

Theorizing continuity and change in the discourse of male violence: A case study of 'marital disagreements' in 19th century Sweden

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ABSTRACT

This article presents results from an analysis of a set of 19th century cases of 'marital disagreement' (male violence) in a small northern Swedish town. The data is analysed in two steps: firstly, through a general content analysis with the purpose of uncovering the principal patterns and predominant features and secondly by a discourse analysis of a key case. One of the key questions of gender theory has been that of how a social order in which men are seen as superior to women manages to prevail through space and time – transgressing historical and cultural borders. How can this order subsist in a succession of epochs and cultures which are, in many respects, dramatically different from one another? This question has already been addressed many times within feminism, particularly as part of the debate concerning the concepts of 'patriarchy' versus 'gender order'. This article once again revisits this terrain, and aims to use its very specific historical case study as a point of departure for a more general discussion of how continuity and change in transhistorical male dominance might be theoretically understood.

KEYWORDS: patriarchy, male violence, Sweden, 19th century, discourse

Introduction

Throughout the history of feminism, a number of writers have used the concept of 'patriarchy' when referring to the type of social order in which men are seen as superior to women. However essential it may be, the concept has been widely criticised for its tendency towards ahistoricism, universalism and determinism. Its failure to account for historical, cultural or individual variations in relations between men and women has made many scholars prefer the concept of 'gender order'. The reason for this is that the latter term allows for a distinction to be made between the general form and the specific content of gender relations. The idea of gender order is thus more open to diversity and change than that of patriarchy. This issue

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is by now well-established, but it still continues to bring attention to the importance of carrying out concrete analyses of male dominance and violence in shifting historical and social contexts and conditions (Walby 1990; Millett 1971; McDonough and Harrison 1978; Dobash and Dobash 1979). Such analyses enable us to raise the questions of if and how male dominance is constant, invariable and universally present.

The aim of this article is to carry such a contextualization into effect by means of a historical case study. This study has been realized within a Swedish research project, the main purpose of which was to analyse the social response to collective and individual crises, e.g. (in the case of this article) men's violence.¹ The ways in which male violence was understood, conceptualized and attended to by the social authorities in 19th century northern Sweden have been analysed with the help of archive data discussed in further detail below. This article takes as its point of departure a total survey of all cases of what was called 'marital disagreement' (that is: men beating and abusing their wives) found in the records of the church council of Skellefteå (a small town 800 kilometres north of the Swedish capital of Stockholm). These data will be analysed in two steps. Both a general content analysis with the purpose of uncovering the principal patterns and predominant features, and a discourse analysis of one key case will be presented. These different analyses serve as a starting point for the final part of the article which fulfils its second – more theoretical – aim. Here I will turn to a more abstracted conceptual level for a more general discussion introducing a proposal as to how the parallel dimensions of continuity and change in transhistoric male dominance might be conceptualized.

Patriarchy and men's violence from a time-space perspective

In spite of the transhistorical and transgeographical recurrence of similar patterns of male dominance, it is nonetheless problematic to simply regard these as expressions of a universally constant and invariable patriarchal power. If one assumes such a perspective it gets difficult not to be lured into adopting ahistoric, biologist and essentialist explanations of gender differences. The term patriarchy itself is, according to American historian Fox-Genovese (1982), 'haunting' many attempts to explain the perseverance of male power. However, she emphasizes that the term bears no validity outside of its specific historical manifestations. According to her, any attempt to generalize the applicability of the term, means that important social and political circumstances, crucial to different societies, are disregarded. This standpoint bears an obvious historical materialist mark, and is accordingly shared by many Marxist feminists. McDonough and Harrison (1978: 39), for example, maintain that the transhistoric subordination of women always must be discussed in terms of specific historical conditions. Directing the attention more directly towards male violence, social historian Leah Leneman (1997: 50) writes that violence 'against wives and

¹ The project was carried out between 2000 and 2003 at the Department of Sociology and the Demographic Database at Umeå University, Sweden and was financed by The Bank of Sweden Tercentenary Foundation.

attitudes toward it are complex, and though they are part of a continuum they are also very much part of a particular era and culture'. A similar outlook appears in the writings of Kate Millett (1971). She contends that on the one hand, there is indeed a patriarchal institution which can be regarded as a social constant that cuts through the totality of private and public life – independent of factors such as classes, religions and modes of production. On the other hand however, she emphasizes that one must always bear in mind that this institution varies considerably with time and space.²

All of this underlines the great importance of carrying out historical studies of the varying contexts of male power. From a Swedish perspective, the decades preceding and following the year 1864 are of particular interest. This is because it was with the penal code of this year that the constitutional right of the husband to use physical force against his wife was removed. Even though this legislative change is interesting in itself, it is nonetheless quite risky to study social norms by simply looking at the laws, as this can entail leaving the concrete everyday 'doing' of things out of account. By instead studying actual social practice, one can gain important insights into everyday conceptions – not always in concordance with the actual laws – rooted among people in general.

Swedish historical archives are unique in that they contain systematically collected data records of every registered Swedish citizen from the end of the 17th century and up to present days. The most important archival source is the parish examination records,³ which came about as an effect of missionary ambitions of the Swedish Evangelic Lutheran Church in the 17th century. As these records were kept at the individual level, and were registered household-wise, they also include information about civil status and formal social positions. The parish register data can be linked to data found in other sources, such as minutes from district court proceedings, prisoners' lists, inspection records of district medical officers, records from parish meetings and poor relief boards etc. This makes it possible to make extensive reconstructions of many other aspects of social life than those originally recorded in the parish records themselves.

