

Charivari or the Historicising of a Question

The Irrelevance of Romantic Love for the Audio-Visual Performance of Marriage in Bern in the 18th and 19th Centuries

ABSTRACT

Citing Oscar Wilde, in their call for papers the editors of this volume ask the question “Who, being loved, is poor?” On a meta-theoretical level, this article seeks to contextualize this question and its citation socially. On an empirical level, it contrasts the socially highly determined question and its implicit presuppositions with the findings of a local case study from the canton of Bern in the 18th and 19th centuries. When we examine precarious marriages through petitions for dispensation from the preacher’s threefold reading of the banns from the pulpit, the collective audio-visual dimension of marriages in an agrarian society with scarce resources becomes apparent. With the petitions, the couples tried to avoid attention and thus escape the communal tribunal of a charivari and the like. In Bern, the material and media dimension of weddings were largely governed by local standards. Charivaris were audio-visual means for society to communicate shared values regarding marriage. An expression of the locally accentuated moral economy, they did not reflect romantic ideals of love. The performance of weddings as large and public rituals was a communal compulsion rather than the expression of an individualistic and therefore creative event. The performative wedding as the epitome of individualism is a very young historical development and strongly linked to a late-modern bourgeois culture of singularity.

KEYWORDS

Oscar Wilde, Bern, Charivari, marriage, romantic love, bourgeoisie culture, individualism, intimacy, agrarian society, collective performance, codes of communication

BIOGRAPHY

Arno Haldemann received his education in history and religious studies at the Universities of Bern and at the École Pratique des Hautes Études (EPHE) in Paris. In his PhD project, funded by the Swiss National Science Foundation, he is researching the genesis of civil marriage in the Swiss Canton of Bern between 1742 and 1865. He focuses on the interaction of deviant subaltern actors wanting to get married, resistive local communities, families and corporations and the arbitrating Bernese marriage tribunal. Thus, he investigates the interrelation of actor’s agency, communal customary legal and moral concepts and contemporary population policy. Arno Haldemann is a member of the Graduate School of the Humanities at the Walter Benjamin Kolleg of the University of Bern.

INTRODUCTION

In their call for papers, the editors of this volume cite Oscar Wilde as they ask a wide-reaching question: “Who, being loved, is poor?” For a postmodern historian, this instantly and inevitably becomes a twofold question: what kind of love did Wilde intend and why do the editors refer to it? As the call’s eponymous question encompasses different temporal levels, the answer should be historically nuanced and socially differentiated. For this reason, I will focus on three questions: (1) what does the question tell us about its famous originator, his socialization, and the social field he was participating in, or, in other words, how would Wilde have understood his own question? (2) what does the use of this question tell us about the editors who refer to the famous playwright in their call for papers for a contemporary scholarly journal and about those who perceive the reference and answer it? While the first two questions will be explored on a meta-theoretical level, I want to answer a third question on the basis of empirical data from a case study from the canton of Bern. Notwithstanding its peculiarities, in this article Bern represents a relatively arbitrarily selected place at the centre of Europe during the transition from the 18th to the 19th century. The majority of the populace in this city-state were agrarian and rural. So, (3) how would actors in this society have answered Wilde’s question? In my response to this third question, I hope to advance to the very core of this call for papers. I will demonstrate the irrelevance of Wilde’s intentions in his question for the audio-visual and material dimensions of the marriage rituals of Bern’s agrarian majority in its transition from early modern times to modernity proper. I will put forward the argument that certainly in this part of Europe, and likely elsewhere too, a large part of the population would never have considered Wilde’s question. Perhaps, however, they would have asked the inverse question, “Who, being poor, is loved?”, and, more fundamentally, “What is love?”

THE BOURGEOIS BIAS OF ROMANTIC MARRIAGE

Wilde was the son of a renowned medical doctor who had been educated in the humanities. His mother was an equally educated translator and poet who operated a well-known salon. He was descended from a quasi ideal-typical bourgeois background.² In his mother’s social circles the very young Wilde had contact

