



Dollhopf

600 Years in the Baking

Dollhopf Women

This is the third essay in a series addressing the life and times of our Dollhopf grandmothers.

Subjugation

German peasant girls and women work in the field and chop with and like men. None who have seen their stout and brawny arms can doubt the force with which they wield the hoe and axe. I once saw, in the streets of Coblenz, a woman and a donkey yoked to the same cart, while a man, with a whip in his hand, drove the team. The bystanders did not seem to look upon the moving group as if it were an unusual spectacle.¹

This incident, as related by an American educator traveling in Germany in the mid 1800s, was (I hope) extreme. But peasant women were indeed subjugated and viewed as the lesser of men for many reasons – patriarchalism, discriminatory laws, and a labor system that kept women at home, marginalizing their contributions to society.

Yoked to a cart aside, women did suffer physical abuse at the hands of their husbands – laws allowed for it, and the pressures of intense poverty no doubt fostered it.

But domestic relationships were complex, and husbands and wives had to work together as a team to survive. If a woman became incapacitated because of abuse, the work would not get done – children unattended, animals ignored, or crops unharvested – threatening the survival of the household. There is no direct evidence of domestic violence in the Dollhopf family, but we simply don't know.²



German-Russian Peasant Women pulling a plow. Although taken in Siberia, this photo illustrates the type of harsh conditions that peasant women endured. <http://www.rollroots.com/3sisters.htm>

I do find it interesting that a few of our male ancestors were described in the church books as “honest, pious, and industrious.” Perhaps by inference it meant that some were not.

The greatest influences causing the subjugation of women in medieval Germany, indeed in most of European society, were the Bible, the Church, and ancient Roman law.

¹ Clarke, Edward H. (1873). *Sex in Education, or, a Fair Chance for Girls*. Project Gutenberg. p. 178.

² However, in America our great-uncle Albert Dollhopf beat his mother, our great-grandmother, Lizzie Dollhopf in 1946 and served a jail sentence because of it.

Woman is a misbegotten man and has a faulty and defective nature in comparison to a man. Therefore, she is unsure in herself. What she cannot get, she seeks to obtain through lying and diabolical deceptions. And so, to put it briefly, one must be on one's guard with every woman, as if she were a poisonous snake and the horned devil.... Thus, in evil and perverse doings woman is cleverer, that is, slyer, than man. Her feelings drive woman toward every evil, just as reason impels man toward all good.

St. Albertus Magnus (~1193-1280)

St. Albertus Magnus, also known as "Albert the Great," is recognized as one of the greatest German theologians of the Middle Ages. He also briefly served as the Bishop of Regensburg, and was born in Lauingen, a village 125 miles south of Mistelbach.

What shaped his ideas? The Bible. Although Christ's direct teachings called for the veneration and respect of women, the Apostles Peter and Paul urged their congregations to uphold the Roman laws of *Patria Potestas* ("power of the father"), which decreed that the husband was absolute lord of the household, and therefore wife, children, and servants were subject to him.

From the Bible [underlines my emphasis]:

¹⁸ Wives, be subject to your husbands, as is fitting in the Lord. ¹⁹ Husbands, love your wives and never treat them harshly. (Colossians 3:18 ff.)

²² Wives, be subject to your husbands as you are to the Lord. ²³ For the husband is the head of the wife just as Christ is the head of the church, the body of which he is the Savior. ²⁴ Just as the church is subject to Christ, so also wives ought to be, in everything, to their husbands. (Ephesians 5:22- ff.)



Sermon of Saint Albertus Magnus by Friedrich Walther (c.1440–1494), Nordlingen, Germany. Albert the Great was among the German Church Fathers who preached that a "woman is a misbegotten man and has a faulty and defective nature." Must have been an interesting coffee hour after that sermon. This painting features scenes from his life, including at bottom the miraculous resuscitation of a dead child. Metropolitan Museum of Art.

