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«Cretins» and «idiots» in an Austrian Alpine valley
in the late 19th and early 20th centuries:
interests, social norms, and institutions involved
in the attribution of «imbecility»

Guðrun Hopf¹

On the basis of a regional case study, this article deals with the stigmatization of «mentally handicapped» people in the rural society of the Austrian Alps, using court files of persons who were placed under wardship because of «imbecility» or «feeble-mindedness». Proceeding from exemplary case histories, first the interests and strategies involved in the procedure of legal incapacitation and in the social environment's attitudes towards the «mentally disabled» are considered, and second, the different concepts of normalcy and deviation of the local population, the authorities, and the medical experts. In the region under question, peasant inheritance strategies as well as a collective interest of the peasant class in cheap labour were apparently causal factors of the attribution of «imbecility».

Fondée sur une recherche régionale dans les archives judiciaires relatives aux personnes placées sous tutelle pour «imbécillité» ou «faiblesse d'esprit», cette étude traite de la stigmatisation de personnes handicapées mentales dans la société rurale des Alpes autrichiennes. À partir d'études de cas exemplaires, l'auteur étudie d'une part les intérêts et les stratégies engagés dans la procédure judiciaire en question, ainsi que dans les attitudes du milieu social à l'égard des «handicapés mentaux», et d'autre part les différentes conceptions de la normalité et de la déviance au sein de la population locale, chez les autorités et les experts médicaux. Dans la région en cause, les stratégies successorales et l'intérêt collectif de la paysannerie dans une main-d'œuvre bon marché, semblent avoir été les causes de l'étiquetage comme «imbécile».

Mental disability is a phenomenon usually considered to be marginal to both historical and present societies, and apparently to social history, too. While there are several studies on psychiatry, psychiatric patients, and insane asylums, there are only a few treatises on the social history of the disabled in general, and next to none on that of the mentally disabled in particular. It is not the exotic touch,

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though, that led me to investigate into this topic. Apart from its undoubted contemporary relevance (however marginal the group concerned), I have been influenced by the idea that, as is the case with other marginal social phenomena such as infanticide, it «offers a good example of how the apparently marginal may be a gateway to the deeper puzzles of a culture»². However, the phenomenon was not so entirely marginal to the particular culture I am interested in, the «servant-keeping society» (*Gesindegesellschaft*)³ of the Inner Alps.

My research is based on a case-study of the Alpine region around the community of Oberwölz, district of Murau, Upper Austria⁴. I chose this district because of its remarkably high rates of «handicapped» people evidenced in late-nineteenth-century census lists⁵, which also seem to correlate with other economic and social patterns peculiar to the Inner Alps. Characteristic for the region were large peasant holdings with impartible inheritance, the predominance of cattle-breeding, and a considerable number of servants. Since the peasants usually kept their holdings until they died (which was possible because of the large numbers of servants who relieved them from physical work in their old age), and the heir – usually the eldest son – could not marry until he succeeded his father into the property, mean age at first marriage was very high even within the context of the so-called «European Marriage Pattern»⁶: over 30 for men and around 27 for women⁷. Moreover, the proportion of life-long unmarried persons was among the highest in Europe, or maybe in the world: in the Murau district, in the eighteen-eighties it amounted to some 50 per cent⁸. This high proportion of never married was due to the fact that the regional society was a marked «servant-keeping society». In Central and Western Europe, domestic service was customarily linked to celibacy, and contrary to other European regions where it was only a life cycle phase, in the Austrian Inner Alps we additionally encounter the exceptional type of the «life time servant»⁹. These structures resulted in extraordinarily high illegitimacy rates: in the late nineteenth and early twentieth centuries, about one half of the children in Murau were born out of wedlock¹⁰. In this respect, the district was, among all European regions, second only to St. Veit an der Glan (Carinthia), the illegitimacy rate of which came to nearly 70 per cent¹¹. Most of the «life time servants» were either residual heirs (non-inheriting younger children of the peasant land-holders), or the illegitimate offspring of farm servants. None of these patterns changed substantially until the nineteen-twenties, meaning that we can speak in terms of the «long nineteenth century».

² Rebel (1993, p. 15).

³ Mitterauer (1986, p. 198).

⁴ Oberwölz is the capital of one out of three court districts in the political district of Murau.

⁵ In the district of Murau, according to the census of 1880, 2.7 per cent of the population were «handicapped» («blind», «deaf-mute», «imbecile», or «insane»), which was nearly four times as high as the average rate for all Austrian rural districts (0.7 per cent): Ortmayr (1992, p. 372).

⁶ Hajnal (1965).

⁷ According to a family reconstitution for the Upper Styrian community of Weichselboden in the late nineteenth and early twentieth centuries compiled by H. Keiter, cited in Ortmayr (1995, p. 52).

⁸ Ortmayr (1995, p. 51).

⁹ Ehmer (1991, p. 127-130).

¹⁰ See, for instance: Schimmer (1876, p. 169); Statistisches Handbuch (1912, p. 12-15).

¹¹ On illegitimacy in the Inner Alps, see: Mitterauer (1979); in Europe: Mitterauer (1983); worldwide: Laslett *et al.* (1980).

This article focuses on interests and strategies involved in the process of stigmatisation, and in the social environment's attitudes towards the «mentally disabled», as well as on social constructions of normalcy and deviation. I shall ask which social groups and institutions – such as family and kinship, the neighbourhood, local authorities, or medical experts – had the power to define who was «normal» or «mentally sane», and who was not. Concerning the process of stigmatisation and marginalisation, I shall examine both how this process started and developed, as well as to whose benefit it worked, and whether there were any deliberate strategies involved. In addition, I shall investigate the social and cultural criteria that made an individual an «imbecile». In doing so, I make three main assumptions: first, that a «handicap», be it mental or physical, is not in itself constituted by specific symptoms, but is a social phenomenon. Second, that this «handicap» does not form an «anthropological constant» over space and time, but depends on cultural factors. Third, that the ascription of so heavily stigmatising an attribute as «imbecility» leads to the whole personality being viewed in this way, such that the stigmatised individual is no longer seen as, for example, a farm-hand who happened to be «imbecile», but as an «imbecile» person who was a farm-hand¹².

On the basis of curatorship files from the local court at Oberwölz, I will deal with persons who had been placed under wardship because of «imbecility» or «feeble-mindedness» (*Blödsinn* or *Schwachsinn*)¹³. These files were kept by the local court in its function as a curatorship office. In addition to medical certificates, the recorded statements of relatives, neighbours, or employers who had been interrogated as informants, and court decrees, the files contain documents of different kinds and quality dealing with the further life courses of the individuals in question. In many cases they also deal with their lives before legal incapacitation, because some of them had had guardians by judicial appointment, having been minor illegitimates or orphans. It is possible to (re-)construct in part the life-stories of the incapacitated on the basis of this evidence, combined with probate inventories¹⁴ connected to the individual cases, which makes possible a profound qualitative analysis.

I. – INTERESTS AND STRATEGIES

To start with, we will look at the procedure of legal incapacitation. In most cases the process of stigmatisation probably started much earlier than that procedure,

¹² Compare: Goffman (1967).