This article is based mainly on information obtained through the records of the church council in the town of Skellefteå between the years of 1831 and 1895, but these data have been linked to and enriched by, the above mentioned parish records.⁴ All cases of male domestic violence appearing in these records during this period of time have been analysed. These are cases where married couples were summoned by the church council when it had come to their knowledge that their marital life was not in line with the social and cultural expectations. Of primary interest for the analysis are both the actual ways in which these matters were handled, and the concrete statements made by the parties

² Millett (1970) thus discusses both change and continuity, even though she emphasizes the latter, and she has therefore been criticized by for example McDonough & Harrison (1978) and also by David Peterson del Mar (1996).

³ An English description of these records can be found in Ulla Nilsson Jeub, *Parish Records: 19th Century Ecclesiastical Registers* (Umeå: Demographical Database).

⁴ The records are kept at the Härnösand Regional Archives (KIIIa: 2–4). The protocol data has been complemented by information from the population database *Popum* (www.ddb.umu.se/indiko).

concerned. By studying these records we can gain an insight into family norms and values related to gender on a very practical level.⁵

The church council, the chairman of which was the parish priest or his deputy, consisted of four to eight parish members elected by the parish council. The church council was subordinate to the parish council and served the purpose of watching over the morality and devoutness of all parish members. Since marriage was thought to be ordained by God, marital problems of course became the business of the church council. When issues like these surfaced, the spouses – often together with neighbours and relatives – were called to a hearing which became the basis for the ensuing judgement. The husband and wife were then given separate admonitions and reprimands. Aside from the possibility of completely banning someone from the parish, these admonitions were the only sanctions that the church council had at its disposal. It was therefore mostly a spiritually judging instance, aside from the worldly courts.

A case study: The Swedish town of Skellefteå 1831–1895

The records analysed follow a typical structure consisting of a number of main points: (1) the assessment of the situation made by the church council, (2) the testimony of the wife, (3) the testimony of the husband, (4) admonition to the wife and (5) admonition to the husband. After mapping the ways in which the cases were presented in the church council records (1-3), I will attempt to capture the particular gender contract prevailing in the context under study by way of a closer look at the gender differences in the admonitions effected (4-5).

Predominant patterns in the cases

The result of the analysis of the categories 1-3 is presented in Figure 1. The five themes (a) *violent husband*, (b) *drunken husband*, (c) *inadequate wife*, (d) *inadequate husband* and (e) *controlling husband*, around which the presentation of the material has been structured are the result of a qualitative processing of data according to the constant comparative technique (Glaser and Strauss 1967; Lincoln and Guba 1985). The conceptual categories resulting from a series of systematic surveys of the records are of course only based on explicit utterances, and thus say nothing about the actual content or extent of the problems. One must be aware that the number of unrecorded cases of ‘family problems’ might be rather large. What the categories do tell us, however, is how marital problems were publicly defined, explained and understood.

In the council’s proceedings concerning close to three fourths of all cases of marital dis-agreements, the unsatisfactory state of things was connected to violent behaviour on part of the husband. The complaints of the wives, and of neighbours and relatives bearing witness, then tell stories of the use of derogatory nicknames, the pulling of hair, shoving, beating, kicking, strangle-holds, sexual violence and of threats with

⁵ The total number of cases of this type during this period was 53, but 10 had to be excluded from this study due to fire-damaged records.

sticks, knives and axes. In one case, occurring in the village of Östanbäcken in 1849, the church council was chocked by the 'animal sexuality' and 'excessive yearning' of the husband. According to the man himself he had not been able to get along well with his wife 'in bed', and a maid working in the household told the council that this had made him beat and kick his wife 'up the walls'. In another case, from the village of Norrlångträsk in 1853, a farmhand testified that his master had hit his wife when the coffee she served him did not satisfy him. She was hurt so badly that she had to 'wash blood from her mouth'.

In a little more than half of the cases, the marital problems were said to derive from the excessive drinking of the husbands in question. Many men appear to have been drunk and aggressive most of the time. There is however no clear indication in the utterances found in the records that alcohol was in fact regarded as the cause for violence. A married couple from the village of Degerbyn appeared before the council both in 1837 and in 1841, and the wife declared on one of these occasions that her husband was 'almost less ill-natured' when he was drinking as compared to when he was sober. In many other cases it was also emphasized that the men were violent when they were drunk as well as when they were sober.

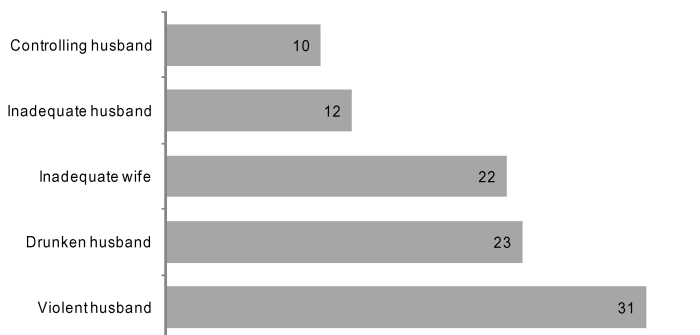


Figure 1: Cases of 'family problems' in the Church Council records of Skellefteå 1831–1895 (N=43); bars represent the number of cases in which these features are mentioned by the council, the man or the woman.

