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### Review Of "Sexuality, State, And Civil Society In Germany, 1700-1815" By I. V. Hull

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## American Society for Eighteenth-Century Studies (ASECS)

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Sexuality, State, and Civil Society in Germany, 1700-1815 by Isabel V. Hull

Review by: Pieter M. Judson

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# *R*EVIEW FORUM: SEX IN EIGHTEENTH-CENTURY EUROPE

JULIA EPSTEIN, *Haverford College*

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## INTRODUCTION

How do cultures make distinctions between normal and the transgressive with regard to sexual practices? Are there historical times and places during which human beings have seen themselves as more or less defined by their bodies? What investments does the state hold in regulating sex? To what degree can we read past attitudes toward the body, sex, and social institutions from legal, medical, or literary documents? Was the emphasis on procreation and penetration in early modern Europe largely a function of economics? Demographers, family historians, women's historians, historians of sexuality and homosexuality, anthropologists of the body, critics of women's literature, and gender theorists have all attempted to answer these compelling questions. We have been stymied by the dearth of precise evidence to tell us who was doing what with whom and why, or, for that matter, what behaviors even counted as sexual acts.

The "civic" and the "sexual" are mutually constitutive, Isabel Hull points out (411), and the sexual is "not a thing-in-itself" (44). In the eighteenth-century as now, "sex was completely embedded in the socioeconomic circumstances of [people's] lives" (44) and it must be contextualized to be understood. Each of the four books under review here makes an attempt to achieve this contextualization, analyzing bodies, behaviors, and subcultures; ideas of the normative and the deviant; erotic representations and their discontents; gender role conventions; and state interests in policing behavior to accord with hegemonic social institutions. Sexual passion has no doubt always been with us, but it has not always meant the same thing.

PIETER M. JUDSON, *Swarthmore College*

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Isabel V. Hull. *Sexuality, State, and Civil Society in Germany, 1700–1815* (Ithaca: Cornell Univ. Press, 1996). Pp. 467.

Isabel Hull's superb new book analyzes the varied crosscurrents of social thought and state legislation about sexual behavior in Central Europe during the eighteenth century, a subject, region, and period about which we know far too little. Hull guides the reader with

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care and wit through a complex series of state interventions and customary popular attitudes about sex. She lays bare a variety of social meanings and uses of sex at the “birth of modernity,” when absolutist states and enlightenment officials vied with an increasingly independent civil society to define society’s sexual system. Hull focuses on the changing ways that sexual behavior was judged relevant to the public good from 1700–1815. But as the reader quickly learns, this question cannot be investigated simply by tracing changes in the public discussion of sex over time. The very notion of the public itself changed radically during her period, as did the agents and instruments of regulation. From the outset, Hull rejects the social disciplinary view that would have absolutist states imposing centralizing norms on local society, preferring a more mutually dependent model of state and society when it came to matters sexual. More often than not, the central state could do little more than enforce local norms. Hull also rejects the notion that absolutist codes violated the private sphere or were harder on women than on men. In fact, she argues that absolutist interventions, when they occurred, tended to establish gender equality in treatment and punishment due to the administrative dynamic of interchangeability that underlay bureaucratic rule.

A growing gap between harsh older codes and changing judicial practice at the local level created the perceived need to reconsider sexual codes in the early eighteenth century. Cameralists, who preferred to think in terms of raising consumption and production, rather than in more traditional terms of local subsistence, theorized desire as a generally positive characteristic shared universally, regardless of *Stand*. For these thinkers, the challenge to the state was to channel sexual desire (nature) in the direction of marriage (culture). Marriage itself traditionally constituted a privileged estate which only those who had obtained the requisite economic means might enter. The cameralists reconceived it in universalist terms. As a result, sexual behavior, previously a subject for state regulation only, was increasingly discussed in pedagogical terms. In addition to cameralist thinking and enlightenment legal reform efforts, Hull documents a third critical transformation: the rise of an independent civil society. What Hull calls the “practitioners of civil society,” the middle-class male activists who joined eighteenth-century voluntary associations and stimulated public discussion, increasingly viewed sexual behavior in terms primarily of the individual citizen and not the public good. Laying bare the veiled sexual and gender content of the new belief in equality among the practitioners of civil society (later “citizens”), Hull shows how the sexual drive became understood and celebrated as the mark of the independent, adult male citizen, and the veritable motor of society. Marriage alone could transform this potentially destructive drive into a civilizing force (love) to benefit family and society. If in the past economic maturity had been a condition of marriage, now male sexual maturity required marriage.