- 1 If the editors searched for a reference frame for this hypothetical question, for better or worse they would have encountered Haddaway’s eponymous pop song. This reference would possibly not have sat so easily in the academic and intellectual milieu of the editors as does the citation from Oscar Wilde, but it would have more likely corresponded with the folk culture of the subaltern actors I investigate in my study.
- 2 The term “bourgeois” is used here for want of a better translation of the German *bürgerlich*. The term “bourgeois” denotes here a specific life style “with an emphasis on personal education and political participation. As such, *bürgerlich* has a positively connoted discursive tradition and breadth of mean-

with famous contemporary artists and intellectuals of Dublin's local scene. He thus received "the socialization of artists".³ He enjoyed an outstanding education in classical philology. As a student, he became a member of a freemasons' lodge.⁴ Wilde is to be viewed as an integral part of "the artistic field", the very specific element of modern society which Andreas Reckwitz sees as responsible for the formation of the creativity *dispositif*.⁵ The successful but controversial author was not just a prominent but formative part of the contemporary artistic avant-garde. He paradigmatically embodied dandyism in his time. Wilde was an outstanding representative of literary aestheticism, and his whole existence must be attributed to the modern "aesthetic of genius".⁶ Retrospectively he can appear as the personified icon of individualism.⁷

This individualistic aestheticization drew from the concept of romantic love, in which English sentimentalism played a crucial role.⁸ The sentimentalist ideal of love became central, albeit in reconstructed form, to Wilde's own iterations of love.⁹ During the 18th century, a critical backlash against "aristocratic and agrarian traditionalism" had culminated in the romantic novel and theatre. Thus, a normative concept of romantic love became a constitutive part of "bourgeois modernity", which structured Europe's 19th century socio-culturally.¹⁰

Wilde's play *A Woman of No Importance* revolves around romantic love, by which the self-determining bourgeoisie appears to have distinguished itself from the aristocracy. The question we are exploring is posed in the fourth act by the bourgeois character Miss Hester Worsley and refers to a historically specific emanation of love. This love dissociated itself from traditional and aristocratic forms of convenient love, but it stemmed from a thin, privileged and elitist social stratum, in which at the time it was exclusively disseminated.¹¹ The bourgeois *dispositif* of romantic culture raised passionate love to its own end. Thus, passionate love became the essence of the modern marital relationship. Henceforth, according to the ideal of romantic love, no one was to marry for convenience; one should marry for "pure", which is to say self-referential and

ing that none of the usual translations – 'bourgeois', 'middle class' and 'citizen' or 'civil society' – can do justice to", Reckwitz 2017, 33.

3 Reckwitz 2017, 38.

4 Ellmann 1988, 3–50.

5 Reckwitz 2017, 33–37.

6 For the genesis of the aesthetic of genius cf. Reckwitz 2017, 38.

7 On Wilde's (self-)iconization cf. Reckwitz 2017, 160–162.

8 Luhmann 1986, 145.

9 Wilde not only adapted this ideal in his writings but also integrated it into his personal life: "Wilde wanted a consuming passion; he got it and was consumed by it", Ellmann 1988, 362. At a certain point in his life, he lived out his homosexual love relatively openly, which was not "convenient" for his contemporaries at all; see Ellmann 1988, 258–262.

10 Reckwitz 2017, 202–203.

11 On the genesis of romantic love see Giddens 1992, 38–41, and Luhmann 1986, 129–144.

unique, love. As a result, love came to be thought of as something singular, self-determined, individual, and liberal, as a matter between two individuals who established family and household on the basis of romantic love. Strategic, material, and political points of reference were either veiled by bourgeois feelings or became irrelevant because both parties were likely from the same privileged social class. This is exactly the reason that Hester responds to her own question (“Who, being loved, is poor?”) with a romantic answer: “Oh, no one. I hate my riches. They are a burden.”¹² Only her bourgeois material status allows her to conceive romantic love as a true emotional luxury and, therefore, material riches as a burden. She does not realize that wealth and social status are the constitutive preconditions for her subjective feelings. She cannot recognize that the script for her own play is already socially determined. In this context, the answer to Wilde’s question may well be “almost no one” or perhaps “not many”, but with a concept of wealth in mind completely different from that held by Hester. A person of the 18th or 19th century normally had to be wealthy and to belong to a sophisticated bourgeois milieu if that person was to have the luxury of marrying romantically, and therefore purposelessly and individually. If that wealth was in the form of financial security, it was possible to take passionate love as the fundament of marriage and conceive it as true riches. Romantic love was a privilege of wealthy and thus closed social circles whose existence was neither dependent on the agrarian or industrial-labour context nor defined by the Sisyphean struggle for security.