In half of the cases, the failings of the wives in meeting the expectations and demands of their husbands were at the centre of the church council proceedings. In the aforementioned case from Degerbyn, the husband said that his wife was 'completely useless' and that she did not care for 'keeping filth and parasites away from neither herself nor the children'. The council then instructed the woman to 'decide to be clean and orderly and thus put an end to the legitimate discontent of her husband'. It was also common for the men to inform the council that their wives were too 'cheeky' and 'reluctant'. A peasant from the village of Svanström who stood before the council in 1846 said that he had believed that marrying his wife 'would give him a virtuous woman, but he now felt badly deceived. He had not been able to utter a word without getting hundreds of them in return'.

About a fourth of the cases reflect the opposite of this by directing attention to the inabilities of the men to ‘shoulder their burden’ as masters of their households. These were ‘irresponsible’ husbands who had been fired from their jobs, had disappeared from the household for periods of time or who had otherwise not fulfilled their duty of ‘taking care of their house’. In one particular case from the village of Hjoggböle in the beginning of the 1850s the wife meant that her husband was a wasteful spendthrift who was ‘dragging their house into ruin’. The worries of the wife about ending up as a pauper was regarded as a legitimate cause for discontent, and her husband was told to pull himself together.

Against the background of examples such as those presented above, one can conclude that these men exercised several different forms of control over their wives. This control however, was probably often of a kind that was seldom discussed explicitly in terms of ‘control’ by the council. In spite of this, a fourth of the studied cases exemplify more obvious forms of men who were considered to be overly controlling. These were cases of sexual jealousy, accusations of fornication and adultery and of men who had been left alone and ‘wanted their wives back’.

The predominant patterns of practice appearing in the above analysis can be conceptually summarized with the help of the categories *clearly defined gender roles*, *male control* and *male violence* (Table 2).

A new discovery?

The elements presented in Figure 1 are not in any way new or unique to this particular historical context. Similar, and sometimes almost identical, patterns have indeed been found in a number of studies of other historical and cultural settings. Historian Sylvie Savoie, (1998) for example, has studied Canadian cases of divorce in 17th and 18th century court records. She focuses on the reasons for divorce presented in the applications, and on how the relation between husband and wife was constructed in the following investigation. The context analysed by Savoie was, much like 19th century Sweden, characterized by a marital institution that was strictly controlled by the state and the religious authorities. Once a marriage was contracted it was regulated in its every detail regardless of the individuals involved. Both systems were strictly patriarchal: the woman was considered to be legally incompetent and subordinated to her husband both economically and socially. The husband also had the right to administer corporal punishment to his wife, as long as she ‘deserved it’ and as long as the blows were not directed towards ‘vital parts’ such as her head, chest or stomach.

Focusing on British conditions, during the same centuries as Savoie, historian Jennine Hurl-Eamon (2001) describes a similar situation. In Britain, the woman had the right to bring an action against her husband if the violence was considered extreme, that is, ‘if he outrageously beat her’. Generally however, she was expected to accept a certain degree of violence. Also adopting a similar approach, Leah Leneman has studied divorces in 18th and 19th century Scotland in order to examine modern views on male violence. She concludes that many features of the discourse on male violence seem to be constant over time. The abused woman is, for example, often seen as having herself to blame since she has provoked the man, or not fulfilled her prescribed role. A standard wording in the court

cases studied by Leneman is that once the woman had realized that her husband was violent she should be:

[...] at all the pains she possibly could to get the better of his ill nature by yielding to many of his unreasonable and capricious demands, keeping her house close, and being as frugal and industrious as she possibly could ... in hopes that he might have seen his folly and behaved himself as he ought (Libel quoted in Leneman 1997: 48).

In agreement with this, Savoie also claims that the elements which she identified in her source material mostly followed a stereotypical pattern in which the components often were closely related. In fact, the same set of elements is also present in Hurl-Eamon's study of Britain, as well as in Leneman's discussion of Scotland. They also appear in sociologist Eva Lundgren's (2001) study of male violence in contemporary Sweden. It is, of course, not only the above analysis of 19th century Skellefteå that can be added here: Studies of disparate contexts such as 18th and 19th century Sweden (Marklund 1999; Taussi Sjöberg 1988), early 19th century Connecticut (Martin 2000), Scotland (Dobash and Dobash 1979), the US (Gelles 1972; Meyer et al. 1998) and the UK (Pahl 1985) in the 1970's, rural Kentucky (Websdale 1995), and the Dominican Republic (Baud 1997) all converge quite conspicuously.

In sum, patterns similar to those presented in Figure 1 are recurring in a long row of studies of many different social, cultural and geographical contexts. This may not be a spectacular or surprising discovery, but to provide an appropriate starting point for a discussion of transhistorical male dominance however, I feel that it is necessary to follow this sequence: From my very specific historical example to a seemingly general set of features appearing in research results from all over the place.