¹³ Steiermärkisches Landesarchiv, Bezirksgericht Oberwölz (hereafter cited as: StLA, BGO), Pflückschaftsakte (signature: P). The curatorship files (*Kuratelsakten*) are only one part of this stock of sources which contains also guardianship files. From 1896 to 1914, 12 cases there have been preserved, some of their contents partly reaching back as far as to the early eighteen-eighties: P 21/1899, P 42/1900, P 57/1901, P 30/1902, P 27/1903, P 28/1903, P 29/1903, P 30/1903, P 38/1904, P 29/1905, P 18/1906, and P 140/1908. Except for 1903, it seems that from 1899 to 1908 one case per year was preserved almost as a rule, the rest probably having been thrown away, for in some of the files we have evidence of other curatorship files which no longer exist. From 1909 on, no more curatorship files are preserved.

¹⁴ StLA, BGO, Verlassenschaftsakte (signature: A).

which was initiated at the earliest when the persons in question reached their majority (at that time, 24 years of age). But because of the sources being used, incapacitation is in any case the central theme of this article and hence requires a proper explanation¹⁵. It appears to be the case that the incapacitation procedure was usually initiated by relatives or other individuals with personal interests. After that, the community was ordered by the local court to name persons who could give reliable information on the mental state of the person in question. These informants were then questioned and afterwards the individual to be incapacitated was summoned before the court, in the company of an other person, in order to undergo a medical examination. If the two medical experts appointed by the court unanimously judged the individual in question to be «feeble-minded» or «imbecile», the incapacitation was decided upon. But we have evidence that the initiation of a court procedure did not always lead to incapacitation, nor did the medical examination always conclude with a «positive» verdict (i. e. the declaration of «imbecility or «insanity»)¹⁶. We can thus assume that, though the local court may sometimes have *prevented* an incapacitation, it could not easily *force* such a conclusion if there was nobody to initiate the legal procedure. If this is true, then the authority of the medical experts in judging whether someone was «normal» or not was actually quite limited, given that they were not called upon until the legal procedure had already started. It was therefore the social environment – that is to say, family, relatives, neighbours, and probably to some extent the mayor – who first ascribed the attribute of «imbecile» to someone¹⁷. We shall therefore begin with an investigation into the particular interests of these groups or individuals, using a few case histories.

A. – TWO CASE HISTORIES

1. Helene Fürst: on the fringes of society

Helene Fürst¹⁸ was a peasant land-holder's foster-daughter, born illegitimately in 1870. She was placed under wardship in 1903, a few months after her foster-father's death. Of her birth and kinship we know nothing other than her unwed mother's name, Katharina, and that her birthplace was Salchau, the village where her foster-parents had their farm. Her mother may have been a farm-maid.

¹⁵ Since I am mainly interested in social aspects, I have not so far analysed normative sources such as laws, but will proceed solely on the evidence given by the court files.

¹⁶ StLA, Archiv der Stadt Oberwölz (hereafter cited as: StAO), 12/020-6 (incapacitations): The cases of Rupert Siebenhofer (Sept. 1892) and Mathias Kowatsch (April 1900) (the material is not paginated). This evidence is very casual, though, and does not contain much information. Unfortunately the original incapacitation files (*Entmündigungsakten*) of the Styrian local courts, which probably also contained the rejected cases, have not been preserved.

¹⁷ Kaufmann (1990, p. 187) has come to a similar conclusion for the definition of «insanity» in rural Germany in an earlier period: «In the first half of the 19th century, (...) the definition of which kind of conduct was «mad», «mentally confused», or «insane» (...) was still exclusively decided upon by relatives and neighbours, that is, by the sick person's social environment». (Translation from German: G. H.) She also states the mayor's important role in such affairs (*ibid.*, p. 203).

¹⁸ StLA, BGO, P 27/1903 and A 102/2 (probate inventory Georg Leitner).

Her foster-father Georg Leitner and his wife, who had obviously had no children, sold their holding (named «Seinzer») in 1888 to one Leopold Leitner (who in spite of his surname was probably no relation, or at least not an eligible heir), and retired to the *Ausgedinge* (retirement institution)¹⁹. In the same year, Helene gave birth to an illegitimate child. It was probably shortly after her foster-parents' retirement that she left their house and started working as a farm-maid, or occasionally as a day-labourer. She changed employment often, up to five or six times a year, which was not at all characteristic for rural servants. Since she was not regarded as a fully capable worker she usually received no wages, only board and lodging and the simplest clothing necessities. But on the other hand she was never unemployed. In 1896 Georg Leitner made an oral will in which he left to his foster-daughter a legacy of 240 Kronen, leaving the unnamed rest of his property to her illegitimate son Mathias, who was Georg Leitner's ward. But when Leitner died in 1902, there was apparently no property left.

The purchase price of the «Seinzer» holding had been paid in instalments, as was the custom in such cases, and by the time of Georg Leitner's death there was a residual amount of 590 Kronen which the purchaser still owed him. But the new holder Sebastian Leitner, who had taken over the «Seinzer» farm after his father Leopold's death in 1901, produced an account proving that not only did he not owe anything to the heirs, but that on the contrary, the deceased had left a small debt of some 25 Kronen. Apart from the costs for medical treatment and the funeral, and an amount which he said he had given to Georg Leitner without having received a receipt, he charged the deceased with the costs for his maintenance from the day of Leopold Leitner's (the original purchaser's) death onwards. The fact that the total of what he placed on account amounted to roughly what he had owed arouses the suspicion that he had deliberately concocted the bill in order to spare himself the necessity of paying off the heirs-at-will. It was, so to speak, a favourable set of circumstances for the inheritance debtor that one of these heirs was an under-aged child, and the other regarded as an «imbecile» not capable of attending to her own affairs. The persons appointed by the court as trustees *ad actum* (which means: temporarily and for a special purpose) to act on behalf of Helene Fürst and her son Mathias in the course of the inheritance proceedings were propertied peasants from the neighbourhood, and they confirmed Sebastian Leitner's account.

The first to describe Helene Fürst as imbecile and incapable of an autonomous administration of her fortune were the witnesses to Georg Leitner's will. But it was Sebastian Leitner himself who applied for her to be immediately placed under wardship. When it turned out that there was nothing left to be inherited, however, the trustees *ad actum* expressed the opinion that as she had no fortune, and could not expect one either, they held it unnecessary to place Helene under wardship. Yet in the end she was incapacitated, all the same. The incapacitation procedure went rather quickly. Since nobody seemed to know her well enough to give evidence of her mental state, Sebastian Leitner was the only person interrogated on this matter.

¹⁹ An *Ausgedinge* usually meant that the former holders went on living on the farm and were granted lifelong board and lodging by the new holder, which was part of the purchase price. In the inner Alps the *Ausgedinge* was not very common, though – see, for instance: Mitterauer (1979, p. 141-142).

After a short examination by the medical experts (the records give the impression of this examination having been quite casual), she was declared «imbecile». Sebastian Leitner was appointed her guardian – and the guardian of her son Mathias as well.