That *homines academici*¹³ should take up Wilde’s question and use it as the point at issue in their call for papers is not surprising if one follows Andreas Reckwitz’s theory on the invention of creativity: we have a tendency to be Wilde’s epigones in relation to our individualism and socialization. The bourgeois and avant-garde Wilde can be interpreted as a pioneer of our own contemporary urban middle-class culture, in which “ideas and practices from former oppositional cultures and subcultures have now achieved hegemony”.¹⁴ In that culture, creativity that is directed at singularity seems inevitable and characteristic. This might explain the editors’ hypothesis as to why “many couples are looking for alternative expressions of the wedding ritual”: modern lovers are on a compulsive quest for an unconventional, outstanding, and singular audio-visual and material performance of their unique love in their very individual marriage. The use of Wilde’s question confirms him as a reference point of our own bourgeois

12 Wilde 1969, 173.

13 In his study *Homo Academicus*, Pierre Bourdieu depicts the social constellation of the academic community and establishes “the proportion of sons of farm workers ... [is] smaller in the population of the ‘powerful’, whereas the proportion of sons of primary teachers, craftsmen and tradesmen and above all the sons of businessmen is much greater”, Bourdieu 1988, 78.

14 Reckwitz 2017, 4.

culture. This culture assumes that marriages “have become events, a big business with fairs, wedding planners and specific products for the special day(s)” for reasons of individualism.¹⁵ Thus, the intensely loving and unique marrying couple come into focus in a romantically staged wedding that celebrates and exhibits their private happiness and intimate feelings. The wedding’s uniqueness is made public to showcase the couple’s private bliss. Only the romantic and allegedly individual consensus of the lovers shall be constitutive for the accomplishment of the marriage. Social prosperity as a fundamental precondition for this kind of individualistic and love-centred marriage is disguised by romantic feelings.

MARRIAGE AS A COLLECTIVE PERFORMANCE

In my current research I investigate precarious marriage aspirations in the canton of Bern during the “Sattelzeit” (Reinhart Koselleck), the pivotal age between 1750 and 1850. I use the term “precarious marriage aspirations” to refer to conjugal liaisons which arose from controversial marital intentions, marriages that accorded with the dictionary definition of “precarious” in being “not securely held or in position; dangerously likely to fall or collapse”. The precariousness of these marriages derived from their specific social, generational, economic, or confessional configuration, which deviated from the prevalent local customs. Thus, the right to marry was, as the dictionary definition of precarious requires, “dependent on chance” and had to be “obtained by entreaty”.¹⁶ Precarious marriages had to fight against societal impediments and opposition. Hence, they elucidate that marriages were certainly not an individualistic event in this transitional period in the 18th and 19th centuries, but were involuntarily yet attentively monitored, controlled, and, if necessary, collectively disciplined events in the local community.¹⁷

An optimal way to approach exemplary precarious marriages in the canton of Bern in this period is to analyse contemporary petitions as historical sources.¹⁸ In these petitions, which requested dispensation from the preacher’s reading of the banns from the pulpit on three occasions, the fear of becoming the object of public attention and, therefore, of a “rough music” or a *charivari* is implicit. The threefold banns reading, legally codified and obligatory for the canton of

15 See the call for papers for the current issue of this journal.

16 <https://en.oxforddictionaries.com/definition/precarious> [accessed 13 September 2018].

17 Coontz 2014, 5–9.

18 In the aftermath of the French Revolution, Bern and the rest of the aristocratic-ruled ancient Swiss Federation were occupied by the Napoleonic army. The French imposed a centralised republic. The strongly Napoleonically influenced Helvetic Republic confirmed the right to petition by constitution. Thus, a torrent of individual petitions from all cantons reached the executive authority, although the practice of petitioning had already existed under the *Ancien Régime*.

Bern as well as the rest of the Helvetic Republic, enabled communal control of marital affairs and the rejection of an intended marriage. The banns served as the official public announcement of an intention to marry, made to the parish during the Sunday service. Their reading was intended to avert clandestine marriages undertaken against the will of the families involved and against corporative and communal interests. Dispensation from the reading of the banns was an exemption accorded patricians in this corporative society. Subaltern couples used such petitions to try to avoid attention and thus escape the communal tribunal. The usually public wedding would then be inverted into a private affair. The ritualised and public reproach of a charivari and the like “usually directed [audio-visually and violently expressed] mockery or hostility against individuals who offended against certain community norms”.¹⁹ Because of their socio-economical configurations, precarious marriages endangered communal material resources and threatened both customary law and the common ethic. Thus, they adversely affected the prevalent moral economy.²⁰ The petitions reveal actors who were part of precarious relational configurations and urged the authorities to exclude the public reading of the banns from the pulpit to allow for a more intimate or even secret event.