What can be concluded from this is that the patterns emerging from the analysis of the church council records from the Swedish town of Skellefteå between 1831 and 1895 is in agreement with a set of general characteristics that seem to be relatively unfettered by time and space: First, *male inadequacy*. This refers to situations in which a problematic situation arises as a consequence of the man not being sufficiently involved in the life and needs of the family. Richard Gelles points to this particular state of affairs when he argues that violence is more common in families where the man fails to live up to his ascribed role as head of the household (Gelles 1972: 136). Savoie describes how some men in her study had left their wives and children for several years without even communicating with them or giving them financial support. In line with this, the study carried out by Dobash and Dobash also points to the fact that men's ways of handling money, and the women's reaction to this, are among the most common causes of episodes of violence in the home. Swedish historian Andreas Marklund (1999) exemplifies this by referring to a divorce case from the town of Uppsala in 1774, in which both the husband and the wife referred to the role of the husband as head of the house in their respective testimonies: The husband, on his part, argued that he had the right to physically punish his wife since she was his subordinate. The wife, on her part, claimed that her husband had failed to live up to his responsibilities.

Secondly, *female inadequacy* is recurrent in these studies. In the analysis carried out by Savoie an image of the ideal wife emerges. She was:

[...] a virtuous woman whose behavior was constant and beyond reproach. She should obey her husband, treat him with respect and gentleness, and be patient with him when he made mistakes. In addition, it was a wife's job to take good care of her family and to make sure her children were brought up well (Savoie 1998: 480).

Along with the economic and legal dominance of the husband comes, thirdly, his wielding of *power and control* in a broader sense (Lundgren 2001: 29). Jealousy is one of the most common manifestations of this, but many researchers have also pointed to more indirect forms of domination. One of the most dramatic changes that newly married women go through is the shrinking of their social spheres (Websdale 1995; Pahl 1985: 32). Finally, the misuse of *alcohol* is a recurrent factor related to 'intramarital conflicts' (men's violence),⁶ even though it is often emphasized that it is rather a trigger than a cause.⁷

Further historical contextualization

It is nevertheless important to not be tempted to generalize away all of the context factors that are still more or less unique to any specific context under study. As was argued earlier on, it is problematic to equate the fact that most concrete expressions of male dominance/violence seem to be transhistorically present with the fact that patriarchal power is constant and invariable. Historian Gerda Lerner (1986) represents a strictly universalistic perspective on this. Taking as her point of departure such seemingly dissimilar social and cultural frameworks as the Stone Age, Greek Antiquity, Mesopotamian culture and the industrialized modern world, she maintains that patriarchal family structures have been prevalent regardless of time and space. Lerner thus emphasises continuity – much like anthropologist Claude Lévi-Strauss (1971: 356) – rather than the possible changes, when it comes to male dominance and female subordination. She further claims that historical improvements of the social situations of women always must be looked at as gradual progress still taking place within the confines of the ever present patriarchal system. This universalist standpoint easily becomes overly deterministic. The perspective, taken to its extreme, gives the impression that historical analyses are unnecessary since the results are more or less given beforehand. A theoretical move away from such ahistoric views can be found – among other places – in Swedish historian Yvonne Hirdman's line of reasoning.

To capture the interplay between continuities and changes Hirdman uses the term 'gender contract'. This concept refers to the shifting social expressions of the gender order in various contexts or, in other words, to the written and unwritten rules defining the

⁶ Cf. Baud (1997: 370), Marklund (1999: 135); Martin (2000) and Taussi Sjöberg (1988: 90).

⁷ Cf. Pahl (1985: 39), Savoie (1998: 470) and Stone (1992: 198).

relation between men and women. How these contracts are structured in different settings and at different points in time is then rather an empirical question than something which is already determined. A study of these 'contracts' thus gives us the opportunity to go beyond the simple assertion that 'nothing ever changes'. *Gender contract* is a relational concept, which underlines the fact that both men and women need to be studied, and that both take part in the construction of dominant and subordinate gendered social positions (Hirdman 2000). It works on the mythological as well as on the institutional level, and it also controls the sphere of intimate relations. Furthermore it does *not* imply a situation in which two parties come to a 'contractual' agreement on equal terms. The concept stresses community, cooperation and joint problem solving, but also emphasizes that all of this takes place under most unequal conditions. Hirdman (2000: 33) defines the gender contract as an 'invisible relation' or a 'culturally transmitted agreement'. It includes gendered obligations, rights and commitments in relation to social institutions. In other words, the contract establishes rules for the maintenance of female subordination, and to the researcher it is a conceptual tool that helps make the gender order of a certain time tangible.

With all this in mind, we can assert that a further historical contextualization of the cases introduced earlier in this article would be the same thing as describing the specific gender contract that was predominant in this context. We then need to identify central norms, rules, notions, assumptions and practices related to gender (Hirdman 2000: 30). This can be done by returning once again to the source materials to study gender differences concerning the diverse admonitions issued as sanctions by the church council. These differences are presented schematically in Table 1.

