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“Marriage strategies and well-being among nineteenth-century Basque Propertied families”

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Abstract

In the nineteenth and twentieth centuries, the prevailing Pyrenean house system which advocated for single inheritance despite the egalitarian laws of the Civil Code and which in practice continued to secure the transmission of the family house and land to one child (first-born or cadet, male or female depending on regions) did not guarantee equal well-being, a decent marriage, and an adequate life to all propertied families' children. Using Basque family reconstitutions, succession records (outlining marriage contracts, dowries, donations, testaments) and land registers (property size and transmission) in the nineteenth century and early twentieth century, we will here attempt to analyze how marriage strategies secured parents' and children's well-being. Families' priority was first to secure single inheritance (or the transmission of the family assets to one child) and parents' decent retirement and second the well-being to all the children. As the Basque case will show, some children were able to marry as well as their parents', or even better (for men generally), yet others (women especially) experienced downward social mobility as a result of down marriages. Why were families' marriage strategies unsuccessful to secure decent, equal well-being? Why were families' marriage strategies so unequal and so gendered differentiated?

Keywords:

Marriage strategies, single inheritance, unequal succession, the Pyrenean house system, Basque male or female primogeniture, social mobility, down marriages, emigration.

How does the study of inheritance and marriage strategies tell us about gender differentiated treatment of well-being within Pyrenean propertied families in the nineteenth century ? With the Civil Code of 1804, families had the obligation to secure equal well-being to their children (which they did not have before) and to partition all their assets equally between all them, male or female. Yet succession and land data analysis show differently. Families perpetuated unequal Old Regime practices despite the law, often securing a better well-being to older children rather younger children and to sons rather than to daughters. Similar to the Old Regime, Pyrenean children were not treated equally in the nineteenth century as a result of new succession and marriage strategies being elaborated to preserve the unequal ancient Pyrenean customs, the Pyrenean house system, and the Pyrenean family practices while at the same time securing “relative” well-being to all household members, parents through retirement and children through marriage. These family practices however led to gender differentiated treatment, depending on the gender and birth rank of the children, parents advantaging one child who inherited all family assets while the other children either married away when compensated or were forced to celibacy when non-compensated. These practices were illegal yet recurrent among Pyrenean families.

When the Civil Code was implemented, families feared for the unequal, traditional Pyrenean house system. It imposed equal gender treatment in inheritance and marriage practices. Indeed, the new laws prevented families from legally transmitting family patrimony to one child, threatened the stem family as a family system (or the cohabitation of parents with the single heir and his/her family in the same house), and forbade the unequal compensation of the other children, their exclusion or their forced celibacy. Strict equality truly guaranteed the equal well-being of all the children after the revolution but in the same process its implementation endangered the Pyrenean house system, something which Frédéric Le Play

feared (Le Play, 1871; 1878; 1994). The Republican laws were indeed egalitarian in their objectives but they had economic and human side effects. A major negative effect of strict equality was the partition of family assets between all the children, regulations which, in the Pyrenees where small and medium-sized properties prevailed, threatened first the economic viability of family farming thus doomed to bankruptcy and sale and second the economic stability of the farming communities.

Until the French Revolution, all Pyrenean provinces had imposed single inheritance, the stem family system, and the exclusion of the heir's siblings (Yver, 1966 ; LeRoy Ladurie, 1972 ; Poumarède, 1972 ; Zink, 1993). In this way, unequal partition of family assets, customs in the Ancient Regime secured well-being to children but not equal well-being (Béaur, 2004). According to Frédéric Le Play, the implementation of the new egalitarian laws of the Civil Code threatened the economic viability of all the Pyrenean families, communities, provinces as well as the prosperity and progress of the nation (Le Play, 1871, 9-10; Le Play, 1878, Ch. 30). In the name of equal gender treatment, the family house and land could no longer be transmitted intact to one child. Families' concern for longevity in the community could no longer be secured and the family house and line could no longer survive from one generation to the next. Codified in the fifteenth and sixteenth centuries, these Pyrenean customs sustained different types of single inheritance practices, from strict male or female primogeniture in the Basque Country (Lafourcade, 1989; Fougères, 1938), Lavedan and Barèges (Cordier, 1859),¹ to male primogeniture in Bearn and the Baronies (Zink, 1993; Poumarède, 1972) to strict male inheritance regardless of birth rank in Catalogne (in the Eastern Pyrenees) (Assier-Andrieu, 1981). In other parts of France, unequal inheritance, generally male primogeniture also prevailed before the Revolution to maintain family land

¹ The system is known as "aînesse intégrale". Eugène Cordier argued that, influenced by Roman law in the eighteenth century, Barèges and Lavedan no longer practiced male or female primogeniture (primogeniture regardless of gender) as before but instead advantaged the first-born male son (Cordier, 1859).

intact and undivided, or almost (Assier-Andrieu (ed.), 1990), everywhere except in Brittany (Segalen, 1985).

The revolutionaries' demands for strict equality was certainly honorable. But propertied families were also concerned about the survival of traditional values as those of the family house, lineage, and longevity in the community. Could the two systems survive? Were they compatible? Using Basque family reconstitutions, property transmission data, and land registers, this paper will demonstrate that the ancient Pyrenean systems survived beyond the revolution, families perpetuating single inheritance and therefore the unequal distribution of patrimony despite the new laws. Pyrenean families however strove to compensate the other children "decently". The system could only survive as long as all children were secured some form of well-being. How did the system legally continue to exist? How did Pyrenean ancient customs fit the Republican laws? As families developed new strategies to secure unequal single inheritance and marriage practices, how did they manage to secure well-being to all the children "equally" or "decently"? Were there gender differentiated treatment in succession and marriage practices with the new laws?

Sources and methodology

Information from inheritance and land sources in the Basque Country since the implementation of the Civil Code of 1804 will here be used as indicators for the study of marriage practices and on the way Pyrenean women were secured well-being within the family context in the nineteenth century. Similar to other Pyrenean regions, Basque women benefited from the Civil Code because, in principle, they were secured equal treatment by the law and they could demand equal inheritance compensation. Yet could they truly be secured equal treatment when single inheritance prevailed? The analysis of Basque succession

documentation in the nineteenth century and the early twentieth century will show that in some ways, women benefited from the new laws and enjoyed as equal rights as men, yet in other ways, they suffered from prevailing unequal succession practices which led them to marry more unfavourably than men. Besides, they were more inclined to sacrifice and abnegation than men for the survival of the family house, the family lineage, and the family name in the community.