Before we analyse this case history in more detail, we will look at another one which shows certain parallels, despite being very different in many other respects.

2. Leonhard Pichler: an heir-presumptive disinherited?

Leonhard Pichler²⁰ was a wealthy peasant's son, born in 1867. He was incapacitated because of «feeble-mindedness» shortly after his father's death in 1899, when he was 32 years of age. Since he had no other living siblings apart from an elder sister, who by that time was married to a peasant in a neighbouring village, it can be assumed that under «normal» circumstances he would have eventually succeeded his father into the property. But in his last will, Filipp Pichler had made his widow Maria his main heiress (which was not uncommon in Styria²¹), leaving his son and daughter with residual portions of about 2000 Gulden each²². Leonhard went on living on the parental farm, working as a farm-hand. Although the sources do not give us any information as to who took the first steps towards Leonhard's incapacitation, it seems very likely that it was his mother. His sister, Elisabeth Plank received her portion (most of which she had in fact already received by the time of her marriage), whereas Leonhard's claim was registered in the land register, his mother being obliged to pay him four per cent interest a year. Part of the interest was to be deposited at court and partly given to him as an allowance. But as Maria Pichler argued that her son was often ill and not entirely fit for work, to the extent that he could not earn a proper living, she was allowed to keep the greater part of the interest against the costs of his support. In 1902, she had the non-related guardian (a land-holder from the same village) replaced by her own brother, who had become a land-owner by that time. After that, she and the new guardian were released from providing accounts of Leonhard's fortune, because they declared unanimously that he did not work and that therefore the entire interest would be needed for his clothing.

When Maria Pichler died in 1907, her grandson Karl Plank, Leonhard's nephew, succeeded her into the property, while Leonhard again inherited a residual portion, which was registered like his previous patrimony. Shortly afterwards, he left his birthplace and started working as a farm-hand for other peasants, changing employment yearly, as was the custom with rural servants. He worked for low wages, because he was not regarded as a fully capable farm-hand, but he had apparently no problems with his employers. When he was employed by his uncle and guardian Franz Krenold, though, a conflict arose which throws a significant light on the whole story. After a few months, Pichler left his uncle's service because of rough treatment, went to the local court and, with the aid of the local

²⁰ StLA, BGO, P 21/1899.

²¹ See: Mitterauer (1986, p. 314).

²² One *Gulden* was the equivalent of two *Kronen*.

Waisenpfleger («guardian of the orphans»)²³, asked for a new guardian. This is the first time that we encounter Leonhard Pichler as an individual actor. While his mother was still alive, he had appeared in court with her on several occasions, but had apparently been incapable of saying anything. Now he was pleading before the authorities on his own, albeit assisted by a confidant, and was given justice: Johann Gugganig, who was apparently the son and follower in property of Pichler's former guardian Josef Gugganig, was appointed.

When this is viewed together with the fact that it was not until his mother's death that Leonhard had started to live independently, it seems reasonable to conclude that his mother had intimidated him and kept him under her thumb. Moreover, it is apparent that Pichler had no problems in finding work, yet all the while had problems coming to terms with his relatives. A couple of years later, he again appeared in court because of a conflict, this time with another relative. He had been living in his sister's house, but had left her after a short time and moved to a non-related peasant, because, as he stated before the court, his sister did not treat him well and paid him no wages, although he was forced to work hard. The case came before the court because his guardian wanted him to return to his sister, which Leonhard refused to do.

In 1919, twenty years after Leonhard Pichler had been placed under wardship, his incapacitation was altered to a restricted one (a legal possibility that did not exist before) at his guardian's initiative. The main arguments leading to the alteration were that he was a diligent worker, able to deal with small sums of money without wasting them, and was quite aware of the matters of his daily life. In the court decree it was also stated that he had been placed under wardship merely because of his large fortune²⁴. His new legal status was that of an under-aged mature person (*mündiger Minderjähriger*), who was allowed to control his own income and the interest of his fortune. It was also acknowledged that he could decide on his own where he wanted to live and work, which in fact he had already been more or less allowed to do previously.

What emerges from these two case histories are the following points:

- (a) the motive for incapacitation was in both cases an inheritance, in which the respective initiators of the legal proceedings had major personal interests. This suggests that the incapacitations formed part of their strategies of inheritance.
- (b) the most striking point in the Pichler case is Leonhard's bad relationship to his next of kin, or to be more precise, his relatives' exploitive attitudes towards him. It seems that the latter were mainly interested either in his money or his free labour, sometimes both. It should also be noted that the court was obviously disinclined to look further into the circumstances within a wealthy peasant family, once the incapacitation had been imposed.

²³ An honorary post in the community, comparable to a guardian of the poor (*Armenpfleger*).

²⁴ «His feeble-mindedness was not such that he was completely incapable of managing his own affairs, but had merely such a degree as to render it advisable to put his large trust under legal custody.» (*«Sein Schwachsinn war (...) nicht derart, daß er ganz unfähig war seine Angelegenheiten selbst zu besorgen, sondern hatte nur einen solchen Grad, daß es angezeigt war sein großes Pflegschaftsvermögen unter gerichtliche Obhut zu nehmen (...)»*). StLA, BGO, P 21/1899 fol. 94.

- (c) Helene Fürst, on the other hand, was merely an illegitimate child of uncertain descent, completely lacking the protection of a respectable kinship. When her foster-father died, she clearly had nobody to safeguard her interests against those of her more prominent inheritance debtor. Presumably, the neighbours involved in the case were all too ready to help Sebastian Leitner, a land-holder like themselves, to get a couple of undesired bastard heirs out of the way.
- (d) Both Pichler and Fürst were working as rural servants. They had no difficulty finding employment, but worked for low wages, or nothing at all. It can be assumed that their abilities were deliberately underestimated, which would of course have been to the advantage of their peasant employers.
- (e) As for the act of incapacitation itself, there is evidence in the two cases that both the local population and the court considered that an incapacitation was necessary only if there was at least a small fortune to be held in trust.

B. Peasant inheritance strategies and family interests

Hermann Rebel has shown that, from the second half of the eighteenth century onwards, when legal reforms in the Habsburg Monarchy «greatly expanded the number of eligible heirs beyond the, until then customary, circle of spouse and children» – the new rulings recognising, for instance, also «claims on the mother's inheritance by even illegitimate children» –, the inheritance politics of Austrian peasant householders in regions with impartible inheritance aimed at reducing the number and portions of residual heirs in order to «limit the damage to their control of inheritance funds». He has argued that infanticide was «clearly one option» for achieving such reductions, and that even though it was not the only or the main option, «infanticidal practices remain central to any such discussion because they appear as the initiators of those processes of selection and destruction in families that were demonstrably among the fundamental characteristics of the Austrian social system under the ancien regime»²⁵.

I would argue that the attribution of «imbecility» – including an eventual incapacitation – was most likely a more sophisticated method of reducing the number of eligible heirs, which seems to have been developed in the course of the nineteenth century and which certainly fits in with a context of «selection and destruction».

