212.



Fig. 18: Mothers Send Sons to War.

“What this child seeks (its whole life long, if need be) is unification with maternal bodies, within which it can become ‘whole’, born to completion.”<sup>196</sup> Although Theweleit looked at this as a one-way street, the evidence from Gabriele Reuter, Käthe Kollwitz, and the Brauns suggests that the impulse to fusion in the period came from both directions: from mother to son and from son to mother, in an indissoluble pairing. What Theweleit did expose in the situation of the not-fully-born son (a son who has not completed leaving the mother) was a crucial element of aggression. If the source of the impulse towards fusion was a need for the missing half – as in Käthe Kollwitz’s need to engulf the son and to de-release him from the womb – the son experienced that need as violation and as his own incompleteness. He who struggled to attain separation could not overcome the artificiality of symbiosis with the maternal, without himself seeking to dominate others. For him, there was no psychological integration, no whole personality.<sup>197</sup>

Theweleit made clear from the outset that the literature he was examining was one of sons: “Everything is seen from the perspective of sons.”<sup>198</sup> A glance at some of the themes will have to suffice. There was the “good” mother, essentially husbandless, who stood alone and therefore could be strong and heroic, unmoved by the sacrificial death of sons.<sup>199</sup> (Recall Otto Braun’s consternation at his mother’s dispassionate leave-taking just before he was scheduled to go into battle.) The desexualization of the mother in a relationship with the son that was simultaneously sexual and asexual drained life from the mother and undercut a fearsome incestuous fantasy.<sup>200</sup> One expression of a concealed aggression in this literature by sons had the mother deprived of a husband or of any sexual satisfaction in this life.<sup>201</sup> But then the mother also protected: she was the one who could heal the suffering warrior.<sup>202</sup> Theweleit pointed out that the good mother was split into two images, one loving and protective and the other unflinching at the deaths of sons, sacrificing to raise and sacrificed once raised.<sup>203</sup> But in the image of continuous suffering of the good mother, there was an implicit aggression, as well as a fear of maternal warmth, of intimacy with the mother: “Could it be,” Theweleit asked, “that making the mothers cold and hard as steel betrays a fear of *intimacy* as something terrifying, and of a mother’s *warmth* as something in which a son might easily perish?”<sup>204</sup>

What about incest? Theweleit argued that to warrant the name “incest,” the situation had to incorporate figures with clear boundaries, subjects and objects, an “ego”

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196 Theweleit, *Male Fantasies*, vol. 2, p. 213.

197 Theweleit, *Male Fantasies*, vol. 2, pp. 213–14.

198 Theweleit, *Male Fantasies*, vol. 1, pp. 107–8.

199 Theweleit, *Male Fantasies*, vol. 1, p. 99.

200 Theweleit, *Male Fantasies*, vol. 1, pp. 99–100.

201 Theweleit, *Male Fantasies*, vol. 1, p. 100. As an example, Otto Braun’s shock at his mother’s sexual life.

202 Theweleit, *Male Fantasies*, vol. 1, p. 102.

203 Theweleit, *Male Fantasies*, vol. 1, p. 103.

204 Theweleit, *Male Fantasies*, vol. 1, p. 107.



and an “other” or “not-ego.”<sup>205</sup> But in the literature he reviewed, the boundaries were unstable, with desires and fears both directed at fusion. More often than not the desire was to penetrate and explode into Mother Earth, as Otto Braun wished when he set off to war.<sup>206</sup> But Theweleit also found scenes of sexuality where the end was the dissolution of boundaries, a penetration by one life into another. Vague or absent boundaries within dyadic relationships, therefore, were the primary concern: “The fear of/desire for fusion, ideas of dismemberment, the dissolution of ego boundaries, the blurring of object relations – do not originate in the Oedipal triangle, but in a dual relationship. It is the relationship between the child and the first person who takes constant charge of it, usually the mother.”<sup>207</sup> But it is incest nevertheless. Such relationships showed up continually in the texts, with little evident interest in concealing them.<sup>208</sup>

## Law, fusion, and the symbolic order

And God the Father, the Inscrutable, the Unknowable, we know in the Flesh, in Woman. She is the door for our in-going and our out-coming. In her we go back to the Father: but like the witnesses of the Transfiguration, blind and unconscious. — D. H. Lawrence, “Foreword,” ca. 1913

The texts reviewed in this chapter have introduced a number of recurring motifs from the sixty years around 1900. Beginning with Lamartine, the incorporation of son and mother, fusion and confusion, appeared as a common thread woven throughout the literature of sons about mothers and the writings of mothers about sons. D. H. Lawrence, like Lamartine, worked his way into his mother’s thoughts, saw things through her eyes, or appropriated her voice to express his own desires. Lawrence thought of the mother-son tie in terms of “unison,” defined not just spiritually or psychologically but also materially, as a bond in the “flesh.” While Lawrence struggled to create boundaries, his slightly older contemporary Käthe Kollwitz continuously imagined them erased altogether. She dreamed of mother and son flowing together, of merging or “de-releasing” the son back into the womb, of engulfing him with her naked body: uncanny images paralleled in the writings of surviving sons of the war, those “not fully born.” They mentioned the same impulse to fusion, to union with maternal bodies, accompanied by the desire for and fear of erased boundaries. But the aggression of these sons towards mothers suggested motives of revenge for having been sent off to war. Certainly Gabriele Reuter thought it was mothers who pushed sons to undertake life-destroying deeds, and she thought that was a good thing. Käthe Kollwitz and Lily Braun took it one step further by making sure that their sons were worthy of their maternal sacrifice. Indeed,

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205 Theweleit, *Male Fantasies*, vol. 1, p. 205.

206 Theweleit, *Male Fantasies*, vol. 1, p. 205.

207 Theweleit, *Male Fantasies*, vol. 1, p. 206.

208 Theweleit, *Male Fantasies*, vol. 1, p. 208.

Otto Braun was shaken by his mother's composure at the prospect of his probable death on the battle field.

It is interesting that Freud set up the image of the lawgiving father during a period of weak paternal authority – at least in the social imaginary, which, as I have shown, often paid fathers no attention or shunted them out of the picture. This was the era when fathers who did not see their sons as heroes and who could not accept their deaths with equanimity were contrasted unfavorably with unyielding, fearless mothers who thought that the broken bodies of their sons were their own sacrifice. From Lamartine onwards sons did largely without fathers. In his case it was the mother's moods and gestures of direction that the son was keenly attuned to. In a kind of transubstantiation, the father's voice conveyed the real presence of the mother's eyes. In Sacher-Masoch, the father was missing or meaningless; it was the mother who represented law and generated that world of symbols supposed to issue from command. It was a mistake, according to Deleuze, to relegate the nineteenth-century mother to nature: she laid down the law because the son demanded it. Indeed, the crucial familial axis was formed by the son-mother dyad. D. H. Lawrence thought so too, although he considered the phenomenon a sign of the times: it did not have to be that way. But in his day, mothers laid down the law. There was no Oedipal struggle because there was no paternal law, no father worth struggling against. In Gabriele Reuter's story of a young man coming of age, the father was simply pushed aside, while the son worked out his masculine calling specifically through disciplining his sexual desire for his mother in consort only with her. Käthe Kollwitz relegated her husband to Joseph's status: not up to the sacrifice of the mother for her Christ-like son. And Lily Braun encouraged her son to skip over his all too weak father and to find inspiration and familial identity in the maternal warrior line. Finally, in the war literature of the 1920s and '30s, there clearly were no fathers around to offer the sons the possibility of defying or obeying their laws. Once again, the Oedipal triangle was incomplete. Sons experienced violation only through mothers.

Throughout this period, mothers often were thought of as voraciously sexual beings. Their sexuality might be experienced as enclosure, as Lamartine's words convey, but always the son-mother bond was tied up with sensuality. The maternal erotic might also present the son with a life-long struggle, as Lawrence's words bluntly say. What is interesting in his consideration of the mother-son sexual bond is his contention that he was by no means alone; that the bond was a widespread social configuration of the age. Like many of his contemporaries, he thought of the maternal being as totally sexual. It was through the evocation of desire that they exercised their power over their sons. Even the feminist Reuter thought that the relationship of mothers and sons was a sexual one, however sublimated. Men going through puberty experienced desire for the first time as an emotional attachment to their mothers. The young Otto Braun clearly perceived his mother as a maternal, sensuous goddess, and he obsessed about her sexual life. But always there was ambivalence. The images of many of these men alternated between purity and defilement. Otto thought himself betrayed by his mother's active sexuality. Perhaps the vengeance motif in his "Orestes" letter and the aggression against mothers

in the Freikorps literature both were rooted in the oscillation between images of the sexual and asexual mother, the purely maternal figure and the whore. But the aggressive tone was also an expression of resentment against the implacable will of mothers who expected their sons to achieve even while they constrained them with emotional bonds that limited their emergence into individuated adulthood.

In its readings of a literature in which sons and mothers talked about each other, this chapter has documented fears of incest focused on the sexual tensions between mothers and sons as expressed in the years 1870–1930 or so. Many of the themes circulated in a wide range of academic and scientific publications as well, almost always informed by evolutionary biology. While some of the assertions of biologists were contested by feminists, many others were either tacitly assumed or willingly adopted, even if given a characteristic spin. In any event, points from the evolutionary sciences set the agenda for anyone wondering about sexual difference. Female anatomy, designed for a purpose, grasped teleologically, always had to do with how the female fit into the cycle of reproduction. And that – perhaps unexpectedly – opened up discourses linking motherhood to pansexuality, to peculiarities of mental and moral life, to specialized instruments of power, to unstable ego boundaries, to nurture as aggression, and to incestuous desires. These are some of the issues to be elaborated in the following chapters of this section. Also to be explored are the specific structures of kinship during this period and the tacking back and forth of representations of incest and kinship forms, which suggest that kinship was made in a matrix of eroticized maternal care. The intense emotional bond between mothers and sons – often the eldest – provided the central figure around which kinship and other social ties were cast. What I seek is to understand the many implications of the equation female = mother = sexuality.

## Chapter 2

# The Biology of Motherhood

If writers . . . had but observed that the best years of woman's life must be sexually employed in thought, word and deed, they would have seen that mind must have a powerfully marked sexual character. — Alexander Walker, 1840<sup>1</sup>

The female is precisely female through her reproductive glands. All her specific aspects, the sweet tenderness of the curve of the limbs along with the peculiar construction of the pelvis, the development of the breasts with the arrested development of the voice box, the beautiful jewel of hair on her head with the scarcely noticeable down on the rest of the skin, and then again the depth of feeling, the truth of the immediate glance, the sweet temper, devotion, and fidelity – in short, everything in the true female that we adore and venerate as specifically female is only a consequence (*Dependenz*) of her ovaries. — Rudolf Virchow, 1848

Only the relationship to the son brings the mother unlimited satisfaction; it is if anything the most complete, more than anything else free of ambivalence of all human relationships. The mother can transfer to the son her ambition, which she has to repress, and expect from him all the satisfaction that remains for her from her masculinity complex. Even the marriage is not secure until the wife succeeds in making her husband her child and act the mother to him. — Sigmund Freud, 1932

Towards the end of the nineteenth century, the biological sciences provided a language for thinking about gender, identity, sanity, culture, civilization, and much else. In the early 1870s, for example, experts weighing the role of heredity in insanity could refer to the “law” of transmission of psychopathology from mother to son and father to daughter.<sup>2</sup> Schopenhauer thought that a son's intelligence was inherited from the mother, and Freud, eighty years later, was still talking about the cross-inheritance of character.<sup>3</sup> But it was not just the particulars of individual psyches, mental capacities, and physical attributes that lent themselves to biological discourses: the history of the human race, the purposes of the sexes, and the nature of contemporary social interaction were especially amenable to evolutionary schemes of biological change. It was quite possible for writers on women's emancipation, for example, to provide a cosmological/historical

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1 Alexander Walker, *Woman Physiologically Considered as to Mind, Morals, Marriage, Matrimonial Slavery, Infidelity and Divorce*, 2nd ed. (New York, 1840 [1st ed., London, 1839]), p. 136; hereafter Walker, *Woman Physiologically Considered*.

2 Bernd Gausemeier, “Pedigree vs. Mendelism. Concepts of Heredity in Psychiatry Before and After 1900,” in *A Cultural History of Heredity IV: Heredity in the Century of the Gene*, Max-Planck-Institut für Wissenschaftsgeschichte Preprint 343 (Berlin, 2008), pp. 149–62, here, p. 152.

3 Arthur Schopenhauer, “Metaphysik der Geschlechtsliebe,” in Schopenhauer, *Die Welt als Wille und Vorstellung*, ed. Ludger Lütkehaus, 2 vols. (Munich, 1998 [orig. 3rd ed., 1859]), vol. 1, bk. 4, ch. 44, p. 622. Sigmund Freud, “Einige psychische Folgen des anatomischen Geschlechtsunterschieds” (1925), in Sigmund Freud, *Gesammelte Werke*, ed. Anna Freud (London, 1952), vol. 14, *Werke aus den Jahren 1925–1931*, pp. 17–30, here p. 30. This essay, hereafter Freud, “Einige psychische Folgen.” This edition of Freud's works cited hereafter as Freud, *GW*; this volume, as Freud, *GW*, vol. 14.

account, starting with the primeval slime (*Urschleim*), moving on quickly to women in the Old Norse Edda, to arrive breathlessly at the Berlin or Paris or London of their day, all with the intent to connect the laws of nature to the politics of gender. The nineteenth-century passion for history as *the* discipline to parse the chain of causation leading to the modern world quite happily found reinforcement and support in evolutionary schemata. Whatever their particular opinions on Darwin or Haeckel – and many in the life sciences of the period were quite critical – biologists of all persuasions enthusiastically took up the issue that concerns us here: the nature and meaning of the female. And it became quite difficult for anyone dealing with the subject to escape the hegemonic story line provided by biology or to avoid the equation female = mother = sexual being. Considerations on the (pan)sexuality of mothers together with the peculiar accent placed on mother-son pairing prompted vivid images in the social imaginary. In chapter 1 of this section, I explored a series of writers who focused their attention on the mother-son relationship, with many of them probing sensual and erotic ties, in turn pointing to sources of maternal power. In this chapter, I explore “woman,” “female,” “mother” as refracted through evolutionary biology, which in one way or other provided the language, or at least the intellectual agenda, to talk about gender and sexuality.

It is difficult to offer a balanced account of all four countries I am following during the sixty years spanning 1900. I began my research by examining mostly German literature. Indeed, I worked through or at least scanned every book with *Weib* (female) in the title, and most of those with *Mutter*, in the Berlin Staatsbibliothek catalogue. The degree to which biological sciences or evolutionary biology or medical advice literature informed public discourses in American discussions is not so easy to grasp. Certainly, one tradition of feminism in the United States was framed by preachers, theologians, and religious enthusiasts and began in the politics of anti-slavery agitation, and women writers were more oriented to property and voting rights than elsewhere. But many of the differences were a matter of emphasis or timing.<sup>4</sup> In Germany, “spiritual motherhood,” rooted in Protestant culture, gave way from the 1870s onward to an ever-more-thoroughgoing biological motherhood.<sup>5</sup> Presumptions of sexual dimorphism were closely linked, for example, to the central role women, seen as physiologically destined for child care, played in the German *Kindergarten* movement. And it was the demand for intervention in support for and treatment of children that provided the opening for German feminists to enter the public sphere and political life in the long run. This foundation for social and political action found a ready audience in the United

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<sup>4</sup> See Alice S. Rossi, ed. and intro., *The Feminist Papers: From Adams to de Beauvoir* (New York and London, 1973), p. 126. Here Rossi talked about small-town, native-born feminists whose crusades had roots in moral reform. On the woman’s rights movement coming out of anti-slavery, see Page Smith, *Daughters of the Promised Land: Women in American History* (Boston and Toronto, 1970), p. 126.

<sup>5</sup> Ann Taylor Allen, *Feminism and Motherhood in Germany, 1800–1914* (New Brunswick, NJ, 1991), p. 103; hereafter Allen, *Feminism*.

States as well. Already in the late 1860s, Americans were visiting Germany to explore the new institution, and German women were crossing the Atlantic to train a generation of kindergarten teachers.

The point to emphasize is the openness of American culture, not only to European educators and child-care experts, but also to a host of European medical and scientific experts, from the Scottish physiologist Alexander Walker (1779–1852) in the 1840s to Freud and the many sexologists of the early twentieth century. Walker's *Woman Physiologically Considered* (1839), the third volume in his trilogy on woman, was repeatedly published and especially widely read in the United States.<sup>6</sup> The book linked woman's emotional make-up, intelligence, instinct, sexuality, and physical and mental growth to her physiology in a manner similar to the German writers I will review in this chapter. Just before World War I, a major textbook for medical students, by the Austrian gynecologist Heinrich Kisch (1841–1918), was translated into English as *The Sexual Life of Woman in its Physiological, Pathological and Hygienic Aspects*. It insisted on sexual life as the defining aspect of “woman” and linked it step-by-step to her physiology.<sup>7</sup> In another example of cross-Atlantic intellectual exchange on this topic, the American social reformer and sex educator Margaret Sanger (1879–1966) went off to England in 1914, to study with the evolutionary biologist and sexologist Havelock Ellis and then returned to the United States to talk about biology and sexuality in similar terms.<sup>8</sup> And for one more example, the early twentieth-century publications of the Swedish feminist writer Ellen Key (1849–1926) were eagerly received and much discussed by American readers.<sup>9</sup> Key's evolutionary characterization of sexual dimorphism, with woman physiologically destined to a kind of motherhood fully implied in female sexuality, found a ready audience. In short, all through the period under review here, Americans eagerly consumed the works of European writers, and discourses linking maternal offices, anatomical structures, physiological processes, and female sexuality provided points around which different representations turned and conflicts erupted.<sup>10</sup> What matters

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6 Walker, *Woman Physiologically Considered*. This book went through several editions. For an introduction to Walker, see Robyn Cooper, “Definition and Control: Alexander Walker's Trilogy on Woman,” *Journal of the History of Sexuality* 2 (1992): 341–64. On his considerable popularity in the United States, p. 343.

7 E. Heinrich Kisch, *The Sexual Life of Woman in Its Physiological, Pathological and Hygienic Aspects*, trans. M. Eden Paul (New York, 1910), pp. 2–4, 23. Kisch was on the medical faculty in Prague. The book went through eleven more editions until 1931.

8 Mari Jo Buhle, *Feminism and Its Discontents: A Century of Struggle with Psychoanalysis* (Cambridge MA, 1998), p. 37. Buhle quotes Sanger: Sexuality is “the strongest force in all living creatures . . . that inspires man to the highest and noblest thoughts; to all material endeavors and achievements, and to art and poetry.” The logic here is from physiology to sexual expression to culture.

9 Buhle *Feminism*, p. 41.

10 I am not so much interested here in an intellectual history that carefully delineates the points of opposition among different writers as I am in the underlying social forces and cultural assumptions that conjoin them in argument. In a similar manner, Mary Jo Plant, *Mom: The Transformation of Motherhood*

is how biological sciences provided the language to consider the nature of the female in the scheme of things, her past and future.

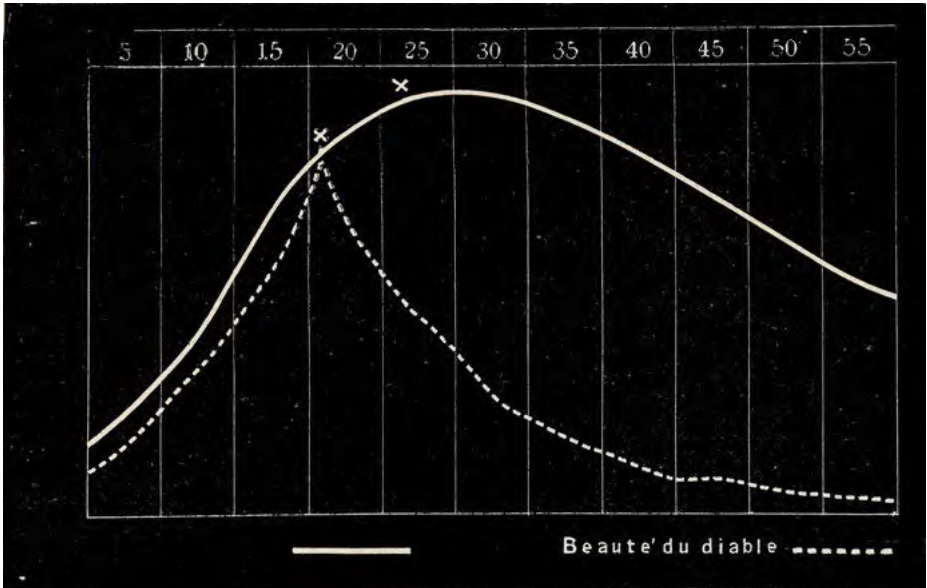


Fig. 19: The Curve of Female Beauty.

The Austrian gynecologist Enoch Heinrich Kisch (1841–1918) published his much-regarded textbook on gynecology in German in 1904. It was translated into English and published in both England and the United States in 1910 and issued in eleven editions to 1931. In the introduction, Kisch calculated female beauty as it corresponded to a woman's capacity for reproduction, leaning on the work of Italian physiologist and anthropologist Paola Mantegazza (1831–1910), author of a textbook on the physiology of women. “As Mantegazza insisted, the beauties peculiar to woman are one and all sexual; they depend, that is to say, upon the peculiar functions that nature has allotted to woman in the great mystery of procreation.” Kisch reproduced the curves shown here from the work of Carl Heinrich Stratz, *Die Schönheit*

*des weiblichen Körpers* [The Beauty of the Female Body] (Stuttgart, 1900), “a most competent authority as regards the subject of feminine beauty.” The curve labeled “Beauty of the Devil” designated early maturity and rapid decline already by the early twenties or so. Kisch preferred the other curve – the one for Teutonic women. Its maximum lasted from the middle twenties to early thirties and sloped off gradually. Attaching beauty to procreation, Kisch, leaning on Stratz, pointed out that “a beautiful woman is most beautiful when the period of maximum beauty coincides in her case with the first months of pregnancy.” And, of course, he felt he had to point out class differences: “women of the so-called better classes arrive as a rule at maturity later; and remain beautiful for a longer period, than women of the working classes.”

in *Modern America* (Chicago and London, 2010), p. 7, in defending her broad definition of “maternalism,” met the objection that she was “lumping together women who were in fact political adversaries,” by saying, “this is precisely why I find the term is helpful, because it transgresses and complicates standard political categories.”

Graph from E[noch] Heinrich Kisch, *The Sexual Life of Woman in Its Physiological, Pathological and Hygienic Aspects*, trans. M. Eden Paul (New York, 1910), p. 24. Image courtesy of University of California Southern Regional Library Facility.

It is not always easy to follow the logical structure of biological arguments about woman or to grasp how the different elements were supposed to fit together. One could cite Freud here as an example. After starting with the facts of anatomical difference and pursuing a long process of ratiocination, in one passage he came to the point of affirming envy and jealousy as a peculiar aspect of the female psyche. Indeed, he deployed anatomy strategically throughout his account of personal development.<sup>11</sup> Nevertheless, in unravelling his causal chains, he often obscured the precise location of the body, even while he had the link between the physical properties of men and women and character pass through sexuality. But using “men” and “women” here is not quite right, for Freud’s treatment of the processes of psychic development deployed “male” and “female” as general terms and set them in a semantics of biological rather than social being.<sup>12</sup> The German language offers confusions and great difficulties for translating his concepts into English. *Mann* and *Weib* were the terms of choice in all of Freud’s accounts of the dynamics of psychological development. *Mann* can refer to “man” or “male” and, depending on the context, can be used in either sense, although of course the meanings can be blurred or ambivalent: *Mann* vs. *Frau* (man vs. woman, husband vs. wife) or *Mann* vs. *Weib* (male vs. female, although in Mozart, husband and wife too). German offers one word for both the social and biological “man” (*der Mann*), gendered in the masculine. For women, the language has two quite different words; one for the female/woman (*Weib*), the other for the wife/woman addressed as a social being (*Frau*). The word for female is gendered neuter, *das Weib*; for wife, feminine (*die Frau*).<sup>13</sup>

<sup>11</sup> Sigmund Freud, “Die Weiblichkeit,” unpublished lecture (1932), in *GW*, vol. 15, *Neue Folge der Vorlesungen zur Einführung in die Psychoanalyse*, pp. 119–45, here pp. 129–35; Freud, “Einige psychische Folgen,” p. 25.

<sup>12</sup> Sigmund Freud, “Die Weiblichkeit” and “Zur Einführung des Narzissmus,” in *GW*, vol. 10, *Werke aus den Jahren 1913–1917*, pp. 137–70, here pp. 153–56; Freud, “Massenpsychologie und Ich-Analyse,” in *GW*, vol. 13, *Jenseits des Lustprinzips; Massenpsychologie und Ich-Analyse. Das Ich und das Es; Und andere Werke aus den Jahren 1920–1924*, pp. 71–161, here p. 158; Freud, “Über die weibliche Sexualität,” in *GW*, vol. 14, pp. 515–37; Freud, “Das Unbehagen in der Kultur” (1929), in *GW*, vol. 14, pp. 419–506; Freud, “Einige psychische Folgen,” pp. 25–30.

<sup>13</sup> I am not sure what the significance of this peculiarity of the German language might be. Because *das Weib* is neuter, the relevant neuter pronoun or adjective is also used: *es*, *sein*. When I translate a passage using the noun and the pronoun, I find it difficult to write something like, “the female has its place in the world.” So I translate *es* and *sein* as “she” and “her,” respectively. Here one could compare the use of gender terms by Havelock Ellis, who read and cited hundreds of German works. He often contrasted “man” with “women,” that is, the male in the singular and the female in the plural, although he occasionally spoke of “woman” in the singular. For example, he alluded to the tendency in *man* to inflict pain on the *women* he loves. See Havelock Ellis, *Studies in the Psychology of Sex*, vol. 1, pt. 2, *Analysis of the Sexual Impulse*, with pref. by Ellis from the 2nd ed. dated 1913 (New York, 1936), p. 89. Sometimes he



Indeed, with Freud, it is often difficult to know whether social “man” or biological “male” is under consideration, without first looking to see which correlative term, *Frau* or *Weib*, is coupled with the male/man.<sup>14</sup> In any event, Freud’s choice of language rooted his arguments thoroughly in biology, with marked character distinctions between the sexes. His female always clung much more substantially to her physical nature than his male, who enjoyed a significant power of sublimation that eluded his female. Her sexuality determined her character, intelligence, interests, and realm of activity in the full blossoming of her *Weiblichkeit*.

I am not sure what role Freud assumed for “reproduction,” and interestingly there is no language in all of his published writings suggesting a teleology of sexual dimorphism – no purpose (*Bestimmung*) for the female (in reproduction), no particular task to carry and nurture children. His way of approaching all problems was to seek out origins, account for causes, and narrate processes. In many ways, his thought processes were historicist, and his research started within and proceeded from evolutionary biology (which itself was always based on storytelling).<sup>15</sup> But many of his contemporaries, in their thinking about women or the female, set out with assumptions about purpose, disposition, or destiny. Sometimes they read the female body teleologically, as a text that revealed its direction or function or point. And they routinely tied anatomy, purpose, sexuality, and character together in a tight knot. A progression from purpose (reproduction) to structure (anatomy) to psyche (sexuality) was widespread during the period under consideration here.

In many ways, medical and biological sciences supported and advanced representations connecting mothers to sexuality that in turn circulated extensively throughout German-speaking culture and well beyond, and that increasingly invaded any portrayal of gender. Already in 1862, Rudolf Virchow (1821–1902), professor of pathological anatomy and first director of the Pathological Institute of Berlin’s Charité Hospital, cell theorist, physiologist, anatomist, paleontologist, anthropologist, and politician,

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developed the scenario of “a man” and “a woman,” in, for example, the sex act, p. 19. When he wanted to universalize, he used “woman,” as in “the extant woman is a sexual organism,” p. 206. The same universal, biological assumptions could hold for the word “man,” p. 235. Sometimes he referred to just “a woman” in the generic sense but only when he did not want to universalize, p. 95. He used the generic terms *man* and *woman* in the sense of biological beings in the title of one of his most widely read works, *Man and Woman: A Study of Human Secondary Sexual Characters*, 6th ed. (London, 1926 [1st ed., 1894]). At the outset, he asked, “Why is a woman a woman?,” p. xii. He did compare “the average woman” to “a man,” p. 250, and used “female” and the contrasting “male and female,” but not as frequently as “man” and “woman.” In general, he chose “male” and “female” when he was dealing with all mammals or the animal world, pp. 205, 514, 522. The shift from animals to humans was captured nicely in the phrase, “in women as in females generally,” p. 495. And once, at least, he contrasted “masculine” with “female”: Ellis, *Analysis*, p. 82.

<sup>14</sup> For example, Freud deployed the word *Frau* in “Die Zukunft einer Illusion” (1927), in *GW*, vol. 14, p. 371.

<sup>15</sup> Frank J. Sulloway, *Freud, Biologist of the Mind: Beyond the Psychoanalytic Legend* (New York, 1979).

had the distinction of providing one of the most provocative and widely cited texts for the next sixty years: “The female is precisely female through her reproductive glands. All her specific aspects, the sweet tenderness of the curve of the limbs along with the peculiar construction of the pelvis, the development of the breasts with the arrested development of the voice box, the beautiful jewel of hair on her head with the scarcely noticeable down on the rest of the skin, and then again the depth of feeling, the truth of the immediate glance, the sweet temper, devotion, and fidelity – in short, everything in the true female that we adore and venerate as specifically female is only a consequence (*Dependenz*) of her ovaries.”<sup>16</sup> In other words, the female reproductive organs determined the rest of her anatomy, physiology, psychology, moral being, emotional household, and erotic attractiveness for the male. This construction can be traced in an arc through to later representations of genetic determinisms, but here it provides a starting point for looking at the discourse of medical sciences during the fin de siècle and early decades of the twentieth century. I will first document from the medical professions with works ranging from popular writers on health to professors of medicine and from the 1870s through the 1920s. Then I will look at the language of biology in other disciplines. Many of these writers were wildly popular in their time, although since then, they have been largely forgotten. The point here is not to chronicle all the names and specific arguments – this is not an intellectual history – but to understand the texts as witnesses to their time and to note the piling up of particular notions and the rhizomatous extension of this or that connection or line of reasoning.

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16 Rudolf Virchow, “Der puerperale Zustand. Das Weib und die Zelle” (1848), in Virchow, *Gesammelte Abhandlungen zur wissenschaftlichen Medizin* (Frankfurt/M, 1855), pp. 735–90, here p. 747. Kisch, *Sexual Life*, p. 3, quoted Van Helmont: “propter solum uterum mulier est quod est.” John d’Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America*, 3rd ed. (Chicago, 2012), p. 147, quoted the American doctor Horatio Storer (1830–1922), writing in 1871: woman is “what she is in health, in character, in her charms, alike of body, mind and soul because of her womb alone.” Storer was a gynecologist, and anti-abortion activist, and founder of the Gynaecological Society of Boston. The German feminist Mathilde Vaerting (1884–1977) in the early 1920s reviewed the literature on the psychology of gender: *Neubegründung der Psychologie von Mann und Weib*, vol. 1 *Die weibliche Eigenart im Männerstaat und die männliche Eigenart im Frauenstaat* (Karlsruhe, 1921), vol.2 *Wahrheit und Irrtum in der Geschlechterpsychologie* (Karlsruhe, 1923). In *Wahrheit und Irrtum*, p. 146, she drew attention to the logic that dominated male science, literature, and everyday prejudice of her time and the derivation of female sexuality from her physiology. She countered that the constant creation of sperm cells dominates male life more continuously than menstruation dominates the female. To the notion that woman is determined by her ovaries, she quipped: *totus homo semen est*.

## Medical science views the female

The female creature never really escapes the breeding function. — Hermann Klencke, 1886<sup>17</sup>

In 1886, there appeared the eighth edition of *The Female as Spouse*, the third volume of medical doctor Hermann Klencke's trilogy on the female.<sup>18</sup> Dr. Klencke (1813–1881), member of a dozen medical societies, was a widely read popular writer on medical issues. His basic argument was that nature had implanted the obligation to reproduce: the female fulfilled her purpose only in motherhood.<sup>19</sup> Science demonstrated that she was created by nature to continue the human race. Organically, she was fitted for her sexual calling; indeed, she was “chained to motherhood.”<sup>20</sup> Klencke was another ovarian determinist: ovaries made the female a female and ruled over her entire being.<sup>21</sup> During menstruation, she was engulfed by universal natural life and entered into her place as species being (*Gattungswesen*). Sexual life enveloped and directed her entire organism – physically and mentally. The resultant pansexuality of the female (*das Weib*) followed from her function in the reproduction of the species, which could only be fulfilled in motherhood – at once a matter of nature and of obligation and, I might add, a conjunction that violated many of the Kantian assumptions of the age (the invalid derivation of “ought” from “is”).<sup>22</sup> Men would not think of themselves in this way: they were free and creative, subduing nature rather than being accountable to it.<sup>23</sup> Motherhood, sexuality, reproduction, purpose (*Bestimmung*), nature, calling: all these terms were constantly operationalized by men (all of them sons, of course) in the decades around the turn of the century.

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17 Hermann Klencke, *Das Weib als Gattin. Lehrbuch über die physischen, seelischen und sittlichen Pflichten, Rechte und Gesundheitsregeln der deutschen Frau im Eheleben zur Begründung der leiblichen und sittlichen Wohlfahrt ihrer selbst und ihrer Familie. Eine Körper- und Seelendiätetik des Weibes in der Liebe und Ehe*, 8th ed. (Leipzig, 1886), p. 9. First published in 1872, this work went through fourteen editions by 1897. Translated into English, the title is *The Female as Spouse: Textbook on the Physical, Mental, and Moral Obligations of the German Married Woman for Founding the Physical and Moral Wellbeing of Herself and her Family*.

18 Klencke, *Weib als Gattin*.

19 Klencke, *Weib als Gattin*, pp. 7–9.

20 Klencke, *Weib als Gattin*, p. 9.

21 Klencke, *Weib als Gattin*, p. 22.

22 Alexander J. C. Skene (1837–1900), professor of gynecology in Brooklyn and president of the American Gynecological Society, *Medical Gynecology: A Treatise on the Diseases of Women from the Standpoint of the Physician* (New York, 1895), p. 61: Woman “differs from man in a marked degree from sole to crown in structure, nerve condition, reactivity of organ upon organ and function upon function.” “In the past, present, and future her first and most important functions relate to the reproduction of the species,” p. 85.

23 Klencke, *Weib als Gattin*, pp. 9–10, 23–26, 297. In the decade before World War I, Heinrich Kisch would still continue this idea: Kisch, *Sexual Life*, p. 2. His textbook, translated into English, was widely used in American medical schools. He maintained that sexual life for the female had a “vital significance enormously greater than sexual activity possesses in the male.” The sexual life of woman is the main-spring of family, nation, and race, p. 4.



Fig. 20: Eternal Masculine.

This *Simplicissimus* cartoon was a joke about the eternal feminine. “Have the ladies seen the latest Sudermann? ‘The Eternal Masculine’: fine title, no? General silence. Well, excuse me.” The point was that although “the eternal feminine” was a cultural symbol of the age, no one spoke seriously of an “eternal masculine.” Woman was a single thing;

man was many different things. In this depiction, the ostentatious man, wearing a rose in his buttonhole and cleaning his pince-nez while he speaks, is the object of female mockery. The title of the cartoon, “Morituri” (those who are about to die), pointed to the humiliation of a badly timed joke and the embarrassment of a not very masculine man surrounded by very feminine women. The reference was to the general title, *Morituri*, of three one-act plays by Hermann Sudermann. The action in the third play, “The Eternal Masculine,” turned around masculine representation in the artificial life of a Baroque court where courtiers competed for the queen’s favor. The chief scene centered on a duel between the court painter, who had offended the queen by offering to kiss her (she had challenged him to act like a man), and the royal marshal, whom the queen had charged with restoring her honor. As a weapon, the painter chose the brush; the marshal, the warrior’s sword; each expressing his manhood by his chosen craft. In the end, through a sham duel and the “death” of the marshal, they underscored the fate of all womanhood: to choose whichever man defeats the other. Their “eternal masculine pride” intact, the two men departed the court to hang out together in the all-male army barracks.

Cartoon from *Simplicissimus* 1, no. 48 (January 4, 1897), p. 9. Image courtesy of the Getty Research Institute, Los Angeles (85–51389)

In 1905, three decades after Klencke first published his runaway bestseller, Oskar Schultze (1859–1920), doctor of medicine, professor of anatomy and head of department at the University of Würzburg, published *The Female Considered from an Anthropological and Social Viewpoint*, three lectures he had delivered to his male student audience.<sup>24</sup> He began with sexual dimorphism in plant and animal species and suggested that any thinking person would easily see that in all of organic nature, function followed form: “We examine the body of the female as she lives today, has lived for centuries, and will live according to the laws of inheritance for centuries more.”<sup>25</sup> In this set of lectures, he promised to deal only with the secondary sexual characteristics that expressed the productive side of the female; for example, the roomy belly, so suited to its normal task of developing its “fruit”; or the relative width of the hips, which when

<sup>24</sup> I used Oskar Schultze, *Das Weib in anthropologischer und sozialer Betrachtung*, 2nd ed. (Leipzig, 1920).

<sup>25</sup> Schultze, *Das Weib*, p. 2.

well-constructed, foregrounded and guaranteed a good motherhood.<sup>26</sup> In these lectures, Schultze handled every part of female anatomy, comparing each element to the corresponding male feature. Male and female, he claimed, were fundamentally different creatures, and in that fact lay “the key to understanding the female.”<sup>27</sup> Everything about the female was oriented to the fulfillment of her natural purpose, reproduction, which it was the primary obligation of the male to value and bring to pass. Schultze argued that women as a group were less differentiated than men: everything about their condition, inclinations, and activities was gathered around that one essential point.<sup>28</sup> From anatomy, he found he could derive all of the psychological and mental characteristics of the female: emotion, vagueness of ideas, mental weakness, quickness of judgment, inconsequential thinking, intuition, lack of objectivity, personalism, and inability to abstract.<sup>29</sup> Woman was a being whose potential lay dormant: “As soon as one knows a woman more closely, one gets the idea that nature has put a number of seeds in her that have not ripened, and that much more could have been made out of her than actually happened.”<sup>30</sup> This point Freud also was making as late as 1927 in *The Future of an Illusion*: although women grew out of the early formative prohibition against thinking about sex, they labored always under its effects and generally never developed sufficient intelligence. He was not sure what the potentialities actually might be if that specific form of repression were to be lifted. It was in fact impossible to know, since the lifting never had happened.<sup>31</sup>

Professor Schultze was working in the realm of high academic science. The ideas that function followed form, that anatomy determined destiny, that the body revealed a teleology, that the configuration of each organ spoke to the natural purpose of the

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26 Schultze, *Das Weib*, pp. 3–11.

27 Schultze, *Das Weib*, p. 22. Note that he did not consider this a key to understanding the male.

28 This idea migrated from medical writers to many different writers on the nature of woman. The American professor of European history, Earl Barnes (1861–1935), *Woman in Modern Society* (New York, 1912), pp. 14–16: Men varied among themselves considerably, while women demonstrated a general lack of variation. This idea was considered to be almost a truism. The English sexologist Edward Carpenter (1844–1929), an important social reformer, wrote in his *Woman, and Her Place in a Free Society* (Manchester, 1894), p. 8, that in the evolution of the human race the female was less subject to variation.

29 In *The Alternate Sex, or The Female Intellect in Man, and the Masculine in Woman* (London, 1904), p. 9, the American journalist and folklorist Charles Godfrey Leland (1824–1903) argued that from physiology one could deduce psychological dispositions: women had tact, sensitivity, vindictiveness, lack of remorse, impulsiveness, curiosity, and deep love for offspring. It was of course possible to argue that intuition was a good thing and to argue for a female way of thinking, but then this also stayed within the confines of the idea of more-or-less strict gender difference. On this see the American writer Jane Johnstone Christie, *The Advance of Woman: From the Earliest Times to the Present* (Philadelphia and London, 1912), p. 13: “Her gift of intuition, that deep penetrative insight, that goes to the very heart of things and of truth, and seldom errs, puts her above and beyond the slower and more fallible methods of the masculine mind.”

30 Schultze, *Das Weib*, p. 55.

31 Freud, “Zukunft einer Illusion,” p. 371.

whole, and that the arrangement of the physical parts produced the features of the psychic household were taught to several generations of medical and science students. Those students became the county medical commissioners and local doctors who took the news to their patients. In Berlin, general practitioner and later gynecologist Jacob Ruhemann published a best seller in four printings and three editions (3rd ed. 1906), titled *The Female as Wife and Mother: Her [Seine] Natural Purpose and Her Duties*. In it, he reworked the terms of his medical training in unfettered erotic fantasy.<sup>32</sup> All that was necessary, he wrote, was to look at the bone structure of the pelvis: “In this bony construction, everything takes place that relates to the sexual life of the female, her desire and suffering. The place remains the highest sanctuary despite the delightful carnal orgies that happen there, as long as its chaste angel guards it, so long as true love transfigures it. Otherwise, it becomes the entrance for all evil demons, the exit for the degeneration of the human race if the curtain to the holy of holies of the female becomes torn and profaned.”<sup>33</sup>

Well into the 1920s, many medical writers worked the themes connecting reproduction, sexuality, the female, and motherhood, each with a slightly different take on the issues. Here I will select just two from this group to document the obsessions of the age. Adolf Heilborn (1873–1941), a popular Berlin writer on medicine and anthropology, published his *Female and Male: A Study of the Natural and Cultural History of the Female* in 1924.<sup>34</sup> He located the key which unlocked the secrets of nature in an already commonplace observation: systemic sexual dimorphism running through the entire animal world. Gender was not a matter of a few organs but rather was displayed throughout the entire constitution of all but the simplest animals and was developed in all body parts. Although he thought Virchow rather overstated the case when he derived female being from the ovaries, Heilborn still argued that anatomical characteristics like the longer belly were determined by the natural purpose of the female – to become

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32 J. Ruhemann [Richard Weber], *Das Weib als Gattin und Mutter: Seine naturgemäße Bestimmung und seine Pflichten*, 3rd ed. (Berlin, 1906). The author appears to have been Jacob Ruhemann, but the title page has Dr. Richard Weber, apparently a pseudonym.

33 Ruhemann, *Weib als Gattin und Mutter*, p. 5. In a 1909 article on “motherhood,” the Catholic district doctor from Lindau, Josef Grassl argued that the sexual life for the woman encompassed every aspect of her being. Like many others, he found it hard to distinguish between sexuality and reproduction: Josef Grassl, “Weitere zur Frage der Mutterschaft,” *Archiv für Rassen- und Gesellschaftsbiologie* 6 (1909): 351–66, here pp. 351–52, 356. On the matter of the standard mother/whore figure of the woman, Grassl liked to think that every mother kept a little bit of the whore about her. In any event, like Marholm (cited below), he seems to have wanted to describe the female in essentialist terms while at the same time entering into historical critique: over the past century and a half, the woman as whore had been gaining ground. So, this rather muddled mouthpiece of local medical knowledge picked his way through stereotypes of his gender, his occupation, and his culture to buttress his voice as an expert witness on the female calling.

34 Adolf Heilborn, *Weib und Mann: Eine Studie zur Natur- und Kulturgeschichte des Weibes*. Wege zum Wissen 10 (Berlin, 1924).

mother.<sup>35</sup> Among the most important differences between male and female was the skull, whose form and size stood in close and very important relationship to the female pelvis – which relationship, he rather mysteriously said, was “clearly understandable without wasting any words on it.”<sup>36</sup> The fine downy fur of the female conditioned a refinement of the sense of touch, which in turn was intimately tied up with sexual feeling, whose purpose, in turn, was to awaken maternal attachment. Summing up his view of the female as a creature of nature, Heilborn quoted one anatomist who spoke of the “greater bestiality of the female in consideration of her anatomy.”<sup>37</sup> Once again, the logic of the story set out with purpose (reproduction) and continued on through anatomy (means), sexuality (psychic disposition), to motherhood (punchline).

Appealing to the educated middle class in an expensive edition of his book *Female and Love: Studies on the Love Life of the Female* (1925), the Viennese *Medizinalrat* and gynecologist Bernhard Bauer (1882–1942) began with Virchow’s famous quote about the all-powerful determining nature of the ovaries.<sup>38</sup> Taking issue with Freud over childhood sexuality, Bauer drew upon a “scientific fact”: ovulation signals that the female has become capable of fulfilling her reproductive purpose (*Bestimmung*).<sup>39</sup> Only then did all the glands work together for the completion of “everything female in the female.”<sup>40</sup> From that point on, her sexual drive discharged into an “omnipotence of sexuality,” and the increasing demands of the sexual drive led to a “disposition for love (*Liebesbereitschaft*).”<sup>41</sup> Indeed every woman believed that the most essential purpose (*Zweck*) of her whole life was to be a powerful center and force of attraction able to dominate her surroundings. In any event, it was purely physical sexuality that made her into a full female.<sup>42</sup> Characteristic of female sexuality was permanent readiness for love and the inability to put up much resistance. Indeed, her entire emotional economy was dependent upon somatic events throughout her life. The mental life of a woman was absolutely determined by the body and bodily processes. Consequently, the instinct of the female lived only for those things that could be brought into line with her femaleness: maternal

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35 Heilborn, *Weib und Mann*, pp. 5–10.

36 Heilborn, *Weib und Mann*, p. 24. In *Man and Woman*, p. 88, Ellis wrote: “The study of the pelvis naturally brings us to the study of the head with which it is in such intimate relation.” The idea of the smaller head and different anatomical structures of male and female skulls was, of course, much worked over in the period. For an American take on the notion, see Skene, who in *Medical Gynecology*, p. 72, claimed that women have smaller heads and brains—an extra ounce of brain matter implied an enormous mental difference. And added: “All through life the male brain differs from the female in capacities, attitudes, and powers,” p. 76.

37 Heilborn, *Weib und Mann*, p. 9, quoting Paul Albrecht (1851–94).

38 Bernhard A. Bauer, *Weib und Liebe. Studie über das Liebesleben des Weibes* (Vienna und Leipzig, 1925), p. 7.

39 Bauer, *Weib und Liebe*, pp. 33–38.

40 Bauer, *Weib und Liebe*, p. 7.

41 Bauer, *Weib und Liebe*, p. 62.

42 Bauer, *Weib und Liebe*, p. 64.

feelings, and sexuality.<sup>43</sup> Added here was an image frequently found during this period: two poles of female sexuality, the mother and the whore, which often faded into each other. Bauer thought that every woman alternated between the two poles and that both were essential to the female as such and to female sexuality in particular.<sup>44</sup>

In sum, my review of medical literature from the early 1870s to the late 1920s reveals a number of ideas that in some ways did not much vary over the period. There was something about the female, but not the male, that allowed the body to be read teleologically, for its purpose; and that purpose, reproduction of the species, determined her peculiar sexuality. It might not be revealed until puberty, or, for some authors, until a few months into marriage, but the female was fully female only in so far as she was completely sexual. This could be expressed in a language of eroticism or shifted onto a semantics of love. However worked out, the thought was that the sexual life of woman encompassed her whole being. All the details of her anatomy could be read as pointers to her purpose, and close attention to corporeal details, once the code was cracked, could give access to woman's mental life: even fluff on the arms had the purpose of arousing maternal feeling. At least that was how the argument went, even though cynical readers then and critical readers now might find in them a continuous recycling of stereotypical tropes. Since women were all more or less the same, it was easy to compile a catalogue of their moral and psychic traits. Altogether there was a close connection between female pansexuality and female fate, and reading female physiology for whatever else one wanted to say about woman or women was a favorite pastime of medicos throughout the Western world.<sup>45</sup>

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<sup>43</sup> Bauer, *Weib und Liebe*, p. 511.

<sup>44</sup> Bauer, *Weib und Liebe*, pp. 507–32.

<sup>45</sup> Edward Carpenter's *Woman*, pp. 8–9, summed up the physiology argument in 1894: "In woman—modern science has shown—the more fundamental and primitive nervous centres, and the great sympathetic and vaso-motor system of nerves generally, are developed to a greater extent than in man; in woman the whole structure and life rallies more closely and obviously round the sexual function than in man; and, as a general rule, in the evolution of the human race, as well as of the lower races, the female is less subject to variation and is more constant to and conservative of the type of the race than the male. With these physiological differences are naturally allied the facts that, of the two, woman is the more primitive, the more intuitive, the more emotional; the great unconscious and cosmic processes of nature lie somehow nearer to her; to her, sex is a deep and sacred instinct, carrying with it a sense of natural purity; nor does she often experience that divorce between the sentiment of Love and the physical passion which is so common with men, and which causes them to be aware of a grossness and a conflict in their own natures; she is, or should be, the interpreter of Love to man, and in some degree his guide in sexual matters."



## Shocking opinions (or maybe just irritating)

The degree to which a woman is emancipated is identical with the degree of her masculinity. — Otto Weininger, 1903<sup>46</sup>

Emancipation of woman is the despair of woman in herself as woman. — Laura Marholm, 1903<sup>47</sup>

In 1903, thus about midway through the sixty years under consideration here, twenty-three-year-old Viennese Otto Weininger (1880–1903) shocked the academic world – and everybody else – with his *Geschlecht und Charakter* (*Sex and Character*). A reworking of his *Habilitationsschrift* in philosophy, the book synthesized contemporary medical research and fitted the whole with Aristotelian and Kantian principles tightly enough that Wittgenstein was later impressed. Although I said “shocked,” the reaction was a little delayed, perhaps because much of what Weininger said was so commonplace. Even so, his unrelenting screed quickly emerged as the Rorschach test for an epoch. Within three years (1906), an English translation appeared, and the German version went through twenty-four editions by 1922. It was not easy for anyone to take a detached view about Weininger – about his judgments or about who got what from whom. Freud himself was embroiled in a tangle of plagiarism accusations.<sup>48</sup> To deal with the sexual characteristics of “the female,” Weininger constructed an argument resembling an abstract philosophical reflection on then current and influential academic biological and scientific literature. His treatise was argumentative, logical, and consequential on the one hand, and subject to free association, pathos, and smart-ass, bourgeois, juvenile assertions, on the other.

At about the same time as Weininger, the Scandinavian-German writer, essayist, and novelist Laura Marholm (1854–1928) provided a “feminist” take on similar issues. Her book on the psychology of woman was written in a popular style, allusive, pathetic, emblematic, with leaps of logic as bold as Weininger’s, apparent contradictions, and multiple digressions.<sup>49</sup> While severely taken to task by Hedwig Dohm (1831–1919), Rosa Mayreder (1858–1938), and many other prominent feminists, Marholm was still part of an internal debate in the *Frauenbewegung*. Her first volume on the psychology of women was published in 1897, and in a revised second edition in 1903, the year *Sex and Character* appeared. Where Weininger thought mostly in terms of essentialist categories of the female, Marholm usually tried to historicize both the relations between the sexes and the specific psychological characteristics of women. But even though she argued

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<sup>46</sup> Otto Weininger, *Geschlecht und Charakter: Eine prinzipielle Untersuchung*, 3 vols. (numbered through), 9th unrevised ed. (Vienna and Leipzig, 1907). David G. Stern and Béla Szabados, eds., *Wittgenstein Reads Weininger* (Cambridge, 2017), p. 81. See Allan Janik and Stephen Toulmin, *Wittgenstein’s Vienna* (New York, 1973).

<sup>47</sup> Laura Marholm, *Zur Psychologie der Frau*, pt. 1, 2nd ed. (Berlin, 1903), p. 28.

<sup>48</sup> Sulloway, *Freud, Biologist of the Mind*, pp. 223–37.

<sup>49</sup> Marholm, *Psychologie der Frau*.

that women were the product of culture, she still had constant recourse to essentialist notions, and with all of her contradictions and diversions, she descried fundamental aspects of womanly substance that were either operational always and everywhere, or constantly bubbling up to the surface from deep underground sources despite all attempts to cap them off. In her passages that historicized the female self, Marholm treated the ego that Weininger took as a universal, as in fact a formation developed in the aftermath of the Enlightenment and French Revolution. In other words, when these two writers looked around at their world, they saw the same thing. As the story unfolds in this chapter, I will use Weininger and Marholm to set the pace, so to speak, but will bring in materials from a range of writers to speak to particular themes.

## The nature of the sexual

The condition of sexual arousal means for the woman only the highest escalation of her whole being. This is always and completely sexual. — Otto Weininger, 1903<sup>50</sup>

At the beginning of his argument, Weininger had recourse to the scientific literature of his day, particularly that of biology, to make clear what he meant by “sexual” and how and in what way the different sexes or their individual representatives were sexual. In many ways, Weininger can be seen as a kind of sponge, soaking up the dualisms of the nineteenth century. Although the book was a *Habilitation* in philosophy, it references a wide range of biological and psychological works from the previous several decades, selecting examples to fashion a consistent take on the issues. Yet he often cited opposing positions as well. At the outset he established that every aspect of body and psyche was gendered.<sup>51</sup> There is a problem in translating him, however, since *Geschlecht* and all of its compounds can be rendered as either “sex” or “gender,” and the choice of which English term to use, even when judged from the context, often seems arbitrary. Weininger frequently had recourse to the term *Sexualität*, but he used it inconsistently. Indeed, his conflation of *Geschlecht* and *Sexualität* can be seen at the beginning of his argument, in the statement that “every cell of an organism is characterized by gender [*geschlechtlich charakterisiert*] or has a definite sexual accent [*sexuelle Betonung*].”<sup>52</sup> An easy sliding of language and argument from one consideration to the other marks the whole passage. On the one hand, Weininger argued that a particular cell could be located on a scale between male and female independently of other cells; and on the other, that different aspects were often paralleled or coordinated through the whole organism, itself subdivided into primary, secondary, tertiary (muscular strength, independence of mind), and quaternary (smoking and drinking) sexual characteristics.

<sup>50</sup> Weininger, *Geschlecht und Charakter*, p. 112.

<sup>51</sup> Weininger, *Geschlecht und Charakter*, p. 16.

<sup>52</sup> Weininger, *Geschlecht und Charakter*, p. 16.

Thus, a man who displayed greater feminine qualities was likely to have a correspondingly more feminine skin. Then Weininger introduced the term “erogenous,” shifting from what might be thought of as gendered to what clearly was sexual and oriented towards arousal in the opposite sex.<sup>53</sup>

The reception of Weininger frequently exposed the tensions between the theoretical/philosophical and the experiential/observational aspects of the book. In the one he developed a pure model of the masculine and feminine, which he labeled respectively “M” and “W.” Every person – and Freud seems to have gotten the idea of bi-sexuality from him – was a combination of M and W, usually closer to one pole than the other. Once the argument characterized each cell as M or W, then genitalia as markers of gender no longer were primary.<sup>54</sup> There were many commentators of the period – including many feminists – who found this idea quite congenial, partly because it made gender a more complicated and less obvious matter. It was only in the second part of the book, where he got down to cases – to actual people – that his arguments were less easy to agree with. Some feminists, for example, praised his conceptualization of abstract gender, even following him through his evolutionary biological assumptions, but rejected his comments on women and men in the real world.

Freud’s conceptualization of “male” and “female” owed a great deal to Weininger. Indeed, his abstract concepts have the same purity as Weininger’s “M” and “W.” In a clarifying footnote to one of his own passages, Freud suggested that the concepts of *Mann* and *Weib* had three different senses. The first, the sense most useful for psychoanalysis, denoted active and passive characteristics, respectively. For example, because “libido” was an active force, it could be marked as “male.”<sup>55</sup> The second sense, found in the biological sciences, drew similarly upon notions of activity and passivity, modeled on the actions of sperm (active) and egg (passive), with the active often but not always expressed in the animal kingdom as aggression, muscular strength, and so forth. The third sense, based on observation of actual people, showed that all individuals were a mixture of male and female (M and W in Weininger’s terms), of active and passive. In this understanding, Freud clung to an idea of male and female as pure categories. Thus, whenever an individual woman displayed characteristics such as aggression, intelligence, or competent performance of a male occupation, she was evidencing her male aspects.<sup>56</sup> He even went so far as to taunt feminists who objected to his description of the less intelligent female as passive and restricted by sexual drives, by saying that it was not valid for them. Why? Because they were more male.<sup>57</sup>

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53 Weininger, *Geschlecht und Charakter*, pp. 16–18.

54 Weininger, *Geschlecht und Charakter*, pp. 11–42.

55 Elsewhere, he maintained that libido has no sex: Freud, “Die Weiblichkeit,” p. 141.

56 Sigmund Freud, “Drei Abhandlungen zur Sexualtheorie” (1905), in Freud, *GW*, vol. 5, *Werke aus den Jahren 1904–1905*, pp. 25–145, footnote, p. 121.

57 Freud, “Die Weiblichkeit,” p. 124.

## Sexuality and reproduction: The female purpose

W is nothing but sexuality. M is sexual and something more. — Otto Weininger, 1903<sup>58</sup>

The female of our day . . . no longer has respect for herself as supporting organism. — Laura Marholm, 1903

The guiding principle of *Sex and Character* sustained a logic of fundamental sexual dimorphism prompted by the inescapable evolutionary task of species reproduction. The male, only sexual from time to time, was free to build civilizations as he might see fit (Freud was still touting this principle in the 1930s).<sup>59</sup> Fathers were distanced and distancing, not enough involved with their children to suggest a sexual attachment. In contrast, women, permeated by sexuality, never had time for culture (building states, making laws, conducting wars, or painting pictures suitable for framing); the tasks of motherhood thus limited them physiologically and mentally.<sup>60</sup> The key thing to grasp in Weininger's discussion is that female pansexuality, the task of reproduction, and the universal meaning or purpose or vocation (*Bestimmung*) of the female were all really the same thing.<sup>61</sup> In no way original with Weininger, the *Bestimmung* question popped

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<sup>58</sup> Weininger, *Geschlecht und Charakter*, p. 113.

<sup>59</sup> Freud, "Unbehagen in der Kultur," p. 463.

<sup>60</sup> Weininger, *Geschlecht und Charakter*, pp. 112–14.

<sup>61</sup> Weininger, *Geschlecht und Charakter*, pp. 346–54. Johannes Müller (1864–1949), theologian and essayist, founder of the Schloss Elmau convention center, author of such works as *Living and Dying*, *Love, Constraints in Life*, *The Secrets of Life*, and *Youth and Mission*, took up the purpose of woman in his book, the second edition of which appeared in the fateful year 1903, *Der Beruf und die Stellung der Frau. Ein Buch für Männer und Frauen, Verheiratete und Ledige, alt und jung (The Calling and Place of the Woman. A Book for Men and Women, Married and Single, Old and Young)*, 2nd ed. (Leipzig, 1903). The key thing, he began, was that sexual differentiation came from nature; the current position of the woman was not at all a matter of historical development. The fundamental purpose evident in the whole physical nature and form of the female and in her mental constitution, was reproduction of the human race. Her universal calling was to be mother. That was the dominant objective, lying in the organism, and it also was the driving goal of her whole corporeal and mental development. "Everything from the last fiber of nerves and veins to the most superficial vacillations of the soul is dependent on this," p. 15. Since it was her purpose to become mother, her unconscious love for the impending child produced her love for a male—something that by its very nature had to be sensual. The drive to be mother was first expressed in abandonment to a male. And interestingly enough the adult male always needed maternal care, which, of course, it was the task of his wife to provide, pp. 18–23. Here again, Freud was a witness to already familiar cultural assumptions. In a 1932 lecture on *Weiblichkeit*, which he wrote but never intended to deliver, he suggested that only the relation to a son offered a female unlimited satisfaction. The fullest and most ambivalent free of all human relations was that of mother and son. Müller looked at the relationship of spouses from the perspectival point of the husband to the wife and the former's need to have maternal care, but Freud reversed the line of sight, and, thinking of the woman, alleged that her marriage would become secure only when she *made* her husband into a child and acted towards him as a mother—once again the implications for familial power constellations need to be explored. Freud, "Die Weiblichkeit," p. 143.

up repeatedly, not only in medical works but also in the scientific and popular writings of physiologists, anatomists, cell biologists, evolutionary biologists, psychiatrists, psychoanalysts, philosophers, moralists, legal theorists, sociologists, anthropologists, ethnologists, feminists, antifeminists, theologians, and a host of others, all of whom set the purpose, sexuality, and reproductive functions of women in relief.

Laura Marholm, for one, made *Bestimmung*, understood as vocation, the central principle of her discussion, although she was most exercised by the issue when she confronted woman's present-day alienation from herself.<sup>62</sup> She thought that men of the nineteenth century were a little worn out and needed extra stimulation to arouse themselves, a condition to which women responded by so fashioning their bodies as to de-emphasize motherhood, *their true vocation*.<sup>63</sup> In her hortatory style, she wrote: "Now once again one can think of the female as the vehicle (*Gefäß*) of all life. And with this sentiment, we will bring the child, the fruit of our womb, once again to the altar, from which it and our own vocation has been deflected. And all that is healthy male power will protect us in our femaleness (femininity) (*Weibheit*) and motherhood and nothing other than that."<sup>64</sup> Wishing to go deeper into her being, the female "wants to return to her intended purpose for the species and forget herself in her task."<sup>65</sup> Marholm's story line was one of alienation brought on by the conditions – materialism and egoism – of the modern world. And her intent was to uncover from the surface of modern culture a lost or hidden authenticity, a genuineness peculiar to women. Like Weinger, she never employed the language of vocation or *Bestimmung* for males, who in their presumed individualism could not be called to a universal mission or condemned to a uniform fate.<sup>66</sup> In the end, despite her attempt to historicize, her gesture to the language of purpose, reproduction, species, and motherhood paralleled the essentialist medical literature of her era and Weinger's philosophical take on biological science.

Like these contemporaries, Marholm stressed sexual dimorphism and in her account of alienation railed against women trying to become like men, intellectually and sexually. "Emancipation," she wrote, "is the despair of the woman in herself as woman (*Weib*)."<sup>67</sup> She put the body at the center of all her remarks about women in a way that would make no sense for men. The woman was a "supporting" or "gestating" (*tragende*) organism (the ambiguity of the German adjective suggests both meanings at once).<sup>68</sup> Unlike the male, she never could rise above her elemental sensuality. "The

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62 Marholm, *Psychologie der Frau*, pt. 1.

63 Marholm, *Psychologie der Frau*, pt. 1, pp. 101–2, 123–26.

64 Marholm, *Psychologie der Frau*, pt. 1, p. 103.

65 Marholm, *Psychologie der Frau*, pt. 1, p. 130.

66 Although I have found no book on the purpose of the male in the world, I have seen occasional remarks on why they were there. Christie argued in 1912 in *Advance of Woman*, pp. 14–22, that biologists now say that life in the beginning was female. The male was there only to provide variation.

67 Marholm, *Psychologie der Frau*, pt. 1, p. 28.

68 Marholm, *Psychologie der Frau*, pt. 1, pp. 28–29.

woman is an incredible body of germs, powers, urges, drives, and cravings.”<sup>69</sup> Marholm was trying to have it both ways. She wanted to understand the female as unavoidably biologically constituted, on the one hand, while on the other to attest to the phenomenon of contemporary women psychologically damaged by ill-judged decisions, which led to massive repression of their corporeal and psychic needs. She spoke of the “massivity, voluptuousness, healthy animality of the everyday female, [whose] full naturalness [has] disappeared.”<sup>70</sup> “The female is a flowing source of life, not there for her own sake and must not be dried out.”<sup>71</sup> Every female who was not degenerate had a dark drive to motherhood, reaching beyond her own ego and towards her intended task to reproduce the species.<sup>72</sup> This was closely related to the fact that the sexual in the female was much deeper and more lasting than in the male. Indeed, it was precisely by suppressing female sexuality with every means in their power, by distorting women at their root, that men disempowered women. The female, Marholm proclaimed, is only “dangerous, terrible, and indomitable in one point – from which it is a question above all to distract us – and that is in her motherhood.”<sup>73</sup>

## Someone even more irritating than Weininger

Instinct makes the female like an animal, dependent, secure, and in this reposes her peculiar power; it makes her beautiful and attractive. With this similarity to animals are connected many female peculiarities. — Paul Julius Möbius, 1908<sup>74</sup>

The writer who rivaled Weininger in shock value and elicited similarly strong reactions was the Leipzig neurologist Paul Julius Möbius (1853–1907) who guaranteed his book a best-seller status with the red-flag title, *On the Physiological Idiocy of the Female*. First published in 1900, the book had eleven editions by 1919. It was reprinted in 1977, and translated and published in French as late as 1980. Möbius, who was respected by Freud as one of the pioneers in research on hysteria, produced a series of well-received and influential works on neurophysiology and endocrinology. Livid over what he thought

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69 Marholm, *Psychologie der Frau*, pt. 1, p. 82.

70 Marholm, *Psychologie der Frau*, pt. 1, p. 101.

71 Marholm, *Psychologie der Frau*, pt. 1, p. 161.

72 Marholm, *Psychologie der Frau*, pt. 1, pp. 130, 173.

73 Marholm, *Psychologie der Frau*, pt. 1, p. 244. For an American take by a contemporary, see Ida M. Tarbell (1857–1944), *The Business of Being a Woman* (New York, 1912), p. 54: “The central fact of woman’s life—Nature’s reason for her—is the child, *his* bearing and rearing [my emphasis]. There is no escape from the divine order that her life must be built around this constraint, duty, or privilege, as she may be pleased to consider it.” Tarbell was a leading muckraking journalist.

74 Paul Julius Möbius, *Ueber den physiologischen Schwachsinn des Weibes*, 9th rev. ed. (Halle, 1908), p. 8.

was Weininger's extensive plagiarism of his work, he vented his spleen in a review of the third edition of *Sex and Character*.<sup>75</sup>

Möbius's chief contention was that the female was completely a sexual being, which followed from the teleological principle that the purpose (*Zweck*) of the female was to bear and care for children.<sup>76</sup> Before Weininger, Möbius had written that every cell of the human body was sexually imprinted.<sup>77</sup> He found sexologist Albert Moll's characterization of sexual drives in terms of "detumescence" and "contractation" (treated below) quite genial, and argued that female sexuality was driven only by the latter; by the need, that is, to feel or touch a partner.<sup>78</sup> As an example, he offered the claim that every point on the skin of a female was sexually arousable and therefore physiologically inclined to find pleasure in touching.<sup>79</sup> It was quite understandable that the female, whose life task was reproduction, would be much more interested in sexual matters and find the meaning of life in union of the sexes and in the child. And this was why all writers preferred to speak of the "female" (*Weib*) rather than the "woman" (*Frau*), because the former term indicated a sexual being; not, as with the latter term, a person with social relations.<sup>80</sup> It all came down to the fact that the natural purpose of a female was to be a proper mother. Recent work by the feminists Adele Gerhard and Helene Simon (see below) showed, Möbius wrote, that the contradiction between mental work and women's natural task could not be resolved. From his perspective, Marholm had got it right.<sup>81</sup>

## Psychoanalysis and sexology

The female remains more polymorphous perverse – her whole body is a sexual organ. — Helene Deutsch, 1925

Freud, of course, constructed an etiology of becoming fully female and fully male through stages of sexual experience. Anatomy provided the starting point and biology determined the phases for both sexes, but the female as female, unlike the male as male, never could escape her somatic cage. Her phases all were biologically determined, so that in the end she was much more continuously a sexual being than the male. She

75 P. J. Möbius, *Geschlecht und Unbescheidenheit. Beurteilung des Buches von O. Weininger "Ueber Geschlecht und Charakter"*, 3rd ed. (Halle, 1907).

76 Möbius, *Physiologischen Schwachsinn*, p. 13; Möbius, *Geschlecht und Unbescheidenheit*, p. 9.

77 Möbius, *Geschlecht und Unbescheidenheit*, p. 10.

78 Möbius, *Geschlecht und Unbescheidenheit*, p. 20.

79 The popular American medical writer and sexologist William J. Robinson (1867–1936) talked about female sexuality diffused over the whole body: William J. Robinson, *Woman: Her Sex and Love Life*, 7th ed. (New York, 1922), p. 319. First published in 1917.

80 Möbius, *Physiologischen Schwachsinn*, pp. 1, 34.

81 Möbius, *Physiologischen Schwachsinn*, pp. 45, 62.

was able neither to sublimate her drives sufficiently nor to develop the strength and independence of a robust superego necessary for building culture, making significant discoveries, or exploring nature itself.<sup>82</sup> Her only skills in the past – weaving and braiding – had come from fooling around with her pubic hair.<sup>83</sup> Because of her inability to sublimate her sexual drives, she never developed a firm sense of justice or the habit of truth-telling, nor did she ever overcome an elemental narcissism.<sup>84</sup> The intellectual inferiority of so many women was a direct result of sexual repression, in that the prohibition against sexual curiosity led to incuriosity about surroundings in general.<sup>85</sup> This repression/prohibition prevented females from participating in culture, or indeed, in any higher forms of activity, all of which depended for their existence on the ability to limit sexual drives through the use of intelligence. For Freud, women, limited by their biology to sexual life, thus naturally defended the interests of the family *against* culture. They just were not up to the work of building civilization.<sup>86</sup> But was all of this a matter of “physiological idiocy” as Möbius had it? All of what Möbius noticed about women, including inferior intelligence, Freud was willing to concede. But Möbius, he thought, was unaware that there was a story to be told about the inbetween that divided the physiological from the fully developed psycho-sexual life of *Weiblichkeit*. There was something deep down to be discovered, but it was hard to find under all the layers of repression.<sup>87</sup>

Helene Deutsch, one of “Freud’s women,” argued, as Freud himself did, that the *final* differentiation of male and female took place only in puberty with the establishment of the reproductive function.<sup>88</sup> It was then that woman completely diverged as female (*weiblich*) from man, both biologically and psychologically, and only then that the complex activity of the female took on the goal of supporting the race, in this way becoming Freud’s “ephemeral carrier of the germ plasma.”<sup>89</sup> (Where it is hard to pin down teleology in Freud, it is openly expressed in Deutsch.) Now sexuality spread over her whole body. Indeed, the full-blown female remained “polymorphous perverse”: her whole body was a sexual organ. Here, Deutsch, as many another early Freudian, stayed with a language of normality: in so far as a woman was *normal*, her sexuality was directed towards

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82 Freud, “Die Weiblichkeit,” pp. 121–40.

83 Freud, “Die Weiblichkeit,” p. 142.

84 Freud, “Die Weiblichkeit,” pp. 138, 144.

85 Sigmund Freud, “Die ‘kulturelle’ Sexualmoral und die moderne Nervosität,” in *GW*, vol. 7, *Werke aus den Jahren 1906–1909*, pp. 161–62.

86 Freud, “Unbehagen in der Kultur,” pp. 457–63.

87 Freud, “Sexualmoral und die moderne Nervosität,” p. 162.

88 Helene Deutsch, *Psychoanalyse der weiblichen Sexualfunktionen* (Leipzig, Vienna, Zürich, 1925), pp. 23–24. I borrow the term “Freud’s women” from Lisa Appignanesi and John Forrester, *Freud’s Women* (Orion Books, 2005).

89 The idea that puberty was the point of divergence between the sexes was already a common idea among gynecologists. See Skene, *Medical Gynecology*, p. 82. For the quotation, see Deutsch, *Weiblichen Sexualfunktionen*, p. 24.



motherhood, even though there was little difference between the most intensive motherliness and the most wanton fantasies of the harlot (the mother/whore image again, which floats through the texts of the age).<sup>90</sup> Psychoanalysis had shown, she argued, that the discontinuous sexuality of the male freed him for *higher* cultural work and that the capacity of the male to be productive in intellectual and social activity was expressed by the female in the narrower sphere of sexual life; that is, in the production of a child.<sup>91</sup> Here again, sexuality, reproduction, and vocation or purpose were barely distinguishable, and the female body as sexual organ was fitted for the task of supporting the human race. The whole quantity of libido, which the maturing male withdrew from sexuality and directed to the external world, remained centered with the female on her sexual function. In contrast to the male, the female was forever biologically determined.<sup>92</sup>

Around the turn of the century, the young science of sexology considered the specific nature of female sexuality and its evolutionary function in species reproduction. One of the most influential scientists in the field was Albert Moll, whose frequently cited 1897 characterization of sexual drives in terms of the binaries detumescence and contrectation, influenced Freud's theory of drives. Freud himself considered Moll his chief competitor. Taking issue with Freud's analysis of infantile sexuality, Moll confined the analysis of sexual impulse to the organs involved in producing the sexual drive but peripheral to the actual act of intercourse: the sucking movements of the child's lips had no more sexual meaning than growling in the stomach.<sup>93</sup> The psychological differentiation of the sexes was surely a result of inheritance in the species, as much a matter of bio-evolutionary descent as the primary sexual characteristics: "It is by no means improbable that the little girl, whose pelvis and hips have already begun to indicate by their development their adaptation for the supreme functions of the sexually mature woman, should experience obscurely a certain impulsion towards her predestined maternal occupation, and that her inclinations and amusements should in this way be determined."<sup>94</sup>

In a later work, Moll denied the existence of an instinct for reproduction and criticized writers like Laura Marholm as wide off the mark on this point.<sup>95</sup> Taking a long evolutionary viewpoint, Moll argued that detumescence – the sexual drive as a kind of urge to evacuate – was the originary process, and that as far as women were concerned, the expulsion of the egg coincided originally with that process.<sup>96</sup> Contrectation

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90 Deutsch, *Weiblichen Sexualfunktionen*, pp. 11, 32, 35–36, 99.

91 Deutsch, *Weiblichen Sexualfunktionen*, pp. 60–61. As I already have shown, this was a well-established stereotype among medical writers in the late decades of the nineteenth century.

92 Deutsch, *Weiblichen Sexualfunktionen*, pp. 64, 77.

93 Albert Moll, *The Sexual Life of the Child*, trans. Eden Paul, intro. Edward L. Thorndike (New York, 1913), pp. ix, 172.

94 Moll, *Sexual Life of the Child*, p. 43.

95 Albert Moll, *Libido Sexualis: Studies in the Psychosexual Laws of Love Verified by Clinical Sexual Case Histories* (New York, 1933), p. 24.

96 Moll, *Libido Sexualis*, p. 64.

– approaching another individual for the purpose of reproduction – came much later in evolution and was quite secondary to the original impulse.<sup>97</sup> Indeed the normal sex instinct was a secondary sex characteristic, transformed into an inherited quality over millions of generations.<sup>98</sup> However, unlike reproduction, it did not arise from a consciousness of purpose. But Moll also admitted that little was known about woman's sex instinct. Contraction *now* was the primary form of sexual activity for women and was to be regarded as an inherited function just like detumescence: "The act of introducing the penis into the vagina is due to an inherited mode of reaction and not merely to the desire for the greatest amount of pleasure in such contact."<sup>99</sup> What he called the "intrinsic nature of the normal sex instinct" could not be "sheer accident."<sup>100</sup>

Moll's abstract notions continued a long conversation about essential differences in the sexuality of the sexes, and they fit nicely into an approach to sexual expression, long in the making, that reduced it to physiological processes. Coming from within well-established medical frames of reference, these constructs found a ready audience, and psychoanalysts and sexologists continued for some time to riff on his notions of tension, evacuation, and touch to distinguish the male's experience of sex from the female's. For example, the English sexologist Havelock Ellis, widely read and much cited on the continent and in America, quickly adapted Moll's categories and gave them his own spin. Putting the center of attention on detumescence, he thought, privileged a male-centered model in what were ultimately questions of physiological chemistry. Nowadays, he wrote, it was understood that both the psychic and physical side of the "drama of sex" owed their existence to hormonal secretions; that even part of the brain was considered to be chemical. Ellis was a cautious writer who formulated most of his conclusions in provisional terms (maybe just an English style). He wrote "most" or "many" men or women, and used "probably" instead of quickly universalizing, as so many of his contemporaries eagerly did. Thus, on the "evacuation" thesis, he remarked: "It is sufficiently clear that there is on the surface a striking analogy between sexual desire and the impulse to evacuate an excretion, and that this analogy is not only seen in the frog, but extends also to the highest vertebrates."<sup>101</sup> But he also judged the description much too simple, "hopelessly inadequate when applied to women." For one thing, the separation of detumescence and contraction was too strong in Moll's formulation. Indeed, there could be no releasing of tension without its first having built up. So it was necessary to posit "tumescence," which "comes first and is the most important."<sup>102</sup> Despite ambivalences with regards

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97 Moll, *Libido Sexualis*, p. 53.

98 Moll, *Libido Sexualis*, pp. 269–81. Part of the reason Moll wanted to separate sexuality and reproduction had to do with his interests in normalizing homosexual activity as also a manifestation of heredity, much like any other bio-psychic propensity.

99 Moll, *Libido Sexualis*, p. 337.

100 Moll, *Libido Sexualis*, p. 339.

101 Ellis, *Analysis*, p. 16.

102 Ellis, *Analysis*, p. 27.

to the specific place of contraction in sexual arousal, it was clear that in most sexual contact, tumescence came after “elaborate and prolonged processes, what he sometimes called “courtship,” which in turn was but another name for contraction.<sup>103</sup> Whatever, it seemed to be the business of women/woman. Think of it this way: “Tumescence is the piling on of the fuel; detumescence is the leaping out of the devouring flame when is lighted the torch of life to be handed on from generation to generation.”<sup>104</sup> Tumescence/courtship put the action into the woman’s court, so to speak. Indeed, her apparent passivity or reluctance was a performance meant to heat up male desire.<sup>105</sup>

The sexuality of women oscillated between two poles, Ellis suggested, which although never named as such, nevertheless worked the mother/whore image. On the one hand, the woman’s emotions were “rooted in the maternal instinct,” and on the other, took “delight in roughness, violence, pain, and danger.”<sup>106</sup> And that, Ellis observed, made the sexual instinct in woman “much more elusive,” even as he slyly acknowledged that “the judgments of men concerning women are very rarely matters of cold scientific observation.”<sup>107</sup> Despite this potential for flawed judgment, it was nevertheless necessary to “realize to how large an extent woman is a sexual organism, and how diffused and even unconscious the sexual impulses may be.”<sup>108</sup> “In man the process of tumescence and detumescence is simple. In women it is complex. In man we have the more or less spontaneously erectile penis, which needs but very simple conditions to secure the ejaculation which brings relief. In women we have in the clitoris a corresponding apparatus on a small scale, but behind this has developed a much more extensive mechanism, which also demands satisfaction, and requires for the satisfaction the presence of various conditions that are almost antagonistic.”<sup>109</sup> What Ellis called the “greater diffusion of the sexual impulse and emotions in women” could be seen to be both physical and psychic.<sup>110</sup>

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103 Ellis, *Analysis*, pp. 52–58.

104 Havelock Ellis, *The Mechanism of Detumescence*, in Havelock Ellis, *Studies in the Psychology of Sex*, 4 vols. (New York, 1936), vol. 2, pt. 1, pp. 115–200, here p. 142.

105 Ellis, *Analysis*, p. 229.

106 Ellis, *Analysis*, p. 95. “The one impulse craves something innocent and helpless, to cherish and protect; the other delights in the spectacle of recklessness, audacity, sometimes even effrontery. A woman is not perfectly happy in her lover unless he can give at least some satisfaction to each of these opposite longings.”

107 Ellis, *Analysis*, pp. 189, 193.

108 Ellis, *Analysis*, p. 206.

109 Ellis, *Analysis*, p. 235.

110 Ellis, *Analysis*, p. 250. Ellis told the story of a philosopher woman in the “East” who responded to the question of where a woman’s mind was located by saying it was between her thighs. Then came this wonderful piece of prose: “To many women,—perhaps, indeed, we might say to most women,—to a certain extent may be applied—and in no offensive sense—the dictum of the wise woman of the East; in a certain sense their brains are in their wombs,” p. 252–53.

Ellis posed the question *why* a woman was a woman and answered it with the statement that, although it once was thought that she was determined by her womb and more recently by her ovaries, now it was known that “a woman is a woman because of her internal secretions.”<sup>111</sup> And it was this that differentiated her from man. “So long as women are unlike [left unstated is unlike from what] in the primary sexual characters and in the reproductive function they can never be absolutely alike even in the highest psychic processes.”<sup>112</sup> Women were more precocious than men but their development was arrested much earlier in life. As a result, their proportions were more-or-less like those of small men or children, atavistic, suggestive of the physical proportions of men early in evolution. What Ellis called the “greater youthfulness of physical type in women” had implications, indeed vibrated “to the most remote psychic recesses”<sup>113</sup> One of the results was the greater “affectability” of women: “The affectability of women exposes them, as I have had occasion to point out, to very diabolical manifestations. It is also the source of very much of what is most angelic in women – their impulses of tenderness, their compassion, their moods of divine childhood. Poets have racked their brains to express and to account for this mixture of heaven and hell. We see that the key is really a very simple one; both the heaven and hell of women are but aspects of the same physiological affectability.”<sup>114</sup> The differences between the average woman and average man, both physical and psychic, “extend to the smallest details of organic constitution . . . . And all these sexual differences probably have their origin in the more intimate connection of women with offspring.”<sup>115</sup>

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111 Ellis, *Man and Woman*, p. xii: *propter secretionis internas totas mulier est quod est* (Blair Bell).

112 Ellis, *Man and Woman*, p. 18: “As such social changes tend more and more to abolish artificial sexual differences, thus acting inversely to the well-marked tendency observed in passing from the lower to the higher races, we are brought face to face with the consideration of those differences which are not artificial and which no equalisation of social conditions can entirely remove, the natural characters and predispositions which will always inevitably influence the sexual allotment of human activities.”

113 Ellis, *Man and Woman*, p. 65.

114 Ellis, *Man and Woman*, p. 425.

115 Ellis, *Man and Woman*, p. 514. “The female animal everywhere is more closely and for a longer period occupied with that process of reproduction which is Nature’s main concern. This is, indeed, more than a zoological fact; it is a biological fact . . . . The female retains her youthfulness for the sake of possible offspring . . . . The interests of women may therefore be said to be more closely identified with Nature’s interests. Nature has made women more like children in order that they may better understand and care for children, and in the gift of children Nature has given to women a massive and sustained physiological joy to which there is nothing in men’s lives to correspond . . . . Men have had their revenge on Nature and on her *protégée*. While women have been largely absorbed in that sphere of sexuality which is Nature’s, men have roamed the earth, sharpening their aptitudes and energies in perpetual conflict with Nature. It has thus come about that the subjugation of Nature by Man has often practically involved the subjugation, physical and mental, of women by men,” p. 522.



Fig. 21: Between Man and Child.

The caption reads: “The woman remains – as distinctive characteristic of her femaleness – over her whole life closer than the man to the child.” Professor of gynecology Hugo Sellheim (1871–1936) commented in *The Secret of the Eternal Feminine* that “it immediately meets the eye in comparing the face of woman with child and man with child. Upon this distinctive characteristic of delayed youthfulness that we continuously encounter rest all the female characteristics that attract the man and are of benefit to the child. What the face reveals is observed throughout the entire organism, body and soul.” And in another book: “The woman, in her entire construction, in the proportions of her skeleton, in the distribution of her fatty tissue and musculature, in the formation of her larynx, is closer to the child and in the bloom of her years remains still closer than the man.” Sellheim was director of the women’s clinic in Düsseldorf, professor of gynecology and obstetrics at the universities of Tübingen and Halle, and finally, professor and head of the department of gynecology and obstetrics in Leipzig. He was the twenty-first president of the German Society for Gynecology and Obstetrics. He defined the “Science of Women” (*Frauenkunde*) as

that “part of our science which remains after subtracting gynecology (*Frauenheilkunde*) and obstetrics (*Geburtshilfe*) in the strict sense. I include all the anatomy, physiology, and biology of woman and female nature (*Frauenwesen*).” He concluded that athletic achievement for women led to masculinizing and the atrophy of female abdominal organs. During the 1930s, Sellheim was a member of the SS and the National Socialist Union of Teachers. He took part in the forced sterilization of women who contravened the laws of racial hygiene or endangered social heredity.

Image from Hugo Sellheim, *Das Geheimnis vom Ewig-Weiblichen: Vorträge über Frauenkunde für weitere Kreise* [The Secret of the Eternal Feminine: Lectures for a Broad Audience on the Science of Women], 2nd ed. (Stuttgart, 1924), p. 63. Image courtesy of the University of California Southern Regional Library Facility. Quotations from *ibid.*, p. 66; and Sellheim, *Die Reize der Frau und ihre Bedeutung für den Kulturfortschritt* [The Charms of the Woman and their Meaning for the Progress of Civilization] (Stuttgart, 1909), p. 14.

In claiming that “it is the mother who is the child’s supreme parent,” Ellis brushed the male’s role in parenting aside.<sup>116</sup> Interestingly enough, he is one of the few writers I have found from this period who simply referred to the “child” throughout, rather

<sup>116</sup> Havelock Ellis, “The Mother and Her Child,” ch. 1 of *Sex in Relation to Society*, vol. 2, pt. 3 of Ellis, *Studies in the Psychology of Sex* (New York, 1936), pp. 1–32, here p. 2. This chapter hereafter Ellis, “Mother and Her Child”; short title for the vol. is Ellis, *Sex in Relation to Society*.

than slipping quickly to “son.” In this passage about the mother as supreme parent, he offered a rather different take on the male preoccupation with building civilization. Rather than having considerable energy left over after occasional sexual discharge, Ellis’s male sought “renown and adventure” as *compensation* for being excluded from primary care and from the home where the mother reigned supreme. “Fundamental and elementary . . . is the fact of the predominant position of the mother to the life of the race.”<sup>117</sup> Sometimes Ellis ascribed this to “Nature,” but just as often he tied it to the interest of “Society,” which benefitted from leaving “the chief responsibility for all the circumstances of child-production to the mother.”<sup>118</sup> Consequently, woman spread her maternal instincts to the husband himself – clearly a gesture of power, if not one underscored by Ellis himself.<sup>119</sup>

In psychoanalysis, psychology, and sexology, from Weininger and Marholm to Möbius, Freud, Deutsch, and Ellis, the sexes were seen in terms of binaries. When it came to the female, the talk was of purpose or fate, and that was tied up with motherhood. Women had no time for cultural production, given the centrality of sexuality to their existence. The woman’s body could be thought of as a sexual organ, or as wholly infused by sexuality, with touch central to its expression. Every aspect of female physical and psychic makeup was sexual, in sharp contrast with the male. Being biologically constructed in ways that men were not, women were anchored in nature. They may have had a drive towards motherhood, but the female as such nevertheless incorporated two sides, expressed simultaneously or alternately – the harlot and mother. By “mother” these writers seem to have meant a being not in the first instance sexual, yet neither Weininger nor Marholm nor Deutsch was willing to see the maternal as anything but sexual. The image of the whore expressed abandon, a sexuality not subject to repression. I am not concerned here with the inconsistencies evident in these sources. I have already detailed ideas of boundlessness and fusion in chapter 1 of this section, and I will explore more examples along these lines in the next chapter. The point to underline is the pansexuality of the female and its expression, not through tension and release, but through the desire for physical touch, which never could be resolved – *detumescence* was a male thing. The notion of sexual dimorphism running through these texts not only drew strong contrasts between the kinds of desire of the sexes and their direction, but also suggested that the nature of sexuality had implications for cultural activity, emotional household, intelligence, and the instruments available to exercise power.

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117 Ellis, “Mother and Her Child,” p. 2.

118 Ellis, *Sex in Relation to Society*, p. 419.

119 Ellis, *Sex in Relation to Society*, pp. 572–73: quoting Professor W. Thomas from his *Sex and Society*, 2nd ed. (Chicago, 1907), p. 246. Happy marriages “represent an equilibrium reached through an extension of the maternal interest of the woman to the man, whereby she looks after his personal needs as she does after those of the children cherishing him, in fact, as a child—or in an extension to woman on the part of man of the nurture and affection which is in his nature to give to pets and all helpless (and preferably dumb) creatures.”

## Feminist discourses

We also begin with the proposition that the entire being of the female is conditioned by motherhood. — Helene Lange, 1897

Only the woman, who has gone through the entire cycle of female life represents . . . completely her sex, demonstrates it in its unimpaired natural fullness, in its abundance, as well as in its duty. — Adele Gerhard and Helene Simon, 1901

Maternal feeling is the most sensual through and through and because of this the most fully spiritual of all feelings. — Ellen Key, 1905<sup>120</sup>

Evolutionary schemes in the medical and scientific literature of late nineteenth and early twentieth centuries supported many different strategies to examine the nature of the female, her current condition, and future capabilities. Some of the various “woman’s movements” of the era latched onto notions of an original matriarchy, in which women were strong and capable and societies more peaceful than they were later, after men flexed their muscles and took over.<sup>121</sup> The long history of patriarchy provided materials to call into question many of the generalizations about woman’s sexuality and mental life in the here and now. Around 1900, the construct “motherhood” provided a focal point for considering what woman could and should do. Given the facts of their plumbing and capacities to bear and rear children, it was asked, were females ethically obligated, to society or the race, to reproduce and nurture subsequent generations? Was it possible that the motherhood of the female – even of women without progeny or children any longer at home – provided a particular foundation for action in public, social, political, or cultural spheres?

Feminists had to deal with just how the sexes differed from each other and just what the nature of woman was. Female desire: did it have its own quality? Sexuality: what was its elemental nature? These and other questions were chewed over in hundreds of publications. It did not seem possible to avoid the science of physiology or the new findings in physiological chemistry. And the presumed link between the specificity of the female body and her mental life, on the one hand, and her eroticism, on the other, raised other questions, such as whether motherhood was a particular expression of sexuality. If eros lay at the heart of the maternal, it was possible to imagine the expansion of woman’s activities beyond the family as somehow an expression of a peculiar form of sensuality. But then, essentialism itself could be challenged on several grounds: exceptional talent, different sex/gender mixtures, political oppression. Might it be, it was wondered, that the female had no particular purpose (*Bestimmung*); that male power had defined (*bestimmt*) what she was supposed to be? In the concluding section of this chapter, I will look at how a handful of German feminists worried the

<sup>120</sup> Ellen Key, *Über Liebe und Ehe. Essays* (Berlin, 1905), p. 107.

<sup>121</sup> On the term “woman’s movement” see my conclusion to this chapter.

connections between physiology, purpose, sexuality, and mental life, while here and there remarking on literatures from elsewhere.

In 1903, the year Weininger's book appeared, much of male science was called into question by Johanna Elberskirchen (1864–1943), whose career took her through the women's movement to social democracy, then to sexual reform, and finally to homeopathic practice. In a book on sexual feelings of male and female, she denied at the outset that there was any essential difference by attacking the idea that motherhood and sexuality amounted to the same thing.<sup>122</sup> All that motherhood was, was the fact that the woman's body provided a place for a fetus to grow, a place for incubation (*Brutpflege*).<sup>123</sup> The sexual drive of the woman was quite independent of motherhood; or, better put, it was not motherhood that determined sexuality but sexuality that resulted in motherhood – contingently.<sup>124</sup> In both reproduction and sexuality, the key point was a balanced, equal, same sort of desire that brought the two sexes together. There was an analogy to be drawn between the physiology of conception and the physical union of man and woman: "Egg and sperm cell strive towards each other, towards union, towards conjugation, strive to become a body, a cell, the embryo cell, to satisfy their chemical affinity – the child, it is the child that in male and female cries for deliverance, for synthesis. This synthesis can only take place when male and female unite sexually – thus egg and sperm cell are the cause of sexual union of male and female, the primary driving moment for male and female, not for the female alone."<sup>125</sup> In this account, the assumption that the egg just sat around waiting for the active sperm was rejected out of hand and replaced by a chemical metaphor of reciprocal action. This analogical shift provided a new parable of passivity and activity with implications for gender in general. The sexual drives of men and women, Elberskirchen argued, were linked to similar physiological processes: the germ cells of both sexes put pressure on their respective *corporae cavernosae*.<sup>126</sup> The tension created mutual perturbation and drove the individuals to each other: "Sexual drive and sexual feeling of male and female have the same, equal causes," all originating out of "physiological-mathematical" necessity.<sup>127</sup> It was desire for sexual union (active), not for motherhood (passive), that got females into trouble – women were not so stupid as to have sex in order to have a child.<sup>128</sup> The very fact that they might have an illegitimate child with all the complications that went with that demonstrated the power of the sexual drive itself. Although Elberskirchen did not use the sexologists' language of tumescence and detumescence, she clearly thought of tension and release as part of the sexual performance of both genders; not, like Moll and

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122 Johanna Elberskirchen, *Die Sexualempfindung bei Weib und Mann, Betrachtet vom physiologisch-soziologischen Standpunkte* (Leipzig, 1903), pp. 3–5.

123 Elberskirchen, *Die Sexualempfindung*, p. 5.

124 Elberskirchen, *Die Sexualempfindung*, pp. 7–9.

125 Elberskirchen, *Die Sexualempfindung*, p. 10.

126 Elberskirchen, *Die Sexualempfindung*, p. 11.

127 Elberskirchen, *Die Sexualempfindung*, pp. 13, 18.

128 Elberskirchen, *Die Sexualempfindung*, p. 27.



Freud, as a peculiarity of the male. Furthermore, since motherhood was not an expression of woman's sexuality in the first instance, maternal feelings came later, through the experiences of carrying a child and breastfeeding. It was an argument not unlike the bonding ideology of the early decades of the twenty-first century.<sup>129</sup>

Throughout the medical literature on sexual dimorphism, the mental households of the sexes were understood to be radically different from each other, with considerable implications for contributions to culture. One of the leading turn-of-the-century feminists in Germany, Helene Lange (1848–1930), teacher, school reformer, and editor of *Die Frau*, took on the issue of the intellectual boundaries between men and women in 1897.<sup>130</sup> Worried that talk of such boundaries only ever came up in the case of females, she wanted to suggest ways of reconfiguring the sexes' mutual contributions. Yet her understanding of gender differences still tracked closely with the physiological assumptions of medical science. Thus she, too, underscored differences in physiological functions which in turn conditioned feelings and interests.<sup>131</sup> The female was designed (*bestimmt*) for motherhood, and this purpose governed her physical and psychic specificity. But "mother" was not a single purpose organism.<sup>132</sup> Neither was she just a sexual being, as Laura Marholm wanted to think. So she wrote: "we also begin with the proposition that the entire being of the female is conditioned (*bedingt*) by motherhood."<sup>133</sup> But she added that motherhood should not at all be seen as limiting. Rather it was the foundation for powerful and needed qualities. It was the female, after all, who was marked by the personal, by concrete, quick, and deep feeling. She was the ultimate source (*Urgrund*) of altruism and love, as of social thinking. Maternal caring linked family and society and it even prepared women, through social work, for entry into the public sphere.<sup>134</sup> Just because female physiology determined emotional and mental life and appointed woman to motherhood, women were specially adapted to deal with all the caritative tasks and political issues of an industrializing and urbanizing society.

Lange was only one among many in Europe and America who thought of the mother-child bond as a central biological and evolutionary phenomenon, or of child-rearing and motherhood as justification for claims to enter public life.<sup>135</sup> But from 1850, in Prussia, where she did most of her work, there were legal barriers to women organizing politically.<sup>136</sup> The long road into public life ran through efforts to extend private nurture

<sup>129</sup> Elberskirchen, *Die Sexualempfindung*, p. 33.

<sup>130</sup> Helene Lange, *Intellektuelle Grenzlinien zwischen Mann und Frau* (Berlin, n.d.), first published in *Die Frau* (1897).

<sup>131</sup> Lange, *Intellektuelle Grenzlinien*, p. 10.

<sup>132</sup> Lange, *Intellektuelle Grenzlinien*, pp. 10–11.

<sup>133</sup> Lange, *Intellektuelle Grenzlinien*, p. 12.

<sup>134</sup> Lange, *Intellektuelle Grenzlinien*, pp. 13–15.

<sup>135</sup> Allen, *Feminism*, pp. 229–32. Ann Douglas, *The Feminization of American Culture* (New York, 1978), pp. 74–76.

<sup>136</sup> Allen, *Feminism*, p. 84. These legal barriers to political organization and action did not exist in America, even though barriers to office and other public functions did.

into ever-broader settings – charitable work and child-rearing (the *Kindergarten* movement) – and through refiguring claims about women drawn from the natural sciences and evolutionary theory. What emerged, as feminist writers subverted male evolutionary accounts and rewrote the place of women in cultural production, was a reliance on the mother-child bond as justification for political and social claims. Already medical science had written off fathers as incapable of nurture, distant, and only peripherally conjoined to the family.<sup>137</sup> Now, in their efforts to gain rights, women mobilized nurture, practical knowledge, compassion, care – specific ideas about the female taken from the natural science literature and commonly associated with their roles in the family – in support of their wider political and social aspirations.

Exactly how women could enter the public sphere was, however, still a widely debated issue. Were they capable of the kind of mental work expected in the professions, science, and the arts? In 1901, Adele Gerhard (1868–1956) and Helene Simon (1862–1947) set out to deal with the vexing problem of women and mental work.<sup>138</sup> Like other contemporaries, they spoke the language of purpose, obligation, and function, and they also placed particular emphasis on corporeal nature: woman, “living out her physical peculiarity is indissolubly bound up with elementary obligations.”<sup>139</sup> There was nothing analogous for the male. For the female, the full development of personality depended on living as sexual being and mother. Indeed, only the woman who had gone through all the stages of female life could represent her gender fully.<sup>140</sup> The authors essentially agreed that woman was not free enough to participate much in the creation of culture (or better, Culture) for her intellectual productivity would nearly always be exhausted in maternal activity. So in the end, yet again, if women generally were not leaders in intellectual work, it was because of their specificity as sexual being (*Geschlechtswesen*).<sup>141</sup>

In the early years of the twentieth century, one of the most widely discussed feminists in Europe and the United States was Swedish writer Ellen Key (1849–1926).<sup>142</sup> In a 1905 treatise, she wrote that the motherhood of woman meant that she was sensual, from head to foot, throughout the whole year. Her entire being was erotic.<sup>143</sup> She needed the erotic. If she did not have the opportunity to experience and express it through

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137 Allen, *Feminism*, pp. 48–59, 103–12, 135–45, 160–67, 229–32. See Walker, *Woman Physiologically Considered*, p. 139: “The little duties which woman owes to children are utterly incompatible with masculine faculties of mind.”

138 Adele Gerhard and Helene Simon, *Mutterschaft und geistige Arbeit. Eine psychologische und soziologische Studie auf Grund einer internationalen Erhebung mit Berücksichtigung der geschichtlichen Entwicklung* (Berlin, 1901).

139 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 11.

140 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 321.

141 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 325.

142 For her reception in America and dispute with Charlotte Perkins Gilman, see Allen, *Feminism*, pp. 157, 161–62, 166, 172.

143 Ellen Key, *Liebe und Ehe*, p. 107.

physical pleasure, she would turn it to the entire world.<sup>144</sup> Morality for the female was much more deeply tied to sexual behavior than for the male. In 1902, Key critiqued members of woman's movements who thought that women could be freed from the limits of nature. Motherhood was essential to the nature of the woman, she insisted: this was a matter of eternal law, from which the woman could not free herself without perishing.<sup>145</sup> The woman's *normal* condition was the one of soul and body adapted to motherhood. Kléncke, Schultze, Heilborn, Bauer, Möbius surely would have agreed – wholeheartedly.

If Key continued to work with the female as an abstraction, universalized from the perspective of her biological architecture, with her character and potentialities defined by her sexuality, other women, such as the prominent Viennese feminist Rosa Mayreder, tried to modify such generalizations and loosen up the possibilities, at least for women who chose to live differently. Mayreder entered the lists one year after Weininger with *Towards a Critique of Femaleness*. By 1910, three editions of her book had appeared (final edition 1922).<sup>146</sup> Little interested in woman as such (the “average” woman), she concentrated her analysis on what woman could become, above all on women who could stand out in the crowd. She was critical of the way the woman's movement had elevated motherhood as the central criterion determining woman's potential. As an internal condition, motherhood was no more universally valid as a criterion for femaleness than any other general principle.<sup>147</sup> She pointed out that the fundamental assumption of modern natural science was that every conscious expression was bound to corporeal processes. The physiologists maintained that the female was female through her reproductive glands (she quoted Virchow's famous passage). But then, she observed, if the process of reasoning were to begin with the germ cells – the male energetic and striving into the beyond, the female passive, stable, and protective against the outside – then it was necessary to ask how all the deviations, evident even to a casual observer, could be explained. The more a curious inquirer looked, the less she, or maybe he, could find the answers in physiological or biological differences.<sup>148</sup>

It comes as a bit of a surprise, then, that Mayreder found Otto Weininger to be the best writer on the subject of the female, and certainly the most penetrating; even while she thought that the tensions in his account and the contradictions between the two parts of his treatise, between the abstract female in the first part and the concrete woman in the second, vitiated his argument.<sup>149</sup> Weininger had begun with a fruitful biological theory but had ended up with the old, crude idea that male and female, because of the *Bestimmung* of their primary sexual insignia, divided into two fully separate

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144 Key, *Liebe und Ehe*, p. 198.

145 Ellen Key, *Das Jahrhundert des Kindes* (Berlin, 1926), pp. 179–83.

146 Rosa Mayreder, *Zur Kritik der Weiblichkeit. Essays*, 3rd ed. (Jena and Leipzig, 1910).

147 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 4, 15–16.

148 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 17–21.

149 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 30–33.

oppositions. Yet it was not even true, Mayreder observed, that all organs demonstrate sexual polarity. In the evolutionary chain, the more developed an organism, the less determined it was, and the psychic qualities were not tied at all to gender; however much, in most cases, the sexes displayed mental peculiarities.

Despite this critique of a strict sexual dimorphism, it is fair to say that all Mayreder really accomplished was to soften a rigid determinism. She did this by suggesting that not *all* women could be captured by the going stereotypes. It was important not to confuse the norm (that is, most women) with a fate (*Bestimmung*), and it was illegitimate to limit everyone by the criteria of the average (also *bestimmt*) – and by that she meant the majority.<sup>150</sup> Most women were sexually passive and bound to tasks of motherhood. Indeed these two aspects acted on each other reciprocally. As a result, the majority of women were by no means equal to men. To some degree, Mayreder admitted, this was a matter of nature, but historically male repression also had played its part. “The female as individual has gotten a raw deal from her obligations to the race.”<sup>151</sup> Wherever else her argument was headed, here she enumerated a number of teleological qualities that made the female a being suited to the tasks of reproduction: weak will, intellectual inferiority, the domination of vegetative life in her mental-physical constitution (an account close to so many male writers, including Freud). These characteristics, she suggested, made women dependent on male sexual desires, disposed them alternatively to motherhood or prostitution.<sup>152</sup> Whatever else, motherhood inhibited the development of mental life, she wrote, just as Gerhard and Simon did in their sociological survey.<sup>153</sup> By its very essence, a motherliness rooted in specifically female nature could not direct itself to the interests of the universal, because its most powerful energies were oriented towards its own progeny. Only women who escaped the teleological measure of their gender and deviated from the typical had any hope of independence. Raising children was not the same thing as engaging in creative activity, and putting too much energy into the little ones was a waste of time – ultimately a source of alienated labor.<sup>154</sup>

The analysis of alienated labor brought Mayreder to the issue of sexuality. Like many others of the period, she thought women could be classified into different types according to their sexual constitutions or proclivities, in just the same way that plants could be divided into different genera and species by reference to various criteria. Her interest lay in applying an erotic typology to women to differentiate among them, as if each type were a separate species. One type sought to be totally dependent; its members were the “average,” what one usually meant by the term “female.” But the *norm* or *average* was not the “real.” For in the life of every woman, it was the erotic attraction that she performed as an individual, the instinctual certainty by which she made her selection, that

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150 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 42–48.

151 Mayreder, *Zur Kritik der Weiblichkeit*, p. 51.

152 Mayreder, *Zur Kritik der Weiblichkeit*, p. 52.

153 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 63–66.

154 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 78–84.

was crucial. Here was not a question of any universal femaleness or of which form of femininity was the real one. Indeed, we now know from physiological and bio-evolutionary science, Mayreder asserted, that both sexes ontogenetically derived from a common hermaphroditic original form, traces of which continued in all individuals – and higher forms of life always contained both sexes.<sup>155</sup> This point echoed Weininger and Freud about bi-sexuality, but it also suggested that the particular mixture assigned a particular character. The more female in the mixture, the more the individual approached the statistical norm, the average, the dependent mother with her peculiar form of eroticism. After all that she had said, Mayreder still made reference to a natural purpose and pleaded for an education for women that would, in the first place, prepare them mentally and physically for motherhood. “Through motherhood nature has assigned to the female organism the most important and responsible role in the life of the species, a heavy obligation, which demands above all hardening of body and soul, fortitude, inner courage, and a gritty disdain for physical suffering.”<sup>156</sup> But how particular women might deal with this was a matter for individual choice – there was no abstract female.<sup>157</sup>

In the feminist texts I have looked at here, assumptions about fundamental differences between male and female were well-represented, and what characterized woman in the end was the design of her body, so perfectly adapted to motherhood. Physiology determined how she thought and how she acted in the world. There was an easy transition from caring for her own children to interest and skill in protecting and supporting children in the community and nation – private care and public charity could be different expressions of maternal energy. Some thought that the female character was more or less universal, while others just thought that most women exhibited a maternal instinct. Because the mother-child bond was thought of as sensual, the extension of motherhood into the world could also be thought of as erotic. Motherhood always had a special relationship to sexuality, and most everyone thought that how sexuality was lived had a great deal to do with mental and emotional life, morality, interests, purpose, and ways of doing things.

## Conclusion

Discourses of incest tend to be dominated by particular disciplines at different times. Because that is the case, issues of gender, desire, purpose, obligation, boundaries, and transgression are refracted through different languages, which in turn promote their own agendas. Perhaps the obsession with sexuality among scientists, theologians, philosophers, novelists, playwrights, and journalists at the turn to the twentieth century was

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155 Mayreder, *Zur Kritik der Weiblichkeit*, pp. 157–75, 263–78, 282–85.

156 Mayreder, *Zur Kritik der Weiblichkeit*, p. 287.

157 Mayreder, *Zur Kritik der Weiblichkeit*, p. 259.

overdetermined. There were considerable worries about falling fertility rates, prostitution, changing job markets, new forms of consumption, education and political rights for women, dysfunctional families, and the all-purpose “degeneration.” Biologists and evolutionary biologists made strong claims to know about all these things. Central to evolutionary representations were the nature of sexual reproduction, the mechanisms of selection, and sexual division of labor in the broad sense. But many professionals who were interacting with the public in practical matters – doctors, health officials, men and women working in the new psychological fields, politicians, and family advisors – concentrated their efforts on women; or, when they thought abstractly, on “woman.” In the late nineteenth century, for example, political agitation in the support of rights for women was called the *woman’s* movement in English, in contrast to the late twentieth-century *women’s* movement. In any event, woman, the female, *Das Weib*, was treated as a biological phenomenon, which raised quite specific questions about her role in reproduction, thought of broadly, as both bearing children and caring for them over many years.

In natural history and in medicine, assumptions of sexual dimorphism directed the attention of researchers and practitioners. They wasted few words on male sexuality except to say that it manifested some elements of aggression and only showed up from time to time. But from cells to bones to organs to brains to perceptual apparatuses, sex, so to speak, was on their minds when it came to the female. Tracing the curve of the female form led to thoughts of maternal sexuality and by extension, to the reproductive function. The body demonstrated a clear teleology for those who knew how to read it. From anatomy could be deduced sexuality and also a whole range of mental peculiarities. The entire emotional household of woman was dependent on physiological processes. Unlike the male, however, her forms of sexual expression turned, not on tension and its release, but rather on an open-ended tactility, foreplay, fondling. And these forms were not just how she engaged in intercourse with sexual partners but also how she expressed maternal caring. The thought was that sexuality was diffused throughout the female body. Someone like the psychoanalyst Helene Deutsch could even embellish the idea with the figure of the whole female body as a sexual organ. In keeping with the unboundedness of female sexuality, many writers were prone to think in terms of both restraint and abandon, but they never were sure whether these were two aspects of the same thing, acting either simultaneously or by oscillation.

Biology in its evolutionary garb may have offered a principal language in which to view motherhood and the female-as-destined-to-motherhood, but it could not explain all aspects of gender-inflected unease in turn-of-the-century culture. At first sight, Lamartine’s project of incorporation – fitting himself inside his mother’s diary – appears to be quite different from Käthe Kollwitz’s symbolic gesture of pulling her child back into the womb, yet they both suggest attempts to erase boundaries and to fuse identities. I am not sure exactly how to interpret these projections, but there do seem to be fears and needs for release here that also are present in the *Freikorps* literature and in D. H. Lawrence. All in all, the maternal figure had many sides, expressed by many different voices. There was Sacher-Masoch, who desired to have the mother lay down

the law. And there was Lily Braun, who insisted that her son go off to war and stay there when he had second thoughts, and who then treated his almost inevitable death with equanimity. I have found that the concern with female sexuality appears primarily in literature composed by sons. But obviously, women also got into the act. Elberskirchen offered her text *as response* to a predominantly male discourse, and feminists such as Lange fully accepted the constructs of sexual dimorphism in order to carve out a well-articulated foundation from which to launch strategic claims for maternal power.

The problem of motherhood, of course, raises issues that have to do with the family. In chapter 1 of this section, I explored a literature about mothers and sons, and in chapter 3, I will look at how families and households were commonly understood to be organized around the axis of mother/son – often the eldest son. That pattern partly explains how in cultural production so many sons were concerned with figuring out the nature of maternal influence – or better, maternal power. That this power was thought to be exercised through sensuality, eroticism, sexuality in some way or other prompted my research agenda, at least in a sense. But the situation also can be looked at in a different way. For the past half century, anthropologists have asked how kin are “made.” The assumption has been that the process has a great deal to do with physical reproduction, which has tended to promote the idea that kin are those who are connected through blood. But that idea seems not so useful for many societies where notions of blood are missing. In some cases, other substances – like “flesh” for medieval Europe – have been seen as more useful, and some anthropologists have thought of the sharing of food in particular societies as the metaphor or practice connecting people as kin. This has led to a widespread interest in “nurture” as a foundation for building obligation and for initiating, strengthening, or selecting ties of kinship. Certainly, some form of genealogical connection with more-or-less emphasis on metaphors of blood characterized Western society around 1900, but it is also useful to see that this was a society profoundly marked by practices and ideologies of nurture. In the following chapter, I want to explore some of the ways that nurture made kin, but I also want to make the point that motherhood and nurture had their own pathologies; or, perhaps better, to underline the idea that nurture was by no means free of aggression and offered significant ways of exercising power.

## Chapter 3

# Making Kin around 1900: The Nature of Nurture

While the first sight of the newborn acts on the mother in many cases with disgust, the wailing cry of the helpless creature stabs her heart and together with the pleasure from touch awakens her maternal instinct, which only gains its full strength through the voluptuous feeling of suckling. This instinct itself we have to understand as inherited recollections of sensations which were bound to particular actions . . . For this intimate bond between mother and child through the feelings of touch after the termination of the physical link through the placenta, the vellus hair of the mother is no less important than that of the child, and no other mammal possesses such an amply sensitive organ of touch for perceiving feelings of contact as the human with his skin surfaces covered with fine downy hair. As in so many matters that distinguish humans, the woman like the child with her skin covered in vellus hair is superior to the man, who has an abundance of terminal hair, in the acuteness of the sensitivity of touch and which supports her far more pronounced connection of sexual feeling with feelings of touch . . . in the service of preserving the offspring. — Hans Friedenthal, 1908<sup>1</sup>

There are various ways that people make kin or come to recognize certain people as related to them in particular ways. Certainly, some form of kinship by descent has long been recognized in Western societies, although the idea of how connections work down through generations has not been at all stable. The kinds of obligations and rights recognized for “relatives,” their strength, and the computation of distance have changed with time and varied at any one time by class, ethnicity, region, and family tradition. And the forms and practices of knowledge about kin have shifted to reflect fashions, technologies, ideologies, social pressures, and cultural expectations specific to any particular era. Beyond acknowledging genealogical connection, kin have been made through explicit or implicit “contract”: marriage, sexual relations, adoption, godparenthood, and friendship, each of these methods having its particular valence and social expectations. Anthropologists have long asserted that the map of kin and the network of affective and effective connections to particular kin are not the same and that kinship always involves options, performance, or cultivation, but more recently they have been stressing artifice, ideology, and choice in a more significant way. Some have gone so far as no longer to recognize much difference between friends and kin. But, to return to one central aspect of traditional kinship studies – the generation of rights, claims, duties, and obligations – some ethnographers, prompted by a renewed interest in kinship by feminist anthropologists, have come to center their attention on “nurture” as a crucial mechanism for evoking attachment.

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<sup>1</sup> Hans Friedenthal, *Das Wollhaarkleid des Menschen: Ein Beitrag zur Physiologie der Behaarung* (Jena, 1908), Teile 1–4 in Friedenthal, *Beiträge zur Naturgeschichte des Menschen*, 5 Teile (Jena, 1908–10), here Lieferung 1, pp. 24–25.





Fig. 22: Who's Kin? Whose Kin?

The father of the family complains that the young man seated in the chair has once again spent 3000 Mark in the past semester. The profligate sits placidly there, plump, clearly a student long-in-the-tooth, calmly smoking a cigarette, wearing a fashionable monocle, and outfitted with his fraternity sash and tie. He has a dueling scar (*Schmisse*) on his cheek. Mother is weeping at the wastrel's prodigality, and the two children are making fun of him. The joke turns around the term *Brautkind*, which designates a child born to an engaged couple – so their son, but not born in marriage. The recently ratified *Bürgerliches Gesetzbuch* (Civil Law Code) defined *Abstammung* or descent (§§ 1591–1592) under the terms *Mutterschaft* and *Vaterschaft*. The father of a child is the one who at the time of the birth was married to the mother. Here the father wants to point out that the son is only their *Brautkind* and therefore not related “to us” at all. This is clearly a misreading of the legal code but points up the issue of what constitutes kinship and how to understand obligation.

Cartoon print from *Simplicissimus* 1, no. 18 (August 1, 1896), p. 8. Image courtesy of the Getty Research Institute, Los Angeles (85–S1389).

In the next chapter, I will be looking at kinship structures at the turn into the twentieth century, but here I want to examine some dynamics of “making kin” in that era’s families and households. Certainly, many people considered kin in terms of descent whether limited to parents and children or extended to a broader group with reference to a genealogical grid, the latter usually represented more-or-less elaborately as a family tree. This could of course involve “blood.” Recall that references to blood, understood as the key vector for constituting kinship of the kind so prevalent in the seventeenth century, had been both reconfigured and diminished in the course of the eighteenth century, in favor of recognizing kin through sentimental attachment. But during the last decades of the nineteenth and first decades of the twentieth century a new interest in blood emerged, refitted with an evolutionary spin informed by biology. The scholarly spadework to dig into and uncover the complexity of this changing discourse has not been done.<sup>2</sup> Here, I will explore an important dimension of the new biological

<sup>2</sup> Together with three other editors, I helped put together a volume on the history of notions of blood and kinship from ancient Rome to the present. Precisely for this period, neither we nor the three specialist scholars whom we engaged could come up with a synthesis. It still stands as an important historical task, not the least because so many anthropologists have built their own assumptions about blood from the discourses of the *fin de siècle*. See Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, Simon Teuscher, eds., *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present* (New York and Oxford, 2013).

thinking and at least one of the era's dominant forums for producing and reproducing kinship relations: the peculiar discourse about the centrality of mothers so evident in the construction of attachments at the turn of the twentieth century. Almost everyone concurred in the idea that mother made the family what it was; that she configured the household, kept the lines of kinship vibrant, and stood at the threshold as stern gatekeeper.<sup>3</sup> But there is more than that, as has been revealed in the previous two chapters: it seems that much of this was managed through her sexuality. I want to deepen the consideration of maternal eroticism here and bring it into the analysis of nurturing, managing, and alliance construction. Many of the authors already encountered in chapter 2 of this section will reappear here, but with reference to issues of nurture and the performance of maternal vocation.

At many levels, women came to be assigned or arrogated to themselves the management of familial emotions, kinship networks, and socialization. Curiously, pundits could argue that sons needed the emotional care of their mothers because fathers were unsuitable and unavailable for the task.<sup>4</sup> But that meant that sons raised in the sympathetic embrace of their mothers were unable to be in charge of the feelings of their own children. It can be asked whether the family structures associated with these maternal bonding ideologies and practices provide clues to the phenomenon of disturbed and violent sons documented in the literature of the 1920s and '30s.<sup>5</sup> In any event, the particular form of nurturing towards the end of the nineteenth century needs to be

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3 See Robert Briffault, *The Mothers: A Study of the Origins of Sentiments and Institutions*, 3 vols. (London and New York, 1927), p. 131–33. Briffault reflected the situation in his argument that the maternal instincts, the most primitive of instincts, had existed prior to what he called the mating instinct. And that mating instinct, which Briffault also claimed had arisen earlier in the female, was also much more directly founded on biological needs—at least for the female by contrast to the male. All social human feelings were “extensions and transformations of the maternal instinct and are directly derived from it,” p. 142. This meant that all female feeling for the male derived from the originary maternal affections and all filial instinct arose from attachment to the mother. Or as Briffault put it: “All familial feeling, all group-sympathy, the essential foundation, therefore, of a social organization, is the direct product of prolonged maternal care, and does not exist apart from it,” p. 157. In contrast, for males, evolution had produced no tendency of close association. All familial coherence and sense of belonging derived from feminine biological needs.

4 For example, Laura Marholm, *Die Frauen in der sozialen Bewegung* (Mainz, 1900), pp. 120–23; or the book by medical doctor and popular lecturer Emanuele Meyer, *Das Weib als Persönlichkeit* (Zurich and Leipzig, 1924), p. 159. Hermann Heinrich Ploss and Max Bartels, *Das Weib in der Natur- und Völkerkunde. Anthropologische Studien*, 2 vols., 2nd ed. (Leipzig, 1887), p. 341: “Except for the most degenerate peoples, maternal love takes precedence over love for the adult male.” And the raising of children is entirely in her hands. If the Biblical story of the prodigal son were of European origins it would have been the mother who received the son, since after all the relationship between mother and son is instinctive.

5 This is the burden of the argument in Klaus Theweleit, *Male Fantasies*, trans. Stephen Conway, 2 vols. (Minneapolis, 1987). The German original, source of this translation, was published in 1977. I do not claim to be competent in psychological analysis, but merely wish to suggest that the possibility of a connection between family structure, experience of maternal nurturing, and male aggression in the early twentieth century ought not to be readily dismissed.

examined at some length. As I have shown with Lamartine, Kollwitz, and the Brauns, and in the imaginaries of Sacher-Masoch, Reuter, and the *Freikorps* literature, a number of themes recurred. Views of motherhood, coupled with the evolutionary biological assumptions of so many “experts” on the nature of women, not only fit into what I have found but also offer new perspectives. Everything so far suggests the centrality of the mother/(eldest) son axis in the configuration of familial relations. Yet that axial relationship often seems to have been characterized by ill-defined or unstable ego boundaries, ideas of fusion, ambiguous identities, and ambivalence about distance. Notions of female pansexuality and the association of motherhood with sensuality and eroticism evoked images of desire and arousal, all of which underscored the interpenetration of bodies and spirits: “flows” and “flowing” came easily to mind. To touch a mother’s skin was to kindle a sexual response.<sup>6</sup> The sexologists even had a word for it: “contrectation.” In this constellation of mother and son, the father was easily disregarded (or *bemuttert*/emasculated).<sup>7</sup> The mother was intent on mastering the son: she sent him off to conquer the world or to die in battle.<sup>8</sup> It was she who displayed the coldness and mental toughness that could switch on the son’s aggression. What seems to have been close to the surface with so many of these writers was the idea that the nurturing activities of women were a source of female power, a power grasped by some, especially those feeding off psychology and psychoanalysis, as a form of aggression. In any event, kinship was central to the social order and was made in the matrix (so to speak) of eroticized maternal care.

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<sup>6</sup> Friedenthal, *Wollhaarkleid des Menschen*, p. 25; Mathilde von Kemnitz, *Erotische Wiedergeburt*, 3rd ed. (Munich, 1923), p. 76; Paul Julius Möbius, *Geschlecht und Unbescheidenheit. Beurteilung des Buches von O. Weininger “Ueber Geschlecht und Charakter”*, 3rd ed. (Halle, 1907), p. 19 (commenting on Weininger); Otto Weininger, *Geschlecht und Charakter: Eine prinzipielle Untersuchung*, 3 vols. (numbered through), 9th unrevised ed. (Vienna and Leipzig, 1907), p. 115.

<sup>7</sup> Let me recall Sigmund Freud’s remark in “Die Weiblichkeit,” in Sigmund Freud, *Gesammelte Werke*, ed. Anna Freud, vol. 15, *Neue Folge der Vorlesungen zur Einführung in die Psychoanalyse* (London, 1952), pp. 119–45, here p. 143: “Only the relationship to the son brings the mother unlimited satisfaction; it is the most complete, most ambivalence-free of all human connections (*Beziehungen*) . . . Even the marriage is not secured until the wife succeeds to make her husband her child as well.” In the German original: “Nur das Verhältnis zum Sohn bringt die Mutter ein eingeschränkte Befriedigung; es ist überhaupt die vollkommenste, am ehesten ambivalenzfreie aller menschlichen Beziehungen. Auf den Sohn kann die Mutter den Ehrgeiz übertragen, den sie bei sich unterdrücken mußte, von ihm die Befriedigung all dessen erwarten, was ihr von ihrem Männlichkeitskomplex verblieben ist. Selbst die Ehe ist nicht eher versichert, als bis es der Frau gelungen ist, ihren Mann auch zu ihrem Kind zu machen und die Mutter gegen ihn zu agieren.”

<sup>8</sup> See the examples of Käthe Kollwitz, Lily Braun, and Gabriele Reuter in the first chapter of this section.

## The nurturing mother from conception to cradle to grave

We have already known for a long time that the processes in the genitals and in the breast have the closest correlative connection to each other, both in psychological terms and from internal secretions . . . Thus with stimulation of the nipples there is not only a reaction on the stimulated organs but the most intensive condition of arousal in the genitals up to orgasm can be attained this way. — Helene Deutsch, 1925<sup>9</sup>

Around the turn of the century, nurturing was thought of as an activity beginning with the onset of pregnancy and stretching through to the emergence of an adult son (and beyond). The child in the womb was fused with the mother and permeable, and therefore subject to the formative powers of her thoughts and emotions. The long-held notion that maternal impressions or imprinting (*Versehen*) could affect the fetus was still much debated at the turn of the century in scientific circles and widely believed beyond them.<sup>10</sup> The popular medical writer Hermann Klencke (1813–1881) can be taken as a spokesman for several widespread ideas about this kind of penetration.<sup>11</sup> He advised pregnant women to keep calm, since passions and resentments could plant mysterious roots in the sleeping soul of the child and interweave themselves unconsciously in its dream life.<sup>12</sup> When the child awakened mentally, all the maternal passions and moral failures of the mother would then be innate. Impressions, particularly those engendered by maternal lust and desire, could, in other words, influence the organic formation of the fetus. There was a kind of “plastic” effect communicated from the nervous system of the mother to the blood of the child. “Women of good education and morals who move among beautiful and harmonic things have beautiful children.”<sup>13</sup> In general the child

9 Helene Deutsch, *Psychoanalyse der weiblichen Sexualfunktionen* (Leipzig, Vienna, Zürich, 1925), pp. 88–89.

10 There was an additional way that activities of the mother could affect the fetus—the German word *Imprägnation* (telegony) designated the effects of earlier intercourse on the generation of children by a later father. For a discussion of *Imprägnation* (telegony) see Cornelia Essner, “Nazi Anti-Semitism and the Question of ‘Jewish Blood,’” in Johnson, Jussen, Sabean, and Teuscher, *Blood and Kinship*, pp. 227–43, here pp. 231–34. Herbert Spencer argued strongly for the phenomenon of telegony: Herbert Spencer, “The Inadequacy of ‘Natural Selection,’” pt. 1, *The Contemporary Review* 63 (February, 1893): 153–66; pt. 2, *The Contemporary Review* 63 (March, 1893): 439–56. See also Spencer, “Professor Weismann’s Theories: A Postscript to the Essay on The Inadequacy of ‘Natural Selection,’” *The Contemporary Review* 63 (May, 1893): 743–60.

11 His books continued to be published for over twenty-five years after his death. Hermann Klencke, *Das Weib als Gattin. Lehrbuch über die physischen, seelischen und sittlichen Pflichten, Rechte und Gesundheitsregeln der deutschen Frau im Eheleben zur Begründung der leiblichen und sittlichen Wohlfahrt ihrer selbst und ihrer Familie. Eine Körper- und Seelendiätetik des Weibes in der Liebe und Ehe*, 8th ed. (Leipzig, 1886). This book went through at least fifteen printings/editions up to 1906. See also Klencke, *Die Mutter als Erzieherin ihrer Töchter und Söhne vom ersten Kindesalter bis zur Reife. Ein praktisches Buch für deutsche Frauen*, 4th ed. (Leipzig, 1881). This book went through twelve printings/editions up to 1907.

12 Klencke, *Mutter als Erzieherin*, pp. 32–35. Above all, too much sex when pregnant could instill lust in the child.

13 Klencke, *Weib als Gattin*, p. 253. Earlier, after saying that a woman should avoid lustful images while pregnant, Klencke wrote: “In this place belong erotic ideas and impressions that arise either in reality or

was most like the person most loved and continuously held in the mother's imagination. Klencke thought of the soul of the female as "softer, less bounded, more giving, more flowing into universal sympathy" than the male counterpart. The female did not express the male's insularity and subjectivity against the world. The very aspect of the female body, with its curves, opened it out to the world. In many ways, what made the female unlimited and undetermined was the fact that sexual life surrounds her entire being.<sup>14</sup>

This maternal influence continued through lactation, which was sexually arousing for the mother and dissolved boundaries between her and the breastfeeding child.<sup>15</sup> Indeed some saw coitus and lactation as similar, precisely in that the boundaries between subject and object disappeared.<sup>16</sup> The maternal was grasped as expansive and expand-

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through fantasy . . . It is not to be denied that influences can take place on the organic development of the fetus through such action on the senses. Every woman knows what is meant by the word 'Versehen'. One has had to recognize the malleable (*plastisch*) impression of sudden, violent, upsetting or calm but continuous ideas and perceptions of the senses (like fright over something unusual, repulsive, threatening, for example an animal, someone in disguise, an appalling scene, even in a dream but also in recalling a fantasy) on the organic growth and form of the child's body, despite many attempts to prove this to be impossible," p. 250.

14 Klencke, *Weib als Gattin*, p. 253. Klencke thought that a woman was more likely to generate the first-born in the throes of hot love and that therefore, the child would look most like the husband; also, that a woman who looked at herself all the time in the mirror would generate a child with her features. There is a considerable literature on maternal impression and even today some writers who defend the idea. As examples see H. Lewis Jones, "Maternal Impression," *The British Medical Journal* 1 (1782): 417 (case note); T. E. C. Jr., "The Power of Maternal Impression Causes the Alleged Father's Name to Appear in Legible Letters in His Infant Son's Right Eye (1817)," repr. *Pediatrics* 58 (1976): 901; R. J. Lee, "Maternal Impressions," *The British Medical Journal* (1875): 167–69; James Clapperton, "Maternal Impressions," *The British Medical Journal* (1875): 169–70; W. J. Haram Wood, "The Apparent Effect of Maternal Impression," *The British Medical Journal* 2 (1876): 270 (short note); Ian Stevenson, "A New Look at Maternal Impressions: An Analysis of 50 Published Cases and Reports of Two Recent Examples," *Journal of Scientific Exploration* 6 (1992): 353–73 (this journal studies fringe science); Katherine Park, "Impressed Images: Reproducing Wonders," in *Picturing Science, Producing Art*, ed. Caroline A. Jones and Peter Gallison (New York, 1998), pp. 254–71; Margrit Shildrick, "Maternal Imagination: Reconceiving First Impressions," *Rethinking History* 4 (2000): 243–60; Brenda Mann Hammack, "Florence Marryat's Female Vampire and the Scientizing of Hybridity," *SEL Studies in English Literature 1500–1900* 48 (2008): 885–96, here p. 888; Kiran Toor, "'Offspring of his Genius': Coleridge's Pregnant Metaphors and Metamorphic Pregnancies," *Romanticism* 13, no. 3 (2007): 257–70.

15 Klencke, *Mutter als Erzieherin*, p. 42: "The newborn child is by nature designed for the mother's breast, for the life-warm nourishment that is formed directly from the same blood and life from which the child has received body, blood, and life."

16 Havelock Ellis, *Studies in the Psychology of Sex*, vol. 1, pt. 2, *Analysis of the Sexual Impulse*, 2nd ed. (1913) (New York, 1936), pp. 18–19. Here the analogy between lactation and the sexual act was very close: "the erectile nipple corresponds to the erectile penis, the eager watery mouth of the infant to the moist and throbbing vagina, the vitally albuminous milk to the vitally albuminous semen. The complete mutual satisfaction, physical and psychic, of mother and child, in the transfer from one to the other of a precious organized fluid, is the one true physiological analogy to the relationship of a man and a woman at the climax of the sexual act."

ing, the female self as unbounded in contrast to a male ego – in this instance the ego of the suckling child.<sup>17</sup> Klencke, for example, advised a breastfeeding mother to avoid strong emotions like anger, since her temper influenced the quantity and quality of the milk and actually could poison it for the child. Passionate, angry women simply should not breastfeed. By laying the child on “the poisonous well of her stormy bosom pulsating in passion with her heart,” she endangered the child’s very life. To underscore the point, Klencke referred to the many examples of suckling children who suddenly died after a mother’s passionate outburst, and advised that after a shock, she must throw away the first milk, the product of her raging blood.<sup>18</sup>

There was also a “rational, scientific” approach to the matter. Around the turn of the century, the most widely read book by comparative anthropologists, *The Female in Nature and Anthropology Studies*, developed a heady obsession with the lactating mother, with fresh material adorning each subsequent edition.<sup>19</sup> The three-volume 1935 English edition, with its massive supplements by Eric John Dingwall, updated the whole with the latest scientific discoveries.<sup>20</sup> These additions re-emphasized physiology and focused on the elemental relationship between mother and child, and lactation provided material to expand upon the idea. Nipples stood in quite a peculiar relationship to the sexual functions, on account of their direct connection with the nervous system of the sexual organs: the sucking of the child induced in the lactating mother feelings of lust. The authors envisioned the mature female as a kind of organic “kingdom,” dominated

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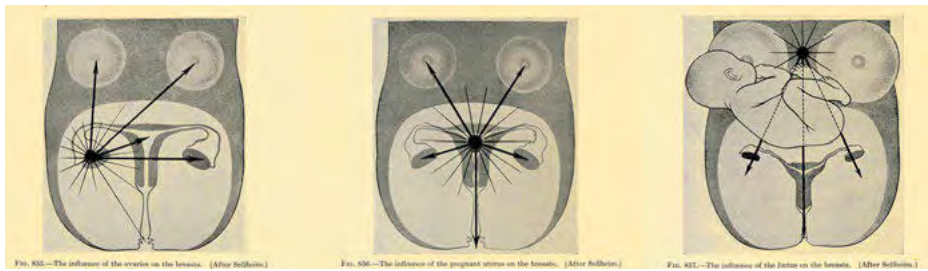
17 Hugo Sellheim, a professor for gynecology and obstetrics at the University of Tübingen and later at Leipzig, judged in *Die Reize der Frau und ihre Bedeutung für den Kulturfortschritt* (Stuttgart, 1909), p. 14, from the assumption of the more youthful anatomy and physiology of females, that females grew beyond the boundaries of their own organism through the construction of offspring.

18 Klencke, *Mutter als Erzieherin*, pp. 52–54.

19 The first edition, written by the gynecologist Hermann Heinrich Ploss, appeared in 1885. After his death, Maximilian Carl August Bartels became co-author in 1887 for the 2nd edition: Hermann Heinrich Ploss and Max Bartels, *Das Weib in der Natur- und Völkerkunde* (Leipzig, 1887). By the end of the 1927, the book had gone through eleven editions, picked up a few more co-authors, and eventually contained over one thousand illustrations. It continued to be published in German as late as 2016, made a splash in English with its translation of 1935, and was last published in English in 2014. For the largely bourgeois audience, this was the major source on the subject of the female. The third edition and first in English is Hermann Heinrich Ploss, Max Bartels, and Paul Bartels, *Woman: An Historical Gynaecological and Anthropological Compendium*, ed. Eric John Dingwall, 3 vols. (London, 1935); cited hereafter as Ploss, Bartels, and Bartels, *Woman*.

20 For example, on skull measurements, rapidity of breathing, walking pace, and the nature of handwriting. This edition placed great weight on Moll’s distinction between detumescence and contrectation. “Mother love is a sublimated and specialized contrectation,” which, the authors thought difficult to separate from sexual response: Ploss, Bartels, and Bartels, *Woman*, p. 121. Indeed, there were two major questions of the age, the social and the sexual, and the natural division of labor—based primarily on the fact that women had to bear and care for children—meant that men were called to solve the social and women, the sexual. “I do not hesitate to maintain that the social problem cannot be solved at all until the sexual is at least set going”: *ibid.*, p. 124, quoting from Ferdinand von Reitzenstein in a preface to Albert Friedenthal, *Das Weib im Leben der Völker*, 3rd ed. (Berlin-Grünewald, 1911), p. viii.

physiologically and mentally by the ovaries, but with a peripatetic seat of governance.<sup>21</sup> “We see in this case [the fertile female] that the seat of government, to all appearance, does not remain entirely in the ovary, but that, during the period of fertile functional movement, the governing influence migrates more or less with the ovum, and its seat is always moved to the place at which essential matters of control are to be attended to. It wanders ‘with the big headquarters’ from the place of the ovum in the ovary, when the ovum has once got a firm footing in the uterus, to the uterus itself, and passes with the child at birth, for a time, to the mammary glands.” So, at the time the child was born, the breasts took over the administration of the “maternal state.”<sup>22</sup> Now all power was gathered there. And women intelligent enough to tell the truth admitted that suckling gave sexual satisfaction often far surpassing what they experienced in coitus.<sup>23</sup>



**Fig. 23:** Lust and Lactation.

In the image: Fig. 855. The influence of the ovaries on the breasts. Fig. 856. The influence of the pregnant uterus on the breasts. Fig. 857. The influence of the foetus on the breasts.

“The purpose of the breasts is well known. They serve mainly to feed the child. But there is no doubt they are to be reckoned also among a group of organs from which sexual excitability is strongly

<sup>21</sup> Ploss, Bartels, and Bartels, *Woman*, vol. 3, p. 174.

<sup>22</sup> Ploss, Bartels, and Bartels, *Woman*, vol. 3, p. 177.

<sup>23</sup> Ploss, Bartels, and Bartels, *Woman*, vol. 3, pp. 180–82. The physical and mental connection between mother and child was such a banality that a French Catholic, Victor Marchal, brushed off the relationship of father to child. The lactating mother, Marchal wrote, completed the creation of the child. Both externally and internally she transformed her blood into its blood and her flesh into its flesh. See P. V. Marchal, *Das Weib: Wie es sein soll. Ein Frauenspiegel*, trans. Paul Grüne from the 4th French ed. (Münster, 1863), pp. 87–90; a probable translation of Marchal’s *La femme comme il la faut*, published in the later 1850s and then in many subsequent editions. Marchal (1827–1903) was a priest, member of the Society of Maria (Marist Fathers), preacher (apostolic missionary and military chaplain), and writer. See “Nécrologie. L’abbé V. Marchal,” in *Études historiques et religieuses du diocèse de Bayonne: comprenant les anciens diocèses de Bayonne, Lescaur, Oloron, et la partie gasque et béarnaise de l’ancien diocèse Dax, Douzième année* (Pau, 1903), pp. 530–39; at <https://books.google.com/books?id=QkItAAAAYAJ&pg=PA530&lpg=PA530&dq=Viktor+Marchal,+necrologie&source=bl&ots=Y1SxaQ3KZJ&sig=ACfU3U0F57dKSEkw07RasDd8e5J3QrLLNw&hl=en&sa=X&ved=2ahUKEwjakv6v3LfsAhWDJzQIHfJaBZ0Q6AEwD3oECAEQAg#v=onepage&q=Viktor%20Marchal%2C%20necrologie&f=false>.

aroused, and touching them may cause sexual excitement . . . [The female breasts] stand in quite a peculiar relationship to the sexual functions and are in direct connection with the nervous system of the sexual organs. Physiology has given evidence that touching them and the gentle irritation of their nerves can by a reflex process produce contractions of the muscular apparatus of the uterus and from here to voluptuous sensations in the female organism. The breasts, however, have a very different significance when impregnation has taken place . . . . The first step is to annihilate everything which recalls the former organization, so that fresh life may at once spring from the ruins . . . . With its increasing power, the ovum is admitted to domination . . . . To the change in ovarian dominance every four weeks in the case of non-fertilisation is to be added, as a complementary insight into the manner of carrying on this dominance when won, the development of the ‘conduct of the government in the case of impregnation’ in which the ovum leaves the ovary and moves to the uterus, and in which after delivery, its fruit tarries for months longer on the outside of the mother, i.e., at the breast (Figs. 855, 856, 857) . . . . [T]he governing influence migrates more or less with the ovum, and its seat is always moved to the place at which essential matters of control are to be attended to. It wanders ‘with the big headquarters’ from the place of the ovum in the ovary, when the ovum has once got a firm footing

in the uterus, to the uterus itself, and passes with the child at birth, for a time, to the mammary glands . . . . The ‘migration of the seat of government’ of the ovum in power during the journey made in the period of development of the embryo from the first centre in the ovary, past the uterus centre, which was the main stopping place, to the terminus of the mammary glands, is represented in the three pictures (Figs. 855, 856, 857). The ovum and the child respectively (or perhaps it is more correct to say the proper glandular portions of the ovum each time) sends out its power in all directions like the rays of the sun . . . . Thus the power from the ovarian centre passes by the uterus centre to the mammary glands . . . . The peculiar relationship of the breasts with the genital apparatus is also noticeable during suckling . . . . Sometimes, too, there is an opportunity of learning from intelligent women that suckling gives them sensations of sexual satisfaction which sometimes far surpasses in comfort the feelings caused by coitus. There is certainly an admirable provision of nature at the root of this.”

Hermann Heinrich Ploss, Max Bartels, and Paul Bartels, “Lactation:1 Physiology of Lactation,” ch. 10 in *Woman: An Historical Gynaecological and Anthropological Compendium*, ed. Eric John Dingwall, 3 vols. (London, 1935). Image courtesy of University of California Southern Regional Library Facility.

It bears repeating that the idea of suckling as a sexual experience for both mother and child implied the erasure of boundaries. Otto Weininger used the terms “merging,” “fusion,” “melting into one another” (*Verschmolzenheit*), to capture the experience of breastfeeding. “That in the most particular relationship of the pure mother to the child there is a deep, sexual element of fusion appears to be indicated by the feeling of lust which the woman undoubtedly experiences with lactation, as proven by the anatomical fact that erectile tissue is found under the female nipple and that physiologists tell us that through arousal from this point a contraction of the muscles of the uterus (*Gebärmutter*) can be set off.”<sup>24</sup> Together the passivity of the woman and her inner corporeal touch made lactation and coitus completely analogous. This line of reasoning was by no means restricted to the young misogynist Weininger. Helene Deutsch thought in much the same terms. By biological design, the ego ideal of the woman was embodied in the child. In the relationship between the mother and child there was no division

<sup>24</sup> Weininger, *Geschlecht und Charakter*, p. 291.



between ego libido and object libido, either during gestation or after parturition, when breastfeeding reproduced the intrauterine union. The sucking action of the vagina in the sexual act was repeated in the sucking action of the child.<sup>25</sup> The analogy between coitus and lactation was complete, in that the boundary between subject and object disappeared. Deutsch found a direct similarity of aggression in the erect penis and the erect nipple, and in the ejaculate and stream of milk which had the same function. In the act of lactation, the “Mamma” became penis for the child.<sup>26</sup> Deutsch, like others, referred to studies of the physiology of breastfeeding that had shown a stimulation of the genital organs in the act of lactation, such that the mother frequently experienced orgasm. In uniting mother and child, the breast played the role of an organ of gratification. The great pleasure the lactating female experienced was sexual, with the nipple at the center of an erogenous zone.<sup>27</sup>

This kind of psychoanalytically informed writing was by no means unusual, even among writers not so trained. In blood flows, milk flows, and the flowing of maternal love over growing sons, pundits sought for metaphors to express their idea of a filial-maternal link from the beginning of life to its end. Emanuele Meyer, author of popular works, doctor, and preacher, writing in 1924, was another one who could only think of the female being as maternal.<sup>28</sup> After pages of banalities about the nature of the female, she turned to the chief task of mothers; namely, *to raise sons*. Men, elementally lacking in feeling, were simply unfit for the task, so it was left to the mothers to raise and influence sons, who needed to be attached to the foundation of all being (*Urgrund*): Mother and son were entwined “intimately.”<sup>29</sup> The son clung to the mother out of deeply biological impulses. And it was only when the complete maternal soul was invested in the raising of sons that the great work of regeneration could take place. “The sacred, pious, eternal comes to the person with good mothers already in the circulation of the maternal blood and life that is in common with, transmitted, and given in a certain way with lactation in the nourishment of her heart spring, poured over the child through her complete all powerful aura (*Fluidum*), in the first word, given by her through example, never to be uprooted.”<sup>30</sup> Maternal power (*die Muttermacht*) was the source of everything deep and essential.

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25 Deutsch, *Weiblichen Sexualfunktionen*, p. 86.

26 Deutsch, *Weiblichen Sexualfunktionen*, pp. 87–88.

27 Deutsch, *Weiblichen Sexualfunktionen*, pp. 89–90.

28 Meyer, *Weib als Persönlichkeit*. Meyer comes across as a sort of missionary of male purity with a millenarian tone. She traveled around German-speaking countries to teach “the people” about their bodies, hygiene, and morality. “A true and successful medical activity without pastoral care (*Seelsorge*) is not thinkable,” she wrote, p. 4. She found her calling over her twenty years as a medical doctor to lie in offering workshops and conferences to women, youths, men, mothers, and students, and gave well-attended lectures as she traveled from city to city.

29 Meyer, *Weib als Persönlichkeit*, p. 159.

30 Meyer, *Weib als Persönlichkeit*, p. 205.

The reproductive work sustained by the nurturing woman continued through child care and could spill over into more public reproductive work, but nurturing itself also limited women intellectually – due to an associated exhaustion of female energy. At least this was the conclusion reached by Adele Gerhard and Helene Simon, two prominent activists in the women's movement (see chapter 2 of this section), in their study of mental labor and motherhood.<sup>31</sup> They began with the argument that it was simply impossible to get around the facts of pregnancy and birth, matters determined by physical womanhood and its related elementary obligations, which included not just childbearing but also breastfeeding, both incompatible with the strong stimulations experienced during intellectual and artistic activity.<sup>32</sup> Ultimately everything the authors learned convinced them that the maternal calling precluded almost all other forms of mental work. The being of every woman was earthbound and permeated with a deeply rooted love drive. That was what enabled mother's penetration into the mental life of her child.<sup>33</sup> There simply was no way to minimize the mental energy required for nurturing an infant or young child.<sup>34</sup> Nor could those demands be escaped as the child grew up. Instead, the obligations of motherhood actually increased as her nurturing oversight began to compete with new outside influences.<sup>35</sup> Attention to and care for the personal particularity of a child rested in her hands; she, who like no other, could penetrate into the soul of her child, into his (or her) most secret, intimate character. The very fact that the demands on a mother were irregular and unpredictable also limited her energies and attention to child-rearing.<sup>36</sup> She even had to engage with, support, and advise all the institutions outside the home that affected her children.<sup>37</sup> In the end, after weighing all the different kinds of intellectual activity – novel writing and stage acting received special attention – Gerhard and Simon concluded that living out the full possibilities of womanhood put a sharp limit to mental work. Still, they stressed, there actually was no higher intellectual activity than motherhood. Mothers formed the clay and were absorbed in the task of producing independent, responsible adults. If women produced less in the intellectual realm than men, it was because the elemental features of their gender demanded it. Motherhood by its very nature was unlike anything experienced by the male; he simply lacked the requisite physiological features.<sup>38</sup>

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31 Adele Gerhard and Helene Simon, *Mutterschaft und geistige Arbeit. Eine psychologische und soziologische Studie auf Grund einer internationalen Erhebung mit Berücksichtigung der geschichtlichen Entwicklung* (Berlin, 1901).

32 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, pp. 5, 11. Their work was assisted by dozens of scholars, including Schmoller, Sombart, Clara Zetkin, and Beatrice Webb. Their material was based on international statistics.

33 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 128.

34 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 11.

35 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 23.

36 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, p. 27.

37 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, pp. 30–33.

38 Gerhard and Simon, *Mutterschaft und geistige Arbeit*, pp. 321–25.

The psychotherapeutic literature dealing with matters of cosmic/bio-evolutionary import can be complemented and enriched by a look at the more mundane concerns in the advice and self-help publications of the period. Here, most authors devoted most of their space to raising sons. A good example comes from the 1916 moralist publication by Frau Adolf Hoffmann, *On the Happiness of My Son. A Warning for Mothers and Young Men*.<sup>39</sup> A good deal of her book was taken up by her steady watch over her son's sexuality.<sup>40</sup> To meet her obligation, Hoffman made sure that her son slept on a hard bed, with a pillow made of horse hair, and that he lay on his side, got up early, and washed in cold water. "The home hearth ought to be a kind of sanctuary for our sons, a place to flee to and be purified in the midst of the yawning abyss."<sup>41</sup> She found foods that would not stimulate him sexually. And as he grew up she watched to see whether he masturbated. Her cure for such temptation involved making sure he was always active.<sup>42</sup> In other words, Hoffmann was one of many writers who thought that it was in the job descrip-

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39 Frau Adolf Hoffmann, *Um meines Sohnes Glück. Ein Mahnwort für Mütter und junge Männer* (Berlin, 1916).

40 Ellen Key also thought that it was the mother's job to offer sexual knowledge to the sons. They should teach them an erotic idealism. At the heart of the relationship is *Eros*, a union of the senses and the "soul." She cited Lou Andreas-Salomé to the effect that the greater sensuality of the female is rooted in motherhood. From head to toe throughout the whole year, she is sensual. Maternal feeling is the most sensual of feelings. In the ecstasy of the senses, she cries out that she wants to devour the child. The being of the woman is erotic. And her whole personality is tied up with the life of the child. Motherhood is essential for the being of the woman. When women begin to think of sexuality as just a momentary episode of their lives, then they will violate the laws of their being and perish. The souls of women need to be filled with the child. For the *normal* woman the soul and body are adapted to the child. The job of the mother to monitor a son's sexuality was also an American theme. For an American male saying the same thing as a German female, see William J. Robinson, *Woman: Her Sex and Love Life*, 7th ed. (New York, 1922), pp. 136–38. Robinson opined that mothers should watch their children for signs of masturbation and do everything to cure them. He warned them never to leave a child aged nine to eleven alone, and recommended having them sleep on hard mattresses with their arms out of the covers and denying them hot baths.

41 Hoffmann, *Um meines Sohnes Glück*, pp. 7–11, here p. 10.

42 Hoffmann, *Um meines Sohnes Glück*, pp. 11, 20. At the beginning of her book, the author talked about her son, Bernhard, p. 3. He was twenty-five and about to marry Helene, a good child with good parents (her father was the Hoffman family doctor). The son watched his fiancée as a child and never courted anyone else. As a child, Helene "moved as a happy and tender little mother" (*Mütterchen*). Theweleit's remarks seem relevant here: "What is said to be an education in chastity is primarily an education in pent-up lasciviousness: the establishment of a permanent state of unfulfilled desire. The boy is sexualized. His desire is—indeed is *required to be*—directed solely toward women. All the growing boy's ideas, hopes, dreams, and plans must be focused and fixated on the conquest of that one object, woman. And the object *woman* is encoded as a woman within the family. She need not be the mother. In fact, this is where the sister seems to take on . . . great significance": Theweleit, *Male Fantasies*, vol. 1, p. 375. Of the girl next door, Frau Hoffmann observed that she was as close to a sister as any playmate could be and at once a little mother, ready to take over the son in his mother's place. She told her son on the eve of his marriage that sex might be fun but that he should moderate his desires and keep away from his wife when she was carrying out her obligations of motherhood, p. 15.

tion of a nurturing mother to monitor her son's sexuality, provide him with foods to promote abstinence, and keep him running around so that he did not have time to masturbate. Nourishment, too, was a matter of the heart, emotions, feelings, temperament, all of which flowed over into the child.

Late nineteenth-century American family life has been described as marked by a "sentimental domesticity that exalted the mother as the 'angel of the house'."<sup>43</sup> Women who accrued considerable power in the public sphere did so by translating forms of maternal protection and caritative function into activity outside the home. In conceptualizations of the mother's position in the private sphere, there was a tight conjunction of suffering and self-sacrifice with attachment; the mother suffering and sacrificing herself even as she attached her child to herself with strong bonds of love.<sup>44</sup> Beginning in the 1920s, these forms of maternal expression began to be seen as suffocating and repressive. The earlier culture of domestic sentimentality had allowed romantic, heterosexual expressions of love between mothers and sons. "Mothers and children (especially sons) expressed their desire for one another in romantic terms that would later come to be seen as decidedly pathological."<sup>45</sup> Victorians thought that men were quintessentially produced as men in the intense crucible of mother love. A "tight, indeed controlling bond between mother and male child was at the very core of the cult of domesticity."<sup>46</sup> This could be expressed in physical caresses and kissing, even in frank articulations of desire. Correspondence between mothers and sons during World War I might take the tone of lovers longing to recover a lost intimacy.<sup>47</sup>

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43 Rebecca Jo Plant, *Mom: The Transformation of Motherhood in Modern America* (Chicago and London, 2010), p. 2.

44 Plant, *Transformation*, p. 2.

45 Plant, *Transformation*, p. 9. For an overview of the period, see pp. 3–12.

46 Plant, *Transformation*, p. 89, quoting Mary P. Ryan, *Empire of the Mother: American Writing about Domesticity 1830–1860* (New York, 1982), n.p. given.

47 Plant, *Transformation*, p. 92.



Fig. 24: Joyce Kilmer's Mother Looking at His Picture.

Annie Kilburn Kilmer (1852–1932) lost her son Joyce Kilmer at the front in France in 1918. In his last letter, he talked about a photograph that he kept in his wallet and showed frequently to his comrades and to everyone he visited. The photo, shown above, found its way into Annie's published memories of her son. Rebecca Jo Plant, who drew attention to Annie's book, remarked of the image and its story: "The coveted photograph depicted Annie gazing at a framed photograph of Joyce: in other words, the image that Joyce cherished was an image of his mother cherishing him."

Annie Kilburn Kilmer, *Memories of My Son Sergeant Joyce Kilmer* (New York, 1920), p. 132. Courtesy of the University of California Southern Regional Library Facility. Text: Rebecca Jo Plant, *Mom: The Transformation of Motherhood in Modern America* (Chicago, 2010), p. 92.

#### Text Box 4: Annie Kilburn Kilmer writes of her son, Joyce Kilmer

The 28<sup>th</sup> of October [1917] was my last day with Joyce. Joyce telephoned on Sunday, the 28<sup>th</sup> of October, that he could see us that day – so we motored out. I took him a pair of wristlets (I had only just learned to knit), and gave him fruit. We went to his tent and talked – Aline [his wife] came later. We left about five. Before I got in the car I said "Aline, you may kiss him last," though had I known it was to be the last time his dear lips would touch mine, I doubt if I could have been brave enough to have said it, though I thought it was her right. He kissed me as had been his custom for many years, first on the mouth and then on the left cheek – always that cheek! Then I got in the car. He kissed Aline, and she got in beside me; as we were taking her to the 42<sup>nd</sup> Street Station. He stood at the window of the car. I can see him so plainly as I write! His dear brown eyes looked so steadily in mine – then at his wife – but last, at me, thank God! There was something in that look which sent a cold chill all through me, though I would not let myself realize what that look meant. A handshake with his father, and I saw him no more. No more!! It is six years and nine months, since that day, and the tears are streaming as I write – mothers never forget!

Annie Kilburn Kilmer, Mother of Sergeant Joyce Kilmer, *Leaves from My Life* (New York, 1925), p. 121.

#### Last letter from Joyce Kilmer to his mother, Annie, June 28, 1918

I was so glad to get your picture taken on shipboard. You must send to Larchmont another copy of the picture of yourself looking at my photograph, you sent me some weeks ago, as I had to remove it from its mount and cut it down to make it fit my wallet.

All the rest of the fellows in the Intelligence Section (there are nine of us, nearly all college graduates and men of some standing – editors, brokers, etc.) have pictures of their mothers, but none of them so good looking as mine. You would be amused at some of the scenes when your picture is exhibited.

Tired from a long hike from a stay in the trenches, I am having an omelet and some fried potatoes and some vin rouge beaucoup in a French peasant's little kitchen. It is a cottage such as you and I often visited in Derbyshire and Cambridgeshire – a low grey stone building with rose trees against the wall; a tiny garden and a geometrically neat path. The kitchen floor is of stone; the table is without cloth, but shining from much polishing. The only thing to distinguish it from the typical English rural cottage is the crucifix on the wall and the wooden shoes at the door. (People wear sabots out-of-doors, cloth slippers in the house, leather shoes on Sunday.) After such a repast as I have described I take out my wallet to pay my bill, and the sharp eyes of little Marie or Pierre intently watching this strange soldat Americain, spy the picture. At once an inquisitive but delighted infant is on my knee demanding a closer inspection of the picture. The mama must see it, and grandpere, and veuve vatre from across the street (the man of the house can't see it; he is a way from home on the errand that brought me across the sea). These comments have been made on your picture many times, in many towns, which I will one day show you on a map of France.

Printed in Annie Kilburn Kilmer, *Memories of My Son Sergeant Joyce Kilmer* (New York, 1920), pp. 140–41.

In the end, the feelings for family, the kinship group, and any other collective were ascribed to the experience of maternal care stretching over a lifetime. Mother love surrounded sons so intimately that “contractation,” a touch-based concept developed to account for female sexuality, could be easily applied to the maternal-filial bond.<sup>48</sup> But it should not be forgotten that nurturing was dangerous – not because it might be mistaken, but because of the deep aggressiveness submerged in it. For sons, whose job it was to establish themselves as separate beings out in the world, the all-encompassing, expansive care of the mother threatened to dissolve precisely the ego boundaries necessary to success. The son raised in this context feared and suffered dissolution of ego. This was the message that Theweleit, cited in chapter 1 of this section, teased out of the proto-fascist stories of the 1920s. It is perhaps too strong a generalization to maintain that some kind of fascist personality was bred in a peculiar constellation of mother care associated with the decades around 1900. Nonetheless, Theweleit seems to have a point, if not a warning, to offer: “Any analysis that claims the foundation of German fascism to have been laid by war and its aftermath, or subsequently by the world economic crisis, obscures the fact that the type of man who contributed decisively to fascism’s triumph existed in essence long before the beginning of the war in 1914.”<sup>49</sup> I find several take-aways in Theweleit’s argument. To begin with, observations about the particular constellation of mother and child during the period were widespread in Western culture as a whole and not just confined to Germany. Then too, families worked out their relationships in practice in so many different ways that it is dangerous to try to draw up the psycho-profile of a generation. Yet the constant refrain, penetration, unboundedness, and fusion, might well be looked at as a particular aspect of the nurturing ideology of the period, and the particular dynamics between mothers and sons might be examined

<sup>48</sup> Ploss, Max Bartels, and Paul Bartels, *Woman*, p. 120: “Mother love is a sublimated and specialised contractation.”

<sup>49</sup> Theweleit, *Male Fantasies*, vol 2, p. 351.

for constellations of selfhood, patterns of aggression, and answers to the perplexing question of why sons raised in the intimacy and warmth of maternal care were considered to be unfit to muster emotional ties to their own sons.

## Coupling, gatekeeping, matrifocality

The thought of coitus . . . is continuously and in every form in which it can be accomplished seized by women with full attention and never abandoned; but rather the idea takes possession of her completely and occupies her further without pause until she is freed by other ideas just as sexual in character . . . . The need to be coitized (*koitiert*) is indeed the strongest need of woman but it is only a special instance of her deepest, her only vital interest, which actually follows from coitus: the desire that as many as possible be coitized, by whomever, wherever, and whenever. — Otto Weininger, 1903

There is a great deal of evidence to suggest that women in the nineteenth century were essential mediators in contracting marriages and the main actors in establishing alliances between families. I will consider the ramifications of this function in detail. Here, I want first to sketch in another argument. It seems to me that the concept “matrifocality,” which was developed by anthropologists to deal with kinship relations in the Caribbean, can be deployed to understand the essential features of late nineteenth-century European kinship.<sup>50</sup> Much remains to be done to understand the political implications of female gate-keeping activities and the pattern of focusing the dynamics of large kinship groups around powerful, centrally located, older women. Matchmaking, no matter who was in charge, had everything to do with the circulation of capital, access to wealth and station, and the formation and maintenance of class boundaries. In this section, I want to look primarily at Otto Weininger and a few others to find a way to see them as witnesses to their social and cultural milieus; a way, in other words, to carry on a form of historical anthropology. Exploring academic, scientific, and popular texts, as I have been doing, offers the possibility of capturing the cultural and social coordinates of concerns, representations, perceptions, experiences, and stories that criss-cross classes, milieus, and genres, while at the same time they regulate classes, orchestrate milieus, and structure meaning.

While Weininger’s question about the purpose of the female might have been unexceptional and his equation of reproduction and sexuality a mere echo of widespread assumptions, his notion of *Kuppelei* provided a unique focal point, and one that did a lot of work in his treatise as it leapt through a series of analogies and free associations.<sup>51</sup>

<sup>50</sup> I developed the argument first in *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998). pp. 503–6.

<sup>51</sup> Weininger, *Geschlecht und Charakter*, pp. 346 ff.

The term captured a variety of meanings: joining, matchmaking, procuring, pandering, or pimping. A *Kuppler(in)* enjoyed the ambiguity of being a matchmaker, procurer(ess), panderer, pimp, or bawd, but all the shades of meaning in the term's feminine form (*Kupplerin*) connoted the idea of women as go-betweens, an idea that had a long history (although not necessarily with the sexual innuendo Weininger slyly implied). Many observers made similar points throughout the nineteenth century. In Weininger's hands, coupling was a characteristic impulse of females, evident even in the youngest female child, and taking on new forms and functions in each of the stages of her organic development.

Weininger illustrated what he meant by *Kuppelei* with the dreams of the post-pubertal girl spending all of her time thinking about marriage. Girls of this age were motivated primarily by competition and by jealousy, psychological states tied to their all-consuming desire for marriage (their own coupling). At a different stage – as mother – *Kuppelei* took another form, but as earlier, the mature woman's activities and desires all were brought to one point, driven completely by instinct.<sup>52</sup> Weininger's recourse to the language of instinct here contrasted with his understanding of male activity as free creation. The will, sentiments, and desires of the female were rooted in nature, and could be understood – although he did not use the phrase – as part of “natural history” (in many passages he generalized about the female with examples from primitive and even single cell animals and plants). Mothers were dominated by a *Kuppeltrieb* (a coupling drive), a compulsion to arrange for couples to get together or to direct action in the sphere of alliance formation. For Weininger, the activity of a marriage broker was quintessentially sexual: it was about coition, about sexual intercourse. And with a typical throwaway line, he contended that women read novels and poems only for the moments of coitus: “The thought of coitus . . . is continuously and in every form in which it can be accomplished seized by women with full attention and never abandoned; but rather the idea takes possession of her completely and occupies her further without pause until she is freed by other ideas just as sexual in character . . . . The need to be coitized (*koitiert*) is indeed the strongest need of woman but it is only a special instance of her deepest, her only vital interest, which actually follows from coitus: the desire that as many as possible be coitized, by whomever, wherever, and whenever.”<sup>53</sup>

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52 Weininger, *Geschlecht und Charakter*, p. 347.

53 Weininger, *Geschlecht und Charakter*, p. 351.





**Fig. 25:** Matchmaker (*Kupplerin*).

For Otto Weininger, the notion of *Kuppelei* or coupling encompassed a broad range of activities, from matchmaking to pimping, consistently rooted in female pansexuality. Instinct drove women to pair themselves,

their children, and their relatives. Brokering marriage allowed women to spin the web of kinship relations. As with Weininger, matchmaking could be treated cynically by men who resented the political power of women to police alliances. In this lithograph, *Die Kupplerin* by Otto Dix (1923), the matchmaker is represented as a brothel madam, putting the emphasis, like Weininger, on sexuality and delegitimizing marriage mediation as seamy and somewhat disreputable. Bertolt Brecht (1898–1956), another cynic, wrote the *Kuppellied* in 1934, a poem sometimes called *Lied der Kupplerin* (Song of the Procuress) and in its latest English translation, “The Madam’s Song.” Brecht’s madam sings about sex and money, coupling as a financial transaction – never mind the moonlit night, the handsome figure, or passionate attraction. “Money makes a girl feel sexy – / It’s as true as it is trite.”

Otto Dix, *Die Kupplerin*, lithograph, 1923. Digital image © Museum of Modern Art/ Licensed by SCALA/ Art Resource, NY. Permission from Artists Rights Society, New York. Bertolt Brecht, “Kuppellied,” in *Gesammelte Werke in 20 Bände*, ed. Elisabeth Hauptmann (Frankfurt/M, 1967), vol. 3. pp. 1013–14. Bertolt Brecht, *The Collected Poems of Bertolt Brecht*, trans. and ed. Tom Kuhn and David Constantine (New York and London), pp. 507–8.

It is possible to read this text in at least two contrasting ways. Viewed from an internalist perspective, it fits with the logic of Weininger’s idea sketched in the previous chapter; namely, that the female was always sexual. But viewed from outside the text, it functions as an observation about the position of women in alliance formation. Although far from Weininger’s intent, the latter perspective points to an aspect of female power in the late nineteenth century: the one in which women acted as the crucial gatekeepers, with older women, in particular, investing considerable time and resources in a high stakes game of managing the alliance system. Weininger’s manic language testified to an enormous hatred for this aspect of female control. By bringing all attributes of female engagement with kinship matters under the sign of an instinctual expression of sexuality, he aimed to delegitimize female mediating power, ban it, exorcize it.

Weininger developed the idea of “coupling” as a peculiar and particular aspect of the female purpose in the world, her sexuality, and her mental capacity, but it could be argued that his treatment falls under the general heading of “reproduction.” Here the very influential ideas of the pioneering sexologist, Albert Moll, whom I dealt with in the previous chapter, come into play. Weininger was impressed enough with Moll’s description of male and female sexuality in terms of detumescence and contrectation

to incorporate the concepts into his argument.<sup>54</sup> And so he claimed that the female, wholly lacking a detumescent drive or form of release, was completely dominated by contraction. She desired contact, the thing that drove her to couple herself and, it must be stressed, to couple others. What did that mean in the end? She was completely absorbed in her sexual life, in the spheres of both copulation and reproduction.<sup>55</sup> In coupling herself to a man, she reproduced her family line; in coupling others, she not only attached her sons to herself, but also acted as mediator in the all important task of reproducing the kingroups so central to the operations of nineteenth-century European society.

## Unboundedness, fusion

It is a lovely, suave, fluid, *creative* electricity that flows in a circuit between the great nerve-centres in mother and child. — D. H. Lawrence, 1921

In *Psychoanalysis and the Unconscious* (1921), D. H. Lawrence wrote that he had divined the chief characteristics of his age.<sup>56</sup> He was concerned with what he called the “unison” between mother and son, and he embedded his discussion in a critique of Freud: all that psychoanalysis did was make “conscious a desire which previously was unconscious”; that is, the incestuous desire for the mother used to be unconscious and now quite unfortunately had been trumpeted loudly out to the world.<sup>57</sup> What a man of his day had to understand was that his inability to realize himself in marriage had its roots in the “fact that his emotional, even passionate, regard for his mother,” was “deeper than it could ever be for a Wife.”<sup>58</sup> Although separation marked the relationship of the mother and her son from conception, she worked diligently to overcome it. She passed “direct, unspeakable effluence and intercommunication” first to the fetus and then to the suckling child: “It is a lovely, suave, fluid, *creative* electricity that flows in a circuit between the great nerve-centres in mother and child.”<sup>59</sup> The child, intent on individuating, tried to widen the gap, to resist the “sweet unison,” but all along the mother fought against it. And so she opposed the very polarity that the child needed to thrive as a grown man.<sup>60</sup> From the beginning, the mother, by means of a “strange effluence,” was busy “gathering her mould into itself and transferring her mould for ever into its own deep unconscious psyche.” This amounted to a “dwelling of the child’s unconscious within the form of the

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<sup>54</sup> Weininger, *Geschlecht und Charakter*, p. 111.

<sup>55</sup> Weininger, *Geschlecht und Charakter*, p. 112.

<sup>56</sup> D. H. Lawrence, *Psychoanalysis and the Unconscious* (1921), in Lawrence, “*Fantasia of the Unconscious*” and “*Psychoanalysis and the Unconscious*” (London and New York, 1977), pp. 201–50.

<sup>57</sup> Lawrence, *Psychoanalysis*, p. 205.

<sup>58</sup> Lawrence, *Psychoanalysis*, p. 210.

<sup>59</sup> Lawrence, *Psychoanalysis*, p. 221.

<sup>60</sup> Lawrence, *Psychoanalysis*, p. 224.

mother; the gathering of a pure, eternal impression.”<sup>61</sup> It was an argument seeking for a new understanding of both the dynamics of individuation and the factors that made the struggle difficult or even impossible. “A soul cannot come into its own through that love alone which is unison. If it stress [*sic*] the one mode, the sympathetic mode, beyond a certain point, it breaks its own integrity, and corruption sets in in the living organism.”<sup>62</sup> The tragedy of the modern world was its failure to see and then establish the polarity.

It seems to me that Lawrence and Theweleit’s male writers from the 1920s inhabited the same universe. They captured the problem of selfhood and its pathologies, privileged the son-mother nexus, and worried the nature of boundaries in a language of flows, emanations, and fusion.<sup>63</sup> What was at issue here and across so many novels, treatises on anatomy, and medical advice books was a sense of the unboundedness of the female and her capacity to fuse, merge, or dissolve herself into another. And these metaphors often were meant to convey a sense of aggression, either on the part of the mother or of ill-adjusted, sometimes violent sons reacting pathologically. Contemporaries set up a model of the ideal male as an individual with sharp contours, delimited, enclosed, and self-sufficient, which they contrasted with the open, boundless, penetrable, and penetrating female.<sup>64</sup> Once again, Weininger, who drew from so many different sources, can serve as a witness to his age. He began his treatment of sexual dimorphism with Leibniz’s notion of the monad, which he took as a model for the ideal male.<sup>65</sup> The key thing about the monad was that it was sufficient unto itself and therefore not open to the world (Leibniz’s monad had no windows). It was a unity,

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<sup>61</sup> Lawrence, *Psychoanalysis*, p. 231.

<sup>62</sup> Lawrence, *Psychoanalysis*, p. 240. “No human being can develop save through the polarized connection with other beings,” pp. 244–45.

<sup>63</sup> For a psychoanalytic take on boundaries, Helene Deutsch again can serve as an example. She argued that in the sex act the boundary between subject and object disappeared and that the condition continued in the mother-child relationship. And on breastfeeding: “The full psychological analogy of both situations, that is, of coitus and lactation, arises above all from the fact that both the boundary between subject and object disappears, and from the identity of oral assimilation of the object in the act of sucking.” Deutsch, *Weiblichen Sexualfunktionen*, p. 86.

<sup>64</sup> The ecologist, graphologist, cosmologist, and cultural critic Ludwig Klages, *Vom kosmogonischen Eros*, 8th ed. (Bonn, 1981). This is a reprint of the 1922 edition (first written in 1918, with a foreword from 1921). In Klages’s cultural criticism, it was precisely the image of mother that broke with all limits. Having referred to the all-inclusive womb of the *mater ecclesia*, which, he argued, was no less a metaphor than mother earth, mother nature, and matter (*Materia*) in general, he suggested that the image mother determined the relationship to man, law, state, reason, and spirit. The “fatherland” meant boundaries, a definite localization, but the “soil” was the unbounded motherly earth. While the father delimited, the mother was unlimited. If the father offered the image of God, the mother was the mysterious abyss of all becoming. The original form of the drive for unity was that of mother love. In this context, the widespread notion of the female as passive and the male as active served to lead the argument to “receptivity”; that is, while the male was impenetrable, the female was penetrable, unable to erect or defend barriers.

<sup>65</sup> Weininger, *Geschlecht und Charakter*, p. 389.

a complete thing, a whole – a true and complete ego – and it treated other monads as similarly complete. This male desired limits, needed boundaries. Bounded and fenced off from other egos, his consciousness and moral capacity were marked by an essential loneliness. He accepted the loneliness of others and made no attempt to overcome it. The woman was no monad. She accepted her condition as boundless, indeed wanted no boundaries, and that meant she never could be solitary (*einsam*). And because she did not experience herself as bounded, she was incapable of recognizing a plurality (*mehrsam*). Seeking to confound limits, she strove for a condition of melting together or fusion (*Verschmolzensein*). Having no “ego” (*Ich*), she recognized no “thou” (*Du*). For her the undifferentiated pair was the ideal, the activity on its behalf being of course a “coupling.” “The central inclination of her love,” Weininger wrote, “is towards compassion: the community, the dissolution.”<sup>66</sup> The coupler continuously negated the individual and pushed for community.

Weininger’s understanding of the self was deeply rooted in his conception of sexual intercourse, which in turn he derived from Aristotle’s explanation of sexual reproduction (“generation”). In Aristotelian metaphysics, any particular thing consisted of a conjunction of matter and form, categories which then were expressed in the physical world. In sexual reproduction, male and female functioned like form and matter respectively, with male sperm acting as concept, idea, purpose, formative instrument on the matter (or blood) of a female to produce an offspring. Weininger glossed the relationship of male to female as that of subject to object. She was always the thing (*Sache*) of a man or of the (male) child.<sup>67</sup> I am not sure how to interpret this shift from the male subject alone to the male/child subject. Here Weininger blurred the Aristotelian conception in a way that would make sense if he thought of the mother as completely determined by something outside of herself, either by a man or by a child. This would seem to challenge the notions of motherhood that portrayed the mother as a being possessed of essential psychological traits, rather than preternaturally malleable. Posing Freud’s question, “what does the female want,” before Freud himself asked it, Weininger scorned the idea that her desires expressed some internal need or drive.<sup>68</sup> All she wanted was to be desired as physical body, and to be possessed as external, foreign property. Just as the male sperm in the Aristotelian account was necessary for the move from potentiality to existence, so the female was fixed, actualized, given existence in the act of a subject (man or child) grasping her as object. Weininger explicitly said that ontologically the subject/object conjunction was that of form and matter and further that matter without form had no definition or any continuous characteristic. To explain this – or to prove it – he added a footnote referring to Aristotle’s discussion of the act of reproduction (*Zeugungsakt*). It is useful to stay with this thought to see how far he

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66 Weininger, *Geschlecht und Charakter*, p. 390.

67 Weininger, *Geschlecht und Charakter*, p. 396.

68 Weininger, *Geschlecht und Charakter*, p. 396.

pushed it. Although he just had presented the female as passive, he nonetheless went on to ascribe desire and motivation to her. Matter *wanted* to be formed. Therefore, a woman would demand clarification of her confused thoughts from a man. Girls could memorize better than boys because being nothing they could absorb everything.<sup>69</sup> As nothing, a woman could become anything, but she could only develop through a man – any man. The desire was for maleness as such.<sup>70</sup>

One might note here resonances from early in the nineteenth century, with certain differences of particular importance to understanding changes in the way “woman” was grasped. Hegel, in the *Phenomenology*, had argued something similar, that woman was oriented to man in general and children in general, the particular man or child, however, making no crucial difference to her personality. That did not mean that a specific man was not essential for developing a woman’s being. Every woman, he thought, became a self through interaction with a *brother*. To be female was in a fundamental sense to be a sister. By the end of the nineteenth century, however, the female had been transformed into the “mother,” or if not the mother then the pure object of male lust (Weininger’s prostitute). And each sex, instead of experiencing a mutual creation through the social dynamics of the family, had been more or less fixed, situated in a particular place in an ontology. Weininger put it this way: “that which the female is means nothing other than that a radical inclination towards universal sexuality might exist in the world.”<sup>71</sup>

Among the constantly repeated themes during the period was the notion that women were as dependent upon men for their thoughts, as they were also for their

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69 Weininger, *Geschlecht und Charakter*, pp. 397–99.

70 Weininger, *Geschlecht und Charakter*, p. 405.

71 Weininger, *Geschlecht und Charakter*, p. 405. In his “Die Erdbedingtheit der Psyche,” in *Mensch und Erde*, in *Darstellungen von Hermann Keyserling*, ed. Hermann Keyserling (Darmstadt, 1927), pp. 83–137, C. G. Jung, did not think that there was much influence on the child from the paternal side. There were good grounds to think that the psyche of the child especially remained under the spell of the mother’s psyche; that the psyche of the child was an appendage of the parent. It was probably best to root the explanation of the child’s incestuous tendencies in the psychology of the parents—every child’s neurosis came from the parents. The most direct archetype was the mother, the parent with whom the child had the closest and strongest experiences. The actual mother was experienced as an archetype, as *the mother*. And in persisting as such in the unconsciousness of the individual, she determined the child’s relationship to every woman and to the society as a whole. The womb of the mother earth, the *mater ecclesia*, matter itself, determined the relationship to law and state. The overwhelming majority of men at the level of culture then current could not conceive of the woman in anything but maternal terms. This was why the *Anima* never developed beyond the infantile-primitive stage of the whore. Prostitution was, after all, a by-product of civilized marriage. Klages, *Vom kosmogonischen Eros*, pp. 18–21, 61, 227, had similar things to say about the connection of son and mother. Indeed, he only talked about sons and mothers. All erotic ties grew out of maternal tenderness, which in turn was rooted in the physical care of the mother for the child. In the end the psychic development of the child as it entered the realm of cosmic significance experienced continuous creation as “maternal” and took on individual obligations, not as man to wife, but to the one and only mother—or maybe even more correctly to the egg.

sexual awakening. Much of this turned around the idea that in the sexual act, women were passive – an argument that could be reasoned out so far as to imagine the egg as stolidly hanging about waiting for the busy little spermatozoa to race to the finish line.<sup>72</sup> Receptivity and passivity were the same thing for Weininger. The female *took* all the time – from parents, siblings, and assorted relatives. And she copied things all the time – like recipes. Why? Because woman was totally determined from outside of herself. Not only was she passive/receptive in the sexual act, but her judgments were implanted from the man: she had no originary relationship to them. To draw this link between sexuality and the formation of ideas, Weininger contended that “pregnability” (*Imprägnierbarkeit*) by male views was the woman’s condition in the mental realm; that her mental world could be penetrated by foreign elements.<sup>73</sup> In fashioning this argument, Weininger brought quite disparate elements together under the umbrella of a single concept and, as I have pointed out, also engaged in an uncontrolled free association – a disease of the time when one thinks of Freud. Taking the standard notion of male and female as active and passive in sexual intercourse, he reasoned analogically that receptivity and passivity in general originated in the physical sexual act and then were mapped onto an ever-widening circle of activities and states of being. From the plumbing, he derived a whole ontology.

The point to be understood here is that for Weininger, woman’s sexuality was linked to that female condition I have already mentioned several times: unboundedness. “Every woman,” he said, “feels herself ultimately in the same way [*Unterschiedslos*], since the woman is throughout sexual, since sexuality is extended over the entire body and at some points, physically said, is just denser than at others, continuously (*fortwährend*) and on the whole body, everywhere and always, from whatever, without exception, coitized.”<sup>74</sup> And then he introduced an idea deeply rooted in European culture, but greatly contested during the late nineteenth century; namely, that outside influences could affect women sexually, by ocular impressions and by what he called *Versehen*.<sup>75</sup> “A being that is coitized everywhere and by all things, can also be impregnated (*befruchtet*) everywhere and by all things: the mother is pregnable (*empfänglich*). In her, all life triumphs (*gewinnt*), for everything makes a physiological impression on her and enters the child as its representations (*Bilder*).”<sup>76</sup>

It was of course not just men who thought of women as needing impressions from outside, on the one hand, and as driven to go outside themselves, on the other; a state perhaps captured well with the concept of “penetrability.” This thought also could be developed in the idea that the maternal drives of women were particularly suitable

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72 See Freud, “Die Weiblichkeit,” p. 121: from the active sperm to the active male in intercourse to the active man in culture.

73 Weininger, *Geschlecht und Charakter*, p. 358.

74 Weininger, *Geschlecht und Charakter*, p. 307.

75 Weininger, *Geschlecht und Charakter*, p. 285.

76 Weininger, *Geschlecht und Charakter*, p. 308.

for caritative engagement with the world; not just suiting women, but impelling them to take such action out in the world, either after the children had left home, or in the case that they were childless.<sup>77</sup> The feminist writer Laura Marholm added another perspective to the question of boundaries. Every female – at least any female who was not degenerate – had a “dark drive” (*dunklen Trieb*) to go beyond or outside her own ego. This drive was the fundamental impulse of motherhood.<sup>78</sup> And even where a particular woman did not become a mother, the necessity to take suffering humanity onto her protective lap was powerful. The feminine ego was just another form of “continuity, unable to find satisfaction in or be limited to the personal and individual.” The expansion of the female self was directed towards anyone close to it, Marholm explained, before proceeding to offer an argument that scandalized many of her feminist contemporaries. Being quite incapable of initiating anything, the female, she claimed, could only develop what had been previously created by men. It was a great mistake for women to model their selves after the other sex. An authentic female, not being bounded like a man, wanted to extend her activity (*Weibbthätigung*) beyond her own personal happiness to universal motherhood (*ins Allmütterliche*).<sup>79</sup> In fact, men feared the expansiveness of women, since their own sense of power was based on strict ego boundaries and a battle of “all against all.” The female did not carry on an inner life in any way like a male. She existed completely outside, in instincts, drives, needs, and interests. Here Marholm was thinking of all the boundaries of the female as permeable in both directions, or perhaps of concern about her boundaries as beside the point, since there seemed to be no delimitation at all. “The man carries in himself what he is – his total masculinity (*Mannwesen*) creates this in him. The female – indeed the female is, mentally and physiologically a capsule over a void that the man must first come to fill. She knows nothing by herself, knows nothing about the male, knows nothing about the great, silent imperturbability

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77 Much material for rumination around the turn of the century was provided by the theoretician of “matriarchy” (*Mutterrecht*), the Swiss mythologist Johann Jakob Bachofen (see chapter 1 of this section). In his treatment of ancient mythology, Bachofen made a distinction between what he called the “law of the material-corporal” and higher spiritual life, the two being occupied respectively by matriarchy and patriarchy. The originary character of the mother or the maternal was to be the wellspring of love, which ranked lower on the scale of morality than the relationship between a man and his son. Indeed, the mother learned to extend loving care beyond the boundaries of her self through the primary care for her own offspring. From generative maternalism (*gebärende Muttertum*) came a universal brotherhood of all humans, which disappeared with the spread of paternity. The inner structure of female nature, its deep, rich intuition of divine consciousness, accompanied a fusion based on the feeling of love. Bachofen aligned the maternal and paternal principles on an historical axis, the male-dominated, Apollonian idea—spiritual, creative, individualistic, Promethean, Western—succeeding the material, natural, immature, irresponsible, Demetrian, Eastern idea of the female. Johann Jakob Bachofen, *Mutterrecht und Urreligion. Unter Benutzung der Auswahl von Rudolf Marx*, ed. Hans G. Kippenberg, 6th ed. (Stuttgart, 1984), pp. 87–90, 97, 105, 126.

78 Laura Marholm, *Zur Psychologie der Frau*, 2nd ed., (Berlin, 1903), pt. 1, p. 174.

79 Marholm, *Psychologie der Frau*, p. 303.

of life – nothing is revealed in its depth except through the experience with the male.”<sup>80</sup> It was the male, in other words, who made the female, female.

In this passage, much of the ambiguity in Marholm’s characteristically overwrought prose emerges. Did the woman have particular powers of her own or were they all derivative? Marholm talked about the fact that it was a man who made a woman pregnant, who made concrete motherhood possible. A woman could not really outrun the fate of being tied up with some man for good or ill. He already occupied the space in which she was destined to move. But there was an ambiguity here, lurking in the possibility of either optimistic or pessimistic readings. Did the permeability of the female ego fit her for something like social work, that kind of action in the world that extended to outside the home – motherhood as unbounded, expansive, outward directed – or did it make her peculiarly dependent on pregnancy in thought and body; leave her, that is, lacking all autonomy? Perhaps one could speak of a “cunning of unreason” inherent in Marholm’s dialectic, for after all, she did write that “the female is dangerous, fearsome, and insuperable in one point . . . in her motherhood.”<sup>81</sup>

## Sexuality and reproduction, male and female sexuality different things

Especially for the female individual, sexual life is so important that it takes precedence over all aspects of the individual constitution, and totally rules over the entire female existence and supports each state of life relative to its condition. — Hermann Klencke, 1886

Weininger’s language might seem a bit extreme, but the collision of ideas and the uncontrolled associations in his text point to notions widely shared during the period and to issues on many a commentator’s agenda.<sup>82</sup> His notion of the female as peculiarly and completely sexual overlapped with the idea of reproduction, whether of family or community. In many passages, he contrasted the female state with the individualism of the male, a state made possible by the fact that a man was only occasionally sexual. Sexuality, therefore, was one of the chief determinants of difference between the two sexes, and this difference was expressed both in “space” (pervasiveness in the female body,

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<sup>80</sup> Laura Marholm *Das Buch der Frauen. Zeitpsychologische Porträts*, 5th ed. (Berlin, 1899), p. xv.

<sup>81</sup> Marholm, *Psychologie der Frau*, p. 244.

<sup>82</sup> Ellen Key, citing Lou Andreas Salomé (1861–1937), developed the paradox that the greater sensuality of the woman was what made her less sensual than the man. This came from motherhood, which made her sensual over the whole year. Maternal feeling was through and through the most sensual. It was only the woman who could express her being in the *eros*-inclusive universal (*All-Leben*) and that because the erotic was her entire essence. Over the long course of evolution, the spiritual attributes of motherhood had determined a pronounced difference between the feminine and masculine soul. The *normal* condition for the woman combined body and soul in desiring motherhood. The unity of the female contrasted with the dualism of the male, who was only capable of loving with the senses and not with the soul.



containment in the male counterpart) and in “time” (ever-present drive in the female, occasional drive in the male).<sup>83</sup> From the time perspective, the argument ran as follows. Because the female did not have the capacity for detumescence, her arousal had no particular end point. She also had a much stronger capacity for sexual arousal than the male, but rather than being a change of state as for the male, her arousal was a simple heightening of what she already was; that is, an increase (*Steigerung*) of her total being (*Gesamtdasein*), itself always and throughout sexual.<sup>84</sup> What did being sexual mean for a woman? A life encompassed by the spheres of sexual union and reproduction; that is, by her relationship to man and child.<sup>85</sup>

Weininger is sometimes hard to follow because he flipped continuously between two different understandings of the sexes. He distinguished between two extreme poles, two abstract beings, male and female, pure types, which he labeled M and W. Particular individuals, men and women, were always somewhere in between, along a continuum, always bi-sexual. But he did not keep his distinctions consistent. W, he declared, was completely filled out and taken in by sexuality, while M knew many other things – battle and play, sociality and feasting, discussion and science, business and politics, religion and art.<sup>86</sup> Then, just a few lines later, after this recourse to abstractions and pure types, he plopped in one of his great throwaway lines: if sometimes a woman learned Latin, it was only to help her son in the Gymnasium.<sup>87</sup> One of Weininger’s near contemporaries, the Swiss historian Gerold Meyer von Knonau, wrote a slim volume on his mother, praising her for all the services in manuscript copying, correlating, and editing she had rendered to her scholar father, husband, father-in-law, and son, pointing out that she even had mastered the difficult Greek orthography to get her son through the Gymnasi-

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<sup>83</sup> Here Weininger drew upon distinctions Moll made—discussed above—between a detumescence (*Detumesenz*) drive and the drive for contact (*Kontrektation*). The female had only the latter. Already in the 1880s, Dr. Hermann Klencke, in *Weib als Gattin*, p. 7, made the same point: “The female creature really never emerges from the species function.” The male sex only transitionally and fleetingly took part in this. Indeed, the science of nature demonstrated that female sexuality was a function of her dependence on universal life of nature and the work of generation, while male sexuality freed the man up for protecting the nest and engaging in public life. Everything about their different kinds of sexuality spoke about independence and dependence. “The whole nature of the female is not suitable for acting in the external world of the state,” *ibid.*, p. 20. “Especially for the female individual, sexual life is so important that it takes precedence over all aspects of the individual constitution, and totally rules over the entire female existence and supports each state of life relative to its condition,” *ibid.*, p. 410.

<sup>84</sup> Weininger, *Geschlecht and Charakter*, p. 112.

<sup>85</sup> Deutsch, like Freud, gave voice to a common assumption of the period; namely, that the male in his sexuality expended relatively little psychic energy, while the sexuality of the female was all absorbing. With only a portion of his libido used up in sexual activity, the male was freed for cultural tasks, an opportunity which largely escaped the female. As Deutsch put it: “The capacity for production of the male, which is expressed in his mental and social creations and allows for narcissistic satisfaction, is accomplished for the female in the restricted circle of sexual life, in the production of the child.”

<sup>86</sup> Weininger, *Geschlecht and Charakter*, p. 112.

<sup>87</sup> Weininger, *Geschlecht and Charakter*, p. 113.

um.<sup>88</sup> So Weininger was riffing on a well-established theme, but then he changed course again, to conclude his discussion with the generalization, “the female is only sexual, the male is sexual intermittently,” on the assumption that this had specific epistemological consequences for the sexes.<sup>89</sup> In order to be conscious of something, it was necessary to have the perspective provided by stepping outside of oneself. With the female (W), this perspective was unattainable, since she was only and completely sexual. She could not even recognize her own sexuality, because the duality necessary to producing reflexive knowledge was denied her by the essence of her being. It is important to see here that gender/sex had not only epistemological consequences, but also ontological and moral implications, and that it was by no means something that could be encapsulated or isolated from other aspects of personality.

## Mother and son as a sexual pairing

The female ego nowhere has a point where it can personally be limited and satisfy itself only individually. — Laura Marholm, 1903<sup>90</sup>

Given the nature of female sexuality, its totality, ubiquity, and lack of boundaries, what about the relation of woman to child. It too ought to be sexual. In so many cases during the period, whenever an author considered mother and child the language would slip after a sentence or two to mother and son, and frequently to the eldest son. Weininger was no exception. “A female who is mostly whore (*Dirne*) will especially perceive in her son his maleness [*Mannheit*] and always stand in a sexual relation to him. Since no female is completely motherly, it is not possible to fail to recognize that a final remainder of sexual effect proceeds from every son towards his mother.”<sup>91</sup> Indeed, every son existed in a sexual relationship with his mother, however veiled in the view of both of them. With most men, this emerged in early puberty, then was repressed from consciousness only to re-emerge in sexual dreams – Weininger referring here explicitly to Oedipus. It was also to be understood that motherliness was not confined to specific objects but rather was a universal feature of the motherly woman – expressed early in her interest in all children. She even treated her lover in a motherly manner. In this sense a man, with such a woman, was already her child and had a deep connection to the world through her (like Siegfried to Brunnhilde, Weininger noted). The true mother is permanently subsumed by the goal of reproduction (*Gattungszweck*).<sup>92</sup>

<sup>88</sup> Gerold Meyer von Knonau, *Meine Mutter* (n.p. [Zurich], n.d.), p. 6. Von Knonau died January 30, 1871.

<sup>89</sup> Weininger, *Geschlecht und Charakter*, p. 115.

<sup>90</sup> Marholm, *Psychologie der Frau*, p. 182.

<sup>91</sup> Weininger, *Geschlecht und Charakter*, p. 292.

<sup>92</sup> Weininger, *Geschlecht und Charakter*, pp. 294–98.



Fig. 26: Mother and Son.

Two paintings by Lovis Corinth (1858–1925) depict his wife, Charlotte Berend-Corinth, and his son, Thomas, age two in the earlier picture, seven in the later one. Both illustrate the turn of the century notions of the sexual character of woman, and both portray the full corporeal sensuality of motherhood. Charlotte was Corinth's first student and a painter in her own right. Neither of these pictures should be understood simply as examples of a male gaze. Charlotte herself was active in setting up these representations of motherhood and the mother/son relationship. The tight, physical tie illustrated in both pictures is distinctly one of a mother and *her son*. In the earlier picture, Charlotte exposed the curvaceous voluptuousness of a mother's body – illustrating nicely what Laura Marholm called “healthy animality.” Lying on a bed, with ruffled sheets partly covering her body, she projects the full sexuality of motherhood. The son and the mother are locked in the intimacy of a mutual (seductive) gaze. There is

one point of physical contact where their two hands meet, where touch conveys the expression of maternal/filial love. In that picture, Thomas lifts his shirt to expose his own nudity to mirror that of his mother. In the later picture, seven-year-old Thomas is fully displayed, nuzzled against his mother's half-exposed breasts. He stretches himself almost with longing, resting an arm around her knee, and turning up his eyes to gaze in her face. She holds and touches him with both hands – the one grasping him firmly by his hand and the other caressing his face in a lover's gesture – and kissed his brow. If the first painting has something playful about it, this one expresses an unmistakably erotic connection. Whatever plausibility Albert Moll's notion of *contraction* might have, this is a good illustration of it.

Lovis Corinth, “Mother and Child” (1906), private holding. “Mutterliebe” (1911), Staatliche Museen zu Berlin, Nationalgalerie, Photo: Andres Kilger.

These themes from Weininger's account can be found in many different texts during the period: the “child” represented by the son (often the firstborn son), the indistinguishability of her sexual feeling toward lover and son, the mother-son relationship as inherently sexual, the fusion and lack of boundaries between mother and son, lactation as a coital experience, *soma* as the foundation of *psyche*, maternal feelings towards lovers, the female body as the ground for universal sexuality. Laura Marholm found it ironic that the preaching classes spoke of the repression of women in contemporary society by men, when throughout history women always had ruled. It was precisely the “mon-

strous" (*ungeheuer*) female body and its enticement to fusion that at once subjugated men and drove them to tame and rationalize it.<sup>93</sup> She contrasted the inherent sensuality of the female with what she called the "supersensuality" (*Übersinnlichkeit*) of the male.<sup>94</sup> Just as conception for the male was accomplished in a fleeting moment, so he never was satisfied with what was at hand – that was what made him a creative organism. This, Marholm contrasted with the "infinitely more intimate connection of the female and child."<sup>95</sup> And she exhorted her readers to think of the cult of Mary developed in the imagination of the male soul. The figure of mother and son was formed from the greater carnality of the female; the female in whose blood the child grew for nine months and at whose breasts he nourished himself for another nine months; the female who felt the pain of the child in her own flesh and blood over a lifetime of reflexive impression. It was in fact a "healthy-animality" that connected every mother with her son. She was the vessel of all life; her motherhood owing to the dissolution of all boundaries of the ego. She had a dark drive to supersede herself, and in the deepest sense it was pain, physical and mental, that connected her to the son – and to all sons. "The female ego has no point where it can limit itself personally and satisfy itself purely individually." It was the expansiveness of the mother that men feared most.<sup>96</sup> And it was the sexual life of the female that determined her relationship to the son, the lover, and the world. In the mental world she was subjected to the same laws as in the physical world. But since it was motherhood as such that defined the female, the lover and the son were not exactly the same. The connection between mother and son was much more subtle, complicated and mysterious than the one between male and female. There seemed to be an eternally unresolved conflict between Mary and Eve, making the relationship between mother and son dialectically constructed on the oscillation between the sensual and supersensual.<sup>97</sup> Fathers, by contrast, had no sensual connection with their children – the intimate, sensual, and material remain privileged territory for mother and child. The feelings of the mother all were directed towards possession, and her authority was much more substantial than the father's – in all classes. The child, nearly always the son for Marholm, determined the being of the female, gave form to what, prior to gestation and parturition, was her formlessness. Yet the action was reciprocal, since every mother also determined the child through her flesh and blood.<sup>98</sup>

The more disciplined group of Freud's followers had similar things to say about the mother-son relationship. What is fascinating from the outset is their thoroughgoing absorption of the stereotypes, mechanisms, and traits presumed to define and govern

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93 Marholm, *Psychologie der Frau*, pp. 74–76, 82.

94 Marholm, *Psychologie der Frau*, pp. 89–90.

95 Marholm, *Psychologie der Frau*, p. 93.

96 Marholm, *Psychologie der Frau*, p. 183: "The female ego has no point where it can limit itself personally and satisfy itself purely individually."