Hull deftly analyzes the public discussions of the major sexual concerns in the late eighteenth century: infanticide, masturbation, and marriage. She shows how both infanticide and masturbation symbolized the potentially bad consequences of a society increasingly organized around desire and consumerism. Masturbation was thought to produce every possible ailment associated with the supposed immoderation of the decadent aristocracy, including, of course, gender confusion. Ultimately it might prevent perfectly normal people from joining in marriage. Masturbation stood as a powerful warning against confusing legitimate consumerism with sybaritic behavior. In quite a similar way, the late eighteenth-century fascination with infanticide constituted a warning about unrestrained male sexual behavior. According to popular belief, infanticide involved the seduction and later abandonment of poor country maidens by rich or noble men. Unlike earlier discussions of infanticide which placed considerable blame on the sexual desires of women, the young girl was now imagined to have consented only to please the man, and because she believed his promise of marriage. Drawing on previous studies that document relatively low rates of infanticide during this period in Central Europe, Hull views the obsession with infanticide as a warning against the terrifying possibility that the newly free male citizen might choose not to marry. In these various discussions of sexual behavior which Hull believes “aimed to produce an economy of sexual pleasure commensurate . . . with social solidity and individual male freedom” (294), she locates the introduction of profound gender difference in the

conceptualization of female sexual natures, and the construction of a legally private domestic sphere. The practitioners of civil society marked off a realm they considered beyond the legitimate reach of the state, a private realm controlled by the male citizen. Yet relations among the denizens of that independent realm were ordered hierarchically. For their own reasons civil administrators were not unwilling to have civil society set private norms.

In her analysis of public discussions surrounding all these subjects (and the legislation they influenced), Hull carefully distinguishes the terms of these debates from those later debated. She also takes pains to distinguish between the overwhelmingly pedagogic character of the eighteenth-century literature on sexual topics such as masturbation and the far more medical character of the later nineteenth-century literature. Above all, she shows the reader some startlingly unexpected directions in which this complex combination of public discussion and state reform might lead enlightenment theorists. In her illuminating analysis of Feuerbach's reformed criminal codes for Bavaria (1813 and 1824), Hull demonstrates that by taking an enlightenment position to its logical conclusion, Feuerbach could demand the decriminalization of virtually all forms of consensual sexual behavior. Believing (with Kant) that morality must result from an individual's choice to act morally, Feuerbach therefore removed the state completely from legislating such choices for the individual. On the other hand, the rise of ideas in civil society about distinctive public and private spheres could lead in the opposite direction, and produce laws overly harsh on women, as with the attempt to apply the Napoleonic Code in Baden (1801–1820). In this case enlightenment bureaucrats had to intervene to modify the extreme gender inequality established by the code, an inequality derived from the legitimation of the male citizen's domination over the new private sphere.

The task of the reformed nineteenth-century state became, as Hull points out, to uphold the private norms of civil society, from which criminal and civil law were now perceived to have emanated. Above all, this legacy included official endorsement of a powerful new set of assumptions about gender differences, and the injunction that all citizens should be heterosexually active and marry. Hull is persuasive in pointing to the location of these sexual foundations of the nineteenth century, while insisting successfully on the distinctiveness of the period 1780–1815.

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LISA A. FREEMAN, *University of Illinois at Chicago*

**Emma Donoghue. *Passions Between Women: British Lesbian Culture 1668–1801* (New York: Harper Perennial, 1996). Pp. 314 \$13.00.**

First published in Great Britain in 1993 by Scarlet Press, Emma Donoghue's *Passions Between Women* seeks to "discuss the full range of representations of lesbian culture in British print between 1668 and 1801, in a variety of discourses, from the poetic to the medical, the libertine to the religious" (1). In this endeavor, Donoghue joins a number of literary critics and historians who, in recent years, have worked to expand our ability to recognize lesbian identities in literary and historical writings. To some extent Donoghue takes the work of Lillian Faderman (*Surpassing the Love of Men*) as a model for her historical survey. But she also notes, as have others, the serious shortcoming of Faderman's vision, most significantly the tendency for the model of romantic friendship to erase the potentially sexual nature of relationships between women. Donoghue calls for reexamination of what she terms the "rigid divisions between friendship and sex, social acceptability and deviance, innocence and experience" (1). Her study is devoted to demonstrating just how widespread and diverse representations—fictional and historical—were of lesbian bodies, lesbian practices, and lesbian cultures in eighteenth-century England. In short, she seeks to correct the misconception that lesbians were and are sexless women who settle for chaste but intense emotional bonds, and to argue instead that sexual interaction, even interpenetration, was at least one among many possible forms of expression in women's attachments to one another.