For the purpose of this demonstration, we will use 120 genealogies from six different villages scattered in the three French Basque provinces, four villages located in the highlands and two in the lowlands (see Map 1).² After selecting 120 couples married in the early 1800's (20 in each of the six villages constituting the first-generation cohort), we searched for their children and their spouses (the second-generation cohort) and their grand-children and their spouses (the third-generation cohort) in the civil records (births, deaths, and marriages records) of their village of birth, those of all surrounding villages on a twenty-mile radius, as well as those of Basque towns, those of surrounding Bearnais villages and towns, and those of the cities of Bayonne and Pau. This three-generational family reconstitution research work has involved the tracing of the individual life experiences of about 3000 people in the rural Basque Country, in towns, in cities, and overseas in the period which started in the early 1800s for the 120 couples and ended in the 1990s for the third-generation descendants.³ We thus searched through the civil records of about 150 villages through the 1990s (Arrizabalaga, 1998, 323-328).

² For the purpose of family reconstitution research, I selected 20 couples in each of the six villages of the sample scattered in the three French Basque provinces: 20 couples in Sare (a mountain village in the province of Labourd), 20 couples in Aldudes and 20 couples in Mendive (two mountain villages in the province of Basse Navarre), 20 couples in Alçay (a mountain village in the province of Soule), 20 couples in Isturitz, and 20 couples in Amendeux (two lowland villages in the province of Basse Navarre). All these villages were distant, isolated from Bayonne, the provincial capital of the French Basque Country.

³ The third-generation children were born in the late nineteenth century or early twentieth century. Some of them died in the 1980s and 1990s. It was therefore necessary to consult archives until the late twentieth century.

The research then involved the consultation of all public land registers available on the six villages of the sample and all neighboring villages (a total of 38 villages). We focused our attention on the official land registers of the *Cadaastre*⁴ where we traced the 120 couples' and their descendants' property registration and value. Besides, we consulted the cantonal succession records, the *Enregistrement*⁵, which provides the official transcriptions of the population's property settlements (with details on marriage contracts, dowries, *préciputs*, testaments, donations), indicating families' property redistribution and decisions prior to succession and upon inheritance. Those records clearly helped to identify the single heir and outlined family strategies to benefit one child over the others and keep the property undivided (*indivis*). The data also show how the other children were compensated and to what they were entitled.

The conclusions which will be presented here derive from the cross analysis of family reconstitution and official land and succession records (*Enregistrement* and *Cadaastre*), all of which indicate gender differentiated treatment in property transmission and marriage practices in the nineteenth and twentieth centuries. Single inheritance practices sometimes generated inequalities between siblings, between older and younger children, and between men and women within the family. The analysis of the succession indicators will give a clear picture of the new and old family strategies for single inheritance, and their negative effects on women in particular.

⁴*Cadaastre. Matrice des propriétés foncières*, serie 3P3, Archives Départementales des Pyrénées-Atlantiques (ADPA). *Cadaastre. Matrice des propriétés bâties*, serie 3P2, ADPA.

⁵*Enregistrement. Mutation après décès*. Records from seven cantonal seats: Labastide-Clairence, Hasparren, Saint-Jean-de-Luz, Ustaritz, Saint-Etienne-de-Baïgorry, Saint-Jean-Pied-de-Port, Saint-Palais, Mauléon-Licharre. Serie Q, ADPA, 269 volumes. This research also involved the consultation of the notary records of four cantonal seats: Espelette, Saint-Etienne-de-Baïgorry, Saint-Jean-Pied-de-Port and Tardetz, serie III E, ADPA. Yet, the notary records were often defective or incomplete.

Women and single inheritance practices after the Revolution

Well-being was indeed a priority for Pyrenean families but the well-being of the house was almost as important and perhaps more important than the well-being of individuals, especially women. Despite the law in the nineteenth century, Pyrenean families first strove to secure the well-being of the family house (lineage and blood) by imposing single inheritance. Only in the second place did they feel concerned about the well-being of their children. Yet the law prevented propertied families from transmitting property unequally without providing for all the children. Pyrenean families therefore evaded the law by elaborating various complex strategies with the help of notaries using the Civil Code in order to find legal ways to perpetuate ancient unequal practices, transmitting the house and land to one child and compensating more or less equally the other children (less rather than more equally).⁶ The strategies which aimed at avoiding the strict equal partition and distribution of the family assets despite the law imposed many constraints. They indeed required that all the children, sons and daughters, accepted adaptation, concessions, and sometimes abnegation. Using legal means, through succession records and with notaries' help, families elaborated successive, complex strategies so that succession appeared legal and compensations equal and definitive, while avoiding equal distribution and therefore the partition, bankruptcy, and the sale of the family house. What were these strategies and how did they affect women and their well-being? In order to avoid the forced distribution of the inheritance, Basque families planned strategies which evolved in four stages, compensating all the children (when possible) or most of the children (most generally) more or less equally.

⁶ In her book, Christine Lacanette-Pommel shows how Bearnais families used the law in order to transmit the entire property to one child. When families abused the law, children sued the single heir for full equal compensation, especially daughters. Though many used legal means to receive full, equal compensation, many others never questioned their parents' decisions (Lacanette-Pommel, 2003).

The first stage to families' succession strategies to secure single inheritance and the well-being to their children was to delay inheritance until the two spouses died. Parents needed time to both collect the money to compensate their children, secure each child's well-being, and to avoid land partition. In order to reach that goal, parents postponed the final succession settlement by signing mutual donation acts as part of their marriage contracts. Each of the couple members owned their personal assets (those each brought separately into the marriage) and shared the assets acquired together during their marriage life.⁷ Besides, each granted the other the mutual donation of half of the personal assets. This donation took various forms: all in property, all in usufruct, or half in property and half in usufruct. The couple was thus secured that the property remained intact through their life, the surviving spouse controlling the majority of the assets and thus blocking partition until death came. Propertied families then worked with the notary to legally transmit part of the family house and land to one child and compensate the other children, more or less equally before the surviving spouse's death. Meanwhile other strategies were elaborated to both collect all the siblings' shares and to secure them well-being.

The second stage to securing the well-being of the family house through single inheritance and of the children through compensation and marriage consisted in selecting the single heir and allowing him or her to marry into the house. Basque parents did not select their single heir among their first-born sons only but among their first-born sons or daughters, and as time went by, among any of their children, first-born or younger, male or female, to the point that families soon selected heirs more among their daughters (close to 60% were heiresses) than among their sons (Arrizabalaga 2002a; 2002b, 2004). In this context, we can strongly argue that women were not discriminated against, neither in the Basque Country nor in other

⁷ This Civil Code prerogative is known as « régime de la communauté réduite aux acquêts ». Each owned his or her personal assets (property for the heir or heiress and the dowry for his or her spouse) and the two together owned the assets (land or other assets) acquired during their marriage life.