The disbursement of residual portions was largely linked to marriage arrangements, the portions of unmarried siblings usually remaining with the holding²⁶. Therefore, it would have been of vital interest to peasant land-holders to deny access to marriage to residual heirs. The high proportion of life-long unmarried persons in the region has already been mentioned; we can assume that it was due partly to such inheritance politics. Physically or mentally «handicapped» children or siblings were not supposed to marry at all, meaning that the holders would never be obliged to pay them off. Declaring daughters and younger sons, or the daughters'

²⁵ Rebel (1993, p. 18-20).

²⁶ See, for instance: Schlögl (1988, p. 354).

illegitimate offspring, as «idiots» was thus an effective way of preventing them from claiming their portions. I do not mean to suggest that all forms of mental disability in this region were simply the results of intentional acts of attribution, but it does seem that at least *some* of the region's «imbeciles» were victims of their families' inheritance strategies.

Whereas in the other instances of incapacitation, there were elder siblings to inherit the holdings, Leonhard Pichler's only living sibling, who was his senior by two years, was already married to a peasant by the time of their father's death. One would normally assume, therefore, that Leonhard was the heir presumptive, rather than a residual heir. As has already been mentioned, leaving the farm to a widow was not uncommon among peasant holders, and there is no indication that Leonhard's father intended that his son be incapacitated. From all we know about Leonhard (and we know quite a lot, because his court file is especially voluminous), it seems that he was perhaps a little slow of thought, but certainly not what we would call «mentally handicapped». Why was he placed under wardship, then? Admittedly, we cannot rule out the possibility that his father wanted to prevent a son whose intelligence he did not rate highly from taking over a large and wealthy holding. Yet when we examine the facts of the case, we should definitely begin by asking who was likely to benefit from Leonhard's incapacitation.

It was certainly an advantage for Leonhard's mother to prevent him from marrying, because that would have obliged her to pay him off, or even to hand over the farm. And she must have been interested in preventing him from leaving home as well, because she obviously took advantage of his free labour²⁷. She kept him as a servant, not paying him wages and, as far as was possible, denying him the interest she owed him for his paternal portion, claiming the money for his maintenance and clothing. She argued that he was scarcely capable of working, a point we can neither verify nor falsify, but can at least open to doubt, considering that we have evidence that later on he worked as a farm-hand for non-related peasants, and earned wages, even if they were comparatively low.

Moreover, she was interested in controlling her son's fortune as well as his actions. The arguments she put forward when successfully applying for his non-related guardian to be replaced by her own brother are, in my opinion, highly significant: she complained that Josef Gugganig (the guardian) encouraged Leonhard, a wealthy peasant's son, to pay for his boon-companions' beer in the public house; this also induced him to drink himself, which was bad for him²⁸. If this

²⁷ There is a parallel to such interests in deliberate ascription of «imbecility»: In Swabia, a region with partible inheritance, it is said to have been the custom with peasant parents to make one daughter deliberately dull (with the aid of alcohol or poppy) in order to tie her to the house, such that she would take care of her parents when they had grown old without making any demands: Ilien, Jeggle (1978, p. 76).

²⁸ «The latter, following his own views and way of living, seeks to induce my son, as a wealthy landowner's son, to pay his boon-companions' beer in the public house, whereby he is inveigled into drinking himself, which, given his mental state and physical condition, can only be unwholesome for him». (*«Derselbe sucht, entsprechend seinen Ansichten und seiner Lebensführung meinen Sohn zu bewegen, daß er im Gasthause als wohlhabender Grundbesitzerssohn seinen Zechgenossen Bier*

story is true at all, Leonhard's standing rounds was most likely a way of being at least partly accepted in spite of his stigma, which meant that his mother feared him slipping out of her hands. But apart from that consideration, such an incident must have been welcome to her: it gave her an opportunity to complain, and she would probably have been inclined to have her brother made her son's guardian anyway. It seems that she took advantage of the new situation, for she and her brother managed to convince the court that Leonhard needed the whole of his interest for his maintenance, meaning that they were released from their duty to render accounts of their trusteeship.

Yet this shows one great disadvantage of legal incapacitation for those who had personal interests in it: whilst the attribution of «imbecility» to the «dispossessed»²⁹ clearly lay within the peasant holders' interests, at the same time an incapacitation meant that the inheritance claim of the incapacitated was subjected to the local court's control. This is probably the reason the family sometimes tried to prevent an incapacitation, as is suggested by the evidence from two cases, both of them peasant's children: in the first case, Josef Reif, a peasant's youngest son, had been under guardianship after his father's death and was therefore known to the court. He was placed under wardship against his brother's (the farm-keeper's) will when he reached majority, the incapacitation procedure having been initiated by the local *Waisenpfleger*³⁰. In the other case, Magdalena Perchthaler was incapacitated at the age of 34 on the occasion of a legacy received from her deceased uncle. It was her aunt-in-law, her childless uncle's general heiress, who initiated the incapacitation proceedings. Her brother argued – in vain – that Magdalena, though slightly mentally retarded, had already inherited earlier on without someone having held it necessary to place her under wardship. Her paternal portion had been registered, without her or her siblings charging their mother, who had succeeded her deceased husband into the property, with the interest that they could claim for. A legacy from another uncle had been deposited on a deposit book which her mother was keeping for her³¹. In both cases, the persons in question were living at home at the time of their incapacitations, working as farm-hands without wages. Their families had no obvious reason to have them incapacitated, because they were known to be «not quite normal», and would not claim for their residual portions. In these instances, the incapacitations forced from outside deprived the householders of the control over their «not quite normal» brother's or daughter's inheritance claims.

Once an incapacitation was imposed, one possibility of regaining control over the incapacitated's fortune was a contract for life-long maintenance, which left the interest from the trust at the provider's disposal, the trust itself passing to his or her possession after the charge's death. In five of the twelve cases under question the incapacitated's relatives made use of this possibility. One of these cases is especially

bezahlt, wodurch auch er selbst zum Trinken verleitet wird, was ihm mit Rücksicht auf seinen Geistes- und Gesundheitszustand nur schädlich sein kann.» StLA, BGO, P 21/1899 fol. 19.

²⁹ An expression used by Rebel (1993) as a collective term for residual heirs.

³⁰ StLA, BGO, P 30/1902.

³¹ StLA, BGO, P 140/1908; A 425/1895, A 60/1904, A 72/1908.

significant: in the case of Franz Mayer a non-related peasant, who was Franz's employer, intended to make a contract for maintenance, which his family hindered, arguing that Franz was fit for work and would still be so for many years (he was approximately 30 by then). The family was certainly not interested in assigning Franz's inheritance claim to a stranger. Yet a couple of years later his relatives made such a contract themselves³².

Aside from the aspect of financial control, the court does not appear to have properly scrutinised the families' attitudes towards their «handicapped» members. Or, more likely, since there were annual written inquiries into the circumstances of the incapacitated persons, which had to be answered by the village authorities, it was the latter who seemingly turned a blind eye to abuses within peasant families. To my mind, it seems clear that social control – be it acted out by the neighbourhood, the village community, or the local authorities – largely stopped at the borders of peasant family life; or, in other words: a «handicapped» person's family was much less the subject of public control than non-related employers or fostering parties, which left the families every opportunity to exploit their «handicapped» relatives.