97 Marholm, *Frauen in der sozialen Bewegung*, p. 119.

98 Marholm, *Psychologie der Frau*, p. 93.

women: passivity, the female ego ideal fulfilled in motherhood, the “ethical” female, the female as both/either mother and/or whore, sexual development as the working out of biological laws/necessity, the completion of the female in the phase of reproduction, complete sexual dimorphism, female masochism, suffering, the male as only periodically sexual, the female as Freud’s universal “transient carrier of genes (*Keimplasma*).” Headaches in women, Helene Deutsch contended, resulted from the castration complex, because the head, the seat of the intellect, embodied male capacities for productivity.

Although Deutsch thought that the female who developed “normal” sexual relations had reproduction as her goal, in keeping with the evolutionary biological premises of psychoanalysis, she suggested that the hymen had its phylogenetic origins in the desire of the female for suffering.<sup>99</sup> When a female finally discovered her vagina, the organ became a “miniature of the whole ego,” even while her whole body remained a sexual organ.<sup>100</sup> In so far as the female brought to fruition the maternal function of the vagina, she completed the developmental process necessary to reaching the full female state. Anything she incorporated along the way that was contrary to passive receptivity was male and hostile to that state. The energy that the male directed to cultural creation, the female devoted to the production of the child; another way of saying that the libido of the female remained fully centered in sexuality, whereas the male’s could be compartmentalized and redirected.<sup>101</sup> In this context, the child, Deutsch asserted, was just the continuation of the sexual partner; indeed through “introjection,” the child became the sexual partner. And as was usual with most writers of the period, Deutsch thought that to bring up the child was to bring up the son – the oldest son in this particular instance. In an intriguing parallel with Lily and Otto Braun (chapter 1, this section), she thought the oldest son for reasons unknown recapitulated all the qualities of the maternal grandfather.<sup>102</sup> As for the incest problematic, it was continually reconfigured in the relationships between mother and child, particularly the son, as the child grew up and the woman moved through menopause. The son gradually replaced the paternal imago, and the mother’s libidinal connection to the father was transferred to the son.<sup>103</sup> This seems also to be the way Gabriele Reuter modeled it in *Jugend eines Idealisten* (chapter 1, this section). The tender love of the mother for the son was an overinvestment of sublimated sexual energy, Deutsch wrote. And then she took the leap: “its content [is] to be loved, coitized, beaten, and murdered by the son.”<sup>104</sup>

The mother, of course, played a central role throughout psychoanalysis, since from its inception in Freud, the theory was built around the family drama. But Jung is just as interesting, especially since he broke with Freud precisely around the figure of the

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<sup>99</sup> Deutsch, *Weiblichen Sexualfunktionen*, p. 44.

<sup>100</sup> Deutsch, *Weiblichen Sexualfunktionen*, p. 50.

<sup>101</sup> Deutsch, *Weiblichen Sexualfunktionen*, pp. 63–64.

<sup>102</sup> Deutsch, *Weiblichen Sexualfunktionen*, p. 69.

<sup>103</sup> Deutsch, *Weiblichen Sexualfunktionen*, p. 99.

<sup>104</sup> Deutsch, *Weiblichen Sexualfunktionen*, p. 99.

mother. Here I am going to use Jean-Joseph Goux's 1993 interpretation of Jung as he revisited the original Oedipus story and argued that Freud completely missed the killing of the Sphinx.<sup>105</sup> By contrast, Jung, "seeking the meaning of this dangerous creature, was right to look to the mother, to the dark, enveloping, stifling mother who binds and captivates her son, holds him back, traps him in the numberless coils of her reptilian attachment."<sup>106</sup> For Jung the Sphinx was female monster, which in turn was mother. Goux pointed to the many myths of heroes conquering a monster, which he interpreted as having "the deep meaning of matricide."<sup>107</sup> In fact, Jung contended that desire for the mother on the part of the son was elemental, and that the relationship was not resolved in some struggle with the father.<sup>108</sup> Desire for the mother and killing the mother led to engagement with the world. The Oedipus myth as interpreted by Freud and Lacan – the son submitting to the law of the father – Goux argued, could not account for the nature of male desire. In all the myths of conquest, there was desire, not for castration, but for heroism, risk, and sacrifice.<sup>109</sup> What Goux called the profound truth of masculine desire was "a dangerous desire for a negative, dark, animal femininity, for a horrifying union in which he risks being completely annihilated."<sup>110</sup> And always offering his ideas as an interpretation of Jung, he referred to the symbolics of initiation rites and initiation into the sacred mysteries as "themes of separation, descent into the world of the dead or regression back to the womb, bloody trial, provisional death, reception of a secret teaching, renaissance, and resurrection," before concluding two paragraphs later: "Thus at bottom the ritual passage at puberty is a violent uprooting from the world of mothers, and a symbolic incorporation into the company of fathers and the chain of ancestors" – fathers now mediators for transition from the world of mothers.<sup>111</sup> "What is severed

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**105** Jean-Joseph Goux, *Oedipus, Philosopher* (Stanford, 1993), p. 23. See the relevant passages in Carl Gustav Jung, *Psychology of the Unconscious: A Study of the Transformations and Symbolisms of the Libido. A Contribution to the History of the Evolution of Thought*, trans. and intro. Beatrice M. Hinkle (New York, 1921), pp. 112–27. "The Sphinx is a semi-theriomorphic representation of that 'mother image' which may be designated as the 'terrible mother,' of whom many traces are found in mythology," p. 112.

**106** Goux, *Oedipus*, p. 25. Jung, *Psychology*, pp. 112–13: "In consciousness we are attached by all sacred bonds to the mother; in the dream she pursues us as a terrible animal. The Sphinx, mythologically considered, is actually a fear animal, which reveals distinct traits of a mother derivate."

**107** Goux, *Oedipus*, p. 26. We should note that this imaginary of Jung offered an image of aggression of sons against mothers parallel to that found in the contemporary *Freikorps* literature examined by Theweleit.

**108** Jung, *Psychology*, p. 267: "There is no doubt that there is nothing in the world which so completely enfolds as the mother."

**109** Goux, *Oedipus*, pp. 29–34. One finds a similar point in Gabriele Reuter or with Lily Braun or Käthe Kollwitz: the mothers send their sons out into the world as heroes.

**110** Goux, *Oedipus*, p. 37.

**111** Goux, *Oedipus*, pp. 40–42. Jung, *Psychology*, p. 147: ". . . pain and anger relate to the mother, as if she were responsible for the domestication of the sons of men. In order not to become conscious of his incest wish (his backward harking to the animal nature) the son throws all the burden of the guilt on the mother, from which arises the idea of the 'Terrible mother.' The mother becomes for him a spectre

is a certain relationship of fusion with the maternal dimension."<sup>112</sup> In Goux's account – riffing on Jung – as in Deutsch's, the fundamental relationship between son and mother was characterized by fusion and the disintegration or lack of boundaries. The male as male acted in the world. The female's sexual energy pulled inwards and enveloped. The mother's body was either the aggressive, penetrating, sexual organ (Deutsch) or the pole of dangerous attraction (Goux, Jung).<sup>113</sup> In either take, the organizing principle of the family was the mother/son axis, and this opens up the intriguing historical question of the structuring of the kinship relationship in the decades surrounding 1900.

I want to end here with one of the major feminist writers of the period whom I introduced in the previous chapter, Rosa Mayreder. She is particularly interesting for her observations on her contemporaries and for her critique of the categories of the universal woman figured in so many of the texts I have reviewed.<sup>114</sup> She realized that social reproduction was only possible through what she called "average women," women at home, influencing their children, particularly sons. They may well have been mistaken about their influence on their children, particularly their sons, and they may have been wasting their time, but emancipation in the end really was not for them. Perhaps being freed from house and children was a possibility only for the "unusual" woman. Mayreder's critique of *Weiblichkeit* offered a life beyond and outside of motherhood but only for a small minority of women who had the sense and courage to break with hegemonic values. Inevitably bourgeois women were destined to lives of disappointment.<sup>115</sup> Rather than building their own egos, these women invested everything in their sons, but nothing was going to turn the average boy into a genius – all that investment was just a waste of time. Mothers and fathers were just transition points on the line of generations. The widespread assumption that the mother expressed her personality in the child was nothing but a myth.<sup>116</sup> Indeed, the freedom of the children was distorted by all those mothers who saw in the child their life work. Children were the work of nature, not of parents. Every period had its own superstition, and the idea that mothers had influence over the development of their children was the most elemental superstition of the age. But Mayreder suggested not just that mothers overestimated their influence – as if they were workers or artists making something with tools – but that they also could have a destructive influence through their all-encompassing nurturing: "That incessant

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of anxiety, a nightmare." This is a comment on the Osiris myth but has the quality of generalization.

<sup>112</sup> Goux, *Oedipus*, p. 42. Jung, *Psychology*, p. 187. "Man does not live very long in the infantile environment or in the bosom of his family without real danger to his mental health."

<sup>113</sup> Jung, *Psychology*, p. 235: "Man leaves the mother, the source of libido, and is driven by the eternal thirst to find her again, and to drink renewal from her; thus he completes his cycle, and returns again into the mother's womb. Every obstacle which obstructs his life's path, and threatens his ascent, wears the shadowy features of the 'Terrible mother,' who paralyses his energy with the consuming poison of the stealthy, retrospective longing. In each conquest he wins again the smiling love and life-giving mother."

<sup>114</sup> Rosa Mayreder, *Zur Kritik der Weiblichkeit. Essays*, 3rd ed. (Jena and Leipzig, 1910).

<sup>115</sup> Mayreder, *Kritik der Weiblichkeit*, p. 78.

<sup>116</sup> Mayreder, *Kritik der Weiblichkeit*, pp. 78–79.

protecting, coaching, ministering, as those mothers carry on whose only activity consists in upbringing and who are animated with the ambition to bequeath to posterity in their child a perfect ‘work,’ create in fact only people beyond repair.”<sup>117</sup>

Mayreder took Andreas-Salomé, Marholm, and Key all to task, for essentially arguing for the female body, female sensuality, female sexuality in terms of investment in their offspring.<sup>118</sup> And she spoke about the prevalence of what she called “maternal women,” women for whom the tight physical tie between mother and child made the child an annex of their own organisms. Since there was no differentiation, love for the child and love for self were one and the same thing. There were other types of women, classifiable according to their sexual characteristics.<sup>119</sup> The maternal type was essentially “egoistic-frigid”; a type for whom children were mother’s property, flesh of her flesh, blood of her blood, and the man just there to help her conceive.<sup>120</sup> “For the life of every individual the erotic attraction that it exercises and the sureness of instinct with which it makes a choice is the crucial thing.”<sup>121</sup> In other words, the categories “woman” and “female” had no universal content; whatever woman was or could be followed from her sexuality, sorted by type.

## Conclusion

Nurturing (with or without the word itself), in one way or another, was a central agenda item at the turn of the century. It called on specific qualities in women, associated by almost all authors with their occupation as mothers. No matter what else women might do, it was argued, they could not realize their femaleness completely without bearing and raising children. The discussion always turned around this point, and even when women were called upon to act outside of the home, in political, associational, or caritative activities, their special way of operating was almost always brought under the sign of capacity to nurture. Work “in the home” had considerable implications for outside activities. Mothers were the liaison of the family with many institutions, such as the church or the schools, and with the neighborhood and the network of kin. They gave form to the specific aura of domesticity or to the style of sociality. They determined who came in and who went out. Without any doubt the nurturing tasks and capacities of women were broad, multifaceted, and grasped by contemporaries as unbounded. And therein lay the roots of maternal power and the source of stereotypes about the

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117 Mayreder, *Kritik der Weiblichkeit*, p. 81. “To put her personality completely into motherhood and in education as is now prescribed for every woman capable of doing something else means to sacrifice the certain for the possible, being for becoming.” p. 84.

118 Mayreder, *Kritik der Weiblichkeit*, pp. 157–62.

119 Mayreder, *Kritik der Weiblichkeit*, pp. 17–29.

120 Mayreder, *Kritik der Weiblichkeit*, p. 176.

121 Mayreder, *Kritik der Weiblichkeit*, p. 186.



somehow undefined female. One answer to the question of what the female possibly could have wanted can be found in Mayreder's critique of contemporary society. The woman herself did not know the answer because she invested her being completely in her sons, and then came up empty-handed, dissatisfied, when, all-too-often, her investment failed to produce anything special. But another answer suggested that it was precisely the unboundedness of the domestic sphere that made her desires so undefinable. The attributes of maternal power involved absorbing new people and new tasks without setting any particular goals. Or alternatively, the demands of mothers, particularly with regards to sons, were inexhaustible.

Many of the metaphors running through these texts (fusion, flows, penetration, unboundedness, unison, merging) were ways contemporaries sought to mark not just the power of women but to characterize its nature. And one of the key analytical points was to find in the alliance between mother and son the lever by which the mother was able to move the world. That device was fashioned through nurturing, figured as embodiment, not as an exchange between separate beings. The mother got hold of the son through tactile engagement, something enveloping and sometimes stifling. Commentators from moralists and pastors to psychotherapists could not think about the connection outside the categories of sensuality, eroticism, or even sexuality. They thought that attachments were created through affective bonds, and that, in a sense, all bonds were modeled on the original maternal-filial tie, or at least were sublimations of that elemental drive. They tried to understand how female sexuality, conceptualized as flowing out from desire for contact, directed women even when they acted in the world – as caretakers for community imbued with sympathy, but not as culture builders (an interesting distinction of the time). In any event, it was maternal care and motherly intervention that set up the network of claims that structured milieus and kinship networks. Mothers made kinship. Nurturing itself could not be imagined outside of the expression of power and the experience of aggression. And so much of the literature hinted more or less strongly that the objects of maternal attention either could not, or could only with difficulty, get away. I suggested at the outset of this chapter that women were crucial for orchestrating class cohesion, local ties, and familial alliances. And I adopted the term “matrifocality” to capture the kinship-making activities of women. I need now to examine some of the central features of turn-of-the-century kinship in order to understand the context in which the love and fear of mothers entered into so many conversations.

## Chapter 4

# Kinship Structures at the Turn of the Century

Much finer, more complex and mysterious than the connection of husband and wife is the connection between mother and son . . . . One of the strongest material feelings of mothers is the possession of their children . . . . They want to rule their children and steer them as they will. Much more clearly than paternal power, that is actually rapidly disappearing, in our time maternal power asserts itself, indeed in all classes . . . . They submit themselves to their adult son in those things which he should decide over as man, but they seek to hold him in submission so long as possible . . . . The authority of the father is fading while the authority of the mother is self-consciously on the rise.—Laura Marholm (1900)<sup>1</sup>

I have been arguing that the central figure in familial constellations in the decades around 1900 was the mother-son pair. Indeed, that relationship was so fraught that it frequently elicited images of incest. Metaphors of fusion, flowing, merging, unison, introjection, and incorporation flew thick and fast in the culture, and they were accompanied by other images of maternal unboundedness, expansion, and irresolution. For many commentators the relationship nested in nurturing, itself initiated in the pleasures of touch. Motherhood was understood to be sensual, erotic, and, in an all-encompassing and expansive sense, sexual. Put in other words: the tactile, unlimited, expansive, interminable ways of the sexual woman/mother were thought to express themselves outside the private, intimate realm in the relentless, reproductive, carative, and connective functions of woman's social life. These functions, of course, supported the idea of the mother as a natural intermediary. In this role, she shaped the domestic realm, took in new people and took on new tasks, constructed attachments, nurtured children and husbands, and brokered ties with neighbors and kin; and she managed social networks through emotion, attention to detail, evocation of desires, and domestic framing. This nurturing activity, colored as it was by the erotic, gave the mother/woman a particular form of power; namely, the power to attach lasting bonds to her children, especially to her sons, as so many of the texts from this period attested. All other bonds were sublimations of these primary attachments. Sexologists had a word for it—"contractation."

In section II, I introduced the rise of kinship and class endogamy in the late eighteenth century and pointed out the frequency of cousin marriages and repeated alliances over generations among selected families. It may well be true that love blossomed among cousins or neighbors or friends who had intense contact with each other. But as the nineteenth century progressed, aunts and mothers increasingly controlled opportunities for such interactions, whether by providing entry to house sociality or monitoring active play among comrades. It became the business of women—relatives and friends—to spin the web of alliance. One of the purposes of this chapter is to trace the contours of the mature system of endogamous alliance, all the while emphasizing that

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<sup>1</sup> Laura Marholm, *Die Frauen in der sozialen Bewegung* (Mainz, 1900), pp. 120–21.

marriage with close relatives was supported and encouraged by families; there was nothing *natural* about cousins finding their way to cousins. I have already suggested the usefulness of the concept “matrifocality” for grasping the essential features of kinship construction at the turn of the century and have identified maternal “nurture” as the mechanism for initiating, strengthening, and selecting ties.<sup>2</sup> Now I want to explore the thesis that however much biological sciences might have scanned the nature of gender and sex autonomously, they did so in the context of domestic regimes forged by women. No matter what else can be said, the science of womanhood was a literature of sons, a literature that even for feminists directed the intellectual agenda to consider biology, occupation, and mental life.

There are certain features of kinship common to nineteenth-century middle classes across Europe and America. If most of my research here has centered on reading German texts closely, that does not mean that examples are lacking in other northern transatlantic settings. There are striking similarities for England, France, and the United States. The Courtaulds and Wedgwoods would have recognized the family cultures of the Siemens and Haniels, or of the so-called “Boston Brahmins.”<sup>3</sup> Many mar-

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2 I have found useful to my thinking about this material, the notions that Raymond T. Smith developed for Guyanese society. See Raymond T. Smith, *The Matrifocal Family: Power, Pluralism, and Politics* (New York and London, 1996), pp. 13–15, 43–45. The idea of matrifocality is not a concept denoting female-headed households. Indeed, the husband/father may be dominant in marital relationships and act as head of the household, while in reality the mother-child relations are strong. With segregated conjugal roles, there is likely to be a matrilateral stress on kinship ties. Such ties originate in the domestic domain and radiate from there. “They are rooted in the identity of interests and activities of women whose principle role is that of mothers,” p. 45. I will not dwell here on issues of conceptual apparatus: if the notion of “matrifocality” suggests some things to focus on or offers the possibility of summarizing a set of findings, then it is useful, if only in a loose sense. I also will not spend time here looking at men as husbands and fathers, because my intent is not to offer a complex history of the family. It is enough to figure out what sons were doing and to explore some of the aspects of domestic politics during the period.

3 On the Courtaulds, see D. C. Coleman, *Courtaulds: An Economic and Social History*, vol. 1, *The Nineteenth Century: Silk and Crape* (Oxford, 1969). For a general introduction to industrial families and kinship, Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Classes, 1780–1850* (Chicago, 1987). For German examples, Jürgen Kocka, “Familie, Unternehmer und Kapitalismus. An Beispielen aus der frühen deutschen Industrialisierung,” *Zeitschrift für Unternehmensgeschichte* 24 (1979): 99–135. For the Haniels see David Warren Sabean, *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998), pp. 456–58, 468. See also Hans Spethmann, *Franz Haniel, sein Leben und seine Werke* (Duisburg-Ruhrort, 1956). The Wedgwoods are treated at length in Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009), pp. 3–5, 11–12, 86–87, 93–94, 100, 128–34, 135, 185. For the Siemens, see David Warren Sabean, “German International Families in the Nineteenth Century: The Siemens Family as a Thought Experiment,” in *Transregional and Transnational Families*, ed. Christopher H. Johnson, David Warren Sabean, Simon Teuscher, and Francesca Trivellato (New York and Oxford, 2011), pp. 229–52. Also see Martin Lutz and David Warren Sabean, “Kinship, Conflict, and Transnational Coordination: The Siemens Family’s Globalization Strategies in the Nineteenth Century,” *Social History* 47 (2022): 141–68. Susan McKinnon has brought together the American literature on nineteenth-century cousin marriage, which was found all over the United States. She has

riages brought together merchant, industrial, academic, military, and official families in repeated alliances. They constructed cultural and religious milieus, created networks to assemble capital and promote offspring, and paid close attention to reputations associated with particular surnames. The term “middle class” takes in a broad swathe of the population already, from petit bourgeois to *Bildungsbürger* to industrial capitalists, but I think that much of what can be said about these bourgeois sectors holds also for all property-holding classes, from peasants to aristocrats, even when the tenor of relationships might be quite different in a specific milieu. What I am searching for are the structural features, the systemic elements, the logic of social action, the contexts in which particular habituses were formed; the field of play, so to speak, for networks of kin during the late nineteenth century and early decades of the twentieth.

## Structural features: Lineage

It is high time to get together if we do not want to lose cohesion. Our family which for centuries carried on its existence in a quiet rural town has been torn apart by the demands of modern life. One cousin scarcely knows the other any longer. Therefore we want to join more tightly together again.—Rodgero Prümers, 1911<sup>4</sup>

I have already outlined the rise of restrictive forms of inheritance and succession during the early modern period. Unigeniture, entail, fideicommissum developed in this or that stratum or region in fits and starts from the early fifteenth century onwards and emerged for the most part fully formed by the beginning of the eighteenth century. To understand that process, however, it is important to maintain a distinction between inheritance and succession, for even in social contexts where partible inheritance developed or remained in place, office and status often devolved upon one son, frequently the eldest. Families became organized around estates, benefices, offices, privileges, and properties, which endowed male lineages with continuity over many generations. Then, just as these tendencies emerged in full flower, they were challenged by a number of changes in the way wealth was accumulated and distributed from generation to generation. Middle-class bureaucrats, theorists, and commentators launched an attack on closed forms of inheritance, arguing for an equal distribution of familial resources to

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offered a significant analysis of endogamous alliance for different ecological niches. See her “Kinship Within and Beyond the ‘Movement of Progressive Societies,’” in *Vital Relations: Modernity and the Persistent Life of Kinship*, ed. Susan McKinnon and Fenella Cannell (Santa Fe, NM, 2013), pp. 39–62. Her work will be considered at greater length in section IV where I explore the decline of cousin marriage. For the attack on cousin marriage beginning in the second half of the nineteenth century in the United States, see Martin Ottenheimer, *Forbidden Relatives: The American Myth of Cousin Marriage* (Urbana and Chicago, 1996).

<sup>4</sup> A printed invitation to form a family association: Landesarchiv Berlin, *Vereinsregister*, B Rep., nr. 26261, “Familienverein Prümers.”

all of the inheriting children. And the attackers were not just middle-class: aristocrat Achim von Arnim's novella *Die Majoratsherren*, for example, has been seen as a similar critique.<sup>5</sup>

The new capitalist relations that restructured the economy put a premium on invention and entrepreneurial activity and were less concerned with preserving particular privileges or keeping tracts of land intact than in taking advantage of expanding economic activities and managing more flexible assets. Studies of the Rhineland industrialists have shown, however, that outside of rare exceptions, the individuals who developed the new mining, metallurgical, and trading firms, or took advantage of the new economic opportunities, or developed new kinds of wealth were mostly heirs of substantial eighteenth-century burghers.<sup>6</sup> In the process of developing their industrial power, they reconfigured their families around *new* forms of agnatic lineage and familial cohesion.

Over the nineteenth century, middle- and upper-class families came to demonstrate a concern with maintaining coherence by grounding identity in a surname or male-defined line. The difference between the earlier form of line or lineage construction and this new one can be seen in their models of familial identity. In the early modern construction, a person traced his line according to the privileges, rights, or statuses won through inheritance and birth position. Reference was to the so-called stem, the line of succession, perhaps from eldest son to eldest son. In his comparative work on the demographic structures of noble families in Italy, Spain, France, Germany, and England, Gérard Delille has found a tendency to be so restrictive (sons who did not succeed to a privilege were often not allowed to marry or married very late) that many lineages failed to reproduce themselves.<sup>7</sup> What emerged in the nineteenth century, by contrast, was a way of thinking of the family as a broader group, all of whom descended from a particular ancestor. As I will show, this entity was characterized by surname identity and linkages down the generations through men.<sup>8</sup>

The problem for historical analysis is to see how these families linked up with other families, to get a sense of the distinctions that might be drawn between affinal and consanguineal kin, or between paternal and maternal relatives, and to explore the possi-

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5 Ulrike Vedder, "Continuity and Death: Literature and the Law of Succession in the Nineteenth Century," in *Heredity Produced: At the Crossroads of Biology, Politics, and Culture, 1500–1870*, ed. Staffan Müller-Wille and Hans-Jörg Rheinberger (Cambridge, MA, 2007), pp. 85–101, here, pp. 90–93, 97.

6 Friedrich Zunkel, *Der Rheinisch-Westfälische Unternehmer 1834–1879: Ein Beitrag zur Geschichte des deutschen Bürgertums im 19. Jahrhundert* (Cologne, 1962).

7 Gérard Delille, "Kinship, Marriage, and Politics," in *Kinship in Europe: Approaches to Long-Term Developments (1300–1900)*, ed. David Warren Sabean, Simon Teuscher, and Jon Mathieu (New York and Oxford, 2007), pp. 163–83; idem, "Échanges matrimoniaux entre lignés aternées et système européen de l'alliance: une première approche," in *En substances. Textes pour Françoise Héritier*, ed. Jean-Luc Jamard, Emmanuel Terray, and Margarita Xanthakou (Paris, 2000), pp. 219–52.

8 A good example is found in the text of the Siemens family foundation (*Stiftung*), printed in Hermann Werner Siemens, *Stammbaum der Familie Siemens* (Munich, 1935), p. 28.

bilities that lay in the lively exchanges that characterized cousin networks. But the first thing to do is to investigate some of the elements of family consciousness, particularly the identity of the group that entered into exchange with other similarly structured groups.

By looking at the interactions of kin in German society, I offer an introduction to the kinds of engagement and exchange open to allied families.<sup>9</sup> In the 1870s, German kin-groups began to form associations of various kinds in order to intensify contacts among far-flung relatives and to create strong identities with particular lineages. The details of their configurations reveal patterns that were widespread across the West. Beginning around 1900, the civil law code in Prussia offered family associations (*Familienvereine*) the possibility to register themselves with the courts.<sup>10</sup> Applicants had to make clear the purpose of the association, define its membership and constitution, declare the intended frequency of its meetings, and report on the election of its officers and assets. Many of the newly registered associations already had existed for some time, and many families elected not to take the extra formal step for their already satisfactory and lively family clubs. Among the registered associations, including the family foundations (*Familienstiftungen*), for example, some had the intent of accumulating significant assets to disburse within the family for various purposes, and it was perhaps that fact

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9 I have not done the work to examine how families researched their genealogies and formed family clubs and associations or found ways to meet together periodically in France, England, and the United States in the late decades of the nineteenth century. There were associations incorporated in the United States in the late nineteenth and early twentieth centuries, which in the past half century have proliferated. See Elizabeth Petty Bentley and Deborah Ann Carl, *Directory of Family Associations*, 4th ed. (Baltimore, MD: Genealogical Pub. Co., 2001). There currently are at least 6,500 family associations in the United States. For a few examples: The Doane Family Association of America, Inc., incorporated in 1936 in New Jersey, but there was an earlier association, with the first president elected in 1907. It was “organized to create interest in the history and welfare of the descendants of Deacon John Doane, who came to Plymouth in 1630: Doane Family Association of America Constitution, [https://www.doanefamilyassociation.org/dfa\\_constitution\\_2018.pdf](https://www.doanefamilyassociation.org/dfa_constitution_2018.pdf). The Folsom Family Association of America was founded in 1909 to “honor the immigrant John Foulsham and his wife Mary Gilman, who came from Hingham England in 1638 to Hingham MA.” Members can be direct descendants with the last name “Folsom”: Folsom Family Association, Inc., <https://www.folsomfamily.org/index.html>. The Eaton Families Association was founded in 1882 in Boston to collect genealogical data and cultivate “mutual acquaintance and friendship among members”: The Eaton Families Association, <https://www.eatongenealogy.com>. These associations are similar to the German ones I will analyze below. They were formally incorporated, had constitutions and officers, restricted membership to descendants in the male line from a particular ancestor in the past (usually from the seventeenth or eighteenth century), and encouraged interaction among members. American associations seem to be obsessed with genealogy.

10 The following is based on my earlier article, “Constructing Lineages in Imperial Germany: *eingetragene Familienvereine*,” in *Alltag als Politik—Politik im Alltag. Dimensionen des Politischen in Vergangenheit und Gegenwart*, ed. Michaela Fenske (Berlin and Münster, 2010), pp. 143–57. See Kurt Stöber, *Handbuch zum Vereinsrecht*, 9th ed. (Cologne, 2004); Bernhard Reichert, *Handbuch des Vereins- und Verbandsrechts*, 10th ed. (Garmisch-Partenkirchen, 2005); Gerhard Schweyer and Wolfram Waldner, *Der eingetragene Verein*, 18th ed. (Munich, 2006).

that encouraged them to take the extra step for legal recognition.<sup>11</sup> It appears that establishing *Familienvereine* became quite popular and widespread in the 1870s. Certainly these groups proliferated in the following decades. Their form was almost always the same; namely, a gathering together of descendants from a particular ancestor or group of ancestors defined in terms of a male lineage. And that is what I will document in this chapter.

#### **Text Box 5: Siemens Family Articles of Association**

##### **I. Familien Stiftung. Preliminary Remarks**

During the preparation of the genealogy of 1874, it turned out that several members of the family, namely five minor orphans were living in penury. As a result, a letter was sent by Leo S. to all members of the family with the request to secure the education of these children as a common concern and if possible to create a continuing foundation for later, similar cases. This request was met by so many and with such agreement that already in June the successful establishment of the “Family Foundation” was made known and in accordance with expressed wishes, the first Family Assembly could be announced for Harzburg on 27.7.1873. The regulations drafted by August S. and discussed at the family assemblies of 1873 and 1875 were finally established in 1876. The Foundation itself was established in legal form at the municipal court of Berlin by three members of the board of directors and obtained on 29.9.1879 judicial certification and therewith the rights of a legal person . . . .

##### **Statutes of the Family Foundation of the Family Siemens**

##### **I. Purpose of the Foundation**

- ¶ 1. The Family Foundation of the Family Siemens has the purpose to guarantee the means in cases of need for members of the family who are worthy of help to allow their children a suitable education.
- ¶ 2. Members of the Family Siemens are exclusively those numbered persons in the genealogy of 1874 and their legitimate heirs.
- ¶ 3. In the case that still other kin with the surname [*Namensvettern*] not yet established in 1874 who can be proven archivally (i.e. through church registers or valid written documents) to have direct kinship with the listed members in the genealogy of 1874, they [can] join the family members with equal rights and will be added to the genealogy . . . .
- ¶ 4. The Family Foundation of the Family Siemens consists of:
  1. The restricted capital in the foundation charter;
  2. Interest on the capital;

<sup>11</sup> Registration offers the historian the possibility of finding enough documents in one place to begin to look at the phenomenon of family associations, societies, and clubs, and the files of the *eingetragene Familienvereine* (registered family association) frequently enough allude to earlier documents, earlier attempts at association, and earlier activities of family members to stimulate family intercourse. All of this material provides insight into the practical construction of family cohesion, models and representations of kinship, and the motives and desires of people to locate and associate in new ways with their dispersed kin. For the *Familienstiftungen* (family foundations or trusts), it should be noted, as for some other types of formal family association, the documentation is scattered and difficult to locate or to access.

3. The already promised and future promised annual or occasional contributions of individual members;
4. Contributions effected by wills.

## II. Administration of the Foundation . . .

- ¶ 6. The board of directors consists of three male members of the family who have reached 25.
- ¶ 12. The entire management of the Family Foundation as well as approval of support is the task of the board of directors.
- ¶ 18 . . . . a) The first purpose of the Foundation is to guarantee for every member of the Family Siemens the possibility of a suitable education both mentally and physically . . . . b) The education and further training of anyone being supported should correspond in so far as possible to the conditions of his family and his inclinations . . . .
- ¶ 24. A general assembly of all members of the Family Siemens takes place every five years and for the next time in 1880.
- ¶ 28. Only the male family members who have reached the age of 21 and are present have the right to vote in the General Assembly.

Paragraphs from Leo Siemens and U. Hölscher, *Stammbaum der Familie Siemens* (Goslar, 1910), pp. 126–31; layout altered to fit this page; bold typeface added.

Early in 1902, the von Natzmer family drew up the articles of association for the Familienverband Natzmer with its seat registered in Berlin.<sup>12</sup> The association applied for official recognition in the *Vereinsregister* as an incorporated society (*eingetragene Verein*). Members of the society were “all those male persons who are eligible (*berechtigt*) to carry the name Natzmer,” with this explanation in parentheses: “cousins who signed the preliminary articles of association of 13 February 1902.” The document also established the category of “extraordinary membership,” accorded without further ado to the wives and legitimate children of the ordinary members, and it offered the possibility of extending that category to independent, unmarried, married, or widowed female members of the family, by majority vote of the regular assembly of the family (*Familientag*). The document went on to carefully delineate who could not become members: those “who do not profess the Christian religion” (i.e., unbaptized Jews) and adoptive or illegitimate children or their descendants, even when they legally had the right to carry the name “Natzmer.” But illegitimate children who had been legitimized through the subsequent marriage of their parents could be considered for membership—as extraordinary or ordinary members, whichever category was relevant.

The von Natzmers decided to gather the family around the *name*. That ensured above all that membership came exclusively through male descent. Behind the insistence on the name, however, was something else. If adoptees were excluded, then some principle of purity of the line, of blood, of genetic substance clearly was implicitly assumed. But illegitimacy posed a slightly different problem. The illegitimate son of a

<sup>12</sup> Landesarchiv Berlin, *Vereinsregister* B Rep. 042, Nr. 26125: *Familienverein Natzmer*.



female, for example, would carry his mother's Natzmer name. This would violate the membership principle requiring substance inherited through males alone. By contrast, the illegitimate child of a male Natzmer might well carry the name of the mother. Such a child, although by biological heredity a Natzmer through male descent, would endanger the purity of the name.

In 1914, the German Family Genest Registered Society (*Familie Genest eingetragene Verein*) was established in Berlin with twenty-five members from thirteen different cities.<sup>13</sup> The group included professors, building officers, engineers, military officers, lawyers, merchants, teachers, and insurance adjusters. Eligible members of the society were male and female adults who could be shown to have descended in the male line (*im Mannesstamme*) from Imer Genêt (deceased July 15, 1690 at Bergholtz i. U.) and whose ancestors in 1700 had their permanent residence in Hanre, a place situated in 1914, in the German Reich. The principles of membership for this bourgeois family were similar to those of the aristocratic von Natzmer. The only women who could belong were those who had once or currently carried the family name. In each generation, the females fell out of the line of descent—through marriage they acquired a different name, and succession through a mother did not count. Reciprocally, women who married in and took the Genêt name, and who did not marry out later, were eligible for inclusion. But there were other grounds for exclusion too—and these also had to do with name. Anyone who forfeited civil honor through a legal judgment for criminal activity, or who was dismissed from office, or lost status for dishonorable action, or damaged members or the name of the family through improper behavior, or who could not prove to the family officers that there were no hygienic objections to a proposed marriage, or who most grossly violated race feeling by the choice of a wife, or did not pay dues for three years in a row could be denied admittance or removed from the rolls. Indeed, the scruples for health or marrying a Jew continued to be valid for descendants and could lead to exclusion for further generations.

The peasant, artisanal, and petit-bourgeois Zerrenner, who founded a *Familienverein* in 1938, after genealogical investigations carried on since 1888 and publication of a family chronicle in 1912, put considerable energy into locating members across the German Reich.<sup>14</sup> But they had a problem narrowing down just who belonged: the name had variant spellings and a presence detectable wherever mining and iron smelting had occurred, or still was taking place. The Zerrenner wanted to gather only people who demonstrably or probably could trace their ancestors back to around 1550 in Sorbitzau in Thüringen or who later settled in Oberfranken. Their goal was to distinguish themselves from other families with roots in mining, who had received the Zerrenner name during the Middle Ages, but who followed a different line of descent (*Abstammung*).

<sup>13</sup> Landesarchiv Berlin, *Vereinsregister* B Rep. 042, Nr. 26305: *Familienverein Genest*.

<sup>14</sup> Landesarchiv Berlin, *Vereinsregister* B Rep. 042, Nr. 43795: *Familienverein Zerrenner*.

During the first half of the nineteenth century, the practice of establishing family firms, large and small, was of course widespread. Down the generations, firms grew, while family members proliferated, and along with them, a complex set of rights to family resources. If substantial, these enterprises could act as centripetal forces to pull in ever-larger numbers of descendants. But families might just as well fly apart, centrifugally, by developing separate occupational and entrepreneurial trajectories. By midcentury and increasingly throughout the later decades of the century, families tried to develop strategies for continuing older experiences of intimacy or implicating dispersed relatives in each other's concerns. New forms of communication, together with the rise of a tourist industry, provided the possibility of relatively easy gatherings for family anniversaries and the like, and for periodic festivals. After the 1860s, for example, the Siemens family took over entire hotels in the Harz Mountains every three years or so.<sup>15</sup> What seems so impressive is the increased effort to reinvigorate relations among burgeoning families, which swept in even families who had not previously felt a need to do so. It may be that getting caught up in the Nazi ideology in the 1930s led the Zerrenner to founding their *Familienverein* in 1938, but they had been at the task of developing an identity at least since the 1880s. In general, the problem was to find a suitable ancestor to act as a reference figure to locate all the living heirs—whether to the name or to the male substance.

Anyone exploring the available records from the *Vereinsregister* cannot help seeing how much depended on the *name*. One of the express purposes of the Uradliger Geschlechtsverband der Freiherrn v. Troschke was to prevent the development of a “bogus nobility (*Scheinadel*) with our name.”<sup>16</sup> And the Familienverband Natzmer changed its by-laws in 1927 to put special stress on the family archive. Up to then, its chief task was celebratory, to gather facts and information about the family and to preserve its documents. But now the archivist was charged with gathering information about “those persons who without being members of the *Verband* can call themselves ‘von Natzmer.’” With the aid of the officers of the Society, he was to intervene whenever their name was misused. The bourgeois family of Hosemann was just as concerned with name: its articles of incorporation specified that members were to be the direct descendants of the master mason Johann Friedrich Hosemann, and that they must have carried the name or have done so up until marriage.<sup>17</sup> At a crisis meeting in 1938, it was revealed that there were severe problems with the genealogy, not least because the members could not be traced to a single ancestor—at least the documents were not there to allow it. Thus, it was decided to accept everyone who could prove descent from someone who carried the name Hosemann. The von Horn family established a registered society in 1902, but for many years were concerned with the misuse of

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15 Sabean, *Kinship in Neckarhausen*, p. 453.

16 Landesarchiv Berlin, *Vereinsregister* B Rep. 042, Nr. 52742: *Familienverein Troschke*.

17 Landesarchiv Berlin, *Vereinsregister* B Rep. 042, Nr. 26562: *Familienverein Hosemann*.

their name.<sup>18</sup> By 1930, their meeting was mostly concerned with name protection. All members were asked to take on the responsibility to defend it, and it was noted that current law allowed them to intervene successfully when there was such misuse—“as with adoption etc.” In 1941, an addition to the by-laws read that the purpose of the society was “to protect the common name from dishonor, to guarantee and seek its inviolability, so that its good reputation and ancient fame will be protected and renewed through the contribution of each of its members in selfless service to the Volk and state.”

During the second half of the nineteenth century, family members devoted more and more time to narcissistic reflection on their own genealogies and newly constructed chronicles.<sup>19</sup> It was then that many families founded archives and formally entrusted them to a particular member, sometimes the same person who produced the family newspaper. In the later nineteenth and early twentieth century, collections of letters and diaries of grandparents or great aunts and uncles were privately published, most of which had originated during the Vormärz (1815–1848) or in the immediately following decades—testimony to a growing interest not only to maintain family tradition but also to founding generations that documented themselves ever-more volubly and self-consciously. These publications celebrated a lineage and provided a practical exercise in building familial attachment, while institutionalized meetings complemented the informal visits, vacations, and family festivals that had nurtured family relationships before the 1870s. Establishing familial coherence depended on organizational innovation, as relations became ever-more extended with each generation. And family reproduction required cultivating broad agnatic networks. The most able sons could be singled out for promotion and daughters could be schooled in networking, prepared for marriage, and for that women’s work as intermediaries which was so central to successful, functioning alliances. Whatever prompted the spurt of foundations and associations from the 1870s onwards, two principles of family cohesion were underscored and given special emphasis—*recognition through surnames* and reproduction of the lineage through nurturance of educational and other opportunities for children.

I cannot underscore enough the emphasis on male-defined surnames, at least in middle- and upper-class families. Certain families, such as the Rothschilds or Siemens, provide symbolic notoriety in this regard—Werner Siemens himself used the sixteenth-century Fuggers and the Rothschilds as his models—but male lineages were constructed with considerably conscious effort by a wide range of junkers, merchants, officials, industrialists, bankers, professionals, pastors, literati, and petit bourgeois.<sup>20</sup> Behind the insistence on the name, however, was something else, as I have already said; some principle of the purity of the line, of blood, of genetic substance, implicitly crucial for a sense of belonging. Many of the family associations devoted their

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18 Landesarchiv Berlin, *Vereinsregister* B Rep. 042, Nr. (failed to note): *Familienverein von Horn*.

19 The following paragraph follows closely the text in Sabean, *Kinship in Neckarhausen*, pp. 452–53.

20 Sabean, “German International Families.”

attention to ensuring the establishment only of proper alliances with other families. But beyond reputation, respect, and honor—the face to the outside world—they also worked to develop familial solidarity through lively exchanges and useful networks. And they took care to avoid the possibility that their elderly, especially older spinsters and widows, would fall on hard times—such would be another source of threat to the reputation of the family name. Therefore, needy family members were helped to maintain a livelihood suitable to their status. So were the young, through attention to their education and placement in society, financial support for schooling, and help in the search for employment. Indeed, the chief, expressed purpose of the Siemens family foundation was to ensure the education of the youth. The industrialist Werner Siemens supplemented the family support with resources from his personal *Stiftung*, thereby enlarging the pot for education but also insuring the Siemens family against the shame that might come to them from evidence of indigence or insanity among its members.<sup>21</sup>

There are, of course, many ways of thinking genealogically. In the past several decades, as evolutionary biology has impressed a popular understanding of genetics upon our culture, many individuals have taken to drawing up genealogies that look like a pyramid, with the point focused on themselves. Medical practitioners routinely ask people for the medical histories of their past relatives in order to ascertain if certain diseases run in the family. And some people understand their personal identity as the sum total of genes “poured” into their particular selves. In this kind of genealogical pursuit, relatives proliferate backwards in time, and the representation is more or less a search for all the people who have or could have contributed genetic material to a target individual.<sup>22</sup> Siblings and aunts and uncles are interesting only in so far as they can offer clues to the inherited stream of genes. By contrast, as we have seen, genealogical pursuit in the early modern period was closely tied to dynastic or lineage concerns, which were predominantly or tendentially defined by the flow of property or the succession of rights and offices from father to one (usually the eldest) son. Here the ancestors of interest would be those who contributed status, property, or prestige to the family line. The form of genealogical pursuit that emerged in the course of the nineteenth century implied neither a gathering of all ancestors who contributed to a person’s genetic substance nor a selection limited by criteria relevant to status, but rather a search for *all* people who were linked together by descent from a particular individual. Proliferation in this representation was downwards, and the apex of the pyramid was in the past, back where the lineage began. This search had significant social purpose and came precisely as relationships that had worked well in the past began to weaken with the distance that came as one generation succeeded another.

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<sup>21</sup> Sabean, “German International Families.”

<sup>22</sup> See also the new work by Amir Teicher on the reception of Gregor Mendel in the first three decades of the twentieth century. Amir Teicher, “Racial Zigzaga: Visualizing Racial Deviancy in German Anthropology during the Twentieth Century,” *History of the Human Sciences* 28 (2015): 17–48; *Social Mendelism: Genetics and the Politics of Race in Germany, 1900–1948* (Cambridge, 2020).

## Structural features: Endogamy

The consequences were profound. Marriages between relatives sustained networks of kin. Veritable clans emerged and might persist for several generations . . . . These webs of relationships delivered enormous collateral benefits, shaping vocations, generating patronage, yielding information, and giving access to capital.—Adam Kuper, 2009<sup>23</sup>

As I have shown in section II, one of the remarkable characteristics of the restructuring of kinship relations during the late eighteenth century was the fundamental importance of *endogamy*. The concept is used in two senses, both of which appear to have been complementary aspects of a single thing. Through their marriage and friendship alliances, people actively constructed milieus that brought together people with similar cultural attitudes and styles. One of the ways they did this, as I have already indicated, was through repeated marriages into the same families or circles of families, a practice that constituted complex, overlapping alliances. For example, over many generations, the Delius family from Bielefeld and Bremen married into a series of the same families (agnatic lineages), but they also married into families that were in turn systematically allied with each other over several generations.<sup>24</sup> As Pierre Bourdieu pointed out some time ago, familial strategies frequently combine marriages that are close and distant, the distant ones in turn constructing new networks that can be reproduced in the next generation.<sup>25</sup>

Although it is possible to characterize nineteenth-century familial endogamy as one in which cousin marriages were structurally prominent, there were many other ways, not dependent on blood ties, for families to link themselves repeatedly. The Göttingen historian Reinhold Pauli related how one of the Lepsius boys, a student in Göttingen, frequented his house and fell in love with one of his daughters. Why did this please the professor? The boy's mother was the only daughter of the long-deceased sister of his old friend Parthey and the closest friend of Reinhold's mother as well: "Thus the old connections were renewed again through this marriage."<sup>26</sup> In any event, repeated marriages among the same families over several generations were a departure from the past, when church and state laws forbade people to marry second cousins (or third in Catholic regions), or even second cousins of a deceased spouse. Nineteenth-century

<sup>23</sup> Kuper, *Incest and Influence*, p. 24.

<sup>24</sup> Uta von Delius, ed., *Westfälisches Geschlechterbuch* (Limburg an der Lahn, 1987); also published as vol. 193 of *Deutsches Geschlechterbuch*, formerly *Genealogisches Handbuch bürgerlicher Familien* (1889–). This is analyzed in Sabean, *Kinship in Neckarhausen*, pp. 452–53. The Delius example is cited several times in section II, chapter 1.

<sup>25</sup> Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice (Cambridge, 1977), p. 57; *The Logic of Practice*, trans. Richard Nice (Cambridge, 1990), p. 187.

<sup>26</sup> Elisabeth Pauli, ed., *Reinhold Pauli. Lebenserinnerungen nach Briefen und Tagebüchern zusammengestellt* (Halle a. S., 1895), p. 339.

cousin marriages reached a high point around 1880, but lasted to World War I, after which they steeply declined into statistical insignificance a few decades later.<sup>27</sup>

Nineteenth-century endogamy also was associated with the practice of marriage into the same cultural and social circles; marriage with someone “familiar.” Many examples could be listed of young men developing a close relationship with a particular family before seeking out one of the daughters for a spouse. As I have noted earlier in this section, Christopher Johnson, historian of French nineteenth-century bourgeois family life, explained this new kinship structure in terms of “horizontalization.”<sup>28</sup> It was one wherein intense sibling, cousin, and in-law relations proliferated along horizontal axes, to create enveloping, wide nets of interacting kin who reinforced particular cultural styles, guided social reproduction, supported entrepreneurial and political activity, and provided aid and counsel during periods of celebration and crisis. Intense family life was central to the formation of cultural understanding and practice, and, as Friedrich Zunkel pointed out for the Rhineland industrialists, social intercourse between groups of families was crucial for the formation of social consciousness (*Schichtenbewusstsein*).<sup>29</sup> What Zunkel said about *Besitzbürger* applied doubly for *Bildungsbürger*.<sup>30</sup>

During the nineteenth century, property-holding families of all stations and classes developed systems of marriage that linked together different families across generations. There were many forms of systematic and unsystematic repeated exchange, and many seemingly arbitrary marriages, which when viewed in the context of all the alliances established by the related siblings, might well fit into a logic of reciprocity or demonstrate systemic features. Certainly, there were no *rules* creating the expectation or necessity of marrying kin or directing choices towards particular kindred, clans, lineages, or patri- or matriline. Exactly how the new forms developed or why people sought out spouses from within their kin groups are questions open for considerable investigation, but the phenomenon can be observed in many corners of Europe and the United States throughout the long nineteenth century.<sup>31</sup> An older understanding

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27 The statistics on endogamous marriage are reviewed in Sabeau, *Kinship in Neckarhausen*, pp. 42–48. For the 1880s, see p. 444.

28 Christopher H. Johnson, “Das ‘Geschwister Archipel’: Bruder-Schwester-Liebe und Klassenformation im Frankreich des 19. Jahrhunderts,” *L’Homme. Zeitschrift für feministische Geschichtswissenschaft* 13 (2002): 50–67. Johnson, *Becoming Bourgeois: Love, Kinship and Power in Provincial France, 1670–1880* (Ithaca and London, 2015), pp. 2–22.

29 Zunkel, *Rheinisch-Westfälische Unternehmer*, p. 82.

30 Materials for the previous paragraph are from Sabeau, *Kinship in Neckarhausen*, pp. 478–80.

31 The evidence is summarized in Sabeau, *Kinship in Neckarhausen*, pp. 428–48. In David Warren Sabeau, Simon Teuscher, and Jon Mathieu, eds., *Kinship in Europe: Approaches to Long-Term Development (1300–1900)* (New York and Oxford, 2007), see Sabeau and Teuscher, “Kinship in Europe: A New Approach to Long-Term Development,” pp. 1–32, here pp. 16–24; Sabeau, “Kinship and Class Dynamics in Nineteenth-Century Europe,” pp. 301–13; Christopher H. Johnson, “Kinship, Civil Society, and Power in Nineteenth-Century Vannes,” pp. 258–83; Elisabeth Joris, “Kinship and Gender: Property, Enterprise, and Politics,” pp. 231–57. And see also David Warren Sabeau and Simon Teuscher, “Rethinking Europe-

of repeated marriages put it down to localism or provincialism, with the proverbial inbred village as the symptom of a pathological obsession with property, immobility, or fear of change. Other examples of inbred ethnic or religious groups or ruling houses often stirred the imaginations of political pundits, social commentators, or biologists. But it is possible now to see that from the middle of the eighteenth century until the aftermath of World War I, a familial dynamic developed that set this period off from those before and after.

As I have indicated, some observers have organized their analyses of long-nineteenth-century alliance patterns around the figure of “cousin” marriage.<sup>32</sup> Certainly cousin-centered pools of acceptable suitors emerged in all propertied classes all over Europe during this period, but marital reciprocity went well beyond the specific marriages between the children or grandchildren of siblings.<sup>33</sup> It can be shown that once one marriage was concluded between two families or lineages, many others between the same groups might follow, without there being a tie of blood between the new pairs.<sup>34</sup> There were many possible ways to link families across generations, but there were also substantial increases in single generation alliances, involving several siblings marrying cousin-siblings, or an individual marrying a deceased spouse’s sibling or cousin. What characterized them all was a search for people linked through familiarity, or from the same milieu or similar class background.<sup>35</sup> With this consideration in mind, it is possible to widen the perspective on reciprocity and to think of the marriage strategies of the period as oriented towards developing broad, extensive, and well-integrated groups of kin, linked through horizontally constructed networks. Heidi von Saldern has called these coordinated, often regional networks “informal institutions.”<sup>36</sup>

All of the studies carried out in the early twentieth century by geneticists concurred in describing consanguineal marriage in Europe as reaching a high point between 1880 and 1920, with a regular, sometimes abrupt decline, to a point of insignificance in the

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an Kinship: Transregional and Transnational Families,” in Johnson, Sabean, Teuscher, and Trivellato, *Transregional and Transnational Families*, pp. 1–21.

32 Nancy Fix Anderson, “Cousin Marriage in Victorian England,” *Journal of Family History* 11 (1986): 285–301; Adam Kuper, “Incest, Cousin Marriage, and the Origin of the Human Sciences in Nineteenth-Century England,” *Past and Present* 174 (2002): 153–83.

33 It should also be clear that while cousin marriages appeared in all propertied classes in Europe, not all families practiced them, and in any one locality or milieu, different classes pursued different marriage strategies.

34 Both Sabean and Delille offer examples. Sabean, *Kinship in Neckarhausen*, pp. 281, 285, 392. Gérard Delille, *Famille et propriété dans le royaume de Naples (XV<sup>e</sup>–XIX<sup>e</sup>)* (Rome and Paris, 1985). His argument is summarized in Sabean, *Kinship in Neckarhausen*, pp. 399–407.

35 David Warren Sabean, “Kinship and Issues of the Self in Europe around 1800,” in *Sibling Relations and the Transformations of European Kinship, 1300–1900*, ed. Christopher H. Johnson and David Warren Sabean (New York and Oxford, 2011), pp. 221–37.

36 Adelheid von Saldern, *Netzwerkökonomie im frühen 19. Jahrhundert: Das Beispiel der Schoeller-Häuser* (Stuttgart, 2009).

1950s.<sup>37</sup> Being uninterested in marriages uniting persons other than blood relatives, geneticists paid no attention to the prevalence of sororate, levirate, or sibling exchange marriages, or to remarriage with the wife's kin and marriages connecting step relatives. But consanguineal marriage was part of a wider system, which embraced precisely some of these neglected phenomena. Indeed, Martine Segalen and Philippe Richard found for a region in Brittany that only 3.6% of the marriages there paired consanguines out to third cousins, while a full 80% of them linked affines.<sup>38</sup> That study along with many others supports the conclusion that the rates of consanguineal and affinal marriage almost everywhere in Europe reached a peak in the several decades before World War I. After that with an occasional reprise during the 1920s, the rates, as I have pointed out, fell steadily until the 1950s and '60s by which time such marriages had practically disappeared.

There was no appreciable endogamy before the eighteenth century anywhere in continental Europe, except in a few ruling and high aristocratic families, and none of the studies by geneticists has examined second-cousin marriage before the nineteenth century; but a recent contribution suggests that people may well have started to marry more extended consanguineal relatives before they moved on to first cousins. The change is readily apparent during the 1740s in the south German village of Neckarhausen and by 1800 across Europe from Scandinavia to the Pyrenees.<sup>39</sup> Whatever relationship is used to track the rise (uncle with niece, brother with sister-in-law, first cousins, affines), the *overall* trend appears to have been the same throughout wide areas in Europe. However, different areas, different occupational groups, and different classes created forms of alliance quite distinct from each other. Some relied on reiterated first-cousin exchanges, others made use of more extended consanguines, and still others integrated kindreds through a highly flexible form of affinal alliance. All of these forms began to be utilized in the second half of the eighteenth century and became crucially important for social organization in the nineteenth century, only to disappear in the twentieth—at different rates, but everywhere.

Even as families were organizing into lineages by cultivating surname ties transmitted through men, they also were establishing alliances with other, similar families/lineages. Those alliances gained meaning and shape from the fact of coherently constituted lines, just as the lineages themselves did. Despite the recognized necessity of opening up to other families, however, there were always many marriages back into a line. A good example is the union of the industrialist Friedrich Thyssen and his cousin Katharina Thyssen in 1838.<sup>40</sup> Continual intercourse among people with the same

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<sup>37</sup> For a summary of the evidence for the following two paragraphs, see Sabean, *Kinship in Neckarhausen*, pp. 428–48.

<sup>38</sup> Martine Segalen and Philippe Richard, "Marrying Kinsmen in Pays Bigouden Sud, Brittany," *Journal of Family History* 11 (1986): 109–30.

<sup>39</sup> On Neckarhausen, see Sabean, *Kinship in Neckarhausen*, pp. 170–91.

<sup>40</sup> Stephan Wegener, "Die Familie Thyssen in Aachen-Eschweiler und in Mülheim a. d. Ruhr," in *Thys-*



surname, coupled with narcissistic celebration, provided the grounds for endogamous desire. Delius-Delius marriages were quite common.<sup>41</sup> And Remys from Bendorf, those early entrepreneurs and merchants in mining, iron, and steel whom I discussed in section II, married repeatedly back into the male lineage. From their family documents, Brigitte Schröder constructed five kinship diagrams (*Stammtafeln*), in which one out of five (19.5%) of the ninety-two marriages depicted since the founding generation around 1700 involved partners both with the surname Remy.<sup>42</sup>

## Siemens family practices

My guiding idea was to establish a lasting firm which might one day, in the hands of our sons, become a world-wide concern like that of the Rothschilds, bringing fame to the name of Siemens all over the world.—Werner von Siemens, 1863<sup>43</sup>

Werner Siemens (1816–1892) contracted two marriages very much in the nineteenth-century tradition: the first (1852) with the daughter of a Königsberg professor related to him through a maternal uncle who was among the early investors in Werner's activities, and the second (1869) with a third cousin, a Siemens, daughter of a professor in Hohenheim, with whom he had active contact.<sup>44</sup> One of his sons married the daughter of his brother Ferdinand, to whom Werner had lent considerable money. In 1861, Werner suggested that the family should found a mandatory regular family meeting. Various members of the family were engaged in the Siemens's businesses, and room was frequently made for young men connected through marriage. Patronage was important, but so was competence, and the construction of a wide field of connected kin allowed the family to select the most promising young men for promotion.

An example of how the larger field of agnatic kin provided crucial personnel is offered by the London branch of the Siemens family business. Wilhelm (William) (1823–83) married the sister of one of his closest associates in London (1859). That friend married a woman from Hannover, whose sister married Gustav Siemens, a high court judge in Hannover. Their son, Alexander (1847–1928), was hired in turn by Werner and educated and promoted within the firm. In 1871, Wilhelm brought Alex-

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*sen & Co., Mülheim a. d. Ruhr: die Geschichte einer Familie und ihre Unternehmung*, ed. Horst A. Wessel, (Stuttgart, 1991), pp. 13–52, here pp. 13–15.

<sup>41</sup> Delius, *Deutsches Geschlechterbuch*.

<sup>42</sup> See Brigitte Schröder, "Der Weg zur Eisenbahnschiene: Geschichte der Familie Remy und ihre wirtschaftliche und kulturelle Bedeutung," in *Deutsches Familienarchiv. Ein genealogisches Sammelwerk* (Neustadt an der Aisch, 1986), vol. 91, pp. 3–158.

<sup>43</sup> Quoted in Kurt Busse, *Werner von Siemens* (Bad Godesberg, 1966), p. 14.

<sup>44</sup> For the following, see Sabean, "German International Families." A more detailed account of the Siemens kinship relations and conflicts over the relationship of family to business is offered in Lutz and Sabean, "Kinship, Conflict and Transnational Coordination."

ander to England and adopted him. By 1881, Wilhelm had largely withdrawn from the business, a year after the floating of Siemens Brothers & Co. Ltd., with seven subscribers: the brothers Werner, Wilhelm, and Carl, along with Arnold (Werner's eldest son), Georg Wilhelm (Werner's second son and successor as director of Siemens and Halske in Berlin), Alexander, and Carl Ludwig Loeffler. There were problems with Loeffler, who, although the son of an important associate of Siemens, did not carry the name and was always considered an outsider. Perhaps not surprisingly he attached his loyalty to the firm itself rather than to the Siemens family. After Wilhelm's death in 1883, Loeffler became managing director and ended up suing the German company in the name of the English company. By 1888, he was forced to resign. Alexander, who represented the family and carried the name, replaced him.

Hermann Siemens, a population biologist, published a study in the *Archiv für Rassen- und Gesellschaftsbiologie* in 1918, in which he chronicled the history of the Siemens family in all of its branches from the sixteenth century onwards.<sup>45</sup> From the mid-eighteenth century, marriages back into the family branches and between linked families proliferated. There were always, also, marriages outwards with new families, but not too far outwards. For the most part all the newcomers came from similar, already familiar milieus (for example, one of Werner's sons married his brother's daughter, and another, the daughter of his friend Hermann von Helmholtz). Although relationships could be very close between allied families, in the generation of Werner and his brothers, careful distinction was made between family members carrying the Siemens surname and those merely allied through marriage. The latter could be crucial for business connections, but they had to be shown careful limits set by the Siemens themselves. The example of brother Carl's marriage into a St. Petersburg business family demonstrates the ideas and values that motivated Werner and became part of his strategy for family coordination and aggrandizement. There was a long struggle between Carl and his in-laws about dominance in the business of the St. Petersburg branch of Siemens and Halske, which Werner dealt with in a considerable correspondence. He valued the help of the allied family but did not want anyone outside of the Siemens agnatic lineage to assume any permanent power or claim any particular rights.

## Matrifocality

The mother has the high task . . . to lay the foundation of the aesthetic breeding of her child . . . Everything connected to this that is neglected in the earliest childhood cannot ever be later recovered or compensated for.—Louise Otto, 1876<sup>46</sup>

<sup>45</sup> Hermann Siemens, "Über das Erfindergeschlecht Siemens," *Archiv für Rassen- und Gesellschaftsbiologie* 12 (1916–18): 162–92, here pp. 17–90.

<sup>46</sup> Louise Otto, *Frauenleben im deutschen Reich. Erinnerungen aus der Vergangenheit mit Hinweis auf Gegenwart und Zukunft* (Leipzig, 1876), pp. 218–19.

For the husband, the wife of his future house is the representative of all the standards of sociality that determine the potential status of the husband towards third parties.—Lorenz von Stein, 1880<sup>47</sup>

In reflecting on nineteenth-century alliance, it is important to focus on *how* social boundaries were maintained, *how* access and exclusion took place, *how* alliances were formed and maintained, *how* implicit understandings were inculcated—in short, *how* bourgeois *habitus* was formed. These processes must have involved politics of the kind not limited to the public sphere. And this requires asking *what* kind of effort was involved and *who* did the work. Neither kinship nor class simply “happen”—to borrow and distort a point that E. P. Thompson long ago made. Both require a great deal of effort to constrain them along certain lines or to give them particular shape. Here I want to explore that effort by identifying some of the social practices and agents responsible for the prominent and widespread systemic features and familial cultures of this period

People of the nineteenth century had to learn to manage quite different kinds of networks, and part of the choreography turned on the presentation of each family and its members according to the rules of the particular stratum and cultural sphere in which they wished to operate.<sup>48</sup> The private house and its activities had to “dance,” as it were, within a larger network of social connections and aesthetic assumptions. The education of both men and women to open and fluid systems, in which couples had to cooperate in tasks of social representation, required protracted drill in taste, morality, sentiment, and style. These in turn would attract flows of love and sentiment, the emotional responses on which so much of familial practice and engagement depended. Love, of course, also always determined the flow of capital, access to office, and the course of a career.

Important for the construction of alliances was the articulation and systematic production of family/class milieus.<sup>49</sup> Many families met together periodically for a week or so of extended conviviality. Christenings, confirmations, birthdays, anniversaries, and funerals offered opportunities for extended celebrations. Winter seasons of balls, card playing, musical and literary evenings, or weekly get-togethers of aunts, uncles, and cousins for meals, walks, and conversation integrated extended families living in proximity to each other. As cousins grew to marriage age, there was often a period of intensified social life among them. This active family life, whether rural or urban, whether occurring in clubs, houses, or casinos, and whether colored with the stillness of *Kaffeekränzchen* or rambunctiousness of sledding or balls, was central for the creation of cultural understanding and practice. For more dispersed families, prolonged visits, exchanges of children, and intense exchanges of letters provided the binding glue. Each generation had different materials to work with—space, servants, unmarried resident relatives, numbers, generational coherence, religion, institutional

<sup>47</sup> Lorenz von Stein, *Die Frau, ihre Bildung und Lebensaufgabe*, 3rd ed. (Berlin and Dresden, 1890), p. 24.

<sup>48</sup> This paragraph is treated at greater length in Sabeian, *Kinship in Neckarhausen*, pp. 469–82.

<sup>49</sup> For a longer treatment, see Sabeian, *Kinship in Neckarhausen*, pp. 474–82.

allegiance, transportation, and skilled correspondence. As Leonore Davidoff and Catherine Hall have emphasized, “the” middle-class family did not exist—only families, flexible, permeable, and in constant formation and reformation.<sup>50</sup>

But what is the link between this new kinship system and the sex and gender characteristics I have taken care already to outline? It is helpful I think, sometimes at least, to consider the nineteenth-century writers on the subject less as ideologues and more as informants, to look at them with the anthropologist’s eye, in order to understand what social world they were perceiving and attempting to understand, manipulate, or regulate. Approached this way, their words reveal a preoccupation with a set of aesthetic ideals, which they understood as essential to the definition and functioning of their milieus. If young men and women were to be given some choice in matters of import to the chances and opportunities of many other people, and if love was meant to accompany selection of a mate, then the rules of social recognition had to be worked into young bodies with incredible rigor. The feminist Louise Otto (1875) pointed out that it was impossible to make good on neglected early aesthetic education.<sup>51</sup> There is even an example from the beginning of the nineteenth century, from the misogynistic observer Ernst Brandes, who already got it right when he pointed out that since girls seemed to have greater choice in marriage, families had to instill class values in them from the start.<sup>52</sup> The manners one learned at home created the instinctive foundations for boundary patrolling, implicit recognition of who belonged and who remained outside. Class, it was understood, was a matter of moving, carrying oneself, speaking, and acting in a certain way. Repeatedly, observers stressed carriage, grace, and style for women as necessary to successful negotiation in everyday social, economic, and political life. Louise Otto accented grace and style, the outcome of training in music, dancing, and drawing.<sup>53</sup> Dancing, she pointed out, cultivated grace in bodily carriage, the art of presenting oneself, and the avoidance of unpleasant movement. Music developed a feeling for harmony, rhythm, and measure. Painting gave a sense of form. From all of this I would conclude that the way a body moved had ultimate consequences for how capital was concentrated and property transferred. In the protective environment of kindred, women were trained in style, tone, desire, and boundary marker recognition. Class was not unified at the core, but rather was made up of a multiplicity of different but linked milieus, which depended for their vitality and integrity on well-trained, powerful gatekeepers to control the flow of persons among them.

The work of making kindreds in the nineteenth century—of entertaining, advising, patrolling the boundaries, engendering aesthetic assumptions, and incarnating the rules of deportment—was largely carried on by older, powerful women, whether in

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<sup>50</sup> Davidoff and Hall, *Family Fortunes*, p. 31.

<sup>51</sup> Otto, *Frauenleben*, pp. 216–21, here p. 219.

<sup>52</sup> Ernst Brandes, *Betrachtungen über das weibliche Geschlecht und dessen Ausbildung in dem geselligen Leben*, 3 vols. (Hannover, 1802), vol. 2, pp. 114, 232, 471.

<sup>53</sup> Otto, *Frauenleben*, pp. 218–30.

the farming village of Neckarhausen or the world of property holders beyond.<sup>54</sup> The anthropologists' term "matrifocality" seems apt for describing their activities. If the shaping of class was central to the political dynamics of the nineteenth century, then this work of women also has to be brought into the framework of the "political." Groups with similar values came into being through the relentless action of women. They were not conjured through some magical relation of class position to class interest.

Exactly what did the work entail? One of the most notable new and increasing activities was correspondence, and observers underlined the importance of letter-writing by women for the construction and everyday reproduction of kindreds.<sup>55</sup> It was women, too, who organized the formidable pattern of gift exchange, and who linked households through child care and nursing. Quite central to the dynamics of kinship cultivation was the hospitality provided by wives, sisters, and daughters, a fact attested by many women in autobiographies describing the streams of visitors for whom they cared. In the description of many kindreds, senior women who knit a whole milieu together make essential appearances. In general, women controlled the style of life. They established the aura of *Gemütlichkeit* and controlled the manners and pretensions of families. Nineteenth-century literature on social life coded this as "aesthetics," "form," "rhythm," "style," "grace"; even "beauty" and "harmony," all aesthetic categories. These texts are less interesting from the standpoint of aesthetic theory or moral conduct than as witnesses to the social dynamics and fashions observed or prized by their writers.

To further my account of the problem, I want to track a particular matter through an example of men talking about "families" and "houses, offering Karl Ewald Hasse as a first example.<sup>56</sup> Hasse (1810–1902), professor of medicine and hospital director, teacher of Robert Koch and Wilhelm Wundt, came from an academic family, and both he and his brother became academics. Karl related that when he matriculated at Leipzig University, he lived in the home of a friend of his father's, the key point being that this "house" was the center of a constant stream of local and foreign guests, not unlike the one he grew up in.<sup>57</sup> Such houses provided central meeting points for cultural figures of all kinds: artists, literati, and scientists. Karl made it clear that his sense of taste and style of life were deeply rooted in the kinds of houses he had inhabited or visited; and that he had moved easily from the houses of his family and kin into those of the professionals who introduced him into the intellectual life of the university or who put him up on travels away from his home base. Everywhere he went he found the same;

54 See the discussion of matrifocality in Sabean, *Kinship in Neckarhausen*, pp. 503–6.

55 See the longer discussion in Sabean, *Kinship in Neckarhausen*, pp. 495–97.

56 Karl Ewald Hasse, *Erinnerungen aus meinem Leben*, 2nd ed. (Leipzig, 1902). See David Warren Sabean, "Constructing Middle-Class Milieus in Nineteenth-Century Germany: The Labor of *Geselligkeit*," in *To Be at Home: House, Work, and Self in the Modern World*, ed. Felicitas Hentschke and James Williams (Berlin and Boston, 2018), pp. 36–44.

57 Hasse, *Erinnerungen*, pp. 14–15.

namely, milieus familiar because he had already encountered them.<sup>58</sup> In the Leipzig of his childhood and youth, he was surrounded by relatives, whom he credited with his socialization. Their houses were important too. He mentions several with milieus particularly like his own home. Some had provided spouses for his relatives. Karl remembered being surrounded by cousins in a life of activities shared also with siblings and friends, all arranged by his uncles and aunts. As he grew up, there were groups of young people busy performing music, dancing, making living pictures, and playing intellectual games. Every week, his father gathered together members of the wider family. And while he was a student and developing professionally, he spent a great deal of time in the houses of his brothers-in-law. But not all families or houses were alike. One house provided the place where all the medical people gathered, and there Hasse developed the contacts and found support for his eventual career as a doctor. In another, that of the Brockhaus family and dynasty, he found writers, and he cultivated relationships over an extended period with this house into which he eventually married. The visiting pattern and the outcome both were quite typical for young middle-class men of the period.<sup>59</sup> Heinrich Brockhaus's ward was an intimate friend of Karl's sister, and Brockhaus was anxious to be allied with the Hasse family. So all things conspired for Hasse to choose the young woman as his wife.<sup>60</sup> During the next years, the ever-recurrent refrain of house-sociality (*Hausgeselligkeit*) marked his account. Indeed, he recorded little about his own work or his breakthroughs in research, choosing instead to remember the contacts he had cultivated and the time he had spent in the many houses that played a role in his career advancement. Although he said little about his teaching, he did take time to list his students—at least those who were professionally successful. And of course, one of his best students married his daughter. His circle of clients included kin—his nephew, for instance, studied with him and through his patronage ended up as a professor. Quite fascinating are the easy transitions in his reflections between professional milieus and family networks.<sup>61</sup>

I think *Geselligkeit* provides the key to Hasse's account of his life. When he lived in Switzerland, people from all over Europe liked to visit. Medical professionals, for example, would show up for vacation and collegial intercourse. His home was an open house. This quality, he indirectly underscored in his *Erinnerungen* by focusing mostly, not on his famous contacts, although they received their due mention, but on acquaintances in whose houses he had found welcome and the openness of his own home.<sup>62</sup> More important even than strictly professional contacts were cultural entertainments, particularly music, also experienced in houses. He found in house-sociality the possibility of opening to networks well beyond his own narrow discipline. Even so, many of

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<sup>58</sup> Hasse, *Erinnerungen*, pp. 19, 51–53.

<sup>59</sup> Hasse, *Erinnerungen*, pp. 55–58.

<sup>60</sup> Hasse, *Erinnerungen*, pp. 187–89.

<sup>61</sup> Hasse, *Erinnerungen*, pp. 193–99, 220, 252, 306–9.

<sup>62</sup> Hasse, *Erinnerungen*, pp. 193, 215–20.

his closest friends were colleagues whom he brought into his family life in varied ways, including as godparents for his children—and presumably he returned the favor. The male in-law, in particular, played a very important role in Hasse's writing. And so, no sooner had one of his sisters or daughters married, than Hasse wrote about the brother-or son-in-law and his *house*; in this way documenting for scholars how long-term relationships, even among kin, were structured through the idiom of the house.<sup>63</sup>

Karl stayed largely silent on the subject of his wife and seldom named the women whose labor created the house environments he so cherished. He always identified the house by means of the name of the man who headed it. Yet Karl's memoirs make clear that the most important figure for him—the so often unnamed one—was the wife or “mother” of the house. In particular, Karl explicitly acknowledged the mother as the person who was responsible for the house atmosphere and as the one who welcomed him or permitted him to be there. It was she who set in place the conditions that allowed for easy commerce between kin, friends, and neighbors; she who gathered “cousin circles” together, or groups of sisters and sisters-in-law; she who coordinated family news and information and configured larger networks of kin. And even if she did not actually cook, clean, and wash up, it was she who performed all the work of organization, who planned the meals, supervised the cook, maintained order, directed household servants. Indeed, it was she who provided the hospitality and did the planning at the heart of integrating extensive kinship networks; and perhaps most important, it was she who created the sociability of professional and entrepreneurial men.

The brilliant social observer Lorenz von Stein, who considered the role of wives to be central to the ability of men to create social networks, filled in some of Karl Hasse's silences.<sup>64</sup> He put the issue abstractly in terms of “social thought” (male) and “social feeling” (female)—perhaps one way of glossing the public/private distinction—and just as important, he made the kind of keen observations now expected of a skilled ethnologist. Stein perceived that the place where connection between the two spheres occurred was configured by women, who, as he put it, represented the ambitions of their husbands and provided the environment within which male social networks were constructed. Friedrich Pockels, whose observations I introduced in section II, thought of that space as a sphere of mediation between the public and private, a place where men and women met on an equal basis, an area of what he called *Geselligkeit* or “sociality.”<sup>65</sup> In such mixed society, everything turned around women; largely, it seems, because the gatherings took place in a space they created and shaped. Given the way men talked

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<sup>63</sup> Hasse, *Erinnerungen*, pp. 140, 187, 189, 264.

<sup>64</sup> Lorenz von Stein, *Die Frau auf dem sozialen Gebiete* (Stuttgart, 1880), pp. 62–63, “There is no doubt that the bearer of social thought is the man, while the bearer of social feeling is the woman.” Stein, *Die Frau, ihre Bildung und Lebensaufgabe*, pp. 24, 27.

<sup>65</sup> Karl Friedrich Pockels, *Ueber Gesellschaft, Geselligkeit und Umgang*, 3 vols. (Hannover, 1813), vol. 1, pp. 15, 38, 109, 185, 249; vol. 2, pp. 35–39.

about the woman who headed a house, it is clear that they thought in terms of “nurturing”; but nurturing as an expression of power and act imposing obligation.

It seems important to distinguish three aspects of women’s labor in presentation of the house: the physical work, the development and cultivation of networks, and the development and maintenance of the particular culture, manners, or style of a family. I can best illustrate this with some examples. Friedrich Oetker, who eventually became a high court judge, was refused entrance to one of his teacher’s houses by the wife because he did not have the manners fit for his station (*standesgemäß*); he was not socially acceptable (*salonfähig*).<sup>66</sup> He took this as a spur to develop fine form and the appearance of breeding. Georg Weber, another successful man without proper formation from home, had to learn the conventional forms of social intercourse for the class to which he aspired through close observation and copying. And where did he do his learning? In the houses and among the families who welcomed him in their midst. Eventually he found a remarkable wife, who, he noted, had all the “right characteristics of mind and heart,” as well as all the virtues of a *Hausfrau* and mother, such that she could provide him both a *gesellige* household and an extensive network of family and friends.<sup>67</sup> Socially, culturally, and economically, friendship and marriage provided bonds not just between individuals but between houses, families, lineages, dynasties, circles, and networks—all mediated by women.

The manners learned at home created the instinctive foundations for boundary patrolling, the implicit recognition of who belonged and who did not. Over and over, observers stressed the importance of carriage, grace, and style to successful negotiation in everyday social, economic, and political life. Deportment and gesture contained clues and codes that everyone read in contemplating marriage alliances and association. And any successful education program had to lead to internalized skills, *savoir faire*, and a mimetic incorporation of gesture. Groups with similar values (*gleichgesinnte*), Elisabeth Joris and Heidi Witzig argued, were constructed through the constant effort of women, not through the action of an automatic relation between class position and class interest.<sup>68</sup> The evidence certainly is piling up that kinship played a central but still scarcely understood role in nineteenth-century society and that women were responsible for maintaining the necessary contacts for the system to work. Women set the tone and rules of respectability.

Karl Hasse, my first male example, lived in academic circles all his life, but what of a “new man”? Emil Fischer (1852–1919), a professor of chemistry and Nobel prize winner, can stand here as an example. Over his lifetime, he moved from a provincial business background in Westphalia to a position of considerable academic power in

<sup>66</sup> Friedrich Oetker, *Lebenserinnerungen*, 2 vols. (Stuttgart, 1877–78), vol. 1, p. 84.

<sup>67</sup> Georg Weber, *Mein Leben und Bildungsgang* (Leipzig, 1883), pp. 15–16.

<sup>68</sup> Elisabeth Joris and Heidi Witzig, *Brave Frauen, aufmüpfige Weiber: Wie sich die Industrialisierung zur Alltag und Lebenszusammenhänge von Frauen auswirkte (1820–1940)* (Zurich, 1992), pp. 239–40.



Berlin, the intellectual capital of Imperial Germany.<sup>69</sup> But in Fischer's memoirs, as in Hasse's, it was the open exchange between family, friends, colleagues, and students, centered on house-based sociability that bound together his reflections about his life. His early socialization took place in two adjoining houses, with five sisters and six cousins, and house sociality in other places provided the professional contacts that so enhanced his career. Wherever he was, he lived continuously surrounded by a large network of relatives. Indeed, all the way up through his *Habilitation*, he did his scientific work together with his cousin Otto Fischer.<sup>70</sup> The experiences and patterns of his parents' generation illustrate the central importance of kin for Fischer's own development and outlook. His father and siblings were orphaned at an early age and divided up among three maternal aunts and uncles to be raised. And then each of them was set up with a career or a start in a family business. Fischer's father and uncle were in business together as merchants and factory owners with another uncle who occupied the ancestral seat as silent partner.

Fischer's father, although a businessman, offered a house-centered sociality resembling the one of the academic Hasse family. This characteristic, and his mother's complex activities at the center of a house open to expected and unexpected guests, Fischer's memoirs made clear.<sup>71</sup> Fischer chronicled the expansion of the kinship network, especially the close relationships that developed with the houses of the proliferating set of sons-in-law and the consequent large set of interacting cousins, nephews, and nieces. As frequently happened during the nineteenth century, the brother-in-law who married the oldest sister looked for his second wife after the death of the first among her sisters.<sup>72</sup> Another sister married a cousin (from the neighboring house) and set up house in a nearby town where two other siblings lived. Fischer noted that this sister visited and traveled with him throughout his life. Another sister married another cousin. And one of the cousins raised in the neighboring house married another one of his cousins. In short, Fischer had a dense network of kin throughout Westphalia, with whom he stayed in constant contact throughout his life. Many of these relatives moved to Berlin before he did, which facilitated continuity.<sup>73</sup> In Berlin, Fischer continued the family tradition of helping both kin and professional friends whom he met in the sociality of his own house. His son and a nephew both worked alongside his students in his laboratory. In the case of London chemist Henry Armstrong, who stayed for awhile at Fischer's house, friendship provided opportunities for an exchange: Fischer's son went to London to study with Armstrong and Armstrong's son came to Berlin, where he worked as Fischer's

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69 Emil Fischer, *Aus meinem Leben* (Berlin, 1987), repr. of vol. 1 of Emil Fischer, *Gesammelte Werke*, ed. M. Bergmann, with prologue and epilogue by Bernhard Witkop, 5 vols. (Berlin, 1906–24).

70 Fischer, *Aus meinem Leben*, pp. viii–ix, 16, 52, 56, 76, 83, 105, 109.

71 Fischer, *Aus meinem Leben*, pp. 3–29.

72 Fischer, *Aus meinem Leben*, p. 29.

73 Fischer, *Aus meinem Leben*, pp. 29, 32, 66, 96, 116–17, 141–43.

assistant for many years.<sup>74</sup> Relatives helped Fischer in other ways, too. One of Fischer's uncles set up a medical practice in Cologne, and during a health crisis in his twenties, Fischer spent many months recuperating there, cared for by his aunt and entertained by his circle of cousins.<sup>75</sup> When he left home for boarding school, several cousins went along with him. And when he went off to Bonn and Strassburg to study chemistry, his cousin Otto Fischer, who became a well-established chemist and researcher in his own right, was his companion. The cousins were trained by the Strassburg chemist Adolf von Baeyer, yet Fischer's key memories of the relationship with Baeyer turned on sociality: the professor welcomed him into his home and vacationed with him.<sup>76</sup> Frau Baeyer led a "great house" and put on parties and festivals, but above all she took it upon herself to socialize the young chemists. As Fischer put it, she was the "mother of the lab," who brought into her circle a great many "pretty women" whom she sought to marry off to the young men.

Fischer's first teaching position was in Erlangen, a small city where the members of the university created their own society.<sup>77</sup> Here again, Fischer's world centered on the intercourse with families, particularly in the house of his friend Wilhelm Leube, whose wife, Natalie, was the daughter of the influential chemist, Adolf Strecker. And here yet again, professional circles and *Geselligkeit* functioned as two sides of the same coin. Fischer described how Natalie organized evening events and called on the bachelor academics and the wives of friends to take care of the considerable work that went with entertaining. But the Leube household was only one of the houses he visited regularly. One other in particular, the von Gerlach house, drew a great deal of his attention and eventually provided him a wife. Natalie Leube seems to have spun the web. When Fischer took a position at Würzburg, he recommended his cousin Otto as his successor in Erlangen, and Otto not only took over his lectures and lab but also his apartment and housekeeper.<sup>78</sup> In Würzburg, Fischer found the same lively society of families and houses as in Erlangen. And again, his memoirs singled out particular wives there for their role in configuring the *Geselligkeit* so central to his professional and cultural life.

In their descriptions, the memoirs give the impression that Fischer spent most evenings in the company of others, in settings allowing for easy slippage from academic talk to more general cultural exchange. How much actual time he spent each evening cannot be known and perhaps is not relevant anyway. How important the visits were to him can be inferred from the little he said about his wife, Agnes Gerlach.<sup>79</sup> They were engaged in 1887, when he was thirty-five and she, twenty-six. She was rather a disappointment to him, and he blamed the problem on her parents—they had "spoiled"

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<sup>74</sup> Fischer, *Aus meinem Leben*, p. 180.

<sup>75</sup> Fischer, *Aus meinem Leben*, p. 48.

<sup>76</sup> Fischer, *Aus meinem Leben*, pp. 52–63.

<sup>77</sup> Fischer, *Aus meinem Leben*, pp. 78–89.

<sup>78</sup> Fischer, *Aus meinem Leben*, pp. 104–10.

<sup>79</sup> Fischer, *Aus meinem Leben*, p. 124.

her. The point of his criticism was that she was not up to running the kind of house that he expected. He even attributed her early death in 1895—at the age of thirty-four—to illness brought on by the stress of a task for which she was unprepared. The model for him was the kind of house provided by Hermann von Helmholtz, where he was first welcomed in Berlin. There a newcomer could meet the most interesting people—like Werner von Siemens.

Of the many themes in this autobiography, I want to call attention to just a few. The creation of a *Bildungsbürger* lifestyle in the nineteenth century had a great deal to do with familial dynamics and house sociality given form by women. Fischer had a long bachelorhood, which he spent on professional development in the presence of male friends and colleagues. The lecture hall, laboratory, meals, walking tours, and visiting played a central role in developing his network. But all of his lasting relationships seem to have been filtered through house-based *Geselligkeit*. Once he married, he could not conceive of his professional life—laboratory, university, academy, disciplinary network—outside of maintaining a “great” house, and here his wife unfortunately failed his expectations. He quickly found a woman companion to nicely take her place.

There seem to have been two parallel networks for a man like Fischer, and yet it does not seem that he separated patronage or academic political discourse from the social life of the home; home given form by women, perhaps especially important for men like Fischer who spent long years as bachelors. All the way through his academic career, from his time as a student to his retirement, women controlled access to the kind of venue where he was anxious to spend his time, and where they busily knit professional networks and marital networks together. By way of illustration, the editor of Fischer’s memoir produced a *Stammbaum* of chemical affiliation—a genealogy of chemists, teachers to students, from the early nineteenth to the mid-twentieth century. Further research would be necessary, but a casual look at the chart and a few hints in the autobiography reveal a dense network of academic marriages. We know that Fischer as patron facilitated appointments to chemistry professorships for at least four of his closest kin, and one should expect him to have played a similar role for many other contacts through the rich and varied networks he found in the houses he frequented.

It was a commonplace in the nineteenth century to talk about the way friendships opened up relationships to a whole family or *Haus* and to extend these connections to a family’s larger circle of friends and relatives. The autobiography of Göttingen historian Georg Gottfried Gervinus (1805–1871) offers an instructive case.<sup>80</sup> Gervinus spent his youth preparing to become a merchant and reading Romantic novels. But then he decided he wanted to go study in Heidelberg—he was in his early twenties—and he did not have the manners requisite for the academic circles to which he now aspired. At that point, a pair of sisters who had married into families of civil servants (*Beamtenfam-*

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<sup>80</sup> Georg Gottfried Gervinus, *G. G. Gervinus Leben. Von ihm selbst 1860* (Leipzig, 1893).

*ilien*) decided to take on the task of making him socially respectable (*gesellschaftlich*).<sup>81</sup> They worked on overcoming his bashfulness and ridding him of his ill manners. As he put it, regularly visiting houses where he learned to act properly around women was crucial to his cultural and social development. Indeed, for a year, he joined them in their house every single evening.

I want to underline here the double “task” of the house—to provide a staging place for *Geselligkeit* on the one hand and on the other to create and sustain networks of family and friends. In seeking to understand both of these tasks, it is fruitful to think of the complex forms of labor involved and to keep always in mind that they were largely performed by women; women acting as gatekeepers, or as “police” of class boundaries; women controlling access and exclusion and with that, also alliance formation; and women persistently and patiently inculcating implicit understandings through the kind of labor that comes under the heading of “nurturance.” The more attention is paid to this kind of work, the more the access to be gained to the formation of class habitus; and the more the focus must turn to the house. It was there that taste and style were established, that bodies incorporated the aesthetics, personal expression, and movements that set off these milieus from others. Between the public sphere (mainly male) and the domestic sphere (a place of female *Gestaltung*), there was a mediating sphere of sociality or *Geselligkeit*, a place for women to impose form, regulate manners, and configure networks. The hospitality of these places grew from considerable effort, and as it integrated kin as well as friends, colleagues, and strangers, it laid the foundation for like to find like—that fundament of nineteenth-century kinship construction, class formation, and political culture.

## Conclusion

If a man does not come . . . to be nourished . . . then she shall expel him from the house, as a drone . . . For in the flesh of the woman does God enact Himself . . . If the man deny, or be too weak, then shall the woman find another man of greater strength. And if she do not find another man, nor he another woman, then they both shall be destroyed. For he, to get that rest, and warmth, and nourishment which he should have had from her, his woman, must consume his own flesh, and so destroy himself: either with wine, or other kindling.—And she, either her surplus shall wear away her own flesh, in sickness . . . or she shall spend it in fighting her man to make him take her, or she shall turn to her son, and say, ‘Be you my Go-between.’—D. H. Lawrence, 1913<sup>82</sup>

Women’s work in the long nineteenth century, understood as giving form to households, writing to cousins, nurturing kids, or taking tea with the neighbors, seems so benign, pleasant, and maternal, endowed with a kind of positive power. But clearly when sons

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<sup>81</sup> Gervinus, *Leben*, pp. 101–2.

<sup>82</sup> D. H. Lawrence, *Sons and Lovers*, ed. Helen Baron and Carl Baron, The Cambridge Edition of the Works of D. H. Lawrence (Cambridge, 1992, paperback ed., 2001), “Foreword,” p. 472–73.

feared being absorbed by all the attention, erotically stimulated with no legitimate object in sight, or required to choose their adult partners according to the demands and strategic interests of mothers, aunts, and sisters, then women's work of mothering could have a dark side. The proliferation of metaphors of danger, expressions of fear, and fantasies of aggression in the era's literature of mothers and sons bears witness to that potential. Women expressed power by establishing rituals and style, and by imposing aesthetic codes, all of which determined who might or might not enter into the family house. That power could be exclusive or inclusive, limiting or expansive, but always it entailed setting boundaries; and sons implicitly or explicitly worried the issue of those boundaries. Either they could not figure out whether there were any or they regretted the too-late realization that they should have been clearer in the first place. So, in many a literary fantasy, fusion, an absence of boundaries, whether feared or desired, played a prominent role. And it was mothers' moods more than fathers' laws that formed the sons' impressions. However "real" families were configured, the social imaginary of the period constituted households on a mother/son axis. Men did not marry until they were established professionally or came into an inheritance, and their wives tended to be younger, often considerably younger, and stylized as physically and mentally somewhere between the adult (male) and the child. Someone like D. H. Lawrence saw the necessity of negotiating between two males as the chief dilemma for the wife/mother. He quite explicitly thought through the issue in terms of the expression of desire and erotic power.

"Matrifocality" seems to me a nice concept for assembling the many strands of maternal power of the age. It suggests that the father either was missing or shunted aside, and captures the observable evidence that great swathes of familial and social life fell under the purview of mothers, to do with as they would. In many families, "Dad" was too weak to support warrior sons and found no ready way to penetrate unbounded, rhizomatous maternal authority. It is perhaps too easy to say that the sixty years around 1900 were a period in which either women or men held the upper hand in the exercise of social power. To some degree the correct description depends on where a scholar is looking. Without a doubt, certain occupations and certain political forms of expression had yet to fall to notions of equality, but it would be too simple to categorize all literary obsession with the erotic power of mothers as some kind of rearguard assault on already crumbling barriers. Whatever implications maternal sexuality had for mobilizing energies for action in the public sphere—the endlessly repeated ideas of pansexuality, boundlessness, and gender character were coupled with community building, local power, and social, not just biological reproduction—mothers seemed to dominate domestic space by evoking desires. That may be just another way to say that they controlled "nurturing." Everyone thought that it was the mother who "made" the family. Given the evolutionary biological vocabulary of the age, that power to make perhaps was best thought through in terms of bodies, sexuality, attachment, and haptic aspects of mother-child or mother-son behavior. In trying to synthesize the themes of the age, it seems to me that women's crucial, spider-like role in spinning the webs of alliance

among agnatically defined lineages, all the while ripping the households from their husbands' grasp or subjecting them to new maternal regimes, called forth a language of erotically charged but impossible to define constellations of *informal*, contourless power.

At least that was one possibility. Another was to configure maternal energy under the signs of kinship and communal support, often in the service of familial status or professional or political support. Here again woman's touch stood at the heart of the conceptual constellation; in this case, her aesthetic shaping of a home open to ever-new groups of guests. This was grasped by contemporaries as an expression of female unboundedness in the service of social incorporation. She was successful not just by fulfilling an assignment but by evoking a desire to belong, to be connected, to be taken in. Many observers perceived a foundational erotic in maternal care tightly linked to the house aesthetic, with its power to evoke desires—in sons for fusion and in guests for inclusion. And so hostessing and mothering were two expressions of a single erotic-aesthetic phenomenon. Both also were seen as expressions of the female propensity to transgress her own ego boundaries through nurturing. Still there was always a niggling suspicion of something not quite safe about the nurturing “mother.” She could deny entry to the house, lay down the law for the son, wield her sexuality so aggressively that she might also be deadly, devouring, whore-like in her appetite, cruel in eliciting desires never to be fulfilled, stifling in her expectations and coldly indifferent as she jubilantly sacrificed her sons to the machines and horror trenches of war.

## Excursus. Tales from Trollope and Fontane

In all such matters, my dear, the great thing is like to like.—Abel Wharton to his daughter in *The Prime Minister*, 1875

Become who you are.—Professor Schmidt to his daughter in *Frau Jenny Treibel*, 1892

I want to use the story line of an 1875 novel, *The Prime Minister* by Anthony Trollope, to explore some of the cultural values operative among property-holding allied kin groups across European society and follow that up briefly with Fontane's 1892 take on the issues in *Frau Jenny Treibel*.<sup>83</sup> *The Prime Minister* is a moral tale about class, milieu, and family, located in the particular context of English propertied provincial life during the third quarter of the nineteenth century. This imaginary construction of social dynamics reached far beyond its particular social and temporal grid for its representation of alliance among equals, of people within circumscribed milieus, and of “like with like”—as several of the characters in the novel expressed it—and in so doing, captured crucial social dynamics operative throughout European society in the decades around 1900.

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83 Anthony Trollope, *The Prime Minister*, ed. and intro. David Skilton (Harmondsworth, 1994).

Trollope set his novel in Herefordshire among landed and sometimes titled families, who of course also had strategic connections to London. There are two stories intertwined throughout the book, one about the elevation of the Duke of Omnium to the prime ministership and another about the proper and improper marriages of Emily Wharton. It is her story alone that will concern me here. Emily's father, Abel Wharton, was a prosperous and long-established lawyer in London, a scion of an old landed family whose titular head and current occupant of the entailed family estates was the baronet Alured Wharton, Abel's second cousin. At the outset of the story, Abel's son, Everett, destined to inherit considerable movable wealth, had shown little inclination to develop any professional competence, and Alured's second daughter, Mary, having no expectations to dowry, had resigned herself to the life of an old maid. Unfortunately, Alured had no son, so the estate was to fall to a ne'er-do-well nephew. All the movable wealth of the Wharton family had been tied up in the recent marriage of Alured's older daughter to the heir to the Fletcher family's likewise entailed estates. These two families had long-standing ties, having intermarried over many generations, and had always conspired to arrange suitable marriages between those of their offspring who had "expectations"—ranked of course by order of birth, rights to succession of property, and professional and educational competence. There was a younger Fletcher son, Arthur, well provided for, professionally already established, and in the course of the novel voted into parliament. As far as the family was concerned, he and Emily Wharton were the pair designated to form a second link of their generation in the chain of ties between the Fletchers and Whartons. Old Wharton had raised Emily to be close to the family of cousin Alured, with its Fletcher allies, and to consider herself part of the circle of Fletchers and Whartons. It is important to see here that planning for siblings to marry their third cousin siblings was normal, an expression of integrative family politics. Trollope managed to capture precisely the complex set of exchanges and continuous reciprocities that characterized the marriages of families already linked together by social milieu, kinship, and wealth. Simple financial and economic interests were scarcely the only or even always the primary concern. "The Fletchers were great people, with great spirits, too good in every way for such baseness. But when love, old friendship, good birth, together with every other propriety as to age, manners, and conduct can be joined to money, such a combination will always be thought pleasant."<sup>84</sup>

The novel, of course, related what could happen when the expectations of family and class were not fulfilled. In many ways Emily acted precisely as she was brought up to behave. She had internalized most of the values of her family, among which was the understanding that she would neither enter into an engagement nor even declare her love without her father's expressed leave. She made a mistake by falling in love with a handsome man who had only the superficial trappings of proper class behavior, the manners and appearance of being a gentleman. The man, a friend of her slacker

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<sup>84</sup> Trollope, *Prime Minister*, p. 126.

brother, had been introduced to the house of a maternal aunt who then played the go-between for the young couple. All the proprieties had been followed, or so it seemed; and all the values inculcated since childhood had been observed. Emily's mistake, as it turned out, lay in trusting her own judgment.

The object of Emily's love was Ferdinand Lopez, who, encouraged by her aunt, the sister of her deceased mother, went to Mr. Wharton to ask permission to make his love known to Emily. Wharton's reaction, described over and over in the book, came down to this: "no one knows anything about him."<sup>85</sup> Trollope developed the theme in two ways: by setting up the lack of intimate knowledge about Lopez's family, profession, and milieu, suggesting that the proper route to a successful choice involved heeding the desires, implicit advice, and tacit understandings of the larger family; and by exposing the deceptiveness of appearances and manners, and the almost confidence-man characteristics of any gentleman lacking roots in a publicly recognized family circle. Wharton put the matter this way: "When a man has connections, a father and a mother, or uncles and aunts, people that everybody knows about, then there is some guarantee of security."<sup>86</sup> And further: "As far as my experience goes, a man doesn't often become a gentleman in the first generation. A man may be very worthy, very clever, very rich,—very well worth knowing, if you will,—but when one talks of admitting a man into close family communion by marriage, one would, I fancy, wish to know something of his father and mother."<sup>87</sup> Trollope further captured the paranoia directed against the outsider with the crude language of anti-semitism. When Lopez—who *said* his father was Portuguese—first came to old Wharton to present his suit, the latter thought he "detected Jewish origins."<sup>88</sup> All Lopez had to have was a foreign-sounding name, obscure paternal origins in Portugal, and a profession linked to movable but not landed wealth to be the object of scurrilous epithets alluding to his background. "Lopez" was "at any rate a bad name to go to a Protestant church with . . . He [Abel] had not explained to the man as he would have wished to have done, that it was monstrous and out of the question that a daughter of the Whartons, one of the oldest families in England should be given to a friendless Portuguese,—a probable Jew,—about whom nobody knew anything."<sup>89</sup> Lopez soon became a "swarthy son of Judah."<sup>90</sup> "For anything I know he may have sold pencils about the street like any other Jew-boy."<sup>91</sup> Soon Wharton's cousin Alured was referring to Lopez as a "Portuguese Jew. A man who had never been even known to allude to his own father!"<sup>92</sup> As opposition grew, Abel Wharton began to call

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85 Trollope, *Prime Minister*, p. 9.

86 Trollope, *Prime Minister*, p. 24.

87 Trollope, *Prime Minister*, p. 88.

88 Trollope, *Prime Minister*, p. 32.

89 Trollope, *Prime Minister*, p. 34.

90 Trollope, *Prime Minister*, p. 35.

91 Trollope, *Prime Minister*, p. 39.

92 Trollope, *Prime Minister*, p. 116.



Lopez a “greasy Jew adventurer out of the gutter.”<sup>93</sup> Old Mrs. Fletcher, the matron who set the tone of family discourse, thought Emily perverse for not complying with the wishes of the families. “To love one below oneself, a man without a father, a foreigner, a black Portuguese nameless Jew, merely because he had a bright eye, and a hook nose, and a glib tongue,—that a girl from the Whartons should do this—!”<sup>94</sup>

In this tale of manners, the stranger, the man without family, the interloper whom mere education could not make a gentleman, was of course in every way unsuitable as a spouse; not least, it was assumed, because his love was merely disguising his desire to control her wealth.<sup>95</sup> No sooner was the wedding over than Emily began to realize her mistake. She slowly became aware that by her marriage she had divided herself from “her own people.”<sup>96</sup> Ultimately the problem with Lopez was that he lacked the expected character: “In a sense he was what is called a gentleman. He knows how to speak, how to look, how to dress himself and how to walk. But he had not the faintest notion of the feelings of a gentleman.”<sup>97</sup> The marriage went downhill until Lopez conveniently disposed of himself through suicide. And with that Trollope began the tale of the good marriage.

From the outset, Arthur Fletcher was the only suitable spouse for Emily. Abel Wharton had said to his daughter that he preferred a connection with Arthur, whom she had known from childhood, because he was a “gentleman of the class to which I belong myself; because he works; because I know all about him, so that I can be sure of him; because he has a decent father and mother; because I am safe with him, being quite sure that he will say to me neither awkward things nor impertinent things . . . in all such matters, my dear, the great thing is like to like.”<sup>98</sup> During her marriage to Lopez, she came to value Arthur and realized that easy familiarity had led her astray. After the death of her husband, she slowly came to be able to acknowledge her true feelings, to contrast the two men in ways that should be familiar by now: “How glorious was that other man [Arthur Fletcher] in her eyes, as he stood there at the door welcoming her to Longbarns, fair-haired, open-eyed, with bronzed brow and cheek, and surely the honestest face that a loving woman ever loved to gaze on. During the various lessons she had learned in her married life, she had become gradually but surely aware that the face of that other man had been dishonest. She had learned the false meaning of every glance of his eyes, the subtlety of his mouth, the counterfeit manoeuvres of his body,—the deceit even of his dress. He had been all a lie from head to foot.”<sup>99</sup>

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93 Trollope, *Prime Minister*, p. 126.

94 Trollope, *Prime Minister*, p. 136.

95 Trollope, *Prime Minister*, p. 462.

96 Trollope, *Prime Minister*, p. 258.

97 Trollope, *Prime Minister*, p. 497.

98 Trollope, *Prime Minister*, p. 88.

99 Trollope, *Prime Minister*, p. 606.

The role of older women as mediators and as keepers of the gates through which social commerce was to be routed is central to the novel's intrigue. The London-based Mrs. Roby, Abel Wharton's sister-in-law and Emily's maternal aunt, was depicted as a kind of outsider whose potential for damage could not easily be controlled because of her intimate links to the Wharton household. She was never close to her brother-in-law, and she and her husband moved in quite different circles from him. She certainly had no interests in the provincial connections of the Wharton-Fletchers. It was she who introduced Ferdinand Lopez to Emily, accepting the presents and flattery of the unsuitable candidate and showing the lack of solidity and judgment characteristic of the provincials. The key here is that Emily, raised under the careful control of her father, in the cultural milieu of the Wharton-Fletchers, only made contact with young men through the social commerce of related households. Further, she only developed her relationships with the encouragement of the parental generation, or a sibling. Mrs. Roby was in a powerful position as a near relative and close neighbor whose interests and judgment differed so much from her deceased sister's husband. The other powerful woman was the elder Fletcher, mother of Arthur, who as soon as it became known that Emily had chosen Lopez, orchestrated Emily's complete exclusion from all family contact. She thought that families had peculiar duties: "Among those duties, the chiefest of them incumbent upon females was that of so restraining their affections that they should never damage the good cause by leaving it. They might marry within the pale,—or remaining single, as might be their lot. She thought Emily rather perverse for not complying with the wishes of the families."<sup>100</sup> Mrs. Fletcher saw Emily as a girl of "ingrained vulgar taste."<sup>101</sup> She encouraged Mary Wharton not to serve as bridesmaid for Emily's wedding and helped organize a complete break by seeing to it that no presents were sent from the two families. She referred cruelly to Emily, "for the girl, to her thinking, had been mean and had been a slut. She had not known . . . what birth and blood required of her."<sup>102</sup>

However, as harsh as Old Mrs. Fletcher had been, once the offending Lopez was dead, she spearheaded Emily's integration back into the family: "Emily was not aware of what was being done; but, in truth, the Fletchers and the Whartons combined were conspiring with the view of bringing her back to her former self."<sup>103</sup> Mrs. Fletcher told her: "It is the duty and the duty of us all, to subordinate our feeling to those of others."<sup>104</sup>

Trollope ended his story with two proper alliances. Everett, Emily's rather shiftless, directionless brother, unable to adjust his character to his fate in life, suddenly found himself heir to the Wharton estates by the happy demise of the hated nephew. His personality now took shape, and the two cousins, Abel and Alured, were overjoyed. Everett

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<sup>100</sup> Trollope, *Prime Minister*, p. 136.

<sup>101</sup> Trollope, *Prime Minister*, pp. 207–8.

<sup>102</sup> Trollope, *Prime Minister*, p. 282.

<sup>103</sup> Trollope, *Prime Minister*, p. 599.

<sup>104</sup> Trollope, *Prime Minister*, p. 678.

even married Alured's daughter Mary, the one without prospects, who now became the mistress of the estate, and so a new link in the bonds among Wharton cousins was forged. The only thing left was to tie it all up with a marriage between another Fletcher and a Wharton—Arthur Fletcher and Emily Wharton.

But first Emily had to reflect on how her mistaken marriage had come about. She needed to develop full consciousness of the root cause of her failure to perceive the situation properly. After considered self-examination, she came to realize that in an important way the decision had not been hers alone to make. During the marriage her education to this point had already begun: "She had brought all this misery on herself and on her father because she had been obstinate in thinking that she could with certainty read a lover's character."<sup>105</sup> She told her father: "I have a feeling of pride which tells me that as I chose to become the wife of my husband,—as I insisted on in opposition to all my friends,—as I would judge for myself,—I am bound to put up with my choice."<sup>106</sup> "Gradually she had learned how frightful was the thing she had done in giving herself to a man of whom she had known nothing. And it was not only that she had degraded herself by loving such a man, but that she had been persistent in clinging to him though her father and all his friends had told her of the danger she was running."<sup>107</sup> After Lopez's death, she felt polluted by the marriage and thought herself ruined by her earlier obstinacy, and, as she put it, unable to make "compensation" to the family. It was "not only that she had made so grievous an error in the one great act of her life which she had chosen to perform on her own judgement! Perhaps the most crushing memory of all was that which told her that she, who had through all her youth been regarded as a bright star in the family, had been the one person to bring reproach upon the name of all these people who were so good to her."<sup>108</sup>

As Arthur Fletcher began to make overtures, he first developed a *brotherly* relation to her to which she responded as a *sister*. In this context came her strongest erotic feelings: there came to be a "desire to touch him which quivers at her fingers' ends, a longing to look at him which she cannot keep out of her eyes, and inclination to be near which affects every motion of her body."<sup>109</sup> Still what kept her from giving in to the love was the shame of her first choice: "By the marriage she had made she had overwhelmed her whole family with dishonour. She had done it with persistency of self-will which she herself could not now look back upon without wonder and horror."<sup>110</sup> Moreover: "I have lain among the pots till I am foul and blackened."<sup>111</sup> She contrasted her own marriage with that of her brother Everett, who was going to be

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105 Trollope, *Prime Minister*, p. 411.

106 Trollope, *Prime Minister*, p. 451.

107 Trollope, *Prime Minister*, p. 477.

108 Trollope, *Prime Minister*, p. 597.

109 Trollope, *Prime Minister*, p. 577.

110 Trollope, *Prime Minister*, p. 639.

111 Trollope, *Prime Minister*, p. 643.

married in “a manner as everyone told him to increase the glory and stability of the family.”<sup>112</sup> By this time, it was becoming apparent that Emily was making the wrong choice again by indulging her own conscience and not listening once more to the family’s understanding of what she was supposed to do. Old Mrs. Fletcher told her: “It is sometimes harder for us to be mindful of others in our pride than in our joy.”<sup>113</sup> Arthur, of course, rose to the occasion and pitched his desire in the following terms: “They who know how to judge are all united.”<sup>114</sup> He added: “Every friend you have wants you to marry the man you love, and to put an end to the desolation which you have brought on yourself.”<sup>115</sup> Her woe was a mere luxury, and it was her duty to marry him: “I say it on behalf of all of us, that it is your duty . . . You are one of us, and should do as all of us wish you.”<sup>116</sup>

Here I will just list six of the elements from the plot which represent so brilliantly the structural aspects of marriage among all property-holding classes in Europe during the nineteenth century: reciprocal structuring of class and kin cultures; endogamy within class milieus (like with like); courtship within the context of family desires; repeated exchanges among allied families (cousin marriage); older women as gatekeepers and mediators of alliance (matrifocality); and marriage as connection point for the flow of capital and access to property.

I want to be briefer with Theodor Fontane’s 1892 novel, *Frau Jenny Treibel*, which is subtitled “where heart finds its way to heart.”<sup>117</sup> While Trollope painted a picture of landed provincial life, Fontane went straight to class relations in an urban society of extreme mobility, brashness, and calculation. The story here is simpler but similar. Rejecting the cousin she grew up with, Corinna Schmidt, the smart young daughter of a Gymnasium professor, set her sights on Leopold Treibel, the weak-willed, rather mediocre son of a wealthy commercial family. His mother, Jenny Treibel, ruled such an alliance quite unsuitable. As Professor Schmidt, who had once aspired to marry Jenny, put it—she was the “master piece of a bourgeoisie.”<sup>118</sup> Jenny’s acts and thoughts were those of the archetypical family gatekeeper, and her son’s role was largely to obey. Under pressure from his mother, he called off his engagement to Corinna. In the end, she found a mate in her cousin, while Leopold, unable to withstand the combined maneuvering of his mother and sister-in-law, ended up engaged to his Hamburger sister-in-law’s sister. All along Professor Schmidt, who considered Corinna and her cousin as made for each other, encouraged his nephew, colleague, and future son-in-law. He had said from the

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112 Trollope, *Prime Minister*, pp. 652–53.

113 Trollope, *Prime Minister*, p. 678.

114 Trollope, *Prime Minister*, p. 683.

115 Trollope, *Prime Minister*, p. 683.

116 Trollope, *Prime Minister*, p. 684.

117 Theodor Fontane, *Frau Jenny Treibel oder “Wo sich Herz zum Herzen find’t”*, ed. Helmuth Nürnbergger (Munich, 1997).

118 Fontane, *Frau Jenny Treibel*, p. 15.

beginning that Jenny Treibel would only allow an alliance with a family of equal wealth, capable of paying a substantial dowry—which of course produced a double alliance with the same Hamburg family. In some ways, the key concept driving the narrative is spoken by the professor—“Werde der du bist.” Become who you are.<sup>119</sup>

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119 Fontane, *Frau Jenny Treibel*, p. 179.

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## **Intermezzo**



# Incest Becomes a Biological Problem

The extreme complexity of man's social behaviour as compared with the most complicated behaviour of animals, like monkeys and dogs, which can be studied in the laboratory, is evident to every intelligent man or woman whose outlook has not been biased by a prolonged preoccupation with the varieties of sweet peas and mice or the pattern of the feathers of poultry. — Lancelot Hogben, 1931<sup>1</sup>

A society's incest prohibitions are integrally related to such key foci of research as its system of kinship and marriage and its moral and legal injunctions. — Dorothy Willner, 1983<sup>2</sup>

When learning of seventeenth-century concerns about incestuous relations between in-laws, most people I have talked with are puzzled. In-laws are not blood relations, so how is that incest? Today, it is common to equate incest with injurious physical and mental consequences for offspring following from the inheritance of identical or closely related genetical materials. But ideas about reproductive dangers from sexual relations among blood relatives were not current in the medieval or early modern periods, when, if a sister was a problem, then so was a sister-in-law. I have explored the idea of marriage among close affinal kin as incestuous at some length in section I of this book and have shown there and in section II that even when folk turned their attention to siblings in the decades around 1800, they did not worry the transgression in terms of procreation. Indeed, when scattered voices brought up the possibility of “degeneration” as a consequence of marriages among closely related blood kin, they were readily slapped down as not serious about the *moral* ignominy of socially disruptive sexual relations. In section III, I dealt with the central focus on mother and son relations for the decades around 1900. A language deeply rooted in evolutionary biology characterized fears of transgression in that period, but none of the texts representing maternal-filial connections concerned themselves with reproduction. The same holds for the literature of father-daughter incest in the decades following World War II, which I take up in section IV, “incest” by that time having become the term of choice for paternal abuse, not for a forbidden form of sexual reproduction.<sup>3</sup>

From the Middle Ages to the twenty-first century incestuous couplings could be sanctioned without giving much thought to the production or reproduction of mental and physical debilities among descendants, yet such worries did arise and exercised a continuously reconfigured scientific establishment of medical doctors, biologists, biom-

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1 This chapter closes with a glossary of possibly unfamiliar, technical terms. The epigraph source is Lancelot Hogben, *Genetic Principles in Medicine and Social Science* (London, 1931), pp. 93–94.

2 Dorothy Willner, “Definition and Violation: Incest and the Incest Taboos,” *Man*, n.s. 18 (1983): 134–59, here p.135.

3 Margareth Lanzinger deals with representations of incest as a moral or biological issue throughout her important book on Catholic practices of dispensations for marriages invalid by canon law. Margareth Lanzinger, *Verwaltete Verwandtschaft: Eheverbote, kirchliche und staatliche Dispenspraxis im 18. Und 19. Jahrhundert* (Vienna, 2015), p. 83–86, 90, 309, 314, 341–42, 351–52.



etrists, geneticists, ethologists, and sociobiologists from the nineteenth century onwards. Two things stand out in this particular thread of scientific discourse. First, opponents of the marriage of near kin believed in its deleterious effects long before they could show why; evidence itself was hard to come by.<sup>4</sup> Indeed, the history of biological arguments about incest – and inbreeding – reveals a dialectic between connecting disease to unions of blood kin, faulting alleged correlations, and renewing quests to demonstrate the biological consequences of close marriages with the help of whatever technique was new and promising. Second, whatever reservations developed along the way, incest as a biological problem for offspring made its way into school curricula and popular culture to become the dominant paradigm. By the late twentieth century, everyone knew, however vaguely, that recessive or mutant genes lay in wait to wreak havoc on anyone reckless enough to violate the laws of consanguinity – at least on their children to the first or second generation, if not to the seventh.

Even though there had been voices here and there suggesting that sexual relations among close kin endangered descendants physically and mentally, it was not until the 1850s and '60s that such concerns brought anything like focused attention on the subject.<sup>5</sup> From that point onwards, medical practitioners, academic biologists, anthropologists, and eventually population geneticists tried to work out the consequences of close marriage for offspring – for many generations down the line. They were concerned with incest, but more readily with broader practices of inbreeding; that is to say, with those forms of sexual congress and procreation among near but not the closest relatives. They set their sights primarily on cousins, and once they did that, for many people the conceptual boundary between cousins and siblings, for example, was blurred. If the notion of “incest” could be associated with undesirable biological consequences, then whatever might produce such consequences could be thought of as transgressive. Indeed, a secularized story was quite capable of introducing its own categories of sin.

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4 Diane B. Paul and Hamish G. Spencer, “Eugenics without Eugenicists? Anglo-American Critiques of Cousin Marriage in the Nineteenth and Early Twentieth Centuries,” in *Heredity Explored: Between Public Domain and Experimental Science, 1850–1930*, ed. Staffan Müller-Wille and Christina Brandt (Cambridge, MA, 2016), pp. 49–79, here p. 67; cited hereafter as Paul and Spencer, “Eugenics without Eugenicists.” These authors have made the point that opponents of cousin marriage in the nineteenth century relied on folk beliefs. They looked at the way such folk beliefs were transmitted by medical writers, phrenologists, and breeders but neglected the long schooling in such matters by ecclesiastical authorities. Nonetheless, they are right in arguing that when medicos and biologists took up consanguineous marriage they did not do so in the first instance because the evidence forced them to do so.

5 In “Eugenics without Eugenicists,” Paul and Spencer point out that already in the 1830s and '40s, especially among phrenologists in England and the United States, there were a few publications on the dangers of consanguineous marriage (pp. 50–51, 54), but it was not until the late 1850s that a systematic literature on the subject developed. It was also then that newly admitted states, beginning with Kansas in 1858, wrote constitutions forbidding marriages among cousins. See also Paul and Spencer, “‘It’s OK, We’re Not Cousins by Blood’: The Cousin Marriage Controversy in Historical Perspective,” *PLoS Biology* 6 (December 2008): 2627–30, here p. 2627; hereafter Paul and Spencer, “Cousin Marriage Controversy.”

I want to insert this chapter here, since discourses of natural science came eventually to claim hegemony over the subject. And I want to do this even though it was not until the very end of the twentieth century that genetics, often in the forms of a reconfigured evolutionary biology, evolutionary psychology, a revived physical anthropology, socio-biology, and ethology, became the discipline to work its way into public consciousness and frame the widely accepted, if unarticulated, vague, and implicit set of assumptions about how people are connected to one another.

I have earlier mentioned the Scottish moral philosopher Hutcheson and the French naturalist Buffon, both of whom developed a reputation for drawing analogies between animals and humans and referencing late eighteenth-century breeding practices.<sup>6</sup> But Hutcheson, who was very tentative about taking lessons for human reproduction from crossing different strains of cattle, immediately raised the objection that such reasoning did not help explain the moral repugnance behind incest prohibitions. He insisted that prohibition itself had to precede any socially recognized objection, that there had to be a law before there could be a violation, and that law was a matter of *governmental* intervention, not of something innate or universally recognized from common experience. If there was no innate sentiment against sexual relations with near kin, there was a human disposition for benevolence, and each society worked out its sexual boundaries on that principle, according to its time and place, its manners, and its distinctive set of social relations. Moral feelings, including incest taboos specific to each culture, according to Hutcheson, were passed on through socialization. Buffon, by contrast, embedded his discussion of inbreeding in the context of domesticating crossbreeds in new climates where the animals had to adjust to novel feeding regimes and strange weather.<sup>7</sup> In these cases, within several generations, male form (from imported studs) degenerated (reverted to type), having been subsumed by female matter (mares). Therefore, any analogy with humans, who had always been able to modify their environment and provide themselves with suitable nourishment and who could never be subject to breeding programs, was particularly weak. Still, Buffon hypothesized, since among humans

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6 See section II, chapter 3. Neither “Eugenics without Eugenists,” nor “Cousin Marriage Controversy,” both by Paul and Spencer, mentions Hutcheson or Buffon; nor does the extensive bibliography in Huth, discussed later in this chapter. When the American physician Samuel Bemiss, in *Report on the Influence of Marriages of Consanguinity* (Philadelphia, 1858), hereafter Bemiss, *Report*, took up the issue of cousin marriage, he also did not reference Hutcheson or Buffon. Their work seems to have been lost to later nineteenth-century discourses. In an attempt to delineate a genealogy of concern with human inbreeding, Arthur Wolf, following the lead of Larry Arnhart, found Hutcheson to his liking but failed to mention Buffon. For this, see Arthur P. Wolf and William H. Durham, eds., *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century* (Stanford, 2005), pp. 17–18, 23; and Larry Arnhart, “The Incest Taboo as Darwinian Natural Right,” in Wolf and Durham, *ibid.*, pp. 190–217, here pp. 197, 215.

7 As head of the Jardin du roi in Paris, Buffon developed the institution into a major research center for studying plant and animal specimens from all over the world. Chief among his concerns was domesticating foreign organisms in a new environment and reproducing them true to form.

there were universal rules against inbreeding, and since they could not have come from observing animals, they must have come from experience in the distant past, transmitted in “racial memory.”<sup>8</sup> But it did not occur to him that people might observe evil results in their closely inbred contemporaries, perhaps because there weren’t enough of them around during the years (1749–88) he was writing his great work.

## Physicians worry cousin marriage

Everywhere where there are many cretins, everywhere where children commonly die before four years of age, everywhere where there are many cases of discharge from the military for infirmity, it is also there that one finds the most numbers of deaf-mutes. It is impossible not to establish a relationship between these facts—they fit together—and the same general causes tend to produce them. Between all of these expressions, there is a connectivity of the same order to grasp: the alteration of the species and the decline of vitality of individuals . . . . Among the causes there is one that plays an important role. It is in some way understood by everyone. It forms one of the traditional ideas that time has consecrated, that certain laws confirm, that everyone accepts but which, however, are not clearly enough formulated to give rise to official prescriptions. I wish to speak of marriage among kin, of the consanguinity between spouses. — Prosper Menière, 1856<sup>9</sup>

Towards the end of the 1850s, a number of things came together to provide a focus on the biological consequences of incest and inbreeding, and the following decade witnessed a flood of publications on the subject.<sup>10</sup> Indeed, the new interest in inbreeding came just

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8 This may sound like the recent positions taken by sociobiologists, discussed later in this chapter, who argue that those groups in early human societies that avoided marriages with close kin were “fitter” and better able to compete with groups that did not. They therefore succeeded in the struggle for resources and over many generations became genetically programmed to avoid kin. However, Buffon’s brief treatment sounds more like a secularized version of the Grotius argument of an oral transmission of divine law given to Adam or Noah and passed down to the different nations generation after generation (see section I). The “racial” in “racial memory” refers to the human race.

9 Prosper Menière, *Du mariage entre parents considéré comme cause de la surdi-mutité congénitale* (Paris, 1856), p. 5.

10 The following are some of the publications that bear on the issues: Menière, *Mariage entre parents*; Bemiss, *Report*; Charles Darwin, *On the Origin of Species by Means of Natural Selection, or the Preservation of Favoured Races in the Struggle for Life* (London, 1859); Edward Crossman, “Intermarriage of Relations as a Cause of Degeneracy of the Offspring,” *British Medical Journal* (April 13, 1861): 401–2; Francis Devay, *Du Danger des Mariages consanguins sous le rapport sanitaire* (Paris, 1862); J.-Ch.-M. Boudin, *Dangers des unions consanguines et nécessité des croisements dans l’espèce humaine et parmi les animaux* (Paris, 1862); Eduard Reich, *Geschichte, Natur- und Gesundheitslehre des ehelichen Lebens* (Kassel, 1864); Arthur Mitchell, *Blood-Relationship in Marriage Considered in Its Influence upon the Offspring* (Edinburgh, 1865); Gregor Mendel, “Versuche über Pflanzen-Hybriden,” *Verhandlungen des Naturforschenden Vereines zu Brünn* 4 (1865): 3–47; Auguste Voisin, *Contribution à l’histoire des mariages entre consanguins* (Paris, 1866); J. Langdon H. Down, “Marriages of Consanguinity in Relation to Degeneration of Race,” *British Journal of Psychiatry* 13 (1867): 120–21; Gilbert W. Child, “Marriages of Consanguinity,” in Gilbert W. Child, *Essays on Physiological Subjects* (London, 1868); Charles Darwin, *Variation of Animals and*

as Darwin, Galton, and Mendel synthesized a half century of enquiries into a science of heredity.<sup>11</sup> By this time, asylums for the insane and boarding schools for deaf-mutes were providing physicians and institutional administrators with materials to support research into heredity and the distribution of diseases in families. In the United States, for example, half of the nineteenth-century boarding schools for the deaf were founded between 1840 and 1860. One of the first treatises (1857) relating close marriage to heritable pathology was written by the chief physician of the Paris Institute for Deaf-Mutes, Prosper Menière (1799–1862).<sup>12</sup> Just a little over twenty-five years earlier, a German treatise on the founding of institutions for the deaf already had noted that deafness might run in some families, but the author, Eduard Schmalz, had not thought to suggest inbreeding as a possible cause.<sup>13</sup> During the course of the nineteenth century, changes in the treatment of the insane and the proliferation of public asylums encouraged the growth of a professional middle class concerned with the causes of insanity.<sup>14</sup> Asylum administrators spearheaded the development of medical statistics and published vast numbers of tables based on rudimentary attempts to correlate mental disease with alcohol abuse, masturbation, or cousin marriage.<sup>15</sup> Staffan Müller-Wille and Hans Jörg

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*Plants under Domestication*, 2 vols. (London, 1868); Charles Elam, *A Physician's Problems* (London, 1869); Nathan Allen, "The Inter-marriage of Relations," *Quarterly Journal of Psychological Medicine and Medical Jurisprudence* 3 (1869): 244–97; George H. Darwin, "Marriage between First Cousins in England and their Effects," *The Fortnightly Review*, n.s., 18 (1875): 22–41, hereafter George H. Darwin, "Marriage between First Cousins"; George H. Darwin, "Marriages between First Cousins in England and their Effects," *Journal of the Statistical Society* 38 (1875): 153–84, a reprint of the *Fortnightly Review* article, with the addition of two pages of comments, including one from Francis Galton.

**11** For a comprehensive bibliography of English and French writings from the period, see Alfred Henry Huth, *The Marriage of Near Kin, Considered with Respect to the Laws of Nations, the Results of Experience and the Teachings of Biology*, 2nd rev. ed. (London, 1887): the literature took off in the late 1850s, with the greatest interest in the '60s, continuing in the '70s, and declining after that. Except for a couple of citations before the nineteenth century, here are the results by decade. 1820s, 2; 1830s, 2; 1840s, 2; 1850s, 15 (3.75 per year beginning in 1856); 1860s, 104 (10.4 per year); 1870s, 45 (4.5 per year); 1880s, 12 (to 1886, except with a reference in 1887 to his own published bibliography) (1.7 per year).

**12** Menière, *Mariage entre parents*.

**13** Eduard Schmalz, *Kurze Geschichte der Taubstummenanstalten und des Taubstummenunterrichtes* (Dresden, 1830), pp. 140–45. He noted that an investigation of the cause of deafness in one boarding school showed that about half were born deaf while the rest became deaf after suffering scarlet fever or some other disease like measles or smallpox. The idea that hearing problems might be hereditary was contradicted by the fact, he thought, that some deaf children had parents who heard perfectly well.

**14** For example, in England, the Lunacy Act of 1845 provided for every county to have a public asylum whose purpose was treatment rather than warehousing. An 1838 law in France also provided for a series of asylums across the country. In the United States, the first law for a public asylum was promulgated in 1842 in the state of New York.

**15** See Theodore M. Porter, *Genetics in the Madhouse: The Unknown History of Human Heredity* (Princeton and Oxford, 2018); especially ch. 3, "New Tools of Tabulation Point to Heredity as the Real Cause, 1840–1855," and ch. 6, "Dahl Surveys Family Madness in Norway, and Darwin Scrutinizes His Own Family through the Lens of Asylum Data, 1859–1875." Daniel J. Kevles, *In the Name of Eugenics: Genetics and*

Rheinberger in their masterful *Cultural History of Heredity* have drawn attention to two essential elements that came together just after midcentury: attempts to analyze the accumulated statistics from asylums and hospitals and the proliferation of genealogical diagrams representing the disease history of families.<sup>16</sup> It was also around this time that separate traditions of knowledge about the inheritance of physical and mental characteristics carried on by naturalists, academic physiologists, botanists, and agricultural breeders came together, with one important consequence; namely, the assumption that what was true for plants and animals in the production of progeny was also true for humans. And finally, the professionalization of medicine, academic training, and the creation of networks of local and regional public officers of hygiene created the conditions for medical concern with issues of heredity and hygienic marriage.<sup>17</sup> What prompted this new discourse about the biological consequences of incest and inbreeding, then, was the proliferation of medical and mental institutions, a growing demand for statistical reasoning, initial steps towards a science of heredity, technical developments in genealogy and pedigree diagrams, the maturation of breeding knowledge, the professionalization of medicine, and a willingness to consider humans as part of the natural order in new ways.

It is often assumed that folk wisdom expressed in religious proscriptions, social rules, myths, superstitions, fables, tales, maxims, and wisecracks, scattered over time and place, adds up to widespread human knowledge that inbreeding is by no means a good thing. In fact, in US culture today, a considerable distaste for marriage or sexual relations between cousins often lies hidden in learned discourse and acts as a prism refracting whatever light science wants to shed on the subject.<sup>18</sup> So sociobiologists and evolutionary psychologists are apt to quote a throw-off line by a sixth-century pope, note goose bumps in the Darwin family, or offer a bit of folklore from the boondocks

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*the Uses of Human Heredity*, with a new preface by the author (Cambridge, MA, 1995 [1985]), p. 13, noted that “in mid-Victorian Britain, the practice of statistics consisted mainly of the accumulation of socially useful numerical data, with neither theoretical underpinning nor mathematical analysis.”

<sup>16</sup> Staffan Müller-Wille and Hans-Jörg Rheinberger, *A Cultural History of Heredity* (Chicago and London, 2012), pp. 119–21.

<sup>17</sup> Among the writers listed above, Menière was the chief physician of the Parisian Institute for Deaf-Mutes; Bemiss, a medical doctor and professor of medicine; Devay, a professor of medicine in Lyons; Reich, a physician; Mitchell, a deputy commissioner on the General Board of Lunacy in Scotland; Voisin, a hospital physician, and Down, Child, Elam, and Allen, all physicians.

<sup>18</sup> This just in from Dr. Phil: “Angie and Michael say they have been in love since they were young children, despite being first cousins. The couple married in Colorado because their home state of Utah does not recognize first cousin marriage. They say being cousins makes their relationship, love and trust for each other even stronger. Since their marriage became public, Michael and Angie say they’ve been met with hateful comments and opinions from their detractors. But are they ready to face their first cousin, Cathy, who says she considers their relationship disgusting, immoral, and embarrassing to the whole family?,” accessed August 9, 2019, <https://www.drphil.com/shows/madly-in-love-but-related/>.

to document what humans – or their genes – always already know. Critical history, by contrast, tries to nail down times and places, read texts in context, and avoid cherry-picking bits of information to support preconceived constructions of evolutionary development. If, for example, inbreeding has been genetically programmed out of most human populations in an ever-evolving competition for “fitness” – at least as recently as the far-distant hunter-gatherer past – that poses a problem for interpreting the 1.2 billion consanguineous marriages extant today in the world.<sup>19</sup>

Scientists, mostly medical practitioners, in the 1860s and ‘70s were well aware that they were saying something new, even when some of them thought they were offering hard evidence for popular unease. When Prosper Menière first examined the causes for deaf-mutism in 1856, he found pregnant mothers’ imaginations to be the time-honored explanation for the pathology.<sup>20</sup> It was probably alarm among like-minded physicians that spread a cousin-marriage nosology. The widely cited Samuel Bemiss thought that pastoral counseling played a crucial role in focusing attention on the subject – and clergy, it must be noted drew *their* objections from canon and ecclesiastical law.<sup>21</sup> Nonetheless, he was sure that marriages among close kin led to all kinds of debilities, and so he requested materials to support his thesis from as many physicians and asylum administrators as he could find. Francis Devay, professor of clinical medicine in Lyons, made it clear in 1862, that the matter of consanguineous marriage was a fashionable topic, born of general prejudice rather than scientific imagination or concern; but he gave no evidence for his position apart from Leviticus and canon law, both of which he described as “physiological” texts.<sup>22</sup> As evidence of rational folk judgment, he offered young girls left free to choose, who, he insisted, always avoided relatives – a demonstration of youth knowing what their elders did not (although he was probably wrong about this and offered no grounds for his claim).<sup>23</sup> At about the same time, Jean Christian Marc François Joseph Boudin (1806–1867) noted that consanguineous marriages were right then on the docket, mostly put there by hygienists in the face of widespread couplings of close kin and the considerable divided opinion about their advisability.<sup>24</sup> Like many other writers during the period, he was on a crusade, as testified by the rhetoric of persuasion that pervades what was proffered as a scientific text. Arthur Mitchell, deputy

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19 Mohd Fareed and Mohammed Afzal, “Genetics of Consanguinity and Inbreeding in Health and Disease,” *Annals of Human Biology*, 44 (2017): 99–107; consulted in the open source version, numbered pp. 1–25, here p. 2, at <https://www.tandfonline.com/doi/full/10.1080/03014460.2016.1265148>. There are different estimates for the current number of first and second cousin marriages, which I will reference later, but the lowest for first-cousin marriages is in excess of 700 million.

20 Menière, *Mariage entre parents*, p. 2.

21 Bemiss, *Report*, p. 5.

22 Devay, *Du danger des mariages consanguins*, pp. v, 66–68.

23 Devay, *Du danger des mariages consanguins*, p. 228.

24 Boudin, *Dangers des unions consanguines*, pp. 5–6.

commissioner in lunacy in Scotland, thought in 1865, that throughout the country, the “voice of the people” condemned what he called “blood-alliances.” But he did note that that voice seemed to have been weak enough to allow scores of people to make such marriages and everyone to have had personal experience of the matter and to make their own observations.<sup>25</sup> He admitted, furthermore, that the data from his first survey sample (forty-five families), supported no inferences on the matter; that all kinds of diseases (he mentioned whooping cough) and parturition itself might well account for the idiots, imbeciles, insane, epileptics, paralytics, deaf-mutes, and so forth in his selected families.<sup>26</sup> Medical doctor Gilbert W. Child also thought that there was widespread “feeling” against marriages among blood relatives, but he ascribed that sentiment to the baggage of religious doctrine and the tendency of people to look around for divine displeasure in the face of some misfortune – so feeling arising not from “experience” and observation but from a need to ascribe meaning to adversity.<sup>27</sup> Across the Atlantic, in Lowell Massachusetts, another medical doctor, Nathan Allen, asked in 1869 why the evil effects of close marriage were just being discovered. He thought that it was a matter of the medical profession turning its attention to the reproductive organs after a century of progress in other fields.<sup>28</sup> But one bit of noise in the background was the continuous and contentious discussion, which seems to have come to a head in the 1860s, or at least to have made for vivid controversy during that decade, about the effects of in-and-in breeding for stocks of farm animals. Certainly, that knowledge filtered to the large rural population through agricultural journals and local newspapers, and now the medical profession and regional hygiene officers were making connections and spreading the news.<sup>29</sup>

During the two decades after the late 1850s, medical commentators struggled with methodology as they tried to get a handle on the connection between inbreeding and

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25 Mitchell, *Blood-Relationship in Marriage*, pp. 3–5. Mitchell’s book gave his official title as I have described it: “deputy commissioner in lunacy.”

26 Mitchell, *Blood-Relationship in Marriage*, pp. 4–5: “nothing would more certainly be unsound than deductions from these figures. Without intention, they are actually selected cases, and it would be a pure accident if they were found to embody *the rule*. I am certain that I could easily find in Scotland 45 marriages, where no kinship existed, which would exhibit in the offspring even a sadder picture.” “Even if consanguinity has an effect it does not mean that every defect of children born of blood-related parents is an expression of this tendency,” p. 5.

27 Child, “Marriages of Consanguinity,” pp. 15–19.

28 Allen, “Intermarriage of Relations,” pp. 295–96.

29 Menière, *Mariage entre parents*, p. 6; Crossman, “Intermarriage of Relations,” pp. 401–2; Devay, *Du Danger des mariages consanguins*, pp. 47–48; Reich, *Geschichte, Natur- und Gesundheitslehre des ehelichen Lebens*, pp. 532–33; Mitchell, *Blood-Relationship in Marriage*, pp. 40–43; Child, “Marriages of Consanguinity,” pp. 19, 35–41, 46–57; Elam, *Physician’s Problems*, pp. 67–68; Allen, “Intermarriage of Relations,” p. 258; George H. Darwin, “Marriages between First Cousins,” p. 41.

disease, their central concern being the consequences of first-cousin marriage. Menière, wanting to clear away popular myths about the causes of deaf-mutism, suggested that only statistics could satisfy the demands of contemporary science.<sup>30</sup> Yet he did little more than *imagine* a random sample (he called it selection by chance), which in this case involved 100 deaf-mutes, aged ten to fifteen, two-thirds of whom he estimated had lost hearing after accidents or illnesses like scarlet fever. The remaining third were congenitally deaf. He noted that most families explained this phenomenon by maternal impressions, but that physicians took physical accidents, intra-uterine disease, and heredity more seriously. Heredity, however, was out of the question, since deaf-mute children almost always had healthy parents.<sup>31</sup> The other possible causes could only account for a few cases. Therefore, what remained was the consanguinity of the parents – themselves free of any taint. To prove the point, Menière offered European-wide statistics and the finding that in a series of isolated valleys in Switzerland, high rates of infant and child mortality, cretinism, and deaf-mutism correlated with high rates of cousin marriage. From then on, “heredity,” a science just beginning to take shape, would vie with marriage of closely related blood kin (consanguinity) for attention and explanatory dominance as researchers tried to figure out the mechanisms of transmission responsible for determining the biological destinies of each generation. Although the word “load,” designating the accumulation of lethal genes in the human “gene pool,” dates from a later era, it can be useful here, as extended metaphor.<sup>32</sup> Asylum administrators, for example, were burdened with a conceptual load, the detritus of causal connections from many decades, if not centuries, of observation. Therefore, to explain the origins of insanity among their patients, they might just as readily point to masturbation as to some kind of hereditary encumbrance or (grand)parental consanguinity. But even then they could not explain how and why such pathology might be transmitted by accumulating the same blood through the marriage of near kin.

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<sup>30</sup> Menière, *Mariage entre parents*, p. 3.

<sup>31</sup> And in the few cases where both parents were deaf-mutes, they were most likely to have healthy children: Menière, *Mariage entre parents*, p. 3.

<sup>32</sup> On genetic load, see Kevles, *In the Name of Eugenics*, pp. 259–63.



892		REPORT ON		CLASS E.—		393						
		PARENTS.				MARRIAGES OF CONSANGUINITY.						
Number of observations.	In reference to.	TEMPERAMENT.	HEALTH, HABITS, ETC.	OCCUPATION.	WHEN MARRIED.	AGE AT MARRIAGE.		SEX.	SEX.	AGE AT DEATH.	OCCUPATION OF CHILDREN, REMARKS, ETC.	
						M.	F.					SEX.
447	M. Sanguine.		Both large, robust, and intellectual. Both still alive, at 80; female died at 70; affinity on father's side.	Farmer.	1803	M. 28	F. 28			22	Unknown 2. Consumption 1.	These children are coarse and several in appearance, and dull mentality. The son has slight spinal deformity. The daughter, victim of consumption, left two children; one, slight hemiplegic.
448	M. Sanguine.		Healthy and good habits; elevated; inclined to obesity.—Wife, delicate constitution; mother and sister died of phthisis.	Farmer.	1845	45	35			22	Marasmus 3.	Reporter does not know that any are now living.
449	M. Sanguine.		No report of health or habits; female of delicate frame and small stature; suitable disposition.	Farmer.	1842	35	..			10	Fever.	The eldest, a son aged 14, is feeble and of dull intellect; a daughter is also dull in learning; the other three are unacquainted. One is deformed, having a malformation by the second articulation of the youngest and next older.
450	M. Unknown.		Both good health and habits.	Farmer.	1827	30	..			..	..	..
451	M. Unknown.		Both good health and habits.	Farmer.	1835	Young.	..			..	"Apoplexy."	The three defective were of gross habits and below average mentality, and died young; survivors of ordinary health and minds. All of average intellect.
452	M. Unknown.		Both good health and habits.	Farmer.	1835	Young.	..			..	..	..
453	M. Unknown.		Both good health and habits.	Farmer.	1835	Young.	..			..	Hemorrhage.	These children all had honor. Their tendency to considerably developed, that the slightest mental effort would blind idiotically.
454	M. Unknown.		Both good health and habits. Male direct lineal descendant of a distinguished noble.	Farmer.	1830	Young.	..			..	..	All healthy and bright, except one, who occasionally has chills.
455	M. Sanguine.		Both ordinarily good health; intellect not and highly cultivated. These parents, supposing the defects of their children were attributable to their own relationship, separated, and each having married a party not related, has one child healthy and bright.	Farmer.	1845	Young.	..			..	..	All of bright minds and healthy, except a tendency to eruptive affections.
456	M. Unknown.		Good physical and mental development; educated.—Wife, straggling, bright mind, and educated.	Farmer.	1835	Young.	..			..	..	No visible defects.
457	M. Unknown.		Both good health and habits.	Farmer.	1835	Young.	..			..	..	Equal to parents in health and intellect.
458	M. Unknown.		Both healthy, but of intellects rather below average.	Farmer.	1800	Young.	..			5	Unknown.	Four daughters married; 1st had one child, aged 24, one child, one female; 2d, five children, all severely ill; second of monstrous before marriage. These married a woman, apparently healthy, without issue.
459	M. Unknown.		Both good health and habits. Male of high order of intellect. No hereditary predisposition to insanity known to exist in the families of Nos. 458 & 459.	Farmer.	1815	25	20			5	Unknown.	Children all above average mentality.—"mentally" nervous and excitable; one strongly disposed to melancholia.
460	M. Unknown.		Both good health and habits; male was of small stature, and had spots attacking the face at advanced life.	Farmer.	1815	25	20			20	Chorea, chorea, chorea.	One male and one female are imbecile, the female has severe chorea, etc.
461	M. Unknown.		Both good health and habits.	Farmer.	1815	25	20			20	Chorea, chorea, chorea.	One female had a spinal defect; the children were all of good intellectual endowment.
462	M. Unknown.		Both good health and habits.	Farmer.	1828	30	20			22	Typhoid fever.	Children of average intellect, except the son, who is somewhat inferior to the others.

Fig. 27: Bemiss's Tables.

In his research on the effects of consanguinity on offspring, Samuel Bemiss (1821–1884) used material gathered by the American Association for the Advancement of Science and through that association also sent out his own enquiries. By this means, he gathered 873 observations of marriages of consanguinity. He also asked for marriages where the parties were not related or descended from blood relations but was disappointed to receive only 125 observations from that group: "Not ample enough in number to justify me in offering them as the average results of marriage where no influence of consanguinity prevails." His statistics, based on tables created from the reports, were furnished "exclusively by reputable physicians in the various States to which they are credited." He "bears cheerful testimony" to their accuracy and reliability. But there were problems, he admitted. "It is natural for contributors to overlook many of the more fortunate results of family intermarriage, and furnish

those followed by defective offspring or sterility." He did ask contributors to report on all instances of marriages of consanguinity in their communities. He divided his tables into categories from "marriage or incestuous intercourse between brother and sister or parent and child" to "marriage between third cousins." The pages reproduced here are from "Class E," dealing with "marriages of first cousins." The left-hand page lists each marriage, with remarks on temperament, health and habits, occupation, date and age of marriage. For example, no. 455 offers the case of a lawyer and his wife in good health, intellectual, and cultivated. They decided that the defects of their two children ("idiotic") were due to their relationship as cousins, and so they separated, married unrelated partners, and each had one healthy child so far. The tables on the right-hand page list the number of children and the number "defective," together with possible pathologies, such as deafness, blindness,

idiocy, and scrofula. General remarks are offered in the right-most column: “coarse and sensual in appearance,” “malformed leg,” “gross habit, and below average mentally,” “tendency to eruptive affections,” “the son, who is somewhat inferior to the others.”

S. M. Bemiss, *Report on Influence of Marriage of Consanguinity upon Offspring: Extracted from the Transactions of the American Medical Association* (Philadelphia, 1858), pp. 392–93. Image courtesy of the Robert D. Farber University Archives & Special Collections Department, Brandeis University.

Two years after Menière’s report, the American physician Samuel Bemiss offered a more systematic statistical approach. Having asked physicians from all over the United States for reports about the offspring from consanguineous and non-consanguineous unions, he ended up with a sample of children whose parents overwhelmingly were related by blood – obviously the cases which had attracted the attention of the doctors.<sup>33</sup> He enlarged his sample with official state reports from Ohio and information from several institutions for the insane, the deaf, the blind, and the feeble-minded. In this way, he compiled data for 7,897 marriages of cousins, 246 of which had produced deaf and dumb, blind, idiotic, or insane children. He then extrapolated to the entire population, estimating that 12.8% of congenitally deaf and dumb, 8.1% of the blind, 12.93% of idiots, and 1.9% of the insane were the product of cousin marriage.<sup>34</sup> He also provided tables according to the closeness of the relationship to demonstrate that closeness correlated with the degree of pathology.

Across the Atlantic, in Lyons, Francis Devay, like Bemiss, bemoaned the lack of good statistics.<sup>35</sup> He designed a project to work out correlations between cousin marriage and scrofula (a form of tuberculosis), erethism (a neurological disease, actually caused by exposure to mercury), and herpeticism (a herpes infection). He culled a sample of 89 consanguineous couples and then went on to list the problems in their children: sterility, scrofula, and polydactylism. After first writing up his findings, he continued on the lookout for such marriages, adding another 82 to his first sample, for a total of 171, which he investigated for sterility or progeny with disabilities – 52 turned up with problems, 35 of which were pathological.<sup>36</sup> He then chronicled many instances of albinism, polydactylism, delayed teething, low intelligence, idiocy, insanity, and dementia, all from cousin marriages.<sup>37</sup> Leaning on the work of others, he suggested that deaf-mutism was one of the most frequent consequences of consanguinity, although he apparently found only one case in his own sample.<sup>38</sup> He noted from the Ohio statistics

<sup>33</sup> Bemiss, *Report*, pp. 7–8: 873 consanguineous parents, 125 non-consanguineous parents.

<sup>34</sup> Bemiss, *Report*, pp. 11–16. He offered extensive tables (pp. 18–61), with each kind of consanguinity between parents—uncle-niece, first cousins, etc.—together with the consequences for progeny. The list of pathologies offered an extraordinary miscellany, such as “rough, unattractive features,” stammering, physical weakness, mental inferiority to parents, constipation, and lack of intelligence.

<sup>35</sup> Devay, *Du Danger des mariages consanguins*, p. vii.

<sup>36</sup> Devay, *Du Danger des mariages consanguins*, pp. 89–92.

<sup>37</sup> Devay, *Du Danger des mariages consanguins*, pp. 100–108.

<sup>38</sup> Devay, *Du Danger des mariages consanguins*, p. 119. He thought red hair was one of the signs of degeneration from consanguinity, p. 130. It’s true! My paternal grandparents were first cousins, al-

that of 3,800 children from consanguineous marriage 2,490 (two-thirds) were afflicted by grave deformities or were complete imbeciles.<sup>39</sup> Devay's approach to statistics was marked by poor definition, no controls, and arbitrary selection of anecdotes.



Fig. 28: Young Man with Scrofula.

Scrofula is a form of tuberculosis that attacks the lymph nodes. It was one of the afflictions subject to the royal touch, a ritualistic laying on of hands practiced by monarchs in England and France into the eighteenth century. It is usually caused by breathing in the bacteria *mycobacterium tuberculosis*, which travels from the lungs to the lymph nodes in the neck or to other parts of the body. Today it is called “cervical tuberculous lymphadenitis.” In any event, it is neither hereditary nor caused by consanguineous marriage. This form of extra-pulmonary tuberculosis is not itself contagious. For many decades after the late 1850s, medical writers on consanguineous marriage correlated diseases such as scrofula with rates of cousin marriage. Such flawed statistical work shored up their contention that marriages among near kin had deleterious consequences for offspring.

Image from Byrom Bramwell, *Atlas of Clinical Medicine*, 3 vols. (Edinburgh, 1892–96), vol. 2, plate xxxi. Reproduction courtesy of the University of California Southern Regional Library Facility. Marc Bloch, *The Royal Touch: Sacred Monarchy and Scrofula in England and France*, trans. J. E. Anderson (London, 1973).

The same year as Devay, Boudin entered the lists, contending that no one had yet provided a satisfactory statistical analysis to solve the problem of consanguineous marriage.<sup>40</sup> His method involved first calculating the total number of consanguineous marriages in France as a percentage of all marriages – the rate was 2% in the period 1853–59 – then arbitrarily selecting a day in the year 1862 and counting the number of congenital deaf-mutes at the Institute in Paris for whom there were “complete” dossiers. From these he created his sample of 67 cases, which showed 28.3% coming from consanguineous marriages, similar to the findings of others in Lyons and Bordeaux institutions.<sup>41</sup> This

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though—unfortunately for the theory—it was my mother who had red hair and passed it on to my degenerate brother and me and to a couple of my degenerate children.

<sup>39</sup> Devay, *Du Danger des mariages consanguins*, p. 142.

<sup>40</sup> Boudin, *Dangers des unions consanguines*, p. 6.

<sup>41</sup> He failed to note that the instances of deaf-mutism among those born of consanguineous marriages could also have come from all the other possible causes. Instead, he just asserted that the percentage of such marriages equaled the percentage of those subject to the pathology from that cause alone.

resulted in a rate of deaf-mutism among institutionalized individuals from consanguineous marriages 12–15 times greater than would have been predicted given the rate of consanguineous marriage in the general population. The many deaf-mute uninstitutionalized siblings of his sample population of course had not even been included.<sup>42</sup> Boudin then drew up a table distributing the rate of disability among progeny according to the closeness of the consanguinity of parents, finding that the number of deaf-mutes closely correlated with the degree of closeness. To explore the issues further, he offered the official French departmental tables on rates and gender distribution and brought together literature and statistical evidence to correlate high rates of consanguinity with albinism, mental alienation, idiocy, retinitis pigmentosa, and other infirmities, now all demonstrated statistically – “for the first time.”<sup>43</sup> Boudin received praise from a hygienist and professor of medicine at the University of Bern, Eduard Reich (1836–1919), who judged him the best writer on the use of statistics after reviewing some dozen statistical studies claiming to have found high rates of disability among progeny for consanguineous marriages.<sup>44</sup> The method was almost always the same: select a group of progeny from marriages of near kin and work out the physical and mental problems. In all these studies, the manner of sampling introduced what later would be designated as “ascertainment bias.” The investigators did not gather random samples to construct their data sets and many instances with higher or lower probability, crucial for obtaining valid results, were excluded or included.<sup>45</sup> Once they decided to investigate the consequences of cousin marriage, they inevitably gathered data sets overrepresenting cousins.

In 1865, Mitchell in Scotland dismissed the existing studies of consanguinity as flawed on account of their insufficient control groups.<sup>46</sup> He listed all the problems he found from a group of 45 consanguineous marriages with their 146 children, but noted that he could have taken 45 families with no such relationship and found perhaps even worse results. Since researchers culled families with problems, any inferences from their data had to be problematic. Even if consanguinity had an effect, it did not mean that every defect of children born of blood-related parents was an expression of that phenomenon since other causes existed as well.<sup>47</sup> To get a handle on the issues, he began by exploring six detailed genealogies in order to locate possible hereditary connections.<sup>48</sup> This approach allowed him to see that disorders were not systematically distributed and that particular pathologies might skip one or two generations, only to reappear again. Then he turned to the statistics on the number of so-called idiots (711) in Scotland as a whole, finding that 18.9% were descended from parents who were close

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42 Boudin, *Dangers des unions consanguines*, pp. 6–12.

43 Boudin, *Dangers des unions consanguines*, pp. 35–48.

44 Reich, *Geschichte, Natur- und Gesundheitslehre des ehelichen Lebens*, p. 529.

45 See Paul and Spencer, “Eugenics without Eugenists,” p. 61.

46 Mitchell, *Blood-Relationship in Marriage*, p. 4.

47 Mitchell, *Blood-Relationship in Marriage*, p. 5.

48 Mitchell, *Blood-Relationship in Marriage*, pp. 6–9.

kin, an incidence far greater than the proportion of such marriages in the general population, and here again, the closer the relationship, the greater the tendency to produce idiots. All this, he maintained, merely suggested that consanguinity could be a probable cause, all other possible causes operating as well. He found similar probabilities in statistics on deaf-mutism from Massachusetts and Connecticut.<sup>49</sup> He also approached the issue by taking one locality and collecting the family histories of every marriage. On the Hebridean islands St. Kilda (population 80), where the practice of second-cousin marriage was significant, and Lewis, also notably endogamous, he found mixed results, with pathologies appearing less grave when parents lived in tolerable comfort and pursued healthful open-air occupations.<sup>50</sup> In contrast, where parents were poor, hungry, badly clothed or housed, he found evidence of serious injury and frequent physical malformations. But in the end, the manifestations of pathology were preponderantly congenital. Where the whole surroundings and mode of life kept people healthy, then sources of “disturbance” could be controlled much better than where poverty and illness reigned. Indeed, among the latter, sources of disturbance would be intensified. “Even diseases which are purely hereditary will be transmitted to the offspring with a force and frequency which will vary according to circumstances.”<sup>51</sup>

Not everyone was convinced that marriage between close kin would lead to damaged offspring. Hospital physician August Voisin spent a month in the village of Batz in the Loire-Inférieure, locating 46 consanguineous marriages. Among marriages between persons related by blood he found no injurious influences upon the children: no vices of conformation, no mental affections, no idiocy, cretinism, deaf-mutism, epilepsy, or albinism. Scrofula was documented in only one young girl and sterility almost unknown; only two second cousin marriages were childless. Of the remaining 44 families, the 174 children were all intelligent, lively, and cheerful. In another study, J. Langdon Down found the proportion of male to female idiot children in England to be on the order of 2:1.<sup>52</sup> He suspected that the discrepancy had to do with the larger craniums of male children at birth, and that therefore a significant percentage of such injury had to do with parturition. He compared 20 marriages of consanguines with 138 children with a control group of 20 marriages of non-consanguines with 145 children. Both produced 18% idiot children. Another researcher, Gilbert W. Child, was skeptical about the methodologies of Bemiss, Devay, and others. For their calculations to be valid, they needed accurate, well-documented family histories. But family pedigrees were based on testimony, where motives to falsification were considerable, especially when they touched upon family secrets. “These would form grave objections to any arguments from statistics in a case such as that before us.”<sup>53</sup> Most of the researchers whose work he knew

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<sup>49</sup> Mitchell, *Blood-Relationship in Marriage*, pp. 14–20.

<sup>50</sup> Mitchell, *Blood-Relationship in Marriage*, pp. 19–39.

<sup>51</sup> Mitchell, *Blood-Relationship in Marriage*, p. 39.

<sup>52</sup> Down, “Marriages of Consanguinity,” pp. 120–21.

<sup>53</sup> Child, “Marriages of Consanguinity,” p. 25.

adopted a theory before gathering evidence to prove it. In one case at hand, “the most various and apparently unconnected forms of degeneracy are all attributed to the same cause.”<sup>54</sup> The authors, he wrote, offered five principal consequences of consanguineous marriages: sterility, mutism, idiocy, deformity, and scrofula. All these pathologies also occurred in children where no such marriage had been contracted and were absent far more often than present when it was.<sup>55</sup> Physician Nathan Allen found that the object of most writers seemed to have been to establish a theory by a long array of statistics without proper classification or the kind of comparison necessary to valid deductions. Basically the only way to proceed was by collecting from one location, all the marriages by blood from first to fourth degree and examining their children, following up two or three generations, and then taking a control group of the same number of marriages with no consanguinity and comparing the results.<sup>56</sup> By the turn to the next century, this methodology would become the gold standard, but no one was prepared to carry out such a project in the second half of the nineteenth century, or capable of doing so.

Medical writers during the several decades after midcentury were anxious to put the issue of consanguineous marriage on a sure scientific foundation. They knew that marriages among first and second cousins were frequent enough, and probably the norm, among all sectors of populations in out-of-the-way valleys and mountain communities, specific religious groups, and certain occupations and social and economic circles. Contemporary hygienists had already adopted the idea of physical and mental degeneration from what they were wont to call “blood-alliances” and often found their own concerns already present among the folk, albeit in ill-defined, inconsistent form. There is no need to think that they got that wrong. Strategies of cousin marriage were to be found among all property-holding and professional groups throughout Europe and thus hardly rare or in any way transgressive. But now, the exigencies of medical science called for a firm footing, grounded on good statistics, which in context meant working out correlations several decades before social statistics acquired their mathematical foundation from biometricians like Karl Pearson. If they saw goiters and cretins everywhere in an isolated Swiss valley where inhabitants either had to or wanted to marry kin, they made the connection. Of course, both pathologies turned out to be the result of iodine deficiency (although it would be possible to shift the causal nexus to susceptibility), thus had nothing to do with hereditary transmission. And there were similar problems with correlating high rates of scourges later found to be caused by infectious organisms: tuberculosis (consumption) and its variants like scrofula, for example. Many mental disorders were thrown into a more-or-less single category (albeit with different classifications), from idiocy to insanity to epilepsy, and little attention was paid to intrauterine disorders, parturition complications, or the effects of accident and disease – although several writers did try to

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<sup>54</sup> Child, “Marriages of Consanguinity,” p. 27.

<sup>55</sup> Child, “Marriages of Consanguinity,” p. 31.

<sup>56</sup> Allen, “Intermarriage of Relations,” pp. 267–68. Still, he thought that Bemiss offered the best statistics, p. 293.

distinguish congenital pathologies due to intrauterine or parturition effects from others. In any event, most of these writers were feeling their way towards making valid statistical inferences, even when their methodologies fell short through biased selection of cases, lack of suitable control groups, unrepresentative samples, unsystematic pedigrees, and vague correlations, for which, I must note, a social mathematics had yet to be invented.



Fig. 29: Cretinism.

The chief physician at the Paris Institute for Deaf-Mutes, Prosper Menière (1799–1862), suggested that the highest incidence of *surdi-mutité* (deafness-and-dumbness) was to be found in alpine valleys, particularly in the Swiss canton of Bern. So were other pathologies such as idiocy and cretinism. Together the rural, mountain populations exhibited, he thought, a profound deterioration, consequent upon a flagrant violation of universal laws. The people in the Bernese valleys were isolated, married young, and married their cousins in order to consolidate properties. There, species degradation and race bastardization took place; there, cretinism, idiocy, and deaf-muteness held sway. The professor of medicine at the medical school of Lyons, Francis Devay (1813–1863), having also found the alpine valleys full of endemic cretinism, ascribed the phenomenon to consanguineous marriages, which multiplied defects already subject to heredity. Like Menière, he blamed the practice on the desires of rural folk to keep their property

together. Consanguineal alliances violated nature, and the order of the universe protested the offense with terrible irony: it caused physiological disorder. As in this engraving, cretins often had goiters, enlargements of the thyroid gland. They might also be stunted in growth and have thickened skin and protruding abdomens. And they could be neuropathically impaired. After Menière and Devay, the association of cousin marriages with goiters and cretinism became something of a commonplace. Among its other flaws, the thesis took no account of geographical areas or of classes with high rates of cousin marriage where this syndrome scarcely existed. Physicians were just beginning to figure out how correlations might work during the 1860s, and without direct evidence they concluded that there had to be a connection between lots of marriages among people closely related in blood and lots of pathologies in their offspring. Of course, the problem with the Menière and Devay inferences was that both goiters and cretinism (congenital



hypothyroidism or congenital iodine deficiency syndrome) resulted from a then unknown nutritional deficiency passed in mothers' milk to their infants; namely, a lack of the trace mineral iodine. The culprit was not consanguineous marriage but crops grown in iodine-poor soils – precisely the soils found in those regions of Europe where cretinism and goiters were noticeably prevalent. Mothers in these regions were iodine deprived. And where

mothers were iodine deprived, so too were their children.

Leopold Müller, “Cretinnen aus Steyermark,” engraving from 1815 depicting cretinism in the alpine region of Styria, reproduced in Franz Sartori, *Oesterreichs Tiber, oder Natur- und Kunstgemähle aus dem Oesterreichischen Kaiserthums* (Vienna, 1819). Image from Wikimedia Commons, in the public domain, CC-PD-Mark.

## Consanguinity vs. heredity

A very cursory examination of the tables of my report will suffice to show that *pari-passu* with the increment of the same blood the sum of defects of offspring is likewise increased. — Samuel Bemiss, 1858<sup>57</sup>

Blood has a horror of itself in sexual relations; it is by a different blood that it desires to be perpetuated. — Francis Devay, 1862

Understand once and for all that consanguinity, the true knot in the discussion, precedes heredity. The latter becomes the consequence . . . Observation shows that consanguinity gives hereditary vices to those who do not have them at all. — J.-Ch.-M. Boudin, 1862<sup>58</sup>

Cannot these facts be equally well explained by the action of the ordinary laws of heredity. — Gilbert W. Child, 1868<sup>59</sup>

No amount of observations on isolated cases of consanguineous marriages, or on isolated communities who have continually intermarried among themselves, will enable us to determine, unless negatively, whether any observed disease in the offspring has been inherited, or whether it is owing to a morbid influence of consanguinity in marriage, whether, in other words, consanguinity pure and simple is a primary cause of disease. — Alfred Henry Huth, 1887

During the 1860s, the authors dealing with close kin marriage were trying to figure out just what consanguinity did to cause problems for progeny. Consanguinity was about blood, but what was it about blood that could cause persistent, yet seemingly random pathologies, or have such variable and unrelated effects? Lacking the idea of an entity like a gene, they could only speculate how something might be transmitted from generation to generation by “laws” of physiology, yet appear to be random or unsystematic. And without a well-worked out theory of the cell or a conception of the chromosome, they were mystified about the mechanisms involved in sexual reproduction. As Sarah Franklin has shown, blood in Western thought, with all its complexity and twists and turns, has always demonstrated a “plasticity” which has allowed continual speculation

<sup>57</sup> Bemiss, *Report*, p. 16.

<sup>58</sup> Boudin, *Dangers des unions consanguines*, p. 19.

<sup>59</sup> Child, “Marriages of Consanguinity,” p. 30.



on how bodily substances might be traced or shared through procreation and descent. Even in the late twentieth century, when a language of genetics came to dominate understandings of how people might be connected to one another, she argued, expert discourses about genes were “blooded,” remodeled on the template of traditional blood idioms.<sup>60</sup> There is no good history of ideas of blood from the mid-nineteenth century onwards. I cannot offer that history here, but rather must rest content to follow some of the ways writers in the later decades of the nineteenth century talked about substance inherited through maternal and paternal lines, and about dangers stalking individuals whose lines of blood overlapped too closely in parental or ancestral generations.

Some of the writers who wondered about how consanguinity worked used the metaphor (was it a metaphor?) of blood coming back to itself (having a horror of itself) or of the same blood being doubled, multiplied, or intensified, or of blood not freshened up.<sup>61</sup> They were puzzling over these things just as medical doctors and physiologists were trying to figure out how heredity worked. The question arose about the relative weight to give to consanguinity and heredity in the transmission of pathologies, whether they depended one upon the other, or were different aspects of the same thing, or separate mechanisms, each with its own set of laws. Devay argued strongly that consanguinity – marriage among closely related kin – took precedence and that its ill effects only subsequently entered the blood stream, so to speak, to become hereditary.<sup>62</sup> And Boudin took a similar position, finding consanguinity to be the key; a predecessor to heredity, not its consequence.<sup>63</sup> Even the quite sober Mitchell suspected that there might be something intrinsic in consanguinity itself.<sup>64</sup> Taking a different position on causal mechanisms, Child attacked Devay and Boudin precisely for ignoring what he considered to be the ordinary and well-founded laws of heredity, which he alleged to have discovered in breeding experiments and family genealogies. Any morbidity to be found in progeny already existed somewhere among the ascendants and had nothing to do with a non-renewal of blood.<sup>65</sup> Somewhat inconsistently, he still worried that close breeding could

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60 Sarah Franklin, “From Blood to Genes? Rethinking Consanguinity in the Context of Geneticization,” in *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher (New York and Oxford, 2013), pp. 285–306, here pp. 294, 301–2.

61 Bemiss, *Report*, pp. 9, 16; Crossman, “Intermarriage of Relations,” p. 401; Devay, *Du Danger des mariages consanguins*, pp. 67, 71; Child, “Marriages of Consanguinity,” pp. 30, 42–43; Huth, *Marriage of Near Kin*, pp. 292, 294.

62 Devay, *Du Danger des mariages consanguins*, p. 148.

63 Boudin, *Dangers des unions consanguines*, p. 19. He entertained the possibility that a woman first married to a blood-relative might be just as likely to produce deaf-mutes in a subsequent marriage with a non-kin. This was a variation on the notion of telegony, that is, that offspring can inherit the characteristics of a previous mate of a mother.

64 Mitchell, *Blood-Relationship in Marriage*, pp. 10, 45.

65 Child, “Marriages of Consanguinity,” pp. 30, 33, 37, 42, 43, 57.

perpetuate and develop a disease and that the effect would vary according to the degree of distance separating the two parents.<sup>66</sup>

Whatever the view taken on the precedence question, researchers understood consanguinity itself to have its own particular effect, but they still lacked a way to predict that effect reliably. The syndrome of deaf-mutism was the easiest to work with, not least because many deaf-mutes were institutionalized and many institutions kept detailed dossiers on all their inmates. Searching around in family histories was an obvious strategy, despite the paucity of systematic genealogical work and the significant difficulties faced in running down the necessary details. Early on, Menière denied that heredity was the issue, since he could not find a consistent pattern of hereditary transmission among his patient samples. Blood-related parents who could hear perfectly well sometimes produced deaf-mute children, while a deaf parent who married a spouse with normal hearing almost always failed to have a similarly afflicted child.<sup>67</sup> Bemiss did think that parental infirmities were passed on, but in accounting for peculiarities and tendencies, he took a more extensive view of the family. Some characteristic among the ancestors might be latent in parents but then appear in an exaggerated or intensified form in the children. Whatever defects there might be were intensified when the parents were related.<sup>68</sup> Many medical writers thought that particular inheritable eccentricities could be “neutralized” or “cancelled” if partners had contrasting physical and temperamental characteristics.<sup>69</sup> The point was to find a balance, to marry someone far enough away to have different features but not too far away to create strange mixtures. Devay, for example, warned against interracial marriages on the grounds that they could produce a disease itself made up of two evil traits – a kind of pathological *métissage*.<sup>70</sup>

Mitchell, one of the more systematic of these writers and the one who tried to check his results most diligently with contrary evidence – recall his findings on the inbred islands of St Kilda and Lewis – developed the methodology of following a small number of extensive genealogies. In one instance, he looked at a cousin marriage which produced one idiot/epileptic son and one healthy one.<sup>71</sup> The healthy son had married a non-relative and produced several healthy children and one idiot/epileptic daughter. In the generation of great grandchildren one more such child had been born. Mitchell asked whether this example led to privileging heredity or consanguinity as the central casual factor. He thought that marrying out could modify or counteract a morbid predisposition. Still there was a mysterious effect here, an intensification of a hereditary trait, not ascribable to cousin marriage. This skipping around effect of inheritance or consan-

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<sup>66</sup> Child, “Marriages of Consanguinity,” p. 27.

<sup>67</sup> Menière, *Mariage entre parents*, pp. 3–4. See also Boudin, *Dangers des unions consanguines*, pp. 18–21.

<sup>68</sup> Bemiss, *Report*, p. 9.

<sup>69</sup> Crossman, “Intermarriage of Relations,” p. 40; Devay, *Du Danger des mariages consanguins*, p. 171; Mitchell, *Blood-Relationship in Marriage*, pp. 11, 44; Elam, *Physician's Problems*, p. 77.

<sup>70</sup> Devay, *Du Danger des mariages consanguins*, p. xiv.

<sup>71</sup> Mitchell, *Blood-Relationship in Marriage*, pp. 6–11.

gunity, its jumping over one or more generations or distributing pathologies unevenly among a group of siblings, was one of the chief puzzles this generation could not solve.<sup>72</sup> Child had recourse to “atavism,” the recurrence of some trait from distant ancestors, although he had no explanation for the phenomenon.<sup>73</sup> If not so apparent in humans, it could well be observed, he contended, in full-bred hunters, as documented in breeders’ stud books. Inbreeding could at times add additional force to some tendency in a progenitor, but in general there was no compelling evidence “that mere close-breeding is of itself productive of degeneration.”<sup>74</sup>

The other main puzzle for this generation was the lack of specificity in the consequences of consanguineous marriage. Some effects seemed to coordinate with each other: cretinism, high infant mortality, and deaf-mutism.<sup>75</sup> But the list ranged over mental and physical deformities as disparate as idiocy and epilepsy, scrofula and constipation.<sup>76</sup> Writers could have recourse to a general concept such as “degeneration” or “deprivation.” Or like Bemiss, for example, they might think that “defects of offspring multiply precisely as we multiply the same blood.”<sup>77</sup> Or like others, talk about debility, weak constitutions, or chronic illnesses.<sup>78</sup> Mitchell was one of the few who considered the socio-economic conditions of life to have a considerable effect on the expression of disease.<sup>79</sup> Child found all this talk of degeneracy vague and the ascription of any disease of morbid tendency to consanguinity inadmissible.<sup>80</sup> After all, most diseases in all populations had nothing to do with inbreeding. Certainly, he did not have the last word on the subject, yet clearly medical writers were on surer grounds when they tackled particular pathologies like deaf-mutism than when they went on the hunt for any and all kinds of morbidity. And they did leave a lasting legacy in taking the first steps towards recommending the model of domestic animal pedigrees for the construction of human family genealogies and in calling for hard, statistical evidence.

Charles Darwin came to be frequently cited in debates about the mechanisms of heredity and the effects of inbreeding, especially since he moved easily from plants to animals to humans and thought of evolution in broadly genealogical terms. He had a great deal to say about interbreeding and cross-fertilization in *On the Origin of Species*

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72 Boudin, *Dangers des unions consanguines*, p. 18, worked with the concept of “hereditary metamorphosis,” the idea that one generation of epileptics was followed by insane progeny, who in turn were followed by epileptics.

73 Child, “Marriages of Consanguinity,” p. 56. “I cannot conclude otherwise than that the very general opinion, that there is some special law of nature which close-breeding infringes, is founded on a kind of superstition than on any really scientific consideration.”

74 Child, “Marriages of Consanguinity,” p. 56.

75 Menière, *Mariage entre parents*, p. 5.

76 See the long set of tables from Bemiss, *Report*, pp. 18ff.

77 Bemiss, *Report*, p. 16.

78 Devay, *Du Danger des mariages consanguins*, p. xiv.

79 Mitchell, *Blood-Relationship in Marriage*, pp. 39–40.

80 Child, “Marriages of Consanguinity,” pp. 26–27.

(1859), where he considered hermaphroditic and hybridized plants. He was interested in the way that even plants that mostly self-fertilized had mechanisms to allow for periodic crosses. He thought that plant and animal breeders all agreed that a cross “gives vigour and fertility to the offspring” and “that *close* interbreeding diminishes vigour and fertility.” But he was rather vague about how often such crosses were necessary, let alone useful – “occasionally, perhaps at very long intervals,” even if “indispensable.”<sup>81</sup> He dealt with the issue again in *The Variation of Animals and Plants under Domestication* (1868).<sup>82</sup> There he noted the advantages of crossbreeding for size and constitutional vigor, but also that purebred animals could deteriorate through crossing “as far as their characteristic qualities are concerned.”<sup>83</sup> Even then, long in-breeding did not manifest “evil consequences” as readily as the good effects of crossing. Exactly how this worked was mysterious. Darwin thought that environment might be a factor; that in closely related animals raised in different environments, the evil results might be “quite eliminated.” Still he concluded that nature had “elaborately” provided for the occasional cross; that “the crossing of animals and plants which are not closely related to each other is highly beneficial or even necessary, and that interbreeding prolonged during many generations is highly injurious.”<sup>84</sup> In 1876, Darwin revisited the matter, this time specifically looking at human inbreeding.<sup>85</sup> He noted that no one worried about inbreeding plant and animal “cousins”; that animal fathers and daughter as well as siblings were regularly bred together, and then bred back again down any given line.<sup>86</sup> He referred to the study on cousin marriage by his son, George, which had concluded that the evidence for negative effects was “conflicting, but on the whole points to its being very small.”<sup>87</sup> From the evidence in his own volume on plants, Charles Darwin reasoned

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**81** Charles Darwin, *On the Origin of Species by Means of Natural Selection*, ed. and intro. William Bynum (London, 2009 [1859]), p. 94.

**82** Charles Darwin, *The Variation of Animals and Plants under Domestication*, 2 vols. (Cambridge, 2010 [London, 1868]), vol. 2, pp. 142–44.

**83** Charles Darwin, *Variation*, p. 142.

**84** Charles Darwin, *Variation*, p. 144.

**85** Charles Darwin, *The Effects of Cross and Self Fertilisation in the Vegetable Kingdom* (New York, 1883; 1st ed., 1876), pp. 460–61.

**86** This is an important point. Many of the commentators on “inbreeding” among humans were concerned with first-cousin marriage or even second and third cousin marriage, and they called upon the experiences of animal and plant breeders to support their cause. What was called “in-and-in breeding,” the great innovation of eighteenth-century English breeders, involved mating of animals related much more closely than humans were wont to do. A typical attempt at fixing particular qualities might involve mating a stallion with its daughter and then again with its granddaughter. Thus, the relevance of domestic animal management or plant strain cultivation for issues of human reproduction could easily be questioned.

**87** Charles Darwin, *Effects*, pp. 460–61. Darwin’s son’s article, already cited: George H. Darwin, “Marriages between First Cousins.” Charles was concerned about his own marriage to a cousin—he and his sister had married siblings—and there also were other cousin marriages in the genealogy. See Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009), pp. 1–13, 84,

that marriage between closely related people who were raised in different conditions would be “much less injurious than that of persons who had always lived in the same place and followed the same habits of life.” He found the customs of the upper classes of “civilized nations” able to “counterbalance any evil from marriages between healthy and somewhat closely related persons.”<sup>88</sup> Here his surmise approached the position held by Arthur Mitchell, but in any event was very tentative, given its transposition of lessons from plant breeding to humans.

Alfred Henry Huth (1850–1910) published a thorough review of all the English and French and some of the American literature related to human inbreeding in 1875, and followed it up in 1887 with a second, augmented edition. The only reason that we prohibit marriages to near kin, he argued, is the habit of accepting unproven ideas, which we ourselves, despite having sophisticated statistical tools at our disposal, cannot demonstrate, let alone anyone in the past.<sup>89</sup> Justifying incest rules on the grounds of diseased progeny was something our ancestors did not in fact do. In the previous several decades, two questions had arisen among biologists and medical professionals. The first was whether heredity alone or consanguineous marriages by themselves would best answer questions about diseases among offspring. In other words, by inference, if consanguineous parents were completely healthy and came from healthy families, would they have healthy children? The second was whether consanguineous marriages produced more unhealthy children than non-consanguineous ones. Perhaps a previously dormant hereditary trait expressed itself more intensely in the offspring of closely related people, producing a greater proportion of unhealthy children.<sup>90</sup>

Huth listed many of the diseases or syndromes associated in the literature with close marriages among kin: sterility, malformations, diseases of the mind and senses, rickets, albinism, phthisis, cretinism, and hydatis.<sup>91</sup> Starting with the question of lesser

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86–88, 94, 99–100. In “Eugenics without Eugenists,” 55–61, Paul and Spencer deal with the story. For another recent treatment, see Tim M. Berra, Gonzalo Alvarez, and Francisco C. Ceballos, “Was the Darwin/Wedgwood Dynasty Adversely Affected by Consanguinity?,” *Bioscience* 60 (2010): 376–83.

88 Darwin, *Effects*, p. 461.

89 Huth, *Marriage of Near Kin*, pp. 3, 21: “Are we to assume that savages, whose every custom can be traced to unthinking usage imposed upon them by their circumstances, should first have observed an evil effect produced by the marriage of near kin, which we with all our modern knowledge have failed to observe, and which . . . actually does not exist.” There were tales of evil consequences for violating rules, but the remarkable thing was that there were so few of them (p. 22). Some were indirectly inspired by missionary teachings. The often cited passage from Gregory I to St. Augustine of Canterbury about cousins being barren was obviously a misreading of the Leviticus text (p. 25). Perhaps we can add that since Gregory was being explicitly asked about cousins, he answered about cousins, despite the fact that Leviticus 20:20–21 makes no mention of cousins: “And if a man shall lie with his uncle’s wife, he hath uncovered his uncle’s nakedness: they shall bear their sin; they shall die childless. And if a man shall take his brother’s wife, it is an unclean thing: he hath uncovered his brother’s nakedness; they shall be childless.”

90 Huth, *Marriage of Near Kin*, p. 4.

91 Huth, *Marriage of near Kin*, p. 5. He went on to question the nature of some of these conditions, but it is worth noting here that rickets is caused by vitamin D deficiency. Mother’s milk does not have enough

fertility, he took several authors, including the American Bemiss, and showed that one study did not replicate the other even when the same methodology was followed. Specifically, the assertion that the closer the relationship the lower the fertility did not pan out in many of the reports. Taking all the books and articles together, Huth found that far from being less prolific than in the whole population, consanguineous marriages were not only more prolific but much less frequently barren. But the statistics were not very reliable anyway, since most of them had been gathered with the intent of showing that such marriages were harmful. In any event, greater fertility was to be expected in first-cousin marriages, since cousins tended to marry younger – an assertion for which he offered no evidence, although he may well have been right.<sup>92</sup>

Both cretinism and idiocy were far more complex disorders, argued Huth, than the authors under review admitted. Indeed, the causes of cretinism were so obscure that one author had to take three pages to list all those he could find in the medical literature. Huth thought that the best explanation lay in the drinking water, and that since the majority of cretins also had goiters, it was necessary to search for explanations that fit both infirmities. In one exogamous community, for example, individuals who married in developed goiters and produced cretinous offspring. Just as with cretinism, the causes of idiocy seemed to be obscure. Huth pointed particularly to alcoholism, but also to bad nutrition, syphilis, epilepsy, certain forms of skin rash accompanied by fever, and difficult parturitions.<sup>93</sup> He noted that firstborn children had a greater statistical probability of congenital idiocy, and that male fetuses had a greater chance of brain injury at birth due to their tendency to have slightly larger heads than females. “The sources of every congenital disease must be looked for in the pathological history of the family, in the state of both parents before conception, in the history and health of the mother during gestation, and in the accidents of birth.”<sup>94</sup>

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vitamin D, and mothers with vitamin D deficiency can have rickety children. Phthisis is tuberculosis. It can be pulmonary or ex-pulmonary, one example being scrofula, tuberculosis in the lymphatic system. It is infectious and spreads through the air. Cretinism is caused by iodine deficiency. Hydatid disease involves a tapeworm (*Echinococcus granulosus*) infection, usually obtained from dog feces.

<sup>92</sup> Huth, *Marriage of Near Kin*, pp. 192–96.

<sup>93</sup> Huth, *Marriage of Near Kin*, pp. 205–9. Today another oft-listed cause is “fetal alcohol spectrum disorder,” its symptoms being facial features, small head, flat face, small eye openings, growth problems, learning and behavior problems, birth defects, problems bonding and feeding, memory, coordination, attention deficit: Centers for Disease Control and Prevention, “Fetal Alcohol Spectrum Disorders.” Accessed November 27, 2019, <https://www.cdc.gov/ncbddd/fasd/facts.html>.

<sup>94</sup> Huth, *Marriage of Near Kin*, p. 205. He noted a study by Voisin which presented the results of an examination of 1,077 patients at two French institutions. Voisin found not one instance where “healthy consanguinity” could be regarded as a cause of idiocy, epilepsy, or insanity, p. 209. In a different study, Voisin took the trouble of examining the consanguineous parents of institutionalized idiots and found most of them to be “intemperate” or scrofulous, pp. 209–10. This suggested that alcoholism and infection also had to be considered as possible causal factors.

Huth found the link between consanguinity and deaf-mutism to have offered the best documented case on consanguineous marriage effects, and indeed, he noted, physicians dealing with institutionalized deaf-mutes had been the first to enter the lists. But in order to get a handle on the causes of the condition, it was necessary to examine all possible causes for the syndrome, among them hydrocephalus, chorea (abnormal, involuntary movement), convulsions, paralysis, epilepsy, scrofula, and syphilis.<sup>95</sup> He noted that first and last births had higher incidences of the condition, which suggested that issues of parturition could be involved. But he also criticized the published studies from the standpoint of methodology. Researchers in the field had found as many deaf-mutes as possible and compared the results with estimates of the relative numbers of consanguineous and non-consanguineous marriages, or they had collected as many cases of consanguineous marriage as they could find and then analyzed the results.<sup>96</sup> The first method relied on dubious assumptions about proportions of deaf-mutes born to consanguineous and non-consanguineous unions, about institutions as a source of a sample reflecting the true state of deaf-mutism in a population, and about the rates of consanguineous marriages. “The uncertainty of any one of these premises is sufficient to damn any conclusion based on the whole.” The second method had the flaw that “there is a greater likelihood that more than the natural proportion of consanguineous marriages which have turned out badly will be noticed.”<sup>97</sup> To cap off his critique, Huth offered a table of all fifty-two studies linking deaf-mutism to consanguinity, which testified to the unreliability of the results, since the percentages of deaf-mutes produced from consanguineous marriages ranged from 0 to 30 percent.<sup>98</sup>

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<sup>95</sup> Huth, *Marriage of Near Kin*, pp. 215–16.

<sup>96</sup> Huth, *Marriage of Near Kin*, p. 216. Here Huth tried a thought experiment. Suppose a group of 400 marriages among near kin where 200 each have two deaf-mutes. Then suppose a similar group of 400 marriages of non-kin where each has one. It could be concluded that only half of consanguineous marriages turned out badly. Now suppose the deaf-mutes are all institutionalized. Looking at the parentage, researchers would conclude that the consanguineous produced double as many deaf-mutes as the non-consanguines.

<sup>97</sup> Huth, *Marriage of Near Kin*, p. 217.

<sup>98</sup> Huth, *Marriage of Near Kin*, 229–30. At least five studies showed no deaf-mutes at all from consanguineous marriages.

Name of Institute or Observer	Total Number Examined	Number found to be congenital	Number of Consanguineous Origin	Number derived from both	Number derived from 1st Cousins	Percentage on Total from Consanguineous Marriage
Chazaraïn . . . . .	—	66	15	—	—	30.4
Bourg, 1886   Girls . . . . .	30	—	—	—	—	30.4
Boys . . . . .	30	—	—	—	—	30.0
Brochard . . . . .	—	55	16	1	15	29.0
Alençon, 1886 . . . . .	49	—	—	—	—	25.0
St. Mélard, 1886 . . . . .	152	—	—	—	—	25.0
Lyons, 1886 . . . . .	—	—	—	—	—	18.0
Clermont-Ferrand, 1886 . . . . .	31	—	—	—	—	17.8
Firoux . . . . .	612	—	—	—	—	10.0
Ladreit . . . . .	107	107	17	2	42	7
Balley . . . . .	33	13	2	—	—	15.8
Bemiss . . . . .	—	183	28	—	—	15.4
"	—	139	21	—	—	15.3
"	—	80	—	—	—	15.0
Positiers, 1886 . . . . .	43	—	—	—	—	14.0
Rodez, 1886 . . . . .	241	—	20	—	16	12.3
Groningen . . . . .	315	120	14	—	6	11.7
Dally . . . . .	—	90	—	—	—	11.0
Allen . . . . .	—	90	—	—	—	10.0
St. Brieuc, 1886 . . . . .	18	—	—	—	—	10.0
Institute Houdin, 1886 . . . . .	—	—	—	—	—	10.0
Buxton . . . . .	—	—	—	—	—	10.0
Irish Census, 1871 . . . . .	4,467	3,503	287	89	128	8.2
" 1861 . . . . .	4,930	4,458	362	—	—	8.1
Duchy of Nassau . . . . .	381	—	31	—	14	8.1
American Schools, 1886 . . . . .	1,278	—	97	19	63	7.5
Bordeaux, 1886 . . . . .	194	—	14	—	—	7.2
Marselles, 1886 . . . . .	57	—	—	—	—	7.0
Puy, 1886 . . . . .	55	—	—	—	—	7.0
Irish Census, 1881 . . . . .	3,093	3,163	195	46	123	6.2
" 1851 . . . . .	4,747	4,127	242	—	—	5.8
Ehain . . . . .	87	—	5	—	—	5.7
Hutton . . . . .	100	—	56	—	—	5.6
Mitchell . . . . .	544	—	28	—	—	5.1
Touestier . . . . .	86	—	4	—	4	4.6
Chambéry, 1886 . . . . .	90	—	—	—	—	4.5
Milan Commission . . . . .	306	—	12	11	1	3.9
Lent . . . . .	379	—	13	—	—	3.5
Bordeaux, 1878 . . . . .	173	—	6	—	—	3.5
Hermann . . . . .	2,644	—	69	—	—	3.0
Scott . . . . .	241	—	7	—	—	2.9
Laval, 1886 . . . . .	71	—	—	—	—	2.8
Lafévre . . . . .	80	—	—	2	—	2.5
Meyer . . . . .	42	—	1	—	1	2.4
Glondy . . . . .	—	56	1	—	1	1.8
Freibel . . . . .	92	—	1	—	—	1.0
Patterson . . . . .	139	63	11	—	—	1.6 or 0
Rille, 1886 . . . . .	49	—	—	—	—	0.8
Hopper . . . . .	113	66	0	—	—	0.0
Böke . . . . .	107	16	0	—	—	0.0
Benzenegue . . . . .	129	—	—	—	—	0.0
Gunkel . . . . .	235	—	0	—	—	0.0
Atray, 1886 . . . . .	60	—	0	—	—	0.0

Fig. 30: Alfred Huth's Table on Deaf-Mutism.

“It has already been shown that these statistics are worthless from the way in which they have been collected. If they be now compared, this will be shown beyond a doubt by the figures themselves.” With this table, Huth brought together all the studies that purported to show a relation between deaf-mutism and consanguineous marriage. Basically, they did not correlate consistently: the percentage of deaf-mutes found to be from consanguineous marriage ranged in these fifty-two studies from 0% to just over 30%. The results from the American studies by Samuel Bemiss, for example, were twice the median. Huth faulted the studies for confirmation bias and the inability to replicate one another.

Table from Alfred Henry Huth, *The Marriage of Near Kin* (London, 1887), pp. 229–30. Image courtesy of University of California Southern Regional Library Facility.

Another link often made to consanguineous marriage, Huth remarked, was to pulmonary diseases such as phthisis or scrofula, the causes of which, he noted, were not sufficiently worked out. Almost all their permutations were probably due to microscopic organisms, not to consanguineous marriage, which only could be a factor by possible intensification of inheritance or by producing children of low vitality more susceptible to infection. He had considerable doubt that rickets, now known to result from vitamin D deficiency, could be directly inherited.<sup>99</sup> He placed his money on new research by Robert Koch in Germany, who sought for explanations for many of the pulmonary dis-

99 Kevles, *In the Name of Eugenics*, p. 196, noted that textbooks well into the twentieth century reproduced family pedigrees of rickets to demonstrate laws of heredity well after rickets was shown to be caused by dietary insufficiency.



eases in communicable infections.<sup>100</sup> After many pages on particular diseases, Huth concluded that “so far from their real origin being even tolerably clear they are involved in great obscurity; and that we should know what other causes are generally assigned to these scourges of humanity before we attempt to judge that alleged by these Parasyngeniasts. We see what a variety of causes, totally independent of consanguinity, may produce scrofulous disease and degeneration; and how impossible it is – nay, how wicked, with only a few selected cases of consanguineous marriage for proof – to accuse these of the production of scrofula.”<sup>101</sup>

Introducing the issue of domestic animal breeding, Huth insisted upon distinguishing between consanguinity and inheritance.<sup>102</sup> He offered many examples of successful inbreeding over many generations. In fact, in-and-in breeding was the only way to fix the qualities of a line, the predominant technique for creating recognized breeds. “That such breeding will produce disease or malformation in any other way than through ordinary inheritance I fail to find any reliable evidence whatever.”<sup>103</sup> Indeed, the idea was mistaken that crosses were necessary to deal with long-term effects of constant inbreeding: crosses tended to produce mediocrity or even reversion to a primitive and unimproved type and therefore to degeneration.<sup>104</sup>

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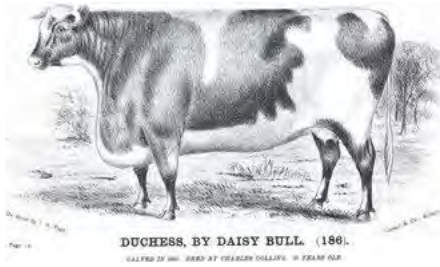
**100** Huth, *Marriage of Near Kin*, pp. 238–40. He insisted on the many and complicated causes of diseases and the inability to be sure about cause and effect: “For this reason no amount of observations on isolated cases of consanguineous marriages, or on isolated communities who have continually intermarried among themselves, will enable us to determine, unless negatively, whether any observed disease in the offspring has been inherited, or whether it is owing to a morbid influence of consanguinity in marriage, whether, in other words, consanguinity pure and simple is a primary cause of disease,” p. 242.

**101** Huth, *Marriage of Near Kin*, p. 240. As far as I can see, Huth coined the term “parasyngeniast” from a number of Greek roots to designate someone who protests against similarity or identity, against marriage of like with like. He seems to be using it sarcastically in the sense of “enthusiast.”

**102** Huth, *Marriage of Near Kin*, pp. 252–58.

**103** Huth, *Marriage of Near Kin*, p. 292.

**104** Huth, *Marriage of Near Kin*, p. 292. In the ensuing discussion, Huth came back to humans and argued strongly against intermixing races. I wonder if this issue prompted the book in the first place. He thought that the wider the difference, the less desirable the results (p. 293). “The cost is an ill-balanced growth, reversion to unimproved forms, and the loss, in proportion to the difference between the parents, of generative power in the offspring,” p. 294. Breeders dreaded the introduction of fresh blood. “How much more dangerous is it in mankind, where a man knows, as a rule, nothing whatever of the pathological history of the family he marries into . . . [I]n the case of a union to two persons of different races, such as a white with a Hindoo or negro, he has to fear an ill-balanced temperament, a weedy body, and more or less sterility, in addition to reversion to a savage type worse than that of the lowest of the two parents,” p. 294. Paul and Spencer, “Eugenics without Eugenists,” p. 59, made a similar point about a “significant racialist undercurrent” in Huth’s thinking. In *Family Likeness: Sex, Marriage and Incest from Jane Austen to Virginia Woolf* (Ithaca, 2008), Mary Jean Corbett put Huth’s ideas about the suitability of cousin marriage in the context of fears of race-mixing. The two taboos of incest and miscegenation were closely related for English bourgeois families of the nineteenth century (pp. 12–14, 19).



**Fig. 31:** In- and Inbreeding.

Margaret Elsinor Derry, *Bred for Perfection: Shorthorn Cattle, Collies, and Arabian Horses Since 1800* (Baltimore, 2003), pp. 18–20, gives an account of early nineteenth-century inbreeding of shorthorn cattle. Duchess by Daisy Bull was purchased by Thomas Bates from the Midland breeders Charles and Robert Colling in 1800. This cow was the result of breeding from the same sire over five or six generations. Bates then began a program of intense breeding of what he called a “tribe,” wanting to produce a line of “unimpeachable blood.” He practiced inbreeding over eight generations, refusing to use anything except Duchess-related bulls. Until the third decade of the nineteenth century, there were no publicly kept pedigrees. In 1822, George Coates published the first herd book for shorthorns, which included lines bred by Bates, who claimed that his maximum purity practices guaranteed the highest quality of his stock. Medical writers who claimed that livestock inbreeding had lessons to offer humans who practiced cousin marriage were comparing two quite different levels of consanguin-

ity, which puts into question the relevance of animal pedigrees for human pedigrees.

Lithograph by J. R. Page printed in Lewis Allen, *History of Short-Horn Cattle* (Buffalo, 1878), p. 13. Image courtesy of University of California Southern Regional Library Facility.

Francis Galton (1822–1911), the cousin of George Darwin and founder of eugenics, thought that humans could take better care of their breeding and produce the most able geniuses from lineages full of cousin marriages. He framed the following cartoon from *Punch* and displayed it on his wall.



“Noble Breeder of Shorthorns: ‘Well, you are a splendid fellow and no mistake!’ Prize Bull: ‘So would you be, my lord, if you could only have chosen your Pa and Ma as carefully and judiciously as you chose mine!’”

*Punch*, March 20, 1880, p. 126. Image courtesy of University of California Southern Regional Library Facility.

During the last four decades of the nineteenth century many medical practitioners and biologists suspected that there might be physical and mental problems for offspring from marriages among close kin. They drew upon laboratory and domestic breeding experiments to assess the probabilities either of inheriting various physical and mental disorders or of producing them through “consanguinity,” here defined as accumulating too much blood from the same source. Just how relevant studies of plants and animals were for humans was not at all clear, since humans bred too slowly to compare with laboratory and farm results, could modify their environments, and did not inbreed at rates characteristic of animals and plants anyway. Charles Darwin was curious about the effects of occasional crosses for fitness even for those organisms that might habitually self-fertilize, but he also realized how little relevance that experience had for human

populations. As I will point out later, the science of heredity was being worked out during these decades, so it was no wonder that there was considerable confusion about inherited characteristics among those concerned with the effects of cousin marriage; or that the specific weight to give to heredity or to consanguinity itself remained a puzzle. Among other things, the random distribution of pathologies in families over generations seemed so unsystematic as to preclude lawful behavior. Those today who are sure that the effects of inbreeding can readily be seen in progeny have to deal with the problem that all kinds of diseases, disorders, debilities, and defects, which have been shown to have nothing to do with consanguineous unions, have been implicated in the past, even by experts. From parturition to diet to microbes, the list of pathologies ascribed to cousin marriage has demonstrated how shaky the ascription of cause and effect could be. Huth, among others of the nineteenth century, was sure that any sentiment among his contemporaries against such marriages was the result of folk superstition, probably driven by centuries of ecclesiastical propaganda, and that the new medical science on the subject was just a secularized version of irrational religious belief. He thought the idea that experiential knowledge or observation prompted the connection of degenerate offspring to near kin marriage was naive. Clearly consanguineous unions had been assumed to be harmful – sinful – even before observers began to accumulate evidence to prove their case by using shaky statistics to ground claims about the most diverse, often unspecific effects. Huth exposed the inability of late-nineteenth century science to make the case against consanguineous unions, and it would take the development of new techniques in the new century to open the question once again to fresh examination. One final observation, which I will come back to later, has to do with relative distance of sexual partners from each other. Although most of the discussion was about being too close, there were more-or-less equal fears about being too far. Consanguinity and miscegenation seemed to mirror each other in their ill effects, and both prompted worries about the social body.

