

Thomas Buchner,
Philip R. Hoffmann-Rehnitz (Eds.)

***Shadow economies
and irregular work in
urban Europe***

16th to early 20th centuries

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edited by

Thomas Buchner

and

Philip R. Hoffmann-Rehnitz

LIT

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This publication was supported by the Johannes Kepler University of Linz, the Linzer Hochschulfonds, the Austrian Bundesministerium für Wissenschaft und Forschung, the Collaborative Research Center/SFB 485 'Norm und Symbol. Die kulturelle Dimension sozialer und politischer Integration' (University of Constance) and the Deutsche Forschungsgemeinschaft (DFG).

Bibliographic information published by the Deutsche Nationalbibliothek

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available in the Internet at <http://dnb.d-nb.de>.

ISBN 978-3-7000-0729-6 (Austria)

ISBN 978-3-8258-0688-0 (Germany)

A catalogue record for this book is available from the British Library

©LIT VERLAG GmbH & Co. KG Wien 2011	LIT VERLAG Dr. W. Hopf
Krotenthallergasse 10/8	Berlin 2011
A-1080 Wien	Fresnostr. 2
Tel. +43 (0) 1-409 56 61	D-48159 Münster
Fax +43 (0) 1-409 56 97	Tel. +49 (0) 2 51-620 320
e-Mail: wien@lit-verlag.at	Fax +49 (0) 2 51-922 60 99
http://www.lit-verlag.at	e-Mail: lit@lit-verlag.de
	http://www.lit-verlag.de

Distribution:

In Germany: LIT Verlag Fresnostr. 2, D-48159 Münster
Tel. +49 (0) 2 51-620 32 22, Fax +49 (0) 2 51-922 60 99, e-mail: vertrieb@lit-verlag.de

In Austria: Medienlogistik Pichler-ÖBZ, e-mail: mlo@medien-logistik.at

In the UK: Global Book Marketing, e-mail: mo@centralbooks.com

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Acknowledgements

The origin of this volume is a workshop on 'Shadow economies and non-regular work practices in urban Europe (16th to early 20th centuries)', which took place at the University of Salzburg in 2006, as well as a session at the International Economy History Congress in Helsinki in the same year. Former versions of most of the papers in this volume were presented at the Conference and/or the Session.¹ Unfortunately, the papers presented by Raingard Esser and Susanne Bennewitz could not be published due to private reasons. We would like to thank the Johannes Kepler University of Linz, the Linzer Hochschulfonds, the Austrian Bundesministerium für Wissenschaft und Forschung, the Collaborative Research Center/SFB 485 'Norm und Symbol. Die kulturelle Dimension sozialer und politischer Integration' at the University of Constance and the Deutsche Forschungsgemeinschaft (DFG), which have provided financial support and made this publication possible. We would like to thank Reinhold Reith and Sigrid Wadauer for their cooperation in the organization of the workshop at Salzburg and the University of Salzburg for their financial support. We would also like to express our appreciation to Nancy Kuehler for translating the introduction and to David Brenner and Joel B. Lande for their professional editing of a large number of the contributions in this volume.

Thomas Buchner
Philip R. Hoffmann-Rehnitz
September 2010

¹ See Thomas Buchner, 'Shadow economies and non-regular work practices in urban Europe (16th to early 20th centuries)', *Hamburger Wirtschafts-Chronik* N.F. 6 (2006), 147-55; Georg Stöger, 'Tagungsbericht *Shadow economies and non-regular work practices in urban Europe (16th to early 20th centuries)*. 17.02.2006-18.02.2006, Universität Salzburg', *H-Soz-u-Kult*, 13.05.2006, <http://hsozkult.geschichte.hu-berlin.de/tagungsberichte/id=1127>.

Introduction: Irregular Economic Practices as a Topic of Modern (Urban) History – Problems and Possibilities

Thomas Buchner and Philip R. Hoffmann-Rehnitz

1. Transformations of the working world

The transformation of labour forms and working conditions in the Western world since the putative onset of the post-industrial age has been the subject of controversial discussion for about thirty years. As early as the beginning of the 1980s, the crisis or rather the imminent end of the labour society and the loss of importance of contractual wage labour bound to a fixed working place has been the subject of argument and dispute.¹ Work itself, according to the thesis of numerous social scientists, such as Claus Offe or André Gorz, is not becoming scarce; what can be observed is, rather, an erosion of classical wage labour², which achieved hegemonic status during the 'Golden Age' of industrial-

¹ The concept of 'labour/labouring society' can be traced back to Hannah Arendt, *The Human Condition* (Chicago, Ill., 1958). However, it was not until the beginning of the 1980s that it became more relevant as its crisis and imminent end were prognosticated. For this intensive discussion, cf. some German examples, e. g. Ralf Dahrendorf, 'Im Entschwinden der Arbeitsgesellschaft', *Merkur* XXXIV (1980), 749-60; Bernd Guggenberger, 'Am Ende der Arbeitsgesellschaft – Arbeitsgesellschaft ohne Ende?', in Frank Benseler et al. (eds.), *Zukunft der Arbeit* (Hamburg, 1982), 63-84; Joachim Matthes (ed.), *Krise der Arbeitsgesellschaft? Verhandlungen des 21. Deutschen Soziologentages in Bamberg 1982* (Frankfurt and New York, 1983); Claus Offe, 'Arbeitsgesellschaft'. *Strukturprobleme und Zukunftsperspektiven* (Frankfurt and New York, 1984); cf. also André Gorz, *Métamorphoses du travail: quête du sens, critique de la raison économique* (Paris, 1988); for a critical perspective on this debate see Helmut König, 'Die Krise der Arbeitsgesellschaft und die Zukunft der Arbeit. Zur Kritik einer aktuellen Debatte', in Helmut König et al. (eds.), *Sozialphilosophie der industriellen Arbeit* (Opladen, 1990), 322-45; Warnfried Dettling, 'Diesseits und jenseits der Erwerbsarbeit', in Jürgen Kocka and Claus Offe (eds.), *Geschichte und Zukunft der Arbeit* (Frankfurt and New York, 2000), 202-14.

² We follow a narrower definition of wage labour here, as suggested by Hartmut Hirsch-Kreinsen, who states that wage labour is defined as regulated and paid economic activities in the form of vocations. According to Hirsch-Kreinsen, a distinction must be made between these and the broad area of informal, non-official or even autonomous work as well as all the remaining economic activities which do not fit into the definition of wage labour: Hartmut Hirsch-Kreinsen, 'Lohnarbeit', in Andrea Maurer (ed.), *Handbuch der Wirtschaftssoziologie* (Wiesbaden, 2008), 268-90, here 268. In comparison, a broader definition of wage labour advocated by Jürgen Kocka includes every activity which leads to the production of goods or the supply of services with the purpose of market trade, as well as every activity with which an income is derived from or through which money is earned: Jürgen Kocka, 'Arbeit früher, heute, morgen: Zur Neuartigkeit der Gegenwart', in idem and Offe, *Geschichte und Zukunft der Arbeit*, 476-92, here 481.

ized economies between the 1950s and 1970s³, and a decline of formal employment. There has been an attendant expansion of forms of work and employment that do not correspond to the traditional social and labour models and for which, in the meantime, such terms as precarious, atypical or informal labour have become widespread.⁴

Parallel to the debate on the crisis of the labour society, the social and economic sciences have discovered the informal or shadow economy as an object of research. According to investigations by economists, the shadow economy has increased significantly and successively in almost all of the OECD countries since the 1970s. In turn, this growth has been accompanied by a spread of illicit and undeclared work.⁵ Assessments

³ For the historical background of the modern labour society, cf. Thomas Welskopp, 'Der Wandel der Arbeitsgesellschaft als Thema der Kulturwissenschaften – Klassen, Professionen und Eliten', in Friedrich Jäger and Jörn Rüsen (eds.), *Handbuch der Kulturwissenschaften*. Vol. 3: *Themen und Tendenzen* (Stuttgart and Weimar, 2004), 225–46; Josef Ehmer, 'Work, History of', in Neil J. Smelser and Paul B. Baltes (eds.), *International Encyclopedia of the Social and Behavioral Sciences*. Vol. 24 (Amsterdam et al., 2001), 16569–75; Jürgen Kocka (ed.), *Work in a Modern Society. The German Historical Experience in Comparative Perspective* (New York and Oxford, 2010).

⁴ Emanating from French debates in recent years, the concept of 'precarious labour' and discussion of the 'new precariat' have been widespread, with precarious labour usually defined as poorly paid, short-term and uncertain occupation which, due to a lack of social safeguards, places the burden of the risks of the labour market solely on the workers (and only secondarily on the welfare state); Robert Castel speaks of a constantly increasing 'zone of vulnerability' (or 'precarity') marked by uncertain living conditions and tendencies towards social disintegration, in which, however, – in contrast to the 'zone of disaffiliation' where the chances of social (re)integration have largely been destroyed – possibilities for participation in important areas of social life still exist; inasmuch the 'zone of vulnerability' is characterized by an undefined 'precarious' or intermediate status between social inclusion and exclusion: cf. Robert Castel, *Die Metamorphosen der sozialen Frage. Eine Chronik der Lohnarbeit* (Constance, 2000), esp. 12ff. (original: *Les métamorphoses de la question sociale: une chronique du salariat* (Paris, 1995)); cf. also Klaus Dörre, 'Die Zone der Verwundbarkeit'. Unsichere Beschäftigungsverhältnisse, Prekariisierung und die Gewerkschaften', in Michael Sommer et al. (eds.), *Die Zukunft war vorgestern. Der Wandel der Arbeitsverhältnisse: Unsicherheit statt Normalarbeitsverhältnis?* (Oldenburg, 2005), 19–56. For the debate on precarity and precarious labour, cf. also Pierre Bourdieu, *Die zwei Gesichter der Arbeit* (Constance, 1998); idem, 'Prekarität ist überall', in idem, *Gegenfeuer. Wortmeldungen im Dienst des Widerstands gegen die neoliberale Invasion* (Constance, 2004), 96–102; Serge Paugam, *Le salariat de la précarité* (Paris, 2000); Nicole Mayer-Ahuja, *Wieder dienen lernen? Vom westdeutschen 'Normalarbeitsverhältnis' zu prekärer Beschäftigung seit 1973* (Berlin, 2003); Irene Götz and Barbara Lemberger (eds.), *Prekär arbeiten, prekär leben. Kulturwissenschaftliche Perspektiven auf ein gesellschaftliches Phänomen* (Frankfurt and New York, 2009), here esp. the essay by Manfred Seifert, 'Prekariisierung der Arbeits- und Lebenswelt. Kulturwissenschaftliche Reflexionen zu Karriere und Potenzial eines Interpretationsansatzes', 31–53. Cf. also Elmar Altvater and Birgit Mahnkopf, *Globalisierung der Unsicherheit. Arbeit im Schatten, Schmutziges Geld und informelle Politik* (Münster, 2002), 81ff.; Birgit Pfau-Effinger et al. (eds.), *Formal and Informal Work. The Hidden Work Regime in Europe* (New York, 2009). Discussion in regard to the increase in informal or precarious work and the 'working poor' has by no means been limited to Europe: for discussion regarding the 'working poor' in the USA, cf. David K. Shieler, *The working poor: invisible in America* (New York, 2005); on Japan see Charles Weathers, 'Nonregular Workers and Inequality in Japan', *Social Science Japan Journal* 30 (2009), 143–8; Julia Obinger, 'Working Poor in Japan. 'Atypische' Beschäftigungsformen im aktuellen Diskurs', in Götz and Lemberger, *Prekär arbeiten, prekär leben*, 163–80.

⁵ Cf. numerous investigations on the shadow economy (see below), in which a massive increase of the shadow economy, particularly in continental European countries, has been ascertained in the

of the results of the expansion of black labour in particular and the shadow economy in general are divergent, extending from the expectation that the economy might free itself from the constraints of state regulation, or at least lessen these⁶, and the hope of more flexible and humane conditions in the working world, which would enable people to (re)gain a greater degree of self-determination,⁷ to the fear that new forms of suppression, exploitation and anomy might arise.⁸ In this respect, precarization of labour, as well as the spread of illicit work and informal economic activities, are code words for the expansion of neoliberal, free-market principles and economic deregulation, expressed, among other ways, in the withdrawal of the state as an intervening factor in the labour market. Most of the observers who assume an end of the classical labour society agree that, sooner or later, this will result in formal wage labour losing its status as a normative guiding model for the shaping and organizing of the working world. From this perspective, the meaning of labour and of what is or should be recognized as normal or typical is being fundamentally revaluated through processes of standardization of what used to be atypical forms of labour and through the recognition of precarious forms of occupation as a 'new normality' (Gorz).⁹ Hence, according to this view, basic

last third of the 20th century. This now constitutes a portion of between 10 % and 20 % of the GNP in most OECD countries: see, among others, Lars P. Feld and Friedrich Schneider, *Survey on the shadow economy and undeclared earnings in OECD countries*, January 2010, 27, 30 (tables 13 and 14): <http://www.econ.jku.at/members/Schneider/files/publications/LatestResearch2010/SurveyShadEconTaxEvasion.pdf> (24.03.2010).

⁶ Milton Friedman stated in an interview in the 'Weltwoche' from 17 February 1994 that he was optimistic that people everywhere would find ways to circumvent regulation by the state. He commented further that if freedom was able to be preserved at all, then it would only be through underground economies, black markets, non-formal economic practices and the shadow economy ('Ich bin optimistisch, daß die Menschen überall Wege finden werden, um die Reglementierungen des Staats zu umgehen. Wenn die Freiheit überhaupt rettbar ist, dann nur durch die Untergrund-Ökonomien, durch Schwarzmärkte, durch nichtformelles Wirtschaften, durch die Schattenwirtschaft'); cf. also Dominik H. Enste, *Schattenwirtschaft und institutioneller Wandel: eine soziologische, sozialpsychologische und ökonomische Analyse* (Tübingen, 2002), 1.

⁷ This is also discussed under the term 'subjectivization of labour'. According to Hirsch-Kreinsen, subjectivization of labour is to be understood as a renunciation of formalized, objectivized labour specifications, so that the employees can act autonomously, organizing and rationalizing their work by themselves. The employee himself is thus the performer of rationalization: Hirsch-Kreinsen, *Lohnarbeit*, 283. The dark side of this process is discussed under the expressions flexibility, individualization/decollectivization, isolation of the individual, precarization, privatization of social risks or return of insecurity: cf. Robert Castel, *Die Stärkung des Sozialen. Leben im neuen Wohlfahrtsstaat* (Hamburg, 2005), 54ff. (original: *L'insecurité sociale, Qu'est-ce qu'être protégé* (Paris, 2003)); Richard Sennet, *The corrosion of character. The personal consequences of work in the new capitalism* (New York et al., 1999).

⁸ Robert Castel speaks of the reappearance of mass vulnerability as the new social question: Castel, *Metamorphosen der sozialen Frage*, 401. The negative effects of these transformations in the working world on a subjective level and the accompanying complications, fears and commonplace conflicts are described vividly in Pierre Bourdieu et al., *Das Elend der Welt. Zeugnisse und Diagnosen alltäglichen Leidens an der Gesellschaft* (Constance, 1997), esp. 307ff. (original: *La misère du monde* (Paris, 1993)).