Nr.	Gender	Remark
1	m	As long as he was drinking he could not possibly take his prescribed responsibilities as a husband and a Christian (3/8 1834).
	f	She was told to move back to her husband and to be lenient with him. She should meet him with meekness and not make him worse by being cold and bitter (3/8 1834).
3	m	He was told to stay away from the liquor leading both him and his house to destruction (26/7 1835).
	f	She should meekly and patiently work to make him better (26/7 1835).
4	m	He should with the help of God put an end to the vice that not only destroyed his domestic happiness but also threatened to lead him to eternal ruin (23/8 1835).
	f	She was told to not make her husband worse by being uncharitable, she should rather treat him with meekness and kindness so that she would not be a reason for annoyance (23/8 1835).
6	m	He was warned and told to change his constant evil, faithlessness and drinking so that he would not ruin his body and soul and lead himself into eternal misfortune (8/1 1837).
	f	She should put an end to her ungodly ways.
7	m	He was told not to bear a grudge against his wife and to Christianly take care of his children (4/12 1836).
	f	She was reminded that she had committed to stay by her man and never abandon him. She was told to move back to his house but still refused to do so (4/12 1836).
8	m	He was warned and urged to take control of his malicious ways and to treat his wife with meekness and to never leave her and the children without their necessities (31/10 1841).
	f	She had to decide to be clean and orderly and thus put an end to the legitimate discontent of her husband (31/10 1841).

Nr.	Gender	Remark
9	m	He was exhorted not to call her wife names as if she was deranged, and he was reminded that he had promised to love her in sickness and in health (10/9 1837).
	f	She was told to be submissive to her husband, and to not be cheeky and reluctant but to meekly and patiently try to win his love back (10/9 1837).
13	m	He was urged to stop drinking so that he would not lose the respect of his fellowmen and the love of his wife (13/4 1846).
	f	She was warned because of all the bitterness and quarrelsomeness she had shown towards her husband (13/4 1846).
14	m	He was warned because of his drinking, his animal needs and his madly suspicious mind (6/1 1849).
	f	-
15	m	He was told to pull himself together (January 1850).
	f	She was told to be forgiving (January 1850).
17	m	He was warned because of his quarrelsomeness (date missing).
	f	She was warned because of her quarrelsomeness (date missing).
18	m	He was told to put an end to his heavy drinking (1853).
	f	She was warned because of her irascibility and cheekiness (1853).
19	m	He was warned because of his drinking, wildness and cruelty (1855).
	f	She was reminded of her important commitment to be submissive, long-suffering and silent (1855).
21	m	He should stop drinking (1855).
	f	She should not be cheeky or impetuous (1855).
22	m	He was exhorted to carefully manage his wife (1855).
	f	She was told to put a lock on her mouth and to be quiet and submissive to her husband (1855).
25	m	He was told to change his heathen way of life and his barbaric way of handling his wife (19/7 1863).
	f	She was urged to patiently and obediently carry her cross (19/7 1863).
31	m	He was reminded that he was prescribed as a Man to be the head of the woman and he should because of this show self-control and reason (11/11 1866).
	f	She was found to make the situation of her husband worse through her quarrelsomeness (11/11 1866).
33	m	He was reminded of his duty to stay in his home, to take care of his house and to try to regain the confidence of his wife (25/4 1879).
	f	She was told to compliantly and lovingly try to regain the devotion of her husband (25/4 1879).

Table 1: Admonitions issued by the Church Council by gender, edited and translated from the records

The pattern is overwhelmingly consistent and can be summarized as follows: The husband should not devote his time to drinking, but should ‘fulfil the holy commitment which he as a man and Christian had made’. In other words, he should be conscientious and take responsibility for the economic security and social discipline of the household. The wife, on her part, should remain ‘meek’ and ‘patient’ towards her husband, and should ‘not herself bring about any reason for aggravation’. She should be loyal to her husband and never speak against him in the case of conflict.

These conceptions converge with the patriarchal social order prescribed in the catechism of the Lutheran church, according to which each human being should be

subordinate to a master – ultimately to the king and to God. This might not seem as a revolutionary empirical discovery, but it nevertheless illustrates the fact that the ways in which these men and women, as well as the society in which they lived, understood and acted in relation to the social institution of marriage was by all means regulated and mediated by a historically situated religious text (contributing to the construction of a ‘gender contract’) – not simply dictated by a timeless gender order (i.e. patriarchy).

The concrete manifestations of male dominance/violence in the studied marriages were presented in Figure 1 above. The predominant patterns in my particular case study are nearly identical to those found in a series of empirical studies of male dominance in different times and spaces. What can be concluded from this is that these concrete manifestations seem to be relatively constant regardless of context. Furthermore, a historical contextualization of the cases in my study illustrates that the ways in which these marriages worked and were regarded by society, were still highly connected to a historically specific gender contract put forth in the Lutheran catechism. This ‘contractual text’ has however lost its importance in Sweden today, and I would guess that its impact on, say, the American society in the 1970s or in the Dominican Republic is also rather weak, to say the least. But even though other gender contracts are the predominant ones in these contexts, researchers such as Lundgren (2001), Meyer (1998), and Baud (1997) have come to quite similar results. The interesting thing here, at the theoretical and conceptual level, is that the same gender order (a patriarchal one) seems to be constantly reproduced by ever shifting forms of gender contracts in ever shifting times and spaces (see Table 2). There is indeed a problem of causality here: should we see the gender order as contextually produced ‘from below’? In that case, it is quite remarkable that virtually every context appears to produce gender contracts that are in support of the same form of gender order. Or, should we see the gender contracts as results of a universal and unchangeable gender order which is so powerful that it renders any contextual factors irrelevant? In that case, we are staring right back into the dead-end of essentialism and determinism.