An example for this finding is the case of petitioner Johannes Hermann and his wife-to-be. Hermann, a master stocking weaver resident in Bern who had been widowed for 20 years, wanted to marry the recently widowed and elderly Catharina Labhardt, who was not a resident of Bern. Because the remarriage of widowers essentially made the redistribution of property less probable and diminished the marriage opportunities for those who were as yet unmarried, Labhardt would be seen as endangering local communal resources. Impediments to marriage, financial resources, and the high age of marital majority all strongly limited the reservoir of eligible women and men. “To avoid the bothersome public gossip at such events”, the couple appealed to the republican government for suspension of the requirement that the banns be read publicly from the pulpit.²¹ Evidently not only invited guests were present at early modern marriages but also curious, gossiping, and backbiting spectators – whether one wanted them to be there or not. They threatened the bridal couple with infamy and thus with the loss of the early modern symbolic capital of honour and respectability.²² Another example is provided by a pastor and petitioner “who to avoid sensation wishes to be able to marry without preceding three-time proc-

19 Thompson 1992, 3.

20 On the concept of the moral economy see Thompson 1971, 76–136.

21 “Zu Vermeidung des ärgerlichen Publikums-Geschwäzes bey dergleichen Anlässen”, BAR Bo#1000/1483#490* 1802–1803, 501–502.

22 On the sociological concept of honour as a symbolic capital see Bourdieu 1979, 95–132. On the concept of honour in early modern societies see Schreiner/Schwerhoff 1995, 2; Dinges 1994, 144; Backmann/Ecker-Offenhäusser 1998.

lamation of the banns”.²³ With his request the pastor, a member of the middle class living in the agrarian context of face-to-face communities, indicated that he was by no means eager for the “big event” mentioned in the editors’ call for this issue. He wished rather for discretion and privacy. These couples were not interested in an “alternative expression of the wedding ritual”, but instead hoped that the expression of their deviant marital relationship would be as quiet as possible, even invisible.²⁴ Another churchman, a preacher who declared himself “peu fortuné”, suggesting he was destitute, and “a friend of silence and calm” petitioned “to avoid noise and scandal that ordinarily accompanies this kind of [sacred] ceremony”.²⁵ Abraham Puenzieux and Susanna Marie Vielland also hoped for dispensation from the need to have the banns read from the pulpit: “His reasons are the following, he fears a charivari, nocturnal celebrations which are ordinarily accompanied in the parish by scandals and caricatures”.²⁶ In their common petition Albrecht Salchli, a councillor, and his fiancée asked for it to be possible for them to marry “with neither pageantry, nor being accompanied by a charivari or being announced with gunshots”, because this was often the initiation of “real misfortune”.²⁷

While many couples in the sources consulted do not name the reasons for their apprehension,²⁸ Daniel Moser, father of bride-to-be Elisabeth, states them openly: he had promised his daughter to a local man of his own agrarian home town, but in the meantime his daughter had become engaged to another man from a different community. Now this wedding was approaching. In such circumstances, the petitioner said, it was a “silly rural custom of the wedding night, to give a charivari to a woman who does not get married to a local by staging her transfer of the trousseau”.²⁹ How such a charivari was performed, we learn from a contemporary travel report on the Bernese Oberland: the transfer of the trousseau from the bride’s home to the home of the newlywed couple was enacted in a parody by unmarried men from the bride’s hometown. This simulation was accompanied by clanging cowbells and other noises, produced by whips, pipes, horns, kettles and canes. Equipped with the improvised

23 “der, um Aufsehen zu vermeiden, sich ohne eine vorhergegangene dreymahlige Verkündigung verhey-rathen zu können wünscht”, BAR Bo#1000/1483#490* 1802–1803, 111.

24 See the call for papers for this issue.

25 “ami de la tranquillité & calme”; “d’eviter par là le bruit & l’éclat qui accompagnent ordinairement cette espèce [sacrée] de cérémonies”, BAR Bo#1000/1483#490* 1802–1803, 267.

26 “Ses motifs sont décisants, il craint un charivari, fetes nocturnes qui sont ordinairement accompagner dans la Paroisse de scandales et de caricatures”, BAR Bo#1000/1483#490* 1802–1803, 493.

27 “ohne geprüng, ohne mit chari vari begleitet, noch mit feur-geschoss angekündet zu warden; wirklich ohn-glück”, BAR Bo#1000/1483#604* 1798–1801, 163–165.