C. – COLLECTIVE INTERESTS OF THE PROPRTIED PEASANT CLASS

1. Social inequality and social reproduction

The case of Helene Fürst is rather different, however. She was an illegitimate child without legal inheritance claims, she and her illegitimate son having been made heirs-at-will by her foster-father. As was indicated above, she had no relatives to act on her behalf. There is no indication whatsoever of her foster-father having considered her incapable of managing her own affairs; on the contrary, he had intended to leave to her a fair legacy without stating that she should be placed under legal protection (which was, after all, one function of incapacitation). But because she probably lived on the fringes of local society, it was apparently all too easy to stigmatised her once her protector had died.

Aside from the assumed inheritance strategies, this might be another reason for the comparatively large number of «mentally handicapped» persons in the region: there was a large fringe population consisting mainly of the illegitimate children of farm-maids, and former life-time servants who, when they had grown old and were no longer capable of working, were dependent upon poor relief. The latter were customarily supported by local communities in the form of the so-called *Einlege*, which meant that they were handed round from farm to farm in a fixed order, remaining in each place for a period lasting from a couple of days to several weeks (depending on the size of the holding), and receiving board and lodging from the peasant holders. Provided that they were still capable of carrying out lighter tasks, they were obliged to do so in return. They usually slept in the stables, and at mealtimes had to sit apart from everyone else, for nobody wanted to come into too

³² StLA, BGO, P 28/1903.

close contact with them³³. These propertyless individuals were probably more easily stigmatised than those who were socially integrated³⁴. The Oberwölz census lists indicate that only members of this fringe population – mainly *Einleger* and poorhouse inmates – were registered as being «handicapped»³⁵.

Another striking point about the Fürst case is the fact that Helene Fürst's and her illegitimate son's trustees in the inheritance proceedings clearly took the side of the inheritance debtor, Sebastian Leitner. They were all too ready to confirm Leitner's account without so much as asking for reliable evidence. It was landed peasants, like the testator's witnesses, who had first suggested Helene's being incapable of managing her own affairs. It can be supposed that they all thought that Georg Leitner's favouring his illegitimately born foster-daughter and her equally illegitimate son amounted to an assault on peasant property rights, endangering a custom which worked in their own interest. They would not have their own deceased daughters' or sisters' illegitimate children succeeding them into their inheritance if it could at all be avoided, much less recognise the claims of a non-related bastard. Probably this was the reason why they supported Sebastian Leitner's arguments.

There is evidence for the district of Murau and the neighbouring district of Judenburg, from 1882, that on the large peasant holdings the farm-maids' illegitimate children were readily kept as foster-children (even if their mothers left service), because rearing them did not cost much, especially in large households, and later on they became cheap servants who were closely attached to the house³⁶. Viewed together with the fact that the unwed mothers themselves were often the illegitimate offspring of farm-maids, this suggests a social functionality of illegitimacy as «a persistent pattern of social reproduction of a «bastard group» over time, which provided a key source of cheap labour for the wealthy and the landed without posing a threat to the bulk of the hamlet's patrimonies»³⁷.

2. The interest in cheap labour

Another «key source of cheap labour», even if it provided fewer workers, appears to have been formed by the «mentally handicapped». There is evidence for «mentally handicapped» people having been positively sought after as agricultural workers in late-nineteenth-century rural Austria because of their unpretentiousness and efficiency³⁸.

³³ Ehmer (1990, p. 36-37).

³⁴ In her case-study on «insanity» in the rural society of Westphalia (Germany) during the first half of the 19th century, Kaufmann (1990, p. 198) came to the conclusion that tolerance of deviant behaviour essentially depended on the «conspicuous» individual's social status, and that individuals not integrated into kinship networks were very easily stigmatised as being «dangerous to public safety».

³⁵ StLA, StAO, 13/022-1: Volkszählungen Oberwölz Stadt, 1880 and 1890.

³⁶ Zwiedineck-Südenhorst (1895, p. 176).

³⁷ Viazzo (1986, p. 120).

³⁸ Hofmüller, Stekl (1982, p. 13).

Nearly all of the twelve persons in question had been working at least temporarily as rural servants, but they worked for low wages, or nothing at all. In several cases we find statements by their peasant employers, and by their relatives as well, proving that they were used mainly for heavy labour, but were regarded as inferior workers – the common argument being that they were not fit for responsible work – and therefore not paid, but only given board and lodging and the simplest clothing necessities. Most significant in this respect is the statement of one of Leonhard Pichler's former employers, recorded in the course of the proceedings leading to a restricted incapacitation: he stated that Leonhard had been in his service for two years, and that he had been fully content with him, but had paid him low wages because Leonhard wasn't fit for every kind of work. In the same statement, however, the peasant said afterwards that Leonhard was fit for almost any kind of work and, although not equalling a full farm-hand, he was not much inferior³⁹. The contradiction in this statement is evident, and the purpose easy to identify: to justify the low wages he had been paying, the employer (like many others in similar situations) argued Leonhard's alleged inferiority. On the other hand he was pleading in favour of Leonhard, whose incapacitation was about to be restricted, such that in the further course of his statement he felt obliged to emphasise Leonhard's abilities.

In general it seems that, according to the local custom, a mental or physical «handicap» sufficiently justified the employer in paying a servant low wages. Sometimes these employers even posed as public benefactors, as is indicated by an Oberwölz example concerning a physically «handicapped» farm-maid: She had been sent to hospital because of a chronic foot ailment, and her employer refused to pay the bill, which he would have been obliged to do. He argued successfully that he had employed her in spite of her disease, preventing her from being thrown upon poor relief, such that he spared the community the costs for her support⁴⁰. There is no indication of the amount of her wages, but I suppose that they were low, and that her employer profited from this fact.

Peasant holders probably also took advantage, to a certain degree, of housing the so-called *Einleger*, who were, as has been indicated above, obliged to help on the farm as far as they still could. But it was certainly more profitable to engage servants who were in full possession of their physical strength without being obliged to pay them the usual wages, which was the case with those who were (or were said to be) «mentally handicapped». Therefore we can assume that not only was the value of a «mentally handicapped» servant's efficiency deliberately underestimated as a rule, but the attribution of «imbecility» or «feeble-mindedness» to rural servants, or even to children who were supposed to become servants later on, lay generally within the wealthy peasants' collective interest.

³⁹ «The wages were low, of course, because he is not fit for every kind of work after all». («*Der Lohn war allerdings ein geringer, weil er ja zu allen Arbeiten nicht fähig ist (...)*».) – «He is fit for almost any kind of work. Of course he is not like a full farm-hand, but he does not fall off much.» («*Er ist fast zu allen Arbeiten fähig. Er ist zwar nicht wie ein vollwertiger Knecht, doch läßt er nicht viel nach.*»). P 21/1899, annex: L 4/1919, fol. 3 and 3'.

⁴⁰ Wiesenberger (1984, p. 136).