## Mendelian hypotheses and monogenic diseases

The genealogical and epidemiological data that were . . . accumulated certainly constitute one of the most important prerequisites for disentangling complex patterns of familial diseases and for telling them apart from diseases caused by local differences or differences in lifestyle. — Staffan Müller-Wille and Hans-Jörg Rheinberger, 2012<sup>105</sup>

Around the turn of the century, due to developments in genetics and evolutionary biology, the issue of biological consequences for descendants from inbreeding was put on a new footing. For the new understanding of heredity, there had to be a shift within biological and medical sciences away from the idea that the act of generation created

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105 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 57.

something new.<sup>106</sup> Francis Galton (1822–1911), for example, one of the first biologists to make heredity the center of his work, maintained that a fundamental, heritable substance – the germ or gemmule – persisted from generation to generation. His cousin Charles Darwin supported that position, by writing that “the true carriers of hereditary properties are not parents and their respective offspring, but submicroscopic entities that are distributed anew in each generation and therefore percolate through succeeding generations.”<sup>107</sup> With this way of thinking, it became possible to imagine how certain dispositions might skip a generation, how characters could descend independently through maternal and paternal lines, and how some of them could be more readily or frequently expressed than others.<sup>108</sup> Darwin in his 1868 work on *The Variation of Animals and Plants under Domestication*, for example, conjectured that gemmules were transmitted in a dormant state for generations before being expressed under conditions not yet clear.<sup>109</sup>

Cell theory, assisted by increasingly powerful microscopes and other research techniques, enabled fruitful forays into this new terrain. In the last several decades of the nineteenth century, rapid advances in cell biology led to differentiating between somatic and reproductive cells (germ plasm); to the cell nucleus being identified as the locus of the heritable substance; to the chromosomes being distinguished and named; and to the reduction division of gametes before fertilization being postulated. By the early twentieth century, the foundations of the chromosome theory of heredity thus had been laid.<sup>110</sup>

One of the central postulates, and one that would come to dominate biology by the 1920s and ‘30s, was the idea that the true hereditary entities lay in the reproductive cells, and early work tried to account for the laws of their transmission. Karl Pearson (1857–1936), Galton’s junior associate and the eventual holder of the Galton Chair in Eugenics at the University of London, hypothesized that the elements in the germ plasm diminished as the number of generations separating ascendants and descendants increased, and he tried to measure the strength of inheritance for particular traits.<sup>111</sup> Indeed, in working with what he considered to be the laws of heredity, he developed the modern statistical measures of correlation and regression and was one of the founders of biometrics. However, his approach eventually lost out to the Mendelians, even though his statistical innovations became standard instruments for genetic research.

In 1900, the work of Gregor Mendel (1822–1884) published in 1866 was “rediscovered” by three scientists, and within a few years his perspective dominated the study

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**106** Müller-Wille and Rheinberger, *Cultural History of Heredity*, pp. 2–5.

**107** Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 38.

**108** Müller-Wille and Rheinberger, *Cultural History of Heredity*, pp. 38–41.

**109** Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 78.

**110** Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 151.

**111** Müller-Wille and Rheinberger, *Cultural History of Heredity*, pp. 108–9.

of heredity.<sup>112</sup> Although his experiments with hybridity and the inheritance of “factors” (later designated “genes”) were carried out between 1856 and 1863, precisely when publications about consanguinity poured onto the market, the usefulness of his ideas and findings for the study of breeding was not immediately understood by his contemporaries. Recognition of the implications of his work coincided with the development of genetics during the first decade of the twentieth century. In 1906, William Bateson (1861–1926) proposed the term “genetics” for the new discipline and three years later, the Danish botanist Wilhelm Johannsen (1857–1927) coined the term “gene” for the object of this science.<sup>113</sup> The fact that Mendel had limited his work to a small number of questions and had developed his hypotheses using the newest mathematical procedures gave his results the possibility of replication, that necessary quality which grounded a whole new methodological approach to the study of inheritance and reproduction.

Staffan Müller-Wille and Hans Jörg Rheinberger have nicely summarized precisely what it was that Mendel achieved.<sup>114</sup> His eight-year-long experiments with a single species, the common garden pea (*Pisum sativum*), involved crossing varieties selected for a limited number of defined character factors (pea color, or flower color, for example). Using this method, he cultivated some 28,000 pea hybrids, and followed their progeny over many generations, deriving statistical ratios from his results. “He used algebraic symbols to represent his assumption that any two alternative characters were based on distinct factors that were transmitted independently through germ cells.”<sup>115</sup> Most importantly he distinguished between how a plant was constituted hereditarily and how it appeared – later dubbed “genotype” and “phenotype.”<sup>116</sup> Working with the assumption that egg and pollen cells each carried only one set of character-determining factors, which were joined in fertilization, he noted that in offspring the separation of factors occurred randomly so that the rules could only be determined statistically for a population as a whole. These factors were in turn determined to be “dominant” or

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112 A discussion of the so-called rediscovery by three botanists, Hugo de Vries, Carl Correns, and Erich von Tschermak, and their relative claims for doing so, is offered by Ernst Mayr, *The Growth of Biological Thought: Diversity, Evolution, and Inheritance* (Cambridge, MA, 1982), pp. 727–31.

113 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 128.

114 Müller-Wille and Rheinberger, *Cultural History of Heredity*, pp. 131–35.

115 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 131.

116 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 141. In a 1909 textbook, Johannsen introduced the terms phenotype (appearance type) and genotype (disposition type). He remained skeptical about genes for particular traits and about chromosome theory. Hans-Jörg Rheinberger and Staffan Müller-Wille, *The Gene from Genetics to Postgenomics*, trans. Adam Bostanci (Chicago and London, 2017), p. 40: Johannsen’s codification of the distinction between genotype and phenotype and use of the term “gene” were essential for twentieth-century biology. He established the gene as the epistemic object to be investigated in own right. The theory of inheritance focused exclusively on the transmission of genotypic differences and ignored the domain of development governed by the complex web of interactions between the many genetic and environmental factors. Only the formal separation of genotype and phenotype “made it possible to explore the complex causal relations that existed between genetic dispositions, transmitted from generation to generation, and the traits of the developing organism,” p. 45.

“recessive” according to how they were expressed or masked in the external appearance of offspring. In the first generation, all his hybrids expressed the dominant character, but in the second generation they segregated in a ratio of 3:1; that is with 1/4 showing the recessive character.<sup>117</sup> Summing up, the crucial elements of his experiments involved a carefully monitored genealogical method (inherited from a century of plant and animal breeding), work restricted to a single “model organism,” the use of a symbolic system and statistical procedures, consideration of a well-defined population, and the development of a large enough data set to make his results significant and replicable. These – with different emphases – came to mark the procedures of research into the biological effects of inbreeding and incest.

One of the most important tools of the new genetics had to do with the development of genealogies and pedigrees. Although breeders had long been keeping genealogical records for their stock, in the second half of the nineteenth century, the practice expanded and with it, the number of these records proliferated. In Sweden, for example, from the 1890s, there were 2,000 cereal strains produced by pedigree-breeding at one agricultural station alone.<sup>118</sup> Clearly such experimentation necessitated keeping careful records and complicated registers. Even human genealogies were being modeled on stud-books and plant pedigrees; or at least they were proliferating at the same time and for similar reasons. Meanwhile, hospitals and institutions for the insane, feeble-minded, deaf-mutes, and the blind collected (and often published) the lineages and genealogical maps of their patients and residents.<sup>119</sup> “The genealogical and epidemiological data that were consequently accumulated certainly constituted one of the most important prerequisites for disentangling complex patterns of familial diseases and for distinguishing them from diseases caused by local influences or differences in lifestyle.”<sup>120</sup> The second half of the nineteenth century also witnessed a growing obsession among middle-class families with their own genealogies.<sup>121</sup> As a result, institutions engaged in documenting familial strains of disease had ready-made data at hand. But it could take either of two forms, called in German *Ahnentafeln* (ancestry tables) and *Stammbäume* (pedigrees). The former followed the parents and grandparents and so forth back from an individual. What was missing from them for scientific purposes were all the collaterals – the cousins, uncles and aunts, great uncles and great aunts, and all their own descendants. Pedigrees, which by contrast began with an ancestor and followed all the descendants down a suitable

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117 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 134.

118 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 135.

119 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 57.

120 Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 57.

121 David Warren Sabean, “Constructing Lineages in Imperial Germany: *eingetragene Familienvereine*,” in *Alltag als Politik—Politik im Alltag. Dimensionen des Politischen in Vergangenheit und Gegenwart*, ed. Michaela Fenske (Berlin and Münster, 2010), pp. 143–57; Sabean, “From Clan to Kindred: Thoughts on Kinship and the Circulation of Property in Premodern and Modern Europe,” in *Heredity Produced: At the Crossroads of Biology, Politics, and Culture, 1500–1870*, ed. Staffan Müller-Wille and Hans-Jörg Rheinberger (Cambridge, MA, 2007), pp. 37–59.

number of generations, offered a different set of data and were more useful for mapping the distribution of a particular phenotype, whether eye-color or a pathology.<sup>122</sup>

Constructing genealogical “maps” for humans was tedious and expensive, and physical and mental diseases were difficult to document. It was much easier to follow a particular character in a maize or mouse or fruit fly pedigree. With genealogies, researchers could distinguish between inbred and outbred families and attempt to deal with different degrees of consanguinity – first and second cousins, for example, or families that practiced close marriage over more than one generation. But given the practical obstacles to drawing up family trees in numbers significant enough to offer useful statistical samples, most analysis was restricted to following only one or a very small number of characters over usually three or at most four generations. Well-defined work in the field was best carried out for characters easily analyzed in Mendelian terms; that is, characters later called “monogenic,” where just two alternative factors or genes were involved, rather than for those dubbed “polygenic,” which relied on the cooperation of multiple genes. For the early decades of the twentieth century, research into human hereditary dispositions therefore concentrated on rare, often monogenic characters such as retinitis pigmentosa, deaf-mutism, albinism, or Huntington’s disease (a chorea). And the hunt was on to reveal hidden recessive factors that could be carried by, even if not seen in, healthy individuals.

## Reconfiguring the issues

Those of our ancestors who avoided in-and-in breeding would survive, while the others would gradually decay and ultimately perish. Thus an instinct would be developed which would be powerful enough, as a rule, to prevent injurious unions. — Edward Westermarck, 1891

Once Mendelian analysis swept the field, the matter of consanguineous marriage was put on a new footing, with the effects of such unions largely ascribed to hereditary factors. But there also were three intertwining issues, which over the next century were continuously reconfigured, with one or the other taking precedence at different times. The first turned on the by now traditional questions of whether and how close marriage of kin might affect children and descendants physically and mentally. The second had to do with the mechanisms that discouraged or encouraged close couplings and defined the kin to be avoided.<sup>123</sup> The third circled around evolutionary accounts, often with the premises

<sup>122</sup> Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. 121.

<sup>123</sup> From the last decades of the nineteenth century, with an accelerated pace during the first half of the twentieth century, anthropologists documented complex rules of marriage alliance, on the one hand finding preferences for certain kinds of cousins to be a widespread phenomenon. On the other hand, the avoidance of sexual relations among parents and children and among siblings seemed to be close to universal, but the questions of why and how persisted. From the sixteenth century onwards, various authors cited ancient Egypt and Iran, the Incas, and several other examples of marriages among siblings

that plants and animals and presumably humans needed to avoid inbreeding, and that “fitness,” the ability to survive and breed, characterized those strains of a population that successfully did so.<sup>124</sup> For the rest of this chapter, I will be dealing with one or the other of these questions, as they occur and recur in connection with other interpretative issues.

Around the turn to the twentieth century, the second question, the one about the mechanism of avoidance, shot into prominence, only to recede by the 1920s and then find new salience with the rise of sociobiology after 1975. Foregrounding this question assumed a particular answer to the first question; namely, that those who failed to avoid close-kin marriage proved to be less fit. But how did people know the consequences, and how did they make their decisions? Did they consciously choose or merely react to some form of programming? One of the most prominent figures to take on the issue (and whose solution came to have a second life at the end of the twentieth century) was Finnish sociologist Edward Westermarck, professor of sociology at the University of London from 1906 to 1930. Westermarck first adumbrated his ideas on the origins of the incest taboo in 1891 in *The History of Human Marriage*.<sup>125</sup> Working within a Darwinian tradition, he sought to show how it was that evolution selected for incest avoidance and favored populations which over many generations practiced outbreeding. His work was widely discussed and subjected to considerable criticism during the three or four decades after he first published, but by the middle decades of the twentieth century had come to be considered not very convincing. Towards the end of the century, however, having been recognized for their usefulness, his views became the dominant paradigm among evolutionary and sociobiologists. His basic arguments did not change essentially between the 1891 first edition and the 1922 fifth edition of his greatly expanded work. Since he was not concerned with how consanguineous marriage led to mental and physical debility among descendants but only with evidence that it did, he had little direct use for Mendel’s statistically based work.<sup>126</sup>

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and parents and children. See the recent discussion by Maurice Godelier, *The Metamorphoses of Kinship*, trans. Nora Scott (London and New York, 2011 [the French original, 2004], pp. 375–89.

124 And at least some evolutionary biologists adopted the idea that successful adaptation became genetically programmed. See various essays in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, for example Arthur P. Wolf, “Explaining the Westermarck Effect: Or, What Did Natural Selection Select For?,” pp. 76–92, here p. 90; Walter Scheidel, “Ancient Egyptian Sibling Marriage and the Westermarck Effect:,” pp. 93–108, here p. 103; Neven Sesardic, “From Genes to Incest Taboos: The Crucial Step,” pp. 109–20; William H. Durham, “Assessing the Gaps in Westermarck’s Theory,” pp. 121–38, esp. pp. 128–30; Hill Gates, “Refining the Incest Taboo: With Considerable Help from Bronislaw Malinowski,” pp. 139–60, here p. 155.

125 I am working with his second edition (London, 1894) and with the three-volume revised fifth edition (New York, 1922). Westermarck is the central figure for the Wolf and Durham book, *Inbreeding, Incest, and the Incest Taboo*.

126 In German, Mendel had been turned into a verb, *mendeln* (to Mendel), which described the process of segregation along the lines of Mendel’s pea experiments. The only reference to Mendel in Westermarck’s 1922 revised edition appeared in verb form in the phrase “*herausmendeln* [to segregate out] of recessive types”: Edward Westermarck, *The History of Human Marriage*, 3 vols., 5th rev. ed. (New York, 1922), vol. 2, p. 238.



Westermarck began his consideration of close marriage with the standard problem: the (almost) universal horror of incest together with considerable variation in marriage and sexual prohibitions.<sup>127</sup> He seriously considered and then quickly dismissed Lewis Henry Morgan's explanation that the taboo had its origins in "observation of the injurious results of such unions" and that this knowledge became part of cultural learning, inculcated in each generation.<sup>128</sup> All the other explanations that Westermarck reviewed similarly embraced this idea that incest avoidance was something taught. This left out what he considered to be crucial to any understanding of the taboo; namely, that close examination revealed psychical motivations so powerful as to deserve the label "instinctual." It was not the product of knowledge transmitted through some form or other of social or familial pedagogy but of a deeply rooted sentiment, which originated in the experience of domestic association.<sup>129</sup> The instinct arose in the first place among those who lived together "from early youth." Westermarck called it an "innate" aversion; not, however, inborn or congenital, but rather spontaneous and untaught.<sup>130</sup> Close and intimate living together, he thought, prompted feelings of indifference or even disgust, and all other prohibitions based on belonging to a specific social group were extensions based on the original experience of intimacy. "Generally speaking, the feeling that two persons are intimately connected in some way or other way, through an association of idea, gives rise to the notion that marriage or intercourse between them is incestuous."<sup>131</sup> How then to explain the societies that allowed marriage with a half sister or even couplings of a brother and sister? The half-sister problem was resolved with reference to socialization in different households, and the brother-sister example, as found in ancient Egypt, was explained as a matter of dynastic necessity and pure blood ideologies, thus an exception prompted and warranted by hierarchy and power.<sup>132</sup>

Westermarck relied on Darwin's research on the benefits of cross-fertilization and long-term deficiencies associated with "self-fertilization," and believed that professional breeders had finally concluded that in-and-in breeding only led to deterioration.<sup>133</sup> A certain degree of differentiation between breeding pairs of plants or animals was necessary for successful propagation. He followed this up with the point by then widely

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127 Edward Westermarck, *The History of Human Marriage*, 2nd ed. (London, 1894), p. 290.

128 Westermarck, *Human Marriage*, 2nd ed., p. 318. He considered at length the views of John Ferguson McLennan (female infanticide coupled with bride capture), Herbert Spencer (evolution of innate ideas resulting from bride capture), John Lubbock (communal marriage), and J. Kohler (politics of making friends), pp. 311–17.

129 Westermarck, *Human Marriage*, 2nd ed., p. 319: "The home is kept pure from incestuous defilement neither by laws, nor by customs, nor by education, but by an *instinct* which under normal circumstances makes sexual love between the nearest kin a psychical impossibility."

130 Westermarck, *Human Marriage*, 2nd ed., p. 320.

131 Westermarck, *Human Marriage*, 2nd ed., p. 331.

132 Westermarck, *Human Marriage*, 2nd ed., p. 332.

133 Westermarck, *Human Marriage*, 2nd ed., pp. 335–36: "The consensus of opinion on this point among eminent breeders is indeed overwhelming, and cannot be reasoned away."

accepted among scientists of the time that “it is impossible to believe that a law which holds good for the rest of the animal kingdom, as well as for plants, does not apply to man also.”<sup>134</sup> Nonetheless, for most people, this was not readily evident. After all, the injurious consequences, even of a brother-sister marriage, might not appear for several generations. In fact, no amount of observation of deleterious effects could explain the innate resistance to marriage or sexual relations among near kin. Westermarck thought that the considerable discussion about cousin marriage among learned experts had ended on an inconclusive note. Still, he was convinced, having reviewed the literature, that consanguineous marriages were indeed “detrimental to the species,” that this just was not easy to demonstrate, and that most people who respected the taboo did not do so from explicit understanding of negative consequences: “And here, I think, we may find a quite sufficient explanation of the horror of incest; not because man at an early stage recognized the injurious influence of close intermarriage, but because the law of natural selection must inevitably have operated.”<sup>135</sup> In the far distant past, people most probably mixed indiscriminately, but there were variations, “and those of our ancestors who avoided in-and-in breeding would survive, while the others would gradually decay and ultimately perish. Thus an instinct would be developed which would be powerful enough, as a rule, to prevent injurious unions.”<sup>136</sup> Westermarck’s story was one of survival of the fittest, one which has reappeared in the twenty-first century in a form that makes genetic selection the motor for its plot. Avoidance began with those who first developed an aversion to marrying people with whom they lived – for the most part blood kin – and who, by the association of ideas came to fix on recognizable kin, the definition of which was subject to cultural variation, but the effect of which was to increase the fitness and thus the evolutionary success of those who did. Certainly, there are many scholars who find this narrative plausible, but there also are many others who judge it more like what the paleontologist and evolutionary biologist Stephen Jay Gould dismissively called a “just-so” story.<sup>137</sup>

## The rules of heredity

In the case of each pair of characters there is thus one which in the first cross prevails to the exclusion of the other. This prevailing character Mendel calls the *dominant* character, the other being the *recessive* character. — William Bateson, 1902<sup>138</sup>

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134 Westermarck, *Human Marriage*, 2nd ed., p. 338.

135 Westermarck, *Human Marriage*, 2nd ed., p. 352.

136 Westermarck, *Human Marriage*, 2nd ed., p. 352.

137 Anthony Gottlieb, “It Ain’t Necessarily So,” *New Yorker*, September 10, 2012, accessed November 6, 2020, <https://www.newyorker.com/magazine/2012/09/17/it-aint-necessarily-so>.

138 William Bateson, *Mendel’s Principles of Heredity: A Defence, With a Translation of Mendel’s Original Papers on Hybridisation* (Cambridge, 1902), p. 2.

The fashion of speaking of a given factor, or gene substitution, as causing a given somatic change, which was prevalent among the earlier geneticists, has largely given way to a realization that the change, although genetically determined, may be influenced or governed either by the environment in which the substitution is examined, or by other elements of the genetic composition.

— R. A. Fisher, 1930

Once Mendel's work came into play, the approach to consanguineous reproduction shifted to considering heredity in the context of fifty years of research in physiology and cell theory. Consanguinity now had a foundation in the mechanics of reproduction at the cellular level, such that the consequences of close marriage, including the chances of producing offspring with recessive traits, could be expressed as matters of statistical probability. It was relatively easy to examine strains of wheat or fruit flies, since they reproduced rapidly and in large numbers, satisfying exigencies of sample size and offering relatively speedy results. But mapping findings onto humans was not so simple. Constructing human pedigrees and evaluating them with any degree of confidence required ingenuity, some degree of consensus about processes and causes, and considerable amounts of money. Some geneticists, for example, thought that recessive genes were widely distributed among human populations, probably the result of mutations, and for the most part dangerous, and that each of these issues needed to be reliably demonstrated and evaluated for its effects.<sup>139</sup> And even though it was by now widely recognized that the study of cell physiology in plants and animals had direct implications for human sexual reproduction, still, there were lots of problems and questions, including for example, the disease risks associated with marriage among close consanguineal kin. Did the risks rule out first, or second, or third cousins, or even, as in the case of some diseases (sickle cell anemia among American Blacks or Tay Sachs among Ashkenazi Jews), most anyone within a broader but still well-defined population. As I unfold this story, I will be compelled to resort to technical language, so I begin here with a quick review. If the reader loses his or her way, the glossary at the end of the chapter can re-establish orientation.

Crucial advances in the study of plant and animal cells (cytology) allowed scientists to unravel the complexities of sexual reproduction. Already during the 1850s and '60s, both spermatozoa and eggs were demonstrated to be single cells.<sup>140</sup> In the next decades, the process of fertilization came to be understood as the production of a new cell nucleus from the fusion of an egg nucleus with a spermatozoon nucleus. Oscar Hertwig (1849–1922) demonstrated in 1875 that only one sperm fertilized any specific egg.<sup>141</sup> In 1884, it

<sup>139</sup> Diane B. Paul, "Our Load of Mutations' Revisited," *Journal of the History of Biology* 20 (1987): 321–35, here 322. For example, H. J. Muller and Theodosius Dobzhansky both thought that nearly all mutations were deleterious. The term that Muller came up with, "genetic load," implied that variation was bad (p. 329).

<sup>140</sup> The data in this paragraph are summarized in Müller-Wille and Rheinberger, *Cultural History of Heredity*, pp. 80–91.

<sup>141</sup> Hogben, *Genetic Principles*, p. 39, credited Hermann Fol (1845–1902) with making the discovery in 1879.

was shown that spermatozoon and egg nuclei (now called gametes) made an equal contribution to the now fertilized egg (zygote), which by a normal process of cell division called mitosis, produced daughter cells, each a copy of the parent cell. In 1888, pairs of string-like elements in somatic cell nuclei received the name chromosomes. But spermatozoa and eggs were unusual in their chromosomal architecture. Unlike other cells, they were the product of specialized germ cells that had undergone a reduction division (meiosis), with the result that they each had half the chromosomes found in somatic cells, one from each of the pairs. The chromosomes themselves were now understood to have particles arranged along their length. At fertilization the chromosomes of an egg and its fertilizing sperm were relinked to become the nucleus of the resulting zygote. Spermatozoa and eggs became known as haploid (single set of unpaired chromosomes) cells, and somatic cells, as diploid (containing two complete sets of chromosomes) cells, to distinguish between them according to their chromosomal number.

Cytologists found the processes of cell division to be the same for plants and animals, an assumption that over the long run allowed biologists to argue that what happened in plants, which were easy to study, also happened in humans, which were not so easy to study. But not all cells were alike. Both Karl Wilhelm von Nägeli (1817–91) and August Weismann (1834–1914) distinguished the cells which took part in fertilization (idioplasm or germ plasm) from the rest of the cells in the body (soma). Weismann argued that there could be no communication from the soma cells back to the germ plasm, which thus excluded the possibility of reproducing acquired characteristics, an idea that took until the 1930s to be fully accepted only to be revisited at the end of the century with notions of epigenesis. Towards the last decade of the nineteenth century, the notion that chromosomes or gametes “fused” or “blended” at the moment of fertilization was no longer understood to be the case. Instead, the equal elements or factors from the two parents remained intact, merely joined together in a new cell. By the time Mendel was “rediscovered” in 1900, his contention that these factors separate out again in a process of “segregation” now made sense of a half century of cytological exploration. It became possible to “conceive of reproduction no longer as personalized and individual generation of offspring, but . . . as the transmission and redistribution of a more or less atomized biological substance.”<sup>142</sup>

The English biologist William Bateson, an almost immediate convert to Mendel, published his account of Mendel’s experiments, *Mendel’s Principles of Heredity: A Defence*, in 1902.<sup>143</sup> It offered an understanding of early Mendelism and a general set of principles that put the discussion of incest and inbreeding on a new footing. Mendel had selected seven pairs of characters for his experiments on the garden pea,

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<sup>142</sup> Müller-Wille and Rheinberger, *Cultural History of Heredity*, p. xi.

<sup>143</sup> Bateson, *Mendel’s Principles*, p. v: “Two years ago it was suddenly discovered that an unknown man, Gregor Johann Mendel, had, alone, and unheeded, broken off from the rest—in the moment that Darwin was at work—and cut a way through . . . Each of us now who looks at his own patch of work sees Mendel’s clue running through it.”

including among other things the shape of ripe seed (round vs. angular and wrinkled) and the color of unripe pods (a shade of green vs. bright yellow).<sup>144</sup> He then systematically crossed a large number of plants, taking one set of characters at a time, and found that the offspring displayed the character of only one of the parents. The one that was displayed, he called “dominant,” while the other that was not, he designated “recessive.” Geneticists labeled this first generation “F<sub>1</sub>.” For all the character pairs, letting generation F<sub>1</sub> self-fertilize to produce a generation F<sub>2</sub> resulted in some individuals with the dominant character and others with the recessive one, always close to the ratio 3:1. This generation was then self-fertilized. The recessives bred only recessives in this F<sub>3</sub> generation and did so continuously in subsequent generations. However, the self-fertilized dominants from F<sub>2</sub> on displayed an altogether different result. There were two classes: pure dominants and mixed offspring, made up partly of recessives and partly of dominants, the two classes appearing consistently in a ratio of 1:2 (pure dominants to mixed offspring). Note that although Bateson here was describing the phenotype, the visible characters of the plants, he and Mendel were seeking to understand the factors that could not be seen. The mixed offspring in generation F<sub>3</sub>, for example, displayed the dominant character but were actually hybrids or “crossbreds” containing both dominant and recessive genetic factors. Thus, while generation F<sub>3</sub> produced plants that consistently exhibited 75% dominant characters, 2/3 of these were crossbred dominants and 1/3, pure. Self-fertilizing one hundred individuals from the original hybrid generation (F<sub>2</sub>) always yielded the same results: 25 pure dominants, 50 crossbred dominants, and 25 pure recessives, or a proportion of 1:2:1, expressible also as three dominant phenotypes to one recessive. Both the pure dominants and the pure recessives bred respectively pure dominants and recessives through all following generations. However, the crossbreds always produced offspring with external characteristics in the same numerical proportion: three dominants to one recessive. The recessives were pure, while the dominants once again displayed the proportion of one pure dominant to two crossbred dominant. Bateson underlined that all these results had to do with statistical probabilities and appeared only when working with large numbers.

By updating Mendel’s work with cell theory as it had been developed in the prior fifty years, Bateson tried to crack the nut of heredity.<sup>145</sup> He took the example of two varieties with different intensities of the same character, symbolized as “A” and “a.” Thus their respective gametes bore “A” and “a” as well. When the gametes “A” and “a” united, they formed the zygote “Aa.” The key point was that the external form of the new organism did not necessarily tell anything about the character of the zygote. Furthermore, when the zygote “Aa” divided, its gametes would be “A” or “a,” on average in equal numbers. If “Aa”s bred together, there would be pure “A” and pure “a” zygotes

<sup>144</sup> The account of Mendel’s experiments: Bateson, *Mendel’s Principles*, pp. 9–13.

<sup>145</sup> Bateson, *Mendel’s Principles*, pp. 22–30.

as well as “Aa”s, true hybrids. The latter, he called “heterozygotes”; the “AA” and “aa” forms, “homozygotes.”<sup>146</sup> These terms (or their derivatives, homozygosity and heterozygosity) would recur in discussions of incest and inbreeding from then on and remain central concepts today in the genetics of consanguineous reproduction. Bateson applied the same calculation for two separate varieties, A and B, which would form AA, AB, and BB zygotes in the already familiar proportion 1:2:1. “We have seen that Mendel makes no prediction as to the outward and visible characters of AB, but only as to the essential constitution and statistical condition of its gametes in regard to the characters A and B.”<sup>147</sup> The results discredited the idea of blended inheritance – that is, the factors in the gametes now were understood to retain their character, not to merge or blend. Yet experience with various organisms showed that the zygote formed by the union of dissimilar gametes allowed for differing results in the external form: dominant and recessive characters, some kind of mixed form (for example, red and white flowers producing pink in the F<sub>1</sub> generation), or a form distinct from either parent.<sup>148</sup> Bateson added another key term to genetic vocabulary when he labeled the different characters, or “unit-characters,” such as round or angular seeds, which were alternatives to each other, “allelomorphs,” (later shortened to “alleles”).<sup>149</sup>

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**146** Hogben, *Genetic Principles*, p. 13, offers these definitions. Heterozygote: “When a gene is present upon one chromosome but not on the complimentary chromosome, the individual is said to be heterozygous for the character difference determined by such a gene.” Homozygote: “When a gene is present in duplicate, an individual is said to be homozygous for a character difference determined by that gene.”

**147** Bateson, *Mendel's Principles*, p. 24.

**148** Bateson, *Mendel's Principles*, p. 26.

**149** Bateson, *Mendel's Principles*, p. 30: “In Mendelian cases it will now be perceived that all the zygotes composing the population consist of a limited number of possible types, each of definite constitution, bearing gametes also of a limited and definite constitution in respect of preexisting characters. It is now evident that in such cases each several progenitor need not be brought to account in reckoning the probable characters of each descendant; for the gametes of cross-breds are differentiated at each successive generation, some parental (Mendelian) characters being left out in the composition of each gamete produced by a zygote arising by the union of bearers of opposite allelomorphs.”

T	t
T	t

I Female Gametes

T	T
t	t

II Male Gametes

T T homozygote	t T heterozygote
T t heterozygote	t t homozygote

III F<sub>2</sub> combinations

William Bateson adapted a graphic method (the Punnett Square) developed by his colleague Reginald Punnett (1875–1967) to illustrate the number of terms in the gametic series, which is represented here in modified form. For this example, Bateson took one pair of allelomorphs, T (tall) and t (dwarf). The parent zygotes of the pure strains are TT and tt. Their gametes are T, T and t, t, respectively. The F<sub>1</sub> generation heterozygote is Tt, and its gametes are all either T or t in equal numbers. Since this is true of both the female and male germs, there are four possible combinations. The top set of squares (I) represents the female gametes, or germ cells, of the F<sub>1</sub> generation. The middle set (II) represents the male germs, placed horizontally instead of vertically. Superimposing the first set of squares on the second, all possible zygotic combinations are represented in the F<sub>2</sub> generation, as in the bottom set (III). There are proportionally 1TT+2Tt+1tt for any statistically significant population. Since T is dominant, the visible result is 3T:1t.

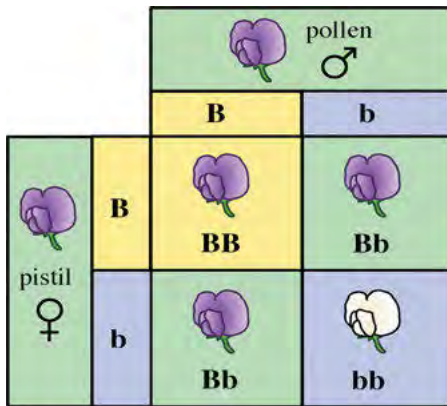
William Bateson, *Mendel's Principles of Heredity* (Cambridge, 1913), pp. 57–58.

**Fig. 32:** Punnett Square.

Ernst Mayr suggested ironically that Gregor Mendel was not himself a Mendelian, for what was missing from his explanations was a notion of the gene and the idea that genes were to be found in particular “loci” on chromosomes.<sup>150</sup> In 1909, as noted earlier,

<sup>150</sup> Mayr, *Growth of Biological Thought*, p. 716. Müller-Wille and Rheinberger, *Gene*, p. 35, pointed out that a coherent account of the chromosome theory of inheritance was articulated in 1902 by Walter Sutton and

Johannsen gave the name “gene” to the thing that everyone was talking about even though he and many others did not agree on what exactly it was. And Bateson himself, as also already noted, had already designated the new science “genetics” three years earlier. Although in 1899, Weismann had clearly distinguished between genotype (disposition type) and phenotype (appearance type), it was not until Johannsen’s textbook in 1909 that the concepts appeared in print.<sup>151</sup> The genotype referred to the genetic constitution of the zygote formed by the union of two gametes.<sup>152</sup> And Johannsen defined the “genotype” as the sum total of all the “genes” either in a gamete or zygote.<sup>153</sup>



**Fig. 33:** Genotype and Phenotype.

The general principles and terminology worked out in the two decades around 1800 are illustrated here. In this instance, the phenotype (or expressed characteristic) for color is linked to one set of alleles or alternative forms of a particular gene. Both the male and female flowers in this instance can carry the genes for white and pink colors. In the process

of reproduction, the diploid germ cells undergo reduction division into haploid gametes, which in turn unite in a fertilized egg or zygote to restore a full complement of chromosomes with their set of genes. The dominant gene is represented by an upper-case letter, the recessive by a lower-case one. The image illustrates a Punnett square, offering all the possible combinations when breeding together an  $F_1$  generation of heterozygotes (Bb). In any combination with the dominant gene in the genotype (BB or Bb), the phenotypical expression will be affected by the dominant gene. This is a simplified version for several reasons. For many organisms, several genes might be necessary to determine a phenotype, even color. Also, the phenotype of a heterozygote might not show the dominant trait (for example where the alleles are a dominant red and recessive white, the phenotype might be pink). For a recessive gene to be expressed in the phenotype the zygote must have a genotype composed of two recessive alleles.

The diagram, by Madeleine Price Ball, is CC0 (Creative Commons not copyrighted). [https://commons.wikimedia.org/wiki/File:Punnett\\_square\\_mendel\\_flowers.svg](https://commons.wikimedia.org/wiki/File:Punnett_square_mendel_flowers.svg).

Theodor Boveri. They described groups of genes (not yet named) localized on the chromosomes in the cell nucleus. And they found regularities in the transmission of characters attributable to cell morphology. But all the way to the early 1920s, both Bateson and Johannsen refused to see the gene as a material particle, on the one hand, and did not buy the idea that genes could be localized on chromosomes. Indeed, Bateson resisted the chromosome theory of inheritance for a long time: Rheinberger and Müller-Wille, *Gene*, p. 41.

<sup>151</sup> Mayr, *Growth*, p. 702; Müller-Wille and Rheinberger, *Gene*, p. 45.

<sup>152</sup> Mayr, *Growth*, p. 782.

<sup>153</sup> Müller-Wille and Rheinberger, *Cultural History of Heredity*, pp. 139–40. According to Rheinberger and Müller-Wille, *Gene*, p. 45, Johannsen’s codification determined how the theory of inheritance would unfold as a scientific research project, “focusing exclusively on the transmission of genotypic differences and ignoring the domain of development that governed by a complex web of interactions between innumerable genetic as well as environmental factors.”



In the decade after 1900, there were hundreds of studies of living organisms purporting to demonstrate inheritable characteristics following Mendelian ratios. Experimental work began to take up “model organisms,” peas or fruit flies (*Drosophila melanogaster*), since their chromosomal organizations were comparatively simple, and researchers could study many generations over a short period of time. It turned out that the seven character pairs Mendel had selected for study actually were distributed on seven different chromosomes in the garden pea variety he had studied. This had simplified matters considerably, since nearby genes could affect how any given gene worked, and his characters were distant enough not to influence each other.<sup>154</sup> Mendel had worked with unit-characters and their expression, a one-to-one relationship between a specific factor (gene) and the visible character (phenotype). The traits were monogenic, which often, but not always, limited their relevance for other traits in other plants, animals, and above all, for humans. Furthermore, he had been well aware that his results did not work for the vast majority of plants. In his study, there were only two alternatives (alleles) for each factor (gene), but it was soon discovered that there could be multiple alleles for a single trait. Furthermore, there were other kinds of relationships to take into consideration. Some genetic factors could influence several unrelated traits located in quite different parts of an organism, a phenomenon known as pleiotropy, and many traits were determined by several or even many genetic factors (polygeny). Most characters studied by animal breeders, for example, were polygenic and therefore not really suitable for the Mendelian kind of analysis. Indeed, the Mendelians, led by Bateson, discovered many deviations from Mendel’s proposed “rules.” And Bateson also raised the question of how to apply knowledge from plant breeding to the study of close breeding in humans. Unlike for plants, he found few discrete dominant or recessive traits in humans.<sup>155</sup>

In the United States, beginning around 1908, the highly influential geneticist and eugenicist Charles Davenport (1866–1944), from 1904 director of the Cold Spring Harbor Laboratory and founder in 1910 of the Eugenics Record Office, did take on humans as his subject.<sup>156</sup> He sent out scores of field workers to develop pedigrees from which he

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154 Mayr, *Growth*, p. 756.

155 Porter, *Genetics in the Madhouse*, p. 308.

156 The fear of recessive genes characterized two different discourses throughout the twentieth and on into the next century. In this chapter, I am mostly concerned with how scientists and pundits dealt with reproduction among closely related kin. But there was also a long tradition of eugenics, with varying fortunes. Both of these discourses overlapped to some extent but most of the leading eugenicists did not write extensively about consanguinity. Certainly the techniques of pedigree analysis were used by both sets of scientists, and both found in Mendel useful tools to pursue their research. Paul and Spencer, in “Eugenics without Eugenists,” asserted that British and American eugenicists did not endorse or condemn the practice of cousin marriage (p. 60). “In both countries, the debates surrounding consanguineous marriage preceded both the emergence of Darwinian evolutionary theory and Galton’s crusade, as well as the subsequent eugenics movement,” p. 67. For an account of the eugenics movement, see Kevles, *In the Name of Eugenics*. He pointed out that in America, there was a fear of immigrants spreading inferior genes into the population (p. ix). Eugenicists like Davenport found evidence for inheritance

built a substantial set of data. The point of all his work was to trace diseases and disabilities through genealogies in order to identify the Mendelian factors behind them.<sup>157</sup> In particular, he wanted to establish that mental disorders in humans followed Mendelian ratios just as inevitably as Mendel found such distributions in his pea experiments. His work was highly regarded and found considerable backing among geneticists – in fact, some considered his results the most important genetics research altogether – but by the 1930s growing criticism of his methods led to rejection of many of his findings.<sup>158</sup> “Yet geneticists continued to teach basic Mendelism as the prototype for every sort of hereditary transmission, and the gene has sustained its supremacy in ordinary discourse.”<sup>159</sup> One criticism of Davenport’s work suggested that the Mendelian conclusions were drawn first and then the data was set up to verify them “by sending out field workers with inadequate medical training to construct ancestries.”<sup>160</sup> In any event, the approach was to match a single gene with a single expression – in the case of mental disorders, often ill-defined – in an attempt to explain a continuous variation, like feeble-mindedness, in terms of discontinuous Mendelian genes.<sup>161</sup> But by the 1930s, as Ernst Mayr has pointed out, the number of genes thought to control a single character trait could be

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of insanity, feeble-mindedness, and criminality in genealogies, all traced as Mendelian characters (pp. 46–48). It was feared that foreigners carried dangerous recessive genes (pp. 97–100). “Mainline doctrine presumed that like produced like—that superior or inferior parents spawned, respectively, superior or inferior offspring through the transmission of traits by single Mendelian characters—unit-characters as they were known,” p. 145. The issue of recessives was also a key concern for those concerned with consanguineous marriages (p. 177). When eugenicists in England did search for consanguinity as an indicator of recessive disorders in the 1930s and ‘40s, the results were disappointing (p. 203). By the late 1940s, geneticists like Hermann Muller (1890–1967) were equating recessive genes with mutations and considered accumulation of recessives in terms of the “genetic load,” pp. 260–61. The challenge to both eugenics and those concerned with consanguineous marriage turned out to be the polygenic character of most human phenotypes. “Single genes account for only a small fraction of human traits, disorders, and diseases. Like intelligence, most human characters are polygenic, and therefore are not even genetically understood, let alone subject to manipulation,” p. 296.

157 Porter, *Genetics in the Madhouse*, p. 3–4.

158 Porter, *Genetics in the Madhouse*, p. 319. Kevles, *In the Name of Eugenics*, p. 199, noted that Davenport’s Eugenic Record Office amassed huge amounts of data. The committee to evaluate the office “concluded that the thousands of records, along with the elaborate indexing system, concerning family heredity were ‘unsatisfactory for the study of human genetics.’ Among the reasons: traits such as personality, character, sense of humor, self-respect, loyalty, holding a grudge, and the like could seldom be measured, or honestly recorded if they were.” The office was shut down the following year.

159 Porter, *Genetics in the Madhouse*, p. 3–4. See in *ibid.*, ch. 11, “Genetic Ratios and Medical Numbers Give Rise to Big Data Ambitions in America, 1902–1920.” See also Hogben’s reservations: “Characters as such are the end-product of a prolonged and immensely complex series of reactions between the structural materials contributed by the sperm and the egg on the one hand, and all the characteristics of the physical medium in which the cells descended from a given fertilised egg develop,” *Genetic Principles*, p. 40.

160 Porter, *Genetics in the Madhouse*, p. 322.

161 Mayr, *Growth of Biological Thought*, pp. 790–91.

very large.<sup>162</sup> Furthermore, around that time, feeble-mindedness was no longer considered to be a monogenic trait.<sup>163</sup> R. A. Fisher, who held the chair of statistical genetics at University College London, wrote in his *Genetical Theory of Natural Selection*, 1930: “The fashion of speaking of a given factor, or gene substitution, as causing a given somatic change, which was prevalent among the earlier geneticists, has largely given way to a realization that the change, although genetically determined, may be influenced or governed either by the environment in which the substitution is examined, or by other elements of the genetic composition.”<sup>164</sup>

After 1900, the science of heredity, with Mendel’s work as the touchstone, developed in ways that overcame strong resistance from biometricians such as Pearson, as I already have mentioned. A great deal of research was devoted to figuring out when simple Mendelian formulas might be operating, and when and where they could not be, due to greater complexity; indeed, whether they were useful at all. From the beginning, Mendelism offered a way of assessing the consequences of inbreeding among humans, which was and still is most often studied under the heading of “cousin marriage.” Whatever ambivalence Pearson might have had about Mendelian ratios in heredity research, his chief associate, Ethel Elderton, found them useful for considering the effects of cousin marriage, which she took up in a 1911 publication. “The danger of cousin marriage,” she wrote, “lies in the probability that the germ-plasm of each individual contains numerous latent defects, each of which is rare in the community at large, and each of which is of small danger to the individual or the offspring unless the mating is with another individual whose germ-plasm contains one or more of the same latent characters.”<sup>165</sup> She went on to use standard Mendelian ratios to figure out the percentage of children who would be bound to have the defect that went with doubling the latent [recessive] “detrimental character.”<sup>166</sup>

The puzzle that had bemused medical professionals from the 1850s onwards, namely, that healthy parents might have unhealthy children, found a solution in the new science of heredity. Somehow, something lay hidden or latent in the familial line, such that a particular pathology skipped about among descendants and collaterals to land here or there without any clear explanation. It was possible for unrelated couples to harbor the same recessive factor or gene, which then could be expressed in the progeny or in the following generation, but it was much more likely that heterozygotic close

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162 Mayr, *Growth of Biological Thought*, pp. 786, 790–91.

163 Porter, *Genetics in the Madhouse*, p. 320.

164 Quoted in Porter *Genetics in the Madhouse*, p. 321. Davenport was not the only one to get good ratios. Emil Oberholzer in 1913 tried to show that schizophrenia is inherited in the same proportions as with Mendel’s peas. It was a matter of a Mendelian recessive factor. For any family that had eight children, if the parents both had the recessive gene for schizophrenia, then there would be exactly two with the mental disorder. The parents, of course, would not have the disorder, since they were heterozygous for schizophrenia, the recessive allele (p. 282).

165 Ethel M. Elderton, *On the Marriage of First Cousins* (London, 1911), p. 37.

166 Elderton, *Marriage of First Cousins*, p. 7.

relatives would do so. Nevertheless, there were some who thought that the evidence for risk was not at all clear. On the basis of the study of a 2,232-member peasant clan, for example, Herman Lundborg (1868–1943) in 1913 argued that the outcome depended upon the quality of the family. It was its biological structure or its constitution that mattered. Inside a constitutionally favored family, inbreeding was actually a good thing but had negative consequences when it was badly *qualificiert*.<sup>167</sup>

By the early 1920s, enthusiasm for testing the relevance of “laws” derived from work with peas to human pedigrees was in full swing. Two leading American geneticists, Edward East (1879–1938) and Donald Jones (1890–1963), fresh from experiments in hybridizing corn, were convinced that in both corn and humans “hereditary differences carried as potentialities in the germ cells are shuffled and divided, . . . formed by a law as definite and precise as one of chemistry or physics.”<sup>168</sup> Since man was just another sexually reproducing mammal, *a priori* his heredity was guided by this law and Mendel’s explanatory system. “What is meant by corroboration of Mendelism in human heredity is simply that *starting with the assumption of the truth of the law* [emphasis added], all human data have been found to fit.” And inbreeding tended to bring out recessive characters. A good example was feeble-mindedness, which was due to a “single principle unit factor, recessive to what we may call normal mentality.” But, on the other hand, it all depended: “Does any one doubt but that close breeding in families which have shown superior civic value tends to concentrate, to purify, in genetic terms to render homozygous, the particular factorial combinations which cause this superior endowment?”<sup>169</sup>

From 1900 to the 1930s, then, the effects of consanguineal unions were worked out according to newly discovered “laws” of heredity. Within any population, genes, eventually thought of as material substances, were transmitted and redistributed through sexual reproduction. What was new for offspring was the particular constellation of these randomly transmitted factors, not something created by the parents; indeed, Lamarckian assumptions about acquired characteristics being transmissible were almost everywhere abandoned. The redistribution of genes in a population involved a mixing of dominant and recessive characters in an almost kaleidoscopic fashion, a distribution that nonetheless was subject – at least in large numbers – to statistical probabilities. The conceptual apparatus for this was worked out by cytologists who clarified

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<sup>167</sup> Herman Lundborg, *Medizin-biologische Familienforschungen innerhalb eines 2232 köpfigen Bauerngeschlechtes in Schweden (Provinz Blekinge)*, 2 vols. (Text and Atlas) (Jena, 1913), Text vol., pp. 492–93.

<sup>168</sup> Edward M. East and Donald F. Jones, *Inbreeding and Outbreeding: Their Genetic and Sociological Significance* (Philadelphia and London, 1919), p. 228.

<sup>169</sup> Paul and Spencer, “Eugenics without Eugenists,” p. 60, make the point that eugenicists—East and Jones, for example—were quite ambivalent about consanguineous marriage. Recessive genes that were likely to be expressed with cousin marriages might increase or decrease the stock depending on their nature. Ruthless selection is impossible for humans, so the best a couple can do is look at their own pedigrees to see if there is likely to be any hereditary defect. If there aren’t any, then the risk is low and the effect will be to accentuate positive characters.

exactly what took place in sexual reproduction. And with the introduction of Mendelism to the conceptual mix, the problem of close-kin marriage was reconfigured in terms of gene transmission and the risk of encountering recessive homozygosity. At first, human genetics was modeled on experiments with plant hybridity, where one gene was matched with one phenotypic expression. Charles Davenport even went so far as to find a monogenic cause behind the sea captain's desire to be out on the ocean (thalassophilia).<sup>170</sup> It was soon realized that for animals, and above all for humans, most traits, from eye color to mental capacity, were polygenic. The results of the many projects carried out by genetic enthusiasts like Davenport were far too good to be believed. But that hardly stopped researchers' obsession with latent (can we say lurking) recessives. Some still clung to the hope that Mendelism would work in some way or other to explain all the processes of human heredity. And despite the fact that it became increasingly hard to demonstrate how deleterious polygenic traits might appear with increased frequency among the offspring of near kin or to figure out how mental capacity, mental health, or any other complex aspects of human character were monogenic or related to hetero- or homozygosity, popular and learned indulgence for the practice of cousin marriage declined, not necessarily from compelling evidence, but still with all the confidence of scientific argot.

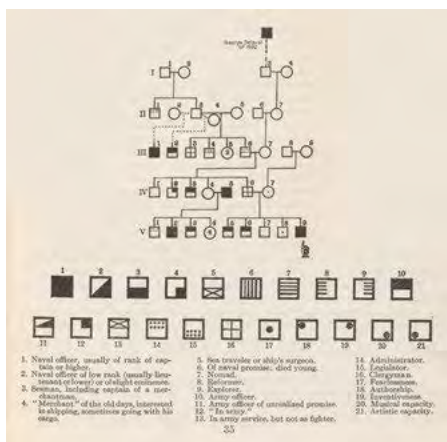


Fig. 34: Genealogy of Love of the Sea.

This genealogy, printed in the volume by Charles Davenport (1866–1944) on the heredity of naval officers, was composed from published memoirs, genealogical records, and family questionnaires. It purports to show, in Mendelian terms, that *thalassophilia* (love of the sea, or “sea-lust”) is a genetics-based trait. Since only men showed up as sea captains, Davenport argued, the recessive gene had to be sex-linked. Davenport proposed that the exigencies of entering a war made it imperative to select naval officers by paying attention to hereditary factors in families. “The performance of any man depends to a large degree upon his inherent inheritable traits . . . Since heredity is so potent in determining the product, and particularly the vocation which a man selects and in which presumably

<sup>170</sup> Porter, *Genetics in the Madhouse*, p. 252: “Davenport turned up the classic Mendelian proportions, 3:1 and 1:1, for almost every condition, however ill-defined, that mattered to eugenics. Although these claims were subjected to withering criticism almost from the beginning, his project appeared for some time as a remarkable success story. Afterward it became one of the best-known tales of eugenic and genetic hubris.”

he is more or less successful, it is worth while to consider the occupations of close relatives of the propositus.” He continued: “The love of the sea, sea-lust or *thalassophilia*, is apparently a specific trait . . . . Men are driven into sea life by their instinctive fondness for the sea. That sea-lust is an inherited, racial trait is demonstrated by its distribution among the races of the globe. It is natural that races with a sea-lust should make their way to the seacoast . . . . It seems probable, indeed, that sea-lust is a definitive instinct which has appeared in a few strains of mankind . . . . However it has arisen, in some way it has got into a population and through consanguineous matings it has increased until it is found in a marked proportion of the population, which we then speak of a great maritime people . . . . Sea-lust . . . is a fundamental instinct . . . . One of the most striking characteristics of sea-lust is that it is almost wholly a male character . . . quite as much so as the beard . . . . [T]halassophilia acts like a recessive, so that, when the determiner for it . . . is in each

germ-cell the resulting male child will have a love of the sea . . . . It is probable that if there is not a history of love of the sea in close male relatives on at least one side the youth will not become a great sea captain or naval officer . . . . Admitting that a knowledge of juvenile promise and family history might assist in the selection of untried men for commissions, the practical question remains: How can such knowledge be obtained promptly enough to aid in officering a new army (sic)? . . . [This] requires the use of persons trained in this work . . . . [T]he Eugenics Record Office [has] . . . about 130 picked women and men . . . sufficient to report on the personal and family history of 50,000 men . . . .”

Charles Benedict Davenport, assisted by Mary Theresa Scudder, *Naval Officers, Their Heredity and Development* (Washington, DC, 1919). The diagram is composed from separate diagrams on pp. 35 and 43. The quotations are from pp. 1–34. Image courtesy of the University of California Southern Regional Library Facility.

## Risks for populations, risks for individuals

In human populations the increase of recessive character bearers on account of consanguineous marriages never can be of any real importance. — Gunnar Dahlberg, 1929<sup>171</sup>

Writing in 1949, the French anthropologist Claude Lévi-Strauss (1908–2009) attempted to delineate the common structural features of hundreds of different kinship systems, scattered across the globe in cultures far distant from one another.<sup>172</sup> In *Les Structures Élémentaires de la Parenté*, he was interested, not in all forms of kinship, but just in those which prescribed whom to marry, often relatives connected in particular ways. Since among the kinship practices were many that made cousins objects of choice, he was prompted to ask about the genetic consequences of such practices, especially over many generations. Many societies he worked with were relatively small in size, which meant that they must have been extraordinarily inbred. Two of the writers he turned to, Gunnar Dahlberg (1893–1956) in Sweden and Lancelot Hogben (1895–1975) in England, had written extensively on the issues of consanguinity. From his reading of their texts, he concluded that biology had little to say about cultural forms of kinship alliance, and that

171 Gunnar Dahlberg, “Inbreeding in Man,” *Genetics* 14 (1929): 421–54, here p. 436.

172 Claude Lévi-Strauss, *Les structures élémentaires de la parenté* (Paris, 1949), pp. 18–19; hereafter, Lévi-Strauss, *Structures élémentaires*.

no physical or mental deterioration was to be expected in generation after generation of men seeking to wed their mothers' brothers' daughters.

By the 1930s, Dahlberg and Hogben and a number of other geneticists capable of doing sophisticated statistics and following long pages of algebraic formulae called for new standards of rigor in human genetics. In doing so, they subjected to review thirty years of research into heredity and consanguinity informed by Mendelian principles. But they also turned their attention to whole populations and asked new questions about the consequences of inbreeding. Once geneticists had fixed upon the notion of recessive genes and understood that so long as they existed in heterozygotic form, external traits lost their power to point to recessive trait distribution or to suggest interventions against their dangers. The study of pedigrees offered little more than clues. What was pressing was to find ways to ascertain distribution in a specific population and to predict the likelihood of recessive matches within that distribution. Presumably inbreeding increased the probability of matches, but what did the numbers look like and how could the risks for society be separated from risks for the individual? The problems were compounded by a good deal of sloppy or misleading use of human pedigrees and by the fact that there were no models of "cousin marriage" among strains of corn to hold up against human practices. It seemed best to start over with monogenic diseases and use advanced statistical analysis to tease out all the consequences of near-kin marriage, correcting badly done work of the previous decades in the process. This despite the fact that most human traits of any interest were already known to be polygenic in nature. But there was an important caveat from the beginning; namely, that monogenic pathologies were relatively few in number and most such diseases extraordinarily rare.

Gunnar Dahlberg was an assistant professor of genetics and medical statistics at the University of Uppsala from 1926 to 1936.<sup>173</sup> In the latter year, he became director of the Swedish Institute for Race Biology, although he did not believe that race had any biological meaning. He developed an international reputation as an expert on medical statistics and trained several generations of Swedish students in the field. During the 1930s and early '40s, he developed significant critiques of German racial science, which culminated in his 1942 book, *Race, Reason and Rubbish*. And after the war, from 1949 to 1951, he participated in a UNESCO project to reformulate the race concept to stress the unity of mankind. Several of his papers on genetics statistics from the late 1920s onwards were highly influential among Western geneticists. In his "Inbreeding in Man," from 1929, he noted that scientific work on near-kin reproduction was not sufficient enough to support any clear pronouncements in the field. Although geneticists were wont to draw analogies from animals and plants, there had been no "thorough theoret-

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<sup>173</sup> For a short introduction to Gunnar Dahlberg, see Encyclopedia.com, accessed July 29, 2020, <https://www.encyclopedia.com/science/dictionaries-thesauruses-pictures-and-press-releases/dahlberg-gunnar>. His attack on German racial science, *Race, Reason and Rubbish: An Examination of the Biological Credentials of the Nazi Creed* (London, 1942), was translated by his friend Lancelot Hogben, who shared his socialist ideas as well as his statistical approach to genetics.

ical inquiry into the effects on consanguineous marriage in man.”<sup>174</sup> He had no doubt that in principle the chances of homozygosity from recessive genes could be increased by the marriage of consanguineous relatives, but no one, he insisted, had ever really measured the strength of the relationship or found the line between relatives of different degrees that had any practical importance.

Dahlberg approached the problem of inbreeding by studying “mono-hybrid” inheritance (that is, by looking at a single-character cross as Mendel had done) in order to simplify the issues and deal with the main contentions of the human genetics literature.<sup>175</sup> In order to understand the general effects of inbreeding, he also considered the matter from the point of view of a population at large. Like others before him, Dahlberg began by figuring out the expected ratios of homo- and heterozygotes in a population with random mating in order to measure the difference when his data indicated more than the expected number of consanguineous marriages. But random mating did not mean a lack of consanguinity. Apart from the fact that random mating, by definition of randomness, must include mating by some close relatives, defining the boundaries of consanguinity widely enough in any real population would mean that “*au fond* all marriages are consanguineous.”<sup>176</sup> Assuming “panmixie” (random mating) to be the case, Dahlberg worked out the degree of consanguineous marriage for populations ranging in size from fifty to a million. In a population of three hundred, for example, cousin marriages would take place under conditions of random mating 1.33% of the time when the number of children averaged two, and 4% when the average was three.<sup>177</sup> “These figures,” he observed, “prove that when the population is not of very considerable size, under panmixie consanguineous marriages have to be reckoned with in percentages that are not quite insignificant.”<sup>178</sup> He then worked out the probabilities of any gene coming together with its identical match in children or grandchildren from different kinds of inbreeding, such as parents and children or first cousins. For example, the probability of any gene coinciding with itself for the children of cousins is 1/16. But if that same gene is prevalent in society, it also has a chance to meet itself in the remaining 15/16 of the children.<sup>179</sup> “Consanguineous marriage only sorts together genes of the

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174 Dahlberg, “Inbreeding,” p. 422.

175 Dahlberg, “Inbreeding,” p. 423.

176 Dahlberg, “Inbreeding,” p. 427. Apart from his theoretical considerations, there is the phenomenon of *Ahnenverlust*, which I will take up later. Figuring the number of potential ancestors for any individual, one finds that there are potentially more ancestors than people back a thousand years or so. There had to have been enough inbreeding in past generations to account for the numbers. The new technology of chromosome scanning, which has developed rapidly in the first two decades of the twenty-first century, and which I will take up later in the chapter, demonstrates degrees of homozygosity in out-marrying populations like our own that reveal significant amounts of ancestral inbreeding.

177 Dahlberg, “Inbreeding,” p. 427. The figures for a population of a million are .0004 and .0012 respectively.

178 Dahlberg, “Inbreeding,” p. 428.

179 Dahlberg, “Inbreeding,” pp. 431–38.



same kind to a greater extent than does panmixie but does not change the percentage of genes in the population."<sup>180</sup> In any event, he explained, it is only the direct descendants who are affected by consanguinity. If they, in turn, marry into the population at large, "the effect of consanguineous marriage is cancelled."<sup>181</sup> Turning then to the expected percentage of recessive character bearers for any rate of cousin marriage, Dahlberg concluded: "In human populations the increase of recessive character bearers on account of consanguineous marriages never can be of any real importance."<sup>182</sup> In a population of several million, even with a slight increase in the number of certain recessive character bearers, the actual number might reach only several hundred. Even then, how this matters depends on the perspective. From the point of view of the population as a whole, the increase is insignificant, but for individuals it can entail considerable suffering.<sup>183</sup>

Dahlberg calculated the effects of "normal" rates of consanguinity with a sib size of two to find the size of population where there was no effect: "These calculations show that consanguineous marriage at 'normal' frequency has no influence, that it does not cause any departure from *panmixie* when the size of the population is somewhere between 1000 and 2000 individuals."<sup>184</sup> He then went on to reckon the rates for smaller populations: "It is undoubtedly legitimate to say that in the case of small populations as well as large ones, no appreciable influence on the frequency of recessive character bearers in human populations is to be expected. If on a comparison of the frequency of mono-hybrid [heterozygous with regards to a gene] character bearers in two populations, distinct differences in that respect are observed, this difference, consequently is not to be explained by any larger or smaller frequency of consanguineous marriage in the two populations. In order to get a perceivable difference between two populations through consanguineous marriage, frequencies and degrees of consanguinity will have to be assumed that go far above what is reasonable or possible in human populations."<sup>185</sup> In any event, he added, it was misleading to think of marriage as random within large populations, since any such population resolved itself into part populations or isolates, and it was only within these smaller populations that one could assume random mating. It turned out that in Europe, the normal population within which people married ranged between four hundred and three thousand. And within such parameters, for both mono-hybrid and poly-hybrid characters (heterozygosity for more than one gene), "consanguineous marriage has no effect compared to *panmixie*."<sup>186</sup> "Hitherto attempts have very frequently been made to explain different

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180 Dahlberg, "Inbreeding," p. 434.

181 Dahlberg, "Inbreeding," p. 434.

182 Dahlberg, "Inbreeding," p. 436.

183 Dahlberg, "inbreeding," p. 437.

184 Dahlberg, "Inbreeding," p. 439.

185 Dahlberg, "Inbreeding," p. 440.

186 Dahlberg, "Inbreeding," p. 443.

frequencies of hereditary character bearers in different populations, different classes, etc., through a varying frequency of consanguineous marriage . . . these explanations are not satisfactory. Whatever the cause may be of a different frequency of character bearers in a certain case, it is impossible that this difference, if it is a significant one, should be the result of varying degrees of consanguineous marriage.”<sup>187</sup>

Dahlberg denied that the proportion of character bearers in a population was influenced by inbreeding in any significant way. Take some character that is common. The majority of those who bear the character would do so under normal inheritance in a context of *panmixie*, with only an insignificant number springing from the result of consanguineous marriage. That is different from the case of rarer and mono-hybrid *dominant* characters, since these are not descended from consanguineous marriages at all. It is only for rare characters coupled with recessivity where the majority of character bearers “will be descended from consanguineous marriages.”<sup>188</sup> He stressed and put in italics: “*From the point of view of the population, consanguineous marriage has very little importance for the occurrence of recessive character bearers. From the point of view of the character bearers, on the other hand, it has great importance, in the case of recessivity, and if the character is rare.*”<sup>189</sup> He went on to say, that from the public point of view – I assume he was talking about statistical probabilities that could guide lawmakers – there were few risks to consanguineous marriage, but that “this does not mean that the risks are of no importance to the private individual.”<sup>190</sup> So he counseled anyone contemplating such a marriage to measure his own health and scan his genealogy for deleterious character bearers. Thinking of rare diseases and totally debilitating physical and mental disorders, because individual carriers of these pathologies did not reproduce, Dahlberg found ironically that consanguineous marriage might be a good thing: a recessive character that met the same in a homozygous form would be swiftly eradicated. With regards to a dominant character, calculations on the effects of inbreeding were of little interest – one could see on an individual that he or she has the corresponding trait. And he finally concluded that “the effect of inbreeding is so slight that in practice, and from the point of view of the population, it can be left

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187 Dahlberg, “Inbreeding,” p. 444. The results of his analysis have different implications for some of the most recent considerations of incest and inbreeding. One argument, for example, maintains that people have enough information about the deleterious consequences of cousin marriage either by direct observation or by learning from those who have made such observations. And yet the necessity of relatively sophisticated statistical analysis to say anything meaningful or half-way right about the subject suggests that folk knowledge is not based on observation at all. But Dahlberg’s analysis has particular salience for a second argument; namely, that populations in the distant past that married out had greater “fitness” and, therefore, greater potential for evolutionary survival. His conclusion does not offer support for the fitness claim.

188 Dahlberg, “Inbreeding,” p. 445.

189 Dahlberg, “Inbreeding,” p. 447.

190 Dahlberg, “Inbreeding,” p. 447.

out of account.”<sup>191</sup> If this is true, then the argument from Westermarck and sociobiology that outbreeding populations in the far distant past were fitter and therefore more successful, with its corollary in some versions, that humans consequently have been genetically programmed to avoid kin, does not appear to be compelling. It did not take a very large population, in Dahlberg’s estimation, for inbreeding to have little effect on the distribution of recessive genes. It is true that his calculations were restricted to the incidence of cousin marriage, but assumptions that totally inbred miniscule human populations competed with and lost out to similar but outbred ones appear to be on the order of another just-so story.

Dahlberg revisited the issue of inbreeding about a decade later.<sup>192</sup> Assuming, he noted, that rare recessive characters arose by mutations, a gene could be spread widely in a population through heterozygotes. Taking as an example the debilitating condition of juvenile amaurotic idiocy (now called Tay-Sachs disease), which occurred in Sweden during the 1930s in about 4–5 cases per year, and which resulted from bringing together two recessive genes, Dahlberg noted that such homozygotes never reproduce and therefore no preventative reproductive measures could force the gene down to a lower level. Since as a recessive gene, it was not expressed among heterozygotes, figuring out who might be a carrier was impossible. And since it was such a rare condition, the marriage of cousins could not appreciably increase the number of carriers: “Measures against marriages of first cousins should hardly be expected to be very effective, and should at best only bring about a decrease in the frequency of rare character-carriers amounting to something like 10 or 15 percent . . . . Through an increase of marriages between first cousins rare character-carriers may be more than doubled. This aspect of the matter is only of theoretical interest.”<sup>193</sup> He went on to review a number of studies that offered

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**191** Dahlberg, “Inbreeding,” p. 453. It is this conclusion that Claude Lévi-Strauss took as his premise in his chapter on incest: Lévi-Strauss, *Structures élémentaires*, p. 18: “Dahlberg peut donc conclure, que du point de vue de la théorie de l’hérédité, ‘les prohibitions du mariage ne paraissent pas justifiées’” (Dahlberg could then conclude, that from the point of view of the theory of heredity, “marriage prohibitions do not appear to be justified”). The risk was different for large and small populations. With regards to the small populations that concerned Lévi-Strauss, repeated endogamy would eliminate a problematic gene. The risk of encountering homozygosity was, in the end, less for endogamous than for an exogamous marriage in such a population. And in any event primitive populations were in no position to figure any of this out. In the second edition of his book, *The Elementary Structures of Kinship*, ed. Rodney Needham, trans. James Harle Bell, John Richard von Sturmer, and Rodney Needham (London, 1969 [1967]), pp. xxviii–xxix, Lévi-Strauss wrote: “Certainly . . . I have treated the genetic aspect in too casual a manner. A more accurate appraisal of the very high rate of mutations and the proportion which is harmful would call for some qualification of my statements, even if the deleterious consequences of consanguineal unions have played no part in the origin or persistence of rules of exogamy. On the subject of biological causality I shall now do no more than repeat that social anthropology has no need of this hypothesis to explain marriage prohibitions.”

**192** Gunnar Dahlberg, “On Rare Defects in Human Populations with Particular Regard to In-Breeding and Isolate Effects,” *Proceedings of the Royal Society of Edinburgh* 58 (1937–38): 213–32.

**193** Dahlberg, “Rare Defects,” p. 220.

statistics on rare diseases or physical abnormalities, almost all of which showed that first-cousin marriages accounted for around 15% of the cases. Taking his figure for the number of children with juvenile amaurotic idiocy born in Sweden per year (5) and the 1934 number of births (85,000), the percentage of children born with the affliction is 0.006. Fifteen percent of that figure is 0.0009. And even doubled, the risk of propagating the condition through cousin marriage is on the order of 0.0018.<sup>194</sup> Dahlberg himself concluded: “When the gene is rare, homozygosity is so much less frequent than heterozygosity that a decrease of homozygosity cannot have much effect.”<sup>195</sup> And further: “Analysis shows that preventing all consanguineous unions has relatively little effect on the incidence of rare defects.”<sup>196</sup>

Dahlberg’s translator and friend, Lancelot Hogben (1895–1975), was a leading authority on medical statistics and one of the most important early controversialists in the nature/nurture debate. Among many other positions, he held the chair of sociobiology at the London School of Economics from 1930 to 1937, during which time he published his *Genetic Principles in Medicine and Social Science*, which insisted on the interaction of genes and environment in the development of organisms. He developed a considerable reputation as a research zoologist and became a major influence in human genetics, winning prizes in mathematical genetics. During the 1930s, ‘40s, and ‘50s, he vigorously attacked the eugenics movement and undermined attempts to weigh the contributions of nature and nurture statistically. Throughout his long career, he insisted that the human was not genetically programmed and that the gene did not have primacy in human behavior or social life. As an early “sociobiologist,” he wanted to balance genetic and environmental conditions in the development of individuals: “It has been emphasised before that characters as such cannot be classified as hereditary or environmental. Every character is the end-product of an immensely complicated series of reactions between external agencies and the hereditary materials of the living cells.”<sup>197</sup>

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**194** For the number of birth in Sweden in 1934, Arvid Wallgren, “The Declining Birth Rate in Sweden,” *Archives of Disease in Childhood* 26 (1951): 97–105, here p. 100, online version, accessed October 22, 2019, <https://adc.bmj.com/content/archdischild/26/126/97.full.pdf>. This is like the extreme rarity of the inborn error of metabolism called alkaptonuria. Garrod in 1902 found 12 offspring of the condition from first cousins out of 18 cases: A. H. Bittles and E. Makov, “Inbreeding in Human Populations: An Assessment of the Costs,” in *Human Mating Patterns*, ed. C. G. N. Mascie-Taylor and A. J. Boyce (Cambridge, 1988), pp. 153–67. But on the other hand, in London there were only 6 cases from 50,000 first-cousin marriages (0.012%).

**195** Dahlberg, “Rare Defects,” p. 224.

**196** Dahlberg, “Rare Defects,” p. 232. His argument was directed against eugenicist encouragement of sterilization. He demonstrated that sterilization would not reduce the number of dangerous recessive genes in a population.

**197** Hogben, *Genetic Principles*, p. 98.

In *Genetic Principles*, Hogben brought together the literature on Mendelian inheritance and subjected it to rigorous mathematical critique.<sup>198</sup> Genetics, he insisted, was a statistical science. The study of peas and fruit flies satisfied the exigencies of sufficient numbers, but for humans, the same kind of statistical work could not be done. The chief source of data, pedigrees, had both strengths and weaknesses, and had often been used rather crudely.<sup>199</sup> Nevertheless, Hogben thought that applying principles from animal breeding to human inheritance was a genial idea. Indeed, Mendel's principle of segregation offered the only way to sort out just what was genetically determined. But family pedigrees lacked the precision of experimental procedures for several reasons: male parents were ascribed by fiat and the records provided neither random samples nor sufficient numbers. A case in point was offered by the study of albinism, for which the largest number of pedigrees had been assembled. Calculations from the data showed that 17% of albino offspring came from first-cousin marriages, a figure well above the percentage of first-cousin marriages in the population.<sup>200</sup> However, the ratio of males to females 128:100 found in the data contradicted other important knowledge about two forms of albinism: both forms are recessive, but one is X-linked (due to a gene on the X chromosome) and the other autosomal, due to a gene on an autosomal chromosome (chromosomes other than the X and Y). There should have been an excess of females, not males. Furthermore, Hogben showed, the deviation from the expected ratios was too great to be accounted for by random sampling. Clearly, families with a high incidence of albinism were more likely to be noticed and recorded – ascertainment bias at work, it might be said. The error in the study of albinism and pathologies such as hemophilia, another X-linked condition, “emphasizes the need for avoiding the possibility of biased selection in pooling data recorded by investigators who are not aware of the requirements of exact genetic analysis.”<sup>201</sup>

To probe the problem of working with pedigrees, Hogben took three of the classic pathologies that physicians and geneticists had worried for almost a century, cretinism, rickets, and deaf-mutism. Cretinism was known by then to be conditioned by a thyroid deficiency, whether from an inherited glandular defect or an insufficient supply of iodine. Just because a mother with a thyroid deficiency would have cretinous offspring, did not support the conclusion that heredity alone played any significant role in causing

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198 Hogben, *Genetic Principles*. He thought that one of the most important developments in the science of heredity had been the decline in the use of anecdote and the development of controlled experiment, p. 15.

199 Hogben, *Genetic Principles*, pp. 41–43.

200 Hogben, *Genetic Principles*, pp. 52–58. Over 600 pedigrees of albinism collected by Pearson, Usher, and Nettleship. Hogben redid the data and corrected the percentage to 28.9, too large for the expected percentage of 25 (four times the standard deviation).

201 Hogben, *Genetic Principles*, p. 58. Later on, as I will show, one of the criticisms of a great deal of the genetics literature had to do with “meta-data” studies, that is, those based on the available research reports, flawed in the first place and therefore contributing to misleading studies based on assembling inadequate data.

that effect.<sup>202</sup> With this argument, Hogben was clearly using a notion of heredity that assumed the transmission of genes to be the essential element and did not think of maternal influence as a matter of inheritance. Only the Mendelian transmission of “factors” mattered, and the issue here was whether there was evidence that consanguineal unions increased the risk of genetic pathology – well, they did not, at least not from the evidence of cretinism. Deficiency diseases such as rickets were another case in point, since “environmental agencies” could easily control them. Their study offered a cautionary tale. Investigators assumed that the “data supplied by family pedigrees provided a straightforward means of deciding one way or the other” whether inbreeding contributed to the disease.<sup>203</sup> Indeed, there were extensive family pedigrees of rickets published in the scientific literature. But in fact, rickets resulted from dietary deficiencies accompanying poverty, and while it was possible that *susceptibility* to rickets might be genetically inherited, there was no way to tell that from family trees.

“The value of family pedigrees, Hogben insisted, “lies in the fact that the data they contain can be used to decide *whether the frequencies of observed traits conform to the quantitative requirements of the Principle of Segregation.*”<sup>204</sup> So pedigrees were not useless; they just had to be handled with greater care, as they might skew the numbers. The published family trees of deaf-mutes were more reliable indicators, and they showed that “no genetic hypothesis could be made to fit the data.”<sup>205</sup> After all, deaf-mutism could be caused by meningitis, scarlet fever, syphilis, or mumps in early childhood. “Indeed, it is perfectly clear that a large part of the existing evidence for high familial and ancestral incidence of deaf-mutism is quite consistent with familial or uterine infection, and totally inconsistent with any genetical interpretation.”<sup>206</sup> Having said that, Hogben then pointed out that it was just as clear that consanguineous unions were frequent among the parents of deaf mutes: “This would point conclusively to the existence of a genetically determined recessive form of congenital deaf-mutism or to the influence of recessive genes determining a predisposition to acquire the condition in early childhood as the result of infectious diseases.”<sup>207</sup> Consanguinity could indeed play a role but not at all in the numbers that had been claimed.

Hogben noted that geneticists looking at heredity and consanguinity had directed the most attention to single gene substitutions (replacement of one gene by an allele), in what otherwise was designated as monogenic hereditary disposition. But pathological traits with the clearest indications of such substitutions were exceedingly rare. It was not to be forgotten that Mendel’s laws were quantitative in nature. “The only satisfactory justification for regarding any condition as determined by gene substitution

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202 Hogben, *Genetic Principles*, pp. 63–64.

203 Hogben, *Genetic Principles*, p. 64.

204 Hogben, *Genetic Principles*, p. 64.

205 Hogben, *Genetic Principles*, p. 65.

206 Hogben, *Genetics Principles*, p. 65.

207 Hogben, *Genetic Principles*, p. 65.

resides in the numerical proportions which are deducible from the principles of segregation.”<sup>208</sup> And lest anyone had any doubt, the exact same laws applicable to animals also governed humans. Therefore, it was possible to call into question any work whose numbers were out of whack with theoretical expectations: “Ratios for traits which may transpire to be determined by single recessive gene substitutions are commonly found to indicate a higher familial incidence than theory demands.”<sup>209</sup> Furthermore, there were serious problems with trying to link single gene substitutions to complex matters such as insanity or so-called feeble-mindedness. Such traits were not “one thing but many things.” The categories of intelligence that were used in the diagnosis of these conditions confounded syndromes of quite different natures: “So long as any group of defectives is differentiated from the normal by reference to the results of intelligence tests, *it is impossible to entertain the likelihood that a single gene is involved in the distinction.*”<sup>210</sup> All this having been said, it seems to me that Hogben overshot his argument. He went on to mention conditions such as amaurotic idiocy, which were the result of single gene substitution augmented by inbreeding, suggesting that the incidence could be reduced by 75% if consanguineous marriages were forbidden.<sup>211</sup> But as I have shown above, if the condition itself is so exceedingly rare, such a reduction would be, as Dahlberg noted, only of “theoretical interest.” And despite his critique of linking single genes to complex matters of insanity, Hogben did think that there might well be a genetic element to mental disorder. “In so far as there are indications that recessive genes constitute one group of significant factors, we can certainly predict that an appreciable reduction of insanity and mental defect would result from the total prohibition of consanguineous unions.”<sup>212</sup> How this was supposed to work in 1930s England, with so few consanguineous unions, is anybody’s guess.

Despite Hogben’s critique of the methodologies of human genetics, he remained tied to Mendelian principles of segregation and the risks of homozygosity from cousin marriages. It may well have been that any particular individual had a remote chance of carrying a given gene for extreme pathological deformities like deaf-mutism, but there was a much greater probability that he or she had at least one such gene. “There is thus a very considerable likelihood of some disastrous consequences from a close consanguineous union . . . . In practice . . . incest has the effect of bringing to the surface otherwise latent and disturbing possibilities inherent in the genetic constitution of a

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208 Hogben, *Genetic Principles*, p. 69.

209 Hogben, *Genetics Principles*, p. 89.

210 Hogben, *Genetics Principles*, p. 110. Existing data shows that firstborn children more likely to become insane (p. 115). He references without citation Langdon Down to the effect that 24% of all idiots are first-born. This phenomenon has to do with the difficulties of first labors: “We cannot expect to achieve lasting progress in this field of inquiry while investigators set out to discover a single genetic basis for so complex a group of variants as are included in the “feeble-minded” group,” p. 116.

211 Hogben, *Genetics, Principles*, p. 116.

212 Hogben, *Genetics Principles*, p. 119.

community . . . . We are entitled to entertain the possibility that *the appearance of rare recessive traits of a pathological and extreme type would occur with sufficient frequency as the result of incestuous unions to reinforce any purely cultural factors tending to prohibit such unions.*"<sup>213</sup> In coming to this conclusion, Hogben, on the one hand, abandoned his usual careful empirical evidence and argued from the strict analogy between animals and humans and from theoretical expectations for Mendelian principles.<sup>214</sup> On the other hand, he allowed his argument to slide from cousins to close consanguinity to incest. It would seem that his final conclusion was not about the union of cousins – first, second, or third – but about the possibility of sibling or parent-child reproduction and therefore could only have been of “theoretical interest.”

Mathematical approaches to genetics during the 1930s put paid to the indiscriminate use of pedigrees to solve the riddle of consanguinity. Rigorous review of Mendelian research into close kin marriage showed that researchers had been flailing about to little effect. If many in the medical professions in the last four decades of the nineteenth century had started with the assumption of bad outcomes for offspring from cousin marriage and then tried to find the statistics to prove it, Mendelian principles and methodologies and cytological advances during the first three decades of the twentieth century had not much diverted them from that goal. They kept looking for data to shore up something they already believed. The collapse of so many studies called into question the idea that the folk – stone-age hunters and gatherers, rain-forest primitives, sixth-century popes, or natural historians in the Kent countryside – might be able to sort out by observation or gossip the causes, from meningitis to iodine deficiency to near kin conjugation, of physical and mental disabilities. Indeed, even scientists were wont to throw everything into one pot. By the 1930s, geneticists were ready to up their game with regards to the study of man. They had questioned simplistic models of one gene, one trait, but continued to study monogenic diseases. These diseases were so rare that it was questionable whether the level of cousin marriage could make any difference – at least from the point of view of a population. The best mathematical geneticists during the 1930s came up against an aporia. Not much more could be said about the risks from cousin marriage except to be careful. It was well-known by then that most human traits were polygenic in nature, and that principles of Mendelian segregation could not explain them. However, that would not restrain biologists. Thus in subsequent decades,

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<sup>213</sup> Hogben, *Genetics Principles*, pp. 155–56. “A comprehensive study of the consequences of consanguineous unions and the incidence of consanguinity at different social levels is not only a valuable instrument for defining the rôle of recessive genes in relation to mental (sic) diseases; it is also a powerful means of directing attention to the part played by recessive genes in determining the rare pathological traits which are not significantly modified by environmental agencies. Large-scale investigations of the consequences of cousin marriage and the nature of twin resemblance constitute perhaps the most fruitful lines of inquiry into the relative importance of the genetic factors which determine differences of social behaviour,” pp. 218–19.

<sup>214</sup> Hogben, *Genetics Principles*, pp. 214–15.



the search continued for some relation between consanguinity and intelligence, mental disorders, and a host of other complex pathologies.

## Beyond Mendel

On my interpretation it now seems that human stocks can maintain not only their greatest uniformity but also their highest fertility with regular cousin marriage. — C. D. Darlington, 1960<sup>215</sup>

Given the accumulation of evidence during the 1930s and '40s that monogenic, Mendelian-inspired studies could not reveal much about the multitude of polygenic traits, geneticists began asking new questions. What regularity might exist in polygenic traits? And how might the different genes coordinate? As a result, research focus shifted to the set of genes, the genotype, and to the entities that carried the genes, the chromosomes. One of the leading geneticists to consider mechanisms operating at the level of the chromosome was the English plant biologist C. D. Darlington (1903–1981), director of the John Innes Horticultural Institution, professor of botany at Oxford, and president of the Genetical Society. His work brought to a point the limitations of Mendelian methods and models just after midcentury. He entered the lists of human genetics in 1960, with the idea of examining the principles of genetics in light of discussions in his own field of botany and then-current understandings of breeding in human populations. He was particularly worried about the analytic approach of Mendelian research, which reduced variation to single gene differences, since the real problem as he saw it was to look at overall “integration” or the genotype as a whole.<sup>216</sup> In his own work, he pursued the study of whole segments, whole chromosomes, and whole cell nuclei and developed an interest in correlated responses to selection. This convinced him that “in human heredity and variation certain properties most need integral treatment and suffer most from analytical treatment”; that “things like intelligence, behavior, fertility, and resistance or susceptibility to disease have to be seen as integral properties, which depend on “interactions of a great assembly of independently varying units.”<sup>217</sup>

Darlington found human breeding to be “class differentiated,” by which he meant that “space, work, language or dialect, religion and economic and social status” established limits to human outbreeding.<sup>218</sup> Human populations tended to practice “assortative mating,” searching out partners with phenotypic likeness, and therefore most everyone married within at least a loosely restricted genetic circle. What concerned

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215 C. D. Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” *Heredity* 14 (1960): 297–332, here p. 323. See also, Darlington, “Cousin Marriages,” *The Eugenics Review* 51 (1960): 221–23.

216 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 297.

217 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 298.

218 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 298.

him were issues of the relative balance of breeding in and breeding out and the genetic consequences of either behavior. Unsatisfied with the data for many human genetics studies, largely because his work on plants contradicted earlier Mendelian approaches, he developed his own database on human marriage through questionnaires and genealogical research, which he then sorted into inbred and outbred groups.<sup>219</sup> Since it had been commonly asserted that consanguineous marriages led to a loss in fertility, he decided to follow several generations to see whether his data supported that claim. Against prevailing opinion, he found that his inbred groups produced twice the number of great grandchildren as the outbred ones. This led him to try to characterize his two different population groups and to examine the consequences when inbreeders turned to marrying out and vice versa, with evidence here and there, from Incas to Mennonites.

It turned out that staying with one or the other set of breeding practices was a good idea. “On my interpretation it now seems that human stocks can maintain not only their greatest uniformity but also their highest fertility with regular cousin marriage. Indeed, inbreeding provides the best means of selecting for high fertility. But the introduction of inbreeding in an outbred stock leads to loss of uniformity, viability, fertility, and total reproductive potential.”<sup>220</sup> That is to say, the change from outbreeding to inbreeding, not the long-term practice of inbreeding, was the problem. But also outbreeding in an inbred stock had the same depressing effect on fertility. “Out of the homogeneous, conventional, mediocre, well-adapted mass, recombination will bring new unbalanced types, usually defective, and eccentric, but also sometimes original, usually infertile but sometimes fertile and occasionally creative in both mind and body. The loss of reproductive potential means the production of very large numbers of unsuccessful types accompanied by very small numbers of successful types. These types are distinguished mostly not by specific genes but by specific combinations or systems of genes, chiefly of the order of polygenes but no doubt at all levels of gene evolution; usually fragile but sometimes persisting.”<sup>221</sup>

Darwin thought that crossbreeding “enhanced vigor or avoided debility,” and Darlington found that to be mistaken.<sup>222</sup> It was not viability in one generation that mattered, but fertility over several generations. Fertility, he found, “is as compatible with close inbreeding in man as it is in other animals or plants.”<sup>223</sup> What outbreeding did offer was a population characterized by heterozygosity, which in evolutionary terms offered more chances at rapid adaptability. Such populations therefore developed advantages over those that did not outbreed, and this advantage became genetically programmed. Still, in the end, he tended to think of even modern (English) populations as having parallel systems, parallel “gifts” of regulated outbreeding and assortative mating. And as examples of the latter, he pointed to the Byron and Darwin families, both of which

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219 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” pp. 300–308.

220 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 323.

221 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 324.

222 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 326.

223 Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 326.

already have figured in my study. The former he described as incestuous (having a penchant for sisters) and the latter as inbred (favoring cousins). “In advanced societies taken as a whole a specific class of breeding (such as cousin marriage) shows no very pronounced departure from the average result in regard to any particular attribute of the progeny . . . . Inbreeders suffer by outbreeding and outbreeders by inbreeding” – this considering the issue over several generations.<sup>224</sup>

Darlington’s conclusions had several implications. He thought that there were a number of virtues consonant with inbreeding. And along with that, he characterized different populations – races – as having differing abilities to adapt to different environments, and differing mental and emotional capabilities. Outbreeding could be a good thing as well, if, and this was the key, it was “regulated.” Phenotypic recognition was important in human evolution, and the very fact that communities developed through marriage systems that bred outside a certain range of kin but not too far had implications for adaptability and evolutionary success. For the next decades, that was the problem: what were the relative costs for populations that practiced inbreeding or outbreeding? Were there differences in fertility, uniformity, adaptability, and creativity according to whether a population practiced endogamy or exogamy?

## Evolutionary biology: Inbreeding and outbreeding

A preference for an individual somewhat like close kin will minimize the opposing ill effects of breeding with individuals who are genetically too different. A sexual preference for individuals who are a bit different from close kin strikes a balance between the biological costs of inbreeding and those of outbreeding. The suggestion is that individuals had the greatest reproductive success if they mated with a partner who was somewhat similar to themselves, but not too similar. The hypothesis has gathered considerable empirical support from studies of animals. Japanese quail, for example, prefer mates that are first or second cousins, when given a choice in laboratory experiments. — Patrick Bateson, 2004<sup>225</sup>

It is hard to avoid the conclusion that from the late 1850s onwards medical and biological sciences were intent on propping up cultural taboos about the marriage of near kin. Once the focus on incest and inbreeding came to be placed on reproduction and the deleterious effects for offspring, the viewpoint shifted to consanguinity and researchers lost interest in allied or adopted kin. Even in England the political effort to deny men their deceased wives’ sisters came to an end in 1906. Furthermore, since there was little evidence of reproduction among siblings or parents and children, biologists and geneticists concerned with human reproduction fixed their interest less upon incest (sexual relations within the nuclear family) and more upon inbreeding (sexual relations among related kin

<sup>224</sup> Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” p. 329.

<sup>225</sup> Patrick Bateson, “Inbreeding Avoidance and Incest Taboos,” in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 24–37, here p. 26.

beyond the nuclear family), and they also raised the question of whether outbreeding had pernicious consequences. Many of the same scientists who worried about cousin marriage also worried about interethnic and interracial or even interclass sexual commerce.

During the second half of the twentieth century, scientific disciplines that took up the issues of incest and inbreeding proliferated. Interest in pinning down exactly how sexual reproduction by close kin might lead to deleterious consequences for offspring continued, supported by advances in genetics that could be deployed to figure out the risk factors of various marriage strategies. It would be a mistake to think that geneticists ceased to be interested in issues of race, now often reconfigured as “populations.” There continued to be fears of marrying too far away, however that might be defined, as well as too close. Folded into evolutionary schema of one kind or another and organized around the idea of “fitness,” the argument could be made that humans (plants and animals too) who avoided inbreeding competed successfully with others. Or, given evidence that populations that were relatively homozygous, that practiced breeding with near kin over many generations, were not killing themselves off, the argument against such practices could shift to emphasize flexibility and ability to meet new situations, and be made then to suggest that heterozygous populations were better off under conditions of modernization – or were in some ways the innovators throughout history. Eventually, this approach would also be mobilized for political purposes to characterize the mental and physical pathologies of inbred Middle Eastern and South Asian populations. There would also be renewed interest, especially with the growth of evolutionary biology, in the genetics of avoidance, mostly with how this worked within the nuclear family or similar situations. Cultural prejudices against cousin marriage would continue to find support in scientific research in this direction as well.

Sociobiology, evolutionary psychology, and ethology, all scientific approaches that developed in the second half of the twentieth century, converged on a series of stories that assumed inbreeding (not to say incest) inhibited fitness, that childhood experience, nurture, or association with “kin” had a great deal to do with avoidance, and that natural selection expressed itself in animal and human genetic architecture. Inbred populations and outbred populations each seemed to be faced with a similar problem; namely, change. Heterozygotes were for the most part at an advantage in the race for fitness, and outbred populations were characterized by heterozygosity.<sup>226</sup> Lethal genes (usually

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<sup>226</sup> Andrew F. Read and Paul H. Harvey, “Genetic Relatedness and the Evolution of Animal Mating Patterns,” in Mascie-Taylor and Boyce, *Human Mating Patterns*: 115–31, here p. 116: “Most . . . mutants are detrimental to fitness when expressed as homozygotes. When mating between close relatives occurs, there will be an increase in homozygosity among the offspring because maternal and paternal genes are likely to be identical by descent from recent common ancestors.” Joseph Lopreato, review of *Incest a Biosocial View* by Joseph Shepher, *Journal of Sociology* 90 (1985): 1394–96, here p. 1395: “We must therefore reason that those individuals who inherited genotypical tendencies to avoid incestuous relations produced more viable offspring and thus contributed increasingly more descendants of like predisposition to future generations.”

mutations) could enter into the population as recessives and never be expressed so long as they did not match up with similar genes – less likely of course as long as relatives stayed away from each other. Indeed, the more a population bred out, the more likely deleterious genes might accumulate and the more likely they might meet in a homozygote in a marriage linking near kin.<sup>227</sup> Birds, for example, much more mobile than mammals, tended to be far more exogamous, storing up considerable numbers of dangerous mutant genes in their genomes, which greatly enhanced the potential biological costs from inbreeding.<sup>228</sup>

Geneticists had figured out the probabilities of gene pairing, given particular relationships. For example, in first-cousin marriage, spouses were predicted to have 12.5 percent of their genes in common, and their progeny would have 6.25 percent homozygosity of gene loci.<sup>229</sup> This was expressed in a “coefficient of inbreeding” labeled “F”; here  $F = 0.0625$ . The probability of each relationship could be expressed in a similar way: siblings or parent and child, 0.25; uncle and niece, 0.125; second cousin, 0.0156. Alan Bittles estimated that first-cousin marriages would produce a rate of 4.4% excess deaths among first-cousin offspring – again, with the assumption of inbreeding in a population of outbreeders.<sup>230</sup>

What about a population that systematically practiced inbreeding?<sup>231</sup> Because of the high rates of homozygosity in such a population, lethal gene matching expressed among the young could be expected to be purged by early death or the unlikelihood of reproducing.<sup>232</sup> Practiced over enough generations, such a population would carry rela-

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227 Nancy Wilmsen Thornhill and Randy Thornhill, review of *Incest: A Biosocial View* by Joseph Shepher, *Ethology and Sociobiology* 5 (1984): 211–14, here p. 211. Read and Harvey, “Genetic Relatedness,” p.116: “In outbred populations, new mutations will be selected primarily for their affects in heterozygotes, and recessive mutants will tend to accumulate since they are rarely expressed and therefore rarely selected against.” Ray H. Bixler, “Incest Avoidance as a Function of Environment and Heredity,” *Current Anthropology* 22 (1981): 639–43, here p. 641: “Inbreeding is disadvantageous if it involves close relatives in a society which generally practices outbreeding. Cousins and more closely related human beings clearly suffer inbreeding depression.”

228 Bateson, “Inbreeding Avoidance,” p. 25. Thornhill and Thornhill reviewing Shepher, p. 211, pointed out that his central assumption was that “in normally outbred populations close inbreeding involves a large cost to individual genetic propagation as a result of inbreeding depression.”

229 Alan H. Bittles, “Genetic Aspects of Inbreeding and Incest,” in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 38–60, here pp. 38–39.

230 Bittles, “Genetic Aspects,” p. 46.

231 Gregory C. Leavitt, “Sociobiological Explanations of Incest Avoidance: A Critical Review of Evidential Claims,” *American Anthropologist*, n.s. 92 (1990): 971–93, here p. 974, quoting B. O. Bengtsson, “Avoiding Inbreeding: At What Cost?,” *Journal of Theoretical Biology* 73 (1978): 439–44, here pp. 443–44: “If a population has been outbreeding for a long time, recessive deleterious mutations will have assembled in the population, and the deleterious effect of isolated cases of inbreeding will be high. Similarly, if the population has been inbreeding, then no great gain in fitness will be achieved by increasing the amount of outbreeding.”

232 Read and Harvey, “Genetic Relatedness,” p. 28: “If inbreeding is adopted, the deleterious recessive alleles will be lost, and the costs of inbreeding decreased.”

tively few problematic genomes.<sup>233</sup> Bittles reviewed those historical populations which were notoriously inbred over many generations: Egypt during the eighteenth and nineteenth dynasties and the Ptolemaic and Roman periods, Zoroastrian Iran, the Incas, the Hawaiian royal family. In one city of Roman Egypt, Arsinoe, one of five marriages united brothers and sisters. He noted that in dynastic Egypt there was no evidence of either “reduced reproductive capacity” or physical or mental defects in mummies of royal brother-sister offspring. In such a situation, marrying out could have had considerable genetic costs.<sup>234</sup>

It turned out, many argued, that the optimal breeding strategy was to find a partner neither too close nor too far. A study of quail preferences found a disinclination to breed with brood mates and to eschew birds with feather patterns or coloring too dissimilar.<sup>235</sup> First or second cousins offered the proper balance. This was the conclusion of Patrick Bateson (1938–2017), evolutionary biologist and ethologist, professor of zoology at Cambridge, provost of King’s College, and president of the Zoological Society of London. He argued that excessive outbreeding had significant costs: “it disrupts the relation between parts of the body that need to be well adapted to each other”; for example, the teeth and jaw sizes might not be properly correlated.<sup>236</sup> Although his original work was with Japanese quail, he suggested that there were “evolutionary pressures” resulting from either too much inbreeding or too much outbreeding in humans. Having a preference for women similar to oneself would “minimize opposing ill effects of breeding with individuals who are too different.”<sup>237</sup> He suggested that individuals had greater reproductive success if mated with someone “similar but not too similar.”<sup>238</sup>

Extrapolating from quails to the evolutionarily driven aesthetics of guys talking up girls, or from a denizen of a country notorious for crooked teeth (teeth and jaw sizes mismatched) about the possible ills of marrying out too far, may seem a stretch,

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233 Bixler, “Incest Avoidance,” p. 641: “It is generally agreed that extensive inbreeding over a very long period eliminates both heterozygous genomes and homozygous lethal patterns, providing that the homozygous genes are lethal prior to maturity.”

234 Bittles, “Genetic Aspects,” pp. 47–49. Read and Harvey, in “Genetic Relatedness,” p. 115, referred to “outbreeding depression,” which resulted from the disruption of successful genomes (i.e., among homozygous populations). “It is hypothesised that genes at many loci are selected for their joint effects and, if these are disrupted or individual genes required for a particular adaptation are lost during recombination, the resulting offspring will not be adapted to either of the parents’ environments. Furthermore, problems of genetic incompatibility of parents may lead to zygotic and embryonic mortality, still births, decreased fertility and increased juvenile mortality,” p. 122.

235 Bateson, “Inbreeding Avoidance,” p. 26.

236 Bateson, “Inbreeding Avoidance,” p. 25.

237 Bateson, “Inbreeding Avoidance,” p. 26.

238 Bateson, “Inbreeding Avoidance,” p. 26. “If both inbreeding and outbreeding carry biological costs in the form of reduced reproductive success, the activation of both processes in the development of sexual preferences would have been favored,” p. 33.

but such ideas already had a long tradition.<sup>239</sup> In 1862, Devay, having admitted that the French “race” was the result of “fusion,” took up race-mixing and the issue of crosses that were too opposed to each other. Physical and moral distances were dangerous, and human nature was opposed to leaps that brought racially distinct couples together. Children from *métissage* were always bizarre, if not totally disastrous. The cross that regenerated was the one that operated within an extended circle of families without an accentuated variety of races.<sup>240</sup> The English proponent of cousin marriage, Huth, saw no value in breeding out beyond a narrow circle. “Crosses do not and cannot act in man at all, or in any other animal that has not been so closely bred in-and-in in the same locality, that a slight change becomes beneficial, by any inherent virtue beyond this slight change.”<sup>241</sup> He went on to say about crossbreeding: “but the cost is an ill-balanced growth, reversion to unimproved forms, and the loss, in proportion to the difference between parents of generative power in the offspring. Experience has taught breeders to dread the introduction of fresh blood.”<sup>242</sup> He found this much more problematic for mankind, since the union of two races brings with it physical and mental and moral “imbalances” as well as the expression of atavism.<sup>243</sup> And the disastrous results had not just to do with physical pathologies but with moral dissolution as well. “Half breeds,” he argued, are more likely to demonstrate the vices of both races than to combine any virtues.<sup>244</sup> Indeed, Huth devoted pages and pages to the deleterious results of miscegenation in far-flung corners of the world, and it may well be that his preference for cousin marriages was driven by a deep-seated racism. Taking up the issues in the late 1920s, Edward East found that race-mixing produced extreme variability – more geniuses and more “ne’re-do-wells,” or “disharmonic combinations.”<sup>245</sup> Nevertheless, what was best was a “somewhat mixed type.”<sup>246</sup> Man was extremely variable both in morphology and

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<sup>239</sup> Recall that the Mississippi law forbidding miscegenation referred to such couplings as “incestuous.” And the German term for incest, *Blutschande*, was reconfigured to describe marriage or sexual relations between “Aryans” and Jews or Africans.

<sup>240</sup> Devay, *Du Danger des mariages consanguins*, pp.168–77. Crossman, “Intermarriage of Relations,” p. 402: Humans want even balancing, equilibrium. So, there is a law that attracts opposites—a tall man wants a short woman. “An exaggerated characteristic in one parent is neutralised by the antagonistic disposition of the other.”

<sup>241</sup> Huth, *Marriage of Near Kin*, p. 293.

<sup>242</sup> Huth, *Marriage of Near Kin*, p. 294.

<sup>243</sup> Huth, *Marriage of Near Kin*, p. 294.

<sup>244</sup> Huth, *Marriage of Near Kin*, p. 296.

<sup>245</sup> Edward M. East, “Marriage Between Near Kin,” ch. 8 in *Heredity and Human Affairs* (New York and London, 1927), here pp. 162–63; hereafter East, “Marriage between Near Kin.” This is East citing J. A. Mjøen, “Harmonic and Disharmonic Race Crossings,” in *Eugenics in Race and State*, 2 vols. (Baltimore, 1923), no page reference given, whose example was the mixing of Nordics and Finns in Norway. Cf. Darlington, “Cousin Marriage and the Evolution of the Breeding System in Man,” pp. 324–35 on variability.

<sup>246</sup> East, “Marriage between Near Kin,” pp. 164–65, thought that inferior races (unnamed) produced no great leaders of civilization, and superior races had only one out of a million. And geniuses (rare) occurred most often in mixed races. On the other hand, genius “showed no biological fitness.”

mental habits. “Hybridization, race-crossing, has been the order of the day ever since the dawn of history.”<sup>247</sup> What distinguished different peoples was gene variation. In the end, although he was sure that some racial mixings worked well, “certain hybrids” did not work because “hereditary differences are too numerous to make success probable.”<sup>248</sup> Some stocks were undesirable grafts upon other stocks. East created hierarchies of races, the intermixing of which might work genetically in some instances, while in others it would be disastrous.

## Sociobiology and ethology on kin avoidance

Natural selection favored a mental disposition to feel an aversion to sexual mating with those intimately associated from childhood. — Larry Arnhart, 2005

If inbreeding occurs as frequently as the ethological data imply, then it is difficult to understand how there could be a naturally selected mechanism to prevent it. — Gregory C. Leavitt, 2005

As I have pointed out, many of the writers on consanguineous marriage also puzzled over the issue of race, trying to find in both phenomena common principles of heredity. Whatever their conclusions about extreme endogamy or exogamy in a population, they were often ambivalent about the consequences. Writing at the very end of the 1920s, the American geneticist Edward East tried to differentiate between families characterized by different mental and physical constitutions, however near or far they married, in order to make a judgment about the advisability of marriage and reproduction. As he put it, “the geneticist dislikes to recommend union between extreme racial types on theoretical grounds – a position not determined by preconceptions of racial superiorities or inferiorities . . . . Since the yellow and the white races have split into so many diverse subraces, the determining biological factor in the question of intermar-

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<sup>247</sup> East, “Marriage between Near Kin,” p. 169.

<sup>248</sup> East, “Marriage between Near Kin,” p. 178. East made similar judgments about near and far marriages. On consanguineous marriages: “Intermarriage of relatives has a similar effect [strengthening existing traits in plants and animals by inbreeding]. By it, strong, healthy families, with few undesirables in their germ-cell stock, have been made stronger and healthier. But objectionable recessive traits are common in the human race just as they are in maize—particularly defective conditions of the nervous system . . . . If a marriage between cousins is projected, the ‘fruits of the family trees’ should be scrupulously examined,” p. 156. Inbreeding therefore can have contrasting results, greater variability. On interracial couplings: “Bizarre as it may seem, this [extreme variability] is the result to be expected on theoretical grounds when interbreeding occurs between two races physically and mentally comparable, yet genetically different. The increased variability, the greater the spread of the racial curve, which must ensue under such conditions, brings more men of iron and more weaklings, more geniuses and more ne’er-do-wells on the stage,” p. 162. When East talked about inbreeding he talked about families, but when he talked about race, he spoke of individuals.



riage is the genetic constitution of the contracting parties.”<sup>249</sup> The genetic constitution of inbreeding couples proposed the same problem. When by the late twentieth century, the new and burgeoning sciences of sociobiology and ethology (the study of animal behavior) took up the problem of kin avoidance, much of the ambivalence had disappeared, replaced by a more-or-less explicit genetic determinism and commonplace presumptions about evolutionary fitness.

Whatever the capacities of inbred populations to thrive, the general weight of opinion among sociobiologists writing in the last quarter of the twentieth century was that heterozygotic populations were more flexible and displayed greater fitness when confronted with environmental challenges.<sup>250</sup> Natural selection, in their view, had favored incest avoidance mechanisms in humans.<sup>251</sup> That, of course, held for animals as well, as ethologist Patrick Bateson made clear. The finding among other ethologists, that nonhuman primates were inhibited from mating with closely related adults, suggested that such naturally selected behavior was “already present among animals before humans evolved.”<sup>252</sup> Others in the field argued that mechanisms of dispersal among animals evolved precisely to avoid inbreeding.<sup>253</sup> Sociobiology and ethology were disciplines that built their projects together and the one frequently assumed the results from the other, although there were often misreadings and failures to take note of contrary evidence, as I will point out. Modern sociobiology is usually dated from the 1975 book *Sociobiology: The New Synthesis*, with which E. O. Wilson (1929–2021) entered the lists on human evolution after becoming the world’s leading expert on the behavior of ants.<sup>254</sup>

By the end of the twentieth century, sociobiologists had adopted Westermarck as their man. Because inbreeding was assumed to produce deficiencies in offspring, both physical and mental, endogamous populations were thought less fit in the struggle for existence. Where kin marriages were avoided, people flourished and the avoidance

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249 East, “Marriage between Near Kin,” p. 188. He went on to say: “On the other hand, there is evidence that the negro as a group and the American Indian as a group have little of genetic value to contribute to the higher white or yellow subraces.”

250 Bateson, “Inbreeding Avoidance,” p. 33, noted a presumption among biologists that inbreeding avoidance evolved because the individuals that did it were more likely to have greater reproductive success than those that did not. Leavitt, “Sociobiological Explanations,” p. 972, noted that sociobiology asserted that inbreeding led to homozygosity of a gene pool, which limited the ability of populations to adapt to changing environments.

251 Thornhill and Thornhill, review of Shepherd, *Incest*, p. 211.

252 Anne Pusey, “Inbreeding Avoidance in Primates,” in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 61–75, here p. 71. David H. Spain, “The Westermarck-Freud Incest-Theory Debate: An Evaluation and Reformulation,” *Current Anthropology* 28 (1987): 623–45. Synthesizing Freud and Westermarck, Spain writes: “The way humans are anatomically structured and organized and the way they grow and develop causes an aversion to inbreeding and incest to be established by about the age of six. The capacity to develop such an aversion emerged in the distant past under biosocial circumstances typical of pre-*Homo sapiens* primates and was preserved in the species by natural selection” (p. 625).

253 Pusey, “Inbreeding Avoidance,” p. 75.

254 E. O. Wilson, *Sociobiology: The New Synthesis* (Cambridge, MA, 1975).

became genetically programmed. “As a result natural selection favored a mental disposition to feel an aversion to sexual mating with those intimately associated from childhood. This natural aversion to incest has inclined human beings to feel moral disapproval for incest, and this emotion is expressed culturally as an incest taboo.”<sup>255</sup>

Sociobiologists may well have assumed that inbreeding was not evolutionarily efficient or that it too frequently had deleterious effects for progeny, but their chief focus has been on the *mechanism* that brings plants, animals, or people to pass over close relatives. How, more than why, they have asked, do people avoid incest or do organisms in general “prefer” not to inbreed? The Westermarck solution, as I have noted, was that people raised together in childhood developed sexual indifference towards each other or even disgust with the idea of sexual relations. Two studies that riffed on this idea, one by Arthur P. Wolf (1932–2015) and the other by Joseph Shepher, have been cited continuously in the literature. Wolf examined two forms of marriage in Taiwan, one of them called “minor marriage,” *sim pua*. With a database of around 20,000 marriages, he compared the fertility and divorce rates for the two forms. In the minor form, a family adopted a girl at a very young age, who would be raised in the household with the boy whom she would eventually marry. In the 1950s, about half the marriages took this form. The fertility of women in such marriages was 40% lower than for women in “major” marriages, the divorce rates were three times higher, and the women were likely to have twice as many extra-marital affairs. Wolf concluded that there was a “remarkable absence” of erotic feeling between people who as children had lived and played together up to the age of ten. Shepher looked at the Israeli kibbutz.<sup>256</sup> After studying one community in detail and expanding his database to 2,769 marriages, he found that marriages among peer mates in kibbutzim were practically non-existent.<sup>257</sup> Children were raised away from their parents in age-graded, mixed gender, nurseries and school classes. Shepher developed the thesis that body contact and close familiarity resulted in what he termed “negative imprinting,” which resulted in a lack of sexual interest for age-mates.<sup>258</sup> This study has often been cited as evidence for the Westermarck thesis that close association of small children over an extended period of time (although the actual ages and length of association were in dispute) depressed erotic feelings for each other as adults.

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255 Arnhart, “Incest Taboo,” p. 201.

256 Joseph Shepher, “Mate Selection Among Second Generation Kibbutz Adolescents and Adults: Incest Avoidance and Negative Imprinting,” *Archives of Sexual Behavior* 1 (1971): 293–307; Shepher, “Self Imposed Incest Avoidance and Exogamy in Second Generation Kibbutz Adults,” (PhD diss., Rutgers University, 1971); Shepher, *Incest: A Biosocial View* (New York, 1983).

257 A third study by Justine McCabe, “FBD Marriage: Further Support for the Westermarck Hypothesis of the Incest Taboo,” *American Anthropologist*, n.s. 85 (1983): 50–89, has also been frequently cited. McCabe looked at patrilateral parallel cousin marriages in Lebanon and compared them with outmarriages. The former had quadruple the divorce rates and 23% fewer children on average.

258 See Gregory C. Leavitt, *Incest and Inbreeding Avoidance: A Critique of Darwinian Social Science* (Lewiston, NY, 2005), pp. 194–205, for a summary and critique.

The association-in-childhood thesis is all well and good, but how does it work? One study based on questionnaires distributed to students suggested that in fact early association – intimacy, shared bedrooms, relaxed attitudes towards nudity – did not inhibit sexual interest or even sexual play.<sup>259</sup> It did seem to correlate with infrequent attempts at consummation, although the authors of the study did not have a good explanation of how that might have worked. Paul Roscoe tried to fill in the gap with a theory of “amity,” which did not necessarily imply an absence of sexual desire.<sup>260</sup> After all, estimates in the West for incest among nuclear family members were not inconsiderable. It all had to do with how sexuality itself was experienced, and it seemed that it almost always was associated with aggression. “So sexual arousal among members of a rearing unit will be inhibited by whatever attachment- or altruism-related mechanisms have evolved to restrain aggression and promote amity within the unit.”<sup>261</sup> Another approach preferred to understand the mechanism as an evolved “human kin recognition system” that simply arose from co-residence.<sup>262</sup> And still another posited that there might be a learning process involving behavior imprinting and long-term habituation, which together have been able to “generate a preference for individuals who are a bit different but not too different from individuals familiar in early life.”<sup>263</sup> A more elaborate theory accepted the idea of a strong element of sexuality in human bonding, but posited a disinclination to adult sexuality among close kin, deriving from the olfactory system.<sup>264</sup> The immune system produced scented proteins “linked uniquely to genes for the major histocompatibility complex (MHC).”<sup>265</sup> Incest avoidance “involves aversion based on memory of the scent of either the self or close associates in childhood.”<sup>266</sup>

Sociobiology, with its language of fitness, genetic costs, evolutionary pressures, natural selection, and negative imprinting together with the assumption that humans offer just another instance of universal biological principles, has not taken over the

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259 Irene Bevc and Irwin Silverman, “Early Proximity and Intimacy between Siblings and Incestuous Behavior: A Test of the Westermarck Theory,” *Ethology and Sociobiology* 14 (1993): 171–81.

260 Paul B. Roscoe, “Amity and Aggression: A Symbolic Theory of Incest,” *Man*, n.s. 29 (1994): 49–76.

261 Roscoe, “Amity and Aggression,” p. 56. “I propose that familial amity is what the prohibition and avoidance of incest symbolize: *those towards whom one does or should feel familial amity are those with whom one does not or should not have intercourse, and vice-versa,*” p. 57; italics in original.

262 Debra Lieberman, John Toby, and Leda Cosmides, “Does Morality Have a Biological Basis? An Empirical Test of the Factors Governing Moral Sentiments Relating to Incest,” *Proceedings: Biological Sciences* 270 (2003): 819–26, here p. 821, based on fourteen cases of opposite-sex “siblings,” with no genetic relation between them.

263 Bateson, “Inbreeding Avoidance,” p. 33.

264 John M. Ingham and David H. Spain, “Sensual Attachment and Incest Avoidance in Human Evolution and Child Development,” *Journal of the Royal Anthropological Institute*, n.s. 11 (2005): 677–701.

265 Ingham and Spain, “Sensual Attachment,” p. 679.

266 Ingham and Spain, “Sensual Attachment,” p. 679. “Taking these findings as a whole, it seems likely to us that during the course of human evolution the social emotions—disgust in particular—augmented scent-based social recognition and incest avoidance,” p. 687.

explanation for incest and inbreeding avoidance unscathed.<sup>267</sup> If it was accepted that incest was culturally defined and not applicable as a descriptor of animal behavior, then it did not follow that “evidence of sexual avoidance in other species” could explain incest avoidance in man.<sup>268</sup> To begin with, the taboos have never been a single thing, never universal. “The extension of the concept of incest to animals other than man eliminates kinship systems, normative prohibitions and, indeed, symbolism. Incest is reduced to inbreeding.”<sup>269</sup> Gregory Leavitt pointed out that “the sociobiology of human behavior has continued the incest avoidance argument by proposing that natural selection processes have produced incest avoidance mechanisms because of the deleterious effects that result from inbreeding.”<sup>270</sup> He had no doubt that inbreeding *could* have greater deleterious effects than outbreeding, so long as certain qualifications were recognized. Small inbreeding populations had as few defective offspring as large outbreeding populations. But sociobiology also posited the idea that the outbreeding mechanism had evolved evolutionarily – at a time when mankind was dispersed and living in small, isolated, and inbred populations. For that time, inbreeding depression would not be expected.<sup>271</sup> Sociobiologists also argued that inbreeding led to an inflexible homozygotic population unable to adapt sufficiently to changing environments. But, given the possible rates of consanguineous marriage in any population, the rates of heterozygosity would not be reduced enough to make the population uniform, and environmental adaptation had “not necessarily relied on a heterozygotic population.”<sup>272</sup> Indeed, the belief in the better adaptability of heterozygotic populations to new situations had been more of an assumption and a not very well explored one at that.

Leavitt also took on arguments from ethology, beginning with the idea that dispersal was an adaptive mechanism for avoiding inbreeding. He pointed out that in

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267 R. C. Lewontin, “Sociobiology as an Adaptationist Program,” *Behavioral Science* 24 (1979): 5–14, here p. 10, early on dismissed them out of hand: “It is simply not possible to state whether there is any genetic influence at all on an individual’s degree of xenophobia, dominance, entrepreneurship, conformity, indoctrinability, fear of incest, homo- or heterosexuality, or any of the myriad psychological traits with which human sociobiology deals.” Quoted in Stuart Altman, Comment on Ray H. Bixler’s “Incest Avoidance as a Function of Environment and Heredity,” *Current Anthropology* 22 (1981): 643.

268 Willner, “Definition and Violation,” p. 134.

269 Willner, “Definition and Violation,” p. 136. “Incest is not a homogeneous phenomenon in Western societies nor are the attributes of those participating in incest homogeneous,” p. 148.

270 Leavitt, “Sociobiological Explanations,” p. 974. He expanded his critique in his 2005 book, *Incest and Inbreeding Avoidance*.

271 Leavitt, “Sociobiological Explanations,” p. 975: “In these modern isolates we find evidence that seriously questions human sociobiological assumptions concerning inbreeding effects, yet this literature is not cited or discussed in human sociobiological works on incest avoidance.”

272 Leavitt, “Sociobiological Explanations,” p. 975. He quoted William Shields, “Inbreeding and the Paradox of Sex: A Resolution?,” *Evolutionary Theory* 5 (1982): 245–79, p. 266 “Adaptation to ecological conditions need not be limited to allelic substitution in response to every environmental fluctuation. One common alternative appears to be the fixation of complex epigenetic systems that adaptively respond to environmental flux phenotypically rather than genetically.”

some species, only adolescents left the group, leaving fathers to mate with daughters or mothers with remaining sons. And in some cases, segregated sexes came together during mating season. He faulted various sociobiologists for failing to cite literature that did not fit their presuppositions, such as primate research by Donald Sade, documenting intercourse between sons and mothers among free-ranging Rhesus monkeys.<sup>273</sup> Many other ethological works had also reported close inbreeding.<sup>274</sup> In any event, there were many reasons for dispersal, such as maximizing food resources, or the habits of many species either to assemble periodically or not go very far from home. “For most of the dispersal patterns studied, some categories of incest/inbreeding may be reduced but other types of inbreeding were quite possible. In this respect incest/inbreeding is not realistically avoided.”<sup>275</sup> For many animals, from gorillas to coati, the majority of matings would be between individuals homozygotic at several loci. Many species, it turned out, were what ethologists termed “philopatric”; that is, they hung around in the territory where they were born. And where this was so, there was a general pattern of inbreeding. Being highly inbred, such populations had a homogeneous genotype and could scarcely avoid close kin in choosing mates. Even when ethologists had paid close attention to sexual pairings, they had not been apt to regard genealogical relationships beyond the “nuclear family.” They missed the fact that “most individuals may very well be mating with half-siblings, grandparents, aunts and uncles, and cousins.”<sup>276</sup>

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273 Leavitt, “Sociobiological Explanations,” pp. 978–79. See Donald S. Sade, “Inhibition of Son-Mother Mating among Free-Ranging Rhesus Monkeys,” *Scientific Psychoanalysis* 12 (1968): 18–37.

274 Leavitt, “Sociobiological Explanations,” pp. 975–80. Ingham and Spain, “Sensual Attachment,” p. 684, noted that data from Jane Goodall revealed that a third of the mature chimpanzees she observed (2 of 6) had copulated with their mothers, and that “incestuous” copulations had occurred in all four brother-sister pairings.

275 Leavitt, *Incest and Inbreeding*, p. 173.

276 Leavitt, *Incest and Inbreeding*, p. 174. Those scientists who have wanted to extend the Westermarck hypothesis to include animal behavior have adopted the term “negative imprinting” as the more encompassing concept (p. 176). Westermarck himself developed his hypothesis only for humans, however. And even when used for humans, the idea has been frequently associated with mother-son avoidance but rarely if at all for father-daughter avoidance. Whatever mechanisms of avoidance are proposed are understood to be constituted in evolutionary processes. They all “theoretically share the idea that they are ultimately composed of DNA sequences and biochemical reactions which are inheritable, and over long periods of time are shaped by natural selection” (p. 176). Leavitt reviewed a considerable number of primate and other animal studies (pp. 178–88), including Japanese monkey troops, which are endogamous; macaques, where mother-son matings are not uncommon, except where the mother is dominant, and father-daughter and other endogamous relations are common; insect species, which promote inbreeding or are characterized by indiscriminate inbreeding or have frequent brother/sister mating; house mouse, meadow vole, and American pika with close inbreeding, the latter including father-daughter and mother-son mating; the naked mole rat that has an inbreeding coefficient equivalent to sib-mating for sixty generations; fallow deer with frequent father-daughter mating; and baboons whose troops are almost completely inbred. At p. 185 Leavitt quoted Sherwood L. Washburn and Iren DeVore, *Social Behavior of Baboons and Early Man* (Chicago, 1961), p. 95: “the large tribe, composed of more or less exogamous groups, is unique to man, and nothing comparable to it is found in nonhuman primates.” Leavitt

Leavitt also found serious problems in the works by Shepher and Wolf, the studies most continuously cited to support the Westermarck hypothesis. In noting the rarity of marriages within kibbutzim, Shepher had failed to consider the forces besides early socialization that were at work. Young members, including women, were under great pressure to serve in the military – and for that they had to be single. During military service, young people transferred to new settlements where they developed new friendships and acquaintances. Then too, the population of eligible spouses in an individual's natal kibbutz was always extraordinarily small. And there was an ascetic, if not to say puritanical, culture in many kibbutzim, whereby peer groups found intense friendships disruptive.<sup>277</sup> Shermayahu Talmon noted that marriages within a kibbutz would have consolidated kinship blocks separate from the kibbutzim movement and society at large. Leavitt summarized her study in this way: “The kind of marriages that the movement wants . . . are exactly the kinds of marriages that occur most often, and these exclude marriages between persons raised in the same peer group.”<sup>278</sup> Sexual and marital avoidance in a kibbutz began early with discouragement of romantic/sexual unions. The efforts of the leaders of the movement resulted in institutionalized structures aimed at avoiding localism, which discouraged “dyadic withdrawal.” The educational system aimed at the avoidance of sexual relations until after secondary school was completed.<sup>279</sup>

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reviewed especially the data on macaque monkeys, since they were cited most often to support male dispersal and negative imprinting (which leads to mother-son avoidance), and concluded that the data actually supported a pattern of close inbreeding. Male dispersal may take place but males frequently returned to the troop or rejoined it after living on the periphery. Some high status males never left the troop and they mated most frequently with the females. Females themselves seldom left the troop. Over time a high level of inbreeding was to be expected. In those cases where sons developed a rank superior to their mothers, they did mate with them. One study showed that brother-sister mating occurred as often as any other mating. Leavitt concluded: “If inbreeding occurs as frequently as the ethological data imply, then it is difficult to understand how there could be a naturally selected mechanism to prevent it” (p. 189). He did work with the idea that for large, exogamous populations inbreeding can have negative consequences, but insisted that most often the animal populations that have been encountered have tended to be small and local: “That incest and inbreeding can result in deleteriously affected offspring seems certain, but only in the limited circumstances where populations are large and approach panmixis. Since the more common case in nature involves animal populations which are small and philopatric, it can fairly safely be concluded that inbreeding is not usually harmful” (p. 228).

277 Leavitt, *Incest and Inbreeding*, p. 199.

278 Leavitt, *Incest and Inbreeding*, p. 199.

279 Leavitt, *Incest and Inbreeding*, p. 202–3. “How Shepher managed to miss the negative conditioning and the social structural features of kibbutzim organization that discourage localism is puzzling.” His claim that marriages among peers did not take place is false. Leavitt cited John Hartung, who had looked at Shepher's data and found his sample to be small. John Hartung, “Book Review,” *American Journal of Physical Anthropology* 67 (1985): 169–71. “Because of compulsory military service for both sexes, young people found themselves at the most marriageable ages being exposed to a random array of marriageable persons from all corners of the Israeli society.” “In fact, Hartung calculates that the average kibbutzim-born individual had a ten times greater chance of marrying someone outside of his

As for Wolf's study of minor marriage in Taiwan, Leavitt observed that it had overlooked the strong class element to the system, the fact that only the poor sustained the practice. It was seen as low status and often publicly ridiculed. John Ingham and David Spain had pointed out that in any event most women in minor marriage did not get divorced, and that since the total fertility for minor marriage was 6.23 children born alive, "the data hardly demonstrate that early close association produces a strong sexual aversion; instead they show that the effect is relatively modest and does not account for the degree of incest avoidance that we see in human beings." If minor marriage was a matter for poorer families, then, Leavitt continued, it would seem useful to take into account the other factors, such as disease, nutrition, alcohol consumption, and inadequate prenatal care, that would likely lower the reproduction rate. Leavitt noted that major marriage was surrounded by communal rituals, while minor marriage was "quiet and perfunctory."<sup>280</sup> From early childhood, the children knew that the marriage was of considerably less prestige. Such marriages did not involve dowries, and they did not build affinal relationships, which could be of great significance. "The *sim pua* bride is a cultural symbol of misery."<sup>281</sup> "When fully understanding the sociocultural circumstances of the *sim pua* marriage it hardly comes as a surprise that minor marriages have a greater failure rate than major marriages."<sup>282</sup> Leavitt concluded that for marriage partners raised as brother and sister, the incest taboo itself could be significant – and that this was a matter of culture, not a result of genetic programming or early attachment.

By the end of the twentieth century, the marriage of close kin was hardly a resolved issue. There were many examples of thriving communities where endogamy had been practiced for many generations. The very fact of a billion or more people alive today who are the offspring of cousin marriage does not support well the notion that humans as such are genetically programmed to resist consanguineal unions or that such populations are somehow less "fit" than the heterozygotes. Clearly many ethologists want desperately to shore up folk ideas about cousin marriage by hoping to find lots of examples in the animal kingdom of mechanisms of avoidance, but the Sisyphian rock keeps rolling down the mountain. The most recent article to kick Sisyphus's rock back down the hill synthesized 677 effect sizes (measures of the magnitude of an experimental effect) from 139 experimental studies of mate choice in diploid animals from 40

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or her own peer group because of outside exposure to other persons." Hartung analyzed more closely Shepher's expanded sample of 2,769 marriages. Given the number of potential mates one would learn to know, one would expect only 20 intra-peer marriages. But girls matured earlier than boys, and a thirteen-to-fourteen-year-old girl was attracted to youths of ages seventeen to twenty-two. It turned out that the average age difference between married couples where both were from kibbutzim was almost the same as for all Jewish Israelis. Finally, the 13 cases of intra-peer marriages that Shepher did find fell well within the expected range.

<sup>280</sup> Leavitt, *Incest and Inbreeding*, p. 206.

<sup>281</sup> Leavitt, *Incest and Inbreeding*, p. 208.

<sup>282</sup> Leavitt, *Incest and Inbreeding*, p. 208.

years of research.<sup>283</sup> This meta-analysis failed to support the idea, so widely held, that animals avoid mating with kin. It demonstrated that there was considerable publication bias in favor of kin avoidance, but also “no difference in kin avoidance between males and females, choice and no-choice experiments, mated and virgin animals or between humans and animals.” This the authors took pains to emphasize. They suspected that the assumption of inbreeding avoidance in animals was due to human moral judgments against incest. They found no difference in the effect sizes between egg-laying versus live-bearing animals. Given the possibility of recognition through the major histocompatibility complex, they compared effect sizes among all combinations of familiarity and relatedness stimuli, with olfactory, auditory, and visual cues and all possible combinations. They found that when animals were presented with kin and non-kin, both simultaneously and sequentially, or with no choice, there was no difference in effect sizes. Furthermore, “there was no statistically significant difference in effect size estimates between humans and other animals” when self-resemblance was considered. Their “results suggest that inbreeding avoidance during mating is not ubiquitous in animals, which is consistent with long-standing theoretical predictions, and challenges some of the core assumptions in evolutionary and conservation biology.” The authors did find larger effect sizes when animals had the choice of mating with familiar kin versus unfamiliar non-kin in contrast to all other combinations, such as familiar kin and familiar non-kin, but a meta-analysis performed on that subset of the full data set “indicated no overall bias in mating preferences based on kinship.” They speculated that inbreeding costs were actually low for most species in their data set and that animals might actually prefer incestuous matings “in order to gain kin selected fitness benefits.”

No one today doubts that certain homozygous recessive diseases have horrible consequences, but because almost all of them are extremely rare, it has become much more interesting to explore the possibility that the complex traits produced by many genes, wherever located on the chromosomes, might be associated with consanguineous unions. This development is evidenced in the way that the recessive gene obsessions of the twentieth century have given way in the twenty-first century before questions about

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**283** Raïssa A. de Boer, Regina Vega-Trejo, Alexander Kotrschal, and John L. Fitzpatrick, “Meta-analytic Evidence that Animals Rarely Avoid Inbreeding,” *Nature Ecology and Evolution* (May 3, 2021), <https://doi.org/10.1038/s41559-021-01453-9>; unpaginated; all quotations in this paragraph come from this article. See the report on this study and interview with one of the authors by Christie Wilcox, “Incest Isn’t Taboo in Nature: Study,” *The Scientist*, May 7, 2021, accessed May 14, 2021, <https://www.the-scientist.com/news-opinion/incest-isn-t-taboo-in-nature-study-68747>. Regina Vega-Trejo responded to a question about publication bias: “I think publication bias is a massive issue in science in general. And this is because we have preconceived ideas of what we expect to find. I think if you ask almost everyone: ‘do you think animals should avoid mating with a relative?’ The answer is, ‘yes, of course, most likely.’” Asked about the overall lesson of the study, she said: “I think the overall lesson is that, against our previous expectations, animals don’t really care when they chose a mate . . . They don’t really care if they’re going to mate with a related individual, or kin, as we call it, versus an unrelated individual . . . I think as humans, we think of incest, and we think, well, that shouldn’t happen.”



polygenic diseases and the probabilities that cousin marriage increase their incidence. Among the pathologies associated with cousin marriage that have received renewed, intense scrutiny are the mental disorders. Until well into the 1930s, the category was so indiscriminate that everything from feeble-mindedness to epilepsy to schizophrenia was frequently thrown into the same boiling pot. And this happened in concert with the idea that the genetic expression of mental disorder might take the form of epilepsy in one generation and some completely different pathology in the next. The more careful definition of different mental pathologies, consequent correlations with degrees of inbreeding, and development of ever-larger databases would require extraordinary amounts of funding and the capacities of considerable numbers of researchers if the worrisome phenomenon of cousin marriage were ever to be solved.

## Molecular biology takes on endogamy

The magnitude of genome-wide homozygosity effects is relatively small in all cases, thus Darwin's supposition of 'any evil [of inbreeding] being very small' is substantiated. — Peter K. Joshi et al., 2015

The genetic variants causing inbreeding depression are almost entirely rare. — David W. Clark et al., 2019

During the second half of the twentieth century, ever-greater interest was shown for the genetic component of *complex* diseases, as opposed to the rare, monogenic disorders amenable to Mendelian research techniques.<sup>284</sup> There was an ever-increasing ability to locate particular genes in a sequence and to find recessive mutants that in a heterozygotic state were not expressed in a phenotype, but which, when combined, could have serious consequences. But how was the math to be done on traits that, for their expression, needed the cooperation of several or many genes? Sometimes the culprit genes were not even chromosomal neighbors. Also, what was happening in meiosis? Sometimes an entire sequence of genes would stay together during this process. And what about these gene sequences? Were they able to coordinate with each other?

In this final section of this chapter, I want to probe how new technical advances in genetics and molecular biology have been harnessed to deal with the old questions of reproduction by individuals closely related genetically, or in the more traditional formulation, by blood. "Consanguinity," being of the same blood or mutuality of descent, continued to be a much-used term in dealing with reproduction of closely related organisms. For humans, it contrasted of course with affinity, the relationships formed by marriage. Since certain terms already familiar to the reader recur so often in the twenty-first century literature along with a host of new concepts, it is useful here to rehearse a few

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<sup>284</sup> Arnhart, "Incest Taboo," p. 205. Bittles and Makov, "Inbreeding in Human Populations," pp. 154–55: "The rarer the frequency of a deleterious recessive gene, the greater the probability that it will be expressed in the progeny of related persons rather than in the general non-consanguineous population."

of them as I take us into a new world of technical language. Recall that William Bateson early in the twentieth century, working with recent advances in cell biology and that newly discovered research by Gregor Mendel, described how gametes, germ cells able to unite with similar germ cells of the opposite sex, united to form a zygote. The zygote could have for any particular character two dominant or two recessive “genes” (designated AA or aa, for example) or dissimilar ones (designated Aa). The former he labelled “homozygotic” and the latter, “heterozygotic.” He was interested first in the combination of single alternatives, that is individual factors or genes that could take alternate forms (coined allelomorphs, shortened to alleles), but, of course, in the human – as for other organisms – there are many gene pairs, some estimating more than a hundred thousand.<sup>285</sup>

Since both homozygotic dominant and heterozygotic gene pairs express as observable dominant traits, most interest has been and continues to be in recessive genes and the conditions in which recessive homozygosity occurs. With new microbiological research in the twenty-first century, questions continued to fix on the physical and mental effects of homozygosity and the methodological challenge of determining correlations between genes and traits. A new term, autozygosity (still absent from the OED of 1989), was adopted to specify homozygosity by descent; that is, a homozygosity where the alleles are identical on account of inheritance through close mating. Such alleles are designated “identical by descent” or “homozygous by descent.” In this instance the two genes are copies of a single ancestral gene. But not just single genes or gene pairs might be affected, because in meiosis the resulting gamete might receive a group of adjacent genes, often several or many in a row. With respect to this phenomenon, the assumption was that the closer the consanguinity of the parents, the more likely whole rows or segments of genes would be carried over, which posed the problem of how to measure the degree of homozygosity or autozygosity resulting from closely related parents or grandparents or even from ancestral inbreeding.

In many ways, older taboos associated with inbreeding had been routed through the riddle of recessive genes, where they came from, and just how deadly they were likely to be. They were often thought to be mutations, hidden away in heterozygotic forms and therefore unexpressed except when fortuitously matched with an identical allele. Recessive genes were considered by some researchers to be almost always deadly but by others as more simply “detrimental to fitness,” fitness, of course, being the vaguest of terms, a catch-all word to justify whatever story one wanted to tell. In any event, a central issue for recent research has been to measure just how strong the effect of homozygosity for expressed human traits might be. But most importantly, scientists have become interested once again in how consanguinity might affect very complex traits, for example in unexpected correlations of the degree of homo- or autozygosity

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285 Steven L. Salzberg, “Open Questions: How Many Genes Do We Have?” *BMC Biology* 16, article no. 94 (2018), accessed August 7, 2020, <https://doi.org/10.1186/s12915-018-0564-x>.

with the number of years spent in school. As new technology has been deployed to deal with older questions, scientists also have entered a new age of big data with demands for institutional cooperation on an unheard-of scale. Cultural taboos, on the one hand, and geopolitical issues associated with endogamous immigrants and conflicts between the West and vast regions culturally committed to generations of consanguineous marriage have prompted the expenditure of huge sums of money only to arrive at the same ambiguities that biological approaches to questions of incest and inbreeding have had for one hundred sixty years.

### Big data and new technologies

It can be proven that most claimed research findings are false. — John P. A. Ioannidis, 2005

The article “Inbreeding in Human Populations,” by A. H. Bittles and E. Makov, has offered a state-of-the-art assessment of the genetics of inbreeding as it stood in the 1980s before the technological innovations of the late ‘90s.<sup>286</sup> Despite well over a hundred years of attempts to weigh the statistical probabilities of inbreeding in humans, they argued, many, if not most, studies still did not employ sufficiently designed control groups.<sup>287</sup> Data were often confounded by other causal agents, and they did not account adequately for environmental determinants.<sup>288</sup> By mostly concentrating on averages (mean values), studies often “disregarded confidence limits.”<sup>289</sup> Furthermore, the mathematical models they utilized were often arbitrary and their results unverifiable. When the authors reviewed published estimates of excess mortality or morbidity, they found such a wide divergence that there was little to trust in the results. “The overall conclusion must be that, with the exception of incest and families known to carry deleterious reces-

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286 Bittles and Makov, “Inbreeding in Human Populations.”

287 Bittles and Makov, “Inbreeding in Human Populations,” p. 156. “By definition, failure to compare adequately matched consanguineous and non-consanguineous groups will lead to bias in quantifying the effects of inbreeding.”

288 On the notion of confounding in statistics, see the useful discussion by Karen Grace-Martin, “What is a Confounding Variable?,” *The Analysis Factor*, accessed August 10, 2020, <https://www.theanalysisfactor.com/what-is-a-confounding-variable/>. She noted that the term confounding was used differently in different disciplines. It could designate a variable that influenced both dependent and independent variables, which results in spurious associations, or a variable whose effect cannot be distinguished from that of the independent variable. In epidemiology and similar fields, where variables were being measured, confounding designated variables, related to the independent variable, that take part in causation. Bittles and Markov used the concept in this latter sense. In the discussion below, it will recur frequently in criticisms of genetic correlations.

289 Bittles and Makov, “Inbreeding in Human Populations,” p. 163. That is, they ignored the degree of uncertainty in their statistics, failing to note the margins of error.

sive mutants, the risks to the offspring of inbred unions are within the limits of acceptability,” a conclusion that Dahlberg had reached already in the 1930s.<sup>290</sup>

By the end of the 1990s, new technology transformed the possibilities of genetic analysis, and over the ensuing two decades the study of the effects of consanguinity was reconfigured. It was discovered that long tracts of consecutive homozygous single nucleotide polymorphisms (SNPs) (DNA sequence variants) could exist in a genome.<sup>291</sup> “Each SNP [pronounced “snip”] represents a difference in a single DNA building block, called a nucleotide.”<sup>292</sup> The important point is that instead of just individual variants being homozygous, SNPs often occurred in short or long “runs” of homozygosity. These tracts or runs of homozygosity could result from the direct inheritance of identical alleles from parents or grandparents (autozygosity, identical by descent), or from some quite distant ancestors. In either event, such stretches were the consequences of inbreeding, even if in the remote past. The important point was that the longer the tract or “run,” the greater the degree of consanguinity – and that degree could result from recent parentage or from accumulation by inbreeding over several generations.

Recall that the coefficient of inbreeding was designated as “F.”<sup>293</sup> In standard Mendelian analysis, first cousins are predicted to have 12.5 percent of their genes in common, making their progeny *on average* homozygous at 6.25 percent of gene loci. This translates into a coefficient of inbreeding (the average probability),  $F = 0.0625$ . For the offspring of second cousins,  $F = 0.0156$ , and for third cousins, 0.0039.<sup>294</sup> Once runs of homozygosity (designated by another acronym ROH) were discovered, the problem was to figure out how a particular quantity translated into an F coefficient. To keep things straight, geneticists added subscripts to the F coefficient to designate whether it was derived from studying ROH (thus  $F_{\text{roh}}$ ) or pedigrees (thus  $F_{\text{ped}}$ ). In principle, the coefficients ought to have been the same, assuming the reliability of the original data, but at the beginning the question was whether  $F_{\text{roh}}$  was equal to or superior to a coefficient worked out through the analysis of a pedigree ( $F_{\text{ped}}$ ). Taking the most reliable pedigree data and comparing the results with ROH, researchers became convinced that the

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290 Bittles and Makov, “Inbreeding in Human Populations,” p. 164.

291 Jane Gibson, Newton E. Morton and Andrew Collins, “Extended Tracts of Homozygosity in Outbred Human Populations,” *Human Molecular Genetics* 15 (2006): 789–95.

292 Matthew C. Keller, Peter M. Visscher, and Michael E. Goddard, “Quantification of Inbreeding Due to Distant Ancestors and Its Detection Using Dense Single Nucleotide Polymorphism Data,” *Genetics* (2011): 1–17, abstract. See [www.genetics.org/node/341037.full.print](http://www.genetics.org/node/341037.full.print).

293 Keller, Visscher, and Goddard, “Quantification of Inbreeding,” pp. 1–2. “The inbreeding coefficient of an individual,  $F$ , is one of the central parameters in population genetics theory. It is defined as the probability that two randomly chosen alleles at a homologous locus within an individual are *identical by descent* (IBD) with respect to a base (reference) population in which all alleles are independent; that is, the alleles are identical because they are passed down by a common ancestor,” p. 2.

294 A. H. Bittles, “Incest, Inbreeding, and their Consequences,” in *International Encyclopedia of the Social and Behavioral Sciences*, ed. N. J. Smelser and P. B. Baltes (Oxford, 2001), pp. 7254–59, here pp. 7255–56.

coefficients derived from the tracts or runs were reliable and indeed the same as theoretically predicted by Mendelian principles.<sup>295</sup> However, ROH had several advantages over pedigrees. They did not, for example, mistake parentage, a common problem for human pedigree research, which had to rely on the truth of ascribed fatherhood. And they enabled the “summing up” of different generations of inbreeding, reaching back as far as ten, fifteen, or twenty generations.<sup>296</sup> Breeders had long puzzled over how to describe the degree of inbreeding when a horse, for example, might be the offspring of quite different kinds of pairing over several generations.<sup>297</sup> If the parents were siblings, the  $F$  for sibling progeny would not be enough if, for example, the stud was in turn the offspring of a father and daughter. The length and number of runs of homozygosity could offer a numerical expression equal to a particular degree of inbreeding. “The genomic inbreeding coefficient  $F_{roh}$  measures the actual proportion of the autosomal genome [genes on the autosomal chromosomes] that is autozygous – defined as the sum total length of ROH (SROH) over a specified minimum length threshold as a proportion of the total genome length.”<sup>298</sup> Early studies revealed that some offspring of first cousins with autosomal recessive disease had a mean  $F_{roh}$  of 11%, instead of 6.25%, thus substantially higher than predicted and most certainly due to generations of consanguineous marriage unknown to the researcher.<sup>299</sup>

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295 Ruth McQuillan et al., “Runs of Homozygosity in European Populations,” *American Journal of Human Genetics* 12 (2008): 359–72, here pp. 359–60, accessed March 2, 2020, <https://www.cell.com/action/showPdf?pii=S0002-9297%2808%2900445-X>.

296 Keller, Visscher, and Goddard, “Quantification of Inbreeding,” p. 2. “Due to the stochastic nature of recombination, there is much variation when using  $F_{ped}$ . The percentage of the genome autozygous among progeny of first cousins averages 6.25% but the standard deviation is a very high  $\pm 2.4\%$ . McQuillan et al., “Runs of Homozygosity in European Populations”: “Because the  $F$  coefficient (denoted here as  $F_{ped}$  to distinguish it from genomic estimates of autozygosity) is derived on the basis of this expectation, it is, therefore only a very approximate estimate of individual genome-wide autozygosity. Second,  $F_{ped}$  estimates the proportion of an individual’s genome that is IBD [identical by descent], relative to that of a poorly characterized founder generation. This generation is usually fairly recent, and, moreover, the founders are presumed to be unrelated, when in fact members of historical populations were often related several times over through multiple lines of descent. As a result, this approach fails to capture the effects of distant parental relationships and, therefore, underestimates autozygosity, particularly in small, isolated populations or in populations with a long tradition of consanguineous marriage (pp. 359–60).”

297 Leopold Löhner, *Die Inzucht: Eine monographische Skizze ihres Wesens und ihrer Erscheinungen*, Naturwissenschaft und Landwirtschaft: Abhandlungen und Vorträge über Grundlagen und Probleme der Naturwissenschaft und Landwirtschaft 15 (Freising-Munich, 1929), pp. 65, 105–12.

298 Karl W. Broman and James L Weber, “Long Homozygous Chromosomal Segments in Reference to Families from the Centre d’Étude du Polymorphisme Humain,” *American Journal of Human Genetics* 65 (1999): 1493–1500; at ScienceDirect, pages numbered 1–13, accessed March 2, 2020, <https://www.sciencedirect.com/science/article/pii/S0002929707626779>. “Autozygosity occurs when a couple shares a chromosomal segment by descent and both transmit the segment to one of their offspring,” p. 2.

299 Francisco C. Ceballos et al., “Runs of Homozygosity: Windows into Population History and Trait Architecture,” *Nature Reviews Genetics* 19 (2018): 220–34. I used the author’s copy from the internet, accessed July 15, 2019, <https://www.google.com/search?client=safari&rls=en&q=www.research.ed.ac/>

Technological advances by the late 1990s allowed researchers to carry out “high density” genome scans.<sup>300</sup> Using one of the most popular algorithms, PLINK, for example, allowed each chromosome to be scanned by moving a window of fixed size along its length in search of stretches of consecutive homozygous SNPs, or runs of homozygosity.<sup>301</sup> The length of an autozygous segment reflects its age (haplotypes, sets of alleles on a chromosome or chromosomal segment inherited from one parent, are broken up by recombination at meiosis).<sup>302</sup> A short region is likely to be of distant origin. As recombination interrupts long chromosome segments over time, the length of a homozygous segment depends, in part, on the time lapsed since the last common ancestor of the parents. Therefore, in an inbred population, longer homozygous segments would be expected than in outbred populations. By 2018, researchers found that short stretches of homozygosity, indicating at least inbreeding in the past, were typical of most humans and that such stretches commonly covered up to a third of the genome.<sup>303</sup> Instances of very long ROHs, were assumed to be the signature of close parental relatedness.

While the first discoveries about runs of homozygosity were being made, significant (and very loud) critiques were being voiced about the quite inadequate statistical work linking genes to phenotypes. Indeed, during the first decade of the twenty-first century,

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portal/en/publications/runs-of-homozygosity-windows-into-population-history-and-trait-architecture+ (1928cc4c-af43-489f-b743-52ae374412d7).html&ie=UTF-8&oe=UTF-8, pp. 1–28, here p. 5. Incest—mating between first degree relatives—will generate an extreme burden of ROH, with ca. 25% of the genome expected to be in ROH, p. 6: “Several such cases have been found through clinical screening of children with intellectual disabilities or congenital abnormalities using microarrays and it was common among the pharaohs, e.g. Tutankhamun and the Ptolemies.” Note that this calls into question Bittles, “Genetic Aspects,” pp. 47–49, from 2004, who asserted that there were no genetic issues among the pharaohs.

**300** McQuillan et al., “Runs of Homozygosity in European Populations,” p. 359. Ceballos et al., “Runs of Homozygosity,” p. 3. “The availability of denser genome-wide microsatellite scans in the mid-1990s led to the discovery of uninterrupted long runs of homozygous genotypes (known as runs of homozygosity or ROH), the hallmark of these autozygous segments inherited from a recent common ancestor,” p. 1.

**301** Ceballos et al., “Runs of Homozygosity,” p. 3: single nucleotide polymorphisms (SNPs) (DNA sequence variants).

**302** Haplotypes are “often a series of alleles at neighboring loci, which are strongly statistically associated, due to lack of recombination.” The definition is found in Ceballos et al., “Runs of Homozygosity,” pp. 1, 17. For the discussion here see Broman and Weber, “Long Homozygous Chromosomal Segments,” pp. 1–2, 7–8: “The length of an autozygous segment reflects its age: haplotypes are broken up by recombination at meiosis, and so a short autozygous region is likely to be of distant origin,” p. 7. According to McQuillan et al., “Runs of Homozygosity in European Populations,” p. 366, the study by Broman and Weber was the first to identify long ROH, showing that they are common in humans. See also Peter K. Joshi et al., “Directional Dominance on Stature and Cognition in Diverse Human Populations,” *Nature* 523 (2015): 459–62, <https://doi.org/10.1038/nature14618>, which contains the annotated bibliography offering a short history of the study of ROH that I have used as my guide to the literature. I consulted the author’s MS, pp. 1–37; accessed July 26, 2019, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4516141/>. All subsequent page references are to that posted author’s copy.

**303** Ceballos et al., “Runs of Homozygosity,” pp. 5–6. McQuillan et al., “Runs of Homozygosity in European Populations,” pp. 366–67.

theoretical demands set the stage for more sophisticated understanding of correlation and causation, for much more adequate structuring of databases, and for significantly larger numbers. In previous decades, journals had routinely accepted only articles with positive results, which effectively buried most negative findings. One author estimated that 45% of observed associations were almost certainly due to publication bias. Sample sizes were small and lacking power. “As published studies may systematically differ from unpublished ones, reviews or meta-analyses based only on published data may reach misleading conclusions.”<sup>304</sup> John P. A. Ioannidis found that for most clinical questions of interest, no large trials had been conducted and evidence had been based on inadequately small trials or nonrandomized studies. A third of the most-cited clinical research had replication problems.<sup>305</sup> He followed up this paper with another with the provocative title: “Why Most Published Research Findings are False.”<sup>306</sup> “Simulations show that for most study designs and settings, it is more likely for a research claim to be false than true. Moreover, for many current scientific fields, claimed research findings may often be simply accurate measures of the prevailing bias.”<sup>307</sup> He baldly stated: “It can be proven that most claimed research findings are false.”<sup>308</sup> Furthermore, too many studies could not be replicated, and many researchers did not know enough about statistics to be self-critical. With a stinging rebuke, he remarked that “commercially available ‘data mining’ packages actually are proud of their ability to yield statistically significant results through data dredging.”<sup>309</sup> He found manipulation of data rampant, together with other things like shifting definitions of disease in order to massage results and selective and distorted reporting of results. Size mattered, and the smaller the study, the less likely it was to be true. “Other factors being equal, research findings are more likely true in scientific fields that undertake large studies, such as randomized controlled trials in cardiology (several thousand subjects randomized) than in scientific fields with small studies, such as most research of molecular predictors (sample sizes a hundred-fold smaller).”<sup>310</sup> Ioannides called for better-powered evidence – large studies or low-bias meta-analyses.

In the new work on runs of homozygosity, there were similar complaints about working with small numbers. McQuillan et al. referenced an analysis of two hundred

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**304** Alison Thornton and Peter Lee, “Publication Bias in Meta-Analysis: Its Causes and Consequences,” *Journal of Clinical Epidemiology* 53 (2000): 207–16, here p. 209.

**305** John P. A. Ioannidis, “Contradicted and Initially Stronger Effects in Highly Cited Clinical Research,” *Journal of the American Medical Association* 294 (2005): 218–28.

**306** John P. A. Ioannidis, “Why Most Published Research Findings are False,” *PLoS Medicine* 2, no. 8: e124 (2005): 1–9, <https://doi.org/10.1371/journal.pmed.0020124>. I consulted the author’s copy, pp. 1–10, which was posted at [https://www.google.com/search?client=safari&rls=en&q=\(https://doi.org/10.1371/journal.pmed.0020124&ie=UTF-8&oe=UTF-8\)](https://www.google.com/search?client=safari&rls=en&q=(https://doi.org/10.1371/journal.pmed.0020124&ie=UTF-8&oe=UTF-8), pp. 1–10; subsequent references are to that posted author’s copy.

**307** Ioannidis, “Most Published Research Findings are False,” p. 1.

**308** Ioannidis, “Most Published Research Findings are False,” p. 1.

**309** Ioannidis, “Most Published Research Findings are False,” p. 5.

**310** Ioannidis, “Most Published Research Findings are False,” p. 5.

studies carried out between 1995 and 2003 that used homozygosity mapping in consanguineous families to identify rare recessive disease genes, but that could not accurately estimate the degree of autozygosity, which could permit the skewing of results in one way or the other.<sup>311</sup> By 2011, the field assumed that sample sizes in tens of thousands would be needed to detect inbreeding depression in humans.<sup>312</sup> Inbreeding depression – reduced fitness among offspring of related parents – had traditionally been studied using pedigrees. But these sources had all the problems I have noted several times already: pedigree information had always been difficult to obtain, was potentially unreliable, and rarely had been assessed for inbreeding arising from common ancestors who lived more than a few generations ago. Besides, due to the stochastic nature of recombination,  $F_{ped}$  was not suitable for capturing the quite considerable variation in homozygosity. After all, while the percentage of the genome which is autozygous among progeny of first cousins averages 6.25%, the standard deviation is a substantial  $\pm 2.4\%$ . (and the deviation increases with each meiosis).<sup>313</sup> Having considered these problems carefully, the researchers found  $F_{ped}$  the worst predictor of homozygous mutation load, with its disadvantages growing as the population under consideration increased. On the other hand,  $F_{roh}$  proved to be a powerful instrument to detect inbreeding depression in large, ostensibly outbred populations. But to do so, required working with large samples to detect it reliably. “We estimate that sample sizes between 12,000 and 65,000 would be required to regularly detect previously reported IQ-inbreeding effects [for example] using  $F_{roh}$  in unselected samples. Thus, current studies investigating the effects of  $F_{roh}$  on human complex traits that have sample sizes  $<3000$  and that have failed to find significant inbreeding depression effects are likely to be underpowered. Furthermore, small studies (e.g.,  $<1000$ ) that do find significant inbreeding depression effects using  $F_{roh}$  may greatly overestimate the size of the effects.”<sup>314</sup>

By 2015, the standards for the study of the genetic consequences of consanguinity had increased considerably. The era of “big data” called for pooling results from hundreds of institutions. For example, a paper with the lead author Peter Joshi brought together authors and their data from 231 institutions.<sup>315</sup> Here researchers used ROH to study sixteen health-related quantitative traits in 354,224 individuals from 102 cohorts from around the world.<sup>316</sup> In only four complex traits (height, forced expiratory lung volume in 1 second, general cognitive ability, and educational attainment) were they able to find *statistically* significant associations with summed runs of homozygosity. Contrary to earlier reports in smaller samples, no evidence was

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311 McQuillan et al, “Runs of Homozygosity in European Populations,” p. 360.

312 Keller, Visscher, and Goddard, “Extended Tracts,” abstract.

313 McQuillan et al., “Runs of Homozygosity in European Populations, p. 359. Keller, Visscher, and Goddard, “Quantification of Inbreeding, here p. 2.

314 Keller, Visscher, and Goddard, “Quantification of Inbreeding,” p. 13.

315 Joshi et al., “Directional Dominance.”

316 Joshi et al., “Directional Dominance,” p. 12.



seen of an influence of genome-wide homozygosity on blood pressure and low-density lipoprotein (LDL) cholesterol, or ten other cardio-metabolic traits. They found no effect for those cardio-metabolic traits for which variation is strongly age-related. This suggested that previous reports in ecological studies or substantially smaller studies using pedigrees or relatively small numbers of genetic markers “may have been” false positives.<sup>317</sup>

### Confounding effects

These conflicting results might suggest that the effects of autozygosity are confounded by various factors, such as socioeconomic status, education, urbanicity, and religiosity, which may be associated with both real inbreeding and the outcome measures of interest. — Johnson et al., 2016

From what I have shown so far, researchers looking at the genetics of complex traits have put their collective finger on three serious issues: replicability, “confounding factors,” and sample sizes. These issues were illustrated in 2016 by Johnson et al., in one of the most important replication studies dealing with recessive diseases. It took on a widely received study by Keller et al. from 2012, on the links between consanguinity and schizophrenia, up to that time one of the most convincing research papers on complex disease.<sup>318</sup> The schizophrenia study had found that the odds of developing that disease increased around 17% for every additional percent of the genome that was autozygous. In the replication study, the authors followed the protocols of the original research, basing their analysis on twenty-two independent schizophrenia case-control datasets ( $n = 39,830$ ).<sup>319</sup> They noted that since the Keller study in 2012, there were several publications that had reported inconsistent associations of ROH burden with complex traits. “These conflicting results might suggest that the effects of autozygosity are confounded by various factors, such as socioeconomic status, education, urbanicity, and religiosity, which may be associated with both real inbreeding and the outcome measures of interest.”<sup>320</sup> Johnson et al. were quite comfortable with Mendelian analyses of monogenic diseases. “Individuals with a greater proportion of their genome in autozygous stretches

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<sup>317</sup> Joshi et al., “Directional Dominance,” p. 19. “Since directional dominance is predicted for traits under directional evolutionary selection, this study provides evidence that increased stature and cognitive function have been positively selected in human evolution, whereas many important risk factors for late-onset complex diseases may not have been,” p. 12.

<sup>318</sup> E. C. Johnson, D. W. Bjelland, D. P. Howrigan, A. Abdellaoui, G. Breen et al., “No Reliable Association between Runs of Homozygosity and Schizophrenia in a Well-Powered Replication Study,” *PLoS Genetics* 12, no. 10: e1006343 (2016): 1–12. I consulted the article, with pages numbered 1–20, posted at [https://scholar.colorado.edu/concern/parent/8336h256g/file\\_sets/sn009z305](https://scholar.colorado.edu/concern/parent/8336h256g/file_sets/sn009z305). Subsequent page references are to that posted version.

<sup>319</sup> Johnson et al., “No Reliable Association,” p. 1.

<sup>320</sup> Johnson et al., “No Reliable Association,” p. 1.

should have higher rates of disorders. This is because autozygous regions reveal the full, harmful effects of any deleterious, recessive alleles that existed on the haplotype of the common ancestor.”<sup>321</sup> But the ties between recessivity, expressed in long stretches of ROHs, and complex diseases were much less certain, they argued, and many of the underpowered studies failed to produce consistent results. The findings of their own replication study, they observed, “do not lend much support to the original observation of a highly significant  $F_{roh}$ -schizophrenia association.”<sup>322</sup> Speculating on why the two studies came to such opposite results, the authors of the replication paper suggested that assortative mating on variables such as education or religion could subtly influence observed  $F_{roh}$  associations, and that this could in turn affect results in ways difficult to account for. “Thus the causation may be reversed: schizophrenia liability in parents could cause not only higher schizophrenia risk, but also higher  $F_{roh}$  in offspring rather than  $F_{roh}$  in offspring increasing their schizophrenia liability. Such reverse and third variable causation possibilities can only be tested if relevant socio-demographic variables in subjects and (optimally) their parents are collected.”<sup>323</sup> In any event, their study, which they described as a “well-powered, direct replication,” failed to replicate the earlier study.<sup>324</sup> Once again, linking close consanguinity to complex traits had led to ambiguous or unsatisfactory results.

An important example of how confounding effects such as assortative mating could influence ROH analysis was offered by Abdel Abdellaoui et al. in 2015.<sup>325</sup> They examined the relation between educational attainment and  $F_{roh}$  in about 2,000 subjects with Dutch ancestry. In an earlier paper, they considered an apparent association between  $F_{roh}$  and major depressive disorder in the Netherlands, but further investigation showed this was confounded by religion, and once they accounted for religious difference, no association between runs of homozygosity and depression remained.<sup>326</sup> In their new study, they correlated the education of children with the educational attainment (EA) of

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321 Johnson et al., “No Reliable Association,” p. 2.

322 Johnson et al., “No Reliable Association,” p. 9.

323 Johnson et al., “No Reliable Association,” p. 11: “Ascertainment of cases and controls not perfectly matched on socio-demographic factors that might effect degree of outbreeding (e.g., socioeconomic status, education level, age, religion, urbanicity) can mask any true  $F_{roh}$  association and bias the observed association in either direction. Such a scenario might explain otherwise contradictory findings in previous ROH-case-control analyses.”

324 Johnson et al., “No Reliable Association,” p. 12. “However, we have argued that a likely cause is the ROH associations are highly susceptible to confounding,” p. 12. They consider the conclusion in the earlier study premature: “This creates a dilemma for ROH analyses using existing case-control genome-wide data: GWAS (genome-wide association study) data sets usually do not match cases and controls to the degree necessary to rule out confounding effects on ROH analyses and typically do not collect the relevant socio-demographic information necessary to control for potential confounders,” p. 12.

325 Abdel Abdellaoui et al., “Educational Attainment Influences Levels of Homozygosity through Migration and Assortative Mating,” *PLoS One* 10, no. 3: e0118935 (2015): 1–14.

326 Abdellaoui et al., “Educational Attainment,” p. 2.

their parents.<sup>327</sup> It turned out that the significant association with EA was actually the distance between the parental birthplace and the birthplace of the subjects: the higher the education the greater the distance. Given the fact of increased exogamy (that is, a larger distance between the paternal and maternal birthplace), one expected a lower  $F_{\text{roh}}$  among the offspring, which is what the researchers found. But, controlling for the distance between paternal and maternal birthplaces (which contributed significantly to  $F_{\text{roh}}$  variation), parental EA was no longer associated with  $F_{\text{roh}}$ . “These results show that the association between  $F_{\text{roh}}$  and parental EA is explained by parents with a higher education tending to have more different ancestries than less educated parents because of higher migration levels.”<sup>328</sup> In the absence of data on parental EA, geographic mobility, and ancestry, this observation could have been interpreted as the result of deleterious effects of inbreeding on cognitive ability for those with less education, which would fit existing hypotheses. The effect was considerably more significant however when associating  $F_{\text{roh}}$  with paternal or maternal EA.<sup>329</sup> The authors concluded that such “phenomena illustrate the importance of the impact of complex social, demographic, and historical processes on the genomic structure of populations.”<sup>330</sup>

Many different diseases and risk factors, from cancer to cognition, have been tested for association with either the burden (sum) of ROH (SROH) or their number (NROH), or for association of individual ROH with a particular phenotype, but few of the twenty-six latest studies discussed by Francisco Ceballos et al. in a 2018 publication had found positive results or been based on large enough samples to be credible.<sup>331</sup> Various biases, such as the confounding and publication bias, often seemed to have been at play, but the numbers themselves were inadequate. Indeed, inconsistency, particularly for case-control analyses, had been a common feature of ROH studies and might well have

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<sup>327</sup> Abdellaoui et al., “Educational Attainment,” p. 1. In a recent study of a UK sample, higher cognitive function was associated with *increased* homozygosity levels—the opposite of what one expected. Assortative mating on cognitive function was posed as a potential explanation for this finding, where assortment among individuals with higher cognitive ability may have induced increased homozygosity for loci that contribute to higher cognitive ability. The authors here conclude that to solve the discrepancy between their own and the UK study, “further analysis in a more deeply phenotyped and representative UK sample (preferably with own and parental EA and birthplace measured) are necessary,” p. 11.

<sup>328</sup> Abdellaoui et al., “Educational Attainment,” p. 9.

<sup>329</sup> Abdellaoui et al., “Educational Attainment,” pp. 9–10: “In this context, educational assortment increases the chance for more highly educated individuals to mate with genetically more dissimilar partners, lowering the number of homozygous alleles transmitted to their offspring, while less educated individuals would have been more likely to mate closer to their ancestry. The association between  $F_{\text{roh}}$  and parental EA disappears after correcting for the distance between the paternal and maternal birthplaces, which itself was also significantly associated with  $F_{\text{roh}}$ .”

<sup>330</sup> Abdellaoui et al., “Educational Attainment,” p. 11.

<sup>331</sup> Ceballos et al., “Runs of Homozygosity,” p. 8. Twelve studies show no association; fourteen report association with genome wide NROH/SROH. However only four of these positive associations have sample sizes above the minimum, (ca 12,000 individuals) estimated to have power to detect the effect sizes expected for complex traits.

been due to confounding by factors such as education, socio-economic status, rurality and cultural influences.<sup>332</sup> Social class, genetic isolation, and many other potentially confounding variables could and often did associate with parental relatedness. “Thus although homozygosity mapping in inbred populations has been exceptionally successful for monogenic recessive disorders, ROH mapping studies have had less success for complex traits.”<sup>333</sup> This all changed with the very large genomic datasets then becoming available, which have allowed well-powered broad surveys of phenotypes.

### Exploring runs of homozygosity

Our results indicate that many individuals who are not the offspring of obviously consanguineous matings have degrees of homozygosity near or even exceeding that of the offspring of first-cousin matings. — Karl W. Broman and James L. Weber, 1999

Our studies show that homozygous tracts are remarkably common and long even in the unrelated individuals from the apparently outbred populations. — Jane Gibson, Newton E. Morton, and Andrew Collins, 2006

The fact that the combined presence of so many homozygous deleterious variants is compatible with life supports the view that most deleterious variants must have relatively small fitness effects. — Zachary A. Szpiech et al., 2013

This provides convincing evidence for the first time that homozygosity, rather than confounding, directly contributes to phenotypic variance. — Peter K. Joshi et al., 2015

Genetic variants with large deleterious effects on evolutionary fitness will be both rare and recessive. — David W. Clark et al., 2019

Having summarized the Joshi et al. and Ceballos critiques of ROH analysis, I now will follow their leads back to the relevant studies. In 1999, a study by Karl Broman and James Weber offered the first evidence that ROH was common in humans. They pointed out that “the proportion of an individual’s genome that is autozygous, the expected value of which is the inbreeding coefficient, is a measure of the degree of relationship between his or her parents,” but also that “our results indicate that many individuals who are not the offspring of obviously consanguineous matings have degrees of homozygosity near or even exceeding that of the offspring of first-cousin matings.”<sup>334</sup>

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<sup>332</sup> Ceballos et al., “Runs of Homozygosity,” p. 8. They referenced the two studies by Abdellaoui et al.

<sup>333</sup> Ceballos et al., “Runs of Homozygosity,” p. 9.

<sup>334</sup> Broman and Weber, “Long Homozygous Chromosomal Segments,” pp. 7, 9. Ceballos et al., “Runs of Homozygosity,” p. 1: “Cousin marriage or inbreeding gives rise to such autozygosity; however, genome-wide data reveal that ROH are universally common in human genomes even among outbred individuals.” “Surveys using genealogical data reveal that at least 10% of the global population ([by 2018] >700 million) are offspring of second cousins or closer.” “We are all inbred to some degree and ROH capture this aspect of our individual demographic histories,” p. 2.

They estimated that around ten percent of the world's population was the offspring of cousin marriages (a little over six hundred million in 1999). Ceballos, two decades later, remarked that the percentage had stayed steady as world population grew but thought that it was a question of second cousins or closer. In 2006, Jane Gibson, Newton Morton, and Andrew Collins published results demonstrating that ROH were ubiquitous in human populations, and that various factors could influence length, abundance, and location – mutation rate, population structure, uniparental disomy (UPD), natural selection, recombination, and linkage disequilibrium (LD) patterns.<sup>335</sup> UPD describes the situation where two copies of a chromosome come from the same parent instead of one copy from each of them. LD is the tendency for alleles to be inherited together more often than would be expected under random segregation. “Our studies show that homozygous tracts are remarkably common and long even in the unrelated individuals from the apparently outbred populations.”<sup>336</sup> Such tracts or runs might be inherited from parents who shared a not-so-distant ancestor. Or, because of a lack of recombination in particular regions of the chromosome, the runs might have persisted even though the ancestors were quite distant.<sup>337</sup> So now it was evident that long homozygous tracts were common in human populations, and that they often reflected the presence of long ancestral haplotypes, or sets of alleles on a chromosome that had remained intact over multiple generations of meiosis.

In a paper from 2008, Ruth McQuillan et al. discussed the advantages of genome scans over pedigree research as a reliable and accurate method for quantifying the effects of parental relatedness at the individual level.<sup>338</sup> The earlier method attempted to determine the average proportion of the autosomal genome inherited by direct descent. But there were disadvantages to this approach. Meiosis, the authors noted, is a “highly random process,” so that grandchildren vary in the proportion of DNA they inherit from their four grandparents, and surprisingly the offspring of third cousins might be more autozygous (homozygous by descent) than the offspring of second

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335 Gibson, Morton, and Collins, “Extended Tracts,” p. 789.

336 Gibson, Morton, and Collins, “Extended Tracts,” p. 791.

337 Gibson, Morton, and Collins, “Extended Tracts,” pp. 792–93. Autozygosity of 6% is expected in offspring of first cousin mating. They considered other mechanisms that might have contributed to the levels of homozygosity they found, for example different types of UPD (uniparental disomy) or isodisomy (where a child inherits two copies of the same chromosome from the same parent). This results in the child being homozygous at all loci. Ceballos et al., “Runs of Homozygosity,” p. 2: We do not inherit DNA from all our pedigree ancestors at the remove of multiple generations—but we have to inherit DNA from some of them. Everyone has shared genetic ancestors between 300 and 1400 BC. They pointed out that going back to the twelfth century (about twenty-nine generations), each of us would have around a half billion ancestors. Many of our ancestors would have to have been the same people (pedigree collapse). We are all inbred to some degree, and that has consequences for the incidence of recessive disease. The long ROH in inbred individuals reveal harmful effects of recessive deleterious variants present in ROH—to cause Mendelian diseases such as Tay-Sachs.

338 McQuillan et al., “Runs of Homozygosity in European Populations,” pp. 359–60.

cousins; indeed they might be very close to first cousins in this regard (as we have seen, pedigree analysis would have put the coefficient of  $F$  for the offspring of first cousins at .0625, second cousins at .0156, and third cousins at .0039). This was a significant observation, since it called into question the ability of earlier geneticists to measure the relationship between genotype and phenotype. “ROHs might result from recent parental relatedness or might be autozygous segments of much older pedigree that have occurred because of the chance inheritance through both parents of extended haplotypes that are at a high frequency in the general population, possibly because they convey or conveyed some selective advantage.”<sup>339</sup> Indeed, in isolated populations, the offspring of distant cousins might be almost as autozygous as the offspring of first cousins.<sup>340</sup> ROHs distinguished effectively between individuals with different degrees of parental relatedness in their ancestry, and  $F_{\text{roh}}$  had potential as a measure of individual genome-wide autozygosity for comparison to phenotype.<sup>341</sup> Scanning a person’s chromosomes from a blood sample allowed a researcher, it was argued, to offer a much more accurate coefficient of relatedness than study of a genealogical map could do. In turn, that allowed correlations between levels of consanguinity and a wide variety of human traits, some of which could be found in the blood samples themselves (like LDL cholesterol) and others through physical testing (expelled breath) or socio-economic information from questionnaires. Large data sets could provide convincing tests, both for regional analysis and for broad interregional comparisons.

During the second decade of the twenty-first century, researchers continued to explore the implications of ROH. In 2010, for example, Mirna Kirin, Ruth McQuillan, Christopher Franklin, Harry Campbell, and Paul McKeigue, and James Wilson found runs of homozygosity both short and long to be a globally widespread characteristic of human genomes.<sup>342</sup> Parents, even when the relationship between them was a very distant one, could pass on identical chromosomal segments to a child. It was to be expected that ROH due to recent inbreeding would tend to be longer, because there had been little opportunity for recombination to break up the identical-by-descent segments. But longer than expected ROH were very common also in unrelated individuals from outbred populations. The authors found, for example, that South and Central Asians and West Asians had three times the number of long ROH of other Eurasians or

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<sup>339</sup> McQuillan et al., “Runs of Homozygosity in European Populations,” p. 367.

<sup>340</sup> McQuillan et al., “Runs of Homozygosity in European Populations,” p. 368.

<sup>341</sup> Keller, Visscher, and Goddard, “Quantification of Inbreeding,” p. 13: The resulting identical haplotypes could persist in the population for many generations, coming together in offspring of distantly related individuals to create increased levels of homozygosity. It was now possible to detect identical haplotypes from quite ancient breeding.  $F_{\text{roh}}$  was more accurate than pedigree or marker-to-marker analysis. It correlates most highly with homozygous mutation load.

<sup>342</sup> Mirna Kirin, Ruth McQuillan, Christopher S. Franklin, Harry Campbell, Paul M. McKeigue, and James F. Wilson, “Genomic Runs of Homozygosity Record Population History and Consanguinity,” *PLoS One* 5, no. 11: e13966 (2010).

sub-Saharan Africans.<sup>343</sup> Their particularly long ROH suggested a high prevalence of consanguineous marriages. But the relevance of this for the understanding of disease was complicated: “Given that shorter ROH account for more of the total homozygosity even in the most inbred people, any effect of ROH on disease risk could also be mediated by these shorter runs, and not only by the long ROH arising from recent parental relatedness.”<sup>344</sup> Inheritance, it was becoming clear, is a stochastic process producing widely varying outcomes even among siblings.<sup>345</sup>

One of the important aspects of genetic makeup of humans was the fact that an “individual genome can contain tens to hundreds of variants that would be lethal in homozygous form and hundreds of thousands of mildly deleterious variants, the accumulation of which could potentially have health consequences.”<sup>346</sup> Through sequencing-based variant discovery efforts, it had been widely recognized that each human individual carries numerous deleterious variants. Zachary Szpiech et al. showed that many individuals could carry somewhere between 150 and 350 damaging variants in homozygous form. “The fact that the combined presence of so many homozygous deleterious variants is compatible with life supports the view that most deleterious variants must have relatively small fitness effects.”<sup>347</sup> The result of their study, they suggested, was that inbreeding not only amplified the occurrence of recessive genetic diseases with significant fitness effect but also amplified the burden of mildly deleterious homozygotes. If a variant in a population were lethal in homozygous form, inbreeding would greatly increase the chance of generating a genome with the lethal genotype. But inbreeding also had a more subtle effect, enabling the accumulation of mildly deleteri-

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**343** Kirin et al., “Genomic Runs of Homozygosity,” p. 2. Because the sub-Saharan African population that provided the data for these comparative studies came from a small region in Nigeria, the findings must be used with reservations, given the many African regions where cousin marriage was practiced.

**344** Kirin et al., “Genomic Runs of Homozygosity,” p. 5. Ceballos et al., “Runs of Homozygosity,” p. 3: “The causal mechanism for inbreeding depression is only partly understood, but empirical evidence in a number of species suggests that it is mostly due to increased homozygosity for (partially) recessive detrimental mutations maintained at low frequency in populations by mutation-selection balance . . . Empirical studies show that ROH are more enriched for homozygous deleterious variants than for non-deleterious variants. This emphasizes that ROH are important reservoirs of homozygous deleterious variation . . . Inbreeding increases the probability that a variant will be found in a homozygous state, so ROH are enriched for homozygotes at all allele frequencies.”

**345** Kirin et al., “Genomic Runs of Homozygosity,” p. 5. Michael Nothnagel, Timothy Tehua Lu, Manfred Kayser, and Michael Krawczak, “Genomic and Geographic Distribution of SNP-Defined Runs of Homozygosity in Europeans,” *Human Molecular Genetics* 19 (2010): 2927–35. This was the first study to perform in depth analysis of ROH islands, regions of the genome where a high proportion of people are homozygous.

**346** Zachary A. Szpiech, Jishu Xu, Trevor J Pemberton, Weiping Peng, Sebastian Zöllner, Noah A. Rosenberg, and Jun Z. Li, “Long Runs of Homozygosity Are Enriched for Deleterious Variation,” *American Journal of Human Genetics* 93 (2013): 90–102 (author’s copy), here p. 2. For the journal version, see <https://doi.org/10.1016/j.ajhg.2013.05.003>; or <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3710769/>.

**347** Szpiech et al., “Long Runs of Homozygosity,” p. 22.

ous variants as well. They conjectured that synergistic action, given the simultaneous presence of multiple deleterious variants in homozygous form, could systematically underlie complex human diseases.<sup>348</sup>

The connection between the “burden [sum] of ROH” (SROH) and its effects, whatever it was, was not at all straightforward. Take the association with cognitive ability. In 2014, Robert Power, Craig Nagoshi, and John Defries tested ROH with both verbal and non-verbal cognitive ability.<sup>349</sup> After correcting for multiple testing, they found no association between the burden of ROH and verbal cognitive ability, although, unexpectedly, ROH was “nominally” associated with *increased* non-verbal cognitive ability.<sup>350</sup> Up until then, such relationships had been studied for the most part with pedigrees, inevitably with relatively small numbers, but now with ROH testing, it was possible to look at the relationships at the level of large populations. Even then, mechanisms of assortative mating, non-random mating, and population stratification had to be taken into account. They concluded that their results overall highlighted “the importance of understanding mating habits, such as inbreeding and assortative mating, when investigating the genetic architecture of complex traits such as cognitive ability. The results suggested that there was no large effect of  $F_{\text{roh}}$  on reduced cognitive ability, the expected direction of effect. In the case of non-verbal cognitive ability, beneficial associations with homozygosity at specific loci might outweigh the negative effects of genome-wide inbreeding and . . . the relationship between inbreeding and cognitive ability may be more complicated than previously thought.”<sup>351</sup>

By 2015, with the use of large data sets distributed across the world, it was possible to look at genetic and phenotypic relationships without the noise of confounding elements or worry about differences between in- and outbred populations.<sup>352</sup> For cases where increased homozygosity was associated with decreased trait value (equivalent, for example, to the offspring of first cousins being 1.2 cm shorter and having 10 months less education), Joshi et al. found similar-sized effects across four continental groups and populations with different degrees of genome-wide homozygosity: “This provides convincing evidence for the first time that homozygosity, rather than confounding, directly contributes to phenotypic variance.”<sup>353</sup> Across isolated and non-isolated Euro-

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348 Szpiech et al., “Long Runs of Homozygosity,” p. 24. Ceballos et al., “Runs of Homozygosity,” p. 9: “Thus although homozygosity mapping in inbred populations has been exceptionally successful for monogenic recessive disorders, ROH mapping studies have had less success for complex traits.”

349 Robert A. Power, Craig Nagoshi, and John C. DeFries, “Genome-Wide Estimates of Inbreeding in Unrelated Individuals and their Association with Cognitive Ability,” *European Journal of Human Genetics* 22 (2014): 386–90. The offprint, which I used, is paginated 1–13.

350 Power, Nagoshi, and DeFries, “Genome-Wide Estimates,” pp. 9–11.

351 Power, Nagoshi, and DeFries, “Genome-Wide Estimates,” p. 8.

352 Joshi et al., “Directional Dominance,” p. 12.

353 Joshi et al., “Directional Dominance,” p. 12. In 2018, Emma C. Johnson, Luke M. Evans, and Matthew C. Keller, “Relationships between Estimated Autozygosity and Complex Traits in the UK Biobank,” *PLoS Genetics* 14 (7): e1007556 (July 27, 2018), carried out a similar study on 400,000 cases in the UK Biobank.



pean, Finnish, African, Hispanic, East Asian, and South and Central Asian populations, they found effects of similar magnitude and in the same direction for all four traits that had correlated effects with ROH equivalent to first-cousin marriage. As I noted above, their study found no effect for twelve mainly cardio-metabolic traits in which variation was strongly age-related.<sup>354</sup> But what is also important to understand is that the relationships they did find, such as the aforementioned ROH equivalent to first-cousin marriage being associated with roughly a half-inch reduction in stature *on average*, did not suggest serious consequences of such consanguinity. They concluded that “the magnitude of genome-wide homozygosity effects is relatively small in all cases, thus Darwin’s supposition of ‘any evil [of inbreeding] being very small’ is substantiated.”<sup>355</sup>

Rather than laying questions about consanguinity to rest, such results, together with the very fact that regional variations in the degree of consanguinity in populations could now be measured accurately and compared, led to the question of whether those popula-

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They noted that “some of the autozygosity-trait relationships were attenuated after controlling for background sociodemographic characteristics, suggesting that alternative explanations for these associations have not been eliminated,” p. 1. They found a significant relationship between levels of autozygosity and three of the twenty-six traits they investigated: age at first sexual intercourse, fluid intelligence (capacity to solve problems in novel situations), and forced expiratory volume in one second. They also found that their results replicated some of those in Joshi et al. and other similar studies. But significantly, the association with increased  $F_{\text{roh}}$  and decreased height was attenuated once they controlled for “background sociodemographic variables.” They also did not find any significant association with educational attainment (p. 11). It was possible that religious observance confounded the results about age at first intercourse, so the association with inbreeding “should be interpreted with caution.” On this issue see the paper by Clark et al. cited below. They concluded with the observation that their study supported “significant associations between estimated autozygosity and several sociodemographic, anthropometric, health, and otherwise fitness-related traits,” p. 14. However, controlling for sociodemographic variables failed to establish an association with height and grip strength. Although their results replicated many previous findings in humans, “the fact remains that even in very large, well-powered, unascertained samples such as this one, it is exceedingly difficult to make definite statements about the underlying causal mechanism of observed relationships between  $F_{\text{roh}}$  and complex traits,” p. 15.

354 Joshi et al., “Directional Dominance,” p. 12.

355 Joshi et al., “Directional Dominance,” p. 20. They referenced an edition (London: John Murray, 1876) of Charles Darwin, *The Effects of Cross and Self Fertilisation in the Vegetable Kingdom*, said to be available on Google Scholar. They provided no page reference. I could find only the 1877 version published in New York by D. Appleton and Company there. In the 1877 edition, the larger quote is this: “With respect to mankind, my son George has endeavoured to discover by a statistical investigation whether the marriages of first cousins are at all injurious, although this is a degree of relationship which would not be objected to in our domestic animals; and he has come to the conclusion from his own researches and those of Dr. Mitchell that *the evidence as to any evil thus caused is conflicting, but on the whole points to its being very small* [my italics]. From the facts given in this volume we may infer that with mankind the marriages of nearly related persons, some of whose parents and ancestors had lived under very different conditions, would be much less injurious than that of persons who had always lived in the same place and followed the same habits of life. Nor can I see reason to doubt that the widely different habits of life of men and women in civilised nations, especially amongst the upper classes, would tend to counter balance any evil from marriages between healthy and somewhat closely related persons,” pp. 460–61.

tions with high burdens of ROH were subject to particular kinds of diseases or greater incidences of morbidity. Eric Scott et al. in 2016 found an elevated burden of recessive disease in the “Greater Middle East” (GME) (Gulf Region, North Africa, Central Asia) where there were high rates of consanguinity.<sup>356</sup> Interestingly enough, while they found an increased burden of ROH, they found no evidence for reduced burden of deleterious variation due to classically theorized “genetic purging.”<sup>357</sup> Between 20% and 50% of all GME marriages were consanguineous (compared with <0.2% in the Americas and Western Europe), with the majority being first cousin. This was a rate of consanguinity about one hundred times greater than in the Americas and Western Europe, and it correlated with a roughly doubled rate of recessive Mendelian disease.<sup>358</sup> Most striking among the findings were the increase in long ROH found exclusively in GME samples and the rise in the frequency for rare and very rare alleles as ROH increased in size. “Despite millennia of elevated consanguinity in GME, we detected no evidence for purging of recessive alleles. Instead, we detected large rare homozygous blocks, distinct from the small homozygous blocks found in other populations, supporting recent consanguineous matings, and allowing identification of genes harboring putatively high impact homozygous variants in healthy humans from this population.”<sup>359</sup> Here the relationship between consanguinity and rare Mendelian diseases had been underscored, but the questions about polygenic phenotypes or the genetic origins of complex traits had been barely touched.

The wider problem of estimating the increased risk of deleterious outcomes for the progeny of cousin marriage had no easy solution. If it was a question of rare alleles – sometimes described as “very rare” – then the percentage of increase could look quite formidable, while the actual risks remained very low.<sup>360</sup> The overall rates of disease in a

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**356** Eric M. Scott et al., “Characterization of Greater Middle Eastern Genetic Variation for Enhanced Disease Gene Discovery,” *Nature Genetics* 48 (2016): 1071–76; author’s MS, pp. 1–25, here pp. 2, 6–9. They generated a whole exome (all the pieces of DNA that provide instructions for producing proteins) GME variome (set of genetic variations) from 1,111 unrelated subjects. The measured consanguinity was an order-of-magnitude above that of other sampled populations.

**357** Scott et al., “Greater Middle Eastern Genetic Variation,” p. 9. Ceballos et al., “Runs of Homozygosity,” p. 3: “Theory also predicts that very strong inbreeding will in fact purge deleterious recessive alleles from the population as more copies are found in a homozygous state, and this has been observed in mountain and lowland gorillas but not in human genome data.”

**358** Scott et al., “Greater Middle Eastern Genetic Variation,” p. 7.

**359** Scott et al., “Greater Middle Eastern Genetic Variation,” p. 12. Haldane developed the concept of “purging of recessive alleles,” “referring to increased loss of deleterious alleles due to increased selective pressure in inbred populations. Purging was hypothesized to impact the GME genome due to higher rates of birth defects incompatible with future reproduction, but has yet to be documented in humans . . . . Numerous studies have relied on the increased power of GME-resident consanguineous families to identify causes of recessive disease, but the lack of an accessible variome [the set of genetic variations in a population] has hindered progress,” p. 9.

**360** Paul and Spencer, “Cousin Marriage Controversy,” p. 2629: “Different commentators have certainly interpreted the same risk of cousin marriage as both insignificant and alarmingly high. Those who characterize it as slight usually describe the risk in absolute terms and compare it with risks of the same

population might not measure much variation at all. A good example was offered by the immigrant Turkish population in Germany (the Turkish population was represented in the GME variome (collected genetic data) used in the Scott et al. study cited above).<sup>361</sup> In 2016, Helen Baykara-Krumme examined rates of consanguineous marriages among immigrant Turks and among the population living in one of the high emigrant regions in Turkey.<sup>362</sup> From 5,980 personal interviews, she found that rates of consanguineous marriage were higher among migrants, even in the second and third generations, and, against expectations, that they declined faster among those in the home region. The percentage of kin marriages among migrant families were 27, 29, and 20 respectively for the three generations. The author concluded that consanguineous marriage was even more common among Turkish migrants who lived in Europe than among their peers in Turkey. “This remarkable result contradicts classical assumptions about migrants’ acculturation in Western European societies, but rather supports the notion of emergent, migrant-specific (marital) behavior patterns.”<sup>363</sup> What about health? Oliver Razum et al. considered the issue in 1998.<sup>364</sup> Between 1963 and 1973, around 900,000 Turkish migrants came to Germany and by late 1994 their population numbered 2 million.<sup>365</sup> A study carried out between 1984 and 1986 found that the standardized all-cause mortality of foreigners in the age group 35–65 was half that of Germans.<sup>366</sup> There was no evidence to support the hypothesis of increasing mortality among Turkish nationals resident in Germany. They appeared to have strikingly and persistently lower all-cause mortality rates than either the German population or an urban population in Turkey.<sup>367</sup>

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or greater magnitude that are generally considered acceptable. Thus it is often noted that women over the age of 40 are not prevented from childbearing, nor is anyone suggesting they should be, despite an equivalent risk of birth defects . . . . On the other hand, those who portray the risk as large tend to describe it in relative terms. For example, geneticist Philip Reilly commented: ‘A 7 to 8% chance is 50% greater than a 5% chance. That’s a significant difference.’”

**361** Helen Baykara-Krumme, “Consanguineous Marriage in Turkish Families in Turkey and in Western Europe,” *International Migration Review* 50 (2016): 568–98.

**362** The sample was from 2,000 three-generational families.

**363** Baykara-Krumme, “Consanguineous Marriage in Turkish Families,” p. 591.

**364** Oliver Razum et al., “Low Overall Mortality of Turkish Residents in Germany Persists and Extends into a Second Generation: Merely a Healthy Migrant Effect?,” *Tropical Medicine and International Health* 3 (1998): 297–303.

**365** Razum et al., “Low Overall Mortality of Turkish Residents,” p. 297. That could translate into roughly 100,000 consanguineous marriages.

**366** Razum et al., “Low Overall Mortality of Turkish Residents,” p. 298.

**367** Razum et al., “Low Overall Mortality of Turkish Residents,” p. 299. An interesting paper on Pakistanis immigrants to the UK dealt with naturally occurring “gene knockouts.” Vagheesh M. Narasimhan et al., “Health and Population Effects of Rare Gene Knockouts in Adult Humans with Related Parents,” *Science* 352 (2016): 474–77. This was the first large survey of gene knockouts in a consanguineous population describing homozygous loss of function for hundreds of genes. The 322 British adults of Pakistani heritage in the study had high degrees of parental relatedness (often through parents who were first cousins). Thus, a substantial fraction of their autosomal genome occurred in long homozygous regions inferred to be identical by descent from a recent common ancestor (autozygous). When genetic data were linked

Although the investigation of the association of ROH with human phenotypes will of course continue on into the third decade of the twenty-first century and beyond, it is notable that in late 2019, as I write, studies can deal with numbers and broad regional comparisons quite impossible to imagine a few years earlier. A paper by David W. Clark et al., proceeding from the Centre for Global Health Research, Usher Institute, University of Edinburgh, directed by James F. Wilson, had 437 authors representing 327 institutes (many authors were associated with more than one institution). Utilizing genomic inbreeding coefficients ( $F_{\text{roh}}$ ) for more than 1.4 million individuals, the authors analyzed 100 separate traits.<sup>368</sup> They located deleterious changes in 32 of the traits, but found that “genetic variants associated with inbreeding depression” to be “predominantly rare.”<sup>369</sup> They accepted

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to the individuals’ lifelong health records, the authors observed no significant relationship between gene knockouts and clinical consultation or prescription rate. Together these data suggest that apparent rhLOF [rare homozygous predicted loss of function] genotypes identified by exome or genome sequencing of adult populations require cautious interpretation. “Although this class of variants has the greatest predicted effect on protein function, the loss of most proteins is relatively harmless to the individual. Even in previously annotated disease genes, predicted rare LOF homozygotes may not always be as clinically relevant as often considered,” p. 477. Mohd Fareed and Mohammed Afzal, in their article “Genetics of Consanguinity and Inbreeding in Health and Disease,” cited earlier, indicate that more than 1.2 billion of the current global population practice consanguineous marriage, p. 2. March of Dimes estimates: birth defects >69.9/1000 live births in most Arab countries vs. <52.1/1000 in Europe, North America, and Australia [34.1% greater], p. 7. Fareed and Afzal offer a table with diseases and disorders associated with consanguinity from different countries, documenting that consanguinity is associated with increased risk of major infectious deaths. They provide many pages documenting all kinds of diseases associated with consanguinity like hypertension, coronary heart disease, stroke, cancer, uni/bipolar depression, asthma, gout, peptic ulcer and osteoporosis. And they find higher numbers of psychiatric disorders. Compare this with the study by Clark et al. below.

**368** David W. Clark et al., “Associations of Autozygosity with a Broad Range of Human Phenotypes,” *Nature Communications* 10, no. 4957 (2019), <https://doi.org/10.1038/s41467-019-12283-6>. Page references in subsequent footnotes are to the open access copy, accessed on November 21, 2019, [https://www.researchgate.net/publication/336932046\\_Associations\\_of\\_autozygosity\\_with\\_a\\_broad\\_range\\_of\\_human\\_phenotypes](https://www.researchgate.net/publication/336932046_Associations_of_autozygosity_with_a_broad_range_of_human_phenotypes). The correspondent for the study is Jim Wilson. At his own site at the Medical Research Council Institute of Genetics and Molecular Medicine, Wilson writes: “My major research interest is in homozygosity and the potential role of recessive genetic variants in determining disease risk—I steer an international consortium of 102 cohort studies and 350,000 research participants (ROHgen) [Runs of Homozygosity Genetics Consortium] which seeks to understand the effect of inbreeding depression on complex traits.”

**369** Clark et al., “Associations of Autozygosity,” p. 1. Neil Small, Dan Mason, and John Wright, “Letter to the Editor: Time to Update the Language of Genetics from the Nineteenth to the Twenty-First Century: A Response to Schmidtke and Cornel,” *Journal of Community Genetics* 11 (2020): 249–51, <https://doi.org/10.1007/s12687-020-00467-3>, regarding an editorial by Jörg Schmidtke and Martina C. Cornel, “Contentious Ethical Issues in Community Genetics,” in the same journal issue, pp. 5–6, <https://doi.org/10.1007/s12687-019-00444-5>. But their chief target was Clark et al. “We are anxious about the language of genetics and specifically those terminologies that reflect animal models that have been important in its evolution as a discipline, including ‘in-breeding’, ‘mating’ and ‘pedigree’,” p. 249. They wanted to change the language of genetics into a language of risk so as to engage with the general public and to avoid stigmatizing. They also wanted to avoid a “too easy conflation” of genetic risk with various social practices such as marriage between blood relations. “While there are not easily available synonyms for

the idea that because the expression of deleterious effects of recessive genes would have negative reproductive consequences, there was a “purifying” effect; and that consequently the “genetic variants with large deleterious effects on evolutionary fitness will be both rare and recessive.”<sup>370</sup> Because the effects were rare, many of the variants had not been identified and the impact on the global burden of disease was “poorly understood.”<sup>371</sup> The authors found  $F_{\text{roh}}$  associated with reduced reproductive success (fewer children, less likelihood of having children, bearing children at an older age, older age at first sex, fewer sexual partners), but this also correlated with reduced risk-taking behavior (less alcohol, less smoking, slower driving speed, etc.).<sup>372</sup> “The effects we see on fertility might be partially mediated through a hitherto unknown effect of autozygosity on decreasing the prevalence of risk-taking behaviours.”<sup>373</sup> Their results confirmed previously reported associations of ROH on height, forced expiratory lung volume in one second, cognition, and attained education. They grouped the thirty-two phenotypes affected by inbreeding into five categories: reproductive success, risky behaviors, cognitive ability, body size, and health.<sup>374</sup> For example an increase in  $F_{\text{roh}}$  equal to first cousins was associated with having 0.10 fewer children, although there was no likelihood of a lower rate of marriage.<sup>375</sup> But certain traits, such as birth weight, which the authors thought would be influenced by ROH, were not affected. It did turn out, however, that greater ROH seemed to be associated with lower

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legacy terms, we might consider ‘ancestry’ or ‘inheritance’ instead of pedigree and ‘related by blood’ instead of in-breeding,” p. 250. It is fascinating the way “blood” keeps repossessing genetics.

370 Clark et al., “Associations of Autozygosity,” p. 2.

371 Clark et al., “Associations of Autozygosity,” p. 2: “Continuous segments of homozygous alleles, or runs of homozygosity (ROH), arise when identical-by-descent haplotypes are inherited down both sides of a family. The fraction of each autosomal genome in ROH >1.5 Mb ( $F_{\text{roh}}$ ) correlates well with pedigree-based estimates of inbreeding.”

372 Clark et al., “Associations of Autozygosity,” p. 7. The age at first sex was strongly genetically correlated both with the fertility traits but also with the number of sexual partners, smoking, and risk-taking. Behavior scientists make a distinction between general risk behavior and differential risk in separate domains (such as finance, health, or recreation). See Richard Karlsson Linnér, Pietro Biroli, Edward Kong, et al., “Genome-Wide Association Analyses of Risk Tolerance and Risky Behaviors in over 1 Million Individuals Identify Hundreds of Loci and Shared Genetic Influences,” *Nature Genetics* 51 (February 2019): 245–57, <https://doi.org/10.1038/s41588-018-0309-3>. “Although our focus was on the genetics of general risk tolerance and risky behaviors, environmental and demographic factors accounted for a substantial share of these phenotypes’ variation . . . The GWAS [genome-wide association study] results that we generated should allow researchers to construct and use polygenic scores of general risk tolerance to measure how environmental, demographic, and genetic factors interact with one another,” p. 249.

373 Clark et al., “Associations of Autozygosity,” p. 7. “Age at first sex is strongly genetically correlated both with the fertility traits . . . and number of sexual partners, ever-smoking and risk-taking.”

374 Clark et al., “Associations of Autozygosity,” p. 3.

375 Clark et al., “Associations of Autozygosity,” p. 4: “Inbreeding depression is predominantly caused by rare, recessive variants made homozygous in ROH.” The authors take up the issue of potential confounding, but since they find consistency of effect across “seven major continental ancestry groups,” with quite different attitudes and practices of consanguinity, the effect is low to non-existent.

LDL-cholesterol in men and thus offered a positive cardio effect. They concluded that “the genetic variants causing inbreeding depression are almost entirely rare.”<sup>376</sup>

New microbiological technology and the big data science of the twenty-first century have been operationalized to continue the search for deleterious consequences of inbreeding. Fears of overburdening the hospital systems of Great Britain, Germany, and other Western nations by cousin-marrying immigrants, together with political-cultural struggles with inbred Muslim populations, have added new urgencies to older concerns.<sup>377</sup> Geneticists have no longer been satisfied to find rare monogenic traits but have turned to those phenotypes that were the expression of multiple genes, often coordinated with each other. Furthermore, they have sought to find genetic correlations or causes linked not only to physical traits but also to mental and character characteristics. Harvard evolutionary biologist Richard Lewontin, a vigorous opponent of genetic determinism, offered a devastating critique of the idea of finding genetic influences on complex human traits such as entrepreneurship, social conformity, the fear of incest,

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376 Clark et al., “Associations of Autozygosity,” p 7: “Rare recessive mutations underlie the quantitative effects of inbreeding depression.”