Pyrenean regions, in Bearn⁸ or in the Baronies⁹ for example, or even in Cantal (Auvergne)¹⁰. Women were in this way treated equally to men, being secured well-being through full inheritance upon marriage.

The heir or heiress however did not inherit all family assets upon marriage. He or she was subject to the law. In the marriage contract, the heir or heiress was granted the extra share, namely the *préciput* share which amounted to half of the assets when there was one child in the family, one third of the assets when there were two children in the family, and one quarter of the assets where there were three children or more in the family.¹¹ Thus the strategy consisted in selecting the single heir or heiress, allowing him or her to marry into the house (thus perpetuating the stem family system) (Arrizabalaga, 1997a) and attributing him or her a part of the assets upon marriage, generally one quarter of the assets (the extra share or the *préciput*), not to be divided between the siblings. The parents and the selected heir then had time to find the solutions to collect the rest of the assets until the two parents died. During this time, they elaborated various strategies to compensate the siblings or have them relinquish their shares. Thus, upon marriage, with legal acts, the heir or heiress owned one quarter share of the family assets (the *préciput*) and later he or she could anticipate acquiring his or her legal share of the assets (the three quarter share to be divided between all siblings), a share which amounted to one third of the assets when there were two children, one quarter of the assets when there were three children, 19% of the assets when there were four children,

⁸ In Bearn where male primogeniture had prevailed in the Ancien Regime, families also selected women as heiresses in the nineteenth century. Christine Lacanette-Pommel argues that in the early nineteenth century, one third of all single heirs were women, and half in the mid nineteenth century, as a result of potential first-born heirs' departure from the family house or emigration to America (Lacanette-Pommel, 2003, 65 & 119).

⁹ Rolande Bonnain argues that one third of the heirs in the Baronies in the nineteenth century were women, a new, unusual situation in a region where male primogeniture had earlier prevailed (Bonnain, 1996. See also Fauve-Chamoux, 2003).

¹⁰ In Cantal, women were also selected as heiresses, as a result of men's emigration. According to Rose Duroux, more than 60% of the single heirs were women (Duroux, 2004).

¹¹ Article 913 of the Civil Code states: "les libéralistes (les signataires), soit par actes entre vifs, soit par testament, ne pourront excéder la moitié des biens du disposant, s'il ne laisse à son décès qu'un enfant légitime; le tiers, s'il laisse deux enfants; le quart, s'il en laisse trois ou un plus grand nombre".

15% of the assets when there were five children and so on. What is certain is that these strategies were implemented no matter the sex of the heir, men and women undifferentiated.¹²

Did the other siblings receive equal treatment ?

In order to secure the well-being of the other children, families had to elaborate additional strategies, both for men and women, the third stage of their inheritance and marriage strategies to secure single inheritance and decent well-being to the children. They then strove to collect money to compensate other children to allow them to marry into their social group (endogamous strategies or the possibility to marry an heir or heiress of equal status in the community or nearby). For that matter, families had to collect a dowry from the heir's or heiress' spouse, of the same value as the *préciput*, that is worth at least one quarter of the assets. Upon marriage, therefore, the heir or heiress and his or spouse received an equal portion, one quarter for the heir or heiress (the *préciput*) and one quarter for his or her spouse (the dowry or cash available immediately upon marriage). The spouse's dowry was then used to compensate at least one sibling who received a dowry that could then allow him or her to marry into a propertied family within the same social group. The heir and spouse were then secured to own more than half of the assets: the quarter share with the *préciput*, the other quarter share with the spouse's dowry, and the heir's or heiress' legal share. Yet there were often other children (at least one additional child) to compensate in order to collect the rest of the family assets (Arrizabalaga, 2005b).

The fourth stage consisted in elaborating yet other strategies to collect the remaining shares of the assets. Resultingly, families either saved money or even borrowed money to provide the

¹² Similar strategies were elaborated in other areas in France. To secure single inheritance, various strategies were adopted as researchers concluded (Bonnain et als. 1992; Bouchard et als., 1998; Augustin, 1989). In this manner, the stem family system survived the Revolution in the Pyrenees as many researchers have shown (Comas D'Argemir et als., 1993; Chiva et als., 1981 & 1986; Fauve-Chamoux, 1984, 1987, 1993a, 1995, 2002; Fine-Souriac, 1987; Fauve-Chamoux et als, 1998).

other siblings with a compensation. They did so before parents' death. By law, they had no obligation to compensate all siblings before parents' death. Yet they often took advantage of parents being still alive to reach an agreement with the other children compensating them in advance to succession at a time when they needed it the most, that is when they were young adults. In this manner, families collected siblings' shares early and often at a cheaper price than the real value. As siblings needed the help of the family to settle down when they were young, they often accepted a lower compensation for their share of the inheritance, especially women, as we will argue. In any case, siblings used this early compensation to either marry into a family of equal status in the community or nearby or emigrate to cities for women or to America for men. In exchange for this early, sometimes lower, compensation, siblings signed donation acts, accepting parents' compensation as a final compensation, stating that they would not demand additional compensation in the future. The heir and heiress thus collected most if not all the shares of the inheritance, often at a cheaper value than their legal share. In this process, families managed to get around the law to impose single inheritance and the full transmission of the family assets to one child from one generation to the next. It appears that these strategies secured equal treatment and well-being to some children but obviously not to all of them, especially women, as we will see.

Families' gender differentiated treatment

Men and women could inherit as single heirs in the Pyrenees in the nineteenth and twentieth centuries, a possibility which was not available to women in other parts of France, as in the Alps, for example (Collomp, 1983). Similarly, men and women could marry an heiress or heir. Finally, men and women could emigrate and perhaps marry away (Bouchard et al., 1998; Segalen et al., 1994; Lorenzetti et al., 2005). Yet when comparing similar situations, men and women were not treated equally and therefore all were not secured equal well-being.

Indeed, the analysis of family reconstitutions, succession records, marriage contracts, *préciputs* and dowries, donation acts, and testaments highlight that women in the same conditions and status as men did not always (perhaps not often) receive equal treatment, rights, chance, and status. This was due to gender and birth rank, but also to specific marriage strategies and conditions (the selection of the heir and spouse and the availability of the heir's spouse's dowry immediately upon marriage), as well as to family size, large-sized families securing more unequal well-being to their children and to their daughters in particular than small-sized families, as the demonstration will show.