⁹ Cf. esp. André Gorz, *Arbeit zwischen Misere und Utopie* (Frankfurt, 2000), 77ff. (original: *Misères du présent. Richesses du possible* (Paris, 1997)); Ulrich Beck, *Schöne neue Arbeitswelt* (Frankfurt, 2007);

conditions and institutional principles of the modern society and the economic system of the Western world are called into question, especially with respect to European welfare states, at least insofar as they rely on wage labour, as in Germany. Since formal wage labour, which constitutes a central element in the concept of the labour society, has been an essential factor for the self-image of modern societies, not only in regard to the shaping of collective and individual identities but also with respect to the establishment of social and political claims for participation,¹⁰ debates on the crisis of the labour society and the spread of atypical employment and precarious work are always also relevant to political issues. For this reason, researchers of gender studies discuss the connection between the erosion of the classical labour society and the gender-hierarchy established through formal wage labour. Since precarious labour is frequently comprised of classical female-services and activities of housewives, the 'feminization' of the working world is further reinforced by the expansion of informal and precarious forms of employment along with the crisis in images of masculinity.¹¹

The idea of a crisis and of the end of the labouring society has, however, been criticized again and again, and not without reason, for substantial concepts of classical labour society have remained stable up to now and they have forfeited little of its power to define normality,¹² despite the great structural transformation western economies have under-

Peter Gutschner, 'Von der Norm zur Normalität? Begriff und Bedeutung von Arbeit im Diskurs der Neuzeit', in Josef Ehmer et al. (eds.), *'Arbeit': Geschichte – Gegenwart – Zukunft* (Vienna, 2002), 137–48.

¹⁰ Cf. Jürgen Kocka and Claus Offe, 'Einleitung', in Kocka and Offe, *Geschichte und Zukunft der Arbeit*, 9–15. According to Robert Castel, the 'labour society' as evolved in Western Europe after World War II is a society in which the great majority of the population attains social civic status through consolidation of its labouring status – and this status includes particularly those legal claims derived from the social security systems financed through income from wage labour: Castel, *Stärkung des Sozialen*, 41f. Thus, in the labour society, the exercise of a (steady) job and the practice of a profession significantly determine not only the position of the individual within the social framework and his chances for integration but are also important resources for conveying cultural recognition and esteem. For the issue of recognition and labour, cf. Ursula Holtgrewe et al. (eds.), *Anerkennung und Arbeit* (Constance, 2000); Richard Sennett, 'Arbeit und soziale Inklusion', in Kocka and Offe, *Geschichte und Zukunft der Arbeit*, 431–46. By attributing and distinguishing social status, labour functions as the main medium of social differentiation in modern societies; through processes of informalization, precarization and individualization, however, labour forfeits this medial character. This loss of productive labour in favour of consumption as the main factor in determining individual identity and social status as well as for social integration is emphasized by Zygmunt Bauman, *Work, Consumerism and the new poor* (Buckingham et al., 1999), esp. 32 and 36ff.

¹¹ Cf. Dörre, *Zone der Verwundbarkeit*, 47f.; Robin Leidner, 'Identity and Work', in Marek Korczynski et al. (eds.), *Social Theory at Work* (Oxford, 2006), 426–63; Mayer-Ahuja, *Wieder dienen lernen?*. For the gender dimension of informal labour, cf. Altvater and Mahnkopf, *Globalisierung der Unsicherheit*, 121–134; Stuart Henry and Stephen Sills, 'Informal economic activity: Early thinking, conceptual shifts, continuing patterns and persistent issues – a Michigan study', *Crime, Law and Social Change* 45 (2006), 263–84, here 272f.; R. Jhabvala, 'Labor Movements, and Gender in Developing Nations', in: Smelser and Baltes, *International Encyclopedia*. Vol. 12, 8185–91, esp. 8187f.

¹² Jürgen Kocka has also emphasized this: cf. Kocka, *Arbeit früher, heute, morgen*, pointing to the increase in wage labour as a significant effect of the growth of female labour, on the one hand, and the fact that traditional wage labour has also increasingly become the norm rather than 'normality' in the industrial-

gone during the last thirty years.¹³ Especially during times of economic crisis, even in the early 21st century, the broad public in western countries consider the preservation and creation of traditional full-time positions an indicator of the success of national or European economic and social policies. An alternative, socially acceptable model of what is considered normal work and employment relationships has not yet emerged, at least not in the mainstream of western societies; informal economic occupations are still understood as a divergent phenomenon tending to affect marginal social groups and regarded as a social problem and, above all, one of insufficient income and (potential) impoverishment. Thus, undeclared work and informal labour continue to be represented in the media and in political discourse as lost jobs and a potential part of the official labour markets which can and should be integrated into the 'regular' economy. This public attitude shows how little the advance of precarious work and informal economic occupations has altered the classical conception of wage labour as the social and socio-political ideal and the decisive guiding principle for labour and social policies in the western countries – despite the trend toward liberalization as well as a fascination of the new forms of labour.¹⁴

Regardless of whether or not the aforementioned discussions adequately assess the extent and quality of current changes in the working world, they have, nevertheless, substantially changed the *scientific* debate on the modern labour society and its historical development in two respects. First of all, illicit and irregular forms of labour and informal economies have been discovered and researched as an important issue in various disciplinary contexts. Greater interest for this problem arose in the 1970s. Important impulses came from anthropological research on informal economies in developing countries, as will be shown in the following. The concept of informal economy has been transferred to developed countries, changing the image of the economic order in western industrial countries. An increasing awareness arose, especially in the field of economics, of the existence of another dimension of economic activities beyond the regular economy represented in the gross national product and not included in official statistics. Thus far, there has been no consensus concerning the nature of this 'alternative economy', nor concerning the question how its relation to the 'official economy' can be adequately described and understood. The terminology used and the definitions suggested have, meanwhile, become just as widespread and disparate as everything that has been written about this issue – and the global interest in this theme has created the impression that these phe-

ized modern era, on the other (*ibid.*, 489). According to Robert Castel, the present western societies are still, by all means, labour societies, and the alleged end of wage labour has not yet taken place: Castel, *Metamorphosen des sozialen Frage*, 402. For criticism of the conception of an end to wage labour, cf. also Gert G. Wagner, 'Erwerbsarbeit sollte Zukunft haben', in: Kocka and Offe, *Geschichte und Zukunft der Arbeit*, 215–33; Welskopp, *Wandel der Arbeitsgesellschaft*, esp. 228.

¹³ Cf. esp. Sennett, *The corrosion of character*; Luc Boltanski and Eve Chiapello, *Le nouvel esprit du capitalisme* (Paris, 1999).

¹⁴ Cf. Jeremy Rifkin, *The end of work: the decline of the global labor force and the dawn of the post-market era* (New York, 1995); Karl H. Hörning, Anette Gerhard and Matthias Michailow, *Zeitpioniere. Flexible Arbeitszeiten – neuer Lebensstil* (Frankfurt, 1998).

nomena are nearly indefinable. Moreover, the discovery of informal economic practices has, in a way, doubled the economy, thus disclosing dimensions in the economic system of modern western countries that have traditionally been considered to be characteristic of pre-modern or non-modern societies. Indeed, these dimensions seem to be regaining a new relevance in the post-industrial era. Thus, and this is a great challenge for the history of (modern) work, the industrial 'labour society', including the hegemonic position of formal wage labour in the historic as well as in the global respect, has been put into perspective as a historic exception as well as a cultural construction of western societies. It, thereby, forfeits its status as the *telos* of the history of (modern) labour, in the sense of an increasing formalization, abstraction, capitalization and rationalization of work, a process which implies the repression and depreciation of other forms of work that are, in this perspective, regarded as pre-modern or non-modern.¹⁵ Ulrich Beck has reiterated this insight when he stated that the incursion of precarious, intermittent, lax and informal occupations into the western societies and the attendant 'Brazilianisation' of the western working world means a transition into a new, post-modern phase of capitalism ('Second Modernity' or *Zweite Moderne*). According to Beck, this, in turn, leads to a reversal of the prognostic validity, insofar as the so-called developing countries (such as those in Latin America), with their high percent of informal, multi-active labour, hold up a mirror to the 'late modern' western societies and show them their probable fate.¹⁶

Recognition of the constitutive importance of informal economies, especially for the

¹⁵ For the typical interpretation of such a perspective, see the already cited articles by Welskopp and Kocka, but also Simo Aho, 'Labour Society in Crisis? A Discussion', *Acta Sociologica* 28 (1985), 55-61, here 57f., who states that, in the history of capitalism, informal working practices were repressed and replaced by abstract and formal forms of labour until there were finally no more legitimate positions beyond 'abstract labour' in the working world of modern western society; the informal economy is then only able to be characterized as parasitic in relation to the formal economy. This reductionist view of modern labour history, which only focuses on formal and quantifiable wage labour and excludes other forms of work as non- or anti-work, is criticized by Marcel van der Linden, 'Labor History', in Smelser and Baltes, *International Encyclopedia*. Vol. 12, 8181-5, here 8183, and Bénédicte Zimmermann, 'Work and Labor, History of the Concept', in Smelser and Baltes, *International Encyclopedia*, Vol. 24, 16561-65. Josef Ehmer and Peter Gutschner claim that the parallels between pre-modern and post-modern working conditions (such as instability of wage-earning biographies or precarity of work) should result in 'historicizing' the industrialized modern labour society as a temporary epoch and not as the final point of secular development: Josef Ehmer and Peter Gutschner, 'Probleme und Deutungsmuster der 'Arbeitsgesellschaft' in der Gegenwart und in der frühen Neuzeit', in Gerhard Ammerer et al. (eds.), *Tradition und Wandel. Festschrift für Heinz Dopsch* (Vienna, 2001), 305-20, here 309f. Cf. also Gutschner, *Von der Norm zur Normalität?*, 143f. Reinhold Reith also warns of the danger of teleologism, an accompaniment of the imposition of a modern understanding of labour onto pre-modernity: Reinhold Reith, 'Praxis der Arbeit. Überlegungen zur Rekonstruktion von Arbeitsprozessen in der handwerklichen Produktion', in idem (ed.), *Praxis der Arbeit. Probleme und Perspektiven der handwerksgeschichtlichen Forschung* (Frankfurt and New York, 1998), 11-54, here 12f.

¹⁶ Beck, *Schöne neue Arbeitswelt*, 28, 127. Beck's notion of 'Brazilianization', however, ignores the relevance of informal work as a genuine dimension of the history of modern western societies, thus, making it appear fundamentally foreign to western modernity and not an inherent part of western society, economy and history. This suppression is the result of a one-sided sociological point of view considering western history as the history of modernization and formalization.

development of the modern western economic system, would demand that economic history and particularly the history of work reflect on their inherent principles and postulates. This would require that these phenomena are systematically incorporated as the objects of economic research, and not treated as marginal phenomena. The relationship between modern and pre-modern economies would also need to be rethought. So far, however, there have only been rudimentary endeavours.¹⁷ Moreover, there have been no attempts to discuss the manifold individual research on this issue – for example, on phenomena like smuggling¹⁸, poaching¹⁹, illicit work in the late medieval and early modern trades²⁰ and black markets of the twentieth century²¹ – in a more general and cross-epochal perspective.²² In the following, some reflections on this problem will be

¹⁷ However, the historical dimension is also not, or only cursorily, broached in economic and social science discussions in regard to the end of the labour society, precarious labour and informal economies, and when broached, then mostly only superficially and in a short-term perspective; a perspective of 'longue durée' has not been cultivated in economics and social sciences: This holds true, for example, for an article by Gebhard Kirchgässner, who, although focusing on a time period of several decades, is not interested in the changing contexts and perceptions of shadow economies: Gebhard Kirchgässner, 'Size and Development of the West German Shadow Economy, 1955-1980', *Zeitschrift für die gesamte Staatswissenschaft* 139 (1983), 197-214.

¹⁸ Evan Jones, 'Illicit business: accounting for smuggling in mid-sixteenth century Bristol', *Economic History Review* LIV (2001), 17-38; for further references, see the article by Christian Hochmuth in this volume.

¹⁹ Norbert Schindler, *Wilderer im Zeitalter der Französischen Revolution. Ein Kapitel alpiner Sozialgeschichte* (Munich, 2001); Regina Schulte, *The Village in Court: Arson, Infanticide, and Poaching in the Court Records of Upper Bavaria, 1848-1910* (New York, 1994).

²⁰ Philip R. Hoffmann, 'Winkelarbeiter, Nahrungsdiebe und rechte Amtsmeister. Die 'Bönnhaserei' als Forschungsproblem der vorindustriellen Gewerbegegeschichte und deren Bedeutung für das frühneuzeitliche Handwerk am Beispiel Lübecks', in: Mark Häberlein and Christof Jeggle (eds.), *Vorindustrielles Gewerbe. Handwerkliche Produktion und Arbeitsbeziehungen in Mittelalter und früher Neuzeit* (Constance, 2004), 183-210; Thomas Buchner, 'Grenzziehungen. Reguläre und irreguläre Arbeit im städtischen Handwerk der Frühen Neuzeit', *Mitteilungen. Institut für Europäische Kulturgeschichte der Universität Augsburg* 14 (2004), 7-25; Bert de Munck, 'One counter and your own account: redefining illicit labour in early modern Antwerp', in: *Urban History* 37 (2010), 26-44; Patrick Wallis, 'Controlling Commodities: Search and Reconciliation in the Early Modern Livery Companies', in: Ian Anders Gadd and Patrick Wallis (eds.), *Guilds, Society & Economy in London 1450-1800* (London, 2002), 85-100; Steven L. Kaplan, 'Guilds, 'False Workers', and the Faubourg Saint-Antoine', in: James L. McClain et al. (eds.), *Edo and Paris. Urban Life and the State in the Early Modern Era* (Ithaca and London, 1994), 355-83.

²¹ On black market activities in the period around WW II, see Malte Zierenberg, *Stadt der Schieber. Der Berliner Schwarzmarkt 1939-1950* (Göttingen, 2008); Paul Steege, *Black Market, Cold War. Everyday Life in Berlin, 1946-1949* (Cambridge, 2007); Paul Sanders, *Histoire du marché noir, 1940-46* (Paris, 2001).

²² An attempt can be found in 'Black markets, underground economies and the informal sector', in: Joel Mokyr (ed.), *The Oxford Encyclopedia of Economic History*. Vol. I (Oxford, 2003), 263-67 (with a focus on the 20th century). Edward Smithies' survey of the black economy in 20th century England (*The Black Economy in England since 1914* (Dublin, 1984)) does not provide a systematic reflection of the term 'black economy' and differs from the approach preferred here, inasmuch as Smithies focuses on illegal activities and does not include 'grey zone' practices: 'The term 'black economy' will be understood as comprising those economic activities which were illegal and which those in authority (the ministries, employers and police) were anxious to suppress': *ibid.*, 4f. Empirically, Smithies focuses on newspaper

presented, on the basis of recent research in social and economic history as well as the contributions in this volume. First, however, a cursory synopsis of how informal work and shadow economies as social phenomena are observed and represented as scientific objects in the fields of economics and the social sciences, including anthropology, will be provided to serve as a conceptual basis for the discussion of historical research.