377 Sarah Salway, et al., “Responding to the Increased Genetic Risk Associated with Customary Consanguineous Marriage among Minority Ethnic Populations: Lessons from Local Innovations in England,” *Journal of Community Genetics* 7 (2016): 215–28, doi 10.1007/s12687-0269-1. They argue that populations who customarily practice consanguineous marriage have higher rates of autosomal recessive genetic disorders than where couples are unrelated. The risks seem to be doubled (p. 215). But there may also be issues of higher socio-economic deprivation among couple practicing consanguineous marriage. Some localities have been worried about burdens on the health and social care services for caring for “high numbers of children with severe recessive conditions,” p. 216. The World Health Organization discourages “simplistic attempts to discourage consanguineous marriage at the population level,” p. 216. Indeed, once the issue got into the British media, immigrant groups were scared off from genetic counselling, since they saw it as challenging their culture and religion (p. 220). See also Elena Arciero et al., “Fine-Scale Population Structure and Demographic History of British Pakistanis,” *bioRxiv: The Preprint Server for Biology* (Cold Spring Harbor Laboratory, 2020), <https://doi.org/10.1101/2020.09.02.279190>. The authors argue that there is more to the issue of cousin marriage among British Pakistani groups. Immigrants came from relatively small subgroups that had been endogamous for many generations, which “has resulted in extensive identity-by-descent sharing and increased homozygosity . . . . These results demonstrate the impact of the cultural practices of endogamy and consanguinity on population and genomic diversity in British Pakistanis, and have important implications for medical genetic studies,” p. 1. They point to the roughly ten percent of the world’s population that practice consanguineous marriage, but it is important to understand that in regions that do so endogamy plays an important role as well and has implications for risks of genetic diseases. As of 2011, there were 1.7 million British Pakistanis, and they were among the most socioeconomically disadvantaged groups in Britain. They had high rates of diabetes and heart disease and increased risks of congenital anomalies from consanguinity. The authors did ROH scans of 7,180 individuals, finding many more and longer runs than expected from marriages among close relatives, probably due to the influence of consanguinity in earlier generations (p. 11). Apart from close consanguineous marriages, long term endogamy most probably contributes to the recessive disease burden. “Endogamous practices have led to greatly elevated IBD [identify by descent] sharing as well as increased homozygosity, which is likely to have implications for disease risk on top of the high rates of consanguinity,” p. 14.

or homosexuality, but such linkages are still being sought, as in the Clark et al. study, which associated runs of homozygosity with risk behavior, years of education, age of marriage, smoking, and the number of sexual partners. In any event, the question of inbreeding has not been laid to rest. The search continues, powered by new political, medical, and cultural anxieties arising from contemporary socio-economic and political situations around the globe.

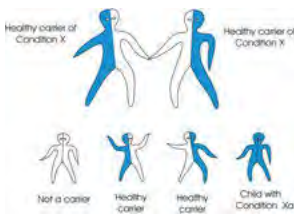


Fig. A. A couple can only have a child with a recessive disorder if both are carriers of the same recessive disorder.



Fig. B. When only one of a couple is a carrier of a recessive disorder, the children may be healthy carriers. None of the children can suffer from the disorder.



Fig. C. Adults with a disorder who are able to have children can have healthy children if their partner is not a carrier of the same disorder. All children will be healthy carriers. None of the children will suffer from the disorder.

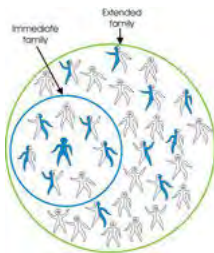


Fig. D. There are many carriers in the family of a person with a recessive disorder.



Fig. E. Carriers of the same disorder are less frequent among people who are not related by blood.

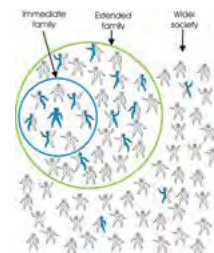


Fig. F. Most people carry at least one gene for a recessive disorder.

**Fig. 35: Genetic Counseling**

Genetic counseling can be confusing, since each incident is a discrete event and understanding depends on a sophisticated notion of “statistical risk.” Here, the models of risk harness cultural relativism to the task of conveying information about genetic inheritance patterns. The cartoons, developed by health professionals as a “communications tool” for a study in Bradford, appeared in a book dealing with the issue

of informing UK populations known to prefer consanguineous marriage of the risks for their children. Close-kin marriages are associated with an increased incidence of offspring with severe, recessively inherited disorders, and recessive gene variants tend to cluster in extended family groupings. In some groups from the Middle East or Pakistan, the prevalence of consanguinity-associated disorders is double that of

congenital disorders. Advisors nowadays hesitate to discourage marriage customs that are part of cultural and social life of the people they serve. Yet they still often falsely advise that the cause of a child's hereditary impairment is cousin marriage, omitting the fact that both parents of the child must carry the recessive gene for the disorder to manifest. The study authors explained that marriage within the extended family *can* increase the chance of having an affected child, but that “you have to be a carrier and not a cousin to be at risk,” p. 69. And that most people carry one or more genes for a recessive disorder, but that to have a problem, both parents must carry the same gene variant. Parents in the study had heard that “cousin marriage causes disabilities in children,” p. 71. Indeed, most of them had heard this also from health professionals but had rejected the message because they knew contradictory examples: cousin couples whose

children were healthy and non-cousin couples whose offspring were impaired. The upshot of the study was that professionals ought to center causal explanations on recessive inheritance and not cousin marriage. “As the risk of having an affected child is the same for carrier couples whether they are related or not, marrying close blood kin is not the main, but an additional risk factor for understanding a consanguineous couple's own genetic risk and the future risk for other blood-related extended family members,” p. 78.

Cartoons reprinted by permission from Springer Nature and Copyright Clearance Center from A. Darr et al., “Addressing Key Issues in the Consanguinity-Related Risk of Autosomal Recessive Disorders in Consanguineous Communities: Lessons from a Quantitative Study of British Pakistanis,” *Journal of Community Genetics* 7 (2016): 65–79.

## Conclusion

Until well into the nineteenth century most writers on incest thought of it as a moral issue and readily dismissed attempts to change the discourse to biology. Even those who first adumbrated physical etiologies were hesitant to get out in front with new arguments drawn from breeding practices or medicine. From around the middle of the eighteenth century in ever-increasing numbers, property owners, professionals, merchants, aristocrats, and small-holding peasants in Europe and North America sought out marriage partners from among their blood kin. The nineteenth century was the great century of cousin marriage in the West. While the practice did not come in for much sociological comment, it did not escape the attention of the burgeoning field of medical practitioners. Some of them decided that the offspring of such marriages had problems, and they sought to initiate a discussion and put it on firm physiological grounds. During the late 1850s, just as natural historians set out on a quest to found the laws of heredity, they tried to discern the regular effects of cousin marriages for their offspring. It is hard to get around the impression that they were mobilizing data sets and statistical procedures to buttress conclusions they had already reached. They were almost all guilty of ascertainment bias, and they ended up with the wildest correlations between diseases whose causes were not yet sufficiently understood and the marriage of near kin.

After several decades of cytological research and the harnessing of Mendel's research at the beginning of the twentieth century, the search was on to sort out different effects of inbreeding. Consanguinity, for so long seen as a mysterious force, now was brought under the rules of heredity. From gemmules to genes, the problem became identifying the processes by which the hereditary materials were redistributed to the



progeny, understood as a matter of statistical probabilities. With the ideas of reduction division of germ plasm and of fertilization as the transfer of equal amounts of hereditary material from the gametes of both parents, heredity came to be thought of as a matter of redistributing elements along chains of ancestors. After genes were named – even if what they in fact were remained much in dispute – their role in the issue of consanguineous reproduction became central. That prompted the search for distributions among humans of genetic materials according to the rules of Mendelian probabilities. Now pedigrees were scanned with the new analytical technologies, in a search for latent characters, recessive genes, with the result that some findings have stood the test of time and many others, clearly flawed, have not. Dahlberg and Hogben, among others, shot down many classic studies and concluded that diseases that followed Mendelian rules were extraordinarily rare and had little effect at the level of populations. They pointed to the aporias in monogenic thinking about the linkages of consanguinity and disease and laid the groundwork for a shift in interest to complex and polygenic traits.

In this shift to studies of polygenic causation and complex phenotypes, attempts to prop up cultural taboos once again got out of hand. With little analysis, sociobiologists and evolutionary biologists asserted that heterozygous populations were more fit, more prepared to adapt to new situations, and more resistant to pathologies. They constructed evolutionary tales about fitter exogamous bands of hunters and gatherers either destroying or competitively outbreeding their fellow inbred bands and becoming genetically programmed in the process to avoid taking kin as partners. Supposedly such programming ensured the passing on of their genes. How that might have worked out for the human race as a whole became a problem once it was discovered that around a billion people alive today actually are the offspring of consanguineal unions. Evolutionary biologists assumed that outbred Western societies were particularly fit precisely because they were outbred. Political actors worried about hordes of migrants descending upon their countries with genetic irregularities.

It turned out that Dahlberg was right in declaring that in essence “we are all consanguineous.” That has been the conclusion of the new genetic studies devoted to the study of runs of homozygosity (ROH). A considerable part of the genomes of all humans have sequences of DNA from past inbreeding. More surprising is the fact of longer tracts even in populations thought to be outbred. To find this all out has taken enormous resources – not only equipment but personnel. Assembled into what might easily be described as vast tribes, researchers distributed in hundreds of research centers around the globe have found that cousins matter much more as model organisms of research than they do as parents of degenerate offspring.

## Glossary

**affinity** relationship by marriage

**Ahnentafel** ancestry diagram charting the ancestors of an individual

**albinism** condition of being an albino, having little to no pigment in hair, skin, and eyes

**allele** alternative forms of a gene

**allelomorph** see allele

**amaurotic idiocy** recessive genetic condition, allowing an accumulation of lipid-containing cells

**ascertainment bias** distortion in measuring frequency due to the way data are collected

**assortative mating** mating on the basis of similar characteristics or conditions

**atavism** tendency to reproduce the ancestral type

**autozygosity** where alleles are identical by inheritance through close mating

**character** distinguishing feature

**chorea** a convulsive disorder; Huntington's chorea.

**chromosome** rod-like structures in pairs in a cell nucleus that are carriers of genes

**confidence interval** a range of plausible values for an unknown parameter

**confidence limits** numbers at the upper and lower end of a confidence interval

**confound** failure to distinguish variables or confounding related variables

**congenital** existing or dating from one's birth

**consanguineal** related by blood (a form used frequently by anthropologists)

**consanguineous** related by blood

**consanguineous marriage** marriage of a pair related by blood

**consanguinity** condition of being of the same blood; descended from the same ancestors

**consumption** disease that causes wasting of the body, specifically tuberculosis

**cousin** a child of the brother or sister of one's parents; relatives descended from one's ancestors

**cousin, first, second, third** degree of relation with collaterals descended from common ancestor

**cretinism** abnormal mental or physical development due to thyroid hormone deficiency

**cytology** study of structure and function of cells

**crossbreeding** breeding across lines separating varieties or races

**degeneration** falling off from ancestral or earlier excellence or form

**diploid cell** having two homologous sets of chromosomes, one from each parent

**DNA** deoxyribonucleic acid; chromosomes are made largely of DNA

**dominant** an allele or gene expressed to the exclusion of another gene or allele

**endogamy** marrying within the limits of some defined group

**epidemiology** branch of medicine dealing with incidence, distribution, control of disease

**ethology** scientific study of animal behavior

**eugenics** study of human reproduction to increase desirable and decrease undesirable elements

**evolutionary biology** branch of biology concerned with evolution of living organisms

**evolutionary psychology** studies mental characteristics as evolutionarily functional adaptations

**exogamy** marrying outside a defined group

**F<sub>1</sub>, F<sub>2</sub>, F<sub>3</sub>** designations of generations in Mendelian hybrids

**F<sub>ped</sub>** coefficient of homozygosity derived from the study of pedigrees

**F<sub>roh</sub>** coefficient of homozygosity derived from study of runs of homozygosity

**factor** the term given by Gregor Mendel for what was later called “gene”

**feble-minded** now obsolete term for a person unable to make intelligent decisions or judgments

**fitness** fulfilling the requirements of an environment for survival and reproduction

**gamete** male and female haploid reproductive cells that together form a zygote

**gemmule** a hypothetical unit capable of reproducing the unit it is thrown off from

**gene** basic unit of heredity in living organisms; composed of DNA

**genetics** scientific study of hereditary variation in living organisms

**gene pool** total number of alleles possessed by a breeding population

**gene substitution** a type of mutation where one base pair is substituted by a different base pair

**genetic variants** one of two or more DNA sequences occurring at a particular gene locus

**genome** complete haploid set of chromosomes; complete set of genes of an organism, species

**genotype** the genetic constitution of an organism

**germ plasm** genetic material of germ cells

**GME** Greater Middle East

**Greater Middle East** Gulf Region, North Africa, Central Asia

**haploid** having a single set of unpaired chromosomes

**heredity** principle of inheritance of biological characteristics

**heterozygote** an individual with two different forms of a particular gene, one from each parent

**homozygote** an individual with two genetically identical gametes

**hybrid** offspring of animals or plants of different species or varieties

**hydatis, hydatid disease** tapeworm infection, often contracted from dog feces

- hygiene** knowledge or practice relating to maintenance of health
- idiocy** obsolete term indicating severely subnormal mental capacity
- idioplasm** Nägeli's term for portion of protoplasm that determines character of organism
- in-and-in breeding** breeding always within a limited stock
- inbreeding** breeding from animals with same parentage; of humans, marrying close relatives
- inbreeding depression** reduced biological fitness from inbreeding
- incest** sexual intercourse with prohibited persons; sexual relations within nuclear family
- identical by descent (IBD)** alleles identical by inheritance through close mating
- just-so story** untestable narrative explanation for cultural practice, biological trait, behavior
- LDL cholesterol** low density lipoprotein; i.e., "bad" cholesterol
- linkage disequilibrium (LD)** alleles inherited together more often than expected
- locus, loci** site(s) or position(s) on a chromosome where a particular gene is located
- major histocompatibility complex (MHC)** group of genes for recognition of foreign substances
- meiosis** the division of a diploid cell nucleus into four haploid nuclei
- microbiology** the study of microorganisms
- mitosis** division of a cell nucleus into two daughter cells with same parental chromosomes
- molecular biology** molecular understanding of biological processes
- monogenic** involving or controlled by a single gene
- mono-hybrid** heterozygous with regards to a gene
- mutation** an altered gene or phenotypic character resulting from the alteration
- NROH** number of ROH
- nucleotide** basic structural unit of nucleic acids such as DNA
- outbreeding** breeding together of unrelated parental organisms
- panmixie, panmixis, panmixia** random mating within a population
- pedigree** a genealogical table or tree
- phenotype** sum total of observable characteristics of an individual
- philopatric** tending to return to or remain near a particular site
- phthisis** pulmonary tuberculosis
- physiology** branch of biology dealing with normal functions of living organisms and their parts
- pleiotropy** genetic factors influencing unrelated traits located in different parts of an organism
- polydactylism** condition of having extra fingers or toes
- polygenic** determined by or involving several genes

**polymorphism** presence of genetic variation within a population

**principle of segregation** how pairs of gene variants are separated into reproductive cells

**recessive** gene or allele expressed only if inherited from both parents, except in X-linked traits

**recombination** exchange of segments between chromosomes by crossing over during meiosis

**reduction division** the first cell division in meiosis

**replicability** the ability to replicate the results of an experiment

**retinitis pigmentosa** an inherited degenerative disease of the eye

**rickets** a disease of children caused by vitamin D deficiency, which leads to skeletal deformity

**runs of homozygosity** contiguous regions of genome homozygous across all sites

**ROH** runs of homozygosity

**scrofula** a disease of the lymphatic glands

**segregation** separation of pairs of homologous alleles or chromosomes, especially at meiosis

**sickle cell anemia** a disease of red blood cells rich in sickle cell hemoglobin, often fatal

**sim pua** Taiwanese minor marriage, where a family adopts a child as a future bride to their son

**single nucleotide polymorphism** DNA sequence variants

**SNP** single nucleotide polymorphism

**soma** parts of an organism other than reproductive cells

**SROH** sum total length of ROH, or burden of ROH

**sociobiology** study of social behavior by theories of evolutionary and ecological adaptation

**somatic** bodily, corporeal, physical; relating to the soma in contrast to the germ

**Stammaum** pedigree, following descendants of an ancestor

**stochastic** randomly determined

**Tay Sachs disease** fatal inherited metabolic disorder, resulting in idiocy/death in early childhood

**variome** whole set of genetic variations in species with relatively short evolutionary change

**uniparental disomy (UPD)** where two copies of a chromosome come from the same parent

**X-linked recessive** a recessive gene located on the X chromosome

**zygote** a diploid cell resulting from fusion of two haploid gametes; a fertilized ovum

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Section IV: **Postwar Kinning: The Fall (After a Brief Rise) of the Nuclear Family**



# Chapter 1

## Kinship and the Nuclear Family

There is no serious sense in which Europe, let alone capitalism, has invented the elementary or nuclear family or even the small household. — Jack Goody, 2000

Even a cursory glance at the vast literature on families in the West during the second half of the twentieth century reveals a persistent concern with issues of power and authority. In like manner, one of the most influential American books on incest in the later decades of the twentieth century, Judith Herman's *Father-Daughter Incest*, phrases issues about fathers' conduct towards their daughters in terms of command, dominion, and violence or potential violence in familial interaction: "As long as fathers rule but do not nurture, as long as mothers nurture but do not rule, the conditions favoring the development of father-daughter incest will prevail. Only a basic change in the power relations of mothers and fathers can prevent the sexual exploitation of children."<sup>1</sup> In some ways, the concern with "nurture," brought back into focus in the late decades of the twentieth century, can be understood as a counterpoint to a logic of power and an

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1 Judith Lewis Herman, with Lisa Hirschman, *Father-Daughter Incest* (Cambridge, MA, 1981), p. 206.



attempt to re-found parental obligation on a footing of reciprocity.<sup>2</sup> Just such a move is what Herman heralded.<sup>3</sup>

The translation of the late-nineteenth-century notion of nurturing into the twentieth century required commentators to grapple at various times and in various ways with a number of complications rooted in conflicting, or ambivalent conceptual components. For one thing, nurturing had to be shorn of eroticism. One way to do that was to sharpen the focus on the power inherent in the Victorian mother-based nurturing style. I will show in the next chapter that during the 1930s and '40s, as psychotherapy was rising to prominence, observers of the family developed an obsessional concern with maternal power, and they tended to see nurturing as excessive or even dangerous. Seductive mothers and maternal overprotection came to be understood as widespread pathologies that crippled sons and produced emotional dependents unable, among other things, to man-up in the trenches. Then, after several decades of such criticism, Western culture turned its attention to patriarchy, with the result that different kinds of pathologies and power became the order of the day. What is certain is that the imag-

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2 Among recent anthropologists working in the field of kinship, nurturance has come to play a central role in generating ties. See, for example, Janet Carsten, "Cultures of Relatedness," introduction to *Cultures of Relatedness: New Approaches to the Study of Kinship*, ed. Janet Carsten (Cambridge, 2000), pp. 1–36, esp. p. 22. See also Helen Lambert, "Sentiment and Substance in North Indian Forms of Relatedness," in *ibid.*, pp. 73–89, here p. 82. See also Arthur P. Wolf, "Explaining the Westermarck Effect, or, What did Natural Selection Select For?," in Arthur P. Wolf and William H. Durham, *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century* (Stanford, 2005), pp. 76–92, esp. p. 83 on "parental investment theory." In the same volume, Hill Gates, "Refining the Incest Taboo with Considerable Help from Bronislaw Malinowski," pp. 139–60, discusses "attachment theory," p. 151. In the introduction to the volume, pp. 1–23, Wolf writes: "Caretaking, like attachment, is inherently contrasexual, but not all the evidence now available is encouraging," p. 14. It is difficult to understand how something can be inherent but unlikely to happen. Still the text is witness to the attempt to de-eroticize nurturing and caretaking. In the same volume, Mark T. Erickson, "Evolutionary Thought and the Current Clinical Understanding of Incest," pp. 161–89, suggests that "the *propensity* for later incest may be influenced very early in life by the quality of attachment relationships," p. 171. "Secure attachment develops when parents are *responsive* to an infant's needs," p. 174. He goes on to argue that insecure attachments in childhood are the condition for incestuous abuse in adulthood, p. 174. Gloria Steinem, in an interview in the online magazine *Grist*, accessed April 3, 2020, at <https://grist.org/article/2010-12-23-gloria-steinem-on-population-sexual-pleasure-men-parents/>, parsed "nurturing" as originary female, emerging from child care. When men take care of children, they too become nurturers, and they give up violence. From her point of view nurturing and power excluded each other, although the possibility for men attaining full "humanity" implicitly posited a power balance between men and women in the household. "Men who raise children are much less likely to insist on having too many. They also raise children who humanize the gender roles because they know that men can be as nurturing as women—just as women can be as achieving in the world as men. When men are equal parents, women no longer have two jobs, one outside the home and one in it. And men have developed all their human qualities, and no longer are limited to proving 'masculinity' by being in control or even violent and conquering. Both men and women raising children—and both women and men using their talents in the world—are crucial to developing our full humanity, and to escaping the gender roles [that] normalize injustice."

3 Herman, *Father-Daughter Incest*, p. 202.

inary of the nurturing father articulated in the 1980s did not include an erotic component modeled after its Victorian maternal predecessor. With little comment on how it might contrive possession, configure power, or elicit desires, nurturing by either sex became an antidote to paternal power.

Judith Herman has called attention to a key shift in the discourse about incest that arose several decades after the Second World War. Later in this section, I will document that by the late 1960s, father-daughter incest, often generalized to a misuse of younger women/girls by older men (especially kinsmen), pushed aside most other concerns, and that the terms of this preoccupation were set by the psychotherapeutic professions. At the time, incestuous desire among siblings was either trivialized or brought under the category of mistreatment of younger sisters by older brothers along the model of older male and younger female.<sup>4</sup> This *focus* on father-daughter incest ran its course around the middle of the 1990s, at least in popular culture. But for roughly thirty years prior to that, novels, journalism, self-help books, memoirs, films, theater, social work, the psychological professions, and feminist discourses brought paternal harm and “patriarchal” structures into their sights and problematized the role of fathers in their families. It is not my intention here to draw direct causal relations between all the different

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4 For example, E. Sue Blume, *Secret Survivors: Uncovering Incest and its Aftereffects in Women* (New York, 1991), p. 3. One of the best books to develop statistics on abuse was Diana E. H. Russell, *The Secret Trauma: Incest in the Lives of Girls and Women*, rev. ed. (New York, 1999; 1st ed., 1986). Having defined “peers” as individuals of less than five years age difference, Russell assumed that sexual relations among them were, at least arguably, non-exploitative (p. 59). They amounted to about 14% of the cases (p. 100). She found that “victims” of brother/sister abuse more often reported ambivalent or positive responses than in other cases of incestuous contact. But such nuanced feelings tended to be overwhelmed by the negative reactions. “This is hardly consistent with the notion of mutuality that pervades most accounts of brother-sister incestuous abuse,” p. 284. A much-discussed incident of older brother-younger sister “mistreatment” is the 1999 case of the eleven-year-old Swiss boy in Evergreen Colorado who was reported for “incest” with his five-year-old sister. He was arrested, handcuffed, and held in detention. The parents denied the charges—the boy was helping his younger sister urinate in the garden, they suggested. He was arrested at night and shackled in a court appearance. The case reportedly “caused uproar in Switzerland” on account of the boy’s age and questions whether what might have been mere child’s play could properly be considered abuse. See Associated Press International (API), “Released Boy Gives First Interview,” Saturday, November 13, 1999. Reporter Ben Fenton, “Outcry over Swiss Boy Accused,” wrote on October 21, 1999, in London’s *Daily Telegraph* that “the Swiss foreign ministry was deluged with calls yesterday from people outraged by an American charge of incest against a boy of 11.” Patricia Ochs, reported in the *Boston Globe*, October 22, 1999, under the headline: “US Trial of Boy, 11, Irks Many in Europe” that many Europeans thought that maybe it was a case of “playing doctor” and that the American judicial system was “Archaic.” In an October 25, 1999 interview by Greta van Susteren on “CNN Burden of Proof,” former prosecutor Wendy Murphy stated: “If the allegations are true, yes or no, is it serious misconduct, serious enough to warrant state intervention and a removal of the child from the family? If anybody would say no to that, I’m very disturbed by that.” And Cynthia Alskne, former federal prosecutor, speaking on CNBC’s “Rivera Live,” November 11, 1999, said: “We’ve completely forgotten this five-year-old girl who has been probably sexually abused, whose parents have chosen her brother over her, who’s not going to get any treatment, and who’s now going to be subjected to her brother again.”

elements of familial life and the incest imaginary. Rather, I will continue to develop the position I have taken throughout this book; that incest discourses have always been about far more than illicit relations; that they are not epiphenomena of material kinship relationships, but structured and structuring aspects of many cultural and social features of families, households, and relatives.

In this chapter, I want to sketch in some of the salient features of family, household, and kinship during the period from the end of the First World War to the mid-1990s. In Western social science, a fairly sharp dichotomy between “family” and “kinship” characterized the literature after the late decades of the nineteenth century. Primitives, tribals, and “Orientals” organized their societies around kinship, while *we* narrowed down our responsibilities and affections to more immediate relatives, those we could designate simply as “family.”<sup>5</sup> Indeed, contemporary pundits of all kinds, lawyers and judges, social workers and pastors alike, elevated the supposedly traditional “nuclear family” (*Kernfamilie, famille nucléaire*) over all other forms. Yet that concept emerged only during the 1940s, in the immediate postwar years.<sup>6</sup> In order to conceptualize some of the changes and to understand the context in which fathers became so problematic, I want to have recourse precisely to the notion of “kinship,” to use for self-reflection an idea that was developed to handle the Western “other;” and to borrow from the anthropologist’s tool kit. Such a move will allow me to stand back and view the fraught history of the nuclear family from a comparative perspective, the central concern of this chapter. With this method, the “nuclear family” will act as a kind of prism refracting the peculiar discourses about power relations, authority dispositions, and sexual reciprocities, the subject of the following chapter.

Kinship studies examine familial relations for their patterns of marriage alliance, property and reproduction, intergenerational transfers and succession, socialization, gender roles, social networks, the production of identity and social attachments, and demographic structures, and they examine how these different aspects fit together, or offer specific tensions and contradictions. The important thing to understand is that *kinship* and *family*, the latter often thought of as the members of a household, are not separate institutions but rather mutually constructive, producing and reproducing one another in a constant process of making attachments. As Janet Carsten put it: “. . . the very qualitative density of experiences in the houses we inhabit leads many people around the world . . . to assert that kinship is *made* in houses through the intimate

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<sup>5</sup> I have had a colleague protest granting a leave of absence for a graduate student who wanted to tend to a dying aunt, with the remark that the aunt, after all, was not a parent—that is, not close enough kin for investing such emotional work. John F. McLennan, *Primitive Marriage: An Inquiry into the Origin of the Form of Capture in Marriage Ceremonies*, ed. and intro, Peter Rivière (Chicago and London, 1970 [1865]), pp. 4, 48n, 63, seems to have given the modern spin to “kinship.” See the OED article on “kinship.”

<sup>6</sup> Malinowski used it already in 1927 in a way different from the meaning that emerged a couple of decades later, as I discuss below.

sharing of space, food, and nurturance that goes on within the domestic space.”<sup>7</sup> And, she continued, “. . . for many people, kinship is made in and through houses, and houses *are* the social relations of those who inhabit them.”<sup>8</sup> Her critique of anthropological kinship studies used her ethnographic materials to tentatively suggest a more general problematic; namely, to connect the analysis of the domestic sphere, the household, and the familial nucleus to the political, social, and cultural networks of kinship and the wider social order.<sup>9</sup>

## Marriage and alliance construction

Mixed marriages “do not create familial or social ties between the two groups; to the contrary, reactions of rejection and of other reservations that they elicit only increase the gulf between them.”  
— Cyril Grange quoting Jacob Katz, 2016 [1984]<sup>10</sup>

One of the startling and perhaps most remarkable reconfigurations of Western kinship in the aftermath of World War I was the shift from an endogamous to an exogamous alliance system, and this throughout all regions and among all classes. In sections II and III, I have documented the high rates of cousin marriages for the nineteenth century in England, France, Germany, and the United States, as well as other forms that cemented repeated alliances between families or lineages; among them the sororate, levirate, sibling exchange, remarriage with a spouse’s kin, and marriages connecting step relatives or lines where the partners are not direct blood relations.<sup>11</sup> “Endogamy” can be used to point to marriages restricted to a locality, a kingroup, an occupation, or a class. In the nineteenth-century West, the rise of kin endogamy was closely tied up with class endogamy. But it is quite possible to uncouple the two forms. Sociologists from the 1950s onwards, for example, spoke of homogamy, defined as the search for marriage partners

7 Janet Carsten, *After Kinship* (Cambridge, 2004), p. 35.

8 Carsten, *After Kinship*, p. 37.

9 Carsten has emphasized that we learn about and internalize gender and age hierarchies, form our identities, and come to understand on whom we can rely, to whom we are obligated, and from whom we can expect material and spiritual aid at home. She has been engaged in dialectically reflective work between Malaysia and Great Britain. See her chapter, “Articulating Blood and Kinship in Biomedical Contexts in Contemporary Britain and Malaysia,” in *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher (New York and Oxford, 2013), pp. 266–84.

10 Cyril Grange, *Élite parisienne: Les familles de la grande bourgeoisie juive (1870–1939)* (Paris, 2016), p. 283n56. He cites Jacob Katz, *Hors du ghetto—L’émancipation des juifs en Europe (1770–1870)* (Paris, 1984), p. 221.

11 I suspect that marriages such as those with the deceased wife’s sister—where they were allowed—followed the same curve as cousin marriages. Indeed, England abrogated the prohibition of marriage with a sister-in-law (1907) when such marriages—and marriages with cousins, which were allowed—were no longer particularly desirable.

in similar class, neighborhood, or professional milieus, with no interest in finding marriage partners among kin.<sup>12</sup>



Fig. 36: Exogamy I.

"Yankee Exclusiveness: *Young Britisher*, "Your father's not with you then, Miss Van Tromp!" *Fair New York Millionairess (one of three)*, "Why no—Pa's much too vulgar! It's as much as we can do to stand Ma!" In

this cartoon, the fashionable, rich, young American "heiresses," manners secured in finishing school, are on the lookout for marriage with English aristocrats. Their ambitious mother is with them, but father is

<sup>12</sup> By the early decades of the twentieth century, both the Courtaulds in England and the Siemens in Germany were expanding their ties to aristocratic families while no longer weaving together new strands with their own lineage mates. In such instances, the initial marriages sometimes were a form of hypergamy (marriage upwards, at least in status), although after a generation or two, they more likely reflected an amalgamation of wealthy industrialists with older aristocratic families: a new pattern of endogamy. How this might have worked offers a possibility of further study. Cyril Grange made the suggestive observation in his study of the Parisian Jewish elite, that the move towards exogamy at the turn of the century tended to isolate couples. With the previous endogamous practices, each couple was a link in a well-integrated network but now no longer. Grange, *Une élite parisienne*, pp. 452–57. Betty G. Farrell, *Family: The Making of an Idea, an Institution, and a Controversy in American Culture* (Boulder, CO, 1999), p. 105: "In American society the relative openness of the marriage system operated through a courtship market that was strongly class specific."

home (probably in America) tending to business. The daughters, embarrassed by their parents, already contemplate jettisoning them. The hoped-for marriages would have been exogamous, and the young couple would not have been expected to mediate continuing exchanges between their disparate sets of kin. For American parents, the cachet and status back home associated with aristocracy would have

been reward enough. And for an English aristocratic family, facing decline from poorly performing investments in land, if Thomas Piketty is correct, the infusion of money with an American bride was the point.

*Punch*, September 20, 1890, p. 138. Image courtesy of University of California Southern Regional Library Facility.

In an earlier study, I surveyed the literature on the decline of consanguineal marriages during the first half of the twentieth century for various areas in Europe.<sup>13</sup> The available statistics for rural and urban Norway, Spain, selected French departments, rural and urban Milan, rural and urban Vienna, the city of Cologne, the rural Eifel, and Belgium, showed from north to south and east to west, a steady decline in rates of consanguineal marriages after World War I.<sup>14</sup> The problem, of course, is to explain this remarkable alteration in social practice.

One solution to the puzzle has been recourse to the idea of the “isolate,” a concept largely based on the proposition that factors such as geography, religion, and occupation preclude the possibility of finding mates in a larger population. The break-up of isolates in the course of modernization or secularization, so goes the argument, led to a decline in rates of consanguineal marriages. Many writers on the subject of the decline of consanguinity have assumed implicitly that earlier rates were always high. If modern communications and mobility brought an end to marrying close kin, then earlier factors of isolation and village size must have encouraged inbreeding. But this interpretation fails to note that kin-endogamous marriages first began, even in out-of-the-way parishes, in the late eighteenth and early nineteenth centuries.<sup>15</sup> In addition, studies of particular parishes show radically different rates of consanguinity by occu-

13 David Warren Sabeau, *Kinship in Neckarhausen, 1700–1870* (Cambridge, 1998), pp. 428–48.

14 Two thorough studies based on records of dispensations for the city and territory of Vienna and three provinces of the Milan diocese offer typical statistical curves for first-cousin marriages from slightly different vantage points, Vienna (1901–30) and Milan (1903–53). Herbert Orel, “Die Verwandtenehen in der Erzdiözese Wien,” *Archiv für Rassen- und Gesellschaftsbiologie* 26 (1932): 249–78; Angelo Serra and Antonio Soini, “La consanguinité d’une population: Rappel de notions et de résultats: Application à trois provinces d’Italie du Nord,” *Population* 14 (1959): 47–72. Both studies show that the rates of cousin marriage were markedly high around the turn to the twentieth century but had dropped to insignificance by the 1930s.

15 Sabeau, *Kinship in Neckarhausen*, pp. 441–44. Carl Henry Alström, “First Cousin Marriages in Sweden 1750–1844 and a Study of the Population Movement in Some Swedish Subpopulations from the Genetic-Statistical Viewpoint: A Preliminary Report,” *Acta Genetica* 8 (1958): 295–369. For a superb study of Swiss localities, showing that cousin marriages were a phenomenon of the nineteenth century, see Jon Mathieu, “Kin Marriages: Trends and Interpretations from the Swiss Example,” in *Kinship in Europe: Approaches to Long-Term Development (1300–1900)*, ed. David Warren Sabeau, Simon Teuscher, and Jon Mathieu (New York and Oxford, 2007), pp. 211–30.

pation and class.<sup>16</sup> High rates of endogamy found in the decades before World War I were the result of strategic considerations by particular groups and not random effects of isolation.<sup>17</sup> Assortative mating by class could, of course, narrow down the population from which marriage partners might be chosen, but as I have argued for the village of Neckarhausen between 1700 and 1870, the larger the village, the more consanguineal marriages even when people sought out partners from surrounding villages and towns.<sup>18</sup> The concept of “isolate” simply does not do justice to the active, strategic interest in marrying among kin in the nineteenth century or to the growing disinterest in such marriages by the early decades of the twentieth.

While the rise of endogamy during the nineteenth century challenges older theories of modernization, there is still the presumption that sloughing off kin, asserting individual choice in mate selection, marrying strangers, and stripping the household of relatives, boarders, and service personnel during the twentieth century is a modernization phenomenon with deep roots, much to be emulated by any nation that wants to catch up. What might be the causal factors behind such a radical shift in the politics of marriage alliance? And what are the implications for our understanding of Western kinship? Is the “small” family modern, and what is its connection to modernization/modernity?

Many geneticists, aware of the ever-increasing educational campaign by the medical profession leading up to World War I, thought that consanguinity and ignorance of its effects went hand-in-hand in earlier populations.<sup>19</sup> One explanation for the declining interest in close marriages may well have been the influence of what Martin Oppenheimer has called the “bio-evolutionary perspective” on public opinion, a widespread panic among the medical professions about the degenerative effects of inbreeding.<sup>20</sup>

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16 Andrew Abelson, “Population Structure in the Western Pyrenees: Social Class, Migration and the Frequency of Consanguineous Marriage, 1850–1910,” *Annals of Human Biology* 5 (1978): 167–78; Abelson, “Population Structure in the Western Pyrenees: II. Migration, the Frequency of Consanguineous Marriage and Inbreeding, 1877 to 1915,” *Annals of Human Biology* 12 (1980): 92–101.

17 One might consider shepherders a kind of an “isolate,” a group with considerable inbreeding because of limited access to spouses. But without taking into account issues of socialization, property allocation, inheritance structures, pasture rights, and local social relations, all of which suggest strategic interests and choice, the idea of limitation does not explain a great deal. And even if around 20% of shepherds in Abelson’s studies (“Population Structure,” and “Population Structure II”) sought out consanguines for spouses, the overwhelming majority of them did not, which, in turn, underscores both the possibility of marrying outside the particular group and the high rate of interest in one’s fellows.

18 Sabeau, *Kinship in Neckarhausen*, pp. 281–84. The same point is made by Mathieu, “Kin Marriages,” pp. 220, 224.

19 George Darwin described the hilarity with which the idea of counting cousin marriages in the census was greeted in the British Parliament in the 1870s. George H. Darwin, “Marriages between First Cousins in England and Their Effects,” *Journal of the Statistical Society* 38 (1875): 153–84. See the review of the medical literature on cousin marriages that proliferated during the last four decades of the nineteenth century in my chapter titled “Intermezzo.”

20 Martin Ottenheimer, “Lewis Henry Morgan and the Prohibition of Cousin Marriage in the United States,” *Journal of Family History* 15 (1990): 325–34.

With a modern, dense network of district medical administrators throughout Europe convinced that every sign of degeneration, from bad teeth to inattention in school, was the result of inbreeding, the news about the effects of such practices was easily propagated.<sup>21</sup> The decline in rates of consanguinity in most parts of Europe, the story went, probably had more to do with the penetration of medical opinion than with migration patterns or the opening up of communications—although both of these might have had an effect on the receptivity of populations to medical opinion. Many of the correlations with density or geography actually might have been correlations with the presence of medical practitioners. I thought that this could offer at least part of the explanation when I first looked at the issue, but now, especially in light of knowledge about the statistical procedures that produced these correlations, I think it worthwhile to survey the various other possibilities to get a larger view.<sup>22</sup> There is the further problem, which I have already explored in the *Intermezzo*; namely, that it was not so much “science” that drove the opinions of the medical profession. It appears in many cases that the physicians and auxiliary medical professionals who carried out these studies set out to gather evidence for an opinion they already held.

A number of authors have argued that the rate of inbreeding correlates negatively with population density.<sup>23</sup> But Carl Henry Alström (1907–1993), for one, did not find

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21 It would be worth the effort to study issues of hygiene as they made their way into school curricula. Whenever I give talks in Germany about incest ideas, the audience responds in well-memorized school knowledge. It would be useful in this regard to know what was taught in schools around the turn of the twentieth century.

22 Sabeian, *Kinship in Neckarhausen*, p. 447.

23 Saugstad presented evidence for this for all of Norway as did Deraemaeker for Belgium. Letten Fegersten Saugstad, “The Relationship between Inbreeding, Migration and Population Density in Norway,” *Annals of Human Genetics* (London) 30 (1977): 331–41, here p. 334; R. Deraemaeker, “Inbreeding in a North Belgian Province,” *Acta Genetica* 8 (1958): 128–36, here p. 134. Serra and Soini, “Consanguinité,” pp. 64–65, found that consanguinity correlated negatively with the size of settlement. There are several problems that still remain unresolved, however. Statistical correlations at a high level of aggregation blend out all the differences and counter trends. Deraemaeker himself showed that for some periods some urban areas had greater rates than some rural areas, and that larger cities often had higher rates than smaller towns. He thought that people in cities were much more likely to marry a cousin related through a mother than a father in order not to call attention to similar surnames and tip the authorities off to their relationship. He assumed that people in the city before and after World War I still had a social reason for linking up with relatives but for whatever reason sought to conceal their consanguinity—he may have been correct in his observation but wrong in his explanation. Since all studies of consanguinity in urban areas except for George Darwin’s from 1875 are based on official enquiries or counting of dispensations, there is not a great deal of trust that one can give to the relative rates at any particular time. George Darwin’s study “Marriage between First Cousins,” pp. 156–63, was based on isonymy (surname matching), a technique that has been used elsewhere. That would only capture potential marriages among cousins from the same agnatic “lineage.” Most studies that deal with detailed genealogies show that cross-cousins were the most frequent choice in Europe, that is, marriage between cousins with different surnames (along the model of the mother’s brother’s daughter—the most frequent—or father’s sister’s daughter). The Darwin family itself offers many examples of this. See



any correlation between consanguinity or physical geographical factors and population density for Sweden, and he was very skeptical about the relationship between consanguinity rates and isolate size.<sup>24</sup> Nor did Andrew Abelson find a specific correlation with population density or village size in the Pyrenees.<sup>25</sup> On the basis of a comparison with other European data, he concluded that “the frequency of consanguineous marriage is associated with assortative mating by social class.”<sup>26</sup> That, of course, was the point made by George Darwin early in the search for an understanding of the levels and dynamics of inbreeding. Interestingly, medical doctors, despite their own ideology, married their first cousins far more often than industrial workers did.<sup>27</sup> Observations of this kind suggest that class dynamics may be more important for shifts in kinship than population growth, urbanization, or increased communication.

Closely tied up with the argument about density is the idea that greater social and geographical mobility brought declines in rates of consanguinity.<sup>28</sup> But in some places, newly mobile populations began to look for spouses among kin in places where they were newly settled.<sup>29</sup> And Martine Segalen and Philippe Richard have shown that while the highly mobile agricultural producers of their region eschewed consanguineal links, they constructed an intricate and integrated system of affinal marriages.<sup>30</sup> The decline in alliances with kin at the turn of the century among villagers affected those who stayed around as much as those who moved about. Studies by geneticists have blended out both the different ways various populations have found to organize their social lives through and around kin and the social effects of contrasting marriage strategies.

Unlike many investigators, the French demographer Jean Sutter (1911–1998) was well aware that close consanguineal marriages had arisen in France in the *modern* era. While his problem was to account for its rise, his approach actually also offers an explanation for the decline—as a correlate of fertility and mortality schedules.<sup>31</sup> Sutter tied his argument to the “demographic transition,” a decline in both fertility and mortal-

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the genealogies in Adam Kuper, *Incest and Influence: The Private Life of Bourgeois England* (Cambridge, MA, 2009), pp. 3, 127.

24 Alström, “First-Cousin Marriages,” pp. 295–98.

25 On the contrary, he found the rate of first-cousin marriage had to do with occupation and property ownership. Abelson, “Population Structure II,” pp. 94–98.

26 Abelson, “Population Structure,” p. 176.

27 Darwin, “Marriage Between First Cousins,” pp. 156–63.

28 Saugstad, “Relationship between Inbreeding,” pp. 334, 338; J. G. Masterson, “Consanguinity in Ireland,” *Human Heredity* 20 (1970): 371–82, here p. 381; Abelson, “Population Structure,” pp. 174–75.

29 Sabeau, *Kinship in Neckarhausen*, pp. 274–75.

30 Martine Segalen and Philippe Richard, “Marrying Kinsmen in Pays Bigouden Sud, Brittany,” *Journal of Family History* 11 (1986): 109–30, here pp. 111–15.

31 Jean Sutter, “Fréquence de l'endogamie et ses facteurs au XIX<sup>e</sup> siècle,” *Population* 23 (1968): 303–24. He isolated three factors that—either working together or separately—explained why what he thought to be the breaking up of “isolates” during nineteenth-century industrialization led not to an expected lowering but paradoxically to a rise in consanguinity: differential fertility, lowering mortality, and migration.

ity rates, which led to the development of variable demographic behavior patterns for different parts of the population.<sup>32</sup> While some families began to limit fertility, others maintained older fertility schedules under conditions of lower mortality, leading to much larger families. On the one hand, a certain number of lineages disappeared, and on the other, the remaining ones had many more cousins available, which under conditions of random mate selection caused rates of consanguinity to rise. In other words, the rise in consanguineal marriages was a purely demographic phenomenon, which only went into decline as the demographic transition came to an end.<sup>33</sup> Sutter's model had flaws, as Gérard Delille has pointed out. It poorly explained both the passage from far consanguinity to near and all the other forms of kinship marriage that increased everywhere in Europe in the nineteenth century: sibling exchange, sororate, levirate, affinal alliances, etc.<sup>34</sup> And it did not account for the fact that each region in Europe showed greater preference for different kinds of cousins, whether agnatic or uterine, parallel or cross, first, second, or third.<sup>35</sup> It seems just as probable that a lessening interest in building extensive and well-integrated networks of kin after World War I contributed to a decline in the desire for more than a couple of children.

In his study of the Parisian Jewish upper class from the end of the nineteenth century to the eve of World War II, Cyril Grange offered an explanation for both the rise of endogamy and the transition to exogamy with the example rooted in economic exigencies and the circulation of capital, skills, and information.<sup>36</sup> For example, banking

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32 See David Coleman, "The State of Europe's Population," preface to *Europe's Population in the 1990s*, ed. David Coleman (Oxford, 1996), pp. v–xix, here p. ix. Kingsley Davis, the American sociologist and demographer who coined the term "demographic transition," tied demographic trends closely to a theory of modernization. See Kingsley Davis, ed., *World Population in Transition* (Philadelphia, 1945).

33 To account for twentieth-century trends, many other authors point to smaller sib sizes and the fact that there were fewer cousins to choose from. For example, Saugstad, "Inbreeding in Norway," p. 488.

34 Gérard Delille, *Famille et propriété dans le royaume de Naples (xv<sup>e</sup>–xix<sup>e</sup> siècle)* (Rome and Paris, 1985), p. 386. Delille noted that Sutter never tested his model empirically. It was based on explaining the phenomenon for France, where the demographic transition was quite different from elsewhere in Europe, characterized as it was by practices of family limitation well in place more than a century earlier than in Germany, for example. Furthermore, the timing of the fall in consanguinity in different areas in Europe does not correlate closely with the completion of the demographic transition (p. 368). During the nineteenth century, many highly mobile families, precisely the population that was supposed to leave those remaining behind no choice but to marry cousins, themselves had high rates of consanguinity. Sutter's model also does not account for affinal marriages such as Segalen found for Brittany.

35 Sutter assumed that there were no changes in social organization that might have contributed to an interest in marriage with close kin as a way to reconfigure the networks of social reciprocity or the reverse. And he failed to examine the possibilities of economic, professional, social, and cultural factors that might have worked simultaneously across Western states with different demographic regimes. Cyril Grange has pointed to religious endogamy as a factor requiring consideration. After World War I, general rates of confessional endogamy among French bourgeois groups declined—among Protestants, Catholics, and Jews alike. Grange, *Élite parisienne*, p. 281.

36 Grange constructed his data base from around 3,000 marriages and genealogies comprising 14,000 persons (p. 14). About 60% of his selection around 1870 were families of bankers and merchants, while

houses during the nineteenth century were built on familial networks, and the accumulation of capital was founded on the collaboration of close kin.<sup>37</sup> It was through the ties of kinship that Parisian bankers developed links to the principal financial institutions throughout Europe.<sup>38</sup> They created their commercial networks through systematic marriages of cousins and allied kin, and at the same time they reinforced the “field” of cultural and social engagement.<sup>39</sup>

The set of bankers that Grange analyzed was part of a much larger phenomenon in the nineteenth century, when many German, Central and East European, Russian, and Levantine families also established international familial networks to carry on trade, industrial production, and finance. These families frequently renewed alliances between patrilineal lines over several generations, just as the Parisian upper classes did. As Grange pointed out, the exigencies of private banking created the ecological underpinning of such intense alliances.<sup>40</sup> Families seem to have followed two strategies. First, about half of their marriages were with already allied families. The dominant mode appears to have been alliance with cross cousins (mother’s brother’s daughter, father’s sister’s daughter), although in families like the Rothschilds, a considerable number of marriages united parallel cousins, thus marriage back into the same patrilineage (father’s brother’s daughter).<sup>41</sup> Second, a significant number of marriages were made with pan-European families—families thus connecting themselves with new families across Europe—whose financial and commercial interests overlapped.<sup>42</sup> Undoubtedly, issues such as banking, commercial, and industrial business interests and the circulation of capital, skills, and information mediated the circulation of brides and grooms, and thus underpinned these marriage practices and familial reciprocities.<sup>43</sup> So, too, did

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by the turn of the century, the proportion was closer to 40%: Grange, *Élite parisienne*, p. 47. On the construction of his database, *ibid.*, pp. 111–13.

37 Grange, *Élite parisienne*, p. 57, footnote 85.

38 Grange, *Élite parisienne*, p. 58. But it was not just a matter of putting together capital or creating financial ties, for the families relied upon their members for personnel as well (p. 63).

39 Grange, *Élite parisienne*, p. 83.

40 Grange, *Élite parisienne*, pp. 155–56. He spoke of a widespread homogamy, by which he meant primarily marriage alliance between families of a similar geographical origin. But he could also have extended the term to marriage within the same occupational or class group. And with it went widespread practices of consanguineal endogamy.

41 Grange, *Élite parisienne*, pp. 97, 105, 161. Reflecting on the Rothschild, Koenigswarter, Goldschmidt, and Kann families: “The consequence of this is an extended familial network, which made each couple a link in a set of strictly nested families whose scale went well beyond the frontiers of a single country,” p. 198. Of the twenty-nine cousins of the third generation of Rothschilds (grandchildren of Mayer Amschel (1744–1812), fourteen married a Rothschild (pp. 204–5).

42 Although most frequently with similar geographic origins: Grange, *Élite parisienne*, pp. 162–63. Initially, such families did not pay much attention to the boundaries of the burgeoning national states, although without their entrepreneurial and financial skills the development of such states cannot be conceived.

43 Grange, *Élite parisienne*, p. 89. “From the beginning [reflecting on the Rothschilds], the practice of

the intense nineteenth-century patterns of sociability, which I have discussed in section III.<sup>44</sup> In any event, the extension of well-integrated kin networks reached a high point during the second half of the nineteenth century.<sup>45</sup>

Then towards the end of that century this structure gave way—and with ever-greater rapidity in the aftermath of World War I—to be replaced by a regional and national integration of elites.<sup>46</sup> In France, part of the story owes its existence to two developments: an integrated financial market and joint-stock companies, both of which made access to capital less dependent on family networks.<sup>47</sup> In Grange's Parisian example, endogamous marriage was in decline already in the last decades of the nineteenth century, and many elite Jews were marrying into Catholic aristocratic families, as unions became more restricted to the nation.<sup>48</sup> After the war, the number of marriages with *bourgeois* Christians rose considerably.<sup>49</sup> The declining interest in maintaining extensive networks encouraged smaller families, which in turn often also failed to produce sons to carry on financial dynasties.<sup>50</sup> Cousins were no longer the object of desire when the economic underpinning gave way; that is, when private banks

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consanguineal unions clearly answered a strategy where alliance was mobilized as an instrument to perpetuate economic ties between the different banking houses," p. 206. Marriages within the dynasty disappeared after 1875. Grange suggested also that with the later generations, there was a shift in occupational choices, with many elite Jewish men entering law, medicine, and the intellectual professions where individual choice outside the kingroup was more usual (p. 293). However, in the nineteenth century, at least until the late decades, all the evidence shows a similar interest in endogamous marriages among professionals. Still, changes in the recruitment of professionals, more objective forms of promotion, increased rates of school attendance, stricter controls by professional organizations, shifts away from proprietary to salaried forms of wealth and income, and the decline in house sociability, all certainly robbed the task of maintaining extensive kinship networks of much energy.

44 Grange, *Élite parisienne*, p. 292.

45 Grange, *Élite parisienne*, pp. 200, 202–3.

46 Grange, *Élite parisienne*, pp. 165–66, 168.

47 Grange, *Élite parisienne*, pp. 58–59.

48 Grange, *Élite parisienne*, pp. 76, 86, 90, 168, 222. From 1900, the ties within the Jewish Parisian elite declined substantially. They married outside the strict boundaries of class and began to make a substantial number of marriages with non-Jews (p. 203). But there were stirrings in this direction already in the later nineteenth century. For example, between 1878 and 1887, there were three marriages of Rothschild daughters with French aristocrats (p. 232).

49 Grange, *Élite parisienne*, pp. 223, 237. Where the husband was Christian and the woman, Jewish, the majority of unions were with aristocrats. Where the Jewish husband chose a Christian wife, the majority of such unions were bourgeois (p. 234).

50 Grange, *Élite parisienne*, pp. 76–77. Comparing the cohorts 1790–1829 and 1910–49, the number of families with more than five children fell from 45.5% to 2.1%. And those with no children at all rose from 3.3% to 18.7% (p. 306). The age of last birth fell and the space between births rose, attesting to the effective use of preventative techniques and the desire for fewer children in the twentieth century. The Parisian Jewish upper class failed to reproduce itself (pp. 307, 454). Grange's hypothesis is that the declining need for children to people a network lay behind the decline in fertility, on the one hand, and the tendency towards kin, class, and religious exogamy, on the other (pp. 455–57).

were supplanted by publicly traded banks and banks of deposit.<sup>51</sup> Wealth was shifted away from commercial activities to investments in property and financial markets.<sup>52</sup> A similar process unfolded elsewhere in Europe as family businesses became publicly traded companies: “This change in the banking system observed in France in the last third of the 19th century, but also in Great Britain and in Germany, had implications in terms of marriage choices. The demands for a way of functioning on the marriage market that rested schematically on the overlaying of networks of economic exchange and networks growing out of matrimonial alliances diminished. The strictness of matrimonial ties, formerly imperative, among the great families of bankers who were geographically dispersed, was no longer at stake.”<sup>53</sup> There is an additional, very important point to underline. Mixed marriages, whether between aristocrats and American heiresses, or Jews and Christians, did not create familial or social ties between two groups of kin.<sup>54</sup> In some ways, such marriages actually enlarged the chasm between the groups, by isolating the couple rather than treating them as a crucial link in an integrated network.<sup>55</sup> Indeed this suggests that twentieth-century exogamy probably contributed to the diminution of ties between families and larger kinship networks throughout society. Even when a couple maintained vigorous ties with kin from one side or the other, or even with both sides, they no longer mediated relations among their mutual relatives.

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51 Grange, *Élite parisienne*, pp. 69, 70, 109, 452. Around 1850, endogamous alliance accounted for almost a third of marriages, while between 1900 and 1950, they accounted for less than 5% (204).

52 Grange, *Élite parisienne*, pp. 93, 117, 123, 145, 216.

53 Grange, *Élite parisienne*, p. 453.

54 Grange, *Élite parisienne*, p. 283, fn. 56, citing Katz, *Hors du ghetto*, p. 221.

55 In later Imperial Germany, many legally registered family associations were founded. The rules for aristocratic families explicitly excluded Jewish mates from the associations and expressed the intent to police such marriages: David Warren Sabean, “Constructing Lineages in Imperial Germany: *eingetragene Familienvereine*,” in *Alltag als Politik—Politik im Alltag: Dimensionen des Politischen in Vergangenheit und Gegenwart*, ed. Michaela Fenske (Berlin, 2010), pp. 143–57, here p. 143, 146, 150. For example, the von Quast registered family association from 1921 (an earlier *Verband* was founded in 1884), which was supposed to be the main organization for family intercourse, included anyone with the name, legitimate birth, and “Reinheit vom jüdischen Blut.” Landesarchiv Berlin, Vereinsregister B. Rep. 042, nr. 26491. The bourgeois family Genest Verein, nr. 26305, founded in 1914, excluded anyone “who willfully injured racial feeling by the choice of a wife.” In 1902, the von Horn family (I failed to note the number of the document) excluded anyone not married to an Aryan.



Fig. 37: Exogamy II.

"A hint for the persecution of the Jews in England . . . *The Earl*. 'Hearken, thou son of Israel! Unlike my knightly ancestor, I covet not thy money-bags, hard-up though I be. 'Tis thy fair wise daughter Rebecca! I would fain have, to wed unto my big booby of a son, yonder—not indeed for her dowry's sake, princely as thou mayst deem fit to make it; but in order that by mixing our degenerate blood with thine, oh worthy scion of an irrepresible race, the noble and comely but idiotic breed of Front-de-Boeuf (which biddeth fair to be snuffed out in the struggle for existence) may survive to hold its own once more! Nay, and thou consentest not, Sir Jew, then by my halidome, I'll—' [*Torture must be left to the Reader's invention*]." The joke here depicts an aristocratic father trying to marry his son to the daughter of a prosperous Jew to introduce new blood, although clearly the real infusion was to be money. The daughter seems well turned out—at least she plays the piano, a sign of bour-

geois virtue—while the son's a dullard according to the father. Although the earl couches the deal in threat—and part of the joke is to describe a drawing room as a torture chamber—Alderman Isaac looks amused and casts him an ironic glance. Towards the end of the nineteenth century, marriages between aristocrats and wealthy Jews can be described as hypergamous; that is, the marriage upwards in the status of women, the ticket being a substantial dowry. Unlike marriages among Jewish merchants and bankers or aristocrats among themselves, exogamous alliance as the one in question here was not expected to act as a mechanism to integrate sets of kin. She would be expected to convert, cutting her off from her religious fellows, and his aristocratic connections would always view the marriage with prejudice.

*Punch*, July 28, 1883, p. 42. Image courtesy of University of California Southern Research Library Facility.



Fig. 38: Exogamy III.

Inner Mission. Here is a German version of exogamous marriage. The aristocrat boasts that his ancestors fought in the crusades, and that later ones supported Christian missions generously. His contribution to the fight for Christianity was to marry the wealthy Jewish daughter and, in the bargain, to get all her kin to convert.

*Simplicissimus* 4, no. 9 (May 27, 1899, p. 69. Image courtesy of the Getty Research Institute, Los Angeles (85–S1389).

In contrast to the scholars who based their explanations on objective conditions, anthropologist Susan McKinnon, in 2013, tacked to the subjective realm by pointing out that from the mid-nineteenth century, anthropologists have continuously reconfigured virtually the same story: “Kinship becomes—inevitably, essentially—associated with that which is prior, primordial, or more natural; with status rather than contract; with the group rather than the individual; and with the authority of religion and ceremony rather than that of secular and legal rationality.”<sup>56</sup> As a result, when considering modern capitalist economies, these scholars have screened out anything that looks like kinship and tagged it as prior, something to be overcome, relegated to the past in an evolutionary schema of progressive social differentiation and individual freedom. They have not thought “to ask how it [kinship] might work in the heart of political and economic institutions of ‘modern’ nation-states.”<sup>57</sup> In arguments similar to mine for the nineteenth century, McKinnon emphasized that modernization was by no means inimical to kinship; that is, to marriage among kin, nepotism, political alliance, or economic organization. She also underscored the major break in the practices of kinship from

<sup>56</sup> Susan McKinnon, “Kinship Within and Beyond the ‘Movement of Progressive Societies,’” in *Vital Relations: Modernity and the Persistent Life of Kinship*, ed. Susan McKinnon and Fenella Cannell (Santa Fe, NM, 2013), pp. 39–62; quote, p. 51.

<sup>57</sup> McKinnon, “Kinship,” p. 51.

the nineteenth to the twentieth centuries, with examples restricted for the most part to the United States, and she thought of the anthropological discourse about historical progress as both a reflection on the changes and a participation in a vast ideological cover-up: “I argue,” she declared, “that the revaluation, stigmatization, and prohibition of several historically prevalent forms of kinship in the late nineteenth-century United States were part of a larger ‘magico-purificatory’ move that *brings into being* modernity’s constitutive, if also illusory, claim concerning the separation of kinship and marriage from the domains of politics and economics.”<sup>58</sup>

McKinnon focused on cousin marriage and its disappearance in the twentieth century, which she argued could not be explained by the exigencies of structural economic change but rather had to be sought in the realm of ideology. The “stigmatization” of cousin marriage was a means to separate the backward from what would count for modern.<sup>59</sup> Thus interpretations that have suggested that the shift to exogamy took place when the accumulation and management of capital could no longer be served by endogamous marriage or when households became structured around consumption rather than production are insufficient.<sup>60</sup> Such objective criteria cannot account for the stigmatization of cousin marriage, or for its subsequent prohibition and erasure from memory. If anthropologists would explain this fate, they must also understand cousin marriage “as one of the central injunctions or taboos that *creates* the modernist illusion of the separation of kinship and economy into distinct and hierarchically ordered domains.”<sup>61</sup> Having recalled that Lévi-Strauss considered the installation of the incest taboo to be the key demarcation point between nature and culture, she found an analogous mechanism in the prohibition of cousin marriage to mark “the passage between (and separation of) the ‘traditional’ and the ‘modern’.”<sup>62</sup> McKinnon’s account of culture delineated three “narrative strands” that intertwined to “naturalize this transformational trajectory: flawed scientific accounts of health risks, evolutionary tales of the origins of civilization (with assumptions of biological evils of inbreeding), and the framing of areas such as Appalachia (“America’s internal primitive”) as full of cousin marriages—whether or not they actually took place.<sup>63</sup> In the end, I think that the

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58 McKinnon, “Kinship,” p. 51. She referenced Latour and Strathern just after the term magico-purificatory). Bruno Latour, *We Have Never Been Modern* (Cambridge, MA, 1993). Marilyn Strathern, *Kinship, Law and the Unexpected: Relatives are Always a Surprise* (Cambridge, 2005), p. 95.

59 It is also important to see, she argued, that the memory of kin marriages has been erased, the result of considerable cultural work, a matter of active forgetting. McKinnon, “Kinship,” p. 52: “If marrying kin and attending to the concerns of extended family make one backward, tribal, antidemocratic, and incapable of economic development, then we have to rewrite the history of the United States because kin marriages were ubiquitous in American families right up through the Civil War and the turn of the century.”

60 McKinnon, “Kinship,” p. 54.

61 McKinnon, “Kinship,” p. 55.

62 McKinnon, “Kinship,” p. 55.

63 McKinnon, “Kinship,” p. 55. “I argue that the prohibition of cousin marriage—together with the nearly simultaneous prohibition on the ‘twin relics of barbarism’ (polygamy and slavery) and, some-



ecological underpinnings of cousin marriage offer the more compelling explanation for the change: modern banking, the rise of a managerial class, unionized labor, the decline of integrated kinship networks, shifts in the nature of the public sphere. And I would argue that modern oblivion followed on the heels of declining interest in such marriages, with observers convinced by not very convincing statistics.

McKinnon's elegant chronicle has several implications for the point I have been arguing here about a gradual shift from endogamous to exogamous marriage structures. Marriages with first and second cousins not only reiterated the unions of previous generations, but made close affinal kin out of consanguineal kin, as cousins became brothers- or sisters-in-law, or cousin-brothers-in-law became the fathers-in-law of sons or daughters. The result was a network constructed along a horizontal grid, reinforcing relationships a person had been born into through new exchanges and offering conduits for the placement of personnel, the accumulation of capital, the coordination of political life, and the integration of classes and ethnic and religious groups. Of course, not all marriages repeated former alliances, but newly allied families were often integrated into existing and ever-renewed networks. In altering the older practices of reciprocity, the shift to exogamy as normal practice prevented the construction of networks of overlapping cousins. And it definitely pulled the plug, so to speak, on matrifocality, the positioning of women at the center of kin networks, and also on women's powerful

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what later, nepotism—formed the central injunction that articulated and symbolized the separation of kinship from political and economic institutions—a separation that, itself, became a sign of progressive modernity,” p. 56. McKinnon loaded her account with a good deal of nostalgia: cousin marriage in the United States in the pre-stigmatic (or is it prelapsarian?) era was “emotionally resonant, legal, commonplace, validated, and economically productive,” p. 56. The strength of her account lay in imagining the possibility of well-networked kin having viable and productive roles in the social order—in the economy and in politics. And she went on to give examples of non-Western societies that have resisted Western or colonial interventions into their familial politics and are doing quite well for themselves as a result. What she missed in her account are two points: that in the West, cousin marriage rose with “modernization” in the first place and that since cousin marriage was closely tied up with the articulation of class-based societies, it might well be considered not unproblematic. She showed, for example, how much planters wove tight, repeated alliances among themselves but failed to relate that to their hegemonic wielding of power and their politics of violence. While she made sure we know she knows about shifts and changes in the economic and political order, she wanted more centrally to assert the relevance of the discipline of anthropology, either as a convenient marker of essential ideational transfigurations carried out elsewhere or as the leader in telling us how we should think about nature and family and how we should (or should not) intervene in other people's lives. Reading her quote, I am not sure how to parse the attack on cousin marriage (which she likes) as part of a package that goes together with sanctions against polygamy (which she apparently is not scandalized by), slavery (which she presumably does find barbaric), and nepotism (about which she may now be ambivalent, given the current political situation in the United States [May 2017]). For an example of a flawed scientific account of health risks, see the remark in Kate Brown, *Plutopia: Nuclear Families, Atomic Cities, and the Great Soviet and American Plutonium Disasters* (Oxford, 2013), where the denizens of the new utopian communities thought of those with significant damage from nuclear materials as alcoholics, degenerates, and inbred.

role in directing desire, which I have explored in section III. I would argue that as the expansive role of women in the politics of alliance and lineage construction declined, and as the married couple ceased to mediate integrated networks of kin, women, faced with a considerably narrowed space of operation, focused more of their energies on noticeably shrinking households. It was in this context that women's activities as mothers were brought under the lens of pathology after World War II.

The rise of exogamy throughout Western societies did correlate with smaller families and most probably had an effect on both the degree and quality of relationships with kin. If marrying out had the effect of isolating couples, as Cyril Grange claimed, that new isolation also meant that children no longer grew up embedded in the dense set of kin connections typical of their nineteenth-century predecessors. The work that repeated alliances had done in Europe and America in building class and political culture was no longer possible.

The decline in marriage with kin took place at the same time as several shifts in household composition, internal relationships, and functions of the decades after World War I. Early in the process, the numbers of live-in household servants decreased, and as a consequence their tasks were increasingly taken up by housewives themselves or relegated to hired help.<sup>64</sup> It was not by chance that the "Frankfurt Kitchen," dedicated to efficient household management, was developed in Germany in the 1920s.<sup>65</sup> The housewife had everything to hand in a small tightly organized workspace leaving no room for children or anyone else who might want to hang out. Increasingly from the 1930s, experts on the family advised couples to stop housing retired parents, maiden aunts, or brothers-in-law. At least ideally, the domestic sphere was stripped conceptually and actually of all but mom, dad, and the kids. By the middle decades of the century even the practice of taking in boarders had declined. And so house sociality, that middle- and upper-class institution so central in the nineteenth century to shaping political culture, constructing social and occupational networks, and working out the grid of marital alliances suffered an eclipse.<sup>66</sup> Altogether the ecological support for consanguineal marriages, which had been provided by trade, commercial, professional, and class networks, disappeared. It is too much to say, however, that the upshot was familial

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<sup>64</sup> Dominique Ceccaldi, "The Family in France," *Marriage and Family Living* 16 (1954): 326–30, noted that household help in France had declined a great deal from the beginning of the century. And it changed in character. The servants were no longer part of family but wage-earners with fixed hours who changed employers readily.

<sup>65</sup> J. M. Mogeey, "Changes in Family Life Experienced by English Workers Moving from Slums to Housing Estates," *Marriage and Family Living* 17 (1955): 123–28, noted for the postwar housing estates, families encountered narrow kitchens that could not accommodate family members, forcing them to eat in the dining room, a new experience.

<sup>66</sup> David Warren Sabean, "Constructing Middle-Class Milieus in Nineteenth-Century Germany: The Labor of *Geselligkeit*," in *To Be at Home: House, Work, and Self in the Modern World*, ed. Felicitas Hentschke and James Williams (Berlin and Boston, 2018), pp. 39–44.

isolation. A great deal of what happened depended on what women did in response, on the degree to which married women were drawn into the labor force, on whether their elderly and children needed care, on how households were oriented towards neighborhoods, friends, and relatives, on the nature of geographic and occupational mobility, on available income and its sources, and on whether class configured families or families configured class.

## Intergenerational transfers

During the decades that followed World War II, inherited wealth lost much of its importance, and for the first time in history, perhaps, work and study became the surest routes to the top. — Thomas Piketty, 2014 [2013]

While the shift from endogamy to exogamy was startling and hurried on by the shocks of World War I, inflation, and depression, there is also a complex backstory to be told here about long-term changes in occupation, the accumulation of middle-class property, the reconfiguration of households, the rise to prominence of managerial elites, civil servants, and white collar workers, the expansion of income from labor, and the effects of increased educational levels on income. All of these changes tracked with the meaning and function of marital alliance, the size and nature of families, and the related forms of house sociality. I want to pull on one strand of this many-faceted and interwoven set of trends; namely, how the flow of inheritance affected the nature of kinship relations, as families over the interwar decades became less and less tied to the generational accumulation of wealth. Shifts in how capital accumulation affected the devolution of property and consequent relationships between generations had a great deal to do with transformations in demographic reproduction, a consideration of which will follow this discussion of intergenerational transfers.

One of the most useful recent discussions of long-term trends in the distribution of wealth in Western nations was set in motion recently by the French economist, Thomas Piketty, who surveyed developments in France, Germany, England, and the United States (before offering some remarks about global processes) from the eighteenth to the twenty-first century.<sup>67</sup> His analysis of the peculiar nature of the three decades after World War II, when accumulated wealth played its lowest role in Western economies and inheritance as a central vector between generations was hollowed out, provides a key to understanding the postwar fixation on the “nuclear family.” Societies and economies inherited from the nineteenth century were profoundly shaken by two “total” wars, inflation, and the Great Depression but with rather different consequences for continental Europe, England, and the United States.

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<sup>67</sup> Thomas Piketty, *Capital in the Twenty-First Century*, trans. Arthur Goldhammer (Cambridge, MA, 2014).

Given the excellence of its statistical series, Piketty took France as his model, and then brought in data from the other countries to assess the degree to which they conformed to the French experience.<sup>68</sup> Nineteenth-century France was a patrimonial society in which inheritance played the central role in accumulation of capital and related increases in inequality.<sup>69</sup> Over the course of the century, inequality grew to such proportions that on the eve of World War I, the top decile owned 90% of the national wealth, while the bottom 50% had virtually no accumulated wealth at all.<sup>70</sup> The middle 40% (deciles six to nine) had as little property and wealth from investments as the bottom 50%. Such a statistic suggests limits to any talk of a French middle class before the twentieth-century post-World War II period.<sup>71</sup> It was precisely under this patrimonial property regime that the marriage of near kin as I have characterized it played such a huge role. “Before and after the Revolution, France was a patrimonial society characterized by a hyperconcentration of capital, in which inheritance and marriage played a key role and inheriting or marrying a large fortune could procure a level of comfort *not obtainable through work or study* [my emphasis].”<sup>72</sup>

Piketty argued that when interest rates over the long run surpass growth rates, there is an automatic accumulation of wealth for those with money to invest.<sup>73</sup> That explained why, during the course of the nineteenth century, industrial wealth throughout Europe continuously made its way into investment, often underwriting national debt. Such a mechanism supported the development of a class that essentially lived off rents. The position even of French aristocrats, whose wealth was concentrated in land, progressively eroded.<sup>74</sup> Their counterparts in England experienced a similar fate. Towards the end of the nineteenth century the impoverished but high-status nobility in both countries began to seek alliances with American heiresses, and the daughters of Jewish banking houses and the mercantile and industrial bourgeoisie, often to the horror of their respective kin and the amusement of their peers.

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68 Piketty, *Capital*, pp. 28–30. In part, it was the quality and comprehensiveness of the estate records that were collected on “wealth in land, buildings and financial assets” in France during the Revolutionary 1790s, that led Piketty to choose the French case as his basic model, p. 29.

69 Piketty, *Capital*, p. 237.

70 Piketty, *Capital*, p. 8.

71 Piketty, *Capital*, pp. 339–43.

72 Piketty, *Capital*, pp. 241, 342. The extreme concentration of wealth on the eve of 1914 was a European phenomenon, and such concentration was not so exaggerated in the United States (pp. 342–50). Unlike Europe, North America did witness the development of a white patrimonial middle class during the nineteenth century, but that class suffered a setback during the Gilded Age, which exhibited the same trend towards greater inequality as in Europe (p. 152).

73 Piketty, *Capital*, pp. 1, 10, 25–27, 77.

74 Piketty, *Capital*, pp. 341–42. Certainly, in France they had been the dominant class before the Revolution, and they began a recovery by the first decade of the nineteenth century, at which point they held 15% of all the national wealth. By midcentury, they held as much as 30%, after which they began a slow decline to 10% at the end of the century.

The shocks of the twentieth century had profound effects on how families accumulated and passed on wealth, intergenerational relationships, class structure, social equality, occupation, house ownership, and household formation. From the end of World War I into the 1950s and '60s, all the Western economically advanced countries experienced a significant decrease in income inequality. Indeed, the 1950s marked a low point for the transmission of wealth by inheritance. Economists, from John Maynard Keynes (who spoke of the “euthanasia of rentiers”) to Simon Kuznets to Piketty, have chronicled the hollowing out of the rentier class and the rise of a propertied middle class (the 40% of population in the sixth through ninth deciles of wealth and income distribution), whose accumulated wealth came to a large extent to be invested in home ownership.<sup>75</sup> The four or five decades following World War I also reduced capital’s share of national income to “historically low levels,” and there was a radical shift from wealth in land to industrial and finance capital.<sup>76</sup> “Ultimately, the decline in the capital/income ratio between 1913 and 1950 is the history of Europe’s suicide, and in particular the euthanasia of European capitalists.”<sup>77</sup>

By the 1950s, real estate values had hit an historic low compared to goods and services, and it was then that the classes in the middle in Western Europe and the United States invested in house purchases.<sup>78</sup> In the same period, and for the first time in history, work and study allowed for significant social mobility. But that phenomenon began to be reversed by the 1980s if not earlier. In fact, Piketty has argued that the extreme inequality of wealth and income characteristic of the late nineteenth century began to be re-established in the late 1970s, with especially unequal distributions in Anglo-Saxon countries, consonant in part with an “explosion” in top managerial salaries.<sup>79</sup> By the 2010s, the richest 10% in Western Europe had captured around 60% of national wealth, while the bottom 50% essentially had nothing. In the United States, the top decile already held 72% of the wealth, the bottom half roughly 2%.<sup>80</sup> In the time

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75 Piketty, *Capital*, pp. 135, 151–55, 260–62, 411–29. For an alternative account of the US experience, see Melinda Cooper, *Family Values: Between Neoliberalism and the New Social Conservatism* (Brooklyn, 2017). She followed in detail political decisions in the aftermath of the decline of the “Fordist” family wage. Her account primarily looked at the political effect of economic and cultural ideologies. Piketty also reflected on cultural ideologies in a second volume, just as vast in scope as his first: *Capital and Ideology*, trans. Arthur Goldhammer (Cambridge, MA, 2020 [2019]).

76 Piketty, *Capital*, pp. 41–42, 118, 141. Piketty defines “national income” as “the sum of all income available to the residents of a given country in a given year, regardless of the legal classification of that income,” p. 43.

77 Piketty, *Capital*, p. 149.

78 Piketty, *Capital*, pp. 149, 260. M. F. Nimkoff, “The Family in the United States,” *Marriage and Family Living* 16 (1954): 390–96, noted that in 1950, 55% of all American families were home owners, p. 392.

79 Piketty, *Capital*, p. 24.

80 Piketty, *Capital*, pp. 173, 248–49, 257, 259. “The most striking fact is that the United States has become noticeably more inegalitarian than France (and Europe as a whole) from the turn of the twentieth century until now, even though the United States was more egalitarian at the beginning of the period,” p. 292.

in-between, the West experienced the growth of a “patrimonial middle class.” Indeed, Piketty found this to be the “principle structural transformation” of the distribution of wealth in the developed countries during the twentieth century.<sup>81</sup> He argued that there was no middle class in the same sense during the nineteenth century, since the middle 40% had little more accumulated wealth than the bottom 50%.<sup>82</sup> Altogether the shift of the twentieth century was from a society of rentiers to one of managers, engineers, senior officials, and teachers, whose principle source of income was from labor.<sup>83</sup> It was people with earned income who benefitted the most from the Great Depression not those dependent on inherited wealth.<sup>84</sup> In all Western countries, there was a “spectacular decrease in the flow of inheritance” between 1910 and 1950.<sup>85</sup> And it was during this period that dowries, so crucial to nineteenth-century alliance formation, essentially disappeared. For all the cohorts born between 1910 and 1960, the top centile in the income hierarchy earned their income primarily from work.<sup>86</sup> In the 2010s in France, by contrast, the income of members in the top centile came both from inheritance and work, in equal portions, with the tendency being for inheritance to play an ever-greater role.<sup>87</sup>

It was precisely while these changes were making themselves felt that exogamy took hold and marital pairs ceased performing the function of integrating networks of relatives. The demand for new housing and desire for a suitable life in expanding suburbs reflected the income structures of salaried managers and teachers, the availability of cheap homes, and the *relative* insignificance of inherited wealth. Political and social analysis of the 1950s and ‘60s tracked reconfigured families and invested the “family” with the new attribute of “nuclear,” although, as I shall show, the concept “nuclear family” most essentially connoted a particular kind of household, shorn of now unaffordable or perhaps unwanted servants and to a new extent de-linked from a generational accumulation of capital. This was the family of the new patrimonial middle class, which valued education and a social mobility demonstrated visually by

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<sup>81</sup> Piketty, *Capital*, pp. 260–62.

<sup>82</sup> The figure for the middle 40% of the population was a little over 5% (5–10% depending on the country), not much more than for the bottom half, which held a little less than 5%. Piketty, *Capital*, p. 261–83.

<sup>83</sup> Piketty, *Capital*, pp. 276–78. One surprising statistic reveals that high school and grade school teachers during the Great Depression were among the top decile of earners, and with house prices at historic lows, they massively invested wealth into that form of property (pp. 279, 285). Today their place is held by college professors and senior government officials.

<sup>84</sup> Piketty, *Capital*, pp. 279–80. A startling measure of the changes is offered by Paris: during the Belle Epoque, the top 1% had an income of 80–100 times the average wage. But they left to the next generation a ratio of 30–40 times as much, and by the late 1930s, this had fallen to 20 as they sold off capital and attempted to continue a lifestyle no longer possible. Piketty, *Capital*, pp. 272, 369.

<sup>85</sup> Piketty, *Capital*, p. 369, 379–80.

<sup>86</sup> Piketty, *Capital*, p. 408.

<sup>87</sup> Piketty, *Capital*, pp. 290, 297, 378, 381. On asset accumulation, compare Cooper, *Family Values*, pp. 21, 135–59.

lawns, hedges, separated plots, houses with particular architectural features (efficient kitchens, living rooms actually to be lived in, separate bedrooms for parents and children), and, of course, cars.<sup>88</sup>

## The ephemeral and elusive “nuclear family model”: Demographic trends

Our recurring search for a traditional family model denies the diversity of family life, both past and present, and leads to false generalizations about the past as well as wildly exaggerated claims about the present and the future. — Stephanie Coontz, 1992<sup>89</sup>

When psychotherapists and sociologists proposed the idea of the “nuclear family” as a model for the intimate social unit they saw coalescing in post–World War II homes, they barely considered variations that might track with ethnic, regional, or class differences, or the possibility that what they were seeing might prove to be a set of ephemera rather than the telos of history.<sup>90</sup> Among other things, they were reflecting on rapid demographic changes they themselves were experiencing and extrapolating from those to permanence and universality—at least from the theoretical point of view. But over the

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**88** The literature on middle-class consumerism is vast. My understanding of the issues has been greatly influenced by Eric Hounshell’s UCLA dissertation, “A Feel for the Data: Paul F. Lazarsfeld and the Columbia University Bureau of Applied Social Research” (2017). His manuscript contains an addendum on the opinion research conducted by the Bureau for the Ford Motor Company preparatory to the release of the Edsel where he captured extraordinarily well a postwar cultural analysis consonant with the peculiar regime of the American family. Another very useful account of American familial culture is Elizabeth Cohen, *A Consumer’s Republic: The Politics of Mass Consumption in Postwar America* (New York, 2004). She noted the importance of new housing tracts outside of cities as places where the new middle classes could invest in property: “As suburbanization gave a majority of Americans for the first time ever the opportunity to become people of ‘property,’ it also seemed to promise a surefire way of incorporating a wide range of Americans into a mass consumption-based middle class,” p. 196. For France, see Kristin Ross, *Fast Cars, Clean Bodies: Decolonization and the Reordering of French Culture* (Cambridge, MA and London, 1996). In commenting on the “new man” representation of the postwar years, she writes that “The newfound ascendancy of the institution of the ‘career’ as the privileged form work takes in overdeveloped and bureaucratic industrial societies is the mark of a change not only in the ideology of work but in bourgeois patterns of accumulation as well. Whereas the bourgeoisie of the past . . . accumulated savings and land (‘the patrimony’ to be passed onto future generations), now bourgeois accumulation takes the form of experience at work: the cumulative perfecting of skills, the ascent toward accomplishing more and more highly appreciated and rewarded tasks,” p. 168.

**89** Stephanie Coontz, *The Way We Never Were: American Families and the Nostalgia Trap* (New York, 1992), p. 14.

**90** Farrell, *Family*, p. 25: “The newly revitalized ideology of domesticity that located women’s and children’s roles in the home and men’s roles in the public would emerge in the postwar decades and became the standard against which non-white and non-middle-class would emerge.” Cf. the discussion in Cooper, *Family Values*, pp. 59–73.

twentieth century in Western Europe and America, the nuclear family in demographic reality proved to be as elusive as the social scientific model was compelling.<sup>91</sup> In reality the family declined to stay true to the model and instead presented history with a story of flux and a construct slipped out of its boundaries, as older trends kept on trending and further demographic changes quickly distorted the model beyond recognition. As a kinship system, then, the nuclear family was at once the further development of secular trends and an historical anomaly that began to dissolve almost as soon as it came together, shifting the focus of incest discourse to a new pairing. It is this story that I would sketch here, with the help of a dip into twentieth-century demographic statistics.

The twentieth century can be divided into three demographic periods of roughly twenty-five years each (1920–45, 1945–70, and 1970–95), contoured by patterns in living arrangements, reproduction, and the willingness to be married and remain so.<sup>92</sup> It was at the end of first period that the notion of the “nuclear family” (*Kernfamilie*, *famille nucléaire*) was first articulated and proclaimed the Western standard. This conceptualization, I suggest, not only validated structural changes in the familial lives of professionals, civil servants, and unionized skilled labor in particular, but also reflected overall demographic trends. Eventually, however, both inherent stresses and external pressures endowed the nuclear family with particularly fraught dynamics of sexuality, power, and authority and led eventually to its demise. The edifice cracked and then started falling apart in the 1970s. One result was a shift in incest discourse, as psychotherapeutic researchers and practitioners, worrying that all was not well with the postwar, stripped down family, started to construct a pathology centered on troublesome father-daughter relationships. During the final period of this demographic tour, 1970–95 (the central focus of this section of this book), when deviant paternal sexual practices exercised the practical abilities and conceptual talents of lawyers and judges, therapists, journalists, and self-help writers, the nuclear family that surfaced in the 1940s became largely unrecognizable, its demographic features substantially bent out of shape.

There were, of course, differences among the four countries under discussion here, and the general trajectories were not always similar. What I am after in the discussion below is to grasp the structural features constituted by household structure and size, fertility, marriage ages and marriage rates, and divorce in an effort to highlight both essential differences and general similarities and to provide an understanding of

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<sup>91</sup> This section was shaped with the help of Eric Hounshell. For more detailed material on demographic trends, see the appendix to this chapter.

<sup>92</sup> I have consulted national statistical series for the four countries under consideration and should note that each one has its own approach to census questions and to published statistical series, and that while the various indicators tend to go in the same direction, there are some questions that can best be solved with the data from one country or the other. In the sections on the following pages, I have summarized much of the data. More elaborate statistics can be found in the excursus to this chapter.



the social contexts in which various discourses arose. This discussion will also provide material for clarifying a number of conceptual and empirical issues.

### Demographic patterns 1920–45

This fall in the size of the family is the most dramatic happening in the recent history of the British population. — J. M. Mogeey, 1954<sup>93</sup>

The demographic period between 1920 and 1945 deepened or initiated the secular trends of declining household and family size that were to continue through the twentieth century.<sup>94</sup> In this period, the small, streamlined household with many fewer children became the Western pattern, one also blessed with normative value for the social sciences and the psychological and legal professions. What came to be called the “nuclear *family*” was often confused or conflated with a slimmed down, relatively small *household*, cleared of boarders, servants, grandparents, and other extra kin, and frequently thought of as autonomous and isolated from the demands of non-resident relatives or obligations to them. Both the expulsion of residents beyond the conjugal pair with their biological children and an almost revolutionary fall in fertility contributed to the emergence of this small-form family institution.

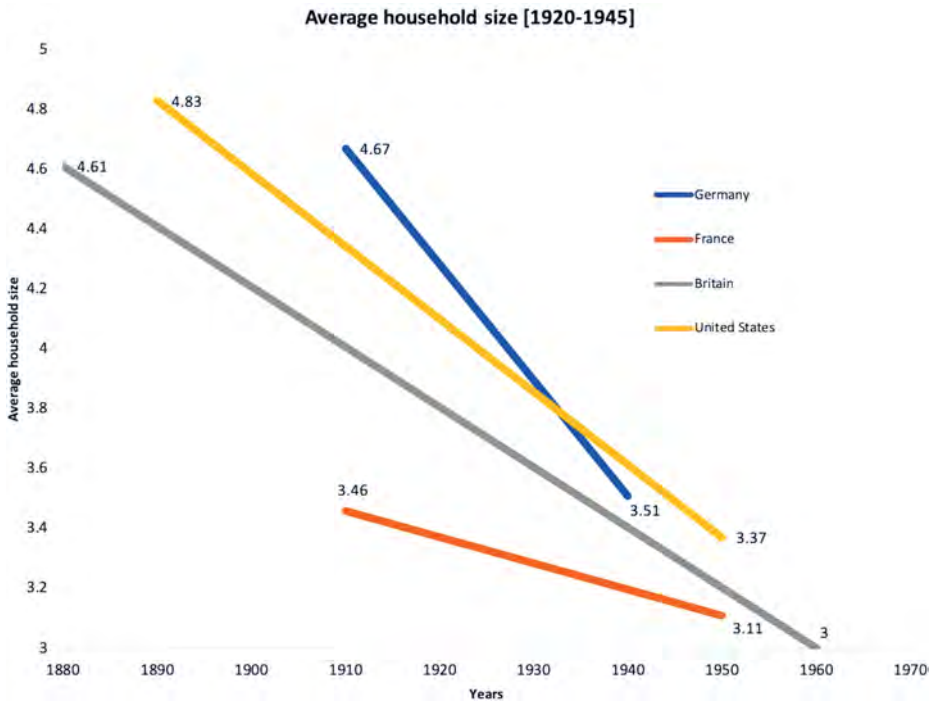
The trajectories of household structure and size during the decades after World War I for Germany, France, England/Wales, and the United States demonstrated a simplification and contraction. From the end of the First World War to the end of the Second, large households in all four countries practically disappeared. The overall average household size fell 10%–33%, leaving them all about the same in the end. In Germany, for example, households with “servants” declined from nearly one in six in 1910 to little more than one out of twenty in 1939. And average household size fell by 25% from 4.67 to 3.51 in that same time span.<sup>95</sup> In Britain, a long-time stable average household size of 4.6 declined by over a third to 3.0 by 1961 and continued its downward trend thereafter. The decline in households with servants was comparable to the pattern in Germany, where by 1951, less than 1% of households had such live-in help.<sup>96</sup>

<sup>93</sup> J. M. Mogeey, “The Family in England,” *Marriage and Family Living* 16 (1954): 319–25, here pp. 320–21.

<sup>94</sup> See the excursus to this chapter for a more detailed treatment.

<sup>95</sup> Franz Rothenbacher, *Historische Haushalts- und Familienstatistik von Deutschland 1815–1990* (Frankfurt am Main and New York, 1997), p. 59.

<sup>96</sup> David Coleman and John Salt, *The British Population: Patterns, Trends, and Processes* (Oxford, 1992), p. 216.



**Fig. 39:** Mean Household Size 1920–1945.

Since national data are disparate, the start and end times are adjusted accordingly. In principle, the period under consideration is 1920–45. In each case, two points are plotted, so that the slopes of the curves do not show fluctuations. The starting figure for Britain is taken from the work of Peter Laslett, who argued that until late in the nineteenth century, the average size of households remained stable at least from the seventeenth century onward. The rest of the numbers are taken from census data. They all tend in the same direction. In Germany, after the hyperinflation of 1921–24, the average-size household fell by a third. In 1910, one household in six had live-in servants; by 1939, only one in twenty. In Britain in 1861, 14% of households

had servants; by 1951, only 1%. In Germany in 1910, a third of the population lived in households of more than seven, while in 1939, only a tenth did so. And in France households of seven or more fell from 7.71% in 1901 to 2.99% in 1946. Between 1890 and 1950, households in the United States with more than seven people fell from a fifth to a twentieth of all households. Over this period, households in all four countries both contracted and simplified their composition. By 1945, households with two or three people made up 40%–50% of all households in all four countries, up from the average of around 20% before World War I (figures for Germany and the United States).

Households also shrank due to declining *family* size, itself a result of falling fertility rates. This phenomenon was at once a reflection of choice and historically new; that is, a matter not of disease or malnutrition interfering with physiological capability to engender and bear children, but of a desire for fewer children and the embrace of contraception as a conscious practice, even when for many decades there lacked significant

advances in contraceptive techniques. Thus, the pattern reflected not only the clearing from the house of wider kin and unrelated folk but of extraneous children as well. In all four countries, from 1920 to the end of World War II, the number of children born to married couples fell rapidly. In fact, in France and in England/Wales the total fertility rate approached the “replacement rate” of 2.1.<sup>97</sup> For all of these countries, fertility reached a low point in the 1930s, substantially below nineteenth-century rates and well below those on the eve of World War I. The two-child family was firmly established in Western Europe by the 1930s, with the Americans lagging a little behind, following a parallel but less precipitous path. In all four countries, the smaller household contained fewer “insiders” as well as “outsiders.”

Aside from household and family size, the propensity to marry, the age at which people chose to marry, the willingness to break up with or without children, the nature of living arrangements, and the gender composition of couples changed considerably over the course of the twentieth century. Taken together, statistics on marriage and child-rearing patterns present a snapshot of these changes in family dynamics.<sup>98</sup> Between 1920 and 1945, Germans married ever-older, even after starting from relatively high marriage ages. The French demonstrated the same trend, although throughout the period they tended to marry a year or so younger than Germans. The English and Welsh reversed the continental trend: starting already younger, they ended up marrying about four years younger than their German counterparts. In the United States, the profile of marriage age was different, with first marriages on the eve of the First World War occurring at earlier ages, by two to three years, than in Germany. By 1950, this figure had fallen by another couple of years, at which point the average age at marriage approached historic lows of 22.8 for men and 20.3 for women. Note that the US statistics offer medians (the other countries present means), which demonstrates that just short of half of all US marriages involved teenage women. During this period, the German rates moved in the opposite direction, so that in 1950 both men and women in Germany married five years older than their American contemporaries. Thus, in the United States, the stronghold of “nuclear family” conceptualization, the populace exhibited a particular eagerness to marry and had higher fertility rates than in Europe. That said, nuptial rates in Germany remained close to those of the United States, even as the age at marriage rose. Whether they married younger (US) or older (Germany) the

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97 Julie Le Gac, Anne-Laure Ollivier, and Raphaël Spina, under direction of Olivier Wieviorka, *La France en Chiffres de 1870 à nos jours* (Paris, 2015), pp. 19–20; hereafter, *France en Chiffres*; Office for National Statistics, *Annual Abstract of Statistics 2005* (Houndmills and New York, 2005), p. 46. The measure here is the Total Fertility Rate (TFR). TFR (total fertility rate) Or TPFRR (total period fertility rate) or Total Fertility Ratio or Index shows the family size a woman would have if she experienced current age-specific fertility rates throughout her lifetime. See Coleman and Salt, *British Population*, pp. 112–14.

98 Rothenbacher, *Haushalts- und Familienstatistik*, p. 72; *France en Chiffres*, p. 26–27; Robert Schoen and Vladimir Canudas-Romo, “Timing Effects on First Marriage: Twentieth-Century Experience in England and Wales and the USA,” *Population Studies* 59 (2005): 135–46, here p. 141.

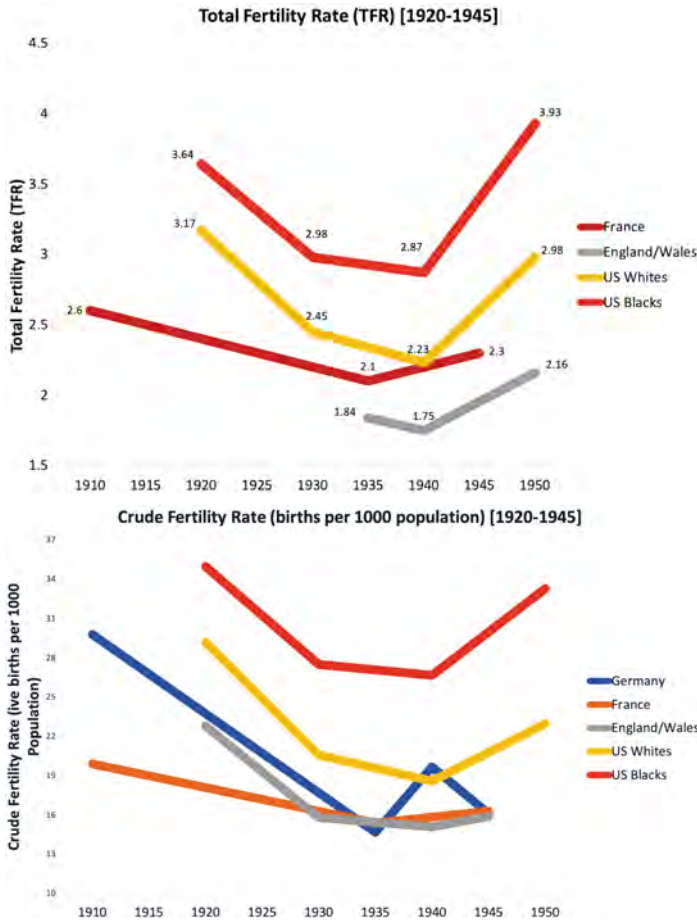


Fig. 40: Fertility Rates 1920–1945.

The Crude Fertility Rate (CFR) measures the number of live births per 1000 population, while the Total Fertility Rate (TFR) measures the number of children a woman would have if she experienced the age-specific rates in each depicted decade, throughout her lifetime. As a general proposition, any TFR number less than 2.1 is below the population replacement rate. Fertility rates fell precipitously during the early decades of the twentieth century. For example, the CFR for Germany in 1876 was 40.9. On the eve of World War I, it had already fallen to 29.8 and by 1933, to half that. All the populations represented

here reversed the trend right after World War II but never re-attained the rates of the early century. The low rates of the 1930s recurred several decades later. In the mid 1930s, the TFR in England and Wales was well below the rate of reproduction and barely reached it by 1950. At the same time, France reached a rate that just allowed the population to reproduce itself. The rates of population replacement for US Whites remained above those of European countries while also reaching a low point in the 1930s. For US Blacks, the rates followed the same trends but at much higher numbers throughout.

proportion of women who ever married was about the same. But the differences in the age of marriage, as shall become apparent, had implications for divorce rates, authority structures, the tone of companionship, and intergenerational relations.

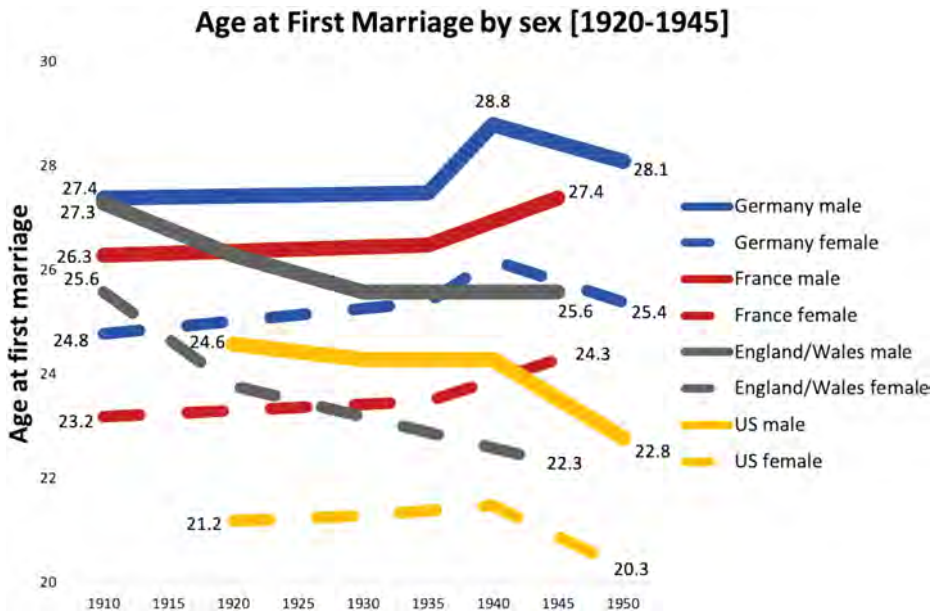


Fig. 41: Marriage Ages 1920–1945.

The US publishes its age-of-first-marriage data as medians, while the other countries offer them as means. The ages for first marriages in France and England and Wales fall in between those of Germany and the United States. During World War II, age-at-first-marriage in France, unlike in the other countries, trended slightly upward, while in the first half of the twentieth century, in England and Wales, that age moved steadily downwards, in another

incidence of divergent trajectory. Most remarkable is the extraordinary young age-at-first-marriage for women in the United States, where right after the war almost half of all marriages involved teenage women. Many demographers have correlated young marital age with high divorce rates in the postwar period, which suggests that early marriage partly explains the US's considerable lead in the propensity to divorce.

The percentages of divorce and “illegitimacy” (children born to unmarried women per total live births) give further insight into willingness to form tight, cohesive family units in this period. It appears that for all of the countries surveyed, the decade of the 1930s was a period of historic lows—at least since the late eighteenth century—for children born outside marriage.<sup>99</sup> Divorce rates crept up all through this period but remained

<sup>99</sup> Rothenbacher, *Haushalts- und Familienstatistik*, p. 73; Franz Rothenbacher, *The Societies of Europe: The European Population 1850–1945* (Houndmills and New York, 2002), pp. 288–91; *France en Chiffres*,

very low on the whole when compared with the late twentieth century. Here the United States was again the outlier, with a divorce rate seven to eight times greater than in Germany.<sup>100</sup> Americans married very young and split up much more easily than their counterparts in other advanced industrial nations, although it is still possible to speak of marital “stability” in the United States *relative* to the following decades.<sup>101</sup> Significantly, the conceptualization of the “nuclear” family occurred in the United States in the 1940s and ‘50s, precisely at the time when marriages seemed to be relatively stable, lots of teenage women were getting married, the incidence of illegitimacy was low, and heterosexual ideals predominated.

There were considerable shocks to social institutions caused by the combination of war, inflation, and depression, and measuring the causal nexus of these forces and the shape of familial and kinship relationships is of course extraordinarily difficult. Some trends were already well-established in the later decades of the nineteenth century, and it might be supposed that they would have continued even without the stimulus of violent death, terrible injury, vast destruction, and economic dislocation. Of course, there is no reason for any trend as such to continue. By concentrating on the “long” 1930s, however, it is possible to delineate a structure that provided the context for the explosion of literature on the family, first from the psychotherapeutic professions and then from the social sciences and history. Perhaps the two most dramatic demographic features were the precipitous fall in fertility and the reshaping of the household. There have been many debates, for example, about whether Western households were ever very large and whether the family, as distinct from the household, ever meant anything more than a married couple and their children, but certainly it was not just the decline in fertility that produced the streamlined household of the interwar and World War II period. It is known that servants could be found even in modest homes before World War I, that they disappeared in the two decades following that war’s end, and that many a nineteenth-century and prewar twentieth-century family housed miscellaneous relatives and boarders, most of whom were expelled during the interwar period or shortly after the outbreak of World War II. Any change in the numbers of orphans cared for, housed, or placed by guardians, or in the age of young employed people seeking a room,

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pp. 19–20; US Department of Health, Education, and Welfare, “Trends in Illegitimacy. *United States 1940–1965*, National Vital Statistics System, series 21, no. 15 (Rockville MD, 1974).

**100** Cambridge University Press, *Historical Statistics of the United States. Millennial Edition Online*, Susan B. Carter, Scott Sigmund Gartner, Michael R. Haines, Alan L. Olmstead, Richard Sutch, Gavin Wright, eds., Tables Ae507–513, <https://hsus.cambridge.org/HSUSWeb/HSUSEntryServlet>. This reference cited hereafter as *Historical Statistics of the United States*.

**101** Talcott Parsons, “The American Family: Its Relations to Personality and to the Social Structure,” in Talcott Parsons and Robert F. Bales, eds., *Family, Socialization and Interaction Process* (New York, 1955), pp. 3–33, here p. 3–4, pointed this out, but he also suggested that one should not just look at the divorce rates but rather at the duration of marriage and the relation to children. Divorce happened mostly early in marriage, he argued, when there were no children. Couples stayed together when there were children, and in any event, people remarried and the proportion married was higher than ever.

or in customs of exchanging children among related families up through and beyond World War I would have had effects on the nature and structure of households. Certainly, I repeat, very large households disappeared.

In many Western nations during the 1930s, despite the evident overwhelming propensity to marry and whatever the average age at marriage, populations were barely replacing themselves. With fewer children in the house, wives had less need for help with household tasks from sisters or cousins, and in any event there were fewer such helpmates to be found. As I have noted, relative to the last three decades of the twentieth century, the incidence of illegitimacy was low, and marriages tended to be stable, with rising life expectancies and fewer families broken by early death. Given such a picture, it is not hard to fathom how these demographic trends might have quickened the American intellectual elite's fixation on the "nuclear family." Perhaps the most significant difference among the four countries had to do with the age at first marriage. By the 1970s and '80s, sociologists, as I have noted, were associating high divorce rates with early marriage, which may explain the American leadership role in marriage collapse and the motivation for American psychotherapists and sociologists to pioneer in questions of marital power struggle.

### Demographic Patterns 1945–70

The number of people alone is increasing much more rapidly than the total population of the United States. In the period since 1960, approximately one-third of all new households contain but one person. . . . The hypothesis is advanced that the primary reason for this increase is the dominance of the small nuclear family. — John C. Belcher, 1967<sup>102</sup>

If the patterns that developed during the twenty-five years after the First World War were disrupted briefly in the aftermath of the Second, by the end of the 1960s they were broadening and deepening. Demographic data do not, of course, tell us much about the tone of family relationships, but they are useful to mark moments of structural transformation or to indicate the results of decisions about and pressures from within the family. If the male breadwinner was a central feature of the nuclear family model, then married women entering the labor market in large numbers called his status-determining professional life into question and prompted struggles over the allocation of resources and household tasks (see chapter 2 of this section).

A wife maintaining a paid occupation could mark the "failure" of a husband to provide for his family but also act as insurance for wives in the increased likelihood of divorce. Divorce itself indicated marital strains. But some people did not want to enter into marriage in the first place, and couples were more willing to "cohabit" without

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<sup>102</sup> John C. Belcher, "The One-Person Household: A Consequence of the Isolated Nuclear Family?," *Journal of Marriage and Family* 29 (1967): 534–40, here p. 534.

being married by the late '60s. All of this suggests that the family was not as stable as the model suggested. During this period psychotherapists and sociologists became fixed on issues of power within the family, and by the 1970s, the floodgates opened to release an attack on “patriarchy,” paternal prerogatives, and male desires.

Household sizes continued to fall in this period. What stands out in the statistics on size is the growth in the number of adults living alone. Germany led the trend. There, single-person households grew by 25%, from a fifth of all households to a quarter, a trajectory that would also continue in the following decade.<sup>103</sup> Interestingly enough, up to the end of this period, households with five or more persons continued to represent one in five US households, a good third above Germany, France, and Great Britain.<sup>104</sup> But single-person households also grew in numbers. In general, during this postwar period the slimming down of households persisted in these Western countries, albeit pushed, so to speak, from two ends. Large families continued to decline as a percentage of the total, and singles came to represent a substantially new phenomenon.

The secular trend of decline in fertility rates continued, with the notable exception of the proverbial “baby boom” during the immediate postwar years, which peaked in all countries in the ten years surrounding 1960. After the rise associated with this postwar exuberance, birth rates fell in the 1970s. Indeed, the drop in fertility between 1910 and 1970 was dramatic. In West Germany, the crude fertility rate fell over fifty percent across these decades, while in France the figure declined by a much more modest sixth, still impressive given that the country already had the lowest rate among the four in 1910.<sup>105</sup> In England and Wales the rate fell by over a third and in the United States by two-fifths.<sup>106</sup> Taking all the data together, by the early 1970s the fertility rates for each of these countries reached or even exceeded the low point of the 1930s and thereafter continued to decline in all of them. By the middle of the decade none of them had fertility rates sufficient to replace the population. One of the remarkable changes in demographic behavior in the 1980s and '90s would be soaring rates of children born outside marriage. During the period under consideration here—a “golden age of respectable behaviour”—percentages of illegitimacy for France, West Germany, the white population in the United States (in 1970, 5.7% for whites; 37.6% for blacks), and the United Kingdom all remained under 10%, usually well under.<sup>107</sup>

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**103** Statistisches Bundesamt Wiesbaden, *Statistisches Jahrbuch für die Bundesrepublik Deutschland*, 1965 (Stuttgart and Mainz, 1965), pp. 65–66.

**104** “US Households, by Size 1790–2006,” Infoplease, <https://www.infoplease.com/us/family-statistics/us-households-size-1790-2006>, hereafter “US Households, by Size.” See also Belcher, “One-Person Household.”

**105** The crude fertility rate is the number of children born per 1000 of population. “Bevölkerungsbewegung 1975,” Reihe 2, in Statistisches Bundesamt/ Wiesbaden, *Bevölkerung und Erwerbstätigkeit* (Stuttgart and Mainz, 1975), p. 26, hereafter “Bevölkerungsbewegung 1975”; *Annuaire Statistique de la France*, 1996. (Paris, 1996), p. 76; *France en Chiffres*, pp. 19–20.

**106** *Annual Abstract of Statistics* 2005, p. 46; Coleman and Salt, *Britain's Population*, p. 117; *Historical Statistics of the United States*, AB1–6.

**107** Quotation from Coleman and Salt, *British Population*, p. 134.



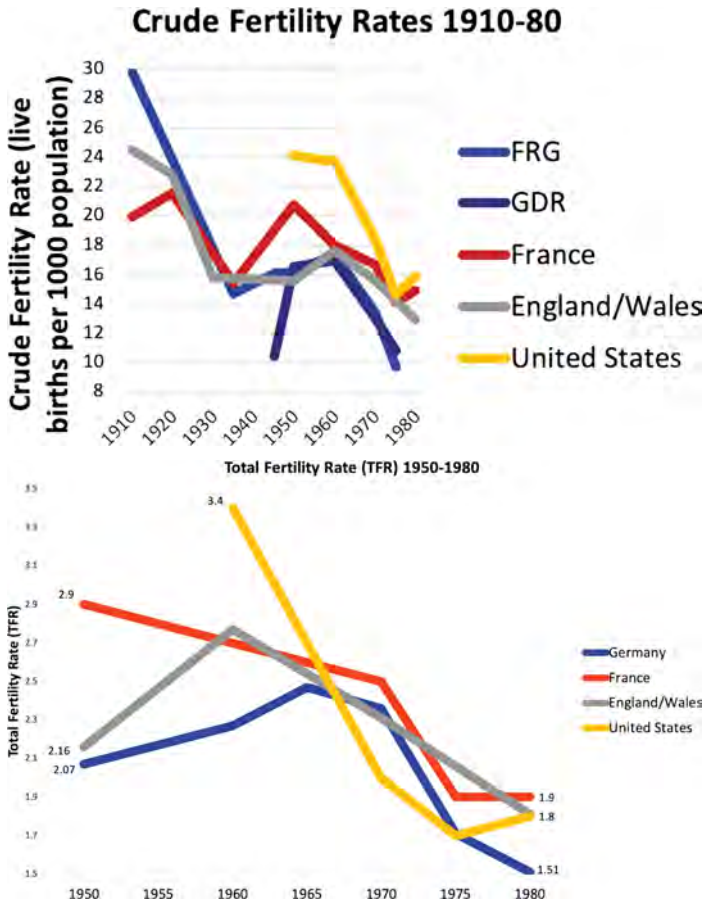


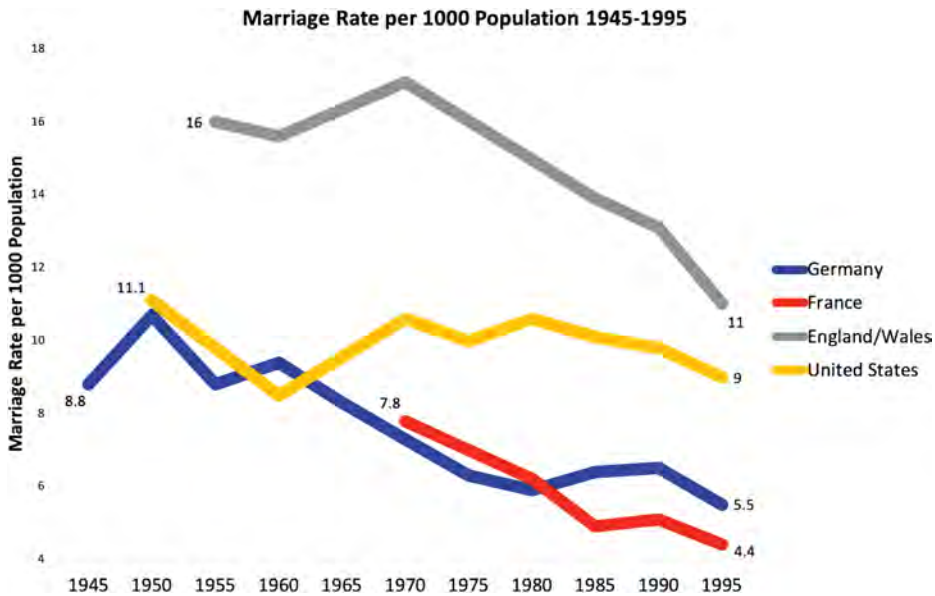
Fig. 42: Fertility Rates 1910–1980.

Until the end of World War II in 1945, the line in the top graph, labeled Federal Republic of Germany (FRG), represents Germany as a whole. After that date, it represents the former West Germany. Directly after the war, East Germany, the German Democratic Republic (GDR), had an extraordinarily low fertility rate, but by 1950 was following the trends in the FRG. On the eve of World War I, fertility rates were relatively high in all four countries. Rates fell precipitously into the 1930s, and then recovered

from those lows in the two decades after World War II. However, the immediate postwar rates in France and the United States were much higher than in Germany or England/Wales. In the early 1960s, all the countries saw fertility rates drop again dramatically. By 1975, Germany's Crude Fertility Rate, for example, was a third of its pre-World War I level. When the Total Fertility Rate (TFR) falls below 2.1, a generation will not replace itself. By 1975 this was the case for all the populations herein represented.

Age at first marriage fell across the four countries in the post-World War II decades. This period witnessed the lowest age of marriage in Germany in the twentieth century. Yet at the same time, the rate of marriage fell across the 1950s and '60s: people were

marrying younger but less often during the ‘60s and ‘70s.<sup>108</sup> In France, there was the same fall in marriage age, with the French continuing, as before the war, to marry a year or two younger than the Germans.<sup>109</sup> Americans married even younger; in 1950, by five years and three years in comparison with their German and French counterparts, respectively. In 1970, the difference was attenuated by about half. Meanwhile, in both 1950 and 1970, US rates of marriage exceeded those of Germany and France.<sup>110</sup> Even so, until the 1990s, it was the English and Welsh who exhibited the highest marriage rates of all among the four sample countries.



**Fig. 43:** Marriage Rates 1945–1995.

For Germany, the figures are for the FRG until 1989, after which they are for both Germanies. France and Germany consistently had much lower rates of marriage than England/Wales and the United States. Between 1950 and 1995, the marriage rate in Germany fell by almost half. European coun-

tries experienced significant declines in marriage rates starting in 1960 and 1970 and continuing to 1995. Even in the United States, the marriage rate between 1950 and 1995 declined by almost 20%. By 1995, people in Anglo-Saxon countries were almost twice as likely to marry as in Continental Europe.

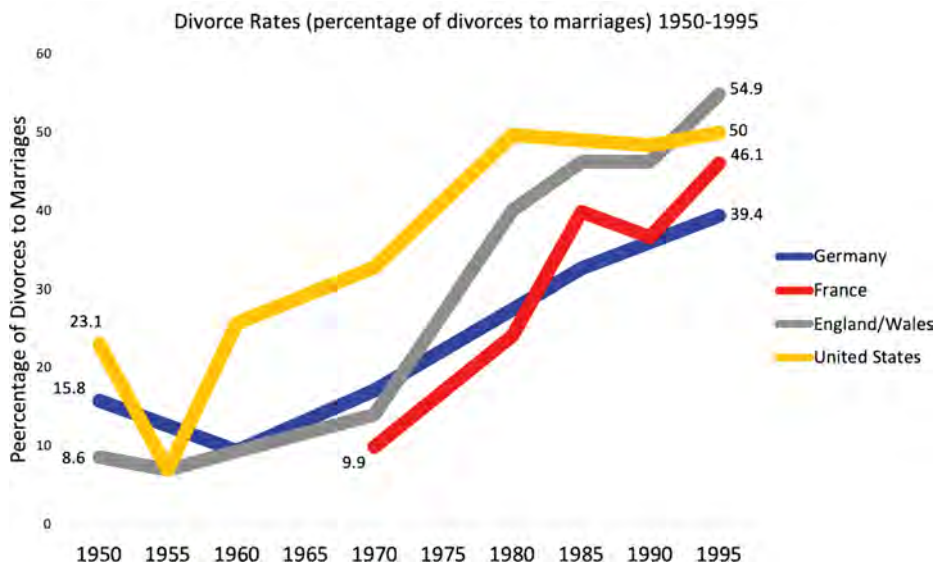
Divorce rates can give an impression of the relative stability of marriage and provide clues to power relations between men and women. In West Germany, after reaching a

<sup>108</sup> “Bevölkerungsbewegung 1975,” pp. 26, 39.

<sup>109</sup> *France en Chiffres*, pp. 25–26.

<sup>110</sup> *Historical Statistics of the United States*, Ae481–2.

low point in the 1960s, the rates doubled by the mid-1970s (perhaps reflecting the younger age at marriage). Because they record the plaintiff, West German divorce statistics yield an interesting pattern: as the marriage rate declined and the divorce rate rose, the origination of the complaint changed significantly, with the plaintiffs shifting from equal proportions of men and women in 1950 to almost three women for every one man in 1970.<sup>111</sup> As I have noted already, Americans married earlier and more often than the French or Germans and divorced more freely in the decades leading up to 1970. However, the long-term curves were quite similar in shape and magnitude across all four countries.



**Fig. 44:** Divorce Rates 1950–1995.

Already by 1965, the divorce rate in the United States was about a third of the marriage rate. Beginning in the 1970s, divorce rates in all four countries began to rise precipitously. By 1980, for every four marriages in France and Germany, there was one divorce, while in the United States there was one divorce for every two marriages. From 1970 to 1995, the overall

trend in all four countries was upward. Between these dates, the rate in the United States rose by 152%. Rates during the same period in Germany, France, and England/Wales, much lower than in the United States at the beginning, rose respectively 230%, 466%, and 638%.

If, during the two and a half decades following World War II, age at marriage dropped, so too did the numbers of people actually tying the knot, expressed as a percentage of the population, and that trend would continue in the next decades. Lower nuptial rates

<sup>111</sup> “Bevölkerungsbewegung 1975,” p. 79. The latter figure is 70% women.

tracked with higher rates of unmarried cohabitation.<sup>112</sup> Divorce rates were higher than before but rather modest (except in the US) when measured against the decades after 1970. During the same period, the long-term decline in fertility resumed after the brief baby boom, so that by the ‘70s the profile was essentially the same as in the ‘30s. By the mid-’70s, the rates would fall below replacement. Illegitimacy remained well under 10% in this period, at a level construed as “virtuous.” All of this coincided with the trend toward smaller households, and particularly with the rise of singles living alone. At this time also, inheritance played the smallest role in income and the accumulation of wealth.

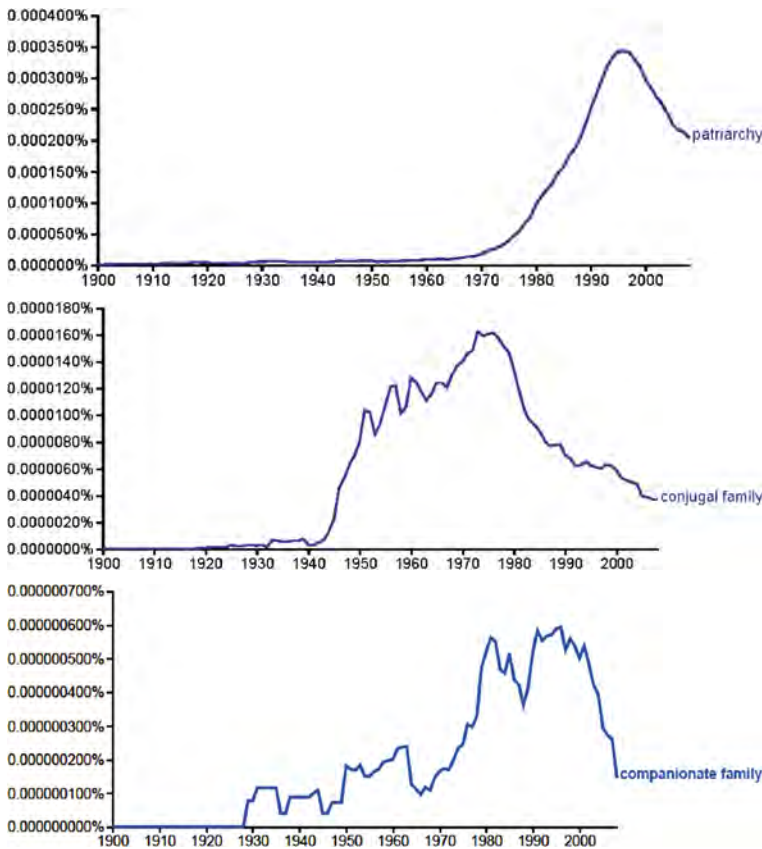


Fig. 45: Patriarchy, Conjugal Family, Companionate Family.

112 Richard Leete, “New Directions in Family Life,” *Population Trends* (1979): 4–9, noted a fall in first marriage rates since the late 1960s in the US, France, Germany, and England were accompanied by significant increases in the proportion of people cohabiting.

Google Ngram screenshots from April 11, 2020, for “patriarchy” and “conjugal family.” The “companionate family” Ngram search was carried out on April 13, 2022. “Patriarchy” barely registered in 1940 but began a sharp, ultimately twenty-fold rise in the early 1970s, peaking in 1995, after which it sloped off quickly. The use of “conjugal family” began to rise in the mid-1940s and topped out in 1976, after which it began to decline. By 2008, usage had returned to the mid-1940s level. “Companionate family” first

appeared in 1929 and registered sporadically during the 1930s and 1940s. It became more frequent in the 1970s, 1980s, and 1990s, reached a high point in 1996, and then fell rapidly out of use. At their peaks, the use of “conjugal family” was only 4.7% that of “patriarchy”; and “companionate family” to “conjugal family,” only 3.7%. All these terms followed similar curves, but “patriarchy” had widespread cultural resonance, while the other two appeared mostly in scientific and psychotherapeutic publications.

It was around 1970 that the term “patriarchy” shot out into the intellectual landscape to produce a critical discourse on the dynamics of contemporary familial relationships. A Google Ngram search finds a rather abrupt jump of 3.5 times compared with 1940. From 1970 to 1995 the curve rises steeply, by almost 20 times. By 1970, there were already cracks in the nuclear family edifice—rising divorce rates, more people living alone, especially young adults, a declining interest in marriage, and the appearance of significant rates of cohabitation. The new directions registered in these indicators suggested changing expectations for attachments, which sociologists reflected in their tendency to focus, not on family as a group of parents with children, but on the parental couple. An Ngram search shows for the period 1940–76, a rise of 56 times in the usage of the term “*conjugal family*,” mostly restricted to social scientific and psychotherapeutic literatures. Although concern was increasingly placed on how, why, and when people entered into marriage, even greater interest was directed towards the stresses of the nuclear/conjugal family, considered more than ever in terms of individual personality development, life satisfactions, and autonomy. “Patriarchy” offered the tool to pry open the closed space of the “isolated” family or to engage in a larger critique of societal structures thought to be keeping women captive in illegitimate, hierarchical systems of domination. Another term that captured new demands was the “companionate family,” which witnessed a 3.6 times rise between 1970 and the mid-1990s. All of the new emphases in language raise serious questions about how the nuclear family was faring and how its pathologies should be understood. The cracks in the edifice that opened up during the heyday of the model stimulated a rather abrupt critique of husbands/fathers by 1970, and demographic structures during the ensuing two and a half decades point towards its shattering.

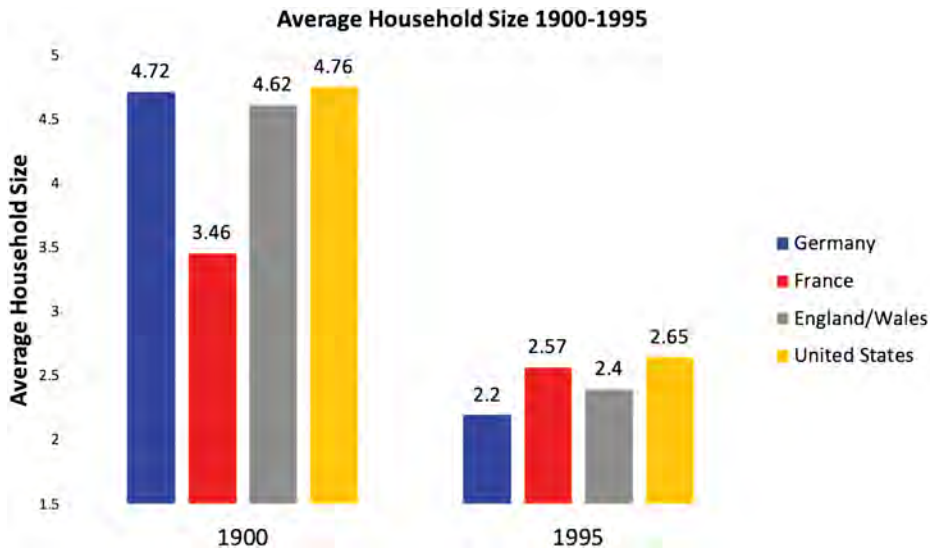
### Demographic patterns 1970–95

There have been few developments relating to marriage and family life which have been as dramatic as the rapid increase in unmarried cohabitation. — Paul C. Glick and Graham B. Spanier, 1980

The movement of married women into the workforce is one of the most startling and far-reaching social changes since the war. — David Coleman and John Salt, 1992

The traditional nuclear family was based on the principle of the divided role of husband and wife, the male “breadwinner” and the female “carer.” Such patterns no longer apply within the more complex labour market of the 1990s and in their place a wider variety of family types has developed. — J. L. Jackson, 1998

The third demographic period, 1970–95, was marked especially by further declines along the lines of the preceding decades. Average household size dropped, large family households essentially disappeared, and the nature of small households—themselves on the rise—radically changed. In West Germany, for example, household size continued to dwindle, with the result being an ever-smaller average size and a decreasing percentage of households with five or more people. In 1910, private households in that category made up a full 20% of all households. By 1970 the figure was just short of 13% and by 1993, under 5%.<sup>113</sup> The decline in average size was driven in part by a remarkable growth of households with one or two members, such that by 1993 they made up two-thirds of all private households. Another factor was the rise of non-marital partnerships, with and without children.



**Fig. 46:** Household Size 1900–1995.

The data for France and England/Wales are from 1901. Over the course of the twentieth century, the mean household size in all these countries except France fell 45%–55%. France, which had been limiting its population since the eighteenth century, already had smaller households, but there, too, households

shrank during the twentieth century. A variety of factors contributed to the phenomenon: later marriage, lower nuptiality rates, much reduced fertility, divorce, and the loss of servants, boarders, and apprentices. Households of five or more inhabitants practically disappeared by the end of the century. In

<sup>113</sup> *Statistisches Jahrbuch* 1985, p. 66; 1995, p. 65.

Germany and the United States on the eve of World War I, such households had composed almost half of the total number. By 1950 in the United States, around one-tenth of households contained just one person; by 1995 one quarter did. Households of one or two persons made up well over half, just about the

same as in France. In 1993, more than one-third of all households in Germany had one person, and those with one or two composed two-thirds of the total. The same trend can be seen for England, where by 1989, one-quarter of households were singletons, up from one-twentieth in 1911.

There were significant changes in how families and households were composed during this period. In Germany, “families” without children rose more than ten-fold between 1972 and 1993, and non-marital households with children rose even more, seventeen-fold, indicating a diminishing eagerness to marry even when there was a desire to have children.<sup>114</sup> Elsewhere patterns were similar. In the United States, the percentage of households with a woman and children under eighteen but with no spouse rose over 75% between 1970 and 1990, from 13.65% in 1970 to 24.03% in 1990.<sup>115</sup> By 1989, fewer than half of the British population lived in households consisting of a married couple with children. Rising divorce rates contributed to the proliferation of small households. Rather than just being mom, dad (suitably married), and a couple of targeted kids born early in the marriage, lone women with dependent children and unmarried cohabiting couples by the mid-1990s outnumbered “traditional” families; that is, married heterosexual couples with children.<sup>116</sup> The increase in divorce paralleled a growing disinclination to marry. In Germany, the crude marriage rate shifted downwards by more than a quarter from 1970 to 1993.<sup>117</sup> For the United States, the married population over eighteen fell 15% from 71.7 in 1970 to 60.6 in 1994.<sup>118</sup> The total number of unmarried couples

<sup>114</sup> *Statistisches Jahrbuch* 1995, p. 66.

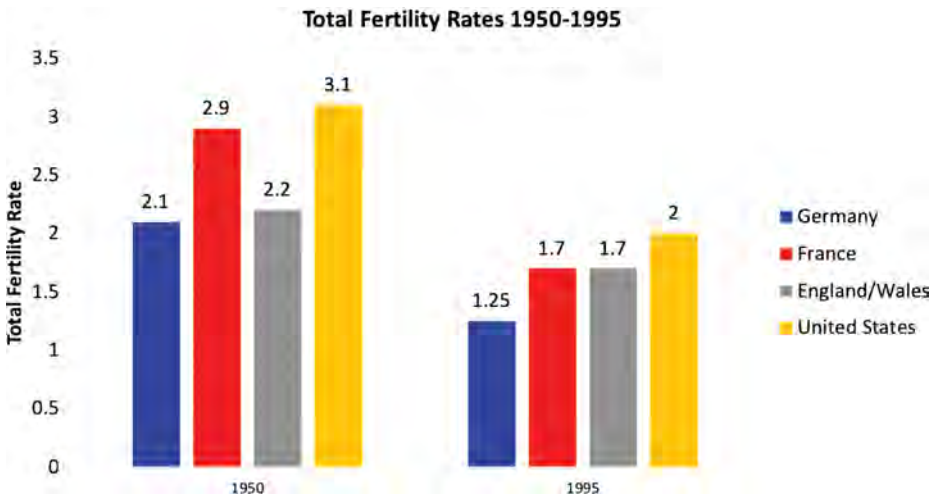
<sup>115</sup> “US Households, by Size.”

<sup>116</sup> Coleman and Salt, *Britain's Population*, p. 193. Britain registered a sharp rise in divorce petitions in 1970, and they doubled by 1980. In 1969, the Divorce Reform Act allowed new grounds for divorce: ir-retrievable breakdown. The partners could separate by mutual consent. The authors argue that women were less dependent on marriage. In 1961, 8% of marriages ended in divorce before twenty-five years. By 1989, one third did. Paul C. Glick and Graham B. Spanier, “Married and Unmarried Cohabitation in the United States,” *Journal of Marriage and Family* 42 (1980): 19–30, noted that already in 1980, “there have been few developments relating to marriage and family life which have been as dramatic as the rapid increase in unmarried cohabitation,” p. 19. Around 85% of cohabitators were less than thirty-five year old, and they represented a population with relatively low income. See Larry L. Bumpass, James A. Sweet, and Andrew Cherlin, “The Role of Cohabitation in Declining Rates of Marriage,” *Journal of Marriage and Family* 53 (1991): 913–27. Cohabitators in the United States set up households at the age they used to marry. The phenomenon was led by the least-educated segment of the population—this contradicts the image of college students as the leaders in this regard. Around 40% of cohabitators had children. Stephen Jackson, *Britain's Population: Demographic Issues in Contemporary Society* (London and New York, 1998): “By the 1980s family structures [in England] were more complex, with a relative decline in the dominance of the nuclear family unit and a rise in other family types (single parents, separated parents, regrouped families after divorce),” pp. 74, 127.

<sup>117</sup> *Statistisches Jahrbuch* 1995, p. 70.

<sup>118</sup> *Statistical Abstract* 1995, p. 54.

rose seven-fold during roughly the same period.<sup>119</sup> At the same time, the percentage of divorces to marriages in the United States rose from 32.8 to 50.7.<sup>120</sup>



**Fig. 47:** Fertility Rates 1950–1995.

The rates for Germany are for the FRG in 1950 and for all of Germany in 1995. While Germany began the period at just the replacement rate, its fertility by 1995 was the lowest of the four countries by a con-

siderable margin. None of the countries had fertility rates in 1995 that would replace their populations. The fertility-rate declines in the four countries over these forty-five years ranged from 20% to 40%.

The continued fall in fertility in this period, as women entered the workforce in unprecedented numbers, points to shifting gender roles and dynamics of power and authority within the household. Fertility rates fell below replacement in all of these countries, some sooner than others, in the 1970s. But what is most striking during this period is the abrupt rise of illegitimacy or children born out of wedlock. Around 1970, the percentages of illegitimate births were well under 10% in Germany, France, the UK, and the US (blacks excepted).<sup>121</sup> By 1995, the levels in these countries had soared to over one-third of all births, except in West Germany, and by the end of the first decade of the

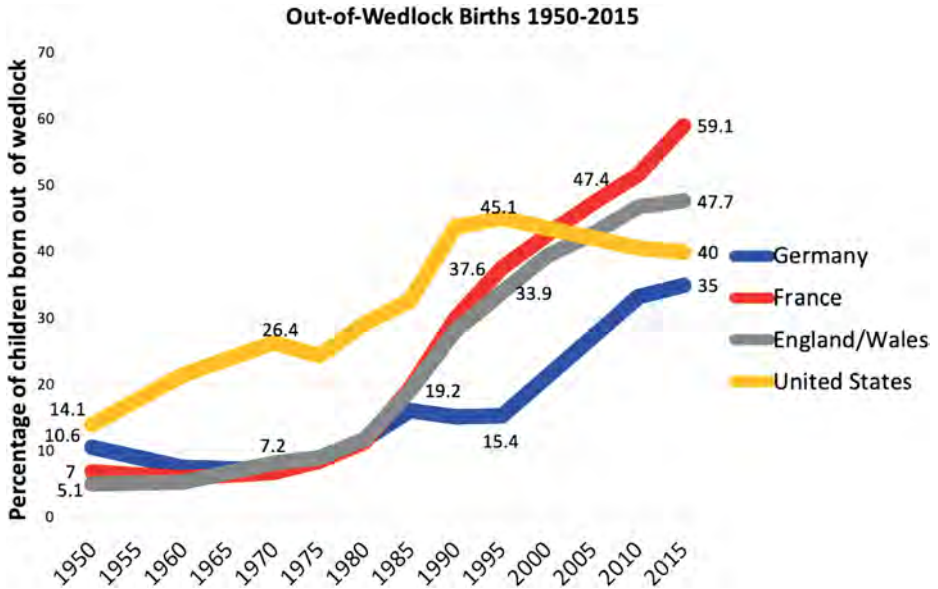
<sup>119</sup> *Statistical Abstract* 1995, p. 55. Graham B. Spanier, “Married and Unmarried Cohabitation in the United States: 1980,” *Journal of Marriage and Family* 45 (1983): 277–88 noted that in 1980 there were 1.6 million unmarried couples, three times the number in 1970 (p. 277). By the next year there were already 200,000 more. Over a quarter of unmarried couples had children in their households. Most of the increase in unmarried cohabitation occurred among relatively young adults and seems to have been associated with the rise in age at first marriage. Half of these household were composed of people previously married (pp. 281, 287).

<sup>120</sup> *Historical Statistics of the United States*, Ab29–30.

<sup>121</sup> Around 1970, the percentage of illegitimate births was 6.8% in France, 7.2% in West Germany, 8.2% in the UK (1971), 5.7% among US whites, but 37.6% among US blacks.



twenty-first century, more than half of all births in France and East Germany would be to unmarried individuals, whether or not coupled. The outlier here is West Germany, which lagged by at least two decades. Not until 2015 did its out-of-wedlock birth rate approach 30%.



**Fig. 48:** Out-of-Wedlock Births 1950–2015.

The figures for the United States include all “races” and ethnic groups. By 2015, close to a third of the births among “non-Hispanic whites” were outside formal marriage. Around 1950, in all four countries, out-of-wedlock births were relatively low, although they were highest for the United States. By 1970, rates for the United States were roughly four times greater than for the other countries. In the mid-1980s, France and England/Wales began rapidly to catch up with the

United States and surpassed it around the year 2000. By 2015, almost half the children in England and Wales were born outside marriage, and in France three of five. Germany was the outlier, with its rate around 1995, 50%-60% lower than the other three countries. Although births outside marriage there rose precipitously between 1995 and 2015, until more than one of three births were out of wedlock, the rate remained lower than in other countries, 40% lower than France.

In any event, far fewer people bothered to get married at all, and many couples (even those with children) lived in separate accommodations. Compared with the eve of World War I, the German rate of marriage per 1000 population fell by almost 30%, while that of France fell by well over 40%. For England and Wales, statistics for 1955–93 record a fall just short of a third.<sup>122</sup> US statistics provide the marriage rate per 1000 for single

<sup>122</sup> Office for National Statistics (UK), *Annual Abstract of Statistics 2005*, p. 40; 1995, p. 17; 1975, p. 31; 1965, p. 24.

and previously divorced persons over age fifteen.<sup>123</sup> Between 1970 and 1988, the rate for singles fell by 37%. Divorced people at both dates married at higher rates, but the decline there was of the same order. And, of course, divorce, led by the United States, reached levels of 40%–50% of all marriages.<sup>124</sup>

Taken together, figures on household size, nuptiality, and fertility indicate that many of the features of what came to be called the “nuclear family” in the decades after World War II began to be significantly distorted or to break down altogether beginning in the 1970s. Some of these features—size of households and rates of fertility—simply continued long-term trends, while others—“illegitimacy,” divorce, and cohabitation—point to more abrupt change. But even secular trends may belie new underlying causes such as the further declines in fertility that accompanied the increase in dual-earner households. Of course, categories such as “mean household size,” taken alone, hide structural change of great importance—the new prominence of single-member households or households with lone mothers or fathers and dependent children, for example. All the accumulated change by the mid-1990s demonstrates that familial life was significantly different from what was lived on the eve of World War I. Even as the imagined nuclear family continued to offer a model, it is not too much of an exaggeration to suggest that it was in considerable disarray in all four countries under review and certainly no longer dominant in practice. Altogether the picture is one of much smaller living units, tentative couplings, even with kids, marriage at much higher ages than before, divorce as part of the calculation of any marriage, a kaleidoscope of “patchwork” families, and “unconventional” living arrangements. Some sociologists, no longer much impressed with the model of “mom, dad, and the kids,” even began to emphasize the mother-child bond as the elemental social unit. In all of this analysis, I have been focusing on heterosexual relationships and have avoided the implications of new reproductive techniques and same-sex households. In a final section of the book, examining the period since 1995, I will look closely at both issues.

The 1970s also marked the decade when fertility rates fell below replacement, even though out-of-wedlock rates soared. This latter phenomenon appeared alongside fewer teenage pregnancies. In some countries, the legal distinction between legitimate and illegitimate birth was erased, so that the very term “illegitimate” ceased to have meaning. It became normal for fathers to register themselves for children born out of wedlock and to take responsibility for their care. For whatever reason—women in the work force, instability of partnerships, changing lifestyles, availability of housing, prolonged periods between divorces, calculations of affordability, delays in professional development and founding of careers—native populations in all four countries stopped replacing themselves in the mid-1970s. Without a doubt, the household no longer mir-

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<sup>123</sup> US Census Bureau, *Statistical Abstract 1998* (Washington, DC, 1998), p. 103, [https://www.census.gov/library/publications/time-series/statistical\\_abstracts.html](https://www.census.gov/library/publications/time-series/statistical_abstracts.html).

<sup>124</sup> Coleman, “The State of Europe’s Population.” New demographic trends mean more one-parent and reconstituted families and more children experiencing “unconventional parenting” (a quarter or more in some countries), p. xi.

rored the ideal of the 1950s nuclear family. It had become markedly unstable, with gender roles, even size, quite transgressive of the ideal. Stephen Jackson's remark about Britain has more general application: "The traditional nuclear family was based on the principle of the divided role of husband and wife, the male 'breadwinner' and the female 'carer.' Such patterns no longer apply within the more complex labour market of the 1990s and in their place a wider variety of family types has developed."<sup>125</sup>

Much of the attention given to the family in the social sciences, psychotherapeutic professions, and popular culture, especially in the form of self-help books, had to do with power and authority in one way or another. Certain features of families and households as they emerged by the mid-1990s, such as the extraordinary divorce rates and the entry of women into the workforce, lend themselves to considerations of negotiations over balances of power. As wives were brought massively into the job market, the "terms of trade" within couples eroded the authority of husbands/fathers. It seems to me that the concern with paternal power as such and the misuse of that power in the representation of incest are closely interrelated matters. But the dominant discourses of incest in the different countries during the decades after 1970 varied; perhaps related to different household configurations resulting from different familial dynamics—at least the demographic structures point in that direction. In the last chapters of this section of the book, I will explore some of the peculiarities of paternal relations and representations of incest. Here, let it merely be noted that in Germany, for example, while there were discussions about the nuclear family quite parallel to those in the United States, certain ideas such as "repressed memory" never had the same resonance as in the United States and England. Among the reasons for this might be some of the structural features of West German households by comparison with their Anglo-Saxon counterparts—higher age at marriage, lesser interest in marriage at all, and lower divorce rates; also, extraordinarily lower fertility rates (a 62% lower crude birth rate than in the US) and noticeably fewer children born outside marriage. In other words, structurally, the West German culture around 1995 seems to have emphasized the married or unmarried couple least mediated by children. And several decades later, when these differences had disappeared, the intense focus on father-daughter constellations had already seen its day.

## Reflections on the nuclear family

With the diminishing birth rate, our family is the world's smallest kinship unit, a tiny closed circle.  
— Kingsley Davis, 1940

The shifting in emphasis from the biological and the economic to the emotional and ethical function of the family is so profound as to mark a new stage in the role of family development. — Sidney E. Goldstein, 1940

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125 Jackson, *Britain's Population*, p. 127.

The nuclear or individual family, consisting of father, mother and children, is universal; no exceptions were found in our 220 societies. — George Peter Murdock, 1941

This relative absence of any structural bias in favor of solidarity with the ascendant and descendant families in any one line of descent has enormously increased the structural isolation of the individual conjugal family. This isolation, the almost symmetrical ‘onion’ structure, is the most distinctive feature of the American kinship system and underlies most of its peculiar functional and dynamic problems. — Talcott Parsons, 1943

The isolation of the nuclear family in a complementary way focuses the responsibility of the mother role more sharply on the one adult woman, to a relatively high degree cutting her off from the help of adult sisters and other kinswomen; furthermore, the fact of the absence of the husband-father from the home premises so much of the time means that she has to take the primary responsibility for the children. — Talcott Parsons, 1955<sup>126</sup>

There can be considerable confusion over the concept of the “nuclear family.” Sometimes it is contrasted with extensive or well-integrated networks of kin—we have “family” and *they* have “kinship.” But there is no reason to think (and there are many examples to prove otherwise) that small family units cannot be linked in multiple ways with people thought of as related in some way or other; people, that is, with whom there are instrumental, emotional, or ritual ties, and for whom there are implicit or recognized privileges or obligations. The distinction must be made between the nuclear family thought of as an isolated household and the nuclear family considered as a small commensal, or productive, or socialization unit, however integrated in networks beyond itself.

Significantly, just before the “nuclear family” caught on as a self-reflection of the West, George Peter Murdock (1897–1985), Yale anthropologist and founder of the Human Relations Area Files (HRAF), insisted that the nuclear family was a universal phenomenon.<sup>127</sup> The HRAF compilations were first published in 1948, but already by 1941, Murdock was building up comparative data on the basis of anthropological monographs, and discussing material from his files. From his data for 220 societies he established the universality of the nuclear family: father, mother, and children.<sup>128</sup> Although the nuclear family could be a segment of a larger family group, as in a polygynous or extended family, that segment was “always distinguishable as a functional unit.”<sup>129</sup> He went on to say that “every known human society assigns its children not only to the family in which they are born but also to a larger group of kinsmen.”<sup>130</sup> Here, rather

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<sup>126</sup> Talcott Parsons, “American Family,” p. 23.

<sup>127</sup> George Peter Murdock, “Anthropology and Human Relations,” *Sociometry* 4 (1941): 140–49.

<sup>128</sup> Murdock, “Anthropology and Human Relations,” p. 146: “The nuclear or individual family, consisting of father, mother and children, is universal; no exceptions were found in our 220 societies.” For a caveat to this and support of Parsons, see Ira L. Reiss, “The Universality of the Family: A Conceptual Analysis,” *Journal of Marriage and Family* 27 (1965): 443–53.

<sup>129</sup> Murdock, “Anthropology and Human Relations,” p. 146.

<sup>130</sup> Murdock, “Anthropology and Human Relations,” pp. 147–48.

than reviewing the subsequent literature on these ideas, I note only that for the most part, it was not the Yale view of things (Murdock and his school) but the Harvard view of things (Kingsley Davis, Talcott Parsons, and their associates) that stamped much of the self-understanding of the West for the next several decades.

Despite the facts that “family” developed as a concept for Western self-identity (and was eventually and predominantly offered to sociology as a discipline for Western self-analysis) and that “kinship” arose in a discourse about familial processes in strange places and bygone times (early anthropology drew strong parallels between ancient peoples and current societies living in a static past), “kinship,” as I have noted at the beginning of this chapter, is much the best notion for talking about ascriptive relationships, volitional ties, reproductive processes, socialization, fundamental identities (citizenship, genes, ethnicity, class), household composition, and networks of care in a comparative framework. In this respect, I want to analyze the “nuclear family” as a form of kinship and to think about the ways it has been perceived and misperceived.

Both “family” and “kinship” are modern terms, the former having acquired its current meaning during the Enlightenment, in discursive circumstances not unrelated to cultural shifts in moral philosophy, and the latter having emerged only in the late 1860s. As for the concept “nuclear family,” it dates back only to the middle of the twentieth century, having developed along with the “conjugal” or “companionate” family. But in other than its modern connotation, “family” has been around in the West for centuries. In the Middle Ages, the *familia* designated the serfs and household servants of an estate, but not the members of what we would call the family: it was basically a term denoting dependency.<sup>131</sup> And while “family,” “famille,” and “Familie” can be found throughout early modern European texts, they were far overshadowed by a language of “house” or “household.” In fact, for the most part, family and household functioned as synonyms. A case in point for the sixteenth century is offered in Jean Bodin’s *Six Livres de la République* (1576), translated into Latin (1586), German (1592), and English (1606). The English version opened the discussion of the family with a definition: “A family is the right government of many subjects or persons under the obedience of one and the same head of the family.”<sup>132</sup> In the French original, two different terms were translated as “family”: *mesnage* (*ménage*), most literally rendered as “household,” and *famille* (*chef de famille*), which throughout the text was understood in the context of the household together with its head. Both the *mesnage* and the *famille* could spill out beyond the physical house: what mattered was living under the authority of a *chef* or head. The way that both household and family continued in English to be alternatives for the same thing can be seen as late as John Locke’s *Second Treatise on Government* (1689), which

131 Dieter Schwab, “Familie,” in *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, ed. Otto Brunner, Werner Conze, and Reinhart Kosellek, 8 vols. (Stuttgart, 1975), vol. 2, pp. 253–301, here 256–59. See also Lewis Henry Morgan, *Ancient Society* (n.p.: General Books LLC, 2009 [1877]), p. 324, on the Roman use of “familia.”

132 Jean Bodin, *Six Bookes of a Commonweale*, trans. Richard Knolles (London, 1606), p. 8.

introduced the subject in this way: “Let us therefore consider a *Master of a Family* with all these subordinate Relations of *Wife, Children, Servants, and Slaves*, united under the Domestick Rule of a Family.”<sup>133</sup> Locke challenged Bodin’s model of the family head as an absolute monarch, but clearly thought of the family itself as a domestic unit with all kinds of dependents, and not necessarily imagined as people living together in the same building.

During the course of the eighteenth and early nineteenth centuries, the term “family” came to supplant “house” and “household” in most West European languages (although there could still be use for “household” in census taking), and while dependency and authority did not disappear as issues, greater stress came to be placed upon the moral and emotional ties of a domestic household group, with increasing emphasis on sentimental connections between husbands and wives, parents and children, and siblings. Perhaps the shift in language was driven by the desire of bourgeois commentators to delineate a bourgeois social space to contrast with its aristocratic and peasant/rural counterparts.<sup>134</sup> Hegel is a case in point. He began his consideration of the family, not with the *Hausvater*—the typical early modern gesture—but with the married couple and all the things that mediated their relationship, particularly property and children.<sup>135</sup> Thus, he lowered the profile of lineage, kin, and *Stamm* and recast male authority. No longer father, the man now was husband. Above all, the unit founded by a married pair was particular and individualized, set up by a property in their complete control.<sup>136</sup> Drawing on the Scottish Enlightenment, Hegel stressed “rational love” as the center of marriage. Later in the nineteenth century, when early anthropologists such as Lewis Henry Morgan (1818–1881) tried to differentiate the kinship systems of ancients and primitives from their own society, they too considered the “modern family” to be based on affection and the “passion of love” rather than “convenience and necessity.”<sup>137</sup>

Given his idea of the family as an individualized entity, Hegel considered all forms of marriage alliance that brought related families together—cousin marriage, for example—to be illegitimate, or more to the point, “irrational.” There ought to be no pre-nuptial familiarity, acquaintance, or habit of shared activity, for all these were essential features to be discovered within marriage (Hegel rather liked arranged marriages).<sup>138</sup> Morgan (despite being married to his cousin) also thought that more

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133 John Locke, *Two Treatises of Government*, ed. and intro. Peter Laslett (Cambridge, 1988), Second Treatise, para. 86, p. 323.

134 This is the thesis of Claude Karnoouh, “Penser ‘maison,’ penser ‘famille’: résidence domestique et parenté dans les sociétés rurales de l’est de la France,” *Etudes rurales* 75 (1979): 35–75. See the discussion of house and family in David Warren Sabean, *Property, Production, and Family in Neckarhausen, 1700–1870* (Cambridge, 1990), pp. 88–123, esp. p. 92.

135 G. W. F. Hegel, *Elements of the Philosophy of Right*, ed. Allen W. Wood, trans. H. B. Nisbet (Cambridge, 1991), para. 161, pp. 200–201.

136 Hegel, *Right*, paras. 170–72, pp. 209–10.

137 Morgan, *Ancient Society*, p. 314.

138 Hegel, *Right*, para. 168, pp. 207–8.

advanced civilizations rejected cousin marriage. Both theorists were prophets crying in the wilderness, since, as this book has made amply evident already, cousin marriage was integral to Western kinship throughout the nineteenth century. For Hegel, a newly married couple constituted a family sufficient unto itself with respect to their kin groups or houses of origin. Blood-based links among kin had no ascriptive value: they were mere facts carrying no attendant obligation. A new family was constituted through ethical love, a matter of individual decision. But no marriage could be properly grounded without resources; i.e., property, which mediated the marital relationship, not the relationships among kin.<sup>139</sup> Very much in the spirit of Hegel, Morgan thought that property had exerted a steady influence throughout history in the direction of monogamy, the modern form of marriage.<sup>140</sup> As Hegel put it: every new family was more essential than the wider context of blood relationships, but within “the family,” and sometimes in opposition to it, the marriage partners and children formed a proper nucleus (*Kern*).<sup>141</sup> His language still reflected ambiguities, since “family” could indicate either parents and children or a wider set of kin related by blood. That imprecision prompted him to introduce the notion of *Kern* to designate the conjugal and parental unit within a larger network, not yet a “nuclear family” but the nucleus of the family. I know of no one who adopted Hegel’s terminology. It seems to have taken a century for the language of social sciences to catch up with his idea in the formula “nuclear family”; in German, *Kernfamilie*. The purpose of any “rational” family was to raise children to subjective independence, willing and able to leave, with the relation to original family receding. Every marriage led to the renunciation of previous family relationships and the establishment of a new and self-sufficient family.<sup>142</sup> In many ways, Hegel’s consideration of family relations and his differentiation of family from kin can stand in for a long conversation in Western philosophy and social commentary. Perhaps, it is not an exaggeration to say that Parsons and other theoreticians of the nuclear family were just catching up with him in the aftermath of World War II.

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<sup>139</sup> Hegel, *Right*, para. 170–72, pp. 209–10.

<sup>140</sup> Morgan, *Ancient Society*, pp. 3, 56, 154, 164, 236, 241, 273, 324–5, 329, 345, 379. Henry Maine, *Ancient Law* (London, 1977 [repr. 1917, orig. 1861]), p. 159: “the most important passage in the history of Private Property is its gradual elimination from the co-ownership of kinsmen.”

<sup>141</sup> Hegel, *Right*, para. 172, p. 210.

<sup>142</sup> Hegel, *Right*, paras. 174–80, pp. 211–18. See Maine, *Ancient Law*, p. 74: the primitive is an “aggregation of families,” the unit of modern society is the individual. Morgan, *Ancient Society*, 3–4, 56, 342–43, 379: the monogamous family is modern and the abatement of kin relations among moderns is related to claims of rights.

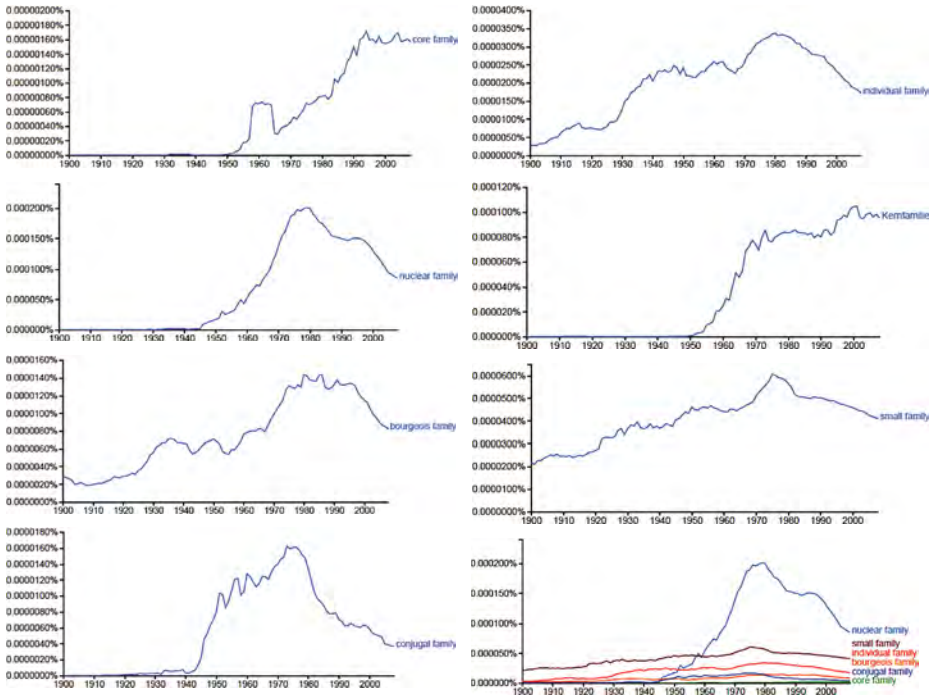


Fig. 49: Happy Families.

The seven Google Ngram searches on family terms were done on April 15, 2020. The use of “nuclear family” essentially takes off around 1945 with ever-greater incidence in the 1960s and 1970s and begins to slope off gradually in the 1980s and 1990s. It is essentially a postwar term, coming slowly into fashion between 1945 and 1965 and peaking between 1975 and 1980. By 2008, it occurs with about the same frequency as in 1965. It is revealing to track it with the other terms shown here. “Individual family” can be traced to the 1780s and continues to have about the same resonance until 1900. By 1950, it has risen considerably and peaks around 1980, sloping off by 2008 to about where it was in the 1930s. “Core family” takes off abruptly around 1950, reaches a high point in the mid-1990s and remains at the same level to 2008. “Bourgeois family” registers earlier, rising slowly from 1850 to 1900, then more sharply to 1950, and then very steeply; its curve similar to the one of “nuclear family.” In English, the term “conjugal family” seems to have been mostly an academic term. Measured against “nuclear family,” it does not resonate much. By

itself, the curve of “conjugal family” similarly takes off abruptly from 1945 to about 1979 and then slopes off just as rapidly to 2008. In German, the word for nuclear family, *Kernfamilie*, took the same shape as its English counterpart but came into fashion with a half-decade lag. Graphing all the English terms together demonstrates their relative usage and thus depicts visually the mid-century domination of “nuclear family” over other terms in conceptualizations of family. In 1958, the incidence of “small” and “nuclear” is about the same, but by 1967, “nuclear” is found twice as often. At its peak in the second half of the 1970s, “nuclear” bests its closest rival, “small,” by more than three times. The upshot is that one could talk about the “small” family around 1900, and by the 1930s, about the “individual” and to a much lesser extent, the “bourgeois” family. Right after the war, both “nuclear” and “conjugal” were introduced. “Nuclear” became the term of choice, while “conjugal” never rivaled “small” or “individual” and was confined to academic texts. “Nuclear family” had a five-year lead on “nuclear bomb” and was way more popular throughout.



According to the OED, the first person to use the term “nuclear family” was the anthropologist Bronislaw Malinowski (1884–1942).<sup>143</sup> He did so in a controversy with Sigmund Freud over the essential psychological triad in the family and the issue of the universality of the Oedipal complex. Indeed, “nuclear family” in his treatise was always an attribute of the substantive “complex,” and he alternated between “nuclear family complex,” “nuclear complex,” and “nuclear complex of the family” (*Kernkomplex, Kernfamilienkomplex*). He was anxious to show that the psychological dimension of the family was intimately tied to its social organization and that the Oedipus complex was a peculiarity of Western bourgeois families, not even found among its peasant and worker counterparts. In the Trobriand Islands, the object of his study, the essential triad was not son/mother/father but sister’s son/mother’s brother/sister. “I have established a deep correlation between the type of society and the nuclear complex found there.”<sup>144</sup> Malinowski did not use the phrase “nuclear family” before or after this publication.<sup>145</sup>

My interest here is not to pinpoint who stamped the term “nuclear family” with its modern tone, a task which would be exceedingly complicated given that the concept, unlike “conjugal family,” quickly escaped its academic roots and entered the vocabulary of pundits, politicians, judges, and the popular press. Rather I want to approach the “nuclear family” from two conceptual perspectives: as a real thing or object with empirical referents, and as an epistemic object, along the lines suggested by Hans-Jörg Rheinberger.<sup>146</sup> With the first perspective, it might be possible, for example, to chronicle specific changes over time, such as the degree to which wives/mothers participate or not in the workforce, and to suggest that the observed phenomenon has a great deal to do with authority structures. But then if the nuclear family as object requires a specific role for married women incompatible with waged employment, it does not really exist when female work patterns change, at least not without shifts of emphasis—perhaps giving greater weight to residence or size. How much change can this family type withstand? And how useful is such an entity if it can be molded like clay to mask alterations

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<sup>143</sup> In his “Psychoanalysis and Anthropology,” *Psyche* 4 (1924): pp. 293–332, at p. 294. The article was then published in German under the title “Mutterrechtliche Familie und Ödipuskomplex,” in Freud’s journal, *Imago, Zeitschrift für Anwendung der Psychoanalyse auf die Geisteswissenschaften* 10 (1924), and was printed separately in 1924 (Leipzig, Vienna, Zürich).

<sup>144</sup> Malinowski, “Psychoanalysis and Anthropology,” p. 331.

<sup>145</sup> In an article published earlier the same year, “The Psychology of Sex and the Foundation of Kinship in Primitive Societies,” *Psyche* 4 (1924): 98–128, Malinowski used the term “individual family.” Six years later, his “Parenthood—The Basis of Social Structure,” in *The New Generation*, ed. Victor F. Calverton (New York, 1930), pp. 113–68, did not follow up on his usage of the “nuclear family.” In all kinds of societies, “the individual undivided family stands out conspicuous, a definite social unit marked off from the rest of society by a clear line of division,” p. 118. He went on to speak of the “undivided individual family,” p. 119.

<sup>146</sup> See the foreword by Tim Lenoir in Hans-Jörg Rheinberger, *An Epistemology of the Concrete: Twentieth-Century Histories of Life* (Durham and London, 2010), pp. xi–xix, for a useful introduction to Rheinberger’s ideas.

in property devolution, gender constellations, interactions with milieus, relationships with mass culture, structural economic changes, occupational demands, or distributions of authority?<sup>147</sup> In other words, to anyone who protests that the American family has always been nuclear, the response should be “so what?” As for the second perspective, the nuclear family as epistemic object, Talcott Parsons’s “nuclear family” could take center stage here as just such an object, one that operated to “organize the knowledge” of family for the ensuing twentieth-century decades. Parsons based his concept on “common sense” and “general experience,” rather than on formal empirical investigation. It was its coherence that gave the concept such persuasive power as an idea to think with but also to contend against; for as Rheinberger has argued, “the objects of scientific knowledge are not given ready made in nature.”<sup>148</sup> Both the constituting of the object to be known about and its continued use were subject to a “never-ending recursive process of reconfiguration and rectification.”<sup>149</sup>

The concept of the “nuclear family” seems to have acquired its fundamental understanding in discussions among sociologists at Harvard University in the 1940s and ‘50s. One of the most influential was Kingsley Davis, who in 1940 was already describing the American family—without the adjective “nuclear”—as smaller than anything ever encountered in history.<sup>150</sup> “Our family system,” he wrote, “is peculiar in that it manifests a paradoxical combination of concentration and dispersion. On the one hand the unusual smallness of the family unit makes for a strange intensity of family feeling, while on the other, the fact that most pursuits take place outside the home makes for a dispersion of activities.”<sup>151</sup> This dispersion isolates and increases the intensity of the affectional element “by shearing away common activities and the extended kin.”<sup>152</sup> “With the diminishing birth rate, our family is the world’s smallest kinship unit, a tiny closed circle.”<sup>153</sup> Some of the key elements of the postwar sociology of the family were to be found here: home (the household) v. kin, reduced functions of the family, the family/

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147 I wrote earlier that “the analytical power of the household is especially weak for dealing with historical change,” in *Property, Production, and Family in Neckarhausen, 1700–1870*, p. 97. One needs “sensitive” enough instruments to observe things that occur. I leaned on remarks by Jane Guyer, “Household and Community in African Studies,” *African Studies Review* 24 (1981): 87–137, here p. 91. Guyer wrote that “with a methodology based on household as a major analytical concept, one cannot look at three critical factors, all of which seem to be changing in Africa today, with very important consequences: the relationship between older and younger men; the relationship between men and women; and the relationships amongst domestic groups in situations where wealth or control of resources vary widely.”

148 Lenoir, foreword to Rheinberger, *Epistemology*, p. xii.

149 Lenoir, foreword to Rheinberger, *Epistemology*, p. xii.

150 Kingsley Davis, “The Sociology of Parent-Youth Conflict,” *American Sociological Review* 5 (1940): 523–35. His 1936 Harvard dissertation was: “A Structural Analysis of Kinship: Prolegomena to the Sociology of Kinship.” If he meant the household, then he was wrong: at the time, France, Germany, and England and Wales all had smaller domestic units. And they had lower fertility rates.

151 Davis, “Parent-Youth Conflict,” p. 532.

152 Davis, “Parent-Youth Conflict,” p. 532.

153 Davis, “Parent-Youth Conflict,” p. 532.

household stripped of “outsiders,” many fewer children, isolation, and pathological emotional intensity.<sup>154</sup>

In 1943, Talcott Parsons addressed the structural features of the American “kinship system,” leaning on Davis’s work for much of his profile.<sup>155</sup> His opening gesture consisted of putting the American family into the comparative perspective expected of a grand theorist and sociologist aware of the categories provided by a half century of anthropological study: “the American family is perhaps best characterized as an ‘open, multilineal, conjugal system.’”<sup>156</sup> Like Murdock, Parsons allowed for the possibility that the “conjugal family unit of parents and children” formed the foundation of any kinship system, but he went further to insist that “we” really only recognized the word “family” to characterize ourselves, and he meant by that, that the unit was unconnected to other relatives in any systemic way. He imagined other societies as having solidary “units” that extended the basic family to include specified kin. “Ours then is a ‘conjugal’ system in that it is ‘made up’ *exclusively* of interlocking conjugal families” (with no discussion of what “interlocking” might mean).<sup>157</sup> Relatives were of no real account in the American system, characterized as it was by small bounded units of parents and children. In the quote above, the term “multilineal” did considerable work.<sup>158</sup> It meant that there were no structural features privileging any particular set of relatives or marking lineages or lines through patrilineal or matrilineal, agnatic or maternal, lineal or lineage features; and it meant also that individuals could marry without reference to any given rules apart from a general notion of avoiding ill-defined close relatives. “Preferential mating on a kinship basis, that is, is completely without structural significance, and every marriage in founding a new conjugal family brings together . . . two completely unrelated kinship groups which are articulated on a kinship basis *only* in this one particular marriage.”<sup>159</sup> Here exogamy was full-blown, and marriage could scarcely be thought of as an alliance.

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154 Davis, “Parent-Youth Conflict,” p. 533: “This emotional intensity and situational instability increase both the probability and severity of conflict.” Between parent and children, there are strong sex taboos, “and doubtless the unvoiced possibility of violating these unconsciously intensifies the interest of each in the other’s sexual conduct,” p. 534. J. M. Moge, “A Century of Declining Paternal Authority,” *Marriage and Family Living* 19 (1957): 234–39, contested the loss of functions, suggesting that the emergence of the nuclear family provided “a distinctive social group” in contrast to “the less definite sort of early family.” “In the course of acquiring a clear identity within the structure of modern society, the nuclear family, from this standpoint, has gathered to itself a specialized set of functions.”

155 Talcott Parsons, “The Kinship System of the Contemporary United States,” *American Anthropologist*, n.s. 45 (1943): 22–38.

156 Parsons, “Kinship System,” p. 24. He was obviously riffing on Kingsley Davis and W. Lloyd Warner, “Structural Analysis of Kinship,” *American Anthropologist*, n. s. 39 (1937): 291–313.

157 Parsons, “Kinship System,” p. 24.

158 Parsons, “Kinship System,” p. 26.

159 Parsons, “Kinship System,” p. 26.

Throughout his account, Parsons systematically thought of “kinship” in terms of “group,” and he considered kinship as something residing in “non-literate” cultures.<sup>160</sup> Implicit in his interpretation was a stage theory of development wherein “family” supplants “kinship,” I have no idea whether Parsons read Hegel, but his account of the modern American family offered strong echoes of the philosopher’s position; then a project, but for Parsons, an apparent actuality. The “conjugal family” was isolated. It had its own property and income, could be described as a household unit (the “normal” one), was bounded by a home, and was segregated from both sets of parents. Its social status, lacking any intrinsic relationship to the origins of either parent, was exclusively linked to the job of the husband.<sup>161</sup> The central message was the “structural isolation of the individual conjugal family,” “the most distinctive feature of the American kinship system.”<sup>162</sup> And in more echoes of Hegel: “the marriage bond is, in our society, the main structural keystone of the kinship system.”<sup>163</sup> But Parsons, also put his finger on a source of instability; namely, that, the status of the family and its economic foundation came from the husband’s occupation, while the physical home was the bailiwick of the wife, constituting a “mother-centered type of family structure” in some instances, and in others, a full-blown “matriarchy,” especially in the middle-class suburbs.<sup>164</sup> His suggestion that competition within the conjugal family was mitigated by the very fact that only the male of the couple defined its status would be subject to endless comment as married middle-class women entered the job market in increasing numbers. In Parsons,

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**160** Parsons, “Kinship System,” p. 27.

**161** Parsons, “Kinship System,” p. 28. Piketty recently found the same: no home inherited from parents, no economic support, and no occupation passed from father to son. Thus, his work has given renewed force to Parson’s model.

**162** Parsons, “Kinship System,” p. 28. Many writers followed the idea of a break between generations, and while there were some who called attention to help and aid from relatives, there were others who emphasized the autonomy of the nuclear family household and thought of connection to “outsiders” as pathological. A case in point is an article by Ruth Albrecht, “The Parental Responsibilities of Grandparents,” *Marriage and Family Living* 16 (1954): 201–4: “Responsibility denotes closeness but grandparents who take this away from the parents of the children may be punishing the second generation, may need personal response and ego-satisfaction, may need power over people, or may need something to do,” p. 201. If the household itself had grandparents in it, that was almost certainly a cause for tension. Marvin R. Koller, “Studies of Three-Generation Households,” *Marriage and Family Living* 16 (1954): 205–6, argued that housing shortage frustrated many couples from founding their own separate households (p. 205). “The three-generation household was recognized by most of the informants as a hazardous type of family living in which the combined virtues of a diplomat, statesman, and saint are needed,” p. 206. Similar arguments were made for France: Ceccaldi, “Family in France,” p. 328. It is also interesting that at least until the end of the ‘50s, family sociology focused for the most part on the married pair and neglected the dynamics of the family as a whole. On this see Winston Ehrmann, “A Review of Family Research in 1957,” *Marriage and Family Living* 20 (1958): 384–96. Ehrmann found a consistent failure to consider children as fulfilling family roles and to ignore the “whole” family as a focus of research (p. 389).

**163** Parsons, “Kinship System,” p. 30.

**164** Parsons, “Kinship System,” pp. 28–29.

the essential point was already there: sociologists thought that working wives competed with their husbands.

In 1955, twelve years after his first article, Parsons revisited the modern American family, this time with the full-blown concept of the “nuclear family” and with full emphasis on its psychological dimensions.<sup>165</sup> The family had lost almost all of its functions, leaving as its primary role only “personality” that is, socialization of children and psychological stabilization for adults.<sup>166</sup> He noted that Americans were already experiencing a high divorce rate but dismissed this as mostly limited to couples who had not yet produced children. In any event, divorced persons married readily again, so that marriage rates were higher than ever.<sup>167</sup> The focus for almost everyone was building a “home,” a single family house, the “preferred residential pattern,” divorced from any intense relations with kin.<sup>168</sup> Once again, Parsons was concerned with “units,” and the American family/household unit contrasted markedly with non-Western or even early Western units of extended kin, whether or not confined to a single dwelling.<sup>169</sup> A central feature of the American family was the father (“the instrumental leader”).<sup>170</sup> He determined the status, and he provided for its economic support through his labor, not through inherited wealth (again, this accords well with Piketty’s account).<sup>171</sup> But father was most essentially husband; it was the marital relationship that counted, for it

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**165** Parsons, “The American Family.” Some thought that the reduction of functions to the personality or social-psychological made relations less binding and the family less stable. Thus, the highest rate of divorce was in the US: Nimkoff, “The Family in the United States,” p. 395.

**166** See also Sidney E. Goldstein, “The Family as a Dynamic Factor in American Society,” *Living 2* (1940): 8–11: the family is that institution that meets “emotional and spiritual needs,” p. 8. “The shifting in emphasis from the biological and the economic to the emotional and ethical function of the family is so profound as to mark a new stage in the role of family development,” p. 9. Florian Znaniecki, “The Changing Cultural Ideals of the Family,” *Marriage and Family Living 3* (1941): 58–62, here p. 68: “The new family is indeed nothing more than a complex of strictly personal relations,” p. 58. There were voices early on advocating against generalizing about the American family. Despite the title, Nimkoff’s “The Family in the United States” remarks on the heterogeneity of the US population and the difficulty in describing family life.

**167** Parsons, “American Family,” p. 3.

**168** Parsons, “American Family,” p. 7.

**169** Parsons, “American Family,” p. 9.

**170** Parsons, “American Family,” p. 13.

**171** Piketty, *Capital*, characterized Parsons as depicting “a middle-class society of managers in which inherited wealth played virtually no role. It is still quite popular today among baby boomers,” p. 384. John P. Spiegel, “New Perspectives in the Study of the Family,” *Marriage and Family Living 16* (1954): 4–12, argued that the dominant value orientations of US society are those of the “urban, Protestant, middle class,” p. 10. “The middle class male’s role in the occupational subsystem requires a large amount of time and energy away from the home.” This role of the middle-class male could not be so well-managed outside “a small, detached, nuclear family, living in isolation from other relatives.” He went on to say that almost all “variant families, whether of class, ethnic, religious, or regional origin, are in transition toward the middle-class family,” p. 11.

was in that, that the personalities of adults attained a necessary balance.<sup>172</sup> Rather than a devolution of resources and responsibilities from father to father, the centering of familial dynamics on the couple weakened ties with the “family of orientation,” leaving the “family of procreation” structurally unsupported.<sup>173</sup> In the isolated nuclear family, two generations thrown together necessarily acted out “residual” eroticism in their bounded confinement. Parsons called attention to the quintessential heterosexuality of this constellation: genital sex as “a reenactment of the oedipal mother/child” relationship, with the husband, in this case, acting out “childhood features” with the mother/wife.<sup>174</sup> Parsons reinforced older essentialist notions of the mother of the family: her “expressive role” was rooted in biology, and while the female/mother always had been erotic, in the isolated nuclear family, this aspect was supercharged.<sup>175</sup> The complementarity of roles between male and female, husband and wife, father and mother, was accentuated because of the enhanced importance of marriage. Parsons pointed to the two-decades-old rise of psychotherapy as a resource for managing the mental problems that this familial form inevitably promoted. And with the support of psychology as an applied science, the “mother role” now increasingly took on a professional cast.<sup>176</sup>

The “nuclear family” model, as it finally emerged from Parsons’s hands, had the following elements: it was particularly American and particularly new, the outcome of a progressive loss of functions. Structurally, it was equivalent to a small, residential unit based on a conjugal pair, isolated from kin, and characterized by no ascriptive attachments. It necessitated heterosexual norms and gendered polarity under the authority of a father/husband, entailing no competition for power, even while allowing for a touch of matriarchy. It designated a space for intense psychological dynamics and evoked new desires based on the erotic attraction of the mother/wife but spilling over to other members of the family. The nuclear family, thought Parsons, fulfilled the exigencies of the modern industrial economy, especially its needs for a mobile workforce consisting of individuals lacking obligations beyond their isolated households.<sup>177</sup>

Around the same time that Parsons and his fellows were conceptualizing the nuclear family, the German sociologist Helmut Schelsky was delineating similar structures for Germany, albeit within a context of considerably different social developments.<sup>178</sup> Faced with the extreme destructiveness of World War II, people in the first postwar decade had to cope with widespread material losses (property, house, and household goods). In the social realm, the casualties of war included the older forms of

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172 Parsons, “American Family,” p. 19.

173 Parsons, “American Family,” p. 20.

174 Parsons, “American Family,” pp. 20–21.

175 Parsons, “American Family,” pp. 22–23.

176 Parsons, “American Family,” pp. 32–33.

177 See William J. Goode, *World Revolution and Family Patterns* (New York, 1970) for a development of the connection of the nuclear family to modernization.

178 Helmut Schelsky, *Wandlungen der deutschen Familie in der Gegenwart*, 3rd ed. (Stuttgart, 1955).

social interaction (*Geselligkeit*). As a result, social isolation and withdrawal to the family marked the decade.<sup>179</sup> During the war and its immediate aftermath, people often had recourse to extended kin, but that broke down quickly as immediate family members had enough to do just to take care of themselves.<sup>180</sup> Schelsky noted that widespread displacement of populations often led to mixed marriages uniting newcomers and locals, with the result being further isolation for the new families.<sup>181</sup> The small-family-group egoism characteristic of the period, with its removal of the family from the total social sphere, had the effect of increasing its stability.<sup>182</sup> Like Parsons, Schelsky chronicled the narrowing down of functions in the family through processes of modernization. But he found the family to be the chief source of stability, precisely because of its self-isolation.<sup>183</sup> As the fundamental solidary group, it separated itself increasingly from ties of class, professional groups, and local and neighborhood relations.<sup>184</sup> In contradiction to the Parsonian school and most American sociologists, Schelsky argued that “this leads to a change in intra-family relationships, towards greater objectivism, towards diminished intimacy and diminished genuine emotional attachments and towards impoverishment of cultural life in the family.” Because this take on the family does not see it as an emotional hothouse of eroticized intimacy in the style of American pundits, it can aid efforts to understand the different ways American and German cultures worried the issues of paternal abuse. Significantly, Schelsky maintained that patriarchy was largely residual in the German familial landscape and his vision contained little hint of the “authoritarian” model so dear to the Frankfurt School, or to feminist writers such as Alice Miller, whom I will discuss in chapters 3 and 4 of this section.<sup>185</sup>

In this newly constituted family—Schelsky does not use the term *Kern*, or “nuclear”—there is a peculiarly strong position for the wife/mother. Already in the Nazi era, women, despite other aspects of the ideology, were encouraged to participate in the public, and there was a strong emphasis on *Kameradschaftsehen* (companionate marriage).<sup>186</sup> In the aftermath of the war, women frequently became the mainstay of the family economically and socially, especially when they had husbands missing in action or wounded or suffering from a sense of failure brought on by defeat in war and loss of class identity. As a result, authority shifted away from the father in favor of the

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179 Schelsky, *Wandlungen*, p. 63.

180 Schelsky, *Wandlungen*, p. 117.

181 Schelsky, *Wandlungen*, pp. 121–22. This is similar to the points in Grange, *Une élite Parisienne*, about exogamy acting to isolate marital couples from their families.

182 Schelsky, *Wandlungen*, p. 161.

183 Helmut Schelsky, *Changing Family Structures under Conditions of Social and Economic Development* (The Hague, 1958), p. 7.

184 Schelsky, *Changing Family Structures*, p. 8.

185 Schelsky, *Changing Family Structures*, p. 12. “Today intra-family authority is determined by the manner in which specific obligations and responsibilities are distributed between the marital partners by the pure weight of human character and the need to unburden oneself.”

186 Schelsky, *Wandlungen*, p. 306.

*Hausfrau* and mother.<sup>187</sup> With reference to the work of Gerhard Wurzbacher, Schelsky argued that the notion of the German patriarchal family was a myth anyway.<sup>188</sup> Already under the spur of industrialization, the tendency in familial relations was towards partnership (*Partnerschaft*). But with women playing central roles during the war and its aftermath, any vestiges of patriarchy disappeared for the great majority of families. The position of the husband in the family was strongly tied to his position outside. “The woman becomes predominantly the support of social and rank consciousness and desires for social mobility in the declassed families.”<sup>189</sup> The model Schelsky built of the German family had elements similar to the Parsonian model: isolation, cutting off ties with kin, small group intimacy, and the withdrawal of the family from public functions. If Schelsky’s account of familial power differed from Parsons’s, the logic was the same: the structure of authority and the status of the household were determined by occupation in the external labor market—and in the German case, women weighed heavily in that scale.

In the early ‘70s, René König, who developed German discourse on the nuclear family, thought that “family” and “nuclear family” were the same thing.<sup>190</sup> Although he made the point that this form was essentially a reduction of the family to parents and children, he emphasized that since the only permanent members of the family were the marital couple, the term “conjugal family” (*Gattenfamilie*) was more accurate.<sup>191</sup> And it was not accurate to think of the history of the family as a transition from an extended to a nuclear family, as many nuclear families had existed in the past. What was new was the aspect of choice as far as relatives were concerned. It was not necessary to see the nuclear family as isolated in the Parsonian sense but to understand that the particular relationship of the couple determined how other connections would be configured.<sup>192</sup> “Marriage for us is a highly individual union between two independent persons.”<sup>193</sup> König found that European sociologists were mostly skeptical about another idea popular in American sociology during the 1960s; namely, the “modified extended family,” a construct developed as part of the critique of Parsons.<sup>194</sup> I will deal with this below, but here I want to emphasize how much sociologists like Schelsky and König emphasized the particularism of the German family in the decades after the war, even

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187 Schelsky, *Wandlungen*, pp. 292–95.

188 Gerhard Wurzbacher, *Leitbilder gegenwärtigen deutschen Familienlebens*, 4th ed. (Stuttgart, 1969). The original edition was based on work carried out between 1949 and 1951.

189 Schelsky, *Wandlungen*, p. 307.

190 René König, *Materialien zur Soziologie der Familie* (Cologne, 1974), p. 202.

191 René König, *Die Familie der Gegenwart: Ein interkultureller Vergleich* (Munich, 1974), p. 49.

192 König, *Familie*, pp. 42–49.

193 König, *Familie*, p. 49. This fits into my argument about the consequences of exogamy, whereby a particular marriage is no longer considered to be a mediating or connecting element between groups of kin.

194 But see Andrée Michel, “La famille urbaine et la parenté en France,” in *Families in East and West: Socialization Process and Kinship Ties*, ed. Reuben Hill and René König (Paris and The Hague, 1970), pp. 410–41.



outdoing the Americans in construing the fragmentation of the society into independent—if not to say isolated—families.

In the United States, during the decades following the Parsonian construction of the “nuclear family,” each of its elements and assumptions would be chipped away, until by the mid-1990s not much of it was left. But even then, ideas of companionship and conjugality and the figure of a couple with children could inform domestic arrangements and aspirations, even among couples eschewing heterosexual attachments. Already in the 1950s, the idea of North American exceptionalism emphasized by Davis and Parsons was being challenged. One French administrator attached to the ministry of public health and population in France wrote in the mid-’50s: “The modern view of the French family is that of a conjugal partnership of monogamous type, composed of the lawful couple and their children which is substituted for a larger domestic group under the double influence of the industrial revolution and individualistic trends.”<sup>195</sup> It was then also that Schelsky chronicled “a mosaic of socially isolated families [which] produces a very conscious *small-family group-egoism* as one of the most prominent social forces of the contemporary German situation”; in other words, a “tendency towards social isolation” and a disintegration of the structure of German society.<sup>196</sup> In England, a great deal of work was done at the same time on the effects on working-class families of the move from “slums” to new housing estates. In the earlier situation, small groups of mothers and daughters formed the axis of extended kindreds. “The society of the slums is not then a home-centered society; husband and wife have different interests and pursue them in different places. Rather it is a society of the extended family, the street, the alleys and the neighborhood.”<sup>197</sup> Moving to a housing estate had profound effects on family life. Ties with extended kin tended to atrophy, while husbands and wives did things together and developed mutual interests and activities. What one observed was “the disappearance of the extended family and the emergence of something like the companionship type of family.”<sup>198</sup>

## Challenges to the model

Understanding of the family as a functioning system interrelated with other social systems in society is possible *only by rejection of the isolated nuclear family concept*. — Marvin B. Sussman and Lee Burchinal, 1962

The nuclear family, even in its demise, is highlighted against a backdrop of changing patterns of residence and relationship. — Bob Simpson, 1994

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<sup>195</sup> Ceccaldi, “Family in France,” p. 326.

<sup>196</sup> Schelsky, “Family in Germany,” p. 332.

<sup>197</sup> Mogey, “Changes in Family Life, here p. 126.

<sup>198</sup> Mogey, “Changes in Family Life,” p. 127. See the classic study by Michael Young and Peter Willmott, *Family and Kinship in East London* (Harmondsworth, 1962).

Instead of the small isolated nuclear family, we find a yet smaller dispersed, and fragmented family, indeed not a family at all if by that we refer to a couple living co-residentially with their children. The cereal-packet family turns out not to be an end point in modernization but a phase in family development which has moved on. — Jack Goody, 2000

Why, given the strong empirical evidence to the contrary, are U.S. families assumed to be nuclear in their structure and in their practice? — Karen V. Hansen, 2005<sup>199</sup>

But do the mid-twentieth-century claims that the nuclear family is a uniquely American or Western institution hold up in the court of scholarly scrutiny? Like Murdock, the anthropologist Jack Goody (2000), one of the major figures to do systematic, global, comparative work on kinship and the family, called into question this self-understanding of the West.<sup>200</sup> “We know of virtually no society in the history of humanity where the elementary or nuclear family was not important, in the vast majority of cases as a co-residential group.”<sup>201</sup> He contended that variation in household size has always been confined within a “narrow band.” One of the features of the American kinship system for Parsons and others was the fact of “bilateral” or “multilineal” descent, precluding the formation of bounded descent groups, since in such a system there could be no ascribed membership to one particular line or another. Goody pointed out that even where there are unilineal descent groups, ties to both sides of a family—through both parents—continue to be vigorous. “In no society are the ties between mother and child (and in the vast majority, between father and child) unimportant, sentimentally and jurally.”<sup>202</sup> Development specialists and modernization theorists during the 1960s and ‘70s were especially keen to draw close ties between industrial and economic development and the peculiar institution of the nuclear family.<sup>203</sup> Summing up four decades of

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**199** Karen V. Hansen, *Not-So-Nuclear Families: Class, Gender, and Networks of Care* (New Brunswick, 2005), p. 4.

**200** Jack Goody, *The European Family: An Historico-Anthropological Study* (Oxford, 2000).

**201** Goody, *European Family*, p. 2.

**202** Goody, *European Family*, p. 2.

**203** See William J. Goode, *World Revolution and Family Patterns* (New York and London, 1963) (the conjugal family helped create industrialization and modernization); Marion Levy, *Modernization and the Structure of Societies*, 2 vols. (Princeton, 1966) (the transition from a society based on kinship organization to one that is not is more far-reaching than any other type of changes including the industrial revolution); Alex Inkeles and David H. Smith, *Becoming Modern: Individual Change in Six Countries* (Cambridge, MA, 1974) (extended kinship relations cannot be adapted to modern industrial society). The split offers essential narratives about modernization and stages of rationality. David Ronfeldt has published two working papers for the Rand Corporation to offer an evolutionary account “of all societies”: “In Search of How Societies Work: Tribes—The First and Forever Form,” WR-433-RPC (Rand Pardee Center, December, 2006); “Tribes, Institutions, Markets, Networks: A Framework About Societal Evolution, P-7967” (Rand Corporation, n.d.). The first form to emerge was the tribal form, its main dynamic being kinship. Ronfeldt followed through “state and military” forms, the market form (enabling free, fair, and economic exchanges), and a new form for the digital age, the network form. The US was the model of the “preferred progression” with its nuclear family. The Middle East, South Asia, the Balkans, the Caucasus, and Africa, according to Ronfeldt, are all “societies riven by tribal and clan dynamics.” It

subsequent research, Goody wrote: “there is no serious sense in which Europe, let alone capitalism, has invented the elementary or nuclear family or even the small household.”<sup>204</sup> As for the “modern” family based mostly on affection and relatively little on interest, giving it a peculiar psychological cast and intensity of emotion, Goody protested that “. . . there is no doubt that the vast majority of human societies are built upon social-economic and affectionate relationships within the couple/child unit.”<sup>205</sup> Only “ignorant ethnocentrism” thinks differently.<sup>206</sup>

Another characteristic of the broadness of Goody’s work was his thoroughgoing immersion in the historical literature on the family, with particular emphasis on the late ancient Mediterranean, early medieval Europe, and England since the Middle Ages. He found the binary opposition between the extended and nuclear family useless. Already during the Middle Ages, “at the core of the network of kin relationships there was always a conjugal pair who formed the basis of a nuclear family or household. The existence of wider relationships did not exclude an emphasis on narrower ones.”<sup>207</sup> In any event, the opposition between “lineage (extended) family” and nuclear family was simply too crude to do much historical work. Living together in small units had never precluded aid and assistance from related and unrelated households, relatives and friends. The thesis of the “affective nuclear family” seemed to Goody to be vague and analytically unproductive.<sup>208</sup>

Goody directly took up Parsons and particularly the idea that the small nuclear family was essential to the Western economy and to modern life in general. It was thought that the few children in a nuclear family demanded less time and energy of their parents, and thus, that this kind of family favored the kind of mobility suitable to industrial society.<sup>209</sup> “The small nuclear family was considered to be functionally appropriate to capitalism, whereas ‘traditional’ societies were bound by wider and stronger kinship ties that inhibited independence and individuality and dispersed savings. It was

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is not so much a question of failed states as failed tribes. But the essence of what they have is “kinship.” And their “dark side” is “nepotism.” “Tribal and religious concepts remain fused in . . . Africa, the Middle East, and South Asia” (religion is just a function of tribe/clan/kinship). America is at war with kinship systems, not in a clash of civilizations. For an American study of innovation and family/household size and of the tight family bonds designated as “familism,” see A. W. Van den Ban, “Family Structure and Modernization,” *Journal of Marriage and Family* 29 (1967): 771–73. Van den Ban challenged the idea that modernization was slower with “traditional” or extended family households.

204 Goody, *European Family*, p. 3.

205 Goody, *European Family*, p. 13.

206 Goody, *European Family*, p. 4.

207 Goody, *European Family*, p. 59.

208 Goody, *European Family*, pp. 63, 148, 153. Goody took issue with Stone’s account of the history of the English family on these grounds: Lawrence Stone, *The Family, Sex and Marriage in England, 1500–1800* (New York, 1977). For another, devastating critique of Stone, see David Cressy, “Foucault, Stone, Shakespeare, and Social History,” *English Literary Renaissance* 21 (1991): 121–33.

209 Goody, *European Family*, p. 149.

argued that the ‘nuclear family’ or a small household is particularly adapted to industrial production, permitting the mobility of labour and employment under factory or indeed bureaucratic conditions.”<sup>210</sup> But now we know after decades of research that industrialization did not “do away with wider ties of kin,” on the one hand, and on the other, that there was nothing unique about the small family household of the West.<sup>211</sup> What did seem to be different was geographical dispersion because of job opportunities.

In any event, by the 1990s, Goody continued, the mobility characteristic of male employment could not be the single, or even the central consideration, for the link between the economy and the family. In England, for example, by 1991, 50% of married women worked, and in Northern Europe overall, there were more women in the work force than men.<sup>212</sup> It seemed that a driving force behind women at work had been high divorce rates; work having become a form of insurance in the event of divorce, or a necessity after it. Divorce itself had brought about a significant reconfiguration of familial relations, with what others have called “patchwork families,” newly constructed step parenthood, and blended families assembling children from different couples.<sup>213</sup> And these structural changes introduced new strains within the home. “With smaller households, with separation from kin, with the increase in step-parenthood, intra-family sanctions against ‘incestuous’ relations are less strong and the temptations greater.”<sup>214</sup> Goody pointed out that with women in the work force and an increase in single parent households, “fathers are marginalized in their first families and cannot provide much of a role model. Often enough they constitute the fallen idol, the God who failed. That failure must change the psychological patterns of family life. The father is ‘killed’ not by his successor, his son, but by his wife or by himself, in ‘suicide’ or resignation.”<sup>215</sup> By the 1990s, then, what had happened was this, in Goody’s words: “Instead of the small isolated nuclear family, we find a yet smaller dispersed, and fragmented family, indeed not a family at all if by that we refer to a couple living co-residentially with their children. The cereal-packet family turns out not to be an end point in modernization but a phase in family development which has moved on.”<sup>216</sup> Yet a “romantic ideal” still pervaded

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<sup>210</sup> Goody, *European Family*, p. 149.

<sup>211</sup> Important research on the history of the family and household was carried out in the 1960s and ‘70s by Peter Laslett, ed., *Household and Family in Past Time: Comparative Studies in the Size and Structure of the Domestic Group over the Last Three Centuries in England, France, Serbia, Japan and Colonial North America, with further Materials from Western Europe* (Cambridge, 1972). In his own contribution, he demonstrated that the average size English household from the seventeenth to the early twentieth century was small and relatively unvarying. It was not an argument about the nuclear family but put paid to the idea that households, at least in Western Europe, in the past were large.

<sup>212</sup> Goody, *European Family*, pp. 156–59.

<sup>213</sup> See also Reinhard Sieder, *Patchworks—das Familienleben getrennter Eltern und ihrer Kinder*, foreword Helm Stierlin (Stuttgart, 2008).

<sup>214</sup> Goody, *European Family*, p. 167.

<sup>215</sup> Goody, *European Family*, pp. 167–68.

<sup>216</sup> Goody, *European Family*, p. 168.

the culture and led to impermanent solutions to affective and domestic relations. “This ideology spells the end of universal, permanent coupling (and therefore of universal, continuing, co-residential, nuclear families); a growing percentage of domestic groups become more complex as they become restructured.”<sup>217</sup>

If Goody was right, by the 1990s whatever the cogency of the nuclear family model in the decades around World War II, something new in “Western Civilization” did indeed take place. But the nuclear family was not what was new—it had existed throughout history and throughout the world. It was possible that a certain degree of isolation had emerged around the war years, but what was really novel was the fractioning of the nuclear family, the end of its universality, and—here I am reading into his account—experimentation with new forms of domestic association or, given the very large slice of single households, even with disassociation.

One of the things that Goody cautioned against was to confuse the web of kinship with the size and structure of the household or family unit. Many early historians of the family misunderstood both the European past and the structures of kinship beyond the West, by thinking that a kin-oriented society necessarily promoted large and complicated households. If, in the post–World War II decades, it came to be recognized that small households do not preclude developing extensive kinship ties, still two questions remained: whether in fact small families were isolated and if they were not, what kinds of claims and obligations might characterize relationships. These promoted a vigorous debate, which I can only touch upon here.<sup>218</sup>

Marvin Sussman, a leading sociologist challenged the idea of isolation.<sup>219</sup> He and his coauthor Lee Burchinal suggested that the whole problem of kinship in the US was subject to enormous mystification. Many of the people who most vigorously championed notions of independence were in fact receiving aid from kin. Findings from empirical studies “revealed an existing and functioning extended kin family system closely integrated within a network of relationships and mutual assistance along bilateral kinship lines and encompassing several generations.”<sup>220</sup> Under the spell of Parsons, few soci-

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217 Goody, *European Family*, p. 169.

218 See Robert F. Winch, “Permanence and Change in the History of the American Family and Some Speculations as to Its Future,” *Journal of Marriage and Family* 32 (1970): 6–15. Winch tried to differentiate among different kinds of families by ethnicity, religion, and space. He proposed the mother-child group as the true nuclear family. Reflections on his paper by Hope J. Leichter, “Some Comments on the Robert F. Winch Paper,” *Journal of Marriage and Family* 32 (1970): 16–18, suggested that social workers with preconceived notions of the health of autonomy pushed families to cut ties from kin.

219 Marvin Sussman and Lee Burchinal, “Kin Family Network: Unheralded Structure in Current Conceptualizations of Family Functioning,” *Marriage and Family Living* 24 (1962): 231–40. p. 231. Marvin B. Sussman and Lee Burchinal, “Parental Aid to Married Children: Implications for Family Functioning,” *Marriage and Family Living* 24 (1962): 320–32. For a summing up of two decades of debate: Gary R. Lee, “Kinship in the Seventies: A Decade Review of Research and Theory,” *Journal of Marriage and Family* 42 (1980): 923–34.