2: ¹But as for you, teach what is consistent with sound doctrine. ²Tell the older men to be temperate, serious, prudent, and sound in faith, in love, and in endurance. ³Likewise, tell the older women to be reverent in behavior, not to be slanderers or slaves to drink; they are to teach

what is good,⁴ so that they may encourage the young women to love their husbands, to love their children,⁵ to be self-controlled, chaste, good managers of the household, kind, being submissive to their husbands, so that the word of God may not be discredited. (Titus 2:1-10)

3: ¹Wives, in the same way, accept the authority of your husbands, so that, even if some of them do not obey the word, they may be won over without a word by their wives' conduct, ²when they see the purity and reverence of your lives. ³Do not adorn yourselves outwardly by braiding your hair, and by wearing gold ornaments or fine clothing; ⁴rather, let your adornment be the inner self with the lasting beauty of a gentle and quiet spirit, which is very precious in God's sight. ⁵It was in this way long ago that the holy women who hoped in God used to adorn themselves by accepting the authority of their husbands. ⁶Thus Sarah obeyed Abraham and called him lord. You have become her daughters as long as you do what is good and never let fears alarm you. (I Peter 3:1 ff.)

Martin Luther termed the above passages *Haustafeln* ("Household Codes") – rules to govern the family. Similar *Haustafeln* passages can be found at I Timothy 2:1ff., 8ff.; 3:1ff., 8ff.; 5:17ff.; 6:1f. "The Codes apparently were developed to urge the new first century Christians to comply with the non-negotiable requirements of Roman *Patria Potestas* laws, and to meet the needs for order within the fledgling churches."³

In other words, Paul wanted the early Christians to "fit in" with Roman society and not make trouble.

Paul (unfortunately) further elaborated on these codes, inferring that woman was the tempter of man, and worthy of redemption only if she bore children:

¹¹ A woman should learn in quietness and full submission. ¹² I do not permit a woman to teach or to assume authority over a man; she must be quiet. ¹³ For Adam was formed first, then Eve. ¹⁴ And Adam was not the one deceived; it was the woman who was deceived and became a sinner. ¹⁵ But women will be saved through childbearing – if they continue in faith, love and holiness with propriety. (1 Timothy 2:11-15)

The early Church Fathers⁴ and subsequent Catholic hierarchy emphasized this to the extreme:

Paul [taught] that wives should obey their husbands, and that women were the tempters of men, and as he influenced later Christian writings and doctrines, the church fathers preached the inequality of the sexes and the inferiority and subjection of women. As time went on they abrogated her rights, systematically lowered her status, confiscated her privileges and ignored her human prerogatives. Wives were especially enjoined to obey their husbands and to be obedient to their wills in all things. Every woman was placed under the protection of some man (father, husband, or guardian) for she was considered inferior, weak, and unable to look after her own interests – with what astonishment a thinking barbarian Teutonic woman must have viewed these advantages of civilization! – so that women had more freedom under barbarism than under Christianity.⁵

³ https://en.wikipedia.org/wiki/New_Testament_household_code#For_order_within_churches_and_society

⁴ "Church Fathers" is a generic term referring to ancient and influential Christian theologians, dating largely from the 1st through 8th centuries.

⁵ "The Position of Women in Germany, Especially Since 1800", Ruth Elizabeth Hodsdon, Doctoral Dissertation, A.B. Oberlin College, 1913, The Graduate School of the University of Illinois, 1915.

Canon law⁶ placed all authority in the hands of the husband so that women were perpetual minors – in girlhood under their fathers, in maturity under their husbands – bereft of civic political and human rights. Even the child she bore was not deemed her own.⁷

Charles Kingsley, the great 19th century Cambridge historian and philosopher, declared: “This will never be a good world for women until the last remnant of canon law is civilized off the face of the earth.”

Vestiges of this remain today. The Roman Catholic church, for example, still does not allow for the ordination of women, or for that matter the freedom of choice over their bodies.