2. Informal economies from economic and anthropological perspectives

'Once upon a time, economists paid no attention to economic activities carried out outside the formal framework of the economy. Sociologists and anthropologists were the only ones who seemed to consider the existence of such activities'.²³ The concept of informal economy and research on it originated particularly in the fields of anthropology and ethnography in the 1960s and 1970s, as will be shown later on, but the field of economics has also undertaken an analysis of the problems of informal work and shadow economies.²⁴ More intensive research in regard to informal economies in the field of economics began at the time when Keynesianism was replaced as the principal model in economics by a liberal approach with a critical distance towards the state as a regulating authority, treating welfare policies as a major cause of economic distortions. Economists in general, at least those who incline toward the mainstream neo-classical view, regard the increase in informal work as a consequence of overregulation by the state and the rise in the overall tax burden and the expansion of social security systems. This explanation is classified in the great liberal narrative of the necessity of freeing the economy from external constraints, especially those imposed by the state.²⁵

articles and a few court records on black market activities, tax evasion, smuggling and pilfering in five English towns. See also, as an attempt at a survey of the history of black labour (*Schwarzarbeit*) without any conceptual thoughts, Hans Herold, 'Die Schwarzarbeit einst und jetzt', *Forschungen zur Rechtsarchäologie und Rechtlichen Volkskunde* 4 (1982), 107-49.

²³ Klarita Gërxhani, 'The informal sector in developed and less developed countries: A literature survey', *Public Choice* 120 (2004), 267-300, here 267.

²⁴ Cf., among others, Friedrich Schneider and Dominik H. Enste, *The Shadow Economy. An International Survey* (Cambridge, 2002); Christopher Bajada and Friedrich Schneider (eds.), *Size, Causes and Consequences of the Underground Economy* (Aldershot, 2005); the articles in Dominik H. Enste and Friedrich Schneider (eds.), *Jahrbuch Schattenwirtschaft 2006/07. Zum Spannungsfeld von Politik und Ökonomie* (Vienna and Münster, 2006); Dominik H. Enste, 'Informelle Ökonomie: Umfang, Struktur und Ursachen', in Dietrich Henckel, Guido Spars and Florian Wukovitsch (eds.), *Arbeiten in der Grauzone. Informelle Ökonomie in der Stadt* (Frankfurt, 2008), 23-45; and the recent collection of several central articles: Friedrich Schneider (ed.), *The Economics of the Hidden Economy*. 2 vols. (Cheltenham and Northampton, MA, 2008).

²⁵ Thus the argumentation in the articles *Black Markets, Underground Economy, and the Informal Sector*, 263f., and Graham Farrell, John Roman and Matthew H. Fleming, 'The Shadow Economy', *Journal of International Affairs*, 53/2 (2000), 387-409, here 391ff. This argument is picked up in quite diverse perspectives, i.e. by advocates of common neo-classical economics as well as proponents of New Institutional Economics, who assert representation of a more realistic approach to economic life. See Guido Spars, 'Institutionelle Aspekte der informellen Ökonomie', in Henckel et al., *Arbeiten in der Grauzone*, 69-88, with the argumentation that a high degree of regulation but also the existence of either 'good' or

As the investigation of shadow economies has become a genuine area of economic research, albeit still a rather marginal one, an awareness has arisen, at least among some economists, of the co-existence of differently structured economic sub-systems or at least of an economy divided into a formal and an informal sector, instead of a uniform (market) economy.²⁶ Nevertheless, neo-classically predisposed economists have difficulties integrating phenomena of the shadow economy into their research matrix in a convincing manner.²⁷ The main problem is that the conversion into a formal mathematical formula of calculation proves to be difficult. Since, however, in the formation of economic theories, this transformation is a prerequisite for scholarly recognition as scientific phenomenon, the field of economics has treated the discovery of informal economies mainly as a methodical problem and transformed it into the question of how to determine the size of shadow economies and informal labour. Thus, the problem of quantification has played a main role in the scholarly discourse on shadow economies within economics.²⁸ One of the significant consequences of this discussion has, therefore, been a revision of the calculation of the gross national product by integrating economic activities previously denied economic relevance because it was assumed that there was no (official)

'bad' institutions are decisive for the existence and the size of shadow economies. See also Stefan Voigt, *Institutionenökonomik* (Munich, 2002), 89-91. For similar argumentation on underground economies in the transitional economies of Eastern Europe, see Edgar L. Feige, 'Underground Economies in Transition: Noncompliance and Institutional Change', in idem and Katarina Ott (eds.), *Underground Economies in Transition. Unrecorded activity, tax evasion, corruption and organized crime* (Aldershot, 1999), 11-27. Many authors, in particular liberal ones, regard participation in the informal economy as an 'exit-strategy' of economic actors tired of living and working under a regime of heavy tax burdens and overregulation – an escape route for the rational economic actor. See Hernando de Soto, *The other path. The invisible revolution in the third world* (New York, 1989); Fleming, *The Shadow Economy*; Peter Gross and Peter Friedrich (eds.), *Positive Wirkungen der Schattenwirtschaft?* (Baden-Baden, 1988). On exit-strategies, see also Albert O. Hirschman, *Exit, Voice, and Loyalty. Responses to Decline in Firms, Organizations, and States* (Cambridge and London, 1970).

²⁶ See below for criticism of such concepts of dual economy.

²⁷ Thus the issue of illicit labour does not appear, or appears only marginally, in textbooks pertaining to the economics of the labour market: cf., for example, Wolfgang Franz, *Arbeitsmarktökonomik*, (Berlin et al., 6th ed., 2006).

²⁸ '[T]he estimation of shadow economy activities can be seen as a scientific passion for knowing the unknown', according to Schneider and Enste, *The Shadow Economy*, 4. There are a number of different methods of measurement and estimation; one of the most important is the 'currency-approach', cf. the classical article by P. Gutmann, 'The subterranean economy', *Financial Analysts Journal* 34 (1977), 26-7. One problem with this – as also with other methods – is the prerequisite of a period of reference during which no shadow economy existed; in the field of economics, there is often the assumption that this was the case in the western countries during the 1950s, and thus this period is set as the 'zero point': cf. Kirchgässner, *Size and Development*, 203f. For an overview of the methods of the quantitative determination of shadow economies, cf. Brugt Kazemier, 'Monitoring the Underground Economy – A survey of methods and estimates', *Jahrbuch Schattenwirtschaft 2006/07*, 11-53. A survey of the extent and development of the shadow economy on a global scale can be found in Dominik H. Enste and Friedrich Schneider, 'Umfang und Entwicklung der Schattenwirtschaft in 145 Ländern', *Jahrbuch Schattenwirtschaft 2006/07*, 55-80. The extent to which economists are concerned with the question of quantification and measurement of shadow economies is evident in the collection of major articles by Friedrich Schneider: Schneider, *Economics of the Hidden Economy*.

market for them. It is through attempts to determine their quantitative magnitude that activities practiced beyond the official economy become observable and recognizable as an economically significant dimension, despite their informal and irregular quality, however that is defined. In this respect, the question arises whether the increase in shadow economies observed by economists, particularly in many western countries since the 1960s, has been a result of real economic developments or rather the consequence of a change in scholarly perception and representation of these phenomena. From this perspective, the discovery and the discussion of informal economic practices by economists since the 1970s seem to refer particularly to 'blind spots' in the economic discourse.

The attempt to determine the quantitative magnitude of informal labour and shadow economies and to integrate them into the calculation of the total economy also contains an eminently political dimension. The size of the shadow economy is seen as an indicator of the extent that the functioning of economic systems, especially of labour markets, is disturbed by state intervention (regulation, tax quota, etc.); the greater the estimation of its extent and growth rate, the more significant such disturbances appear, especially as a symptom of mistaken economic policies.²⁹ It is especially because informal economic practices, in contrast to illegal activities such as dealing in drugs, are regarded as potentially regular labour that they are capable of generating a political, especially fiscal, interest in integrating them into the 'official' labour market and thereby gain political significance.

The relationship between scholarly economic research on the shadow economy and its perception by the public and in politics clearly shows that informal economic practices should not be perceived as 'the other' of the labour world, i. e. as a phenomenon excluded from it, but rather as a form of *internal* marginalization and thus primarily as a form of inclusion and only secondarily as a phenomenon of exclusion. Many of the problems confronting scholarly descriptions and analyses of the shadow economy are based on such paradoxical constellations, and they can hardly be adequately represented in the theoretical models of mainstream economics with their formalized mathematical-statistical methods. Since the social and legal character of labour and economic occupations in general plays no role *per se* in the formation of the neo-classical model, the differentiation between formal/informal or regular/irregular (in the sense defined below)

²⁹ Cf. Dominik H. Enste and Friedrich Schneider, 'Welchen Umfang haben Schattenwirtschaft und Schwarzarbeit? Ein Versuch zur Lösung des Rätsels', *Wirtschaftsdienst – Zeitschrift für Wirtschaftspolitik* 86 (2006), 185-91, especially 189f. The methods of calculating the size of the shadow economy are also a subject of controversy due to the criticism that these calculations with many uncertainties have been included and reconstructed indiscriminately in public and political debate and that, for political reasons, among others, the estimation of the size of the shadow economy has been much too high in many economic investigations. For this, cf. the debate between Walter A. S. Koch and Dominik H. Enste/Friedrich Schneider in the periodical *Wirtschaftsdienst*: Walter A. S. Koch, 'Das Schwarzarbeit-Änigma', *Wirtschaftsdienst* 85 (2005), 715-23; Enste and Schneider, *Welchen Umfang haben Schattenwirtschaft*; Walter A. S. Koch, 'Das Rätsel bleibt ungelöst – Eine Erwiderung', *Wirtschaftsdienst* 86 (2006), 192-6; Dominik H. Enste and Friedrich Schneider, 'Resignation oder Innovation? – Replik zur Replik von Walter A. S. Koch', *Wirtschaftsdienst* 86 (2006), 196-8.

does not make much sense in this context.³⁰ Economists attempt to confront this obvious problem by regarding the informal economy as a sector of the economy which contributes to the total economic performance and can be described according to comparable standards in the official economy but, nevertheless, exhibits relative autonomy. This, however, entails interpretations that attribute less significance to the interrelations of informal and formal economic practices than is the case in economic-anthropological research.

The investigation of informal economies began earlier in economic anthropology and ethnography than the debate in the field of economics. Moreover, it followed a research paradigm with a more distant relationship to the processes of western modernization, in particular to the ideal model of a rationalized market economy with the *homo oeconomicus* as the paradigmatic figure. Scholars in the field of economic, social and cultural anthropology have been working on informal economies for about four decades,³¹ whereby two main branches of research can be distinguished. Urban ethnographic research principally discusses the situation in large North American cities and ghettos. Following path-breaking investigations by Louis Fernan concerning – alleged – unemployment in the ghettos of Detroit, in which the existence of a separate economic system beyond the official economy was proven,³² numerous further investigations have been carried

³⁰ New Institutional Economics has tried to react to this problem by considering the non-economic prerequisites of market economies, especially the social and legal ones, thus attempting to broaden the neo-classical model. These more recent theoretical ideas on institutions in regard to the theory of the labour market emphasize the role of informal (meaning non-state or civil) institutions in their interplay with formal (state-sanctioned) institutions; using the differentiation between formal and informal institutions based on the Hegelian distinction between the state and the civil society, an understanding of 'informal economies' can be derived that implies the distinction between the official and the informal economy to be the consequence of national regulation by the state and formal rules; in this sense cf. Henry and Sills, *Informal economic activity*, 264. For an approach based on institutional economics, cf. Martin Dietz, *Der Arbeitsmarkt in institutionentheoretischer Perspektive* (Stuttgart, 2006). Taking up approaches of New Institutional Economics, more recent research on the shadow economy has tried to include institutional aspects as well as 'subjective' factors, above all, action-guiding motives and expectations (for example, concepts of legality and legitimacy): cf. Schneider and Enste, *The Shadow Economy*; Edgar L. Feige, 'Defining and Estimating Underground and Informal Economies: The New Institutional Economics Approach', *World Development* 18 (1990), 989-1002. The problem with such an approach based on institutional economics, at least for a historical analysis, is, however, that through the connection to the differentiation between civil society vs. state as the authority to create a 'formal space' by regulation and intervention, the distinction between formal and informal loses its meaning wherever no or weak state organs and public authorities exist, whether in the pre-modernity or in many parts of the Third World; here, the areas of a 'formal economy' usually remain limited to a few enclaves: cf. also Alejandro Portes and William Haller, 'The Informal Economy', in: Neil J. Smelser and Richard Swedberg (eds.), *The Handbook of Economic Sociology* (Princeton and Oxford, 2nd ed., 2005), 403-25, here 409f.

³¹ For a survey of the history of research on 'informal economies', cf. Henry and Sills, *Informal economic activity*, especially 265-77; cf. also Gërxhani, *The informal sector*.

³² This can, however, be classified in a longer history of (social scientific) analysis of urban labour conditions, in particular those of the lower class and of the urban poor, with its origin in the 19th century: cf. especially Henry Mayhew, *London Labour and London Poor* (London, 1985).

out since the 1970s.³³ Parallel to these, there have been several studies devoted to informal economies in non-industrial countries. The anthropologist Keith Hart developed the concept of informal economy in the late 1960s and early 1970s in an attempt to describe the survival strategies of the unemployed and – in official terms – economically non-active poor in urban Ghana.³⁴ For Hart, the concept of informal economy bridged ‘the gap between my experience there and anything my English education had taught me before’.³⁵ This concept was developed from the difficulty in integrating economic practices he had observed in Africa into traditional explanatory models oriented on conditions in the Western world. It thus ensued from the context of its origin, not only as a complementary idea to the formal economy, but also as an instrument of criticism of western conceptions of how the economy was to function. It thus also outlines a main distinction between an anthropological approach, on the one hand, and an economic one, on the other. While economists endeavour to integrate informal activities generating economic values into an existing and axiomatic theoretical model, the anthropological approach recognizes these phenomena as a possibility to challenge such models and the claims embodied in them.

The term ‘informal economy’ was soon picked up by international organisations such as the International Labour Organization (ILO), but the concept has been altered in the course of time.³⁶ While Hart had small-scale, self-employed activities enabling people to generate actively an income beyond the official economy in mind when coining the term, it soon turned into a synonym for poverty and underemployment, a sector consisting of those excluded from the official economy. The anthropological authors, however, were just as aware of the manifold manifestations captured by the concept of informal economy and related terms, as of the historical limitations of the respective manifestations of the phenomena observed. Therefore, as P. R. Ferman and L. A. Ferman argued, ‘the structure of capitalism generates its own historically specific types of informal economies’.³⁷

Since being coined, the term ‘informal economy’ has been a success story. It has been integrated into sociological, economical and anthropological studies, not only on

³³ Cf., for example, Sudhir Alladi Venkatesh, *Off the Books. The Underground Economy of the Urban Poor* (Cambridge and London, 2006).