220 Sussman and Burchinal, “Kin Family Network,” p. 231.

ologists were willing to investigate intergenerational and bilateral kinship networks that in fact played a significant role in sustaining individual families. Precisely because they were essentially speculative, built out of air, it might be said, Parsons's theoretical structures were easily challenged by a significant dose of empiricism. In place of the "nuclear family," Sussman and Burchinal suggested an empirically based "modified extended family," well adapted to urban and industrial families.<sup>221</sup> The kinship network was important for affectional ties, mutual aid, social activities, services, gifts, financial assistance, joint recreational activities, visiting, care of children, counseling, and services to elderly.<sup>222</sup> "Understanding of the family as a functioning system interrelated with other social systems in society is possible *only by rejection of the isolated nuclear family concept.*"<sup>223</sup> Of course, the nature of kinship ties varied significantly by class, and the authors underlined a point later made by Piketty. The middle classes were far more able to offer financial assistance with mortgages, loans, and gifts than the working classes. And already in the 1960s, as they were writing, significant intergenerational capital accumulation was taking place, especially in the form of real estate. But wealth was devolving in other forms as well. For the middle classes, status and mobility had to be understood in terms of capital transfers.<sup>224</sup> As Sussman and Burchinal noted, it

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221 Sussman and Burchinal, "Kin Family Network," p. 234. Supporting the notion of the "modified extended family" for social and geographical mobility in a study of rural-to-urban migration was Harry K. Schwarzweller, "Parental Family Ties and Social Integration of Rural to Urban Migrants," *Journal of Marriage and Family* 26 (1964): 410–16. Sussman's argument was challenged by Geoffrey Gibson, "Kin Family Network: Overheralded Structure in Past Conceptualizations of Family," *Journal of Marriage and Family* 34 (1972): 13–23, who supported the isolation thesis of Parsons. He argued that Parsons was right in saying that the American family was "isolated" in the sense of normally having its own household, p. 14. Note the critique of Gibson's point by Goody that most societies are like this. Gibson thought that the notion of the "modified extended family" was "more an ideological device to refute Parsons than a meaningful research tool for reality," p. 17.

222 Sussman and Burchinal, "Kin Family Network," pp. 232–40. See also Paul J. Reiss, "The Extended Kinship System: Correlates of and Attitudes on Frequency of Interaction," *Marriage and Family Living* 24 (1962): 333–39. Reiss argued that kinship ties were mostly cultivated by wives, even for the husband's side of the family. Making the same point about women carrying out kin obligations but supporting Parsons view of isolation were Lee N. Robins and Miroda Tomanec, in their article "Closeness to Blood Relatives Outside the Immediate Family," *Marriage and Family Living* 24 (1962): 340–46. One important caveat was suggested by Walters, who faulted a great deal of the research on methodological grounds: James Walters, "A Review of Family Research in 1962," *Marriage and Family Living* 25 (1963): 336–48, here p. 336. For a later take on the issues, see Stephanie Coontz, *The Way We Really Are: Coming to Terms with America's Changing Families* (New York, 1997), p. 119: "Economic, social, and demographic changes over the past 100 years have made it increasingly difficult to rely on marriage and the nuclear family to organize either the daily work of caregiving or the general tasks of redistribution to dependents."

223 Sussman and Burchinal, "Kin Family Network," p. 240.

224 Leslie W. Kennedy and Dennis W. Stokes, "Extended Family Support and the High Cost of Living," *Journal of Marriage and Family* 44 (1982): 311–18, here p. 311: The authors looked at the relationship between increasing housing costs and modified extended kin support in the early 1980s. Large price increases were making house purchase difficult for many couples. Indeed, the number of foreclosures

used to be that support for children continued through the eighth grade, then it became high school, and now it is college. “As middle-class families accumulate wealth in the form of real estate, insurance policies and investments of various sorts, provisions for the orderly transfer of wealth to children and grandchildren are becoming increasingly common.”<sup>225</sup> This point was underscored by Bert Adams who argued already in 1970 that wealth and position were essentially inherited in the United States.<sup>226</sup>

As I suggested earlier, concepts like “family” and “household” are often weak instruments for chronicling substantial differences or changes in familial relationships. Sometimes it is necessary to clear away misunderstandings, such as the idea of the “nuclear family” as located in particular times and places, or as something that can be compared with other earlier or foreign social institutions. But just as importantly, it is necessary to sum up the trajectory of historical change and trace the shifting prospects of family or family-like attachments. There is, perhaps, a tension in my account between conceptual and social history, but what I am trying to explore here are patterns of recognition and misrecognition. I am especially interested in the way the “nuclear family” idea focused interests on particular matters and made it difficult to see other things, and in how it continued well past its sell-by date to shape cultural assumptions.<sup>227</sup> Practically no one

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was increasing. The nuclear family, as they put it, in both the US and Canada, was experiencing financial strain over housing costs. They summarized the literature to show that empirically it was established that relatives still were a crucial source of support, and they defended the notion of the “modified extended family.” Relatives were especially important for homeownership support for young couples with children.

<sup>225</sup> Sussman and Burchinal, “Parental Aid to Married Children,” p. 323. “Family connections are far more important determinants of status positions than are recognized currently, either in theoretical formulations or classificatory systems of social class,” p. 329. Adams underscored the increasing role of middle-class families in intergenerational transfers of wealth: Bert N. Adams, “Structural Factors Affecting Parental Aid to Married Children,” *Journal of Marriage and Family* 26 (1964): 327–31. David J. Cheal, “Intergenerational Family Transfers,” *Journal of Marriage and Family* 45 (1983): 805–13, here pp. 805–6, pointed out that the “nature of family resource distribution through the life cycle was not well understood.” It varied throughout the life cycle according to the type of transaction involved. Sussman’s notion that the devolution of resources is curvilinear had by the early 1980s become conventional wisdom. In fact, young adults were the major beneficiaries of family transactions.

<sup>226</sup> Bert N. Adams, “Isolation, Function, and Beyond: American Kinship in the 1960s,” *Journal of Marriage and Family* 32 (1970): 575–95. This article offered a good overview of the research and debates about the nuclear family and about extended kinship relations. Adams pointed out that many studies had shown that mobility did not decrease contacts among kin. One of the problems with a great deal of the sociological research on families lay in the fact that the authors were upper class and “epitomize individualistic and personal achievement,” p. 591. And furthermore, social workers had especially weak ties to their own kin (p. 592). See also Kennedy and Stokes, “Extended Family Support,” who noted the high and rising cost of housing in the United States. For young married couples, relatives (“the modified extended family”) were important sources of support. Home ownership and kin support were now shown to be related empirically.

<sup>227</sup> For a blow-by-blow account of the politics of cultural assumptions about the family, see Cooper, *Family Values*.

can use or discard the concept without some kind of moral stake in the issue. In what follows, I want to outline three rather different takes, beginning with one that thought of the half century after the Second World War as a period of familial decline in the US.

In a series of articles and a much read and very controversial book, sociologist David Popenoe—alternatively called a neoliberal or neoconservative—worked with the data I have reviewed here and came to the conclusion that the care and socialization of children were in great danger.<sup>228</sup> He blamed it on the breakup of the nuclear family, “the fundamental unit stripped of relatives and left with two essential functions: childbearing and provision of affection and companionship.” In his vision, the 1950s were the exact moment of the nuclear family’s coming to fruition: more children were growing up in stable, two-parent families than at any time in history. The decade witnessed high birth rates, low divorce rates, and stable families. “It was . . . the heyday of the so-called ‘traditional nuclear family,’ the family consisting of a heterosexual, monogamous, life-long marriage, in which there is a sharp division of labor, with the female as full-time housewife and the male as primary provider and ultimate authority.”<sup>229</sup> A real family, for Popenoe, had children or “dependents” present: it could not be a merely sexual relationship, and sex could not be its defining moment. It was a small domestic group, with minimally one adult and one dependent, making it possible to include single parent households in his definition as well as step families, cohabiting parents, and homosexual couples—so long as there were dependents present.<sup>230</sup> He was uninterested in labeling this domestic unit “traditional,” although he did think of it as carrying out crucial social functions: procreation, socialization, care, affection, companionship, economic cooperation, and sexual regulation.<sup>231</sup> Where was the decline? Popenoe pointed in the first place to the radical fall in fertility and the rise of divorce.<sup>232</sup> The upshot was a growing disinterest in children and in their care. That was coupled with the rise of married women with children in the workforce.<sup>233</sup> By 1989, the fastest growing familial form was the single parent family. With the probability of divorce for women at 60%, he figured, the chance that children would live for some portion of their lives in a single-parent household was 70%. In any event, by 1990 a quarter of children were born out of wedlock, and women were marrying four years older than their mothers. Marriage itself had come to be based on personal fulfillment rather than procreation and economic security: it is a “voluntary relationship to be made or broken at will,” and

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228 David Popenoe, “American Family Decline, 1960–1990: A Review and Appraisal,” *Journal of Marriage and Family* 55 (1993): 527–42. Popenoe, *Disturbing the Nest: Family Change and Decline in Modern Societies* (New York, 1988).

229 Popenoe, “Family Decline,” p. 528.

230 Popenoe, “Family Decline,” p. 529.

231 Popenoe, “Family Decline,” p. 529.

232 Popenoe, “Family Decline,” p. 530. He expected that within a decade 25% of all women would remain childless.

233 Popenoe, “Family Decline,” p. 531: in 1960 19% of married women with children under six were in the labor force. By 1990 the figure was 59%.



formal marriage itself was no longer necessary.<sup>234</sup> As the marriage tie weakened after the 1950s, so the tie between parents and children also weakened.<sup>235</sup> The very fragility of the family arose from its reduction to affection and companionship. Furthermore, the attack on paternal authority had undermined all kinds of domestic authority, bringing to a head the decline of the nuclear family and the endangerment and impoverishment of children.<sup>236</sup>

One (of many) rejoinders to Popenoe agreed with the thesis of decline but rather liked the idea.<sup>237</sup> Judith Stacey protested that “the family is not an institution, but an ideological, symbolic construct that has a history and a politics.”<sup>238</sup> Popenoe distorted history and despite his protestations used the ephemeral moment of the 1950s as a baseline, ignoring the dramatic postindustrial economic transformations. There was no possibility anymore of a male breadwinner.<sup>239</sup> She agreed with Popenoe that ever-greater rates of divorce and single motherhood were due, to a significant degree, to the fact that women could survive outside marriage now. But such developments “expose the inequity and coercion that always lay at the vortex of the supposedly voluntary companionate marriage of the ‘traditional nuclear family’.”<sup>240</sup> She suspected that the stability of marriage was deeply rooted in systemic inequality. “Without coercion, divorce and single motherhood rates will remain high.”<sup>241</sup>

Two other studies from the 1990s were less pessimistic than Popenoe’s while still identifying forces pushing and pulling on the nuclear family model as well as chronicling the enormous stresses for contemporary domestic arrangements. In 1994, Bob Simpson attempted to assess the consequences for family formation of the high divorce rates that had come to characterize the previous decades in England.<sup>242</sup> With anagrammatic play on “nuclear,” he spoke of the newly constituted “unclear” family. Between 1960 and 1985, the divorce rate in England rose by over 600%, reaching a high point by 1985. Parsons had suggested in 1955 that divorce was limited to childless couples—those who had children were at least destined to stay together. But, of course, that changed. Simpson

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234 Popenoe, “Family Decline,” p. 533.

235 Popenoe, “Family Decline,” p. 536.

236 Popenoe, “Family Decline,” pp. 536–40.

237 Judith Stacey, “Good Riddance to ‘The Family’: A Response to David Popenoe,” *Journal of Marriage and Family* 55 (1993): 545–47.

238 Stacey, “Good Riddance,” p. 545.

239 Stacey, “Good Riddance,” p. 546.

240 Stacey, “Good Riddance,” p. 546.

241 Stacey, “Good Riddance,” p. 547. Cooper, *Family Values*, p. 105 follows out the logic of the new welfare regime under Clinton: “The modern child support system serves to demonstrate that the state is willing to enforce—indeed create—legal relationships of familial obligation and dependence where none have been established by mutual consent . . . modern-day welfare law conjures family relationships into being as a way of enforcing the legal obligations of mutual dependence and support.”

242 Bob Simpson, “Bringing the ‘Unclear’ Family Into Focus: Divorce and Re-Marriage in Contemporary Britain,” *Man*, n.s. 29 (1994): 831–51.

noted that well over half of divorced couples by the 1990s had children under the age of sixteen. Divorced people were now implicated in “extensive kindreds” and had to learn to negotiate within novel networks that grew out of new domestic arrangements and significantly altered gender roles, practices of socialization, and patterns of inheritance.<sup>243</sup> Still not everything could be *de novo*. According to Simpson, people clung onto “traditional” models of the family as well as to distinct “western patterns of relational organization.”<sup>244</sup> Yet the unclear family was mired in complexity. Both parents and step parents were players, as children and resources linked their households.<sup>245</sup> So whatever model people carried in their heads, the practical reality was the impossibility of identifying “family” with a “single, discrete household.” “What is new is the way essentialist notions of fatherhood, as a coherent repertoire of assumptions, attitudes, emotions and relationships, are rendered partial and fragmented.”<sup>246</sup> With divorce, Simpson went on to say, all those matters that distinguished between the legal and the natural, that emphasized conjugal relationships against ascriptive ones, and that drew clear lines between affinal and consanguineal ties had to be taken apart and reconfigured, and roles such as “mother,” “father,” and “parent” had to be reconstructed. And there were more ramifications to all of this than the scholarly literature—which concentrated on the married couple—presumed. Intergenerational kinship associations could be subject to significant pressures, and some affinal ties could be reversed—with divorce a son- or daughter-in-law was no longer recognized as such.<sup>247</sup> While players on the ground, so to speak, might be redrawing all of their household and kinship relationships, agencies of the state might still be referencing the “nuclear family ideal,” and legal instances providing both parents with access to the children. “The nuclear family, even in its demise, is highlighted against a backdrop of changing patterns of residence and relationship.”<sup>248</sup>

Rather than thinking of a series of isolated conjugal families, Simpson argued, perhaps the best way to grasp the new configurations was with a notion of post-divorce “kindreds.”<sup>249</sup> He highlighted two distinct patterns of discontinuities and continuities—

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243 Simpson, “‘Unclear’ Family,” p. 831. For an American take, see Marilyn Coleman and Lawrence H. Ganong, “Remarriage and Stepfamily Research in the 1980s: Increased Interest in an Old Family Form,” *Journal of Marriage and Family* 52 (1990): 925–40. They pointed out that the nuclear family during the 1980s was still the implicit norm for evaluating step families. There was therefore inadequate attention to structural complexity. Indeed, the functionality of step families was based on nuclear family norms, and that obscured the “possibility of differences in functioning between step relationships and biological relationships,” p. 934. They found it too simplistic to assume the equivalence of step households and step families. “There is no evidence that behavior identified as optimal functioning in nuclear families is the same behavior seen as optimal functioning in stepfamilies,” p. 934.

244 Simpson, “‘Unclear’ Family,” p. 832.

245 Simpson, “‘Unclear’ Family,” pp. 834–35.

246 Simpson, “‘Unclear’ Family,” p. 836.

247 Simpson, “‘Unclear’ Family,” p. 839.

248 Simpson, “‘Unclear’ Family,” p. 839.

249 Simpson, “‘Unclear’ Family,” p. 839.

although clearly families could go through different phases and slip back and forth between the two modes.<sup>250</sup> With one family splitting up and a new one being created, the family could “look like a neat and seamless co-resident grouping.”<sup>251</sup> Anthropologists had always distinguished between the *genitor* and the *pater*, with the idea that the man who raises the child and has authority in a household may not be the one who generated that child. With divorce, what had been a combined role was now often split. In England, in the 1990s, children tended to reside with the mother, bringing conflict between “patrification” and “matrifocal residence.”<sup>252</sup> “The matrifocal orientation is clearly apparent in the unity of the sibling group, that is, the belief that the children born of the same mother should remain co-resident with her.”<sup>253</sup> Another possibility, Simpson labeled “accretion.” Here the mother and father integrated the children into their respective circles of kin and friends.<sup>254</sup> In the end, models based on the “bourgeois nuclear family” were no longer adequate to deal with the complexity and indeterminacy of family formation, kinship obligation, and household arrangements. The inherited models, “built on a powerful alignment of co-residence, temporally stable conjugal and parental relationships, and the social recognition of fatherhood,” failed to take into account that the nuclear family neither dominated numerically, on the one hand, nor offered adequate guidance for legal, social, and cultural action, on the other.<sup>255</sup>

Among other things, the last three decades of the twentieth century witnessed a massive movement of married women into the work place. This has had a profound effect on the balance of power between husbands and wives, of course, but it has also—and this seems to be an important break with the Parsonian nuclear family notion, with its isolation and characteristic mobility—forced couples to rely upon friends, kin, and hired help for everyday activities. Karen Hansen has analyzed how American families and households by the turn of the century had to create complex ties with “outsiders” in order to survive.<sup>256</sup> At the heart of the challenge was the question of how to care for children when both parents were part of the labor force.<sup>257</sup> Hansen pointed out that more than half of the households in United States had two employed parents, and that this had put paid to a major aspect of the nuclear family model; namely, the bread-winning father.<sup>258</sup> While the number of mothers who worked full time had increased fivefold

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250 Simpson, “‘Unclear’ Family,” pp. 839–40.

251 Simpson, “‘Unclear’ Family,” p. 843.

252 Simpson, “‘Unclear’ Family,” p. 843.

253 Simpson, “‘Unclear’ Family,” p. 845.

254 Simpson, “‘Unclear’ Family,” p. 847.

255 Simpson, “‘Unclear’ Family,” p. 847.

256 Hansen, *Not-So-Nuclear Families*.

257 Jay Belsky and Michael Rovine, “Social-Network Contact, Family Support, and the Transition to Parenthood,” *Journal of Marriage and Family* 46 (1984): 455–62, here p. 460, argued that contact with the extended family increased when a child was added to the family. Children stimulated social contact between parents and others.

258 Hansen, *Not-So-Nuclear Families*, p. 1.

over the previous half century, the going model still referenced the small, independent family household.<sup>259</sup> Yet it turned out that families had to rely on help for caring for children. The 1999 census data, as Hansen pointed out, showed that relatives comprised the majority of care givers. “The magnitude of the increase in the number of children with working mothers is staggering in its social consequences.”<sup>260</sup> Whatever the ideology of independence continued to tell us, in practical terms, families were interdependent.<sup>261</sup> Sociologists had failed to see this because of their “fascination” with families and their ignorance of kinship.<sup>262</sup>

There is a widespread assumption that ever-fewer families rely on extended kin for child rearing, but this is wrong, Hansen stressed; as the demand for care “skyrocketed,” ever-more kin have been brought in to meet the need in one way or another.<sup>263</sup> Such help involves complex systems of reciprocity, so that families who rely on kin in turn are called upon to aid others, in a pattern which both ramifies and reinforces network cohesion. Early research by ethnographers concluded that only the poor, the working classes, and immigrants developed domestic networks and this was thought to be deviant from the perspective of the Standard North American Family (SNAF) model. Once research caught up and sociologists and other scholars realized that such networks encompassed broad swathes of the middle classes, they and the practices that created them lost their pathological valuation. It was not just structural relations that had changed, however, but also the methodological approach, now utilizing large quantitative data.<sup>264</sup> Hansen developed her project to get beyond the statistics to understand the new logic of familial relations, and in order to keep the variables simple, she investigated only white families, distributed in four different classes.

At the center of all the networks in her study sample was what Hansen called an “anchor”; in each instance, a female, the mother of the family, who acts as a “gatekeeper.”<sup>265</sup> Any one of these networks had to rely on kinship obligation, and they called upon both men and women to serve. But not everyone was fitting, since anyone called upon

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259 Hansen, *Not-So-Nuclear Families*, p. 2.

260 Hansen, *Not-So-Nuclear Families*, p. 2. Even with wives working, family income has declined over past two decades, p. 8.

261 Hansen, *Not-So-Nuclear Families*, p. 3.

262 Hansen, *Not-So-Nuclear Families*, p. 4. In footnote 12, p. 222, Hansen listed the terms that recur in the sociological literature: “monolithic family,” “modern family,” “the family,” “normal American family,” “standard North American family,” the last indicated with the acronym SNAF.

263 Hansen, *Not-So-Nuclear Families*, p. 11.

264 Hansen, *Not-So-Nuclear Families*, p. 12.

265 Hansen, *Not-So-Nuclear Families*, pp. 17–21. See also Naomi Gerstel, “Divorce and Kin Ties: The Importance of Gender,” *Journal of Marriage and Family* 50 (1988): 209–19. She argued that kin-keeping is largely a matter for wives and that is reinforced by greater responsibility of women for children (p. 210). And in a neat twist, given the gender polarity of the nuclear family model, in divorce men relied on emotional ties with kin, while women used them more instrumentally.

to help out had to have the right values with regards to child raising.<sup>266</sup> Parents had to manage the demands of their jobs and professions as well as “frenetic schedules” around children’s activities.<sup>267</sup> “In building networks, parents and guardians act as gatekeepers, strategically selecting some people and consciously excluding others.”<sup>268</sup>

“Relations within a network of care for children operate via a culturally specific logic of reciprocity, which is premised on trust, obligation, and mutuality and shaped by historical moment and location.”<sup>269</sup> Hansen argued that an ideological filter in the United States had consistently obscured the fact that households with children were dependent upon kin and friends to manage both work and child-rearing. It turned out that for middle-class families there was a tendency for kin to try to live close to one another, and it was not unusual for members of the extended family to move close to others, keeping enough distance to preserve their independence but being close enough to participate in child care.<sup>270</sup> “Reciprocity in the context of rearing children is built on mutuality, trust, and a sense of responsibility and obligation endemic to active kinship.”<sup>271</sup> There was nothing automatic here about blood ties: “Like the norm of reciprocity, kin ties have to be activated to be meaningful.”<sup>272</sup> It may well be that kin ties were contingent or constructed through a process of picking and choosing, but “once activated and socially recognized, kinship comes with a clearer set of agreed-upon rules of behavior and obligation.”<sup>273</sup> There were, of course, class differences: working- and middle-class families relied more on kin, while the professional middle class and the upper class mobilized friends and paid help more readily, but all of the networks Hansen studied relied on family for crucial help. “Sociology’s concentration on nuclear family households has led to a general myopia regarding extra-household kin involvement, as well as neighborly help.”<sup>274</sup> Men also played central roles in the networks of care, albeit more prominently the higher the class status and income. Especially important were uncles and grandfathers, despite the fact that “the sociological and psychological literature tended to focus on uncles as perpetrators of sexual abuse rather than as contributors to family functioning.”<sup>275</sup> With new models for paternal engagement in the home, both men and women experienced increasing workloads.<sup>276</sup>

Hansen concluded that while raising children has been seen as a nuclear family enterprise in postindustrial America, it really only has worked with considerable extra

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266 Hansen, *Not-So-Nuclear Families*, pp. 127–29.

267 Hansen, *Not-So-Nuclear Families*, pp. 144–47.

268 Hansen, *Not-So-Nuclear Families*, p. 148.

269 Hansen, *Not-So-Nuclear Families*, p. 162.

270 Hansen, *Not-So-Nuclear Families*, pp. 163–64.

271 Hansen, *Not-So-Nuclear Families*, p. 165.

272 Hansen, *Not-So-Nuclear Families*, p. 165.

273 Hansen, *Not-So-Nuclear Families*, p. 165.

274 Hansen, *Not-So-Nuclear Families*, p. 184.

275 Hansen, *Not-So-Nuclear Families*, p. 184.

276 Hansen, *Not-So-Nuclear Families*, p. 199.

household collaboration.<sup>277</sup> “Over time, women have created alternative family structures and relied on both kin and nonkin to care for children. These networks are invisible to academics, policy makers, and the public in general. The enduring mythology of American self-sufficiency and independence interferes with a willingness to recognize the centrality of networks of care and to eliminate the obstacles to facilitating them.”<sup>278</sup> The considerable amount of work and time necessary to construct and maintain care networks must not be underestimated.<sup>279</sup> But why kin and not just friends? Reciprocity is something that works over time and demands “payment” when energies are free to return the gift, so to speak. Mobilizing kin offered greater flexibility, on the one hand, and kin could be used “more advantageously,” on the other.<sup>280</sup> Developing Hansen’s analysis here, it is possible to think of extended families as having their own cultures and mechanisms of constraint. Family memory can act as a guarantee for the return of obligation when the time comes to give back what one has taken. And reciprocity can take place through a system of multiple exchanges within a larger configuration of extended kin. Hegel made the point that relationships between husband and wife are mediated in the children (the wife sees the husband through the child and the husband sees the wife through the child). In this new constellation of familial reciprocities, it is the wife who determines the terms of trade, and her position in the family is mediated by the exigencies of child care.

## Conclusion

Fathers are marginalized in their first families and cannot provide much of a role model. Often enough they constitute the fallen idol, the God who failed. That failure must change the psychological patterns of family life. The father is ‘killed’ not by his successor, his son, but by his wife or by himself, in ‘suicide’ or resignation. . . . Some take it out on the children, but whether they do so, it produces a crisis for them. — Jack Goody, 2000

Whatever the relationship between the practices of actual families and the mid-twentieth-century, Parsonian-inspired model of the nuclear family, by the 1970s the structural features of households clearly needed propping up. This is when wages began to stagnate and intergenerational transfers of accumulated wealth began to play a greater role for the upper decile of income earners but a greatly reduced one for the next four deciles. The expenses of raising children and the costs of university education began to squeeze middle-class families who increasingly could not rely on the income of the husband/father alone. In this situation, women took on the task of mobilizing networks of care, including among kin, as they went into the work force. It was not simply coin-

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<sup>277</sup> Hansen, *Not-So-Nuclear Families*, p. 209.

<sup>278</sup> Hansen, *Not-So-Nuclear Families*, p. 210.

<sup>279</sup> Hansen, *Not-So-Nuclear Families*, p. 211.

<sup>280</sup> Hansen, *Not-So-Nuclear Families*, pp. 212–14.

cidental that cultural critiques of “patriarchy” and of male-dominated households emerged at the same time. Masculinity had to be reconfigured as nurturing. In the give and take of actual life, it is not an exaggeration to speak of daily power struggles that lay behind the soaring divorce rate or the long-term tendency to embrace looser forms of cohabitation. In all of this, at least for families with school-age children, new strategies for mobilizing extended kin were well in place by the end of the century. Or perhaps, better said, sociologists were finally catching up with structural features and practices that had been in place long before they noticed them.

In the 1940s and ‘50s, with the anchoring of the “nuclear family” concept in the Western psyche the husband/father was given a task with considerable implications for definitions of masculinity. He now had to support a family, apart from kin and in line with class expectations. The wife/mother could not function as the erotic pole of the family, absent a husband able to perform and a homeplace operating as a matrix (sic) of desire. If the postwar space of operation of women was sharply narrowed so too was the focus of women’s energies. But limiting the reach of women to maintaining the shrunken home and structuring care networks for children had the perhaps unintended consequence of enhancing their place and power within the boundaries of their nuclear families. This threatened to undercut paternal authority and to redefine the husband/father as an outsider, within a newly configured domestic space—Parsons’s fear of matriarchy. Still, the massive debate that erupted around 1970, about just where men were to be placed, also coincided with a series of momentous changes that seem to be interlocked: significantly greater reproductive control, a lessening interest in marriage (women more cautious and men more threatened, perhaps?), more cohabitation in a variety of combinations, soaring rates of divorce and illegitimacy, many more young adults and elderly living alone, ever-greater numbers of older unmarried women and married women with children in the workforce, and more children living in single-parent households headed most often by a mother but sometimes by a father. Various observers spoke of the peculiar “emotional intensity” of the nuclear family, “residual eroticism,” and “intense psychological dynamics,” and wondered whether expectations of such intense intimacy shaped the kinds of domestic disputes, disappointments, and infidelities of the age. Breaking and recombining families put men in the position of losing the identities prescribed for them by the nuclear family model, of splitting or confusing the roles of *genitor* and *pater*. And in a new world of “patchwork families,” new desires were liable to be invoked. As two sides of the same coin, so to speak, male power and male sexuality were tested, measured, and depreciated. Fathers, as well as extended male kin, all too often were conned as threatening presences. Questions of power dogged all discussions of the nuclear family from the very beginning. And by the 1970s, and on to the end of the century, father-daughter incest was one of the instruments for exploring the nature of patriarchy, contradictions in the exercise of paternal authority, and weaknesses in the nuclear familial model of intimacy and desire.

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## Excursus. Some demographic data

In order to follow the phases of demographic structures, I will divide the period into three sub-periods of roughly twenty-five years each: 1920–45, 1945–70, and 1970–95.

### 1920–45

The decades following World War I were characterized by changes in the complexity and sizes of households and an almost revolutionary fall in fertility, although some of the trends began in the years preceding the war. Compared with later decades of the twentieth century, the propensity to marry reached considerable heights, although the four countries showed significant differences. Rates of divorce edged upwards but remained relatively low. Over this period, Germans tended to marry ever-older, while Americans did so ever-younger, with England and France falling in between.

In Germany, households containing non-family members made up more than a quarter of all family households on the eve of World War I (1910).<sup>281</sup> After the hyperinflation of 1921–24 (1925), such households declined by a third and by 1939 they made up just under half the prewar numbers. Perhaps the trend was hastened by the experience of inflation, but it continued on for a decade and a half. Much of the decline was the result of giving up household servants and live-in journeymen (who in turn can be brought under the heading of servants in artisanal households). Almost one in six families included “servants” in 1910, but by 1939, the percentage of such households had fallen by 60% to little more than one out of 20. Another measure is to look at the average household size, which in Germany fell by 25% from 4.67 to 3.51 between 1910 and 1939. In 1910, about a third of the population lived in households with 7 or more people, while in 1939, about a tenth.<sup>282</sup> In 1910, about 20% of the population lived in households of 2–3 persons. By 1939, this had doubled to more than 40%. In pre-World War I France (1911), the private household mean size (3.46) was smaller than the 1939 German household, and it shrank another 10% by 1946 to 3.11.<sup>283</sup> What also stands out is the decline in households of 7 or more by almost two-thirds from 7.71 % in 1901 to 2.99% in 1946.<sup>284</sup> In the United States, the average size household of 4.83 in 1890, slightly larger than the German average, by 1950 had fallen by one-third to 3.37, slightly smaller than in Germany, but larger than the French average. During that time, US households with 2–3 persons doubled from about one-fifth of all households to two-fifths—like in Germany—while households of 7 or more fell by 75%, from about one-

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<sup>281</sup> Rothenbacher, *Societies of Europe*, p. 296.

<sup>282</sup> Rothenbacher, *Haushalts- und Familienstatistik*, p. 59.

<sup>283</sup> Rothenbacher, *Societies of Europe*, p. 259.

<sup>284</sup> Rothenbacher, *Societies of Europe*, p. 256.



fifth of all households to just short of one-twentieth.<sup>285</sup> Coleman and Salt point out that the average household size in Britain declined rapidly in the twentieth century.<sup>286</sup> Citing the work of Peter Laslett, they note that the mean of 4.6 had remained stable for several centuries. By 1961, it had declined by over one-third to 3.0 and continued to decline after that. In 1861 around 14% of households in Britain had servants (about the same as in Germany), but by 1951, less than 1% did so. Between those dates, the percentage of households with relatives of the household head remained stable at 15% and then rapidly declined after that. The trajectory of household structure and size during the decades after World War I for all four countries demonstrated a simplification and contraction. As I will show, fertility declines also contributed to the rapid fall in household size. From the end of the First World War to the end of the Second, large households in all four countries practically disappeared, and the overall average household size fell between 10% and 33%, leaving them all about the same. Households with 2 and 3 members by the end of the period made up between four and five out of ten in all four countries. Such demographic features underscored new understandings of the family and supported new kinship practices.

Coleman and Salt describe an unprecedented change in demographic behavior for Britain in the six decades leading up to the 1930s.<sup>287</sup> What they describe for Britain holds for France, Germany, and the United States as well. Within sixty years, starting in the 1870s, the number of children in the average *family*—in distinction from the household—declined from 5–6 to 2. The two-child family would characterize the ‘30s to the 1990s. This had a “profound effect on family life,” with consequences for population growth, age structure, and the economy. This decline in marital fertility had nothing to do with the inclination of people to marry. It eventually took in all sectors of the population. Demographers make a distinction between “fertility” and “fecundity,” or between the *observed* number of children born to a cohort of women and the *ability* of women to bear children.<sup>288</sup> The decline in fertility was at once a matter of choice and historically new, a desire for fewer children and the adoption of contraceptive prac-

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285 “US Households, by Size,” accessed July 19, 2017. Nimkoff, “The Family in the United States,” p. 392, ascribed the decrease in the size of the household to “the decrease in the number of kinsfolk living with the family, also the reduction in the number of lodgers and servants.”

286 Coleman and Salt, *British Population*, p. 216. The standard statistical reports for England and Wales do not offer average size households. The UK’s *Annual Abstract of Statistics* offers the total number of households for 1951, 1966, and 1971, together with the number of households with one up to ten+. In 1951, the percentage of households with 7+ members was 3.7%. Those with 2 and 3 members made up 52.4%.

287 Coleman and Salt, *British Population*, p. 61.

288 Coleman and Salt, *British Population*, pp. 63–64, summarized and discussed the “demographic transition” model. They found no correlation between the decline in infant mortality and fertility rates. Both were features of modernization in their view but had independent causes (pp. 66–67). They noted that people of different social status began to limit fertility at different times, something noted for professional groups already in the 1911 census.

tices, even without significant advances in contraceptive techniques. The house lost not just servants, relatives, and boarders, but a substantial number of children as well. In all of the countries, from 1920 to the end of World War II, the number of children born to married couples fell rapidly.

There are a number of ways to measure fertility rates—the crude birth rate (the number of children born per 1,000 population), the general fertility rate (the number of children born to 1,000 married women between ages 15 and 44 (combined with illegitimate births), the total fertility rate (TFR) (measured according to current age-specific fertility rates).<sup>289</sup> I will use these different measures according to their availability in published statistical series.

In Germany, the crude birth rate hit a high in 1876 of 40.9.<sup>290</sup> Already on the eve of the war (1910), it had fallen by a quarter to 29.8, and then it fell to half that by the early 1930s (14.7), rising to 19.7 by the end of the decade and dropping off to 16.1 just after the end of the war. This represents a fall of over 60% between 1876 and 1945. Measured in terms of the birth rate per 1000 married women ages 15–44 (the general fertility rate), a slightly stronger trend can be seen: a fall of more than 56% between 1910 and 1933 (from 231.2 to 101.6). In 1946, it was just 65, a decline of over 70% from just before World War I to just after World War II.<sup>291</sup> For France, the crude birth rate in 1910 was already well below that of Germany (19.9 compared to 29.8).<sup>292</sup> By 1935, it was 15.4, roughly the same as in Germany at that point, rising slightly by 1945 to 16.3, once again, just about the same as for Germany. There are TFR figures for France during the entire twentieth century (anything below 2.1 does not replace the population).<sup>293</sup> In 1910, the TFR for France was 2.6, fell by one-fifth to just the replacement rate of 2.1 in 1935, then rose slightly to 2.3 by the end of the war. For England and Wales, the crude birth rate in 1910 was 24.5 and in 1938, 15.1, close to the rate of the early 1930s in Germany and to the contemporary rate in France, after which it rose to 15.6 during the period 1950–52.<sup>294</sup> The general fertility rate in 1910 was 98.6; in 1938, 62.4; and in 1945, 68.8, rising to 72.1 by 1950, about the same as in Germany. At that point, the TFR was 2.16, just around the replacement rate and slightly lower than for France. For the United States, the crude fertility rate for whites in 1910 was 29.2, falling to 18.6 by 1940, and rising to 23.0 in 1950.<sup>295</sup> The TFR for those dates was 3.42, 2.23, and 2.98. For blacks, the crude birth rate in 1910 was 38.5 and in 1950, 33.3, substantially higher than for whites. The

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<sup>289</sup> Coleman and Salt, *Britain's Population*, p. 114, described the TFR as the “family size a woman would have if she experienced current age-specific fertility rates throughout her life time.” This appears to be the best rate for comparing populations with different age distributions of married women.

<sup>290</sup> Rothenbacher, *Societies of Europe*, pp. 288–91.

<sup>291</sup> “Bevölkerungsbewegung 1975,” p. 26.

<sup>292</sup> *France en Chiffres*, pp. 19–20.

<sup>293</sup> *France en Chiffres*, pp. 19–20.

<sup>294</sup> *Annual Abstract of Statistics* (2005), Office for National Statistics (Houndmills and New York, 2005), p. 46.

<sup>295</sup> *Historical Statistics of the United States*, Ab1-6.

TFR for those dates was 4.61 and 3.93. As for crude fertility rates, in 1910, Germany and the United States had relatively high rates, close to 30. Rates in both countries fell precipitously to low points in the '30s, but the German fall was more dramatic, on the order of 50%, while the US fall was a more modest but nonetheless substantial 35%. The rates in England and Wales started lower, at about 25 and fell close to 40%.<sup>296</sup> France, which had already developed a fertility rate about two-thirds of that of Germany and the US, experienced a less steep decline—a little more than 20%. Germany, France, and England and Wales hovered around a rate of 15 during the 1930s, while the US rate was 18–19.

In all these countries, fertility reached a low point in the 1930s, substantially below nineteenth-century rates and well below those on the eve of World War I. By the end of World War II, the European countries all saw a modest rise between 3% (England and Wales) and 10% (Germany). The United States was the outlier here with a substantial rise of almost a quarter, although the rate still was 20% lower than on the eve of World War I. If the two-child family was firmly established in Western Europe by the 1930s, this was not so in the US, which took a parallel albeit slightly more robust path. In all of these countries, the shrinking of households resulted as much from fertility declines as from the expulsion of “non-family” members.

For Germany, from 1910 to the end of the '30s, the percentage of illegitimate to all live births fluctuated around 9%; that is, in absolute terms they fell at about the same rate as legitimate births.<sup>297</sup> For France, in 1920, the percentage of illegitimate to all live births was 9.9% and in 1945, 10.5%.<sup>298</sup> Another way of figuring the data on illegitimacy is with the “illegitimacy rate,” or the number of illegitimate births per 1,000 unmarried women ages 15–44. These rates are available for Germany, the US, and Britain.<sup>299</sup> For Germany, in 1910, the rate was 24.1 and in 1939, 13.9.<sup>300</sup> In England and Wales the rate declined steadily from 18.3 in the 1850s to a low of 5.5 in the 1930s, then remained steady into the 1940s. It rose briefly at the conclusion of the war in 1945, after which it fell back to 10 in 1950. In the United States the overall rate was 7.1 in 1940 and 14.1 in

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296 Remarking on the size of families, Moge, in “Family in England,” pointed out that 50% of families in England and Wales had two children or less by 1925, a radical change from the mid-nineteenth century (pp. 320–21). Reports from 1910 showed that 15% of women practiced birth control, but 66% reported doing so during the period 1935–39 (p. 321).

297 Rothenbacher, *Haushalts- und Familienstatistik*, p. 73.

298 *France en Chiffres*, pp. 19–20.

299 US Department of Health, Education, and Welfare, “Trends in Illegitimacy, United States-1940–1965,” National Vital Statistics System, Series 21, Number 15 (Rockville MD, 1974). “Trends in the illegitimacy rate for the United States are available for a relatively short period of time, because not all States were included in the birth-registration area until 1933 and estimates for the States not reporting illegitimacy were not made until 1938. In England and Wales where the registration system is older, comparable data are available since 1850,” p. 2.

300 Rothenbacher, *Societies of Europe*, pp. 288–91.

1950.<sup>301</sup> It appears for all of these countries that the 1930s offered a period of historic lows—at least from the late eighteenth century—for children not born within marriage.

In Germany, in 1911, the average age at first marriage for German males was 27.4 and for women, 24.8, not unexpected, given the late marriage-age pattern for Western Europe for the previous several centuries.<sup>302</sup> For France on the eve of World War I (1906–10), the averages at marriage for men and women, respectively, were 26.3 and 23.2, about a year younger than for Germany. By the end of the Second World War (1946), the average ages were 27.4 and 24.3, reflecting a slow rise over the decade of the 1930s, still under the German norm.<sup>303</sup> The comparable ages for England and Wales for 1910 were 25.7 and 24.2 and for 1945, 24.8 and 22.3.<sup>304</sup> On the eve of the First World War, in the United States, men first married at 25.1 and women at 21.6, younger by 2–3 years than in Germany (US statistics use medians, while the other countries use means). The age of first marriage then fell progressively until 1950, to 22.8 and 20.3, respectively. During this period, the German ages moved in the opposite direction, so that in 1950 both men and women in Germany married five years older than their American contemporaries.

Marriage rates of course fluctuated, given the effects of war, inflation, and depression, but the long-term trend for all four countries was upwards. The crude marriage rate (per 1,000 population) for Germany rose 45% from 7.7 in 1910 to 11.2 in 1939.<sup>305</sup> Given the problem of shifting age structure over the period, a better measure is the percentage of marriages measured by the unmarried population ages 15–49 (in thousands).<sup>306</sup> By the mid-1920s, this rate had fallen from the prewar level of 63.1 by about 10%, but by 1933 was 20% higher than in 1910 and by 1939, 33% higher. *It was during this period of relatively high marriage rates that households grew ever-smaller and less complex, and fertility rates declined sharply.* For France, the crude marriage rate in 1910 was 7.8, about the same as for Germany.<sup>307</sup> As in Germany, it leaped in the years after the war and fell back right away, but it did not grow sharply in the 1930s as happened in Germany, and thus ended that decade at 6.2, a little less than half the German rate. Measured in terms of the unmarried population ages 15–49, the rate in France was 68.9 in 1910, rather higher than for Germany and continued to be higher in the 1920s

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**301** For whites, the rates for 1940 and 1950 were 3.6 and 6.1, respectively; for non-whites, 35.6 and 71.2. (p. 4).

**302** Rothenbacher, *Haushalts- und Familienstatistik*, p. 72.

**303** *France en Chiffres*.

**304** Schoen and Canudas-Romo, "Timing Effects on First Marriage," p. 141.

**305** Rothenbacher, *Societies of Europe*, pp. 288–91. It had reached an earlier high in 1872 of 10.3, but then fluctuated rather steadily between 7.7 and 8.5 until the war. It fell to 4.1 during the war and then jumped right afterwards for a couple of years to around 14, falling back once again to begin a rise during the 1930s. Except for the effects of war and inflation, it looks more or less like a stable marriage pattern until the considerable rise during the decade before World War II.

**306** Rothenbacher, *Societies of Europe*, pp. 288–91.

**307** *France en Chiffres*, p. 25.

(France, 76.8 and Germany, 56.9 in 1925). By the end of the '30s, the rate was 64.6, compared with 94.8 for Germany. Where Germany witnessed a substantial rise in nuptiality during the '30s, France did not change significantly from the prewar level. In 1910, the crude marriage rate was 7.1 in England and Wales, a little less than in France and Germany.<sup>308</sup> The postwar situation had the same effect in England and Wales as in the other Western European countries, producing a fall in the marriage rate during the '20s, and the beginning of a rise in the '30s, to 11.2, well above the French rate and just below the German. Between 1910 and 1939, Germany and England and Wales witnessed a rise of about 45% in the crude marriage rate, which in Germany went along with a significant rise in the marriage age but in Britain reflected a pattern of earlier marriage not seen for centuries.<sup>309</sup> For the United States, the crude marriage rate between 1920 and 1945 remained about the same, around 12.0, with a low point of 9–10 in the '30s. Measured in terms of unmarried females of marriage age, the rate fell almost 10% from 92.0 to 83.6.<sup>310</sup> In Germany, where the age of marriage tended substantially upwards, the nuptiality rate outstripped that of the United States, where the age at first marriage reached historic lows. During the 1930s, both Britain and Germany had increasingly high marriage rates, while France stagnated at relatively low rates and the United States continued to have high rates that sloped off around the beginning of World War II.

After the end of that war, ever-more divorces would play a key role in structuring familial relations. While the rate of divorce measured in terms of 1000 married couples tripled in Germany between 1910 and 1939, it still remained low at 3.85. Another measure is the number of divorces per 100 marriages: 1910, 3.0; 1933, 6.7; 1939, 8.0. In 1910, the divorce rate per 1000 married couples in France was 1.71 compared to 1.30 for Germany (4.6 per 100 marriages, compared to 3.0 in Germany). By 1935, it was 2.45 (8.4 per 100 marriages; 7.7 in 1940). This was about the same as for Germany where roughly 8 divorces occurred per 100 marriages at the end of the decade. Divorces were rare in England and Wales, practically non-existent in 1910. By 1939, the divorce rate per 100 marriages was 8.7 similar to France and Germany, very low when compared to the late twentieth century. US historical statistics do not give numbers before 1950 when the divorce rate per 1000 married population was 29.0.<sup>311</sup> Once again, the United States was the outlier in this regard, with rates 7–8 times greater than for Germany. Its population married very young and split up much more easily than in other advanced industrial nations, although we can still speak of marital “stability” even in the United States relative to the following decades.

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**308** Rothenbacher, *Societies of Europe*, pp. 730–37.

**309** Coleman and Salt, *Britain's Population*, p. 134.

**310** *Historical Statistics of the United States*, Ae507-513. There was a bump right after the war (1946) to 118.1, but by 1950, it was back to 90.2, falling consistently to 1995 to 50.6.

**311** *Historical Statistics of the United States*, Ae507–513.

## 1945–70

During the postwar period, in Germany, the average size private household fell another 10% between 1950 and 1970, from almost 3 to 2.74.<sup>312</sup> The number of households with 5 or more persons continued to erode, falling by 20% to around 13% of all households; after another decade such households would make up less than 8%. What stands out in Germany is the 25% growth in the number of households with only one member, from a fifth of all households to a quarter, a trend that would continue over the following decade. The number of households with two members also grew, but modestly. In the United States, the average household size was slightly higher than in Germany around 1950 and fell at little more than half the rate in Germany by 1970 (3.14 compared to 2.74).<sup>313</sup> While in the United States, households with 5 or more remained from 1950 to 1970 at around 20% of the total, the percentage of single households grew by over 50% to make up 17% of all households, still well under the German numbers.<sup>314</sup> Remarkably, the households containing 2–4 members, precisely the foundation of the nuclear family model, declined over the two decades by more than 10%, from around 70% of all households to just over 60%. French sources do not offer average household sizes directly, but they can be calculated from published data.<sup>315</sup> In 1946, the average household size for France was 3.13; in 1962, 3.1; in 1968, 3.06; and in 1975, 2.88.<sup>316</sup> There, too, large households were in rapid decline: those with 5 or more members fell by a quarter from 20.18% to 15.45%. Single households did not grow quite as fast as in Germany (1962, 19.62%; 1975, 22.18%), but stayed significantly above the percentages to be found in the US. Those with 2–4 members remained about the same throughout the period

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<sup>312</sup> *Statistisches Jahrbuch 1965*, pp. 65–66.

<sup>313</sup> “US Households, by Size.” Note that Kingsley Davis would announce that the US family was the smallest anywhere or ever, but this seems to have been just bragging.

<sup>314</sup> John C. Belcher, “The One-Person Household,” p. 534 noted already in the late ‘60s the rapid rise of single member households. Belcher raised the question in light of Parsons’s notion of the isolation of the nuclear family in the US whether “there are certain characteristics of the nuclear family, as well as our general social system, which are producing large numbers of people who have no function in the family system as it now exists,” p. 534. He noted that the proportion of one-person households grew by 76.4% between 1950 and 1960 during a time when the number of households grew by only 20.8%. He examined the phenomenon in light of the development cycle of the family and found that the majority of one-person households occurred after the dissolution of the nuclear family from the age of fifty onwards. Those who were widowed or who never married made up 75.9% of all one-person households (p. 536). Over 60% of those living alone were female, and close to 90% of those living alone were white (p. 538).

<sup>315</sup> The I.N.S.E.E. did a survey every four years of households and living conditions. They published periodic analyses of these surveys under the title *Les ménages et leur logement: principales analyses des trois enquêtes-logement de l’INSEE*. . . . The *Annuaire statistique* volumes publish tables based on these surveys. The first available household statistics data from France are for 1962 (reported in the 1965 AS). The I.N.S.E.E. collected household size stats only every several years: 1962, 1968, 1975, 1982, 1984, 1988, 1996, 1998. The figures here were calculated by Eric Hounshell.

<sup>316</sup> The statistic for 1946 is from Rothenbacher, *Societies of Europe*, p. 259.

(1962–75), around 60%. For Great Britain, there are no published series of overall average household sizes, but from time to time someone has compiled the figures from raw data.<sup>317</sup> In 1971, the average size household was 2.91, a little larger than for Germany, about the same as for France, and smaller than for the US, which continued to have the largest average household size of the four countries under consideration. For Great Britain, the proportion of households with only one person rose from 10.7% in 1951 to 18.1% in 1971, about the same as in the United States.<sup>318</sup> Households with 5 or more persons over the same period fell almost 20% from 17.8% to 14.3%, ending at levels similar to Germany and France. Interestingly enough, to the end of this period, US households with 5 or more persons continued to represent 20% of the total, a good third above Germany, France, and Great Britain. Households in Great Britain with 2–4 persons between 1951 and 1971 lightly dropped from 71.5% to 67.6%. Overall, during the postwar period, in these Western countries the average household size continued to decline. As a percentage of the total, large families steadily decreased, and singles came to represent a substantially new phenomenon.

What about the trends in fertility in this postwar period? Certainly, the jump expected from postwar conditions, just as after the First World War, took place—the “baby boom” phenomenon. In West Germany, the crude birth rate (per 1000 population) right after the war in 1946 stood at 16.1 and even fell into the mid-1950s to just above the low point registered in 1933.<sup>319</sup> But around 1956, it began to rise, so that by 1960, it was 17.4 and by 1965, 17.7. Then it fell again, registering in 1970 at 13.4, a lower rate than for 1933. It continued to fall to 9.7 in 1975. Except for the distortion of the war period, the long-term trend over the twentieth century was a precipitous fall in the desire for numerous children. Between 1910 and 1970, the fall was well over 50%. France witnessed a crude fertility rate (16.3) at the end of the war (1945) about the same as Germany.<sup>320</sup> It rose, however, sooner than Germany’s, reaching a high point of 20.7 already in 1950, sloping off by 1970 at 16.7, and continuing down to 14.9 by 1975, to a rate lower than the previous low point of the mid-1930s. Between 1910, when already France had much the lowest rate of the four countries, and 1970, the crude fertility rate fell by a sixth. The TFR reveals that in the mid-1930s, France had a fertility rate that barely reproduced the population—exactly 2.1.<sup>321</sup> In 1945, it was a little higher, reaching a peak in 1950 of 2.9. By 1975, it would be under the rate necessary to reproduce the population and would remain there into the twenty-first century. The rates for illegitimate children remained relatively low and stable for both Germany and France

<sup>317</sup> Here the statistics are for Great Britain rather than as earlier for England and Wales.

<sup>318</sup> Office of Population Censuses and Surveys, *General Household Survey 1992* (London, 1994), p. 22. I calculated these numbers from the *Annual Abstract of Statistics* from 1955 (p. 63) (1951 statistics), and 1975 (p. 85) (1971 statistics). Other sources give the figure in 1971 closer to 17%.

<sup>319</sup> “Bevölkerungsbewegung 1975” p. 26.

<sup>320</sup> *France en Chiffres*, p. 19; *Annuaire statistique de la France 1996*, p. 76.

<sup>321</sup> *France en Chiffres*, pp. 19–20.

between 1950 and 1970, although Germany actually saw a decline. In 1950, the French percentage of illegitimate births to all births was 7.0% and about the same twenty years later (6.8%).<sup>322</sup> Germany started a bit higher at 10.6%, but by 1965 registered a low point of 5.8%, rising to 7.2% in 1970, about the same as France.<sup>323</sup> For the United States, the postwar crude birth rate for whites was 23.0, well above the rates for Germany and France.<sup>324</sup> By 1970, it had fallen to 17.4, higher than Germany's but about the same as France's, and 40% lower than in 1910. The rates for blacks in 1950 and 1970 were 33.3 and 25.3 respectively, with a rate in 1970 about a third lower than in 1910. The TFR perhaps gives a better statistic for comparative purposes, and its curve reflects the baby boom more accurately. For Whites it was 2.98 in 1950, rose to 3.53 in 1960 and then fell to 2.39 in 1970. It continued to slope off to the point where the population would not replace itself in the 1980s. It would take two more decades for black reproduction rates to reach that point. Illegitimacy rates for the US are figured by the number of live births to unmarried women, ages 15–44. In 1945, the number was 10.1 and by 1970, doubled to 22.4.<sup>325</sup> For England and Wales, the crude birthrate in 1950–52 was 15.6, about the same as its low point in the mid-1930s.<sup>326</sup> It rose by 2 points in 1960–62 and fell back to the same rate in 1970–72, thereafter falling steadily to the end of the century. Between 1910 and 1970, the crude fertility rate fell by well over a third. The TFR in 1950 for England and Wales stood at 2.16, barely above the reproduction rate, rising to 2.77 in 1960, falling to 2.31 by 1970, and in the ensuing decades continuing downward to a point below the rate of reproduction.<sup>327</sup> Illegitimacy, while rising up to 1970, remained relatively low. In 1950, the low rates (4.99) of the 1930s still predominated, but by 1971, the proportion of illegitimate births had risen by two-thirds to a still relatively low 8.21,

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<sup>322</sup> *France en Chiffres*, pp. 19–20.

<sup>323</sup> “Bevölkerungsbewegung 1975” p. 26; *Statistisches Jahrbuch* 1985, p. 75; 1995, p. 73.

<sup>324</sup> *Historical Statistics of the United States*, AB1-6.

<sup>325</sup> Stephanie J. Ventura, “Recent Trends and Differentials in Illegitimacy,” *Journal of Marriage and Family* 31 (1969): 446–50, here p. 446: Between 1940 and 1966 illegitimate births in the US tripled. The proportion of all births went from 3.8% to 8.4%. Of women 15–44, from 7.1 per 1000 to 23.4 (p. 447). In the period 1958–66, the rate slowed down while the number of unmarried women grew. It was thought likely that increases in unmarried women would in the future account for increases in illegitimacy. In 1940, the illegitimacy rate for non-white women was ten times greater than for whites. Since 1950, the differential was decreasing. There was a more rapid increase in illegitimacy among white women. She speculated that if one controls for class, a great deal of the difference would disappear (p. 448). With a decline in marital fertility, there was a substantial rise in the illegitimacy ratio: between 1960 and 1966, the ratio increased by 59%.

<sup>326</sup> *Annual Abstract of Statistics* 2005, p. 46. For a discussion of fertility trends, see Coleman and Salt, *Britain's Population*, p. 117.

<sup>327</sup> There is a good discussion of the British baby boom (1951–64) in Coleman and Salt, *British Population*, pp. 117–23. See also David Coleman, “New Patterns and Trends in European Fertility: International and Sub-National Comparisons,” in Coleman, *Europe's Population*, pp. 1–61. Most European countries reached a peak within a year of 1964, and most were below replacement by 1972. The US peaked earlier in 1957.



a point or so above the comparable figures for Germany and France—after that such proportions would soar for all three countries.<sup>328</sup> Taking all the data together, by the early 1970s the fertility rates for each of these countries reached or went below the low point of the 1930s, and continued to decline until none of the countries had rates sufficient to replace the population.

In Germany the age at first marriage of males fell consistently from 1950 to 1970, from 28.1 to 25.6 (8.9%), while that of females fell from 25.4 to 23.0 (9.4%).<sup>329</sup> This was the lowest age of marriage in Germany in the twentieth century. Indeed, the higher ages of the 1920s and '30s would even be surpassed in the 1990s. The rate of marriage per 1000 population in 1950 (10.7) was close to the high point of 1939 but then fell regularly to 7.3 in 1970, lower than the pre-World War I and 1920s rates (in 1910, 7.7), and continued to fall thereafter.<sup>330</sup> People were marrying younger but less often during the 1960s and '70s. The divorce rate began to fall around 1952 to a low point in 1960, doubling by the early '70s to 1.73 per 1000 population (1975). As the marriage rate declined and the divorce rate rose, the origination of the divorce complaint shifted significantly. In 1950, just over half of the complaints were initiated by women, but by 1970, a full 70%.<sup>331</sup> In France, there was the same fall in marriage age in the twenty-five years after the war. All the way through, however, the French married a year or two younger than the Germans. Between 1950 and 1970, the marriage age for men fell by 6% from 26.2 to 24.7, while that for women fell by 3% from 23.3 to 22.6.<sup>332</sup> In 1945, the rate of marriage per 1000 population was relatively high in France at 9.9, almost 40% higher than in the mid-1930s.<sup>333</sup> After that it fluctuated around the 1930s' level (7–8) until 1970, after which the rate declined consistently into the next century. French demographers have devised a measure which we can translate as the "total divorce rate" or describe as the "divorcibility" per 100 marriages. It is the expected rate, given the statistics of marriage and divorce for a particular year. That rate fluctuated between 10 and 12 from 1945 to 1970 (about 40% above the level of the '30s), after which it doubled and tripled over the next two decades.<sup>334</sup> The Americans married at a relatively young age, and did so from right after the Second World War through to the 1970s (in 1950, 22.8 and 20.3; in 1970, 23.2 and 20.8).<sup>335</sup>

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328 *Annual Abstract of Statistics 2005*, p. 48; 1975, p. 35. Coleman and Salt, *Britain's Population*, pp. 134–37. Between the 1930s and '50s, over 96% of births were legitimate. The authors called this a "golden age of respectable behaviour." The illegitimacy rate started to rise again in the 1960s, and greater numbers of illegitimate births correlated with later marriage ages since the 1970s. Most illegitimate births by the '70s and afterwards were to women in stable relationships.

329 "Bevölkerungsbewegung 1975," p. 39.

330 "Bevölkerungsbewegung 1975," p. 26.

331 "Bevölkerungsbewegung 1975," p. 79.

332 *France en Chiffres*, p. 26.

333 *France en Chiffres*, p. 25.

334 *France en Chiffres*, p. 25.

335 *Historical Statistics of the United States*, Ae481–482. For a contemporary comment on this, see Robert Parke Jr. and Paul C. Glick, "Prospective Changes in Marriage and the Family," *Journal of Marriage*

In 1950, both sexes were younger than the Germans by five years and by the French by three or more. In 1970 the difference was attenuated somewhat, with the marriage age over 2 years younger against Germany and 1.5 for France. The rates of marriage and divorce per 1,000 population in 1950 in the United States were 11.1 (Germany, 10.7; France, 7.9) and 2.6 (Germany, 1.69).<sup>336</sup> By 1970, they were 10.6 (Germany, 7.3; France, 7.8) and 3.5 (Germany, 1.26). By 1970, the percentage of divorces to marriages was 32.79.<sup>337</sup> This is close to the figure one gets by dividing the rate of divorce by the rate of marriage (33.02). Carrying out the same operation for the United States in 1950 and for Germany in 1950 and 1970, we find results of 23.42 for the US in 1950 and of 15.79 and 17.26 for Germany in 1950 and 1970, respectively. Americans married earlier and more often than the French or Germans and divorced more freely in the decades leading up to 1970, but over the long term the curves were quite similar in their shape and magnitude.<sup>338</sup> For England and Wales, the marriage rate per 1000 population in 1955 was 16.0, well ahead of the three other countries, and it fluctuated around that number until 1970, after which it continuously sloped off—almost 40% by the end of the century.<sup>339</sup> As with the other European countries, the average marriage age fell between 1945 and 1970, from 24.8 to 23.0 for men and 22.3 to 20.8 for women, with a profile in 1970 almost exactly the same as for the US.<sup>340</sup> In 1951, in England and Wales, the divorce rate per 1000 married people was 2.6, in 1965, 3.1, and in 1970, 4.7, tripling by early in the next millennium.<sup>341</sup>

## 1970–95

During this period, the size of the German household continued to erode. Already relatively small in 1970 (2.74)—almost 40% smaller than in 1910—it fell a further 18% to 2.25 in 1993.<sup>342</sup> In 1910, private households with 5 or more people made up a full 20% of all households. By 1970 the proportion was just short of 13% and by 1993, under 5%. On the other hand, households with 1–2 members displayed remarkable growth. While those

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and *Family* 29 (1967): 249–56.

<sup>336</sup> *Statistical Abstract* 1995, p. 73.

<sup>337</sup> *Statistical Abstract* 1995, p. 73.

<sup>338</sup> Nimkoff, “The Family in the United States,” p. 390, noted nuptiality rates for the US were higher than “most other nations” and at earlier ages.

<sup>339</sup> *Annual Abstract of Statistics* 2005, p. 40; 1995, p. 17; 1975, p. 31; 1965, p. 24.

<sup>340</sup> Schoen and Canudas-Romo, “First Marriage,” p. 141. Richard Leete, “Marriage and Divorce: Trends and Patterns,” *Population Trends* (1976): 3–8 noted that in 1970 when the new law took effect lowering the age of majority from 21 to 18, there was a sharp rise in the rate of marriages under 20.

<sup>341</sup> *Annual Abstract of Statistics* 2005, p. 40; 1995, p. 19; 1975, p. 31. Leete, “Marriage and Divorce,” p. 5: only since 1945 has divorce become a “major factor in the legal determination of marriage.” A new surge came after the 1971 Divorce Law Reform Act. One of the major changes was the decline in the rate of childless couples who divorce (p. 6). With divorce came a significant rise in remarriage (p. 6).

<sup>342</sup> *Statistisches Jahrbuch* 1985, p. 66; 1995, p. 65.

with a single member in 1910 made up just over 7%, by 1970 the proportion was 4 times greater. By 1993, they made up more than one-third of all private households (34.17%), a rise between 1970 and 1993 of more than one-third. Households with two members showed a similar curve: in 1910, around 15%; 1970, 27%, and 1993, 31%, doubling over the century. A remarkable change during the period was the appearance of non-marital partnerships, with and without children. Over two decades (1972–93), the number of “families” without children rose more than ten-fold from 111,000 to 1,146,000. With children, the figures are 25,000 and 436,000 (17 times greater).<sup>343</sup> In 1972, the proportion of such families with children was 18.25%, and in 1993, 25.56%. Clearly households were being restructured by the desire of couples to enter into non-traditional arrangements. The United States saw similar trends in household size. In 1970, the average household size was 3.14, almost 15% larger than the contemporary German household.<sup>344</sup> By 1995, it had fallen more than 15% to 2.65, still somewhat larger than in Germany. In the United States, too, the percentage of households with 5 or more fell drastically during the period 1970–95, from more than one-fifth of all households to just over 10%. Those with 1–2 members rose consistently over the same period. Households with a single member were 17% in 1970 and 25% in 1995, while those with 2 members were 28.8% in 1970 and 32.1% in 1995. The percentage of households with a woman and children under eighteen but with no spouse rose over 75%, from 13.65% in 1970 to 24.03% in 1990.<sup>345</sup> Lawrence Santi argued that the relative weight of forces leading to smaller households shifted over the decade of the 1970s.<sup>346</sup> During the first half, the decline can be ascribed mostly to declining rates of fertility. After that, changes in living arrangements of adults exerted the far more important impact, among the changes, high levels of divorce, an increasing age at first marriage, and a greater tendency of young and old to live in independent households. Now living arrangements of adults were exerting increasing impact on the average size of households.<sup>347</sup> For Great Britain, the average size household declined 15% between 1971 and 1998, from 2.91 to 2.48, almost all of which was due to the increase

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**343** *Statistisches Jahrbuch* 1995, p. 66.

**344** “US Households, by Size,” accessed June 11, 2020.

**345** *Historical Statistics of the United States*, Ae223–224.

**346** Lawrence L. Santi, “Change in the Structure and Size of American Households: 1970 to 1985,” *Journal of Marriage and Family*, 49 (1987): 833–37. This article offered a comprehensive overview as well as a guide to the literature. Particularly interesting was the observation that between 1970 and 1985, married couple households declined by almost 13%, while there was an increase in the proportions of non-family households and female-headed family households. In 1970, the percentage of married couples was 70.6. By 1985 it was 58.0%.

**347** See Paul C. Glick, “Fifty Years of Family Demography: A Record of Social Change,” *Journal of Marriage and Family* 50 (1988): 861–73. In 1960, only 9% of children under 18 were in single parent families, but in 1986, this had risen to 24% (p. 867). As for living alone, the greatest increase was registered for twenty- to thirty-year-olds. The percent of people living alone rose between 1960 and 1985, from 13% to 24%. By 1974, more marriages ended in divorce than through death (p. 868). In 1987, 60% of children under 18 lived in remarried families (p. 871).

in single households of adults ages 15–59.<sup>348</sup> Lone mothers with dependent children in England and Wales also saw a consistent rise, from 7% in 1971 to 20% in 1993.<sup>349</sup> Single households went from 17% to 27% of all households between 1971 and 1993, figures just about the same as for the United States.<sup>350</sup> Large households of 6 or more by 1993 accounted for a negligible 2%. By 1989, fewer than half of the population lived in what Coleman and Salt call the “classic family”—a married couple with a couple of children.<sup>351</sup> There was also a shift in where households were located.<sup>352</sup> The 1960s saw an unprecedented decentralization in the United Kingdom, the United States, and elsewhere, which peaked in the early 1970s—essentially a move towards suburbanization. From the mid-’70s, as a result of the baby boom, a large number of new young households emerged. Higher divorce rates also led to a proliferation of small households, and this was coupled with trends in retirement—all leading to many more households of smaller size. For France the average number of domestic occupants in 1968 was 3.06.<sup>353</sup> By 1999, the average had fallen by 22% to 2.4, similar to the trend found in the other countries. In 1968, households with one occupant made up 19.62% of the total, and in 1996, 28.06%. Those with two occupants rose from 26.86% to 32.25%. Households with 6 or more occupants fell from 9.93% to 2.58%. In all four countries, roughly three of every five households contained 1–2 persons by the mid-1990s. At the lowest end of the range was the United States (57.1% of all households), compared with Germany at the highest (65.2%).

The crude birth rate in Germany (both parts) continued to fall, from 13.5 per 1000 population in 1970 to 9.4 in 1995, more than 30%.<sup>354</sup> Beginning in 1975, more people died in Germany than were born. Illegitimate births as a percentage of all live births more than doubled during the period, from around 7% to almost 15%. Altogether, from early in the century (1910), the crude birth rate fell by more than two-thirds. In France, the crude birth rate declined from 16.7 in 1970 to 12.6 in 1995, or 25%, about the same as for Germany, while always remaining higher.<sup>355</sup> The TFR tells a similar story: 2.5 in 1970 and 1.7 in 1995.<sup>356</sup> By at least 1975, the rate was below 2.1, the rate of replacement. The rise in the percentage of illegitimate births to live births in France was a remarkable departure

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348 “Households, families and people (General Lifestyle Survey Overview—a report on the 2011 General Lifestyle Survey)” (2013), ch. 3 in *Annual Abstract for Statistics* (2013), p. 2. For England and Wales, see Office for National Statistics (UK), *General Household Survey 1993*, p. 14, hereafter *General Household Survey 1993*. There were considerable variations by ethnic group. For Whites, the average size household in 1993 in England and Wales was 2.42; for all ethnic minority groups, the average was 3.28.

349 *General Household Survey 1993*, p. 19.

350 *General Household Survey 1993*, p. 22.

351 Coleman and Salt, *British Population*, p. 216. Married couples with children make up just 28% of households, p. 224.

352 Coleman and Salt, *Britain’s Population*, p. 98.

353 Household sizes for France compiled by Eric Hounshell.

354 *Statistisches Jahrbuch 1997*.

355 *Annuaire Statistique de la France 1996* (Paris, 1996), p. 96; *France en Chiffres*, p. 19.

356 *France en Chiffres*, pp. 19–20.

from the German case: from 6.83% in 1970 (similar to Germany) to 37.6% in 1995, more than double the increase in Germany.<sup>357</sup> By the mid-1990s, over one-third of all births in France were to unmarried mothers, the big shift having occurred in the 1980s. The French had ceased by then to make any legal distinction between legitimately and illegitimately born children, and the number of births outside marriage continued rising, reaching 50% of the total by the end of the first decade in the next century.<sup>358</sup> In the United States, the crude birth rate fell between 1970 and 1993 from 18.4 to 15.7, and while the rates were higher than for France and Germany, the trajectory was the same.<sup>359</sup> In the middle of the same decade as for the other two countries (1970s), the population ceased to reproduce itself. The TFR in 1970 was 2.48; in 1975, 1.74; and in 1995, 2.02 (replacement rate 2.1).<sup>360</sup> In US statistical compilations, the illegitimacy rates are given per 1000 women in particular age cohorts.<sup>361</sup> For women 15–44, the rate in 1970 was 26.4, and in 1995, 45.1, a rise of 71%.<sup>362</sup> For England and Wales, the crude birth rate fell between 1970–72 and 1990–92 from 15.6 to 13.8, and by 2000–2002, had sunk to 11.4.<sup>363</sup> The TFR for those dates were 2.31, 1.82, and 1.65. Once again, the 1970s was the decade when the TFR fell below replacement rate (by 1980–82, it was 1.81). Coleman and Salt argue that working and childbearing have been alternatives. In 1910, only 10% of married women 16–59 years old worked. The number began to rise in the 1930s, and by the early '80s, over 60% were in the work force. “The movement of married women into the workforce is one of the most startling and far-reaching social changes since the war.”<sup>364</sup> The percentage of children born outside of marriage rose 1971–95 from 8.21% to 33.10%.<sup>365</sup> By 2003, it would reach over 40%.<sup>366</sup>

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357 *France en Chiffres*, pp. 19–20.

358 The rates here were similar to the former East Germany by 2010, while those for West Germany remain at half the French and East German rates (around 25%). In all cases, the increase in non-marital births was not a matter of single mothers but of stable non-marital relationships: “Out-of-wedlock births show huge east-west German divide,” *The Local de*, accessed September 18, 2017, <https://www.thelocal.de/20091023/22767>.

359 *Statistical Abstract* 1995, p. 73.

360 *Statistical Abstract* 1995, p. 76; *Historical Statistics of the United States*, Ab52, Ab306.

361 “Live Births and Birthrates, by Year,” <https://www.infoplease.com/us/births/live-births-and-birth-rates-year>. Total births 1970: 3,731,386; 1995: 3,892,000. *Historical Statistics of the United States*, Ab264–305, total births to unmarried women: 1970, 398,700; 1995, 1,253,976. Combining these figures, the ratio or rate of illegitimate children was 1970, 10.75; 1995, 32.25. By 1995, France, England and Wales, and the United States all had about a third of all children born out of wedlock.

362 *Historical Statistics of the United States*, Ab264–305.

363 *Annual Abstract of Statistics* 2005, p. 46.

364 Coleman and Salt, *Britain's Population*, p. 142. By 1988, 66% of the married women 16–59 years old were working.

365 *Annual Abstract of Statistics* 2005, p. 48; 1975, p. 35.

366 See Penny Babb and Ann Bethune, “Trends in Births Outside Marriage,” *Population Trends* 81 (1995): 17–22. They found the rapid increase in births outside marriage to be “one of the most significant changes in family formation patterns in the last thirty years,” p. 17. Until the late 1970s the rate remained small—under 10%. By 1993, around a third of births were to unmarried women. Since the 1980s the increase in extra-marital births more than compensated for the decline in marital fertility.

The average age of marriage rose remarkably between 1970 and 1993 for Germany, from 25.6 and 23.0 in 1970 for males and females, respectively, to 29.2 and 26.8 in 1993, both averages up 14%.<sup>367</sup> There was also a growing disinclination to marry, the crude marriage rate shifting downwards by more than a quarter from 7.4 in 1970 to 5.5 in 1993.<sup>368</sup> For France the average marriage age for both men and women rose more than four years in the same dramatic fashion as in Germany, from 24.7 for men and 22.6 for women in 1970, to 28.9 for men and 26.9 for women in 1995.<sup>369</sup> The crude marriage rate fell even more precipitously than for Germany, from 7.8 in 1970 to 4.4 in 1994 (more than 40%).<sup>370</sup> At the same time the percentage of divorces to marriages went from 9.88% in 1970 to 40.27% in 1992. The French also registered “pactes de solidarité” (declarations of domestic partnership).<sup>371</sup> In 1991, the number of such registrations was 6,151. Already in 2000, there were 5,412 registrations of same sex couples and 16,859 of different sex couples. In 2012, the numbers were 6,944 and 153,287.<sup>372</sup> For the United States, the statistical authorities offer the median rather than the mean age at marriage. They show the same tendency towards older marriage ages. Between 1970 and 1995, the median ages for males and females rose respectively from 22.8 to 26.9 and 20.3 to 24.5 (well over 40%).<sup>373</sup> The percentage of the married population over eighteen fell 15%, from 71.7% in 1970 to 60.6% in 1994.<sup>374</sup> The total number of unmarried couples rose seven-fold, from 523,000 in 1970 to 3,661,000 in 1995.<sup>375</sup> The percentage of divorces to marriages in the United States rose from 32.80% in 1970 to 50.74% in 1995.<sup>376</sup> For

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See the earlier article by Barry Werner, “Recent Trends in Illegitimate Births and Extra-Marital Conceptions,” *Population Trends* 30 (1982): 9–14, who pointed out the trend for joint registration of illegitimate births by both parents, suggesting that many more couples were bringing up children together outside of wedlock. But this also went with more one-parent families, with single women bringing up children alone. He offered statistics for the US (17% in 1979), West Germany (8%) in 1980, France (11%) in 1980, and England and Wales (13% in 1981).

367 “Bevölkerungsbewegung 1975,” p. 39; *Statistisches Jahrbuch* 1985, p.72; 1995, p. 71.

368 *Statistisches Jahrbuch* 1995, p. 70.

369 *France en Chiffres*, pp. 26–27.

370 *Annuaire Statistique*, 1996, p. 76.

371 *France en Chiffres*, p. 26.

372 Larry L. Bumpass, James A Sweet, and Andrew Cherlin, “The Role of Cohabitation in Declining Rates of Marriage,” *Journal of Marriage and Family* 53 (1991): 913–27: the authors followed cohabitation in France and the United States. In France, rates of cohabitation began to increase around 1970 until among all ever married 34 or younger 40% had lived in premarital cohabitation. At first the proportion of young adults who ever lived in a union remained constant, and the age at first union remained constant. After 1981, the proportion ever married fell more rapidly and was not compensated by an increase in cohabitation: the proportion in union at any age declined substantially (pp. 913–14).

373 *Historical Statistics of the United States*, Ae481–482.

374 *Statistical Abstract* 1995, p. 54.

375 *Statistical Abstract* 1995, p. 55.

376 *Historical Statistics of the United States*, Ab29–30. In “Remarriage and Stepfamily Research in the 1980s,” Marilyn Coleman and Lawrence H. Ganong complain that until recently divorce and step family research were studied as problems. They suggest that a more useful adaptive perspective was necessary

England and Wales, the crude rate of marriage fell between 1970 and 1995 from 17.1 to 11.0.<sup>377</sup> The divorce rate between 1970 and 1995 rose 2.79 times.<sup>378</sup> In Great Britain, the percentage of women 18–49 years old who were legally married fell from 74% in 1979 to 59% in 1993, while the percentage of divorced rose from 4% to 9%.<sup>379</sup> By the early 1990s, the divorce rate in England and Wales was the highest in Europe.<sup>380</sup> Between 1979 and 1993, the number of unmarried women who cohabited rose from 8% to 23% and for divorced women, from 20% to 25%.<sup>381</sup> With cohabitation there are considerably new issues with regards to inheritance rights and responsibility for children.<sup>382</sup>

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that considered divorce and remarriage as normative lifestyles, firmly rooted in society (p. 928). Lynn K. White, "Determinants of Divorce: A Review of Research in the Eighties," *Journal of Marriage and Family* 52 (1990): 904–12, discusses the divorce statistics for the 1980s and reviewed the literature on the causes of divorce. He drew attention to a few important variables: divorce rates were 25% higher (1980–85) for second marriages; premarital cohabitation was associated with higher probabilities of divorce; and parents of sons were less likely to divorce than parents of daughters (pp. 906–7).

**377** *Annual Abstract of Statistics* 2005, p. 40; 1995, p. 17; 1975, p. 31; 1965, p. 24.

**378** The statistics are compiled by Eric Hounshell from the *Annual Abstract of Statistics*. In 1920, there were 58,239 divorces. In 1995: 155,499 (a rise from 4.7 to 13.1 per thousand population).

**379** *General Household Survey* 1993, p. 13. John Haskey, "Trends in Marriage and Cohabitation: The Decline in Marriage and the Changing Pattern of Living in Partnerships," in *Population Trends* 80 (1995), pp. 5–15, here, p. 6: "The number of first marriages in 1993 was the lowest recorded this century; in fact, the lowest since 1889, despite a much larger population."

**380** John Haskey, "The Proportion of Married Couples who Divorce: Past Patterns and Current Prospects," *Population Trends* 83 (1996): 25–36. He rehearsed the discussions over the consequences of high rates of divorce, summarized as a "threat to the stability of family life in general," p. 25. He thought the growing tendency for cohabitation was related to the increased chances for divorce. Although the rates of divorce had attenuated during the '80s and early '90s, the rise still was inexorable (p. 26). The more recently married had higher divorce rates (p. 27). The author thought that the growth in cohabitation has had a destabilizing influence upon all marriages (p. 28). There was an increase in divorce rates by any duration of marriage, but the younger people marry the more likely the divorce. Given divorce rates in 1993–94, the expectation was that about 40% of marriages would end in divorce. Another interesting phenomenon was "living apart together," discussed by John Haskey, "Living Arrangements in Contemporary Britain: Having a Partner who Usually Lives Elsewhere and Living Apart Together (LAT)," *Population Trends* 122 (2005): 35–45.

**381** Coleman and Salt, *Britain's Population*, p. 178. Women with small families could go back to work. They became more independent of men inside the home and outside they could compete. They noted that younger divorced people have higher remarriage rates than single people of the same age. Remarriage now involved one out of every three weddings. Fifty percent of previously unmarried people who married in 1988 lived together before marriage. Also, during the 1980s, around 73% of illegitimately born children were registered by both parents (p. 117). The marriage age began a great fall during the 1930s for the first time in centuries, p. 180. The low point in Britain was reached in 1970: 24.5 for men and 22 for women (in 1915, the respective ages had been 28 and 26). By 1988, the marriage age had risen again to 26.5 and 24.4. In the 1950s, about one woman in twenty cohabited before marriage. By 1976, a quarter did so. By the late '80s, 50% of single women did so, while the percentage reached 74% of those previously married.

**382** Haskey, "Trends in Marriage and Cohabitation."

## Chapter 2

# The Family Spun in a Web of Power

Power and division of labor appear to be two of the most crucial concepts for describing familial behavior. — Stephen J. Bahr, 1974

By the 1970s when the father-daughter problematic in the United States swept all other considerations of incest aside, that relationship was for the most part modeled around configurations of power. But at least since the 1930s, the family itself had been construed by sociologists, psychotherapists, and a host of pundits in terms of power relations. Indeed, the “nuclear family” concept as it was formulated in Cambridge (MA) argued that this domestic unit could only function if authority were anchored in a male household head. It was he who provided the family’s status, assured its unity, and implemented the integration necessary for its operation—in exchange, of course, for his winning the bread. When feminist writers in the 1970s exposed the father/husband as a far more ambivalent figure than postwar experts had imagined, they tended to be thinking of authority in terms of force and even violence, both sometimes hidden, sometimes open. Some among them supposed that social and political culture(s) determined the asymmetries between husbands and wives; others considered the more encompassing systems to be the outcome of repeated micro acts of gender oppression. But their analysis of kinship relations in terms of power, conflict, dominance, and hierarchy was nothing new.

Throughout this book I have been following shifting Western understandings of the ways the sinews of kinship grow: from descent and blood, to sentiment and affinity, to nurture and networking, and now to hierarchy and power. All of these always have been present to some extent, but with more or less weight and attention to this or that factor in different periods to assess how people are thrown together, develop attachments, and learn to rely upon or avoid each other. Postwar culture pursued two quite disparate ways of situating people within their family group. First, for several decades, the “nuclear family” was considered almost exclusively from the point of view of the marital pair, captured in the far less popular and rather academic phrase “conjugal family,” which in the hands of most social scientists meant the same thing. Here the job description of the family entailed the production of emotion, with job performance measured according to the degree to which the family provided well-being for its partners and sustained the balance necessary for the reproduction of the workforce. In Parsonian formulations, children were, for the most part, an afterthought. Nonetheless—and second—it was very much in this period that families themselves gave a great deal of attention to children, and all indications point towards a new ideal: the



highly individualized, planned child, the *enfant désiré*, or the *Wunschkind*.<sup>1</sup> From the mid-1970s onwards, this pattern, already manifest in the low fertility rates of the '30s, was being expressed in not-incompatible configurations of limited fertility, high rates of abortion, novel reproductive techniques, surrogacy, and neo-colonial forms of adoption. But among the children themselves, there was always the question of having been wanted, prompting in many cases a search for origins: whether for birth parents, or the conditions of pre- and post-Oedipal attachment and detachment, or genetic traces. Whether and how the family was understood to affect the individual, depended on what questions were being asked, in what was a give and take between experts and clients. Alternatively, attention was focused on the stage on which a person got to play out a gender-assigned script as a spouse, the “family of procreation”; or—and especially if ill-adjusted to that role—on the root cause of an individual’s problems, which could be sought in his or her family of origin, the “family of orientation.” Experts cut off inquiries into the external conditions of life, such as alienation prompted by the workplace, to bring everything back to familial dynamics, and many people were only too eager to follow their lead. Indeed, to give the most extreme case, war shock was traced not so much to the bomb that went off a few yards away, wiping out most traces of your comrade and rattling your physical and mental being to the core, but more essentially to the mother who failed to feed your autonomy and thereby get you to man-up.<sup>2</sup> It was within constellations of family power that individuals were both constituted and found or failed to find satisfaction. So at one pole of power, stood the experience within the small family; at the other, the ideological constructs of social workers, psychotherapists, journalists, and judges who spoke loudly and sharply to their audiences about their mental and social health and spread their networks of power over schools, media, counseling rooms, and couches.

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1 Paul Yonnet, *Famille I: Le recul de la mort: L'avènement de l'individu contemporain* (Paris, 2006), pp. 22–24, 145, 152, 161, 172–73, 181–84, 187–91, 227, 231, 240–43, 278, 281, 300–301, 324, 330–32, 343, 359.

2 Edward A. Strecker, *Their Mothers' Sons: The Psychiatrist Examines an American Problem*, new ed. (Philadelphia and New York, 1951; 1st ed. 1946), p. 219: “No one could view this huge test tube of man power, tried and found wanting, without realizing that an extremely important factor was the inability or unwillingness of the American mom and her surrogates to grant the boon of emotional emancipation.” Rebecca Jo Plant, *Mom: The Transformation of Motherhood in Modern America* (Chicago and London, 2010), reported that two medical officers in 1944 wrote in the *New England Journal of Medicine* that the “single most important factor in predisposing servicemen to psychological breakdown was not traumatic combat experience but rather ‘distorted’ familial relations,” p. 99. Ellen Herman, *The Romance of American Psychology: Political Culture in the Age of Experts* (Berkeley and Los Angeles, 1995), p. 115: “Insisting that all war neuroses were psychoneuroses was simply another way of saying that war was mentally unbalancing not in and of itself but because it mobilized old, often unconscious, emotional conflicts residing in the individual psyche, conflicts that were the most fundamental and authentic sources of mental symptoms.”

## Who wins? Social analysis and democratic goals

It seems likely that employment would increase a woman's power vis-à-vis her husband because of the socially defined importance of the monetary contribution. — Lois Wladis Hoffman, 1960

French historian Paul Yonnet argued in 2006 that critiques of the family, which he saw as culminating in the 1970s, have been based on its inability to satisfy the needs of the individual. As he pointed out, the family came to be considered above all as a society of individuals, reduced to a network of interpersonal relations.<sup>3</sup> By this time the collective dimensions of family life that had been central to the understanding of kinship had become sharply attenuated. It was no longer central to familial analysis to dwell on property devolution, common goals, or productive or reproductive functions.<sup>4</sup> If the family produced anything, it was individuals whose needs and satisfactions had become the central focus of sociological imagination. Another way of putting it was openly transactional—the family as a “network of personal, financial, and political investments in which multiple, often contradictory desires are produced.”<sup>5</sup> Since the 1930s, American sociologists had been working the family as a site of “interlocking personalities,” with each member attending to his or her own interests.<sup>6</sup> They were responding to the exigencies of a service economy and trying to figure out how the new configurations of familial relations fit with the rapidly changing conditions of work. And they were considering the effects of outside employment on the deployment of energies inside the family.

The findings of researchers always depend in part on where they have looked and how they have framed their questions. Certainly, this was the case for postwar sociologists and psychotherapists trying to understand the family from their quite different perspectives. From the 1930s onwards, sociologists put their money mostly on spousal relations.<sup>7</sup> Indeed some thought that the number of children had fallen so far that there was nothing much to say about parent-child interactions, except as a reflection of the relations of their parents.<sup>8</sup> Children might side with the parent they perceived as the more

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3 Yonnet, *Famille I*, p. 15.

4 In a different way, this could be seen as reflecting the situation that Thomas Piketty has described for postwar Europe and America, *Capital in the Twenty-First Century*, trans. Arthur Goldhammer (Cambridge, MA, 2014), discussed in the previous chapter.

5 Timothy Laurie and Hannah Stark, “Reconsidering Kinship: Beyond the Nuclear Family with Deleuze and Guattari,” *Cultural Studies Review* 18 (2012): 19–39, here p. 33.

6 Christopher Lasch, *Haven in a Heartless World: The Family Besieged* (New York, 1977), p. 29. This idea goes back to the sociologist Ernest W. Burgess, writing in the 1930s. On Burgess, see F. Ivan Nye, “Fifty Years of Family Research, 1937–1987,” *Journal of Marriage and Family* 50 (1988): 305–16, here p. 306.

7 Lasch, *Haven*, pp. 38–39.

8 The author of a widely read text book on comparative family systems, Meyer L. Nimkoff, thought the marital situation to be more important than parenthood: Lasch, *Haven*, p. 40.

powerful, for example.<sup>9</sup> Or they might “act out” in face of tensions at home, and thus become behavioral problems at school, or street corner bullies, or withdrawn, anxious, angry. In cases of conflict between parents or of one parent complaining that the other one was making an illegitimate bid for power, the driver of the dynamics would almost always be the mothers. So, yes indeed, social analysis reduced the family to the dynamics of interpersonal relations, but then it focused almost all attention on husbands and wives and found that power was the key to understanding the dynamics of their everyday lives.<sup>10</sup> Everyone in Germany, England, France, and the United States, seemed to be interested, at least implicitly, in how to introduce or stabilize or describe companionate or democratic marriages.<sup>11</sup> German scholars by the 1950s rarely found families—had they ever existed?—that fit the old-fashioned stereotype of patriarchal domination.<sup>12</sup>

Almost all postwar observers treated power as a zero-sum game played by spouses, with one a winner and the other a loser, whatever the issue. Thus when feminists, asserting the right to speak for oppressed women in the 1970s, declared that the family was about power, strategic interest, hierarchy, and competition, this was by no means a revelation.<sup>13</sup> The same was true for their observation that the stable marriages of the 1950s had depended on systematic forms of inequality and coercion.<sup>14</sup> Already the key to treating any problems within the nuclear family lay in the concept of power.<sup>15</sup> And sociologists had answered the call with a flood of articles on the subject: Mirra Komarovsky found 180 publications in American journals on power, authority, and decision making in the seven years between 1965 and 1972, for example.<sup>16</sup> Ivan Nye, one of

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9 See Atlee L. Stroup, “Marital Adjustment of the Mother and the Personality of the Child,” *Marriage and Family Living* 18 (1956): 109–13. Kathryn Summers Powell, “Maternal Employment in Relation to Family Life,” *Marriage and Family Living* 23 (1961): 350–55.

10 Gerald W. McDonald, “Parental Identification by the Adolescent: A Social Power Approach,” *Journal of Marriage and Family* 39 (1977): 705–19, here p. 705.

11 Kristin Ross, *Fast Cars, Clean Bodies: Decolonization and the Reordering of French Culture* (Cambridge, MA, 1995), p. 27, on the new conjugality in France. Once the quality of family depended on the quality of married life, sociology became concerned mostly with marital adjustment: Lasch, *Haven*, p. 40.

12 James Chappel, “Nuclear Families in a Nuclear Age: Theorising the Family in 1950s West Germany,” *Contemporary European History* 26 (2017): 85–109. Helmut Schelsky, *Wandlungen der deutschen Familie in der Gegenwart*, 3rd ed. (Stuttgart, 1955). Gerhard Wurzbacher, *Leitbilder gegenwärtigen deutschen Familienlebens*, 4th ed. (Stuttgart, 1969). René König, *Materialien zur Soziologie der Familie* (Cologne, 1974). Helmut Schelsky, *Changing Family Structures under Conditions of Social and Economic Development* (The Hague, 1958). René König, *Die Familie der Gegenwart: Ein interkultureller Vergleich* (Munich, 1974).

13 Christine Delphy, *Close to Home: A Materialist Analysis of Women's Oppression*, trans. and ed. Diana Leonard, foreword Rachel Hills, new ed. (London, 2016; 1st ed. Amherst, 1984), pp. 70–90.

14 Judith Stacey, “Good Riddance to ‘The Family’: A Response to David Popenoe,” *Journal of Marriage and Family* 55 (1993): 545–47, here p. 546.

15 McDonald, “Parental Identification,” p. 705.

16 Mirra Komarovsky, “The New Feminist Scholarship and Some Precursors and Polemics,” *Journal of Marriage and Family* 50 (1988): 585–93, here p. 587. Komarovsky had been working on these issues since the 1930s, in association with Paul Lazarsfeld at the Institute for Social Research.

the most prominent sociologists of the family, found that in the first decades after the war, power and authority, often discussed under the rubric of matriarchy or matrifocality, exercised scholars, that much of the literature tried to figure out the degrees of happiness and unhappiness of husbands and wives, and that from the early '70s onwards themes of direct conflict and violence became more prominent.<sup>17</sup> But were the sociologists and social workers of the '70s responding to real changes in family dynamics? Or were they merely directing the lens of inquiry to phenomena and tensions that had always been present, even if backstage? Nye, thought in 1988 that real change was occurring: "as we look at current family conflict, divorce and dissolution, family stress, violence, and unmet personal and relationship needs, it appears that family problems are multiplying considerably faster than research and therapy can address them."<sup>18</sup>

What the nuclear family promised—in its utopian formulation in academic scholarship—was companionship. There may have been a time when fathers ruled, but already in 1940, the "patriarchal form" was found to be disintegrating in America and a new democratic form emerging.<sup>19</sup> A few years later, Reuben Hill could speak of the "pruning of patriarchal authority."<sup>20</sup> Jump forward a decade and scholars looking at the US, England, Germany, and France all were speaking of "democratic" or "partnership" or "egalitarian" families, of a shift in power and decision-making towards the wife, perhaps capturing fears of going too far with concepts like "matrilineality" and "matricentricity."<sup>21</sup> Men were becoming more "feminine" and it was no longer possible to speak of a *paterfamilias*.<sup>22</sup> And German and American scholars even vied with

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17 Nye, "Fifty Years" 305–16.

18 Nye, "Fifty Years," p. 316. It is possible, of course, to read the quote as a job application or proposal for research funding. But, apart from conflict in general, sexual tensions and abuse did seem to be on the rise. In her study of a sample of San Francisco women, Diana E. H. Russell, *The Secret Trauma: Incest in the Lives of Girls and Women*, rev. ed. (New York, 1999; 1st ed. 1986), developed statistics to show that incestuous abuse before age eighteen rose four times from around 1900 to 1973, with most of the rise occurring after 1937 (pp. 76–79). Russell also looked at extrafamilial child abuse before the age of fourteen, which she found also rose by a factor of four. From 1961 to 1973 child abuse by non-relatives doubled from 7.2 percent to 16 percent. By comparison with fathers, stepfathers abused daughters more than eight times as often, which accounted for part of the considerable rise as divorce and remarriage rates soared (p. 83).

19 Sidney E. Goldstein, "The Family as a Dynamic Factor in American Society," *Living 2* (1940): 8–11, here p. 9.

20 Reuben Hill, "The Returning Father and His Family," *Marriage and Family Living 7* (1945): 31–34.

21 M. F. Nimkoff, "The Family in the United States," *Marriage and Family Living 16* (1954): 390–96. Winston Ehrmann, "A Review of Family Research in 1954," *Marriage and Family Life 17* (1954): 169–76. J. M. Mogy, "The Family in England," *Marriage and Family Living 16* (1954): 319–25. Dominique Ceccaldi, "The Family in France," *Marriage and Family Living 16* (1954): 326–30. Helmut Schelsky, "The Family in Germany," *Marriage and Family Living 16* (1954): 331–35. See Michael Mitterauer and Reinhard Sieder, *The European Family: Patriarchy to Partnership from the Middle Ages to the Present*, trans. Karla Oosterveen and Manfred Hörzinger (Oxford, 1982).

22 Helen Mayer Hacker, "The New Burdens of Masculinity," *Marriage and Family Living 19* (1957): 227–33.

each other to demonstrate which culture had gone furthest in emancipating wives. The leading sociologist of the German family in 1958 enthused (a little prematurely, perhaps): “The cry for equal rights and the emancipation of woman is now a cry from those who throw their hats in the ring after the fight has been won.”<sup>23</sup>

The Parsonian model of the nuclear family contained important implications for the unfolding discussion of the power dimensions of that particular kinship form.<sup>24</sup> Here I want to recall three of its aspects. First, the model segregated the family from its surrounding community, to create a kind of “structural isolation.” This was the “the most distinctive feature” of the nuclear family, according to Parsons. Second the model markedly differentiated the role of the husband/father from the one of the wife/mother. His job was to have a job outside the home, which determined the status of the family and made him, quite naturally, the “instrumental [read *rational*] leader.” Her job was to occupy the house/home during the daylight hours (“anchor” it), determine the emotional tone of the family, provide sex (a “stress on female eroticization”), and (negatively) not to compete with her husband, since he was to have the only job conferring status. Her domestic power, however, led Parsons to hint of “matriarchy” both among the poor and the upwardly mobile, especially in the suburbs. Third, the model defined the home as a place to “balance the personalities of adults,” one aspect of which involved heterosexual “eroticism.” That Parsons was thinking primarily from the husband/father perspective is suggested by his understanding of genital sex as a “reenactment” of the Oedipal mother/child relation. Even though two generations were thrown together in a nuclear family, which made for a sexually stimulated atmosphere (“residual eroticism”), the fact or act of being parents was really about being spouses. This put marital relations at the center of familial analysis and made the family an emotional pole opposed to everything outside of it—and portended the possibility of emotional chaos if things got out of hand.

At the heart of the nuclear family model was the understanding that an occupation outside the home had fundamental implications for the distribution of power inside. For many decades after the war, sociologists confined the issue of power to decision-making—who chose the car or the vacation spot or the school? Money talked after all. The one who provided the family income could claim the right of choice: “Power and division of labor appear to be two of the most crucial concepts for describing familial behavior.”<sup>25</sup> In fact, the division of labor was in many ways seen to determine the power relationship. By the early ‘60s, this was discussed in terms of so-called resource theory.<sup>26</sup> In its original formulation, all the family resources came from external activ-

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23 Schelsky, *Changing Family Structures*, p. 13.

24 Parsons, “The American Family.”

25 Stephen J. Bahr, “Effects on Power and Division of Labor in the Family,” in *Working Mothers*, ed. Lois Wladis Hoffman and F. Ivan Nye (San Francisco, Washington, and London, 1974), pp. 167–85, here p. 167.

26 Robert O. Blood Jr. and Donald M. Wolfe, *Husbands and Wives: The Dynamics of Married Living* (Glencoe, IL, 1963). Robert O. Blood Jr. and David Heer, “The Measurement and Bases of Family Power: A Rejoinder,” *Marriage and Family Living* 25 (1963): 475–78.

ities, which were assumed to be those of the husband: his status, occupation, education, and memberships in various organizations. Power in the family (that is, between husband and wife) derived from these. The accompanying assumption was that any wife/mother who left the house for a job would accrue some power over the decisions the couple would make. And there was considerable resistance to that state of affairs. Children would be neglected, and the wife/mother would lose her natural standing, the basis of whatever power she had *as a mother*.<sup>27</sup> Independence was a male thing, and there was a sense that encroachment into the male realm of active life outside the home by a wife/mother would lead to feminizing the husband/father, and that in turn would affect the masculinity of sons—at least that was the claim, and the debate.<sup>28</sup> In any event, it was really only for a moment, the few years after the war, that the man of the house occupied the status as sole breadwinner.<sup>29</sup> In each decade following the war, sociologists remarked upon the ever-increasing movement of wives into the labor force. At first it was a matter of women without children or of mothers whose children had left home (but adolescents might get too much mothering, so it was a good idea if mothers worked part time).<sup>30</sup> Then came mothers with school-age children and finally mothers *tout court*, the '60s and '70s being the decades when married women poured into the market.<sup>31</sup> By the 2000s in the US, two-thirds of married women with children under six were employed outside the home. And by the last decade of the twentieth century, the classic nuclear family model of male breadwinner, housewife, and one or more children made up only 10% of the households in that country.

It is not my task here to assess the *real* power situation in families, but rather to note how power was talked about in the social sciences. In the 1950s, it was possible to speak of the unusual independence of the American wife precisely because of the small

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27 Margery W. Smith, "The Working Mother and Her Children," *Marriage and Family Living* 6 (1944): 5–6. Bartlett H. Stoodley, "Mother Role as Focus of Some Family Problems," *Marriage and Family Living* 14 (1952): 13–16.

28 Murray A. Straus, "Conjugal Power Structure and Adolescent Personality," *Marriage and Family Living* 24 (1962): 17–25.

29 Susan Thistle, *From Marriage to the Market: The Transformation of Women's Lives and Work* (Berkeley and Los Angeles, 2006), p. 35.

30 Robert O. Blood Jr., "Long-Range Causes and Consequences of the Employment of Married Women," *Journal of Marriage and Family* 27 (1965): 43–47, here p. 45: "Employment emancipates women from domination by their husbands . . . The employment of women affects the power structure of the family by equalizing the resources of husband and wife," p. 46. "Thus her power increases and, relatively speaking, the husband's falls." The shift in the balance of power was echoed in children—maternal employment affected boys and girls differently. The father had less status—the sons saw it and slumped too. "Husbands get drafted into domestic service when their wives leave home," p. 47. Both fathers and sons got more domesticated in feminine spheres. "[Sons] are somehow demoralized by the fact that the women have suddenly achieved equality with them," p. 47.

31 Sharlene Nagy Hesse-Biber and Gregg Lee Carter, *Working Women in America: Split Dreams*, 2nd ed. (New York and Oxford, 2005), p. 45. In 1940, about 15% of married women were employed; by 1950, 24%; by 1960, 32%; by 1970 over 41%; by 1980, 50%; by 1995, 61%.

but growing number of wives who had employment outside the home.<sup>32</sup> In the '60s, the discussion circled around who would do the housework (men in part) if the women trotted off to work, how family decisions would be made, whether there would be more conflict, especially if the wife brought in more income or her job had greater prestige, and what the effects would be on masculinity when the husband's breadwinning capacity was eroded.<sup>33</sup> But one study found that non-employed wives reported greater

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32 Nimkoff, "Family in the United States," p. 393. He noted that already a quarter of wives were in the workforce, but still three-quarters were dependent upon their husbands' earnings. "But the availability of jobs for women not under their husbands' control, moderates the dependence of wives upon their husbands, even for those wives not actually in the labor force. Here is a key to understanding of the unusual independence of the American wife" (p. 393). Some Europeans held up the independence of the American wife as a model they were quite ambivalent about, while others vied to prove that their women were just as independent if not more so. One English writer put the accent on property rights rather than employment as the foundation of new power resources for married women: Moge, "Family in England." But then by 1957, he was arguing that women were increasingly going into the workforce and their earnings made them independent of their husbands: J. M. Moge, "A Century of Declining Paternal Authority," *Marriage and Family Living* 19 (1957): 234–39. As women were going out of the house, men were integrating themselves more into the house, and this was a good thing—it made for greater companionship: "The basic contention of the argument thus far is that the key to family stability in the isolated nuclear family lies in the way in which the role of the father is played," p. 238. He was whistling in the dark, however: "If the hypothesis that the increasing involvement of the father in the intimate daily affairs of the family leads to family stability is correct, the divorce rate should continue to decline for some years to come," p. 239. Similar arguments were being made for France. See Pierre Fougeyrollas, "Prédominance du mari ou de la femme dans le ménage," *Population* 6 (1951): 83–102. The German sociologist Helmut Schelsky thought that the growing power of the wife was really a matter of industrial society everywhere, and that in Germany, that growing power was accelerated by the war: Schelsky, "Family in Germany," p. 335.

33 In 1954, a retrospective on family research was published as Winston Ehrmann, "A Review of Family Research in 1954," *Marriage and Family Life* 17 (1954): 169–76. Ehrmann found a fundamental paradox. There seemed to be a strongly marked tendency towards what he called a "matrilineally" structured family, and by that he seems to have meant one with more decision-making power embedded in the wife/mother (p. 173), but "strangely enough this trend toward a matricentric family is taking place along with the persistent influx of married women into gainful occupations and . . . the desire of many women for both marriage and employment," p. 174. Lois Wladis Hoffman, "Effects of the Employment of Mothers on Parental Power Relations and the Division of Household Tasks," *Marriage and Family Living* 22 (1960): 27–35, found more men doing routine household chores. There was a change in power relations and more equality between spouses. "It seems likely that employment would increase a woman's power vis-à-vis her husband because of the socially defined importance of the monetary contribution," p. 27. Still the power of wives had to be forced through the prism of male dominance ideology, and "a certain amount of husband dominance is necessary for a wife to feel adequately feminine and for her husband to feel masculine," p. 33. Leland J. Axelson, "The Marital Adjustment and Marital Role Definitions of Husbands of Working and Nonworking Wives," *Marriage and Family Living* 25 (1963): 189–95, reported more wives going to work, but "the available evidence continues to suggest that the husband and father in our society is still the basic source of strength, unity, ultimate authority and economic security for the family," p. 189. "The working wife continues to be perceived as a real threat by the male in our society. Not only did the male believe that the children will suffer if the wife is employed, but he also feared the

“marital satisfaction” than those who either had to or wanted to work.<sup>34</sup> Another study thought it was quite possible that the idea of the new family as more democratic was pure ideology and that men adjusted poorly to their working wives.<sup>35</sup> Still another noted that increasingly, urban and suburban women were seeing domesticity as a trap and fighting for the right to work, which in turn was leading to a loss of status and demoralization for their husbands and sons and increasing “aggressiveness in their daughters.”<sup>36</sup> During this decade, sociologists continually worried the consequences of housewives-out-of-the-house. On the one hand, there were the promises of a future of declining paternalism and growing equality between spouses, of the realization of a glowing democratic ideal, while on the other, there were premonitions of masculinity in crisis and family in disarray brought about by challenges to familial integration consequent upon the decline of the male family wage and the power that went with it. Some sociologists thought of wives going to work as more-or-less a free choice on their part. By the 1990s, however, it was clear that most families needed two wages and by the end of the century, even clearer that few families could make do with a single earner.<sup>37</sup>

With every ensuing decade, with ever-more women entering the workforce, and with the essential question of why men were of any use at all working its way into public discourse, the problem of authority could no longer be entertained without recourse to ideas of force and violence.<sup>38</sup> Early in the 1970s, the resource theory-based notion that power within a family flowed to the spouse who brought home the bacon came under attack, but because many sociologists had no other instrument to work with, the notion lived on well into the ‘90s.<sup>39</sup> The isolation of families in the suburbs suggested that women were cut off from neighborly and kin support, leaving them at the mercy of physically coercive individuals, or even especially vulnerable, since force and coercion were often seen as universal attributes of male power.<sup>40</sup> After more than two decades of

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wife would increase her independence which would threaten his culturally defined dominance, particularly if she enjoyed greater economic success,” p. 195.

34 David A. Grover, Robert O. Blood Jr., and F. Ivan Nye, “Socio-Economic Differential between Marital Adjustment and Wife’s Employment Status,” *Marriage and Family Living* 25 (1963): 452–58, here p. 453.

35 Axelson, “The Marital Adjustment,” p. 195.

36 Blood Jr., “Long-Range Causes and Consequences,” pp. 44, 46–47.

37 Thistle, *Marriage to the Market*, p. 55: Business and government abandoned the family wage by the ‘70s and ‘80s. See Melinda Cooper, *Family Values: Between Neoliberalism and the New Social Conservatism* (Brooklyn, 2017), pp. 8–25, on the implication of the end to “Fordist” wages.

38 Richard J. Gelles, “Violence in the Family: A Review of Research in the Seventies,” *Journal of Marriage and Family* 42 (1980): 873–85. See also Stacey, “Good Riddance,” pp. 545–47.

39 The most systematic review of resource theory was by Constantina Safilios-Rothschild, “The Study of Family Power Structure: A Review 1960–69,” *Journal of Marriage and Family* 32 (1970): 539–52. Glenna Spitze, in “Women’s Employment and Family Relations: A Review,” *Journal of Marriage and Family* 50 (1988): 595–618, argued that the resource idea and a focus on decision-making was still dominant.

40 William J. Goode, “Force and Violence in the Family,” *Journal of Marriage and Family* 33 (1971): 624–36. Dair L. Gillespie, “Who Has the Power? The Marital Struggle,” *Journal of Marriage and Family* 33 (1971): 445–58: “Equality of resources leaves the power in the hands of the husband,” p. 457. “The



experience and research, there was little support for the notion of the egalitarian heterosexual couple and little evidence that men whose wives worked actually had taken on more domestic responsibilities.<sup>41</sup> But there were noticeable, documentable changes. Wives now faced the “second shift.”<sup>42</sup> Indeed, the more time a man spent in the house, the greater the work of the wife to take care of him. The massive influx of women into the labor market thus spurred the development of the service economy and also underwrote the crucial demographic shifts: rising rates of divorce, delays in reproduction, later marriages, falling fertility rates, single parent (especially female) households, and the expansion of cohabitation.<sup>43</sup> In some ways, as women shifted “from marriage to wages as the central means of support,” they “shattered” the base of patriarchal power and shook the foundation of gender inequality.<sup>44</sup> This did not at all mean, however, that male power based on an array of social, political, and economic privileges had been successfully undermined.<sup>45</sup> After all, no-fault divorce was the outcome of male political lobbying born from men’s increasing dissatisfaction with the breadwinning role.<sup>46</sup>

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egalitarian marriage as a norm is a myth,” p. 457. Stacey, “Good Riddance,” argued that the very fact that women could support themselves outside of the family was a major factor in ever higher rates of divorce and single motherhood (p. 546). “These developments expose the inequity and coercion that always lay at the vortex of the supposedly voluntary companionate marriage of the ‘traditional nuclear family,’” *ibid.* By no means could the majority of couples sustain a “truly egalitarian marriage,” p. 547. It seemed that a “stable marriage system depended upon systematic forms of inequality,” *ibid.* Indeed, coercion was the only thing that inhibited high rates of divorce and single motherhood.

41 Linda Thompson and Alexis J. Walker, “Gender in Families: Women and Men in Marriage, Work, and Parenthood,” *Journal of Marriage and Family* 51 (1989): 845–71: “In spite of all the talk about egalitarian ideology, abstract beliefs about what women and men ‘ought’ to do are not connected with the division of family work,” p. 857.

42 Arlie Russell Hochschild, with Anne Machung, *The Second Shift* (New York, 1990). Early on there was evidence that women who worked gained greater say in financial matters but lost competence in domestic ones (assuming husbands took over greater domestic responsibilities): Bahr, “Effects on Power,” pp. 170, 185.

43 All this is masterfully chronicled in Thistle, *From Marriage to the Market*. “The conversion of women’s domestic tasks into work done for pay has also been the area of greatest job growth over the past thirty years,” p. 102.

44 Thistle, *From Marriage to the Market*, p. 182. “Today’s young women will spend more years in the workforce than in marriage and more of their day at a job than in unpaid labors for families,” p. 115. “During the United States’ new moment of economic growth a different type of family structure appeared, one no longer based on the old gender division of labor,” p. 69.

45 Ralph LaRossa and Donald C. Reitzes, “Continuity and Change in Middle Class Fatherhood, 1925–1939: The Culture-Conduct Connection,” *Journal of Marriage and Family* 55 (1993): 455–68. The idea of the “nurturant dad” in the ‘20s and ‘30s appeared mostly in magazines directed to women (p. 465). And the consumers of the parenting literature during the ‘90s were mostly women (p. 466). Far more women advocated “androgynous fatherhood” than there were men who practiced it.

46 Thistle, *From Marriage to the Market*, “In sum, as the courts ordered women to turn to wages rather than their ex-husbands for support, as abortion was legalized, and as the laws confining sex and child-birth to marriage were overturned, the legal shell that gave form to the old domestic economy crumbled,” p. 54. Cf. Cooper, *Family Values*, pp. 49, 59–62.

“While dissatisfaction with marriage rose among both sexes from the late 1950s to the early 1970s, men’s frustration grew most rapidly.”<sup>47</sup> As Susan Thistle has argued, men began to find the idea of providing lifelong support in exchange for domestic labor not at all a good deal.<sup>48</sup> It may not have been so much women who called the breadwinner model into question as the (male) “professional-managerial” class itself.<sup>49</sup>

What is the upshot of the history of familial power relations under the gaze of the social sciences since the war? It seems appropriate in some respects to chronicle the changes as the unraveling of the Parsonian model. Jack Goody, as noted in the previous chapter, summed up several decades of research concerning the isolation and autonomy of the English nuclear family this way: “Instead of the small isolated nuclear family, we get the yet smaller dispersed and fragmented family, indeed not a family at all if by that we refer to a couple living co-residentially with their children.”<sup>50</sup> This was one way of looking at it, and clearly the focus on power, conflict, hierarchy, and oppression refracted through the question of wage labor played a crucial role in conceptualizing the enormous changes in familial life since the war and chronicling progressive fragmentation. Yet there were new configurations of family relationships and networks anchored in the first place by women, as Karen Hansen, for example, has demonstrated (see chapter 1 of this section).<sup>51</sup> Here I do not want to follow issues of decision-making and agency for these new forms, except to remark that one of the features of the unraveling of economic dependencies was the reinforcement of emotional attachments in what was now a kaleidoscope of household structures. Once again Goody called attention to a key moment of the original Parsonian model; namely, the continuous evocation of eroticism. It was precisely the expectation and hope for “romantic love” together with the uncoupling of economic dependence that led to the impermanence of attachments.<sup>52</sup> Exactly how to think about the different cross-cutting relationships in a configuration based on an erotic marital dyad was not completely clear, but as Goody pointed out certain emotional attachments seem to have been reinforced, also perhaps distorted, in any event engaged with less inhibition; and so could segué to incest: “With smaller households, with separation from kin, with the increase in step-parenthood,

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47 Thistle, *From Marriage to the Market*, p. 46.

48 Thistle, *From Marriage to the Market*: “By end of the century the gender division of labor or men’s support for domestic tasks done by women all but disappeared and women turned to wages to meet their basic needs,” p. 115. See the previously cited *Close to Home* by French radical feminist Christine Delphy. Delphy saw the marriage contract as a work contract wherein the head of the family expropriates all the labor of the wife and children (pp. 95–97).

49 Thistle, *From Marriage to the Market*, p. 46.

50 Jack Goody, *The European Family: An Historico-Anthropological Study* (Oxford, 2000), p. 168.

51 Karen V. Hansen, *Not-So-Nuclear Families: Class, Gender, and Networks of Care* (New Brunswick, 2005).

52 Goody, *European Family*, p. 169: “This ideology spells the end of universal, permanent coupling (and therefore of universal, continuing, co-residential, nuclear families); a growing percentage of domestic groups become more complex as they become restructured.”

intra-family sanctions against ‘incestuous’ relations are less strong and the temptations greater.”<sup>53</sup> Goody thought that to some degree, some of this could be traced back to the “marginalization” of fathers. Here he was commenting on a long tradition in sociology to think of the power of the husband/father to integrate the family through an authority growing out of his function as economic provider and his position in the social hierarchy of productive labor.

## Power and psychotherapy

Psychiatry has, from the start, been power-aligned and power protective: It has traditionally aimed its diagnostic machinery at the powerless, finding defect in them by setting a health standard determined by the prosperous dominant class and the dominant gender. — Louise Armstrong, 1994

The psychotherapeutic and sociological professions approached issues of power from quite different angles. Although Parsons’s reference to the “Oedipal mother/child” in his characterization of genital sex in the American nuclear family suggests he had read psychoanalytic literature or talked to analysts in Cambridge, there is little indication that the discipline of sociology absorbed more than a few tropes from psychology or psychoanalysis during the later decades of the twentieth century.<sup>54</sup> More to the point, in his 1955 publication on the American family, Parsons noted the several-decades-old vogue of treating family problems as issues of mental health and the extent to which psychotherapy had asserted the right and capacity to define the mother role and prescribe remedies for any failure to carry it out. In 1995, Ellen Herman published a book that documented the rapid spread of psychology throughout American culture after World War II.<sup>55</sup> Just how fast can be measured by the 1100% growth in membership in the American Psychological Association in the thirty years between 1940 and 1970 (from 2,739 to 30,839 members). And with this growth in the sheer numbers of experts came “extremely broad claims to authority.”<sup>56</sup> In what Herman called an “extraordinary quest for power,” the psychotherapeutic professions *deliberately* “shaped the direction and texture of public life” and told Americans what significant public issues they should be concerned with and how to deal with them.<sup>57</sup> Their audience was eager to accept that “logical approaches, commonsense assumptions, and empirical commitments seemed shallow and inadequate in comparison with an alternative that promised insight into the irrationality and madness lurking just beneath the thin veneer of a civilized social

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<sup>53</sup> Goody, *European Family*, p. 163. The commercialization of sex and the ubiquity of pornography also played a role in his argument.

<sup>54</sup> Parsons, “American Family,” p. 20.

<sup>55</sup> Herman, *Romance*, p. 2.

<sup>56</sup> Herman, *Romance*, p. 5.

<sup>57</sup> Herman, *Romance*, p. 5.

order.”<sup>58</sup> As evidence of the ease with which psychotherapeutic diagnosis could slip from the individual to the society as a whole, she quoted from an influential article by mental health administrator and dispenser of funds Lawrence Frank: “There is a growing realization among thoughtful persons that our culture is sick, mentally disordered, and in need of treatment.”<sup>59</sup> Policy makers readily allied with psychological experts in an effort to engineer social attitudes.<sup>60</sup>

Twenty years before Herman, Christopher Lasch, in *Haven in a Heartless World*, traced the power claims of the psychological professions in much the same manner. He pointed out that social workers, child developmental specialists, marriage counselors, and other experts were trying to implement an ideal of domestic democracy.<sup>61</sup> Armed with ammunition from psychiatry, therapists during the 1940s and ‘50s claimed authority to change the world. And in doing so, they “translated everything human into medical terms of illness.”<sup>62</sup> They focused especially on issues of happiness and satisfaction within marriage. “Everyone needed psychotherapy to solve personal problems,” one therapist argued.<sup>63</sup> At the time when sociologists looked to the idea of balancing resources (that is, earning hard cash) to weigh the possibilities of egalitarian reciprocities within marriage, psychotherapists put their money on personal psychological growth. But Lasch also thought that the experts did less to figure out how to deal with power relations between husbands and wives than to accrue power for themselves: “The health industry’s ministrations to the family benefited the ‘helping professions’ far more than they helped the family.”<sup>64</sup>

It seems to me that at the heart of the therapeutic model in place by the 1950s was a reduction of all problems to interrelationships in the family and thereby a neglect or active disparagement of social or environmental etiologies. I will come back to the treatment of mothers and mothering during the postwar period, but I want to note that the almost obsessional concern with maternal power coincided with the inability to think outside the family box. If there was a problem with an excessive relationship between mother and child, then the answer professionals came up with was to compensate by strengthening the bond between husband and wife.<sup>65</sup> Kathleen Jones even sug-

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<sup>58</sup> Herman, *Romance*, p. 7.

<sup>59</sup> Herman, *Romance*, p. 35, quoting Lawrence Frank, “Society as the Patient,” *American Journal of Sociology* 42 (1936): 335–44, here p. 335. Frank (1890–1968) held pivotal positions in the Rockefeller and Josiah Macy Jr. foundations.

<sup>60</sup> Herman, *Romance*, p. 48.

<sup>61</sup> Lasch, *Haven*, p. 77.

<sup>62</sup> Lasch, *Haven*, p. 98.

<sup>63</sup> Lasch, *Haven*, p. 107.

<sup>64</sup> Lasch, *Haven*, p. 109. Herman, *Romance*, p. 251, made the point that clinical psychology asserted the claim to define “what was normal in environments and in people.”

<sup>65</sup> Kathleen W. Jones, “‘Mother Made Me Do It’: Mother-Blaming and the Women of Child Guidance,” in *“Bad” Mothers: The Politics of Blame in Twentieth-Century America*, ed. Molly Ladd-Taylor and Lauri Umansky (New York, 1998), pp. 99–124, here p. 114.

gested that psychiatric social workers in the immediate postwar period (mostly women in their twenties and thirties) constructed their own identities in dialogue with “middle-class pathological mothers.” “They incorporated the teachings of psychoanalysis into social work training and along with child psychiatrists, narrowed the definition of ‘environment’ to the primary familial relationships.”<sup>66</sup> This kind of critique would show up again when the discourse turned against fathers.<sup>67</sup> Louise Armstrong, whose 1978 book *Kiss Daddy Goodnight* became a major reference point for discussions of paternal abuse, thought that the burgeoning psychotherapeutic professions between 1975 and 1990 had a great deal to do with how power distributions within the family were delineated.<sup>68</sup> She faulted therapy for reducing the political to the personal—or making the personal not so much political as paramount—refocusing the issue of power to personal pathology and recovery, defining misuse and violence in an idiom of mental health, framing abuse as a medical syndrome and thereby neutralizing it as a matter of intrafamilial dynamics.<sup>69</sup> “Psychiatry has, from the start, been power-aligned and power protective: It has traditionally aimed its diagnostic machinery at the powerless, finding defect in them by setting a health standard determined by the prosperous dominant class and the dominant gender.”<sup>70</sup> While Armstrong’s analysis was driven by a fury against what she called the “infantilization” of women, her position was not much different from Lasch’s more sober brief against a culture that “translated everything human into medical terms of illness.”<sup>71</sup> Both of them set out to analyze the paths that psychotherapy had taken to establish a hegemonic discourse, and both questioned the legitimacy of reducing everything to “health.”

Another important source of power lay in mass media, which popularized particular lines of psychological thought, as evidenced in the ever-increasing number of magazine articles, self-help books, call-in radio programs, and television talk shows that disseminated ideas of family pathology. And with popularization came the loss of nuance, extended argument, and accuracy. For example, once the flood of worry about

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66 Jones, “Mother Blaming,” p. 114.

67 For a Marxist critique of deriving “patriarchy” from Oedipal constellations and excluding socio-economic and political structures from the argument, see Michèle Barret, *Women’s Oppression Today: The Marxist/Feminist Encounter*, foreword Kathi Weeks, 3rd ed. (London and New York, 2014), pp. xxx, xlvi, 12–14, 54–60; first published as *Women’s Oppression Today: Problems in Marxist-Feminist Analysis* (London, 1980).

68 Louise Armstrong, *Rocking the Cradle of Sexual Politics: What Happened When Women Said Incest* (Reading, MA, 1994), p. 6.

69 Armstrong, *Rocking the Cradle*, pp. 29, 38–39, 43, 46, 53, 60, 78, 209.

70 Armstrong, *Rocking the Cradle*, p. 182. By the late ‘80s, one could no longer tell the difference between survivor and recovery movements. They had adopted the “tone of 12-step fundamentalism, issuing calls to personal salvation,” p. 205. “. . . Deprived of all social context, informed only by the process of healing, the stories were bereft of any larger point. The offenders, the grotesque offenses, were background to a medical curiosity,” p. 206.

71 Armstrong, *Rocking the Cradle*, pp. 3, 207; Lasch, *Haven*, p. 98, quoted above.

incest emerged on the scene, popular literature failed to represent “incest” as a quintessentially family crime and reconceptualized it as a crime of violence between people of disparate ages, whether family or not.<sup>72</sup> Elizabeth Wilson went so far as to label some of the most popular self-help books as “irresponsible.”<sup>73</sup> Building on contemporary social anxieties, they offered diagnoses with a confidence built on misrepresentations of evidence.<sup>74</sup> But above all the self-help books couched their assertions in a language of expertise and empathy, abandoning common sense in favor of esoteric knowledge.<sup>75</sup> Stephanie Coontz found political demagoguery and gross oversimplification in the literature about the family. “Self-appointed psychological gurus run a close second [to self-help books], with their equally one-dimensional generalizations about at-risk kids and dysfunctional families.”<sup>76</sup> Certainly one could explore the political/power dimensions of scandal-television and the implicit alliance during the late decades of the twentieth century between fundamentalism, therapy, and talk-show hosts.<sup>77</sup>

Both sociologists and psychotherapists reduced considerations of the family to a set of multi-stranded interrelationships and individual interests. And both of them brought issues of power to the fore. Each in their own way was concerned with personal happiness and satisfaction, but sociology pursued the question as a relationship between sites of labor—outside in the world and inside in the domestic sphere. The psychological professions ignored the outside for the most part and reduced everything to intrafamilial intercourse—sometimes in both meanings of the term. Sociologists were always concerned with the “objective” world and how it impinged on family life, but by stressing satisfactions and emotional attachments, they relinquished the territory to psychotherapists who claimed authority to all its points of interest. Or, perhaps better put, psychotherapists rerouted what they took and succeeded in directing nearly all its traffic. And in a manner not available to academic sociology, they spread their power

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72 Elizabeth Wilson, “Not in This House: Incest, Denial, and Doubt in the White Middle Class Family,” *The Yale Journal of Criticism* 8 (1995): 35–58, here p. 36.

73 Wilson, “Not in the House,” pp. 36–37.

74 Wilson, “Not In this House,” pp. 52–53. Frederick Crews et al., *The Memory Wars: Freud's Legacy in Dispute* (New York, 1995), p. 194: “These ‘manuals are . . . about keeping the psychic wounds open, refusing forgiveness or reconciliation, and joining the permanently embittered corps of ‘survivors.’” Crews took the survivor self-help literature to task for buying into and in part creating the idea of “recovered memory.” “It is essential to grasp that induced memory retrieval emerged from mainstream ideas about the psyche and that it bears a strong kinship with every other style of treatment that ties curative power to restoration of the patient's early past,” p. 206.

75 Ethan Watters, “Doors of Memory,” *Mother Jones* (Jan/Feb 1993), pp. 24–29, 76–77, here p. 76.

76 Stephanie Coontz, *The Way We Really Are: Coming to Terms with America's Changing Families* (New York, 1997), p. 8. One of the most thoroughgoing send-ups of the self-help literature was offered by Frederick Crews in 1994 in *The New York Review of Books*, republished in book form along with critical letters and his responses. See Crews et al., *Memory Wars*.

77 Armstrong, *Rocking the Cradle*, p. 224. Crews et al., *Memory Wars*, p. 185: “Apparently, a community steeped in Biblical literalism on the one hand and ‘Geraldo’ on the other needs only a triggering mechanism to set off a long chain reaction of paranoia.”

to define through the popularizing media. Whatever the resonance of *social* analysis, at least for the issues that concern me in this book, during the decades after World War II *psycho* analysis increasingly determined how they would be resolved. Throughout this section of this book, I will continually shift focus between power as the key concept for grasping how kinship was constructed in the second half of the twentieth century and the power of academic disciplines and clinicians to determine the particulars of qualified speech about familial dispositions.

## The mothers

Surely 'mom' killed as many men as a thousand German machine guns. — American army officer, 1945

Although there is now a considerable literature on the subject of father-daughter incest, what often is forgotten is the frontal attack on mothers and motherhood and on maternal pathologies in the four decades before the culture flipped to fears about paternal excesses. One of the chief threads running through consideration of familial disarray from the 1930s onwards focused on dominance, hierarchy, and oppression, and those who wished to address (or impress) an audience either found in the psychotherapeutic disciplines a ready-to-hand vocabulary or, given the hegemony of clinical psychology, psychoanalysis, and psychologically informed social work, backed by heavy infusions of cash from governmental agencies, tended to acquiesce to their preferred discourses. Before there were dominating, violent, and abusive fathers, there were dominant, pathological, and seductive mothers. But it must be remembered that power in the family was not always thought of as pathology. Those who examined the nature of the family from the years around World War II to the end of the century found it hard to think about domestic relations without focusing on authority (legitimate power), hierarchies of decision-making, resources for individual agency, and the distribution of competencies. How this kind of power became embedded, was of course something to argue about. On one side were those who essentially agreed with Mao's dictum about power growing out of the barrel of a gun—power as ultimately the outcome of force. On another side were those who sought solutions in routines of socialization, *habitus*, or cultural symbols (although these too could be soft or rough according to the exigencies of the moment). And on yet another side were those who saw in structures the outcome of more-or-less balanced reciprocities or exchanges, offering satisfactions to all, however fair or unfair, equal or not.

In France, England, and the United States, psychoanalysts during the 1930s and '40s, most prominently women, reconfigured some of Freud's fundamental tenets.<sup>78</sup> One of these changes involved supplanting the father as the dominant figure in early

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<sup>78</sup> Eli Zaretsky, *Secrets of the Soul: A Social and Cultural History of Psychoanalysis* (New York, 2004).

childhood with the mother.<sup>79</sup> Along with this, psychotherapists developed a new interest in nurturance and came to understand mother as the child's "first and strongest love object." While the Oedipus complex was not abandoned altogether, it now became a distinctly "secondary" consideration. These changes followed on, and to some extent paralleled, the preoccupation during the 1920s and '30s in Western nations with birth rates and natalism, in line with a conservative familialism. Psychoanalytical theorists responded by moving away from Freud's problematic of conflict between instincts and culture to one between cooperation and competition. And with this shift of focus, they validated both women's care and their competitiveness.<sup>80</sup>

Thus, by the end of World War II, when psychoanalysis became fully integrated into the welfare state, it had departed quite significantly from its theoretical orientation under Freud himself. Now it increasingly turned its analytical eye to the mother and her effects on the family.<sup>81</sup> In England, as the relation to mother came to dominate psychoanalytic theory, "ego, sexuality, and individual gave way to object, mother, and group."<sup>82</sup> Melanie Klein, for example, was influential in shifting attention towards issues of connection and rupture; indeed, Klein understood subjectivity itself to arise with the infant's recognition of the mother's separateness.<sup>83</sup> The war played a significant role in underscoring this shift and brought renewed attention to attachment and loss.<sup>84</sup> But after the war, interest in the mother and child in both England and the United States only intensified.<sup>85</sup> Zaretsky argued that the family as such became the focus of psychoanalysis, reflecting the entrenchment of the full-time mother in the home as the ideal of the welfare state under construction.<sup>86</sup> Analysts claimed to be able both to examine and to influence the inner workings of the family.<sup>87</sup> But there was a deep irony inherent

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<sup>79</sup> Zaretsky, *Secrets of the Soul*, p. 204.

<sup>80</sup> Zaretsky, *Secrets of the Soul*, p. 211.

<sup>81</sup> Zaretsky, *Secrets of the Soul*, p. 249. "WWII completed the process by which the mother moved to the center of the democratic imagination," p. 250.

<sup>82</sup> Zaretsky, *Secrets of the Soul*, p. 251.

<sup>83</sup> Zaretsky, *Secrets of the Soul*, p. 257.

<sup>84</sup> The experiences with mental health of soldiers during the war also popularized the ideas of clinicians and psychologists. Ellen Herman remarked on the report from a 1944 committee, written by its chairman, Robert Yerkes, and titled "Recommendations Concerning Post-war Psychological Services in the Armed Services": There was a "fundamental belief that the postwar future would need social engineering very badly because the 'cultural lag' that separated human control over the material world from human control over the social environment was by far the gravest threat to the survival of the species." Herman, *Romance*, p. 79.

<sup>85</sup> Zaretsky, *Secrets of the Soul*, p. 265–67.

<sup>86</sup> Zaretsky, *Secrets of the Soul*, p. 272. Lasch, *Haven*, p. 73, found mother the dominant parent by the late '30s.

<sup>87</sup> Zaretsky, *Secrets of the Soul*, p. 296. Herman, *Romance*, p. 115: "Freudian psychology would emerge from the war as the dominant paradigm among clinicians." Childhood socialization patterns and familial relationships were understood to precipitate mental trouble and determine an individual's neurotic symptoms.



in the rise to prominence of the ideas and practices of Klein and others (their brand of analysis was called “ego psychology”) in the international psychoanalytic movement: it was the women who entered psychoanalysis and then acquired leadership status and roles who shifted attention to the “mother-infant paradigm.” “Once in power, ego psychologists effectively remasculinized analysis” and “the mother-infant relationship became a medical theory directed against women.”<sup>88</sup> Social problems came to be traced to women’s excessive power in the family and the consequent decline in the paternal role. “Mothers, it was clear, were strategically positioned as cultural architects because families were personality factories.”<sup>89</sup>

With mothers now the focus of psychotherapeutic concern, a new problem emerged: how to assess the nature and legitimacy of maternal power. While the attachment of the child to the mother through nurturing and socialization might be a good thing at the beginning, it had to be broken by the interjection of paternal authority. And this held especially for sons.<sup>90</sup> Men had become too weak or “missing in action” in the home to meet the demands of their assigned familial roles. Besides, women were usurping male roles and inflating their “traditional vocation” of motherhood.<sup>91</sup> James Gilbert cited the historian James Truslow Adams, who declared in 1943, that because the man had given up his influence in the home and in cultural life, the woman had become an “impossible eminence.”<sup>92</sup> By 1950, the Harvard psychoanalyst Erik Erikson found rampant gender confusion within families, which in turn distorted the identities of adolescent children: fathers had given up their place in family and cultural life. “Erikson lent support to the notion of a continuity between individual psychology and cultural pathology, creating a sort of social-psychology which doubled as cultural criticism.”<sup>93</sup> This kind of social psychology was readily adapted in popular culture and passed for “general knowledge”

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<sup>88</sup> Zaretsky, *Secrets of the Soul*, pp. 296–98. Zaretsky called attention to the American psychiatrist Abram Kardiner, who referred to the “uterine” structure of the family. Hermann, *Romance*, p. 139, cited David McClelland’s *Achieving Society* (1961), about how the achieving personality was manufactured in the family: “Relationships between mothers and children (in the case of McClelland’s research, it was exclusively mothers and sons) were therefore directly implicated as likely obstacles to national economic growth and reforming motherhood emerged as possibly the clearest solution to national economic failure.”

<sup>89</sup> Herman, *Romance*, p. 186.

<sup>90</sup> Camille Robcis, *The Law of Kinship: Anthropology, Psychoanalysis, and the Family in France* (Ithaca and London, 2013), p. 111. Juliet Mitchell, *Psychoanalysis and Feminism: A Radical Reassessment of Freudian Psychoanalysis*, repr. with new intro. (New York, 2000), p. 392; first published as *Psychoanalysis and Feminism: Freud, Reich, Laing and Women* (New York, 1974).

<sup>91</sup> James Gilbert, *Men in the Middle: Searching for Masculinity in the 1950s* (Chicago and London, 2005), p. 67.

<sup>92</sup> Gilbert, *Men in the Middle*, p. 70, quoting James Truslow Adams, *The American: The Making of a New Man* (New York, 1943).

<sup>93</sup> Gilbert, *Men in the Middle*, p. 73.

by the end of the '50s. By the '60s, it was possible to speak of women having a “crowded shelf of stolen powers.”<sup>94</sup>



**Fig. 50:** Haven in a Heartless World. James Thurber, 1943. Cartoon titled “A House Haunts a Man.” Image CC19029, [www.CartoonStock.com](http://www.CartoonStock.com).

A great deal of the assessment of domestic power from the early '40s onwards was encapsulated in the figure of “mom,” which Philip Wylie, in 1942, abstracted to become the ideological concept “momism.”<sup>95</sup> Wylie’s screed was meant to be an analysis of the social power of women both in the domestic sphere (through attaching sons to themselves emotionally) and in the culture at large (through domination of consumption). Rebecca Jo Plant has argued that scholars have not recognized how important Wylie’s

<sup>94</sup> Gilbert, *Men in the Middle*, pp. 70–74.

<sup>95</sup> Philip Wylie, *Generation of Vipers*, pref. Curtis White (Champaign, 1996, 2007; New York, 1942). See also Plant, *Mom: Transformation of Motherhood*: “By tacking a sinister “ism” onto mom—a modern American colloquialism—Wylie succeeded in uniting antagonism toward mothers with the political fears of the moment,” p. 56.

attack on mom was for his contemporaries. “He hoped to curb not only mothers’ influence over their sons but also their power as consumers, their demands to be indulged by husbands and honored by the state, and the censorious and sentimentalizing force they exerted in American culture.”<sup>96</sup> Plant confined herself mostly to an American discourse, a long-term attack on the “late-Victorian matriarch.”<sup>97</sup> But, as I have shown in chapter 1 of section III, a similar arc can be traced from British figures like D. H. Lawrence as well.

“Mom” and “momism” were quickly adapted for more “serious” work. Wylie’s critique was “just an extreme articulation of arguments advanced by psychoanalysts, psychiatrists, and other psychological and social scientific experts during the ‘40s and ‘50s.”<sup>98</sup> For example, the psychiatrist David Levy writing in 1943, judged momism to be “a warped maternal instinct in overly materialistic mothers who appeared loving, doting, and selfless, but were in fact calculating and self-centered.”<sup>99</sup> With the emergence of family therapy in the 1950s, the “ism” received the imprimatur of psychiatry.<sup>100</sup> The key focus in all of this literature, it seems to me, was the assumption and aggressive appropriation of power on the part of mothers and a concomitant diminishing of the authority of husbands and fathers. As Plant put it: “Wylie’s denunciation of cloying and overbearing mother love would prove to be the most consequential component of his momism critique. What looked like mother love was in truth a selfish and manipulative strategy designed to keep sons trapped in emotional bondage . . . and [it] surreptitiously undermined paternal authority.”<sup>101</sup> Another popularizer of psychological ideas, Karl Menninger, “regarded female dominance and male passivity as the central problems that plagued the American family (and hence American democracy). The dependent attachment made the typical American man a weak and sexually unsatisfactory mate, which led his wife to turn her affective energies toward their children—particularly sons.”<sup>102</sup> The misogynist view from the 1930s certainly had taken hold: “There is no greater social menace. . . . Iron-willed, frustrated, self-sacrificing mothers, trying to live a dream life through their progeny, have wrecked more lives than has syphilis.”<sup>103</sup>

<sup>96</sup> Plant, *Mom: Transformation of Motherhood*, p. 21.

<sup>97</sup> Plant, *Mom: Transformation of Motherhood*, p. 3, ascribed the phrase to Ann Douglas, *Terrible Honesty: Mongrel Manhattan in the 1920s* (New York, 1995) without a page reference.

<sup>98</sup> Plant, *Mom: Transformation of Motherhood*, p. 46.

<sup>99</sup> Deborah Weinstein, *The Pathological Family: Postwar America and the Rise of Family Therapy* (Ithaca and London, 2013), pp. 14–15, paraphrasing David Levy, *Maternal Overprotection* (New York, 1943), without page reference.

<sup>100</sup> Weinstein, *Pathological Family*, p. 15: “psychiatric expertise . . . underwrote the formulation of momism.”

<sup>101</sup> Plant, *Mom: Transformation of Motherhood*, p. 46.

<sup>102</sup> Plant, *Mom: Transformation of Motherhood*, p. 49.

<sup>103</sup> Plant, *Mom: Transformation of Motherhood*, p. 90, quoting the journalist Burton Rascoe, “On a Hickory Limb,” *Newsweek*, July 25, 1938, p. 30.

The power that women accrued was construed as not only disruptive and disorderly for the family, indeed pathological in scope, but also as responsible for pathologies in their children, particularly their sons. The assessment after World War II was that sons had not been ready enough to be soldiers: they were dependent, weak-willed, and incapable of mature judgment. The views of Edward Strecker, a practicing psychiatrist who was also chairman of the Department of Psychiatry at the University of Pennsylvania, consultant to the Surgeons General of the Army and Navy, and adviser to the Secretary of War, provide a case in point.<sup>104</sup> In his hands, “mom” was a “convenient verbal hook upon which to hang an indictment of the woman who has failed in the elementary mother function of weaning her offspring emotionally as well as physically.”<sup>105</sup> He was worried about the many men subject to possible draft who were unfit psychologically to serve or who had been broken by their war experience (but not by “true combat fatigue”). “In the vast majority of case histories, a ‘mom’ is at fault.”<sup>106</sup> These mothers, representatives of a pathological “matriarchy,” kept their sons emotionally dependent. They revel, Strecker said, in “the emotional satisfaction, almost repletion, [they] derive . . . from keeping [their] children paddling about in a kind of psychological amniotic fluid rather than letting them swim away with the bold and decisive strokes of maturing from the emotional maternal womb.”<sup>107</sup> The psychological wellsprings of the mother’s possessiveness were in turn rooted in her sexual frustration from an inadequate husband.<sup>108</sup> But whatever the cause, she was devastating for her offspring. As one officer wrote in 1945: “Surely ‘mom’ killed as many men as a thousand German machine guns.”<sup>109</sup>

This indictment of mom grew into a crescendo of mother-blaming in the decades after the war. Lazy and delinquent children, however, had been posted since the mid-1930s to the mother’s ledger of failings.<sup>110</sup> In examining clinical records from the 1940s, Kathleen Jones found that social workers and clinicians joined in the harsh critique of American motherhood.<sup>111</sup> The new terms, drawn from a conceptual framework of psychoanalysis, were “maternal overprotection,” “overdirection,” “maternal rejection,” “dominance,” and “affect hunger.” “By the mid-1930s the crux of child guidance, the theoretical framework that supported the whole structure, was a stinging critique of moth-

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**104** Strecker, *Mothers’ Sons* (1951). This has an additional chapter from the 1946 edition.

**105** Strecker, *Mothers’ Sons*, p. 13.

**106** Strecker, *Mothers’ Sons*, p. 23.

**107** Strecker, *Mothers’ Sons*, p. 31. “There is nothing of which Psychiatry can speak with more confidence and assurance than the danger to our democratic civilizations and cultures from keeping children enwombed psychologically and not permitting them to grow up emotionally and socially. Here is our gravest menace,” p. 219.

**108** Strecker, *Mothers’ Sons*, p. 71. Strecker goes so far as to call a father who in his own frustration *psychologically* seduces his teenage daughter a “male mom” (p. 79).

**109** Plant, *Mom: Transformation of Motherhood*, p. 100.

**110** Jones, “Mother-Blaming,” pp. 99–124.

**111** Jones, “Mother-Blaming,” p. 101.

ers.”<sup>112</sup> Whatever problems there were with husbands and fathers were traced back in turn to their mothers.<sup>113</sup> And the solution to this, or to any imbalance of power—or better to the illegitimate and injurious overdominance of mothers—was to re-establish paternal authority.<sup>114</sup>

Thus, even as mothers took the blame for many things, the diagnosis always came down to the power constellations of the family, especially the relationships between husbands and wives. “Mom’-bashing gained industrial strength during the decade following World War II, as bad mothers became powerful career vehicles for a host of sexist columnists, legislators, movie directors, and, most notably, psychiatrists who heaped upon mothers culpability for everything from juvenile delinquency to totalitarianism.”<sup>115</sup> If the balance of authority were disturbed, the consequences would be visited primarily upon husbands and sons. Schizophrenia, for example, called forth the “schizophrenogenic” mom.<sup>116</sup> Gregory Bateson and his fellows at Stanford developed the etiology of the syndrome from what he called the “double bind” demands of the mother. Psychosis was to be traced back to childhood experience of a mother who punished a child for particular actions and then punished him again for learning that punishment will follow from those actions. Mothers caused schizophrenia by delivering paradoxical messages. Bateson was clearly working well within postwar assumptions about the “potentially pathological effects of mother love.”<sup>117</sup> Autism also acquired mother-blaming as a cause. With somewhat over-exaggeration, for example, Bruno Bettelheim thought that one essential difference between the mother of an autistic child and an SS guard was that the mother got to the child earlier.<sup>118</sup> Even homosexuality was fit into the medical model as just another mental disease attributable to bad mothering. Just like the young man unfit for military duty, the sexual pervert was a cause of nation-weakening, the ultimate cause of it all being that the “close, binding, and intimate mother with perverse intimacy interfered with her sons’ normal heterosexual pursuits.”<sup>119</sup> Racial prejudice, too, was traced to bad moms, and this also could damage masculinity in sons.<sup>120</sup> Male weakness, violence, submissiveness, or aggression all lay in

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112 Jones, “Mother-Blaming,” p. 104. Sociologist Ernest Groves called motherhood pathological, p. 105.

113 Jones, “Mother-Blaming,” p. 107.

114 Jones, “Mother-Blaming,” pp. 107–8.

115 Jennifer Terry, “‘Momism’ and the Making of Treasonous Homosexuals,” in Ladd-Taylor and Umansky, *“Bad” Mothers*, pp. 169–90, here p. 169. This article hereafter cited as Terry, “Treasonous Homosexuals.”

116 The term was developed by Frieda Fromm-Reichmann: Weinstein, *Pathological Family*, p. 31.

117 Weinstein, *Pathological Family*, pp. 47–62, the quote from p. 56.

118 Jane Taylor McDonell, “On Being the ‘Bad’ Mother of an Autistic Child,” in Ladd-Taylor and Umansky, *“Bad” Mothers*, pp. 220–29, here p. 224.

119 Terry, “Treasonous Homosexuals,” pp. 171, 184.

120 Ruth Feldstein, *Motherhood in Black and White: Race and Sex in American Liberalism, 1930–1965* (Ithaca and London, 2000), pp. 48–49.

the “original relationship with the mother.”<sup>121</sup> And thus weak, submissive, aggressive, or violent men all had their origins in the relationship with mom.

Beginning in the mid-1930s and lasting until the late ‘60s, there was a widespread professional and popular understanding that family pathologies were to be traced back to an imbalance in the distribution of power within families in favor of women. The most serious mental illnesses, fascist personalities, perversion, racial prejudice, and juvenile delinquency were all the result of the “unresolved emotional problems of mother.”<sup>122</sup> It was important to re-establish patriarchal power in the home. Few if any during that period thought that fathers were the problem unless they were weak and dominated by their mothers or wives. In general, distorted personalities were traceable to intrafamilial dynamics and not to larger social or environmental causes. In a survey of mental health journals, Paula Caplan found seventy-two different problems traced to problematic mothers.<sup>123</sup> Well into the ‘80s, it was usual to find professional and popular narratives about mothers colluding with abusive fathers, and after fathers were caught in the headlights, about martial couples caught in the newly fashionable maladjustments associated with so-called co-dependency. Mother-blaming was a vehicle for examining the family as a network of interpersonal relations best grasped in terms of the distribution of power. Emotion itself was understood as a source of conflict, domination, and oppression, and in important ways also as the spring for distorted sexual interests.<sup>124</sup>

## From patriarchalism to patriarchy

[Betty Friedan] blamed [moms] for the mental problems of World War II servicemen, the traitorous behavior of Korean War POWs, the difficulties of children suffering from severe mental illnesses like autism and schizophrenia, and the “homosexuality that is spreading like a murky fog over the American scene.” — Rebecca Jo Plant, 2010

It is the *fathers* not *men* who have the determinate power. — Juliet Mitchell, 1974

Two books from the ‘60s are always named as milestones on the road to women’s empowerment: Betty Friedan’s *Feminine Mystique* (1963) and Kate Millett’s *Sexual Politics* (1969).<sup>125</sup> Friedan did not say much that Philip Wylie had not already said. She just located the syndrome differently and thought that women were being driven mad in

121 Feldstein, *Motherhood*, p. 56.

122 Jones, “Mother-Blaming,” p. 100.

123 Paula J. Caplan, “Mother-Blaming,” in Ladd-Taylor and Umansky, *“Bad” Mothers*, pp. 127–44, here p. 135.

124 Kingsley Davis, “The Sociology of Parent-Youth Conflict,” *American Sociological Review* 5 (1940): 523–35.

125 Betty Friedan, *The Feminine Mystique*, intro. Gail Collins, afterword Anna Quindlen (New York and London (2013 [1963]; Kate Millett, *Sexual Politics*, foreword Catherine A. MacKinnon, afterword Rebecca Mead (New York, 2016 [1969])).

their isolated suburban tract houses.<sup>126</sup> Free their talents with satisfactory employment and professional development, and their symptoms will disappear—so the argument went. Millett changed the terms of the debate altogether by introducing “patriarchy” as the key concept to locate women’s oppression in history and culture. The quick adoption of the word throughout Western discourses (see the previous chapter for a Google Ngram on “patriarchy”), despite resistances here and there, continued the tradition of considering the family (or more broadly, the culture) as a network of power relations, on the one hand, while on the other repressing the memory of any constellation of power other than one imposed by men (disguised as fathers). Karin Hausen, a German historian of women and gender, posited that premodern and early modern institutional usages of “patriarchy,” which applied to household structures and to devolution of both status and property, differed substantially from usages during twentieth-century, second wave feminism.<sup>127</sup> Above all, in this later period, patriarchy operated as a political battle cry, sometimes as a prompt for sophisticated, scholarly research and sometimes as a mere buzz word. In general, after Millett, it often functioned to show that men have used instruments of exclusion forever and always to oppress women—with cooperation from women themselves.

Millett set up the boundaries and structure of the argument. She wanted to understand a relationship of domination and subordination that was rigorous, pervasive, and enduring.<sup>128</sup> And she wanted to negotiate between the distribution of power in her own society and something more fundamental to and pervasive in all societies. Sexual dom-

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**126** Plant, *Mom: Transformation of Motherhood*: “In 1963, Betty Friedan—a forty-two-year-old mother of three, who had read Wylie’s book in the 1940s when she was fresh out of college—appropriated his ideas as part of her own sweeping assessment of the American mother and housewife,” p. 56. “The notion that any reader would associate Betty Friedan with Philip Wylie is confounding, for her book has long been viewed as the first sustained feminist critique of the oppressive cultural climate that Wylie and like-minded commentators helped create,” p. 146. “Less well known is the fact that Friedan also alienated countless other middle-class women by portraying American mothers as parasitical and pathological,” p. 146. “In essence, *The Feminine Mystique* reproduced the antimaternalist critique that figured so prominently in postwar psychological literature and popular culture,” p. 146. Friedan reiterated many of the specious charges that experts and commentators like Wylie had leveled at American moms (pp. 146–47). She blamed them “for the mental problems of World War II servicemen, the traitorous behavior of Korean War POWs, the difficulties of children suffering from severe mental illnesses like autism and schizophrenia, and the ‘homosexuality that is spreading like a murky fog over the American scene,’” p. 147. Plant used evidence of the appropriation of Wylie and Friedan to underscore the importance of postwar therapeutic culture for feminism of the ‘60s and ‘70s.

**127** Karin Hausen, “Patriarchat: Vom Nutzen und Nachteil eines Konzepts für Frauenpolitik und Frauengeschichte,” in Hausen, *Geschlechtergeschichte als Gesellschaftsgeschichte* (Göttingen, 2012), pp. 359–70, here p. 359–63. Hausen faulted any use of the term that smacked of universalism, for that would preclude any hope for change. But more interestingly, she found the term of little use to analyze gender relations during the nineteenth and twentieth centuries. Much more useful was to examine the dialectic between individualism and familism, neither of which was really built from elements of patriarchal household structures (p. 370).

**128** Millett, *Sexual Politics*, p. 25. She drew on Weber’s concept of *Herrschaft*.

ination was the most all-encompassing ideological element of contemporary culture: “This is so because our society, *like all other historical civilizations* [my emphasis], is a patriarchy.”<sup>129</sup> And this was not rooted in men’s greater physical strength, but rather in ideology, of which the “chief instrument is the family.”<sup>130</sup> It was there that both men and women were socialized to support masculine authority in all aspects of life.<sup>131</sup> Women’s dependence upon male wealth and income made them only very loosely embedded in class if at all; indeed, that relationship could be described as “tangential”—class analysis was not really relevant to understanding the position of women in society.<sup>132</sup> Furthermore, “perhaps patriarchy’s greatest psychological weapon is simply its universality and longevity.”<sup>133</sup> Millett drew on nineteenth-century debates about the origins of patriarchy and found the domination of women by men essentially coextensive with history: “the cohesion of the patriarchal family and authority of its head have consistently relied (and continue to do so) on the economic dependence of its members. Its stability and its efficiency also rely upon its ability to divide its members by hierarchical roles and maintain them in such through innumerable forms of coercion—social, religious, legal, ideological, etc.”<sup>134</sup> The key thing here was *constraint*.<sup>135</sup> As far back as one could see, patriarchy had dominated, and coercion had been its instrument. But coercion was not, in Millett’s account, a matter of raw force. Although she did not use the term “hegemony,” it would have served her quite well here. In contemporary America, she argued, the dominant ideological form was psychotherapy, informed for the most part by Freud: “beyond question the strongest individual counterrevolutionary force in the ideology of sexual politics during the period.”<sup>136</sup> It was through the prism of Freudian psychology that women were determined to be passive, masochistic, and narcissistic.<sup>137</sup> Taking Millett as a discursive guide, the tensions between the universal concept of patriarchy and the specific here and now, joined with questions about how to think of its origins and coercive qualities, violence included, can be said to have tracked the concept over the next several decades.

Although initially, feminist discourses followed Millett in her attack on Freudian psychology and sometimes psychotherapy in general, the feminist movement also drew deeply from the well of postwar psychologies. With time, as I will show later, a great deal of the study of violence against women came to be packaged in psychological terms. But even when feminists drew directly from Freud, the tensions in the concept

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129 Millett, *Sexual Politics*, p. 25.

130 Millett, *Sexual Politics*, p. 33.

131 Millett, *Sexual Politics*, p. 35.

132 Millett, *Sexual Politics*, p. 38.

133 Millett, *Sexual Politics*, p. 58.

134 Millett, *Sexual Politics*, p. 124.

135 Millett, *Sexual Politics*, p. 125.

136 Millett, *Sexual Politics*, p. 178.

137 Millett, *Sexual Politics*, p. 179.



of patriarchy that Millett had outlined bedeviled their arguments. What is more, cutting all the way through the various discourses was the question whether patriarchy ought to be understood as a politics of gender in general (as a system of *male* social, economic, political, and cultural control) or of *fathers* in particular, with the mechanisms of patriarchy therefore located in families.

After a decade of debate, the British feminist and psychoanalyst Juliet Mitchell broke a lance in defense of Freud, precisely at the low point of his reputation among radical women. She intended to see patriarchy as historically constituted, but difficulties arose when she tried to locate it both in kinship structures and in individual psychodynamics by marrying Lévi-Strauss's universal mechanisms of exchange to Freud's equally universal take on the Oedipal myth.<sup>138</sup> It is worth rehearsing her account at some length, since it nicely mirrors many of the contradictions captured in the concept of patriarchy: its specificity for *this* period contrasted with its for-all-intents-and-purposes ahistorical universalism, and its expected demise, despite all signs to the contrary. Mitchell followed Freud's story of the origins of patriarchy, insisting it was necessary to understand that the psychology of women developed within patriarchal structures.<sup>139</sup> Following Freud and leaning on Lévi-Strauss, she accepted that there had been a period before history during which fathers had simply ruled, without the necessity of entering into exchange relations with other men. But an act of violence, the murder of the father, had set history in motion and mandated exchange, which in turn was responsible for the emergence of culture and society itself. In Mitchell's words, "the father thus becomes far more powerful in death than in life; it is in his death that he institutes human history."<sup>140</sup> Patriarchy owed its origins to this violent birth of history and culture and society. And "it is the specific feature of patriarchy—the law of the hypothesized prehistoric murdered father—that defines the relative places of men and women in human history. This 'father' and his representatives—all fathers—are the crucial expression of patriarchal society. It is the *fathers* not *men* who have the determinate power," and that is not a question of any particular society but of "*human society*" *tout court*.<sup>141</sup> "Woman" always

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138 Juliet Mitchell, *Psychoanalysis and Feminism*. The French socialist and feminist Delphy, in *Close to Home*, remarked: "It was Juliet Mitchell, however, who gave the most explicit formulation of such a recuperation of the term 'patriarchy' in her *Psychoanalysis and Feminism* (New York, 1974). She, like others, uses the term while denying the feminist definition, and hence the theoretical utility, of the term; i.e., while denying its nature as a *social system*," p. 142.

139 Mitchell, *Psychoanalysis and Feminism*, p. 403. Delphy, *Close to Home*, p. 215: The problem with psychoanalysis was that it imputed to the existence of a purely subjective level a content independent of social relationships. The social was not exterior as opposed to the interior, "the superficial, surface events as opposed to the inner depths," p. 215.

140 Mitchell, *Psychoanalysis and Feminism*, p. 403.

141 Mitchell, *Psychoanalysis and Feminism*, pp. 408–9. In commenting on the Scottish psychiatrist R. D. Laing, Mitchell liked his "revelations about the horrors of the nuclear family," p. 278. But he located psychosis in the problematic relation of mother and child where the mother does not let go (p. 290). "Laing, by not realizing that his own accounts reveal the lack of intervention by a third term (the father), has

entered into man's world, and that world was a legal paternal order. Indeed, her entire psychological make-up was determined by the fact that she submitted (had to submit?) to (paternal) law. And that is why she was "loving and irrational" at the same time (the one seems to imply the other).

This world of paternal law was also a world of class, and the problem of class vexed feminists, especially those touched by Marxist discourses. Was it possible to situate women as individuals in class-based societies or did the dualism of gender override everything else? Mitchell answered in part from a Marxist perspective, but only for men. "Men enter into the class-dominated structures of history while women (as women, whatever their actual work in production) remain defined by the kinship patterns of organization. In our society the kinship system is harnessed into the family—where a woman is formed in such a way that that is where she will stay [Mitchell's version of Parsons]. Differences of class, historical epoch, specific social situations alter the *expression* of femininity; but in relation to the law of the father, women's position across the board is a comparable one."<sup>142</sup> "Patriarchy describes the universal culture—however, each specific economic mode of production must express this in different ideological forms."<sup>143</sup> Here Mitchell incorporated Lévi-Strauss by asserting that the social was initiated and encapsulated by men's exchange of women. But perhaps capitalist society had introduced a new note, a utopian vision paralleling Marx's—the overcoming of history. Rather enigmatically she asserted: "The complexity of capitalist society makes archaic the kinship structures and incest taboos for the majority of the people and yet it preserves them through thick and thin."<sup>144</sup> She does not spell out exactly what she means here. How is the incest taboo now irrelevant for most people? Is it that the father/daugh-

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failed to set his mother-child dyad in a context which explains them," p. 291. "In leaving out the father, Laing is omitting to give any significance to the patriarchal law and order in which all our families are placed," p. 291.

<sup>142</sup> Mitchell, *Psychoanalysis and Feminism*, p. 406. In an earlier work, *Woman's Estate* (London, 2015 [1971]), Mitchell argued that women had always been repressed and that it was necessary to know how they were oppressed now. She wanted feminist questions and Marxist answers (p. 99). Indeed, woman's deepest alienation now came from child-bearing itself and the child-object seen under capitalism like a commodity. "The child as an autonomous person, inevitably threatens the activity which claims to create it continually merely as a *possession* of the parent. . . . Anything the child does is therefore a threat to the mother herself, who has renounced her autonomy through this misconception of her reproductive role," p. 109. She went on to agree with Parsons's conception of the nuclear family but then saw it as irrelevant, on the one hand, and the institution of oppression, on the other. There "has been a major displacement of emphasis on to the family's psycho-social function, for the infant and for the couple. . . . The mother discharges her own frustrations and anxieties in a fixation on the child," p. 146. What is the effect of oppression within the family on "us women"? "It produces a tendency to small-mindedness, petty jealousy, irrational emotionality and random violence, dependency, competitive selfishness and possessiveness, passivity, a lack of vision and conservatism," p. 164—a list that it would be reasonable to think both Wylie and Friedan would have championed.

<sup>143</sup> Mitchell, *Psychoanalysis and Feminism*, p. 409.

<sup>144</sup> Mitchell, *Psychoanalysis and Feminism*, p. 409.

ter taboo in the Oedipus complex is now routinely violated? There is no hint of that. Or do the brothers keep the sisters for themselves? No enlightenment on this point. Yet Mitchell asserted that the “ban on incest and the demand for exogamy howl so loudly in the contemporary Oedipus complex because they are reinforced precisely when they are no longer needed.”<sup>145</sup>

Throughout the ‘70s and ‘80s, the problem of the gender distribution of power was worked out under the rubric of patriarchy. Mitchell’s struggle with two questions, the universality or particularity of “patriarchy,” on the one hand, and the constitution of gender hierarchies in families, in society as such, through paternal law, or through male coercion, on the other, marked the essentials of the debate. Yet it was difficult to use the concept of patriarchy and solve the question of its universalism or particularity. The French sociologist and radical feminist Christine Delphy, for example, offered Mitchell as an example of the confusion “patriarchy” introduced into the debate: “I want merely to underline the fact that her work caricatures all the theoretical and analytical inconsistencies, and all the reactionary implications, of the use of the term.”<sup>146</sup> Mitchell, argued Delphy, suggested that patriarchy might arise in history, yet she de-historicized it as an ahistorical mental structure. “She in fact presents patriarchy as being the very base of the constitution of society as such.”<sup>147</sup> Delphy would have none of this. The relationships between men and women were power relationships, and “patriarchy,” if it was to be a useful concept, had to be restricted to the here and now. It got at the essence of the expropriation of women’s labor through their confinement to domestic work by men as a class. Men and women are social groups with different interests and different resources. “All contemporary ‘developed’ societies, including ‘socialist’ ones, depend on the unpaid labor of women for domestic services and child-rearing.”<sup>148</sup> “Patriarchal exploitation is the common, specific and main oppression of women,” and it is the direct outcome of male oppression.<sup>149</sup> Despite Delphy’s desire to historicize male domination, she denied that there was anything specific about capitalist society.<sup>150</sup> And, in the end, she asserted that the patriarchal “system is central to all known societies.”<sup>151</sup>

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145 Mitchell, *Psychoanalysis and Feminism*, p. 410.

146 Delphy, *Close to Home*, p. 142: “Mitchell sets patriarchy (explicitly) within the superstructure, where she calls it not an ideology but The Ideology. . . . Material oppression (that of women) [is] caused purely by an ideology, but this ideology is, curiously, that of capitalism.” But then she says “patriarchy is also the ideology of pre-capitalist societies as far back as pre-history or even as the (unknown and unknowable) ‘origins’ of humanity,” p. 142.

147 Delphy, *Close to Home*, p. 142. The political implications are clear. “If patriarchy is the corollary, or better the condition, of the passage from nature to culture, it is not only inevitable, but also desirable,” p. 142. It was inevitable, and just because of biology, because of the animal nature of human species. And because of the social, because of what is strictly human in our nature.

148 Delphy, *Close to Home*, p. 60.

149 Delphy, *Close to Home*, p. 74.

150 Delphy, *Close to Home*, p. 141.

151 Delphy, *Close to Home*, p. 75.

The British socialist Michèle Barrett continued the assessment of conflicts inherent in feminists' usages of "patriarchy." In a critique of Delphy's assertion that women's marriages, not their birth families, determined their class position, she conceptualized marriage as a labor contract in which the husband's appropriation of the wife's unpaid labor constituted a domestic mode of production and a patriarchal mode of exploitation. The material basis of women's oppression, then, lay in patriarchal relations of production.<sup>152</sup> But this raised the difficulty for Delphy's argument that the category of patriarchy was assigned analytic independence with regards to the capitalist mode of production and thus rang with overtones of oppression understood as universal and trans-historical. To use the concept was to invoke a generality of male domination without being able to specify historical limits, changes, or differences.<sup>153</sup> All attempts to specify contemporary capitalism as "patriarchy" posed patriarchy "as a system of domination completely independent of the organization of capitalist relations, and hence the analyses fall into a universalistic, trans-historical mode which may fade into biologism."<sup>154</sup> A second problem with the term as it developed in the '70s was a "fundamental confusion . . . between patriarchy as the rule of the father and patriarchy as the domination of women by men."<sup>155</sup> In the end, Barrett wanted to confine the use of the term to specific historical contexts: for analyzing "capitalist" or modern relations it was quite inadequate. It would be better to focus on the family-household system of contemporary capitalism as "a central site of oppression of women and important organizing principle of relations of production of social formation as a whole."<sup>156</sup> She found the

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152 There was an exchange between Barrett and Delphy around this point. Christine Delphy and Diana Leonard, "A Materialist Feminism Is Possible," *Feminist Review* 4 (1980): 79–105, here p. 102: "If the left refuses a materialist analysis it is because this risks leading to the conclusion that it is men who benefit from patriarchal exploitation and not capital. The exemption of men from all responsibility for the oppression of women is the real message of their article. Men are the class which oppresses and exploits women. Patriarchal ideology is connected to patriarchal exploitation." The article to which they were responding was Michèle Barrett and Mary McIntosh, "Christine Delphy: Towards a Materialist Feminism?," *Feminist Review* 1 (1979): 95–106.

153 Michèle Barrett, *Women's Oppression Today*, p. 14. She found the use of the concept of "patriarchy" by early radical feminists problematic: in so far as they thought of male dominance as "universal and trans-historical," that left "us with little hope of change," p. 12. She critiqued Millett for trying to develop a notion of domination independent of any socio-economic context ("mode of production," as she put it). She faulted another early radical American feminist, Shulamith Firestone, for giving "analytic primacy" to "patriarchy." And she found that the grounding of women's oppression in their reproductive role raised too many unanswered questions (pp. 12–14).

154 Barrett, *Women's Oppression*, p. 15.

155 Barrett, *Women's Oppression*, p. 16. "I still believe there to be a large gulf between a theory of patriarchy couched in terms of the psychic and symbolic context of oedipal socialization and one couched in terms of an economic or political domination of men over women. These theories are not assisted by being conflated under the general rubric of 'patriarchy,'" p. xxx.

156 Barrett, *Women's Oppression*, p. 211. "Feminists have consistently and rightly seen the family as a central site of women's oppression in contemporary society," p. 214.

concept of “dependence” best able to link the material structures of work and home and to explain the “material organization of the household.”<sup>157</sup> “Hence,” she said, “I would argue for a more precise and specific use of the concept of patriarchy, rather than one which expands it to cover all expressions of male domination and thereby attempts to construe a descriptive term as a systematic explanatory theory.”<sup>158</sup>

The notion of “patriarchy” would do much work during the 1970s and ‘80s in discussions of male violence and its relationship to the abuse of girls, especially daughters, by men (notably fathers). It was during those decades that linking ideas of universal male character to the particularities of paternal domination in autonomous nuclear families became a hot issue in the cultural politics of the West. How patriarchy worked was subject to much debate, but a great deal of the argument turned around the control of wealth and the appropriation of labor. Coercion was always part of the mix, but it could be understood as indirect and as coupled with violence only when necessary to keep women in line. “Patriarchy” invoked fathers, which made it a useful instrument for focusing on *paternal* abuse. The question had to do with access to the dependent females of the house, and one of the answers found the initial “act” to be the confinement of women to domestic and reproductive labor. No matter what, the entire discussion circled around issues of power, where it came from, how it was reproduced, and how and why it was exercised. The conundrum seemed to be rooted in that old problem of the relationship in history or historical time between the universal and particulars. Was patriarchy a feature of all history and all societies, perhaps of all psyches, in which case it would seem that there was no getting over it? Or was it a particular feature of “modern” or “capitalist” or “American” or “postwar” or “Western” society, in which case the problem was to analyze the specific features of “our” society (with particular reference to the nuclear family) and differentiate it from all the rest. Almost everyone who had recourse to the concept found it difficult not to universalize, the only problem being whether its roots lay in evolutionary biology establishing men as violent and lacking the ability to control sexual desires, or in the micropolitics of domestic life wherein fathers asserted their dominance through cultural scripts, economic dependence, or a calibrated exercise of terror.

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157 Barrett, *Women's Oppression*, p. 214.

158 Barrett, *Women's Oppression*, pp. 250–51: “I would not . . . want to argue that the concept of patriarchy should be jettisoned. I would favour retaining it for use in contexts where male domination is expressed through the power of the father over women and over younger men. Clearly some societies have been organized around this principle, although not capitalist ones. . . . There remain elements of what might be called patriarchal power in the recent history of women's oppression and these can usefully be identified, for instance in some aspects of fascist ideology and the relations of the bourgeois family in the nineteenth century.”

## Patriarchy and incest

The right to initiate and consummate sexual relations with subordinate women becomes, therefore, a jealously guarded male prerogative, guaranteed by the explicit or tacit consent of all men.  
— Judith Herman, 1981

The understanding of incest during the '70s and '80s, which unfolded within the discourse of patriarchy, was handled as a matter of power and domination and analyzed as an instance of male domestic privilege. Many writers on the subject expressly discarded as uninteresting any reference to biologically unhealthy reproduction. Some considered the matter in terms of universal, de-historicized, patriarchal domination, while others indicted the new-fangled nuclear family as the culprit—a formation that gave men undue authority in their capacity as fathers. In the absence of effective kinship networks and neighborly solidarities, their economic and social power, augmented in modern society, expressed itself in unrestrained sexual abuse.

The “canonical” text on father-daughter incest was published in 1981 by Judith Herman, who later became a professor of clinical psychiatry at Harvard University Medical School.<sup>159</sup> She framed her account in terms of “male supremacy and female oppression.”<sup>160</sup> Indeed, there was no way to handle the subject of incest without viewing it from the standpoint of “dominance and power.”<sup>161</sup> While her own data and most of her discussion had to do with actual fathers abusing their own daughters, she equated fathers with all adult males and saw a pattern of older male abusing a younger female. Even brother-sister incest was always a matter of an older brother exercising power over a younger sibling. Herman devoted much of her text to the analysis of interviews with patients in therapy in an attempt to identify common symptoms and derive a general syndrome from her data. She also reviewed the extant literature and framed her own work within the larger context of patriarchal familial dynamics.

The families she examined displayed forms of dependence familiar to anyone acquainted with the literature on the nuclear family. The mother who failed to protect or was unable to protect was economically and emotionally dependent on the husband/father. Abusive relationships developed as an expression of the power dynamics of

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159 Judith Lewis Herman, with Lisa Hirschman, *Father-Daughter Incest* (Cambridge, MA, 1981). Herman began her clinical practice in 1975 and published the first results of her study of women patients who had been the subject of incestuous abuse in 1977. See Judith Herman and Lisa Hirschman, “Father-Daughter Incest,” *Signs: Journal of Women in Culture and Society* 4 (1977): 735–56. By the '90s, literary scholars treated Herman's book as part of the incest canon and used it as evidence to interpret other texts. For examples, see Rosaria Champagne, “The Law of the (Nameless) Father: Mary Shelley's *Mathilda* and the Incest Taboo,” *Genders* 21 (1995): 257–284; Anne B. Dalton, “Escaping from Eden: Djuna Barnes' Revision of Psychoanalytic Theory and Her Treatment of Father-Daughter Incest in *Ryder*,” *Women's Studies* 22 (1993): 163–79.

160 Herman, *Father-Daughter Incest*, p. 3.

161 Herman, *Father-Daughter Incest*, p. 17.

households dominated by older men. But in her argumentation, Herman oscillated between developing empirical findings that indicated pathologies and identifying a logic of patriarchal power that gave all fathers the right to abuse, whatever their particular proclivities. For example, disparities of education or an early marriage could set up a power dynamic outside the control of the wife/mother. Citing one study which offered narratives of progressive acceptance of deviant behavior leading up to incest, she commented: “In short, even by patriarchal standards, the mother in the incestuous family is unusually oppressed. More than the average wife and mother, she is extremely dependent upon and subservient to her husband. . . . Maternal collusion in incest, when it occurs, is a measure of maternal powerlessness. . . . Implicitly the incestuous father assumes that it is his prerogative to be waited upon at home, and that if his wife fails to provide satisfaction, he is entitled to use his daughter as a substitute. It is this attitude of entitlement—to love, to service, and to sex—that finally characterizes the incestuous father and his apologists.”<sup>162</sup> Note here, the term “apologists,” which does the work of generalizing the behavior of abusers to a larger—if here vague—set of men.

Herman did not explicitly reference the literature on the nuclear family, but her staging the scene of incest resonated with the Parsonian understanding of the established roles of breadwinner and housewife in the modern household. “It is the sexual division of labor, with its resultant profound differences in male and female socialization, which determines in mothers a greater capacity for self-restraint, and in fathers a greater propensity for sexually exploitative behavior. . . . The rearing of children by subordinate females ensures that boys and girls will differ in almost every aspect of personality development, including the formation of gender identity, the acquisition of conscience, the growth of the capacity to nurture, and the internalization of the incest taboo. The result is the reproduction of a male psychology of domination and a female psychology of victimization.”<sup>163</sup> Boys raised in this kind of household (which Herman assumed to be the norm throughout history) looked for subordinate women in their turn against whom to express their aggression: “The right to initiate and consummate sexual relations with subordinate women becomes, therefore, a jealously guarded male prerogative, guaranteed by the explicit or tacit consent of all men.”<sup>164</sup> In this passage, Herman continued to obscure the difference between perpetrators and men in general. “The tendency in men toward sexually exploitative behavior of all sorts, including rape, child molestation, and incest, thus becomes comprehensible as a consequence of male socialization within the patriarchal family. The adult male’s diminished capacity for affectionate relating prevents him from empathizing or identifying with his victim.”<sup>165</sup>

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<sup>162</sup> Herman, *Father-Daughter Incest*, p. 49.

<sup>163</sup> Herman, *Father-Daughter Incest*, p. 55.

<sup>164</sup> Herman, *Father-Daughter Incest*, p. 46.

<sup>165</sup> Herman, *Father-Daughter Incest*, p. 56. “. . . the structure of the patriarchal family, in which child care is relegated to subordinate women, determines that men and women internalize the taboo very differently. In a family where fathers rule and mothers nurture, the most strictly observed incest taboo

She also obscured the question of just how widespread and how historically constant the patriarchal family was. Sometimes, it seemed to be a particularly harsh form where the sexual division of labor was extreme and rigid, but at other times it just seemed to be the norm. In any event the Western family was no different from any others.<sup>166</sup> “Overt incest represents only the furthest point on a continuum—an exaggeration of patriarchal family norms, but not a departure from them.”<sup>167</sup>

Herman set the tone of incest analysis as being essentially an analysis of power. Paradoxically, incest was at once a deviant behavior and not unusual. The logic of paternal abuse followed from the logic of patriarchy. The household, familiar in history and in our own society, was ordered with a patriarchal logic and premised on a division of labor which delegated nurturance to the wife-mother. This “matrix” was where socialization and sexual differentiation took place and where boys learned to feel contempt for their mothers’ weakness and to validate their own violence and fantasies of violence.<sup>168</sup> Violating what were supposed to be deep sexual taboos did not seem to matter very much. Indeed, the coldness of power participated in the *frisson* of terrorizing their own flesh and blood. But flesh and blood was not at issue here, since incest was not a matter of biological trespass but of (il)legitimate force: “The sexual abuse of children is as old as patriarchy itself. Fathers have had sexual relations with their children from time immemorial, and they are likely to continue to do so for a long time to come. As long as fathers dominate their families, they will have the power to make sexual use of their children. Most fathers will not choose to exercise this power; but *as long as the prerogative is implicitly granted to all men* [my emphasis], some men will use it. If incestuous abuse is indeed an inevitable result of patriarchal family structure, then preventing sexual abuse will ultimately require a radical transformation of the family. The rule of the father will have to yield to the cooperative rule of both parents, and the sexual division of labor will have to be altered so that fathers and mothers share equally in the care of children.”<sup>169</sup>

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must be the prohibition on sexual relations between mother and son; the most frequently broken taboo must be that on relations between father and daughter,” p. 58.

166 Herman, *Father-Daughter Incest*, p. 60.

167 Herman, *Father-Daughter Incest*, p. 110.

168 Herman, *Father-Daughter Incest*, p. 212: “The fact that women are the primary caretakers of young children creates the psychological conditions for reproducing male dominance in each succeeding generation.”

169 Herman, *Father-Daughter Incest*, p. 202. In her widely read book *Fathers’ Daughters: Transforming the Father-Daughter Relationship* (New York, 1996); (formerly published as *The Hero’s Daughter* (New York, 1994), Jungian therapist Maureen Murdock wrote: “Many women remain unaware of how deeply they continue to identify with and reflect patriarchal values. . . . societal messages continue to support masculine prominence and domination in every echelon. . . . Women’s identification with patriarchal control must die in order for them to become conscious of their feminine nature. Women and the feminine values they embody have been sacrificed for the father for millennia,” p. 89.



One of the all-time hits in the incest literature was E. Sue Blume's *Secret Survivors*.<sup>170</sup> This book played a significant role in the "recovered memory" movement. Widely distributed to the self-help/self-diagnosis public, it often served as a mediating text between patients and therapists. It did a great deal to popularize the more sober and professional work of Judith Herman, and Blume thanked Herman for her publications, which she admitted to leaning on for lots of ideas.<sup>171</sup> Blume's work played a significant role in packaging incest as a power relationship and in diagnosing the "nuclear family" as a site of innumerable pathologies. It conveyed the crucial message that all psychological disturbance had its etiology in familial experiences (especially those that go way back), not in school friendships, transactions on the playground, educational successes and failures, adjustments to alienating labor, workplace conflicts, disappointments with consumer durables, ambivalent emotional ties with lovers or spouses, or obnoxious children one is supposed to love, or endangered children one despairs of saving.

From the outset Blume dismissed any understanding of incest that had to do with sexual relations between individuals too closely related to become legal spouses, and like the sociologists of the family and psychotherapists she imagined the family as a network of emotional ties: "If we are to understand incest, we must look not at the blood bond, but at the emotional bond between victim and perpetrator."<sup>172</sup> Incest was strictly an abuse of power exercised by someone in authority (almost always older and male) over someone who could be described as a victim (younger and female).<sup>173</sup> She modeled all other forms of sexual relationship called incest along the lines of sexual play of siblings or cousins of about the same age; play, that is, characterized by equality and mutual interest. She thought of this as a bit of fun, without psychological consequences, and probably as a matter for non-adults.<sup>174</sup> In contrast, real incest was to be brought under the heading of abuse. But because Blume thought of all kinds of asymmetry as abusive, the problem of power tended to be as expansive as could be imagined: "As long as the child is induced into sexual activity with someone who is in a position of greater power, whether that power is derived through the perpetrator's age, size, status, or relationship, the act is abusive."<sup>175</sup> One of her examples, however, seems to lie well outside the definition: the parent-child relationship constructed by a parent who leaned on a child emotionally, especially by criticizing the other parent. "This type of

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170 E. Sue Blume, *Secret Survivors: Uncovering Incest and Its Aftereffects in Women* (New York: Ballantine Books, 1991). It is not exactly clear what edition this is. The original hardback edition of 1990 was published by John Wiley and Sons. This appears to be the fourth edition. My copy is the tenth printing of Ballantine Books. The inside front cover has an "Incest Survivors' Aftereffects Checklist." There it gives copyright dates of 1985, 1987, 1988, 1989.

171 Blume, *Secret Survivors*, p. xvii. That does not mean that Herman is responsible for Blume's ideas. Herman's clinical work is sober and professionally documented.

172 Blume, *Secret Survivors*, p. 1.

173 Blume, *Secret Survivors*, p. 3.

174 Blume, *Secret Survivors*, p. 4.

175 Blume, *Secret Survivors*, p. 5.

incest, which is often nonphysical, sometimes is called ‘covert’ or ‘emotional’ incest or seduction.”<sup>176</sup> Because Blume took incest to be whatever patients or “survivors” thought it to be, she suggested, for example, that even in calling her son “big and handsome” a mother must be indulging in incest. She brought up this instance in a passage devoted to abuse. As another example, she noted a father’s suspicion about the boys his daughter associated with.<sup>177</sup>

Blume considered the problem of power in simple gender-specific terms and suggested that it was in the family that people learned their roles: socialization leads to sexual differentiation and asymmetries of power. Abuse in the home had to be understood in the context of universal oppression of women by men.<sup>178</sup> “When incest occurs within a nuclear family, the family is already characterized by a socially prescribed imbalance of power: father is the ‘head,’ his home is ‘his castle,’ and his castle is protected under the guise of protecting ‘the sanctity of the family’ . . . Society joins with the already powerful parents, and the already powerless child is betrayed.”<sup>179</sup> “Power in this society [presumably ours], is seen as the birthright and the domain of men.”<sup>180</sup> They were trained to be sexually aggressive and to dominate.<sup>181</sup> By contrast, women were trained to be passive and pliant, a behavior Blume seemed also implicitly to equate with love. Women simply were not trained to think of sex as aggression. Therefore, Freud’s association of sexuality and aggression was a theory applicable only to males.<sup>182</sup> Quoting a researcher who dealt with male abusers (“ordinary guys”: “These men had received the social training that all men receive: ‘women and children belong to men . . . to use

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176 Blume, *Secret Survivors*, p. 6.

177 Blume, *Secret Survivors*, p. 8–9. The incoherence in the argument here is palpable. What patriarchal, violent, oppressive, abusive, dominant, aggressive father wouldn’t be suspicious of the intent of an apprentice patriarch?

178 Blume, *Secret Survivors*, p. 30.

179 Blume, *Secret Survivors*, p. 33. “Actually, in incest one person is active and one passive, one dominates and one acquiesces,” p. 109. The popular writer Louise Armstrong, *Rocking the Cradle*, fixed on the household as the problematic institution: “Children were regularly molested within the home as a matter of everyday living,” p. 26. The stories that emerged were “bizarre in their matter-of-factness, their everydayness, their routineness,” p. 27. “The violence was household-contained, part and parcel of that same sense of male right to dominance,” p. 28. Armstrong put the entire issue in terms of power and referred to “societally condoned male behaviors,” p. 29. “We must recognize incestuous assault as culturally and politically sanctioned violence against women and children,” p. 29.

180 Blume, *Secret Survivors*, p. 34. One could work out her ideal from many statements in the book. Most of them were so abstracted as to cast all real relations as pathological; or were so general as to be meaningless. But “in a healthy family, the boundaries between members and around the family are strong but permeable, with movement and communication across them,” p. 39. She also always totalized.

181 See Murdock, *Fathers’ Daughters*, p. 130: the male model of power relies on dominance and hierarchy.

182 Blume, *Secret Survivors*, pp. 38, 50–55. “Many mass murderers were incest victims as children,” p. 56. She doesn’t say how many.

for their benefit . . . and . . . pleasure . . . and . . . anger”), she commented: “These are not men who ask for—or are interested in—the opinion of others. Some of them rule their homes with violence, but some merely use the power of their presence and the certainty of their socially guaranteed dominance. In most families where paternal incest exists, the caste system of the nuclear family is rigidly enforced.”<sup>183</sup> She went on to argue that the family as such was a “microcosm” of social imbalances, and that men were taught there to take and women were taught to give (or to learn that things would be taken from them anyway).<sup>184</sup>

Louise Armstrong, another widely read author of the ‘80s and ‘90s, also put the incest problematic into the context of the nuclear family: it was necessary to understand the “role of the family, as traditionally structured” in assuring the continuance of sexual abuse.<sup>185</sup> Still, advertising the problem as “intrafamilial” could pull the teeth of the central problem of “historical male right,” a more encompassing social phenomenon: “The early decision [of professionals and the media] to mask the gender-specific deliberateness of incest was profoundly political.”<sup>186</sup> Armstrong went on to quote Andrea Dworkin and Florence Rush to the effect that the power of the father in the family licensed abuse and made women and children a political underclass: a male-dominated society overtly and covertly subjugated women. The sexual abuse of children was closely linked to the processes of socialization in the family, and education was tied more broadly to preparing women to become the “wives and mothers of America.”<sup>187</sup> But, she suggested, following the discourse of incest during the ‘70s and ‘80s revealed disturbing elements of a different locus of power. Here was where psychotherapy got into the act. Armstrong bitterly rued the move to psychologizing and the embrace of a language of victimhood.<sup>188</sup> She was most concerned with the way psychotherapy played a role in media presentations, exhibitionist television, and popular magazines, stylizing as an issue of health what should have been understood as violence. The upshot: “Somewhere along the way, rather than feminism politicizing the issue of incest, incest-as-

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**183** Blume, *Secret Survivors*, pp. 165–66.

**184** Blume, *Secret Survivors*, p. 174.

**185** Armstrong, *Rocking the Cradle*, p. 50. She too wanted to shift the problem of incest from biological issues to ones of social power (p. 51).

**186** Armstrong, *Rocking the Cradle*, pp. 60–61.

**187** Armstrong, *Rocking the Cradle*, pp. 74–75. The last quote is from Florence Rush, “The Sexual Abuse of Children: A Feminist Point of View,” in *Rape: The First Sourcebook for Women*, ed. Noreen Connell and Cassandra Wilson (New York, 1974), pp. 73–74.

**188** Russell dedicated her 1999 edition of *Secret Trauma* to Armstrong (1937–2008) for recognizing the antifeminist role of therapists in dealing with incest. On pp. xxviii and xxix, Russell discussed Armstrong, concluding that “instead of fighting male domination in the family and the predatory sexuality and sense of entitlement that males are socialized to have in patriarchal societies, therapists pathologized and *depoliticized* incest, diverting survivors away from a political, activist approach to incestuous abuse.”

illness had overwhelmed and swallowed feminism.”<sup>189</sup> Referring to one of the leading self-help books for “incest survivors,” she remarked: “The therapeutic ideology readily leads to, not change but imaginary change. Not to assault on the root cause of rape but to the building of endless treatment centers for a predictably endless supply of the wounded who, in their public display of anguished neediness, are taken to suffer from *diminished capacity*.”<sup>190</sup> Armstrong wanted to insist on incest as an act of aggression in a complex of violences geared to socializing women to accept male power. But claims by therapists to be able to read symptoms as a personal event had shifted the focus, she charged, away from recognizing them as common to many women. “What we had hoped was that feminism would adopt and strengthen the issue of incest by insistently putting it forward within the larger issue of licensed male violence and working toward *change*. Instead, feminists, following not their own logic, but their own purloined *language*, followed—almost trancelike—as that language was snatched from them and dangled before them by psychology and therapy: words like *liberation* and *power* and *choice*.”<sup>191</sup> In its original formulation, feminism assumed that men were able to control themselves and act rationally, but the recent trend had locked discussion into an essentialist understanding of men as unable to discipline themselves.<sup>192</sup> “The dominant emphasis on the language of pathology, treatment, and therapy as the primary social response to incest, actually isolates and marginalizes victims—even while announcing that ‘you are not alone.’ It is an emphasis on pacification, on deflecting attention from all larger social meaning.”<sup>193</sup>

The predominant representation of incest in the last three decades of the twentieth century conveyed it not as an issue of producing biologically damaged progeny but of power in the nuclear family. It had to do with patriarchal authority and its misuse, supported by men in general, at least implicitly. Many commentators located the paradox in the fact that male attitudes and behavior were constantly reproduced by maternal nurturing, and some found the solution in young men learning to despise women in general as they considered the power dynamics of the households they were brought up in. But was this a family issue or a larger social issue? Was it a matter of father-dominated households or male-dominated political cultures? The answer had a great deal to do with how to mobilize a suitable response. Could one develop a feminist politics on the premise that men could learn to control themselves? Or ought one to encourage the deployment of an army of therapists to heal the inevitable wounded from the wastage of domestic conflicts contoured by willful paternal acts?

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189 Armstrong, *Rocking the Cradle*, p. 207.

190 Armstrong, *Rocking the Cradle*, p. 211: “To shift the focus [away from male violence] to women’s self-rehabilitation can only lead to a victim-blaming theology.”

191 Armstrong, *Rocking the Cradle*, p. 213.

192 Armstrong, *Rocking the Cradle*, p. 260.

193 Armstrong, *Rocking the Cradle*, p. 266.

## Conclusion

Central to parsing power relationships among kin in the decades just before World War II through to the end of the twentieth century was the sexual division of labor. In the original formulation of the “nuclear family,” the authority of the husband/father was rooted in the fact that he had an outside job on which the family depended. It defined the family’s status in the larger community and defined his status within the family. Anytime the wife inched her way out of the house and into the labor market, she accrued more decision-making power; it was thought, and to compensate her for her contribution to household expenditures, many believed it was only fair for the husband to lend a hand at washing the dishes and changing the diapers (especially changing the diapers). All kinds of conflicts were brewing in the possibility of man and wife changing places. At first, stay-at-home mothers were diagnosed as responsible for all the emotional problems of husbands and children, but the tensions of the new labor regimes began quite quickly to put fatherhood into question. The coincidence of seeing maleness and fatherhood through the lens of violence, just as women were voting with their feet (delaying marriages, leaving marriages, radically limiting the number of children, postponing giving birth, entering more loosely structured households, giving up on heterosexual coupling altogether), might be examined in light of negotiations over work contracts. It is also true that men increasingly did not want to buy into providing lifetime support under conditions of unstable marriage. They found it easy to purchase the domestic services on the market that they might have found in a housewife.<sup>194</sup>

The shift from a discourse over matriarchy to one over patriarchy followed a path all the way through of focusing on power relations, hierarchies, precedence, agency, reciprocities, advantage, and influence. But the kind of power resources available to men and women were seen to be quite different. Around wartime, accent was placed on emotion as a controlling device, something women were good at. By the time men came under scrutiny, force was the prism through which their power was seen to be exercised—in social and political institutions, law, socialization, and, if necessary, raw violence. Mothers ruined sons, for the most part, and fathers preyed on daughters. The thread that tied all the conversations about the family for a half century was an understanding that the circuitry of power within a family was what constituted the set of interpersonal relations, bound family together, or maybe drove it apart, gave it definition, occupied its space, and linked it to the political and social order.

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<sup>194</sup> Ironically, the expanding service economy, which made it relatively easy for men to get along without the domestic labor of their wives, relied almost completely on female wage labor—women doing out of the house what they used to do inside the house, but now in a specialized and rationalized labor market.

## Chapter 3

# Introduction to the Father-Daughter Problematic

The proximity and centrality of the tabooed relationships within today's nuclear family must put a different load on the incest desire. Nothing is done to assist the prohibition, on the contrary, all is done to provoke the desire. — Juliet Mitchell, 1974

By anatomical fiat—the inescapable construction of their genital organs—the human male was a predator and the human female served as his natural prey. — Susan Brownmiller, 1975

Throughout this book, I have been examining times in Western societies when particular incestuous pairs have been caught in the headlights, so to speak. I have looked at dominant cultural voices without the hierarchical assumption that such voices come from “above.” Rather, what has caught my attention is how certain social concerns and images working their way through different classes, educational levels, religious attachments, and positions of power coalesce in broadly assumed values, norms, and fears, as well as practices. I have shown how the dyad at the center of the problem of incest has shifted from husband-deceased wife's sister, to sister-brother, to mother-son. In this chapter, I want to examine the way the father-daughter pair came to sweep away most other considerations during the period from 1970 to 1995. In particular, I want to ask why the father—who was he supposed to be? But also, why the daughter? Why this pair—and how was it conceptualized?<sup>1</sup> Because I have found it increasingly difficult to handle the French, German, English, and American literature with an even hand, I will concentrate more on American discourses in an effort to pry out some central features of the period, but I will comment on the other countries from time to time.

Neither “father” nor “daughter” remained stable figures during the twentieth century; nor, of course, did the concept of “incest.” During the 1940s, '50s, and '60s, fathers were grasped in quite contradictory images.<sup>2</sup> They might be regarded as a source of strength, unity, even rationality, or they could be represented as weak, dominated, purposeless.<sup>3</sup> By the early '70s, with the spread of the patriarchy critique, the

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1 E. Sue Blume, *Secret Survivors: Uncovering Incest and its Aftereffects in Women* (New York, 1993 [1990]), p. 3, offered an example of disinterest in sibling incest unless it evinced an imbalance in power. Similarly, Christine A. Courtois, *Healing the Incest Wound: Adult Survivors in Therapy* (New York and London, 1996 [1988]), p. 11. Diana E. H. Russell, *The Secret Trauma: Incest in the Lives of Girls and Women*, with new intro. (New York, 1999 [1986]), used a five-year age difference as one criterion for deciding the issue of sexual abuse (p. 42). She wanted to extend her study beyond father-daughter incest to include brother-sister, grandfather-granddaughter, and uncle-niece (p. 11). Judith Lewis Herman, with Lisa Hirschman, *Father-Daughter Incest* (Cambridge, MA, 1981) was little concerned with “exploratory sex play between siblings close in age,” p. 4.

2 James Gilbert, *Men in the Middle: Searching for Masculinity in the 1950s* (Chicago and London, 2005).

3 Although I will dwell mostly on American discourses in this chapter, it is well worth looking at what was going on in France, notably with the interaction of law-giving and theoretical discourses, especially

paternal image took on aspects of violence, illegitimate privilege, and sexual predation, with backlash and some wistful longings for a past that probably never was.<sup>4</sup> And at

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those by psychologists, psychotherapists, and anthropologists. Camille Robcis, *The Law of Kinship: Anthropology, Psychoanalysis, and the Family in France* (Ithaca and London, 2013) provided a marvelous introduction to the subject. Much of the French discussion of the psychological development of the child in the second half of the twentieth century centered around gender difference and the symbolic function of father and mother. One psychologist, for example, worried about “symbolically modified children” in the absence of paternal authority (p. 3). According to Robcis, Georges Mauco (1899–1988), a widely read popularizer of the issues who had a significant influence on public opinion (p. 111), wrote that “the father’s function is essentially social because ‘he must be experienced as the authority who imposes rules necessary to regulate relationships in collective life. . . He must be capable of making [the child] accept the feelings of prohibition without triggering anxious aggression’,” p. 111–12. The quotation from Mauco is from his *Psychanalyse et éducation* (Paris, 1979), p. 54. Robcis, *Law of Kinship*, pp. 111–12, also quotes Mauco, *Psychanalyse*, p. 53: “The father symbolizes the prohibition and the disciplining force which permits, through the mastering of desires, the psychic construction of the human being.” As Mauco put it, “the child is the production of the paternal phallus,” p. 53. It was the father who from the dawn of human life had concretized the incest prohibition—the social law. “By symbolizing the prohibition of desire, he contributes in breaking the dual relationship between mother and child”: Robcis, *Law of Kinship*, p. 112, quoting Georges Mauco, *La paternité. Sa fonction éducative dans la famille et à l’école* (Paris, 1971). See also Robcis’s discussion of Françoise Héritier, pp. 224–25. Robcis concludes that the French debates were never concerned with facts and realities: “What was at stake was *the* symbolic as the ahistorical normative structure regulating all social and psychic life,” p. 264. Within recent French family debates, she contended, the symbolic was never actually defined or explained (p. 264). For another take on the symbolic—in relationship to Lacan—see Juliet Mitchell, *Psychoanalysis and Feminism: A Radical Reassessment of Freudian Psychoanalysis*, repr. with new intro. (New York, 2000), pp. xxxvi–xxxii, xxxv–xxxvii, 291. For American takes on masculinity in the early period after World War II, cf. Reuben Hill, “The Returning Father and His Family,” *Marriage and Family Living* 7 (1945): 31–34, here pp. 31–32: “Indeed men have become dispensable as wives have mastered the traditional masculine duties of repairing light fixtures, mowing lawns, filing tax statements.” Helen Mayer Hacker, “The New Burdens of Masculinity,” *Marriage and Family Living* 19 (1957): 227–33, found the father relegated to a mother substitute.

4 Debbie Nathan and Michael Snedecker, *Satan’s Silence: Ritual Abuse and the Making of a Modern American Witch Hunt* (New York, 1995), p. 40: by the mid-1970s, the trend was to blame patriarchy, not on male social roles but on males themselves. “Biology was destiny,” p. 41. These authors quote Susan Brownmiller, *Against our Will: Men, Women, and Rape* (New York, 1975), a treatise on rape: “By anatomical fiat—the inescapable construction of their genital organs—the human male was a predator and the human female served as his natural prey.” In Richard Ofshe and Ethan Watters, *Making Monsters: False Memories, Psychotherapy, and Sexual Hysteria* (Berkeley and Los Angeles, 1996 [1994]), p. 10: “Incest is the extreme expression of a patriarchal society. It trains the young victims from the start that their place/purpose/function in society is for the needs of others, especially men,” quoting a paper by Kathy Swink and Antoinette Leveille, “From Victim to Survivor: A New Look at the Issues and Recovery Process for Adult Incest Survivors,” *Women and Therapy* 5 (1985): 119–41. Mark Pendergrast, *Victims of Memory: Incest Accusations and Shattered Lives* (Hinesburg, VT, 1995), p. 449: “According to cultural feminists, women are by nature gentle, pacifists, nurturers, intuitive, poetic. Men are aggressive, brutish, compulsively logical.” “Cultural feminists are so convinced that male sexuality is, at its core, lethal, that they reduce it to its most alienated and violent expressions.” Catharine A. MacKinnon, “Feminism, Marxism, Method, and the State: An Agenda for Theory,” *Signs: Journal of Women in Culture and Society* 7 (1982): 515–44, here p. 541: “Man fucks woman; subject verb object.”

the same time, with ever-increasing rates of divorce, single parenthood, and household reconfiguration, the physical, moral, and emotional relationships of fathers to families underwent rapid transformation. As for the daughter, her image also changed considerably, in response to both biological and socio-cultural pressures. For one thing, the average age of menarche, which at the beginning of the century was about sixteen, fell by the '60s to just over twelve and continued to fall after that.<sup>5</sup> With sexual maturity arriving so early, teenage girls became much more sexually active, although the causal nexus may not be so simple as that conjunction implies.<sup>6</sup> If around 1960 approximately 10 percent of unmarried teenage girls engaged in sexual intercourse, by the mid-'80s, the figure had risen to more than 50 percent.<sup>7</sup> And it should be noted that in the United States during this period, almost half of American marriages were with teenage women, with courtship practices encouraging sexual experimentation in the years leading up to wedlock. Given the consumption and commercialization of images of pubescent and prepubescent girls, it is not untoward to speak of an enormous sexualization of young women and girls and of a collapsing of many distinctions that had set childhood off from adulthood.<sup>8</sup> Indeed images of very young children acting out adult eroticism became widely circulated in the culture.<sup>9</sup>

As they parsed the idea of “incest” during the period under consideration, observers lost sight of reproductive issues. In all of the quite vast literature on father-daughter incest, there was little interest in progeny laden with this or that form of physical or mental disability. Indeed, the discourse was never about the consequences of having children at all. Rather, the concept of “incest” essentially came to be thought of in terms of sexual “abuse.”<sup>10</sup> The daughter, newly constituted, became the object of the father’s

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5 See Joan Jacobs Brumberg, *The Body Project: An Intimate History of American Girls* (New York, 1997), pp. 3–4. David Elkind, *All Grown Up and No Place to Go: Teenagers in Crisis* (Reading, MA, 1984), p. 51. Stephanie Coontz, *The Way We Really Are: Coming to Terms with America’s Changing Families* (New York, 1997), p. 14.