Heirs, especially first-born heirs, seemed to be granted earlier, better and stronger well-being than heiresses (even first-born daughters) though heirs and heiresses were apparently treated equally, receiving the same *préciput* or extra quarter share of the inheritance to which the other siblings were not entitled. Data analysis show that women were not granted the power they hoped for in the family house as heiresses having to wait until their fathers' death to assume decision-making powers in the house. Women's power was therefore probably not so strong as men's. Considering the number of first-born sons who relinquished their right to inheritance and who preferred other options rather than heirship, it is imaginable to think that heirs also had difficulty finding the power position they hoped for within the house while fathers were alive, let alone the women.

Heirs enjoyed sometimes a higher status than heiresses (Arrizabalaga, 2006b). Heirs always married within their social group or better, their marriage contracts indicating that their wives brought a dowry amounting to one quarter of the value of the family assets (equal to the *préciput*). These women sometimes came from higher social groups. As younger children in the family, their parents could not find the money to marry them and the other younger

children within the family's social group. They therefore had to accept a smaller dowry and marry down with lower-class heirs (Arrizabalaga, 2005a). Heiresses sometimes married men of lower-status. Indeed, as a result of massive emigration to America among the men from their social group, or their marriage into a wealthier family sometimes, heiresses, especially when they were younger children in the family, married lower-status men, hard-working, thrifty laborers, even sharecroppers, who managed to save enough to collect a sizable cash dowry which allowed them to marry into a higher social group and therefore marry heiresses of higher status. These marriages were not well-looked upon in the community but families needed the cash to compensate the departing siblings and accepted such marriages (Bourdieu, 1962; 1972, 2002). They were thus able to collect the necessary dowry to compensate the other children and were in the same process secured of their daughters' and their sons-in-law's submission through life.

Heiresses' husbands therefore had greater marriage opportunities than heirs' wives. They could receive an adequate dowry from their parents and in addition save a large sum of money (by working in America for some time perhaps) so that they could gather a larger dowry than their sisters and marry a wealthier heiress. Some men thus experienced upward social mobility through marriage. Besides, they used the Civil Code to demand rights which heirs' wives could not obtain. They demanded that their dowry, used to compensate their wives' siblings and therefore incorporated into the family assets, be recognized. As their dowry was used to buy siblings' shares of the inheritance, heiresses' husbands demanded the co-ownership of the family assets, which they obtained, but not women or sharecropping sons-in-law in the same position. That explains why so many first-born sons relinquished their rights as heirs to use their dowry and savings to marry into a wealthier family, forcing parents-in-laws to grant them co-ownership and therefore power in the house. Families accepted these

deals, especially in the second half of the nineteenth century, because they needed the cash money which the sons-in-law brought into the marriage and their full involvement and implication in the well-being of the family house.

The archives clearly show that women did not enjoy such rights and powers. Why was it so? Women could not save as men could and therefore were unable to collect a larger dowry than what their parents could give them. Besides they were not in a power position to demand co-ownership. When they received a dowry worth one quarter of the family assets (which families of three or fewer children often did but not larger families), women experienced stable social mobility marrying an heir of equal status. They married owning their dowry and died owning their dowry only, though it had been invested into the family assets and used to purchase the heirs' siblings' shares of the inheritance. When women received a dowry worth less than the quarter share of the family assets (which happened when families were larger, with more than three children), they could at best collect a smaller dowry and marry an heir of lower status than their parents. Thus unable to save money in the way their brothers could, they experienced downward social mobility through marriage and they did not obtain the right to co-ownership. Consequently, men as heirs or heiresses' husbands experienced stable or upward social mobility while women as heiresses and heirs' wives experienced stable or downward social mobility. Women, as heiresses and heirs' wives, therefore were not secured equal treatment and equal well-being through marriage as men, especially cadet women (younger sisters compared to older siblings) (Arrizabalaga, 2005a).

Family reconstitution and succession records thus indicate that families could settle one child as an heir and another one as an heir's spouse but they often had difficulty collecting the

money to compensate all the children equally, especially in large families. What were the other children's well-being, as they did not inherit and did marry into a propertied family?

First-born sons and daughters were generally settled rather comfortably as heirs or heirs' spouses¹³. Sons however often opted for other options. They received a compensation worth a quarter of the family assets, which they used to marry into propertied family or to emigrate, as we will see. But younger children, especially women, had greater difficulty to do as well as older siblings, especially older brothers. Men used their dowry to marry into a propertied family, to accept more respectable urban jobs (as civil servants, propertied artisans or priests in the church) or to emigrate to America. They were given money to finance their voyages across the Atlantic Ocean and their settlement in America.¹⁴ Once in America they generally fared well and could help their siblings, nieces and nephews financially so that they could join them in America, women marrying well-established immigrants in America (Arrizabalaga, 2007). Younger women in the family had difficulty getting compensation for their shares of the inheritance. In any case, some were not given an early compensation before parents' death. Even after their parents' death, some refused to force the heir or heiress to provide them with their legal compensation for their share of the inheritance all together. These women often relinquished their rights to inheritance. By the time they were entitled to inheritance (after parents' death), they were often older women. They had established themselves and did not want to put pressure on the family to come up with the money. These women therefore did not have as good destiny compared to their brothers and especially compared to their older brothers and sisters (Arrizabalaga, 2003 & 2005c). They showed

¹³ Except when first-born sons or daughters had been conceived out of wedlock, had acted against parents' will, or had given birth to an illegitimate child.

¹⁴ They settled in South America first (Argentina and Uruguay in the mid-nineteenth century), then moved further north (Chili and Mexico in the second half of the nineteenth century), and finally North America (the United States and Canada around the turn of the nineteenth century to the twentieth century) (Arrizabalaga, 1996 & 1997b & 2000).

proof of abnegation for the sake of the family house and of the lineage in their village of birth. Contrary to some families in Bearn¹⁵, they certainly refused to force the sale of the family assets to collect their shares of the inheritance, especially when the value of their shares came up to less than 15% of the family assets (in families with five children or more). They were so devoted to family values that they even accepted to donate their shares of the inheritance, signing a donation act or a testament in the course of their life or a testament donating their share to the heir or heiress of the family house (or that of the next generation).¹⁶

While men received a compensation, accepting a smaller share of the inheritance to emigrate to cities or more commonly to America, women sometimes received nothing. These women were not secured as decent well-being as their siblings, unable to get married sometimes and experiencing downward social mobility in the community of their birth or in cities. Indeed, some married down, very small propertied or landless farmers or artisans in the village. Others remained single in the family house through their life or in the village. Many however settled in cities where they found low-paid unskilled jobs as shop keepers, seamstresses, cooks, or maids. It is surprising that these women did not marry or joined their successful brothers in America. It appears that when they could not marry into their social group, they preferred life-long celibacy. Half of the women who settled in the French cities remained single and the other half opted for exogamous marriage strategies with well-established propertied artisans or civil servants (Arrizabalaga, 2006b). Consequently, unmarried men and women were those who accepted sacrifice and abnegation for the sake of the family house and

¹⁵ In Bearn it was common that younger women forced partition in order to collect their share of the inheritance or when they considered that they had not collected their full, legal shares. They therefore sued the heir or heiress for full compensation, forcing the heir or heiress to get indebted sometimes to pay for the full compensation which endangered the viability of the family business (Lacanette-Pommel, 2003).