³⁴ Keith Hart, ‘Informal Income Opportunities and Urban Employment in Ghana’, *The Journal of Modern African Studies* 11 (1973), 61–89; see also idem, ‘Small-scale Entrepreneurs in Ghana and Development Planning’, *Journal of Development Studies* 6 (1970), 103–20.

³⁵ Quoted according to Portes and Haller, *The Informal Economy*, 404.

³⁶ On the history of the concept, see Keith Hart, ‘Market and State after the Cold War. The Informal Economy Reconsidered’, in Roy Dilley (ed.), *Contesting Markets. Analyses of Ideology, Discourse and Practice* (Edinburgh, 1992), 214–27; idem, ‘Bureaucratic Form and the Informal Economy’, in Basudeb Guha-Khasnobis, Ravi Kanbur and Elinor Ostrom, *Linking the Formal and Informal Economy. Concepts and Policies* (Oxford and New York, 2006), 21–36, 23ff.; Miguel Angel Centeno and Alejandro Portes, ‘The Informal Economy in the Shadow of the State’, in Patricia Fernández-Kelly and Jon Shefner (eds.), *Out of the Shadows. Political Action and the Informal Economy in Latin America* (Pennsylvania, 2006), 23–48, 23ff.

³⁷ Henry and Sills, *Informal economic activity*, 266.

the Third World but also on the Eastern Bloc respectively East-European transformation countries and western societies. When scholars wish to describe the working world and income-generating activities beyond the official state-regulated branches, they usually employ the term ‘informal economy’, which today serves as an umbrella term for practices like moonlighting, tax evasion and smuggling, but also unpaid work and criminal activities. Unsurprisingly, the remarkable success of the term ‘informal economy’ has led, as some critics have argued, to its nearly arbitrary use and to terminological confusion.³⁸ Not only for this reason, the concept of informal economy attracted criticism at the end of the 1980s, leading to a second phase in the investigation of informal economies. Along with a confusing diversity of terms and attempts at definition, criticism of the concept of a ‘dual economy’ arose, i. e. of the idea of formal und informal economies as two separate sub-systems of the economy, with the former denoting an area of social integration and the later designating an area of social disintegration and social marginality.³⁹ Both are now rather understood as two dimensions of one comprehensive economic (capitalistic) order with emphasis on the interrelations between them.⁴⁰ In other words, as formulated by Madeleine Leonard as the point of departure for her analysis: ‘(T)he informal economy is an integral feature of the formal economy’.⁴¹ Such an approach renouncing an explicit definition of informal or shadow economies seems to strengthen the sensitivity for the historical conditions of informal work and shadow economies by not objectifying the differentiation between formal and informal but rather regarding it as the result of social constructions subjugated to constant change.⁴²

³⁸ On the manifold meanings of the term, see Teresa A. Sullivan, ‘Informal Economy’, in Jens Beckert and Milan Zafirovski (eds.), *International Encyclopedia of Economic Sociology* (London and New York, 2006), 352–3; Portes and Haller, *The Informal Economy*; Marcel Erlinghagen, ‘Informelle Arbeit. Ein Überblick über einen schillernden Begriff’, *Schmollers Jahrbuch* 120 (2000), 239–74; see also the article *Black Markets, Underground Economy, and the Informal Sector*; Donald W. Light, ‘From migrant enclaves to mainstream: Reconceptualizing informal economic behaviour’, *Theory and Society* 33 (2004), 705–37; Rikki Abzug, ‘The Nonprofit Sector and the Informal Sector: A Theoretical Perspective’, *Voluntas* 10 (1999), 131–49; Alexandra Bernasek, ‘Informal Sector’, in Janice Peterson and Margaret Lewis (eds.), *The Elgar Companion to Feminist Economics* (Cheltenham and Northampton, 1999), 472–7; Alejandro Portes, Manuel Castells and Laurant A. Benton (eds.), *The Informal Economy. Studies in Advanced and Less Developed Countries* (Baltimore, 1989); see also the issue on ‘Shadow Economies’ of the *Journal of International Affairs* 53,2 (2000).

³⁹ For this criticism, cf. particularly Philip Harding and Richard Jenkins, *The myth of the hidden economy. Towards a new understanding of informal economic activity* (Milton Keynes and Philadelphia, 1989); cf. also Basudeb Guha-Khasnobis, Ravi Kanbur and Elinor Ostrom, ‘Beyond Formality and Informality’, in idem, *Linking the Formal and Informal Economy*, 1–18; Henry and Sills, *Informal economic activity*, 264f.; Gërxhani, *The informal sector*, 276. The concept of dual economy is traced back to the Dutch researcher Julius H. Boeke, who used this term after World War II for the example of the Indonesian economy: cf. Julius H. Boeke, *Oosterse economie* (The Hague, 1946); idem, *Economics and economic policy of dual societies, as exemplified by Indonesia* (New York, 1953); idem, *Indonesian Economics. The Concept of Dualism in Theory and Policy* (The Hague, 1966).

⁴⁰ Henry and Sills, *Informal economic activity*, 272, 280f.

⁴¹ Madeleine Leonard, *Invisible Work, invisible Workers. The Informal Economy in Europe and the US*, (Houndmills, Basingstoke and London, 1998), 24.

⁴² ‘(T)he boundaries between the formal and informal economy are continually shifting so that an activity

3. Irregular economic practices in modern (urban) Europe: historical perspectives

a) Demarcations

Having outlined the discussion of informal economies and black labour in economics, anthropology and sociology, we will now investigate these phenomena from a historical perspective. We address certain problems previously discussed more intensively, while at the same time presenting new and different questions.⁴³ It is particularly difficult to determine a conceptual starting-point suitable for an analysis spanning time and culture when investigating shadow economies and informal economic practices in various epochs which did not have at their disposal the terms familiar to us nowadays and the perceptions behind them – at least not in a modern form of understanding. An essentialist starting-point, derived from a firm definition based on certain formal criteria of what is to be understood as black labour or informal economy, seems just as inappropriate as conceptions based on a specifically modern understanding of economies.⁴⁴ In our opinion, this is also the case for the concept of informal economy since it was developed as part of a specific modern interpretation of an extensively formalized world of economic interaction and labour.⁴⁵ A simple transference of the concept of informal economy onto the pre-modern or early-modern periods entails the danger of also transporting implicit teleological conceptions of (economic) processes of modernization that have rightly been criticized in recent times as being part of a hegemonic occidentalism. More popular terms such as black labour and shadow economy are more appropriate as a starting-point for a first understanding in regard to the phenomenology of the contents of this volume since they are characterized by a higher degree of vagueness and the metaphor of blurriness and invisibility on which they are based refers to essential aspects of the phenomena which will be treated in the following. However, they, too, are closely bound with the epistemology of the western labour society of the twentieth century and too blurred to be able to suffice as scientific concepts.

Faced with this problem, the editors have decided to use a culturalistic approach and introduce the term 'irregular work' and the more general 'irregular economic practice' as a heuristic concept in order to designate the different phenomena analyzed in

may be defined as part of the informal economy in one period of time and part of the formal economy in another': Leonard, *Invisible Work*, 162. In the sense of such historization, Leonard also traces processes of the formalization of labour and occupation in western countries since the 19th century in which the modern regulatory state has played a main role, seeing in this the origin of the modern differentiation between formal and informal economies; however, this has become increasingly blurred at the close of the 20th century in the era of post-Fordism: cf. *ibid.*, 26ff.

⁴³ The following statements are conclusively supported by the contributions in this volume and take up some of the considerations and perceptions pursued in them. Since the contributions elaborate the state of the art in detail, the historical research literature will only be referred to very selectively in the following.

⁴⁴ For criticism of essentialist definitions, cf. also the contributions by Christof Jeggle and Sigrid Wadauer.

⁴⁵ Thereby, the degree of formalization of connections between economic actions serves as an indicator of the degree of modernization of an economic system.

the contributions in this volume.⁴⁶ The use of these terms is not yet widespread in scientific discourse, and they have been consciously chosen to mark a difference from popular terms like black labour or shadow/informal economy. Although the authors of the contributions do not always employ the concept of irregular work/irregular economic practice, but rather follow diverse conceptions, it, nevertheless, seems to us to be appropriate for the comprehension and correlation of essential aspects discussed in the individual contributions. Historically speaking, the difference between regular and irregular economic practices is sufficiently unspecific and, in comparison to the formal/informal distinction, it is not connected with notions of modernization.⁴⁷ Instead, it connotes a form of demarcation that occurs in every society, and not only in the field of economic activity. It is based on perceptions and categorizations in society according to which certain social (not individual) phenomena (practices as well as groups, conceptions, etc.) are regarded as conforming to general norms possessing hegemonic status and a high degree of social approval.⁴⁸ In order for one to be able to observe and describe certain social phenomena as regular, others must exist as irregular in opposition to them. This, in turn, presupposes notions of what is regular. Therefore, regular and irregular social phenomena originate simultaneously, with no pre-eminent genesis on either side of the distinction. However, the two sides have a disproportionately hierarchical relationship characterized by hegemonic connections. Hence, it is differentiating between the regular and the irregular that also establishes, consolidates, and symbolizes social power relations and structures of social inequality.⁴⁹ In this sense, a distinction can be made between regular and irregular social practices in religion, in jurisprudence, in politics or in labour. Irregular social practices need not be regarded as illegal or illegitimate,⁵⁰ and they are distinguished by their

⁴⁶ For this, cf. Thomas Buchner and Philip Hoffmann-Rehnitz, 'Nicht-Reguläre Erwerbsarbeit in der Neuzeit', in Rolf Walter (ed.), *Geschichte der Arbeitsmärkte. Erträge der 22. Arbeitstagung der Gesellschaft für Sozial- und Wirtschaftsgeschichte 11. bis 14. April 2007 in Wien* (Stuttgart, 2009), 319–43. Such an approach takes into account the fact that elementary principles for a conception of the phenomenon, which should offer a starting-point for longer periods and for all of Europe, have changed radically.

⁴⁷ A similar attempt to circumvent the problems presented by the term 'informal economy' can be found in Bruno Dallago, *The Irregular Economy. The 'Underground' Economy and the 'Black' Labour Market* (Aldershot, 1990). Dallago starts with the assumption that 'the irregular economy has been present ever since regulated economic activity existed' (*ibid.*, XVII).

⁴⁸ It is decisive to keep in mind that this understanding does not include presuppositions about structural conditions and the normative and institutional order per se; notably, the state is not presupposed as the highest instance for regulation and setting norms. It merely means that these norms are hegemonic, either in a given social context or as expressed by legal regulations defined by institutions like states, city councils or religious institutions: For another attempt to define the informal economy without presupposing the state as the regulator, see M. Estellie Smith, 'The Informal Economy', in Stuart Plattner (ed.), *Economic Anthropology* (Stanford, 1989), 292–317.

⁴⁹ This dimension of politics or power is treated in many of the contributions; for this, cf. also Christof Jeggle's considerations on Foucault's concept of governance.

⁵⁰ They are, however, usually at least one of these: thus, black labour is regarded as at least partially legitimate by the population although it violates existing laws: See Siegfried Lamnek, 'Erosion von Normen, mangelnde soziale Kontrolle, faktische Zwänge oder Hedonismus als Bedingungen sozialer Devianz', in Siegfried Lamnek and Jens Luedtke (eds.), *Der Sozialstaat zwischen Markt und Hedonismus?* (Opladen,

own norms⁵¹ to which nonetheless a heterodox or even an asocial character is attributed inasmuch as they lack general approval.⁵²

Several questions in regard to a historical analysis of irregular economic practices now arise from the considerations presented thus far. What circumstances bring about conceptions of what is regular and irregular as a differentiation between economic activities and fields? What performers take part in this? Who is successful in carrying through his ideas and attaining the power of hegemonic interpretation? And why is this so? How do social actors use the differentiation between regular and irregular as a means of distinguishing them from other actors, and under what circumstances can social marginalization or exclusion arise? What processes of subversion and attribution of a new interpretation can be observed? And how do these shift the demarcation between what is regarded as regular and irregular?

The constitutive disparity in the relation between regular and irregular practices is also strongly expressed in the divergent 'chances of tradition' (*Überlieferungschan-zen*)⁵³, particularly in the economic area. Thus, participants in the regular economy – for example, early-modern masters – have a significantly closer relation to the written tradition, especially to that of the ruling authorities, than persons performing irregular work, such as the *faux-ouvriers*. Due in no small part to threats of sanctions against the latter, they were not able to develop any comprehensive written culture. This does not necessarily mean that there is a lack of sources with regard to irregular economic practices, but these were almost always drawn up from an outside perspective and from the point of view of socially acknowledged actors (for example, accounts by guilds and trade associations) and/or originated in an official context (such as court documents). There-

1999), 368-85; Gaby Olbrich, 'Reaktion auf strukturelle Bedingungen oder individuelle Motive? Bürger zwischen Leistungsbereitschaft und Anspruchsdenken', in *ibid.*, 386-403. The classical text by Keith Hart from 1973 has already stressed this argument: 'The system of bourgeois values enshrined in a nation's code of laws may not coincide with concepts of legitimacy prevalent in certain subcultures of that society'. Hart, *Informal Income Opportunities*, 74. On the other hand, as Sigrid Wadauer shows using the example of peddling during the inter-war period, an economic practice can be legal but, nevertheless, regarded as illegitimate since it violates social norms (here, the bourgeois value of 'rootedness' (*Bodenständigkeit*)). For more on the blurred borders between informal and illegal markets, see John C. Cross and Sergio Pena, 'Risk and Regulation in Informal and Illegal Markets', in Fernández-Kelly and Shefner, *Out of the Shadows*, 49-80; for implications of drawing a clear dividing line between legal and illegal, see Paul Gootenberg, 'Talking Like a State. Drugs, Borders, and the Language of Control', in Willem van Schendel and Itty Abraham (eds.), *Illicit Flows and Criminal Things. States, Borders, and the Other Side of Globalization* (Bloomington and Indianapolis, 2005), 101-27; Josiah McC. Heyman (ed.), *States and Illegal Practices* (Oxford and New York, 1999); Portes and Haller, *The Informal Economy*, 405.

⁵¹ To that extent, irregular and deviant practices have to be differentiated.

⁵² This conceptualization of the irregular follows eclectically various cultural studies, especially theoretical approaches of differentiation and recognition, such as those by Pierre Bourdieu, Niklas Luhmann, Michel Foucault or Axel Honneth, without placing particular worth on theoretical purity.