28 In the five-year period from 1798 to 1803, more than 150 petitions from residents of Bern addressed the central government; these documents form the empirical material for my investigation.

29 “ländlicher unsinniger Gebrauch [...], dass in der Hochzeitnacht einer Weibsperson die sich nicht mit einem Ortsbürger verhelichet, ein Charivarii gegeben oder welches nemlich bedeutet das Trossel geführt wird”, BAR Bo#1000/1483#604* 1798–1801, 423.

instruments, the entourage of young, unmarried men raucously made their way to the couple's new domicile. To remain incognito, the participants were often disguised. They sometimes resorted to violence with "sooty cloth and rags on rods" against rubberneckers or relatives or turned their improvised weapons on the exterior of the houses.³⁰ Those latter circumstances probably induced Moser to comment that "misfortune" (*Unglück*) could often emerge during the transfer of the trousseau from one house to the other. Hence, "to avoid all unpleasant consequences, one wished to have this marriage blessed in the greatest possible peace".³¹

Another man was afraid of the threatening "caricatures and antics" (*Karikaturen und Possen*) his unmarried masculine peers in the community might perform because of his deviant marriage aspiration.³² In his petition for dispensation from the bans, he recorded in writing his fear of becoming the victim of mockery and pranks on account of his wanting to marry the widow of a deceased relative. Antics sometimes involved audio-visual accompaniments to marriages which deliberately subverted social roles and customs. The carnivalesque performances of the unmarried men corresponded with a mock trial (*Narrengerichte*) and the Feast of Fools, which acted out the supposedly perverted reality to atone for it publicly.³³ They were generally staged at the end of a cacophonous procession. Another contemporary travel report gives us insight into a specific enactment of such a carnivalesque play: "At the destination they build a circle; the rough music comes to an end; impromptu some wanton pranksters hold farcical speeches, whose content one can guess." If the bride was pregnant before the marriage, this was indicated with a straw puppet. This puppet was either raised on a rod to make it visible to the whole carnival community or else the charivari's participants would "bring it along in a baby cradle, rock it and sing to it". If the bridal couple was poor, "the moody guests trade in cattle or cheese with feigned sincerity, milk the cows while imitating the sound, or pretend to offer the bridal couple very generous gifts for the dowry". When the antics were over, the whole flock returned home "with unruly laughter and noise".³⁴

30 "berusste[n] Lumpen und Lappen an Stangen", Wyss 1816–17, 1, 335. For reports of similar rituals cf. Klapisch-Zuber 1987.

31 "wünschte man zu Ausweichung aller unangenehmen Folgen, dass diese Ehe in möglicher Stille eingeseget würde", BAR Bo#1000/1483#604* 1798–1801, 423.

32 BAR Bo#1000/1483#604* 1798–1801, 323.

33 Davis 1971, 41–75; Ingram 2004, 288–308; Hoffmann-Krayer 1904, 85–86; "Autor/in" 2015, 442.

34 "Am Orte der Bestimmung wird ein Kreis gebildet; die rasende Musik nimmt ein Ende; und aus dem Stegreife halten ein paar muthwillige Lecker spasshafte Reden, deren Inhalt sich errathen lässt; bringt sie in einer Wiege daher, wiegt sie und singt dazu; handeln die launichten [sic] Gäste mit verstelltem Ernst um Vieh oder Käs, melken mit nachahmendem Geräusch die Kühe, oder machen den Hochzeitleuten zum Schein recht grosse Geschenke zur Aussteuer; mit unbändigem Lachen und Lärmen", Wyss 1816–1817, 1:335–336.

All these examples are about specific and concrete contemporary marriage constellations. There might be local differences in the way a charivari was delivered, but it always accomplished a similar function.³⁵ It constituted a collectively performed, communicative action of punishment. Its purpose was to denounce deviant behaviour by certain members of the community in a visible way and to that end it was accompanied by a lot of noise. It was intended to penalize deviating members, but also to reintegrate the violators of the social order. Thus, the collective conventions could be reinforced and the social order restored. Charivaris were the early modern audio-visual media *per se*. A community simultaneously sought to affirm and impose its norms visibly and audibly on its members. Abstract social codes found their physical expression in the performances of the charivari, which were visible, noisy, and sometimes even tangible.³⁶ For example, Moser neglected the prevalent local preference for endogamy with his daughter's marriage arrangement. By breaking his promise to a local, he also broke with the moral economy. Endogamy served the preservation of local resources and therefore was not to be disregarded. Moser experienced first-hand the physically painful consequences of the performative expression even before the upcoming marriage of his daughter: he was "battered in his own home in the cruellest way".³⁷ Thus, Moser had already been warned what would happen if the wedding of his daughter were to take place publically.