D. – FINANCIAL CONTROL AND THE ROLE OF THE AUTHORITIES

As has been indicated above, the local court appears to have been quite unheeding of peasant families' attitudes towards their incapacitated members, save for financial control. In fact it seems that incapacitations because of «imbecility» or «feeble-mindedness» were imposed mainly for financial reasons as a rule. We have seen that, in the Pichler case, it was finally stated that Leonhard had been incapacitated merely because of the large size of his paternal portion, and in the Fürst case the peasant neighbours acting as Helene's and her son's «trustees *ad actum*» expressed the opinion that since she had no fortune, it was unnecessary to place her under wardship. Actually there was at least a small fortune or inheritance portion in ten of the twelve cases examined. The two remaining cases were that of Helene Fürst and of another woman, who should have inherited a paternal portion, but came away empty-handed because her father's property had been heavily encumbered⁴¹. Although there is evidence from the community archive of obviously propertyless people having been incapacitated as well⁴², it is conceivable that these cases may also have had financial backgrounds – for instance rather unexpected inheritance claims like that of Helene Fürst.

Aside from apparently being the main reason for imposing an incapacitation, it is clear why financial aspects were the local court's prevalent concern: in its function as a curatorship office it was the duty of the court to hold the incapacitated's fortunes in trust, which required a great deal of administrative work, such that other concerns were neglected, or at least the court did not interfere unless it was appealed to.

The state did apparently not interfere either, the whole affair lying within the responsibility of the local court. Its role was more or less confined to a registration of «handicapped» people in sanitary statistics and censuses, which were argued to serve for ascertaining the demand for institutions such as special schools, asylums, etc., but were actually not particularly successful⁴³.

As for people whose support was the responsibility of the local community, the Styrian provincial government could decide upon the adequate manner of maintaining them, and sometimes did so – even against the local authorities' will – by sending them to an «invalid asylum» (*Siechenhaus*). This often led to serious financial quarrels, because the funds for maintenance in these institutions had to be provided by the local community. In these quarrels, the district authorities appear to have taken the side of the community rather than that of the provincial government⁴⁴.

⁴¹ Theresia Lenz, P 29/1905 and A 76/1904 (probate inventory Georg Lenz).

⁴² StAO, 12/020-6 (incapacitations), and 51/400-0/2 (register of the poor).

⁴³ Compare: Bolognese-Leuchtenmüller (1978, p. 150-155).

⁴⁴ On this score, I have viewed a sample of files on persons admitted to governmental invalid asylums, comprising mentally or physically disabled as well as old people: StLA, Rezens, VI, 8, 1876 and 1877.

II. – CONCEPTS OF NORMALCY AND DEVIATION

We now turn to the criteria according to which an individual was classified as «feeble-minded» or «imbecile». The incapacitation records (enclosed in the curatorship files) will allow us to analyse the different criteria, interpretations, and judgements of the local population, the court officials, and the medical experts.

It has to be stated first of all that a distinction was made between «imbecility» (*Blödsinn*) and «feeble-mindedness» (*Schwachsinn*), the latter being regarded as less severe, but that this distinction was not at all clear. In the case of Franz Mayer, for instance, the local judge as well as a peasant informant stated that he was not entirely «imbecile», but merely «feeble-minded». According to the medical certificate, however, he was «completely imbecile» (*total blödsinnig*)⁴⁵. In six of the twelve cases examined the diagnosis was «feeble-mindedness», in five cases «imbecility», in one case it is missing. If compared to the case histories, the diagnoses appear to have been quite at will. Yet it is remarkable that three of the four women concerned were classified as «imbeciles», while only two out of seven men (the eighth is missing) were thus classified, which points to a different rating of the sexes by medical experts. For the local population both expressions were probably equally uncommon. When they appear in the informants' statements, as in the Mayer case cited above, we may assume that the peasants were either prompted by an exceptional situation to use expressions outside their usual vocabulary, or merely repeating words they heard in court, or even that the court secretary put the words into their mouth. A local expression appearing several times in the court files is *Hascher(in)*, which translates roughly as «poor creature», and once we encounter the expression *unweltläufig*, which means approximately «not capable of getting on with life». As for the legal consequences, the distinction between «feeble-mindedness» and «imbecility» made no difference, both verdicts leading to the same (and at that time the only) form of incapacitation; neither did it apparently make a difference for the criteria of normalcy and deviation.

As for possible «objective» reasons for stigmatisation, it has to be said that, according to the medical certificates, one of the incapacitated was an epileptic, and another one was said to be «deaf-mute»⁴⁶ – both diseases which at that time almost inevitably led to the verdict of «imbecility». Epilepsy was regarded as a mental disease standing next to insanity, the afflicted individuals often being locked up in lunatic asylums. As for deaf children, though there had been special schools from the late eighteenth century onwards, the greater part of them, especially in the rural area, were – due to their inability to make themselves understood – simply reared as «idiots»⁴⁷. But other cases clearly show that the stigmatised individuals had not suffered from any such predisposing diseases. In fact it does not matter here whether there was more or less reason for the attribution of «imbecility» or «feeble-mindedness» in one or the other case. In order to avoid any misunderstanding: I do not mean to deny the existence of mental diseases, but whether or not they were

⁴⁵ P 28/1903, enclosed incapacitation file L 4/2.

⁴⁶ Franz Fussi, P 42/1900; Johann Schmiedhofer, P 57/1901.

⁴⁷ See, for instance: Hofmüller, Stekl (1982, p. 12-13).

«real» – or merely «constructed» – is simply not the point. It cannot be the task of a social-historical analysis to judge whether in a given case, imposing an incapacitation was justified or not, or to examine whether a historical diagnosis was correct according to modern medical standards. The point is to investigate the norms and values behind stigmatisation, and the different concepts of normalcy and deviation of the social groups and institutions involved.

A. – THE LOCAL POPULATION'S CRITERIA

Beginning with the local population, we may first refer to some of the cases described above. A common argument of both the relatives and the neighbours questioned in the incapacitation procedures was fitness for work, or the examined individual's lack of it. While, as for the relatives or foster-parents, we must certainly bear in mind their personal interests, especially when they stressed a lack of fitness for work in their charges in order to be permitted to keep their money, it is clear, on the other hand, that, in a peasant society, fitness for work was a basic value. Therefore it is not surprising that the peasant informants talked about concrete work which the individuals in question were able to do or not – for example leading a team of oxen or a horse, sowing, threshing, hacking straw, or feeding cattle, cooking, etc., depending on whether the person in question was a man or a woman. It seems reasonable to assume that these peasants judged a person's mental state according to the degree of his or her fitness for peasant work.

Another argument, though occurring only twice, is stubbornness: Franz Mayer's former employer said of him: «He is very touchy, if he is told something he does not like he will hide somewhere, coming neither to the meals nor to work for several days»⁴⁸. This was clearly an offence of the paterfamilias's authority, which would not have been tolerated in a «normal» servant – all the more because it contained an element of refusal of labour. But a similar example out of the Pichler case shows that such behaviour was obviously regarded as «normal» in those who were thought to be «feeble-minded»: In the course of the proceedings leading to a restriction of Leonhard's incapacitation, his former employer said that when Leonhard was teased by other servants, he got very exasperated, started scolding, and left his work; but the employer took account of this peculiarity, forbidding his servants to tease him, and thus got along with Leonhard. Stubbornness was undoubtedly a culturally intelligible form of deviant behaviour, and the «feeble-minded» actors obviously knew that it would be tolerated in them, maybe even expected of them, because it was part of their social role. It was, however, apparently a criterion for the local population according to which they judged whether an individual was «normal» or not.