⁵³ Arnold Esch, 'Überlieferungs-Chance und Überlieferungs-Zufall als methodisches Problem des Historikers', in *idem*, *Zeitalter und Menschenalter: der Historiker und die Erfahrung vergangener Gegenwart* (Munich, 1994), 39-69.

fore, the sources usually reflect a specific bias in regard to irregular economic practices, namely that of the remonstrating or sanctioning social actors or authorities.⁵⁴

A research framework that focuses on the irregular dimensions of economies makes it possible to question hitherto existing categorizations and imputations in the field of economic history. Thus, traditional perceptions concerning the character of early-modern urban economies are put into perspective, as demonstrated in many of the contributions. More recent research in respect to irregular economic practices in the early-modern city, such as illicit work in trades or smuggling, has approached this theme with a critical view of the classical perspective on the system of guilds in the ancien regime, a point of view characterized by an emphasis on regulation, mechanisms of exclusion and hindrance, suppression of competition and a concentration on normative and institutional aspects, i. e. on the regular and regulated forms. It has become evident that the economic order in early-modern cities showed greater variety than had been assumed in research limited to a guild-centric view.⁵⁵ Moreover, more recent research and especially many contributions in this volume show that irregular practices were a structural characteristic of both early-modern urban economies and modern economic systems (and still are today) and that regular and irregular economic practices should not only be understood as two separate areas of the economy but rather as dimensions of the economy which are closely connected and related to one another.

b) Interrelations

Although, on first blush, conceptions of the regular and irregular suggest the possibility of demarcating and distinguishing parts of society from one another, the borders are, in social practice, blurred – especially with regard to the relation between regular and irregular economic practices. This is why conceptions of a 'dual economy' are mistaken, in modern as well as in pre-modern societies.⁵⁶ As many of the contributions in this volume stress,⁵⁷ the relation between regular and irregular economic practices should not only be understood as competition but rather as characterized by close interplay and complementarity. The discrepancy between cultural attributions aiming at differentiation and economic practices characterized by interrelations is especially pronounced in

⁵⁴ The problem of sources thus makes it practically impossible to generate data for a traditional economic and quantitative analysis.

⁵⁵ The case of lace-production in early-modern Venice investigated by Patricia Allerston shows this in exemplary fashion: it lacked a formal structure organized in a corporation and the form of its labour organization deviated from traditional conceptions, whereby the lack of corporative structures, in this case as in others, was not considered a sign of irregular practices or even of disorder and disorganization. Nevertheless, researchers hastily attributed an irregular character to lace-production in early-modern Venice. For this reason, it has hardly been investigated, despite its economic significance. Allerston's analysis shows clearly how a modern viewpoint oriented on formal and institutional criteria of organization used in respect to a pre-modern economy can result in false perceptions and research desiderata which do not sufficiently take into consideration contemporary conceptions of regular and irregular practices.

⁵⁶ For criticism of concepts of dual-economy, see above.

⁵⁷ Cf. especially the contributions by Anne Monténach, Georg Stöger and Jutta Nowosadtko.

the social and individual dimension. Many actors performing irregular work in early-modern trades, for example, were skilled craftsmen with qualifications similar to the master craftsmen in guilds. In contrast to the view spread by the guilds that they were persons with no or insufficient qualification (the so-called *ouvriers sans qualité*), they had often gone through the normal training programme from apprentice to journeyman but had, for one reason or another, not attained the right to become a master and, instead, pursued activities outside of or on the fringes of the guild system. As shown by Jutta Nowosadtko, military companies offered journeymen and qualified craftsmen an alternative to official careers within the system of guilds, from which they were often barred. A lot of soldiers with craft skills were recruited with the goal of having them exercise their trades within the framework of the early-modern military economy. In these cases, not only the demarcation between military service and the exercise of a trade was blurred but also the one between the military economy and the subsistence of citizens.⁵⁸ It was this obfuscation that was criticized by the guilds and the municipal authorities, usually without success.⁵⁹ Moreover, the example of how the economy functioned in military companies is representative of the vast area of irregular economic practices in the early modern period (as well as in the modern era) and shows that this possibility for alternative trade careers contributed to the maintenance or even learning of individual skills which, in certain cases, actually created a basis for regular occupation. Thus, in the seventeenth and eighteenth centuries, many discharged or invalid soldiers were granted special official privileges to work in the trade in which they had received some formal training and which they had, in many cases, also practiced during their military service. While such alternative career paths are one of the effects of the formalization of trade branches and their connection to formal training, they are, at the same time, also symptomatic of the flexible transition between regular and irregular occupations. Modern black labour would also be inconceivable without a transfer of resources (material, tools, etc.) and knowledge from the regular area of the economy. On the other hand, capital and knowledge gained through irregular work are fed back into the 'official' economy.⁶⁰ Interplay also arises in no small part from the fact that many persons performing irregular work are likewise active in regular occupations. Similarly, regular and irregular (economic) practices are never different in all their features and normative fundamentals but often deviate from one another in just a few aspects.⁶¹ The relation between the regular and the irregular is thus one of similarity and not of strict opposition –

⁵⁸ Thus, guard-duty was often used for the exercise of craft and trade activities.

⁵⁹ It was not until the beginning of the nineteenth century that a basic change came about when the military also started to regard the blurriness between the military and the economy with increasing criticism.

⁶⁰ Careers in the regular branch of business in contemporary countries like Ukraine, for example, can be fostered by or even based upon an accumulation of resources in the shadow economies, as shown by Colin C. Williams and John Round, 'Entrepreneurship and the Informal Economy: A Study of Ukraine's Hidden Enterprise Culture', *Journal of Developmental Entrepreneurship* 12 (2007), 119-36.

⁶¹ Christian Hochmuth demonstrates this in his portrayal of the attempts to differentiate between regular and irregular trade practices on the basis of the characteristics of the goods traded; on this, see also below.

which is true not only for the economy but also for other areas of society. This explains the special ambivalence and the paradoxical character particular to irregular (economic) practices. If the irregular in this sense is defined as something which is similar, although different, then the distinction between regular and irregular (economic) practices creates a transitory and precarious⁶² area of demarcation which cannot be clearly assigned to an area inside or outside of society but is rather situated beyond the differentiation between inside and outside, thus introducing a third dimension beyond inclusion and exclusion. Hence, irregular (economic) practices always generate simultaneous effects of inclusion and exclusion. Irregular areas of labour in the economy are thus those places in society where those not or only partially integrated into society can find a livelihood. This includes people such as immigrants, members of the lower class or the peddlers in the first half of the twentieth century who are most often found in an 'economy of makeshifts', as investigated by Sigrid Wadauer.⁶³ However, due to the manifold forms of interrelations between irregular and regular economic practices, those socially excluded then often find access to the official economic cycle: the coexistence of social exclusion and (partial) economic inclusion is characteristic for them. Irregular economic realms are, however, not populated solely by those who are excluded and in a precarious situation – those integrated in society, such as masters in crafts or tradesmen, also take advantage of the possibilities offered by the existence of irregular economic practices, mainly to secure their economic and social status. These people play an important role, especially in the (semi-)institutional and informal interplay between regular and irregular economic practices, acting as intermediaries, for example, through forms of sub-contracting. The important mediating role played by – more or less informal – social networks is accentuated by Anne Montenach, who shows the great significance of these networks for the functioning of urban economies, especially in the early-modern era, because they maintain open borders and a flexible, dynamic system of economic transactions.

The interrelations between the regular and the irregular become especially apparent in the regulation of space and time, as observed by Anne Montenach in the case of early-modern Lyon. Here it becomes obvious that wide-spread attempts at (authoritative) regulation and monitoring of economic spaces, for example, by limiting the trade of certain goods to set places and times and controlling access to these through the granting of privileges, led to the formation of areas in which certain economic activities were regarded as irregular.⁶⁴ Furthermore, zones thus originated in which the areas of regular

⁶² On the conception of precarity (Castel), see above footnote 4.

⁶³ For this, cf. Steven King and Allanah Tomkins (eds.), *The poor in England 1700-1850. An economy of makeshifts* (Manchester and New York, 2003).

⁶⁴ On clandestine markets see also the contribution by Georg Stöger; see also idem, *Sekundäre Märkte? Zum Wiener und Salzburger Gebrauchtwarenhandel im 17. und 18. Jahrhundert* (Vienna and Munich, 2011); Anne Montenach, 'Une économie de l'ombre. La place de la clandestinité dans le petit commerce alimentaire Lyonnais au XVII^e siècle', in Sylvie Aprile and Emmanuelle Retailaud-Bajac (eds.), *Clandestinités urbaines. Les citadins et les territoires du secret (XVI^e-XX^e siècles)* (Rennes, 2008), 67-78.

and irregular work overlapped and infiltrated one another.⁶⁵ In the spatially limited early modern cities, a separation into two disconnected areas was impossible since the demarcations between the regular and irregular were constantly overrun. Thus, despite all the legal demarcations and spatial differentiations, integration within in the urban economy was assured, at least to a certain degree.

c) Hierarchies

As mentioned above, the field of regular and irregular economic practices is determined by structures of power and hegemonic relations which have their origin in the economy as well as in other areas of society. This becomes particularly evident in the case of gender differences. Irregular work was and still is highly feminized: this holds true for present forms of black labour as well as for irregular economic practices around 1900 or in the early modern period. This is especially the case when the field of regular work is mainly monopolized by men and independent forms of female work are pushed to the sidelines and extensively out of the 'official' economy, as happened in the early-modern city.⁶⁶ As shown by Susanne Schötz, the increased granting of privileges and monopolism of urban trade business by the guild of (masculine) shopkeepers (*Krämer*) in early-modern Leipzig was accompanied by a feminization of the little respected and – in the view of the *Krämerzunft* – irregular retail trade by peddlers. At the same time, this irregularization brought about a massive loss of status for retail traders. In other early-modern cities women were also overrepresented in the trade of irregular goods or those classified as inferior, such as the second-hand trade in Vienna and Salzburg in the eighteenth century.⁶⁷ The trades which were not organized in guilds, such as lace-production in early-modern Venice, were also often characterized by work performed by women.⁶⁸ Around 1900, comparable patterns appeared: hairdressing was usually done by women in the form of work at home, which accentuated and confirmed its non-official and irregular character. Since it was not publicly visible, the association with criminalized (female)

⁶⁵ Cf. also Michaela Fenske, *Marktkultur in der Frühen Neuzeit. Wirtschaft, Macht und Unterhaltung auf einem städtischen Jahr- und Viehmarkt* (Cologne et al., 2006).

⁶⁶ On women's important role but nevertheless precarious status in the early modern trades and in 'informal economies' in particular, see Judith G. Coffin, *The Politics of Women's Work: The Paris Garment Trades 1750-1914* (Princeton, 1996); Daryl M. Hafter, 'Women in the Underground Business of Eighteenth-Century Lyon', *Enterprise & Society* 2 (2001), 11-40; Laurence Fontaine, 'The Exchange of Second-hand Goods between Survival strategies and "Business" in Eighteenth-century Paris', in eadem (ed.), *Alternative Exchanges. Second-Hand Circulations from the Sixteenth Century to the Present* (New York and Oxford, 2008), 97-114, especially 103ff.; Christine Werkstetter, *Frauen im Augsburger Zunft Handwerk. Arbeit, Arbeitsbeziehungen und Geschlechterverhältnisse im 18. Jahrhundert* (Berlin, 2001); Elise van Nederveen Meerkerk, *De draad in eigen handen. Vrouwen en loonarbeid in de Nederlandse textielnijverheid, 1581-1810* (Amsterdam, 2007); Penelope Lane, 'Work on the Margins: Poor Women and the Informal Economy of Eighteenth and Early Nineteenth Century Leicestershire', *Midland History* 22 (1997), 85-99.

⁶⁷ See the contribution by Georg Stöger; cf. also the contribution by Christof Jeggle, which stresses that the percentage of women in the less regulated production of linen regarded as inferior was just as high as in forms of irregular retail trade of the linen.

⁶⁸ For this, cf. the contribution by Patricia Allerston.

forms of earning money, such as prostitution, was easily made.⁶⁹ In this case, too, it was not the business activity of women per se but rather the independent exercise of a trade that met with criticism and rejection, especially by the official (masculine) professional organizations which regarded it as endangering existing patriarchal structures of power. This example demonstrates the paradoxical character of irregular work, in this case independent work performed by women. On the one hand, its representation as irregular reproduced the hierarchical gender relations and the structures of power connected with it; on the other hand, the possibility of being able to work independently in the irregular area could, at least to a certain extent, undermine the existing gender hierarchy. It was especially irregular work that gave women an opportunity to become integrated into the economic cycle, even if this was usually under distinctly worse conditions than in the regular economy.

Similar findings have been made with respect to the differences between citizens and outsiders, such as migrants. It is not only a contemporary phenomenon that a disproportional number of foreigners and migrants work in irregular economic circumstances.⁷⁰ As shown by Christian Hochmuth, this was also the case in early-modern cities like Dresden, where foreign tradesmen, particularly Italians, were confronted by the local tradesmen incorporated in guilds with the reproach that their trade practices were irregular, especially whenever these were connected with innovations, such as the introduction of new commodities from overseas. Since they – and this applies to the goods traded as well as to the traders themselves – did not fit into the regular categories, phenomena which were new or foreign (or dirty, in other cases) were classified as illicit. At the same time, this was an attempt to maintain the power structure set down in the system of categories through which goods and people were accounted for and classified. Thereby, close interplay existed between these two dimensions – the characteristics categorizing goods and activities and those attributed to the persons involved in trade and business. Therefore, processes for regulation of certain goods and activities could, in certain situations, result in processes of recognition and social integration for their performers.

d) Conflicts

The special role of hierarchical and hegemonic relations in the analysis of irregular economic practices indicates that, in general, this is a highly disputed social area. This agonal character, which is characteristic for the history of irregular work, in spite of or actually due to the existing complementary relations, is also described and analyzed in diverse ways in the contributions in this volume. The demarcations described above were

⁶⁹ Cf. the contribution by Svenja Kornher.

⁷⁰ On the participation of migrants (both legal and illegal) in the shadow economies of Milan, see Carsten Keller, 'Migration und informelle Ökonomie. Wechselwirkungen und Diskrepanzen in Italien und Mailand', in Henckel et al., *Arbeiten in der Grauzone*, 171-99; on the linkage between migrants' ethnic economy and urban shadow economies in contemporary Berlin and Warsaw, see Dietrich Henckel and Andrea Wagner, 'Informelle Ökonomie in Deutschland und Polen: Berlin und Warschau', in: *ibid.*, 201-18.

negotiated in these conflicts: they concerned not only the distinction between regular and irregular work and the structure of power connected with it, but also the borders of economy and work itself, as shown, among others, by Sigrid Wadauer. Thus, in the 1920s, itinerant trades were not perceived by many as a part of the economy but rather as a part of a 'sphere of anti-economy'⁷¹ or as non-work: peddling was thus not regarded as work in the sense of a value-generating activity, but rather as a concealed form of begging. Moreover, due to its mobile character and the difficulties connected with regulating it, peddling was located in the vicinity of criminal activities.⁷² Georg Stöger provides evidence of a similar situation in the second-hand trade of the eighteenth century, which was often brought into connection with thievery, dealing with stolen property or smuggling.⁷³ In other respects, too, the borders of work have always been a subject of discussion in conflicts concerning irregular economic practices, because these delineations are undermined by irregular practices. In the case of modern black labour, for example, this is seen in the disintegration of the border between productive work and private leisure time or between (wage) labour, on the one hand, and support within the family, neighbourhood or circle of friends, on the other (i. e. between economy and altruism). Disputes have also arisen because of the temporary limitations on work established in modern times and reinforced by legislation and cultural norms.⁷⁴ And finally, as has been demonstrated in numerous sociological studies, the constitutive character of satisfaction and autonomy in black labour questions the basic economic assumption of work as an unpleasant necessity that must be compensated by income.