¹⁶ It was surprising to find succession declarations in the succession registers (*Enregistrement*) showing that some men and women owned nothing, not even their share of the inheritance. The family declared them "indigent". It actually appears that before death, they had signed acts donating their share of the inheritance to the heir or heiress. They therefore died with no property. When they did not sign such donation acts, they signed a testament donating their share of the inheritance to the heir/heiress or the next generation heir/heiress of the family house and land upon death.

lineage. While the single men did quite well, the single women did not and experienced downward social mobility (Arrizabalaga, 2005d).

As the case studies will show, families tried to treat sons and daughters rather equally but that was possible only when families were small, with two children only. Strict equality was more difficult when families were larger. In that case, older children were treated better than younger children. Among older children men were better treated than women. In the same way, among younger children, men were better treated than women. As a consequence, whenever possible, sons and daughters were treated equally but because of large size families, strict equality was impossible. As a consequence, women were not secured as equal well-being as men, accepting unequal family practices, as the following case studies will show.

Case studies on inheritance and marriage strategies

The case studies selected here will demonstrate how families secured well-being to all their children, men and women, through inheritance and marriage. They will show that when possible families treated daughters as well as sons so much so that daughters often inherited from the family assets as single heiresses while their brothers were excluded from inheritance. In such cases families treated their children as equally, their size allowing them to secure equal well-being despite single inheritance practices. We will later see that in large-size families, women were treated unequally, many of them experiencing downward social mobility through marriage, emigration, and celibacy.

Families strove to treat their children, male and female, equally when the size of the family was small. Jean A. and Marie A. acquired 5 hectares of land in Alçay in the early nineteenth century. They had three children, Alexis (first-born), Pierre (second-born), and Marie (third-

born). Pierre died unmarried in 1847 before his parents' death. The assets were therefore to be divided between Alexis and Marie and inheritance compensations were easy and smooth. Alexis inherited the larger share (*préciput*), one third of the family assets, as part of his marriage contract with Elizabeth Q. who in turn brought a dowry of 2375 francs. This money was then used to compensate Marie (second born) to marry Jean A., the heir of a 16-hectare property. Alexis thus inherited two thirds of the family assets, one third or the *préciput* share and one third or his legal share of the inheritance. He then collected his sister's share using his wife's dowry. When he died, he alone owned the family assets while his wife died owning her dowry only, though the latter allowed Alexis to compensate his sister for her share of the inheritance and to collect all the shares. Similarly, Marie died owning her dowry only though it was used to compensate her husband's siblings' share of the inheritance. The only compensation that women received was the donation act part of the marriage contract. As in all cases of single heir contracts, Marie and Elizabeth were granted 50% of their husband's assets, half in property and half in usufruct so that when their husband died, they controlled the majority of the assets and prevented partition until the next generation heir took over. Women and men were indeed treated equally but not all that equally as heirs enjoyed illegal rights over their spouses' dowries which were unfair to women.

Families sometimes treated men and women unequally especially younger ones compared to older ones. Pierre H. and Marie E. owned a house and 12 hectares of land in Sare. Together they had four children, three of whom reached adulthood. Jeanne-Marie, their first-born daughter, Baptiste their second-born son, and Jean-Martin their third-born son. Jeanne-Marie was naturally selected as heiress of the family assets when she married Pierre Joseph E., the heir of a house and 22 hectares of land. Though both inherited the family patrimony, they were allowed to marry, which was unusual. The problem was that neither Jeanne-Marie nor

Pierre-Joseph brought a dowry. That explains why her two brothers never married and lived all their life with Jeanne-Marie rather than marry down or emigrate to America. When they died, the two brothers donated their shares of the inheritance to their sisters, Jeanne-Marie. The couple did not merge the two inherited properties, her two brothers taking care of her family's assets and her husband his family assets. In the next generation, the two properties were divided again. Jeanne-Marie and Pierre-Joseph had five children. Gracieuse, their first-born daughter, was excluded from inheritance because she had an illegitimate child and married a landless farmer in the community (out of love perhaps). They were later given a small property but very little compared to the other siblings. Pierre, second-born son, inherited his mother's inherited assets and Jeanne, third-born daughter, inherited her father's inherited assets. Jean-Martin, fourth-born son, was given the money to emigrate to America where he became a sheep and Jean-Léon, fifth-born son, remained single at her sister's, Jeanne. None of the unmarried brothers demanded their shares of the inheritance. All were taken care of at home or helped to emigrate. Only Gracieuse was treated unfavorably. Thus, birth rank seemed to predominate over gender except in cases of cultural and family disobedience. Yet what most and foremost prevailed was single inheritance or the transmission of all family assets intact from one generation to the next.

First-born children sometimes relinquished their shares of the inheritance as they refused to share decision-making power with parents and to wait until younger siblings departed from the house to inherit and marry into the house. Dominique and Marie H., the heiress of an eight-hectare property, had four children in Alçay in the early nineteenth century. Marie, the first-born daughter, started her adult life as a domestic in the nearby town of Tardets. There she married Pierre M., a professional driver and a civil servant and later moved to the towns of Saint-Jean-Pied-de-Port and Saint-Palais. She probably lived in town waiting until her