Furthermore the local population obviously regarded a person's ability to deal with money as a main criterion for judging whether he or she was «normal» or not. But, as compared with the court's criteria, the peasant informants were referring to

⁴⁸ In the German original: «Er ist sehr empfindlich, wenn man ihm etwas sagt, was ihm nicht paßt, versteckt er sich irgend wo u. kommt mehrere Tage weder zum Essen noch zur Arbeit». P 28/1903, enclosed incapacitation file L 4/2, fol. 3.

very concrete forms of this social ability. In the Mayer case, for instance, a former employer stated that Franz Mayer was not capable of purchasing anything because he did not know the value of money. A more impressive example is to be found in the case of Josef Reif, where a former employer refers to a concrete incident: Josef had once sold a valuable pair of deerskin trousers far beneath their value, the bargain having been revoked afterwards by his elder brother. Therefore he did not think Josef to be entirely capable of being in charge of his small maternal portion⁴⁹.

If we take into account that peasant households were not self-sufficient at the time, but had to buy and sell things in the neighbouring villages or towns, and that money was always short, this attitude is easy to understand. Yet we may assume that most of the individuals in question had never had the opportunity to learn the value of money. So for example Josef Reif said that he had always given his wages to his mother, who had bought him his clothes, keeping for himself only a little money for tobacco. Moreover, the individuals examined had been subjected to the domestic authority of the paterfamilias all their lives, meaning that they had never been directly responsible for greater sums of money.

B. – THE OFFICIAL'S CRITERIA

The local court was also – and mainly – interested in the examined individuals' way of handling money. But its approach was different from that of the local population, and much more abstract. The persons examined were usually asked what they would do with their money if it were handed over to them. A typical example out of the Pichler case:

« Asked what he would do with his inheritance portion of 2000 Gulden if it were disbursed to him, he says that he would deposit it at the savings bank. What will happen to the money at the savings bank he does not know. He is entirely ignorant of the fact that his fortune should bear him interest, moreover the term interest is entirely strange and incomprehensible to him »⁵⁰.

The fact that ignorance in financial operations was regarded as a sign of « feeble-mindedness », in my opinion, shows a clear distance from the rural lifeworld. We can assume that peasant householders knew about such matters, but, at the time in question, the greater part of the rural population, subjected as they were – like the individuals investigated – to domestic authority, must have been unfamiliar with such terms as interest and percentage.

Sometimes we find remarks on the shyness and clumsiness of the persons to be examined when they were brought before the court. Obviously the local judge did

⁴⁹ P 30/1902, enclosed incapacitation file L 4/8.

⁵⁰ In German original: « Befragt, was er mit dem ihm zufallenden Legate von 2000 fl beginnen würde, wenn er dasselbe ausbezahlt erhielte, sagt er, er würde es in die Sparkasse geben. Was mit dem Gelde in der Sparkasse weiter geschieht, weiß er nicht. Es ist ihm vollkommen unbekannt, daß ihm sein Vermögen Zinsen tragen soll u. ist ihm auch der Begriff Zinsen oder Interessen ein vollkommen fremder u. unverständlicher ». P 21/1899 fol. 1'-2.

not take account of the situation they were exposed to: they suddenly found themselves in an unfamiliar environment with a couple of strangers asking them questions, the aim of which they could hardly understand, and they were probably all too well aware of the fact that these prominent strangers were about to decide their future – small wonder they were intimidated. What is more, even the usual behaviour of an average farm-hand would probably have appeared clumsy to the more urbane local judge.

In some aspects it is almost impossible to tell which were the court's and which the medical expert's criteria of normalcy and deviation. The examination of the mental state was conducted by two medical experts in the presence of the local judge, the latter taking part in it by posing questions himself. The examination records do not show which questions were posed by whom. We will therefore pass on to the medical expert's criteria, of which the not genuinely medical ones were probably at least partly also those of the court.

C. – THE MEDICAL EXPERT'S CRITERIA

The medical experts consulted in the incapacitation procedure were the Murau district physician and the community physician at Oberwölz. Neither were specialists, but merely general practitioners. Their unanimous verdict of «imbecility» or «feeble-mindedness» was the *conditio sine qua non* for legal incapacitation⁵¹. But apparently their role was more or less that of mere executing organs – they do not appear to have questioned the examined individuals' mental inferiority. Moreover, we may assume that they would not have recognised a «normal» individual as being «normal» if it had been introduced to them the way their «patients» were. In the early nineteen-seventies, the American psychologist David L. Rosenhan showed by an experiment that «normalcy» is not recognisable as such⁵²; and, to remain within the time period in question, a late-nineteenth-century German case history shows that a mental specialist to whom a «lunatic» was introduced by a friend was unable to distinguish which of the two persons appearing before him was «insane». When the mistake was set right, however, he attested the «lunatic» to be not only «insane», but a «public menace»⁵³.

The first part of each medical certificate consists in a physical description, showing that the medical experts were looking primarily for physical signs of «imbecility». I will again take an example from the Pichler case:

«Leonhard Pichler, 32 years old, is of medium size, not very sturdily built, and adequately nourished. The facial expression is completely stupid, the speech slowed down, languid, and often indistinct. The sight is good, but the sense of

⁵¹ See Kaufmann (1995, p. 276).

⁵² Several «normal» persons applied for admission to different American psychiatric clinics, pretending that they «heard voices». After their admission they were behaving normally, but were not recognised as being «normal». They were all discharged «uncured», the diagnosis being in all but one of the cases «schizophrenia». – Rosenhan (1985).

⁵³ Blasius (1980, p. 126).

hearing deficiently developed. The bearing is a negligent, bent forward one, the carriage somewhat staggering and shuffling. The head is small and round, and especially the cranium appears remarkably small»⁵⁴.

The approach as well as the language of this example are typical of medical examinations in the second half of the nineteenth and the early twentieth centuries. The main aim of the positivistic and natural-scientifically oriented medical science of that time was to measure and categorise. In this and other examples from our sample, it is clear that the physicians were looking for the «objective» attributes of «imbecility» elaborated by medical scientists since about the eighteen-forties, such as uncertain carriage or inarticulate speech⁵⁵. Moreover, if we compare the medical certificates to a series of descriptions of «cretins» «collected» by one physician⁵⁶, we can observe some clear resemblances. Although the term «cretin» is never used in the medical certificates, the medical experts were obviously searching for the alleged symptoms of «cretinism», which were, besides the physical signs of «imbecility» indicated above, mainly a peculiar physiognomy, a goitre, and hardness of hearing. As for the latter, in the Pichler case we have evidence that the physicians were ascribing such attributes without closer examination, merely because they fitted in with the picture of an acknowledged disease: while in the first medical certificate they attested that Leonhard's sense of hearing was «deficiently developed», in the second one, recorded twenty years later in the course of the restriction of his incapacitation, it was stated that his hearing was good. Since his sense of hearing could hardly have improved with age, there is no other explanation left than the one given above.