One also observes a close association between the potential for conflict and the esteem of certain activities: the less an activity is esteemed, the greater the tendency to tolerate irregular practices of this activity. This is also connected with the fact that the demarcation between regular and irregular economic practices has often been blurred beyond recognition whenever the exercise of irregular work has been indispensable for the care of peripheral or deprived groups in society, as demonstrated in the non-authorized trade of second-hand products investigated by Georg Stöger. This second-hand trade per-

⁷¹ This was also legitimized by the view that itinerant trades were apparently a traditional form that was dying out and an antithesis to the rules and norms in a modern economy.

⁷² For the relation between irregular and illegal/criminal economic practices, see above.

⁷³ Especially Jewish retailers were reproached for this; actually, the figure of the Jewish retailer concealing stolen goods is a prominent figure in modern literature, take, for example, David Copperfield.

⁷⁴ Cf. Eckart Pankoke, *Die Arbeitsfrage. Arbeitsmoral, Beschäftigungskrisen und Wohlfahrtspolitik im Industriezeitalter* (Frankfurt, 1990), 18f.; in general, also Irene Raehlmann, *Zeit und Arbeit. Eine Einführung* (Wiesbaden, 2004). Similar disputes are also found in the early-modern period: the question of when the demarcation between sanctioned work in and for a household and irregular work (*Störerei*) was crossed was vehemently discussed. Thus, numerous conflicts broke out around 1700 because artisans, for example, tailors, were employed as servants and then became competitors for the guildsmen. Likewise, certain business practices were officially forbidden at certain times, for example, sales of meat during Lent, which led to the rise of temporary black markets: for the example of the unofficial meat market during Lent in Lyon in the seventeenth century, cf. Anne Montenach, 'Esquisse d'une économie de l'illicite. Le marché parallèle de la viande à Lyon pendant la Carême (1658-1714)', *Crime, Histoire & Sociétés/Crime, History & Societies* 5 (2001), 7-25.

formed a central function in providing for the lower class, one usually not covered by the official trade due, among other reasons, to the low profit margin. Similarly, in the first half of the twentieth century, the peddling of goods of lesser quality at a price even poorer people could afford was essential for their sustenance in cities such as Vienna as well as in the countryside.⁷⁵ Accordingly, irregular practices of distribution often serve economically as a means of opening up a market not, or only insufficiently, covered by official trade; by taking advantage of existing gaps, irregular trade contributed to the distribution of goods. As demonstrated by Christian Hochmuth in the investigation of overseas commodities in the seventeenth and eighteenth centuries, it is noteworthy that it also functioned as a way to introduce and distribute new goods. Therefore, irregular trade, especially peddling, was able to become a pillar of commercialization.⁷⁶ Official dealers were also able to profit from the generation of a new demand for goods and the expansion of the market. On the other hand, these processes of introducing new goods or trade techniques, which were often carried out by outsiders and separate urban groups, such as 'foreign' traders or craftsmen, were able to shift the demarcation between what was regarded as regular and irregular or licit and illicit in the course of time, for example when goods or practices became 'regularized' and thus lost their irregular character. However, such processes of integration and normalization were accompanied by manifold conflicts, especially when the new practices were not able to be integrated into existing systems of classification and taxonomy. Such issues of classification and labelling, as shown in the example of overseas commodities in early-modern Dresden, were often highly contentious since the privilege to sell certain goods, meaning domination in that economic field, was often based on particular groups of goods with set characteristics.

e) Transformations

Thus far, we have addressed systematic matters. We will now turn to some currents in the history of irregular economic practices in modern (urban) Europe.⁷⁷ In general, the following four phases can be discerned.

⁷⁵ Cf. Sigrid Wadauer's contribution. Some of these individuals were able to attain a remarkable level of wealth, as shown by Georg Stöger.

⁷⁶ For this, cf. also Laurence Fontaine, *History of pedlars in Europe* (Cambridge and Oxford, 1996).

⁷⁷ The observations in this volume refer to the development in the Central and Western European area, particularly the German-speaking countries, but also France and northern Italy. Other countries, especially England, are only included sporadically. This is certainly a desideratum since the comparison of irregular economic practices in continental Europe and England could contribute important information in regard to the controversial question of the extent to which the pertinent economic systems have differed in the formation of two diverse economic cultures. Moreover, the considerations presented are limited to the urban area; accordingly, irregular rural practices, such as poaching, are not taken into consideration in this volume (although individual contributions, such as Sigrid Wadauer's, note the interplay between irregular practices in the city and in the countryside). For an investigation of 'arcane' rural economies, cf. Norbert Schindler, 'Ländliche Schacherwirtschaft am Ende des 18. Jahrhunderts', in Wolfgang Reinhard and Justin Stagl (eds.), *Menschen und Märkte. Studien zur historischen Wirtschaftsanthropologie* (Vienna et al., 2007), 291-318, which also points out the close involvement of the bartering economy in the countryside and urban markets.

The 'long sixteenth century' can be considered as the first phase of formation (*Sattelzeit*) of irregular work in modernity. As demonstrated in the contribution by Philip Hoffmann-Rehnitz, cultural patterns which were to characterize the perception of and the intercourse with irregular and clandestine forms of work (*Störerei* or *Pfuscherei*) in Central European cities until the end of the ancien regime had already begun to take form at the end of the fifteenth century.⁷⁸ According to the current state of research, there was only a rudimentary differentiation between regular and irregular practices in medieval urban (craft) economies, – at least, hardly any sources which would shed a light on irregular work or irregular economic actors can be found. Likewise, it was not until the middle third of the sixteenth century that discourse and conflicts supporting such a differentiation and identifying certain persons and practices as irregular can be found in political and jurisdictional contexts. This is closely connected with the new demarcation of borders for regular, i. e. especially corporate, work, and the successive exclusion of certain groups within society, such as women, from the field of privileged work.⁷⁹ It was also in this time period that the exercise of irregular work, particularly in urban crafts, became a highly controversial object of municipal policing.

The period between the end of the sixteenth century and the beginning of the nineteenth century forms the *classical phase of irregular economic practices* in the Early-Modernity. It was characterized by an immense number of dispute and conflicts concerning irregular economic practices in crafts and trades and its boundary to the area of regular work; this can thus be regarded as one significant feature of urban economies in the seventeenth and eighteenth centuries. Correspondingly, most research on irregular economic practices in early modern Europe concentrates on these two centuries,⁸⁰ due in large part to the huge mass of sources from that time.⁸¹ Since conditions for the cultural framework of the perception of and communication concerning irregular economic practices as moulded in the 'long sixteenth century' remained relatively constant during these two centuries, this period can be regarded as a unity. However, major trans-

⁷⁸ This is connected with a new, general assessment of labour as a political problem, particularly at the turn of the sixteenth century and during the Reformation: cf. Peter Blickle, 'Arbeit als Politikum an der Wende vom Mittelalter zur Neuzeit', in Hans-Jürgen Gerhard (ed.), *Struktur und Dimension. Festschrift für Karl Heinrich Kaufhold zum 65. Geburtstag*, vol. 1: *Mittelalter und Frühe Neuzeit* (Stuttgart, 1997), 244–55.

⁷⁹ Philip Hoffmann-Rehnitz's findings comply with research in other fields, including studies done on the history of women's work that stress the importance of the 16th century as a period when the possibility for women to participate in the world of qualified work was formally restricted in guild-controlled branches: see, among others, Anne-Lise Head-König and Liliane Mottu-Weber, 'Recherchées ou exclues. Quelques paramètres conjoncturels de la présence des femmes sur le marché du travail, XVe–XIXe siècles', in Ulrich Pfister et al. (eds.), *Arbeit im Wandel. Deutung, Organisation und Herrschaft vom Mittelalter bis zur Gegenwart/Le travail en mutation. Interprétation, organisation et pouvoir, du Moyen Âge à nos jours* (Zurich, 1996), 127–43.

⁸⁰ Thus, most of the contributions in this volume also treat the seventeenth and eighteenth centuries; inasmuch, it can also be considered as representative of the current state of research in this respect.

⁸¹ However, almost all the sources have come from the authorities and corporations and thus represent the hegemonic point of view – sources which would have delivered the viewpoint of the irregularly working persons are hardly existent.

formations and a fluctuating awareness of the problem can also be found. As shown in numerous contributions, processes of incorporation, the granting of (new) privileges for guilds⁸² or regulation of economic areas which, until then, had only been slightly regulated were, again and again, decisive turning-points in the history of irregular economic practices.⁸³ Areas of regular and irregular work were newly defined through the introduction of additional regulations which were often legitimized by product quality assurance and consumer protection and especially through exclusion and monopolization of rights for crafts and trades along with the establishment of controls connected with this. In fact, it was through these that a lasting change in the relation between regular and irregular economic practices came about and that the latter were actually generated.⁸⁴ Regulations were thus usually accompanied by an expansion of the area of irregular work, which led simultaneously to an increase in conflicts concerning irregular economic practices.⁸⁵ The tendency towards incorporation and regulation of trades observed throughout Europe, particularly in the seventeenth century, should not, however, lead to the reproduction of the picture presented in older research of an economy petrified in corporative structures.

⁸² Cf., for example, the case of the shopkeepers' guild in Leipzig, as discussed by Susanne Schötz: here, the granting of extensive trade privileges to the shopkeepers' guild in the seventeenth century meant limitation or even elimination of trade rights for other groups, among them artisans and non-incorporated peddlers.

⁸³ The tendency towards regulation of areas which had not yet been regulated or were only controlled to a small extent increased in the early modern period, as shown in several contributions: cf. Georg Stöger's contribution on the second-hand trade as well as Christof Jeggle's in regard to the linen trade in Munster in the seventeenth century. Such processes of regulation and institutionalization were brought about in very diverse ways, either locally by corporations or centrally by the authorities (cf., again, Christof Jeggle's contribution), whereby the details and the extent of such regulation depended upon the political conditions in the individual city: for this, cf. also Maarten Prak, 'Corporate politics in the Low Countries: guilds as institutions, 14th to 18th centuries', in idem et al. (eds.), *Craft Guilds in the Early Modern Low Countries. Work, Power, and Representation* (Aldershot, 2006), 74–106. In contrast to regulation in the modern sense, it is not the state in early modern Europe that should be regarded as the principal central institution for determination of norms and sanctions but rather a variety of institutions ranging from land-lords in the countryside to monasteries, urban magistrates and reigning princes as well as – in middle Europe – to the Empire itself. In addition, there were corporative institutions which set norms, such as guilds, brotherhoods, etc. Accordingly, until the end of the Early-Modernity and partially even past that, overlapping and rivaling norms valid in part only for small areas must be taken into consideration. Large cities, such as Paris or Vienna, thus became a highly fragmented legal space. Generally, early-modern (urban) economic systems can thus be compared with the situation Miguel Angel Centeno and Alejandro Portes described for great parts of modern Africa and which they termed "enclave" formal economy: this circumscribes a limited space of 'formal economy' existing in urban and other economic centres, while the economies in the rest function to a great extent without political regulation: Centeno and Portes, *The Informal Economy*.

⁸⁴ This is seen in the rise of unauthorized markets, which should be regarded as a supplement to 'official' markets rather than competition since these often took over the task of providing for the lower class, which was not, or only insufficiently, performed by 'official' tradesmen: for this, cf. the contributions by Georg Stöger and Susanne Schötz.

⁸⁵ This can be observed after privileges had been set up for shopkeepers in Leipzig in 1672 (cf. the contribution by Susanne Schötz) or for the guild of linen-weavers in Munster in the 17th century (cf. the contribution by Christof Jeggle). The latter case also demonstrates clearly the difficulties in attempts at incorporation.

Not only did large parts of urban economies remain unregulated to a great extent, i. e. not regimented by (formal) written norms,⁸⁶ but the coexistence and interplay between regular and irregular practices also contributed greatly to flexibility in economic structures and adaptability to changes. Early modern and nineteenth century urban labour markets were typically characterized by a remarkable fluctuation of the labour force (journeymen but also casual workers) as well as an oversupply of workers in relation to the high mobility rates.⁸⁷ Furthermore, early-modern cities were characterized by rather inconsistent prosecution of economic deviance and only occasional use of formal rules and authoritative regulation, especially in the area of urban trades.⁸⁸ This was due to a basic dilemma confronted by urban authorities: on the one hand, they had to protect their tax-paying citizens as the pillars of urban society from intruders endangering their economic basis, whereas, on the other, enabling the urban poor to earn a living and satisfy their basic needs in terms of clothing and food, essential goods they could frequently only afford through the use of irregular trade channels.⁸⁹ From this perspective, the contradictory measures taken against irregular economic practices by early-modern (urban) authorities and frequently denounced by guilds for their ineffectiveness and half-heartedness, were not – or not only – a sign of the weakness of the (urban) political and judicial systems and their incapability of passing and implementing laws.⁹⁰ The authorities' relative tolerance for the *faux ouvriers* and *Pfuscher* – or rather, their scant eagerness for prosecution and sanctions – even increased in the eighteenth century, a time of emergent and consolidating state structures. As the authorities increasingly gave concessions to craftsmen and tradesmen who were not incorporated, the norm of guild-membership was undermined even more.⁹¹ This tendency towards a 'liberalization before liberaliza-

⁸⁶ However, this cannot be equated with an economy without rules; it is rather that economic practices were regulated by social norms and more or less institutionalized social networks.

⁸⁷ See Josef Ehmer and Reinhold Reith, 'Die mitteleuropäische Stadt als frühneuzeitlicher Arbeitsmarkt', in Peter Feldbauer, Michael Mitterauer and Wolfgang Schwentker (eds.), *Die vormoderne Stadt. Asien und Europa im Vergleich* (Vienna, 2002), 232–58.

⁸⁸ This is stressed in several contributions, such as in Christof Jeggle's. Thereby, it was often guild members themselves that undermined the boundaries of officially allowed practices by hiring irregular craftsmen to work for them (for example, in the form of sub-contracting) or acting as 'pseudo-employers' for people not belonging to guilds, such as soldiers, thus giving them the possibility of practicing their trade (cf. also de Munck, *One counter*); getting around existing restrictions, such as set limits on the number of employees, brought advantages for both sides. Members of the merchants' guild in Dresden, for example, conducted various business activities with 'illicit traders', thus undermining the position of the guild, as shown by Christian Hochmuth.

⁸⁹ See, for example, the contribution by Anne Montenach; see also Anne Montenach, "'Schattenarbeiterinnen'. Frauen im Lebensmittelkleinhandel im Lyon des 17. Jahrhunderts: Ressourcen und Strategien', *L'Homme. Europäische Zeitschrift für Feministische Geschichtswissenschaft* 17 (2006), 15–36. This basic dilemma did not necessarily disappear in later times. Although Austrian authorities tried to impose restrictive measures against peddlers in the interwar period, the measures taken by cities or villages frequently differed, thus constituting a grey zone which actors in itinerant trades could make use of, as argued by Sigrid Wadauer in her contribution.