younger siblings departed from the house. In the meantime, she married and relinquished her rights over the family assets. She probably received a dowry, a sum in exchange for her share of the inheritance. Her second-born brother, Pierre, refused to assume the responsibility as a single heir. Instead, he remained single through his life, residing in the house with the heir until he died. He later donated his share of the inheritance to the heir. Catherine, third-born daughter, established herself in Pau where she was employed as a maid while waiting inheritance. There she met a civil servant (a postman) and lived her life in Pau. Engrace, the fourth-born daughter, was the one who inherited the family house and land when she married Philippe A., the son of local propertied family. The latter brought a dowry of 1500 francs into the marriage while Engrace received the *préciput* share representing one fourth of the family assets. Philippe's dowry was used to compensate the two sisters or to pay back the debts due to Marie's and Catherine's compensations. Together Engrace and Philippe controlled half of the assets (the *préciput* and the quarter share acquired with the dowry), in addition to Engrace's legal share (an additional 19% of the shares). As Pierre later donated his 19% share, the couple controlled 88% of the assets. They then had time to get the rest of the share, which Engrace's sister donated. Engrace and Philippe mutually donated half of their assets to keep the assets all together (they married under the *Régime de la communauté réduite aux acquêts* (note 8)). In the next generation, inheritance decisions were easy to make as Engrace and Philippe had three children, two of whom relinquished their rights to inheritance. Marie, the first-born daughter, emigrated to America. Pierre, the third-born son, emigrated to Cuba where he died as a single man. Pierre, the second-born son, inherited all the family assets, compensating his siblings when they departed to America. In exchange, the latter signed donation acts to favor their brother, Pierre, who then collected all the family assets, without protest from the other two siblings.

Heiresses' husbands' legal rights were indeed more respected than heirs' wives'. Dominique I. married an heiress, Marie H., and used the Civil Code to demand his rights. Upon marriage, he brought a 399 franc dowry and later bought some of his wife's shares of the inheritance. He therefore demanded to be associated to the management of the family business as co-owner. Besides, they acquired additional land through their life (which doubled the size of the family assets), making Dominique and Marie co-owners of most of the assets. In the next generation, Engrace, heiress, inherited the extra quarter share of the family assets (*préciput*) upon marriage and her husband, Philippe A., brought as dowry worth 1500 francs. Besides, he bought most of Engrace's siblings' shares of the inheritance, worth 3550 francs. When he died, he declared himself co-owner of the assets which came from his wife's parents. Women did not enjoy such rights when they married heirs however. Marie B. married Raimond E., who was the single heir of his family assets in Alçay (his sister remaining single in her life through her life and relinquishing her rights in favor of her brother). Marie brought a large dowry into her marriage, 3550 francs which were invested into the property. Despite investment, the dowry brought her nothing. When she died in 1842, she only owned her dowry, not an unusual case, it seems.

Inequalities indeed prevailed between heirs and their spouses, but they also prevailed between older and younger siblings. Dominique J. inherited his parents' eight-hectare property when he married Marie N. in the early nineteenth century. The latter brought a dowry valued to 750 francs which was then used to pay back Dominique's debts (due to the compensation which he had given to his siblings before marriage). As the payment of debts were made in front of the notary, Dominique was forced to make Marie co-owner of the inherited assets. This was a rare case. Their children did not enjoy such rights however. The couple had four children, all of whom did not enjoy equal rights. Brigitte, the first-born daughter, was the single heiress as

she received an extra *préciput* share worth one quarter of the assets when she married Pierre B. who brought a dowry worth 1620 francs. The dowry was probably not used to compensate Marie, second-born daughter, when she married and emigrated to Montevideo (Uruguay), but it certainly allowed Brigitte to constitute Raimond's 1400 franc dowry (the third-born son) which he used to purchase his wife's siblings' shares of the inheritance and to become co-owner of his wife's inherited property, Marguerite E., heiress. The first three children experienced stable social mobility, marrying into their social group and maintaining their social status. Simone, the fourth-born daughter, however, did not maintain her social status. She worked as a weaver through her life and married a landless farmer. She therefore experienced downward social mobility. She was unable or unwilling to get her share of the inheritance and therefore died "indigent".

Among wealthy families, the equal compensation of siblings' legal shares of the inheritance was impossible without partition. In those rare occasions, families owned a large amount of land through life and then partitioned it between some of the children, the older children rather than the younger children. Dominique and Jeanne acquired several houses and 100 hectares of land through life in Isturits. Jeanne was the heiress of several houses and land worth 199 700 francs. Dominique brought a dowry of 15 000 francs into the marriage and had additional 78 000 francs which he used to acquire his wife's siblings' shares of the inheritance on his name. He bought two of his wife's sisters' shares of the inheritance, worth 20 000 francs each, and later acquired additional land. Before marriage, they signed a contract which clarified that each owned their personal assets and inherited property and co-owned the assets acquired during their marriage life. By the time Dominique died, one child had received one quarter share (the *préciput*) and his wife was donated one quarter of the assets in usufruct. Together they controlled the assets and blocked partition. The problem was that there were

ten children to establish, all of whom survived adulthood. As there were many children, the property was eventually partitioned between three oldest children, each inheriting a house and 30 hectares of land, a small property compared to their parents'. The cadets received a compensation which was smaller than their legal share yet the compensation was decent. However they could not marry into their social group. Finally, six of them remained single. Joannes, the first-born son, received a 4000 franc dowry to marry an heiress who eventually inherited her family's 23 hectare property. Gracieuse, the second-born daughter, never married but received a dowry which was large enough to allow her to live in the town of Hasparren as a self-supported retired person. When she died, she donated her wealth to the family's heir. Jean-Baptiste, the third-born son, received a 6000 dowry which he used to marry the heiress of 33 hectares. Pierre, the fourth-born son, used his compensation to emigrate to Cuba where he was a merchant and died unmarried. Pierre, the fifth-born son, is the one who inherited his parents house and 28 hectares of land. His wife brought a 6200 franc dowry. The five next children, Baptiste, Jean, Jeanne, Dominica, and Gratianne (sixth, seventh, eighth, ninth and tenth-born children) received a compensation for their share of the inheritance, the men emigrated to America where they became merchants and the women entered convents. Celibacy among seven of the ten children thus allowed the three oldest children to settle comfortably, their younger siblings sacrificing marriage for the sake of traditions. The men thus enjoyed great freedom of movement (America) and the women entered convents to avoid down marriages. More than the men, the women were the ones who sacrificed their life for single inheritance, for the house, for the family and therefore experienced downward social mobility, even in well-to-do families.

Conclusion

Inheritance and marriage practices in the Pyrenees and in the Basque Country in particular probably treated women more equally than in other places in France because women could inherit the family house and land even when they had older and younger brothers. When families were small, men and women were treated equally and parents abode by the law. Yet when families were larger, inequalities appeared strongly between older and younger children and between men and women. Men were better provided than women, often receiving a larger dowry than their sisters. Besides, when men and women were given equal opportunity, they did not enjoy the same rights. Heiresses had to obey parents until they died and later share decision-making with their husband. Some even married lower-status men. Heirs however sometimes married up, with wealthier heiresses, especially when they had saved their own money and added it to their share of the inheritance. These men experienced upward social mobility, more often than women in the same position. Indeed, women had to do with their dowry alone, which, when the family was large, did not equal the extra quarter *préciput* share which the heir or heiress received for marriage. They could only marry smaller farmers or sharecroppers. Besides, they were rarely given the status of co-owner, a status which men enjoyed when they married heiresses.