As stated before, Hirdman argues that different gender contracts succeed each other throughout history. In any given context, there is always a hegemonic gender contract permeating all levels of society. A gender contract is thus a set of norms regulating the relations between men and women in general, but especially the gendered division of labour within the spheres of work and family. These contracts are *ideological* ordering principles that are expressed and internalized in *social practice* by means of socialization. Hirdman discusses four different historical contracts (see Table 2). In addition to the levels of ideology and practice, she also pays regard to a superimposed *cultural*, or discursive, level comprising ways of thinking and talking about gender relations.

Ideology	Household contract / Housewife contract / Equality contract / Gender equality contract
Practice	Clearly defined gender roles, male control, male violence

Table 2: Gender contracts and their practice

Conceptualising continuity and change in transhistoric patriarchy

We are now closing in on the crux of the matter of continuity and change brought up in the preceding sections. To enable the concluding theoretical discussion however, we need to search deeper in the empirical material for contextual factors that may contradict the feeling that the patriarchal order never changes. Therefore, I will return to the data and try to localize such factors within the ‘spoken and written word about gender’ – in the gender discourse (cf. Hagemann and Åmark, 2000: 19).

In the following, I will perform a discourse analysis of a key case in the source material.⁸ This particular analysis is influenced by a framework used on a similar data by Jean Carabine (2001) who agrees with Foucault’s idea that discourses are productive, in the sense that they produce ‘truths’ about the things and phenomena that they relate to. I will pay specific attention to mapping ‘discursive strategies’; the means by which any given discourse is made legitimate. My analysis aims to identify the main semiotic and linguistic ‘tools’ by which the main elements of the gender discourse are produced as ‘truths’.

A key case from the Church Council records of the town of Skellefteå, July 19, 1863

1. The peasant [X] and his wife, who have been said to live in disagreement with each other, had on the 2nd of this month been called to the council to receive separate admonitions and warnings for their ungodly situation, but as they in spite of this had continued to live in this way, they were, on the 6th of this month, called once again to be warned and admonished. Of the spouses [X] who both were present, the husband was firstly asked whether his neighbours had been telling the truth when they had said that he had often abused his wife, had been dragging her around the floor by her hair, had been threatening her with lethal weapons such as a fire iron, a knife and an axe, whereupon he answered that he confessed to this, but that it had happened when he had been drunk and not with the intention of actually hurting her. Asked further about his reasons to treat his wife in this ungodly manner, he answered that he had been jealous of her, or in other words had suspicions that she had practiced unlawful intercourse with other men, suspicions for which he however admitted to having no reasonable grounds, rather – he said – had they been the result of a devilish impulse of his. Asked whether he, in other respects, had anything to object to regarding the way his wife acted as a spouse and a housewife, he said no! Then the wife [X] appeared before the council, and when requested to present any objections towards her husband she answered that what he had already confessed to was sufficient to illustrate how badly and violently she had been treated, adding that it would be impossible for her to recall

⁸ It is a ‘key case’ in the sense that it includes most of the features that the total set of cases include as a whole.

all of the occasions on which he had abused her, and she said that her only wish was to divorce him, to stay alive. The spouses [X] stated that they had been married for ten years and that they had three living children. To shed further light upon their married life, the spouses had summoned the following witnesses who appeared and gave these separate testimonies:

The Maid (1): that she on one occasion had heard [X] accuse his wife of unlawful intercourse with their then farmhand, and that she on this same occasion had seen him beat and shove her in spite of the fact that she had an infant on her arm, and he had then thrown her out of the house twice. This witness had also seen [X] push and hit his wife on the day of their previous appearance before the church council.

The Maid (2) who served in the household in 1862 said that she had twice seen [X] shove and hurt his wife who had then been lying in bed with her baby child.

The Maid (3) who also served there in 1862 said: on one occasion in the winter, when [X] was drunk, she had seen him beat and abuse his wife, so that her face had become full of bruises and her left eye swollen; she has repeatedly heard him threaten to leave her and the farm.

The Farmhand (4) serving on a neighbouring farm said: on the 1st of this month he had heard some noise from the house of [X], he had then entered the house to put a stop to the assault and battery going on, but was threatened to be stabbed with a knife should he not get out.

The Neighbour (5): when he entered the house of [X] to aid the wife who was under assault from her husband, he was pushed and knocked out on top of a chest and finally escaped.

On the same occasion (6) saw [X] grabbing his wife who was lying in bed, by her hand, wrenching her violently to bounce her a few times around the floor. All of these witnesses affirmed that the wife [X] always had been meek, obedient and obliging to her husband, and that she had, with silence and unusual patience, put up with her husband's abuse. Thus having heard the testimonies of both spouses as well as of the witnesses, the church council could hardly avoid finding [X] completely guilty of having caused the disunity between him and his wife, and consequently the Chairman seriously exhorted him for his ungodly and barbaric ways towards his wife, and urged him to immediately change his heathen way of life in order to escape civil punishment as well as the last judgement facing all those leading unchristian lives, whereupon his wife was told to patiently and obediently keep carrying her cross. The spouses left with wishes of God's grace and help.