6 Brumberg, *Body Project*, p. 4, tied earlier sexual experience to early sexual maturation. By the late '90s, the average age of intercourse, she wrote, for American girls was towards the end of the fifteenth year.

7 David Elkind, *All Grown Up*, p. 7.

8 See Valerie Walkerdine, *Daddy’s Girl: Young Girls and Popular Culture* (Cambridge, MA, 1997), p. 3, on erotically coding and a ubiquitous gaze at the little girl.

9 Florence Rush, *The Best Kept Secret: Sexual Abuse of Children*, intro. Susan Brownmiller (New York, 1981 [1980]), p. 126: “During the liberated 1960s, the fashion industry made a very direct appeal to grown men by offering nymphettes as playmates.”

10 Courtois, *Healing*, 11: “Incest between an adult and a related child or adolescent is now recognized as the most prevalent form of child sexual abuse and as one with great potential for damage to the child. Because of this, it is considered as a form of child abuse. It should be noted that incest is not always abusive: In those cases of consensual sex between related adults or *mutual* exploratory sex play between peers such as siblings or cousins, it may be considered non-abusive.” Incest constitutes abuse when an older person exploits a younger person unable to understand the sexual nature of the act.



desire.<sup>11</sup> And although the pair was always father-daughter, the desires of the daughter scarcely registered.<sup>12</sup> Furthermore, the figures in the dyad had little in common. The father stood in for older men in general, those with inordinate access to power and distorted desires, while the daughter represented vulnerability. Young girls, prepubescent girls, teenage women, any and all might be depicted as sexual agents in pageants, advertisements, and fashion spreads, but there were strong counter images too, of innocence and lives undisturbed by sexual passion or even thoughts—or at least that was the way it was supposed to be.<sup>13</sup> If asymmetries in power or status (often simply ascribed to age difference) were involved, sexual contact was labeled “abuse” or “incest,” and any consideration of the younger female’s own motives or desires was tacitly ignored or expressly contested.<sup>14</sup>

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11 The British feminist Mitchell, *Psychoanalysis and Feminism*, p. 377, put it this way: “The proximity and centrality of the tabooed relationships within today’s nuclear family must put a different load on the incest desire. Nothing is done to assist the prohibition, on the contrary, all is done to provoke the desire.”

12 Walkerdine, *Daddy’s Girl*, pp. 6–9, is an exception. She talked about her own desires as a child. Herman, *Father-Daughter Incest*, pp. 22–35, makes it clear that sexual experience between adults and children has to be understood under the category of “harm.” The situation always involves a question of power, and “there is no way that a child can be in control or exercise free choice,” p. 27. Herman did not explore girlhood, children’s desires or fantasies, or the appropriation of commodity culture among children and adolescents. And there was little attempt in her work to characterize class and milieu or different values, practices, and behaviors of various social groups. Jane F. Gilgun, “We Shared Something Special: The Moral Discourse of Incest Perpetrators,” *Journal of Marriage and Family* 57 (1995): 265–81, discussed interviews with eleven adults who had had sexual relations with their children. They thought of the experience as one of mutual romantic attachment and themselves as exercising love and care. What seemed to have been missing in their testimonies was any thought given to what the daughters might have wanted.

13 Mathew Thomson, *Lost Freedom: The Landscape of the Child and the British Post-War Settlement* (Oxford, 2013), p. 156. Alice Miller, *Thou Shalt Not Be Aware: Society’s Betrayal of the Child* (New York, 1986 [1984], German ed., 1981), p. 314: “The child is always innocent.” See Walkerdine, *Daddy’s Girl*, p. 105, referring to Shirley Temple: “The kind of love that she offers is to be understood as above all innocent and that this covers over and elides issues of sexuality and erotic attraction which enter only as unsavoury.” Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality since 1800* (London and New York, 1981), pp. 50–51, argued that observers such as Freud and Ellis at the beginning of the twentieth century “discovered” that sexuality was fashioned within the “intensified emotional harbor of the bourgeois family.” The middle-class family already in the nineteenth century “stressed the innocence of childhood, its asexuality, and its potentiality for sexual corruption, with all the horrors that opened up,” p. 51.

14 Russell, *Secret Trauma*, pp. 392–93, made the point explicit: “It seems likely that this perception of young girls as seductive may be a rationalization for the desire of many fathers and older male relatives to make sexual advances toward them. . . . the notion that a father *could* seduce, rather than violate, his daughter is itself a myth. And the notion that some daughters seduce their fathers is a double myth.”



Fig. 51: Big Bucks for Young Girls.

Two ads from the late 1980s, both featuring a child-model. She is age seven in the left-hand image, from German *Vogue* (1986), and nine in the right-hand one, for Revlon (1988). It is perhaps fruitless to enquire whether the sexualization of pubescent and prepubescent girls in modern advertising grew out of male desires or female fantasies; or even, perhaps out of some mutually reinforcing erotically driven impulse. Whatever the case, girls became the highest-paid models of the time, precisely because of the ambiguities of their sexuality. The image from German *Vogue* invites the observer to shift between symbols of adult- and childhood. The child, in her nakedness, conveys simultaneously innocence and seduction, even if what she evokes is the fantasy of reclaimed youth. She disports a provocative hair style, dangles an expensive and very adult necklace, and manages at the same time to suggest vulner-

ability through her gaze and by crossing her arms over her non-existent breasts. Collapsing distinctions between youth and adulthood, prepubescence and pubescence, innocence and experience, the ad offers a prime example of seduction. The Revlon ad conveys many of the same ideas: the child readily fits in with the voluptuous adult models: height, hair, skin tones, and pouty lips. The adult models confront the observer, while she cocks her head to beckon her into the scene. She is the only one active in the narrative of the photograph: her gesture, touching the skin of the older woman, proves the claim of the ad that the wellspring of the desired and desirable lies in childhood ("Finally you can have the complexion you wish you'd been born with").

German edition *Vogue* (1986), photo Jackie Ah; Revlon ad (1988), photo Richard Avedon.

As I have shown in chapter 2 of this section, there was a debate about whether predatory behavior among fathers had always existed or was something new and particular to postwar society and culture.<sup>15</sup> Some thought that the incidence of abuse actually had increased; others, that a repressed secret about gendered imbalances of power was being uncovered.<sup>16</sup> Whatever the cause, fathers came to be problematized in a new way against the backdrop of broad cultural and social changes. Certainly, the feminist movement took credit for discovering male violence and for questioning contemporary and past power arrangements.<sup>17</sup> But the deadening effect of suburban living, especially on highly educated women, brought dissatisfaction with gendered inequalities and a reconceptualization of men-in-the-house even for those not caught up in the feminist critique. Perhaps, most important, the massive movement of married women with children into paid employment had a disconcerting effect on familial power constellations, on the one hand, and, on the other, brought with it the discovery for many women of the alienating effects of modern forms of labor.<sup>18</sup> The women who first gathered together in self-help groups were for the most part between the ages of thirty-five and forty-five,

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<sup>15</sup> Russell, *Secret Trauma*, p. 77, developed statistics to show that incestuous abuse before the age of eighteen roughly doubled between 1937 and 1973. Courtois, *Healing*, p. 7: "Evidence is accumulating to suggest that [incest] has been embedded in and covertly allowed in most cultures, while being overtly and publicly decried and denied." Alice Miller, *Banished Knowledge: Facing Childhood Injuries*, trans. Leila Vennewitz, rev. ed. (New York, 1990 [German ed., 1988]), p. 68, saw incest as something on the rise. Herman, *Father-Daughter Incest*, p. 202, developed an argument that sexual abuse of children was normal in all patriarchal societies, while knowledge about it was suppressed—which implicitly made the question of variations in incidence irrelevant.

<sup>16</sup> Elisabeth Young-Bruhl, *Childism: Confronting Prejudice Against Children* (New Haven, 2012), p. 168, commenting on a documented sharp rise in cases of sexual abuse between 1967 and 1972, suggested that one has to understand the context: with the divorce rate up, "men turned tyrannical." Children were being raised by single mothers or in families with adults who were not biological parents or not biologically related siblings. Less protection for small children translated into abuse. "And the disruption, the mixing, and the merging of families diminished the effectiveness of traditional forms of the incest taboo as well as familiar forms of social sexual repression and control of drugs and alcohol, substances that sexual abusers often abuse to eliminate, manipulate, or erase themselves as well as their children." F. Ivan Nye, "Fifty Years of Family Research, 1937–1987," *Journal of Marriage and Family* 50 (1988): 305–16, here 316, commenting on family violence and sexual aggression, thought that family problems were proliferating faster than research and therapy could address them.

<sup>17</sup> David Blankenhorn, *Fatherless America: Confronting Our Most Urgent Social Problem* (New York, 1996 [1995]), p. 33, citing Naomi Wolf, noted that "marriage culture becomes a synonym for rape culture." Sarah Begus and Pamela Armstrong, "Daddy's Right: Incestuous Assault," in *Families, Politics, and Public Policy: A Feminist Dialogue on Women and the State*, ed. Irene Daimon (New York, 1988), cited in Robert L. Griswold, *Fatherhood in America* (New York, 1993), p. 256: "The sexual assault on female children is part of the pervasive sexual abuse of women in patriarchy. Incest is a process wherein a father teaches his daughter the social relations of heterosexual sex: male aggression and power. . . . Moreover, it seems clear that as long as patriarchal power relations exist in any society, every child is a potential incest victim, and every father a potential rapist."

<sup>18</sup> Linda Thompson and Alexis J. Walker, "Gender in Families: Women and Men in Marriage, Work, and Parenthood," *Journal of Marriage and Family* 51 (1989): 845–71, here p. 864, argued that everyday re-

probably the majority of them married or divorced and employed.<sup>19</sup> Born in the years between 1930 and 1950, they grew up in the '40s, '50s, and '60s. It was they who, in the mid-1970s began preparing the seedbed of discontent about incest and father-daughter relationships; they who set the new cultural tone; they who embraced the idea that adult identities are set in childhood experiences with fathers and mothers. And above all for the incest topic at hand, it was they who discovered the troublesome memories they soon considered to have been repressed, in which fathers loomed so very large.<sup>20</sup>

In this chapter I want to examine some of the salient features of “father” and “daughter” during the period 1970–95. I make no pretense to covering all the many complexities of the subject but simply want to examine some of the range of representations of fathers and daughters and to draw attention to some aspects that seem to be important to unpacking contemporary understandings of incest. To set the agenda for the discussion, I will follow the fortunes of a popular women’s magazine over crucial early decades, *Mademoiselle*, which began publication in April 1935 by announcing that it was not interested in problems of raising children or cooking but rather in providing a “matter-of-fact approach to the great glamorous legend of Careers for Women.” From its beginning to its end, women held its major editorial positions.<sup>21</sup> As new departments proliferated, including fashion and advertising, women headed them too. And

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sponsibility for marriage, housework, and parenthood usually remains with women. Men do *relatively* more work in the household only because women do less (p. 856).

19 Nathan and Snedecker, *Satan’s Silence*, p. 16, suggested that self-help groups also got assistance from the government: “Even before incest became an issue, the federal model for child-abuse intervention was the self-help therapy group, where parents—especially mothers—tried to defuse the daily frustrations and anger that led them to beat, shake, curse, and scream at their children.” See also Ethan Watters and Richard Ofshe, *Therapy’s Delusions: The Myth of the Unconscious and the Exploitation of Today’s Walking Worried* (New York, 1999), p. 92: “With each new influx of ever more minimally trained therapists [in the 1970s], the competition for clients grew stiffer.” Encounter groups of all kinds flourished, often run by therapists. “These small groups proved to be an effective way of mobilizing the forces of peer pressure to produce conformity,” *ibid.* Eva Illouz, *Cold Intimacies: The Making of Emotional Capitalism* (Cambridge and Malden, MA, 2007), p. 27, found consciousness-raising groups central to second-wave feminism.

20 Maik Tändler, *Das therapeutische Jahrzehnt: Der Psychoboom in den siebziger Jahren* (Göttingen, 2016), p. 141, with reference to the work of Eva Illouz and his own research, suggested that for both Germany and the United States during the second half of twentieth century, psychology became a female cultural system of belief involving intense emotional and social self-reflection. Both countries discovered familial and sexual relations to be crucial factors of individual identity formation. I will deal with “repressed memory”/“recovered memory” in the next chapter but will cite here Renee Fredrickson, *Repressed Memories: A Journey to Recovery from Sexual Abuse* (New York, 1992): “Denial is the art of pretending not to know what you know,” p. 17; and “healing begins the moment you recover your first memory and continues throughout the time it takes you to give shape and substance to your hidden past,” p. 18.

21 For example, in the November 1941 issue, the editor-in-chief (Betsy Talbot Blackwell, 1937–1971), the managing editor, fashion editor, literary editor, and most of the other editors were all women, while only the general manager was a man, the publisher Franklin S. Forsberg, who followed a career with a series of different publishers. He would not have been part of the day-to-day publishing or advertising decisions.

although some time passed before it settled on a target audience—college coeds and young professionals—women from the beginning comprised nearly all its readership.<sup>22</sup> In general, it is safe to say that this magazine offers a good opportunity to assess the female “gaze.” Only by a tortured logic and by discounting women’s agency would it be possible to argue that these women were compromised by male hegemonic desire.<sup>23</sup>

## Older men

May-and-December marriages may seem romantic, but although girls of your age often think they are deeply in love with men many years their senior, it eventually proves to be nothing more than infatuation. A girl who marries a man much older than herself may, in some cases, find a degree of happiness with him, but it never lasts long. Sooner or later something goes wrong. A great danger is that very often, the girl meets a man near her own age and falls in love with him before she realizes what is happening. — *Love Story Magazine*, 1941<sup>24</sup>

While the problematic figure of father and daughter was adumbrated by the turn of the 1970s, the high point of worry came to a peak in the late ‘80s and began to taper off in the mid ‘90s.<sup>25</sup> Increasingly during these years, the father was the proxy for the older man *per se*. Indeed, even before World War II, the idea of an older man in a sexual/marital relationship with a younger woman was already being discouraged. During *Mademoiselle’s* first years of publication, for example, its images still reflected an older culture, in which a young woman out on the town might be accompanied by a suave, often much-older man. In the May 1935 issue, there is a cartoon showing two late-teenage women in tight-fitting dresses standing before a mirror. In the background are two boys looking hopelessly young and unsophisticated. The caption: “The trouble is we’re around twenty-five mentally, and they’re still foundering.” But the sense of the fittingness, or at least normality, of young women being escorted by or married to much

22 *Mademoiselle*, November 1939, p. 33: the readership was women of ages 17–30.

23 See the critique of the idea of women internalizing patriarchal values or engaging in self-surveillance to satisfy the exigencies of a male-dominated system by Christina Hoff Sommers, *Who Stole Feminism? How Women Have Betrayed Women* (New York, 1995 [1994]), pp. 230–32.

24 *Love Story Magazine*, June 20, 1941, p. 120.

25 Fredrickson, *Repressed Memories*, p. 13, found her practice inundated in the years after 1984, although she had already encountered complaints of incest in the ‘70s. See Pendergrast, *Victims of Memory*, p. 42, who suggested that the mushrooming of repressed memory of sexual abuse cases was set off by the publication of *Courage to Heal: A Guide for Women Survivors of Child Sexual Abuse* by Ellen Bass and Laura Davis (New York, 1994; 1st ed. 1988), which by 1995 sold 3/4 million copies. The publication of Judith Herman’s *Father-Daughter Incest* in 1981 did a great deal to focus attention on father-daughter issues. Herman pointed to the importance of consciousness-raising groups from the 1970s and to the influence of the Women’s Mental Health Collective in Somerville, Massachusetts, founded in 1972: Judith Herman, *Trauma and Recovery: The Aftermath of Violence—From Domestic Abuse to Political Terror* (New York, 2015 [1992]), pp. vii, 28–32.

older men, despite a critical cartoon or two, lasted only for the first four years of the publication. By 1940, the images had shifted to young women accompanied only by men their own age, most often by a college peer or, at least until 1945, to the soldier with his sweetheart.<sup>26</sup> It would seem that for this magazine, an older form of coupling lost its validity in the years before the war.



Fig. 52: Age Homogamy?

Cartoon by Howard Baer from *Mademoiselle*, June 1935, p. 51. Image courtesy of University of California Southern Regional Library Facility.

From the 1920s on, one of the themes that exercised advice columnists in popular magazines targeting women was the proper difference in age for spouses. The advice was very much against wide gaps when the *women* were older, although tolerance for older men with younger women also declined. *Love Story Magazine* seems to have been particularly interested in the issue of older wives. It published a series of letters from men, ages nineteen to twenty, who contemplated marriage with women eight to twelve years older than themselves, and sometimes as much as twenty-five to thirty-five years. The advice was uniformly against marrying such a woman, who after all was dangerously

<sup>26</sup> There is a final “comment” on the younger woman accompanied by an older man: Marion Odmark (writer, lecturer, and syndicated columnist), “Soft Pedal That Career,” *Mademoiselle*, April 1940, pp. 91, 172. Despite the fact that the whole issue was about careers, Odmark projected strong ambivalence. A career could “rob” a woman “of whatever charm she once had,” especially when she took her job seriously. Yes, “career girls” could be found in the orchestra seats at opening nights, accompanied by “older, sophisticated-looking men,” but these men were really “bores with baggy eyes and large-sized hangovers.”

like a mother. Throughout the '20s and '30s, teenage women contemplating marriage queried the advice columnists about age disparities, with gaps in many cases being as great as ten to thirty years. All of these, the columnists saw as unworkable: "youth calls to youth"; such "infatuation never lasts long"; "May and December romances are rarely good," since they attach people with "different viewpoints"; she "can't love him"; "he has lived the best part of his life"; even ten years difference "can be a drawback."<sup>27</sup>

The advice literature reflected a significant shift in American culture towards age homogamy. In 1900, over a quarter of marriages involved an age difference of over ten years, but by 1980, only one of fourteen marriages had such a disparity. Another way of expressing the change statistically: in 1900, 63 percent of marriages were age heterogamous (a plus or minus difference of four years), while by 1980, 70 percent were age homogamous.<sup>28</sup> Along with the shift in social practice, there developed a lack of tolerance for age-disparate marriages or sexual liaisons. And a series of scandals involving older men and younger women kept the hint of illegitimacy alive. Among the well-known examples, recall Erroll Flynn, Jerry Lee Lewis, Woody Allen, Supreme Court Justice William O. Douglas, and President Bill Clinton.<sup>29</sup> It was not long after the

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27 *True Confessions* offers another example of criticism of age differences through to the early 1940s. Clearly the letters—if they were genuine—were heavily redacted: there were no spelling or grammatical infelicities. If the letters were actually sent in by readers, the constant repetition of similar concerns suggested a cultural uneasiness that was resolved by the late 1940s when such marriages were in rapid decline. On the other hand, if the letters were written by the advice columnists themselves, then one would have to argue for a great interest by the therapy establishment. In any event, they made the selection.

28 Maxine P. Atkinson and Becky L. Glass, "Marital Age Heterogamy and Homogamy, 1900–1980," *Journal of Marriage and Family* 47 (1985): 685–91, here pp. 686–87. The authors of the study suggested that the turn to age homogamy had to do with a shift to a more egalitarian society where gender equality was more in evidence. In 1960, for marriages where the husbands were over fifty-five, 42 percent were older than their wives by more than five years. For husbands under thirty-five, the figure was 17 percent. The average difference fell almost 50 percent from 3.6 to 1.9 years.

29 There is a first-person account of the Errol Flynn affair with a fifteen-year-old in *True Confessions*, February 1960, pp. 28–31, 83–94: "Beverly Adlands Own Story of Her Two Year 'Lolita' Romance with Errol Flynn." He was forty-eight. In 1958, twenty-three-year-old Jerry Lee Lewis married his thirteen-year-old cousin while on tour in England. The negative reaction of the British press was so severe his tour was cancelled. His career at the time was ruined: Trey Barrineau, "Myra Williams, Jerry Lee Lewis' 13-year-old bride, speaks out." *USA Today*, October 28, 2014, accessed January 31, 2019, <https://www.usatoday.com/story/life/entertainthis/2014/10/28/myra-williams-jerry-lee-lewis-13-year-old-bride-speaks-out/77745460/>. Fifty-six-year-old Woody Allen married his companion's twenty-one-year-old adopted daughter: Beverly Beyette, "Houses Divided: The Woody-Soon Yi Romance Has Sparked Questions About the Complex Ties That Bind the Modern Family." In step families [Romance] "happens primarily because boundaries are very unclear," one sociologist says": *Los Angeles Times*, September 3, 1992, <https://www.latimes.com/archives/la-xpm-1992-09-03-vw-7384-story.html>. "It's not incest under the law," says Jeannette Lofas, founder and president of the New York-based Step Family Foundation, in the *LA Times* article. But, "we consider it emotional incest and spiritual incest because of the devastation it causes." She continues: "The Bible says you don't sleep with your brother's wife. There's no blood there. Well, you don't sleep with your girlfriend's daughter, although there may be an attraction there." Cathy Douglas

initial interest in fathers as perpetrators of incest developed that the therapeutic literature shifted the gaze to any (older) man who exploited a dependency relationship—and dependence could be thought of in very broad terms, including status differences. In 1990, one of the most popular self-help book writers, E. Sue Blume, listed all the culprits she could think of: “Depending on the relationship, a perpetrator may be a father, mother, stepparent (or parent’s lover), grandmother, grandfather, uncle, aunt, cousin, babysitter, doctor, dentist, teacher, principal, coach, therapist, worker in a residential facility, nurse, or anyone else in long-term contact with the child.”<sup>30</sup> Although several of these characters were women, she showed no interest in older women in the rest of her book. She went on to say that “the original incest experience consists of at least two individuals of vastly different age or status. Many incest survivors perpetuate this pattern by becoming involved with partners who are older or more powerful: a 12-year-old girl may become involved with a 16-year-old; adult women have partners who are old enough to be their fathers, or they may become involved with their doctors, lawyers, ministers, therapists.”<sup>31</sup> For Blume, the ultimate scandal, then, was an age difference, sexual contact between generations that ought to be kept apart.<sup>32</sup> But, as Debbie Nathan and Michael Snedecker in their critical view of the literature warned: “The destructiveness of physically brutal assault may . . . be trivialized by victimology’s tendency to conflate nonviolent cross-generational sex with rape.”<sup>33</sup> There seems to have been no

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talked about her marriage at twenty-three to Supreme Court Justice William O. Douglas, sixty-seven, and the reaction: Carla Hall, “Cathy Douglas—The Woman Behind the Man,” *The Washington Post*, December 9, 1979, accessed January 31, 2019, [https://www.washingtonpost.com/archive/lifestyle/1979/12/09/cathy-douglas-the-woman-beside-the-man/cec27266-7c93-4c24-8f00-e29029607c83/?utm\\_term=.8e312c611575](https://www.washingtonpost.com/archive/lifestyle/1979/12/09/cathy-douglas-the-woman-beside-the-man/cec27266-7c93-4c24-8f00-e29029607c83/?utm_term=.8e312c611575). Senator Strom Thurmond moved to impeach him. Monica Lewinsky, who was twenty-two at the time of her affair with Clinton, wrote in 2018 that the relationship “constituted a gross abuse of power.” Even though it was consensual, it was wrong, “given the power dynamics, his position, and my age.” “He was 27 years my senior, with enough life experience to know better.” *The Guardian*, February 27, 2018, accessed January 31, 2019, <https://www.theguardian.com/us-news/2018/feb/27/monica-lewinsky-says-bill-clinton-affair-was-gross-abuse-of-power>. Lewinsky’s retrospective construction of her affair left out her own motives and desires, denied her own adulthood and capacity to make reasonable decisions, and modeled the relationship around asymmetries of power, reduced in her account primarily to the difference in age. Essentially, she was claiming the fashionable logic of “developmental immaturity” and implied her own “inability to understand the sexual behavior.” The phrases are from Courtois, *Healing*, p. 11 (see footnote 10).

**30** Blume, *Secret Survivors*, p. 3.

**31** Blume, *Secret Survivors*, p. 55. For Blume the scandal lay in the violation of age differences. Thus, incest could be ascribed to a fully adult but younger woman chasing after her priest or shrink. In this scenario, while there may be significant “power” differences, it is the lust for, not the lust of, the more powerful male that is in question. Blume thought of the matter as a kind of repetition compulsion begun in the early stages of puberty when a girl’s interests focused on boys a few years older than herself.

**32** Ofshe and Watters, *Making Monsters*, p. 115, reviewed the claim by Bass and Davis, *Courage to Heal*, that all sexual abuse is intergenerational. I once pointed out to a feminist colleague that it was turning out that the real scandal was older man/younger woman. She reacted with disgust and said: “Not until older women can have younger men will it be all right.”

**33** Nathan and Snedecker, *Satan’s Silence*, p. 250.



room in the incest literature for imagining sexual relations, or indeed, emotional relations between older males and younger females as governed by anything but power.<sup>34</sup>

## Mother as daughter, daughter as mother

My daughter hooked him, but I married him. — *True Story*, 1964

There is a ubiquitous eroticization of child-like women, the Lolitas, virginal, untouched, ripe that slides into child pornography, but extends much further to the cult of youth for women and the ubiquitous accompaniment of a big Daddy figure. — Valerie Walkerdine, 1997

Advertisements in women's magazines and stories in popular "confession" publications played with erotic images and sexual pressures within nuclear families, fragmented families, and families under reconstruction after divorce. Depending on their intended audience, each publication might work with a particular set of images to project an ideal of gender-specific roles or explore elements of sexual competition. Dialectical images of mother and daughter and the scrambling of desires were never far from the surface. Fashion advertisement continuously represented aspects of family sexuality and hinted at incestuous desires. But this was never straightforward. So often the desire conveyed in pictures and stories was for the mother to be like the daughter and *therefore* the object of paternal interest.

One feature common to advertisements in *Mademoiselle* and other women's fashion magazines through to the end of the 1970s, was a tendency to conflate the images of mothers and daughters. A frequent motif, beginning in 1940 and running through to the end of the '50s, was the mother-daughter look-alike, the pair dressed in the same clothing, often nightwear. These ads occurred some fifty-five times, featured on the covers or tucked inside the issue. In a way, the effect was a depiction of role exchange: the mother infantilized, the daughter matured into womanhood.<sup>35</sup> During these two decades, the images most often featured the mother with a four-to-seven-year-old, with but a small minority (less than 10 percent) featuring daughters between eleven and fourteen. In all of these, the viewer/lover was the husband/father, whether directly or implicitly addressed.<sup>36</sup> Indeed, the first example, a cover from February 1940, shows a mother with

<sup>34</sup> Courtois, *Healing*, p. 20: incest is always abusive when it is cross-generational. Frederickson, *Repressed Memories*, p. 84, "Sexual abuse is always intergenerational, and every one in a sexually abusive system takes one of these roles." The novelist Amy Bloom, *Love Invents Us* (New York, 1997) explored the possibilities of cross-generational love as non-abusive.

<sup>35</sup> A good example from 1940 features two little girls with their mother, all with bows in their hair; mother as a little girl: *Mademoiselle*, December 1940, p. 58. Other images of infantilization in *Mademoiselle* are the polka dot ads, January 1944, p. 13, and May 1956, p. 129; the candy stripe ad, June 1944, p. 63; and the ruffled baby dresses, May 1954, pp. 86–87. By 1947, the predominant practice was to emphasize the way mother and daughter resembled each other.

<sup>36</sup> Given the fact that the entire magazine, including the advertisements, was under the control of women editors, this would have to be seen as a female projection.

her five-year-old putting candles on large and small valentine cakes. A few years later a mother with a fourteen-year-old daughter wore “polkadots to please him,” “for the man who likes the sweet and simple”; and a little later, a mother and her two barely adolescent daughters were collectively described as “Daddy’s Girls.”<sup>37</sup> In 1945, an older sister together with a younger one of five were wearing “mother and daughter” dresses.<sup>38</sup> In the next years, one would find captions such as “photogenic dresses for daddy’s darlings”; “a close corporation to please the major stockholder—Daddy”; “Look Alikes for both Daddy’s girls”; “Quite as much alike as two needles in a haystack”; “any resemblance to each other is purely intentional”; “mother and daughter in identical ruffled baby dresses”; “Harem Scarem . . . tear out the page and leave it where your sultan will see it”; “becoming to girls of all sizes”; “playmates.”<sup>39</sup> In 1963, there was a two-page spread of two models, sisters around six or seven, the younger posed in the sexual posture of an adult.<sup>40</sup>



Harem Scarem. SARI ROBES for your sultan's two favorites. Influenced by the East . . . CHRISTMAS HINT TO HIM: Tear out this page and put it where your Santa Sultan will see it!

Image and caption from *Mademoiselle*, November 1955, p. 58. Courtesy of University of California Southern Regional Library Facility.

Fig. 53: Daddy's Harem.

<sup>37</sup> *Mademoiselle*, January 1944, p. 13; December 1944, p. 8. In 1945, for the first time, a pre-adolescent (eleven or twelve years old) was depicted in an ad in distinctly sexual terms. She was displayed with long blond hair, a skirt to mid-thigh, and a bent knee, clearly expressing sexuality, both in pose and in facial expression (February 1945).

<sup>38</sup> *Mademoiselle*, May 1945, p. 116.

<sup>39</sup> *Mademoiselle*, April 1946, p. 13; March 1947, p. 89; September 1947, p. 116; July 1948, p. 36; June 1953; May 1954, p. 87; November 1955, p. 58; May 1957, p. 131; January 1959, p. 65.

<sup>40</sup> *Mademoiselle*, December 1963, pp. 76–77. This is a story about George Barkentin, a photographer for the magazine, whose two daughters were featured. Their mother and grandmother had also been models.

Already in the '40s and '50s, fashion ads played with images that suggested the girlishness of the adult female in the household and the womanliness of the girls. Always implied was the dependence of mother and daughter on the father/husband and the desire to please him aesthetically with an image of eternal youth. In a sense, the wife/mother drew from the wellsprings of her children's youth. And there was always as well an edginess to the projection of the child so identified with the mother as to be an eroticized double.<sup>41</sup> Any single ad might have appeared prim and proper, but the set taken as a whole suggested the child and the mother refracting and reflecting essential qualities of each other. A good example comes from a 1947 underwear ad set in a dance studio, depicting two adult women, with one, the mother, bent toward her young daughter at the dancing bar.<sup>42</sup> All wear briefs: "They're wicked little lovely wisps, Lastex woven—shirred and scanty—See what every 'Eve' adores The sweet GAY BABY panty!" Purity/innocence and transgression were brought together here in the same thought, with the suggestion that they were ineluctably combined. Innocence was offered as the foundation for adult desires, as indeed the quintessential expression of eroticism.<sup>43</sup> And by that very fact, the child/adult girl was the object of desire—on two counts: the wife/mother stylized as dependent child and the husband/father experiencing one image fading inexorably into the other. Talcott Parsons, writing in 1955, captured this feature of American culture with the idea of two generations thrown together in isolation acting out what he described as "residual" eroticism.<sup>44</sup> In a more sinister formulation, Roland Summit, head physician at the Los Angeles County Community Consultation Service and a major "architect" of the ritual abuse panic during the late '80s, thought of "the hapless father who now that he had children of his own naturally felt a certain erotic attraction for the 'delicious little creatures' he had spawned."<sup>45</sup>

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41 Neil Postman, *The Disappearance of Childhood*, with new pref. (New York, 1994 [1982]), 98, drew attention to the ads that mask who is the mother and who the daughter.

42 *Mademoiselle*, November 1947, p. 207.

43 The pun here is intended—this was an ad for Circe Foundations.

44 Talcott Parsons, "The American Family: Its Relations to Personality and to the Social Structure," in *Family, Socialization and Interaction Process*, ed. Talcott Parsons and Robert F. Bales (New York, 1955), pp. 3–33, here p. 20.

45 Nathan and Snedecker, *Satan's Silence*, p. 20. Courtois, *Healing*, p. 3, basing her information on data from a therapy group wrote: "The reality of incest is infants, babies, little girls, preadolescents and adolescents lying in their cribs and beds in fear." Miller, *Thou Shalt Not*, p. 121, thought it was quite natural for children to awaken sexual desire in their parents.

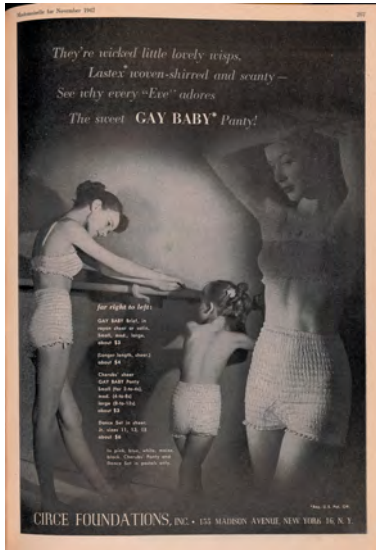


Fig. 54: Family Foundations.

During the 1960s, advertisers in the magazine lost interest in matching outfits and in the young child-mother couple. In their place were miniskirted, long-legged females, the point being to figure the sisterhood of mother and teen-age daughter.<sup>46</sup> Another typical feature was to offer images of ever-younger teenagers in poses capturing their developing sexuality.<sup>47</sup> One of the earliest such ads (for Coty make-up), offered up a young teenager aged thirteen or fourteen emphasizing the bodily changes brought by puberty—the young girl morphing into the complete “female.” She had long blonde hair to her shoulders and looked down at her breasts with her nipples budding under a long undergarment. Her hand is poised below and between her breasts with fingers pointing up at a nipple. Young girls of three and four showed up in these ads, no longer with mothers but with older sisters who regret the loss of natural innocence (and the need to restore “innocent” hair color).<sup>48</sup> Here, as earlier, the gaze of the older young woman directed to her child/self

<sup>46</sup> A good example comes from the April 1973 issue of *Mademoiselle*, which depicts a mother in her late thirties and a daughter around sixteen striding along together on the beach at Waikiki, both in miniskirts with long legs bared, looking like sisters. Six years earlier (1967), the movie *The Graduate* appeared, with mother and daughter competing with each other for the seemingly hapless young man.

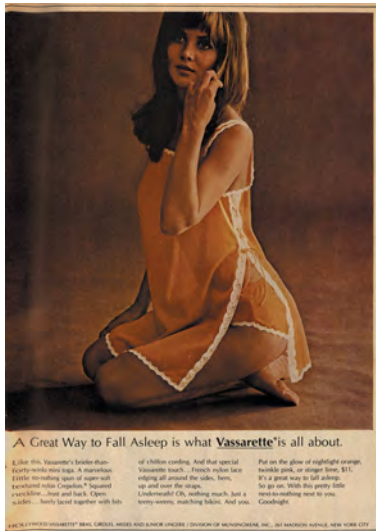
<sup>47</sup> Interest in younger teenagers can be found already in 1940 with the spread on “kid sisters” (young teenagers), *Mademoiselle*, September 1940, p. 57. Sometimes this played on a jealousy motif and emphasized the developing figure of the younger sister, *Mademoiselle*, March 1941, pp. 166–67. The June 1941 *Mademoiselle* issue, pp. 130–31, for the first time emphasized clearly the figure and breasts of the kid sister. In November that year, the same magazine offered also for the first time an ad expressly for high school girls, *Mademoiselle*, November 1941, p. 62.

<sup>48</sup> *Mademoiselle*, October 1967, pp. 122–23; November 1967, pp. 86–87.

They're wicked little lovely wisps,  
Lastex\* woven-shirred and scanty—  
See what every “Eve” adores  
The sweet GAY BABY\* panty!

Image and text from *Mademoiselle*, November 1947, p. 207.  
Courtesy of University of California Southern Regional  
Library Facility.

played with the innocence/erotic entanglement. For example, a Vassarlette ad from 1968 pictured a four-year-old and a twenty-year-old in shorty pajamas: the caption addressed the older woman, asking her to recall when she could go to bed with almost nothing at all. She was offered a “mini toga,” a “marvelous little, no nothing . . . Open sides . . . barely laced together with bits of chiffon cording . . . underneath . . . nothing much. Just a teeny-weeny, matching bikini. And you.”<sup>49</sup> And a little later, a nineteen-year-old was offered a “nightshift patterned after a little girl’s sundress.”<sup>50</sup> If during the ‘60s one encountered the phenomenon of older women trying to dress like their teenagers, it was the teenagers themselves who embodied the twinned elements of purity and danger. Take, for example, the full-page ad in 1968 for Carven picturing an eighteen-year-old with hair to below her shoulders, wearing a heart necklace and a shift with long sleeves, showing long bare legs with no shoes, and looking up from a seated position at the camera, with its caption: “exactly what’s underneath all this innocence?”<sup>51</sup> During the ‘60s, the images of sexual maturity/awakening knowledge/ambivalent innocence captured ever-younger girls.<sup>52</sup> Even a four- or five-year-old could be addressed as a “woman.”<sup>53</sup>



“A great Way to Fall Asleep is what **Vassarlette**® is all about. Like this. Vassarlette’s briefer-than-forty-winks mini toga. A marvelous little no-nothing spun of super-soft textured nylon Crepelon.® Squared neckline . . . front and back. Open sides . . . barely laced together with bits of chiffon cording. . . . Underneath? Oh, nothing much. Just a teeny-weeny, matching bikini. And you. . . . So go on. With this pretty little next-to-nothing next to you. Goodnight.”

Image and text from *Mademoiselle*, February 1968, p. 67. Courtesy of University of California Southern Regional Library Facility. This page was torn from the university library copy.

**Fig. 55:** Underneath Innocence I.

<sup>49</sup> *Mademoiselle*, February 1968, pp. 67–68.

<sup>50</sup> *Mademoiselle*, March 1968, p. 54.

<sup>51</sup> *Mademoiselle*, November 1968, p. 89.

<sup>52</sup> *Mademoiselle*, July 1969, inside back cover; August 1969, p. 153; November 1971, p. 115. Walkerdine, *Daddy’s Girl*, p. 157, “There is a ubiquitous eroticization of child-like women, the Lolitas, virginal, untouched, ripe that slides into child pornography, but extends much further to the cult of youth for women and the ubiquitous accompaniment of a big Daddy figure.”

<sup>53</sup> *Mademoiselle*, September 1978, p. 59: “It’s never too soon for a woman to wear Wedgwood”; namely, a heart pendant on a gold chain worn by a curly-headed, blonde four- to five-year-old.



Exactly what's underneath all this innocence?  
 Ma Griffe in a naughty new spray from Carven  
 . . . For uninhibited coverage, / a new eau de toilette / mis-s-s-st-i-fier.

*Mademoiselle*, November 1968, p. 89. Image courtesy of University of California Southern Regional Library Facility. I found this page ripped out of the university copy.

Fig. 56: Underneath Innocence II.

In the popular magazines *True Story* and *True Confessions*, right on through the '60s, '70s, and '80s, feature after feature put mother and daughter in competition with each other. The headlines, meant to shock, are often more interesting than the stories, and provide an imaginary suited to an age of mothers desperately representing themselves as young enough to look like the sisters of their teenage daughters: "My daughter hooked him, but I married him"; "He dated my daughter to be near to me"; "Is my mother after my man"; "Don't trust me alone with your sexy mother"; "One kiss and I forgot I was his mother-in-law"; "I want him for myself! . . . but so does my daughter"; "The man I stole from my mother"; "I couldn't trust my own mother. We were rivals—for my husband's love"; "I helped my daughter elope with my husband"; "Yesterday I was his wife—today I'm his mother-in-law"; "I took my daughter's place in her husband's arms"; "He isn't just my stepfather, He's the man I love"; "My mother is pregnant! Is my husband her lover?"; "Left alone too much with my mother's lover. He was too old for me, too young for her—but we both wanted him"; "What's going on between my boyfriend and Mom?"; "My mother stole my boyfriend."<sup>54</sup> Just listing the titles so extensively offers insight into a key shift in the representation of mother and daughter away from ambiguous erotic associations, stylized as objects of a male gaze, to rivals; away from children and prepubescent girls to teenage women possessing youth, the

<sup>54</sup> *True Story*, January 1964, p. 42; July 1966, p. 16; December 1967, p. 42; July 1968, p. 72; June 1977, p. 20; August 1982, p. 74; January 1985, p. 59. *True Confessions*, February 1965, p. 42; November 1966, p. 24; February 1967, p. 35; October 1968, p. 34; December 1968, p. 58; February 1971, p. 4; October 1973, p. 36; September 1986, p. 26; November 1987, p. 4.

central value the mother envies, and offering sexual competition. Advertising and narrative culture in the '40s and '50s thought of the little girl as a little woman, but in the next three decades, represented adult women dressing and behaving like teenagers. And similar representations appeared in magazines aimed at different class audiences.

## Sexualized home life

By responding to his daughter as a male to female when she is a very young girl, a loving accepting father will give her confidence that she can attract and interest a man. — Sonia Friedman, 1983

The desire for incest is a necessity. It is what constitutes the human: the joy of fantasizing but also the prohibition of realizing it. — Françoise Dolto, 1988

Early biological maturity is not accompanied by a parallel increase in intellectual maturity, and that means that supervision and support in early adolescence become even more crucial. — Joan Brumberg, 1997

There were widespread cultural assumptions that the sexuality of children and adolescents offered new pitfalls for the family, and it appears that teenage girls came in for ever-greater surveillance.<sup>55</sup> “Early biological maturity is not accompanied by a parallel increase in intellectual maturity, and that means that supervision and support in early adolescence become even more crucial.”<sup>56</sup> Kingsley Davis already in 1940 pointed to the new “preoccupation” of American parents with the sexual lives of their children.<sup>57</sup> There was something about the nature of the family that resonated with the fact that American morality was sex-centered, although the causal direction was left unexplained. Despite the fact of strong sex taboos between parents and children, “the unvoiced possibility of violating these unconsciously intensifies the interest of each in the other’s sexual conduct.”<sup>58</sup> But there were deep ambivalences here. While the family was scrutinizing teenage sexuality, the consumer culture was seducing the same young girls “into thinking that the body and sexual expression are their most important projects.”<sup>59</sup> Tensions between the larger culture and individual families came to a head during the 1960s and '70s. On the one hand, the home offered the space for negotiations over autonomy and adulthood, but on the other by the early 1970s, courts supported

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55 Coontz, *Way We Really Are*, p. 17.

56 Brumberg, *Body Project*, p. 24.

57 Kingsley Davis, “The Sociology of Parent-Youth Conflict,” *American Sociological Review* 5 (1940): 523–35.

58 Davis, “Parent-Youth Conflict,” p. 534.

59 Brumberg, *Body Project*, p. 25. The first thing they learn to think about, wrote Brumberg, was personal hygiene not adult woman sexuality, pp. 30, 32. Rather than communal rituals, menarche spurred purchases of make-up, clothing, and body piercing. “At Menarche . . . contemporary American girls establish a firm bond with the marketplace, facilitated by their mothers,” p. 33.

the rights of minors to make their own decisions about matters such as contraception and thus removed sexual activity from parental supervision in principle, if not always in practice.<sup>60</sup> In any event, sex always kept its place on the family agenda in a rapidly evolving cultural world.

If visual culture—advertisements, television, films—increasingly exploited the image of the young teenager’s sexuality, that teenager very likely was sitting at home with the family watching TV. Neil Postman noted that it was common to see early teenage girls displayed in TV commercials as erotic objects, and that television-watching at that time was a cross-generational family affair.<sup>61</sup> Perhaps the “desire for pubescent girls was kept a secret,” yet “television not only exposes the secret but shows it to be an invidious inhibition and a matter of no special importance.”<sup>62</sup> He pointed out that the most highly paid models in the 1980s were twelve and thirteen years old and that they were presented as “knowing and sexually enticing adults, entirely comfortable in the milieu of eroticism.”<sup>63</sup> Indeed, it was his argument that the commercialization of teenage sexuality had to be seen as the essential context in which child abuse developed. He argued that the use of children as the material for the “satisfaction of adult sexual fantasies” had become quite acceptable in American commercialized culture.<sup>64</sup> TV, he suggested, keeps the entire population in a “condition of high sexual excitement but stresses a kind of egalitarianism of sexual fulfillment; sex is transformed from a dark and profound adult mystery to a product that is available to everyone.”<sup>65</sup>

The commercialization of adolescent or even child sexuality easily led to the suspicion that the home was a major theater of sexual exploitation. Statistics on the number of women who experienced abuse inside or outside the home before they were eighteen vary widely, and they expand or contract according to the definition of abuse.<sup>66</sup> Bass and Davis, for example, suggested that fondling or kissing constituted the kind of abuse that later produced symptoms of psychological damage, and they even imagined some abuse with severe psychological consequences as non-physical—a leer, a suggestive

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60 Brumberg, *Body Project*, p. 171.

61 Postman, *Disappearance*, p. 91. Interesting here is the contribution of television-watching to major shifts in the way individuals and families spent their time, in particular the decline in civic and religious participation and the growth of solitary activities. See Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York, 2000), pp. 216–46, 277–84.

62 Postman, *Disappearance*, p. 91.

63 Postman, *Disappearance*, p. 3.

64 This is the same point insisted upon by the very influential feminist, Florence Rush, in *Best Kept Secret*, pp. 118–26.

65 Postman, *Disappearance*, p. 137. “The shamefulness in incest, in violence, in homosexuality, in mental illness, disappears when the means of concealing them disappears, when their details become the content of public discourse, available for examination by everyone in the public arena,” p. 87.

66 Reinder van Til, *Lost Daughters: Recovered Memory Therapy and the People It Hurts* (Grand Rapids, MI, 1997), 74–77, offers a useful critique of the statistics.



remark, “inappropriate” nakedness.<sup>67</sup> Blume disseminated the idea that incest does not have to involve touch: “Must incest involve intercourse? Must incest be overtly genital? Must it involve touch at all? The answer is no.”<sup>68</sup> By the mid-’90s, psychology writer and educator Claudette Wassil-Grimm offered a critical review of the statistics, noting that the frequency of incest abuse varied with the definition.<sup>69</sup> One “expert” on the Oprah Winfrey Show in 1991 claimed that one in four girls were subject to incest in their homes, to which Winfrey responded that the figure was much higher. Wassil-Grimm maintained that the only way to come up with such a figure was to count all abuse by someone, sometime, adding in non-contact encounters. She thought one in twenty to be a reasonable estimate for incest in the family, if by family one included any adult male; stepfathers and live-in boyfriends, among others. But she also maintained that only one in a hundred daughters actually were abused by their biological fathers, and this latter figure was backed up by the sober work of Linda Meyer Williams and David Finkelhor and of Diana Russell.<sup>70</sup> This analysis suggested that the more the home was put into

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<sup>67</sup> Bass and Davis, *Courage to Heal*, p. 25.

<sup>68</sup> Blume, *Secret Survivors*, p. 5: “Incest can occur through words, sounds, or even exposure of the child to sights or acts that are sexual but do not involve her.” This would, of course, have been the case with family TV viewing.

<sup>69</sup> Claudette Wassil-Grimm, *Diagnosis for Disaster: The Devastating Truth about False Memory Syndrome and Its Impact on Accusers and Families* (Woodstock, NY, 1996 [1995]), pp. 15–19. She offered a table on p. 18 of eight studies from 1940 to 1985. From that table, it is hard to conclude that even one percent of women had been abused by biological fathers. For a different view, see Russell, *Secret Trauma*. She published in 1986 the results of her interviews from summer 1978 with 930 women, residents of San Francisco (p. 26). She found that 16 percent of her sample had been subject to incestuous sexual abuse before the age of eighteen. In her tables, she sometimes distinguished biological fathers from stepfathers, foster fathers, and adoptive fathers, but sometimes she put them together under the heading of “father.” She reported that 4.5 percent of her sample had been subject to sexual abuse by “fathers,” but that biological fathers made up 2.9 percent (pp. 10, 215–28). When the woman had been raised by her biological parents, then the biological father accounted for 2 percent of the cases (p. 234). That is, roughly one of six women had experienced incestuous sexual abuse by the age of eighteen, and one of eight of those cases were with the biological father they lived with. This suggested that the stereotype of the father creeping up the stairs supported or ignored by a co-dependent wife/mother did not describe very well the actual incidence of incestuous sexual abuse, and it had to be understood that very few of the cases of paternal sexual abuse involved sexual intercourse (p. 44). Stepfathers abused stepdaughters at a rate eight times that of biological fathers with their daughters. Russell did not deal with boyfriends of the mother or other transient males in the household. Around two-fifths of incestuous sexual abuse occurred only once and another third five times or less (p. 93). Most of the “incest” involved fondling in one way or another. But sexual abuse by non-relatives (71 percent) dwarfed that by all relatives. Russell doubted the notion that child sexual abuse should be seen “as simply one more abuse on the continuum of violence against women,” (p. 393). No violence accompanied 97 percent of the cases of incestuous abuse, and none of the incestuous fathers used threats in connection with sexual abuse (p. 236).

<sup>70</sup> Linda Meyer Williams and David Finkelhor, *The Characteristics of Incestuous Fathers* (1992), pp. 15–16; Russell, *Secret Trauma*.

question through divorce, illegitimacy, and patchworking, the more likely some kind of sexual abuse might take place, but that in any event, daughters were far less in danger from biological fathers than from other males.<sup>71</sup> One of the problems with estimating the frequency of abuse had to do with the origins of the data. Clinical information was largely based on anecdote, and with the notion of “repressed memory recovery” (taken up in the next chapter) abuse was pushed back to ever-earlier ages.<sup>72</sup> With clinical information as their primary source, the category of incest ballooned with memories of abuse at ages that most memory researchers found impossible.<sup>73</sup>

At the height of the preoccupation with father-daughter incest, much of the “recovery” literature treated young girls as “empty signifiers” whose identities were constituted by an “ubiquitous erotic gaze.”<sup>74</sup> Catharine MacKinnon went so far as to suggest that women have no sexuality apart from male desire.<sup>75</sup> Despite the incrimination of males as such, the focus came to be placed on the theater where daughters were sup-

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71 Young-Bruehl, *Childism*, p. 50, suggested that merged families were subject to endless sexualization. Incestuous desires and rivalries over sex were acted out with the non-biological parent or sibling.

72 Ian Hacking, *Rewriting the Soul: Multiple Personality and the Sciences of Memory* (Princeton, 1995) critiqued clinical writing as circular and problematic in the way it constructed narratives: “I regularly turn, in this book, from the clinic to the works of the imagination, because clinician and storyteller so obviously reinforce each other,” p. 73. Russell, *Secret Trauma*, p. xxiii: “Clinical experience’ . . . is totally subjective and unscientific. . . . retrieved ‘memories’ cannot be assumed to be authentic.”

73 Courtois, *Healing*, p. 48: “The available data on incestuous fathers have been derived mostly from clinical studies.” Russell, in *Secret Trauma*, 2nd ed. (1999), in her new introduction, wrote that she was influenced by an experiment carried out by Stan Abrams in 1995. He gave polygraph tests to two groups of subjects who had been accused of having molested their daughters, the one based on recovered memories in therapy and the other on continuous memories. Ninety-six percent of the members of the first group were found to be “honest” in their denials, while only twenty-two percent of the second group proved to be so. “Abram’s experiment leads me to believe that the majority of retrieved memories are false,” p. xxvi.

74 Walkerdine, *Daddy’s Girl*, p. 182: The idea that fantasies come only from the adult male is far too simplistic, Walkerdine insisted. “The idea of a sanitized natural childhood . . . becomes not the guarantor of the safety of children from the perversity of adult desires for them, but a huge defence against the acknowledgement of those, dangerous, desires on the part of adults.” “But if childhood innocence is really an adult defence, adult fantasies about children and the eroticization of little girls is not a problem about a minority of perverts from whom the normal general public should be protected. It is about massive fantasies carried in the culture, which are equally massively defended against by other cultural practices, in the form of the psychopedagogic and social welfare practices incorporating discourses of childhood innocence.”

75 Nathan and Snedecker, *Satan’s Silence*, p. 41. The authors referenced a 1989 survey that found that 47 percent of the adult-video market was composed of women, which suggested at least some female interest in sexuality beyond male desire. The reference is to MacKinnon, “Feminism, Marxism, Method, and the State, p. 533: “A woman is a being who identifies and is identified as someone whose sexuality exists for someone else, who is socially male. Woman’s sexuality is the capacity to arouse desire in that someone.

posed first to have encountered the male gaze—in the home, the gaze being the father’s. In the immediate postwar period, the encounter between father and daughter was seen in a positive light. He was the first boyfriend, and she got to practice her “repertoire of social devices” on him.<sup>76</sup> Over the next few decades, the idea that a woman’s successful sexual development depended on her relationship to her father could be found well-represented in the popular press. For example, in a 1983 *Cosmopolitan* article, day-time talk show host and ABC resident psychologist Sonya Friedman advanced the conventional argument that the first love of a woman was her father: she was daddy’s girl. “By responding to his daughter as a male to female when she is a very young girl, a loving accepting father will give her confidence that she can attract and interest a man.”<sup>77</sup> The point here was that relationships of the child produce those of the adult. The article set up a life-narrative almost historicist in structure: everything that happened unfolded according to the logic of the original relationship. Identity was understood as a *story* about oneself. A little earlier, a staff psychiatrist of the Massachusetts Mental Health Center, William S. Appleton, suggested in *Cosmopolitan* that “a girl who has not been aroused by her father’s attention is unlikely to feel strong sexual passions as a woman. . . . Adult sexual fantasies and desires have their basis in childhood experiences and longings.”<sup>78</sup> This understanding was picked up in the contemporary feminist literature as pathological, and the father’s gaze came to be interpreted as incestuous. In any event, the idea of the daughter’s identity as dependent upon the father suggested that her subjectivity was constituted in his gaze. Walkerdine protested that this failed to take into account the daughter’s own struggle to be looked at, part of her search for independence and part of her intention to differentiate herself from her mother.<sup>79</sup> In the particular context of postwar society, with its housewife/mother ideal being challenged by the growing necessity for women to develop careers, strong identification with the father made strategic sense.<sup>80</sup>

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76 Hill, “The Returning Father,” p. 31. Robcis, *Law of Kinship*, p. 139, observed that the way the French discourse went, for example, with the exchange between the pundit Françoise Dolto (writing in the ‘70s and ‘80s) and the French minister Robert Badinter, the family had to have incestuous feelings to be healthy. Robcis quoted Dolto: “The desire for incest is a necessity. It is what constitutes the human: the joy of fantasizing but also the prohibition of realizing it,” *ibid*.

77 Sonya Friedman, “Fathers and Daughters: Freeing Yourself from This Potent Band Lets You Love Others,” *Cosmopolitan*, August 1983, pp. 166–72.

78 William S. Appleton, “Fathers and Daughters,” *Cosmopolitan*, November 1981, pp. 285–87, 302, here 286.

79 Walkerdine, *Daddy’s Girl*, p. 187.

80 After all, they were mostly present. Blankenhorn, *Fatherless America*, p. 105: “They were the most domesticated generation of fathers in modern American history.”

## Father to the center

Incest is not only encouraged, it is insisted upon; not just condoned but blessed. . . . It is an instrument of patriarchy—like the church, like the law; absolutely necessary to maintaining male privilege and power. — Sonia Johnson, 1987

One of the ironies of recent history is that amidst ubiquitous discussions about fatherly nurture and restructuring the workplace, a substantial number of men seem to be in flight from the family. — Robert L. Griswold, 1993

Ultimately, rapism and the warrior mentality represent the kingdom of the fatherless, not the fathers. — David Blankenhorn, 1995

From one perspective, “mom, dad, and the kids” were essentially equal constituents in the nuclear family model. But except among specialists on childrearing or experts on juvenile delinquency, discussions of this family type for the most part centered on relationships between husbands and wives, or on the roles, influence, and power of fathers and mothers. Yet from the beginning of the twentieth century, neither psychotherapeutic nor sociological analysis treated parents or spouses in a balanced manner. Immediately after World War I, the spreading influence and popularization of Freud put the father—through the prism of the Oedipal complex—front and center. Analytical theory in this twentieth-century phase was essentially male-centered, but began to change focus during the years leading up to World War II. During the war, especially in England, the disruption of families produced different, strong challenges to essential aspects of the Freudian approach, with issues such as connection and rupture being brought to the fore.<sup>81</sup> The new voices that defined the movement—Melanie Klein, Karen Horney, and Donald Winnicott—displaced the father in favor of the mother as the dominant figure in early childhood. In 1962, the Palo Alto psychiatrist Don D. Jackson disputed the idea that the father was the dominant figure in the American family, suggesting that he had long been supplanted by the wife/mother.<sup>82</sup> Those who worked with the “double bind” theory developed in the 1950s under the auspices of the so-called Bateson Project found the father to be a weak figure. It was the mother with her contradictory demands who essentially determined the psychological development of children—especially sons.<sup>83</sup> There were many who voiced the thought that weak fathers

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<sup>81</sup> Eli Zaretsky, *Secrets of the Soul: A Social and Cultural History of Psychoanalysis* (New York, 2004), pp. 266–72.

<sup>82</sup> Deborah Weinstein, *The Pathological Family: Postwar America and the Rise of Family Therapy* (Ithaca and London, 2013), p. 37.

<sup>83</sup> Weinstein, *Pathological Family*, pp. 80–83. The Bateson Project was a research project originally bringing together Gregory Bateson, Don D. Jackson, Jay Haley, John Weakland, and Bill Fry.

were behind the spate of juvenile delinquency—a major worry in the postwar years.<sup>84</sup> Deborah Weinstein suggested that there was a theoretical vanishing of the father from psychoanalytic interest around 1945.<sup>85</sup>



Fig. 57: Double Bind.

incident involving stolen cars, a game of “chicken,” which had caused the death of one of the local high school fellows. He wanted to do the ethical thing and turn himself in to the police. The mother, as was her habit, suggested moving the family away to avoid dealing with the problem, to which Jim responded, “Every time you can’t face yourself, you blame it on me.” In the stand-off, Jim pleaded with his father to confront his mother: “let me hear you answer her.” Frank simply buried his head in his hands. “Dad,

The 1955 film *Rebel Without a Cause* developed several of the common themes of 1950s’ psychotherapy, including mother-blame for juvenile delinquency. The household where Jim Stark (James Dean) lives is dominated by two women, his paternal grandmother and his mother. The grandmother raised the weak-willed father, Frank Stark (Jim Backus), now dominated in turn by his wife, Carol Stark (Ann Doran). Jim blames his grandmother for his father’s lack of masculinity: “Someone ought to put poison in her Epsom salts.” He tells a policeman that if his dad just once had the guts to knock his mother cold, she would stop picking on him. The two women make mush out of the father. Frank’s domestication is signaled by wearing his wife’s apron while cleaning the house. In the second scene, Jim explained that he had participated in an

stand up for me.” Jim then grabbed his father, told him to stand up, and shoved him into a chair. After his mother pulled him off, he ran out from the house, kicking a hole in his grandmother’s portrait on the way out. The relationship between Judy, Jim’s girlfriend, and her father is just as fraught. In psychotherapeutic literature of the time, the father’s appreciation of his growing daughter’s sexuality was what allowed her to grow into a confident woman and wife. Judy’s father angrily rejected her kiss and did not know how

<sup>84</sup> For a French take on the issues, see Robcis, *Law of Kinship*, pp. 111–13. She discusses the influential Georges Maucou’s understanding of the paternal and maternal roles and the problems of juvenile delinquency. The father had to appear masculine for the mother and child to accept him in his symbolic function of disciplining force. He represented culture, the social, law, while nature, the fusional relation to the child, and the instinctual belonged to mother. Maucou called her first and foremost “body.” She was nourishment, hearing, smell, movement, caress, etc. If the mother took over the role of the father the dynamic of the whole family was disturbed. An absent father led to juvenile delinquency. Most behavior trouble had to do with deficiencies of the paternal image. Robcis notes that Françoise Dolto, who sold hundreds of thousands of books during the ‘70s and ‘80s, even argued that in the absence of the father’s name, the child might have to wrestle with a “completely de-structuring significance,” p. 131.

<sup>85</sup> Weinstein, *Pathological Family*, p. 87. See also Ellen Herman, *The Romance of American Psychology: Political Culture in the Age of Experts* (Berkeley and Los Angeles, 1995), pp. 199–220, 278–80.

to deal with her growing maturity. She told the police officer that her father hated her and looked at her as if she were ugly. When she dressed up, he called her a “dirty tramp.” Thus, the film portrays two ineffectual fathers, stereotypes of the time, neither displaying

the expected masculinity or paternal authority and neither up to the task of guiding their children to independent, properly gendered, adulthood.

Stills from *Rebel Without a Cause* (1955), Warner Bros.

There were other voices that stressed the importance of the father for familial stability. If the problem was the negative effect of certain forms of mothering on the child’s psyche, the answer was to return the realm of home to male control. In 1957, the British sociologist J. M. Mogeey wrote that there could be no stability in the family without the assertive voice of the father. And that was all the more important the more the nuclear family was isolated—everything depended on the way the paternal role was played. Mogeey thought that fathers were participating more in the life of the household, and that that was a good thing.<sup>86</sup> A few years later, another major voice from family sociology, Leland Axelson, posited the father as the basic source of strength, unity, and authority.<sup>87</sup> Despite disagreement in the postwar years about the significance of the father, he was mostly seen in a positive light or figured as the parent who ought to assume more responsibility. A great deal depended on whether experts were commenting on actual paternal behavior or formulating prescriptions for what they considered to be a healthy family. Perhaps not surprisingly, there were quite conflicting assessments about just how present fathers tended to be. Ralph LaRossa and Donald Reitzes, for example, carried out a careful reading of the advice literature from before and after the war and concluded that the idea that fathers became more involved in the family from the ‘30s onwards was false: in fact, fathers actually had withdrawn.<sup>88</sup> But they found also that this same literature was read primarily by women, and that it was they who modernized the paternal role. The father, they determined, was mostly an idea configured by women.<sup>89</sup>

The 1970s marked a kind of cultural turning point, or watershed. It was in that decade that the pathologies ascribed to “patriarchy” and by extension to “fathers”—violence, arbitrary authority, and exploitation—came to the fore (see this section, chapter 2).<sup>90</sup> It

<sup>86</sup> J. M. Mogeey, “A Century of Declining Paternal Authority,” *Marriage and Family Living* 19 (1957): 234–39, here pp. 235–38. Blankenhorn, *Fatherless America*, pp. 106–10.

<sup>87</sup> Leland J. Axelson, “The Marital Adjustment and Marital Role Definitions of Husbands of Working and Nonworking Wives,” *Marriage and Family Living* 25 (1963): 189–95, here 189. On the role of the father as discussed in the ‘40s and ‘50s, see Weinstein, *Pathological Family*, pp. 21–22, 26, 29, 37, 80, 100–103.

<sup>88</sup> Ralph LaRossa and Donald C. Reitzes, “Continuity and Change in Middle Class Fatherhood, 1925–1939: The Culture-Conduct Connection,” *Journal of Marriage and Family* 55 (1993): 455–68, here p. 455.

<sup>89</sup> LaRossa and Reitzes, “Continuity and Change,” p. 466.

<sup>90</sup> Blankenhorn, *Fatherless America*, p. 89: “The power of the father thus derives less from culture than from nature, less from certain ideas about paternity than from inherent qualities of paternity and male sexual embodiment.” Van Til, *Lost Daughters*, p. 80 quotes the American feminist activist Sonia Johnson among many others: in our male-dominated culture, “incest is not only encouraged, it is insisted upon;

was also in that decade that the divorce rate accelerated, fertility rates reached a new low, cohabitation rates rose, fewer people married, ever-more “patchwork” families were formed, many more mothers lived alone with their children, and the propensity to procreate out of wedlock took off.<sup>91</sup> The critique of fathers thus accelerated at the same time the position of real fathers changed considerably. By the early 1990s, 40 percent of children would not sleep where their father lived. And over half would live without their father for a time. If around 1960, four-fifths of children lived with father and mother; around 1990 just over half did.<sup>92</sup>

Certainly, men became more isolated and estranged, and many of them became unwilling to invest in family life at all.<sup>93</sup> But it is possible to argue that women also were voting with their feet—leaving husbands they found burdensome or violent or non-committal. The figures of father creeping up the staircase to molest his daughter and of marital culture equated with rape culture became central precisely when fathers’ opportunities for contact with their children were being curtailed in conditions of separation from the mothers. While “fathers” stood in for all men, statistics suggest that actual fathers were not really the primary threat. They show for the late ‘80s that boyfriends abused pregnant women at a rate four times that of husbands, and that 65 percent of violent crimes against women were by boyfriends and ex-husbands, with only 9 percent by husbands.<sup>94</sup> Boyfriends of the mother and cohabiting parental substitutes made up the majority of parental abusers. Blankenhorn concluded that a child was sexually safer with the father than with any other man.<sup>95</sup> The best statistical estimate was that about

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not just condoned but blessed. . . . It is an instrument of patriarchy—like the church, like the law; absolutely necessary to maintaining male privilege and power.”

91 Young-Bruehl, *Childism*, p. 144, noted that in the 1970s “adults began to see their children as a threat to the middle-class family, economic growth, and adult well-being.”

92 Blankenhorn, *Fatherless America*, p. 17. “The new conditions, driven by divorce and out-of-wedlock childbearing, split the nucleus of the nuclear family,” p. 19.

93 Blankenhorn, *Fatherless America*, p. 3. Susan Thistle, *From Marriage to the Market: The Transformation of Women’s Lives and Work* (Berkeley and Los Angeles, 2006), p. 46: “While dissatisfaction with marriage rose among both sexes from the late 1950s to the early 1970s, men’s frustration grew most rapidly.” Lifelong support of women’s domestic labor began to look like a poor bargain. It was easier for men to pursue divorce—but the costs were steep for women. One state study from the early ‘70s showed two-thirds of the requests were filed by husbands (p. 57). Griswold, *Fatherhood in America*, p. 228: “One of the ironies of recent history is that amidst ubiquitous discussions about fatherly nurture and restructuring the workplace, a substantial number of men seem to be in flight from the family.”

94 Blankenhorn, *Fatherless America*, p. 37: “For many men, suddenly losing their identity as married fathers, especially when the loss is involuntary, shatters their world and triggers violence.” He saw isolation and estrangement as fostering the spread of violence (p. 38). Russell, *Secret Trauma*, p. 103 found that stepdaughters were over eight times more at risk from stepfathers who reared them than from biological fathers.

95 Blankenhorn, *Fatherless America*, p. 42. He noted that the essential plot line that had become culturally dominant was this: “As in the case of domestic violence against women, the crime of child sexual abuse is frequently described by scholars and children’s advocates as a sickening but predictable consequence of having fathers in the home. Such sexual abuse is understood as “an exaggeration of

5 percent of women were abused by a father, stepfather, or mother's long-term, live-in boyfriend, while around 1 percent were abused by their biological fathers.<sup>96</sup> But this still left open the question of what constituted abuse.<sup>97</sup>

One of the tenets in the incest literature was that nurturing precludes abuse. Indeed, Judith Herman argued that what she considered the age-old abuse of daughters by their fathers would only end when fathers took on nurturing responsibilities.<sup>98</sup> And a key argument among evolutionary biologists was that the early association of brothers and sisters and the involvement of parents in early child care would dampen sexual interest among the partners.<sup>99</sup> But it is also important to distinguish between different kinds of abuse, and it would seem that to be consistent, the argument from nurturing ought to have precluded any kind of abuse. Debbie Nathan and Michael Snedeker provided materials to show that physical abuse and neglect were far more common than sexual abuse, and, they thought, more destructive to personal development.<sup>100</sup> Although feminists proposed that child abuse was an expression of male culture and that the home was the most dangerous place for women, it turned out that mothers were far more likely to physically abuse or neglect children (see this section, chapter 4).<sup>101</sup> Indeed

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patriarchal family norms, but not a departure from them," p. 39. But actually, what magnified the risk, he argued, was not the presence but the absence. The growing presence of stepfathers, boyfriends, and other unrelated or transient males increased the risks of violent behavior. The incest taboo was significantly weaker for stepfather-stepdaughter. And fathers had a much stronger sense of the protector role than other males. Still, even though stepfathers may not have been inhibitors of sexual expression, most of them did not molest the daughters of the house (p. 40). Blankenhorn cited a study that showed that in all cases of abuse where the perpetrator was known, fully one-quarter were cohabiting "parent substitutes," usually boyfriends, a rate dramatically higher than rates among fathers, day-care providers, babysitters, or other caregivers (p. 41). "About 84 percent of all cases of nonparental child abuse occur in single-parent homes," p. 41. Another study he cited showed that half of confirmed acts of child sexual abuse are committed by people outside the household.

**96** Blankenhorn, *Fatherless America*, p. 95: "Ultimately, rapism and the warrior mentality represent the kingdom of the fatherless, not the fathers."

**97** Courtois, *Healing*, p. 38, admitted that "most of the investigations of incest conducted thus far had suffered from bias and a lack of scientific rigor." Richard J. Gelles and Jon R. Conte, "Domestic Violence and Sexual Abuse of Children: A Review of Research in the Eighties," *Journal of Marriage and Family* 52 (1990): 1045–58, offered one review of the statistics.

**98** Judith Herman, *Father-Daughter Incest*, pp. 55, 206, 212.

**99** Arthur P. Wolf, introduction to *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century*, ed. Arthur P. Wolf and William H. Durham (Stanford, 2004), pp. 24–37, here pp. 4, 9–11.

**100** Nathan and Snedeker, *Satan's Silence*, p. 238.

**101** Young-Bruehl, *Childism*, p. 167. Dealing with the spike in sexual abuse reporting, she actually considered it as an artifact of not taking seriously neglect as a category. "The social background of the spike in reporting was the growing child-poverty rate, and the growing number of unattended children: 'latchkey' children, school dropouts, runaways, children lost in the shuffle of divorces and merged families," p. 162. But note that Courtois, *Healing*, p. 65, suggested larger numbers of mother-child incest than thought, and gives figures of 5 percent with girls and 20 percent with boys. There was here no definition



Alice Miller, the popularizer of the notion that almost all parents exhibited destructive behavior with regards to their children, warned her feminist audience that mothers abused their children as much as fathers did.<sup>102</sup> Diana Russell, a feminist who wrote on sexual violence against women, found it irresponsible for writers like Ellen Bass and Laura Davis to blur the abuse from strangers with that from family members, as this confused readers about the actual incidence of incestuous behavior in the home. And she also found in the feminist and clinical literature an encouragement to find sexual abuse where the actual violation consisted of physical and psychological neglect.<sup>103</sup> As for the idea that men subjugated women in the house through many acts of physical aggression, it turned out, according to research during the '80s and '90s, that same sex couples, both homosexual and lesbian, displayed as much violence towards each other as their heterosexual counterparts.<sup>104</sup> Reinder van Til came to the conclusion that

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of what constituted incest, but if the figures were at all reliable (stepmothers are not in question here), then the incidence of incest among (presumably biological) mothers was not appreciably different from what was thought to be the case with biological fathers. On the point of physical abuse and neglect, recall Betty Friedan's analysis of maternal rage in *The Feminine Mystique*, intro. Gail Collins, afterword Anna Quindlen (New York and London, 2013 [1963]), pp. 363–68.

**102** Miller, *Banished Knowledge*, p. 76, counseled her feminist audience not to overlook abuse by mothers. The “feminist movement . . . comes up against its ideological limits. It sees the problem as being rooted exclusively in patriarchy, in the male exertion of power,” p. 74. Further: “We would also have to wonder what options there are for a humiliated woman not to abuse her small child for her own needs.” That is to say, if women were subject to male violence, explicitly or implicitly, then they in turn would be violent to those weaker than themselves. See also Alice Miller, *Breaking Down the Wall of Silence: The Liberating Experience of Facing Painful Truth*, trans. Simon Worrall, with a new afterword (New York, 1993 [German 1990, English 1991]), p. 7.

**103** Russell, *Secret Trauma*, pp. xxi, xxix–xxx.

**104** Van Til, *Lost Daughter*, p. 92. In *Who Stole Feminism*, Christina Hoff Sommers pointed out that “American society is exceptionally violent, and the violence is not specifically patriarchal or misogynist,” p. 223. Crimes of violence were four to nine times more frequent in the US than Europe. The US crime rate for rape was seven times the average for Europe. Both Sommers and van Til found the studies of domestic violence by Richard Gelles and Murray Straus to be the most respected. Richard J. Gelles and Murray A. Straus, “Determinants of Violence in the Family: Toward a Theoretical Integration,” in *Contemporary Theories about the Family*, ed. W. Burr, R. Hill, F. I. Nye, and I. Reiss (New York, 1979). See also their *Physical Violence in American Families* (New Brunswick, 1990) and *Intimate Violence: Causes and Consequences of Abuse in the American Family* (New York, 1989). Sommers, *Who Stole Feminism?*, pp. 194–200, summarized their work. The vast majority of family disputes offered minor violence. They found sixteen percent of families to be violent. In three to four percent of them at least one act of severe violence was committed by husband against the wife. “But in their surveys they also found that ‘women assault their partners at about the same rate as men assault their partners. This applied to both minor and severe assaults,’” p. 194. It was true that women were far more likely to be injured and need medical care. “But overall, the percentage of women who are injured seriously enough to need medical care is still relatively small compared to the inflated claims of the gender feminists and politicians—fewer than one percent,” p. 195. Sommers looked at other data to conclude that the large majority of batterers were in fact criminals and were violent outside the domestic setting as well. They were not the “average Joe” of the feminists (p. 198). “It appears,” she wrote, “that battery may have little to do with patriarchy or

women were as violent as men, although physical strength certainly wreaked more damage.<sup>105</sup> Friedan, as I have noted, was well aware that women battered children—an expression of housewives' rage.<sup>106</sup>

In the period right after World War II, paternal presence was considered necessary to the healthy psychological development of children, both sons and daughters. And

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gender abuse. Where noncriminals are involved, battery seems to be a pathology of intimacy, as frequent among gays as among straight people," p. 200. The theses about men using violence were refracted through assumptions around "patriarchy," which ought to have led to the expectation of lower levels of domestic violence in gay and lesbian relationships, but this does not seem to have been the case. See also Pam Elliott, "Shattering Illusions: Same-Sex Domestic Violence," *Journal of Gay and Lesbian Social Services* 4 (1996): 1–8. Elliott wrote: "The reality is that domestic violence occurs at approximately the same rate in gay and lesbian relationships as it does in heterosexual unions," p. 1. She referenced a number of studies that estimated twenty-two to forty-six percent of all lesbians had "been in a physically violent same-sex relationship," p. 2. Most of the studies were concerned with physical violence and ignored emotional, verbal, or psychological abuse, p. 3. She went on to say that "the phenomenon of same-sex domestic violence illustrates that routine, intentional intimidation through abusive acts and words is not a gender issue, but a power issue," p. 3. The types of abuse are the same as heterosexual women suffer. Lesbians abuse their partner in the "same manner heterosexual men abuse their partners," p. 5. The author also pointed out that lesbian battering had been ignored by social services because of the presumption taken from the battered women's movement "that patriarchy and sexism are responsible for all violence," p. 6. In the same issue, Ned Farley, "A Survey of Factors Contributing to Gay and Lesbian Domestic Violence," pp. 35–42, here p. 40: "The demographic data show that gay and lesbian batterers come from all segments of the population. They represent all ethnic/racial groups and cut across economic classes, educational backgrounds and occupations." See also Claire M. Renzetti, *Partner Abuse in Lesbian Relationships* (Newbury Park, CA, 1992), p. 115: "It appears that violence in lesbian relationships occurs at about the same frequency as violence in heterosexual relationships. The abuse may be physical and/or psychological, ranging from verbal threats and insults to stabbings and shootings. Indeed, batterers display a terrifying ingenuity in their selection of abusive tactics, frequently tailoring the abuse to the specific vulnerabilities of their partners." She saw battery as a pathology of intimacy—as frequent among gays as among straights, pp. 29–36. And she found that batterers in lesbian relationships were most apt to be the most dependent, p. 116. "The greater the batterer's dependency, the more frequent and severe the abuse she inflicted on her partner." "Batterers were individuals who felt powerless and used violence as a means to achieve power and dominance in their intimate relationships." Richard J. Gelles and Jon R. Conte, "Domestic Violence and Sexual Abuse of Children: A Review of Research in the Eighties," *Journal of Marriage and Family* 52 (1990): 1045–58, here p. 1046, pointed out that when researchers tried to do the statistics on violence against husbands, they were themselves threatened to the extent that they gave the research up. On this point see Richard J. Gelles, "Violence in the Family: A Review of Research in the Seventies," *Journal of Marriage and Family* 42 (1980): 873–85, here p. 877.

**105** It should be clear that neither he nor other writers who work on statistics of domestic violence call into question the harm done to many women in domestic settings. Renzetti, *Partner Abuse*, critiqued the notion of "mutual abuse" found frequently in the sociology literature: "A major weakness in the mutual battering perspective is the underlying assumption that all violence is the same when, in fact, there are important differences between initiating violence, using violence in self-defense, and retaliating against a violent partner," pp. 107–8.

**106** Friedan, *The Feminine Mystique*, p. 363.

sexual tension between fathers and daughters was thought to be ordinary—perhaps even necessary. The problem with father was located in the mother’s power; that is, in male weakness, reticence, and inability to act as a counter pole to the maternal embrace. By the ‘70s, the problem with father turned out to be very different. His masculinity now posed a general threat to domestic peace and a particular threat to the daughters of the house. This new perception of patriarchal violence developed in the context of shrinking households, high divorce rates, late marriage, and reconstituted families, a context within which real fathers faced threats to their own security and identities. Despite the fact that they were less often physically abusive to children than mothers and in the face of evidence that women could be violent and abusive in both heterosexual and homosexual partnerships, the dominant paradigm for the next two decades was that fathers either sexually abused or implicitly claimed the right to abuse anyone in the house they bought and paid for—this despite evidence that fathers were the least likely males around to cause physical and sexual harm to their daughters.

The new focus on paternal pathology was by no means always a central concern in popular culture. In fact, even though some stories staged incestuous desires in domestic spaces, more of them focused on teenage sexual longings for men married into the family or on passions within “reconstituted” families where new senior males were introduced into the home. In hair salons, *True Confessions* offered a guide to reading all about it. From 1939 to 1966, the scandals involved stepfathers and stepdaughters (often similar in age) or younger sisters with their sisters’ husbands, and the stories were rampant with teenage sexual desire. Up to the mid-’60s, there was a minor interest in fathers (once) and uncles (once), but then teachers entered the scene, with examples in 1965 and 1966, followed by nuns and priests. Up to the end of the decade the predominant examples were with the sister’s husband, the stepfather, and the husband’s brother, and right on through the ‘60s, whenever the disparity in age problem reared its head, it involved a woman older than her lover by ten to fifteen years. In any event, in these representations of illegitimate sex, women were seldom depicted as passive agents. By the 1970s, doctors stepped into the limelight, and in 1971, one father and daughter, followed by a fifteen-year gap until 1986. Never were small children involved; only nubile teenagers. Still dominant into the ‘80s were the sister’s husband and the stepfather. Whenever siblings or cousins showed interest in each other, their connections were treated as innocent forms of discovery or something they would grow out of. Only in 1989—precisely when the epidemic of paternal abuse reached a peak in clinical accounts, television, and other popular magazines—was there a whole issue devoted to child abuse, and it was only then that fathers finally made it to front and center stage. It seemed to take forever for this media mirror of popular culture to adopt the new narrative.

This story of discourse shift would not be complete without remarking on the scrutiny that was directed postwar to the childhood home itself; that space being the place where children were supposed to grow up and be nurtured. In the decades after the war, both in England and America, a slow but inexorable segregation of children

from the outside world developed.<sup>107</sup> It resembled to some degree the isolation of wives in the nuclear family home but had different causes. In the case of children, physical threats from traffic prompted the disappearance of play spaces in the streets, and the lure of images and stories and sounds on television sets rooted them on the couch or floor inside the home. Psychotherapists of the era supported the idea that home could provide children with all they needed, even though television prematurely introduced them to the “adult world of consumerism and sex.”<sup>108</sup> By the 1970s, however, experts were no longer so sure that the home was a safe place, the concern being the physical abuse known to occur in the home—spanking, whipping, rapping knuckles with rulers, and sometimes much worse.<sup>109</sup> During the 1970s, the obsession shifted to sexual abuse.<sup>110</sup> The irony was that children had been bound to the home because of safety just as the home was beginning to become not much of a haven.<sup>111</sup> Life in the home was changing, in all the ways I already have mentioned.<sup>112</sup> However, the “new constituency in drawing attention to the issue was composed of feminists, who linked sexual abuse of children to the broader problem of male violence in the family.”<sup>113</sup> Other potential

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**107** Thomson, *Lost Freedom*, p. 1, writing about postwar England.

**108** Thomson, *Lost Freedom*, p. 2. He reviewed late war work by the psychoanalyst Donald Winnicott in England, who reified the home as sanctuary, p. 66.

**109** Thomson, *Lost Freedom*, p. 179.

**110** Hacking documented this in *Rewriting the Soul*, p. 28. He went on to note: “As familial sex abuse became incorporated into the very meaning of child abuse, abuse acquired connotations of incest. Incest produces peculiar feelings of horror in a great many societies,” p. 58.

**111** Thomson, *Lost Freedom*, p. 179.

**112** Thomson, *Lost Freedom*, p. 224, found an increased suspicion in the ‘70s that the family could trap children and not just protect and nurture. In addition, many mothers now found themselves socially isolated. “For an emerging generation of feminists, the questions of their freedom and that of children would come to be intimately linked.”

**113** Thomson, *Lost Freedom*, pp. 100, 181. Compare Nathan and Snedecker, *Satan’s Silence*, p. 15. Ofshe and Watters, *Making Monsters*, p. 10. Christina Hoff Sommers, *Who Stole Feminism?*, pp. 19–22, 24–33, 53, 134–35, 230, made a distinction between “equity” and “gender” feminists. The former had concentrated their efforts on legal reforms and equality in political life and education. Gender feminists presumed that men consciously work to keep women down, which led to the notion of forming self-protective enclaves for women. “The message is that women must be ‘gynocentric,’ and they must be loyal only to women,” p. 22. Sommers continued: “According to one feminist theorist [Sandra Lee Bartky] the sex/gender system is ‘that complex process whereby bi-sexual infants are transformed into male and female gender personalities, the one destined to command, the other to obey,’” p. 22, quoting Sandra Lee Bartky, *Femininity and Domination: Studies in the Phenomenology of Oppression* (New York, 1990), p. 51. Eva Illouz argued that in the defense of abused children, feminists found via therapy a new tactic to criticize both the family and patriarchy: Eva Illouz, *Saving the Modern Soul: Therapy, Emotions, and the Culture of Self-Help* (Berkeley, Los Angeles, and London, 2008), p. 168. See Mitchell, *Psychoanalysis and Feminism*, p. 409: The “‘father’ and his representatives—all fathers—are the crucial expression of patriarchal society. It is the *fathers* not *men* who have the determinate power. And it is a question neither of biology nor of a specific society, but of *human* society itself.” Since the notion of patriarchy necessarily evoked fathers and since by the end of the ‘60s feminism viewed men through the prism of violence, it was compelling to fix on paternal incest as an entry into a critique of the family and male hegemony.

causes or contributing factors were pushed aside, at least in certain professional sectors and in the media, which soon followed along. The result? During the '80s and '90s, public spaces were inundated with stories and images of domestic crimes—abductions, unsolved mysteries, child kidnappings, photos of missing children on milk cartons, and one saga after another of sexualized prepubescent girls murdered in their beds. In the public sphere, private life was being probed and dissected for dangers lurking everywhere.<sup>114</sup>

## Self-help groups fixate on fathers

The only kind of work which permits an able woman to realize her abilities fully . . . [is] lifelong commitment to an art or science, to politics or profession. — Betty Friedan, 1963

All absurd behavior has its roots in early childhood . . . — Alice Miller, 1980

There is reason to believe that some of today's women are expressing disillusionment relative to their employment situations due to disappointing factors within the workplace. — Jacquelyn B. James, 1990

Many tight-knit, male-breadwinner, nuclear families in the 1950s instilled in their daughters the ambition to be something other than a homemaker. — Stephanie Coontz, 1997

The conversion of women's domestic tasks into work done for pay has also been the area of greatest job growth over the past thirty years. — Susan Thistle, 2006

He identifies a childhood incident in which the self was presumably diminished. That incident is in turn supposed to have had momentous consequences for the conduct of his life. This story is a good illustration of the ways in which any sorts of behavior, in fact even pre-social ones such as hard work, seriousness and studiousness are reframed as "pathological." — Eva Illouz, 2007

In the 1970s a vigorous movement of self-help groups sprang up all over the United States.<sup>115</sup> The women who participated in the initial stages of the movement played a

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This contrasts sharply with Friedan's paradigm mother of the *Feminine Mystique*, p. 328: "a women who lives through her son, whose femininity is used in virtual seduction of her son, who attaches her son to her with such dependence that he can never mature to love a woman, nor can he, often, cope as an adult with life on his own. The love of men masks his forbidden excessive love for his mother." Friedan went on to say that "the father is not as often tempted or forced by society to live through or seduce his daughter," *ibid*.

**114** The relationship between public and private would change several decades later with the #MeToo movement, for example, where the focus came to be placed on abusive acts in professional, academic, and scholastic settings, and the politics of patriarchy became redeployed onto new sites of labor.

**115** Tändler, *Therapeutische Jahrzehnt*, p. 159, gives figures for Germany. In 1980 there were five to ten thousand self-help groups, but by the middle of the decade, twenty to forty thousand—depending on the estimate somewhere between a two- and eight-fold expansion in five years—often initiated by social workers, pedagogues, and psychologists. In these groups, there was an ever-greater value placed on subjective experience.

key part in promoting the idea that their identities were inevitably fixed by the home in which they grew up, and that problems, symptoms of depression, and discontent had their roots not so much in their current situations as in the dynamic of their relations with their parents. Often, feeding from current ideas and practices of clinical psychology and other forms of psychotherapy, they looked for explanations for their discontent in their early childhoods.<sup>116</sup> It may well have been that their most vivid memories were mostly about interactions with their mothers and fathers as teenagers, but the going ideology of psychotherapy was to uncover buried memories of the past, often those from early years of childhood, which were presumed still to be resonating in the unconscious.<sup>117</sup> What these early groups, sometimes spontaneous self-help groups and just as often therapy groups with more-or-less well-trained experts, fixed in the culture was taken up and radicalized in the '80s, often with younger women participating. In general, the groups that organized around the proliferating forms of psychotherapeutic practice during the '80s and '90s brought together women of two generations, ranging in age from twenty-five to forty-five. They had grown up in the '50s, '60s, and early '70s and had fed on a burgeoning literature of psychological self-help.<sup>118</sup> Both generations were so well-networked that ideas and practices worked out in one locality could swiftly be picked up across the United States.<sup>119</sup>

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**116** Illouz, *Saving the Modern Soul*, p. 39: The nuclear family “played a role that was all the more crucial for the constitution of new narratives of selfhood, as it was both the origin of the self and the institution from which the self had to be liberated.” Alice Miller, *For Your Own Good: Hidden Cruelty in Child-Rearing and the Roots of Violence*, trans. Hildegarde and Hunter Hannum, 3rd ed. (New York, 1990; 1st ed., German and English, 1983), p. 132: “All absurd behavior has its roots in early childhood, but the cause will not be detected as long as the adult’s manipulation of the child’s psychic and physical needs is interpreted as an essential technique of child-rearing instead of as the cruelty it really is.” Wassil-Grimm, *Diagnosis for Disaster*, p. 24.

**117** Illouz, *Cold Intimacies*, 50: “The therapeutic narrative at work: the narrative frame requires that a person identify a pathology, here an ‘automatic’ way of being (automatic being constructed as opposite to self-determined). Once the automatic behavior is identified, the person builds causal connections with the past. He identifies a childhood incident in which the self was presumably diminished. That incident is in turn supposed to have had momentous consequences for the conduct of his life. This story is a good illustration of the ways in which any sorts of behavior, in fact even pre-social ones such as hard work, seriousness and studiousness are reframed as ‘pathological’.”

**118** Watters and Ofshe, *Therapy’s Delusions*, p. 38, wrote: “A massive self-confirming information loop is created when the profession broadcasts ideas about mental illness and then takes as proof of those ideas the patients who come to therapy, pop-psychology book in hand, predisposed to believe the therapist’s theories.”

**119** Boston (with nearby Harvard) seems to have offered one of the most important nodes of the movement. Frederick Crews et al., *The Memory Wars: Freud’s Legacy in Dispute* (New York, 1995), p. 264: Both Ellen Bass and Judith Herman belonged to “an informal Boston-area network of militant feminists who were gathering molestation stories (always recalled) from workshops, patient surveys, and support groups.” Ellen Bass was co-author of *The Courage to Heal*, the influential self-help book on “recovered memory.” Judith Herman is seen as the most important scholar of the movement. Both of them will be reviewed in the next chapter, but the important point here is how centrally “self-help” groups figured

The women who participated in these self-help groups in the '70s were part of the generation which put into question the male household head as the sole or even chief breadwinner.<sup>120</sup> Increasingly even women with small children either had to join the workforce, or willingly jumped in.<sup>121</sup> By the time they reached thirty-five, forty, or forty-five, they had accumulated enough experience in their working and home lives to know the many alienating features of both.<sup>122</sup> Famously, the issue of career and family put new pressures on women, but it could also be said that the encouragement of men to spend more time in household tasks began to put new pressures on them as the problems of balancing career and home became theirs as well.<sup>123</sup>

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in the dissemination of ideas about father-daughter incest. See especially Judith Herman, *Trauma and Recovery*, p. ix. Also see Christine A. Courtois, foreword in *Sexual Abuse Recalled: Treating Trauma in the Era of the Recovered Memory Debate*, ed. Judith L. Alpert (Northvale, NJ, 1995), pp. vii–xv, here pp. viii–ix. Many of the participants read self-help books. Illouz, *Saving the Modern Soul*, p. 112: “By the mid-1970s a wide network of feminist organizations was in place, including ‘women’s clinics, credit unions, rape crisis centers, bookstores, newspapers, book publishers, and athletic leagues.”

**120** Blankenhorn, *Fatherless America*, p. 15, argued that the father in the postwar period kept his status as chief executive or head of family “but largely ceded to his wife the role of chief child raiser, manager, and decision maker.” In the 1960s, being a man meant to be the provider. By the 1970s, in questionnaires men themselves put this into the number three spot.

**121** Nathan and Snedecker, *Satan’s Silence*, p. 34. Much of increase in numbers of women holding jobs came from married mothers entering the workforce. But many did not feel liberated by the jobs. They went to work because they had to support families. “The institutionalization of the two-worker family created massive social speedup as parents juggled responsibilities between work and home. Most of the extra labor fell to women, who still did the bulk of child care, cooking, and household chores.” On women’s work and changes in the nature of work, see the remarkable 2006 book by Thistle, *Marriage to the Market*. By the ‘60s younger women looking for work while still caring for small children intensified the conflict between wage-earning and domestic roles (p. 44). “The conversion of women’s domestic tasks into work done for pay has also been the area of greatest job growth over the past thirty years,” p. 102. Almost two-fifths of the increase in jobs since 1970 was due to market takeover of household and caregiving tasks. By the mid ‘90s more workers were employed in providing food, lodging, and health services than in all of manufacturing. Sharlene Nagy Hesse-Biber and Gregg Lee Carter, *Working Women in America: Split Dreams*, 2nd ed. (New York and Oxford, 2005), p. 20: Unchanged were the clustering of women into sex-typed jobs, the disproportionate number of women in low-ranking positions or earning comparatively less than men in the same job or type of work, and an overall under-utilization of their labor.

**122** Jacquelyn B. James, “Women’s Employment Patterns and Midlife Well-Being,” in *The Experience and Meaning of Work in Women’s Lives*, ed. Hildreth Y. Grossman and Nia Lane Chester (Hillsdale, NJ, 1990), pp. 103–20, here p. 117. “There is reason to believe that some of today’s women are expressing disillusionment relative to their employment situations due to disappointing factors within the workplace.”

**123** Blankenhorn, *Fatherless America*, p. 102, faulted the literature on fathers’ turn to domesticity: “The New Father model begins essentially with the desires of the adult, denigrates any conception of gendered parental roles, and offers a perspective on the adult life cycle that almost never extends beyond the period of diaper changing.” “The typically maternal ambivalence and stress about employment are what the New Father model prescribes for men,” p. 113.



Fig. 58: Daddy's Girl.

The figure of “daddy’s girl” gained popularity in the 1960s and 1970s but really came into its own from the 1980s onwards. It was often used, as it occasionally had been earlier in the century, to designate an adolescent girl or young woman in the happy situation of strongly bonding with her father: “A daddy’s girl . . . is the lucky, feminine daughter who has been singled out by the high-status parent,” although even this description is full of assumptions about household hierarchies in which the child lacks desires of her own. Her psychological development is determined by adults and has to do with their problems of resolved or unresolved power conflicts. “Daddy’s girls” had many dimensions, but two major threads of discussion can be singled out: the critique of patriarchy, supported by psychotherapeutic interests in damaged personalities and syndromes of dependency, and the concern with the sexual division of labor, together with issues of female ambition, professional engagement, glass ceilings, and experiences in the workplace. A typical example of the first discourse: “Because daddy’s girls are trained and rewarded for pleasing and playing up to men, they grow up to be male-defined and male-oriented women. In most so-called normal (male-dominant) families what is experienced is psychological incest . . . . The mother-daughter relationship is the key to overcoming women’s social oppression as daddy’s girl and, by implication, women’s social oppression in the patriarchy.” Industrial sociologists, especially those concerned with professional success for women, had

a different take on the relationship: “A consistent characteristic resonating throughout . . . interviews of both black and white women was their strong identification with their fathers. The phrase ‘daddy’s girl’ was voiced time after time by the women as they talked about their fathers. These women spent a good deal of time with their fathers. Their fathers were the ones who exposed the women as young girls to the world of work. Fathers took an active role in initiating their daughters to the work ethic, mentoring them on how to be politically astute, and grooming them to enter the professional world.” It seems compelling to remark that these two discourses, making negative or positive assessments according to their respective purposes, are viewing essentially the same phenomenon.

Google Ngram. Valerie Walkerdine, *Daddy’s Girl: Young Girls and Popular Culture* (Cambridge, MA, 1997). Paula Caplan, “Mother-Blaming,” in Molly Ladd-Taylor and Lauri Umansky, eds., “*Bad Mothers: The Politics of Blame in Twentieth-Century America* (New York, 1998), p. 132. Andrea O’Reilly, “Across the Divide: Contemporary Anglo-American Feminist Theory on the Mother-Daughter Relationship,” in Sharon Abbey and Andrea O’Reilly, *Redefining Motherhood: Changing Identities and Patterns* (Toronto, 1998), pp. 69–91, here p. 82. Ella L. J. Edmondson Bell and Stella M. Nkomo, “Foundations of Success: A Life Course Approach to Women’s Career Success,” in Ronald R. Sims and John G. Veres III, *Keys to Employee Success in the Coming Decades* (Westport, CT, 1999), p. 122.



The generation that grew up in the '40s and '50s had received strong mixed messages from home. This was the period when the nuclear family model was in everyone's heads. Father and mother tried to fill quite disparate roles, but teenage girls had difficulties seeing themselves as simply housewives. Their fathers might well be their role models; not their mothers. Indeed, fathers during this period often encouraged their daughters to develop careers, to get the kind of education that could give them a life different from the one of their mothers; or at the very least that would protect them were they to be so unfortunate as not to find a good man.<sup>124</sup> References to the figure "Daddy's Girl," which a Google Ngram diagram first documents around the turn of the twentieth century, acquired more presence in the 1950s, showed a steep rise in the '60s and '70s, and took off fast in the next two decades. During the three decades after the end of World War II, usage of the term signified something more-or-less positive, but after that it often pointed to a pathology, a daughter too close to and too influenced by a father, with the undertones often erotic. The point is that fathers played a key role in encouraging their daughters to become something different from their mothers and to develop the skills and knowledge necessary to negotiate in the workplace. Women from middle-class families might buy into the "great glamorous legend of Careers for Women," as *Mademoiselle* put it. By the time they were reading the *Feminine Mystique*, the holy grail of the satisfactory life lay in work that was fulfilling and purposeful. Well before Friedan published her book in 1963, her famous put-down of the mother was implicitly absorbed by many daughters who consciously identified with their fathers: "The glorification of 'women's role,' then, seems to be in proportion to society's reluctance to treat women as complete human beings; for the less real function that role has, the more it is decorated with meaningless details to conceal its emptiness."<sup>125</sup> Whenever Friedan contrasted housework with paid employment, it was always a question of civilization-building action: "splitting atoms, penetrating outer space, creating art that illuminates human destiny, pioneering on the frontiers of society."<sup>126</sup> She went on to say that "man is defined by his relation to the means of production; the ego, the self, grows through understanding and mastering reality—through work and love."<sup>127</sup> "The only kind of work which permits an able woman to realize her abilities fully . . . [is] lifelong commitment to an art or science,

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124 Coontz, *The Way We Really Are*, p. 45: ". . . many tight-knit, male-breadwinner, nuclear families in the 1950s instilled in their daughters the ambition to be something other than a homemaker." See Walkerdine, *Daddy's Girl*, p. 187, on British working-class little girls trying to free themselves from their mothers: "The struggle of these little girls to be looked at is also, I want to suggest, as it was for me, a search for something else, for independence, for a life of opportunities different from their mothers, and which is often at least more easily represented by their fathers who do get outside the house."

125 Friedan, *Feminine Mystique*, p. 284.

126 Friedan, *Feminine Mystique*, p. 284. She offered as a contrast to housework, "truly challenging work," pp. 294–95. "The women who 'adjust' as housewives who grow up wanting to be 'just a housewife,' are in as much danger as the millions who walked to their own death in the concentration camps," pp. 366–67.

127 Friedan, *Feminine Mystique*, p. 403. "Women, as well as men, can only find their identity in work that uses their full capacities," p. 405.

to politics or profession.”<sup>128</sup> Now this is quite impressive stuff, the dream of many a middle-class teenager, but it also suggests that many women already had an image of men in the workplace conquering new worlds and quite fulfilled by dedication to a professional enterprise. No alienation here, no organization man, no one lost in a lonely crowd. It is most probable that those fathers who expected their daughters to achieve in the workplace implicitly held out to their daughters just the kind of model and instilled in them just the kind of misunderstanding about work that mystified Friedan so much.



**Fig. 59:** Creating Art That Illuminates Human Destiny.

of a possible need for a dry diaper is focused on male expectations, perhaps those of a businessman travelling with the family. And boy does he need a martini—dry please! Get a move on! This is a good illustration of Susan Thistle’s points that “the latest moment of growth has been driven in large part by the transformation of women’s work in the home into work done for pay,” and that “the conversion of women’s domestic tasks into work done for pay has . . . been the area of greatest job growth over the past thirty years.” By the mid-1990s more workers were employed in providing food, lodging, and health services than in all of manufacturing, and by the end of that decade, service industries accounted for around 80% of non-farm employ-

Don’t just stand there, sweet young thing, make me a martini!

“The world doesn’t need any more beautiful girls who just stand there. We are against the living doll school of airline stewardesses. The passenger who wants his dinner, or a pillow, or for that matter a dry martini or a dry diaper, wants to see somebody do something . . . We run American with the frequent traveler in mind . . . We can’t afford the sweet young thing who just stands there, and we bring up our girls on just that basis. Slink or swim. American Airlines: The airline built for professional travelers. (You’ll love it.)” This 1967 ad captures the contradiction between expectations of meaningful work for women and the reality of the labor market. It appeared during the massive movement of women into paid employment. It indicates one of the crucial conditions of the new work opportunities. The women are “girls” who are there to serve men. And they will not be unattractive—that seems to be a given. The point is to carry out domestic labor, including erotic stimulus, in a public setting. The sly insertion

ment. Of these workers, most were women. Almost two-fifths of the increase in jobs since 1970 were due to the market takeover of household and caregiving tasks. And by the end of the century, women’s service work accounted for a major part of the overall gross domestic product in the United States. The American Airlines ad featured here underscores the ambivalences of the workplace for and about women during the great economic expansion of the last third of the twentieth century.

Ad for American Airlines, in *American Way*, 1967, p. 181. Susan Thistle, *From Marriage to the Market: The Transformation of Women’s Lives and Work* (Berkeley and Los Angeles, 2006), pp. 44, 102.

<sup>128</sup> Friedan, *Feminine Mystique*, p. 420.

The women who spontaneously gathered in self-help and therapy groups during the '60s and '70s were of the generation that had been so strongly impressed by their fathers.<sup>129</sup> But they were now mothers and workers, facing problems of a new type unimagined by their stay-at-home moms and working dads. Groups offered the prospect of support, advice, solutions.<sup>130</sup> Many women were living in a new town or with marital stress, or were working in jobs with all the alienating features of modern labor.<sup>131</sup> They were old enough to have bumped into a new phenomenon, the glass ceiling; to know that men likely were much more substantially rewarded for the same work, and to be exploited in more than just the realm of salary. And whatever their successes or failures at work, they had to grapple with the daunting problem of balancing its demands and their career hopes with family responsibilities.<sup>132</sup> It may well be that some men in this generation were more willing or capable of pitching in at home, but that required negotiation. Few husbands willingly took on boring, demeaning housework, and even when they did, the result was seldom an equal division of labor and time. So the new expectations for husbands, combined with alienating work, created new strains and certainly disappointment, and all too often smashed women's dreams of fulfillment outside the home into bits.<sup>133</sup> To top it all off, these women also had to negotiate more divorces and create new families of children unrelated to one of the spouses. One result was more room in

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129 For a 1950s' view of the husband/father playing a greater role in family life, see Moge, "Century of Declining Paternal Authority," pp. 234–39. All evidence, he argued, showed an increase of participation of father in household. "This newer father behavior is best described as participation, the re-integration of fathers into the conspicuous consumption as well as the child rearing sides of family life," p. 238.

130 Mark Pendergrast, *Victims of Memory*, p. 479.

131 There is another possibility of alienation—in the child itself—addressed by Juliet Mitchell, *Woman's Estate* (London, 2015 [1971]), p. 109: The mother's alienation can be worse than that of the worker. "The child as an autonomous person, inevitably threatens the activity which claims to create it continually merely as a *possession* of the parent. Possessions are felt as extensions of the self. The child as a possession is supremely this. Anything the child does is therefore a threat to the mother herself, who has renounced her autonomy through this misconception of her reproductive role."

132 And of course, many of the women had faced divorce and now were raising children on their own and working. Thistle, *From Marriage to the Market*, p. 53, discussed the underpinning of some of the changes: "as the courts ordered women to turn to wages rather than their ex-husbands for support, as abortion was legalized, and as the laws confining sex and childbirth to marriage were overturned, the legal shell that gave form to the old domestic economy crumbled." Women in the 1970s turned massively to paid work, the divorce rate soared, and the rates of motherhood and marriage declined sharply among young women (p. 55).

133 Nathan and Snedeker, *Satan's Silence*, p. 4, traced the moral panic of the '80s and '90s to the sharply increasing divorce rate, women thrown onto the workplace, and the necessity to entrust children to day care. They noted the fear of day-care workers was ironically an attack by feminists on working women (pp. 6–7). Speaking of the "social panic," they write: "Its roots go back a decade, when feminists made sexual abuse a public issue and when the victims were understood to be mainly daughters violated by incestuous fathers. Incest, many child-protection advocates believed then, could be ameliorated only by promoting gender parity in the workplace and family," p. 11. The changes in work expectations for women played a key role in shaping identities. See Thistle, *From Marriage to the Market*, p. 144: Today's

relationships for jealousy and irritation, especially if there were sexual undertones at play. The discussions in self-help groups may well have been about practical measures to meet the circumstances faced by women, but from all reports, the central focus was not on choices but rather on the presumed reasons for their inability to cope.<sup>134</sup> It was about what was done to the woman, about how her identity had been compromised by those whose responsibility it had been to nurture her.<sup>135</sup>

## (Sub)plotting a life

As more women entered therapy, the eating disorders, depression, anger, and unpleasant dreams they brought with them were increasingly framed as caused by childhood trauma. — Debbie Nathan and Michael Snedecker, 1995

The assumptions of therapy in the '70s and '80s played a significant role in how women explained their current situations to themselves, their disappointments, frustrations, and bouts of despair. Sociologist Richard Ofshe and journalist Ethan Watters observed that psychotherapy in these last twentieth-century decades dealt “primarily with simple human unhappiness—the failure of life to be what we want it to be and the gap between our idealized image of ourselves and the realities of who we are.”<sup>136</sup> In our culture, they suggested, it is a commonplace to trace current behavior to a past cause—what can be

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young women would spend more years in the workforce than in marriage and more of their day at a job than in unpaid labors for families.

**134** Walkerdine, *Daddy's Girl*, p. 26: “it seems to me that no one has actually examined how working-class life has been constituted, how it has been and is lived, how oppressed and exploited people survive, cope, hope, dream and die.” There was little written about psychological survival of working-class people in England (p. 35). The pain was so deep in everyday exploitation that they developed patterns of coping (p. 37). “Psychodynamic forces—the wishes, drives, emotions, defences—are produced in conflicting relations in a context in which materiality, domination and oppression are central, not peripheral. But accounts of psychodynamics rarely include these issues as central to the account,” p. 38. She was interested in routine humiliation, exploitation, and oppression, and in how therapists and social scientists failed to deal with the contexts of material existence but sought explanations for psychological dispositions in the dynamics of familial life (p. 41).

**135** Illouz, *Saving Modern Soul*, p. 105, “The therapeutic language is the privileged language for talking about the family: not only has it emerged from the social transformations of the family, but it has been from its inception a family narrative, that is, a narrative of self and identity that anchors the self in childhood and in one's primary family relationships.” Carol Tavris, *The Mismeasure of Woman* (New York, 1992), interviewed the medical anthropologist, Dara Culhane, quoting her, p. 322: “The men who are identified as the molesters tend to be representative figures—father, church, law, industry, psychiatry. Which is not to say they literally did it; but symbolically they did do it.”

**136** Ofshe and Watters, *Making Monsters*, p. 47. Tändler, *Therapeutische Jahrzehnt*, p. 312, speaks of the move in Germany and the United States to pathologize the normal.

called the “etiological model.”<sup>137</sup> Given such a blueprint, scanning the experiences of childhood and teenage life encouraged focus on the parents, and if women worried their ambitions to develop careers, then it was obvious to fix upon the father as the key figure in the causal series leading to the present. He was the one who offered the model of the professional or the worker, and dissatisfaction with work in a sense reconfigured that model as a lie. The assumption was that current symptoms—frustration, depression, anger, disappointment—were “the outward manifestation of past events.”<sup>138</sup> By implication this was the easy way out, since the woman with “symptoms”—note the medical terminology applied to her complaints—was not expected to examine the “choices” she herself had made or to ask herself “what she might do to change her current circumstances.” Rather, the focus was on “what was done to her.”<sup>139</sup> Given the psychological assumptions about causation and the prominent role that fathers or the image of fathers as fulfilled at work played in postwar women’s lives, the turn to fathers as culprits was overdetermined.<sup>140</sup>

In 1971, Florence Rush, delivering a famous address to the New York Radical Feminist Conference, brought to a point the growing sense of family pathology and fingered the father’s real or potential violence as its key feature.<sup>141</sup> In the introduction to Rush’s later book, Susan Brownmiller, already famous for her early ‘70s analysis of male vio-

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137 Ofshe and Watters, *Making Monsters*, p. 47. Watters and Ofshe, *Therapy’s Delusions*, pp. 13–14. They used the term “psychodynamic psychotherapy,” which “presumes a social/developmental cause for mental illness, alleging that it often stems from social interactions taking place in childhood, which the patient has forgotten or hidden in his or her unconscious,” p. 14. “The psychodynamic schools have often limited their search for the cause of disorders to the patient’s childhood, believing that adult mental disorders are only *symptoms* of trauma, fantasy, or bad socialization experienced early in life and then hidden in the patient’s unconscious,” p. 37. By comparison see van Til, *Lost Daughters*, p. 260. The influential Alice Miller, *Thou Shalt Not Be Aware*, pp. 12–15, thought of current problems as repetitions of child experiences: By concentrating on the child instead of the parent, (“devious methods of upbringing instead of identifying with the former child”), the therapist can discover “the repetition of an earlier situation in the patient’s present predicament.”

138 Ofshe and Watters, *Making Monsters*, p. 48. Elizabeth Loftus and Katherine Ketcham, *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse* (New York, 1994), p. 7: “The central question—‘Who am I?’—has been reduced to ‘How did I get this way?’” Nathan and Snedecker, *Satan’s Silence*, p. 48, “As more women entered therapy, the eating disorders, depression, anger, and unpleasant dreams they brought with them were increasingly framed as caused by childhood trauma.”

139 Ofshe and Watters, *Making Monsters*, pp. 48–49. Loftus and Ketcham, *Myth of Repressed Memory*, p. 220, reference an article by Carol Tavris, “Beware the Incest Survivor Machine,” in *The New York Times Book Review* (January 3, 1993), about the influence of self-help books and their uniform advice to look for causes of their present predicaments in the past.

140 Wassil-Grimm, *Diagnosis for Disaster*, pp. 22–24. Hacking, *Rewriting*, p. 78. Paul Antze and Michael Lambek, “Introduction: Forecasting Memory,” in *Tense Past: Cultural Essays in Trauma and Memory*, ed. Paul Antze and Michael Lambek (New York and London, 1996), pp. xi–xxxviii, here p. xxvii.

141 Rush enlarged the argument and filled in the details a decade later: Rush, *Best Kept Secret*. Illouz, *Saving the Modern Soul*, p. 106: “. . . the vocation of psychology was to criticize, with various degrees of explicitness, the family, and it was this critical vocation that in practice met and merged with feminism.” See her comments on Rush, p. 167. See also Hacking, *Rewriting*, p. 62.

lence and rape, wrote: “It is fair to say that the new nationwide interest in the sexually abused child has largely come about because of Florence Rush’s efforts.”<sup>142</sup> Rush talked about paternal prerogatives with regards to sexual access to their daughters, and she brought up the way the sexual image of young girls—“nymphettes”—had become widely commercialized.<sup>143</sup> She made clear the connection between highly stimulated male desires and the activities of fathers in their homes, although she was unclear whether men in modern culture were behaving in new ways or, as Judith Herman has argued, had always claimed the right to use their children as they wished: “There have never been firm taboos against the sexual use and abuse of children by adults, or against incest. The ‘horror’ of sex or marriage between blood relatives has never been a barrier to erotic behavior. Marriage between kin is not a universal crime, and incest taboos are simply codes designed to regulate mateships.”<sup>144</sup> She cited authorities to say that most incest is between fathers and daughters: “There is scarcely a study of female prostitution, delinquency, drug addiction, battered wives and children, runaway girls and even conflicts over child custody which does not bring cases of father-daughter incest to light.”<sup>145</sup> And she ended her argument with a broad-brushed indictment of paternal abuse in the home: “We must face and accept the fact that it is men, not women, who actually seduce, rape, castrate, feminize and infantilize our young, and it is time for them, rather than for women, to be held responsible for destructive, exploitative sexual behavior. Most of all, it is time for us to break the silence which protects molesters and endangers children; for us to disclose those secrets which have filled so many closets with skeletons and have transformed so many streets, towns, and cities into Peyton Place.”<sup>146</sup>

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142 Rush, *Best Kept Secret*, p. ix. Young-Bruehl, *Childism*, p. 174, found Rush to be the most important writer on patriarchal sexual tyranny in the early ‘70s.

143 Rush, *Best Kept Secret*, p. 14: “Men generally do not take sex with children seriously,” p. 13.

144 Rush, *Best Kept Secret*, p. 134. Courtois, *Healing*, influenced by Rush’s publications in the ‘70s, wrote: “Feminism has brought family violence and violence against women to public awareness. Were it not for the feminist movement, these abuses would continue to remain hidden, their victims enshrouded in the pain of their isolation. Rape was the first form of violence against women to be addressed,” p. 118. The next phase of awareness, shifted focus to the family: “It began to appear that the family was the breeding ground for women’s sexual exploitation in the larger society, a radical formulation when it was first made, but one that is holding up as more is learned about incest and other forms of domestic violence,” p. 118. Rush was one of the important voices to reveal the unspoken acceptance of incest in many cultures, and that has “led feminists to conclude that it is an endemic societal manifestation of power imbalance between the sexes. From this perspective, men are conditioned into roles of power and domination with regards to females, who are conditioned to be passive and dependent. Incest is seen as the tragic and most extreme manifestation of the power imbalance and a within-the-family conditioning of women to their roles in society,” p. 119. Illouz, *Saving the Modern Soul*, p. 167, pointed to Rush’s 1971 address as a turning point.

145 Rush, *Best Kept Secret*, p. 139.

146 Rush, *Best Kept Secret*, p. 195.



Fig. 60: Trigger Warning.

The Centre Georges Pompidou and the Metropolitan Museum, New York, in 1984, hosted exhibitions of the work of the painter Balthus (Balthasar Klossowski) (1908–2001). In a review, Kay Larson drew attention to the simultaneous expression of innocence and sexuality in his treatment of adolescent girls. A picture such as *Thérèse Dreaming* (1938), shown here, expressed a universalized male experience with its “looming promise of violence.” One male writer spoke of pedophilia and another of “poisoned girlish innocence, the images having a “great deal in common with the higher literary porn of the ‘40s.” Another male writer found an invitation to voyeurism, in this instance to gaze at a self-involved figure “sunk in an erotic . . . masturbatory dream.” Sabine Rewald, author of the Met exhibition catalogue, descried dormant adolescent sexuality: “Against the subdued background, the clear white of the girl’s skirt and undergarments surround her legs like a paper cornucopia wrapped about a romantic bouquet of flowers.” In a later catalogue to a second Met exhibition in 2013, Rewald attested to an uneasiness of women in front of this picture. “Now . . . when children and sex have become the last taboo, Balthus’s pictures featuring girls on the threshold of puberty, with their perceived eroticism,

are certainly capable of setting off even more vehement and alarmed responses.” Over the decades, of course, assessments of Balthus have changed considerably. Albert Camus warned in 1949 that “we should take care not to misrepresent Balthus by identifying him exclusively with his subjects.” In the more recent era of the #MeToo movement, that caution has been thrust aside. A former art history major collected 11,000 signatures on a petition to the Met to remove this painting, since 1998 owned by the Met, from public view. She did not want it showcased “for the masses without providing any type of clarification.” If it could not be removed, then there needed to be a label of contextualization: “some viewers find this piece offensive or disturbing, given Balthus’ artistic infatuation with young girls.” Taking up the issues sparked by the movement to censor Balthus’s art, Beate Söntgen, in 2018, studied the way the picture forces the viewer’s eye to travel over the image, rejecting an untroubled voyeurism: the visual pleasure is “disturbed by casting the desire back to its origins in the viewer and thereby generating unease.” “What Balthus’s paintings pinpoint is cultural unease vis-à-vis the sexuality of children and adolescents. That discomfort is nourished by the exhibitionism peculiar to young bodies, which at the same time require protection, and by the tabooed gaze at these bodies, which oscillates between desire and guilt.”

Balthus, *Thérèse Dreaming* (1938). Peter Horree / Alamy Stock Photo. Dominique Bozo, preface in *Balthus*, catalogue of the exhibition at Centre Georges Pompidou November 1983–January, 1984 (Paris, 1983); Sabine Rewald, *Balthus*, catalogue of the Metropolitan Museum of New York exhibition (New York, 1984); Kay Larson, “Balthus the Baffler,” *New York*, March 12, 1984, pp. 98–99; Peter Schjedahl, “Balthus: A Puppet Master,” *Art and Antiques* 23 (March, 1984): 96; Robert Hughes, “Poisoned Innocence, Surface Calm: At the Metropolitan, the Problematic French Painter Balthus,” *Time*, April 16, 1984, pp. 75–76; Jed Perl, “Balthus in New York,” *The New Criterion* (May 1984); Sabine Rewald, *Balthus: Cats and Girls*, Metropolitan Museum of Art (New York, 2014), pp. 34–35, quote, p. 35. The Camus quotation is from the Centre Pompidou catalogue (1983), “Albert Camus, Nageur patient . . .”

pp. 76–77; petition, <https://www.thepetitionsite.com/157/407/182/metropolitan-museum-of-art-remove-balthus-suggestive-painting-of-a-pubescent-girl-th%C3%A9r%C3%A8se-dreaming/>, accessed May 17, 2021; Beate Söntgen, “Thérèse, Time and Again: Balthus’s Paintings of Girls,” in *Balthus*, ed. Raphaël Bouvier, catalogue for an exhibition September 2, 2018–January 1, 2019, at Fondation Beyeler, Riehen/Basel, Switzerland (Berlin and Stuttgart: Hatje Cantz Verlag, 2018), pp. 131–39.

Florence Rush was an influential spokesperson for the feminist movement in the 1970s, although she was by no means a lone voice when it came to indicting fathers. Ian Hacking followed the story and elucidated the implications of associating fathers with rape culture.<sup>147</sup> “As soon as incest and child abuse came together, the concept was radically extended. Fondling and touching became incest just as much as intercourse. . . . Child abuse was molded to take in a range of acts that had never before been put together as one single kind of behavior. On the one hand, incest came to mean any type of sexually oriented activity involving an adult and a child in the same family. . . . On the other hand, the concept of child abuse picked up a whole range of behavior, all of which became colored by the horror of incest.”<sup>148</sup> With this extension, participants in women’s self-help and therapy groups, already schooled to trace their symptoms to their families and to their pasts, slipped without much resistance to the idea that the etiology of their discontent was sexual and that it had to do with their fathers. The problem was to remember the past. And so, with the encouragement of their fellows and expert guidance, they recovered memories they did not know they had and pushed their stories of abuse to ever-younger ages. The story of therapy and recovered memories will be the subject of the next chapter.<sup>149</sup> Here the issue has been to recover the cultural meaning of fathers and fatherhood during the period from the late ‘60s to the mid-’90s in the context of the period’s obsession with father-daughter incest. The notion of incest itself expanded beyond recognition and in that expansion, for the first time in many centuries, the culture fixed upon fathers and daughters as the most problematic figures.

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For about three decades, Anglo-American culture for the most part brushed aside any considerations of incest that failed to offer thoughts on intergenerational sexual behavior. Incest came to be understood as an expression of power, captured in the word “abuse.” It was not about unsuitable marriages with relatives or about having physically and mentally damaged offspring.<sup>150</sup> In a large swathe of feminist social and

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<sup>147</sup> Hacking, *Rewriting the Soul*, p. 62. He too pointed to Rush’s 1971 address as a turning point, fusing two ideas, intrafamilial abuse and sexual molestation.

<sup>148</sup> Hacking, *Rewriting the Soul*, p. 62. Courtois, *Healing*, p. 13: “Many behaviors can be considered psychologically incestuous.”

<sup>149</sup> Young-Bruehl, *Childism*, p. 207, considered recovered memory therapy to have been almost completely discredited by the turn of the century.

<sup>150</sup> There were, of course, various discourses among population and evolutionary biologists, ethologists, evolutionary psychologists, plant and animal breeders, and geneticists about the consequences for



political commentary, incestuous violence grew out of male political intentions to keep women in their place. If younger men had not yet learned to take on their responsibilities to train women how to serve them, older men were quite capable of stepping up to the task. And the safest, or most practical site to teach women to internalize hierarchical norms was the home, where fathers were delegated the task to so traumatize daughters that they would be bound to live out lives of dependence. It was male culture that set the tone for film, television, and fashion ads, which encouraged female false-consciousness, pitting women, including mothers and daughters, against each other in a fruitless competition to slow the process of aging and remain attractive to boyfriends, fraternity brothers, rock stars, ski instructors, comrades, husbands, and bosses. Men, it was understood, found ever-younger girls suitable to their taste. And they found the unstable, coordinated representation of innocence and sexual knowledge stimulating. At least this was the story line being worked out under the guiding principle of “patriarchy.”

What gave the patriarchy critique its cogency were several social and culture changes coming to a head by the early 1970s. Little noticed by mid-century was a cultural shift away from marriage and sexual liaisons between older men and younger women. The scene was set to consider “intergenerational” desires as pathological. In some popular print media venues such as *True Confessions* and *True Story*, considerable interest was focused on the aggressive behavior of teenage girls—stylized as “falling in love”—who were competing with their older sisters or even their mothers, for boyfriends and husbands. But mothers themselves could go after their sons-in-law and their daughters’ dates. Nevertheless, the dominant cultural image designated girls and young women as innocent, and this at a time when fifteen- and sixteen-year-olds were determined to make their own choices about sex. Everyone in any family was preoccupied with the sex lives of the children, including the children themselves. And increasingly they were all exposed—often collectively—to commercialized, eroticized images of girls. Whether or not fathers actually molested their daughters, cultural assumptions marked them as inordinately interested in looking at or touching them or taking an untoward interest in their intimate lives.

Representations of fathers and daughters might have remained relatively innocuous but for considerable changes in the institution of marriage. Men fought for no-fault divorce, which left divorced women to fend for themselves and negotiate labor markets. Even if they remained married, with or without children they found themselves seeking work to maintain customary standards of living. And in any event, many of them began to put off marriage or put off having children until they were professionally or occupationally established. Those who grew up in the postwar years often rejected their

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offspring from close marriages or inbreeding. That line of thought played no role in the feminist and psychotherapeutic discussions of incest as abuse. I have dealt with the century and a half of biological research on the subject in the chapter “Intermezzo” and in a final chapter will come back to these issues for the decades after the middle of the 1990s when genetics established a quasi-hegemonic discourse and family and kinship forms proliferated.

mothers as suitable life models. Encouraged by fathers, these young women dreamed of fulfilled working lives following extra years of secondary and higher education. But work was often not at all what they expected it to be even apart from the fact that the huge growth in female employment occurred in the service sector and involved outsourcing the very tasks that always had been done by women. Dissatisfactions with work and family life became the focus of self-help groups and encounters with psychotherapists, both of which became the cultural go-to sites of the '60s and '70s, and proliferated in the following decades. I will explore this in the next chapter, but will underscore here that therapy offered a stratagem to plot a life. Rather than pursuing a line of critique that looked at the exigencies of modern labor or the social conditions of suburbia, or poverty, or cultural expression, women were encouraged to find the origins of their discomfort way back in their family lives, in some traumatic event they were bound to repeat in ever-novel forms. For many of them the distress arose from the false promise of independence as embodied by the work life of the father, the myth as Betty Friedan expressed it, of "lifelong commitment to an art or science, to politics or profession." The father as he was thought to be, the one whose happy life was staged somewhere beyond the home, who encouraged his daughters to get more education and become something their mothers were not, was fingered retrospectively as an agent of deception; someone who could not be trusted. Unmasking the hidden trauma, locating the undisclosed abuse, held out a new promise to women: the materials for creating a successful story from an unsuccessful life.

# Chapter 4

## Psychoanalysis and Psychotherapy as Hegemonic Discourses

They fuck you up, your mum and dad. — Philip Larkin, 1971<sup>1</sup>

How many pedophiles care about toxic waste? — Ellen Bass and Laura Davis, 1988

Prostitutes, strippers, and actresses in pornography are generally incest survivors, many of whom have tried to ‘take control’ of their lives by taking the reins of their own exploitation. — E. Sue Blume, 1990

One feature of the modern sensibility is dazzling in its implausibility: the idea that what has been forgotten is what forms our character, our personality, our soul. — Ian Hacking, 1995

By the 1970s, the topic of incest was for the most part refracted through the disciplines that collectively came under the name of “psychotherapy.” The boundaries of the different disciplines were not always clear, and the proliferation of specialties and treatments over the postwar decades was remarkable.<sup>2</sup> In the United States—and in Germany too—the various psychotherapeutic offerings were scarcely regulated.<sup>3</sup> Already in the 1920s, training in psychological theory and practice was spawning a new set of professions: social work, marriage counseling, sex education, and psychotherapy.<sup>4</sup> Indeed, the desire to talk with a professional about the emotional household, developed in parallel with the burgeoning number of household consumables: “Psychoanalysis arose along with such innovations as the fridge, vacuum cleaner, radio, washing machine, linoleum, indoor plumbing.”<sup>5</sup>

By World War II, psychological professions already were making extraordinarily broad claims to authority, and in the ensuing decades they played a substantial role in shaping the “direction and texture of public life.”<sup>6</sup> Although at first psychotherapy put

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1 Philip Larkin, “This Be the Verse,” in Philip Larkin, *Collected Poems*, ed. and intro. Anthony Thwaite, 1st American ed. (New York, 2004).

2 Eva Illouz, *Saving the Modern Soul: Therapy, Emotions, and the Culture of Self-Help* (Berkeley, Los Angeles, and London, 2008), p. 13.

3 Maik Tändler, *Das therapeutische Jahrzehnt: Der Psychoboom in den siebziger Jahren* (Göttingen, 2016), p. 16. In France, it was not until 2004 that the title of “psychotherapist” was protected by law. Psychotherapeutic practice could be and today still can be carried on by anyone, with or without qualification. For France, see Network for Psychotherapeutic Care in Europe, accessed February 22, 2019. <http://www.npce.eu/france.html>.

4 Eli Zaretsky, *Secrets of the Soul: A Social and Cultural History of Psychoanalysis* (New York, 2004), p. 142.

5 Zaretsky, *Secrets*, p. 149.

6 Ellen Herman, *The Romance of American Psychology: Political Culture in the Age of Experts* (Berkeley and Los Angeles, 1995), p. 5. Eva Illouz, *Cold Intimacies: The Making of Emotional Capitalism* (Cambridge

its money on curing, or at least dealing with, major mental illnesses and psychic pathologies, during the '40s and '50s, clinical practice in particular came to be centered on the “normal.”<sup>7</sup> Indeed, the center of gravity shifted from the academy to the clinic and along with it went the focus of professional concerns.<sup>8</sup> There were two essential developments with significant implications: a new emphasis on interpersonal relations and a reconfiguration of psychological practice as healing.<sup>9</sup> As practice and discourse, psychotherapy quickly made its way into the many interstices of modern life. Sociologist Eva Illouz put it this way: “The therapeutic discourse is a set of linguistic practices with a strong institutional base (it originates in university departments, research institutes, professional journals); it emanates from the professional class of psychologists and has

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and Malden, MA, 2007), p. 10: “Psychologists differed from other experts and professionals (such as lawyers or engineers) in that they slowly but surely claimed expertise in virtually all areas—from the military to childrearing via marketing and sexuality.” Ruth Feldstein, *Motherhood in Black and White: Race and Sex in American Liberalism, 1930–1965* (Ithaca and London, 2000), p. 7, chronicled a growing role of psychology in liberal discourses.

7 Ellen Herman, *Romance*, p. 94. See also Illouz, *Saving the Modern Soul*, pp. 41, 112. She suggested that the distinction between the normal and pathological was abolished during these years, but furthermore that the psychological professions shifted their interests to “normal life needs.” Tändler, *Therapeutische Jahrzehnt*, pp. 92, 94, speaks with irony of pathologizing the normal and making the insane normal. Psychotherapy came to deal with every form of worry and every problem. It perhaps should be noted that the American Psychiatry Association, the association of medical doctors practicing psychotherapy, issued the first Diagnostic and Statistical Manual in 1952. The latest edition is DSM 5. It is still used across the spectrum of psychotherapeutic professions. After 1952, an increasing number of human behaviors were subsumed under the category of mental illness or disturbance. A history of the DSM, the bible of diagnosis, can be found in the article Shadia Kawa and James Giordano, “A Brief Historicity of the *Diagnostic and Statistical Manual of Mental Disorders*: Issues and Implications for the Future of Psychiatric Canon and Practice,” *Philosophy, Ethics, and Humanities in Medicine* 7 (2012), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3282636/>; <https://doi.org/10.1186/1747-5341-7-2>.

8 Ellen Herman, *Romance*, p. 240, found this reconfiguration to be so considerable as to change the very shape of psychotherapy.

9 Illouz, *Saving the Modern Soul*, p. 126. An important diffuser of an interpersonal approach was the English psychoanalyst, Donald Winnicott (1896–1971). Tändler, *Therapeutische Jahrzehnt*, p. 132, discusses the reception of the American psychologist Carl Rogers (1902–1987) and the humanistic approach for German discourses and how influential he was for disseminating the health model and characterizing the role of the psychological professional as a sympathetic conversant. Curing and healing are closely related ideas, but they came to mean rather different things, and it is important to grasp differences in the choice of words. See the article by clinical psychologist and doctor of psychology Michael R. Kandle, “The Difference Between Curing and Healing the Mind,” <https://drkandle.com/the-difference-between-curing-and-healing-the-mind/>: “To cure means to control or eliminate a disease that disrupts the healthy functioning of an individual’s body, mind, or behavior. To heal means to make whole that which has been broken. Both curing and healing improve people’s health, though in entirely different ways.” While Kandle’s treatment of the issues is just one example, he does capture in his choice of words the general direction that “healing” took: wholeness, subjectivity, beyond science, being broken without having mental illness, intersubjective conflicts, harm, restoration, healing something not curable, damage, heart, repairing relationships in a divided person.

found a particularly receptive audience among members of the new middle classes and among women; but it is also an anonymous, authorless, and pervasive worldview, scattered in a dazzling array of social and cultural locations (TV talk shows, the Internet, the publishing industry, the private practice of clinicians, business consulting, school curricula, prison training programs, social welfare services, and a plethora of support groups).<sup>10</sup>

Just as the number of psychotherapeutic specialties expanded after the war, so too did the number of professionals practicing them in the United States (see this section's chapter 2).<sup>11</sup> In 1940, the American Psychological Association had 2,739 members. Thirty years later, it already had 30,839 members, a growth of over 1,100%, with clinicians the majority of new members.<sup>12</sup> By 1995, the APA had grown to 79,000, and by 2010, to 91,000.<sup>13</sup> From 1940 to 1970, the American Psychiatric Association increased from 2,423 members to 18,407.<sup>14</sup> Between 1975 and 1990, the number of psychiatrists increased from 26,000 to 36,000, clinical psychologists from 15,000 to 42,000, clinical social workers from 25,000 to 80,000, and marriage and family counselors from 6,000 to 40,000. Altogether, the number of these professionals increased in those fifteen years by a factor of 2.75, from 72,000 to 198,000.<sup>15</sup> In Germany, there were 300 psychologists in 1973. Forty years later, there were 18,000. And there were many more students of psychology who never practiced but rather entered other professions and so spread their training into the far corners of German life. In 1960, there were just 2,000 students at German universities studying psychology. "By 1981, there were 20,000, representing a growth rate more than two-and-a-half times greater than in all other disciplines." Accompanying that growth was a distinct feminization of the discipline, such that by the middle of the second decade in the twenty-first century, 75% of psychology students were women.<sup>16</sup> As among their counterparts in the United States, therapists in Germany tried out a whole range of practices: Gestalt therapy, transactional analysis, partner training, self-assertion training, yoga, meditation, even massage.<sup>17</sup> The historian of the "psychoboom" in Germany, Maik Tändler, considered the diversification of practices to

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10 Illouz, *Saving the Modern Soul*, p. 10.

11 Illouz, *Saving the Modern Soul*, p. 6. By the end of the century, around half of the population at one time or another had consulted a mental health practitioner.

12 Illouz, *Saving the Modern Soul*, p. 34. Ellen Herman, *Romance*, pp. 2–3.

13 American Psychological Association, APA Membership Statistics, accessed February 22, 2019, <https://www.apa.org/about/apa/archives/membership>.

14 Deborah Weinstein, *The Pathological Family: Postwar America and the Rise of Family Therapy* (Ithaca and London, 2013), p. 23.

15 Louise Armstrong, *Rocking the Cradle of Sexual Politics: What Happened When Women Said Incest* (Reading, MA, 1994), p. 6.

16 Tändler, *Therapeutische Jahrzehnt*, pp. 92, 124–29, 138, 146.

17 Tändler, *Therapeutische Jahrzehnt*, p. 161.

be ultimately “incalculable.”<sup>18</sup> One book on techniques for working with “incest survivors” listed these: emotional ventilation, stress inoculation training, psychodrama, body massage, acupuncture, Rolfing, primal scream therapy, role play, dialogue with an earlier self, family sculpting, body positioning, conversation with an alter ego, bibliotherapy, hypnosis, implosive therapy, and holding and hugging.<sup>19</sup>

In the ‘20s and ‘30s, psychiatry and psychoanalysis took individuals as their subjects, but in the aftermath of the war, the burgeoning psychotherapeutic disciplines shifted their gaze to the family, the social unit in which patients or clients were embedded. The principle concern was the new-fangled “nuclear family.”<sup>20</sup> Parsons had put his finger on the issue when he reduced the functions of the nuclear family to satisfying the emotional needs of its denizens. And it could be said that the psychological disciplines contributed significantly to reconfiguring the family from “an instrument for raising children” to one primarily concerned with emotional needs.<sup>21</sup> In England, during the late years of the war, influential psychoanalysts like Donald Winnicott were touting the home as a sanctuary, the place where all the essential emotional needs of parents and children could be satisfied.<sup>22</sup> In America, as Deborah Weinstein has shown, the expansion of the “therapeutic ethos” went along with the fixation on the family.<sup>23</sup> But then the family came to be understood as *the* source of pathology, as the social unit that shaped individuals and bound them in psychological chains.<sup>24</sup> In the early years after the war, family therapists came to define the family as a primary unit of disease.<sup>25</sup> Family life became the cause of the psychological problems emerging from clinical practice and the source of psychological damage.<sup>26</sup> Family was that which shaped the individual as a (damaged) person and that from which he or she had to be liberated.<sup>27</sup> For several decades, two therapeutic visions of the family contended with each other: family could offer all that one needed for emotional satisfaction or it could falter in this, its primary function. By the later ‘60s, any confidence in the home as an ideal was waning, and during the ‘70s, analyses of male violence began to explore the territory of family life

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18 The numbers of those dealing with some kind of therapy keep growing. For example, in 2008–9, there were 8,000 life coaches in Germany. In the United States, the National Defense Education Act (1958) provided for 60,000 jobs for school guidance counselors, Ellen Herman, *Romance*, p. 258.

19 Christine A. Courtois, *Healing the Incest Wound: Adult Survivors in Therapy* (New York and London, 1996 [1988]), pp. 183–213.

20 Illouz, *Cold Intimacies*, p. 7; Illouz, *Saving the Modern Soul*, p. 39.

21 Illouz, *Saving the Modern Soul*, p. 108.

22 Mathew Thomson, *Lost Freedom: The Landscape of the Child and the British Post-War Settlement* (Oxford, 2013), p. 64.

23 Weinstein, *Pathological Family*, p. 3.

24 Weinstein, *Pathological Family*, p. 2.

25 Weinstein, *Pathological Family*, pp. 15, 174.

26 Weinstein, *Pathological Family*, p. 145.

27 Illouz, *Saving the Modern Soul*, p. 38.

as the principal locus of violent behavior.<sup>28</sup> When by the '80s the idea that the majority of abuse took place in the "safe" environment of the family became the dominant paradigm, it fed from a long-established discourse about home-based psychological damage.<sup>29</sup>

Psychotherapy began not just to center on familial life as a cause of problems, but also to fix on a particular etiology of the self, as the product of development within the home from infancy through to adulthood.<sup>30</sup> As Eva Illouz put it: "In the psychoanalytical imagination, the nuclear family is the very point of origin of the self—the site within which and from which the story and history of the self could begin. Where the family had hitherto been a way of 'objectively' situating oneself in a long chronological chain and in the social order, it now became a biographical event symbolically carried throughout one's life and uniquely expressing one's individuality. Ironically, at the same time that the traditional foundations of marriage started to crumble, the family came back to haunt the self with a vengeance, but this time as a 'story' and as a way to 'emplot' the self."<sup>31</sup> Despite initial resistance to some aspects of the psychoanalytic tradition, particularly its influence on gender stereotyping, feminists of the '60s and '70s eventually found its critique of the family useful for their own purposes. Both "persuasions," the psychoanalytic therapeutic and the feminist, thus came together in finding in the family the "root metaphor for understanding pathologies of the self," as well as the primary site for self-transformations.<sup>32</sup>

Well before this discursive merger, therapy had established a kind of hegemonic control over cultural models for gender, and thus had defined the ancillary content of masculinity, homosexuality, motherhood, and adolescence.<sup>33</sup> But it was mostly women

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28 See Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York, 1975). Thomson, *Lost Freedom*, p. 100.

29 Thomson, *Lost Freedom*, p. 177. Thomson found the appeal in Britain for limiting the freedom of children to move about in urban environments to have been a reflection of "a more general move towards a home-centered life, something that was intensified by an emphasis on protection, attachment, and family love that emerged out of the feelings of war, and something that was made easier as a result of an affluence which brought more living space, more toys, and a culture of more play into home life," p. 223. But there was a growing feeling in the '70s that the family could trap children and not just protect and nurture, and many mothers found themselves socially isolated. "For an emerging generation of feminists, the questions of their freedom and that of children would come to be intimately linked," p. 224.

30 Weinstein, *Pathological Family*, p. 145.

31 Illouz, *Cold Intimacies*, p. 7. A similar move can be found in Germany during the '70s: Tandler, *Therapeutische Jahrzehnt*, p. 141.

32 Illouz, *Cold Intimacies*, pp. 24–25. Illouz, *Saving the Modern Soul*, p. 106, and p. 121: "Second-wave feminism drew heavily on some of the basic cultural schemes of psychology to help devise strategies for women's struggles, while simultaneously disavowing psychoanalysis and psychology. . . . Both feminist and psychological discourses were chiefly preoccupied with the 'woman question' and, on the whole, faced and raised similar questions concerning the viability of the family and of women's role in it."

33 James Gilbert, *Men in the Middle: Searching for Masculinity in the 1950s* (Chicago and London, 2005), p. 65.

who consumed the therapeutic literature.<sup>34</sup> Already during the 1950s and early '60s pundits were arguing that American culture as a whole was entering into a phase of feminization; that togetherness and passivity inflected everything in contemporary life, "from personnel work and new managerial techniques and personality tests in business, to mass culture, suburbanization, and consumerism."<sup>35</sup> Therapeutic culture, with its delineation of gender and familial issues, offered a language through which to express the era's widespread discontents. How much this was the case can be seen in letters women sent to Betty Friedan after the publication in 1963 of her epoch-making book, *The Feminine Mystique*. "Such sources," wrote Rebecca Jo Plant, "provide compelling evidence of the ways in which the proliferation of a therapeutic culture after World War II helped pave the way for liberal feminism in the 1960s and 1970s."<sup>36</sup> The cultural hegemony of psychological discourses came a few decades later in Germany than in the United States, really only taking off during the 1970s, but there too psychology became a female cultural system of belief.<sup>37</sup>

Hegemony in this case owed a great deal to the self-help movement and its literature, which flourished and extended its reach with the paperback revolution.<sup>38</sup> Here it is important to underscore the role of exchange between experts and popularizers in the articulation and dissemination of ideas.<sup>39</sup> Many experts wrote for mass media and published their own scientific research in forms easier for the general public to grasp. Indeed, when the epidemic of recovered memories of abuse rose to a peak in the late '80s, self-help literature drove the phenomenon, and in fact many therapists recommended such books to their clients or used them as sources for their own ideas. Self-help groups were another of the players in the diffusion of psychological culture.<sup>40</sup> In Germany, for example, as I noted in the previous chapter, there were between five and

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<sup>34</sup> Illouz, *Cold Intimacies*, p. 25; Illouz, *Saving the Modern Soul*, p. 121.

<sup>35</sup> Gilbert, *Men in the Middle*, p. 217.

<sup>36</sup> Rebecca Jo Plant, *Mom: The Transformation of Motherhood in Modern America* (Chicago and London, 2010), p. 163.

<sup>37</sup> Tändler, *Therapeutische Jahrzehnt*, p. 141. He pointed to elements of intense emotional and social self-reflection, together with the discovery of familial and sexual relations as crucial factors of individual identity formation. A feminization of the culture of feeling developed, and men were asked to think about their own feelings, to express them, and to understand them.

<sup>38</sup> Illouz, *Cold Intimacies*, p. 9, pointed to the inception of advice literature as an emerging cultural industry already in the 1920s. She maintained that this literature provided "the most enduring platform for the diffusion of psychological ideas."

<sup>39</sup> Illouz, *Saving the Modern Soul*, p. 13.

<sup>40</sup> For the US, this has been attested to many times, for example with Judith Herman and the Women's Mental Health Collective in Somerville, MA, founded in 1972: Judith Herman, *Trauma and Recovery: The Aftermath of Violence—From Domestic Abuse to Political Terror*, with a new epilogue by the author (New York, 2015 [1992]). She talked about the importance of consciousness-raising groups, pp. 28–29. Ellen Bass began her interest in family abuse also in a Boston area workshop, Ellen Bass and Laura Davis, *The Courage to Heal: A Guide for Women Survivors of Child Sexual Abuse*, 3rd rev. ed. (New York, 1994; 1st ed. 1988), pp. 17–18.



ten thousand self-help groups by 1980, and within five years, quadruple that number. The groups were often set up by doctors, psychologists, and pedagogues.<sup>41</sup> In the United States, the quick rise of consciousness-raising groups during second-wave feminism in the 1960s and '70s promoted a kind of self-examination open to therapeutic ideas and exercises.<sup>42</sup> The groups were so widely networked that a common language, set of assumptions, and repertoire of practices easily spilled over the boundaries of their particular localities of origin.

To see how incest was handled in the period between 1970 and 1995, it is necessary to keep in mind that feminism and psychology merged “to become a single cultural matrix.”<sup>43</sup> Feminism might be said to have provided the engine for taking men (fathers) to task for the brutal abuse of children and therapy to have provided the fuel (data, theoretical structures, and practical measures), which together could extricate women from the consequences of distorted identities: “If feminists located the source of women’s struggles inside the family, this was because psychoanalysis and psychology had already made the family central to the process of identity formation or deformation.”<sup>44</sup> In fact, therapeutic practice supported the whole venture by supplying ideas and methods for grasping and representing political action: “The popularization and redefinition of clinical experience after 1945 was a significant positive factor in the women’s movement’s emergence, mobilization, structure, demands, style, and theoretical literature.”<sup>45</sup>

One of the consequences of the alliance of feminism and psychotherapy, at least for handling the adult symptoms of mental and emotional distress, was the assumption that whatever ailed a person was rooted in childhood experience and not the consequence of material existence.<sup>46</sup> Recall that popular psychological literature had long educated the public about the consequences for personal development of early familial dynamics. And keep in mind that experts always also thought in terms of some constellation of power or other. Having set the bar for their patients in utopian visions of happiness and personal satisfaction, they found their patients living in a world of sadness and frustration, which they were professionally committed to diagnose as symptoms of unrecognized and long-buried trauma visited upon them most probably by one or the other of their parents—the one with the power to oppress. In chapters 2 and 3 of this

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41 Tändler, *Therapeutische Jahrzehnt*, p. 159.

42 Illouz, *Cold Intimacies*, pp. 25–27. Ellen Herman, *Romance*, p. 297. Herman emphasized the importance of emotional awareness and mental health in the small consciousness-raising groups. Feminism, she argued, grew rapidly through the development of such small groups. The point was to learn to trust experience, and that was the connecting tissue between feminism and psychology.

43 Illouz, *Saving the Modern Soul*, p. 115.

44 Illouz, *Saving the Modern Soul*, pp. 121–22.

45 Ellen Herman, *Romance*, p. 312.

46 Illouz, *Saving the Modern Soul*, p. 76, looking at the human relations movement and early studies of the workplace, wrote: “A frequently used strategy to cope with anger was to claim that complaints and anger had nothing to do with the workplace but were simply reenactments of early family conflicts.”

section I have dealt with the ways patients and therapists considered identities to be set in childhood and how self-help literature and self-help groups reinforced a story line that regarded the self as compromised by early nurture, but I come back to the issues in this chapter in order to explore both the consequences of the therapeutic perspective and some of its limitations.

## Fathers and daughters: A mental health problem?

Somewhere along the way, rather than feminism politicizing the issue of incest, incest-as-illness had overwhelmed and swallowed feminism. — Louise Armstrong, 1994

The cause of child abuse was later adopted by feminist activists because it helped transform psychic injury into a political critique of the family. — Eva Illouz, 2008<sup>47</sup>

Here my intention is not to give a detailed history of the unfolding of psychotherapeutic handling of the theme of incest, but rather to lay bare some of the central features of the arguments as they developed and to get a handle on the “political culture” of the abuse literature. Illouz argued in one of her books that “using the defense of abused children, feminism found in therapy a new tactic to criticize the family and patriarchy.”<sup>48</sup> And in another book, she noted that “the cultural categories of ‘child abuse’ and ‘trauma’ were crucial in feminists’ tactics because they tapped into universal and uncontested moral views about the sacredness of children and of the family, shared equally by the Right and by the Left.”<sup>49</sup> Child abuse and political critique of the family, in other words, could march hand in hand in the psychologized culture of the later twentieth century.

In many ways, Florence Rush’s 1971 speech on abuse and incest set the agenda for the following quarter century.<sup>50</sup> Within the context of male sexual aggression, Rush argued, the central *health* problem was the sexual abuse of children, primarily by their fathers.<sup>51</sup> And such mistreatment could endanger the *mental* health of those daughters. Paternal access to daughters was gained through the assertion of right or prerogative, which cast both the delict and its cure as a structural feature of the family.<sup>52</sup> Although she did not use the term “patriarchy,” Rush did consider both the family, as an institution, and the culture at large to be the result of the assertion of male power. Men had repressed women forever, and in particular they had used their positions as family

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<sup>47</sup> Illouz, *Saving the Modern Soul*, p. 167.

<sup>48</sup> Illouz, *Cold Intimacies*, p. 58.

<sup>49</sup> Illouz, *Saving the Modern Soul*, p. 168.

<sup>50</sup> Florence Rush, *The Best Kept Secret: Sexual Abuse of Children*, intro. Susan Brownmiller (New York, 1981 [1980]), p. ix. See the discussion of Rush in chapter 3.

<sup>51</sup> Rush, *Best Kept Secret*, p. 6.

<sup>52</sup> Rush, *Best Kept Secret*, pp. 13–14.

heads to exploit their daughters sexually. This happened all the time.<sup>53</sup> She rejected the idea that there was any innate horror against incest, something to restrain men from their desires. After all, sexuality for men had always been accompanied by the infliction of pain.<sup>54</sup> And laying claim to daughters had always been the case—even the prohibitions in the Bible (Leviticus 18) omitted the father-daughter pair in its list of prohibited liaisons, which Rush took as evidence that daughters had been available in Ancient Israel whenever their fathers desired them.<sup>55</sup> In other words, although incest was being treated in her time as a recent and *growing* health problem, history taught that fathers had always exploited their daughters. But why had this all not been common knowledge? Because men had imposed silence. It was the political task of the Women's Movement to break that silence and bring into being a new era different from all recorded history.<sup>56</sup> For the moment, however, it was necessary to stress that all adolescent delinquency, female criminality, marital disunity, and symptoms of self-abuse could be entered into the account books of paternal abuse.<sup>57</sup> Authorities had made light of the abuse, and fathers had always been excused for their behavior. And until now, knowledge of this universal behavior has been suppressed, but uncovering it would dispel it.<sup>58</sup>

From the outset, then, the issue of father-daughter incest was categorized as a mental health problem, with the symptoms of daughters its observable signs. Abuse was understood to be an intrafamilial phenomenon by no means restricted to contemporary culture. The family as an institution had always been pathological. Incest was primarily an expression of hierarchical power, an instance of male delight in inflicting pain, not an expression of mutual sexual interest. It was not thought of as a danger to healthy biological reproduction but as an exercise of violence. This violence, however, was something that could be exorcised by tearing away the veil of secrecy that perpetuated it. And this became the political task of the freshly constituted women's movement.

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53 Rush, *Best Kept Secrets*, pp. 4–5, discussed briefly the “dimensions” of the problem, offering percentages of women or men and women who had a sexual encounter with an adult before the age of thirteen from studies by Kinsey and Finkelhor. Extrapolating from the percentages, she reckoned the numbers of Americans to have had such a sexual encounter to be on the order of twenty-five million women or twenty-eight million men and women. “National statistics, though helpful, are unnecessary for us to grasp the vast extent of the problem. There is scarcely a study, report or investigation into aspects of human sexuality which does not indicate that child-adult sex is an active, prevalent pastime,” p. 5. Later in this chapter, I will come back to some considerations on statistics. What should not be underplayed is the degree of violence in the American family, but there is room for discussion about its nature and how it came to be thought about.

54 Rush, *Best Kept Secret*, pp. 134, 61.

55 Rush, *Best Kept Secret*, p. 136.

56 Rush, *Best Kept Secret*, pp. 195, 10.

57 Rush, *Best Kept Secret*, p. 139.

58 Rachel Devlin, “Acting Out the Oedipal Wish: Father-Daughter Incest and the Sexuality of Adolescent Girls in the United States, 1941–1965,” *Journal of Social History* 38 (2005): 609–33, showed that “authorities” had indeed not taken paternal abuse lightly.

By the early '80s, father-daughter incest was clearly on the agenda. First-person accounts such as Louise Armstrong's 1978 *Kiss Daddy Goodnight*, which declared it was breaking the silence about a widespread crime, had considerable impact on public opinion.<sup>59</sup> Ten years later, Armstrong republished her account together with a new introduction, which insisted that incest should be treated as a power abuse, "one with long-standing tacit societal permission."<sup>60</sup> She did not believe that impaired memory was warping victims' accounts: "We knew the actual offenders firsthand."<sup>61</sup> And she was horrified to see how the psychological disciplines had taken over both interventions with and the theoretical understanding of paternal abuse of children.<sup>62</sup> I will be looking at the development of psychotherapeutic understandings of incest, together with the repressed/recovered memory movement, but here it is useful to see some of the stakes as witnessed by Armstrong herself during the decade between editions of her book.<sup>63</sup>

Armstrong insisted that incest had to be viewed as a woman's *political* issue and that the truly feminist point of view had to recognize that men are rational and capable of self-control.<sup>64</sup> If men were to be understood as "hopelessly, irrationally, uncontrollably, and unchangeably predatory," then there was little chance for a politically meaningful attack on patriarchy. That did not mean that men, expressing what they saw as their privilege, had not continuously molested their daughters.<sup>65</sup> It was impor-

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59 Louise Armstrong, *Kiss Daddy Goodnight: Ten Years Later* (New York, 1987).

60 Armstrong, *Kiss Daddy Goodnight*, p. viii.

61 Armstrong, *Kiss Daddy Goodnight*, p. ix.

62 Armstrong, *Kiss Daddy Goodnight*: "Given this straightforward testimony [from victims and perpetrators], it seemed comical, early on, to watch so many newfound experts frantically rummaging in so many psychological closets and searching for labels under so many beds," p. ix. She talked about the "reality" of power abuse, meaning something not hidden in repressed memory; namely, "paternal child molestation, child-rape by stepfathers and older brothers. This reality continues to exist behind the new language and mythology of disease and cure: it continues to exist, unimpeded by that new mythology." She complained that all that had happened was the offering of another topic for talk shows, "one more plot option for ongoing dramatic series. We hoped to raise hell. We hoped to raise change. What we raised, it would seem, was discourse. And a sizable problem-management industry. Apart from protective service workers, we have researchers, prevention experts, incest educators. . . . [elision in original] It was not in our minds, either, ten years ago, that incest would become a career option," p. ix. Diana E. H. Russell dedicated the revised edition of *The Secret Trauma: Incest in the Lives of Girls and Women* (New York, 1999 [1986]) to Louise Armstrong "for her pioneer role in recognizing the destructive and antifeminist role of therapists in the Great Incest War, and for her courage in writing about her unpopular views before anyone else." Russell wrote, "After feminists transformed incest into a political issue, therapists took over and recast it as a therapeutic problem that required clients to engage in intensive and often long-term treatment," p. xxviii. She praised Armstrong for attacking the therapeutic depoliticization of incest.

63 Armstrong, *Rocking the Cradle*.

64 Armstrong, *Rocking the Cradle*, p. 260.

65 Armstrong, *Rocking the Cradle*, pp. 26–29. She did take on the problem of statistics and leaned towards a frequency of one molested daughter out of ten, p. 52. She pointed out that statistics had been all over the place, from one in one hundred, to one in ten, to one in four.

tant, Armstrong thought, to see paternal predation as an issue of power and not as one best grasped through medicalized notions of healing; release from its talons being not so much a psychological as a political event.<sup>66</sup> Unfortunately, the focus on therapy obscured the issue of power. Women had once been clear on the politics of the issue but had “succumbed to a language exclusively focused on personal pathology and recovery.”<sup>67</sup> She quoted Florence Rush to say that sexual abuse of children is permitted because it is an unspoken but prominent factor in socializing and preparing the female to accept a subordinate role; to feel guilty, ashamed, and to tolerate, through fear, the power exercised over her by men. . . . In short, the sexual abuse of female children is a process of education which prepares them to become the wives and mothers of America.<sup>68</sup> Armstrong argued that the medicalization of incest neutralized the act and failed to see it for what it actually was: a “deliberate act of aggression, a violence based on the belief in male right.”<sup>69</sup> By psychologizing the issues, experts had led the way to a “mass infantilization of women.”<sup>70</sup> “The therapeutic ideology—whatever its language—raises the personal to the paramount, placing the individual as the hub of her own claustrophobic universe; putting her ‘in recovery,’ as though that were a geographic location.”<sup>71</sup> The shift from feminist analysis to therapeutic understanding was part of the “larger cultural shift away from collective political action to an individualizing mental-health movement.”<sup>72</sup>

I have used Louise Armstrong to foreshadow some of the issues that emerged ever more prominently in the 1980s. At the heart of her critique was a lost political project. It is not my concern to judge whether she was right about the nature of the American family or patriarchy or the incidence of paternal abuse. In her view the nature of incest was distorted by passing it through the prism of a therapeutic paradigm. Indeed, she argued that the massive expansion of mental health workers during and leading up to the ‘80s both stimulated the rise of incest as an issue and pressed it out of shape.<sup>73</sup> Rather than confronting real fathers with real abuse and collectively seeking signifi-

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66 Armstrong, *Rocking the Cradle*, pp. 37–43: the medical establishment had recast incest as a disease (p. 46).

67 Armstrong, *Rocking the Cradle*, p. 38.

68 Armstrong, *Rocking the Cradle*, p. 76. The quote is from Florence Rush, “The Sexual Abuse of Children: A Feminist Point of View,” in *Rape: The First Sourcebook for Women*, ed. Noreen Connell and Cassandra Wilson (New York, 1974), pp. 73–74.

69 Armstrong, *Rocking the Cradle*, p. 76.

70 Armstrong, *Rocking the Cradle*, p. 207: “Somewhere along the way, rather than feminism politicizing the issue of incest, incest-as-illness had overwhelmed and swallowed feminism.” Russell, *Secret Trauma*, pp. xxviii–xxix, seconded Armstrong’s point but then failed to take some of the writers, like Florence Rush, whom she leans on (pp. xvii, xlii, 3, 5, 137) for playing significant roles in treating incest within a paradigm of healing, to task.

71 Armstrong, *Rocking the Cradle*, p. 209.

72 Armstrong, *Rocking the Cradle*, p. 214.

73 Armstrong, *Rocking the Cradle*, p. 6.

cant social change with regards to male violence, therapists conned women into their own isolated efforts at “recovery.” Underpinning all of this were notions of the self and understandings of the nature of gendered power; biological concerns are nowhere present. And significantly, although fathers, for Armstrong, performed the role of chief political opponent, she did hint that stepfathers might in fact be the more culpable characters, a position which rather undercut her argument about paternal privilege.<sup>74</sup> In warning against the adoption of “healing” as the paradigm for interventions with incest, Armstrong was speaking of a very real trend. Among the writers whose works advanced precisely the therapeutization of incest that so concerned her, Judith Herman and Alice Miller stand out. To them, I turn next.

## Symptoms reveal a life story

For both groups of women, the destructive psychological effects of the disturbed father-daughter relationship could be observed lasting into adult life. The pathological effects of overt and covert incest were similar in nature and differed mainly in degree, the daughters of seductive fathers exhibiting in milder form the same symptoms that in the incest victims were developed to great severity. — Judith Lewis Herman, 1981<sup>75</sup>

Abuse will be later repeatedly and unconsciously reenacted. — Alice Miller, 1984 [1981]

Judith Lewis Herman’s 1981 *Father-Daughter Incest*, became one of the most cited books in the literature on incest. It was also one of the first to try to look at the situation in a scholarly fashion. Both Herman and her co-author, Lisa Hirschman, had clinical practices in the Boston area, and Herman eventually became a professor of clinical psychiatry at Harvard University Medical School.<sup>76</sup> One of the key points at the outset of the book’s argument was that other clinicians—as Rush had argued—had ignored the incidence of incest altogether. Throughout her text, this was a constant refrain, one that “experts” in father-daughter incest continued to repeat.<sup>77</sup> Incest was hidden and everyone had ignored it. While there was neither anything new about it nor any particular increase in its incidence, there was a specific historical moment favorable to revealing it. The exposure came from women, the women’s movement, and consciousness-raising groups, on the heels of a concern with rape.<sup>78</sup> Unlike many psychotherapeutic writers whose work appeared after hers, Herman was dealing with women who remembered incestuous abuse and never forgot it. And one of the significant findings from her

<sup>74</sup> Armstrong, *Rocking the Cradle*, p. 51.

<sup>75</sup> Judith Lewis Herman, with Lisa Hirschman, *Father-Daughter Incest* (Cambridge, MA, 1981), p. 125.

<sup>76</sup> Judith Herman, *Father-Daughter Incest*, p. viii: Herman and Hirschman first published the results of their study as “Father-Daughter Incest,” *Signs: Journal of Women in Culture and Society* 2 (1977): 735–56.

<sup>77</sup> Judith Herman, *Father-Daughter Incest*, pp. vi–vii.

<sup>78</sup> See Judith Herman, *Trauma and Recovery*, pp. 7–32.

work was the idea of a mental health syndrome that followed from incest or seductive paternal attention.<sup>79</sup> Other clinicians and therapists of all kinds took the syndrome and reasoned back to the disease and its cause: from an etiology of emotional and mental problems to a system of signs.

Herman developed an idea central to Rush's work, that incest was an assertion of male prerogative.<sup>80</sup> To that she added that father-daughter incest offered a paradigm of "female sexual victimization."<sup>81</sup> In her hands the concept of incest expanded to cover "any sexual relationship between a child and an adult in a position of paternal authority. . . . From a psychological point of view, it does not matter if the father and child are blood relatives."<sup>82</sup> Incest was not a problem for biological reproduction. What it was, was a matter of violence, and thus, for example, not to be confused with the exploratory acts a brother and sister might indulge in together. Of course, if the brother were older, then the question of incest arose, precisely because of asymmetries in power. Consent and mutual desire had no part in the understanding of incest.<sup>83</sup> Herman's analysis did not touch on issues of the wider culture or of class; nor did it pay attention to time and place. And except for discussing paternal power and exploitation, it barely touched on familial dynamics. For example, her treatment of wives and mothers in families where father-daughter incest took place stayed focused on the male and on his psychological strategies for eliciting tolerance of deviant behavior; therefore on female powerlessness.<sup>84</sup> Herman did point to particular dynamics as conducive to incestuous behavior, but all that had to do with internal power dynamics and the systematic invoking of female powerlessness, not with class or culture or any particularities of the familial structures of her day. Certain households were characterized by a rigid division of labor with care for children relegated almost completely to the mother: that was where incest was most likely to occur. That type of family could be found in any class and was more of a psychological syndrome than anything else: "It is the sexual division of labor, with its resultant profound differences in male and female socialization, which determines in mothers a greater capacity for self-restraint, and in fathers a greater propensity for

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79 Judith Herman, *Father-Daughter Incest*, p. 177: "There is reason to suspect that a substantial proportion, perhaps even the majority of incest victims, feel lastingly scarred by their childhood experience. The complaints of the women we have interviewed about their experiences are so similar as to suggest the existence of a syndrome common to all incest victims, a syndrome that often leads to repeated disappointments in intimate relationships in adult life."

80 Judith Herman, *Father-Daughter Incest*, pp. 3–4: "Without an understanding of male supremacy and female oppression, it is impossible to explain why the vast majority of incest perpetrators (uncles, older brothers, stepfathers, and fathers) are male and why the majority of victims (nieces, younger sisters, and daughters) are female," p. 3.

81 Judith Herman, *Father-Daughter Incest*, p. 4.

82 Judith Herman, *Father-Daughter Incest*, p. 70.

83 Judith Herman, *Father-Daughter Incest*, p. 27.

84 Judith Herman, *Father-Daughter Incest*, p. 41.

sexually exploitative behavior.”<sup>85</sup> This, of course, fit Parsons’s model of the nuclear family, but Herman parsed the Parsonian psychological roadmap of familial erotics in the American suburbs as a universal feature of patriarchy, thus a feature of all societies until her era.<sup>86</sup>

I quoted Herman at length in chapter 2 of this section to the effect that “subordinate females” raise children and that because of their subordination, their children not only internalize the incest taboo but also develop personality structures starkly differentiated according to gender. Boys are raised to dominate and girls to be victims. As the boy learns that his mother actually is inferior, he represses anything feminine in himself. “His capacity for nurturance and for affectionate identification with women is therefore systematically suppressed.” He looks around for women of inferior status for comfort and reassurance. The upshot of his upbringing is to assert the right to sexual relations with subordinate women but also to support all men in the same endeavor. Men therefore have a tendency to “exploitative behavior,” including rape, child molestation, and incest. All of this is a consequence of socialization in the patriarchal family and leaves the adult male without empathy for his victim and “no internal barrier to abusive action.”<sup>87</sup>

In Herman’s treatment of incest, there were two “stories” somewhat jostling with each other. One story, based on empirical research, emerged from forty patients known to have suffered from paternal incest and twenty therapy patients with “seductive fathers,” the latter a control group of sorts. The other story was a grand, overarching one about patriarchy, which synthesized, among other things, biblical criticism (Lot’s daughters did not seduce him—that was just a coverup for paternal violence), Oedipus (channeling female sexuality), and universal property rights in women (“in patriarchal societies, including Western society, the rights of ownership and exchange of women within the family are vested primarily in the father”).<sup>88</sup> Incest followed patriarchal norms, and while it might not be practiced by all fathers, any such instance was but a

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<sup>85</sup> Judith Herman, *Father-Daughter Incest*, pp. 54–55. Of course Herman did not intend to say so, but this argument implies that women would be less restrained if they were not relegated to vacuuming the floors, washing the dishes, and scrubbing the snot off the kids.

<sup>86</sup> Judith Herman, *Father-Daughter Incest*, p. 53.

<sup>87</sup> Judith Herman, *Father-Daughter Incest*, pp. 55–56. Herman did discuss the possibility of daughters seducing fathers, p. 57. This they might want to do in order to “gain privileges otherwise denied to them.” She then went on to write: “The successful attainment of conventional adult heterosexuality in fact requires an incomplete resolution of the female Oedipus complex and a channeling of female sexuality into submissive relationships with older, stronger, richer, more powerful men.” The assumption here was that normal (“conventional”) heterosexuality for women leads them to favor hypergamous marriages. In chapters 1 and 3 of this section, I have shown that such marriages might well have been the norm early in the century, but that by the time Herman was writing, homogamy had been prevalent in the United States for at least four decades.

<sup>88</sup> For the empirically based story, see Judith Herman, *Father-Daughter Incest*, pp. 67, 109. And for the overarching narrative of patriarchy, see *ibid.*, pp. 36, 57, 60.



moment on a continuum.<sup>89</sup> Furthermore, whether a family was “overtly” or “covertly” incestuous, or just patriarchal, daughters learned that fathers rule and that the “ordinary female condition is contemptible”: “Far from being unusual,” Herman declared, “these lessons are part of the ordinary experience of girlhood.”<sup>90</sup>

Having discerned that the problem of incest was one of power, Herman hoped that developing male empathy and democratic values in families would provide solutions.<sup>91</sup> For that to happen men would have to take on nurturing roles, nurture being the experience through which people learned to empathize. But men would learn to nurture only after families developed a better balance of power.<sup>92</sup> And without an organized feminist movement, this was unlikely to take place. A political struggle was necessary to bring an end to paternal exploitation of wives and daughters, and the best way to guarantee the success of what was, after all, a break with all of history, was to make sure that fathers and mothers share equally in the hands-on care of their children.<sup>93</sup> “If the primary responsibility for child care were shared by men and women, the entire basis for the psychology of male dominance and female submission might be abolished.”<sup>94</sup> This implied, of course, that both parents also had equal access to the workplace. And in some ways, that might be the essential point. Implicit in this formulation was a reconfiguration of the sexual division of labor, a construction that emerged just as women were sweeping or being swept into the labor force.

From her interviews with adult women, Herman developed a set of their typical symptoms. There was little essential difference in the two groups she interviewed except that the symptoms of the control group of women with “seductive” fathers were milder. Among them were a sense of feeling different, of being an outsider; also loneliness, depression, abuse of alcohol and drugs, suicidal thoughts, difficulty trusting, taking little pleasure in sex, being disciplined and having unrealistic standards, self-destructive actions, feeling sex as shameful, having unclear boundaries, and having a split or dual self-image (very good and very bad).<sup>95</sup> “The two types of family differed not in kind but in degree, the overly incestuous family representing a pathological extreme of male dominance, the covertly incestuous family representing the more commonplace variety.”<sup>96</sup> Herman then generalized from her two samples to conclude that “the similarities between the incest victims and the daughters of seductive fathers once again confirm the contention that incest represents a common pattern of traditional female socialization carried to a pathological extreme.” Here is where the two “stories” came

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<sup>89</sup> Judith Herman, *Father-Daughter Incest*, p. 109.

<sup>90</sup> Judith Herman, *Father-Daughter Incest*, pp. 124–25.

<sup>91</sup> Judith Herman, *Father-Daughter Incest*, p. 63.

<sup>92</sup> Judith Herman, *Father-Daughter Incest*, p. 206.

<sup>93</sup> Judith Herman, *Father-Daughter Incest*, p. 202.

<sup>94</sup> Judith Herman, *Father-Daughter Incest*, p. 212.

<sup>95</sup> Judith Herman, *Father-Daughter Incest*, chs. 6, 7.

<sup>96</sup> Judith Herman, *Father-Daughter Incest*, p. 124.

together: the symptoms that the women under investigation displayed were fit into the “normal” patriarchal family structure. Within a few years, however, the center of therapeutic interest shifted away from women who were clear about how their fathers had treated them to women who had repressed any memory of having been abused. The therapeutic logic centered on any manifestation of the symptoms Herman had described and then explained their presence by recourse to the idea that they must have been produced by incest even if sexual relations with fathers or other adult males were not recalled.<sup>97</sup>

It is useful to rehearse the work of one other influential writer from the ‘80s in order to follow the thread of feminist therapeutic argument. This is the widely read Swiss therapist Alice Miller, early translated into English, who began her writing career as a psychoanalyst, although she resigned from the Swiss and International Psychoanalytic Associations in 1988, having decided that psychoanalysis obscured the causes and consequences of child abuse by labeling facts as fantasies.<sup>98</sup> She was one of the central figures for promulgating the idea that all misbehavior and negative psychological symptoms of adults are to be traced to childhood trauma and that almost all families mistreat their children.<sup>99</sup> She tended to throw all forms of abuse into one etiological structure. Her own biographical remarks suggest just how broadly she worked with the

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97 See the “Incest Survivors’ Aftereffects Checklist,” in E. Sue Blume, *Secret Survivors: Uncovering Incest and Its Aftereffects in Women* (New York, 1991 [1990]), pp. xxvii–xxx.

98 Alice Miller, *For Your Own Good: Hidden Cruelty in Child-Rearing and the Roots of Violence*, trans. Hildegarde and Hunter Hannum, 3rd ed. (New York, 1990; 1st ed. in German and English, 1983); Miller, *Thou Shalt Not Be Aware: Society’s Betrayal of the Child*, trans. Hildegarde and Hunter Hannum (New York, 1990 [German 1981; English 1984; new intro. 1990]); Miller, *Banished Knowledge: Facing Childhood Injuries*, trans. Leila Vennewitz, rev. ed. (New York, 1990 [German, 1988]); Miller, *Breaking Down the Wall of Silence: The Liberating Experience of Facing Painful Truth*, trans. Simon Worrall, with a new afterword (New York, 1993 [German 1990, English 1991]). On leaving psychoanalysis, Miller, *Thou Shalt Not Be Aware*, p. ix.

99 Miller, *Thou Shalt Not Be Aware*, p. 315: “In delinquency, the confusion, seduction, and mistreatment of childhood are acted out again and again.” Miller, *Banished Knowledge*, 157: “Any person who abuses his children has himself been severely traumatized in his childhood in some form or other. This statement applies without exception.” Miller, *Breaking Down the Wall*, p. 1: “The truth about childhood, as many of us have had to endure it, is inconceivable, scandalous, painful. Not uncommonly, it is monstrous. Invariably it is repressed.” “All wars we ever had were the deeds of once unwanted, heinously mistreated children,” p. 146. Miller, *For Your Own Good*, p. 199: “Every crime [is] an enactment of a childhood drama.” And “it is very difficult for people to believe the simple fact that *every persecutor was once a victim*,” p. 249. Jeffrey Prager, *Presenting the Past: Psychoanalysis and the Sociology of Misremembering* (Cambridge, MA, 1998), p. 131, remarked that the current preoccupation with trauma had resulted in its overuse as a diagnostic tool. He found it a clumsy vehicle, which made external events central. “Mental health practitioners now find themselves always searching for the traumatic roots of psychopathology. In foregrounding the external world’s impact upon the person, we have moved toward an alienated psychology. . . . We scan for ‘trauma-like’ experiences to account for the patient’s psychological distress. Moreover, a discourse has developed that suggests that responsibility for pain and suffering (and, conversely, health and happiness) also lies external to the individual,” p. 132.

idea of psychic damage, damage that had to be uncovered in order for healing to be possible at all. Indeed, she went through two entire analyses thinking she had had a happy childhood, until she finally understood that her own problems had been caused by her mother whose worst offense seems to have been giving the young Alice the silent treatment for a day or two.<sup>100</sup> This experience caused her to berate the American feminist therapeutic establishment for concentrating on the peccadillos of fathers: no man who sexually abuses his daughter could have done so if he had not been sexually abused by his mother; and if that did not seem convincing, Miller reminded her audience of unnecessary enemas, which presumably anyone raised in the '40s and '50s had experienced.<sup>101</sup>

Miller promoted the idea that the essential story of one's life is revealed in the symptoms expressed by mental suffering and through the body of the adult: "Abuse will be later repeatedly and unconsciously re-enacted."<sup>102</sup> The causes of current distresses were usually beyond the reach of memory; indeed the mechanism of repression ensured that the cause would be hidden.<sup>103</sup> But what was repressed was stored in the body (she even thought of AIDS and cancer as expressions of repressed abuse), and the body revealed the truth. "Whatever happens, our bodies can't be misled. The body respects only the truth of our feelings and thoughts and in the longer term is only prepared to cooperate with them."<sup>104</sup> We have to search for our "subjectivity" in the deep past of our lives: "childhood is the key to understanding a person's entire life."<sup>105</sup> But even though the "patient" had to undergo the process of recovery, it was still the expert therapist who had the key; she was the one who could read from current symptoms the reason for their existence: "subjectivity is then revealed to me in everything this person

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**100** Miller, *Banished Knowledge*, pp. 6, 21, 22, 140. Miller, *Breaking Down the Wall*, p. 134.

**101** Miller, *Banished Knowledge*, p. 74: Feminism came up against "its own ideological limits" by seeing the problem as being rooted exclusively in patriarchy, "in the male exertion of power." What causes a man to rape women was not always the father alone. "These feminists are reluctant to accept the fact that a woman who has had a sheltered childhood and a protective mother is not likely to marry a man whom she fears and who will abuse her child because she was not made blind; she was not forced to love what did not deserve to be loved. Her sensors would warn her of an abusive man and she would not marry him," p. 75. She wanted the feminist movement to finally admit "that mothers also abuse their children." "When mothers are defended as pathetic victims, the female patient will not discover that with a loving, protective, perceptive, and courageous mother she could never have been abused by her father or brother," p. 77. Miller, *Breaking Down the Wall*, pp. 7–8: remarking on men who rape and debase women, "what became clear was that all these men had been sexually abused by their mothers in early childhood, by way of either direct sexual practices, the misuse of enemas, or both."

**102** Miller, *Thou Shalt Not Be Aware*, p. 311.

**103** Miller, *For Your Own Good*, p. 242. Miller, *Breaking Down the Wall*, p. 153.

**104** Miller, *Breaking Down the Wall*, p. 38. On AIDS and cancer, see pp. 142–43, 158. "Our true, repressed life history is stored up in our body, which attempts to recount it and to be listened to, by way of symptoms," p. 161.

**105** Miller, *Thou Shalt Not Be Aware*, p. 6.

says, does, writes, dreams, or flees from.”<sup>106</sup> She went on to say: if “the analyst is able to see in this patient’s behavior the active re-enactment of a situation passively endured in childhood, he will ask himself how the parents treated this child and whether the patient’s behavior may not be telling the story of the totally dependent child, which lies so far back in the past that the patient cannot tell about it in words but only in unconscious behavior.”<sup>107</sup>

Over time, Miller rejected the fundamental Freudian position that a person’s psychological disposition was the outcome of childhood desires. It was actually not the desire of the child for a parent but the other way around. “One of the inescapable laws governing a child’s existence is determined by *what the parents need from their child*, and sexuality is no exception here.”<sup>108</sup> Children naturally awakened sexual desire in adults, and the job of the therapist was to recognize a patient’s sexual problems as a result of sexual abuse by adults; abuse would be re-enacted in such a way as to be open to the therapist. From the symptoms, the therapist could trace back to the root cause: parental sexual desire. And the abuse could be put into the context of “trauma” or “narcissistic wounds.” That experience did not have to be in the form of completed incest, for the “child encounters the look of sexual need in eyes of parents.”<sup>109</sup> In any event, the work of analysis was to prompt the patient to allow the memory of being sexually molested by the father to break through into consciousness.<sup>110</sup> “Only if the history of abuse in earliest childhood could be uncovered would the repressed anger, rage, and hatred cease to be perpetuated.”<sup>111</sup>

There are a number of themes in the work of Herman and Miller common to the incest literature during the ‘80s and early ‘90s. Incest and abuse were always a matter of the desires and actions of older, responsible adults. Herman’s development of “patriarchy” characterized the assumptions of therapy for nearly two decades, but few seemed to have heeded Miller’s balanced condemnation of all parents. Both Herman and Miller concentrated on the psychological results of childhood for adult women and both emphasized the necessity to uncover what had been hidden. Despite Herman’s work with women who had no problems of recall, she supported the idea of repression and the need to recover memories of abuse. Both writers emphasized abuse as a common phenomenon. And both, tending to elide overt and covert, explicit and implicit, violent and detached actions, then defined them all as abusive and *therefore* incestuous. Symp-

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<sup>106</sup> Miller, *Thou Shalt Not Be Aware*, p. 8.

<sup>107</sup> Miller, *Thou shalt Not Be Aware*, p. 15.

<sup>108</sup> Miller, *Thou Shalt Not Be Aware*, p. 119.

<sup>109</sup> Miller, *Thou Shalt Not Be Aware*, p. 123.

<sup>110</sup> Miller, *For Your Own Good*, p. 119.

<sup>111</sup> Miller, *For Your Own Good*, p. 248. Miller, *Thou Shalt Not Be Aware*, p. 53: “The healing process begins when the once absent, repressed, reactions to traumatization (such as anxiety, rage, anger, despair, dismay, pain, grief) can be articulated in analysis.”

toms, whether mental or physical, could be read by the analyst as clues to childhood experiences rooted in the exploitative expression of parental power.<sup>112</sup>

## Adolescent sexuality in the postwar decades

By privileging the Oedipus complex in girls to such a degree that it served as the basis for incestuous sex, a girl's sexuality became more than ever dependent upon and defined by her relationship to the family. — Rachel Devlin, 2005

That everyone had ignored paternal incest, that there had been a “total refusal to engage with the reality of incest,” that children's claims were disbelieved and information was suppressed, and that the feminist movement was a necessary and sufficient cause for exposure of incest and the best hope for its elimination: these became the commonplaces in the decades after Herman made her assertions.<sup>113</sup> However, in carefully searching through the records of child-serving agencies, criminal trials, psychoanalytic case histories, and criminological studies from the period 1941–65 Rachel Devlin found no denial and silence at all.<sup>114</sup> What she did find was the spread of psychoanalytic ideas and a renewed interest in adolescence in the postwar period, viewed through the prism of the Oedipal complex. Sociological and psychological publications as well as mass media were full of references to juvenile delinquency and the fear of waning paternal authority, and the Oedipal situation was seen as hitting teenage girls with a particular virulence. In this period when mothers were considered particularly dangerous for their daughters entering puberty and attachment to fathers a solution, “case histories of adolescent girls of the period were replete with Oedipal longing, frustration, and disappointment,” and “the sanctity of the mother-child bond underwent dramatic and often scathing assault in the 1940s.”<sup>115</sup> Concomitantly, with teenagers being given ever-greater autonomy in dating and with female sexuality being defined as irrational and uncontrollable, “the psychological makeup of the ‘problem girl’ herself became the central concern of the social service agencies, juvenile clinics, and other institutions that were charged with maintaining sexual order.”<sup>116</sup> In this context, the source of incest came to be examined from the point of view of the girl. “Most importantly, rather than representing a wholesale threat to male dominance, postwar discussions of father-daughter incest actually helped to further entrench notions about the sexual

<sup>112</sup> Judith Herman, *Trauma and Recovery*, p. 110: “Repetition is the mute language of the abused child.”

<sup>113</sup> Devlin, “Acting Out,” p. 609. This is an extraordinarily well-researched paper, and the following paragraphs draw heavily on her findings.

<sup>114</sup> Devlin, “Acting Out,” p. 611.

<sup>115</sup> Devlin, “Acting Out,” p. 611.

<sup>116</sup> Devlin, “Acting Out,” p. 612.

power and developmental importance of fathers to daughters. Which is to say, the patriarchal power of fathers over daughters.”<sup>117</sup>

It is important to understand that law and legal instances did not refract father-daughter incest through the lens of Oedipus. In court records, Devlin found a high conviction rate. Judges did not doubt the testimonies of the daughters, and lawyers, even when they tried to establish that the girls were lying, never grounded their arguments in Oedipal wishes. Fathers were judged guilty of a crime on the sole evidence of the daughters’ sworn testimony. The cases showed “that the state did indeed have an interest in prosecuting father-daughter incest rather than simply denying or ignoring it; that there were reasons apparent to judges to err on the side of believing girls over and above those adults who had custody over them; that, in fact, many judges had sympathy for girls who claimed incestuous abuse; and, finally, that Freudian notions of Oedipal desire and ‘wishful’ fantasy did not lead all judges and social workers to deny girls’ claims of incest.”<sup>118</sup>

But psychoanalysis remained wedded to the Oedipal interpretation, not least because this was its favored interpretation of the psychology of adolescence. “Whatever appealed to psychoanalysts about the subject, the studies of incest that appeared in the nineteen forties and fifties were firmly rooted in postwar formulations of female adolescence (as opposed to ideas about adult male sexuality). Psychoanalysts unanimously believed that in order to understand father-daughter incest, one had to look at the way in which girls experienced the return of Oedipal drives at puberty.”<sup>119</sup> Analysts were concerned, not with fantasy, as earlier with Freud, but only with completed incest, interpreted as something that grew out of female adolescent fantasy, as “the transformation of fantasy into reality rather than falsification.”<sup>120</sup> And they did not see incest as traumatic for daughters, or the psyche as damaged in the experience. Nor did they concern themselves, as the literature makes clear, with the psychology of the father. If psychological damage to daughters was taken into account, it was understood as a matter of pre-pubertal attachment to the mother. The goal of sex with the father

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117 Devlin, “Acting Out,” p. 612.

118 Devlin, “Acting Out,” p. 615.

119 Devlin, “Acting Out,” p. 616.

120 Devlin, “Acting Out,” p. 617. “Above all, articles on father-daughter incest were faithful to the postwar formulations of female adolescence, couching incest within the specific challenges of normal female development. On all fronts, case histories of incest mirrored and enlarged dominant ideas on girls’ psychological trajectory: her adolescence begins with an attempt to disengage from her mother; simultaneously, she starts to fantasize about her father; her new erotic attachment to her father is either healthy or disturbed, depending upon her psychological state upon entering into the Oedipal stage; this psychological state, in turn, is predicated upon prior, preoedipal experiences with the *mother* that occurred during early childhood. Despite the determinative nature of the girl’s preoedipal experiences, the Oedipus complex at puberty was assumed to be of an overpowering nature. In fact, it needed to be if the girl was to shift her attachment from her mother to her father.”

was freedom from the mother.<sup>121</sup> In the analysis that developed from these therapeutic predilections, the Oedipal complex for adolescent girls was reconfigured to combine pre-Oedipal needs for nurture with Oedipal desires for sex, with the consequence that the sexuality of girls became secondary: “the sexualization of the father-daughter relationship inevitably produced the familialization of sex as well. Sexuality, at least for the adolescent girl, was invaded by intrafamilial psychic attachment. No longer a purely libidinal impulse, but an alloy of familial needs, female adolescent sexuality was fundamentally transformed. By privileging the Oedipus complex in girls to such a degree that it served as the basis for incestuous sex, a girl’s sexuality became more than ever dependent upon and defined by her relationship to the family.”<sup>122</sup> Social workers picked up on psychoanalytic ideas and thought of father-daughter sexual encounters from the point of view of the desiring daughter rather than the manipulating father. In sum: “With an ingenious sleight of hand these analyses—which called for protection against Oedipal disturbance as opposed to incestuous coercion—managed to successfully domesticate the dangerous and make dangerous the average domestic situation simply by privileging the power of the adolescent girl’s Oedipal desire over and above the actions of the father, no matter how coercive or transgressive.”<sup>123</sup>

In looking at the professional treatment of incest in the postwar period, it is important to realize that psychoanalysis contrasted strongly with positions taken in courts of law and social services and with public opinion, all of which saw incest as an abuse of paternal power and a serious crime. Yet analysts did reconfigure the domestic sphere as a dangerous place and the family as a hotbed of sexual desire. Taking the disparate professional concerns of the ‘40s, ‘50s, and ‘60s together, their “conclusions about father-daughter incest both reflected and helped produce the contradictory, erotically charged, privileged father-adolescent daughter relationship that was such an important element of the postwar family.”<sup>124</sup> When in the ‘70s, feminists pulled “incest out of the closet,” they were referencing a psychotherapeutic discourse, which by no means was the only one, but one that ironically offered fodder for critique of the nuclear/patriarchal domestic sphere.

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<sup>121</sup> Devlin, “Acting Out,” pp. 621–22: “Sexual experiences were pursued as a form of intrafamilial experience: on the one hand, as a way to speak to or satisfy issues of maternal attachment, on the other, as a way to satisfy desires that related to the father *as a father*; in other words, as an aspect of the Oedipal.”

<sup>122</sup> Devlin, “Acting Out,” p. 622. “As in the published case histories, father-daughter incest was viewed within the context of a constellation of family problems, and rarely touched off particular alarm. What did interest social workers, however, was the ongoing sexual relationship of their teenage patients to their fathers. Indeed, all other forms of father-daughter crisis—whether paternal absence, unpredictable behavior, or ‘seductiveness’—were thought to be of much more concern than sexual abuse,” p. 623–24.

<sup>123</sup> Devlin, “Acting Out,” pp. 624–25.

<sup>124</sup> Devlin, “Acting Out,” pp. 625–26.

## Expanding the notion of incest

When a male parent succeeds in psychologically seducing his own daughter, he has attained the ultimate in male momism. — Edward S. Strecker, 1951

Some abuse is not even physical. — Ellen Bass and Laura Davis, 1988

Incest can occur through words, sounds, or even exposure of the child to sights or acts that are sexual but do not involve her. — E. Sue Blume, 1990

Once the feminist movement began to take on the issue of sexual violence inside the family and incest acquired connotations of abuse, what constituted incest itself expanded to take in all kinds of presumably abusive activities, including looking and talking, exercising control, and eliciting emotional attachment. Already in the early '50s, Edward Strecker, a professor of psychiatry and president of the American Psychiatry Association, spoke of “emotional incest” but contextualized it as a matter of men whose emotional development had been arrested by their mothers: “When a male parent succeeds in psychologically seducing his own daughter, he has attained the ultimate in male momism.”<sup>125</sup> By the mid-'70s, the consciousness-raising and self-help groups of second wave feminism, little interested in blaming mothers, concentrated their attention on patriarchally structured male violence.<sup>126</sup> But violence itself might be indirect or manipulative, and it was often backed by an emotional bond, by a child's trust in an adult.<sup>127</sup> Absolutely crucial for the broadening of the concept was its extension to non-physical actions.<sup>128</sup> I pointed out in chapter 3 that E. Sue Blume insisted that incest

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125 Edward A. Strecker, *Their Mothers' Sons: The Psychiatrist Examines an American Problem*, new ed. (Philadelphia and New York, 1951), p. 79.

126 Christine A. Courtois, foreword, in *Sexual Abuse Recalled: Treating Trauma in the Era of the Recovered Memory Debate*, ed. Judith L. Alpert (Northvale, NJ, 1995) pp. vii–xv. Courtois rehearsed the stages of public awareness about incest, p. viii: “This first occurred at the grass-roots level at consciousness-raising groups and speak-outs organized by feminists to break the silence around rape, wife battering, and other forms of family violence.” Ellen Bass founded a group of “survivors” in 1978: Bass and Davis, *Courage to Heal*, p. 18. See also Judith Herman, *Trauma and Recovery*, pp. 30–31, on the movement from a concern with rape to incest. Christine Courtois began working in the University of Maryland campus rape center in 1972 and by 1978 was a practicing clinician, specializing in childhood abuse: Courtois, *Healing the Incest Wound*, pp. xiii–xiv. Renee Fredrickson started a clinic in St. Paul dealing with memory recovery: Renee Fredrickson, *Repressed Memories: A Journey to Recovery from Sexual Abuse* (New York, 1992), p. 13. Judith Herman began her discussions with Lisa Hirschman in 1975, Herman, *Father-Daughter Incest* (1981), p. vii. It was through their work that incest was “rediscovered as a major social problem.” Their first publication on the subject appeared in 1977 in *Signs*. Herman listed five treatment programs around the United States that dealt with incestuous families which she and Hirschman had visited, pp. viii–ix. They all seem to have been dealing with incest before the mid-'70s, pp. 130–31.

127 Blume, *Secret Survivors*, p. 2.

128 In *Courage to Heal*, pp. 25–26, Bass and Davis asked: “How can I know if I was a Victim of Child Sexual Abuse?” The patient, they wrote, needed to consider a wide range of behaviors—whether she



did not even have to involve touching.<sup>129</sup> She thought that a parent drawing a child into a relationship of confidential communication regarding the other parent committed a form of sexual seduction.<sup>130</sup> As I shall show, incest was brought under the heading of “trauma” in the course of clinical work. The much-cited Susan Riviere thought that any experience of incest, real or the product of fantasy, just needed to be “subjectively felt” for its effect to be traumatic.<sup>131</sup> Indeed, that might lead to situations of estrangement where the father might never learn what he was supposed to have done.<sup>132</sup>

Incest came to be thought of as always intergenerational, a matter between an adult and a child.<sup>133</sup> And because it was no longer considered to be something between equals, it was abusive. Incest constituted abuse “. . . when a child of any age is exploited by an older person for his own satisfaction while disregarding the child’s own developmental immaturity and inability to understand the sexual behavior.”<sup>134</sup> In other words, incest was a skewing of power and mostly committed by men.<sup>135</sup> It is interesting to compare the immediate postwar clinical view of power, which emphasized its “illegitimate” exercise by mothers using psychological forms of control, with the reimagined emotional

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was fondled or kissed for an adult’s sexual satisfaction as child or teenager, subjected to unnecessary medical treatments to satisfy an adult’s sadistic or sexual needs, made to listen to talk about sex, shown porn. They noted that “some people are unable to remember any specific instances like the ones mentioned above but still have a strong feeling that something abusive happened to them.” “Some abuse is not even physical. Your father may have stood in the bathroom doorway, making suggestive remarks or simply leering when you entered to use the toilet. Your uncle may have walked around naked. . . . There is also abuse on the psychological level,” such as a stepfather being aware of your physical presence or a neighbor aware of your changing body. Courtois, *Healing the Incest Wound*, pp. 118–19.

**129** Blume, *Secret Survivors*, p. 5. Jane F. Gilgun, “‘We Shared Something Special’: The Moral Discourse of Incest Perpetrators,” *Journal of Marriage and Family* 57 (1995): 265–81, here p. 268: A comprehensive definition includes non-touch incest, such as looks and talk.

**130** Blume, *Secret Survivors*, p. 6. A mother admiring her son’s physical maturity can represent incest. Or a father’s over concern with his daughter’s friends, p. 9. See also Patricia Love, with Jo Robinson, *The Emotional Incest Syndrome: What to Do When a Parent’s Love Rules Your Life* (New York, 1990).

**131** Susan L. Riviere, *Memory of Childhood Trauma: A Clinician’s Guide to the Literature*, foreword by John Briere (New York, 1996), p. 3.

**132** Mark Pendergrast, *Victims of Memory: Incest Accusations and Shattered Lives* (Hinesburg, VT, 1995), pp. 24, 277.

**133** Courtois, *Healing the Incest Wound*, p. 11. Fredrickson, *Repressed Memories*, p. 84: “Sexual abuse is always intergenerational.”

**134** Courtois, *Healing the Incest Wound*, p. 11. Incest is always abusive when it is cross-generational, p. 20.

**135** Blume, *Secret Survivors*, pp. xiii–xiv: “What distinguishes abuse is a power imbalance,” p. 3. “‘Incestuous play,’ as I use the term, applies to sexual experimentation that is equal, cooperative, and voluntary, and therefore not likely to yield negative consequences,” p. 4. Blume defines incest as the “imposition of sexually inappropriate acts, or acts with sexual overtones, by—or any use of a minor child to meet the sexual or sexual/emotional needs of—one or more persons who derive authority through ongoing emotional bonding with that child,” p. 4.

manipulation of the '70s, with its source ascribed to fathers.<sup>136</sup> It is true that violence was an added dimension, but many analysts really underplayed direct use of force in favor of more manipulative practices.<sup>137</sup> “The survivor of childhood trauma,” Riviere noted, “may face obstacles presented by secrecy, shame, blame, threat, and invalidation in addition to the effects of early manipulation and misrepresentation.”<sup>138</sup> And it may well have been that merged families, combining more than one household, displayed intensified manipulative behaviors in an environment of “endless sexualization.”<sup>139</sup>

One of the essential elements of incest as it emerged in the clinical psychological literature was its furtiveness. It almost always involved maintenance of secrecy; it was something hidden, although sometimes understood to be hidden in plain sight.<sup>140</sup> “Any serious investigation of the emotional and sexual lives of women leads eventually to the discovery of the incest secret.”<sup>141</sup> Herman, for one, defined a sexual relation in the context of incest as “any physical contact that had to be kept secret.”<sup>142</sup> From the point of view of the child, the sexual motivation of the contact and the expectation of secrecy were more significant than the act itself, she thought. Secrecy, in particular, propped up paternal power in the home: any revelation of the secret could function as a challenge to male right.<sup>143</sup> Characteristics of incestuous families included “collective denial and shared secrets . . . duplicity and deceit . . . social isolation.”<sup>144</sup> And it was the secrecy of incest that produced psychologically debilitating symptoms in adult women.<sup>145</sup> There

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**136** This was not just a matter of postwar views of maternal manipulation: Jay Belsky, “Attachment, Mating, and Parenting: An Evolutionary Interpretation,” *Human Nature* 8 (1997): 361–81, here p. 374. Men, of course, might have to be encouraged to be as manipulative as women in order to assert their own legitimacy in the newly constituted postwar family: Helen Mayer Hacker, “The New Burdens of Masculinity,” *Marriage and Family Living* 19 (1957): 227–33, here p. 229: Men had to demonstrate “the manipulative skill in interpersonal relations formerly reserved for women under the headings of intuition, charm, tact, coquetry, womanly wiles, et cetera.”