⁹⁰ Cf. Jürgen Schlumbohm, 'Gesetze, die nicht durchgesetzt werden – ein Strukturmerkmal des frühneuzeitlichen Staates?', *Geschichte und Gesellschaft* 23 (1997), 647–63.

⁹¹ See, for the case of Vienna, Thomas Buchner, *Möglichkeiten von Zunft. Wiener und Amsterdamer Zünfte*

tion' contributed greatly to the relatively small amount of opposition to the introduction of freedom of trade at the beginning of the nineteenth century, for example, in Prussia, and its perception of being rather a continuation of existing developments than a rupture. Moreover, it helped to liberalize the exercise of crafts and trades during the first half of the nineteenth century, even in places where the freedom of trade was not officially introduced until the mid-nineteenth century (for example in many German countries, such as Saxony, where this did not take place until the 1860s). From this perspective, the corporate system with the privileges it granted had already lost a great part of its significance before its official abolishment.⁹²

This brings us to the *nineteenth century*, which marks a phase of transition in the history of irregular economic practices since it is located between the history of irregular work in the early modern period, which persisted in many respects until the first half of the nineteenth century, and the late modern history of black labour and shadow economies, with its formative period at the end of the nineteenth and the beginning of the twentieth centuries.⁹³ Hence, the nineteenth century appears to be part of the previous or later history – depending upon the perspective – without a clearly outlined profile of its own. This is also demonstrated by the contributions in this volume; there is none which devotes itself explicitly to the nineteenth century. This is not by chance but rather reflects the fact that, in comparison with the seventeenth/eighteenth and twentieth centuries, there has hardly been any research in regard to irregular (urban) work and shadow economies during this period.⁹⁴ Despite or actually due to this gap, a few cursory considerations in respect to the history of irregular (urban) economic practices of the nineteenth century will be made in the following and may possibly form a point of departure for further research.

As far as can be ascertained from the current state of research, the problem of irregular economic practices had suffered a loss of importance and, in particular, political relevance since the 1820s, at the latest. The predominant tendency towards liberalization, at least for economic policies, during this period played an important role in this because it contributed decisively to the dissolution of traditional institutional and epistemic orders, as can be clearly observed in urban craft industries and in (retail) trade in the middle third of the nineteenth century. The liberal doctrine of freedom of trade, together with its anti-

im Vergleich (17.-18. Jahrhundert) (Vienna, 2004), 157ff. Georg Stöger also demonstrates in his contribution that the authorities at the end of the 18th century treated non-authorized second-hand dealers less rigorously in a form of 'calculated charity', i. e. tolerance by the authorities for persons who were usually poor and attempting to earn a living in the irregular economy. This served as a sort of informal social and welfare policy, and an irregular means of earning a living was often preferred by the authorities as the only alternative to charitable support.

⁹² Cf. for this the contribution by Susanne Schötz on Leipzig, Saxony.

⁹³ For this, see below.

⁹⁴ This is particularly striking since the history of labour in the 19th century, in general, and labour performed by the (urban) lower class, i. e. the 'working poor' and the '*miserables*', in particular, have been well researched, especially forms of 'economic deviance', for example, prostitution, petty criminality, etc., last but not least, because many contemporaries, for example, Victor Hugo or Henry Mayhew, held up a sharp mirror to these problems.

corporate disposition to abolish the guilds as a mediating instance between individuals and the state undermined not only basic institutional principles, but also cultural patterns and demarcations which had, in the early modern period, been constitutive for the differentiation between regular and irregular economic practices. The nineteenth century actually meant the end of numerous phenomena which had characterized early-modern irregular economic practices, for example, soldiers working as artisans or tradesmen.⁹⁵ It did not, however, mean the end of the history of irregular economic practices. On the contrary, diverse references demonstrate that cultural patterns which differentiated between regular and irregular economic practices persisted in the nineteenth century, as clearly shown by the claims of many masters and journeymen in the revolutions of 1848/49.⁹⁶ This had to do with the fact that the liberal doctrine did not prevail completely nor to the same extent throughout the European countries: thus, normative differentiations, such as between honourable (male) and dishonourable (female) work or odd jobs and between skilled and unskilled labour, still retained their importance in the world of labour in the nineteenth century, especially among the urban crafts, since social and cultural hierarchies as well as mechanisms of inclusion and exclusion were structured upon them. Nevertheless, these forms of internal social differentiation and hierarchies seem to have come under increasing pressure in the second third of the nineteenth century, as did the boundaries between self-employment and employed work.⁹⁷ One reason for this was an increasing social and political awareness of irregular 'casual' labour, i. e. short-term, insecure working conditions, since the beginning of the nineteenth century.⁹⁸ It was this class of poor proletarian and hardly socially integrated workers that was designated in Germany as *Pfuscher* (botchers) by their contemporaries as a way of setting

⁹⁵ As shown by Jutta Nowosadtko, this was related to a change in the self-image and professionalization of the military and the soldier in the transition to the nineteenth century and to the increasing criticism of (public) non-military economic activities of soldiers.

⁹⁶ See Friedrich Lenger, *Sozialgeschichte der deutschen Handwerker seit 1800* (Frankfurt, 1988), 69ff. The cabmen in London at the beginning of the 1860s, as described by Henry Mayhew, can be regarded as an example of a business in which irregular forms of work played an important role: 'Cabmen were another group constantly harassed by the ease with which outsiders could gain access into the trade. Mayhew spoke of an unlicensed semi-criminal fringe, numbering about 1,000, who took over cabs during certain hours, many of whom acted as contact men for prostitutes and thieves': Gereth Stedman Jones, *Outcast London. A study in the relationship between classes in Victorian society* (Oxford, 1971), 62.

⁹⁷ John Burnett, *Idle Hands. The Experience of Unemployment, 1790-1990* (London and New York, 1994), 78ff.; Jürgen Bergmann, *Das Berliner Handwerk in den Frühphasen der Industrialisierung* (Berlin, 1973), 65ff.; Jürgen Kocka, *Arbeitsverhältnisse und Arbeiterexistenzen. Grundlagen der Klassenbildung im 19. Jahrhundert* (Bonn, 1990), 326f.

⁹⁸ The terms 'regular' and 'irregular labour' had also already been used in this sense in the 19th century (cf., for example, Jones, *Outcast London*, 127f. and below footnote 100), whereby, in addition to the temporal aspect, 'irregular' also always had a normative connotation of deviation and low respect: inasmuch, the two aspects were closely connected since security and long-term (self-)employment were signs of a person's respectability. According to G. S. Jones, it was not only in London that 'casual labour' was one of the main social problems in the second half of the 19th century, but it had only been perceived as such since the 1860s: *ibid.*, esp. 12ff., 262ff.; see also Burnett, *Idle Hands*, 82ff.; Pankoke, *Arbeitsfrage*, 73f.

them apart from respected master artisans and tradesmen.⁹⁹ The precarity of labour and occupation was a principal experience in the nineteenth century, extending far into the class of skilled artisans and tradesmen, many of whom had to take up odd jobs and thus lose social respect in order to subsist since they were not able to find work in their regular occupations.¹⁰⁰

As traditional boundaries within the world of urban labour became increasingly precarious, new normatively based differences and demarcations prevailed in the establishment of a different, modern definition of work/labour. Its accent was on a demarcation between work as a commodity and – in the economic sense – as productive wage-labour and, on the other hand, non-work, which included all activities which could not be categorized under the guiding principle of economic wage-labour.¹⁰¹ This referred not only

⁹⁹ Thus, the professor Clemens Theodor Perthes describes the situation of artisans in the year 1856, reporting that, in addition to the master artisans, an enormous number of minor craftsmen were working for warehouses or as *Flicker und Pfuscher* (menders and botchers) under the name of masters; they lived from one day to the next, occasionally accepting alms or begging for work; generally, no strong feeling for independence ('*Selbstständigkeitsempfinden*') nor sense of artisan pride ('*Sinn für Handwerksehre*') was observable: cited according to Kocka, *Arbeitsverhältnisse und Arbeiterexistenzen*, 326. In contrast to the early-modern period, membership in a guild played only a secondary role, if any at all, in designation as a *Pfuscher* – this term rather described a social position on the border between the middle and lower class, a precarious situation between inclusion and exclusion; accordingly, wealthy, respected and socially integrated master artisans tried to demarcate themselves from them because they were, in their point of view, the dregs of the artisan society and in dangerous proximity to the proletariat. Attempts to stress this distinction are a reason for limitation of admittance to trades through the (re)introduction of compulsory guilds and qualifying examinations (*Befähigungsnachweis*), as demanded increasingly by craft associations in the last third of the 19th century and then introduced successively (see below).

¹⁰⁰ Jones, *Outcast London*, 73. Cf. for this the exemplary self-description of the social descent of a skilled tailor written down by Henry Mayhew (cited according to Burnett, *Idle Hands*, 84): 'Four years come this winter was the last time I had employment at the honourable part of the trade. But before that I used to work for the sweaters when the regular business was slack. I did this unknown to the society of which I was a member. If it had been known to them I should have had to pay a certain penalty, or else my name would have been scratched off the books, and I should have no more chance of work at the honourable trade. (...) I could get no employment at my regular trade, and a sweater came down to the house and proposed to me privately to go and work for him. (...) I kept on the four years secretly working for the sweaters during vacation, and after that I got so reduced in circumstances that I could not appear respectable and so get work amongst the honourable trade'. Many artisans tried to get into (retail) trade, whereby, as demonstrated by Susanne Schötz using Leipzig as an example, the demarcations between trade and craft became increasingly blurred. Gustav Schmoller had already observed this process when he described how many poor artisan masters became peddlers due to their hopeless situation; other strategies named by Schmoller included turning to poorly respected (service) activities, 'putting-out' or emigration (as an exit-strategy); in addition, these destitute craftsmen formed a considerable reservoir for social democracy due to their dejection and discontent, which Schmoller regarded as a great political danger: Gustav Schmoller, *Zur Geschichte der deutschen Kleingewerbe im 19. Jahrhundert. Statistische und nationalökonomische Untersuchungen* (Halle, 1870), 668-71.

¹⁰¹ This is discussed thoroughly in research literature: for this, cf. among others Castel, *Metamorphosen der sozialen Frage*, 155ff.; Jürgen Kocka, 'Mehr Last als Lust. Arbeit und Arbeitsgesellschaft in der europäischen Geschichte', *Jahrbuch für Wirtschaftsgeschichte* (2/2005), 186-206, here 194ff.; Werner Conze, 'Arbeit', in Otto Brunner, Werner Conze and Reinhard Koselleck (eds.), *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, Vol. 1 (Stuttgart, 1984), 154-215, esp. 176ff.; for cultural origins of the concept of 'labour as a commodity', cf. also Richard

to 'idlers' or those who assured their living by criminal activities, such as thievery,¹⁰² but also to economic practices which did not correspond to certain social concepts of regular wage labour. The refusal to accord these the status of regular work caused those persons who performed (in this sense) irregular or non-work to experience social depreciation.¹⁰³ One prominent example of this is peddling.¹⁰⁴

In summary, the central problem for a history of irregular economic activities in the nineteenth century can be seen in the significant importance of the prevailing doctrine of *laissez-faire* and the introduction of freedom of trade.¹⁰⁵ The question nevertheless remains whether this is to be described as a rupture or rather as a longer, gradual phase of transformation and a process of diffusion, especially diffusion of concepts of regular and irregular work. On the one hand, as already mentioned, a lot of the liberal economic reforms put into force by law in the late eighteenth and nineteenth centuries had already been anticipated or at least prepared in the (urban) societies of the eighteenth century. On the other hand, traditional patterns of interpretation could be continued, although with new indications, when the problem of irregular economic practices gained new relevance at the end of the nineteenth century.

Thus the *end of the nineteenth and the first decades of the twentieth century* can be called a (second) *Sattelzeit*, in which a modern understanding of irregular work was established.¹⁰⁶ Based on discourse and experiences from the first and second third of the

Biernacki, *The Fabrication of Labor: Germany and Britain, 1640-1914* (Berkeley et al., 1995).

¹⁰² For the demarcation between work and criminality in the nineteenth century, cf. Gregor Dobler, 'Die Arbeit der Diebe', in Kurt Beck, Till Förster and Hans Hahn (eds.), *Blick nach vorn. Festgabe für Gerd Spittler zum 65. Geburtstag* (Cologne, 2004), 159-70.

¹⁰³ Kocka, *Arbeit früher, heute, morgen*, 479ff., drawing a boundary between work and non-work varied from country to country.

¹⁰⁴ For peddling, cf. also the contribution by Sigrid Wadauer. The image of the peddler in the 19th century was very negative, especially due to the vagabond style of his life and work: Gustav Schmoller considered peddlers, whom he called a *Gesindel* (rabble), to be a danger for economic and moral order, saying they would only perform 'unreal business' which served as pretext for their idleness and their vagabond life; he also placed their trading activities, which he termed *Schleichhandel* (i.e. surreptitious trade), in the vicinity of criminality: Schmoller, *Geschichte der deutschen Kleingewerbe*, 240ff. For more on the increasing rejection of peddlers and second-hand dealers as well as their marginalization and displacement to the urban periphery, which contributed to a process of making this branch of business irregular, using the example of Paris in the second half of the nineteenth century, cf. Manuel Charpy, 'The Scope and Structure of the Nineteenth-century Second-hand Trade in the Parisian Clothes Market', in Fontaine, *Alternative Exchanges*, 127-55, esp. 144ff. For this, see also the article by Manuel Charpy, 'De la ville incertaine à la ville minérale. Inscription et disparition des commerces clandestins dans le Paris du premier XIX^e siècle', in Aprile and Retaillaud-Bajac, *Clandestinités urbaines*, 235-54, in which he examines the disappearance of *commerces clandestins*, i.e. black markets, from the public area in Paris.

¹⁰⁵ Historical research in general attributes to this controversial process a constitutive significance of the differentiation between modern and pre-modern economic orders. Identification of a homogeneous and comprehensive phase of *laissez-faire* in Europe is very difficult since the formal end of the guilds and traditional artisanship in middle and especially Eastern Europe (esp. in the 1860s) came in a phase when the first legislation for protection of labour had already been passed in Western Europe, thus limiting *laissez-faire*.

¹⁰⁶ See in particular the contributions by Svenja Kornher and Sigrid Wadauer. Thus, the terms still

nineteenth century, a new understanding of work in the sense of wage-labour, as defined above, had been coined beginning in the 1880s. Conrad et al. speak of an 'innovation' whose core is formed by what was to be designated as a 'labour society' in the second half of the twentieth century. A decisive role was played by judicative codification of work, standardization of working conditions according to labour law¹⁰⁷ and a close bond between work and the nation state, especially by making wage-labour the basis for the originating systems for social security in the modern welfare state.¹⁰⁸ Two points were crucial. First, the differentiation between work (in the sense of wage-labour) and non-work became the main indication for social integration. One side in this differentiation – work – was strongly boosted by ethical values and became the categorical centre of a new system of production of governmental and scientific knowledge¹⁰⁹, whereas the other side – non-work – remained widely undetermined for a long time. Traditional patterns of interpretation, which regarded non-work especially as a moral problem (in particular, as a result of disinclination to work and poor moral conduct), were increasingly challenged at the end of the nineteenth century. Non-work was redefined as a social problem in the course of the economic crisis in the 1870s and 1880s by the invention of unemployment¹¹⁰ as well as in debates regarding the problem of casual labour and vagabondage. These debates in particular resulted in a disqualification as non-work or at least as an irregular form of work of all those economic activities, such as peddling or odd jobs, which did not correspond to the principles of regular wage-labour – i.e., a profession pursued consistently and regularly – and the middle-class norms of being sedentary and rooted.¹¹¹ This is partially based upon the perception of (mass) migration

used today to signify irregular work were coined at this time, for example, the German expression *Schwarzarbeit*, which had a noteworthy career during the Weimar Republic.