In a study on psychiatric examinations of incendiaries, based on court files from the beginning of the twentieth century, Regina Schulte has come upon descriptions very similar to those in my sample. She states that it was the language of psychiatry itself and its criteria of description that created a «cretin»⁵⁷, which is clearly confirmed by my evidence – although the medical experts in question were no mental specialists.

In the further course of the examination, the individuals examined were asked questions by both the physicians and the local judge, concerning their education, their knowledge of reading, writing, and calculating, their temporal and spatial orientation, their ethical values, and their «deeper knowledge». Of these points, we find that temporal and spatial orientation was a criterion for the local population as well – for instance an informant said that Franz Fussi could scarcely find his way into the town of Oberwölz, and Magdalena Perchthaler's brother stated that she

⁵⁴ In German original: «Leonhard Pichler 32 J. alt ist mittelgroß, nicht besonders kräftig gebaut u. entsprechend genährt. Der Gesichtsausdruck ist vollkommen geistlos, die Sprache verlangsamt, schleppend u. häufig undeutlich. Das Gesicht gut, das Gehör jedoch mangelhaft entwickelt. Die Körperhaltung ist eine nachlässige, nach vorne geneigte, der Gang etwas schwankend u. schleppend. Der Kopf ist klein u. rund u. erscheint besonders der Hirnschädel auffallend klein». P 21/99, fol. 1.

⁵⁵ See, for instance, Wallnöfer (1997, p. 46).

⁵⁶ Klebs (1877).

⁵⁷ Schulte (1989, p. 95).

vaguely knew how to tell time, but confused, for example, a quarter past eleven with a quarter to twelve. Knowledge of writing, on the contrary, must have been rather indifferent to the local people, since many of them were practically illiterate themselves. In the Pichler case, the medical certificate states that Leonhard could «merely» write his name, which was more than his mother or sister could, however: both of them signed with crosses.

As for the judgement of «deeper knowledge», the certificates finally show the physician's (and probably also the judge's) complete ignorance of the examined individuals' lifeworld. Franz Fussi was «fairly oriented on the primitive social institutions without giving them a thought»; questions beyond the most primitive routine, he did not answer at all, or repeated them hesitatingly. What was meant by beyond the «primitive routine» is shown in other cases: Magdalena Perchthaler did not know anything about the Austrian emperor save that he was in Vienna, and Leonhard Pichler was obviously not interested in political events, lacking any reasonable view of them. Magdalena's vocabulary was «a very modest one», restricted to the most primitive expressions and ideas. Leonhard, though in affairs of everyday life «not without apt discernment», lacked any deeper knowledge, his emotional life being entirely primitive, and his thoughts always directed merely to what was common and near at hand⁵⁸. Schulte describes a similar case, though the medical expert's expressions are more scholarly: when a young farm-hand who had set a fire was examined by a mental specialist, the latter stated that the young man's ability in forming abstractions was only rudimentary, all his notions referring directly to material perceptions, and that he was not able to answer questions on things lying beyond his horizon. A most common expression in these medical certificates is «primitive». Schulte states that the mental specialists of the nineteenth century had no use for the concrete, which they put on a level with the trivial⁵⁹.

It is obvious that the examiners blamed their examinees for lacking higher education and for not knowing things that were not part of their lifeworld. Actually these medical experts argued that someone who was incapable of understanding things that were beyond him was an idiot, which is clearly a vicious circle. We can assume that according to these criteria the greater part of the local population would have been regarded as idiots.

III. – CONCLUSION

We have seen that individual as well as collective interests were undoubtedly a causal factor in the attribution of «imbecility» or «feeble-mindedness», and that these interests were themselves influenced by socio-economic in the region under question. The society of the Austrian Inner Alps was decisively characterised by its organisation of labour, meaning that it was a marked «servant-keeping society»,

⁵⁸ P 42/1900 (Fussi): enclosed incapacitation file L 5/8; P 140/1908 (Perchthaler): enclosed incapacitation file L 10/8; P 21/1899 (Pichler): annex (second incapacitation file) L 4/19.

⁵⁹ Schulte (1989, p. 103-104).

which in association with the inheritance system led to an exceptionally high proportion of life-long unmarried persons, and consequently to extremely high illegitimacy rates. The high proportion of «mentally handicapped» in this region is certainly not a mere coincidence. As has been shown in the article, two vital interests of the peasant land-holders – their inheritance politics, which aimed at reducing the number of residual heirs who had to be paid off, and their collective interest in cheap labour – were decisively involved in the attribution of «mental disability»:

- (a) Declaring non-inheriting children – or their illegitimate offspring – to be «imbecile» was apparently one of the peasant strategies of inheritance, because this was an effective way of preventing residual heirs from claiming their portions.
- (b) «Mentally disabled» servants were cheap and effective workers, because they were in full possession of their physical strength, but could be paid low wages. Attributing «mental handicaps» to farm-hands was therefore an option for creating a source of cheap labour.

These aims could easily be achieved, because interests of the propertied peasant class as a whole were involved, so that neighbours did not interfere with each other's inheritance or employment politics, or even supported each other's arguments where, for instance, undesirable inheritance claims were concerned. Moreover, the existence of a large fringe population in the region provided the peasant employers with a group of people who were easy to stigmatise.

Since it was the social environment that first designated a person as «imbecile», the legal and medical expert's authority was actually quite limited in this respect, and it can be assumed that the local population used the legal possibility of incapacitation for their own purposes, which were partly contrary to its original aims – one of which was to provide legal protection to those who were in need of it. The local court obviously did not question the applicants' motives; in particular it appears to have been quite disinclined to scrutinise the circumstances within peasant families, which left the latter with every opportunity to exploit their «handicapped» relatives. Higher authorities, such as the provincial government, were very seldom involved. The local communities, which had a say in such affairs, also had their own deeply involved interests. As for the medical experts, they were interested mainly in classifying symptoms. Thus, none of the social or legal institutions concerned had any reason to interfere on behalf of the stigmatised individuals.

Whilst these findings, although they throw a significant light on the rural society of the Inner Alps, cannot claim general validity beyond the region under question, the same is not true, to my mind, for the concepts of normalcy and deviation considered in this article. I have shown that the criteria for judging someone's «mental state» were deeply influenced by the lifeworlds of the ones who judged. The local population's concept was based on very concrete and practical criteria oriented by the peasant lifeworld. The local officials' concept was, in many respects, no less practical and concrete, but it was obviously founded upon different criteria,

which were mainly of a financial nature. The medical experts, however – although, the fact that they lived in the region, made them also part of the local society –, had a much different concept, which was oriented mainly by scientific research and therefore much more abstract in its criteria of judgement. If consequently pursued, their concept of «mental normalcy» would clearly have led them to the conclusion that almost everyone in the region was an «idiot».

We may say, therefore, that «normalcy» is more or less a point of view. It does not exist independently of cultural patterns, and neither does «mental disability».

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