The above text ultimately expresses the discourse of male dominance and female subordination. Even though the blame in this case was put on the husband, it is more interesting to see how the woman was treated by the council. She who had allegedly been

threatened with a fire iron, a knife and an axe, beaten and ‘bounced around the floor’ was told to ‘patiently and obediently keep carrying her cross’. This illustrates a contradiction which generally characterizes the ways in which men’s domestic violence towards women tends to be understood: the woman is expected to be understanding and patient in relation to a male temper and/or sexual urge which is widely accepted as being unavoidably ‘uncontrolled’ and ‘aggressive’. Another thing that is obvious in the above case is the fact that the point of view of the man was the starting point for the church council. He was asked if his neighbours had been ‘telling the truth’, and if he had any remarks on his wife as ‘a spouse and a housewife’. He was thus provided with the possibility of denying the accusations and thereby possibly gaining some credibility and sympathy. The woman, on the other hand, was asked to inform the council what she had ‘against her husband’ and guilt was thus already from the outset imposed on her through this mode of interrogation.

The most prominent discursive strategy in the language of the church council entails establishing the patriarchal order by making reference to the Christian doctrine. When the outrage of the husband is regarded as going beyond his rights as ‘head’ of the household, his behaviour is denominated ‘barbaric’, ‘heathen’ and ‘ungodly’. However, one has to remember that these kinds of interventions from the church were actually quite unusual. Up until 1864, the master of the household had autonomous power over his family and his servants and he was free to administer punishment when it was considered to be ‘needed’. It was only as a last resort that the church stepped in (Sundin 1982: 47). Spousal abuse became formally defined as a criminal act in the Swedish penal code of 1864, but was not made fully prosecutable until 1982 (yes, that is 1982). At the time of the church council hearings under study men’s violence towards their wives was rarely regarded as a weighty argument for divorce. The attitude in general was that the wife should accept the superiority, and sometimes violence, of her husband – she should be obedient in the manner prescribed by the apostle Paul. Women were expected to behave in accordance with the commandments of the catechism; ‘silence’, ‘patience’, ‘obedience’, ‘meekness’ and ‘politeness’. In the above excerpt, the council also emphasizes how they both need to consider the ‘final judgement’ facing all those who are leading ‘unchristian lives’. These gendered roles are established and legitimated throughout the church council record, in spite of the fact that the husband in the above case was found to be the culprit. This is especially evident from the fact that his threats to ‘leave her and the farm’ – and thus not shoulder his economic and social responsibilities – are pointed out as a defectiveness. Similarly, the woman is tied to her role as a mother in those testimonies that portray her husband as particularly barbaric for not even respecting her when she ‘had an infant on her arm’.

When administering this case of ‘marital disagreement’ the church council takes part in the production and reproduction of a discourse – of a ‘truth’ – that defines stereotypical gender roles and positions the man as superior to the woman. This happens regardless of the fact that the council, in reality, had many other functions and goals connected directly to the specific social context; the institution of marriage which secured the support and control of large parts of the population had to be defended at any cost. Moreover, marriages also symbolized alliances between families and they were

consequently crucial to the maintenance of social and economic networks. Even though 'disagreement' was formally accepted as a reason for divorce in Sweden three years before the analyzed case (i.e. 1860), the council still did its utmost to prevent separations. In all instances, from the priest, to the church council and on through to the first instance of the court, the common goal was always that the spouses should reconcile.

As I have shown, this discourse was based on a religious form of legitimacy, more precisely on the social power and claims of the Christian church. These ways of conceptualizing and understanding the relationship between men and women obviously rested upon the Lutheran conception according to which the master of the household bore the ultimate responsibility for the actions committed by his subordinates, including his wife. While the patriarchal order in this particular context (19th century Sweden church councils) was legitimated in this way, it is being legitimated through other discursive strategies in other contexts. As an example, it can be pointed out that legitimating the gendered division of labour on today's labour markets or in today's households with reference simply to the words of the Bible would only render it possible and 'true' to a non-secular minority. Arguing in favour of these gendered spheres of activities by reference to the discourse of the 'naturalness' of mothering however seems like a more passable route. Moreover, one could imagine several additional possible discursive strategies that could occur with such a function. The still highly applicable classification of the foundations of male power put forward by feminist author Kate Millett (1971) can serve as a starting point for a discussion of such potential strategies.

Conclusion: Turning to Millett

The strategies manifested in the Skellefteå church council are connected to the category consisting of notions of the woman drawn from *religious* and *literary myths*. According to Millett patriarchy has in most cases had 'God on its side', and this is also very prominent in the case discussed above where religious authority encourages male power over the family. Millett (1971) describes the family as the most important patriarchal institution – a patriarchal unit within a patriarchal whole. As a mediator between structure and action, state and society, the family executes demands of control and conformity beyond the reach of other authorities.

Millett also discusses how male dominance in some historical contexts has been based on what she calls *psychological reasons*. In these cases, patriarchy has been legitimized and accepted on the basis of a set of fundamental conceptions concerning the disposition, temperament, roles and status prescribed by socialization. This is part of a process in which the needs and values of the dominant group (the men) – what it appreciates in itself and in its subordinates (the women) – dictate two roles: one is aggressive, intelligent, powerful and efficient. The other is passive, uninformed, gentle and virtuous. Millett maintains that patriarchy erroneously presupposes that these social and cultural distinctions are derived from purely *biological differences* between the sexes. Finally, Millett asserts that male dominance within the fields of *economy* and education is one of the foundations of patriarchy. The subordinated position of the woman in society can be

seen as an extension of her (traditional) economic dependence in marriage. Moreover, higher education was for a very long time regarded as a male domain, and there is still a cultural labelling of ‘masculine’ and ‘feminine’ subject fields and sectors. Disciplines losing their positions as exclusively male arenas correspondingly lose in prestige.