Unfortunately, this did not change with Protestantism. Martin Luther was just as sexist:

Men have broad and large chests, and small narrow hips, and more understanding than women, who have but small and narrow chests, and broad hips, to the end they should remain at home, sit still, keep house, and bear and bring up children.⁸

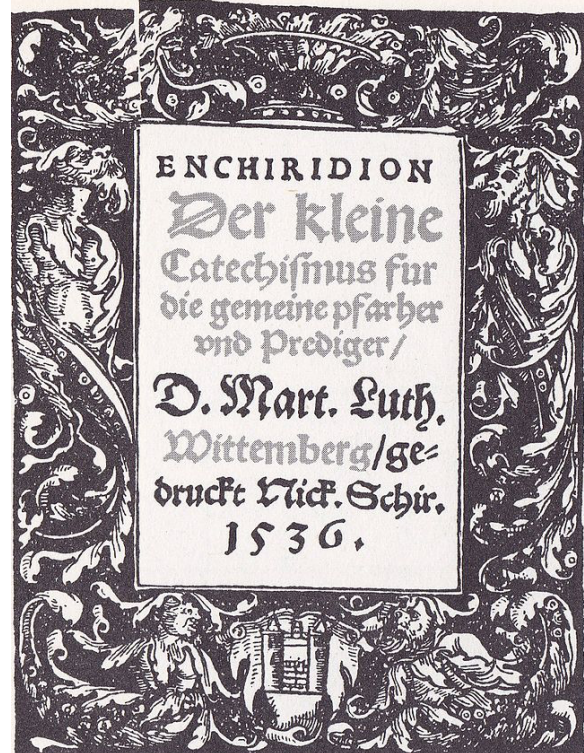
What the heck was he talking about? To be fair, Luther made these comments before he married the nun Katharina von Bora, after which his attitude was rumored to have changed. Good for Katharina.

In 1536 Luther published *Der Kleine Katechismus*, the famous “Small Catechism,” which is still used by conservative Lutheran churches today, and from which many of us had to memorize passages for confirmation. From the Small Catechism:

Husbands, be considerate as you live with your wives, and treat them with respect as the weaker partner and as heirs with you of the gracious gift of life, so that nothing will hinder your prayers. Husbands, love your wives and do not be harsh with them. (See 1 Peter 3:7; Colossians 3:19.)

Wives, submit to your husbands as to the Lord, like Sarah, who obeyed Abraham and called him her master. You are her daughters if you do what is right and do not give way to fear. (See Ephesians 5:22; 1 Peter 3:6.)

I don’t remember memorizing those passages. If I did, I’d be divorced.



Martin Luther coined the term **Haustafeln** – the code for the behavior of husbands and wives – and included it in **Der Kleine Katechismus** (“Luther’s Small Catechism”), published in 1536. He argued that according to the Bible women should be submissive and obedient to their husbands.

⁶ Canon laws are the laws of the Roman Catholic Church as promulgated by the Pope.

⁷ Hodsdon, *ibid*.

⁸ Martin Luther, *The Table Talk or Familiar Discourse of Martin Luther*, trans. W. Hazlitt (Ulan Press, reprint, 2012), p. 299

Historian Ruth Hodsdon:

German men recognized no intellect in women apart from their domestic duties but believed them to be afflicted with the radical incapacity to acquire an individual idea. Women were ridiculed when they quoted the Church Fathers or ancient classic writers.

Even Luther said that intellectual aspirations of women were not only an absurdity but a positive peril – "Take them from their housewifery and they are good for nothing."

The philosopher Montaigne, who was widely read in Germany, regarded woman as a pretty animal, while Rabelais⁹ made the startling assertion that "Nature in creating woman lost the good sense which she had displayed in the creation of all other things."¹⁰

The status of women in Germany did not significantly change until the enactment of the *Bürgerliches Gesetzbuch*, ("German Civil Code") in 1900.

Up to 1900, when the new German Civil Code went into effect, woman was everywhere in the position of a minor in relation to men. She owed obedience to her husband and if she were disobedient, Prussian law allowed him to inflict moderate bodily chastisement. All the decisions with regard to children rested with the father.