**137** Courtois, *Healing the Incest Wound*, p. 6, argued that most incest was not a matter of direct violence but “manipulation by unequal power relationships.”

**138** Riviere, *Memory of Childhood Trauma*, p. 111. Miller, *For Your Own Good*, p. 132, thought that parent-child relations in general were apt to be manipulative.

**139** Elisabeth Young-Bruehl, *Childism: Confronting Prejudice Against Children* (New Haven, 2012), pp. 49–50.

**140** Miller emphasizes the “hidden” in the subtitle of her already cited work *For Your Own Good: Hidden Cruelty in Child-Rearing and the Roots of Violence*. She wanted to uncover the “hidden story” behind serious physical illnesses: Miller, *Breaking Down the Wall*, pp. 142–43. “The repression of injuries endured in childhood is the hidden cause of our later suffering,” p. 153.

**141** Judith Herman, *Father-Daughter Incest*, p. 7.

**142** Judith Herman, *Father-Daughter Incest*, p. 70. The incest *secret* formed the core of the daughters’ identity, p. 97. Or fathers might make daughters privileged to their extra-marital affairs, making them privy to the secret, p. 111.

**143** Judith Herman, *Father-daughter Incest*, p. 129. Gilgun argued that part of the pleasure of the perpetrator lay in “the secret”: Gilgun, “We Shared Something Special,” p. 277.

**144** Courtois, *Healing the Incest Wound*, p. 42.

**145** Blume, *Secret Survivors*, p. xiii. The title of her book emphasized the hidden and secret.

was, then, another role to be played by the hidden. Through various psychological mechanisms, the fact of incest experienced during childhood could be hidden from the adult victim, and many therapists saw it as their job to reveal the hidden truth to their clients.<sup>146</sup> Indeed there were assumptions within the psychological professions running from Freud all the way through the countless forms of psychotherapeutic practice in the '70s, '80s, and '90s, that what most importantly affected a person's present disposition was hidden away from her: "In psychoanalysis," for example, "the past does not correspond to the real in any direct, unmediated way since what we remember are memories—screens are always already impressed by the fantasies or distortions of a series of successive rememberings. Hence memories like dreams are highly condensed symbols of hidden preoccupations."<sup>147</sup> A therapist could encourage just about anyone to intervene when she suspected that a secretive person might actually have a secret: "Know, then, that much of her recovery will be spent uncovering the secrets that have built over the years, until she is free of the fog they have led to, and clear, and real again."<sup>148</sup>

## Consciousness raising

The cohesion that develops in a trauma-focused group enables participants to embark upon the tasks of remembrance and mourning. The group provides a powerful stimulus for the recovery of traumatic memories. — Christine A. Courtois, 1988

Feminist analyses of abuse within the family and feminist challenges to authoritarian practices became a palpable presence in the discourse on sexual abuse. — Janice Haaken and Astrid Schlaps, 1991

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<sup>146</sup> Riviere, *Memory of Childhood Trauma*, p. 118. A good example is Blume, *Secret Survivors*, pp. xiii, xxii, 162.

<sup>147</sup> Paul Antze and Michael Lambek, eds., *Tense Past: Cultural Essays in Trauma and Memory* (New York and London, 1996), preface, p. xii. For an example of popular psychotherapeutic practices, see Stephanie Mines, *Sexual Abuse Sacred Wound: Transforming Deep Trauma* (Barrytown, NY, 1996), p. 6: "Our first entry into the hidden territory of the masked past was done while Shelley and I held hands." The problem of the "hidden" was taken up by two critics of then current therapeutic practices: Ethan Watters and Richard Ofshe, *Therapy's Delusions: The Myth of the Unconscious and the Exploitation of Today's Walking Worried* (New York, 1999), pp. 13–14. "Talk therapy" presumes a cause for mental illness which the patient has hidden in the unconscious. Fredrickson, *Repressed Memories*, p. 18, offered a good example: "Healing begins the moment you recover your first memory and continues throughout the time it takes you to give shape and substance to your hidden past." See the analysis of the "pathogenic secret" throughout Allan Young's marvelous book, *The Harmony of Illusions: Inventing Post-Traumatic Stress Disorder* (Princeton, 1995).

<sup>148</sup> Blume, *Secret Survivors*, p. 74. The skeptics picked up on the "secret" as well: Watters and Ofshe, *Therapy's Delusions*, p. 11. "There is no credible evidence that the mind purposefully hides memories of crucial events, fantasies, desires, or instincts, much less evidence that psychotherapists have special techniques to unearth them. And no evidence of powerful dynamic unconscious that secretly controls our behavior."

As each group member reconstructs her own narrative, the details of her story almost inevitably evoke new recollections in each of the listeners. — Judith Lewis Herman, 1992

The marriage of feminism and the recovery movement is arguably the most disturbing (and potentially influential) development in the feminist movement today. — Wendy Kammer, 1993

The more likely explanation of the late-blooming cases—namely, that the dynamics of the group encouraged false memory formation by making victimhood into a test of authentic belonging—has yet to dawn on these collaborators. — Frederick Crews, 1995

One of the jobs of the historian is to figure out the social and communication networks that open up particular ideas or phenomena for public inspection.<sup>149</sup> Certainly, the consciousness-raising, self-help, and therapist-constituted therapy groups from the '70s played a crucial role in framing the question of incest, configuring it as an issue of power, and attaching it to patriarchal perfidy.<sup>150</sup> Judith Herman witnessed to the powerful role that such groups had played in shifting the stage of operation from the clinic to an audience of well-networked women and in thus exposing “the secret.”<sup>151</sup> She thought that the best self-help groups did not arise spontaneously and needed “careful organization and structuring.”<sup>152</sup> In one such group, which she recommended as a powerful model, men were excluded because the women were thought incapable of revealing the extent of their hurt in their presence, and “victims” were encouraged to “share stories, relive childhood feelings in all intensity.”<sup>153</sup> Courtois, too, thought that the therapy group helped break up secrecy and isolation.<sup>154</sup> “The group setting, by its very nature,”

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149 Blume noted, for example, that the “The Incest Survivors’ Aftereffects Checklist” that she helped develop had its origins in downstate New York, and that its use spread rapidly through the network of self-help groups and conferences on incest; Blume, *Secret Survivors*, p. xv.

150 See Courtois’s foreword to Alpert, *Sexual Abuse Recalled*, p. viii. Courtois testified that public awareness of incest first occurred at the grass-roots level in consciousness-raising groups. On the networking and system of communication, see Pendergrast, *Victims of Memory*, pp. 47–48. Claudette Wassil-Grimm, *Diagnosis for Disaster: The Devastating Truth about False Memory Syndrome and Its Impact on Accusers and Families* (Woodstock, NY, 1996 [1995]), p. 193, noted the rapid spread of stories through the therapeutic network.

151 See Judith Herman, *Father-Daughter Incest*, p. 197, writing of the mid-’60s to mid-’70s: “In the past decade, such groups have been widely developed within the women’s liberation movement, both as a method of general consciousness-raising and as a means of approaching particular issues.” And on suspicion, p. 194: “As long as the secret is confined to the consulting room, the therapy relationship takes on some of the magical specialness of the incestuous dyad.”

152 Judith Herman, *Father-Daughter Incest*, p. 198. Ellen Bass founded one such group in 1978: Bass and Davis, *Courage To Heal*, 18. Around that time, Courtois founded an incest therapy group and ran workshops: Courtois, *Healing the Incest Wound*, p. xv.

153 Judith Herman, *Father-Daughter Incest*, p. 198. “Many techniques are used to evoke intense feeling, especially techniques from the active therapies, such as gestalt or psychodrama,” p. 199. “The stages in this self-help program in many ways parallel the stages of psychotherapy. An initial alliance is formed in the holding group; childhood feelings are reevoked and worked through in the learning lab, and a new and more successful adult adaptation is reached in aftercare,” p. 201.

154 Courtois, *Healing the Incest Wound*, p. 244.

she explained, “serves to raise members’ consciousness about incest; it assists them in developing a less individual and more interpersonal and sociocultural perspective. As a consequence incest becomes more normalized.”<sup>155</sup>

The feminist self-help movement developed in the United States towards the end of the ‘60s, and it formed the context out of which concern with male violence and eventually household incest arose. As the English observer Juliet Mitchell noted, the basic principle of the women’s liberation movement in the United States was its organization into small groups of six to twelve women. Women came to the movement from unspecified frustration in their private lives, and the principal object of their work was precisely to form a new consciousness about their common predicament.<sup>156</sup> As the issue of male violence arose, the first subject on the agenda of the mid-’70s was rape. Incest was added a little later.<sup>157</sup> By the late ‘70s and ‘80s, both structured and unstructured groups were functioning as venues for releasing memories.<sup>158</sup>

While the subject of therapy groups was power and the goal empowerment, the issue of the power dynamics within the group itself was not often addressed by participants and group leaders.<sup>159</sup> Herman did note that a participant with “charismatic quality” could corrupt a small therapy group, but she restricted that observation to situations where men were involved, principally groups dealing with sex offenders. Others have addressed the issue of power, noting, for example, that shifting a patient’s attachment away from family and friends through intensive participation in a therapy group allowed a therapist to exercise more control. Furthermore, peer approval was

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<sup>155</sup> Courtois, *Healing the Incest Wound*, p. 246. Judith Herman, *Trauma and Recovery*, p. 224, showed how talk in a group therapy session acted contagiously: “The cohesion that develops in a trauma-focused group enables participants to embark upon the tasks of remembrance and mourning. The group provides a powerful stimulus for the recovery of traumatic memories. As each group member reconstructs her own narrative, the details of her story almost inevitably evoke new recollections in each of the listeners. In the incest survivor groups, virtually every member who has defined a goal of recovering memories has been able to do so. Women who feel stymied by amnesia are encouraged to tell as much of their story as they do remember. Invariably the group offers a fresh emotional perspective that provides a bridge to new memories.”

<sup>156</sup> Juliet Mitchell, *Woman’s Estate* (London, 2015 [1971]), pp. 43–51.

<sup>157</sup> Judith Herman, *Father-Daughter Incest*, p. vii.

<sup>158</sup> Blume, *Secret Survivors*, p. 95. “One of the primary benefits of a self-help group is the feeling of belonging,” p. 113. “Through the challenge presented by incest survivors and women’s groups, we have finally begun to repudiate such psychoanalytic presumptions as the ‘Oedipal fantasy,’” p. 162. “Self-help groups offer support, encouragement, the benefit of shared experience—a good family to replace the old one,” p. 266.

<sup>159</sup> Daniel Brown, “Sources of Suggestion and their Applicability to Psychotherapy,” in Alpert, *Sexual Abuse Recalled*, pp. 61–100, here p. 87, noted that peer self-help groups could offer a more powerful source of suggestion than individual therapy. Watters and Ofshe, *Therapy’s Delusions*, p. 92: “These small groups proved to be an effective way of mobilizing the forces of peer pressure to produce conformity.”

only granted when the patient conformed to the group's values.<sup>160</sup> "The cohesion that developed in a trauma-focused group enabled participants to embark upon the tasks of remembrance and mourning. The group provided a powerful stimulus for the recovery of traumatic memories. As each group member reconstructs her own narrative, the details of her story almost inevitably evoke new recollections in each of the listeners."<sup>161</sup> This was a point made vividly by Bass and Davis, who noted the high numbers of cases reported within women's collectives and the phenomenon of other participants eventually coming up with their own incest memories. Frederick Crews commented on this: "The more likely explanation of the late-blooming cases—namely, that the dynamics of the group encouraged false memory formation by making victimhood into a test of authentic belonging—has yet to dawn on these collaborators."<sup>162</sup>

It is hard to imagine the interest in familial incest or to consider the hegemonic therapeutic discourse that captured its terms without taking into account the political agitation of second wave feminism. Early on, feminists adopted and adapted a psychological understanding of patriarchal power. The 1970 New York Radical Feminist Manifesto, for example, declared: "We believe that the purpose of male chauvinism is primarily to obtain psychological ego satisfaction. . . . The male ego identity [is] sustained

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**160** Richard Ofshe and Ethan Watters, *Making Monsters: False Memories, Psychotherapy, and Sexual Hysteria* (Berkeley and Los Angeles, 1996 [1994]), p. 116. They offered a thorough critique of a paper by Judith Herman and Emily Schatzow purporting to show the effectiveness of therapy groups in recovering previously unknown memories (p. 329). See Judith L. Herman and Emily Schatzow, "Recovery and Verification of Memories of Childhood Sexual Trauma," *Psychoanalytic Psychology* 4 (1987): 1–14. Ofshe and Watters commented on p. 330: "It is worth wondering why, if these women were initially amnesiac for their abuse, they signed up to participate in therapy groups specifically for 'incest survivors.' That is to say, how did they know they were sexually abused by family members if they had no memories of these events?" They looked at an earlier paper by Herman and Schatzow, "Time-Limited Group Therapy for Women with a History of Incest," *International Journal of Group Psychotherapy* 34 (1987): 605–16, which described group-therapy methods: "one learns that group members were pressured to achieve a preset 'goal' during the course of the meeting," p. 331. They "felt considerable group pressure to find abuse in their past and in so doing affirm their group membership," p. 331. The authors concluded that "Herman and Schatzow's studies might be seen as illustrations of the power of group settings to elicit conformity from group members," p. 332. For another critical take on the power dynamics of therapy groups, see Elizabeth Loftus and Katherine Ketcham, *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse* (New York, 1994), pp. 11, 15, 17–23, 26, 169–71. See also Martha Rogers, "Factors Influencing Recall of Childhood Sexual Abuse," *Journal of Traumatic Stress* 8 (1995): 691–716, here p. 708: "Participation in psychotherapy, particularly group treatment with other abuse survivors, may result in certain vulnerable individuals having their memories altered as a result of social influence factors."

**161** Judith Herman quoted in Loftus and Ketcham, *Myth of Repressed Memory*, p. 170. Herman, *Trauma and Recovery*, p. 224.

**162** Frederick Crews et al., *The Memory Wars: Freud's Legacy in Dispute* (New York, 1995), p. 193. He further commented on the Boston area collectives that Judith Herman and Ellen Bass frequented: "One might say that the recovered memory movement was born when Herman, along with Bass and other anti-patriarchal activists, failed to greet such 'new memories' with appropriate skepticism," p. 265.

through its ability to have power over the female ego. Man establishes his ‘manhood’ in direct proportion to his ability to have his ego override hers. . . . It is out of a need for a sense of power that he necessarily must destroy her ego and make it subservient to his.”<sup>163</sup> Although early feminists of the ‘70s found many aspects of Freud, especially his gender stereotypes, abhorrent, a revisionist Freud, colored by feminism, became culturally powerful, especially with the critique of the “bourgeois” family.<sup>164</sup> And with growing concerns with the “emotional costs” of marriage, both feminism and psychotherapy were on parallel tracks.<sup>165</sup>

When Florence Rush raised the issue of the sexual abuse of children in 1971, she was addressing a feminist audience.<sup>166</sup> The knowledge of this mistreatment, she insisted, had to be exposed to the light of day by the new movement. Not long after that, Herman argued that only a feminist analysis was adequate to such a task.<sup>167</sup> And Courtois expressly called for a feminist clinical psychology.<sup>168</sup> Because of feminism, she thought, family violence directed against women, had been brought to public attention, which otherwise would have remained hidden. In addressing rape, feminists had discovered that “the family was the breeding ground for women’s sexual exploitation in the larger society.”<sup>169</sup> Within this framework, she continued, abuse becomes an “endemic societal manifestation of power imbalance between the sexes. From this perspective, men are conditioned into roles of power and domination with regards to females, who are conditioned to be passive and dependent. Incest is seen as the tragic and most extreme manifestation of the power imbalance and a within-the-family conditioning of women to their roles in society.”<sup>170</sup> In other words, the women’s movement of the ‘80s focused on sexual abuse precisely because it conjoined clinical findings and feminist consciousness. One result was that “feminist analyses of abuse within the family and feminist challenges to authoritarian practices became a palpable presence in the discourse on

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**163** Quoted in Mitchell, *Woman’s Estate*, pp. 63–64. She commented that “radical feminism postulates a primary psychological demand for power by men as the original source of the oppression of women” but found this to be a serious error, p. 163. In her view, it simplified psychology and rejected Freud for false reasons.

**164** Christopher Lasch, *Haven in a Heartless World: The Family Besieged* (New York, 1977), pp. 77–87: The most important reproductive agency, the family, forced the child to interiorize culture in the form of unconscious parental images (p. 87).

**165** Lasch, *Haven*, p. 151. Both were concerned with issues of marital power.

**166** Rush, *Best Kept Secret*, pp. viii–ix. On feminists breaking the silence, see Courtois’s foreword to Alpert, *Sexual Abuse Recalled*, p. viii.

**167** Judith Herman, *Father-Daughter Incest*, p. 3.

**168** Courtois, *Healing the Incest Wound*, p. xv. By the time she came to find the newly constructed psychological syndrome of post-traumatic stress disorder useful for the analysis of sexual abuse, she wrote: “At present the therapy is grounded in available theory from the fields of feminism, traumatic stress/victimization, self development, and loss.”

**169** Courtois, *Healing the Incest Wound*, p. 118.

**170** Courtois, *Healing the Incest Wound*, p. 119.

sexual abuse.”<sup>171</sup> And another was that mental health professionals caught a “free ride” from the concerns of feminists and diagnosed a child abuse syndrome buried in the deep past of their mostly female patients.<sup>172</sup> And yet another was that when researchers like Elizabeth Loftus challenged the therapeutic assertions about the nature of memory, they were roundly criticized for attacking the hard won “battles” of the feminist movement.<sup>173</sup> However, it should be recalled that Louise Armstrong, one of the earliest to bring her personal account of paternal abuse into public view, worried that therapeutic concerns with healing were shunting aside feminist concerns with power.<sup>174</sup> Wendy Kaminer suggested in 1993 that “the marriage of feminism and the recovery movement is arguably the most disturbing (and potentially influential) development in the feminist movement today.”<sup>175</sup>

## The rhetorics of numbers

Approximately one in six women are incestuously abused before the age of eighteen and one in approximately eight are so abused before the age of fourteen. — Diana E. H. Russell, 1986 [1999]<sup>176</sup>

For incestuous abuse to be put on the political agenda, it had to be frequent enough to justify mobilizing the energy to combat it. The demographics of incest are hard to figure out, although there have been many attempts to determine the statistical probabilities of such behavior. What interests me in the first place is the performative use of statistics, their rhetorical shape in arguments about father-daughter (or older man-younger

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171 Ofshe and Watters, *Making Monsters*, p. 10. The quote was from Janice Haaken and Astrid Schlaps, “Incest Resolution Therapy and the Objectification of Sexual Abuse,” *Psychotherapy* 28 (1991): 39–47. The page reference was not given. Ofshe and Watters went on to write: “Recovering memories of abuse has proved a powerful metaphor for the larger goal of exposing the unfairness of patriarchal family structures and of a male-dominated society. . . . As recovered memory therapy became a metaphor for feminism, defense of the therapy became synonymous with defense of the women’s movement,” p. 11.

172 Ofshe and Watters, *Making Monsters*, p. 306. Crews et al., *Memory Wars*. All parties, whether with explicit feminist assumptions or programs or not, shared the core tenet of repression, “namely, that the mind can shield itself from ugly experiences, thoughts, or feelings by relegating them to a special ‘timeless’ region where they indefinitely retain a symptom-producing virulence,” p. 162. Ian Hacking, “Memory Sciences, Memory Politics,” in Antze and Lambek, *Tense Past*, pp. 67–87, here p. 69: “Many wings of feminism, with their emphasis on survivors of incest and other forms of family violence, find the recollection of past evil to be a crucial source of empowerment.”

173 Loftus and Ketcham, *Myth of Repressed Memory*, p. 213.

174 Armstrong, *Rocking the Cradle*, p. 207–13. Debbie Nathan and Michael Snedecker, *Satan’s Silence: Ritual Abuse and the Making of a Modern American Witch Hunt* (New York, 1995), p. 4, noted that feminists are particularly susceptible to sex-abuse conspiracy theories. Courtois, *Healing the Incest Wound*, p. xvi, characterized her form of therapy as “cleaning and disinfecting of a wound.”

175 Wendy Kaminer, “Feminism’s Identity Crisis,” *The Atlantic*, October, 1993, accessed March 21, 2019, <https://www.theatlantic.com/magazine/archive/1993/10/feminisms-identity-crisis/304921/>.

176 Russell, *Secret Trauma*, p. 74.



woman) incest. A good example is provided by E. Sue Blume in her runaway best seller, *Secret Survivors*. Like many others of her era, she found it strategically useful to establish at the outset that the delict was so “epidemic” as to be in the experience of everyone, even if they refused to admit it.<sup>177</sup> “Incest,” she claimed, “is easily the greatest single underlying reason why women seek therapy or other treatment”; the “most commonly cited” statistic being that twenty-five percent of all women had been sexually molested in childhood—“most by someone they knew and trusted.”<sup>178</sup> She defined neither sexual molestation, nor “childhood,” a subject that elicited a great deal of controversy in the years around 1990 about the related question of the capacity of very young children to remember abuse. Many surveys asked leading questions or fundamentally vague ones, leaving open what it might have meant to have been molested—this is especially important, since authors like Blume understood incest to encompass everything from emotional closeness, controlling behavior, admiring glances, cat-calls, lewd remarks, double entendres, and smart-ass comments. Blume was not content with twenty-five percent and pointed to newer and better research, alas uncited, that boosted the rate of abuse to thirty-eight percent. But even that number was flawed, because it failed to take into consideration that so many women had repressed all consciousness of what they had so disturbingly experienced, and that they could not retrieve the memory without a lot of help. She thought that fewer than half of those who had experienced “incest” could remember it or remember it as abuse. According to this logic well over three-quarters of women would have “survived” childhood sexual “trauma.” Apart from eliding terms like incest, molestation, abuse, and trauma, so that they formed a series of related concepts leading to the most powerful—and thoroughly medicalized—term “trauma,” Blume provided no rigorous foundation for her statistics. Apparently, she drew on them mostly for rhetorical effect. Indeed, she arrived at a vague if well-padded estimate, notable for understating what her own inferences from statistics demanded: “it is *unlikely* [my italics] that more than half of all women are survivors of childhood sexual *trauma* [my italics].”<sup>179</sup>

While it is true that some researchers attempted to develop numbers with rigor, there was not much to go on. To show that most incest was committed by men, Herman, for example, depended on five studies, with sample sizes ranging from 55 to 203, taken from the clinical or court case records of five different states and countries.<sup>180</sup> Father-

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177 Blume, *Secret Survivors*, p. xxi.

178 Blume, *Secret Survivors*, p. xxii. Blume did not cite a source for this statistic.

179 Nathan and Snedecker, *Satan's Silence*, pp. 42–43: People like Diana Russell wrote that by age eighteen, 54% of all women were sexually abused. The reference is to Diana E. H. Russell, “The Incidence and Prevalence of Intrafamilial and Extrafamilial Sexual Abuse of Children,” *Child Abuse and Neglect* 7 (1983): 133–46. Later research showed that such statistics were based on broad definitions, and acts such as exhibitionism and verbal propositions by age-peers were included. See the review of statistics in chapter 3.

180 Judith Herman, *Father-Daughter Incest*, pp. 18–19.

daughter incest figured in nearly ninety-five percent of the cases. Stepfathers, uncles, or other relatives were not mentioned, nor were the circumstances (courts, clinics with disturbed patients) in which data was obtained. One would have expected a more critical reading of the statistics, but that was hardly the point, since the tables were mostly employed as tools of persuasion. By contrast, Courtois argued, for example, that there was a much greater risk from stepfathers—a category missing from Herman's cited tables.<sup>181</sup> From another five studies, this time based on data collected from questionnaires on abuse (the sample groups were larger, ranging from 295 to 4,441), Herman concluded vaguely that one-fifth to one-third of all women reported "*some sort of* [my italics] childhood sexual encounter with an adult male."<sup>182</sup> The only complete line in her table depicting these results suggested that fewer than ten percent of the sample population had experienced a "sexual encounter" with a family member and only around one percent (or 5 out of 500) with a father or stepfather. Once again stepfathers and fathers were conflated, but perhaps more telling was the possibility that "uncles" might have been culprits too, and they had not been counted in any of the studies she cited.<sup>183</sup> Remarking on the situation up to 1988, Courtois concluded that "most of the investigations of incest" had "suffered from bias and a lack of scientific rigor."<sup>184</sup> It is important to take this into account, since the minor role that biological fathers played in the most rigorous statistics belies, for example, Herman's most dramatic conclusion: "Fathers have had sexual relations with their children from time immemorial, and they are likely to continue to do so for a long time to come."<sup>185</sup>

Abuse statistics were implemented for various purposes, with one set, for example, offered as evidence of a strong relationship between sexual abuse during childhood and eating disorders in young women. Of women suffering from such disorders, seventy-five to ninety percent were said to have been sexually abused as children. And annual deaths were said to be as high as 150,000. In fact, as Christina Sommers observed, the actual number of such deaths annually was closer to 100, and the linkage of anorexia and bulimia to incest purely imagined, but various feminist leaders argued in response that correcting the statistics would be of significant disservice to women.<sup>186</sup> Reinder

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**181** Courtois, *Healing the Incest Wound*, p. 22.

**182** Judith Herman, *Father-Daughter Incest*, pp. 12–13.

**183** Courtois, *Healing the Incest Wound*, p. 23.

**184** Courtois, *Healing the Incest Wound*, p. 38.

**185** Judith Herman, *Father-Daughter Incest*, p. 202.

**186** Reinder van Til, *Lost Daughters: Recovered Memory Therapy and the People It Hurts* (Grand Rapids, MI, 1997), pp. 73–75. The author pointed to the misuse of statistics by Gloria Steinem, Naomi Wolf, and Joan Brumberg. Christina Hoff Sommers, *Who Stole Feminism? How Women have Betrayed Women* (New York, 1995 [1994]), pp. 11–12, exploded the myths about 150,000 women dying of eating disorders annually. Van Til noted that Steinem and Wolf denounced Sommers: "they charge that, by setting the record straight, Sommers effectively reduced the public's concern about the seriousness of eating disorders." In 1993, Patricia Ireland told a PBS interviewer that physical abuse of pregnant women was the primary cause of birth defects in the US. Van Til, leaning on research by Sommers, noted that "the false statistic

van Til, who leaned on Sommers's research, remarked that "the implication seems to be that the public would be better served by the dissemination of falsehoods that support a more appropriate point of view on the issue."<sup>187</sup> The biblical reassurance that truth will lead to freedom seems not to have had many takers from that quarter.

Before the end of the century, the most rigorous statistical study of rates of "incest" was the one carried out by Diana Russell, who based her analyses on interviews of a random sample of 930 women from San Francisco carried out in 1978.<sup>188</sup> Her results were shocking, not only for the finding that sixteen percent of her sample had been subject to incestuous sexual abuse before the age of eighteen, but also for the minor role of biological fathers in these familial abuse sagas. A majority of cases involved a single or small number of incidents over a short period of time, with "very severe sexual abuse" comprising around a quarter of the incest cases.<sup>189</sup> Well over one-third of the incidents had involved what could be understood as "fondling," and serious physical force had been experienced by about six percent of her sample population. But none of the incestuous fathers had used threats in connection with sexual abuse.<sup>190</sup> Around a quarter of the perpetrators were themselves under the age of eighteen.<sup>191</sup> Just about two-thirds of the perpetrators were brothers, cousins, uncles, or other related males, such as brothers-in-law. Russell concluded that the stereotype of the "old man who preys on children" is true neither for instances of incest nor for extrafamilial child sexual abuse.

Relating the considerable rates of child sexual abuse to how children and young women experience incidents and how they process them or integrate them into their biographies or sense of self are crucial problems, but so is understanding how social scientists and psychotherapists summarize social experience and develop categories to

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was later traced back to a domestic abuse advocate at Harvard Law School who said she had misinterpreted a report from the March of Dimes representative," p. 75. In *Who Stole Feminism?*, Sommers skewered the false reports by Deborah Louis, president of the National Women's Studies Association, who had written that "domestic violence (vs. pregnant women) is now responsible for more birth defects than all other causes combined." Sommers asked, pp. 14–15: "Why was everybody so credulous? Battery responsible for more birth defects than *all* other causes combined? More than genetic disorders, such as spina bifida, Down syndrome, Tay-Sachs, sickle cell anemia? More than congenital heart disorders? More than alcohol, crack, or AIDS—more than all these things *combined*? Where were the fact checkers, the editors, the skeptical journalists?" In January 1993, newspapers and TV networks reported that the incidence of men battering women rose by forty percent on Super Bowl Sunday, Sommers, p. 15. Police records, however, showed no such thing. Steinem, Ireland, and, Wolf "argued that it 'would do women no good' to refute the false statistics" (Van Til, p. 76).

<sup>187</sup> Van Til, *Lost Daughters*, p. 74.

<sup>188</sup> Russell, *Secret Trauma*, pp. 26–37, discusses her methodology.

<sup>189</sup> Russell, *Secret Trauma*, p. 99, under the rubric "very severe sexual abuse," included rape (forcible genital intercourse) (eleven cases or 1%) and attempted rape (eight cases or 0.8%) and nonforcible genital or attempted genital intercourse (twelve cases).

<sup>190</sup> Russell, *Secret Trauma*, pp. 9–10, 60–61, 83, 93, 96–99, 234, 393.

<sup>191</sup> Russell, *Secret Trauma*, pp. 219–20.

convey their findings. To start with, the idea that girls and young women are treated worse than boys and young men seems counterintuitive. But men are unlikely to give the same emphasis to the same kinds of experience that women do on questionnaires or in interviews or, perhaps, even to recall examples that seem to loom large in the accounts of a great deal of the therapeutic literature. It also has to be kept in mind that Russell required her interviewers to complete many hours of training and “at least ten hours of education about rape and incest.”<sup>192</sup> A comparable study about the experiences of men with considerable preparation about what to look for might broaden the understanding of sexual jeopardy. Russell’s analysis emphasized exploitive behavior by perpetrators, with an age difference of five years set as a formal criterion to mark asymmetries of power.<sup>193</sup> Her book title and discussion adopted the by-then-commonplace notion of “trauma” to summarize the effects of abusive behavior on the part of victims.<sup>194</sup> What remained unexplored was the experience of sexuality among the eighty-four percent of her respondents who had not been subject to sexual abuse within the family.

On the basis of her statistical findings, Russell suggested that “millions of girls were being socialized into victim roles.”<sup>195</sup> Socialization, of course, suggests intention and a tacit conspiracy among perpetrators to teach girls their place in the gender hierarchy.<sup>196</sup> Researchers such as Herman had made this quite explicit and had found the

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192 Russell, *Secret Trauma*, p. 21. The interviewers had 65 hours of “intensive training.”

193 Russell, *Secret Trauma*, pp. 41–42, 55.

194 Young, *Harmony of Illusions*, p. 5, protested that there is no “intrinsic unity” to the use of trauma as a diagnosis. Russell, *Secret Trauma*, p. 11, wrote: “Incestuous abuse is an important social problem because of the intense suffering and sometimes long-term effects that result from it.” She went on to say that incestuous abuse is “not always so traumatic, and in some cases no long-term effects were reported,” p. 12. The pain and suffering experienced by many children are not at issue, but nevertheless, it would be useful to explore the rhetorical effect of bringing together a wide range of experience under the label of “trauma.” On pp. 138–41, Russell discussed how she measured trauma, based on the response to two questions: the degree of being upset at the time and the effect of the experience on the respondent’s life. Russell combined the answers to the two questions, giving twice as much weight to long-term effects. Among the long-term effects were increased negative feelings about men in general (38%); about the perpetrator (20%); about herself (20%), in general, such as fear or mistrust (17%); about her sexuality (14%); also increased worry about the safety of others (12%), negative impact on relationships in general (12%), avoidance of physical affection or being alone with certain relatives (11%). One certainly would expect increased negative feelings about the perpetrator if “trauma” is the right analytical term, but the surprising thing is that only one of five “traumatized” women rated the experience very high. The negative feelings about men in general would characterize a significant number of the cohort, traumatized or not.

195 Russell, *Secret Trauma*, p. 12.

196 Russell, *Secret Trauma*, p. 392: “Rather than looking at family dynamics to explain sexual abuse, we need to recognize that two of the major—but most neglected—causal factors in its occurrence, as well as in the occurrence of extrafamilial child sexual abuse, rape, and sexual harassment, are the way males are socialized to behave sexually and the power structure within which they act out this sexuality. . . . As long as males are socialized with a predatory approach to obtaining sexual gratification, and as long as this is seen as so acceptable that to point it out is considered offensive, we will make little progress in

current structure of the patriarchal (read “nuclear”) family to be the main pedagogical influence in forming gender-differentiated psychological dispositions.<sup>197</sup> However, Russell found for girls that growing up in a home with both biological parents present, minimized her chances of experiencing any kind of incest/sexual abuse, whether from fathers, brothers, uncles, or cousins.<sup>198</sup> Were this finding to be confirmed, then the conclusion would be that wherever the actual nuclear family most closely approached the model, sexual exploitation of the daughters of the house was likely to be minimal.<sup>199</sup> The socialization thesis and the critique of “patriarchy” were closely related, and both had a great deal to do with how the nuclear family was admired or feared. It is quite possible that, rather than strengthening a general propensity for all males everywhere to abuse girls or to accept those who do in order to maintain patriarchal forms of domination, the social pressures that fractured familial relationships instead led to “the spreading risk of childhood sexual abuse.”<sup>200</sup> Statistics of abuse never spoke for themselves but were always operationalized within conceptualizations of gender, strategies of historical analysis, analyses of power, attitudes toward family and families, and representations of sexuality.

## Suspicion

It is only the (limited) acquaintance with my own unconscious and the recognition of the repetition compulsion that makes it possible for me to understand the subjectivity of another person. This subjectivity is then revealed to me in everything this person says, does, writes, dreams, or flees from. — Alice Miller, 1981

So far, no one we’ve talked to thought she might have been abused, and then later discovered that she hadn’t been. — Ellen Bass and Laura Davis, 1988

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our efforts to stop sexual assault, including incestuous abuse.” She went on to write that “males are socialized to sexualize power, intimacy, and affection, and sometimes hatred and contempt as well,” p. 393.  
**197** Judith Herman, *Father-Daughter Incest*, p. 46. She asserted that although incest between fathers and daughters was a pathological extreme, it was part of a “common pattern of traditional female socialization,” p. 124.

**198** Russell, *Secret Trauma*, pp. 103–4. “The women who were reared by both of their biological or adoptive parents were the least likely to be incestuously abused,” p. 103.

**199** David Blankenhorn, *Fatherless America: Confronting our Most Urgent Social Problem* (New York, 1995), p. 42: “Child sexual abuse is a terrible crime, regardless of the identity of family status of the perpetrator. Too many married fathers commit this crime. These are the facts. But it is also a fact, despite our widespread unwillingness to face it, that a child is sexually safer with her father than she is with any other man, from a stepfather to her mother’s boyfriend to guys in the neighborhood. She is also safer with a father than without one. A child in a fatherless home faces a significantly higher risk of sexual abuse.”

**200** Blankenhorn, *Fatherless America*, p. 39.

Survivors . . . tend to cling to their doubts long past the point where most impartial observers would be convinced. That is why many therapists and self-help books encourage survivors to have confidence in their suspicions. — Judith Lewis Herman and Mary R. Harvey, 1993

We have found no satisfactory explanation why, for example, neglected teeth, arthritis, feelings of ambivalence, headaches, heart palpitations, avoidance of mirrors, desire to change one's name, or humorlessness are believed to be signs of having been sexually assaulted as a child. — Richard Ofshe and Ethan Watters, 1994

The rapid expansion of the numbers of therapists and the proliferation of different kinds of treatment coincided with the feminist turn to patriarchal critique. As therapy groups began looking at the specifics of male violence in households, stories emerged of shockingly high rates of child abuse. At the beginning, these were mostly testimonies from adult women who talked about their own experiences and who, with the help of therapists, linked their current symptoms of depression or eating disorders to unwarranted and undesired sexual encounters. But therapists soon inflated the incidence of abuse with recourse to a notion of repression, which had the ancillary effect of implying that patients or clients needed their expert knowledge to uncover the etiology of their distress. Whatever else was involved in what became a hegemonic discourse, this move was a significant assertion of power over the lives of millions of people. The use—one might say manipulation—of suspicion lay at the heart of therapeutic strategies. “Survivors . . . tend to cling to their doubts long past the point where most impartial observers would be convinced. That is why many therapists and self-help books encourage survivors to have confidence in their suspicions.”<sup>201</sup> Note here the notion of “survivor.” This quickly became the *mot du jour* to designate women who had undergone childhood abuse. But since so many women had no consciousness of the psychological blows that had led to their current discontent, their only route to self-knowledge lay through suspicion. This attitude they could learn by reading Bass and Davis (in six years from first publication in 1988, *Courage To Heal* sold 750,000 copies) or Blume, or they could figure it out with hints from their therapists.<sup>202</sup> But clearly suspicion was mostly the creation of the therapists themselves. Christine Courtois described it this way: “The survivor is urged to remember the trauma of the incest and to feel the emotions which were split off in order to survive the abuse ordeal. With the therapist she examines family rules and messages which served to reinforce the incest and to disconfirm her experience. She is assisted in extricating herself from the family pattern and traumatic reenactments and encouraged

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<sup>201</sup> This is a quotation from a paper by Judith Herman and Mary Harvey in Bass and Davis, *Courage to Heal*, p. 506. The original paper is Judith L. Herman and Mary R. Harvey, “The False Memory Debate: Social Science or Social Backlash?,” *The Harvard Mental Health Letter* 9, no. 10 (April, 1993): 4–6, here p. 5.

<sup>202</sup> Pendergrast, *Victims of Memory*, p. 37, relates the sales success of *Courage to Heal* by Bass and Davis. Fredrickson, *Repressed Memories*, p. 25, offered as typical, the example of a woman who sought out a therapist who dealt with repressed memory precisely because her reading had led her to suspect she had been subject to incest although she had no memory of it.

to develop a more integrated, stable sense of self.”<sup>203</sup> She went on to write: “Whatever the mode of presentation, the therapist should ask about childhood sexual experiences with related or unrelated adults as part of routine intake, psychosocial, and history-taking procedures.”<sup>204</sup> The questions all related to family, with the assumption that whatever brought a woman to ask for help could be traced to primary experiences with parents and other family members.<sup>205</sup> And the therapist knew what was going on even if the patient did not.<sup>206</sup> “Should the woman deny knowledge of abuse despite indications to the contrary, the therapist can gently probe, suggesting that the symptoms she has described are sometimes related to a history of sexual abuse. . . . At times, therapist and client will conclude that incest occurred even without conscious validation or memory on the part of the client.”<sup>207</sup> As Susan Riviere put it, the therapist provided the “frame” that allowed the patient to assemble the fragments of memory and the disparate emotions into a satisfactory story—and it did not make any difference whether that story was true.<sup>208</sup>

Where did the suspicion come from that launched the search for incestuous abuse? The key to this were signs that needed to be read to diagnose the disease, symptoms that revealed an original hurt. In the first edition of *Courage to Heal*, Bass and Davis wrote: “So far, no one we’ve talked to thought she might have been abused, and then later discovered that she hadn’t been. The progression always goes the other way, from suspicion to confirmation. If you think you were abused and your life shows the symptoms, then you were.”<sup>209</sup> And what were the symptoms? Bass and Davis suggested the

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203 Courtois, *Healing the Incest Wound*, p. 126.

204 Courtois, *Healing the Incest Wound*, p. 140.

205 Fredrickson, *Repressed Memories*, p. 70, alleged that most women come into therapy with a “rosy” view of the family. That would soon change.

206 Miller, *Thou Shalt Not Be Aware*, p. 8: “The discovery of their own subjectivity gives analysts access to the subjectivity of their patients. . . . It is only the (limited) acquaintance with my own unconscious and the recognition of the repetition compulsion that makes it possible for me to understand the subjectivity of another person. This subjectivity is then revealed to me in everything this person says, does, writes, dreams, or flees from.”

207 Courtois, *Healing the Incest Wound*, p. 140. Many women came to therapy with no knowledge of having been abused as children. The therapist then had recourse to a “predictive syndrome,” to assess the situation. She already knew the truth. Compare Blume, *Secret Survivors*, p. 81. Even if the patient did not know, the therapist did. Miller, *Thou Shalt Not Be Aware*, p. 15. Judith Herman, *Trauma and Recovery*, p. 123, spoke of “disguised presentation.” “[Patients] come for help because of their many symptoms or because of difficulty with relationships: problems in intimacy, excessive responsiveness to the needs of others, and repeated victimization. All too commonly, neither patient nor therapist recognizes the link between presenting the problem and the history of chronic trauma.”

208 Riviere, *Memory of Childhood Trauma*, p. 125.

209 Bass and Davis, *Courage to Heal*, p. 15. In the third edition, because of the criticism—sometimes mocking—of this passage, they modified the quote to “*It is rare that someone thinks she was sexually abused and then later discovered she wasn’t. The progression usually goes the other way, from suspicion to confirmation. If you genuinely think you were abused and your life shows the symptoms, there’s a strong likelihood that you were [my italics].*” Crews et al., *Memory Wars*, pp. 196–97, commenting on this passage and some by other authors, remarked: “These are all sterling examples of what experimentally

following: feeling powerless or different from other people, having a hard time taking care of yourself or trusting your intuition or feeling motivated, being concerned with using alcohol, drugs, or food, having trouble expressing feelings, or having trouble trusting people or being affectionate.<sup>210</sup> Typical of the genre was the possibility of being on one end or the other of a continuum: experiencing a wide range of emotions or just a few, for example. Many of the therapists who supported the notion of a cause hidden behind the display of symptoms offered similar lists, including anxiety, eating disorders, and poor self-esteem.<sup>211</sup> “In cases where the incest is not consciously available to the adult in treatment due to strong denial, repression, or dissociation, these symptoms provide the clinician with reason to suspect or evidence to substantiate the incest.”<sup>212</sup>

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minded psychologists dryly call a ‘confirmatory bias’.” Pendergrast, *Victims of Memory*, pp. 51–62, unpacked the quote and then tracked the argument of the book in the following pages. Ofshe and Watters, *Making Monsters*, p. 81, referred to an article in *Lear*’s by the pop psychologist John Bradshaw, where one symptom of having repressed memories of abuse was not having memories of being abused.

**210** Bass and Davis, *Courage to Heal*, pp. 39–41. This is only a partial list.

**211** Courtois, *Healing the Incest Wound*, pp. 9, 94. Fredrickson, *Repressed Memories*, p. 47. Under “empowering yourself,” consult the long checklist of symptoms, pp. 48–55: Sexual dysfunction. Premature ejaculation. Inability to have orgasm. Nightmares. Recurring dreams. Afraid to go into confined space. Strange affection for or attraction for certain things. Scared to be alone or leave house. Hate going to dentist more than others. Neglect teeth. Always alert to possibility of sexual assault. Often take foolish risks with safety. Sometimes binge. Certain foods nauseate. Serious under or overweight. Not take good care of body. Addiction to alcohol or drugs. Do some things to excess. Can’t control spending or gambling. Identify with victims in media and stories of abuse make me want to cry. Nothing seems very real sometimes. Sometimes violent pictures flash through mind. Startle easily. Can’t remember much of childhood. I space out or daydream. Dealing with memory repression. This form of amnesia “lurks in the background of ordinary, high-functioning Americans.” Wassil Grimm, *Diagnosis for Disaster*, p. 316, commented on Fredrickson’s book and on Bass and Davis: “These survivor manuals list symptoms so broad and vague that no one can claim not to have them, and yet there is no list of properties that indicates that a problem’s cause is probably something other than sexual abuse.”

**212** Courtois, *Healing the Incest Wound*, pp. 95–96. She offered symptoms for every age, pp. 96–99. For young children, for example, the symptoms could be: thumb-sucking, scratching and picking behavior, tics, speech problems, conduct disturbances, sleep difficulties. Middle childhood: depression, nightmares, sleep disturbances, concentration problems, fears and phobias, eating disorders, delinquent behavior, pseudo-mature behavior. “School and social functioning may be impaired or, just the opposite, appear normal.” Adolescence: acute anxiety, rage, rebellion, delinquent behavior, sexual promiscuity, substance abuse, depressive state, social withdrawal, overly compliant “good girl” behavior, strong feelings of shame, embarrassment, being different from others. Adulthood: depression, low self-esteem, feelings of hopelessness, passivity, lethargy, eating disturbances, inability to concentrate, isolation. “An unattractive appearance, including layered clothing and deliberate weight gain, has been used by some survivors to pad themselves and make themselves as unattractive and sexually unappealing as possible.” Additional symptoms are stomach pains, diarrhea, and ulcers. Judith Herman, *Trauma and Recovery*, p. 157: “When the patient has been subjected to prolonged abuse in childhood, the task of diagnosis becomes . . . complicated. The patient may not have full recall of the traumatic history and may initially deny such a history, even with careful, direct questioning. More commonly, the patient remembers at least part of her traumatic history but does not make any connection between the abuse in the past and her psychological problems in the present.”



But rather than just being illnesses or behavioral problems, they also could be conned as “skills of survival.”<sup>213</sup>

The most widely read manuals tracing a considerable range of symptoms back to childhood sexual trauma were the *Courage to Heal* and *Secret Survivors*. Together they sold copies in the millions. Therapists often “assigned” them to their patients or the patients came already primed, having memorized portions of the two texts.<sup>214</sup> Blume became famous for her concept of the post-incest syndrome<sup>215</sup> and for her Aftereffects Checklist. Like Bass and Davis or Courtois, the list of symptoms indicating incest was so extraordinarily broad and unspecific that it is hard to imagine anyone escaping worry about an unremembered abused past. The biggest sign of all was always strong “denial.”<sup>216</sup> “If your level of tension is extreme, if the mere *possibility* that it happened is very upsetting, then it is important to ask yourself what this intensity means.” But strangely enough, the therapist was not to be concerned with any of the symptoms as such—coming to grips with them was not the point: “We must view each aftereffect as a survival tactic rather than as a problem to be overcome.”<sup>217</sup> Many of the signs Blume pointed to were vague, like “fear,” “nightmares,” or “threat.” She included poor body image, gastrointestinal problems, gynecological disorders, headaches, arthritis, eating disorders, attempts at perfection, inability to express anger, humorlessness, inability to trust or trust too much, problems with boundary control or power issues, attempts to control things that don’t matter, low self-esteem, creating fantasy worlds, relationships, or identities, desire for a name change, being quiet voiced. The favorite symptom of the critics was denial, no awareness at all.<sup>217</sup> These symptoms were not usually explored for what they meant to the individual patient or client herself. Thus the need for a guide like *Secret Survivors* and the warrant for interference by a bystander: “If someone you know seems secretive, there is a good chance she might be protecting something. Create

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<sup>213</sup> Courtois, *Healing the Incest Wound*, p. 120.

<sup>214</sup> Pendergrast, *Victims of Memory*, interviewed a range of women who had “recovered memories” in therapy. He found that most of them had read Bass and Davis “obsessively many times.” “Women who *think* they might have been abused, but who don’t remember it, are the primary intended audience,” p. 51.

<sup>215</sup> Blume, *Secret Survivors*, p. xxiii.

<sup>216</sup> Blume, *Secret Survivors*, p. xxv.

<sup>217</sup> Blume, *Secret Survivors*, pp. xvii–xxx. “Although research shows that all women are at risk, women who are especially likely to have experienced incest are those who suffer from addictions, eating disorders, phobias, obsessive-compulsive behaviors, multiple-personality disorder, sexual dysfunction, chronic anxiety, or depression. Also likely are battered women, runaways, prostitutes, rape survivors, women from alcoholic homes, women whose mothers died from or suffered from chronic illness, women who lived in foster homes, and women who lived with stepfathers,” pp. 264–65. “Certain aftereffects virtually always indicate incest or another serious trauma or abuse. . . . “Blocking out some period of early years, or a person, place or event . . . Alienation from body . . . A history of sexual acting out, promiscuity, or inhibited sexual desire (highly associated with incest) . . . Difficulty with water hitting the face . . . Desire to change name . . . A pattern of relationships with older or more powerful partners, or (in adolescence) much older teenagers or adults (highly associated with incest),” p. 265.

a safe climate for the sharing of safer things, and perhaps the breaking of this much more volatile secret can follow. Know, then, that much of her recovery will be spent uncovering the secrets that have built over the years, until she is free of the fog they have led to, and clear, and real again.”<sup>218</sup>

Some critics of the use of symptoms in psychotherapeutic practice found that the technique offered but a poor imitation of medical procedures.<sup>219</sup> Symptoms like mood swings, depression, anxiety, low self-esteem, relationship problems, irritable bowels, PMS, obesity, and parenting problems were “forthrightly nonspecific.” In their book *Making Monsters*, Ofshe and Watters were especially scathing about the best-selling recovered-memory author Fredrickson’s inclusion of neglected teeth as a symptom of repressed incest.<sup>220</sup> They found the lists so all-inclusive as to be useless.<sup>221</sup> And they criticized them as good examples of little more than pseudoscientific reasoning: there was no evidence that abuse caused particular symptoms or any at all. “If one cannot make a strong correlation from cause to known symptom, one certainly cannot work the other way. That is, even though some of the disorders listed can result from abuse, it does not mean that someone with these symptoms can be expected to have experienced abuse.”<sup>222</sup>

In a second book, *Therapy’s Delusions*, Watters and Ofshe took on psychotherapeutic practices (“psychodynamic schools”), which had “often limited the search for the cause of disorders to a patient’s childhood, believing that adult mental disorders are only *symptoms* of trauma, fantasy, or bad socialization experienced early in life

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<sup>218</sup> Blume, *Secret Survivors*, 74. The therapist Stephanie Mines, *Sexual Abuse Sacred Wound*, p. 49: “From my perspective, when Leslie Ann entered the room where we were to do our work, I immediately recognized the magnitude of her despair and her sense of confusion. As a survivor of sexual abuse myself, I understand these symptoms to reflect not the permanent condition of the sufferer, but a temporary, transitional state.”

<sup>219</sup> Ofshe and Watters, *Making Monsters*, p. 65. See also Wassil-Grimm, *Diagnosis for Disaster*, p. 166: “A poorly trained sexual abuse recovery therapist tells them that they show symptoms of sexual abuse, even though the clients may have no memories whatsoever of having been sexually abused. So they begin searching for ‘memories.’”

<sup>220</sup> Ofshe and Watters, *Making Monsters*, p. 67. See their longer criticism of list-making, pp. 65–67.

<sup>221</sup> Ofshe and Watters, *Making Monsters*, p. 79: “The all-inclusive nature of these lists of symptoms gives us some insight into the world of recovered memory therapy. There is the assumption within these circles that childhood sexual abuse, particularly incest, is omnipresent; it is assumed to be the cause of nearly any disorder.”

<sup>222</sup> Ofshe and Watters, *Making Monsters*, p. 75: “We have found no satisfactory explanation why, for example, neglected teeth, arthritis, feelings of ambivalence, headaches, heart palpitations, avoidance of mirrors, desire to change one’s name, or humorlessness are believed to be signs of having been sexually assaulted as a child. We can only assume that evidence for these connections came from either the author’s intuition or an accumulation of therapists’ anecdotes.” The same point about the illegitimacy of reasoning from symptom to cause is to be found in Wassil-Grimm, *Diagnosis for Disaster*, p. 4: “Just because most people who were sexually abused have these symptoms, it is not logical to assume that most people who have these symptoms were sexually abused.”

and then hidden in the patient's unconscious."<sup>223</sup> This reflected, they argued, a "willful blindness to the troubles in the patient's adult life as well as an ignorance of the growing scientific evidence showing that the root cause of mental illnesses can be found through biochemistry, genetics, and neurology." Therapists failed to appreciate how a disoriented and needy patient learned what to say and how to act in order to satisfy their own expectations. "Simply put, the patient's eventual certainty that his or her problems derive from Oedipal rivalries, birth trauma, repressed abuse, a rejecting mother, witnessing parental sex, space alien abduction, or satanic cult abuse should not be considered as *prima facie* evidence of the truth of a causal relationship. Far from being the source of the patient's problems, these beliefs often arise out of the coercive power of the therapy setting."<sup>224</sup>

## Memories repressed, fragmented, subjective

The human mind has tremendous powers of repression. — Ellen Bass and Laura Davis, 1988

Traumatic memories lack verbal narrative and context; rather, they are encoded in the form of vivid sensations and images. — Judith Lewis Herman, 1992

Hypnosis is considered to function like a sort of truth serum, permitting lost material to break through the invisible but stubborn barrier between the conscious and unconscious minds. — Elizabeth Loftus and Katherine Ketcham, 1994

In the recovered memory field, 'repression' is often described as an automatic mechanism in which the unconscious hides all knowledge of an event or set of events from the conscious mind. The memories are not avoided—they *are inaccessible*. — Richard Ofshe and Ethan Watters, 1994

When there had been prolonged abuse, "memories are often confused, contradictory, fragmented—specific times and dates, places, and even the identities of perpetrators are mixed up, forgotten, conflated with dreams and fantasy." — Helene Kafka, quoting M. S. Wylie (1993), 1995

It has been the perspective of this book that dissociative processes occurring during trauma can lead to delayed, essentially accurate memory, although some peripheral details may be confabulated. — Judith L. Alpert, 1995

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<sup>223</sup> Watters and Ofshe, *Therapy's Delusions*, p. 13. "In this book we define psychodynamic psychotherapy as any talk therapy that claims to have the power to cure mental illness or derives its status from that claim or from its relation to the theory of the mind promoted by Freud." It presumed a social/developmental cause for mental illness—that often stems from social interactions taking place in childhood and which the patient has forgotten or hidden in his or her unconscious (pp. 213–14).

<sup>224</sup> Watters and Ofshe, *Therapy's Delusion*, pp. 37–38. See also Crews et al., *Memory Wars*, pp. 210–11: Freud avoided fear, moral confusion, and diminished sense of selfhood. "Instead, he dwelt on mechanical cause-and-effect relations between symptomatology and the premature stimulation of one body zone or another." "Freud apparently arrived at such quack conclusions in the same way that his incest-happy legates do, by taking the symptom as a puzzle to be jointly addressed with the patient and then solving it through direct probing, dream analysis, and the study of tactically selected verbal associations."

Searching for the origins of present discomfort in childhood experiences puts memory at the center of the therapeutic agenda. The issues to be thrashed out had to do with whether memories of events could stay intact, why someone might be induced to forget/repress/dissociate, what conditions might allow recall, and what recovering buried memories might do for a person's mental health. Close to half of therapists in one survey of the early 1990s thought that the mind is like a computer, storing events as they occur. More than four of ten thought that when there is not much recall from childhood, repression was the reason. Over half believed that hypnosis could recover accurate memories as far back as birth.<sup>225</sup> Repression was thought to be a mechanism that protected the individual from a physical or mental shock—in the recovered memory movement, this was always a result of sexual abuse—by automatically inducing amnesia, blocking, or forgetting.<sup>226</sup> As an adult, a woman (it was always about women) might have no consciousness at all of even violent and repeated rapes, although the idea was frequently mooted that one-time events were much more likely to be remembered. Nonetheless, although memories might be driven underground, they were still recorded accurately

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225 Van Til, *Lost Daughters*, pp. 41–42, reporting on a survey by Michael Yapko. See also Pendergrast, *Victims of Memory*, pp. 488–89, and Wassil-Grimm, *Diagnosis for Disaster*, p. 89. Loftus and Ketcham, *Myth of Repressed Memory*, p. 255: “Even though most modern-day therapists understand the general idea of hypnotic suggestibility, many invest hypnosis with magical healing powers. Hypnosis is considered to function like a sort of truth serum, permitting lost material to break through the invisible but stubborn barrier between the conscious and unconscious minds. This misconception, coupled with the fact that most therapists have only a rudimentary knowledge of the reconstructive nature of memory, can lead to the creation of false memories within the therapeutic environment.”

226 Bass and Davis, *Courage to Heal*, p. 47. “*Forgetting* is one of the most common and effective ways children deal with sexual abuse. The human mind has tremendous powers of repression.” Courtois, *Healing the Incest Wound*, p. 94: “In order to survive their experiences of repeated and progressive abuse and to cope with the double binds found in many incestuous families, incest victims deny, dissociate, and repress the abuse and their reactions to it. This disconnection or blunting is a survival strategy which often persists into adulthood.” Blume, *Secret Survivors*, p. 67: “Repression in some form is virtually universal among survivors.” Note the contradictions and rhetorical tactics of this sentence: not repression is universal, but repression in some form (i.e., not universal). She seems to mean everyone forgets something. “[Amnesia] can take many forms, affecting memory, feelings, or perceptions. It can result from efforts the victim makes to separate from what is happening to her at the time of the abuse, or from techniques that she resorts to after the abuse. It is achieved through dissociation. The impact of this aftereffect cannot be underestimated. I have found that most incest survivors have limited recall about the abuse. Indeed, so few incest survivors in my experience have identified themselves as abused in the beginning of therapy that I have concluded that *perhaps half of all incest survivors do not remember that the abuse occurred*,” p. 81. Fredrickson, *Repressed Memories*, p. 23: “Repressed memories are not only likely to be about abuse; they are also more likely to be about sexual abuse than physical or emotional abuse. Although all forms of abuse can result in repressed memories, sexual abuse is particularly susceptible to memory repression.” Ofshe and Watters, *Making Monsters*, p. 34: “In the recovered memory field, ‘repression’ is often described as an automatic mechanism in which the unconscious hides all knowledge of an event or set of events from the conscious mind. The memories are not avoided—they are inaccessible.”

and with assistance could be brought back as clear as photographs through personal therapy, group support, hypnosis, or doses of truth drugs.<sup>227</sup> By the early '90s, "dissociation" tended to replace "repression," the idea being that two separate personalities can coexist in one psyche, living as independent selves, the true one hiding the memories of incest and the false one going along happily unaware of the horror underneath and often negotiating successfully in the external world.<sup>228</sup> "Whereas Freud confusingly treated repression as both a conscious and an unconscious mechanism, his activist successors think of it as strictly unconscious—so much so, indeed, that they can routinely regard a young incest victim as leading two parallel but wholly independent lives, one in the warm daylight of normal family affection and the other in continually repressed horror. . . . all parties [among therapists, whether feminist-associated or not] do share the core tenet of repression—namely, that the mind can shield itself from ugly experiences, thoughts, or feelings by relegating them to a special 'timeless' region where they indefinitely retain a symptom-producing virulence."<sup>229</sup>

Memories do not have to be verbal—they can be stored in the body—in "sensations, feelings, and physical responses."<sup>230</sup> And this memory-stored-in-the body could be recovered in forms of therapy that included massage and "other traditional forms of body work as well as newer types or adaptations specifically designed to unlock mem-

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227 Loftus and Ketcham, *Myth of Repressed Memory*, pp. 4–5, 75, critiqued the recording model of memory, and pointed out that memory is always reconstructed. Laurence J. Kirmayer, "Landscapes of Memory: Trauma, Narrative, and Dissociation," in Antze and Lambek, *Tense Past*, pp. 173–98, here p. 176, thought that the idea of memories as photographic snapshots was naive. "What can be veridically recalled is limited and routinely reconstructed to fit models of what might have—*must* have—happened. When encouraged to flesh it out, we readily engage in imaginative elaboration and confabulation and, once we have done this, the bare bones of memory last forever within the animated story we have constructed." Naive theories thought memories to be time-stamped—offered up in sequence. The sequence then offered a temporal structure for narrative, but it was the other way around: narrative supplied the temporal sequence of memory.

228 Courtois, *Healing the Incest Wound*, p. 125, quoting B. L. Wood, *Children of Alcoholism: The Struggle for Self and Intimacy in Adult Life* (New York, 1987), pp. 67–68: "First the 'true,' or nuclear self—when it feels itself threatened by the parents—retreats to a place of hiding in the unconscious. That is, it is 'split off' from the central, conscious ego. Though the true self may make its existence known through acts of impulse or subjectively experienced longing, it is never allowed direct expression and remains alienated from, and misunderstood by, the conscious self. A 'false self' arises to carry on conscious transactions with the external world and to provide the true self with the camouflage it feels it needs." The false self could achieve academic and vocational success. Sue Grand, "Toward a Reconceptualization of False-Memory Phenomena," in Alpert, *Sexual Abuse Recalled*, pp. 257–87, here p. 257: "It has been the perspective of this book that dissociative processes occurring during trauma can lead to delayed, essentially accurate memory, although some peripheral details may be confabulated."

229 Crews et al., *Memory Wars*, pp. 162–63.

230 Bass and Davis, *Courage to Heal*, p. 83. Judith Herman, *Trauma and Recovery*, p. 38: "Traumatic memories lack verbal narrative and context; rather, they are encoded in the form of vivid sensations and images."

ories of such childhood traumas as incest.”<sup>231</sup> Renee Fredrickson, whose book offered a compilation of all the repressed memory therapies, wrote: “Our bodies react to everything that happens to us, and body memory is the physical manifestation of a past incident. . . . Our physical bodies always remember sexual abuse, just as our feelings and minds do.”<sup>232</sup> One therapist remarked that when early memories are encoded nonverbally they can be retrieved nonverbally and accurately expressed, although “outside verbal comprehension.” She found it essential to understand that memory could “exist other than in verbal forms,” even when “verbal modalities may be essential to achieving full consciousness and recall.”<sup>233</sup>

A crucial assumption for the recovered memory movement was that memories did not emerge all at once: they came bit by bit, in fragments. This meant that the patient and therapist had to be engaged in a process of reconstruction.<sup>234</sup> Memories were “all about the shards and fragments of the past that continue to penetrate present day lives, causing pain and grief.”<sup>235</sup> They needed to be integrated and transformed into narrative language. “When there had been prolonged abuse, ‘memories are often confused,

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231 Blume, *Secret Survivors*, p. 274: “It can release memories and feelings that talk therapy cannot reach.” Fredrickson, *Repressed Memories*, p. 142: “Body work involves the use of therapeutic massage or touch to aid in the release of feeling blockages centered in the body. When areas of your body that contain a body memory are subject to pressure, there is increased sensitivity in that area.” Alice Miller thought that bodies cannot be misled, Miller, *Breaking Down the Wall*, p. 38: “The body respects only the truth of our feelings and thoughts and in the longer term is only prepared to cooperate with them.”

232 Fredrickson, *Repressed Memories*, p. 93. Ofshe and Watters, *Making Monsters*, p. 157, relates how one therapist told his patient, “We know that memories of abuse are stored in every area of the body, so it’s typical that survivors have lots of physical fears and discomfort.” Loftus and Ketcham, *Myth of Repressed Memory*, p. 13, referred to a confident therapist who said the body of his patient “has stored this memory as a kind of physical energy.”

233 Riviere, *Memory of Childhood Trauma*, p. 80. Antze and Lambek, *Tense Past*, pp. xiii–xiv: They argued that there was an increasing dissolution of social milieu—that left us with only one fixed point of reference, the lieu or site provided by our own bodies. Trauma offered an obvious example. “Alongside the increasing isolation of the nuclear family . . . is the increasing burden put upon the individual body to serve as the sole site of memory,” p. xiii. “Experts seek evidence of psychic and bodily trauma by means of interrogation, confession, hypnotic regression, lie detector tests, brain scans, physical probing, and similar techniques,” p. xiv.

234 Bass and Davis, *Courage to Heal*, p. 78: “Remembering sexual abuse is not like remembering ordinary, nonthreatening events. When traumatic memories return, they may seem distant, like something you’re observing far away.” Indeed, memories could come in fragments, often in the form of flashbacks, p. 79. Loftus and Ketcham, *Myth of Repressed Memory*, p. 7: “Those who believe in repression have faith in the mind’s ability to defend itself from emotionally overwhelming events by removing certain experiences and emotions from conscious awareness.” The therapist and client together were then supposed to be able to dredge up repressed memories piece by piece.

235 Loftus and Ketcham, *Myth of Repressed Memory*, p. 145, referring to the ideas of B. A. van der Kolk and Onno van der Hart, “The Intrusive Past: The Flexibility of Memory and the Engraving of Trauma,” *American Imago* 48 (1991): 425–54.

contradictory, fragmented—specific times and dates, places, and even the identities of perpetrators are mixed up, forgotten, conflated with dreams and fantasy’.”<sup>236</sup>

By the early ‘90s, the whole idea of repressed/recovered memory was under significant attack, and calls were being made to produce evidence that what was recalled had a basis in fact. This had an existential quality, since recalling paternal incest was often a shock to the person accused and could, and often did, lead to family disintegration or battles in court. Therapists then fell back on the idea that what was recalled was *subjectively* true—calls for evidence mistook the nature of therapy, they argued. Bass and Davis found the demands for proof “unreasonable” and protested that “legal principles do not apply to healing.”<sup>237</sup> What was authentic was the *emotionally* felt truth. In any event, any kind of external proof of repressed memories was considered to be elusive, unhelpful, and tangled up in a family’s “denial” system.<sup>238</sup> Even earlier, ego psychologists had promoted the idea that the recovery of actual memories and the reconstruction of discrete events were outdated aspirations.<sup>239</sup> By the early ‘90s, it was well recognized that “rather than recovering an objective past, clients, with their therapists, transcribe a personal history by subjectively structuring and reconfiguring a set of historical events.”<sup>240</sup>

## Mediated memories and plots

Tabloid-style formats became the norm and the most extreme and bizarre stories were featured. Incest and other forms of sexual abuse were given saturation coverage, often with the most aberrant and excessive occurrences presented as the norm. — Christine A. Courtois, 1988

An erroneous accusation of sexual abuse functions to release and organize primitive and authentic affects, while allowing an outlet for the patient’s preconscious sadism toward parental authority in a reversal of powerlessness and emotional abuse. — Sue Grand, 1995

The therapists’ schemas, belief systems, biases, interpretations, and questions—present a scaffolding for retrieval and comprehension of historical information much like that provided by adults surrounding the child learning how to remember. — Susan Riviere, 1996

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<sup>236</sup> Helene Kafka, “Incestuous Sexual Abuse, Memory, and the Organization of the Self,” in Alpert, *Sexual Abuse Recalled*, pp. 135–53, here p. 140. Judith Herman, *Trauma and Recovery*, p. 177: “Out of the fragmented components of frozen imagery and sensation, patient and therapist slowly reassemble an organized, detailed, verbal account, oriented in time and historical context.”

<sup>237</sup> Bass and Davis, *Courage to Heal*, pp. 148, 505.

<sup>238</sup> Fredrickson, *Repressed Memories*, pp. 161–62.

<sup>239</sup> Alpert, “Professional Practice, Psychological Science, and the Delayed Memory Debate,” in Alpert, *Sexual Abuse Recalled*, pp. 3–26, here p. 17. Colin A. Ross, *Satanic Ritual Abuse: Principles of Treatment*, afterword Elizabeth F. Loftus (Toronto, 1995), a leading researcher and proponent of “satanic ritual abuse,” was worried that the field could be trapped “in a fruitless fixation on content,” p. 151.

<sup>240</sup> Riviere, *Memory of Childhood Trauma*, p. 99. It is the consistency of the narrative that counts when it comes to the question of truth, she proposed.

This leads us away from accuracy as the only criterion to evaluate memory, to seeing memory as always and inevitably culturally and social mediated and hence subject to evaluation along a number of dimensions whose relative importance are open to debate. — Michael Lambek, 1996

Our volume attends especially to the cultural shaping of memory, to the roles of trope, idiom, narrative, ritual, discipline, power, and social context in its production and reproduction. — Paul Antze and Michael Lambek, 1996

Remembering occurs not *in* the individual but intersubjectively *through* the social environment in which the individual is embedded. — Jeffrey Prager, 1998

It was possible to look at the issues of memory from another angle altogether: “By focusing on the decisive events and individuals, absolute victims and villains, the recent debate about repression and the recoverability of memory serves to draw attention away from collective forces and issues, and hence away from both the really difficult questions of social etiology and the real, if diffuse, loci of responsibility.”<sup>241</sup> Michael Lambek found memory to be intersubjective and dialogical, more act than object and more ongoing engagement than passive absorption and playback. “Applying this to contemporary psychotherapy one could say that what occurs is not necessarily the replacement of amnesia by memory, false memories by true ones (or vice versa), so much as the alteration of social contracts, for example, in gross terms, the displacing of family relationships by those with the therapist; a reformulating of social ties and commitments. This leads us away from accuracy as the only criterion to evaluate memory, to seeing memory as always and inevitably culturally and social mediated and hence subject to evaluation along a number of dimensions whose relative importance are open to debate.”<sup>242</sup>

Incest memories were clearly subject to cultural shaping. Professor of psychiatry George Ganaway thought of the issues in terms of “contamination” and the creation of pseudomemories. Various forms of media, from books to sermons to TV, might provide the suggestive material, as might authority figures, such as a patient’s therapist.<sup>243</sup>

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241 Antze and Lambek, *Tense Past*, p. xxvii.

242 Michael Lambek, “The Past Imperfect: Remembering As Moral Practice,” in Antze and Lambek, *Tense Past*, pp. 235–54, here p. 239. Prager, *Presenting the Past*, p. 87, took a similar position: “The tendency to individualize memory, to view it as a record of a historical, real past and to isolate it from other mental and sensate functions, expresses, I believe, the alienated character of present-day thought. . . . The contemporary preoccupation with history as determinative of memory is but one expression of this form of estrangement.” On p. 95, he talked about the myth of the individual mind. The debates about repression and dissociation, distortion through suggestion, and so forth seemed to have been about memory but were about the self, and he thought of the person as constituted through involvement with others, pp. 96–97. “As conceived in this way, remembering occurs not *in* the individual but intersubjectively *through* the social environment in which the individual is embedded.” p. 97. “Intersubjectivity offers an alternative to a conception of memory in which the present is understood exclusively in relation to a determinative past,” p. 97.

243 Ganaway’s ideas are dealt with at length in Loftus and Ketcham, *Myth of Repressed Memory*, p. 89. He went on to say that “it may be years before the public’s faith in the efficacy of traditional psychoana-



Among therapists, many simply started out with the idea of an epidemic of child sexual abuse. “Assume further that the therapist believes that memory works like a video recorder, imprinting every thought, emotion, and experience and storing it away for safekeeping. Those are precisely the right conditions for the creation of false memory, and I believe those conditions are being met daily in hundreds of therapy sessions.”<sup>244</sup> But beyond such influences, as Antze and Lambek wrote, to fully grasp the parameters of the cultural shaping of memory, it was important to look at “roles of trope, idiom, narrative, ritual, discipline, power, and social context in its production and reproduction”; and also to consider the effects of institutional places (hospitals, seminars, clinics, lectures), social relations (family, client and therapist, college roommates), and discursive spaces (gender studies classes, libraries).<sup>245</sup>

While memories may have presented themselves in fragments, the point of therapy was to shape them into a coherent narrative. Bass and Davis put it this way: “Usually when women say they feel they were sexually abused but don’t have any memories, they mean that they can’t tell a cohesive story about the abuse.”<sup>246</sup> But perhaps it was not just the story that was at issue. Ofshe and Watters noted that the therapist not only helped build the narrative but also gathered the evidence.<sup>247</sup> What emerged from the therapeutic encounter was a narrative that soaked up notions from the surrounding culture whether brought in by the patient or offered by the therapist. They analyzed the account of one therapist that showed throughout how complicit she had been in the creation of her clients’ stories.<sup>248</sup> The confabulated production of sexual abuse memory could occur in a context of “intense suggestion by trusted authorities.”<sup>249</sup> Although someone like Susan Riviere warned against the over intrusiveness of the therapist, she did suggest that the client and therapist ought to “construct” memories in order to

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lytic psychotherapy is restored in the wake of the damage done by what I call ‘McTherapy’—the fast food pseudotherapies of the 1980’s [sic] and 1990’s [sic],” p. 90.

244 Loftus and Ketcham, *Myth of Repressed Memory*, p. 89, quoted from a 1991 conversation with George Ganaway by Loftus, after a session at the August meeting of the American Psychological Association where Ganaway gave a paper. Their conversation was later recreated with Ganaway’s help (p. 89).

245 Antze and Lambek, *Tense Past*, pp. xiii–xiv, quote from p. xiii. Prager, *Presenting the Past*, p. 4, talked about categories and narratives from patients. “These narrative elements that connect the category to a larger story are not solely of the individual’s own making, but reflect substantial borrowing from a culture that has perfected various tales of victimization.” “It is naive to imagine that the psychoanalytic setting can escape the frame of assumptions about self and society, about past and present, about fantasy and reality, that produced the setting in the first place,” p. 9. “Ms A.’s remembering of childhood abuse cannot be easily disentangled from the ‘social’ discovery of childhood abuse and recovered memory that was going on at the time. In forceful, dramatic, and seemingly legitimate ways, the idea was continually being presented—in books, in the broadcast media, in private conversations—that childhood trauma could be recalled after being out of conscious awareness for years,” p. 72.

246 Bass and Davis, *Courage to Heal*, p. 90.

247 Ofshe and Watters, *Making Monsters*, p. 50.

248 Ofshe and Watters, *Making Monsters*, pp. 59, 62.

249 Grand, “Toward a Reconceptualization,” p. 259.

establish a “psychoanalytically satisfactory narrative.”<sup>250</sup> Therapy was dialogic even if “the therapists’ schemas, belief systems, biases, interpretations, and questions” present “a scaffolding for retrieval and comprehension of historical information much like that provided by adults surrounding the child learning how to remember.”<sup>251</sup> It was quite impossible to establish what she called an “historical” or “objective” truth.<sup>252</sup> The question of truth had only to do with the integrity of the therapeutic relationship itself, in the “subjective sense of fit.” This was quite different as well from “legal” truth and allowed for a significantly different standard.<sup>253</sup>

A less than innocent account of how cultural influences underline a narrative was offered by clinical psychologist and NYU faculty member Sue Grand. She took up the example of Paul Ingram, whose case had been much discussed in the literature, since he, along with many members of the local police department, had been accused by his daughter of bizarre acts of rape and staged orgies. On the basis of the daughter’s recovered memories, together with his own self-hypnotically induced recollections, he ended up with a twenty-year prison sentence. The case was offered as one of the worst offenses of the recovered memory movement and of the way psychotherapeutic culture, self-help literature, and media exposure combined to shape what pastors, police interrogators, prosecutors, and judges were ready enough to accept. Except for a few diehards, no one later thought that any of the incestuous abuse took place. There was little evidence that the family relations were anything other than typical of the time and milieu, but Grand conjured up an image of patriarchal horror: “Ingram, for example, clearly dominated and intimidated his entire family with his sadistic authoritarian attitude (including physical abuse) and his cold neglect.” In Grand’s account, the story fabricated by the women of the family, although not true, was just what he deserved: “Ultimately his wife and children found an excellent forum in which to reverse the master-slave relations that permeated the Ingram home.”<sup>254</sup> Grand pointed out that families with poor boundaries, dominance, possessiveness, and invasiveness were the seedbed for allowing patients to attach sex abuse imagery, “as such imagery parallels and mirrors the emotional truth of destructive childhood events. An erroneous accusation of sexual abuse functions to release and organize primitive and authentic affects, while allowing

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250 Riviere, *Memory of Childhood Trauma*, p. 100.

251 Riviere, *Memory of Childhood Trauma*, p. 104.

252 Riviere, *Memory of Childhood Trauma*, p. 105. “Together, the therapist and client work to construct meaning from meaninglessness, to create continuity from chaos, and to instill empowerment and self-knowing from helplessness, all pertinent to the survivor of early trauma.”

253 Riviere, *Memory of Childhood Trauma*, p. 108. “If we assume, in general, that one of the tasks of therapy is to articulate a continuous life narrative that may or may not be unequivocally accurate in the sense of an objective, historical truth (if there is, indeed, an objective truth), then the question of veracity becomes less relevant,” p. 108.

254 Grand, “Toward a Reconceptualization,” pp. 259–60.

an outlet for the patient's preconscious sadism toward parental authority in a reversal of powerlessness and emotional abuse."<sup>255</sup>

The very nature of what a narrative was, once the assumption was made that the point of therapy was to construct a satisfactory one, had enormous influence on just what was constructed. Stories have beginnings, and that exigency shaped how therapist and client initiated the process—they had to choose a foundational moment.<sup>256</sup> In addition, templates or narrative conventions made certain stories more satisfactory than others. One of these, the myth of the Fall, offered a familiar starting point, a story that began with an original sin, in this case a trauma.<sup>257</sup> In the case of repressed memory, however, the sin was not that of the individual but of the father.<sup>258</sup> In modern culture,

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255 Grand, "Toward a Reconceptualization," p. 260, wanted to substitute confabulated memory for false memory. The confabulated memory "becomes a therapist-patient co-constructed act." "My view of the 'false' accusers robs them of the passive, childlike, misguided innocence conferred on them by the false-memory movement. They are neither irrationally vindictive nor capable of inauthentic, melodramatic abreaction. Simultaneously this view robs the ostensibly falsely accused just patriarch of his own confabulated pretensions to an ordinary, decent, family life. Instead, the therapist, patient, and falsely accused all repossess adult culpability and responsibility in a level playing field; the accuser becomes the parental peer rather than he subordinated child." "This shift in perspective will also allow us to reconceptualize the memory distortions of the denying perpetrator-parent. The denying (as differentiated from lying) perpetrator could be viewed as likewise impaired by an arrested epistemology and by dissociative malice arising from real conditions of his/her own childhood. Thus, the denying perpetrator and the wholly falsely accusing patient are both vulnerable to, and responsible for, the same types of memory distortions, although such memory distortions are much more frequent in the denying perpetrator than in the patient claiming a history of sexual abuse." Prager, *Presenting the Past*, p. 54, wanted to use his case to "consider ways in which the analyst and patient share in the process of memory recovery, reconstructing a history that they jointly experience as an authentically felt narrative linking the patient's past experiences with present-day feelings, ideas, and beliefs." He viewed memory as intersubjectively constituted. Memory was considered not as a process of remembering but for its capacity to reclaim the past (p. 134). Traumatic memory has to be transformed into narrative. "While much contemporary work on narrative and narrative theory emphasizes the socially constructed, emergent, and contingent character of the stories we tell, contemporary psychiatry's interest is different," p. 134. He referred to Elaine Showalter's "hystories" (hysterical narratives), who suggested that such hystories had "their own conventions, stereotypes, and structures." "Patients learn," she wrote, "about diseases from the media, unconsciously develop the symptoms, and then attract media attention in an endless cycle. The human imagination is not infinite, and we are all bombarded by these plot lines every day. Inevitably we all live out the social stories of our time," p. 135. Prager concluded that "in psychotherapy the patient is instructed simply to reclaim the past, and to integrate it into a single consciousness through narrative," p. 135. And "therapists have isolated the narrative from its production," p. 136. "The mental health community has been active in promoting this new, antisubjective psychology. . . . The practitioners' favoring of certain diagnostic categories yields the symptoms that are looked for, and encourages patients to feel, subjectively, as the diagnosis implies they will feel," p. 136.

256 Antze and Lambek, *Tense Past*, pp. xvii–xviii.

257 Antze and Lambek, *Tense Past*, p. xviii.

258 See Ian Hacking, *Rewriting the Soul: Multiple Personality and the Sciences of Memory* (Princeton, 1995), p. 78, on this point.

selfhood and story-making live in a relationship of constant exchange, aided by remembering, yet it is seldom clear whether the person makes the story or the story makes the person. “People emerge from and as the products of their stories about themselves as much as their stories emerge from their lives.”<sup>259</sup>

The recovered memory movement owed its vast expansion to the rise of mass-marketed books and personal memoirs.<sup>260</sup> And of these, self-help books contributed especially to creating a readiness to search one’s childhood for life-determining but repressed traumatic experiences.<sup>261</sup> Indeed, as I have remarked earlier, it was not uncommon for women patients to present therapists with memorized passages from *The Courage to Heal* and *Secret Survivors*.<sup>262</sup> If patients were not already familiar with this literature, therapists and school counsellors might suggest titles for them to consider.<sup>263</sup> It was even possible for clients to assign reading to their therapists.<sup>264</sup> Certain titles also found their way into college curricula.<sup>265</sup> It was common for children to confront their parents with Bass and Davis, Fredrickson, Blume, or Love.<sup>266</sup> The books uniformly offered a common emotional style, presented the same formulae, taught that feelings were symptoms, focused on past abuse, and promoted uncritical assumptions about memory.<sup>267</sup> Critics thought of them as pre-packaged “fast food,” ill-researched, with little distinction between fact and opinion.<sup>268</sup> Probably the most influential book of all was *Courage to Heal* by Bass and Davis, which in 1988 synthesized and popularized the various strands from researchers like Judith Herman, who in turn had published the first professional paper on repressed memory in 1987.<sup>269</sup> *Courage to Heal* spawned a veritable boom in

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259 Antze and Lambek, *Tense Past*, p. xviii.

260 Watters and Ofshe, *Therapy’s Delusions*, p. 12, noted the massive movement of psychological theories into popular culture.

261 Bass and Davis, *Courage to Heal*, p. 506; See Courtois, *Healing the Incest Wound*, p. 141.

262 Loftus and Ketcham, *Myth of Repressed Memory*, p. 21. Pendergrast, *Victims of Memory*, pp. 315–6. Wassil-Grimm, *Diagnosis for Disaster*, p. 43.

263 Courtois, *Healing the Incest Wound*, p. 196, recommended “bibliotherapy.” Loftus and Ketcham, *Myth of Repressed Memory*, pp. 131, 140, 156, 195. Crews et al., *Memory Wars*, pp. 253–54. Pendergrast, *Victims of Memory*, p. 26, actually offered *Courage to Heal*, to one of his daughters to help her with her problems and only later realized how great a mistake it was.

264 Prager, *Presenting the Past*, p. 44.

265 Ofshe and Watters, *Making Monsters*, p. 2.

266 Van Til, *Lost Daughters*, p. 10. The reference to Love is to Patricia Love’s previously cited book, *Emotional Incest Syndrome*. You know when you have been the subject of emotional incest when you have chronic relationship problems and a “curious blend of high and low self-esteem,” p. 5.

267 Illouz, *Saving the Modern Soul*, p. 14. Loftus and Ketcham, *Myth of Repressed Memory*, pp. 52–54, 220.

268 Katie Roiphe, “Making the Incest Scene,” *Harper’s Magazine*, November 1995, pp. 65–69, here p. 69. Wassil-Grimm, *Diagnosis for Disaster*, p. 351. Watters and Ofshe, *Therapy’s Delusions*, p. 12.

269 Crews et al., *Memory Wars*, pp. 161, 192–93. Pendergrast, *Victims of Memory*, pp. 47, 50–51, 486: “Throughout the early 1980s, in Herman’s individual and group therapy, women used hypnotic age regression, dream analysis, and induced ‘flashbacks’ to retrieve their repressed memories,” p. 47.

book and magazine publication and television talk shows and put into circulation a pop-feminist style that dominated understandings of incest for seven or eight years.<sup>270</sup> By the early '90s, "tabloid-style formats became the norm and the most extreme and bizarre stories were featured. Incest and other forms of sexual abuse were given saturation coverage, often with the most aberrant and excessive occurrences presented as the norm," as Courtois, a "bibliotherapy" enthusiast herself, complained.<sup>271</sup> Obsession with incest permeated the media, with the result that incest "was highly sensationalized, and was ultimately overexposed and trivialized." The exposure in the mass media sent thousands of women to therapists ill-equipped to handle a quasi-pandemic of symptoms and recollections owing their existence to widespread consumption of self-help literature and media presentations.<sup>272</sup>

## Recovered memories: A novel grotesquerie

Ceremonies may include sacrifice of animals, human torture, or cannibalism; victims have been forced to participate in the rape or murder of another child. — E. Sue Blume, 1988

Thoughts have vibrational frequency and a sexual thought that involves another person without their consent carries with it a vibration that is felt on a covert, subliminal level. — From an Oprah Winfrey show transcript, 1991

With CIA funding and resources . . . [they] began torturing and brainwashing children on army bases across the country. — Richard Ofshe and Ethan Watters, quoting Cory Hammond, 1994

Once stories had become no more than stories, then grander stories became the only vehicle for both gaining attention and finding coherence. — Louise Armstrong, 1994

Now the menu of contrasts has been greatly expanded. Each alter can now be characterized by choices made from each of the following options: same sex/opposite sex, heterosexual/bisexual/homosexual, infantile/prepubertal/adolescent/mature/senile. Mixing and matching these could give sixty alter states distinguished on gender grounds alone. — Ian Hacking, 1995

<sup>270</sup> Pendergrast, *Victims of Memory*, pp. 42, 62, 79–81. Blume, *Secret Survivors*, p. xv, explained how the ideas of the "aftereffects checklist" were disseminated. Wassil-Grimm, *Diagnosis for Disaster*, pp. 14–15.

<sup>271</sup> Courtois, foreword to Alpert, *Sexual Abuse Recalled*, pp. viii–ix. Pendergrast, in *Victims of Memory*, pp. 74–77, saw little difference between the popular and "scientific" literature. Indeed, he found little caution in the academic Judith Herman, who "encourages clients to *feel* violation and rage" and recommended "flooding" sessions. She introduced abuse in early sessions and recommended the use of "hypnotic age regression, sodium amytal, psychodrama, group therapy, and dream analysis," albeit judiciously. Wassil-Grimm, in *Diagnosis for Disaster*, pp. 36–37, noted that survivor psychologists often "describe emotional incest or covert incest as sexual thoughts a parent might have had about a child that were never explicitly stated." She quoted a transcript from the Oprah Winfrey show: "Thoughts have vibrational frequency and a sexual thought that involves another person without their consent carries with it a vibration that is felt on a covert, subliminal level."

<sup>272</sup> See also Loftus and Ketcham, *Myth of Repressed Memory*, p. 89.

I am finding that I do much less abreactive work in therapy as I gain experience: the memory work now involves simple conversation and recollection, and very rarely abreacting with screaming, hiding in the corner, dramatic clutching at the vaginal region, or full immersion in the past as it is happening over again in the present. — Colin A. Ross, 1995

Psychotherapy, by contrast, has a special status which is protected from such confrontations so that the accounts of patients and adult survivors face no such tests of reality. It is hardly surprising that by the end of the period accounts by adult survivors came once more to be the means by which the reality of evil was made manifest. — Jean La Fontaine, 1998

The nature of abuse and its frequency of course needed to be documented. But scientific research with controlled variables was largely non-existent, and it was not clear that any such research could be carried out ethically. Laboratory research on incest, if not on memory construction, was impossible. And this set of limitations encouraged clinicians to claim access to privileged knowledge generated in therapy sessions. Herman, approvingly, admitted that therapists who routinely searched for repressed or forgotten memories had more clients who remembered incestuous experiences than those who pursued other lines of inquiry: “The burden of responsibility for obtaining a history of incest should lie with the therapist.”<sup>273</sup> Blume and Kafka also thought of the psychotherapist as having privileged access to recognizing sexual abuse.<sup>274</sup> Susan Riviere put the matter this way: “Since trauma cannot ethically be reproduced in the laboratory, ecologically valid research on the nature of trauma and memory necessarily has involved observational and phenomenological studies of survivors in field studies.”<sup>275</sup> She argued that even the memories of small children were valid. But then she went on to say that what was at issue was a satisfactory story agreed to by the client and therapist, so the truth of the recollections seemed to be beside the point.<sup>276</sup> Courtois admitted that most findings up until 1988 were speculative, taken from flawed clinical studies, but she also thought that good evidence had now piled up from survivor testimonies and “sound empirical studies,” short-story accounts, shared stories from consciousness-raising and self-help groups, and extensive case descriptions by clinicians.<sup>277</sup> “The clinicians pride themselves on their active involvement with individual clients whose life stories pour

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273 Herman, *Father-Daughter Incest*, p. 177: “Women who present a history of repeated victimization, such as battering or rape, should be asked about sexual abuse in their history. So should women who are alcoholic or drug dependent, or who give a history of unusual adolescent turmoil or running away. Women whose mothers have been ill or absent or who have taken on adult caretaking responsibilities in their families from an early age should be questioned.”

274 Loftus and Ketcham, *Myth of Repressed Memory*, p. 146, reporting on Blume. Kafka, “Incestuous Sexual Abuse,” p. 136.

275 Riviere, *Memory of Childhood Trauma*, p. 46.

276 Riviere, *Memory of childhood Trauma*, pp. 82, 104–5. She faulted the laboratory work of Loftus on memory, opting for what she called research in the field (p. 138).

277 Courtois, *Healing the Incest Wound*, pp. 91–92.

out during therapy sessions.”<sup>278</sup> Nevertheless, clinical evidence was often faulted for being impressionistic, offering unconfirmed reports, and having few if any controls.<sup>279</sup>

Since in the therapeutic encounter the “charismatic authority” of the clinician carried considerable weight, therapists relied on their own experience rather than any evidence for their observations.<sup>280</sup> But without the assumption of patient symptoms as a pathway to the actual traumas, there was little to trust in a memory uncovered. And the object under observation was hopelessly compromised by exposure to self-help books and therapist templates for organizing experience.<sup>281</sup> Then there was the context for eliciting memories: hypnosis, often over long periods of time, leading questions, truth drugs, shared stories, frequently with minor variations, among members of therapy groups, guided visualization, body memory analysis, “abreaction with screaming, hiding in the corner, dramatic clutching at the vaginal region, or full immersion in the past as it is happening over again in the present,” hypnotic age regression, psychodrama, dream analysis, journal writing, massage therapy, body manipulation, and aroma therapy, just to name a few of the procedures for eliciting memories recorded in the literature.<sup>282</sup> Critics of the results from clinical settings suggested that much of

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278 Pendergrast, *Victims of Memory*, p. 93.

279 Pendergrast, *Victims of Memory*, citing research by the experimental psychologist, David Holmes (p. 94). Ofshe and Watters, *Making Monsters*, p. 78.

280 J. S. La Fontaine, *Speak of the Devil: Tales of Satanic Abuse in Contemporary England* (Cambridge, 1998), p. 191.

281 Antze, “Telling Stories,” p. 8.

282 Ross, *Satanic Ritual Abuse*, pp. 153, 168–76. He described “fractionated abreaction,” which could involve “playing the memories on an internal movie screen without the feelings, then allowing the feelings to surface later; controlling the intensity of the feelings with an internal rheostat; going into the memory for a finite, prearranged period of time, and coming out in a controlled fashion in response to a cue from the therapist; time-distortion techniques; and other methods. The basic idea is to use the hypnotic and cognitive skills of the patient to break the memory up into controlled portions or fractions, so that it can be recovered piecemeal without flooding and decomposition. It can be very helpful to have an internal protector hold, soothe, rock, comfort, sing to, or otherwise care for the children during memory work,” p. 168. He essentially gave this up after he discovered the results of bizarre stories of satanic ritual abuse, which he believed in for many years before realizing there was little evidence to substantiate the memories. See Rogers, “Factors Influencing Recall,” p. 708: “Participation in psychotherapy, particularly group treatment with other abuse survivors, may result in certain vulnerable individuals having their memories altered as a result of social influence factors.” She raises the problem of verification and offered examples of memories elicited in the therapeutic context. Nathan and Snedecker, in *Satan’s Silence*, p. 47, observed that many therapists did not know of the critical studies of hypnosis: “One reason for their ignorance was that the mental health field during this period was undergoing profound changes, producing increasing numbers of therapists who were less trained than their predecessors and more apt to accept at face value patients’ accounts of their pasts.” See also Ofshe and Watters, *Making Monsters*, pp. 151–52. Fredrickson, *Repressed Memories*, pp. 90–95, 150–61. Mines, *Sexual Abuse Sacred Wound*, pp. 78, 112, 201, 248–49, 257.

the evidence depended on the intuition of the therapist doing the reporting and on the proliferation of anecdotes.<sup>283</sup>

By the mid-'90s, three serious reservations about clinical reporting based on evidence from recovered memories had emerged. First, the very idea of "trauma," thought of as a stable entity seemed to be flawed: "The disorder is not timeless, nor does it possess an intrinsic unity. Rather, it is glued together by the practices, technologies, and narratives with which it is diagnosed, studied, treated, and represented and by the various interests, institutions, and moral arguments that mobilized these efforts and resources."<sup>284</sup> Second, the notion of "repression" appeared to be a blunt tool. "There is little or no experimental evidence for repression. . . . our behavior tells a tale that, in some measure, is divorced from our conscious experience. . . . much of it is better understood as *procedural* and *distributed*—emerging out of interaction with others in a larger social context. In the therapeutic relationship, procedural memory is manifested not through recollection but through imaginative enactment. But the meanings of enactment reside as much in the social context and interpretive strategies of the listener/observer/interlocutor as they do in the past experience and current intentions of the speaker."<sup>285</sup> And third, the constant feedback from popular culture to the clinic meant that there was no stable object to be observed. Hacking called this the "looping effect": "People classified in a certain way tend to conform to or grow into the ways that they are described; but they also evolve in their own ways, so that the classifications and descriptions have to be constantly revised."<sup>286</sup> Therapists could assert that they were continuously surprised by what they heard, integrate it, interpret the next cases, and so on.

What the psychotherapeutic apparatus assumed was summarized briefly by Alice Miller: "My point of departure was the conviction that childhood is the key to understanding a person's entire life."<sup>287</sup> The patient's behavior was continuously a re-enactment of what she had endured in childhood, that "which lies so far back in the past that the patient cannot tell about it in words but only in unconscious behavior."<sup>288</sup> The British Marxist and psychoanalyst Juliet Mitchell had already extolled the Freudian

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283 Wassil-Grimm, *Diagnosis for Disaster*, pp. 145–56: "Clinical psychologists—those who do actual therapy rather than research—prefer to rely on their own perceptions and intuitions as their patients present their memories. They feel that the theory of repression has been proven over and over again in their offices."

284 Young, *Harmony of Illusions*, p. 5.

285 Lawrence J. Kirmayer, "Landscapes of Memory," pp. 73–98, here p. 178.

286 Hacking, *Rewriting the Soul*, p. 21. "Recollection of trauma inflicted by father or another patriarch is very much like a Protestant conversion experience. It begins with the watchword 'denial'. . . . then comes therapy as a conversion, confession and the restructuring of remembrances of one's past." But the confession is not to your sins but your father's sins. "The father takes on the sins that have destroyed your life, for he committed those very sins. We are not concerned with Jesus, the Sacrificial Lamb, but with an old goat, a literal scapegoat, the father, the Sacrificial Ram," p. 75.

287 Miller, *Thou Shalt Not*, p. 6.

288 Miller, *Thou Shalt Not*, p. 15.



innovation: “One of the great revolutions of modern psychology has been the discovery of the decisive specific weight of infancy in the course of an individual life.”<sup>289</sup> This linked the entire psychotherapeutic exercise essentially back to the nuclear family. The feminist movement had already found the home to be the quintessential place of female oppression.<sup>290</sup> The sexual division of labor ensured male exploitative behavior in general, and by the time feminism and therapy allied to put the family into question, the central moment of male exploitation lay in sexual dominance.<sup>291</sup> Blume even thought of the nuclear family as a “caste system” under the domination of fathers, and therein also lay the explanation for incestuous behavior.<sup>292</sup> Wherever fathers ruled, any incest taboo was easily swept aside by patriarchal authority.<sup>293</sup> The traditional (nuclear) family was possible because of male social dominance.<sup>294</sup> The central point for psychotherapy was that the family was the source of psychic creation.<sup>295</sup> But with the critique of patriarchy, the nuclear family had come to be seen as pathological as a kind of prison.<sup>296</sup> The whole point of therapy, then, was to free the self from the family.<sup>297</sup>

Therapists were well aware of the psychic costs of blowing up the family. On the one hand, they saw their patients’ efforts as acts of bravery, if not bravado, no matter what the costs, while on the other hand they sought to establish for them a substitute, the new “family” of the therapy group. “She must break old patterns with the family so that she refuses to be the scapegoat any more, refuses to be the martyr, or to be used and manipulated in other ways. She learns to say no to them. Often the pressure to return to them is so great, that for her own self-protection she must break all ties with the family—no longer attending family functions/rituals, no longer having contact with the family.”<sup>298</sup> Group support offered a surrogate family, although, as I noted earlier, there was seldom an internal analysis of power dynamics or possible abuses within

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289 Mitchell, *Woman’s Estate*, p. 117. She pointed to Melanie Klein’s improvement on Freud with her work on the infant’s first year of life. “It would seem that the fate of the adult personality can be largely decided in the initial months of life,” p. 118.

290 Mitchell, *Woman’s Estate*, p. 21.

291 Mitchell, *Woman’s Estate*, pp. 52, 65, 145–46. Herman, *Father-Daughter Incest*, pp. 54–55.

292 Blume, *Secret Survivors*, p. 166.

293 Herman, *Father-Daughter Incest*, pp. 54, 58.

294 Armstrong, *Rocking the Cradle*, p. 50. I want to recall here a text I cited in this section’s chapter 3 from Ofshe and Watters, *Making Monsters*, p. 10, quoting Kathy K. Swink and Antoinette E. Leveille, “From the Victim to Survivor: A New Look at the Issues and Recovery Process for Adult Incest Survivors,” *Women and Therapy*, 5 (1986): 119–41. “Incest is the extreme expression of a patriarchal society. It trains the young victims from the start that their place/purpose/function in society is for the needs of others, especially men.”

295 Mitchell, *Woman’s Estate*, p. 171.

296 Lasch, *Haven in a Heartless World*, p. 142.

297 Illouz, *Saving the Soul*, p. 123.

298 Courtois, *Healing the Incest Wound*, p. 127. Illouz, *Saving the Modern Soul*, p. 123: “Both feminism and therapy viewed the family as an institution from which one ought to free oneself, yet also an institution to be reconstructed according to the individual’s wishes and desires.”

therapy groups themselves. Critical voices directed at the fictional nature of recovered memories, worried that belief in traumatic incest could lead to breaking with family members—on spurious grounds. Therapeutic practice was then blamed for shattering social relationships, replacing them with something less substantial and less permanent. “Perhaps the cruelest way recovered memory therapy bonds the client to the treatment is by promising to provide a surrogate family to replace the one destroyed during the therapy.”<sup>299</sup> But integration into survivor group families did little more than immerse patients in a social system where peer approval was granted only when they conformed to group values.<sup>300</sup> “By shifting the patients’ attachments away from family and friends outside of therapy, the therapist effectively increases control over the patients.”<sup>301</sup>

The recovered memory movement came to a head towards the end of the ‘80s and early ‘90s with the panic over “satanic ritual abuse” (SRA) and with the proliferation of “multiple personality disorder” (MPD), both of which were modeled around disturbances of memory and linked to childhood sexual abuse. Both essentially originated in the United States and only took hold, for the most part, in English speaking countries where “missionaries” from the US stimulated interest through seminars, lectures, publications, and press releases. E. Sue Blume offers a good summary of SRA, tacked onto her book in a note at the end of chapter 3.<sup>302</sup> She wrote that ritual abuse was a pervasive phenomenon uncovered by those who have been dealing with child sexual abuse: “Ceremonies may include sacrifice of animals, human torture, or cannibalism; victims have been forced to participate in the rape or murder of another child.” “A girl” is robbed of her memory, totally loses control, and is forced to think and act “in certain ways.” One tactic used to control a *girl* is to threaten to abuse small animals, a “practice . . . particularly common in the context of ritual abuse, whose perpetrators often meet in groups to perform ceremonial child abuse.” Blume referred frequently to the Southern California McMartin preschool case to prove her point, a case where the charges of ritual abuse were eventually shown to be spurious, set off by a mentally disturbed mother of one of the children and abetted by “psychotherapists” who instilled their own ideas in children by means of intrusive methods of questioning.<sup>303</sup>

The McMartin case set off a panic across the United States, which led to the arrest and conviction of hundreds of preschool teachers, many of them women accused of violently sexually assaulting their young charges. In one well-documented case, a woman in therapy recalled that her parents had taken her as a teenager to satanic cult meetings, where, among other things, she was raped by a business associate of her father:

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299 Ofshe and Watters, *Making Monsters*, p. 114.

300 Ofshe and Watters, *Making Monsters*, p. 116.

301 Ofshe and Watters, *making Monsters*, p. 116.

302 Blume, *Secret Survivors*, pp. 60–63.

303 Nathan and Snedeker, *Satan's Silence*, p. 109: “The first ritual-abuse cases stemmed from the fantasies of mentally disturbed women, fantasies that were taken literally by investigators primed to believe them.”

At these meetings, she witnessed dozens of babies and teenagers nailed to upside down crosses and ritually murdered.<sup>304</sup> And she, like many others, believed that she could totally repress all memory of such abuse. A significant proportion of the several thousand patients in therapy who displayed MPD traced their syndrome back to ritual abuse, and within a decade around a fifth of those who recovered memories of sexual abuse believed they had been made to participate in an organized satanic cult.<sup>305</sup> Central media organs of the feminist movement like the women's magazine *Ms.* underscored the truth of the allegations of ritual abuse.<sup>306</sup>

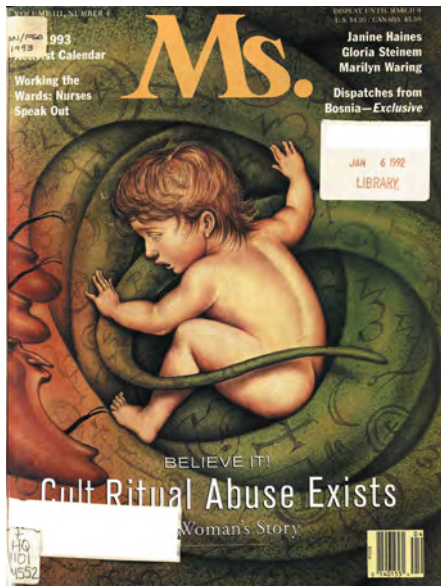


Fig. 61: Believe It!

Elizabeth S. Rose, a pseudonymous free-lance writer, offered “a first-person account of cult ritual abuse,” to which this *Ms.* cover illustration refers. She claimed to have been brought up in a cult. “I had been talking in therapy about my cult experiences . . . I personally witnessed the murders of two children, one of whom

was my baby sister. These deaths were a direct result of satanic ritual sacrifices . . . My mother’s otherwise ordinary middle-class family participated in one of these secret satanic cults . . . Saturday nights were regularly spent at explicitly satanic cult meetings held in a cabin in the country . . . In my family’s cult, fertility and sexuality were the focus of many different ceremonies. Numerous sermons were devoted to woman’s place in Satan’s world. We were told that . . . women were inherently more wicked and evil than men, and so were more capable of carrying out Satan’s work . . . to tempt men into doing wickedness in Satan’s name as her foremother, Eve, had done . . . The men in the cult dominated the women, physically and emotionally . . . In our cult, only female infants were sacrificed . . . I was forced to watch as they killed my baby sister by decapitation in a ritual sacrifice. The sacrifice was followed by a communion ritual, during which human flesh and blood were consumed . . . There was no official evidence that the infant had ever existed . . . There was a doctor in our cult who taught members how to ‘discipline’ children so as to leave no scars . . . It must be emphasized that these rituals are *not* used primarily for spiritual or religious purposes . . . [but] rather] expressly for the purpose of . . . control and intimidation of cult followers . . . How do we stop ritual abuse? For a start, we can believe that it exists . . . It exists because violence is perpetrated

<sup>304</sup> This case is studied in detail by Ethan Watters, “Doors of Memory,” *Mother Jones*, January/February 1993, 24–29, 76–77.

<sup>305</sup> Ofshe and Watters, *Making Monsters*, p. 2.

<sup>306</sup> Ofshe and Watters, *Making Monsters*, p. 180, refer to the cover of the 1993, January issue of *Ms.*, depicting a snake wrapped around a baby, with the headline: “Ritual Abuse Exists: Believe It.”

against women and children, and then passed on to the next generation.”

In surveying media representations of ritual abuse, Barbara Fister, professor and academic librarian at Gustavus Adolphus College, found that “ritual abuse bundles together . . . concerns into a single, sensational narrative that features elements of deviant sexuality, child abuse, pornography, abduction, brainwashing, secretive religious cults, and satanic worship—elements frequently uncovered only through therapeutic intervention.” She noted that from the early 1980s to the mid-1990s ritual abuse was widely accepted as genuine yet had faded from public memory by the end of the 1990s. She noted that the only credential of the author of the *Ms.* article was that she was writing a novel about ritual abuse. “Despite cautions about being affected by sensationalistic press accounts . . . it would not be easy to ignore the reader’s first introduction to the story: a lurid illustration of a frightened, naked toddler enmeshed in the coils of a demon-headed serpent whose scales are marked with astrologi-

cal symbols and pentagrams. Below it, the tagline: ‘Believe it! Cult Ritual Abuse Exists! One Woman’s Story.’” David Frankfurter has offered a review of how satanic ritual abuse was constructed and imagined through Western religious cultural stereotypes. Of the claims in the *Ms.* article, he remarked: “. . . these images of ritual clearly belong to some intellectual tradition . . . . The formalistic image of ritual, in which a priesthood manipulates and exploits mesmerized devotees through empty or frightening symbols, chants, and gestures, stems from anti-Catholic polemic in the seventeenth century, in which Catholic ritual itself was perceived as a kind of sorcery.”

*Ms.*, January/February 1993, cover. Barbara Fister, “The Devil in the Details: Media Representation of ‘Ritual Abuse’ and Evaluation of Sources,” *Studies in Media and Information Literacy Education* 3, no. 2 (May 2003): 1–14; David Frankfurter, “Ritual as Accusation and Atrocity: Satanic Ritual Abuse, Gnostic Libertinism, and Primal Murders,” *History of Religions* 40, no. 4 (May 2001): 352–80, here pp. 360–61.

One member of the faculty of the University of Utah medical school and member of the Utah state task force on ritual abuse claimed that the US government smuggled a group of satanic Nazi scientists along with a Jewish boy steeped in Kabbala out of Germany.<sup>307</sup> “With CIA funding and resources . . . [they] began torturing and brainwashing children on army bases across the country.”<sup>308</sup> The American Medical Association accredited his continuing education workshop.<sup>309</sup> Louise Armstrong tried to explain how ever-more bizarre testimonies were elicited from “survivors”: “. . . once drawn into the recovery

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307 Ofshe and Watters, *Making Monsters*, p. 179: “The two ideas that make this all possible are memory repression and the belief that victims of cults have been ‘programmed’ into rigid obedience.”

308 Ofshe and Watters, *Making Monsters*, pp. 188 They summarized the psychologist Cory Hammond’s 1992 testimony at the Fourth Annual Regional Conference on Abuse and Multiple Personality Disorder on pp. 187–88.

309 Ofshe and Watters, *Making Monsters*, p. 193. On pp. 225–51, they chronicled a bizarre case under the psychiatrist Bennet Braun, who established an inpatient unit at Chicago’s Rush Presbyterian Hospital for people diagnosed with MPD and became president of the International Society for the Study of Multiple Personality and Dissociation. The authors quoted him after noting that he never offered any evidence for a satanic ritual abuse network and international conspiracy of Ku Klux Klan, neo-nazis, the Mafia, big business, the CIA, and American military: “I caution people against panic. If there truly is an international organization, it has been around longer than we have. If it is running not only our society, but the world economy, then it has been doing it for a long time and neither you nor I are going to be able to change it.” They drily remarked, “Apparently, for Braun, it’s all right if a satanic cult controls the world as long as it learns to gain power by being nice to children instead of abusing them,” p. 247.

universe, it is as though women began trying to express both their uniqueness and their anguish and their experience of being female in this society through amplified narrative and, since that was the coin of this realm, greater pathology. Once the experience had been robbed of larger significance, once stories had become no more than stories, then grander stories became the only vehicle for both gaining attention and finding coherence.”<sup>310</sup>

The SRA panic elicited a massive hunt by police and prosecutors for evidence. By 1994, after a thorough investigation, the FBI announced that no evidence for ritual abuse groups had been found; this only after police dug up hundreds of sites where ritually slaughtered babies were alleged to have been buried and women who had had memories of carrying babies for ritual use had been proven never to have been pregnant.<sup>311</sup> In England, the anthropologist Jean La Fontaine was commissioned to investigate the whole issue of SRA after national newspapers in 1988 alleged that children in that country were being ritually abused and murdered. Indeed, a founder of a children’s charity testified that close to four thousand children were sacrificed in Britain each year. In several incidents, children were taken from their parents by social service workers who claimed to have rescued them from satanic cults.<sup>312</sup> La Fontaine pointed out that the panic was stimulated by visiting Americans who came along to conferences and offered seminars. The accusations were copied from earlier American ones and involved “gatherings of robed and masked people abusing children and engaging in forced abortions, bestiality, human sacrifice and cannibalism.”<sup>313</sup> But police investigations produced no bodies and no blood. There was a good deal of support for the idea of such a cult from evangelicals, just as in America, but believers were also therapists, social workers, and feminists.<sup>314</sup> The first investigations went nowhere after it became apparent that the children who were testifying were unreliable witnesses, not least because the investigators had been asking them leading questions.

By 1994, the search for ritual abuse in England shifted to adult survivor accounts to “‘explain’ the children’s stories and provide the main source of information about satanic rituals in which they were abused.”<sup>315</sup> And with this shift, leadership in promot-

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<sup>310</sup> Armstrong, *Rocking the Cradle*, p. 257.

<sup>311</sup> A good treatment was offered by Nathan and Snedecker, in *Satan’s Silence*, pp. 93–103, especially of what they called the “chaos in Kern County” California: “The system was self-limiting, because in the absence of checks and balances, it generated infinitely expanding numbers of ever more grotesque charges. It eventually collapsed under its own weight when children accused a prosecutor, deputy sheriff, and a social worker themselves of being satanic monsters.”

<sup>312</sup> La Fontaine, *Speak of the Devil*, p. 1.

<sup>313</sup> La Fontaine, *Speak of the Devil*, p. 2.

<sup>314</sup> La Fontaine, *Speak of the Devil*, p. 6.

<sup>315</sup> La Fontaine, *Speak of the Devil*, p. 133. Nathan and Snedecker, *Satan’s Silence*, p. 28. “The therapy model of sex-abuse intervention replaced skilled forensics personnel with social workers and others who knew nothing about how to test the validity of criminal sex-abuse charges and who unstintingly believed all of them.”

ing the idea of ritual abuse slipped from religious fundamentalists to psychotherapists: “The new ideas, significantly, are psychological rather than religious, and consequently those who are prominent now are therapists.”<sup>316</sup> So long as the phenomenon remained a matter for child protection and legal intervention, evidence was a necessary part of the equation. That, of course, was quite clearly lacking. “Psychotherapy, by contrast, has a special status which is protected from such confrontations so that the accounts of patients and adult survivors face no such tests of reality. It is hardly surprising that by the end of the period accounts by adult survivors came once more to be the means by which the reality of evil was made manifest.”<sup>317</sup>

## The tide turns

Uniformly [self-help] books persuade their readers to focus exclusively on past abuse as the reason for their present unhappiness. Forget fighting with Harold and the kids, having a job or no job, worrying about money. Healing is *defined* as your realization that you were a victim of sexual abuse and that it explains everything wrong in your life. — Carol Tavris, 1993

The patients have been psychologically captive in their therapies and have been trained to believe that outsiders and family members are Satanists. — Colin A. Ross, 1994

The court finds that the testimony of the victims as to their memory of assaults shall not be admitted at trial because of the phenomenon of memory repression, and the process of therapy used in these cases to recover the memories, have (sic) not gained general acceptance in the field of psychology; and are not scientifically reliable. — Judge William Groff, 1995<sup>318</sup>

The skeptical recovered memory therapist is stuck, for if he questions even a single account of abuse, he challenges the entire structure of the therapy and thereby jeopardizes his or her standing within the recovered memory community. — Richard Ofshe and Ethan Watters, 1995

The consensus of virtually all memory researchers and most mental health professionals is that massive repression of memory is either extremely rare or altogether undocumented. . . . There are no documented cases of the recovery of massively repressed memories that are generally accepted as valid by the professional psychotherapeutic community. — Reinder van Til, 1997

The middle of the ‘90s appears to have been the time when thinking about incest began to shift away from a focus on the father-daughter pair and when framing by psychotherapy had, if not run its course, then come up against serious obstacles.<sup>319</sup> For one

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<sup>316</sup> La Fontaine, *Speak of the Devil*, p. 161.

<sup>317</sup> La Fontaine, *Speak of the Devil*, p. 190.

<sup>318</sup> Judge William Groff, superior court judge in New Hampshire, rendering in May 1995, the “Hungerford Decision.” Quoted in Ofshe and Watters, *Making Monsters*, p. 315.

<sup>319</sup> Ofshe and Watters, *Making Monsters*, p. 306: The tide had turned. “The theories and practices which were on the verge of being institutionalized when we began writing about recovered memory therapy in 1991 are now . . . routinely challenged and rapidly being dispensed with.” By early 1996, many recovered memory promoters were back peddling on their ‘discovery’ of an international satanic cult

thing the scandal of remembered satanic ritual abuse induced in therapy sessions put a damper on the very idea of recovered memory: “the skeptical recovered memory therapist is stuck, for if he questions even a single account of abuse, he challenges the entire structure of the therapy and thereby jeopardizes his or her standing within the recovered memory community.”<sup>320</sup> The point is that therapists would have had to admit to the community they had created that their therapeutic methods had produced falsehoods. “By doing so, they would have to call into question all memories, believable or unbelievable, satanic or not, that have been recovered through the very particular procedures of this type of treatment.”<sup>321</sup> Even Colin Ross, director of dissociative disorders units in Michigan and Texas, associate clinical professor of psychiatry at Southwestern Medical Center in Dallas, and president of the International Society for the Study of Trauma and Dissociation, one of the leaders in spreading the notion of satanic ritual abuse, could only hope in 1995 that there might be one or two convictions for SRA “based on solid physical evidence.” He admitted that there had not been any—plenty of convictions, yes, but convictions based on evidence beyond patients’ imaginations, no.<sup>322</sup> In a gesture of openness, Ross invited Elizabeth Loftus, a specialist in the psychology of memory, to pen an afterword to his book.<sup>323</sup> She found “insidious . . . the technique used by some professionals of repeatedly and subtly hinting at the possibility of child sexual abuse over a period of weeks or months, until the client comes to think that she has arrived at the hypothesis herself. And then begins the excavation of the ‘repressed’ memories through invasive techniques such as age regression, guided visualization,

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ring that was supposedly abusing and ‘programming’ masses of children.” Public opinion was shifting from acceptance to skepticism with regards to recovered memory. “The army of therapists who rushed forward to practice, market and write about this revolutionary step in therapy, is now a demoralized group in retreat.” In her foreword to Alpert, *Sexual Abuse Recalled*, pp. ix–xiii, Courtois summarized the attacks on recovered memory therapy. Alpert’s edited collection (1995) was a response to the critics and an attempt to recover some degree of believability in recovered memory.

**320** Ofshe and Watters, *Making Monsters*, p. 194.

**321** Ofshe and Watters, *Making Monsters*, p. 195.

**322** Ross, *Satanic Ritual Abuse*, p. 70, wanted the reader to consider that some of the memories of SRA were based on accurate recall of real events. “If such were the case, therapists completely untrained in the methods of interrogation, criminal investigation, or anything of the kind, would be society’s primary agents for gathering of information about a large, highly organized criminal underground,” p. 72. But then, he wrote later, p. 123: “I have seen cases in which a major trauma appears to be the therapy.” Furthermore, “the patients have been psychologically captive in their therapies and have been trained to believe that outsiders and family members are Satanists.” All this is from someone who was completely caught up in the recovered memory movement. Cf. Nathan and Snedecker, *Satan’s Silence*, p. 12: “During this period [the ‘70s], mental health workers with virtually no training in forensics supplanted the police as investigators of the allegations, and the stage was set for the wave of false charges and panic that erupted in the 1980s.”

**323** Elizabeth F. Loftus, afterword in Ross, *Satanic Ritual Abuse*, pp. 203–9.

trance writing, dream work, body work, hypnosis, and drug therapy. On occasion the resulting ‘memories’ evolve into quite elaborate creatures.”<sup>324</sup>

After the publication of *The Courage to Heal* in 1988, the flood of recovered memory produced many instances of patients breaking off family relations, some cases of which ended up in the courts.<sup>325</sup> A number of fathers went to jail after their daughters testified to memories that they had recovered in therapy, and popular media had a field day with lurid tales of abuse. But the media turned against stories based on recovered memories in the aftermath of public agitation by the newly established False Memory Syndrome Foundation (1992), founded by parents who alleged themselves to have been falsely accused and by professionals concerned with what they considered to be abuses by therapists themselves.<sup>326</sup> Probably more telling were court judgments against a number of therapists, and the subsequent worry of insurance companies, and their increasing reluctance to insure for recovered memory treatments.<sup>327</sup> Quite a few psychotherapists

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<sup>324</sup> Loftus, afterword in Ross, *Satanic Ritual Abuse*, p. 205. She argued that therapeutic techniques have to face the “test of science and scientific explanation,” p. 209. The issue of techniques used in therapy drew considerable interest from critics, and those who wanted to defend therapists argued that there were very few bad ones. Ofshe and Watters, *Making Monsters*, p. ix, relied for their information completely on the publications of therapists themselves: “we intend to show that these mistakes are not being made by aberrant clinicians but by a substantial group of therapists who have created a movement replete with scholarly and how-to books, conferences for clinicians, journals, newsletters, and a raft of prominent experts.” They looked at the therapists’ own accounts of their techniques and “show that a significant cadre of poorly trained, overzealous, or ideologically driven psychotherapists have pursued a series of pseudoscientific notions that have ultimately damaged the patients who have come to them for help,” pp. 5–6. See also their critique of the inability of therapists to police their own discipline: “For Herman, Bass, and the other leaders of the movement, laying off responsibility on a few bad apples for the increasingly obvious mistakes made in therapy is no longer possible,” p. 81, and also p. 302. Pendergrast, *Victims of Memory*, p. 47, made the point that Judith Herman’s original publication on father-daughter incest made no reference to recovered memory. Subsequently during the ‘80s, she used hypnotic age regression, dream analysis, and induced ‘flashbacks’ to retrieve repressed memories in individual and group therapy. Riviere, *Memory of Childhood Trauma* (1996), p. 117, despite believing in the retrieval of traumatic memory, argued that therapists should not employ a range of techniques—hypnosis, sodium amytal, abuse-related bibliotherapy, for example—or use dreams and bodily sensations as evidence. “Memory work can contaminate natural progression of memory recovery.” The therapist should also avoid repeated questioning. By contrast Judith Herman, *Trauma and Recovery*, p. 186, used a full panoply of techniques: “In addition to hypnosis, many other techniques can be used to produce an altered state of consciousness in which dissociated traumatic memories are more readily accessible. These range from social methods, such as intensive group therapy or psychodrama, to biological methods, such as the use of sodium amytal.”

<sup>325</sup> Pendergrast, *Victims of Memory*, p. 37, estimated several million women entered recovered memory therapy in the few years after Bass and Davis published.

<sup>326</sup> Van Til, *Lost Daughters*, pp. 19–20.

<sup>327</sup> Bass and Davis, *Courage to Heal*, in the third edition from 1994, p. 146, noted the increasing public attacks against survivors’ credibility. Survivors were being told that they were victims of therapists who had implanted ‘false memories’ into their brains. They pointed out that some families retaliated by going to the media with their claims of innocence or harassing or suing the survivor’s therapist. They dated



reacted by denying that the “historical” truth of memories was at issue—psychotherapist and client were on a mission together to arrive at a satisfactory *emotional* truth.<sup>328</sup>

There were also women’s voices critiquing the easy alliance between feminists and the quite considerable array of different therapies and their practitioners. Armstrong, who it will be recalled had published one of the first personal accounts of paternal abuse, bitterly regretted in 1994 that the violence against daughters had ended up in the mental health “maw.”<sup>329</sup> She believed strongly that fathers were routinely violating their daughters, but that this was a political issue to be addressed in open political forums.<sup>330</sup> In 1993, Wendy Kaminer, civil rights lawyer and writer, articulated a growing

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the “backlash” to 1992. They quote Judith Herman, p. 483: “Once again, those of us who have labored for years to overcome public denial find ourselves debating victims’ credibility. How many times do we have to go over the same ground?” In “Doors of Memory,” p. 26, Watters examined a case where once the insurance money ran out and the patient was abandoned by the therapist, she re-evaluated her repressed memories. Ofshe and Watters, *Making Monsters*, pp. 312–15, looked at the legal response. In 1993, 2% of malpractice actions against mental health professionals centered on recovered memory therapy. By 1994, the rate had risen to 16%. And suits against therapists were rapidly proliferating. By 1995, there were six different decisions where judges considered the weight of science against recovered memory therapy. In each case, the judge ruled the theory of repressed memory did not meet minimal standards of scientific acceptability. In these venues, no expert was allowed to testify in support of recovered memory therapy. In a 1995 case, a son was barred from testifying about any hypnotically induced visualizations or any memories recalled subsequent to beginning of therapy. The son had no such memories, so the issue was terminated. In May 1995, a superior court judge in New Hampshire handed down what became known as the “Hungerford Decision.” He threw out two indictments as a result of memories in therapy. He documented how the women were indoctrinated into ideas and then how the therapist and client went about creating these beliefs. He singled out three studies and wrote: “any attempts to interpret the results of these studies as evidence of the existence of repressed memory are severely restricted because of certain methodological and other deficiencies inherent in the studies.” He found it all not scientifically reliable. Wassil-Grimm, *Diagnosis for Disaster* (1995) latched onto a prediction that recovered memory therapy would collapse under the weight of insurance claims and suits by those falsely accused (p. 311).

**328** Bass and Davis, *Courage to Heal*, p. 495: “A primary motivation for the backlash is the establishment of a legal defense for those accused of child sexual abuse.” They admitted that the details of recovered memories might be wrong, but “the core of the memory, its emotional felt truth has its own authenticity,” p. 516.

**329** Armstrong, *Rocking the Cradle*, p. 30.

**330** Armstrong, *Rocking the Cradle*, pp. 38–39: “How did it happen that women, once strong and clear about the politics of the issue, certain in their desire to follow their own emotional and rational compass toward change, not only for themselves but for children now; to assert their ownership of their experience, the primacy of their analysis, succumbed to a language exclusively focused on personal pathology and recovery: language that is not *theirs* but that of self-appointed experts?” In the new introduction to the 1999 edition of *Secret Trauma* (first published 1986), Diana Russell found the therapists in the incest recovery movement to have been the “first culprits responsible for subverting the feminist incest revolution and transforming it into a counterrevolution,” p. xviii. She thought that the “incest revolution” had gone “haywire.” She had herself referred to the “shocking” example of the McMartin Preschool case where hundreds of children had been abused (p. 81) and later to many cases popping up all over the country (p. 296). Now, without reference to her earlier embrace of SRA cases, she criticized the thera-

discontent: “The marriage of feminism and the phenomenally popular recovery movement is arguably the most disturbing (and potentially influential) development in the feminist movement today. . . . Feminism is at risk of being implicated in the unsavory business of hypnotizing suspected victims of abuse to help them ‘retrieve’ their buried childhood memories. Gloria Steinem has blithely praised the important work of therapists in this field without even a nod to the potential for, well, abuse when unhappy, suggestible people who are angry at their parents are exposed to suggestive hypnotic techniques designed to uncover their histories of victimization. But the involvement of some feminists in the memory-retrieval industry is only one manifestation of a broader ideological threat posed to feminism by the recovery movement. Recovery, with its absurdly broad definitions of addiction and abuse encourages people to feel fragile and helpless. Parental insensitivity is classed as child abuse, along with parental violence, because all suffering is said to be equal (meaning entirely subjective); but that’s appropriate only if all people are so terribly weak that a cross word inevitably has the destructive force of a blow.”<sup>331</sup>

Many of the central assumptions of the recovery movement came in for major criticism.<sup>332</sup> The anthropologist and historian of science, Allan Young, quoted above, found the generally accepted picture of PTSD and the traumatic memory that underlay it to be mistaken and thought that it was naive to treat traumatic memory—as clinicians were wont to do—as an “immutable object.”<sup>333</sup> Others found considerable problems with how

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pists who had come up with the idea, noted that there never had been any evidence for such abuse, and admitted that “the profession failed to monitor and sanction these increasingly outrageous practices in their midst.” She went on the attack against recovered memory therapy but lost her nerve and hoped that “some recovered memories in and outside therapy are valid,” p. xxv. In one breath, she found the “false memory advocates” quite correct in their objections to Bass and Davis’s *Courage to Heal* (“it has done considerable harm by fostering false memories of incestuous abuse in many women”), but in the next remarked that the book had helped many incest survivors (pp. xxix–xxx). And then she backed away again: “Had therapists and incest researchers denounced it as trash, as dangerously suggestive, as the work of unqualified people . . . it would not have been popular,” p. xxx. Carol Tavris, *The Mismeasure of Woman* (New York, 1993 [1992]) was among Armstrong’s many admirers. Tavris wrote: “The original feminist analysis of the sexual abuse of children—that it is not merely a problem of a few disturbed individuals—has been co-opted, diluted, and defused. The effort to achieve social change has been co-opted into a focus on psychological solace,” p. 328.

<sup>331</sup> Kaminer, “Feminism’s Identity Crisis.”

<sup>332</sup> Van Til, *Lost Daughters*, p. 258: “Repressed memory itself, the central star around which these other hoaxes orbit, has itself fallen under a cloud of suspicion. The consensus of virtually all memory researchers and most mental health professionals is that massive repression of memory is either extremely rare or altogether undocumented. . . . There are no documented cases of the recovery of massively repressed memories that are generally accepted as valid by the professional psychotherapeutic community.”

<sup>333</sup> Young, *Harmony of Illusions*, p. 142 and p. 5. He argued: “the traumatic memory is a man-made object. It originates in the scientific and clinical discourses of the nineteenth century; before that time, there is unhappiness, despair, and disturbing recollections, but no traumatic memory, in the sense that we know it today,” p. 141.

therapists handled memory itself.<sup>334</sup> Loftus offered a systematic, laboratory-tested critique of the processes of recollection. Inferences and probable facts fill up the gaps in memory.<sup>335</sup> In experiments, hypnotized people made more errors and were more susceptible to leading questions than their un hypnotized counterparts.<sup>336</sup> “No solid studies exist that show recall during a state of hypnosis is any more accurate or complete than recall under ordinary waking conditions. What is worse, people under hypnosis have been known to ‘recall’ events from their past confidently and to fabricate future scenarios with the same confidence.”<sup>337</sup> Hypnosis encouraged people to relax. But all too often false information came out.<sup>338</sup> What about the use of “truth drugs” like sodium amytal? One expert with extensive experience using sodium amytal found that guilt-ridden subjects were likely to confess to offenses they had imagined in fantasy but had not committed. And psychopaths could deny what external evidence showed they actually had done. Some individuals were so suggestible that they would describe behavior that never had occurred.<sup>339</sup> As for the recall of events from the first years of life, without language children do not have skills for categorizing experiences and storing them so that they can be remembered.<sup>340</sup> But a more telling critique showed that memory was not a receptacle that contains images inserted into it.<sup>341</sup> “Recent research featuring high-tech brain mapping procedures indicates that memory is not a broad, generalized capability drawing on a centrally located storehouse of images and experiences but a network of numerous separate activities, each carried out in a specific part of the brain.”<sup>342</sup> Memories are in fact reconstructed from bits and pieces of fact and fiction and . . . false memories can be induced by “expectation and suggestion.”<sup>343</sup> Furthermore, individual memories are not at all shut off from culture—and so a culture that had “perfected various tales

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334 Ofshe and Watters, *Making Monsters*, pp. 37–38: the model of memory used by psychotherapy runs counter to all scientific studies. It deteriorates, disappears, changes, and drifts.

335 Elizabeth Loftus, *Memory: Surprising New Insights into How We Remember and Why We Forget* (Reading, MA, 1980), p. 40.

336 Loftus, *Memory*, p. 48. See the critique of hypnosis in Ofshe and Watters, *Making Monsters*, pp. 142–53.

337 Loftus, *Memory*, p. 58. See also Nathan and Snedecker, *Satan’s Silence*, p. 47.

338 Loftus and Ketcham, *Myth of Repressed Memory*, p. 255.

339 Loftus, *Memory*, pp. 61–62. “So-called truth drugs have also been used in psychiatric interviews, for example to aid a patient’s recollection of traumatic experiences. The drugs are popular because they are easy to give, have few unpleasant side effects, and have a dramatic effect on a patient.”

340 Loftus, *Memory*, p. 120. “The basic proposition that nothing a person experiences is ever lost is itself untestable,” p. 189. On this point see, Rogers, “Factors Influencing Recall,” p. 705. See also Kirmayer, “Landscapes of Memory,” p. 176.

341 The American Medical Association passed a resolution in June 1994 warning of the dangers of creating false memory inherent in the techniques utilized by recovered memory specialists; Ofshe and Watters, *Making Monsters*, p. 300.

342 Loftus and Ketcham, *Myth of Repressed Memory*, p. 75.

343 Loftus and Ketcham, *Myth of Repressed Memory*, p. 79.

of victimization” produced many such tales.<sup>344</sup> The sociologist and psychoanalyst Jeffrey Prager described working with a woman patient who “in the cultural environment of the time [the account was published in 1998] [found it] inevitable [to] consider early childhood abuse as a possible source of her difficulties.”<sup>345</sup> Prager considered one of the mistakes of psychotherapy to lie in trying to reclaim the past and to “integrate it into a single consciousness through narrative.”<sup>346</sup> This misunderstood both the constitution of the self and of memory as individualized rather than constructed in concert with others.

“One feature of the modern sensibility is dazzling in its implausibility: the idea that what has been forgotten is what forms our character, our personality, our soul.”<sup>347</sup> In all of the many pages written by psychotherapists working in the recovered memory field, the particular issues that mostly brought women into therapy were largely ignored: problems with their own children, marital issues, neighborhood quarrels, relationships with friends, depression, and above all work issues. Almost without an exception, therapists assumed that whatever is going on is rooted in the childhood past and is prompted by things their parents did to them. Carol Tavris looked at the therapeutic search for causation in the past this way: “It provides a clearer focus than such vague enemies as ‘the system,’ sexism, deadening work, welfare, or boredom. For [therapists], ‘sexual abuse’ is a metaphor for all that is wrong with women’s lives.”<sup>348</sup> As I noted in chapter 3, therapy during the ‘80s and ‘90s dealt with “simple human unhappiness—the failure of life to be what we want it to be and the gap between our idealized image of ourselves and the realities of who we are.”<sup>349</sup> Whatever symptoms therapists allowed pointed to past events, and they did not ask difficult questions about choices a patient had made or ask what she might do to change her current situation. Instead, they looked to what had been done to her.<sup>350</sup> Quoting Tavris again, “Uniformly [self-help] books persuade

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<sup>344</sup> Prager, *Presenting the Past*, p. 4.

<sup>345</sup> Prager, *Presenting the Past*, p. 13. Her “belief that she had been sexually abused derived as much from her present-day psychic conflicts and difficulty in establishing new patterns of interpersonal relating as from *anything* that may have happened in her childhood,” pp. 41–42.

<sup>346</sup> Prager, *Presenting the Past*, p. 135.

<sup>347</sup> Hacking, “Memory Sciences, Memory Politics,” p. 70.

<sup>348</sup> Cited from Travis, *Mismeasure of Woman*, in Ofshe and Watters, *Making Monsters*, p. 11. Travis, *Mismeasure of Woman*, p. 315, citing Lloyd DeMause, *Reagan’s America* (New York, 1984), p. 79, summarized his passage: “The public focus on individual horror stories of abusers and survivors deflects attention from the real story: how the massive cutbacks in funding for children’s programs, child-abuse programs, prenatal care, unemployment programs, and ‘dozens of other government activities directly affecting the welfare and lives of children’ led to the maltreatment, neglect, abuse, or deaths of thousands of children.”

<sup>349</sup> Ofshe and Watters, *Making Monsters*, p. 47.

<sup>350</sup> Ofshe and Watters, *Making Monsters*, pp. 48–49. Tavris, *Mismeasure of Woman*, p. 316: “Most of the women who find their way into [survivor groups] are troubled and unhappy, and they report a long litany of reasons that are familiar in contemporary culture: Depression. Conflict with their children and partners, and feeling unvalued by both. Children in trouble. Unhappiness with weight and looks. Alcohol abuse. Feeling helpless to improve their lives. Feeling sexually vulnerable and powerless.

their readers to focus exclusively on past abuse as the reason for their present unhappiness. Forget fighting with Harold and the kids, having a job or no job, worrying about money. Healing is *defined* as your realization that you were a victim of sexual abuse and that it explains everything wrong in your life.”<sup>351</sup> Nathan and Snedecker saw the cultural obsession with child abuse as a symbolic focus of women’s frustration and anger over disparities at home and in the workplace.<sup>352</sup> What women who sought help had in common was the experience of stress and uncertainty in their lives: many of them felt trapped by motherhood or marriage or both.<sup>353</sup> Pendergrast conducted a number of interviews with “survivors,” and concluded that recruitment into the therapeutic belief system normally happened when stress—new town, new job, breaking a relationship, financial instability, losing a loved one—happened. The trigger was often transition to adulthood—moving far away, going to college, finding an adult persona. For others, it was marital stress, job difficulties, postpartum depression, death of a parent, onset of menopause.<sup>354</sup> “The denial seems to be on the part of poorly trained therapists with one-track minds who cannot accept that many psychological problems are caused by life-transition difficulties, trauma, or many other conditions besides childhood sexual abuse.”<sup>355</sup> But then why would any woman accept the idea of abuse if it were not true? “Because it explains why she cannot meet the modern social demand to manage careers, marriages, and children without the support of appropriate social programs.”<sup>356</sup> And furthermore, it offers a simple explanation for a lifetime of disappointment that has not really been caused by any known trauma; it offers a guilt-free reason to separate from

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Having been in a series of bad relationships. Indeed, these problems are often the result of childhood sexual abuse, but many of them are also the sadly familiar laments of women who were not abused as children. . . . How does a woman come to focus exclusively on *past* sexual abuse as the major reason for her unhappiness, when many other *current* factors are often involved as well?”

351 Loftus and Ketcham, *Myth of Repressed Memory*, p. 220, citing an article by Tavris in the *New York Times Book Review*, “Beware the Incest-Survivor Machine” (January 3, 1993), quoting Jungian psychologist James Hillman, p. 267: “Maybe we shouldn’t imagine that we are abused by the past as much as we are by the actual situation of ‘my job,’ ‘my finances,’ ‘my government’—all the things that we live with.”

352 Nathan and Snedecker, *Satan’s Silence*, pp. 248–49.

353 Nathan and Snedecker, *Satan’s Silence*, p. 236.

354 Pendergrast, *Victims of Memory*, p. 479. Illouz, *Saving the Modern Soul*, pp. 69–76, looked at a long tradition in psychology, beginning with Elton Mayo’s Hawthorne experiment, of connecting family and work by avoiding the material conditions of labor. He constructed a “discursive *continuity between the family and the workplace*.” When conflicts arose, they were seen as a matter of “tangled emotions, personality factors, unresolved psychological problems.” Conflicts at work derived from personality problems and troubled childhood, not the structural organization of capitalism.

355 Wassil-Grimm, *Diagnosis for Disaster*, p. 9. “The myth of the crippling, but forgotten, experience of sexual abuse offers an explanation for any failure to meet the impossible expectation that every woman must now, simultaneously, be an aggressive career woman, devoted wife, and perfect nurturing mother;” p. 23.

356 Wassil-Grimm, *Diagnosis for Disaster*, p. 23.

the family; it is a socially acceptable excuse for avoiding responsibility for one's own mistakes or for not growing up emotionally.<sup>357</sup>

## Conclusion

During the two and a half decades following 1970, household demographics in the United States underwent remarkable changes. The white population stopped reproducing itself as fertility rates fell to a new low. By 1995 single-mother households accounted for more than a quarter of all households, well over a third of children had been born outside of marriage, and over 3.5 million unmarried couples were cohabiting. Another quarter of all households consisted of single persons living alone. Among those who married, average age at time of vows rose significantly so that by 1995, the median for US women was just short of twenty-five. In contrast, at the beginning of the period, close to half of women who married did so as teenagers. In parallel with these changes, the number of women and men who married at all fell to a new low, and by 1995, the annual rate of divorce was half the rate of marriage. Married women by then were overwhelmingly employed outside of the home. In 1970, families where only the husband was employed made up 33.3% of the total; by 1995, only 13.6%.<sup>358</sup> Also during this period the percentage of employed workers in unions fell from 24.6% to 13.1%: from around 1970, the class of unionized skilled workers was slowly but inexorably hollowed out.<sup>359</sup> And that is part of the story of employed mothers—families could no longer maintain themselves without two workers. In addition, with the rise of no-fault divorce, some courts expected women to support themselves in the workplace when they were no longer married. It is true that remarriage rates were high, but higher still was the divorce rate for second marriages. Romantic ideals may well have continued to promise new sexual and emotional love and companionship, but transience was the order of the day. Patchwork and blended families required everyone involved to explore new territories of intimacy and desire.

In many ways the model nuclear family—however much it danced in the heads of lawyers, judges, social workers, and prime time television writers—was disassembled during this period. Many fathers were marginalized, male authority (whatever it had been) was questioned, men found themselves isolated (this was also a period of

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<sup>357</sup> Wassil-Grimm, *Diagnosis for Disaster*, pp. 27–28, 110. Tavis, *Mismeasure of Woman*, p. 321: “We can . . . observe the limitations of a story that has an exclusive focus on past reasons for current problems. It overlooks the current realities that entrap survivors, and, by assuming that all survivors share economic opportunities as well as psychological suffering, it blurs the different prospects that people have to recover from trauma and to make abiding changes in their lives.”

<sup>358</sup> US Bureau of Labor Statistics. “Working Wives in Married-Couple Families, 1967–2011.” *TED: The Economics Daily*, June 2, 2014, accessed March 24, 2019. [https://www.bls.gov/opub/ted/2014/ted\\_20140602.htm](https://www.bls.gov/opub/ted/2014/ted_20140602.htm).

<sup>359</sup> Cornell ILR School, “Union Membership Trends in the United States,” accessed March 24, 2019, [https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1176&context=key\\_workplace](https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1176&context=key_workplace).

decline for participation in community activities), and the new labor regime questioned fatherhood as it once had been understood.<sup>360</sup> Within intact families, husbands and fathers had to constantly renegotiate the meaning of their masculinity with their wives and children, just as women were doing about their femininity. But now the men were playing with significantly weakened hands. It was in the context of family fragmentation and male insecurity that feminists wielded the stick of patriarchy.

Fear of child abuse provided a crucial entry point for the critique of men through the ideological vehicle of patriarchy and its related form of family life. Men were understood to be the threatening sex, the creators and benefactors of a hierarchical system propped up by their hurting (and often enjoying hurting) others. Absolutely central to the patriarchy critique was the assertion that it was universal and that there was no need to examine the particular economic and social context for abuse, physical or sexual, or to ask whether male violence might be on the rise or why. And furthermore, with sexual abuse of children thought to be so widespread as to be normal, the notion that poverty or newly constituted stresses for some sectors of the population might play a role in the phenomenon was dismissed out of hand. Critical historical analysis and social analysis were beside the point, and, of course, psychotherapy with its own repetition compulsion to plot minor variations of the same story of trauma and its symptoms over and over again, was a genial accompaniment to feminist discontent with family life. The critical use of patriarchy followed on several decades of sociological and therapeutic publications that considered the essence of family relationships to reside in constellations of power and distributions of authority.

From the 1970s onwards, a great deal of research was conducted on the nature of family violence, and it is worth taking a look at abuse of partners and children before coming back to the subset of sexual abuse. It turned out that husbands and wives or male and female domestic partners attacked each other physically in roughly equal proportions.<sup>361</sup> It was found that because they are stronger, the incidence of physical injury caused by men was three times greater than of injuries caused by women, but that still meant that men were the victims of a third of the injuries and a quarter of the deaths from violence of partners. Such results contradicted the theory that “partner violence is almost exclusively committed as a means to dominate women.”<sup>362</sup> Furthermore there were significant factors that put partners or children at risk—unemployment, early marriage, multiple children, inequality between partners, and the lack of participation

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**360** The sociology of isolation received its classic account in Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York, 2000).

**361** Murray A. Straus, Richard J. Gelles, and Suzanne K. Steinmetz, *Behind Closed Doors: Violence in the American Family* (New Brunswick and London, 2009), p. ix. This is the third printing of the original 1980 publication with a new introduction by Straus and Gelles. “There are as many, and possibly more, couples where the female partner is the only one to use physical violence as there are couples where the male partner is the only one to use violence.” And women initiate “acts of intimate violence as often as men.”

**362** Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. xiii.

in communal activities.<sup>363</sup> Violence was seen to be endemic in the American family, and the chances were close to one out of three that in the course of a marriage, one partner would strike the other.<sup>364</sup> And, of course, children themselves were at risk of encountering significant acts of violence. Between three and four million children had been kicked, bitten, or punched by a parent at some time in their lives.<sup>365</sup> Child abuse was probably more common in single parent households, but what came as a surprise was that mothers were more likely to use “severe or abusive violence on their children than were fathers.”<sup>366</sup> The authors of *Behind Closed Doors* concluded that “if men have a genetic predisposition to be violent, one would expect them to be more violent at home than their wives. Yet, an examination of violence between couples and violence by parents toward children revealed that women were as violent or more violent in the home than were men. This cast a shadow of doubt on the pure genetic theories of violence and pointed to a need to investigate social and psychological factors associated with family violence.”<sup>367</sup> And I have pointed out earlier, violence in the home was closely tied up with intimacy: the violence between husbands and wives was no greater than that between same sex partners.

For a long time, the story was that male violence was relatively evenly distributed among families from all different wealth and cultural strata. But the studies devoted to numbers indicate the need to look at social differences in abusive family violence. While the object here is not to examine the issues in detail, it is useful to make a few suggestions. The Midwest seems to have had relatively high rates of child abuse, which may well correlate with economic and social dislocation in the Rustbelt, suggested in the figures of decline in unionized labor.<sup>368</sup> And abuse between partners and against children was higher in cities.<sup>369</sup> There were significant social differences, captured in the correlation between education and violence. Women who went to college were the least likely to be violent mothers; those with a high school diploma, the most likely.<sup>370</sup> Income and occupation played a big role in the risk of violence. Dividing their data set into four income groups, the authors of the study found that the highest income group had a rate of violence towards children half that of those under the poverty line, and the latter had rates of violence between partners five times greater than those in the

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363 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. xvii.

364 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 33.

365 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 62. In this study, the authors looked only at children between the ages of three and seventeen, but other research showed that a great deal of abuse is aimed at children between three months and three years, p. 64. The data came from the mid-1970s.

366 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, 65. And mothers are just as likely as fathers “to use even more serious forms of violence, such as kicks, bites, punches, and beatings,” p. 67.

367 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 67.

368 Compare the map of the “geography of pain” in Anne Case and Angus Deaton, *Deaths of Despair and the Future of Capitalism* (Princeton, 2020), p. 86.

369 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, pp. 130–31.

370 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 146.



wealthiest group.<sup>371</sup> Furthermore, households where the husband was unemployed or employed part time had the highest rates of violence between partners and by parents towards children.<sup>372</sup> All this suggested that stress was a “major contributor to family violence”: low income, unemployment, part-time employment, and four or five children in the home.<sup>373</sup> But, and this seems most important, stress seems to have been felt most among middle income families, and that is where it led to physical abuse of children.<sup>374</sup> These were the families where the occupational situation for men was deteriorating the fastest and where wives/mothers were under greatest pressure to seek employment outside the home. Overall, however, it is important to see that mothers had a child abuse rate seventy-five percent greater than the rate for fathers, probably because mothers had a burden of care seventy-five percent greater than that of men.<sup>375</sup> The upshot of the study of violence was to call for detailed analyses of gender, social, and economic differences and the contexts—historical, geographic, and class—of personal relationships.

The study of physical abuse suggested that there might have been significant social and historical differences in sexual abuse that notions such as patriarchy disguised. The decades during which considerations of father-daughter incest redefined incest as abuse and pushed all other considerations of incest aside were precisely those where new family structures were being put into place. The good times of the postwar years were coming to an end, and the long-term trends towards greater disparities in income and wealth were well underway. Women may well have wanted to go to work, but even if they did not, they had to, and all too many of them found themselves in dead-end jobs, with pay-packets so unequal to those of men as to suggest that they were being treated with contempt. Indeed, power, conflict, hierarchy, and oppression were refracted through wage labor questions. But probably the site of the most contentious negotiations over working conditions was the home. Women adjusted by bearing fewer children, stressing more over the ones they had, divorcing more readily, putting together new household configurations, and mobilizing networks of care. And if they had chafed over laboring in a service industry in the home, so to speak, when they entered the labor market, it was largely to do there what they had used to do in the home. Judith Herman thought that all you had to do to stop fathers from raping their daughters was to change the sexual division of labor. But there were two problems: nurturing (ascribed already to women) had not made mothers less violent, so transferring the nurturing role to dads might well increase paternal violence, and bringing women

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371 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 148.

372 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 150.

373 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 181. “A man who feels threatened and devalued at work may use force and violence in his home to restore his sense of being master of his life. Only a cog in a machine at work, a man can still be lord of the manor when he returns home,” p. 188.

374 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 189. “We believe that violence in the family is more a social problem than a psychological problem,” p. 202.

375 Straus, Gelles, and Steinmetz, *Behind Closed Doors*, p. 213.

into a burgeoning service economy might only increase their sense of alienation. Psychotherapists worried during the '50s and '60s about matriarchy and during the '70s and '80s about patriarchy, but in both cases they narrowed their consideration down to constellations of interpersonal relations in the family and failed to talk to the social scientists who knew a thing or two about work, wealth, poverty, status, mobility, jobs, domination, discrimination, and failed expectations.

Despite the fact that biological fathers were not the chief threat for daughters, they stood in for all the issues of power, conflict, dominance, and hierarchy that had exercised the psychotherapeutic professions for decades. Father was on the agenda, displacing the power-hungry mother. He needed to be brushed aside by those who wanted to take the family apart—at least that family with a strict sexual division of labor that was running around in their heads. In the real world—or perhaps, better said, the external world—the conditions supporting whatever shards of patriarchy might still have existed were rapidly being undercut by economic restructuring. The state and industry gave up on maintaining the worker's family wage. As father lost status, he became in the eyes of the critics of patriarchy more pathological than pathetic. Even if all the forces of the new economy and society underscored reconfigurations of familial life, isolating fathers from their children, creating stepfamilies, forcing children into emotional turmoil, igniting nuclear family explosions, and making so many families unclear, the psychotherapeutic and feminist allies plotting new story lines neglected any plot that did not begin with memories of father. He was either too close or too distant, expected too much of his daughters or not enough, or provided a vision of what a daughter could become so that later she could only be disappointed with her life. Once upon a time he had been supposed to look at his daughter with delight in order for her to become her own person, but under conditions of marital strife, alienated labor, and worrisome kids, finding no other way to read her own symptoms than to dig around in childhood memories, she conspired with her therapist to construe his attention as emotional incest. She might even find her original trauma in a wayward glance, and if she hung around long enough in the clinic or her therapy group, she might be able to come up with something much worse. The problem was that America was a violent society, as it still is. Children are abused all the time, physically and sexually: the new familial conditions offered new temptations and probably greater incidents of abuse—that needs to be looked at closely. But it does appear that stable families offered then and still offer pretty good conditions for growing up sound. Whatever political battles might be waged over violence—in the family and elsewhere—social analysis offers necessary and suitable opportunities for opening doors into critical awareness. Trying to understand the broad set of social forces that condition the choices a person has made and can make calls upon skills other than making up stories to explain life's frustrations. Growing up and becoming a functioning person might well entail abandoning the search for meaning in the distant past of childhood. Families we choose, friendships we make, relationships we cultivate might best be assisted by abandoning solipsistic dives down a memory hole.



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**Coda. Brother/Sister Redivivus**



# Age of Genetics, Age of Siblings, 1995–2020

I propose that the present day genetic determinism molds people into an idealized form of family and kinship, contrary to changing practices and despite the redefinition of family and kin in contemporary society. — Kaja Finkler, 2000

If you start trying to conceal someone's identity, sooner or later the truth will come out. And if you don't know you are biologically related to someone, you may become attracted to them and tragedies like this will occur. — David Alton, Lord Alton of Liverpool, 2008

The other day I realized I've never met an elderly person that was cared for by their friends. . . . Where are your friends? Your friends are probably not going to be there when it really counts. . . . When my dad was dying in the hospital, where were his friends? My grandmother, where were her friends? . . . Enjoy them while you have them. But if you think your friends are your long-term solution to loneliness, you're an idiot. — Chris Rock, 2020<sup>1</sup>

I have made the point several times that discourses of incest in the West have tended at any one time to focus on particular issues and particular persons. I also have insisted that kinship representations and practices have always had a great deal to do with how the boundaries between transgressive and legitimate relationships have been set; and thus, also with defining the rules of forbidden sexual and marital relations. Of course, these in turn have always played a role in marriage choice and in social and biological reproduction. I have argued additionally that the West has seen periodic changes to the hierarchy among disciplines that set knowledge about incest and define its terms in philosophical, legal, theological, and scientific speech. Yet nothing is ever lost, and strata of older, seemingly buried or abandoned conversations have resurfaced repeatedly. Nowadays, for example, it is quite usual for a reporter in the *New York Times* who is considering familial dysfunction to allude to Old Testament proscriptions, or for an evolutionary biologist buttressing an argument about fitness to call upon an eighteenth-century Scottish moral philosopher. Still, while it is possible to think of the terms of everyday speech as couched in whatever science currently calls the shots, this popular speech often has worked its way into learned argument. From the second half of the nineteenth century onwards, for example, the findings of biologists often functioned as justifications for older theologies and still common suspicions about marrying cousins.<sup>2</sup> Today, the language of genetics underwrites ideas of identity, experiences of

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1 Dave Itzkoff, "Chris Rock's New Universe" (Interview with Chris Rock), *New York Times*, Sunday, September 20, 2020, Arts and Leisure, pp. 6–7, here p. 7. I have consulted the *New York Times* on many occasions and will cite it frequently in this section. I located most but not all references through ProQuest LLC. Since ProQuest is not an open access site, I will not provide the URLs.

2 For this story, see the chapter titled "Intermezzo." In her article "Shaking Off the Shame," *New York Times*, November 26, 2009, Sarah Kershaw discussed popular attitudes in the United States against cousin marriage: "Most Americans find the idea of cousins marrying and having children disturbing or even repulsive." She noted that the US is one of the few countries where the union of cousins is illegal, but also that "marriage between first cousins may be slowly emerging from the shadows." She identified

the body, strategies of reproduction, recognition of kin, medical biographies, personal motivation, sexual trespass, and sexual attraction. And while the late-twentieth-century language of perverse patriarchy and parental abuse certainly still is around, Western culture has at least partly redirected its gaze towards siblings, especially towards brothers and sisters and the sexual boundaries and erotics of their relationships. Correspondingly, siblings have become a “model organism” for psychotherapy, evolutionary biology, and the science of genetics.

## The proliferation of family and kinship forms

If gay people begin to pursue marriage, joint adoptions, and custody rights to the exclusion of seeking kinship status for some categories of friendship, it seems likely that gay families will develop in ways largely congruent with socio-economic and power relations in the larger society. — Kath Weston, 1991

The vast expansion of the government over past century has embedded marriage into all areas where the state and the individual intersect, from tax obligations to disability benefits to health care decisions to family law. — *New York Times*, 2011

[Reviewing the MTV show “Generation Cryo”]: It all amounts to a secret history of American family making. — Jon Caramanica, 2013

A child when I want, if I want. — *La France en chiffres*, 2015

Every generation will include these sprawling half-sibling clans. — Susan Dominus, 2019

Around the turn to the new millennium, France, Germany, England, and the United States all witnessed a proliferation of family forms, a rapidly changing field of reproduction technologies, a construction of novel kinship networks, a widespread dissociation of partnership and parenthood, and a renewed attention as to how blood and

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one website, [cousincouples.com](http://cousincouples.com), associated with efforts to overturn laws against cousin marriage. In Western nations there also has been considerable worry about the burdens for health care systems associated with traditional cousin marriages among immigrant populations. On this, see Alan H. Bitles, “Genetic Aspects of Inbreeding and Incest,” in *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century*, ed. Arthur P. Wolf and William H. Durham (Stanford, 2005), pp. 38–60, here pp. 53–54: “Across Asia, the effects of genetic disorders are becoming increasingly obvious as deaths owing to infectious diseases decline and early childhood mortality is replaced by morbidity. This change is especially important among couples in consanguineous unions, where higher rates of genetic disorders with both autosomal recessive and polygenic modes of inheritance can be expected. It is likely to be of greatest immediate significance within migrant communities from Africa and Asia now resident in North America, Western Europe, and Australasia, who have chosen to continue their tradition of close kin marriage.” See also Ann Patchett’s “Kissing Cousins,” *New York Times Magazine*, April 28, 2002, which argued that popular mythology often trumped science and that the scientific evidence against cousin marriage was thin. In the United States, opinion seemed to be equally divided about whether cousins marked the boundaries of incest.

genes might determine identities and promote attachments.<sup>3</sup> A potent symbol of reconfigured kinship relations was the discovery of one hundred fifty American siblings from a single sperm donor and from there, the awareness of the complex and contradictory ways these siblings reckoned with their origins and sense of self, fashioned relationships with parents and other household members, chased down hitherto unknown relatives, and created ties beyond anything once imaginable.<sup>4</sup>

To aid my assessment of new family and kinship constellations from the mid-'90s through 2020, a brief review of demographic changes will provide a useful point of departure.<sup>5</sup> Marriage itself was in decline. Far fewer people thought about getting married, and when they did, they did so at much older ages.<sup>6</sup> For the middle classes, the

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3 In "Ideas and Trends—Matrimony: The Magic's Still Gone," *New York Times*, May 20, 2001, Jane Fritsch noted that a recent report from the US Census Bureau revealed that less than a quarter of American households were "traditional nuclear families." For a review of American kinship trends, see Frank F. Furstenberg, "Kinship Reconsidered: Research on a Neglected Topic," *Journal of Marriage and Family* 82 (2020): 364–82, doi:10.1111/jomf.12628. See also Pamela J. Smock, "The Demography of Families: A Review of Patterns and Change," *Journal of Marriage and Family* 82 (2020): 9–34, doi:10.1111/jomf.12612. Smock found that families were increasingly dissimilar across class lines; that wealthier families were more stable than poorer. This article offers an excellent overview of the demographic changes to the family in the United States during the first two decades of the twenty-first century. For an earlier assessment, see Andrew J. Cherlin, "Demographic Trends in the United States: A Review of Research in the 2000s," *Journal of Marriage and Family* 72 (2010): 403–19, doi:10.1111/j.1741-3737.2010.00710.x. Cherlin found that "traditional demographic indicators were becoming less useful in identifying units we call families," p. 415. Identifying households with such units had become problematic with childbearing outside marriage, high levels of divorce and remarriage, and the related issues of cross-household ties and multiple partner fertility: that led to families without clear boundaries.

4 Jacqueline Mroz, "From One Sperm Donor, 150 Children," *New York Times*, September 6, 2011.

5 I have not provided citations for all of the statistics in the following paragraphs. They were found in the various national publications. These include *Statistisches Jahrbuch* (Germany) from the Statistisches Bundesamt (Wiesbaden) and for England and Wales, the publications of the Office for National Statistics at the website People, Population and Community, <https://www.ons.gov.uk/peoplepopulation-andcommunity>. For France, I consulted the websites of the Institut National d'Études Démographiques, <https://www.ined.fr/en/>; also the Institut National de la Statistique et des Études Démographiques at <https://www.insee.fr>. See esp. *Population and Societies*, <https://www.ined.fr/en/publications/editions/population-and-societies/>; *Population-English Edition*, <https://www.ined.fr/en/publications/editions/population/>; F. Prioux, M. Mazuy, and M. Barbieri, "Fewer Adults Live with a Partner," <https://www.ined.fr/en/publications/editions/Demographic-situation/recent-demographic-developments-in-france-fewer-adults-live-with-a-partner-f-prioux-m-mazuy-m-barbieri-en/>; and the collections at Insee Première, <https://www.insee.fr/fr/statistiques?collection=116>. For the US, I consulted Pew Research Center's Fact Tank, <https://www.pewresearch.org/about-fact-tank/>, and Pew Social and Demographic Trends, <http://pewsocialtrends.org>. See also US Census Bureau, Quick Facts, <https://www.census.gov/quickfacts/fact/table/US/PST045219>; and two Centers for Disease Control and Prevention sources: National Vital Statistics Reports, <https://www.cdc.gov/nchs/products/nvsr.htm>, and National Health Statistics Reports, <https://www.cdc.gov/nchs/products/nhsr.htm>.

6 In Germany, the crude marriage rate (CMR) per 1000 population was 11.0 in 1950. By 1995, it had fallen by almost half to 5.3, and eroded somewhat more to 4.9 by 2015 (a fall of 55%). Another way of looking at the propensity to put off marriage is to note the percentage of married people in particular



cause was thought to lie in longer years devoted to schooling and to establishing professional credentials, and for those in the lower wealth and income brackets, the effects of poverty. Whatever the case, later ages for reproduction appeared in the statistics: the age at which women bore their first child kept rising.<sup>7</sup> As *La France en Chiffres* put it: “a child when I want, if I want.”<sup>8</sup>

Couples experimented with a variety of possible ways of living together, with or without marriage and with or without children. Or they tried living together-apart, also with or without marriage or children. Rates of cohabitation in all four countries began steadily rising in the 1970s.<sup>9</sup> Under pressure from unconventional couples, social

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age groups. In 1995, the percentage of single males in the age bracket 25–29 was 69.9% and in bracket 30–34, 39.2%. Just fifteen years later, the numbers were 84.4% (a rise of 20.7%) and 62.2% (a rise of 37%). For females in the 25–29 age bracket, the comparable figures were 49.2% and 70.9% (a rise of 44.1%) and for the 30–34 age bracket, 23.3% and 46.8% (a rise of 100.9%). By 2010, in the age bracket 30–34, over four-fifths of German men and just under half of German women remained unmarried. In France, the CMR was 4.4 in 1995 (compared to 7.9 in 1950) and 3.8 in 2012. Statistics for England and Wales offer the general marriage rate (GMR), the number of marriages per 1000 unmarried population 16 and over. For both men and women, the rates (77.5 and 59.5 respectively) reached a high point around 1970. By 1990, the rates had fallen to a low point (42.1 and 36.1). And they continued to fall up to 2017 (21.2 and 19.5). In the United States the CMR declined between 1950 and 2018 from 11.1 to 6.5 (a fall of 41%). The percentage of men over 15 who never married in 1995 was 31.0% and in 2019, 35.4%. This was a considerable change from the postwar period (26.4% in 1950), a rise of 34.1%. Statistics for women are figured a bit differently, the percentage of women who were not married to those who were married: in 1990, this was 40.0%; in 2019, 57.9%. In Germany, the average age for first marriage for males in 1995 was 29.7 and in 2015, 33.8; for females, 27.3 and 32.2, respectively. In France, in 1995, the mean age of first marriage for men was 28.9, and in 2018, 35.3; for women, the mean was 26.9 and 33.4 respectively, the trend comparable to Germany but the averages even more extreme. In England and Wales, in 1995, the average age of first marriage for men and women was already 28.9 and 26.8, over 4 years older compared with 1970. By 2017, the figures stood at 33.6 and 31.7, almost another 5 years for both sexes. Marriage-age statistics for the United States are given in medians rather than means: In 1990, the medians for men and women were 26.1 and 23.9, respectively; 1995, 26.9 and 24.5; 2000, 26.8 and 25.1; 2010, 28.2 and 26.1; 2019, 29.8 and 28.0. Between 1990 and 2019, then, the median age at first marriage for men rose by 14.2% and for women by 17.2%.

<sup>7</sup> In Germany, the average age of mothers at first birth was 28.1 in 1995 and 30.1 in 2019. In France, the average age at first birth for women in 1990 was 26.0 and in 2015, 28.5. By 2010, fertility rates were decreasing for women under 30, while increasing at a rapid rate for those over 30. In the five years prior to 2009, rates for women over 30 increased by 22 per 1000, while rates for those under 30 decreased by 7 per 1000. The average age at first birth for mothers in the UK was 26.1 in 1995 and 29.0 in 2018. In the United States, women consistently gave birth to their first child at ages younger than the European examples here, but the trend was similar. The average age at first birth in 1980 was 22.7. By 1995, it was 24.5, and by 2015, 26.4.

<sup>8</sup> Julie Le Gac, Anne-Laure Ollivier, and Raphaël Spina, under direction of Olivier Wiewiorka, *La France en Chiffres de 1870 à nos jours* (Paris, 2015), p. 28. The quote introduces a section on “infanticide, abortion, and contraception.”

<sup>9</sup> In Germany, in 1995, there were 1.7 million unmarried couples (*nichteheliche Lebensgemeinschaften*) living together, of which almost a third had children (27.3%). Ten years later, there were 2.4 million unmarried couples, 31.9% of which had children. In France, between 1990 and 2009, the number of

workers, and other agents concerned with health issues or children's welfare or secure property relations, courts and legislatures have been prompted to invent a variety of legal forms able to impose some order in the chaos of claims, expectations, and obligations associated with non-traditional living arrangements.<sup>10</sup> In the meantime, changes in household configurations proceeded apace.<sup>11</sup> Germany led the way in ever-smaller

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married couples fell by 7.4%, while the number of cohabiting couples grew by 141%. In 1990, there were 12,714,000 married couples, and in 2009, 11,779,000. Cohabiting couples went from 1,516,000 to 3,653,000. By the middle of the second decade of the century, cohabiting families were the fastest growing type in England and Wales. In 2002, 6.8% of couples were cohabiting and by 2016, 9.8%. In 2017, there were 3.3 million cohabiting couple families. For the United States, I compared the percentages of those persons 18–44 who had ever married with those who had ever cohabited. In 2002, the ratio was 60:54; in 2013–17, it was 50:59. By 2019, it was more common for adults to have cohabited than to have married. In 2019 cohabiting pairs accounted for 12% of coupled households, compared to 10% in 2009. Among adults 18 and over, 18.5 million (7%) in 2019 were living together as unmarried partners, up from 6% in 2009. For France see Wilfried Rault, “Continued Cohabitation After the Decision to Separate: ‘Living Together Apart’ in France,” *Journal of Marriage and Family* 82 (2019): 1073–88, doi:10.1111/jomf.12613. See also, Patrick Heuveline and Jeffrey M. Timberlake, “The Role of Cohabitation in Family Formation: The United States in Comparative Perspective,” *Journal of Marriage and Family* 66 (2004): 1214–30. See Andrew J. Cherlin, “The Deinstitutionalization of American Marriage,” *Journal of Marriage and Family* 66 (2004): 848–61.

**10** Under a 2001 law, Germany did not allow opposite-sex couples to formally register partnerships. That law was restricted to same-sex couples. It was rescinded in 2017 with the law allowing same-sex couples to marry. There is no general law for de facto partnerships of any kind. See Federal Ministry of Justice (Germany), Act on Registered Life Partnerships, February 16, 2001, with amendment to Article 3 of December 18, 2018, [https://www.gesetze-im-internet.de/englisch\\_lpartg/englisch\\_lpartg.html](https://www.gesetze-im-internet.de/englisch_lpartg/englisch_lpartg.html). In 1999, the French introduced “civil solidarity pacts” (PACS), primarily to give same sex couples a form of legal union, with the obligation to live together and care for each other, although without communal property or mutual inheritance rights. During the first year, there were 20,000 civil partnerships, but by 2010, the number had risen substantially to 205,000. By that time, a full 94% of PACS were heterosexual, not least because tax advantages for married couples had been abrogated and communal property rules of married couples altered in the direction of PACS. During the next year or two, interest in PACS attenuated somewhat, but by 2018 they were more popular than ever, with almost 209,000 registered. Marital and PACS unions occurred at approximately the same age. Many more women in PACS were employed: 80% compared to 66% for married women. Up to 2019, at least, marriage gave partners pension rights and residence rights for foreigners. Only married couples could adopt a child. In England, in 2004, an act was passed to allow same-sex civil partnerships, only allowing opposite-sex civil partnerships in 2019.

**11** In Germany, the average size household in 1995 was 2.22. By 2010, it had fallen to 2.03. Households with just one person went from 34.9% to 40.2%. In 1996, 17% of families involved a single parent with children. By 2015, such families were just short of a quarter of all families (24%). In France, the average size household fell between 1990 and 2016 from 2.58 to 2.21. Between 1999 and 2017, the number of single households rose from 31.0% to 36.4%, both trends similar to Germany. Households composed of children with a single parent rose between 1990 and 2016 from 11.9% to 22.3% (18.6 % involved single mothers). During this period, there was a considerable rise in the numbers of people in their twenties living alone, which correlates with the later marriage age and the increase in separations. A snapshot of family forms is offered with the 2011 French census. In that year there were 1.5 million families of one parent with at least one minor child (one family in five was mono-parental). The average duration

household size, which already by the end of the second decade averaged barely more than two persons. All four countries showed a significant rise in households of one person, with Germany again leading the way so that by 2010, two out of five households contained just a single individual. Single parent households came to account for between a sixth and a quarter of all family households in the four countries.<sup>12</sup>

Even when they were not part of a family or household, many men were quite content to have their names on the birth certificates of out-of-wedlock children and to negotiate the conditions of care and support of their offspring. Delaying marriage or giving up on it altogether did not at all preclude having children; the question rather was largely one of timing, with the overwhelming majority of adults eventually wanting or expecting to become parents.<sup>13</sup> An ever-increasing number of children were born

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for mono-parental households was 5.5 years, much longer where there never had been a couple in the picture. Altogether in France in 2011, there were 13.5 million children, with 6.7% living alternatively part-time with each parent; about 1% living part-time in recomposed families with half siblings; and another 1% living in households where half siblings spent part of the time in other households. There were 330,000 fathers living alone except when children visited; 11.1% of minor children living in recomposed families; 30% of children living with a step parent resided part time with the other parent. In 2019 in the UK, 14% of families were single parent families. The number of people living alone had grown by 20% over the previous twenty years, with the majority of the increase (72%) being men, in part due to late marriage and in part, to separation. In 2019, of the families with children, 61.4% were composed of married or civil partnership couples. Lone parents made up 22.3% and cohabiting couples 16.3%, a group that grew by 25% between 2009 and 2019. The average size household in the United States fell between 1990 and 2019 from 2.63 to 2.52. By 2019, 28% of households had one person. In 1999, 48% of all families with children under 18 had their own children. In 2019, the figure had fallen to 41%. In 2019, there were 190,000 children with same sex parents. In 2019, same sex married couple households accounted for 0.9% of all married couple households and 5.5% of unmarried couple households.

<sup>12</sup> Stephanie Coontz, “The World Historical Transformation of Marriage,” *Journal of Marriage and Family* 66 (2004): 974–79, here p. 975: “The expansion of solitary living in contemporary Western societies has been staggering.”

<sup>13</sup> A 2014 survey in France found that only 5% of the adult population did not want to have children: Charlotte Debest, Magali Mazuy, and the *Fecond* survey team, “Childlessness: A Life Choice the Goes Against the Norm,” *Population and Societies* 508 (February, 2014). The development of premarital cohabitation in consensual unions began in France in the 1970s. As married couples were having fewer children, cohabiting couples were having more. In 1990, 53.9% of married couples had no children, and in 2009, 62.8% (an increase of 16.5%). For the two dates, cohabiting couples without children were 64.2% and 51% (a decrease of 20.6%). Thus, over those twenty years, the rates for the two forms of couple reversed themselves. Cohabitation also played a considerable role in the United States. In 2018 a quarter of parents living with a child were unmarried; fifty years earlier it was 7%. In 2018 a third of children were living with an unmarried parent, with some 20% of children living with a solo mother, and 24 million children living with unmarried parents. Out of one hundred thirty countries, the United States had the highest rate of children in single-parent households. See Sarah R. Hayford, Karen Benjamin Guzzo, and Pamela J. Smock, “The Decoupling of Marriage and Parenthood? Trends in the Timing of Marital First Births, 1945–2002,” *Journal of Marriage and Family* 76 (2014): 520–38: “In the second half of the 20th century, the U.S. family system was marked by a weakening of normative and behavioral links between marriage and childbearing as the social institution of marriage evolved, economic opportunities grew

outside of wedlock, with France leading the way in this case. There, by 2020, over 60% of children had been born to unmarried parents.<sup>14</sup> High rates of divorce led to higher rates of single parent households, cohabitation, or step parent and blended families; and, of course, to increased levels of conflict, instability, and disputes over property distribution and financial support for offspring.<sup>15</sup> During the first two decades of the new century, these countries all, step-by-step, legalized same-sex marriage, and many gay and lesbian couples soon sought ways to bring children into their households. Sometimes couples brought children with them from previous marriages or liaisons, while at other times they turned to adoption or sperm and egg donation or in vitro fertilization and surrogacy.<sup>16</sup>

This new culture of reproduction in all four countries demonstrated deep ironies. Couples were limiting the number of children they had in their teens and twenties, and because female fecundity tends to decline after age thirty-five, the result everywhere

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for women, and family planning options improved,” p. 533. Coontz, “World Historical Transformation of Marriage,” p. 977: “Marriage as we have known it for 5,000 years has *already* been overthrown. But it was heterosexuals, not gays and lesbians, who accomplished this revolution.”

**14** In Germany the number of children born out of wedlock doubled between 1995 and 2020: 1995, 16.06%; 2019, 33.3%. This did not mean that couples bearing children were unstable. By 2019, a large majority of births in France, for example, took place outside of marriage: 1995, 38.6%; 2010, 54.9%; 2019, 61.0%. For England and Wales, the out-of-wedlock birthrate stood between rates in Germany and France: 1995, 33.9%; 2019, 48.5%. As elsewhere, in the United States, the percentage of children born out of wedlock was on the rise, although it fell far short of those in England and France: 1995, 32.2%; 2018, 39.6%. See Judith A. Seltzer, “Families Formed Outside of Marriage,” *Journal of Marriage and Family* 62 (2000): 1247–68. She found cohabitation to be an institution associated with childbearing.

**15** Even with declining marriage rates, delayed marriage and childbearing, the annual percentage of divorces to marriages in Germany in 2015 stood at a substantial 40.8%. In France, in 1990, the rate of divorce per 100 marriages was 32.1. This peaked in 2005 at 52.3 and sloped off moderately to 44.7 in 2015. In England and Wales, in 1995 divorces as a percentage of marriages amounted to 54.9%. The figure reached a high point around 2005, with 57.0%, declined by 2015 to 42.3%, and continued to decline after that. I calculated the US divorce rate from statistics of marriage and divorce per 1000 total population. In 2000, the rates were 8.2 and 4.0, respectively, giving a figure of 48.8% divorces to marriages; 2005, 7.7 and 3.6 (47.4%); 2010, 6.8 and 3.6 (52.9%); 2015, 6.9 and 3.1 (44.9%); 2018, 6.5 and 2.9 (44.6%). After peaking around 2010, the divorce rate tapered off somewhat as it did in the other three countries. In all four countries throughout the first two decades of the new century, for every 10 marriages, there were between 4 and 5 divorces. See R. Kelly Raley, “Divorce, Repartnering, and Stepfamilies: A Decade in Review,” *Journal of Marriage and Family* 82 (2020): 81–99, doi:10.1111/jomf.12651.

**16** Germany recognized same sex marriage in 2017, and by the end of 2018, there were 10,000 same sex marriages. In 2013, France adopted same sex marriage, which among other things allowed gay couples full adoption rights. In England and Wales, same-sex unions reached 5,804 in 2010. In 2014 same-sex marriage was allowed, and civil partnerships fell off as a result. Same-sex marriages made up 2.0% of all marriages in 2014 and 2.9% in 2017. In the United States, in 2019, there were estimated to be 543,000 same sex married couples and 469,000 households with same-sex partners living together. This compares with 61.4 million opposite-sex married and 8 million opposite sex unmarried partner households. 191,000 children lived with same sex parents.

was fertility rates well below the level required for population replication.<sup>17</sup> Furthermore abortion rates, which had climbed from 1973 to 1980, remained high; in France as high as 0.5 per woman, for example.<sup>18</sup> Nonetheless, a huge industry arose to ensure that single women (and single men) and all kinds of non-traditional couples could produce their own children.<sup>19</sup> The changes did not so much affect the desire for children as the timing and the preferred number.

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**17** Sally Wadyka, “For Women Worried about Fertility, Egg Bank is a New Option,” *New York Times*, September 21, 2004. The greatest interest in freezing eggs was in urban areas where women in the work force were delaying marriage and having children. In the United States, 20% of women now waited to over age thirty-five to start a family.

**18** In the US in 2014, about a quarter of women would expect to have an abortion by the age of 45. Around 60% of abortions were to women in their 20s. About 60% of women who obtained an abortion already had at least one child. Between 1973 and 1980, the rates of abortion almost doubled and then sloped off until 2012 when the 1973 rate was attained. By 2017 abortion rates had fallen to an historic low. See Guttmacher Institute Fact Sheet. Induced Abortion in the United States, accessed January 4, 2021, [https://www.guttmacher.org/fact-sheet/induced-abortion-united-states?gclid=EAIaIQobChMI2L-fgyv2C7gIVMB-tBh2n-wmPEAAAYAAEgJ8P\\_D\\_BwE](https://www.guttmacher.org/fact-sheet/induced-abortion-united-states?gclid=EAIaIQobChMI2L-fgyv2C7gIVMB-tBh2n-wmPEAAAYAAEgJ8P_D_BwE). In Germany the number of abortions peaked in 2001, reaching 18% of live births. By 2019, the number of abortions had fallen by 25% to 13% of live births. See Statista, Number of Births in Germany from 1991 to 2009, accessed January 4, 2021, [https://www.statista.com/statistics/1094163/number-births-germany/#:~:text=Number%20of%20births%20in%20Germany%201991%2D2019&text=The%20number%20of%20live%20births,compared%20to%20784%2C901%20in%202017](https://www.statista.com/statistics/1094163/number-births-germany/#:~:text=Number%20of%20births%20in%20Germany%201991%2D2019&text=The%20number%20of%20live%20births,compared%20to%20784%2C901%20in%202017;); also Statista, Number of Terminated Pregnancies in Germany from 1996 to 2019, accessed January 4, 2021, <https://www.statista.com/statistics/1087387/number-of-abortions-germany/>. In England and Wales, abortion rates continued to rise during the first two decades of the twenty-first century. The total number of abortions to residents in 1996 was 147,619 and in 2019, 207,384. Allison Barrett, “Abortions Reach Highest Ever Number in England and Wales,” *BMJ [British Medical Journal]* 331, no. 7512 (August 6, 2005): 310, doi:10.1136/bmj.331.7512.310-f. The author quoted Ann Furedi, chief executive of the British Pregnancy Advisory Service: “Women today want to plan their families, and when contraception fails they are prepared to use abortion to get back in control of their lives. Motherhood is just one among many options open to women, and it is not surprising that younger women want to prioritise other things. We should stop seeing abortion as a problem and start seeing it as a legitimate and sensible solution to the problem of unwanted pregnancy. . . . It’s futile for us to imagine that abortion can be eliminated by increasing awareness of contraception or through sex education or even improving access to contraception, because there are a significant cohort of women for whom abortion will always be needed as a backup to their contraceptive methods. . . . I think that if we’re honest then we need to accept that if women are to regulate their fertility and be able to plan their families, then abortion needs to be accepted as a backup to contraception in much the same way that emergency contraception is seen as a backup to regular contraception.” The article noted that as of 2005, abortion rates in England and Wales were about the same as in the United States.

**19** The total fertility rate (TFR) is the simplest measure of reproduction. It measures the number of children a woman would have in the course of her lifetime if the fertility rates remained unchanged. A rate of 2.1 defines equilibrium, and anything below indicates a failure to reproduce the current level of population. In Germany, in 1995, it was a very low 1.3 and remained about that level for 20 years. In 2020, with a modest rise to 1.59, it still remained well under a rate to replace the population. French fertility rates were among the highest in Europe, but still under the rate of reproducing the population: 1995, 1.7; 2020, 1.85. The TFR for the England and Wales remained well under replacement: 1995, 1.72;

An illustration of novel forms of reproduction is offered by the history of same-sex couples beginning in the 1990s. Anthropologist Kath Weston's *Families We Choose*, first published in 1991 and reissued with a new introduction in 1997, can provide a point of departure, together with suggestions for following historical stages of development.<sup>20</sup> Weston observed that the emergence of gay families took place in the context of gay migration to large urban centers in the period after World War II. Having often broken their "blood" ties, gays and lesbians organized themselves initially around friendship, adopted a language of sibblingship, and built relationships around community ties. The heterosexual ideology of companionate marriage from the 1920s and '30s offered one model, but during the '60s and '70s gays placed greater emphasis on choice, managed fluid boundaries between friend and lover, and assembled multiple networks across different households.<sup>21</sup> By the mid-'80s, however, the rhetoric of brotherhood and sisterhood seemed dated, and gays and lesbians were talking about families. Lesbians led the way with their own "baby boom," by taking advantage of sperm donation and bringing children from earlier marriages into their new household arrangements. But how were they to think about family and kinship? Here there was considerable tension and uncertainty. Some lesbians wanted to find ways to translate friendship into kinship, while others sought to reincorporate biology and procreation into their new family forms. Writing in the early '90s, Weston weighed the future of gay families this way: "If gay people begin to pursue marriage, joint adoptions, and custody rights to the exclusion of seeking kinship status for some categories of friendship, it seems likely that gay families will develop in ways largely congruent with socio-economic and power relations in the larger society."<sup>22</sup>

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2019, 1.65. Between 1995 and 2020, the fertility rate fell in the United States below replacement: 1995, 2.03; 2020, 1.78.

<sup>20</sup> Kath Weston, *Families We Choose: Lesbians, Gays, Kinship*, rev. ed. (New York, 1997; 1st ed. New York, 1991). Weston based her work on observations among gay and lesbian cultures in San Francisco and on a critique of the anthropological literature on kinship.

<sup>21</sup> Weston, *Families We Choose*, p. 109: "Fluid boundaries and varied membership meant no neatly replicable units, no defined cycles of expansion and contraction, no patterns of dispersal."

<sup>22</sup> Weston, *Families We Choose*, p. 209. Weston saw pressures towards forming stable co-resident couples in new legislation governing domestic partnerships. The logic of choice in constituting families, she thought, ought to allow an individual to designate anyone, whether in the same household or not, to receive insurance or employment benefits. But she could see that various possibilities were already being shut down, and the fluid boundaries that characterized relations in the 1960s and '70s were requiring greater definition. "If legal recognition is achieved for some aspects of gay families at the expense of others, it could have the effect of privileging certain forms of family while delegitimizing others by contrast," p. 209. See also Susan Dominus, "Growing Up With Mom & Mom," *New York Times Magazine*, October 24, 2004: 68–75, 84, 143–44. Dominus noted that when lesbian parents had children they became distanced from the gay community. She also remarked on an interesting issue that affected relationships organized around friendship and community: A gay sperm donor sued for paternity, supported by many of the gay friends who defined parenthood by the number two. Another article pointed to gay couples following older heterosexual norms: Ginia Bellafante, "Two Fathers With One Happy to

Melinda Cooper developed the story for the United States over the next two decades by following the efforts to provide gay couples with various legal rights, including eventually, the right to marry.<sup>23</sup> In her account, two forces drove the movement: the needs for property and health care. By the 1990s, it was clear that the effects of wage stagnation, labor market changes, and policies privileging investment income over earned income had created a society in which asset accumulation and inheritance increasingly determined the distribution of wealth and status.<sup>24</sup> For the middle classes, this combina-

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Stay at Home,” *New York Times*, January 12, 2004. The article noted that a substantial number of gay men who were raising children together thought that one of them should leave the workplace. Like heterosexual couples, they often divided up responsibilities. The partner with lower earnings would take on more household chores and child care. The article argued that work and other aspects of society still assumed single-earner families. But with heterosexual couples, women who worked as many hours and earned as much as their husbands, still did more household chores. Gay couples were tending towards less equality in their arrangements than had been expected. See Abigail Ocobock, “Status or Access? The Impact of Marriage on Lesbian, Gay, Bisexual, and Queer Community Change,” *Journal of Marriage and Family* 80 (2018): 367–82. Ocobock argued that gay married couples had fewer children than heterosexual couples and made the point that having children was crucial for the level of engagement with the community. Her article systematically looked at the effects of gay marriage and access to gay marriage on social involvement of the couple with others.

23 Melinda Cooper, *Family Values: Between Neoliberalism and the New Social Conservatism* (New York, 2019 [2017]). Note that Germany allowed same-sex registered partnerships in 2001 along with same-sex adoption of stepchildren. Same-sex marriage became legal in 2017. Although civil solidarity pacts became possible in France in 1999, same-sex couples did not have rights to artificial insemination or to adoption. They acquired adoption rights in 2013, along with the right to marry. Assisted reproduction for lesbians only became available in 2020. In England and Wales, civil partnerships were recognized in 2004, and single parents or couples could adopt from 2005. Single-sex marriage was adopted in 2014. In the US, the laws in different states varied considerably. Single-sex marriage allowed individuals to visit sick partners in hospital and make legal and health decisions. Massachusetts allowed gay marriage in 2004, California in 2008. In 2015, the Supreme Court ruled same-sex marriage to have the same benefits as all marriage for tax purposes, estate planning, federal benefits, and medical decision-making.

24 Cooper, *Family Values*, p. 123: “The empirical data on wealth distribution suggests that inheritance is almost as decisive at the beginning of the twenty-first century as it was in the nineteenth. This phenomenon also and inevitably entails the reassertion of the private family as a critical economic institution and a portal to social legitimacy. The fact that marriage and family formation have become the overriding concern of queer politics; the claim, axiomatic among American social policy theorists, that marriage is now a marker of class and a means to social mobility; the fact that the recreation of the private family unit has become a key ambition of welfare policy—all of these trends point to the resurgence of the family as the essential vector for the distribution of wealth and status.” See also the description of the resurgent significance of inheritance for wealth accumulation by Thomas Piketty, *Capital in the Twenty-First Century*, trans. Arthur Goldhammer (Cambridge, MA, 2014), pp. 290–96. See Andrew Jacobs, “More than Mere Partners: By Example, Lesbian Couple Try to State Case for Marriage,” *New York Times*, December 20, 2003: “More than anything else, they want the security of spousal inheritance rights so that if one of them dies, the other can remain in their home without an onerous payout to the Internal Revenue Service.” When one of them ended up in the hospital with meningitis, a hospital official stopped her partner: “Family only,” she was told.” Another example of a partner being turned away from visiting in the hospital was reported by Denise Grady, “Lesbians Find Cancer Support Without Excuses,” *New York*

tion of changes turned the family home into a form of investment and the family itself into the chief locus of wealth accumulation and vehicle for wealth transmission.<sup>25</sup> As Cooper observed: “It is hardly coincidental that the legal recognition of family became an explicit and overwhelming preoccupation of gay activism during this period, or that a performative activism held afloat by the dynamics of credit expansion should morph so quickly into a politics of marriage.”<sup>26</sup> Concomitantly, neither was it coincidental that the demand for recognition of same-sex marriage and property transmission rights came as “queers were being welcomed into the market for consumer credit.”<sup>27</sup> Gay and

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*Times*, November 23, 1999: “a doctor determined that she was not a blood relative and told her that if she did not leave he would have her removed by a guard.”

25 See Malia Wollan, “Same-Sex Marriage Case, Day 4: Economics,” *New York Times*, January 14, 2010: Testimony in favor of same-sex marriage dealt with economic issues. Such marriages would boost tax revenues; as married individuals accumulated more wealth and increased consumer spending, thereby providing sales tax revenue and property tax revenue. Marriages also tended to decrease the burden of public spending on health care, because one spouse often provided private health insurance. See also Bob Tedeschi, “HUD Combats Discrimination,” *New York Times*, November 6, 8, 2009: It turned out that real estate brokers also did not want to discriminate, not least because it would be bad for business. At about the same time, the US Department of Housing and Urban Development was formulating anti-discrimination rules for FHA loans. And see Antoinette Martin, “Market Poised To Get ‘Gay Friendlier,’” *New York Times*, November 26, 2006: After the New Jersey Supreme Court conferred full marital rights on gay and lesbian domestic partnerships, a boom in home buying was expected. The decision conferred all rights to family benefits from employers. Gays and lesbians made up a quarter of the clients of one real estate agent.

26 Cooper, *Family Values*, p. 161: “The expansion of consumer credit did indeed cater to lifestyles and risk markets beyond the norm, seeming to banish the crude forms of invisibility that had reigned in the past, but the process of asset accumulation with which it was necessarily allied and the forms of collateral that it inevitably demanded, exerted an equally powerful stimulus to discipline oneself within the legal framework of inheritance.” For an example of business turning to the gay and lesbian market, see the business section of the *New York Times*, September 29, 1994. The automaker Saab directed advertisement to gay publications.

27 Cooper, *Family Values*, p. 162. Inheritance, Cooper pointed out, always remains tied to “traditional notions of the family,” p. 163. This implied that “if queer wealth holders are to secure some form of legal right to bequeath their assets, their relationships need to be validated as ‘family like’ and endowed with the same degree of legitimacy as heterosexual marriage,” p. 162. See also Jacobs, “More Than Mere Partners.” In a New Jersey lawsuit, plaintiffs sought a range of benefits, including inheritance rights. Each mother of the couple involved had had a child. When one child got sick, the other mother was barred from visiting in the hospital on the grounds that she was not family. And the women wanted to be able to inherit from each other and to pass on their wealth equally to both children. See also the op-ed piece, Jaye Cee Whitehead, “The Wrong Reasons for Same-Sex Marriage,” *New York Times*, May 15, 2011, which argued for equal rights: “The vast expansion of the government over the past century has embedded marriage into all areas where the state and the individual intersect, from tax obligations to disability benefits to health care decisions to family law.” The editors pointed to business support for gay marriage as important for the economic future of New York. With marriage, a substantial number of couples would end up over the eligibility threshold for public benefits and thereby shift the responsibility from the state to the couple. Legal marriage obligated a couple to provide and care for each other, to ensure that they not become the responsibility of state.



lesbian definitions of self and desires for recognition from the outside were brought together under the umbrella of the idea of biological and economic assets (children and wealth) as “appropriately legitimated within the form of marriage.”<sup>28</sup>

The other stimulus for family formation among gays, according to Cooper, grew out of the 1980s’ AIDS crisis. Notoriously, neither the insurance industry nor federal and state governments were inclined to meet the health needs of the gay population. The AIDS epidemic coincided with changes in the overall structure of health care delivery, whereby much care was outsourced to the home and responsibilities for caregiving were assigned to families and household members—unpaid of course.<sup>29</sup> “In the cities hardest hit by HIV. . . gay men, lesbians, transgender women, and their allies marshaled vast amounts of unpaid labor to confront urgent health care, housing, and social service needs of the HIV-infected while also initiating the first prevention campaigns.”<sup>30</sup> No doubt the experience with AIDs and HIV acted as a stimulus to the fight for inclusion of family-like units in work-related health insurance, for example, and more generally, for access to private health care.<sup>31</sup> Couples needed visitation rights in hospitals, heretofore available only to family members, people genetically related to each other. And they needed to make health decisions for partners incapacitated by illness.<sup>32</sup> Cooper cited one of the most prominent advocates of same-sex marriage, M. V. Lee Badgett, to the effect that “the legal obligations of marriage should function as a primary source of welfare and the first-line of defense against the social risks of ill health, aging and

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28 Cooper, *Family Values*, p. 165. “The socially meaningful dividing line . . . appears to have shifted from the normative and non-normative expression of sexuality to the legitimate or illegitimate relationship, as legally validated marriage fast becomes a prerequisite for the recognition of minimal social rights.”

29 Cooper, *Family Values*, p. 186.

30 Cooper, *Family Values*, p. 192. “The AIDS activists who campaigned for universal health care . . . found themselves working on two fronts simultaneously: Even as they sought to revive the reform agenda of the 1970s left, they also had to confront the increasingly influential ethic of personal and family responsibility associated with neoliberalism,” p. 210.

31 An example of the problem: Associated Press, “State Court Rules Gay Partners Cannot Get Health Care Benefits, *New York Times*, February 3, 1995. The Minnesota Court of Appeals ruled that gay partners were not eligible for health care benefits.

32 In *Family Values*, p. 211, Cooper argued that many voices in the same-sex marriage debate “adopt the neoliberal argument that legal recognition of their unions will ultimately allow same-sex couples to take care of themselves and thus renounce their rights to state welfare altogether.” See also Grady, “Lesbians Find Cancer Support Without Excuses.” Lesbians who were in long-term relationships were denied the right to make decisions for severely ill partners. The author offered the example of a partner who could get into the intensive care unit only by posing as the sister of her partner. But there could be other family issues: “Lesbians’ Custody Fight on Coast Raises Novel Issues in Family Law,” *New York Times*, September 9, 1984. This case involved a lesbian couple who conceived using the sperm from one woman’s brother. His sister was listed as the father on the birth certificate. After the couple split, an Oakland CA judge ruled that the woman who had not born the child could have visiting rights. The article noted that many women in the San Francisco Bay Area were having children under similar arrangements.

unemployment.”<sup>33</sup> Arguments for legislative action on same-sex partnership and marriage aside, various commentators have suggested that the AIDS epidemic turned many gay men in practice “toward the privatized risk protections of monogamy.”<sup>34</sup>

Already in the 1970s and '80s, there was evidence, as Kath Weston pointed out, of a lesbian baby boom. And over the next three decades, this, together with concerns over health access and property transmission, would spur same-sex couples to seek permanency in their relationships. Interest in fostering, adoption, assisted reproductive techniques, and surrogacy introduced, in their turn, new aspects of family formation and novel practices of kinship, as well as new strains and conflicts.<sup>35</sup> One issue had to do with establishing a legal co-parenting couple. In many states, the biological mother stood to lose rights over her child if her partner adopted, but without adoption the child had no survivor benefits from the co-parenting partner.<sup>36</sup> The sorting out of partnership and marriage rights solved many such issues, including visitation rules in cases of partner or spousal separation.<sup>37</sup> But there were still other questions among which the

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<sup>33</sup> Cooper, *Family Values*, p. 212. “Her testimonies focus on both the social insurance and tax advantages that will be opened up to same-sex couples as a result of marriage and, more emphatically, on the fiscal savings that will be made available to the state once same-sex couples are authorized to take care of themselves,” p. 213.

<sup>34</sup> Cooper, *Family Values*, p. 214. An example of the problem is provided in Philip S. Gutis, “How to Define a Family: Gay Tenant Fights Eviction,” *New York Times*, April 27, 1989. A gay partner sued for the right to a rent-controlled apartment as the survivor. The lawyers for the leasing company argued that there was no blood or marital connection between the two men. The city, confronted with a growing AIDS population, supported the survivor. In 1993, the New York Supreme Court extended the definition of family members to include gay couples with regards to rent-controlled apartments; a decision seen as a victory for the gay community devastated by the AIDS epidemic: Associated Press, “Gay Couples Ruled to be ‘Family Members,’” *New York Times*, December 22, 1993.

<sup>35</sup> Elisabeth Rosenthal, “From Lives Begun in a Lab, Brave New Joy,” *New York Times*, January 10, 1996. The article remarked on how normal lives had become with in vitro fertilization (IVF). In theory, the article pointed out, a newborn child could have five different people involved in its existence: the egg donor, the sperm donor, the surrogate carrier, and the woman and man who raise the child (it could have said the same-sex couple as well). Some children received the petri dish in which they were conceived. In any event, all this raised the question of what it meant to be a parent or sibling. One surrogate became the godmother to the twins she carried. When there was a donor, children had to deal with identity issues associated with being raised by a nongenetic parent. In 1996, when this article was published, about 86% of parents who used a sperm donor did not tell the child. Of course, a decade or so later, when people started to use DNA searches, such secrecy could no longer be maintained, often to the shock of the offspring.

<sup>36</sup> Joseph F. Sullivan, “Court Backs Lesbian’s Right to Adopt a Partner’s Child,” *New York Times*, August 11, 1993. A family court judge allowed the adoption of a three-year-old girl by the mother’s partner. The mother had conceived through artificial insemination. The court recognized the right of the lesbian couple to co-parent. However, in Vermont, a court ruled that such adoption would mean the surrender of the mother’s rights.