When men and women neither inherit nor married heirs, their destiny was sometimes unfavorable, especially for women. These women received a smaller compensation for their share of the inheritance (if any), one which did not allow them to marry into their social group. Many therefore experienced downward social mobility through marriage. Rather than accept down marriages, women remained single in the village or in cities. They improved their status by marrying out of their social group (exogamous marriage practices), with civil servants or propertied artisans in towns or cities. They could have gone to America where

their brothers fared well but few did. They remained single instead. Men who did not inherit or marry an heiress generally emigrated to America where they often fared well, remaining single rather marrying outside their cultural group in America and hoping perhaps to return to their village. Others married before settling in America permanently. In any case, for these men and women, status was maintained through marriage away (emigration to America) for men and through exogamous marriage (with civil servants or propertied men in cities) for women. What is certain is that some forms of inequalities prevailed despite parents' efforts. Children seemed to accept these inequalities, willingly or unwillingly, never forcing land partition, as the land registers clearly outline. They showed understanding and acceptance, made concessions with siblings, and gave signs of self-abnegation sometimes for the survival of the family house, a situation which prevailed in the Western Pyrenees until recently.

Bibliography

ARRIZABALAGA, Marie-Pierre, 2007, « Les femmes pyrénéennes et l'émigration transatlantique aux XIXe et XXe siècles : une réalité mal connue », in Philippe RYGIEL & Natacha LILLO (eds.), *Rapports sociaux de sexe et migrations. Mondes atlantiques, XIXe – XXe siècles*, Paris, Publibook, 59-70.

_____, 2006a, « Destins de femmes dans les Pyrénées au XIXe siècle : le cas basque », *Annales de Démographie Historique. Itinéraires féminins*, à paraître

_____, 2006b, « Droits, pouvoirs et devoirs dans la maison : la place des hommes et des femmes au sein des familles basques depuis le XIXe siècle », *Vasconia*, 35, 159-187.

_____, 2005a, « Pyrenean marriage strategies in the nineteenth century: the Basque case », *IRSH*, 50, 93-122.

_____, 2005b, « Succession strategies in the Pyrenees in the 19th century. The Basque case », *The History of the Family: an International Quarterly* (USA), 10, n° 3, 271-292.

_____, 2005c, « Migrations féminines – migrations masculines : des comportements différenciés au sein des familles basques au XIXe siècle », in Luigi LORENZETTI, Anne-Lise HEAD-KONIG, Joseph GOY (eds.), *Marchés, migrations et logiques familiales dans les espaces français, canadien et suisse, 18^e-20^e siècles*, Bern, Peter Lang, 183-195.

_____, 2005d, « Basque women and migration in the nineteenth century », *The History of the Family. An International Quarterly*, 10, 2, 99-117.

_____, 2004, « Stratégies de l'indivision et rapport à la terre après le Code civil: le cas basque au XIXe siècle », in Gérard BEAUR, Christian DESSUREAULT, Joseph GOY (eds.), *Familles, terre, marchés. Logiques économiques et stratégies dans les milieux ruraux (XVIIe-XXe siècles)*, Rennes, Presses Universitaires de Rennes, 171-183.

_____, 2003, « Comment le marché de l'emploi national et international a-t-il influencé les destins individuels au sein de familles basques et les modalités de transmission du patrimoine au XIX siècle? », in Christian DESSUREAULT, John DICKINSON, Joseph GOY (eds.), *Famille et marché (XVIe – XXe siècles)*, Sillery (Québec), Septentrion, 183-198

_____, 2002a, « Female primogeniture in the French Basque Country », in Emiko OCHIAI (ed.), *The Logic of Female Succession: Rethinking Patriarchy and Patrilineality in Global and Historical Perspective*, Kyoto, International Research Center of Japanese Studies, 31-52.

_____, 2002b, « Les héritières de la maison au Pays Basque au XIXe siècle », *Lapurdum*, VII, 35-55.

_____, 2000, « Les Basques dans l'Ouest américain, 1900-1910 », *Lapurdum*, V, 335-350.

_____, 1998, *Famille, succession, émigration au Pays Basque au XIXe siècle. Etude des pratiques successorales et des comportements migratoires au sein de familles basques*, Doctoral thesis, Paris, Ecole des Hautes Etudes en Sciences Sociales.

_____, 1997a, « The stem family in the French Basque Country: Sare in the nineteenth century », *Journal of Family History*, 1, 50-69.

_____, 1997b, « Structures familiales et destins migratoires à Sare au XIXe siècle », *Lapurdum*, II, 237-255.

_____, 1996, « Réseaux et choix migratoires au Pays Basque. L'exemple de Sare au XIXe siècle », *Annales de démographie historique*, 423-446.

ASSIER-ANDRIEU, Louis, 1981, *Coutume et rapports sociaux. Etude anthropologique des communautés paysannes du Capcir*, Paris, Editions du CRNS.

ASSIER-ANDRIEU, Louis (ed.) (1990). *Une France coutumière. Enquête sur les "usages locaux" et leur codification (XIXe-XXe siècles)*, Paris, Éditions du CNRS.

AUGUSTINS, Georges (1989), *Comment se perpétuer? Devenir des lignées et destins des patrimoines dans les paysanneries européennes*, Nanterre, Société d'ethnologie française.

BEAUR, Gérard, 2004, "Land transmission and inheritance practices in France during the Ancien Régime : differences of degree and kind ?", in David R. GREEN & Alastair OWENS (eds.), *Family Welfare. Gender, Property, and inheritance since the Seventeenth century*, London, Praeger, 31-46.

BEAUR, Gérard, DESSUREAULT, Christian, GOY, Joseph (eds.), 2004, *Familles, terre, marchés. Logiques économiques et stratégies dans les milieux ruraux (XVIIe-XXe siècles)*, Rennes, Presses Universitaires de Rennes.

BONNAIN, Rolande, 1996, "Houses, heirs and non-heirs in the Adour Valley. Social and geographic mobility in the nineteenth century", *The History of the Family: an International Quarterly*, 1 (3), 273-296.

BONNAIN, Rolande, BOUCHARD, Gérard, GOY, Joseph (eds.), 1992, *Transmettre, hériter, succéder. La reproduction familiale en milieu rural: France – Québec, XVIIIe – XXe siècles*, Lyon, Presses Universitaires de Lyon.