¹⁰⁷ This made regulation of labour an independent area of law as well as of governmental policies and public administration.

¹⁰⁸ Sebastian Conrad, Elisio Macamo and Bénédicte Zimmermann, 'Die Kodifizierung der Arbeit: Individuum, Gesellschaft, Nation', in Kocka and Offe, *Geschichte und Zukunft der Arbeit*, 449-75, here 450ff. Cf. also Bénédicte Zimmermann, *Arbeitslosigkeit in Deutschland. Zur Entstehung einer sozialen Kategorie* (Frankfurt, 2006), 10ff.; Jürgen Kocka, 'Arbeit als Problem der europäischen Geschichte', in Manfred Bierwisch (ed.), *Die Rolle der Arbeit in verschiedenen Epochen und Kulturen* (Berlin, 2003), 77-92, here 89; idem, *Mehr Last als Lust*, 197; Toni Pierenkemper, 'Der Auf- und Ausbau eines "Normalarbeitsverhältnisses" in Deutschland im 19. und 20. Jahrhundert', in Walter, *Geschichte der Arbeitsmärkte*, 77-112.

¹⁰⁹ This came about especially through the determination of government statistics for labour and the emergence of labour law as an independent juristic sub-discipline; in addition, one central focus of sociology, which was originating at that time, was on the historical and cultural foundations of modern labour (Weber, Durkheim etc.): cf. Conrad, Macamo and Zimmermann, *Kodifizierung*, 461, 469ff.

¹¹⁰ For the 'discovery of unemployment', cf. Zimmermann, *Arbeitslosigkeit*; Burnett, *Idle Hands*, 145ff. Nevertheless, policies in regard to labour and unemployment remained a communal matter in Germany until the Weimar Republic; it was not until 1918 that codification and institutionalization came about on a national level: cf. Zimmermann, *Arbeitslosigkeit*, 254ff.

¹¹¹ For this, cf. the contribution by Sigrid Wadauer, which emphasizes the 'close interrelation of mobility and irregularity', using the example of itinerant trades, and also Zimmermann, *Arbeitslosigkeit*, 31ff.; Leonard, *Invisible Work*, 28ff. For the reformulation of the problem of casual labour in England at the end of the nineteenth century, cf. Jones, *Outcast London*, 281ff. On the renaissance of the problem of

and unstable labour relations as typical signs of capitalist societies that can be traced back to bourgeois and scientific discourse around 1900. However, the labour movement with artisans and qualified workers as its core social basis also contributed to the establishment and the strengthening of these differentiations. The second decisive point was that, in the last third of the nineteenth century, after a phase of *laissez-faire* policies and extensive liberalization of economic conditions in the 1850s and the 1860s, national governments, especially those on the continent, followed stricter policies of state intervention, increasingly regulating and codifying the economy, particularly in the area of crafts and trades. Thus, the new trade laws in Germany in the 1880s and 1890s declared the guilds to be corporations of public law. From 1897 on, compulsory guilds could be founded, and, in 1908, the *kleine Befähigungsnachweis* (minor proof of qualification) was introduced, with reference to the protection of craftsmen from unfair competition, particularly by the so-called *Pfuscher*.¹¹² This was accompanied by the formation of new forms of irregular economic practices, whereby particularly activities in the area of urban crafts and retail trade were at the centre of the debates and conflicts regarding irregular forms of work around 1900 – as had previously been the case in the early-modern period.¹¹³ Yet, the crucial role of centralized state policies marks a significant distinction from the early modern period. Now, in addition to special interest groups and associations of ‘honourable’ crafts- and tradesmen, which had significant importance in public and political discourse in regard to the demarcation between regular and irregular forms of work and occupation along with defamation of irregular workers,¹¹⁴ it was especially

vagabondage and the figure of the vagabond in the last quarter of the nineteenth century, see Beate Althammer, ‘Der Vagabund. Zur diskursiven Konstruktion eines Gefahrenpotentials im späten 19. und frühen 20. Jahrhundert’, in Kal Härter et al. (eds.), *Repräsentation von Kriminalität und öffentlicher Sicherheit. Bilder, Vorstellungen und Diskurse vom 16. bis zum 20. Jahrhundert*, Frankfurt 2010, 415–53; Jean-François Wagniat, *Le vagabond à la fin du XIXe siècle*, Paris 1999.

¹¹² In Germany, the demand for formal proof of qualification (known as *Befähigungsnachweis* in Germany and Austria) as a condition for self-employment in a trade was an important battlefield during this time. To a great extent, this attempt was based on setting the demarcation between regular and irregular economic practices along gender lines, thus assuring patriarchal structures of power, as shown by Svenja Kornher in the example of the hair-dressing business (for this, see also above). These policies were continued in the Weimar Republic and especially during the Third Reich, when the so-called *Große Befähigungsnachweis* (major proof of qualification) was introduced for protection against competition by clandestine workers. Especially in Germany, the introduction of formal proofs of qualification played and still plays a central and effective role in the (re-) definition of illicit work. For this, cf. also Lenger, *Sozialgeschichte der deutschen Handwerker*, 155ff. and 188, Bergmann, *Berliner Handwerk*, 98f.

¹¹³ Another example of this is shown in the rise of black markets which were, especially in the Weimar Republic, a reaction to increasing regulation of retail trade aimed at suppression of peddlers and street vendors: in the 1920s, the *Schieber* (marketeer) operating on the border between (allowed) trade for his own needs and the illegal black market, with all its anti-Semitic imputations, became a popular figure: the *Schieber* was portrayed as an anti-social parasite whose mobile and free (in a negative sense) style of life and work defied the moral concepts of the middle-class: for this, cf., in addition to the contribution by Sigrid Wadauer, esp. Zierenberg, *Stadt der Schieber*, 11f., 29ff., 45ff., 163ff. and passim. For the rise of black markets in England during World War I, cf. also Smithies, *Black Economy in England since 1914*, 19ff.

¹¹⁴ For this, cf. the contribution by Sigrid Wadauer.

the nation state itself that took up an antagonistic position towards the agents in irregular economies, for example, by increased threats of punishment for forms of irregular wage-labour. Furthermore, (national) governments discovered the fight against black labour as an issue of (social) policy and, last but not least, as propaganda.¹¹⁵ During the world economic crisis in the late 1920s and early 1930s, many German job exchanges set up reporting offices where people could denounce cases of black labour. In contrast to older patterns of interpretation, a modern understanding of irregular or black labour also has put the accent on tax-evasion and illegal acquisition of governmental benefits, especially unemployment insurance.¹¹⁶ Accordingly, the problem of black work has been treated intensively in political and public discourse, especially by governmental actors possessing the power of definition of what is to be regarded as regular and irregular in the field of the economy.¹¹⁷ Another reason for this is that – in contrast to the phenomena of unemployment – economics, social sciences and jurisprudence dealt with forms and phenomena of black work and irregular economies only to a very limited extent: difficulties in comprehending this phenomenon scientifically and objectifying it seem to have stood in the way, at least for a rather long time.¹¹⁸

4. Prospects

The most recent history of irregular economic practices and black labour is not included in the focus of this volume. Nevertheless, it can be affirmed that, at present, a new determination of the relation between regular and irregular economic practices can be observed in public as well as in scientific debates on the ‘end of the labour society’ and ‘precarious work’.¹¹⁹ The extent of this can only be speculated upon at the moment: does it concern a further cycle of attentiveness in which the social reality of previously disregarded irregular economic practices is (re)discovered, as has been the case so often in history? Is a purely quantitative spread of irregular work found? Or are the borders

¹¹⁵ The discourse in regard to the *Schieber* in the 1920s and 1930s (see above) is a striking example of this.

¹¹⁶ However, continuity – or perhaps rather analogies – between the history of irregular work in the early modern period and in modern times can be observed, especially on the cultural level, for example, in the interpretative patterns used in political and public debates to distinguish between regular and irregular work. This is seen in the differentiation between sedentary tradesmen and peddlers in Austria, as investigated by Sigrid Wadauer. Just as in the case of mobile traders in Early Modernity, it was insinuated that peddlers were potentially in the vicinity of criminality and a danger to the public order. This often went hand in hand with prejudices against ethnic or religious minorities, such as Jews or gypsies.

¹¹⁷ Cf. also the contribution by Svenja Kornher.

¹¹⁸ Thus, there are only very few, and then only extremely vague, estimations of the amount of the national income that should be subject to tax but whose assessment is not accountable: in 1915, Karl Helfferich estimated this to be about 10 % in Germany, while, in the same year, Bonger estimated about 20 % for the Netherlands (which corresponds approximately to current calculations of the amount of the shadow economy in OECD countries): Karl Helfferich, *Deutschlands Volkswohlstand 1880–1913* (Berlin, 1915), 93; Kazemier, *Monitoring*, 13f.

¹¹⁹ See above Part 1.

between regular and irregular economic activities being delineated anew and are perceptions of what is perceived as regular and irregular changing – for example, through normalization of forms of work previously regarded as irregular –, a process that has often taken place in the history of irregular economic practices? Or are we witnessing an epochal transformation in which the conditions of cultural and social structures in the labouring world are being determined in a completely new way – or even the end of the history of modern labour?

It is certain that a discussion of the history of irregular economic practices can provide no definitive answers, but it can make a contribution by directing awareness toward certain dimensions and aspects which are often disregarded in current debates, not least by demonstrating that irregular, precarious and informal forms of work are not phenomena foreign to the modern western world and its economic system.¹²⁰ Instead, it is an integral part of modern European economic and labour history even if it is a social reality which has often existed latently – and still does. The inclusion of forms of irregular economic practices can thus bring about an alternative perspective to a one-sided success story of (masculine) wage and professional labour which regards itself as a history of modernization and rationalization as well as the suppression of forms of supposedly pre-modern work. A history of irregular economic practices resists such linear descriptions of economic progress which have dominated the history of labour until recently, emphasizing instead the limits of processes of formalization and regularization and the multiplicity of possible and actual forms of work and wage-earning as a fundamental characteristic not only in Early Modernity but also in the 'Golden Age' of the modern labour society in the twentieth century. At the same time, a historic view of the daily exercise of irregular work cautions against the idolization of shadow economies as an empire of freedom or their one-sided dramatization as a realm of suppression and deprivation – the social and economic conditions of irregular economic practices have been and still are too diverse for this.

A history of irregular economic practices understood in this manner is not a new formulation in the sense of an alternative which excludes other approaches. It does, however, represent much more than merely an additional focus in the history of labour. By offering an approach hardly ever chosen, it permits an innovative evaluation of economic and social history in all its dimensions during the modern period. Thereby, the potential of a history of irregular economic practices is not limited to marginal areas and to sub-themes, such as the economy of makeshifts, but rather broaches central topics: issues of working hours, standard of living and economic mentalities, the cultural construction of work and profession, especially in regard to the lower classes, spatial organization of the economy, (de)regulation, (in)formalization and legalization of economic practices as well as the gender dimension of work. These as well as many other aspects of a history of irregular economic practices in modern urban Europe will be discussed in the subsequent contributions.

¹²⁰ Insofar, at least in this respect, the talk of 'Brazilianization' (Beck) is misleading: see above.

The Invention of the *Störer*. Irregular Artisan Work between the Late Middle Ages and Early Modernity

Philip R. Hoffmann-Rehnitz

1. Introduction

Since the 1980s, historical research has become increasingly interested in the informal and irregular dimensions of economic order and interaction.¹ This is particularly true in early modern urban history. In addition to research on illegal and semi-legal trade practices such as smuggling,² interest in irregular craft activities has become increasingly the focus of historical research, especially in France, the Benelux lands and the German-speaking countries.³ Earlier research had already addressed the topic of the *Störer*, *Bönhasen* and *Pfuscher* – just a few of the terms used to designate craftsmen who performed irregular work in early modern Germany, also known as *faux ouvriers* and *chambrelans* in France. Nonetheless, the subject of irregular craft activities had remained on the periphery of historical research and had not been regarded as playing a major role in the shaping and development of pre-modern (urban) economies.⁴

¹ For more on concepts of informal and irregular economic practices/work, cf. the introduction. In the following, irregular work is spoken of in the sense determined in the introduction: the term comprises practices considered to deviate from forms of work assigned a regular status and thereby a socially hegemonic character. Such irregular working practices thus enjoy little or no social recognition.

² See, among others, Evan T. Jones, 'Illicit business: accounting for smuggling in mid-sixteenth-century Bristol', *Economic History Review* 54 (2001), 17–38; and several contributions in this volume.

³ Cf. now Bert de Munck, 'One counter and your own account: redefining illicit labour in early modern Antwerp', *Urban History* 37 (2010), 26–44; for a survey of earlier and more recent research, cf. Philip R. Hoffmann, 'Winkelarbeiter, Nahrungsdiebe und rechte Amtsmeister. Die "Bönhaserei" als Forschungsproblem der vorindustriellen Gewerbegegeschichte und deren Bedeutung für das frühneuzeitliche Handwerk Lübecks', in Mark Häberlein and Christof Jeggle (eds.), *Vorindustrielles Gewerbe. Handwerkliche Produktion und Arbeitsbeziehungen in Mittelalter und früher Neuzeit* (Constance, 2004), 183–210; cf. also Thomas Buchner, 'Grenzziehungen. Reguläre und irreguläre Arbeit im städtischen Handwerk der Frühen Neuzeit', *Mitteilungen. Institut für Europäische Kulturgeschichte der Universität Augsburg* 14 (2004), 7–25; idem, 'Störer, Schutzdekretisten, Meister. Zünftige und nichtzünftige Arbeit im Wien des 18. Jahrhunderts', *Wiener Geschichtsblätter* 56 (2001), 113–31; idem, *Möglichkeiten von Zunft. Wiener und Amsterdamer Zünfte im Vergleich (17.–18. Jahrhundert)* (Vienna, 2004), in particular 147ff.; Thomas Buchner and Philip Hoffmann-Rehnitz, 'Nicht-Reguläre Erwerbsarbeit in der Neuzeit', in Rolf Walter (ed.), *Geschichte der Arbeitsmärkte. Erträge der 22. Arbeitstagung der Gesellschaft für Sozial- und Wirtschaftsgeschichte 11. bis 14. April 2007 in Wien* (Stuttgart, 2009), 319–43, in particular 331ff.

⁴ Cf. in more detail, Hoffmann, *Winkelarbeiter*.