All of these discursive strategies – *religion, mythology, psychology, biology, and economy* – are related to each other and all of them are also, Millett claims, ultimately connected with male violence. If we now turn once again to the concept of ‘gender contracts’ (see Table 2) they can, considering the above discussion of discursive strategies, be regarded as situated within a wider framework of gender discourses (see Table 3).

Order	Patriarchy
Discourse	Religion / Mythology / Psychology / Biology / Economy
Ideology	Household contract / Housewife contract / Equality contract / Gender equality contract
Practice	Clearly defined gender roles, male control, male violence

Table 3: The discursive context of male dominance

The gender contracts (the intermediary context-dependent orders regulating the relation between the concrete and the abstract) work on the ideological level between discourse and practice. These contracts materialize within the sphere of family life, which to some extent may explain the fact that various contracts throughout time and space get the same consequences. While the institution of the family is an intermediary between individual and structure (cf. Millett 1971), the gender contracts mediate between the discursive structures and the concrete forms of male power. Patriarchy and its practice (Table 3) is thus related to a set of *legitimizing ideologies*. The legitimizing ideologies consist of the gender contracts that are predominant in given contexts. The concept of ideology was defined by sociologist Karl Mannheim as more or less conscious disguises of the true nature of a situation (Mannheim 1936: 49). It directs attention towards how different social groups develop ideologies to legitimate their interpretations of social reality. These interpretations are represented in Table 3 by the different – individually or parallelly operating – discursive strategies that function to legitimate the gender contracts, which they also in turn are reproduced by.

Furthermore, a set of concrete expressions of patriarchy are related to these discursive and ideological structures. What happens on the level of practice could, in turn, be divided into legitimate and illegitimate behaviours. Among the legitimate behaviours in the 19th century context studied here one would for example find the male mastery of the household, his economic power and his right to administer corporal punishment within certain limits. Excessive consumption of alcohol and assault would rather be regarded as illegitimate behaviours.

Maybe we can now look at the transhistorical and transcultural presence of male dominance as a consequence of the fact that so many different ‘and yet closely intertwined’

discursive strategies are at hand to secure its legitimacy. This feature in the discourse of gender, then, constitutes a constant 'guarantee' for any gender contract to be favourable to men. If religious beliefs change, if prevalent family norms should be overthrown or if influential political ideologies should be revolutionized we can ultimately count on the 'truths' of biology to come to the rescue of patriarchy. In fact, such a line of thought can be traced in historian Thomas Laqueur's (1994) discussion of the enlightenment. He writes of a sliding transition from a paradigm within which patriarchal discourse has been legitimized by way of religion, to one based on the construction of two biologically separate sexes. He writes:

When a previously existing transcendent order, or customs prevalent from time immemorial began to lose its credibility as justification for social relations, nature – the biological sex – became the battlefield upon which gender roles were defined. All sorts of social, economical, political, cultural or erotic assertions were made, with reference to the distinct sexual anatomy (Laqueur 1994: 176, author's translation).

Patriarchy seems to have such a pervasive character that it always wins legitimacy in ever changing historical and cultural contexts. Male dominance as such can thus be regarded as a more or less universal phenomenon, *but* it always gains its power and authority by way of *different discursive practices* intermediated through *various gender contracts*. This once again accentuates the great importance of studying the historical ways in which gender is constructed in thought, speech and action. To refer to Mannheim once again, one could regard such analyses as important for creating possibilities to formulate what he calls 'utopian ideas' – that is orientations that when put into practice 'tend to shatter, either partially or wholly, the order of things prevailing at the time' (Mannheim 1936: 173). The point of these ideas is thus to transcend existing social structures and to formulate new goals. It is in the formulation of these that the true potential for change lies.

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POVZETEK

Članek predstavlja izsledke analize vrste 'zakonskih nesoglasij' (moškega nasilja), ki so se v devetnajstem stoletju zgodila v majhnem mestu na severu Švedske. Podatki so bili analizirani v dveh stopnjah: najprej prek splošne vsebinske analize, ki je razkrila osnovne vzorce in prevladujoče lastnosti, nato pa še prek diskurzivne analize študije primera. Eno izmed bistvenih vprašanj teorije spolov je, kako se lahko družbeni red, v katerem so moški videni kot superiorni ženskam, ohranja v prostoru in času ter presega zgodovinske in kulturne meje. Kako lahko tak red obstane v nasledku dob in kultur, ki so med seboj v mnogih pogledih tako zelo različne? To vprašanje je bilo znotraj feminizma že mnogokrat naslovljeno, še posebej v okviru debate, ki se je ukvarjala s konceptom 'patriarhije' proti 'redu spolov'. Članek ponovno obiše ta teren in skuša prek specifičnega zgodovinskega primera sprožiti splošno diskusijo o tem, kako je mogoče teoretsko razumeti ohranjanje in spremembe v transhistorični moški nadvladi

KLJUČNE BESEDE: patriarhija, moško nasilje, Švedska, devetnajsto stoletje, diskurz

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