Upon her husband's death, the wife had to accept a guardian for her children, for she was declared incapable of conducting their education, even when their means of support was derived from her property or her labor. Her fortune was managed by her husband, and in cases of bankruptcy, it was generally regarded as his and disposed of accordingly, unless there had been a special contract between them.

A woman when divorced bore her former husband's name unless she remarried. If a woman bore an illegitimate child, she had no claim to support if she had accepted any presents from the father at the time of their intimacy.

According to section 215 of the old criminal Code, a woman may not appear in court, even if she has a public lawsuit, without the consent of her husband and of her two nearest relatives.¹¹

Secular laws of the Middle Ages reflected Church canon laws. "The old criminal Code" had its roots in the *Sachsenspiegel* ("Mirror of the Saxons"), compiled in the years 1220 to 1235, the oldest and most important codification of German laws and customs of the Holy Roman Empire. It was the first collection of laws to be translated into German from the Latin. The book was self-titled as the Saxon "mirror" because it "reflected" the laws of the time in the same way a woman observes her face in a mirror.

These laws defined women as subordinate – subject to the legal authority of men. Fathers were legally responsible for their daughters until they were married, at which time husbands became responsible for their wives. If a woman did not marry, she was subordinate to her father. If her father died, she had to secure a guardian.

Women were denied the right to speak or plead in court and had to be represented by their husband or father, or in their absence, a male guardian. If you have been following this blog, and as I will later cite, all Dollhopf

⁹ Montaigne and Rabelais were French Renaissance philosophers.

¹⁰ Hodsdon, *ibid*.

¹¹ Hodsdon, *ibid*. <https://core.ac.uk/download/pdf/29155703.pdf>



Pages from the illustrated medieval *Sachsenspiegel*, compiled c. 1220-1235. This c.1300 surviving copy is in the University of Heidelberg Library. Many of the legal norms depicted in this compilation of manuscripts survive to this day – e.g., “first come, first served” (He who comes to the mill first, gets his grain milled first). The book was illustrated so that even the illiterate could understand. The customs of the time, which persisted well into the 20th century, reflected the subordination of women. <https://mediengeschichte.dnb.de/DBSMZBN/Content/EN/ManuscriptCulture/03-sachsenspiegel-en.html>

grandmothers without a husband were represented in court by a male guardian, typically, but certainly not always, a close relative – a father, father-in-law, uncle, brother, brother-in-law, or cousin.

For example, when our great-grandfather John Dollhopf petitioned the courts for permission to immigrate to America in the summer of 1871, he was underage, just shy of his 19th birthday, so his mother Margarethe had to appear with him. However, she could not appear in court on her own and was required to produce two male guardians to represent her – her second husband Johann Hacker, and Johann Zeuschel, whom I suppose was a family friend or godfather to one of her children. Zeuschel’s son, also named Johann, traveled with our great-grandfather to America.

A major focus of medieval laws, with respect to women, was marriage and inheritance.

Inheritance laws in this region were decidedly progressive – compared to other parts of Germany. A husband and wife could hold property in common – but remember, as serfs they did not actually “own” their land and buildings, they were merely granted a fief, or lease, to occupy the property with the permission of the noble. As described above, all siblings, male and female, shared equally in the inheritance of property, as *partible* inheritance was the custom in Mistelbach.¹² Daughters received *equal bequests of money and movable property*.

¹² In the alternative – impartible inheritance – the deceased’ property is kept intact, not subdivided, and the whole passes on typically, but not always, to the oldest son. In some regions (not Mistelbach) it went to the youngest son.

However, because of 6th century laws decreed by King Clovis, daughters could not inherit land – arable fields, meadows, and any woodlands. Female heirs shared an equitable cash distribution, which I assume was based on the value of the fief as determined by the nobility or village council at the time of the owner’s death.