CONCLUSION

The examples presented in this article have shown the tension between the dominant performance of marriages, on one hand, and individual orientations towards romantic love in Switzerland in the transition from the 18th to the 19th century, on the other. At least in Bern's agrarian society with scarce resources, which despite nascent industrialization was still typical for the majority of the population in this period, weddings were largely governed by local collective standards. The audio-visual performances around precarious marriages were neither intimate nor individualistic but carried by common symbolic communication. This collective action reflected not romantic ideals of love, but the locally accentuated moral economy. In contrast to Wilde's bourgeois circles, in such an agrarian community adherence to these specific moral values seemed crucial for its functioning and, as such, its existence. These values had to be brought to mind repeatedly and kept up relentlessly by means of audio-visual perfor-

35 On the evidence of the regional diversity of charivari, rough music etc. see Thompson 1993, 467–533; «Autor/in» 2015, 441–443.

36 «Autor/in» 2015, 435–439; Eibach 2011, 627–644; Scharfe 1970, 186–190.

37 "in seinem eigenen Haus auf das grausamste thätlich mishandelt", BAR Bo#1000/1483#604* 1798–1801, 423.

mance. Collective economic and material resources, including eligible men and women, were essential to the agrarian community. They had to be preserved internally and protected against threats. Rituals of consensus provided a key means by which such threats were held at bay. Charivaris were the audio-visual means for the society to communicate shared values in- and outwardly.

People contravening local norms in the agrarian realm of scarce resources chose petitioning to avoid the publicity and extravagant festivities of a big event. Whether undertaken for material calculations or for the historically relatively recent notion of pure and unique romantic love, these deviant marriages represented a fundamental threat to the agrarian collective society. As the petitions illuminated, the precarious bridal couple feared becoming victims of a charivari, which raised the risk of noise, physical violence, mockery, defamation, and loss of honour.

According to Luhmann, “it is common sociological knowledge that the communal living conditions of past social orders left little leeway for intimate relationships”.³⁸ The generalization of love as code of communication³⁹ found its respective expression in the performance of intimate relationships in big events like extravagant wedding rituals. The broader diffusion of the emotional luxury of love matches was bound to capitalistic preconditions, which were a shared bourgeois wealth that came from trade, speculation, bureaucracy, science, art, or inheritance and that could provide relief from the hard, collective, and existential context of agrarian labour in fields, woods, and stables. At least for Switzerland, the respective structural preconditions for love based individualistic marriages were not available to the masses until the end of the 19th century.

Finally, an interesting detail should not be left unmentioned. In 1790, in a single breath the Bernese ancien régime renewed the obligation for the three-time publication of the banns for non-patricians and confirmed the old patrician exemption from publication of the banns. Right after the short republican intermezzo known as the *Helvetik* (1798–1803), the old patrician elites, again in power after the end of the French occupation, reinstated the obligation in the form of one of the first laws with the following words:

Although as martial law required, these dispensations were only allowed in emergencies, because of the extensive and hardly observable limits they were often the cause of misrule. Hence, the orderly proclamation seems to be increasingly necessary now, partly because of the increasingly immorality, partly because of the many foreigners and partly, finally, because of the remaining abolition of local patrician privileges.⁴⁰

38 Luhmann 1986, 15.

39 Luhmann 1986, 18–33.

40 “Auch war diese Nachlassung zufolge der Ehegerichtssatzung [...] nur in Nothfällen [...] erlaubt, hat aber bey den ausgedehnten schwer zu beobachtenden Schranken öftere Unordnungen veranlasst.

Doubtlessly, in the Bernese context during the transition from the 18th to the 19th century intimacy was a privilege for people who could afford love. The performance of a wedding as a large and public ritual was a communal compulsion rather than the expression of an individualistic and therefore creative event. Performative weddings as the epitome of individualism are a very young historical development, the produce of a late-modern bourgeois culture of singularity.

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Dermal nun scheinen die ordentlichen Verkündigungen immer nöthiger zu werden, theils überhaupt wegen der Zunehmenden Sittenlosigkeit, theils auch wegen der vielen Fremden, und theils endlich wegen der übrigen Abschaffung hiesiger bürgerlichen Vorrechte”, *StABE A II 3047 1803–1830*, 3.

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