BOUCHARD, Gérard, GOY, Joseph, HEAD-KONIG, Anne-Lise (eds.), 1998, *Problèmes de la transmission des exploitations agricoles (XVIIIe – XXe siècles)*, Rome, Editions de l'Ecole Française de Rome.

BOUCHARD, Gérard, DICKINSON, John, GOY, Joseph (eds.), 1998, *Les Exclus de la terre en France et au Québec (XVIIe – XXe siècles). La reproduction familiale dans la différence*, Sillery (Quebec), Septentrion.

BOURDIEU, Pierre, 2002, *Le Bal des célibataires. Crise de la société paysanne en Béarn*, Paris, Seuil.

_____, 1972, "Les stratégies matrimoniales dans les systèmes de reproduction", *Annales ESC*, 4-5, 1105-1127.

_____, 1962, "Célibat et condition paysanne", *Études rurales*, 5-6, 32-135.

CHIVA, Isaac & GOY, Joseph (Eds.), 1981, *Les Baronniees des Pyrénées. Maisons, mode de vie, société*, Tome I, Paris, Editions de l'EHESS.

_____, 1986, *Les Baronniees des Pyrénées. Maisons, espace, famille*, Tome II, Paris, Editions de l'EHESS.

COLLOMP, Alain, 1983, *La Maison du père. Famille et village en Haute-Provence aux XVIIe et XVIIIe siècles*, Paris, Presses Universitaires de France.

CORDIER, Eugène, 1859, *Droit aux Pyrénées. Barèges, Lavedan, Béarn et Pays Basque*, Paris, A. Durand.

COMAS D'ARGEMIR, Dolors & SOULET, Jean-François (Eds.), 1993, *La família als Pirineus*, Andorre, Impremta Solber.

DUROUX, Rose, 2004, "Emigration, gender, and inheritance: a case study of the High Auvergne, 1700-1900", in David R. GREEN and Alastair OWENS (eds.), *Family Welfare. Gender, Property, and inheritance since the Seventeenth century*, London, Praeger, 47-71.

FAUVE-CHAMOIX, Antoinette, (2003), « Le rôle des femmes dans la transmission des biens en France », in Christian DESSUREAULT, John DICKINSON, Joseph GOY (eds.), *Famille et marché (XVIe – XXe siècles)*, Sillery (Québec), Septentrion, 245-260.

_____, (2002), « Strategies of household continuity in a Stem-Family Society: from heirship to headship », in Renzo DEROSAS, Michel ORIS (eds.), *When Dad Died. Individuals and Families Coping with Distress in Past Societies*, Bern, Peter Lang, 121-139.

_____, (1998), « La reproduction familiale en milieu paysan : le destin des exclus », in Gérard BOUCHARD, John DICKINSON, Joseph GOY (eds.), *Les Exclus de la terre en France et au Québec (XVIIe – XXe siècles). La reproduction familiale dans la différence*, Sillery (Québec), Septentrion, 73-91.

_____, (1995), « The stem family, demography and inheritance », in D. Siddle (ed.), *The European Peasant Family and Economy*, Liverpool, Liverpool University Press, 86-113.

_____, (1993a), « Les frontières de l'autorégulation paysanne: croissance et famille-souche », *Revue de la Bibliothèque Nationale*, 50, 38–47.

_____, (1993b), « Household forms and living standards in preindustrial France: from models to realities », *Journal of Family History*, 18, 2, 135–156.

_____, (1987), « Le fonctionnement de la famille-souche dans les Baronnie des Pyrénées avant 1914 », *Annales de démographie historique*, 241–262.

_____, (1984), « Les structures familiales au Royaume des familles-souches : Esparros », *Annales ESC*, 3, 514–528.

FAUVE-CHAMOUX, Antoinette & OCHIAI, Emiko (eds.), 1998, *Maison et famille souche : perspectives eurasiennes*, Kyoto (Japan), International Research Center for Japanese Studies.

FINE-SOURIAC, Agnès, 1987, « La famille-souche pyrénéenne au XIXe siècle. Quelques réflexions de méthode », *Annales ESC*, 3, 478–487.

FOUGERES, Alain, 1938, *Les Droits de famille et les successions au Pays Basque et en Béarn d'après les anciens textes*, Bergerac, H. Trillaud.

GREEN, David R. & OWENS, Alastair (Eds.), 2004, *Family Welfare. Gender, Property, and inheritance since the Seventeenth century*, London, Praeger.

LACANETTE-POMMEL, Christine, 2003, *La famille dans les Pyrénées. De la coutume au code Napoléon*, Estadens, PyréGraph.

LAFOURCADE, Maïte, 1989, *Mariages en Labourd sous l'Ancien Régime. Les contrats de mariage du pays de Labourd sous le règne de Louis XVI*, Bilbao, Universidad del País Vasco.

LE PLAY, Frédéric, 1871, *L'Organisation de la famille selon le vrai modèle signalé par l'histoire de toutes les races et de tous les temps*, Paris, Tequi.

_____, 1878, *La Réforme sociale en France déduite de l'observation comparée des peuples européens*, 3 volumes, Paris, Dentu.

_____, 1994, *Les Mélouga, une famille pyrénéenne au XIXe siècle*, Paris, Nathan.

LE ROY LADURIE, Emmanuel, “Système de la coutume. Structures familiales et coutumes d'héritage en France au XVIe siècle”, *Annales ESC*, 1972, 4-5, 825-846.

LORENZETTI, Luigi, HEAD-KONIG, Anne-Lise, GOY, Joseph (Eds.), 2005, *Marchés, migrations et logiques familiales dans les espaces français, canadien et Suisse, 18^e – 20^e siècles*, Genève, Peter Lang.

POUMAREDE, Jacques, 1972, *Les Successions dans le Sud-Ouest de la France au Moyen Age*, Paris, Presses Universitaires de France.

SEGALEN, Martine, 1985, *Quinze générations de Bas-Bretons. Parenté et Société dans le Pays Bigouden Sud, 1720-1980*, Paris, Presses Universitaires de France.

SEGALEN, Martine, RAVIS-GIORDANI, Georges, 1994, *Les Cadets*, Paris, CNRS Editions.

YVER, Jean, 1966, *Égalité entre héritiers et exclusion des enfants dotés: essai de géographie coutumière*, Paris, Éditions Sirey.

ZINK, Anne, 1993, *L'Héritier de la maison. Géographie coutumière du Sud-Ouest de la France sous l'Ancien Régime*, Paris, EHESS, 1993.