The oldest surviving son typically inherited the immovable property – house, barn, and land – unless the deceased made other arrangements before he or she died. (See *Blog #18: Dollhopf Land Owned.*) If a son moved away from Mistelbach, or if he chose to occupy another property (e.g., the property of his wife’s father) he forfeited his right to the house and farm but might still have received a cash settlement or a distribution of land.¹³

If the husband died first, the wife had custody of the property until she died, after which it was then distributed to their children (the land to a son). If the wife died first, her possessions (any livestock, furniture, etc.) became the property of the husband. Neither husband or wife, as poor peasants, owned much in terms of possessions [see *Blog 11*]. The husband and wife together, or the wife if the husband had predeceased her, could sell the fief to a child, other relative, or another unrelated person. Again, they were “selling” the fief – the right to use the land – not the land itself, and all transactions had to be approved by the nobleman or his advocates.

It must be noted that laws affecting women varied dramatically from one principality to the next. Different branches of our German family tree had different experiences.

When Otto von Bismarck unified the numerous and far-flung German kingdoms in 1871...

...different regions in Germany were governed by distinct sets of laws. Common (or Roman) law prevailed in the central regions [including Mistelbach]; Jutland code, Saxon code, and Roman law governed in sections of the north; Prussian law (with some provincial variations) governed the east; and in the west, Prussian, Roman, and French laws were observed in various patches across the region. To complicate matters further, laws in the East were written in German, in the center in Latin, and in the west in German translations of French and in the original French text.

The disparities in Private law meant that women in one region could have virtually no inheritance rights, while women in a neighboring region might have equal inheritance rights to their (male) siblings [as in Mistelbach]. For children, this meant that while some regions honored primogeniture (in which full inheritance belongs to the first-born child), some did not. These diverse legal codes, which were drafted long before German unification in 1871, made it difficult for the recently unified state to govern efficiently and justly. Furthermore, separate laws for each region slowed the development of a national German identity, which in itself made it difficult for the new national government to become politically and administratively consolidated.¹⁴

On August 18, 1896 the German *Reichstag* – the national parliament of the German Empire unified under Bismarck – adopted *the Bürgerliches Gesetzbuch* (the “BGB,” or “German Civil Code”). This ground-breaking legislation created a body of laws bringing together the many and far-flung kingdoms of former Holy Roman Empire.

¹³ At the age of 19, before he left for America, our great-grandfather John Dollhopf received 70 guilders as his inheritance share of his father’s estate. His father Johann had died 13 years earlier. By leaving for America, he forfeited any right to the farm, but this “payout” was enough to fund his journey to America, which cost about 30 guilders.

¹⁴ German Civil Code (Bürgerliches Gesetzbuch, BGB) 1900, <https://hist259.web.unc.edu/german-civil-code-burgerliches-gesetzbuch-bgb-1900/>

As far reaching and unifying as the BGB might have been, in practice it did little for women. Various women's groups of the era were harshly critical of the civil code, because it did not much improve women's civil rights:

There were no provisions for women suffrage or legal autonomy. Fathers and husbands retained legal authority over their daughters and wives including control over the money women might have inherited; confirmed the right of the final decision of husbands and fathers in all issues of the education of joint children; did not reform marriage, divorce, or custody laws, discriminated against single mothers and their children; and made divorce nearly impossible.

During a critical moment in German women's history, the BGB failed to progress the movement for women's emancipation. The marriage and family law of the BGB was not reformed until 1958 and 1975 in West Germany, after a long struggle of the bourgeois and social democratic women's movement during the German Empire, the Weimar Republic and the first decade after the Second World War.¹⁵

The struggle for equal rights and protection under the law for women continues to this day – the Equal Rights Amendment of the US constitution was only ratified in 2020(!), 50 years after it was approved by Congress in 1972.

The forces of the church and the Bible, in the darkest of ages, held our Dollhopf grandmothers back. Who knows what they might have achieved.

Talk about slow to change.

Next in the series on Dollhopf women: Education.

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¹⁵ Ibid.