<sup>37</sup> David M. Halbfinger, “Rights of Gays as Parents Are Widened by Court,” *New York Times*, April 7, 2000. A New Jersey court ruling recognizing visitation rights after the breakup of a lesbian couple applied to any unmarried couple where one partner was not the biological parent. In 1991, in New York,

most pressing touched on property accumulation and inheritance. Could one's portion of a mutually owned property be transmitted tax-free to the surviving partner and could one's wealth be passed to the next generation? And in matter of that next generation, could a designation as genetic successor establish inheritance rights?

By the early 2000s, lesbian couples and single women were the chief clients of sperm banks.<sup>38</sup> Lesbian couples often found donors among gay friends and frequently included them in aspects of child-rearing.<sup>39</sup> In fact, reproduction among single women and lesbians created wholly new possibilities for kinship networks, including the one of strengthening of multi-generational households. Already in the '90s, many single mothers were moving back in with parents or living close to relatives who could offer support.<sup>40</sup> After 2000, lesbians began to refuse anonymous sperm donorship and often

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a lesbian attempt for visiting rights was denied on grounds that the woman and child were "biological strangers." By 2003, over fourteen million children in the United States were being raised by at least one gay or lesbian parent, and court decisions were changing the legal landscape rapidly. Visitation and support after a same-sex couple splits had become the norm: Jane E. Brody, "Gay Families Flourish as Acceptance Grows," *New York Times*, July 1, 2003.

**38** Gina Kolata, "Lesbian Partners Find the Means to Be Parents," *New York Times*, January 30, 1989. Thousands of lesbians were having children. Forty percent of the clients of one San Francisco sperm bank were lesbians. But often they obtained sperm from a gay friend. In some instances, the friend and his partner shared parental responsibilities. Nellie Bowles, "The New Sperm Economy," *New York Times*, January 10, 2021, Sunday Business, pp. 1, 6–7. Another version was published as "The Sperm Kings Have a Problem: Too Much Demand," *New York Times*, January 8, 2021; updated January 20, 2021. During the recent coronavirus epidemic, sperm banks were having trouble getting enough sperm, while demand was increasing. One large sperm bank was breaking sales records. In 2018, sperm banking was about a \$4 billion industry (a vial sold for about \$1,100). Because of the significant cost for donor sperm from banks, however, many men were going freelance. In general, the demand for sperm rose considerably over the previous decade. About 20% of sales from banks were for heterosexual couples, 20% for single mothers by choice, and 60% for gay women. "Many women want smart sperm." Thus many banks set up shop near elite universities. Banks now limit a donor to 25–30 families, but freelancers set no limits. The demand has become so high that particularly attractive sperm can be snapped up in a few minutes. One popular sperm donor (a professor) who had been giving his sperm away for free for a decade currently had fifteen women across the United States pregnant and was in Zimbabwe, heading for Nigeria.

**39** Patricia Leigh Brown, "For Children of Gays, Marriage Brings Joy," *New York Times*, March 19, 2004, discusses a case of an eleven-year-old boy, whose biological mother just had married her partner of sixteen years. They had planned the pregnancy with a gay friend who lived with his partner of twenty-three years. The boy split his time between the two households, and all shared the responsibilities of raising him.

**40** Rahel Musleah, "Single Mothers by Choice, On the Increase," *New York Times*, May 12, 1996, discussed the network of support groups called Single Mothers by Choice. It mostly was composed of professional women, 40% of whom had had children through sperm donation. In 1994, 28% of all births in the United States were by single mothers, and there were then eleven million such mothers including divorcees who stayed single. The author pointed out that the steepest rise in single motherhood was among white, educated professional women. Many of them needed support from their extended families, and it was quite usual to move back home. In any event, they needed to develop support networks, and kin played an important role.

expected sperm bank donors to play some role in their children's lives. As inexpensive DNA searches and social networking became available, the sperm donor might become the center of a newly discovered kin network.<sup>41</sup> By about 2000, both mothers and offspring were readily able to locate half siblings, tied genetically to a single donor, and the numbers sometimes were staggering—fifty, a hundred, even a hundred-and-fifty sired by a single man.<sup>42</sup> This was creating new problems as well as new definitions of rela-

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41 Linda Villarosa, "Once-Invisible Sperm Donors Get to Meet the Family," *New York Times*, May 21, 2002. Sperm banks had earlier insisted on anonymity. Now many of them were offering donor ID releases when the child turned eighteen. Among customers of donated sperm, lesbian and single women were accounting for an ever-increasing proportion. Already several countries were requiring donor identification. And lesbian and single women clients in the United States were increasingly insisting on openness. This led in many cases to relationships between the donor and the child—and inevitably with the mother. On the sperm donor and kin networks, see Mroz, "From One Sperm Donor, 150 Children." Siblings could find each other through [donorsiblingregistry.com](http://donorsiblingregistry.com) by simply searching the donor number from a particular sperm bank. Mothers also liked to connect up, and lesbian couples often looked forward to creating an extended family. In the bizarre example discussed here, already 150 individuals had located a connection to one donor, and thus become half siblings. This led to networks of connection, common vacations, and time spent together. There were many networks of more than 50 half siblings. In the United States there were no limits to the number of children from one donor, despite fears of accidental incest. One donor used an Excel spreadsheet to keep track of his 70 offspring. See also Susan Dominus, "Sperm Donors Can't Stay Secret Anymore. Here's What That Means," *New York Times*, June 26, 2019. Nowadays DNA allows children to track down donors. There are hundreds of biological half-sibling groups with more than 20 members. See Amy Harmon, "Hello, I'm Your Sister. Our Father is Donor 150," *New York Times*, November 20, 2005. Various documentary series have dealt with half-sibling experiences. For example, see the documentary by Jerry Rothwell, *Donor Unknown*, <https://www.pbs.org/independentlens/films/donor-unknown/>. *Generation Cryo*, <https://www.amazon.com/Generation-Cryo/dp/B00GTMFEEU>.

42 Dominus, "Sperm Donors Can't Stay Secret Anymore," reported on a new category of kinship relation as children of sperm donors reached out to their "biological family." Around 2000, the first generation of children born to lesbian parents and single women who used sperm donors came of age. In 2000, Ryan Kramer, age ten, and his mother, Wendy, founded Donor Sibling Registry. By 2019, the Donor Sibling Registry was matching at least a thousand people a year. Single mothers who were open for connection also wanted to build some kind of an alternate family or community. Many single mothers and lesbians had photographic books of half siblings and took part in regular family reunions. In 2020, ethicist Kwame Anthony Appiah answered a mother's question touching on issues of when and how to introduce a child conceived through a sperm donor to related half siblings in other families: Kwame Anthony Appiah, "I Used a Sperm Donor. Should I Introduce My Daughter to Her Half Siblings?," *The Ethicist*, *New York Times*, October 20, 2020. The mother wrote: "I believe strongly that she [her daughter] needs to know her origin story and understand from an early age, that she has some 15 to 20 donor half siblings." She thought that not growing up with someone would deprive her daughter of "a very special kind of relationship." And in "A Family Tale," columnist Bob Herbert wrote of a man from Connecticut, one of nine siblings who were separately adopted. The man related the stories of how he found out that his best friend was his brother and that he had dated his sister for many months: Bob Herbert, "A Family Tale," *New York Times*, December 31, 2001.

tionship. On the one hand, with so many genetically related, but widely separated offspring, fears of inadvertent incest arose and thus, measures were considered or taken to limit the number of progeny from any one male.<sup>43</sup> On the other hand, locating half siblings not only produced new kinship configurations but even adoption of the word, “dibling,” to signify siblings of the same donor.<sup>44</sup> Single mothers and lesbian couples also used social media to locate others who had used the same donor or even to offer left-over sperm to another woman.<sup>45</sup> All of these new forms of networking led to active social interaction and extended family relations.

Family formation among male gay partners could not follow the patterns pioneered by lesbians. Many states initially allowed gay couples to foster but not to adopt, although the establishment of marriage rights eventually led to changes in the law.<sup>46</sup> Besides, it

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<sup>43</sup> Amy Harmon, “Are You My Sperm Donor? Few Clinics Will Say,” *New York Times*, January 20, 2006. With potential offspring of more than a hundred from a single donor, there is a risk of inadvertent incest. See also Mroz, “From One Sperm Donor, 150 Children,” on the risks of “accidental incest.”

<sup>44</sup> Eva Tamsin, “Donor Siblings, and a New Kind of Family,” at *Motherlode. Adventures in Parenting* (blog), *New York Times*, July 1, 2012, <https://parenting.blogs.nytimes.com/2012/07/01/donor-siblings-and-a-new-kind-of-family/>, chronicled the story of a woman with two donor children searching for other mothers whose children were “biologically related.” She referred to them all as “diblings.” The author saw the meeting of mothers and children who shared their genetic heritage as a radical change. Emma Goldberg, “Meet the Kids with 30 Half Siblings,” *New York Times*, April 17, 2020. Goldberg reported that the “diblings” now number 31, spread over the United States, Canada, Britain, and Australia. One lesbian mother who at the outset wanted to play down genetic connection as defining family found that there was something special about the dibbling connection. In fact, the dibbling community has become tightly woven. Many women have bonded over the fact that they had chosen the same donor with similar criteria, and choosing the same donor provided them with a social network.

<sup>45</sup> Harmon, “Hello, I’m Your Sister.” Many mothers were eager to create a patchwork family for themselves and for their children. “One group of seven say they too feel bonded by half-blood relations of their children, and perhaps by the vaguely biological urge that led them to choose Fairfax Cryobank’s Donor 401.” One mother who sent some leftover sperm to another group member who wanted a second child, went camping with yet another mother along with their half-sibling children. Many children called their genetic father “donor.” The mother found the sense of familiarity among sibs largely irrational, yet the feelings were strong. One mother was in constant email contact with eight others, who altogether had twelve children. A group of five half siblings attended another’s choir concert. Hundreds of women exchanged notes. It turned out that the sperm banks had no idea how many children had been born to a specific donor, nor where they were. Jon Caramanica, “Half Siblings Linked by a Mystery Father,” *New York Times*, November 25, 2013, a review of the MTV show *Generation Cryo*: “It all amounts to a secret history of American family making.” The film chronicled several clans spread across the United States, all linked to “Donor 1096, one very industrious, athletic, cornet-playing, 5-foot-10 Jewish man from Oakland, Calif.” Using the Donor Sibling Registry, a woman located offspring that had already been meeting for years.

<sup>46</sup> In “Accord Lets Gay Couples Adopt Jointly,” *New York Times*, December 18, 1997, Ronald Smothers reported that a New Jersey court got around the law that did not allow unmarried couples to adopt together by allowing each member of a gay couple to adopt a two-year-old foster son separately. And in “Is No Adoption Really Better Than a Gay Adoption?,” *New York Times*, September 8, 2001, Don Savage reported that gay couples were more willing than heterosexual couples to adopt at risk children—children

was often easier to find ways to produce children than to adopt them, and so gay men began turning to surrogacy. By 2005, the *New York Times* was reporting that hundreds of male homosexual couples were creating families through surrogate mothers.<sup>47</sup> In fact gay couples were the preferred clients for many conservative surrogates because of their willingness to integrate the surrogate as a kind of kinswoman.<sup>48</sup> But because most single men or gay couples wanted a genetic relationship with the child and therefore used their own sperm, there were complications, including legal ones, were the surrogate also to be genetically related to the child.<sup>49</sup> Consequently, almost all surrogate relations came to involve “gestational surrogacy,” the form in which a donated egg and in vitro fertilization produced the embryo carried by the surrogate.<sup>50</sup> And, what is more,

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with HIV, mixed-race, disabled, abused, and neglected. In Florida, many children were trapped in the foster care system, but the state did not allow same-sex partners to adopt them. It did allow single heterosexuals to adopt. According to Lynn Waddell’s article “Gays in Florida Seek Adoption Alternatives,” *New York Times*, January 21, 2005, Florida was the only state banning adoption by gays, although gays could be foster parents. Foster children do not get social security survival benefits. To get around the situation, lesbians and gay men were teeming up. And Erica Goode’s piece “Group Wants Gays to Have Rights to Adopt a Partner’s Child,” *New York Times*, February 4, 2002, noted that second parent adoption was fiercely contended.

47 Ginia Bellafante, “Surrogate Mothers’ New Niche: Bearing Babies for Gay Couples,” *New York Times*, May 27, 2005. If heterosexual couples often had tried every possibility before turning to a surrogate and frequently treated the surrogate purely transactionally, gays were more likely to meet her emotional expectations for connection to the child she had carried. They often wanted the surrogate to play a kinship role.

48 Frank Bruni, “A Small-but-Growing Sorority is Giving Birth to Children for Gay Men,” *New York Times*, June 25, 1998. Marcus Mabry, “The Gift of Being Gay and a Dad,” in *Motherlode. Adventures in Parenting* (blog), *New York Times*, posted June 17, 2012, <https://parenting.blogs.nytimes.com/2012/06/17/the-gift-of-being-gay-and-a-dad/?action=click&module=RelatedCoverage&pgtype=Article&region=Footer>: “Our surrogate became our friend and finally family.”

49 There were also many issues that had to do with the relatedness of children to the surrogates who had carried them. In one anthropological study in an English town, women thought that children gestated in the same womb, even when they had no genetic relation to each other, were too close to be able to marry. See Jeanette Edwards, “Incorporating Incest: Gamete, Body and Relation in Assisted Conception,” *Journal of the Royal Anthropological Institute* 10 (2004): 755–74, here p. 756. Motherhood thus was defined, not by genetics but the acts of gestating and giving birth. “A link forged in the body of a mother is of a different quality than a link through the substance of a shared father,” p. 761. Gestation of a fetus in its mother’s womb makes in vitro fertilization natural, p. 765.

50 Jerry Mahoney, “Mom/Not Mom/Aunt,” *New York Times*, July 18, 2010, examined a gay couple who used the eggs of a sister and the sperm of the unrelated partner: “For the first time, Drew and I were also able to imagine what it would be like to have a child who had genetic roots in both family trees.” Anemona Hartocollis, “And Surrogacy Makes 3,” *New York Times*, February 19, 2014. Among gay men, it was becoming common to engage a paid surrogate who would use a donated egg. This was called gestational surrogacy, the point being that the surrogate would have no genetic relation to the child and presumably no claim to parentage. Different states had different laws about commercial surrogacy. The article argued that surrogacy fundamentally was a conservative embrace of family values among gay men. By 2014, there were about 1600 gestational surrogacy births per year in the United States. And gays were popular among surrogates. There was a new language of gestational carrier, intended parents,

surrogacy became an international industry, with many foreigners coming to California, which allowed compensation to surrogate mothers, and many Westerners going to India and other non-Western countries, including the former Soviet bloc countries Ukraine and Romania, to deal with the matter more cheaply.<sup>51</sup> Given all these possible ways to create families, by 2013, there were estimated to be two million gay parents with children under eighteen in the United States.<sup>52</sup>

I have used same-sex families to explore the proliferation of family and kinship forms during the period 1995–2020.<sup>53</sup> But this is only part of the story. By 1994, there were eleven million single mothers in the United States, accounting for well over a quarter of all births annually.<sup>54</sup> Increasingly over the next decades, single motherhood

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collaborative reproduction. In some states, the two gay men could be on the birth certificate, with the gestational surrogate unmentioned. See Stephanie Saul, “Judge Calls Surrogate Legal Mother of Twins,” *New York Times*, December 31, 2009. During the 1990s, it was normal for judges to see the “real” mother as the one who bore the child. With time, courts came to prefer genetic connections. In the 2009 case discussed by Saul, however, a New Jersey judge awarded custody to the surrogate who had no genetic connection to the child. There was a similar case in Michigan where a court gave custody of twins to the gestational surrogate.

51 Ginia Bellafante, “Surrogate Pregnancy Goes Global,” *New York Times*, June 15, 2010. This is a review of the film “Google Baby,” directed by Zippi Brand-Frank. The film dealt with an Israeli entrepreneur who exported frozen embryos to gestational centers in India. See Nilanjana S. Roy, “Protecting the Rights of Surrogate Mothers in India,” *New York Times*, October 4, 2011. Here it was reported that commercial surrogacy was legalized in India in 2002, and that by 2011, it had become a key part of the country’s medical tourism. In India surrogacy cost a fifth or less than in the United States, and the assisted reproductive industry was worth about 540 million a year. Nida Najar, in “India Wants to Ban Birth Surrogacy for Foreigners,” *New York Times*, October 28, 2015, reported that there were thousands of clinics in India.

52 Natalie Angier, “The Baby Boom for Gay Parents,” *New York Times*, November 26, 2013. In 2013, there were well over one hundred thousand same-sex couples with children in the United States. Two-father couples were “exemplars of domesticity.” Around two million children lived with such parents. Close to a fifth of gays with children had adopted them, but many craved having their own genetic offspring. It turned out, contrary to expectations, that the most stable families were those headed by gay men who had children together.

53 Bob Morris, “We Are Family,” *New York Times*, May 22, 2005. The author listed all the family permutations he could think of. He was invited by a nephew to what once had been called “grandparents day” at his school. There were now so many unconventional families that they renamed it “grandparents and special friends day.” See also John Bowe, “Gay Donor or Gay Dad?,” *New York Times*, November 19, 2006: “Though precise breakdowns are hard to come by—demographers have yet to track all the different types of gay families—for many gay parents, the family structure is more or less based on a heterosexual model: two parents, one household. Heather may have two mommies, but her parents are still a couple. Then there are families like R’s and his partner’s that from the outset seek to create a sort of extended nuclear family, with two mothers and a father who serves, in the words of one gay dad, as ‘more than an uncle and less than a father.’ How does it work when Heather has two mommies, half a daddy, two daddies, or one and a half daddies?”

54 In “Single Mothers ‘Do’ Family,” *Journal of Marriage and Family* 68 (2006): 781–95, Margaret K. Nelson cautioned against ignoring the wide range of possibilities, variations, and problems with regards to single mother families (p. 794).

was a matter for professional women in their thirties. And as consumers of donated sperm, single women in general soon became involved with the half-sibling networks sought out by their children, or constructed networks of women who had used the same donor.<sup>55</sup> It also became possible to involve a multitude of potential parents in a birth.<sup>56</sup>

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55 Amy Harmon, “First Comes the Baby Carriage,” *New York Times*, October 13, 2005. Single women were buying sperm, and hundreds, trading notes, were arranging to use leftover sperm. By using donor sperm, they could bear their own genetic offspring. And the sperm could be delivered right to the door after donor profiles had been checked on line. More women in their mid-30s were trying to conceive, more with college degrees. Some wanted to include men in their children’s lives as an enrichment activity. See on this point, Abbie E. Goldberg and Katherine R. Allen, “Imagining Men: Lesbian Mothers’ Perceptions of Male Involvement During the Transition to Parenthood,” *Journal of Marriage and Family* 69 (2007): 352–65: “Lesbians often expand their kinship base beyond biological kin to include friends, former lovers, and other individuals, a group that is characterized by diverse genders and sexualities,” p. 362. Some were pioneering, but others were traditionalists capitulating to gender stereotypes, needing “men to teach their child how to repair a carburetor,” p. 362. In “Your Gamete, Myself,” *New York Times Magazine*, July 15, 2007: 34–41, 58, 63, Peggy Orenstein reported that one of the fastest growing fertility treatments involved using donor eggs and in vitro fertilization. But this raised for many women the question of “maternal authenticity.” She cited a case of creating an embryo from a maternal egg and paternal sperm, which then was implanted in a surrogate carrier. The parent furnishing the egg insisted that she be listed on the birth certificate. Some parents set up play groups of children created with donor sperm. Between 1992 and 2004 the number of attempts to get pregnant with donor eggs rose more than eight-fold to over 15,000. In that year about 23,000 babies were adopted from abroad, probably the same number as conceived with donor insemination. The overwhelming majority of women who used donor eggs were in their 40s, and the birthrate among women 40–44 rose 44% after 1990. Among women aged 43 who attempted IVF, a third used donor eggs. By age 47, 91% did. Because biology and genetics had been separated, a new phrase was introduced, the “biogenetic child,” designating a child who was related both biologically and genetically to both parents.

56 Judith Belkin, “Their Bodies, My Babies,” in *Motherlode. Adventures in Parenting* (blog), *New York Times*, December 29, 2010. Using an egg donor (“fairy goddonor”), two gestational surrogates, and her husband’s sperm, a mother’s two children were born five days apart. They were called “twiblings”: Debora L. Spar, “The Poly-Parent Households Are Coming,” *New York Times*, August 12, 2020. Spar was quite upbeat about all the possibilities for two women—or any other permutation—to have a child together. All the new reproduction techniques allowed “people to conceive babies they desperately want and to build families with those they love.” She found this a “deeply conservative” development, which nonetheless forced us to reconceptualize what a family means. After all, assisted reproductive technology played an important role in the fight for marriage equality. It led to the support of stable two-parent families. Now with in vitro gametogenesis, whereby people can manufacture their own eggs and sperm (from a skin cell, for example), mixing and matching between genders, it is possible for more than two people to create a child together. It has become theoretically possible to manufacture an egg or sperm from a sliver of skin. She offered an example of four parents creating a child. “Once we no longer need the traditional family structure to create children, our need for that traditional family is likely to fade as well.” It allows us to “dismantle the reproductive structure of heterosexuality.” Housemates, same-sex couples, single women, platonic friends—all could make children genetically their own. But don’t worry, Spar, a professor at Harvard Business School, assured us, poly parenting would never become the norm. Still, she insisted that technology would force us to get used to threesomes and foursomes, young and old, men and women, across the spectrum of gender identity. What she did not discuss was the possible attitudes of the future offspring to all of this.



In a sense, Bob Simpson's term "unclear family," which I described in section IV, fits all these new possibilities as well.<sup>57</sup> Households could be composed of heterosexual couples or same-sex couples or single mothers or fathers, with children of the couple, children from previous partnerships or marriages, children from the same or different sperm or egg donors or surrogates, adoptees, foster children, all mixed and matched, patched and blended.<sup>58</sup> As Karen Hansen insisted (see section IV), even heterosexual families

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57 Bob Simpson, "Bringing the 'Unclear' Family Into Focus: Divorce and Re-Marriage in Contemporary Britain," *Man*, n.s. 29 (1994): 831–51. The unclear family "involves changes in familial residential patterns, gender roles, socialization and patterns of inheritance," p. 832. Essentialist notions of fatherhood were being rendered "partial and fragmented," p. 836. "Closely integrated polarities of kinship, the legal and the natural, the conjugal and the cognatic, the affinal and the consanguineal have to be unravelled," p. 837. See also William Safire, "On Same-Sex Marriage," *New York Times*, December 1, 2003: "Now that there are adoptive and scientific substitutes for old-fashioned procreation, and now that 43 percent of first marriages fail, the nuclear family ideal is not what it used to be. Little lock is left in wedlock."

58 Bove, "Gay Donor or Gay Dad?" Bove offered examples of kinship innovations, given the substantial increase in the number of children raised in same-sex households. One example: a lesbian couple, one black and one white, found a sperm donor among their gay friends. In keeping with the possibilities of blending race, the black partner received sperm from a white gay friend, who had no intention of playing a role as father, but did want some relation to the child. For many gay parents the family structure has been based on a heterosexual model: two parents, one household. But some, as in the example here, have sought a kind of extended nuclear family. The gay parent was more than an uncle but less than a father. Lesbians often have preferred gay men they know for reasons of solidarity. And the men like to father with friends. They often waive parental rights so that the non-biological mother can adopt. Bove met with ten gay donor dads and found all different levels of involvement. Some bought houses nearby. Others visited regularly or went together on vacations. One gay donor was father to two children of a lesbian couple, one with each, which set up a kind of brother and sister relation between the donor and the women. In the initial example above, the white partner subsequently had twins with a black gay friend (once again a "blended" child). The first donor was called upon to be very much involved when his child had a severe health issue, but then there were difficulties when he wanted to revert to his earlier part-time status. After the lesbian couple split up, there was a custody battle. "The current family tree is a crazy circuit board: The black woman has a new female partner. The white woman is now living with a man, and the two have their own child. . . . [As the first donor said] between the one child that [he] has with the black mother, the twins borne by the white mother with a black donor and the newest, fourth, child born to her with her new male partner, all of them have some sort of sibling relation to one another, [and] things can be a little confusing." The children go back and forth between the mothers. One of the grandparents asked the author, "Why is this worth a story? It's not even worth discussing. We're just as American as our next-door neighbors. You see all these families with stepdads and stepmoms and half brothers and sisters. What do you say about marriages that 50 percent of the time end in divorce? Why are we so threatening? . . . Our families are designed. . . . We're just average. We're downright boring!" See also Claire Haug, "What's a 'Normal' Family Anyway?," *New York Times*, February 5, 2019. Haug offered an example of two single woman and a gay man who agreed to be donor for both of them. Two half brothers were born seven months apart. Later there was a half sister, all in three different households. Such unconventional families were becoming more common. A second example was of a twenty-three-year-old who grew up with several combinations of parents, siblings, and pets. The house was always open to friends who were going through difficulties. And see also "World Historical Transformation of Marriage," p. 974, where Stephanie Coontz wrote that "the social role and

could best be considered as “not-so-nuclear,” since raising children in all classes had come to call upon the participation of kaleidoscopic arrangements of kin.<sup>59</sup>

Along with the reconfiguration of kinship and the proliferation of household forms, several issues arose that will be the subject of the rest of the chapter. For one thing there was a new interest in genetic relationships, and with that, there were new questions to ask. First of all, how could newly discovered genetic ties, for example, provide a foundation for social and familial ties? What prompted searches for origins and connections in the first place? What role did genes play in identity? And secondly, what did all of this have to do with the subject of this book: incest? As I will point out, the fact of considerable numbers of half siblings unknowingly descended from a single donor prompted some social commentators and political figures to worry about incest-by-chance. Overall, from a variety of directions, the incest problematic shifted to siblings in both the scientific and popular imaginations, and issues of sexual attraction arose both for complex households and for these networks of newly found kin. Two centuries earlier, around 1800, Western culture had fixed on brother-sister relations as a way to think about personal identity, erotic life, ethical duty, and mechanisms for social networking, and had worked out these issues, necessarily, through contradictory takes on sibling eroticism. Sibling incest had then become a literary, philosophical, and theological theme embedded in the context of emotional and passionate household intercourse. In the new millennium, siblings once again found themselves in the cross hairs but for different reasons and in quite different cultural and discursive contexts.

## Dressing up kinship: Finding comfortable genes to fit

The new genetics frames a vision of kinship that conflicts with contemporary notions of choosing one's family and kin independent of reproduction and blood ties. — Kaja Finkler, 2000

You don't have an origin. — Testimony from an adoptee, 2000

Once it was the devil. Now it is the gene that made you do it. — John Langone, 2004

[Adoptees] crave seeing themselves reflected in blood relatives. — Maggie Jones, 2007

Technically, you are not my mother. — Son from donor egg, 2014

They explicitly identify kinship and ancestry as located in, and determined by, our genetic make-up. — Sofia Bull, 2019

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mutual relationship of marriage, divorce, and singlehood in the contemporary world is qualitatively different from anything to be found in the past.”

<sup>59</sup> Karen V. Hansen, *Not-So-Nuclear Families: Class, Gender, and Networks of Care* (New Brunswick, 2005). Hansen noted that there is “an ideology of familial independence versus the *practice of interdependence*,” p. 3. People rely heavily on kin for child care because of the way reciprocity works (pp. 161–80).

One traditional American, or even Western, view assumes that to a large extent kinship is based on choice and love; that kin, rather than being given, are selected and nurtured, and have to be sustained through mutual care. In this understanding, personhood, that sense of self or identity initially constructed in the crucible of parental care or neglect, provides the foundation for individual determination of relatives and relationships, and the degree to which individuals recognize kin grows out of and is sustained through attachments constantly reassembled over lifetimes. But this representation of family and kinship was challenged and significantly supplemented by the new genetics of the 1960s. By the 1990s, what a person was interested in or capable of doing easily could be ascribed to inherited genes. Genealogy took on new meaning, indeed a new urgency directing individuals to find out where they had come from. It is the significance of the new genetics for both the understanding of who kin are thought to be and how the practices of making kin could be reconfigured that I want to explore here. As anthropologist Kaja Finkler wrote in 2000: “The new genetics frames a vision of kinship that conflicts with contemporary notions of choosing one’s family and kin independent of reproduction and blood ties.”<sup>60</sup>

Finkler based her book *Experiencing the New Genetics* on interviews with breast cancer patients, healthy women who scanned genealogies for relatives with cancer, and adoptees who hunted down their birth parents (or decided not to do so). She discovered that the patients in her sample population tended to explain disease in single-cause, reductionist terms, based on notions of genetic inheritance.<sup>61</sup> Whatever disease they had or might develop they ascribed to genes circulating among ancestors. And in exploring their family trees, they often oriented themselves in new ways towards family and kin. They encountered unforeseen tensions, renewed ties that had atrophied, or found relatives never before known to exist.<sup>62</sup> Finkler put it this way: “The ideology of genetic

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<sup>60</sup> Kaja Finkler, *Experiencing the New Genetics: Family and Kinship on the Medical Frontier* (Philadelphia, 2000), p. 43. Finkler captured the going ideology of determinism that went along with the new genetics at the turn of the millennium. Over the next two decades, scientists tried to introduce complexity and multi-causal approaches to genetic causation. Television, following along at a slower pace, tended for a much longer time to propagate an ideology of genetic essentialism. For this, see Sofia Bull, *Television and the Genetic Imaginary* (London, 2019). Bull found that family history programs and family reunion TV shows “are heavily invested in determinist genetic discourses and prominently stage DNA as the essence of kinship,” p. 119.

<sup>61</sup> Finkler, *Experiencing the New Genetics*, p. 13: “The present perspective on the genetic inheritance of disease, embedded in genetic determinism, has exploded in Western culture since the 1960s.”

<sup>62</sup> Finkler, *Experiencing the New Genetics*, p. 14–15. “I propose that the present day genetic determinism molds people into an idealized form of family and kinship, contrary to changing practices and despite the redefinition of family and kin in contemporary society,” p. 16. Robert Klitzman, “Genetic Testing Creates New Versions of Ancient Dilemmas,” *New York Times*, January 17, 2006. Klitzman, a doctor, dealt with issues arising from family members who refused genetic testing. “In the new genetic age, the notion that family members are ‘bound by ties of blood’ takes on new meaning.” He cautioned that “as science progresses, as more genes are found, their meaning uncertain, we will be unsure how to proceed. Much like the ancients [oracles], we will get information that we don’t want to know and don’t know how to use.”

inheritance unites, often unwillingly, the individual with his or her family and kin, over and above the nuclear family.”<sup>63</sup> Finkler’s survey and analysis of medical patients offers insight into how notions of genetics affect the practices of making and unmaking kinship, but here I want to focus more specifically on her findings about adoptees and their reasoning about kinship and identity. I will argue that there are significant continuities for the role of genetics in the search for birth parents during the ‘80s and ‘90s, and for donor siblings in the two decades after 2000.

During the 1990s, a political movement to open adoption records made significant headway in North America and Western Europe.<sup>64</sup> Pressure developed from adoptees who, wanting access to their birth parentage in order to assess medical risks, argued for it in the idiom of human rights.<sup>65</sup> Physicians often asked for information about the incidence of disease in a patient’s family, as the genetics of disease had become a standard

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<sup>63</sup> Finkler, *Experiencing the New Genetics*, p. 185: “Kinship relationships based on genetic inheritance call for connectedness and circumscription of choice.”

<sup>64</sup> On the twentieth-century history of adoption and the various adoption rights movements, see Judith S. Modell, *Kinship with Strangers: Adoption and Interpretations of Kinship in American Culture* (Berkeley and Los Angeles, 1994), pp. 6–10, 19–35. Between World War I and II in the United States, laws were passed to seal birth and adoption records of adoptees. Slowly in the aftermath of World War II and the rise of genetics, various popular organizations developed to help adoptees find their genetic parents. But it was only from the mid-1980s that the search for origins became widespread as knowledge about reunions became a popular television theme. By the end of the ‘80s, birth parent groups were as prominent as adoptee groups. In *Experiencing the New Genetics*, p. 144, Finkler reported one of her informants had noted that in the early ‘80s she heard about other people searching for birth parents. “You started hearing it on television, and people then started finding out what to do.” Political pressure mounted to open adoption records, although the response of states and countries varied. In 1998, Oregon passed a law opening sealed records to adoptees and their birth parents. After several other Canadian provinces opened sealed birth records, Ontario did so as well, in 2009. See the July 14, 2019 letters responding to the photo essay Eli Baden-Lasar, “I’m 20. I Have 32 Half Siblings. This Is My Family Portrait,” *New York Times Magazine*, June 30, 2019. Baden-Lasar was a donor child who had photographed his 32 half siblings all over the US. One of the letter writers spoke of having been adopted during the period when people denied that genetic heritage mattered: “Guess What? It matters.” See also Finkler, *Experiencing the New Genetics*, p. 121: “The search movement came into bloom beginning in the 1960s, not coincidentally around the same time when conceptions of the family began to change, when our collective consciousness concerning genetic inheritance came into the forefront, and when notions about diseases as genetically programmed began once more to take root in biomedicine.

<sup>65</sup> See Jim Robbins, “Where Adoption is Suddenly an Open Book,” *New York Times*, May 17, 2001. In Oregon, within the first year of open records, 5,721 adult adoptees requested their files. One man who found his birth mother thought knowing who you are to be a fundamental right. Robbins estimated that there were six million adoptees in the United States. There was considerable resistance among people and institutions to opening up records. It was feared, among other things, that if confidentiality were lost, many women would seek abortions. In “Boom in Gene Testing Raises Questions on Sharing Results,” *New York Times*, July 21, 2000, Tamar Lewin discussed issues of when and how to share knowledge among relatives. “The scientific advances have created debate about public policy on genetic discrimination. But the private effects on family dynamics are just as complex, as patients and health professionals adjust to thinking about the family not just as flesh and blood, but flesh and blood and genes.”

element of medical nosology. But Finkler saw broader, deeper, genetically defined needs and concerns driving adoptees to search for origins: “The adoptees that I interviewed considered themselves to have been molded by their genetic inheritance from persons with whom they lacked prior contact. With minor exceptions, most believed that they had inherited from their birth families medical conditions and behavioral characteristics down to the minutest detail.”<sup>66</sup> Those who searched for their birth parents spoke of “your kin,” “a loss of genetic continuity with the past,” “genealogical bewilderment,” “an innate desire to know who you are connected to,” “a memory code in the genes,” a society that “doesn’t think highly of not being connected genetically,” “the loneliness when you live among people who look different from you,” “a hunger” in wanting a family, “the artificial nature” of love for adoptive parents, “walking around with your stuff in my body”: all summed up in the phrase “we’re more genetic on who we are.”<sup>67</sup>

A second impulse for these searches had to do with the idea of the desired child.<sup>68</sup> For adoptees, the very fact of having been adopted also meant that they had been discarded—by their natural parents. And for adoptive parents, the act of adopting meant that they were “choosing” a child.<sup>69</sup> But for the children, both existential aspects, being discarded and being chosen, could be seen as a burden, something they had to respond to, even when they recognized the contingency of the bargain. Many of them fantasized about a warm and caring birth mother who nonetheless had rejected her child. All of them had to deal with having been given up by their biological parents. And they often-times felt like strangers in their adopted families—after all, they did not look like their family members.

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<sup>66</sup> Finkler, *Experiencing the New Genetics*, p. 9: “Their perception that one’s persona is but a genetically determined passive receptacle is similar to the current sociobiological paradigm of human ontology.”

<sup>67</sup> Finkler, *Experiencing the New Genetics*, pp. 119, 124, 127, 128, 133, 144, 152, 157, 161. All of this can be described as a yearning for wholeness (p. 171). Summarizing an interview with one woman, Finkler wrote: “Biology and genetics will establish for Mira a permanence that her adoptive parents cannot give because they fail to share the same genes, the same blood. Only the same genes and the same blood can give Mira, and the others, her personhood. Biography and experience are of little importance. Mira cannot imagine that her interests originated in her own being. Mira’s and the other adoptees’ concerns flow from cultural conceptualizations of genealogical history reinforced by notions of genetics,” p. 164.

<sup>68</sup> Elsa Brenner, “New Climate Spurs Birth Mother Search,” *New York Times*, May 8, 1994, noted that adoptees struggle with issues of abandonment and rejection. Elizabeth Seymour, “Emotions Race as the Adopted Seek a Law to Open Records: NJ LAW,” *New York Times*, May 4, 1997. One adoptive mother testified that knowing their birth mothers would give her two adopted children “a grounding.” See also Maggie Jones, “Looking for Their Children’s Birth Mothers,” *New York Times Magazine*, October 28, 2007. Jones discussed the issues and practices of looking for the birth mothers by US children adopted from foreign countries. Adoptees spoke of yearning “for more information about their genes.” Many, she reported, “crave seeing themselves reflected in blood relatives.” Some teenagers were able to have continuing contact with their birth families and wished to maintain those relationships.

<sup>69</sup> On these issues, see Modell, *Kinship with Strangers*, pp. 115–35.

Adopted children expressed an understanding of identity as tied to genealogy, to a genetic heritage.<sup>70</sup> The discourse was all about genes.<sup>71</sup> Not only did they not look like their adoptive family members, they also did not act like them—or so they experienced their situations. How jokes were told, what political party commanded allegiance—even these were seen as genetic attributes.<sup>72</sup> One woman contrasted the boisterousness of members of her adoptive family with her own inherited shyness. She defined her IQ and sense of conscience both as part of her genetic heritage.<sup>73</sup> Another, who found no resemblance to her adoptive parents, declared: “You don’t have an origin.”<sup>74</sup> She wanted to know where her athletic skills, and her interests in reading, playing the piano, and learning foreign languages came from. “Risa,” a hippie, discovered that her “birth mother’s behavior was transmitted to her genetically.”<sup>75</sup> And the same held true for her psychic abilities. One woman discovered that her same-sex orientation was hereditary, as well as her interests and capabilities in craft projects and her core personality traits, like stubbornness.<sup>76</sup> For others, if genes did not govern their individual traits and preferences, then how they reacted to colors or decorated a room, why liked to ride horses or to “sell stuff,” why they procrastinated, lost car keys, or loved to garden could not be explained.<sup>77</sup> Commenting on one woman’s testimony, Finkler wrote: “She makes no distinction between the similarities between her and her siblings’ physical appearance and the fact that they also decorate the house in the same way. Her genealogical memory thus incorporates her bad temper, her physiognomy, and her detailed behavior characteristics.”<sup>78</sup> This evidence chronicles a significant shift in notions of

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70 Modell, *Kinship with Strangers*, p. 135: “The implication of not knowing where you came from, of being cut off from a past, was poignantly felt.” The “biological background” was missing. This could be experienced as a sense of isolation, a void, or an incompleteness (p. 136).

71 In “Knowing Where You’ve Come From”: Ruptures and Continuities of Time and Kinship in Narratives of Adoption Reunions,” *Journal of the Royal Anthropological Institute* 6 (2000): 687–703, here p. 692, Janet Carsten downplayed the geneticism among her Scottish interviewees that Finkler underscored for her own informants in the American South: “The assumption that these searches were predicated on a thoroughly geneticist view of human nature or personhood was not straightforwardly borne out, even when those involved seemed to be enacting thoroughly geneticist moves.”

72 Rosenthal, “From Lives Begun in a Lab, Brave New Joy”: Children have to deal with identity issues of being raised by a nongenetic parent. See also Modell, *Kinship with Strangers*, p. 156.

73 Finkler, *Experiencing the New Genetics*, p. 126.

74 Finkler, *Experiencing the New Genetics*, p. 133.

75 Finkler, *Experiencing the New Genetics*, p. 137.

76 Finkler, *Experiencing the New Genetics*, p. 139.

77 Finkler, *Experiencing the New Genetics*, pp. 144, 145, 156.

78 Finkler, *Experiencing the New Genetics*, p. 146. See Nona Martin Stuck, “An Adopted Child Is a Riddle. Now I Have a Clue,” *New York Times*, April 22, 2007. The author and her husband adopted four newborns, and except for the fourth, anonymously. She considered disposition and style, smiles, traits and habits to be genetically determined. See also the discussion of Modell’s respondents in *Kinship with Strangers*, pp. 136–39. She used the metaphor of “map” to explain the sense of not really being located anywhere. You need a past to have a future. On similar ways of thinking about genetics as a framework for establishing identity, see Bull, *Television and the Genetic Imaginary*, p. 131. On genealogy TV, “the so-

identity. The psychotherapeutic discourses after World War II nailed identity to experiences during infancy, with birth (or at best at gestation) the beginning point. The new genetics framing was genealogical. It dissolved individual identity; that is, pushed it back in time to long before introduction into the world through birth.<sup>79</sup>

When adoptees located birth parents, they often also met a new range of kin—people with similar physical and mental attributes. Judith Modell suggested that for adoptees the search was not a matter of finding a new family but of extending the network of kin, expanding as it were, a “biological ancestry.”<sup>80</sup> The questions then arose how all these newly discovered kin might develop emotional and social ties and how a person could relate to adoptive parents in the light of new knowledge.<sup>81</sup> Experiences varied, of course, but for most adoptees, class differences were not easily surmounted. The majority had been birthed by poor women or in class circumstances quite different from their adoptive families. They almost all had been adopted by middle- or upper-middle-class families.<sup>82</sup> Many adoptees, relieved to discover the genetic links, nevertheless found that finding these links did not immediately produce feelings of cultural or social commonality with their new-found kin. Nor did the discoveries mean that previously warm relationships with adoptive parents were called into question.<sup>83</sup> Nonetheless, in many instances the new knowledge and related experiences led to a widened

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cial relationship between two related individuals has tended to be seen as determined by the degree of their shared genetic substance, ‘kinship is whatever the biogenetic kinship is,’ p. 234. Uncovering new facts changes the way individuals relate to each other (p. 139).

<sup>79</sup> See Bull, *Television and the Genetic Imaginary*, pp. 126–27. She discussed TV programming that used genetic ancestry tests. “They explicitly identify kinship and ancestry as located in, and determined by, our genetic make-up.” She pointed out that the exposition in one popular program “clearly establishes the idea that genetic heritage is both an essential and enduring part of any individual, the innermost core of their identity,” p. 127. She found the programs reductive, reducing searches to a limited number of racial categories and presenting genetic kinship as an “essentialist and unambiguous foundation for identity,” p. 130.

<sup>80</sup> Modell, *Kinship with Strangers*, p. 162.

<sup>81</sup> Finkler, *Experiencing the New Genetics*, p. 118.

<sup>82</sup> Finkler, *Experiencing the New Genetics*, pp. 121–22: “If we accept the fact, as I do that class differences tend to promote cultural differences, then, from a developmental perspective, one would not expect these individuals to share interests or experiences with their birth parents, if only because the birthing mothers and their biological adopted offspring experienced dissimilar opportunities and life chances. Yet, as we will see, most of those who found their birth mothers are certain that they and their birth mothers possess the same interests, habits, beliefs, and practices, underscoring the adoptees’ conceptualizations of themselves as genetically and biologically molded beings. They all conceive of themselves as passive receptacles that lack any agency: biology has sealed their beings.” On the differences in social class between birth and adoptive parents, see Modell, *Kinship with Strangers*, p. 93, which notes that the majority of adoptive parents were middle class.

<sup>83</sup> On this point, see Modell, *Kinship with Strangers*, p. 150. Robbins, “Where Adoption is Suddenly an Open Book.” Robbins noted that in Oregon after 1998 women could no longer keep their identities secret from their adult children. One letter writer to *The Oregonian* thought she was now “officially sanctioned quarry to be hunted down by the adult adoptee.”

kinship universe and to new forms of social intercourse.<sup>84</sup> By the 1990s, the practice of open adoption, in which birth parents and adoptive parents meet and exchange information, was well underway—this in response to political pressure from adoption-reform groups agitating against sealed records and secrecy. And this in turn promoted further experimentation with alternative family forms and kinship networks.<sup>85</sup>

The proliferation of “new reproductive techniques” since the late twentieth century has led to discourses about genetics and to reconfigurations of kinship similar to those in the adoption movement.<sup>86</sup> Nurture may well have been thought by many people to make kin, but that did not banish niggling suspicions that genetics somehow trumped nurture; that there was something special about genetic ties.<sup>87</sup> As I have shown, even gay men and lesbians, who were committed to choice as the principle on which family ties were made and sustained, could be quite adamant about wanting children who

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**84** Meeting up with a birth parent and creating ties with varying degrees of intensity could lead to “confusions in terminology, symbols, and conventions of kinship,” Modell, *Kinship with Strangers*, p. 168. The “child” might be drawn into a family that included siblings and aunts and uncles and cousins. “This demanded a commitment to working out the intricacies of a new kind of kinship,” p. 191. In her study of reunions of adopted children with birth parents in Scotland, “Knowing Where You’ve Come From,” anthropologist Janet Carsten found little interest on the part of “children” to overcome the gap of time and create significant ties simply based on birth. She found a “strong disavowal of the notion that, in the absence of . . . sustained nurturing, there is an automatic bond of kinship given by the fact of birth,” p. 691. She emphasized the interest in finding physical resemblances and completing a biography, but noted that even the concern with physical attributes quickly atrophied once reunions took place. What seemed to matter was agency, taking control of one’s past: “Reunions expose a fiction at the heart of biological relatedness, that biology encapsulates the relation. Reunions cannot reconstitute the flow of time that is central to the experience of kinship, and so they come to reveal what we always knew, that biology by itself is an insufficient basis for connection,” p. 700.

**85** Modell, *Kinship with Strangers*, pp. 55–57.

**86** Villarosa, “Once-Invisible Sperm Donors Get to Meet the Family.” Villarosa pointed out a thread from earlier arguments about adoption to new arguments about sperm donation. Not knowing who fathered them left offspring confused and angry. Lizette Alvarez, “Spreading Scandinavian Genes, Without Viking Boats,” *New York Times*, September 30, 2004. Just as for adopted children knowing a person’s biological father is seen as a legal right. Unlike adoptees who have gained the right to their original birth certificate, donor-conceived do not know “how they came to be”; Harmon, “Are You My Sperm Donor?”

**87** Goldberg, “Meet the Kids With 30 Half Siblings. Goldberg reported that the self-discovery of the adolescent prompts curiosity about biological roots. One lesbian mother was prompted to aid in the search for half siblings for her children in order to give them connections: “It’s a weird contradiction for me because as someone queer, I’ve always wanted to redefine family and not place an emphasis on genetics . . . but there’s something special about this dibbling connection.” In “Your Gamete, Myself,” Peggy Orenstein noted that “using donor eggs for in vitro fertilization is one of the fastest-growing infertility treatments today. But women struggle with questions of maternal authenticity.” Parents believe that what matters is relationships, not genes, but then they search for a “good” donor, whose DNA has lots of potential. They hand pick their donor’s genes, underscoring the notion that blood is thicker than water. “The dream, the hope of replicating oneself dies hard. ‘Loss is the first stage of building a family with donor gametes.’”



carried their own genes. And I have shown similar ideas about genes for children conceived through sperm donorship.

As with adoptees, among donor children the question of identity stood at the heart of the search for genetic connection: “I hate it,” one declared, “when people that use D.I. [donor insemination] say that biology does not matter.”<sup>88</sup> Some part of themselves seemed to be “missing.” Young people on the search for their donor and his other offspring, their half siblings, used phrases like “lopsided” or “half-adopted,” or feeling a “void.”<sup>89</sup> Not knowing who was their father was experienced as a “psychological burden,” which “left them confused and angry.”<sup>90</sup> This could be glossed as “genetic bewilderment.”<sup>91</sup> The key for these people was “origins” or “genetic heritage”; the existential question of “how they came to be.”<sup>92</sup> It was important for adolescents who were

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**88** In “Hello, I’m Your Sister,” Harmon described finding a sibling as akin to coming home. It can make both siblings feel whole again. Harmon offered an example of contact with half siblings salving anger for “having been lied to all my life.”

**89** Harmon, “Hello, I’m Your Sister.” Goldberg, “Meet the Kids with 30 Half Siblings.”

**90** “Single but Mothers by Choice,” an article combining Carol Lawson’s “Who Is My Daddy?” Can Be Answered in Different Ways” and Anne Lamott’s “When Going It Alone Turns Out to Be Not So Alone After All,” *New York Times*, August 5, 1993. Colton Wooten, in “A Father’s Day Plea to Sperm Donors,” *New York Times*, June 19, 2011, states this: “I call myself an only child, but I could very well be one of many siblings. I could even be predisposed to some potentially devastating disease. Because I do not know what my father looks like, I could never recognize him in a crowd of people. I am sometimes overwhelmed by the infinite possibilities, by the reality that my father could be anywhere: in the neighboring lane of traffic on a Friday during rush hour, behind me in line at the bank or the pharmacy, or even changing the oil in my car after many weeks of mechanical neglect.” Kathleen LaBounty, “Child of a Stranger,” Donor Conception Network, November 14, 2007, accessed January 25, 2021, <https://www.dcnetwork.org/story/child-stranger-kathleen-labounty-young-woman-conceived-through-anonymous-sperm-donation-1980s>. LaBounty was an offspring of an anonymous sperm donor. She wrote that “well-intentioned women pursue donor insemination rather than adoption due to deep longing for a biological connection with a child, yet ironically non-identity release donor conception frequently severs that exact same biological connection between the offspring, the donor, and the rest of the paternal biological family.” She continued to “grieve for the loss of the opportunity to know my biological half-siblings, aunts, uncles, cousins, and grandparents.” She went on to say that the group of offspring are the only party to have no say in the decision about non-identity release. Their rights and needs are not seriously acknowledged. Not all offspring wanted to contact biological relatives; others felt incomplete and suffered a loss of identity. “I fall into the group of offspring who feel empty and extremely cheated out of important aspects of life without information about my donor or the opportunity to find out who he is. Because my interests, appearance, life views, and personality are quite different from my parents, I frequently become curious about which traits I inherited from my biological father.”

**91** Harmon, “Are You My Sperm Donor?”

**92** Harmon, “Are You My Sperm Donor?” Stephanie Fairington, “Lesbians Tougher Fertility Test,” *New York Times*, November 3, 2015. One position is that knowing one’s genetic lineage should be an entitlement. See Ruth Padawer “Decoding the Story of Yourself,” *New York Times*, November 18, 2018, talked about children closed off from origins. The search for identity is central for adolescents. They yearned to know their biological family. Once they make connections to half siblings, they become folded into another family and find new kin. In “Could Donor #2065 Be My Father,” *New York Times*, June 15, 2019,

building a sense of identity to create a grounding narrative, a story that gave them a “genetic foundation.”<sup>93</sup> Many who did locate half siblings found that the experience offered a chance at “wholeness.”<sup>94</sup> It provided them with a more complete identity.<sup>95</sup> Eli Baden-Lasar traveled all over the United States to photograph more than thirty of his half siblings and shared his experience in a 2019 photo essay printed in the *New York Times Magazine*.<sup>96</sup> In one sense he found that these half siblings were all strangers to himself and to each other, yet, as he put it, there was a “deeper, genetic level” that connected them all together.

But what exactly could a connection at a “deeper, genetic level” mean in the case of surrogacy? In the famous case of Baby M (born 1986) in New Jersey, a couple hired a surrogate, using the sperm of the prospective father and an egg from the surrogate mother. A custody case ensued, with one issue being the genetic connection of the baby to both the father and the surrogate mother.<sup>97</sup> In the aftermath of that troubling case, most people chose “gestational” surrogacy, which utilized a donor egg and thus produced no genetic connection between the surrogate mother and the child. The idea was that the surrogate would not be giving up her own “genetic material” after the birth.<sup>98</sup> In any event, establishing genetic-based kinship with offspring remained a primary emotional and legal concern.<sup>99</sup> For single women, and both heterosexual and lesbian

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Emily Cochran wrote that it bothered her that “half my ancestry was a mystery.” See also Appiah, “I Used a Sperm Donor,” previously cited. Appiah posed a question about the ethics of revealing the questioner’s daughter’s “origin story.”

<sup>93</sup> Appiah, “I Used a Sperm Donor.” Jacqueline Mroz, “Beyond Reprehensible,” *New York Times*, August 27, 2019, tells the story of a woman who found out that her donor was really the fertility doctor. “You build your whole life on your genetic identity and that’s the foundation. . . . But when those bottom bricks have been removed or altered, it can be devastating.”

<sup>94</sup> The article by Eva Tamsin, “Donor Siblings and a New Kind of Family,” dealt with three mothers who used the same donor. Their children would grow up with others who share half of their genetic heritage. Harmon’s “Hello, I’m Your Sister” dealt with genetic daughters who searched and found each other, and who stayed in contact through e-mail. Children were often severed from half of their biological identity.

<sup>95</sup> Padawer, “Decoding the Story of Yourself.”

<sup>96</sup> On June 26, 2019, Susan Dominus interviewed Baden-Lasar. See Eli Baden-Lasar, as told to Susan Dominus, “A Family Portrait: Brothers, Sisters, Strangers.” Photo Essay by Eli Baden-Lasar as told to Susan Dominus, *New York Times Magazine*, June 26, 2019. He described the “perversity” of having interacted with a best friend at camp whom he later discovered was his half brother. His photographs showed half sibling strangers, who were “all versions of me.” Each encounter, he remarked, “could completely scramble my sense of self.” The donor himself operated as a “spectral presence.”

<sup>97</sup> Robert Hanley, “Father of Baby M Granted Custody; Contract Upheld; Surrogacy is Legal,” *New York Times*, April 1, 1987.

<sup>98</sup> Carol Lawson, “Couples’ Own Embryos Used in Birth Surrogacy,” *New York Times*, August 12, 1990, noted that the second wave of surrogate mothers were not genetically related to the child. It was easier to recruit gestational surrogates, since they did not feel they were “giving up their own genetic material.”

<sup>99</sup> See Corinne P. Hayden, “Gender, Genetics, and Generation: Reformulating Biology in Lesbian Kinship,” *Cultural Anthropology* 10 (1995): 41–63. Although this author was dealing with donor issues in the context of lesbian family relationships, her discussion of how the genetic substance of the donor

couples, donor sperm could meet the needs and satisfy concerns, while for gay men, surrogacy could play that role. “Surrogacy,” as one parent put it, “is the fulfillment of one of our deepest longings, a genetic child.”<sup>100</sup> There were various ways to play with the trope of genetically related offspring.<sup>101</sup> Some heterosexual couples unable to carry their own child could still produce healthy eggs and sperm. They could engage a surrogate to carry their “biogenetic” child.<sup>102</sup> Or two gay men might mix their sperm so as not to know which of them actually fathered the child.<sup>103</sup> Or a lesbian couple might obtain sperm from a friend, fertilize the egg of one woman in vitro, and have the other carry the child.<sup>104</sup> Then they might repeat this while reversing the egg donor and the carrier. One gay couple used the sperm from one of them and an egg donated from the other man’s sister, ensuring that the child would have “genetic roots in both family trees.”<sup>105</sup> And the parents of a deceased West Point student sued successfully to harvest his “reproductive genetic material,” in order to be able to transmit the family name on into the next generation.<sup>106</sup>

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could itself become the “referent for relatedness” is relevant here: “The symbol of blood, also inscribed as biogenetic substance or biological relatedness, is deployed to give unity to families that are marked both by proscribed gender relations *and* the particular asymmetries of biological and nonbiological motherhood,” p. 53.

**100** See, for example, Harmon, “First Comes the Baby Carriage,” and Bellafante, “Surrogate Mothers’ New Niche.” The quotation comes from a letter to the editor by Robin Fleischner, parent and lawyer practicing in the areas of adoption and surrogacy: “Surrogacy as a Path to Parenthood,” *New York Times*, December 16, 2009. Fleischner also wrote: “Most intended parents use their own genetic material to create a child through surrogacy.”

**101** Belgian bioethicist Guido Pennings, “Incest, Gamete Donation by Siblings and the Importance of the Genetic Link,” *Reproductive Biomedicine Online (RBMO)* 4 (2001): 13–15, detailed three cases of postmenopausal women who carried children with donated eggs and their brothers’ sperm. Was this donor conception or incest (as many in the media proclaimed)? In no case here was the brother creating a second family with his sister. “The reasons given by the women to opt for the use of their brothers’ spermatozoa is to have a child that is genetically part of their extended family. . . . The reasoning behind this choice would be that if it is not possible to share 50% of her genes with her offspring, 25% is better than nothing,” p. 14. Pennings noted that the general population had no trouble with a sister donating a gamete to a sister; the issue arose only when a brother did so (p. 15).

**102** Jane Brody, “Much Has Changed in Surrogate Pregnancies,” *New York Times*, July 21, 2009. Where a couple cannot produce their own children, they still want them “biologically related” to them. Brody offered the example of a contract with a surrogate. The intended couple provided their own egg and sperm. Now they gazed upon their eight-year-old with their genes.

**103** Hartocollis, “And Surrogacy Makes 3.” Nowadays, a gay couple would use a third-party egg, so that there would be no genetic relation to the child. Instead of bonding with the baby, the surrogate is expected to bond with the parents.

**104** Clara Moskowitz, “An L.G.B.T.Q Pregnancy, From D.I.Y. to I.V.F.,” *New York Times*, April 15, 2020. A friend offered “genetic material.” In what the lesbian couple called “co-maternity,” one provided the egg and the other carried the child. The next time they reversed roles.

**105** Mahoney, “Mom/Not Mom/Aunt.”

**106** Liam Stack, “Parents of Fatally Injured West Point Cadet Obtain Court Order to Preserve His Sperm,” *New York Times*, March 6, 2019. Barron H. Lerner, “In a Wife’s Request at Her Husband’s Deathbed,

But so many options also raised fears about the implications and cultural repercussions of genetic kinship. The problem of the Jewishness of offspring from a donated egg, for example, offered material for fine theological speculation.<sup>107</sup> And surrogacy complicated citizenship rights.<sup>108</sup> For some women, the problem of not having a genetic connection brought worries about “maternal authenticity.”<sup>109</sup> One woman who had gestated an embryo formed from her husband’s sperm and a donor egg thought that by not having her own genes in the mix, she would be “an outsider in her own family.” After all, if one parent considered the genetic connection to be important, then why would it not be for the other? It created “genetic asymmetry.” And a son could say, as one did: “technically you are not my mother.”<sup>110</sup> The investment of identity into genetic origins could be devastating when a relation fell apart. Or when, as happened to one sperm

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Ethics are an Issue,” *New York Times*, September 7, 2004, dealt with a request by a wife to harvest her husband’s sperm after his death. Apparently requests for “post-mortem sperm retrieval” were on the uptake in 2004.

**107** Judith Berck, “When Science Aids Reproduction, some Parents Wonder What It Takes to Be Jewish,” *New York Times*, July 1, 2006. Amy Klein, “Would a Pregnancy Through a Donor Egg Feel Like ‘Mine’?,” in *Motherlode. Adventures in Parenting* (blog), *New York Times*, January 13, 2014, <https://parenting.blogs.nytimes.com/2014/01/13/would-a-pregnancy-through-a-donor-egg-feel-like-mine/>: “My real concern was the Jewish one.”

**108** John Weltman, president and founder, Circle Surrogacy Boston, letter to the editor under the heading, “Using Surrogate Mothers,” *New York Times*, July 12, 2014. The European Court of Human Rights ruled that the refusal to grant parentage and citizenship to children born through surrogacy was a violation of human rights. The Associated Press, “France: Surrogate Children Win Legal Recognition,” *New York Times*, July 4, 2015. The highest court granted legal recognition to surrogate children. Surrogacy remained banned in France but children born abroad had to be granted birth certificates and citizenship. Sarah Mervosh, “Same-Sex Parents, U.S. Citizens, Are Told Their Baby Needs a Visa,” *New York Times*, May 22, 2019. The citizenship act of 1952 specified a biological connection to an American to be granted citizenship, a “blood relationship.” This can pose a question for assisted reproduction for gays. See also Sarah Mervosh, “Democrats Urge Pompeo to End Policy Used to Deny Citizenship to Children of Gay Couples,” *New York Times*, June 6, 2019.

**109** Ornstein, “Your Gamete, Myself.”

**110** Klein, “Would a Pregnancy Through a Donor Egg Feel Like ‘Mine’?,” cited above. See also Bull, *Television and the Genetic Imaginary*, p. 181. Assisted reproductive techniques stimulated a variety of strategies to make biological if not genetic connections. Bull, citing Charis Thompson, “Strategic Naturalizing: Kinship in an Infertility Clinic,” in *Relative Values: Reconfiguring Kinship Studies*, ed. Sarah Franklin and Susan McKinnon (Durham and London, 2001), pp. 175–202: “Many individuals who are going through fertility treatments feel the need to construct their kinship bonds to their future children in terms of biology even when no genetic link exists. In these cases, the physical process of pregnancy and the biological act of childbirth are called upon to naturalize the social kinship bond between the child and the parent. Mothers that have conceived through egg donation might, for example, emphasise that they have shared their body and blood with the baby, thus establishing a substantial biological bond despite the lack of genetic kinship.” Bull went on to say that older ideas of biological kinship could be activated to underscore a blood tie. “Furthermore, epigenetic ideas about how environmental factors in the womb might imprint on the foetal genome can similarly redefine what we mean by a ‘genetic bond’ between mother and child.”

recipient, the wrong sperm was sent. This woman sued for loss of “genetic affinity” and likened the experience to rape.<sup>111</sup> What her child had inherited she did not know; certainly not the genes from the donor she had chosen from a catalogue. Another woman, who discovered that the donor actually was her fertility doctor, sued him for fertility fraud.<sup>112</sup> Her thirty-two-year-old daughter had this to say: “You build your whole life on your genetic identity and that’s the foundation. . . . But when those bottom bricks have been removed or altered, it can be devastating.” In this instance, she had built her sense of self around an imagined donor from California.

Over the last three decades, under pressure from all these developments and experiences, the idea of kinship ties as a product of nurture and love increasingly has had to contend with blood and genes. One example of genetics trumping experiential ties is the substantial increase in challenges to paternity throughout the West. By around 2000, genetic testing had become a relatively simple and cheap process. And men, sometimes even fathers in conflict with their teenage children, were having recourse to paternity tests, especially when they suspected (or hoped) that they were supporting children they had not fathered.<sup>113</sup> In Germany, around the turn of the millennium, as the anthropologist Jeannett Martin has outlined, an intensive political argument developed around the figure of the “cuckoo’s children” (*Kuckkuckskinder*), children deposited, as it were, in someone else’s nest.<sup>114</sup> It was all about genetic truth.<sup>115</sup> Martin interpreted

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**111** Jacqueline Mroz, “Their Children Were Conceived With Donated Sperm. It Was the Wrong Sperm,” *New York Times*, June 3, 2019. “I felt like they had tainted the gene pool for my kids.” Another mother: “You don’t know what you inherited.”

**112** Mroz, “Beyond Reprehensible.”

**113** Tamar Lewin, “In Genetic Testing for Paternity, Law Often Lags Behind Science,” *New York Times*, March 11, 2001: “In most states the law has not caught up with the science. And in dozens of cases around the country, divorced men . . . —and single men who have previously acknowledged paternity—are having their genetic evidence of non paternity rejected by the courts. They are also being ordered to continue supporting children they did not father.” Some “experts say that any legal policy that will not acknowledge scientific truth is disturbing.” By 1999, there were 180,000 paternity tests, with 28% revealing the man tested not to be the father. Note the premise in the title of this article, namely that scientific truth, in this case DNA testing, ought to bring about legal changes. The 1999 case involved a man who inadvertently discovered his child was not his own (his child had a genetic disease possible only if the father was a carrier), which led him to sue for divorce. He ended up having to continue support for the child but the court also cut off his visitation right, even to his biological children.

**114** Jeannett Martin, “Auf der Suche nach dem ‘richtigen’ Vater: Aktuelle Debatten um sogenannte ‘Kuckkuckskinder’ in Deutschland” (unpublished paper discussed at the conference “Navigating the Boundaries of Kinship and Politics,” May 8–10, 2017). This was the second of four conferences in the forum “Kinship and Politics: Rethinking a Conceptual Split and its Epistemic Implications in the Social Sciences,” Zentrum für interdisziplinäre Forschung (Bielefeld, 2016–2017). Cited with permission of the author. Note that the English word “cuckold” is derived from the French for cuckoo.

**115** Bull, *Television and the Genetic Imaginary*, p. 120, dealt with popular programming on genetic paternity tests. The basic premise was always the same; namely, that the paternity test conferred a moralistic verdict on infidelity and family secrets. The revelation was “structured by an essentialist belief in shared genetic substance as the overriding definition of kinship.”

the ideology of the male rights groups that were seeking changes in the law to prevent being financially saddled with children they had not sired, as representing a fundamentally neo-Darwinian sociobiological position.<sup>116</sup> The father in such a situation was to be considered as a *Scheinvater* (apparent father), a term that referenced the idea that a biological connection was necessary to constitute a true or real father. Traditionally, the recognition of paternity in German law followed from a properly constituted marriage: whatever child was born during the duration of a marriage was accredited to the husband of the mother.<sup>117</sup> But with the marketing of DNA testing, blood and genes became the markers of kinship belonging.<sup>118</sup> Transparency and truth now lay in genetics; the political pressure to allow paternity tests and the termination of paternal relationships tracked the increasing geneticization of kinship.<sup>119</sup>

It was not at all uncommon for men who raised children in a nurturing environment to abruptly sever relations with their children or challenge the payment of support in the courts: ties of sentiment could be put into question where blood failed. Genetics became tangled up with issues of obligation, love, and claims to property.<sup>120</sup> Legislation and court judgments, of course, took a while to catch up. In the United States around 2000, fathers, who now could challenge paternity on the basis of DNA tests, were, to their consternation, routinely ordered to continue to pay support even when

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**116** Martin, “Auf der Suche,” p. 3. In 2007, the German constitutional court recognized that knowledge about the descent of a legally recognized child was an essential “element of paternal personality development.” But the law of 2008 allowed search into genetic descent only with the consent of both parents and the child.

**117** See “Kuckuckskind—Kann gezahlter Unterhalt zurückgefordert werden,” November 22, 2020, accessed January 28, 2021, <https://www.scheidung.org/kuckuckskind-unterhalt/>. For legal paternity, biological descent lines play a subordinate role in Germany. The man who is legally recognized as father is responsible for child support. And father is the person who at the time of the birth was married to the mother, or who recognized paternity, or whose paternity has been determined by the courts.

**118** Martin, “Auf der Suche,” p. 8.

**119** Citing a paper by Jeanette Edwards then in the process of being published, Martin wrote in “Auf der Suche”: “Edwards sees the call for disclosure of ‘genetic truths’ in the first decades of the 21st century in connection with the emergence of a personality deeply anchored in neoliberal logic,” p. 9. For Martin’s analysis of blood and genes and attempts in the literature to understand kinship in terms of biology, see pp. 9–10. She noted that this trend ran counter to the accent placed on social parenthood in the context of adoption, or of patchwork families following divorce and remarriage, same-sex partnerships, or families created through the new reproductive techniques.

**120** “Do I Need a DNA Paternity Test for Child Support?,” *DNA Diagnostics Center Blog*, accessed January 28, 2011, <https://dnacenter.com/blog/need-dna-paternity-test-child-support/>. The article noted that DNA testing, both for maternity and paternity, had become a “common tool” for determining child support and custody, especially in divorce cases. See also California Courts, “Parentage (Paternity),” accessed January 28, 2021, <https://www.courts.ca.gov/selfhelp-parentage.htm?rdeLocaleAttr=en&print=1>. In California, the law assumes that married persons are the child’s legal parents. But a man has the right to request a DNA test to find out for sure if he is the father. Gregory E. Kaebnick, in “The Natural Father: Genetic Paternity Testing, Marriage, and Fatherhood,” *Cambridge Quarterly of Healthcare Ethics* 13, no. 1 (January, 2004), published online (unpaginated) February 6, 2004, doi:10.1017/S0963180104131101, discussed the “marital presumption” in British and American law.

denied visitation rights.<sup>121</sup> However, in the following decades, American law began to modify the “marital presumption.” “Paternity testing encourages us to suppose that a parental relationship to a child is fundamentally a genetic relationship, or at least necessarily includes a genetic relationship. Paternity testing also encourages us to suppose that a parental relationship can be reassessed years or decades after the parties in the relationship thought it was established.”<sup>122</sup> But such testing also could enforce support orders, by proving a genetic relationship to the child. In fact, federal welfare policy was encouraging the use of genetic testing for precisely these purposes. In any event, as Gregory Kaebnick pointed out, paternity testing assumed that parenthood was essentially a biological phenomenon. “A recent variant of this position draws from contemporary views about the genes’ role as the ‘blueprint’ for the person. True family bonds are encoded directly in genetic relationships.”<sup>123</sup> This position, however popular, had to contend with notions of fatherhood as primarily psychological or social, with or without a biological foundation. Indeed, the older notion of “marital presumption” assumed that biology was not a necessary precondition of parenthood. But, as Kaebnick pointed out, the trend in state legislation was to make it easier to use genetic testing or increase the weight of genetic relations in establishing paternal responsibilities.<sup>124</sup>

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121 Lewin, “Genetic Testing for Paternity.”

122 Kaebnick, “The Natural Father.”

123 Kaebnick, “The Natural Father.”

124 Kaebnick, “The Natural Father,” argued for restricting access to genetic testing in disputes over paternal responsibilities, but suggested that perhaps one way to go was to require genetic testing at birth. In “Who Knew I Was Not the Father?” *New York Times*, November 17, 2009, Ruth Padawer offered the case of a man in Pennsylvania who asked the court to declare that he was no longer the father of his child, the daughter he still loved. Although his tie to the child was based on a lie, he had developed bonds with her as he raised her. The situation was untenable because the man who had sired his daughter was now married to her mother, but was contributing nothing to her support, while he, the cuckolded father, was legally responsible to “subsidize this man’s cozy domestic arrangement.” Padawer noted that despite variations from state to state, “in most states judges put the interest of the child above that of the genetic stranger who unwittingly became her father—and that means requiring him to pay child support.” But it all depended: one Pennsylvania appellate court in 2003 excused a man who had cut all ties to his eleven-year-old son—until then he had been a loving father—after discovering that the child was not his; the point being that if he had continued to show any fatherly traits, he would not have been allowed to abandon paternal obligations. Another father just kept silent because he did not want to harm the relationship with the child. “The dictate to abruptly sever the bond with a vulnerable child—to simply cease reading bedtime stories or cheering at soccer games or wiping away tears—sounds coldhearted. But many courts in Pennsylvania and many other states are suspicious of men who claim they were defrauded into serving as father but who, after discovering the truth, nonetheless continue to behave exactly as a father should.” In Georgia one defrauded father persuaded the legislature to change the law to rescind nonbiological fathers’ financial obligations no matter what the relationship with the child. In 2002, the National Conference of Commissioners on Uniform State Law drafted a proposed model law allowing a challenge to paternity for children two years old or less. Courts, legislators, and child welfare agencies concerned with the well-being of children are torn between the arguments and political pressures based on genetics and ideas of parenthood based on other considerations.

In the mid-1990s, notions of genetics began to play an important role in the theory and practices of identifying kin: figuring out who kin are supposed to be, providing ways to search them out, and developing new forms of relatedness. Who kin are is closely related to who the ancestors were, and genetics offered new ways to parse genealogies; or to explain individual cultural preferences, predilections, and particularities. It took unusual circumstances to expose the salience of certain cultural assumptions about these matters. Adoptees, children conceived through donated sperm or eggs, cuckolded husbands, all in one way or other focused on questions of biological connections, origins, and authenticity. Genealogy or genetic heritage offered blueprints or maps, all the more pertinent on account of their blank spaces. Inaccessibility generated bewilderment, a sense of emptiness, a severance from the past. Oedipus was supplanted by the ancestors. Only well into the second decade of the new millennium did genetic determinism start to fray.<sup>125</sup>

The demand for open adoption records and for access to donor registries occurred in the context of popularized representations of genetics.<sup>126</sup> And I must note: I classify both the family-history taking in routine medical examinations and the reading of genetic tea leaves under the heading of popular genetics. Certainly, medical tropes drove the search for how and why people were subject to this or that disorder. Finkler, writing in 2000, pointed out the exponential growth in the number of diseases thought to have genetic origins. By 1991, they numbered more than 5,600. “Genes have been implicated in alcoholism, schizophrenia, bipolar disorder, dyslexia, twitching of the face, neck, and shoulders, allergies, sudden infant death syndrome, insulin-dependent diabetes, arteriosclerosis, hypertension, some forms of depression, Alzheimer’s disease, heart disease, Parkinson’s disease, anxiety, and cancer, as well as reading disabilities, attention deficit disorders, PMS, susceptibility to smoking, and even homelessness.”<sup>127</sup>

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125 Jennifer Raff, “In an Age of Gene Editing and Surrogacy. What Does Heredity Mean?,” a review of *She Has Her Mother’s Laugh: The Powers, Perversions, and Potential of Heredity* by Carl Zimmer, *New York Times*, May 31, 2018. “The popular notion of ‘a gene for’ a trait is a misconception. The Mendelian laws of inheritance—what most people study in school today—are not just ‘exquisitely fragile’ but ‘regularly broken.’ Most complex traits, such as height or intelligence, arise out of the intricate, combined action of hundreds of genes and depend strongly on the environmental conditions under which an individual develops. And failing to understand that has had dire results. ‘At the dawn of the 20th century, scientists came to limit the word heredity to genes. Before long, this narrow definition spread its influence far beyond genetic laboratories. It hangs like a cloud over our most personal experiences of heredity, even if we can’t stop trying to smuggle the old traditions of heredity into the new language of genes.’” See also Brian D’Onofrio and Benjamin B. Lahey, “Biosocial Influences on the Family: A Decade in Review,” *Journal of Marriage and Family* 72 (2010): 762–82: “It is inaccurate to describe the results of genetic research as finding a gene ‘for’ a particular complex trait, let alone complex interpersonal constructs,” p. 764.

126 See Bull, *Television and the Genetic Imaginary*, pp. 119–22.

127 Finkler, *Experiencing the New Genetics*, pp. 48–9. After several decades of discourses of genetic determinism, popular medical culture as reflected in the *New York Times* was trying to put a damper on “genes for” talk. Denise Caruso, “A Challenge to Gene Theory, a Tougher Look at Biotech,” *New York*



But genes were given responsibility for many things beyond the physical or medical realms. A quick scan through the *New York Times* since the 1990s finds the following in the genes: politics, salesmanship, business ownership, dance mannerisms, respect for the environment, shopping, altruism, spirituality, vengeance, binge eating, social orientation, fairness, bridge success, depression, and optimism.<sup>128</sup> Finkler came upon many more: “It is now thought that mental illness, stress, risktaking, shyness, social effectiveness, homosexuality, job success, exhibitionism, arson, traditionalism, and even a zest for life, as well as learning problems, vulnerability to smoking, and gender differences, derive from our genetic makeup, forming part of people’s commonsense consciousness.”<sup>129</sup> It is no wonder that people missing parts of their genealogies examined themselves in meticulous detail in an effort to find out why they behaved as they did. What they were after had become summed up as “identity,” perhaps the fuzziest of cultural bromides at the turn of the millennium.

Genetics also provided an essential tool for innovations in kinship construction. Looking for potential disorders prompted forays into genealogy, made for more intensive ties with some relatives, or created new kinds of conflict among those with differential access to knowledge of pathologies. But perhaps more interesting, notions of blood, biology, and genetics prompted searches for unknown kin. “Flesh, blood, and genes” offered an excuse to enter into the lives of strangers.<sup>130</sup> Adolescents seeking

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*Times*, July 1, 2007. The author, Hybrid Vigor Institute director, reported on a four-year study by the US National Human Genome Research Institute. “To their surprise, researchers found that the human genome might not be a ‘tidy collection of independent genes’ after all, with each sequence of DNA linked to a single function, such as a predisposition to diabetes or heart disease.” Their surprise is surprising, since this has been well known ever since the 1930s. See the discussion in *Intermezzo*. See John Langone, “In Search of the ‘God Gene,’” *New York Times*, November 2, 2004, paraphrasing Dean Hamer, *The God Gene: How Faith is Hard-Wired Into Our Genes* (New York, 2004) in a review of the book: “there is a specific individual gene associated with faith.” That gene? VMAT2. See also Kent Sepkowitz, “A Modern Refrain: My Genes Made Me Do It,” *New York Times*, July 5, 2005. “Our questionable acceptance of the gene as prime mover has certain distinct—and ultramodern—advantages. Consider: you are no longer responsible for anything. Sound familiar? Once it was the devil. Now it is the gene that made you do it. You are officially off the hook. It isn’t your fault at all. It’s your faulty gene pool.” A future generation might criticize our narcissism. “What were we thinking? How could genes be responsible for red hair and bad memory and atherosclerosis? . . . We will tell them it was not really our idea, the whole gene thing. No, we will say we were victims. Victims of fashion.” Benedict Carey, “Some Politics May be Etched in the Genes,” *New York Times*, June 21, 2005, remarks that given that mates search out people with similar ideologies, “two gene pools are becoming, if anything, more concentrated, not less.”

**128** Lest one think that such a list is culled from testimonies of the half-cultured who distort the findings of scientists, evolutionary psychologists, as Susan McKinnon has pointed out, have found genes for fidelity, altruism, repaying kindness, forming clubs, murdering a new-born sister, predisposing men to be cuckolded, counselling submission, ambition, shame, shady accounting, and resisting roles: Susan McKinnon, *Neo-Liberal Genetics: The Myths and Moral Tales of Evolutionary Psychology* (Chicago, 2005), pp. 30–31.

**129** Finkler, *Experiencing the New Genetics*, p. 2.

**130** Robbins, “Where Adoption is Suddenly an Open Book.”

connection might well have had the easiest time of it. Parents and potential parents, meanwhile, often had to forge new forms of familial interaction through association with individuals who were descended from the same donor male, or who were willing to carry a child or who had participated in processes of adoption.

In the decades around 2000, the science of genetics provided a language for discussing incest and inbreeding among humans. As I pointed out earlier, it is difficult today for people to wrap their heads around the idea that sexual relations between in-laws could constitute incest, precisely because we all, more or less, have been schooled in Mendelian inheritance theory. How could their progeny be endangered by the kind of kinship kin-by-marriage exhibits, however close? In contrast, the union of cousins—all the rage in the nineteenth century—often still has been met with disgust by friends and relatives worried about disabled children in their midst. The fact that in vitro fertilization or child-bearing over the age of forty both have risks out of proportion with those of cousin marriage has not stilled the unease.<sup>131</sup> It seems to me that genetics provided two rather disparate contributions to the issue of incest during the twenty-five years

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<sup>131</sup> Christina Caron, “Surrogacy is Complicated. Just Ask New York,” *New York Times*, April 18, 2020, reported on a study of 124 gestational surrogate births that found that the newborns had higher rates of preterm birth and low birth weight than the surrogates’ other children. The births were also accompanied by more complications such as gestational diabetes, hypertension, placenta previa, and cesarean section. Amy Klein, “What to Know about I.V.F.,” *New York Times*, April 18, 2020. There are many risks for the health of the mother. See Maya Dusenbery, “What We Don’t Know—And Why,” *New York Times*, November 10, 2019. There were increased risks of respiratory, blood-related, and brain abnormalities for children born from frozen embryos. And there were higher risks of preeclampsia (high blood pressure and damage to liver and kidneys) for women. This is also a danger for women pregnant over the age of 35: “Preeclampsia,” *Healthline*, accessed March 4, 2021, <https://www.healthline.com/health/preeclampsia>. The condition can affect the blood flow to the placenta. The babies may have learning disorders, cerebral palsy, epilepsy, deafness, and blindness and are at higher risk for diabetes, congestive heart failure, and high blood pressure: US Department of Health and Human Services, National Institutes of Health “What are the risks of preeclampsia and eclampsia to the fetus,” accessed March 4, 2021, <https://www.nichd.nih.gov/health/topics/preeclampsia/conditioninfo/risk-fetus>. The risks of IVF include premature birth, miscarriage, and birth defects associated with higher age of the mother: Mayo Clinic, “In Vitro Fertilization (IVF),” accessed March 4, 2021, <https://www.mayoclinic.org/tests-procedures/in-vitro-fertilization/about/pac-20384716>. “Certain genetic risks present more often in pregnancy as women age. For example, the rate of having a baby with Down syndrome accelerates with maternal age. While the rate of an embryo having Down syndrome at the 10-week mark of pregnancy is 1 in 1,064 at age 25, this rises to 1 in 686 at age 30 and 1 in 240 by the age of 35 years. At the age of 40, the Down syndrome rate increases still to 1 in 53, and down to 1 in 19 embryos at age 45”: “Risks of delaying pregnancy until age 35 years or older,” *Medical News Today*, accessed March 10, 2021, <https://www.medicalnewstoday.com/articles/317861#Risks-of-delaying-pregnancy-until-age-35-years-or-older>. Judith Gaines, “A Scandal of Artificial Insemination,” *New York Times*, October 7, 1990, also dealt with the genetic problems of sperm donorship. At that time, physicians were not testing for AIDS, and the majority did not check for syphilis, gonorrhea, or hepatitis. Half did not test for genetic defects. One agency found that two serious infectious diseases were not being tested for even though required by law. There were serious risks of genetic defects. In her previously cited article “For Women Worried About Fertility, Egg Bank is a New Option,” Sally Wadyka noted that after the age 35, older eggs “are more prone to chromosomal abnormalities.”

under consideration in this chapter. One had to do with genetic programming. Given the sociobiological assumptions of the age, if people generally tend to avoid mating with close consanguineal kin, it must be that that avoidance is encoded in the genes. The second had to do with figuring out what constituted incest given all the new permutations of family and kinship. Were there new dangers lurking in novel household configurations? One result of both contributions appears to be that the social imaginary now puts a special accent on relationships among siblings, marking their roles in psychological development, identity formation, eroticism, power constellations, and gender differentiation. Thus “siblings” have become a central metaphor in the age of genetics, a figure for its desires and for its transgressions.

## Brothers and sisters in the social imaginary: Erotics and dangers of incest

If loving you is wrong . . . — A Very Brady Sequel, 1996

You're 40, happily married—and then you meet your long-lost brother and fall passionately in love.  
— Alix Kirsta, 2003

The pseudo-scientific theory of “genetic sexual attraction” is presented as a scientific fact explaining incest as a natural drive rooted in our very genes. — Sofia Bull, 2019

In the mid-1990s, as kinship and genetics were becoming paired, sibling relations also were coming in for renewed scrutiny. In 2003, for example, the British feminist psychoanalyst, Juliet Mitchell, pointed out that the social sciences had privileged “over all else the vertical relationship of child-to-parent.”<sup>132</sup> But she caught the *Zeitgeist* with her effort to put siblings back into the picture: “The proposition here is this: that an observation of the importance of siblings, and all the lateral relations that take their cue from them, must lead to a paradigm shift that challenges the unique importance of understanding through vertical paradigms.”<sup>133</sup> That Mitchell turned her interest to the subject

<sup>132</sup> Juliet Mitchell, *Siblings: Sex and Violence* (Cambridge, 2003), pp. x.

<sup>133</sup> Mitchell, *Siblings*, p. 3. Mitchell attempted to explain the social factors in the West that promoted the emphasis on lateral, equal, peer relations: the decline in the vertical family (loss of status for grandparents), occupational mobility, extension of schooling, peer group culture, erosion through step families of generational exactitude, exchangeability of male and female representations, and a trend in sexuality to be non-reproductive. See Bill McKibben, “What Only-Child Syndrome?,” *New York Times*, May 3, 1998, who insisted that sibling-like relationships existed even for single children, since most of them spend large parts of their days in nursery or day care with other children. See also Shelley Eriksen’s review of Rosalind Edwards, *Sibling Identity and Relationships: Sisters and Brothers* (New York, 2006). Eriksen pointed to a significant research on siblings during the previous decade, *Journal of Marriage and Family* 69 (2007): 1084–87, here p. 1084. See also Susan M. McHale, Kimberly A. Updegraff, and Shawn D. Whiteman, “Sibling Relationships and Influences in Childhood and Adolescence,” *Journal of Marriage and Family* 74 (2012): 913–30. They pointed out that even with the decline of family size, siblings were

at this time seems to me not coincidental. Indeed, one of the more prominent bellwethers of popular culture, cinema, was quite preoccupied with lateral relations—especially siblings—and with sibling incest as well.<sup>134</sup> The incest theme had become so expected by 2019, that it was added as a central story line in Britain's ITV serialized adaptation of Jane Austen's unfinished novel *Sanditon*.<sup>135</sup> But incest was only one possible variant in a cornucopia of post-1990s settings of siblings. Films like *The Savages* (2007), for example, affectingly portrayed an adult brother and sister coming to terms with the decline and death of an unloved father, their memories, and their separate demons. And *Shame* (2011), in exploring sexual addiction, did not suggest incestuous desire between its adult sibling characters, even though they were intimate observers of each other's sexuality. It is this cultural focus on brothers and sisters that I want to explore here. The contemporary interest in lateral relationships that Mitchell put her finger on provides the context in which the fascination with brother and sister incest emerged.

Earlier in this chapter, I tracked a phenomenon that received considerable attention in the press and among welfare, academic, and political agents; namely, the proliferation of siblings defined by descent from a single sperm donor. The press was full of stories of efforts by donor children to make contact with their half siblings, and the possibility of unknown siblings was prompting fears of rampant incest.<sup>136</sup> One example comes from an English parliamentary intervention in a case of unwitting brother and sister marriage in England.<sup>137</sup> Late discovery of the siblingship led to an annulment. Lord Alton,

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ubiquitous. Data from 2010 showed that 82.22% of youth 18 and under in the United States lived with at least one sibling, 4% more than lived with a "father figure." They thought that the role of siblings had been relatively neglected despite the fact that they were key players in family dynamics (p. 913). For a view that looks at reordering vertical relations, see Vern L. Bengston, "The Burgess Award Lecture: Beyond the Nuclear Family: The Increasing Importance of Multigenerational Ties," *Journal of Marriage and Family* 63 (2001): 1–16.

**134** I cannot offer a survey of films dealing with siblings here. As far as I can see there is no guide to the theme of siblings in film readily available. As rough estimate of the incidence, I consulted the *Wikipedia* article "Incest in Film and Television," [https://en.wikipedia.org/wiki/Incest\\_in\\_film\\_and\\_television](https://en.wikipedia.org/wiki/Incest_in_film_and_television), which by no means exhausts the subject, and it is easy to find films left out. Still it offers some indication of the development of the sibling/sibling incest theme over time; although I offer the statistics here with significant reservations. From the 1940s to 2020, the article lists 80 films, 80% of which are to be found in the three decades 1991–2020. From the 1980s to the 1990s, the number abruptly doubled and then more than doubled again in the 2000s.

**135** Karen DeWitt, "Incest as a Selling Point," *New York Times*, March 30, 1997: "Incest, one of humanity's last taboos, is taboo no longer. Incest is the plat du jour in the 90s' marketplace, the sudden Zeitgeist zapping a jaded American audience."

**136** Harmon, "Hello, I'm Your Sister," discussed the search for genetic connection. She maintained that the evidence spoke to "the sustained power of biological ties at a time when it is becoming almost routine for women to bear children who do not share a partner's DNA, or even their own." In this article and in a subsequent one from 2006, "Are You My Sperm Donor?," Harmon began to explore the potential size of half-sibling groups, already noting numbers in the 20s and 30s, but some over a 100. She worried about the possibility of inadvertent incest.

**137** John F. Burns, "British Peer Cites Twins Who Married Unwittingly," *New York Times*, January 12, 2008.

“one of Britain’s leading advocates of children’s rights,” reported the incident during a debate on legislation concerning human fertilization and embryology, noting that the pair had no idea they were related when they first met. They “felt an inevitable attraction, and the judge had to deal with the consequences.” Alton suggested that mere biological similarity determined the particular attraction and the peculiar strength of the attraction.<sup>138</sup> He thought that the risk of such incidents was considerable given the number of donor children at large, and that information about donor conception ought to be inscribed in every birth certificate.<sup>139</sup> In another report, from the Associated Press, the journalist Thomas Wagner quoted Lord Alton as saying: “Everyone has a right to knowledge about their lineage, genealogy and identity. And if they don’t, then it will lead to cases of incest.”<sup>140</sup> Alton clearly tied the notion of identity to genetic relationships and genealogical kinship. He thought that even when attraction, genetically determined, was inevitable, knowledge of a kinship tie would prevent anyone from contracting a sexual relationship. “If you start trying to conceal someone’s identity, sooner or later the truth will come out. And if you don’t know you are biologically related to someone, you may become attracted to them and tragedies like this will occur.”<sup>141</sup>

Countries like England, for example, sought to minimize the risks of incest by passing laws to limit the number of children that could be conceived from any one donor’s sperm.<sup>142</sup> But that strategy did not reckon on spermatic entrepreneurs or on

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**138** CNN put the story in the context of human rights: CNN News, “Unknowing Twins Marry Each Other,” accessed February 17, 2021, <https://www.cnn.com/2008/WORLD/europe/01/11/twins.married/index.html>.

**139** Allegra Stratton and agencies, “Twins Separated at Birth Married Each Other,” *The Guardian*, January 11, 2008, accessed February 17, 2021, <https://www.theguardian.com/uk/2008/jan/11/allegrastratton>. Alton’s assertion was challenged by Dr Allan Pacey, secretary of the British Fertility Society and senior lecturer in andrology, the study of diseases particular to males, at the University of Sheffield, who thought the risks of children conceived by the same donor in turn having children were exceedingly small.

**140** Thomas Wagner, “Separated at Birth, U.K. Twins Got Married,” Associated Press release, January 11, 2008, accessed February 17, 2021, [https://www.thestar.com/news/world/2008/01/11/separated\\_at\\_birth\\_uk\\_twins\\_got\\_married.html](https://www.thestar.com/news/world/2008/01/11/separated_at_birth_uk_twins_got_married.html).

**141** In *Television and the Genetic Imaginary*, in an extended footnote, p. 153 (n5) on the TV theme of accidental incest, Bull writes: “They are typically completely unaware of their biological ties before the test results, but in some cases the characters have knowingly become sexually intimate after a long period of estrangement, which means they lack the ‘appropriate’ social kinship bonds of relatives. These plotlines are often using accidental incest to problematise non-traditional family structures. The characters practising accidental incest are almost always depicted as having grown up in some kind of non-normative family structure (they have been given up for adoption; grown up in single-parent households; or with parents that are polygamous, unfaithful or divorced). Linking accidental incest with the ‘breaking down’ of the nuclear family and a more general increased anonymisation, for example, facilitated by digital technologies such as cell phones and the Internet, is a wider tendency within the popular imagination.”

**142** Jacqueline Mroz, “The Case of the Serial Sperm Donor: One Man, Hundreds of Children and a Burning Question: Why?,” *New York Times*, February 1, 2021. Usually the limitation involved sperm banks, and there was often little control about how many sperm banks a man could donate to. Germany limited

what one theory posited; namely, that men are driven by their DNA to propagate as many offspring as possible.<sup>143</sup> Indeed, sperm donation became a veritable industry and cryobanks a booming business (expanding to four billion dollars in the US in 2018), while donors capitalized on the market by giving sperm to more than one bank. Some even went freelance.<sup>144</sup> Many donors charged minimal amounts or offered their sperm for free, expecting only reimbursement for travel.<sup>145</sup> The upshot was to increase considerably the number of children that single donors could conceive and to clear the way, with the help of social media, for the emergence of the “sperm kings.”<sup>146</sup> With the proliferation of single-donor children, fears of incest only intensified.<sup>147</sup> One Dutch donor admitted to at least 250 children, although estimates by those who did research on his practices thought that 1,000 was quite possibly the likely figure.<sup>148</sup> One woman who used his sperm for her two children reacted angrily when she learned how many half siblings were around: “How do I tell my kids that they could possibly have 300 siblings?”<sup>149</sup> And a man who discovered that he had more than 200 half siblings, found that some of them had had multiple encounters with each other on a dating app.<sup>150</sup> One of them matched online with four of his sisters.

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a donor to 15 children and the UK to 10. The Netherlands offered guidelines to clinics, limiting donors to 25 children. The United States did not have legal limits, but there were informal guidelines of 25 children for a population of 800,000.

**143** Mroz, “Case of the Serial Sperm Donor.”

**144** Bowles, “The New Sperm Economy.” See also Mroz, “Case of the Serial Sperm Donor.”

**145** Bowles, “New Sperm Economy,” gives the figures. A vial of sperm from a bank cost on average \$1,100, and a person needed to purchase four or five vials to insure pregnancy. If she wanted to have two full sibling children, the figure could run to around \$10,000.

**146** Bowles, “New Sperm Economy.” She chronicled one New York professor who traveled the world through reimbursement for expenses and at the moment of his interview had fifteen women in the United States alone pregnant. From donor interviews, Bowles found the frequent refrain that they wanted to have their genes passed on. On the other hand, they had a good time traveling. Mroz, “Case of the Serial Sperm Donor,” looked at a man from the Netherlands who had taken his sperm to at least thirteen countries. “Some donors have forged a lifestyle by agreeing to a nominal fee in exchange for travel costs to meet recipients in person.”

**147** See Harmon, “Are You My Sperm Donor?”

**148** Mroz, “Case of the Serial Sperm Donor.” He contributed to several fertility clinics and found many takers for his private donations through websites. He also worked with multiple aliases. Since the Netherlands is a rather small country, the numbers compiled by this donor posed considerable risks: “the more half siblings there are in the population who are unknown to one another, the greater the odds that two of them might meet unwittingly and produce children of their own—children with a heightened risk of carrying hereditary defects.”

**149** Mroz, “Case of the Serial Sperm Donor.”

**150** Mroz, “Case of the Serial Sperm Donor”: “Some of his half siblings have encountered each other multiple times on Tinder, the dating app.” A donor in the UK told the BBC in 2016 that he had at least 800 children around the world. Many anecdotes told of half siblings encountering each other. Mroz interviewed one woman, a preschool employee, who noted that her child was the look-alike of the child of a colleague. They turned out to be half siblings: “It’s dangerous for the children. There are more brothers

The issue of inadvertent incest found many forms of expression in popular culture.<sup>151</sup> Cinema and television films, for example, took up the generic narrative of the couple who find each other without knowing of their genetic relationship. The Warner Brothers 1996 film *Lone Star*, directed by John Sayles, was a case in point. Set in a border town between Texas and Mexico, the story concerned the investigations of Sheriff Sam Deeds (Chris Cooper) into the hidden past of racial, ethnic, sexual, generational, and political relations. The plot, developed in a series of flashbacks, turned on the teenage love of the white boy Sam, son of Sheriff Buddy Deeds, and the Mexican girl, Pilar, daughter of Mercedes Cruz, the owner of a local restaurant. Having discovered the young couple together, Sheriff Buddy roundly chastised his son. And Pilar's mother sent her off to convent school. Both Sam and Pilar subsequently had failed marriages, and she returned to town to teach school, while he, motivated by his desire to be near her, came back to become sheriff in his turn. The climax to the story came when Sam discovered that his father had had an affair with Mercedes and had fathered her daughter; that he and Pilar were half siblings. Her reaction to the "truth" about their past was to tell Sam that she was no longer capable of having children, so that they could now become a couple: "to hell with history" and "forget the Alamo!" In this iteration of the generic narrative, the dénouement turned on reproduction. There were genetic consequences for sexual relations among such close kin, but when offspring could not be had, the incest was irrelevant. Indeed, the initial attraction between Sam and Pilar could have come about just because of their similarity. This film was but one of the earliest in a string of movies—in German, English, Dutch, American, and Australian cinema—to explore contemporary, close, incest-tinged sibling relations. The settings sometimes were mythical as to time and place; at other times, set in putative reality. In many cases, however, whether the siblings grew up together or apart had no importance.<sup>152</sup>

Yet it was a commonplace in the literature of evolutionary biology that the experience of growing up in the same household precluded sexual interest among siblings. I have dealt with this in the *Intermezzo* chapter and will come back to it later in this chapter, but here I want to note that films such as *Cement Garden* (1993), *Dreamers* (2003), *Royal Tenenbaums* (2001), *Not Another Teen Movie* (2001), *Unspeakable Acts* (1990), and *Spring Night, Summer Night* (1967, re-released 2020) all deal with erotic desire among

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and sisters in Almere, and they can fall in love. It's not good." See also Baden-Lasar and Dominus, "Brothers, Sisters, Strangers."

<sup>151</sup> For the example of popular romance fiction, see Mary K. Chelton, "Searching for Birth Parents or Adopted Children: Finding Without Seeking in Romance Novels," *Reference and User Services Quarterly* 57 (2018), accessed February 22, 2021, <https://journals.ala.org/index.php/rusq/article/view/6704/9029>.

<sup>152</sup> In the decade after 2010, incest porn was the fastest growing market in the porn industry, and some point to the influence of the series *Game of Thrones* on the trend. See "The Disturbing Underbelly of the 'Step' Porn Trend," accessed February 18, 2021, <https://mashable.com/article/step-porn-incest-videos-pornhub/>. See also Ben Chapman, "The Strange, Undiscussed Rise of Incest Pornography," accessed February 18, 2021, <https://medium.com/bigger-picture/the-strange-undiscussed-rise-of-incest-pornography-d436e91516f1>.

siblings who grow up together.<sup>153</sup> There are examples of intimacy between full siblings (*Close My Eyes*, 1991) or half siblings (*Homesick*, 2015) who encounter each other as adults, or who are thrown together as step siblings (*Cruel Intentions*, 1999, or *Sin of Innocence*, 1986), but these seem to be in the minority. That did not deter reviewers from figuring desire as a natural result of unfamiliarity in accordance with the theories of geneticists.<sup>154</sup> The implication, of course, is that the evolutionary biologists and many reviewers had got it wrong. Genes, in the imagination of film writers and cineastes, not the experience of growing up (or not) under one roof, determined whether sexual interest could develop.

For gender considerations, or the power relations of the sexes, attraction naturalized by geneticization had an equalizing effect. Commenting on the *Cement Garden*, with its incestuous older sister-younger brother pair, the reviewer Roger Ebert wrote: “The movie is not really about sex or incest, I think, but about power—and particularly about the power that some adolescent girls learn to use to seek out the weaknesses of insecure teenage boys.”<sup>155</sup> Power could lie with girls now. An older sister might even initiate the relationship, or a sister of any age express desire as strong as her brother’s.<sup>156</sup> This, it must be emphasized, was the power of attraction; power shorn of its connotations of hierarchy, male dominance, and abuse; and of its associations with father-daughter incest and the sadistic pleasure of inflicting pain. Obviously this was not the power typically depicted in the 1970s and ‘80s (see section IV), but rather power newly scrambled with desire—expressed mutually or by sister for brother and thus able to banish the figure of the abusive male from the scene.

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153 In the film *Royal Tenenbaums* (2001), directed by Wes Anderson, the sister, Margot, was adopted, but many of the reviewers saw the relationship with her brother as incestuous, precisely because they had grown up together.

154 Dag Sødtholt, “Desperate Connections: An Analysis of Anne Sewitsky’s *Homesick* (2015),” *Montages: International Edition*, February 5, 2016, accessed February 18, 2021, <https://montagesmagazine.com/2016/02/desperate-connections-an-analysis-of-anne-sewitskys-homesick-2015/>.

155 Roger Ebert, review of the film *The Cement Garden*, March 4, 1994, *Roger Ebert.com*, accessed February 18, 2021, <https://www.rogerebert.com/reviews/the-cement-garden-1994>.

156 *The Cement Garden* (1993), written and directed by Andrew Birkin, offered a good example of mutual seduction. In *Close My Eyes* (1991), written and directed by Stephen Poliakoff, the older sister had flirted with her brother for a long time, and she initiated the first embrace and kiss. In *Clueless* (1995), written and directed by Amy Heckerling, the sister also initiated the kiss. In *Not Another Teen Movie* (2001), directed by Joel Gallen and written by Mike Bender et al., the plot revolved around the sexual attraction of the sister for the brother.





**Fig. 62:** We Really Don't Have All That Much Control.

In this painting by Alan Feltus (1943–), the two figures appear to be brother and sister. In their gestures and physical characteristics, they obviously mirror each other. She is withdrawn into inner contemplation, expressing an intensity of intimate sexuality, while he possessively holds her foot, staring defiantly at an observer, as if to challenge any judgment of their relationship. The suitcase, the bed, and the sparse furniture suggest a planned encounter in a hotel room. The phrase, “We Really Don’t Have All That Much Control,” affixed to this picture by someone in the Internet, is part of a longer quote from Feltus himself, which continues with “over what we produce when we work from within.” The truncated quotation directs attention to the eroticism of the painting. Feltus used no models when he painted, relying on images of himself in the mirror. The couple as a result mirror each other and are mirrored images of himself. He acknowledged that his paintings expressed sexual mysteries. They were about himself and about his interior world. The mirror trope prompts a reading of narcissism, which itself captures a key element of the sibling eroticism of the age and parallels the testimonies of grown-up siblings who allege themselves to be

“genetically” sexually attracted to each other. Locating the painting geographically, with Mt. Subasio viewed through the window, offers another clue to Feltus and his view from home, near Assisi. Feltus found inspiration in the work of Balthus, who, like him, spent much time studying Renaissance art, particularly the works of Piero della Francesca. The two artists are emblematic of the shift of erotic focus—Balthus obsessed with adolescent girls, generating international attention in the 1980s, and Feltus with his narcissistic depiction of “siblings” from the 1990s onwards.

Alan Feltus, *Behind Mt. Subasio*, 2001, oil on linen, 39 ¼ x 47 ¼ in. © Alan Feltus, courtesy of Forum Gallery, NY. Teana Newman, “Reflections on the Work of Alan Feltus,” *Alan Feltus: Silent Dreams*, catalogue for the exhibition at Forum Gallery, New York, October 20–December 3, 2005; Larry Groff, “Interview with Alan Feltus,” *Painting Perceptions*, October 15, 2015, <https://paintingperceptions.com/interview-with-alan-feltus/>; “Interview with the Painter Alan Feltus,” *The Montreal Review*, February 2011, <https://www.themontrealreview.com/2009/Alan-Feltus.php>; Alan Feltus, *Titled Arc*, <https://www.tilted-arc.com/tag/alan-feltus/>.

Given the complexity of new household arrangements, it was to be expected that the boundaries of the sexually transgressive would be reconsidered in the social imaginary. The very fact that “steps” played an ever-increasing role in the pornographic video titles of 2010–20, speaks to shifts in the social imaginary. The website “Mashable” provided a graph for the period 2008–18, which showed the percentage of such titles increasing from roughly zero to a full five percent.<sup>157</sup> And then there was the phenomenon of blended families. Here, even the *Brady Bunch* got into the act. In *A Very Brady Sequel* (1996), a central plot theme involved the growing sexual attraction between teenagers Greg and Marcia. They had become members of the same household through their parents’ marriage, the mother having brought three daughters with her, and the father, three sons. Desire was set in motion when Greg and Marcia had to share an attic bedroom where the bedsheet that separated their spaces allowed each to see the shadow of the other undressing. The experience prompted them both to recall that they were not actually brother and sister. Their obvious interest in each other, shown during a double-dating scene while the song “If loving you is wrong” played in the background, made their dates uneasy. In their attic room, the step siblings held hands and kissed, accompanied again by the if-loving-you-is-wrong song. A later beach scene featured Greg giving Marcia mouth-to-mouth resuscitation after a swimming accident, and suffering the embarrassment of an erection. In the end, at their parents’ second wedding, the young people embraced and kissed, and then offered each other a final handshake, acknowledging mutual desire but recognizing the impossibility of pairing off.

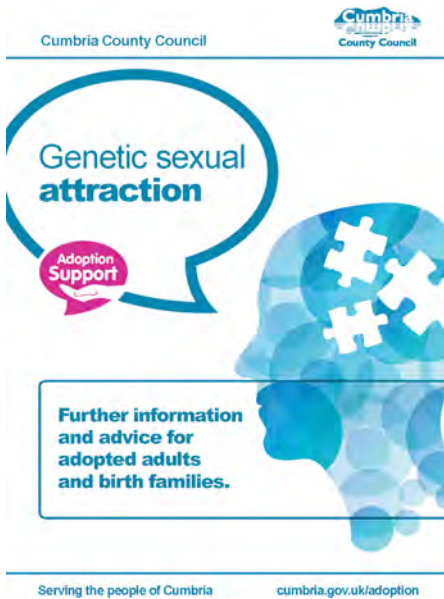
Certainly, the cultural fascination with the sexuality of children in patchwork, blended, and adoptive families offered many possibilities for revisiting received assumptions. One such example turned on the question of whether well understood incest taboos applied to “siblings” with no genetic connection—maybe they did, but then again, maybe they did not. If incest had something to do with biological rather than social matters, then genetics offered a language able to put boundaries around the dangers of transgression. Even so, cultural unease might well go beyond the logic of biological connection. And adoption proved to be a case in point.

Feelings of sexual desire among long-separated relatives certainly have not always figured in treatments of adoption. Judith Modell, in her study of adoptees’ searching for genealogical kin, made a general reference to the passions involved in initial and sometimes subsequent encounters. But she did not follow that up with suggestions of sexual desire. Nor did anthropologist Janet Carsten allude to sexual attraction in reporting on her interviews with adoptees and birth parents. Nonetheless, many others did. Indeed, the fear of inhibitions being broken down after adoption records were unsealed was so strong in Ontario, Canada, that governmental agencies circulated literature urgently

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157 “The Disturbing Underbelly.”

warning of the possibility of runaway emotions.<sup>158</sup> Ensuing romantic feelings or relationships came to be couched as “genetic sexual attraction.” It was an idiom sometimes welcomed by the donor children whose impulses and efforts to locate half siblings and cousins I already have described. Thus, in 2003, an article in *The Guardian*, “Genetic Sexual Attraction,” began this way: “You’re 40, happily married—and then you meet your long-lost brother and fall passionately in love. This isn’t fiction; in the age of the sperm donor, it’s a growing reality: 50% of reunions between siblings, or parents and offspring, separated at birth result in obsessive emotions.”<sup>159</sup>



**Fig. 63:** Warning! Genetic Sexual Attraction Ahead.

After adoptees searched for the circumstances of their birth, they might be reunited with newly discovered relatives. And this led frequently enough to passionate romantic attachments. Alarmed govern-

mental agencies, charged with opening adoption records to inspection have sometimes responded with education campaigns. A pamphlet from the UK Cumbria County Council offers a good example of the genre: “The term ‘genetic sexual attraction’ is used to describe the intense physical and emotional feelings that some people experience following restored contact between an adopted person and a close member of his or her birth family. . . . Genetic sexual attraction is described as a phenomenon of intense attraction between biological family members that can occur after close relatives are reunited after a long period of separation. Generally (in adoption situations) this affects family separated from birth or very early in the life of the adopted child. It is important to note that the term may be misleading because the phenomenon often does not lead to actual sexual contact but the title was used to make a distinction between incest (which is generally an abusive relationship involving power and control) and an unconscious psychological response to separation from people with the same genetic makeup. Genetic sexual attraction on the other hand occurs between two consenting adults who may know nothing of their familial ties prior to meeting and, in some cases, have no idea they are even related when they meet. This phenomenon is

<sup>158</sup> See the pamphlet by Jacquie Tjandra, “Genetic Sexual Attraction,” issued by the Adoption Council of Ontario, accessed February 19, 2021, [https://www.adoptontario.ca/uploads/File/GSA\\_Article\\_July\\_2018.pdf](https://www.adoptontario.ca/uploads/File/GSA_Article_July_2018.pdf). For England, see the Cumbria County Council’s leaflet, *Genetic Sexual Attraction*, accessed February 19, 2021, <https://www.cumbria.gov.uk/eLibrary/Content/Internet/537/6379/6423/17162/42709145735.pdf>.

<sup>159</sup> Alix Kirsta, “Genetic Sexual Attraction,” *The Guardian*, May 16, 2003, accessed February 19, 2021, <https://www.theguardian.com/theguardian/2003/may/17/weekend7.weekend2>. There was not a great deal of systematic discussion of GSA. For a clinical report, see Ann Tasko, “Genetic (Sexual) Attraction: The Search for Connection,” *Insights: News for Clinical Counsellors of B.C.* 13 (2001): 7–8, 32.

believed to be caused by several factors, mainly the fact that there is a basic human attraction towards those who have similar physical attributes to us. This attribute is overridden within families due to the Westermarck effect which turns off the sexual attraction part of a person's brain to relatives when they are raised together as a family and label their affections differently. When separation occurs early within families this effect does not occur. This therefore leaves individuals open to the attractions of birth family members who are family in name and biology only without the shared experiences and social conditioning that would normally develop. This is one of the major causes of genetic sexual attraction. A second major factor is the close bonding that gener-

ally occurs within families and particularly between a mother and her child that can lead to a need for this to occur when they are re-united. This can be a strong feeling of attraction and a need to be close to the other person. The closeness that comes from snuggling, kissing and comforting an infant is one of the most important biological needs of humans. The lack of this closeness can turn into sexual attraction when reunited as a way of providing this basic need denied to them in the past.”

Cumbria County Council, *Genetic Sexual Attraction*, <https://www.cumbria.gov.uk/eLibrary/Content/Internet/537/6379/6423/17162/42709145735.pdf>; accessed February 19, 2021.

As incest concerns shifted from father-daughter to siblings, themes of molestation and violence gave way to problems of desire and mutual attraction. In the BBC television documentary “Brothers and Sisters in Love” (2008), Sean, an American man in a sexual relationship with his sister, confronted the word “incest.”<sup>160</sup> For him it evoked the image of a “brutish” father creeping into his seven-year-old daughter’s room, while the mother sat downstairs watching television: “that’s what it normally means,” he said. Later in the documentary, sixty-year-old Doris, commenting on her reunited brother’s obsession with her, also rejected the word “incest,” as something that conjured up a nasty feeling about fathers with their children. Of course, both Sean and Doris were reflecting on the previous decades’ dominant understanding of incest, with its focus on violence between older men and younger women, but they were unaware of, or uninterested in, the biological, social, and legal discourses that had gone before. Siblings or not, mutual (legitimate) desire and attraction were all that mattered to them.

“Brothers and Sisters in Love” dealt with American, British, and German couples who developed erotically tinged if not always sexually consummated relationships, which they decided to maintain, despite social and legal pressures. The examples were chosen to represent different legal and cultural situations and to reflect experiences of people of quite different ages. In one instance, the documentary departed from the theme of siblings, to that of a mother and son, whose relationship it depicted with a clear sense of deeper transgression (see section III, chapter 1). By presenting its interviewees as “ordinary people,” this production underlined trends in the contemporary consciousness of a phenomenon that was happening with increasing frequency.

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<sup>160</sup> *Brothers and Sisters in Love*, directed by Sally George, written by Karen Thomas, 2008, accessed February 20, 2012, <https://www.google.com/search?q=brothers+and+sisters+in+love&aq=chrome.0.0j0i22i30l9.4993j0j15&sourceid=chrome&ie=UTF-8>. See also <https://www.imdb.com/title/tt2137642/>. This television documentary is no longer easy to find on the internet.

Those trends entailed a shift in the spatial orientation of the incest phenomenon away from the nuclear family. Now the concern focused on siblings who had not grown up together, whose origins were not in the same household, who had encountered each other by researching their personal histories, or by finding their birth mothers and uncovering the conditions of their birth or perhaps early childhood. And the language of evolutionary biology, not psychotherapy, framed treatments of the relationships. As I have pointed out already, the term of choice for the BBC documentary was none other than “genetic sexual attraction,” figured as a natural force so strong that it could cause kin who grew up separately to “fall prey to desire.” It is probably not at all by accident that this film did not include a father-daughter case: to have done so would have touched on the dominant male-abuse discourse it was replacing. There already was one well-discussed incident, exposed in 1977 by the novelist Kathryn Harrison, which certainly would have fit into the treatment here. Harrison encountered her father as an adult and soon afterwards began a long-term affair with him.<sup>161</sup> And Anaïs Nin and her father in the 1930s also had a relationship containing elements that would not be unfamiliar today.<sup>162</sup> Neither woman couched their experiences in explicitly evolutionary biological language, yet the kinds of language they chose to describe their attraction to

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**161** Kathryn Harrison, *The Kiss* (New York, 1977), p. 58: “In my father I meet someone not only familial but familiar: like myself. Now, my stubborn streak, my willful, marching walk, and the way I frown when I’m thinking—all such traits are not evidence of my separateness but of my belonging.” p. 63: “My father, holding himself so still and staring at me, has somehow begun to *see* me into being. His look gives me to myself, his gaze reflects the life my mother’s willfully shut eyes denied. Looking at him looking at me, I cannot help but fall painfully, precipitously in love.” Harrison framed the relationship as narcissistic on both their parts, certainly hers. In an earlier passage (pp. 40–41), pushed to anorexia by her mother, she “gasps with pleasure” at the sight of herself in the mirror: “I am my own lover. At night I go to bed naked, and in the dark I touch my body until I know by heart the map of my hunger.” Later, when she has become her father’s lover, she recognizes that her father is also a narcissist (p. 80). What is missing in the literature on genetic sexual attraction is the element of choice that one finds in Harrison’s account and the framing of narcissism; yet people report being drawn to the mirror image of themselves evident in the newly discovered relative. They failed to think beyond the biologically determined.

**162** Anaïs Nin, *Incest: From “A Journal of Love.” The Unexpurgated Diary of Anaïs Nin, 1932–1934* (San Diego, New York, London, 1992), p. 152: “When my Father and I truly meet [Anaïs was thirty, and the abandonment had occurred twenty years earlier], after twenty years, it is not a meeting but a realization of the impossibility of meeting on earth except as man and woman, in the completeness of sex.” p. 284: “I should tell my Father that I do not love him, that the love I give him is narcissistic, as is the one he gives me. Love of the one who *can understand*, answer you, diminish the solitude. Whatever is truly *his* and not mine (his science, his order, his reason, his logic), I don’t love. . . . I will yield to my Father when he comes, out of loneliness, with a love of coming close to his own loneliness, a love of those secret qualities in him which I love because they are like my secret qualities. . . . It is when one’s self has become so masked to the world, one’s language so unintelligible, one’s loneliness so consuming, that only one’s Double can penetrate one.” Earlier in her diary, she wrote that the pain of her father’s abandonment when she was ten “caused me to withdraw, to become elusive, hypersensitive, narcissistic,” p. 199. “I also love myself in my Father,” p. 288. When she finally broke with her father, she wrote: “between us there is only narcissism, and I have grown beyond this,” p. 308. See Katha Pollitt, “Sins of the Nins,” *New York*

their fathers would have been recognized by the producers of the “Brothers and Sisters in Love”: the only difference being that both Harrison and Nin, unlike the documentary subjects, fully acknowledged their own narcissism and ascribed similar motives to their fathers.

The BBC documentary not only stressed the “ordinariness” of its incestuous sibling subjects, but the intensity of sexual attraction that could accompany encounters between long-lost siblings—“over 50% of these reunions *can* [emphasis added] result in sexual obsession.” These were individuals frequently willing to risk everything and to break the law. The choice of language is revealing—biological, on the one hand, and psychological, on the other. Yet with the “obsession” rooted firmly in the genetic situation. Probably the most famous case is the German one of Patrick S. and Susan K. and their offspring, which led to jail time for Patrick and to court litigation that took the issue all the way to the German Constitutional Court.<sup>163</sup> The BBC documentary, however, simply treated this case as a classic one of genetic sexual attraction. The pair had had no contact until they were twenty-three. After tracing his birth mother, Patrick had discovered that he had a sister. The documentary went to great lengths to depict normality: the family playing on the playground, cooking dinner, romping with the dog, sitting in front of a laptop. It stressed as well the “normality” of the American couple Rachel and Sean, asserted that their attraction to each other was genetic, and noted that they were keen to make a distinction between their desire for each other and what counted for “incest.” In fact, the documentary gave them all the marks of true “Americanism”—hard work, house and car ownership, walks at sunset on the beach. As Rachel put it: they lived “the American way.” Their experience had been one of instant attraction upon first meeting—at age twenty-seven. Since then, they had become active in a world-wide support group of people with similar histories of genetic sexual attraction. As far as they were concerned, consent between adults precluded the label “incest.” And Patrick’s and Susan’s German lawyer also wanted to make this point, framed by human rights arguments, because he, too, thought the issue boiled down to adult consent.

Viewers of sibling films were expected to ask about progeny. In the movie *Lone Star*, the couple consummated their relationship in the recognition that they could no longer produce children. And in the documentary, the older English couple could not, and the younger American couple would not, have children. The test case came down to Patrick and Susan and their four children, two of whom, it was vaguely implied, had learning disabilities. Of course, there was the obligatory interview with a “scientist” who

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*Times*, November 22, 1992. This was a review of Nin, *Incest*. Pollitt spoke of Nin’s “staggering self-absorption and endless analysis of this or that tiny flutter of emotion.”

<sup>163</sup> Reuters, “World Briefing Europe: France: Man Barred from Adopting Child of Incest,” *New York Times*, January 7, 2004. In this instance, a man lived with his half sister. France’s highest appeals court ruled that he could not adopt his thirteen-year-old daughter who lived with the couple. This overturned an earlier 2001 lower court ruling. The prosecutor requested that the court uphold “the universal ban on incest.”

referred to evidence from “thousands and thousands of cousins” whose relationships had led to genetic harm. And yet the literature on the subject of cousins did not and does not bear out his assertion (see the *Intermezzo* chapter). What is interesting here is the continuing importance of late-nineteenth-century biological issues in twenty-first-century thinking. Patrick had himself sterilized; but because German law defines incest in terms of full sexual penetration and his children with Susan supported the presumption of completed sexual intercourse, he was sentenced to imprisonment.

The concept of genetic sexual attraction continued to attract considerable attention. On May 7, 2009, the Canadian Broadcasting Corporation (CBC) aired a radio program called “Forbidden Love: Genetic Sexual Attraction.”<sup>164</sup> Produced as a series of interviews by Aziza Sindhu, it explored several of the themes from the earlier BBC documentary. The program was prompted by the imminent unsealing of public adoption records in Ontario Province, which, it was expected, would lead to many family members being reunited or really connected for the first time.<sup>165</sup> Ontario was the fifth Canadian province to take this step, so there already was considerable experience of the consequences. The host of the CBC show, Bob McKeown, introduced the program by alleging that on rare occasions such reunions could have “disconcerting consequences”—caused by “genetic sexual attraction.” But by this time, opinion strongly favored opening up the records. Many people wanted to know their risk for diseases with genetic markers, and they also believed in a right to know how they “belong” to others biologically. Sarah Franklin has argued that even in scientific literature genes have been “blooded,” which suggested to her that the idea of the blood relationship still was contributing significantly to understandings of personal identity.<sup>166</sup> Given the strong impetus for open information in Canada, there was considerable reluctance to dwell on possible problems, and so the rarity of sexual attraction was stressed at the outset of the CBC show. Yet in later segments, Ms. Sindhu interviewed an expert on the issues who suggested that genetic sexual attraction occurred in more than 50% of cases of adult family members who encountered each other for the first time. As with the BBC documentary, the statistics were as vague as the concept itself.

The relationships discussed in the broadcast aroused the uneasiness prompted by fundamental transgression. So, suitably, Ms. Sindhu talked throughout the program in a hushed voice and argued that the whole phenomenon was unique to adoptive situa-

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164 CBC, “Forbidden Love: Genetic Sexual Attraction,” narrated by Aziza Sindhu, hosted by Bob McKeown, September 25, 2012, accessed February 20, 2021, <https://www.cbc.ca/andthewinneris/2012/09/25/forbidden-love-genetic-sexual-attraction-2/>.

165 There was a trend also in the US to unseal birth certificates. Robbins, “Where Adoption is Suddenly an Open Book.” In this article, Robbins reported on a recent Oregon law. Almost 6,000 adoptees in Oregon requested their files in the first year of the law. In the US, there were over 6,000,000 adoptees.

166 Sarah Franklin, “From Blood to Genes? Rethinking Consanguinity in the Context of Geneticization,” in *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher (New York and Oxford, 2013), pp. 285–306.

tions wherein the people involved were complete strangers to each other. It was happening all around the world, attracting the attention of governments, such as the one in Ontario, which had readied a pamphlet to be distributed to anyone seeking information through their adoption and birth records.<sup>167</sup> Unlike the BBC documentary, this program suggested that there were quite a few cases of mothers and sons and fathers and daughters, though brothers and sisters constituted the majority of genetic sexual attraction cases. But the interviews were with mothers and sons, and brothers and sisters; no father and daughter cases were actually taken up. While most observers think of the mother-son relationship as the deepest taboo, the obsession with father-daughter incest in the late twentieth century meant that the relationship to avoid talking about was in fact the one of father with his daughter.

In this radio program, as in the BBC broadcast, both the host and the interviewer went to great lengths to stress “normality”—of the interviewees and their sexual attraction. Precisely what lay behind the attraction was the “mirror” effect; that is, the experience of “feeling one’s own genes” in the presence of someone with physical and temperamental similarities; in other words, of seeing in those similarities a copy of oneself. A mother who developed a sexual relationship with her long lost thirty-year-old son (she was forty-six), talked about immediate recognition—the similarity of cheeks and eyes. And the son told his mother that he now had experienced for the first time what it was like to know his own “kind.” The mother, however, was telling the story well after finding a website on genetic sexual attraction, and she had read some of its articles as she took the steps that led to consummating her relationship with her son. Therefore, it must be asked whether and to what extent her descriptions were framed by prior knowledge gleaned from the web—the parallel with the self-help literature phenomenon in the 1970s and ‘80s is striking. The same imperative holds for asking whether narcissism might have played a role.

Here, as in previously mentioned cases, the word “incest” was rejected, precisely because it had come to cover a syndrome developed in the feminist therapeutic literature of the ‘70s and ‘80s. The mother stressed that at thirty-years-old, her son was an adult. Therefore, there was no question of child abuse. In reflecting on the case, the interviewer insisted that incest was not the subject of her inquiries. Her subject was “biological”; that she admitted. But absent any evidence of force, it was not about abuse—“which is what incest is.” Then she brought in an expert witness who shifted the focus to a psychological dimension. Each of the partners had experienced a “deep wound.” There was no legal relationship between them, implying no moral responsibility for care, no experience of nurture. They came together as adults. The expert concluded that it was no one’s place to judge the relationship—certainly it did not fall under the “definition” of incest. And she stressed the uniqueness of the feelings, their never-before-experienced quality. Like all deep feelings, these probably would die

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167 Tjandra, “Genetic Sexual Attraction.”



away: in fact, most of these relationships did not last long. Still the strength of the temporary emotions sanctioned whatever resulted. Free choice, conceived as the essence of individual identity and coupled with narcissism, relieved the actors of any moral fault. Here the incoherence of the program's purpose and presumptions stood out in stark relief: the ideology of individual freedom to choose whether to act, conflicting with the experience of being overwhelmed by a predetermined natural condition, and with the concomitant sense of self as incomplete, such that the capacity to control actions or even make moral judgments was impaired. Although biology here was mediated through feelings, with genes actually calling the shots, the deeper tenor of the whole discussion was one of biological response.<sup>168</sup>

Despite the dangers she was advertising, Ms. Sindhu also insisted on the psychologically therapeutic function of airing them. Opening up the records was bound to bring about hundreds of cases of genetic sexual attraction. And already the genetic sexual attraction website received 7,000 visitors each month. Knowledge and awareness, she argued, would prevent the disarray that went with unprepared feelings—never mind that “preparing” here meant framing those feelings in the genetic sexual attraction way. In the end, “normality” was the punchline; normality here meaning that these relationships were neither structured by power (they were in fact an expression of powerlessness in face of mutual attraction) nor asymmetrical in any way. Given all this, we, the audience, ought to show her interviewees “respect.”

And so genetics came to act as a kind of prefix to the sexual attraction of kin, even though scientific research into the phenomenon was thin.<sup>169</sup> The point of making desire genetic was to rid it of connection with responsibility, to make it a matter of predetermination, fate. The Westermarck hypothesis, that argument which tied incest avoidance to co-residency, was often called upon to buttress arguments about the inevitability of desire or of sudden overwhelming emotional connection in first encounters with long-lost kin. But this involved flipping “Westermarck” on his head, extrapolating a new claim from his logic: if growing up together dampened sexual interest, then not-growing up together let passions flourish. It was common among those afflicted to describe the connection as like a disease, something not under the individual's control.<sup>170</sup> Once

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<sup>168</sup> See the earlier discussion of genetic determinism by Finkler, *Experiencing the New Genetics*.

<sup>169</sup> Bull, *Television and the Genetic Imaginary*, p. 121, dealt with a number of crime dramas that presented sexual attraction as based on genetics. “The pseudo-scientific theory of ‘genetic sexual attraction’ is presented as a scientific fact explaining incest as a natural drive rooted in our very genes. The genetic framework is conversely used to both explain and condemn incest. Because these cases of incest are depicted as voluntary relationships without any elements of coercion and sexual violence, they are almost solely problematised on the basis of genetics. Specifically, it is the reproductive potential of these relationships that the shows worry about.”

<sup>170</sup> Kirsta, “Genetic Sexual Attraction.” This article from *The Guardian* (2003) has been much cited and nicely summarizes the development of the idea by early in the decade. Kirsta noted that an American woman, Barbara Gonyo, who at the age of 42 had fallen in love with her son after meeting him for the first time, coined the term and in the late 1980s founded a support group for adoptees and new-found

the notion was circulated in the internet, it became the prism through which many people parsed their actions.

The lack of serious scientific research on GSA did not inhibit “experts,” who readily claimed to know all about the subject. Both the BBC and CBC programs brought in the requisite psychologist or biologist to opine on the subject. But Amanda Marcotte, a feminist blogger for *Slate*, *The Guardian*, and *Salon*, insisted that the GSA rested on a heavy dose of pseudoscience. In an e-mail exchange with the social psychologist Carol Tavris, she and Tavris found the whole discussion laden with buzzwords, such as “genetic,” “hardwired,” “hormonal.” Attraction, not to say sexual behavior, was an enormously complex phenomenon, not easily reduced to the simple elements of the typical internet discussion: “Even the most ardent proponents of ‘genetic sexual attraction’ have not produced a shred of evidence that some people who are biological relatives are more likely to be sexually attracted to one another than to those they are not related to.” She went on to reflect on the story by Barbara Gonyo, the woman who popularized the concept of genetic sexual attraction: “Rather than accept that her feelings might simply be an unhealthy reaction to an unusual situation, she [Gonyo] simply made up a biological-sounding term to describe them. It’s an understandable urge because it lessens the personal responsibility for these feelings, making it seem like they are being caused by something out of one’s control.”<sup>171</sup> It is quite possible that the genetic tie was understood to sanction an obsession that in other contexts would have been seen as edgy, weird, or pathological. More than a social tie was being asserted to bolster claims on a person’s emotions and being.

## Genetics takes on a model organism: Siblings

After a short twentieth century of Freudian obfuscation and overemphasis on culture, research on inbreeding, incest, and the incest taboo is achieving new clarity and reliability. — Hill Gates, 2004

Inbreeding avoidance is naturally selected behavior that was already present among animals before humans evolved. — Anne Pusey, 2004

It is painfully evident from their writings that evolutionary psychologists know a lot about insects and birds but very little about humans. — Susan McKinnon, 2005

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relatives called Truth Seekers in Adoption. Built into the construction of the notion of genetic sexual attraction was the presumption that there was little choice for the parties involved. And the response was normal, not to be brought under the sign of incest precisely because “there is no force, coercion, usually no betrayal of trust. And no victim. If sex occurs, it involves consenting adults.” Kirsta concluded her article: “GSA is neither a horror, an illness, nor a perversion.”

<sup>171</sup> Amanda Marcotte, “Debunking Genetic Sexual Attraction: Incest by Any Other Name is Still Incest,” *Salon*, August 16, 2016, accessed April 5, 2021, <https://www.salon.com/2016/08/16/debunking-genetic-sexual-attraction-incest-by-any-other-name-is-still-incest/>.

It is understandable that a great deal of caution is in order before asserting the existence of a “biological” determinism of “incest” avoidance in primates and humans. Yet this virtue is not typical of certain texts by primatologists or anthropologists, more concerned with showing, at the cost of verbal contortions, that sociobiologists’ hypotheses are borne out in all cases rather than discussing them. — Maurice Godelier, 2011 [2004]

As many of the sources from the previous section make clear, the feminist psychotherapeutic discourses of the last three decades of the twentieth century stamped the notion of “incest” with a new and quite specific meaning. It no longer designated improper marriages or sexual relations with relatives who were too close, but rather, for the most part, sexual advances—from verbal or gestural communication to intercourse—that expressed power or involved violence in situations of unequal authority, strength, status, or simply age. Incest was tantamount to abuse and often, although not always, thought of as a matter of familial or household conduct. Implied was the abuse of children, mostly girls by older men, along the lines of the father-daughter model. Commonly when incest as a factor in a brother-sister relationship was considered, it was pressed into the mold of asymmetrical, age-based power: older brother-younger sister.<sup>172</sup> By the end of the century, however, a new discourse about incest arose as the science of genetics, together with its helpmates evolutionary biology and evolutionary psychology, extended its reach in scientific and popular culture. Geneticists were not interested in power and tended to tell a completely different kind of story.<sup>173</sup> Their scenarios, rather than evoking patriarchy with its vertical, hierarchical structure, stressed lateral relations and moved away from physical and emotional contact to the mechanisms of avoidance and the origins of the taboo. And so, brother and sister replaced

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172 In “Sibling Incest: A Study of the Dynamics of 25 Cases,” *Child Abuse and Neglect* 11 (1987): 101–8, Holly Smith and Edie Israel noted that despite the concentration on father-daughter incest, sibling incest was much more widespread. Alan R. de Jong, in “Sexual Interactions among Siblings and Cousins: Experimentation of Exploitation?,” *Child Abuse and Neglect* 13 (1989): 271–79, made the same point.

173 In a January 2008 NBC News report on the inadvertent marriage story titled “Why incest makes us so squeamish: It isn’t taboo in nature, but we may have evolved cues to avoid behavior,” reporter Dave Mosher explicated a theory of incest avoidance thoroughly rooted in the language of evolutionary biology. It was all about species survival. He relied upon Debra Lieberman, an evolutionary psychologist at the University of Hawaii, as his expert source: “Because so-called higher organisms such as humans are susceptible to life-shortening genetic combinations, Lieberman thinks nature has weeded out incestuous behavior over time through natural selection.” There was nothing in our DNA to tell us who is related and thus who to avoid. So there needed to be a mechanism, and that was found in avoidance that siblings develop for each other—but only siblings brought up together under one roof. The theory behind this went back to Westermarck, who, looking for the mechanism that would explain the universal phenomenon of incest avoidance, posited the theory of co-residence to explain it: Dave Mosher, “Why Incest Makes Us So Squeamish,” NBC News, January 16, 2008, <https://www.nbcnews.com/health/health-news/why-incest-makes-us-so-squeamish-flna1c9449898>. On the other hand, Lieberman expected that there were actually genes for incest avoidance that had yet to be located. For a thorough rehearsal of the Westermarck hypothesis in current iterations, see Paul B. Roscoe, “Amity and Aggression: A Symbolic Theory of Incest,” *Man*, n.s. 29 (1994): 49–76.

father and daughter as the model organisms. Indeed, the abuse literature was never about reproduction (except briefly, during the satanic ritual abuse scare, rife with its fantasies of fathers ritually killing their daughters' babies), and the issues considered by geneticists were all about healthy or damaged offspring and how populations have managed to avoid them.

The frequent references to Freud or Lévi-Strauss in the work of biologists and geneticists most often served as foils against which to highlight Edward Westermarck's theories.<sup>174</sup> I have dealt with these and with some of the ideas from evolutionary biology in my *Intermezzo* chapter. Here I want to offer reflections in a different direction. From the 1850s onwards, medical writers and biologists, and eventually geneticists, social and evolutionary biologists, evolutionary psychologists, physical anthropologists, and ethologists took on incest as a central issue for their respective disciplines. They asked how the human incest taboo came about and how it might be related to avoidance mechanisms found within the animal kingdom. That offspring from close marriages or non-marital sexual relations were likely to display physical or mental deformities became a commonly held platitude. By the turn to the twenty-first century, geneticists called the shots and determined the shape and content of a narrative widely circulated in television programming and the science pages of newspapers and magazines.

From the outset, geneticists had to deal with the fact that the incest taboo was rule-driven and therefore a part of human cultural production.<sup>175</sup> It was widely accepted that some form of incest avoidance might well be universal, even though its expression varied considerably from society to society and the historical record included significant exceptions for any dyad—brothers-sisters, fathers-daughters, mothers-sons.<sup>176</sup> There was the added question of whether human behavior should be kept distinct from animal behavior. Given the cultural variety among human societies, perhaps “incest” was not always the proper or useful term. For animals, after all, the preferred term was “inbreeding.” Perhaps that term could be utilized to discuss reproductive activities among human extended kin (first and second cousins, for example) and incest reserved for relations among the closest of kin (nuclear family members, primarily). Then the risks of pathology among offspring could be weighted according to genetic distance.<sup>177</sup>

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174 Hill Gates, “Refining the Incest Taboo, With Considerable Help from Bronislaw Malinowski,” in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 139–60: “After a short twentieth century of Freudian obfuscation and overemphasis on culture, research on inbreeding, incest, and the incest taboo is achieving new clarity and reliability,” p. 142.

175 Dorothy Willner, “Definition and Violation: Incest and the Incest Taboo,” *Man*, n.s. 18 (1983): 134–59: “The extension of the concept of incest to animals other than man eliminates kinship systems, normative prohibitions and, indeed, symbolism. Incest is reduced to inbreeding,” p. 136.

176 Willner, “Definition and Violation,” p. 137: “Incest is defined by rules prohibiting it.” “Mating between primary kin is not incest where it is not defined as such,” p. 152.

177 Patrick Bateson, “Inbreeding Avoidance and Incest Taboos,” in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 24–37; here p. 24: “I believe that *incest* should be restricted to human social behavior where culturally transmitted proscriptions limit sexual contact and marriage with close kin

Westermarck had begun with the assumption that incest had negative consequences for progeny and had built his theory on a number of theoretical propositions: “First, inbreeding tends to produce physical and mental deficiencies in the offspring that lower their fitness in the Darwinian struggle for existence. Second, as a result, of the deleterious effect of inbreeding, natural selection has favored the mental disposition to feel an aversion to sexual mating with those with whom one has been intimately associated from early childhood. Third, this natural aversion to incest has inclined human beings to feel moral disapproval for incest, and this moral emotion has been expressed culturally as an incest taboo. Westermarck’s view of incest illustrates his account of ethics as rooted in natural emotions shaped by natural selection in human evolution. . . . Legal rules are culturally variable in their specific details, but the cultural rules are grounded in an emotional propensity of human nature that is universal.”<sup>178</sup>

Like Westermarck, today’s evolutionary biologists have stuck to the idea that something universal like the incest taboo must be the result of natural selection. The families or clans or villages at the beginnings of the race that happened upon exogamy were fitter, reproduced at higher rates, and over many generations had incest fears or exogamous practices inscribed in their genes.<sup>179</sup> “Natural selection has endowed us with a natural instinct to learn an emotional aversion to sexual mating with those whom we have been intimately associated in our early years of rearing, because in the circumstances of evolutionary history this would avoid the deleterious consequences of breeding with close kin.”<sup>180</sup> That story pretends to be historical even if wrapped in what

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(and others who might be deemed to be close kin). *Inbreeding avoidance* should be used for behavior that makes matings with close kin less probable in both humans and animals. This separation then leaves open the question of whether these behaviors have evolved for similar reasons and whether the two phenomena have similar current functions.” In an earlier article, Bateson imported human ideas of choice, option, preference, kinship recognition, and bias to describe the actions of his Japanese quail: “Sexual Imprinting and Optimal Outbreeding,” *Nature* 273 (1978): 659–60, “My general suggestion is that many animals may learn the visual, auditory, or even olfactory characteristics of their immediate kin and opt to mate with an individual that is slightly different from those that are familiar from early life,” p. 660.

<sup>178</sup> Larry Arnhart, “The Incest Taboo as Darwinian Natural Right,” in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 190–217, here p. 201.

<sup>179</sup> Joseph Lopreato (sociobiologist), review of *Incest: A Biosocial View* by Joseph Shepherd, *American Journal of Sociology* 90 (1985): 1394–96. “The conclusion is necessarily that natural selection has acted unfavorably on the genetic fitness of incestuous individuals. Little wonder that other animals also tend to avoid incest. We must therefore reason that those individuals who inherited genotypical tendencies to avoid incestuous relations produced more viable offspring and thus contributed increasingly more descendants of like predisposition to the future generations. Today’s societies are populated mostly by such individuals,” p. 1395.

<sup>180</sup> Arnhart, “Incest Taboo as Darwinian Natural Right,” p. 204. Ray H. Bixler, “Incest Avoidance as a Function of Environment and Heredity,” *Current Anthropology* 22 (1981): 639–43, found no instinct or innate predisposition to avoid inbreeding (p. 640). He found it untenable that either genetic or cultural determinants operated by themselves. He did try to find a way to imagine how they might work together. In a reply to Bixler, published in the journal issue just cited above, p. 647), the French anthropologist/historian France Marie Renard-Casevitz wrote: “What should be challenged is not the genetic approach

might be described as the evolutionists' "dreamtime." William Durham found it to be just another "just so" story conjured up by Westermarck: "What is lacking is conclusive evidence to show that the aversion was specifically shaped over time by genetic selection for the function it now performs."<sup>181</sup> Another version collapses time and eschews a human-generated story. Most ethologists claim that animals have a variety of mechanisms to ensure breeding out rather than in, and that, in this regard, humans are just a part of the animal world. A good example is offered by Anne Pusey in her study of primate behavior.<sup>182</sup> Contemporary chimpanzees are imagined as coeval with early humans: "Nonhuman primates provide abundant evidence for an inhibition of sexual behavior among closely related adults. This finding is consistent with the idea that inbreeding avoidance behavior is a naturally selected behavior that was already present among animals before humans evolved."<sup>183</sup>

Even if incest avoidance were embodied or etched in the human genome, the essential question how that worked phenotypically remained: what might the mechanism be whereby people had learned to avoid close kin.<sup>184</sup> And this question was usually framed as a matter of brothers and sisters or of anyone raised together like siblings. Westermarck had highlighted early association in the same family or household: "Generally speaking, there is a remarkable absence of erotic feelings between persons living closely together from childhood. Nay more, in this, as in many other cases, sexual indifference

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itself, but its pretense at explaining a social fact by a series of reductions, from the social to the psychological and then to the genetic, which is promoted to a presumed universal." The early association theory faces many problems. William H. Durham, "Assessing the Gaps in Westermarck's Theory," in Wolf and Durham, *Incest, Inbreeding, and the Incest Taboo*, pp. 121–38, here p. 126, referred to a study of first-cousin marriage practices in a global sample of 800 populations by Melvin Ember, "On the Origin and Extension of the Incest Taboo," *Behavior Science Research* 10 (1975): 249–81. Ember looked for evidence that childhood association among cousins was correlated with their cultural prohibition as marriage partners. First-cousin marriages were actually prohibited with greater frequency where cousins were routinely precluded from childhood intimacy by community exogamy. Smaller endogamous communities did not have a higher proportion of cousin prohibitions than did larger endogamous communities. "Ember concluded that the childhood association of cousins has little value in predicting their prohibition as marriage partners." Durham went on to test Ember's results with a sample of sixty societies and found that small endogamous communities tended to have the least extensive incest taboos.

**181** Durham, "Assessing the Gaps in Westermarck's Theory," p. 122.

**182** Anne Pusey, "Inbreeding Avoidance in Primates," in Wolf and Durham, *Inbreeding, Incest, and the Incest Taboo*, pp. 61–75.

**183** Pusey, "Inbreeding Avoidance in Primates," p. 71. See also Arnhart, "Incest Taboo as Darwinian Natural Right," p. 204: "Since chimpanzees are genetically closer to human beings than is any other living species, it seems likely that incest avoidance among human beings arises from a genetic propensity derived from a common ancestor."

**184** Bateson, "Inbreeding Avoidance and Incest Taboos," p. 29, warned against the idea that genes offer a blueprint for individual behavior: "Nobody should expect to find a simple correspondence between a particular gene (or particular experience) and particular aspects of an individual's behavior or personality," p. 31.

is combined with the positive feeling of aversion when the act is thought of.”<sup>185</sup> Arthur Wolf examined the conditions under which this “Westermarck effect” would work.<sup>186</sup> He found evidence that for the effect to be valid, the children had to be together before the age of ten, but also that the effect worked most powerfully for those under three. They had to intensely interact as playmates, and by eating and sleeping together.

Two theories were ready to hand to explain how this worked. One had to do with learning the smell of kin: both males and females prefer as sexual partners persons “whose major histocompatibility complex (MHC) is different from their own . . . Might it not be, then, that the dangers of inbreeding have selected for the ability to identify relatives by their odor and avoid them?”<sup>187</sup> There was a great deal of speculation that children who had been breastfed by the same mother developed a system of mutual olfactory recognition, which essentially sniffed out kin.<sup>188</sup> The second had to do with attachment and caregiving: “having evolved together with incest avoidance, attachment and caregiving are inherently contrasexual.”<sup>189</sup> That has offered a ready explanation of

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**185** Edward Westermarck, *The History of Human Marriage*, 5th rev. ed., 3 vols. (New York, 1922), vol. 2, pp. 192–93.

**186** Arthur P. Wolf, “Explaining the Westermarck Effect, or, What Did Natural Selection Select For?,” in Wolf and Durham, *Incest, Inbreeding, and the Incest Taboo*, pp. 76–92.

**187** Wolf, “Explaining the Westermarck Effect,” p. 89. Wolf, leaning on the work of the Stanford anthropologist Hill Gates, “Refining the Incest Taboo,” stated: “Although incest taboos vary widely, they are necessarily responsive to an evolutionarily driven, biologically based aversion for associates of the first few years of life,” p. 155. Alan Booth, Karen Carver, and Douglas A. Granger, “Biosocial Perspectives on the Family,” *Journal of Marriage and Family* 62 (2000): 1018–34, here pp. 1027–28, argue that MHC-associated mating preferences are important for inbreeding avoidance but offer no explanation as to why that would have anything to do with early association. They ascribe it to immunological differences, on the one hand, and perceived attractiveness, on the other. It does not seem to be a well worked out, coherent set of ideas. For a discussion of Wolf’s use of the MHC and attachment theory, see John H. Ingham and David H. Spain, “Sensual Attachment and Incest Avoidance in Human Evolution and Child Development,” *Journal of the Royal Anthropological Institute* 11 (2005): 677–701. They argue that pair bonding and incest avoidance are related (p. 685).

**188** See Walter Scheidel, “Ancient Egyptian Sibling Marriage and the Westermarck Effect,” in Wolf and Durham, *Incest, Inbreeding, and the Incest Taboo*, pp. 93–108, here pp. 103–4, who worked with the idea of MHC to explain the fact of brother-sister marriage in ancient Egypt. Humans, Scheidel alleged, can be shown to prefer the body odor of potential mates with different MHC types. For Egypt, he speculated on the possibility of cross-fostering, suggesting that in Roman Egypt several years of regular exposure to the breast milk and the breast and armpit odor of unrelated wet nurses may have sensitized small children to an MHC type other than their own and reduced the inhibitions against sexual relations with their own kin at mature ages. However, he was uncertain whether breastfeeding and nursing were more potent elements of early childhood sensitization than contact with co-resident siblings and parents: “Some couples who were close in age may conceivably have been sensitized to the body odor of unrelated wet nurses and might consequently have been spared strong feelings of sexual aversion at mature ages,” p. 105. Given the fact of widespread wet-nursing in Western Europe during the early modern period and the nineteenth century, one would on this account expect massive evidence of incestuous couples.

**189** Wolf, “Explaining the Westermarck Effect,” p. 90. Here Wolf was thinking through the Taiwanese institution of adopting the future daughter-in-law as an infant or very young child. The future couple

why there have been so few cases of mother-son incest recorded. Caregiving as a desexualized activity has been essential to recent ideologies of nurturing, but as I pointed out in section III of this book, that presumption has not been the case historically.<sup>190</sup> The idea of motherhood as a quintessentially sexual activity was taken for granted during the late nineteenth century. Nonetheless, the caregiving function has been brought to bear on explanations of father-daughter incest. In section III, I pointed out the argument of Judith Herman to the effect that paternal abuse would disappear once men learned to nurture. The psychiatrist and professor of clinical medicine Mark Erickson put this into a genetics framework: “The *coevolution* of attachment, kin-directed altruism, and incest avoidance . . . seems probable.”<sup>191</sup> Secure attachment, he argued, developed when parents responded to an infant’s needs. Insecure attachment developed when they did not. “The early childhood experience of incestuous fathers, mothers, and siblings is marked by neglect, abandonment, and physical and sexual abuse. . . . The very conditions that contribute to insecure attachment in childhood appear to be linked to a later

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were raised as brother and sister, caring for one another, and just because of this childhood association developed sexual indifference for each other. In the “Introduction,” Wolf expressed more hesitation: “The simplest solution to our problem would be to suggest that caretaking, like attachment, is inherently contrasexual, but not all the evidence now available is encouraging,” p. 14. Juliet Mitchell, *Siblings*, found that attachment theory “has an uncomfortable complacency to it—the well-to-do and the peasant in a simple society make good mothers,” p. 159.

**190** Ideologies of nurturing have been heavily accented by Anglo-Saxon sensibilities where sexuality, in any event, has been coded suspiciously.

**191** Mark T. Erickson, “Evolutionary Thought and the Current Clinical Understanding of Incest,” in Wolf and Durham, *Incest, Inbreeding, and the Incest Taboo*, pp. 161–89, here p. 173. Stephanie Coontz, “Historical Perspectives on Family Studies,” *Journal of Marriage and Family* 62 (2000): 283–97, offers a skeptical take on attachment theory, noting, for example, the high rates of separation in band-level foraging societies with few ill effects on women and children (286). She pointed to families in colonial America who routinely sent young children into other people’s homes, or middle-class families who spent little time interacting with their children. See also Sharon Hays, “The Fallacious Assumptions and Unrealistic Prescriptions of Attachment Theory: A Comment on ‘Parents’ Socioemotional Investment in Children,’” *Journal of Marriage and Family* 60 (1998): 782–90. She pointed out that attachment theory derived from the work of John Bowlby from 1951 and 1969: “Attachment was an aspect of evolution, rooted in nature, observable in ‘universal’ patterns of mother-child closeness, and following from the natural ‘instincts’ of mothers and children,” p. 783. Later followers of Bowlby developed notions of maternal bonding, dictated by maternal hormones and necessary for proper development of the child. Hays noted the culturally bound conceptions of these researchers and a “failure to find consistent evidence of the lasting effects on maternal and child behavior that had been claimed to result from bonding,” p. 784. Researchers in the field failed to take into consideration acceptable differences in parenting due to class or race or nationality or sexual orientation or employment (p. 787). Attachment theory is simple-minded because it does not recognize the “deep complexity of child development,” p. 789. She suggested that the current ideology of maternal bonding might well result in self-absorption and narcissism. On the other hand, the evidence from adoptees suggests self-absorption and an obsessive search for identity, and certainly the punch line of a successful search for relatives, “genetic sexual attraction,” exhibits its own form of narcissism. Perhaps the *Übermutter* in her presence and in her absence operates as the production site of self-preoccupation.



propensity for unresponsive parenting and incestuous abuse.”<sup>192</sup> In other words, bad parents are most likely to be bad parents.

Many evolutionary biologists worked with the idea that marriage too far away was the flip side of marrying too close. “Natural selection opposes not only close inbreeding but also excessive outbreeding. In light of this, one might expect to find individuals preferring mates who are neither too similar nor too different from themselves.”<sup>193</sup> Patrick Bateson drew the lesson from his experiments with Japanese quails who side-stepped siblings and preferred to mate with first or second cousins after assessing feather coloration, that these animals avoided individuals both too far and too close.<sup>194</sup> And he elaborated: “Two well-known learning processes, behavioral imprinting and long-term habituation, are able to generate a preference for individuals who are a bit different but not too different from those individuals who are familiar from early life. If, as the evidence strongly suggests, inbreeding and excessive outbreeding carry biological costs in the form of reduced reproductive success, then the activation of both processes in the development of sexual preferences would have been favored.”<sup>195</sup> Mark Erickson suggested that Bateson’s quails offered material to think about human choices in sexual partners, and he favored the so-called histocompatibility complex as the operative mechanism. Well at least we humans check body odor and not feather color as we choose our mates.<sup>196</sup> In the Intermezzo I have traced the genealogy of these ideas

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<sup>192</sup> Erickson, “Evolutionary Thought,” p. 174.

<sup>193</sup> Erickson, “Evolutionary Thought,” p. 177.

<sup>194</sup> Bateson, “Inbreeding Avoidance and Incest Taboos,” p. 26.

<sup>195</sup> Bateson, “Inbreeding Avoidance and Incest Taboos,” p. 33.

<sup>196</sup> Erickson, “Evolutionary Thought,” p. 177. The anthropologist Susan McKinnon has sharply called the logic of these arguments to book: “It is painfully evident from their writings that evolutionary psychologists know a lot about insects and birds but very little about humans. . . . While they may be experts on mating among gladiator frogs, they are extraordinarily ignorant of the extensive literature on the varieties of human gender, sexuality, kinship, and marriage,” *Neo-Liberal Genetics*, p. 121. She finds it absurd to assert not just a psychic unity of all humans but of all species. Or to draw direct analogies between the “preferences and choices” of all kinds of insects, birds, and mammals and those of humans (p. 124). Or to assert that decisions and choices in all species are “innate, genetically transmitted, non-conscious processes,” p. 124. An example from evolutionary psychology is offered by Debra Lieberman, John Tooby, and Leda Cosmides, “Does Morality Have a Biological Basis? An Empirical Test of the Factors Governing Moral Sentiments Relating to Incest,” *Proceedings: Biological Sciences* 270 (2003): 819–26, who tested the following model: “The human kin-recognition system includes circuits that are specialized to take certain cues as input that were reliably correlated with genetic relatedness ancestrally. It operates on these cues with neurally embodied procedures that are designed to produce a regulatory variable associated with each known individual whose magnitude corresponds to genetic relatedness (*a kinship estimator*),” p. 821. The authors concluded that an evolved human kin-recognition system exists and that it uses the duration of co-residence as a “central cue to compute a relatedness estimate for siblings,” p. 825. McKinnon commented on the assumptions behind this kind of analysis: “Machines and ‘mechanisms’ are designed to endlessly replicate the same procedure and produce the same output,” *Neo-Liberal Genetics*, p. 22. And these mechanisms are innate and genetically inherited psychological features “that have not changed since the Pleistocene,” p. 21. Furthermore, sexual reproduction “is un-

through racial theories and race-interbreeding from the second half of the nineteenth century onwards.

With many of the assumptions of evolutionary biology, the avoidance of kin has been considered to be a universal principle of nature and the human incest problem a fundamentally natural phenomenon. The best support for this argument has come from the primates closest to humans: chimpanzees and bonobos. After all, both species exhibit social organization, and the rapidly developing science of ethology has been able in the past fifty years or so to observe the details of sexual couplings and conflicts over sexual access. Many scientists project onto them concepts such as incest, matrilineage, exogamy, and exchange.<sup>197</sup> But, as the French anthropologist Maurice Godelier has argued, there are a number of problems with seeing “nature” as anything more than the material with which human societies work. There is, for example, no universal prohibition of any particular pair within the “nuclear” family. In some societies, brother-sister couplings have been preferred, and mother-son and father-daughter have been reserved for some classes or castes or special statuses. What does seem to be universal is the complete absence of strict endogamy. Even in ancient Egypt where brother-sister marriage was highly preferred, there were always out-marriages creating alliances with other families.<sup>198</sup> More likely, the general principle is “marry near and far.” In any event, marriage practices ought not to be considered from the point of view of individuals but rather of households, families, and groups of kin. The former perspective simply is not useful to understanding the complexities of human societies.

Among the closest primate groups to humans, there is no recognition by males of paternity, no recognition of social ties, no evidence of an understanding of transmission of material or cognitive goods.<sup>199</sup> Sexual regulation in human society is conscious and is closely tied to the necessity of reproducing society. Every human social group has to deal with the problem of continuity, with passing on material or immaterial goods—say a hunting territory or the rights to an office.<sup>200</sup> And producing and raising children

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derstood to result in a natural calculus of genetic relatedness or kinship proximity,” p. 46. Lieberman, Tooby, and Cosmides find kinship categories clear-cut and self-evident. “But,” Mc Kinnon notes, “it is not only the *categories* of kinship relation but also the *behaviors* appropriate to various categories of kin—for instance, love, nurturance, altruism, solidarity—that are assumed to follow directly and without mediation from the degree of genetic relatedness: the higher the degree of genetic relatedness, the higher the degree of such behavior;” p. 46. Finally, in my *Intermezzo* chapter, see the discussion of Raissa A. de Boer, Regina Vega-Trejo, Alexander Kotrschal, and John L. Fitzpatrick, “Meta-analytic Evidence that Animals Rarely Avoid Inbreeding,” *Nature Ecology and Evolution* (May 3, 2021): unpaginated, doi:10.1038/s41559-021-01453-9. Based on a meta study of 139 studies of mate choice in laboratory research, they found no evidence of kin avoidance among diploid animals.

197 Maurice Godelier, *The Metamorphoses of Kinship*, trans. Nora Scott (London and New York, 2011 [2004]), pp. 437–38.

198 Godelier, *Metamorphoses of Kinship*, pp. 384–89, 461–62.

199 Godelier, *Metamorphoses of Kinship*, p. 439.

200 Godelier, *Metamorphoses of Kinship*, pp. 455–58, 464–70, 481–85.

are keys to addressing that problem. Men associate with women and recognize their paternity as part of the process of building and regulating social relations, hierarchies, and the rights and privileges of organized life. The family begins with the production of children. And, as Godelier has shown in a systematic comparison of societies, even where sexual permissiveness goes just about as far as it can, it stops at the “family” door. Social organization presumes the care and nurture of children. Nowhere is there, or has there been in traceable history, a society where an individual is authorized to satisfy all of his or her sexual desires. “The most extreme forms of permissiveness, of generalized sexual commerce between individuals, stop at the door of social units within which men and women cooperate to raise children, whether or not they engendered them together.”<sup>201</sup> And it is not just sexual relations between consanguines that are at issue in incest taboos. Almost every society includes affinal kin in sexual regulations—and for a long time in the West, as I have shown, these prohibitions were extensive, just as extensive as with consanguines. It is not possible to assert a biological basis for such prohibitions, which makes clear the limits of genetic or biological arguments or analogies from non-human primates to humans where the question is incest taboos.<sup>202</sup> “It is in [the] uniquely human context—marked by the fact that not only can people not develop outside of society but they cannot survive without the cooperation of the two sexes bound together by their birth—that the problem of incest and the social ‘misuses’, the wrong uses, of sex arises. Without this twin presupposition—that humans live ‘naturally’ in society and that they have always evolved in societies *already* composed of families—the problem of the foundations of incest cannot be correctly posed.”<sup>203</sup>

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By the mid-1990s, the science of genetics had worked its way into many seams of popular culture. It would be too extreme to speak of hegemony, but not so to emphasize that genes did become the common coin in many different discourses. And this had serious implications for understanding causation and human motivation, and for thinking about moral action. To prefix any phrase with “genetic” had the effect of shutting down choice. Curiously this put genetic explanations into tension with those of neo-liberal individualism, with its emphasis on the rational-choice actor. The effect was to justify behavior without attaching moral meaning to it. Sometime during the 1970s and ‘80s, “identity” became the central concern and central analytical tool for the social and human sciences, and during the 1990s it became geneticized. A person’s abilities, interests, and desires were understood to be intimately tied to his or her genealogical past. Kinship, which for many anthropologists had become just another way of talking about “friendship” or “relationships,” found new support in biology, blood, and genetic

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201 Godelier, *Metamorphoses of Kinship*, p. 462.

202 Godelier, *Metamorphoses of Kinship*, pp. 356–63.

203 Godelier, *Metamorphoses of Kinship*, pp. 467–68.

connection. There was something more authentic about the flow of genes than relations nurtured in or constructed from the exigencies of life. Gay men and lesbians, infertile couples, single women and men found comfort in the idea that their progeny could be connected to them genetically. Adopted children could explain their personalities by supposing that people they did not even know about had provided them with the blueprints that found expression in their characters and competences. However reductionist popular culture might be in its ideas about genes, sociobiologists and evolutionary psychologists could go it one better. The truth about men and women had been established in the Pleistocene, and there was nothing to be done about it.

Genetics spread its explanatory power just at the time when the kinds of families people lived in multiplied beyond recognition. Couples formerly unable to reproduce now could conceive due to advances in molecular biology (genetics) and reproduction techniques. Frozen, borrowed, or purchased gametes made it possible for women to pursue education or establish careers and put off childbirth years beyond what had been normal in the not-so-distant past, and purchased gametes or rented wombs made it possible for gay men and lesbians to found their own families, peopled by some percentage of their own invested substance. The new culture of gamete donation thus created a wonderworld of genetic relationships that reconfigured kinship and populated it with numbers untold. And once genetics took hold of popular imagination, the family one grew up in might not be enough to offer a sense of wholeness. The selfhood of adoptees or of donor children was perceived as truncated just because of missing genetic connections, and so the search was on for anyone who could supply the missing pieces.

All kinship figurations are a mixture of verticality and laterality: there are the parents and aunts and uncles and ancestors and siblings and cousins. Yet at any one time and for any one culture, this or that line of sight can be privileged. In many ways, as I have shown, Western culture during the past twenty-five years or so has put a great deal of stress on brothers and sisters and on all the permutations of siblinghood involving half siblings, step siblings, and sibling-like relations among adoptees, offspring of disparate gametes, and blended and patched families. Adoptees who have successfully concluded the search for the conditions of their birth have frequently found a new world of half siblings, aunts, uncles, and cousins. These discoveries, in turn, have led to innovations in the work of identifying kin and making kin. The result is a kin universe based not on care or nurture but on simple ascription: kinship as an effect of common genes. With this conceptual move, the possibilities for kinship have seemed to burst wide open.

The proliferation of family and kinship experiences, together with the cultural attention afforded the gene, has offered a particular spin on discourses of incest. Certainly, the fact of considerable numbers of unknown genetically related siblings has created a vaguely articulated unease about the lurking danger of inadvertent incest, especially given dating apps and the numerous reports of sisters and brothers brought together through such apps. And this danger has been thought to be not just a matter of chance,

precisely because phenotypic recognition attracts people in more than random fashion. Yet evolutionary biologists have spent considerable energy to explain how avoidance of siblings has been written into the genes. One favored solution to this logical inconsistency has suggested that long before the foundation of families, the human animal, like its nearest primate relatives, already practiced customs of dispersion prompted by evolutionary fitness. A variation of this idea has located the incest taboo in fitness, the notion that human groups that hit upon exogamy were healthier, reproduced more luxuriantly and thus conquered space more readily. Their success was written into their genes and passed on to us.

The problem here is that evolutionary biologists confuse the incest taboo with inbreeding. They consider cousins to be too close for long-time success. Thus, they do little to integrate anthropological knowledge about cousin marriage systems or to reckon with the billion people alive today who practice cousin marriage. Yet it must be asked: Why has evolution not written these people off the stage? All the theoreticians of attachment and olfactory-based kin recognition need to pay close attention to historical epochs during which children were treated quite differently than in wartime and postwar Europe when they were in short supply and ideologies of maternal nurture were in full swing. And these theorists might want to query the current obsession with sibling erotics in film, television, and other popular media as they try to tease out parallels in the social imaginary by adopting brothers and sisters as model organisms. Why just siblings? And why now?



## **Epilogue**



## Near of Kin

It is a commonplace in the literature that the incest taboo arose from observations of damaged progeny. Some commentators have gone so far as to read from an ambiguous, off-hand, sixth-century papal remark, that canon law, with its prohibition of a vast number of cousins and in-laws, was founded on experiential knowledge. And some folklorists, after gathering together bits and pieces from the world's cultures, have argued that most people either observed the deleterious consequences of close marriage themselves, or transmitted earlier knowledge in their traditions. By the turn to the twenty-first century, conventional ideas about inbreeding prompted by biological and genetic research had been mobilized to (re)interpret stray texts in the Western cultural landscape—like Pope Gregory I's remark—and to excavate a genealogy of empirical knowledge about the pathological consequences of close marriage from Moses and Aristotle to the present. To prove the point that what we know now has always been known in literate and non-literate cultures beyond the West, or even within its own popular traditions, collectors of disparate texts, ignoring serious methodological questions of commensurability, presume a uniformity of implicit or explicit consciousness about the deleterious effects of marrying close kin.

It has seemed obvious that marriages among cousins have displayed pathologies and that populations with enough sense have always avoided them. After all Pope Gregory apparently called on “experience” (*experimentum*, probably better rendered as “proof”) as a support for his argument against first cousins, the offspring of siblings. Yet epigraphic evidence has shown that cousin marriages in his time were few and far between, making it quite unlikely that his “experience” could have been based on personal observation rather than, for instance, on hearsay or an inattentive reading of scripture. He was born right at the start of the first worldwide plague, which over the next two centuries killed off as much as half the European population. It seems far-fetched that anyone could have sorted out the physical effects of consanguinity in the midst of so much death. More to the point, Gregory considered cousin marriage disorderly and most certainly a poor setting for enabling children to grow up successfully (*succrescere*). During the early Middle Ages, with their social and political disarray and recurrent and severe periods of epidemic disease, ecclesiastical leaders and political authorities focused on regulating sexual disorders to channel God's beneficence in the world.

We might ask more broadly how any cultures observing the cousin marriages of their time could have distinguished the effects of what we would characterize as rare autosomal conditions associated with near kinship from the effects of endogenous fetal conditions, fetal alcohol spectrum disorder, parturition complications (prolonged labor, low levels of amniotic fluid, maternal hypertension, perinatal asphyxia, acidosis, shoulder dystocia, hypoxic-ischemic brain injury, breech or horizontal presentation, placenta previa, cephalopelvic disproportion, uterine rupture, infection in unsterile conditions,



to list just a few things that come readily to mind), or of measles, poliomyelitis, diphtheria, pertussis, tetanus, tuberculosis, and all the many other infectious diseases likely to strike. Whether populations named or could name these pathologies the way we do does not matter, as they are nonetheless hazards that fetuses, newborns, and young children always have to face.

Sorting the rare effects of inbreeding from all other manifestations of disease and physical aberration would have been quite difficult for anyone in the past (or often in the present, for that matter), assuming anyone really was paying attention. Medical doctors after the mid-nineteenth century were paying attention, however, and they found that patients did not associate defects with cousin marriage but did attribute them to the effects of maternal imagination on the fetus—which of course suggests that popular nosologies of physical and mental disorders offer a ragtag collection of explanations. The doctors themselves thought to gather statistics and duly classify a range of symptoms, yet despite their great care they ascribed to consanguineal marriage conditions now known to be caused by parasites in dog feces, iodine or vitamin D deficiencies, contagious pulmonary diseases, and congenital conditions such as hydrocephalus. In other words, observation, empirical evidence, and statistical methods supported misleading conclusions, which encouraged a generation of medical writers in their suspicions against inbreeding and contributed to the transmission of such presumptions to the ever-proliferating groups of biological specialists of the following century. More recently, it took a team of thirty-two scientists, plus a genomics working group from thirty-four institutions in nine countries studying 39,830 individuals randomly distributed, to figure out that all earlier research finding a link between schizophrenia and cousin marriage was wrong (or in geneticist argot, not replicable).

It does not at all seem to be the case that the fear of incestuous relations has been prompted by observation of deleterious consequences for offspring. Certainly the ecclesiastical “scientist” Peter Damian, who invented the system of kinship calculation that still informs the diagrams of popular genealogists, geneticists, and dog breeders in the West, gave not the slightest hint of worry about degeneration. When nineteenth-century medical scientists took up the issues, they propagated their belief long before they could provide any good evidence for it. The record shows that whenever one association with inbreeding proved spurious, they simply looked for another, with little sign of discouragement. That the theory always seemed to outstrip the evidence prompts the suspicion that medical science in this regard was more or less offering a secularized version of inherited religious ideas. Biologists may well have stripped away third, fourth, and fifth cousins (although such worries can be reinscribed in considerations of endogamous populations) and brothers- and sisters-in-law, but the core theological worries about *propinquitates* remain. The prime innovation has been in race theory, where many evolutionary biologists have expressed the same worries about marrying too far away as they always have about propinquity. These views have aligned them with some evolutionary psychologists, geneticists, and ethologists. Among some geneticists, for example, “too far” is still considered as problematic as “too near,” although

“closeness” sometimes is a less compelling concern. A good case has been made for monogenic effects of consanguinity, but their rarity has inclined many scientists to dismiss calls to limit cousin marriages. And the search for polygenic effects has not offered substantive support to fears of inbreeding.

Many evolutionary biologists have argued that the consequences of incest and inbreeding have been remarked upon by observation. But that is by no means necessary; their current master, Westermarck, actually denied that the taboo was founded on empirical knowledge. Hidden forces or a chance stumbling upon exogamy, he surmised, made those Pleistocene-era humans who happened upon it fitter, such that the race became genetically programmed to avoid kin. That is to say, outbreeding encourages the proliferation of heterozygotes in a population and minimizes the risk of a chance meeting of recessive genes. But there are two problems with this story. One is a finding by geneticists during the 1930s that the incidence of recessive genes in any population of even modest size does not increase significantly with endogamy. This calls into question the idea that evolutionary competition favored exogamous human groups who then, over numerous generations, fixed heterozygotic genes in the human race. It is by no means clear whether inbred or outbred groups were more viable or more flexible under changing environmental situations. The second is the fact of the billion or so people alive today who practice cousin marriage. So much for a habit that allegedly disappeared from the genome. The possibility of negative consequences certainly has not caused a vast slice of the world population to worry about propinquity. Indeed, immigrants in Britain have reacted skeptically to the news that marrying their near kin has led to some rare disease or other, especially after encounters in health clinics with exogamous British families whose children manifest the same pathologies.

The problem of incest has always been on the agenda but overwhelmingly concerned with moral, not biological issues. During the Middle Ages, those who controlled written discourse aimed at hedging in and limiting sex. Sexual intercourse was always in one way or another thought of as shameful, and incest was just one end of a continuum, the expression of lustful desires, sex in its most out of control form. During the seventeenth century, what was moral was what God commanded, guidance for which was close to hand in the scriptural list. What is more, comfort was to be had in the idea that despite the uncertainty about one or two items on the list, it was a good thing to be on the conservative side, to support the weight of received opinion. In any event, contravention of God’s law was sin and ultimately punishable with far-reaching, long-lasting consequences in this life and in the eternal hereafter. A wrathful God, after all, might visit disastrous calamities on your neighbors and kin—on account of *your* sins. Or He might just make your own life miserable: marrying too close, for example, could eventuate in marital discord. Law had no meaning without sanctions. It is an idea still current, albeit in modified form, in the science of genetics. Popular Mendelism taught in schools today defends its laws with threats of impaired offspring down many generations.

During the eighteenth century, in an effort to rethink law and the nature of human relations, those who were trying to figure out what incest was all about and exactly

what aspects of it should be regulated by the state began by examining human nature, putting more or less weight on the rational capacity of man or his emotions or passions and deriving ethical behavior not from divine law but from the nature of man-in-society. One solution to the incest taboo was to think of society as the outcome of the benevolent instincts of people and from there to examine the socially disruptive effects of early seduction in household life. It was certainly recognized that parents and children and brothers and sisters related to each other physically and that there was a constant erotic stimulation in their daily interactions. All the more reason for good education and strict laws. Nonetheless, the sexual stimulus of intimate contact provided a fertile seedbed for the sentiment that close relatives offered the most suitable candidates for marriage partners. There could be disagreement over how near or how far, but self-construction required mirrored reflection of candidates from restricted cultural and social circles. The few voices that began to suggest that breeding schedules or animal behavior might offer lessons for human mating practices were readily dismissed by new voices restating old issues of shame and trying to parse the immorality of incestuous unions, not just from the harm that they did but from moral transgressions evoking feelings of shame and disgust. In order to understand how any society developed its lines of transgression, it was necessary to analyze where its most intimate relations were located.

From the late nineteenth to the late twentieth century, parent/child relationships provided the cultural focus of the incest problematic. Over this period, medical science, sexology, psychology, social work, and related therapies mostly considered issues of social and not physical reproduction. There was a thread of research in medicine, biology, and genetics that did worry about the consequences of inbreeding or sought for mechanisms of avoidance in evolutionary patterns of selection. But the considerable literature about mothers and sons in the decades around 1900 and again in the immediate aftermath of World War II, or about fathers and daughters after 1970, was about offspring damaged not from the coincidence of recessive genes but by the effects of parent-child dynamics on a child's psychological development. Once again, the understanding of incest had to do with moral issues. In some ways, the *fin-de-siècle* and postwar discourses about mothers spoke past traditional notions of incest as boundary violations: it was more likely that boundaries were not set up in the first place. Gestation, lactation, and nurturing were often represented through metaphors of fusion. Fusion, in turn, could generate sexual confusion, desires with no really legitimate object. And that was the problem: in the mother-son nurturing relationship proper boundaries were missing from the outset, and the image of the young man swimming around in a psychological amniotic fluid seemed apt. But when fathers drove out mothers from the social imaginary a few decades after World War II, the tables turned. Now the blame for all too many female psychological problems was laid at the feet of fathers who would not or could not nurture.

The new critique of patriarchy once again pinpointed psychological damage to parent-child relations, in this case the violation of boundaries, not their erasure—boundaries so strict that a transgressive glance or remark might prompt severe psychological

damage well into a woman's adulthood. Images critical of patriarchy often proposed distance as the problem. Being not close enough to their daughters to care about them or remote enough to see them as sexual objects, fathers were willing to transgress. In this scenario, asymmetries of status, age, or power provoked a redefinition of incest from the contravention of marriage rules or reproductive codes, the violation of intimacy, or the expression of unruly mutual desires to abuse. The old Enlightenment fears of early seduction in the household were mapped on a new axis, not brothers and sisters, but fathers and daughters. Integral to any critique of patriarchy was the problem of the social division of labor. How a husband and wife could achieve a just balance of external work and home duties fed into a consideration of the psychological preparation of women for the labor market. The power dynamics of incest-as-abuse became a central focus of political and moral debates after a decades-long obsession with power constellations within families, configured by ties to status-defining jobs.

### **Incest and social reproduction: The problem of intimacy**

I want to trace a line of thinking about incest that can be summarized nicely in that central idea of Baroque government; namely, prudence. Much earlier Aquinas already had argued that authorities erected and fine-tuned marriage impediments according to what was useful for a particular time. The point was to understand which people habitually lived intimately together, on the one hand, and on the other, to figure out how far the bonds of mutual recognition extended in a particular society at a particular time. In his day, relationships beyond four degrees (third cousins) were thought to be too distant to be ascriptively infused by love, and therefore there was no need to continue to prohibit the vast set of relatives once inscribed in canon law. To understand what was wrong with incest, one had to take into consideration the essential purpose of marriage, which for Aquinas was the care of offspring. Sexual relations between parents and children violated principles of respect and therefore upset proper order in the household. A similar provision related to any individuals who habitually lived together. Aquinas thought of inordinate lust or concupiscence as the product of license among kin in daily correspondence with each other. Only the human animal had what he called a "lasting solicitude for his children." I do not want to dwell here on Aquinas's wide-ranging and complicated discussion of incest but will call attention to one significant point; that the chief principle in the Old Testament had to do with cohabitation. Marriage was debarred among persons whose intimate ties were forged in the household. Therefore, the reason for restricting an uncle from marrying a niece was not the same as for an aunt marrying a nephew, the difference having to do with typical dwelling arrangements and habitual social intercourse.

Enlightenment theoreticians of incest and marriage prohibitions picked up on Aquinas's arguments, whether consciously or not. The Göttingen Old Testament scholar Michaelis began his analysis with a consideration of the household and the sharing of

intimate space, as they affected the primary household task: raising children and educating them to adulthood. The father had to recognize the children as his own offspring in order to be motivated to fully invest his energies in their socialization. Biological issues were not sufficient to trigger the incest taboo, and no amount of research into animal behavior or agricultural breeding practices could help in the matter. For Michaelis and other Enlightenment figures like Hume, state law should reflect the social and cultural context of family formation: it was not a matter of eternal law but of prudential government. Hume reflected on the long process of raising and teaching children and on their total reliance on parental care. The kind of household that would allow children to prosper was orderly, with strict rules about legitimate and illegitimate sexual congress. That carried over to marriage between siblings, for example. Were such marriages to be allowed, then early seduction and all the perniciousness of unregulated sexuality would enter the picture. Early seduction being the issue, Hume pondered the ancient Athenian custom whereby a man could marry a half sister by a father but not by a mother. The point was that in the former case, the two would be raised in separate households and therefore would never have a chance to indulge sexual desire as children.

The argument of course reached beyond individuals and individual households to the larger set of social relations and to the ideal of a peaceful and well-regulated political and social order. Public utility determined the kinds of relations that were permissible. Michaelis insisted that it was education, not natural instinct, that determined how people in a household would act. Even though he focused on sibling relations, he noted that for a father to seduce a daughter would bring in its train conflict with the wife/mother—again inhibiting proper education of the children of the house. And he took up Aquinas's example of the aunt and niece. In Israelite society, a nephew had free contact with an aunt but the same did not hold for an uncle with a niece. To prevent untoward behavior, therefore, Leviticus barred marriage with an aunt but not with a niece. Other Enlightenment figures such as Hutcheson also highlighted the hard work and diligent nurture necessary to raise children. Stability between the parents was necessary for the task. But he made it explicit that care for children had reproductive meaning—it was essential for the continuity of generations. Thus a common principle, the benevolent care of children, informed the customs of all societies, no matter the differences in their customs. And similarly, the rules of any society, no matter how varied their specific prescriptions, always aimed at guaranteeing social order and maintaining continuity. The incestuous act had deleterious effects on the society as a whole.

Recently, French anthropologist Maurice Godelier reviewed the problem of incest in an extended discussion of the nature and meaning of kinship.<sup>1</sup> I use him to bring my discussion to a point because his work is so firmly rooted in the two traditions that interest me here. For much of his career, he was interested in figuring out ways to entertain a

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1 Maurice Godelier, *The Metamorphoses of Kinship*, trans. Nora Scott (London and Brooklyn, 2011 [2004]).

vigorous dialogue between anthropology and Marxism. However, it seems to me that his mature point of view owes at least deep debts to French Catholicism, on the one hand, and to the Enlightenment, on the other. Like Aquinas or Michaelis or Hume or Hutcheson, in addressing the purpose and meaning of incest prohibitions, Godelier focused on issues of societal reproduction and the connection between the household and the wider world of kinship and the political order. All societies in his view have been concerned with passing on property, offices, and institutions, and with producing in their children the personnel for continuing the possibilities for social existence. Incest taboos always have been collective representations prompted by the task of establishing and maintaining the conditions necessary for the care of children, and households always have always been the institutions tasked with the birthing and raising of children. The biological consequences of inbreeding are of no concern in the drawing of boundaries around protected kin, but desire most certainly is—or at least unbounded, unregulated desire is.<sup>2</sup> For it not only can threaten the relations that ensure the orderliness of households or the well-being of children, but also upend the recognized formulas of kinship. In almost all societies, and certainly in the Western societies of concern in this book, those consanguineal kin and also—and this is crucial—those affinal kin which a culture finds most necessary for its reproduction provide the materials for constructing the limits of desire, imagining fears of transgression, and construing the forms of permissible attachment.

Incest prohibitions may be universal, but they by no means have the same resonance everywhere. It is not just a matter of emphases on different couplings, but of reactions to illicit unions altogether. Some cultures treat violations with horror, severe punishment, and social exclusion, while others view them as peccadilloes, the actions of the deranged, or the subject of jest. In other words, particular societies can display quite different attitudes to transgressions or even disagree on where boundaries ought to be set. Many societies do not have a word for incest and certainly do not have a conception for sexual transgression based on the Latin-derived connotation of impurity or pollution. Even in Western Europe during the seventeenth century, when the juridico-ecclesiastical establishment came down so decidedly against marriage with a sister-in-law as a moral fault and an act of social pollution, some voices supported the idea that she would be by far the best mother for her deceased sister's children. In nineteenth-century England, where the wife's sister was banned by civil law, the prohibition was subject to a vigorous debate, with conflicting points of view couched in arguments of considerable ingenuity. All of them examined the connections of households to the larger society, but some of them emphasized the dangers posed by younger

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<sup>2</sup> Godelier's *Metamorphoses of Kinship*, p. 159, puts it this way: "The most extreme permissiveness in matters of sex, the case in which individuals are socially permitted to fulfil their every desire, must stop at the 'family' door, that is to say at the door of the groups which, in a society, are directly connected with child-raising, and in most cases with procreation. To cross these limits, would be, for those who make up these 'families' to commit what is known as incest."

sisters-in-law to orderly households full of children and others, contrariwise, considered the advisability of the younger sister stepping in to take over for a dead mother. In the United States today, opinion against cousin marriages is deeply rooted in the culture, but there is a robust movement to abrogate state laws prohibiting them. Even the marriage of siblings has found defenders who base their positions on an ideology of individual freedom and an intention not to produce children. Once incest became synonymous with abuse, non-abusive couplings could be reimagined as free of the taint of incest, not transgressive, since the only line not to be crossed was the one defined by power. And power as a determinant of the sexually illegitimate has been reinforced by the recent #MeToo movement. It may well be that disunity on a definition of incest or on the weight to be given to illegitimate sexual acts marks any specific culture. Nevertheless, an internal unity exists—on the argument, the point of concern, and the need to figure out the boundaries of the permissible and to weigh the severity of transgressions. The issues always have to do with social order and the task of groups, strata, and political formations to reproduce themselves.

The seventeenth century offers a good example of the interplay between incest fears and the problem of social reproduction. Beginning in the later Middle Ages, there was an ever-increasing concentration of property and status in male lines and lineages. This was the time when primogeniture and the many related forms of regulated inheritance and succession were cemented in law and practice. Considerable bureaucracies developed to monitor the flow of property in rural areas, and piles of paper recording transactions of every sort proliferated. Of course, the consolidation of agnatic lineages moved at different speeds across regions and states, but the construction of family identities and attendant alliance forms in a landscape of patronage networks can be found among lower and higher nobilities, peasant landholders, and urban traders and businessmen across Europe. Even in areas where partible inheritance was or became the rule, states and proprietors oversaw the devolution of property and monitored the accumulation of debts, while the principle of agnatic descent controlled the flow of certain kinds of honor and status. Familial aggrandizement, or just the protection of a family's interests, necessitated the development of firm and enduring attachments, which is one of the reasons that the decisions of families rather than individuals governed the choice of a spouse. For the relatives of spouses, the ties of marriage outlived the lives of the couple. Allied families and clans were able to coordinate their politics and to command many services from each other in order to further their own interests. Indeed, the system encouraged emotional attachments to affines and diffuse moral attachments throughout the network of affinal kin.

It was precisely at the node of affinal connection that sexuality could disorder the system of reproduction. The institutions of seventeenth-century society and everyone's expectations to property and status depended—so many people realized—on not disrupting the ties that already bound. This could put cousins out of play, thereby reinforcing a worry running from early canon law all the way to the horrified exclamations of the Jansenist Arnauld. But seventeenth-century observers put most of their energies

into shoring up the prohibition against the deceased wife's sister. I am not concerned here with providing a comprehensive survey of the institutional elements that fed this fear and generated thousands of pages of worried commentary. For it is not so much consensus or comprehensiveness that highlight the significance of connections between seventeenth-century incest concerns and tasks of social reproduction, as it is the fact that so many people argued so vociferously, and with such rage, about the problem of orderly sexuality, the nature of affinal ties, and best strategies for consolidating familial interests and passing property, status, and honor on to the next generation.

In the decades on both sides of 1800, household, family, and kinship underwent significant changes. With a horizontalization of kinship relations, cousins became a preferred match, and people sought for alliances among neighbors, close friends, or members of their own class. Endogamy replaced exogamy. Strategic endogamous marriages created networks of cousins and in-laws, the matrix from which cultural, economic, and political milieus were formed. The practice integrated families able to negotiate political, business, bureaucratic, scientific, and literary careers for members. This pattern, endogamous marriage and the repeated exchange of marriage partners between families, lineages, and intimate friends, led to the construction of dense networks that some historians think of as clans. It was from these tightly knit groups that personnel were recruited for business startups, capital was accumulated to develop entrepreneurial strategies, and cultural capital was accrued to further the career possibilities of the children. But it all began in the home. During the *Sattelzeit*, however, households were becoming hubs of social connection, and within their boundaries, a new kind of intimacy was developing, at least among some members. The proliferation of the term "family" in discourse and the shift in its meaning to emotional and sentimental ties speak together to these changes, while autobiographies and memoirs from the period attest to a ramping up of house-based activities and to new forms and intensities of sociality. The core of the new households consisted of siblings and the set of cousins who, having grown up together, developed their own sense of style, expectations of domesticity, forms of mutual recognition, and codes of conduct. In short it was the open household of the time that not only sustained new intensities of intimacy but also constructed the milieus and local cultures that reached across larger social spaces to provide the foundations for class formation.

The new sensibility that linked households, neighborhoods, milieus, and clans together was worked out among constellations of brothers and sisters and cousins, and the intensity of attachments among them clearly had incestuous undertones. Contemporaries had to think through whether a sister was closer than a wife and whether a wife should be as much like a sister as possible. Everyone seemed to understand that the closeness of brother to sister was erotic by its very nature, and so the problem was how to harness the sexual power of siblings to the task of constructing ties beyond themselves. It has been the thesis here that the almost obsessive treatment of brother-sister incest in the literature of the period was closely tied to the problem of sensibility and the unclear difference between feelings for a sister and feelings for a wife.



The avenues for negotiating that fraught territory had everything to do with how early nineteenth-century society was organized to provide the arena for socialization, determine professional and business careers, expand social and political activities within and among households, determine access to economic and political resources, configure cultural and social boundaries, and initiate the construction of horizontally extensive ties. In a very real sense, the reconfigured households and families of the decades spanning 1800 promoted incestuous sensibilities among siblings, who produced and reproduced the new system of kin alliance and social connection through emotional attachments as close to the original as possible. In the literature of the period, the theme of father-daughter incest, or occasionally of mother-son, played a minor role, and when it was touched on it was treated as totally destructive. The sexual desire or erotic tension between brother and sister was more often seen as a creative force, the foundation for a well-integrated and successful self, outfitted for active social life. But that desire had to be thoroughly disciplined to prevent, as many writers put it, the house from becoming a whorehouse.

Around the turn to the twentieth century, reproductive work in both senses was understood to be in the hands of women. It was recognized that only women could nurture and that nurturing was at once a matter of raising children and cultivating ties of the household to the wider set of kin and to neighbors and friends, colleagues, or anyone aspiring to social acceptance. Indeed, the public sphere could only operate on the condition that social networks were developed and maintained and that political and cultural actors found their way to each other. Between the household or private family and the larger public lay the arena of sociality, access to which was controlled by the “mothers” of the house. They were the ones who determined the style and moral atmosphere of periodic gatherings of men and women and who staged the theater of political, social, and professional engagement. It may well be that sociality (*Geselligkeit*) was a form of bourgeois and aristocratic activity, but there were parallels, for example, in the Pietist conventicles in many villages and towns; that is, in the gatherings organized by the mothers of the house. At so many different levels of society, women spun the web of alliance, played a central role in the reproduction of agnatic lineages, entertained the lively set of exchanges, and drilled youth in taste, style, and sentiment. They were the ones who determined the rules of social engagement. And they acted as powerful gatekeepers, entertaining guests, patrolling social boundaries, carrying on correspondence with kin and friends, exchanging gifts, and setting the style of the integrated set of relatives. In many ways, desire lay at the heart of the matter. Women created the place where desires could be met, set the tone that aspiring newcomers had to observe. What is clear from the testimony of the time is that the nurturing hand of women was powerful, that with it, women determined who was to be included and who excluded. But there was an inside and outside to the house itself. Hospitality for those outside the family was closely linked to the mothering of family members, and both mothering and hospitality were expressions of what one might call an erotic aesthetic. Almost everyone attested to the construction of families along the axis of mother and son, often the eldest son.

Nurturance, the mechanism at work along that axis, was understood to be at once deeply sexual—fundamentally sensual/erotic and tactile—and aggressive. Many men of the time experienced their relationship to mother as lacking boundaries, and the texts are full of metaphors of flow, fusion, and emanations. Some thought that incest was beside the point, since it involved the transgression of precisely what was lacking in the mother-son relationships of the era: boundaries. The mother yearned for fusion and the son for polarity, but so many sons testified to their inability to get loose. This dark side of mothering produced a sense of danger and fear. Women established the rituals to be observed, set the style, and established the aesthetic codes. Social reproduction depended on desire establishing an informal, amorphous power over sons and at the same time figuring the space where their fellows might join them. Both kinship and sociality were constructed and lived in the matrix of eroticized maternal care. The very unboundedness of the female, of the mother, made her capable of absorbing ever-new tasks—or so went the opinion of physiologists, sexologists, doctors, and anyone else who commented on the female. The power women accrued as they forged domestic regimes gave them a fundamental role in the reproduction of agnatic lineages, professional and cultural milieus, and political culture. Sons, tormented by poor differentiation from the mother and fears of dissolution, paid the costs. Caught with his nurturing mother in a web of mutually incestuous desire, the nurtured son in turn could neither nurture, nor find emotional fulfillment in a wife or lover, except, as Freud said, when the wife assumed the role of mother to her man. These sons frequently turned the aggression they perceived in maternal care outwards towards enemies, foreign and domestic. In any event, the disturbing sensual, tactile, sexual elements of nurturing, its seeming invitation to incest, marked a danger point for social reproduction, for the formation of autonomous individuals suitable for the tasks of social engagement. Some observers like D. H. Lawrence and the pundits who picked up on the critique of “momism” around World War II feared that the production of people “beyond repair” was a generational phenomenon. The incest taboo, when it worked, aimed at establishing those boundaries thought to be missing in sacrificial mothering.

One of the most important social changes at the end of the twentieth century was the massive movement of women into paid employment, with its attendant demographic change, challenges to the nuclear family model, and proliferation of familial forms. The nuclear family model that emerged in the 1940s was premised on a sexual division of labor whereby a husband’s employment guaranteed family support and the status of the family. But the phenomenon of women in the workplace acted to undermine that division over the next decades, and as that happened, a great deal of sociological comment on the family during the following decades centered on power constellations as the key issue to follow. Looking at the situation over the long run, from the end of the war to the end of the century, the following elements can be said to trace the break-up of the nuclear family model: a radical decline in fertility rates to the extent that the population no longer replaced itself, a lower interest in marriage, higher ages at marriage, the development of significant practices of cohabitation, soaring rates of

divorce and out-of-wedlock births, ever-smaller households, with many individuals living alone for longer periods of time, the proliferation of single-parent households, and the fact of unmarried and married women with young children going to work outside the home. The nuclear family model had especially emphasized its emotional and psychological functions. And many of those who first formulated it thought of its stripped-down family (mom, dad, and the kids) as particularly suited to an advanced industrial economy. Indeed, that economy required such a family to meet the demands of modern production for a mobile, psychologically pliable workforce.

It is quite right, I think, to connect the household to the social order, but as many observers now maintain, the small household is not particularly Western, and the relationship of the nuclear family to the economy is not as straightforward as once was thought. In any event, given the fact that observers of the family concentrated their focus in one way or another on its power constellations, it was close at hand to develop a critique of its problems in terms of power struggles and power abuses. Indeed, the development by the feminist movement of the notion of patriarchy as a powerful tool to examine familial pathologies can be seen in the context of a long tradition of looking at the family through the lens of power. It seems to me that at the center of the feminist critique was the problem of the division of labor. Feminists were seeking a radical shift in the terms of exchange between husbands and wives, in this way hoping to create the conditions for satisfactory work for women outside the home and to increase the engagement of husbands in the nurturing aspects of reproduction. It is in this context that the obsession with paternal abuse and the focus on father-daughter incest developed—incest this time being not a matter of sex between consanguines but between unequals in the realm of power. This shift, in turn, was closely tied up with the need to produce a new kind of workforce. From the 1960s onwards, if not already earlier, the key concern was to create a pool of young women capable of working outside the home in a rapidly changing service economy. This was accompanied by longer years spent in school and the lure of professional status. The changes to the incest problematic were closely tied to the psychological problems and dissatisfactions of adult working women, and these, under the influence of psychotherapy, came to be located in the logic of familial origins. Identifying the specifics of that logic entailed memory work and the development of narratives, which dovetailed nicely with the feminist focus on issues of power, psychological damage rooted in abuse, and paternal transgression. The fact that the incest problematic from the '70s through to the end of the century was a female persuasion cannot be uncoupled, therefore, from the reproduction of a modern labor force and service economy and the articulation of rapidly changing familial forms with the larger society.

In the twenty-first century a new discourse about incest has developed. In some instances, particular couplings long thought to be violations of fundamental norms are now claimed to be incest-free. Partly, this has arisen from the feminist redefinition of incest as abuse, which allowed heretofore forbidden desires and sexual relationships to escape the transgressive label; that is, so long as they showed no asymmetries of power.

In the Coda, I have looked at some of the ways households and families were connected to larger processes of societal reproduction and at issues of intergenerational continuities. One of the newer strategies justifying sexual relationships among close consanguineal kin is the argument that where biological reproduction is not at issue, there is no incest in a sexual relationship. Sexual intercourse is not the heart of the matter. This follows in part from the postwar possibilities of fertility control and the concomitant decoupling of sex from procreation. But it is a complicated puzzle of many pieces, at least one of which seems to elevate the defense of identity and the expression of free choice over the needs of the broader social group in defining moral action. Ironically, many of those who defend the coupling of brothers and sisters, and even mothers and sons (no one wants to defend fathers and daughters, since they have so recently been placed under the sign of unequal power), do so by underlining biological determinism. The attraction of those who are genetically related is said to be a special attraction, and its expression in a sexual relation a normal outcome: by which it is meant that the partners are social equals being driven by inherited genes against which, despite their emphasis of free choice, they are somehow powerless.

All of this takes place within the context of the proliferation of family forms. The half siblings of sperm donorship, fostered and adopted children, or individuals related through any imagined permutation of the new reproductive techniques offer the stuff for recreating kinship and social ties. Both heterosexual and gay couplings offer completely new household structures: step, blended, and patchwork families pose novel possibilities of understanding relatedness. Where in all of this can the boundaries be set? How can a properly ordered household be conceptualized? Who is a relative? Who are the *propinquitates*? Many people worry about inadvertent incest where secrets are kept, fearing that half siblings might marry and that their children might carry or be endangered by recessive genes. In any event, the proliferation of family constellations poses fundamental questions about the ties between households and the institutions of society, about the politics of identity, and about what should be considered transgressive. The current ideology of individual choice and the reduction of incest to an impoverished idea of genetic damage to offspring together make it difficult to negotiate socially responsible rules.

I have insisted throughout this book that practices of kinship have continuously changed throughout Western history but also that dominant patterns and systemic practices have differed from one era to the next. It is apparent that incest or inbreeding prohibitions have articulated in multiple ways with ideas about the meaning of kinship relations and the modes by which they can be formed. I have also insisted that incest taboos have not at all been restricted to problems of physically and mentally damaged progeny, and that when reproduction has been at issue, the concern has always turned on connecting the goings-on in households with larger social institutions, on ensuring the transmission of property, status, identity, capacities, and know-how. In some way or other, societies need to regulate the processes of reproduction and figure out how to ensure the conditions for producing, raising, socializing, and placing offspring. The

behavioral rules and orderly arrangements at work in the places where children are supposed to be cared for have always prompted fears of incest specific to the locus and given them a characteristic weight. As seventeenth-century commentators understood, rules need not be demonstrably rational, as their purpose in the first instance is to create orderly behavior and to define moral action. Nevertheless, the twin issues of how and why rules have changed and how transgressions have been identified have been tied up with larger cultural forces and understandings of the nature and purpose of law. That is why the incest concerns of the periods I have dealt with seem opaque to one another. The historical variety attendant to the concept incest means that the incest taboo cannot be restricted to just one kind of coupling. Each society has attempted in its own way to endow its offspring by erecting sexual boundaries and defining moral fault. Those boundaries determine the contents and contours of the incest taboo, which in all cases sits at the heart of any society's self-reflection and thus defines that society's core identity. Because the taboo is so fundamental, it has been vigorously contested—and often. But there is considerable irony in the fact that controversy and heated disagreement take place precisely where the stakes are so high about getting the rules right. A taboo as a marker of what is forbidden by a society to ensure its self-protection cannot be examined too closely and still do what it is supposed to do.

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