literate clerics, and they must concede the realities of a gap between common prescriptions for all Europeans and the great diversity of local practice, as well as between public conformity and inner conviction. But, before despairing or treating medieval religious life as comprised of two cultures, they should also recognize and explore all the many elements, from above and below, that were shared. Our image of medieval Christian culture, embracing both commonality and real distinctions, must necessarily be complex, partly because of the complexities of Judeo-Christian religion itself, partly because of the variety of traditions that went into its successive medieval constructs, and not least because of the propensity of medieval religious culture to turn repeatedly on itself in critique and reform. This last element received support as well from Scripture where the prophets and Jesus himself are shown severely criticizing the inherited religious culture of the chosen people; in medieval religious culture a population of baptized Christians constantly needed correction.

Then, too, for all the broad compass of medieval Christian culture, the "world" was still very much there, taken for granted in the texts and yet all the more difficult to discern because nearly everyone was necessarily a part both of the "world" and of "Christian culture." Insight into this duality may be gained from a late twelfth-century memoir. In one of the more personal passages of his *Courtier's Trifles*, Walter Map, an English cleric and also a courtier in the time of Henry II, described the terrible vices and vanities court life imposed on people and then urged his readers to maintain through it all a hidden devotion to the Trinity (in *occulto colatur Trinitas*). Elsewhere he spoke both of a holy hermit in the Welsh marchlands whose prayers, Map believed, had kept the hermit safe during a storm on the channel and of *succubi* (folkloric creatures) who plagued folks in that part of the world.[104] Here are all the elements present in medieval religious culture: worldliness and devotion, prayer and superstition. But the inner dynamic of it all, I would submit, sprang from a commitment to Christendom.

In sum, to study the Christianization of medieval religious culture, historians must take seriously medieval peoples' frequent use of that term in both Latin and the vernacular languages to describe their own loyal ties and civilization; the ritual, ecclesiastical, and legal mechanisms put in place to plant, foster, and sustain that religious culture at every social level; the dynamic inherent in acting on religious belief; the differing religious obligations and expectations established for a population of baptized Christians; the means and media used to communicate the teachings of written texts to an illiterate populace; and finally the inevitable synthesis of old and new in the resultant religious culture. Recent study of popular religious culture has forced historians to focus on its distinctive and sometimes non-Christian character and function. But any approach that denies the reality of Christianization as crucial to the formation and flowering of medieval religious culture will miss wholly its inner dynamic.

[104] Walter Map *De nugis curialium* D. 4.13, 2.2, 12.

Reflections on the Medieval German Nobility

JOHN B. FREED

As TIMOTHY REUTER OBSERVED, the "nobility has been one of the main concerns of medieval historians since the second world war," but "surprisingly little European scholarship on the subject is generally known in the English-speaking world."[1] Except for Reuter's own translations of a number of important articles, only Georges Duby's studies have been readily accessible to English and American students.[2] German scholars have concentrated on the origins of the nobility, the structural transformation of the aristocratic kindred, and the rise of the ministerials. German medievalists began to investigate these topics during the Nazi period,[3] but two postwar political developments have stimulated German interest in the nobility. The movement for a united Europe that has invoked Charlemagne as its patron saint—the headquarters of the Common Market are located in the Charlemagne Building in Brussels[4]—has focused attention on the common Frankish heritage of France and Germany and the nobility's role in the creation

[1] Reuter, ed. and trans., *The Medieval Nobility: Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, Europe in the Middle Ages: Selected Studies, vol. 14 (Amsterdam, 1979), 1.

[2] Duby, *The Chivalrous Society*, trans. Cynthia Postan (Berkeley and Los Angeles, 1977), *Medieval Marriage: Two Models from Twelfth-Century France*, trans. Elborg Forster (Baltimore, Md., 1978), and *The Three Orders: Feudal Society Imagined*, trans. Arthur Goldhammer (Chicago, 1980).

[3] The aristocratic kindred was composed of members who could claim a common relationship, through either their father or their mother, with a magnate; its members did not necessarily share a common ancestor but were simply related to a specific individual. The ministerials were individuals of servile legal status, but of aristocratic life style, who formed in the twelfth century an estate, unique to the medieval kingdom of Germany. Hans K. Schulze has traced the postwar German interest in the medieval nobility to an article published by Heinrich Dannenbauer in 1941. See Schulze, "Rodungsfreiheit und Königsfreiheit: Zu Genesis und Kritik neuerer verfassungsgeschichtlicher Theorien," *Historische Zeitschrift*, 219 (1974): 530–31, and "Reichsaristokratie, Stammesadel und fränkische Freiheit: Neuere Forschungen zur frühmittelalterlichen Sozialgeschichte," *ibid.*, 227 (1978): 353. For Dannenbauer's article, see "Adel, Burg und Herrschaft bei den Germanen: Grundlagen der deutschen Verfassungsentwicklung," *Historisches Jahrbuch*, 61 (1941): 1–50. It was reprinted with the original pagination; Hellmut Kämpf, ed., *Herrschaft und Staat im Mittelalter*, Wege der Forschung, vol. 2 (Darmstadt, 1956).

[4] *New York Times*, March 20, 1984, p. 6.

and dissolution of the Carolingian empire.[5] Second, the birth of a genuine Austrian nationalism during the Second World War and the establishment of the German Federal Republic have made *Landesgeschichte*—ultimately, the study of the principalities created by the medieval princes and thus long suspect as a disguised form of German particularism—academically respectable.[6]

A reluctance to read technical German prose and a general attitude of bitterness toward Germany after two world wars explain why most English-speaking scholars have ignored German scholarship on the medieval nobility, but those historians who have ventured into this area have probably been repulsed for two other reasons as well. First, German scholarship remains highly politicized because the study of the Middle Ages is not a politically neutral topic in the German-speaking world and because German social historians have used the study of social history to seek explanations for German national disunity. Second, many of the under-lying premises of German scholarship on the medieval period—for example, the linkage of freedom with service—are repugnant to English-speaking scholars steeped in the Western tradition of natural rights. An examination of the ideas of the three men who have dominated postwar German studies of the medieval nobility reveals that many of the premises underlying their work did in fact originate or become popular during the Third Reich. While this does not necessarily invalidate their findings, it does suggest that their work, valuable and important as it has been, requires further scrutiny. The scholars in question are: Gerd Tellenbach, who concentrated on the Carolingian imperial aristocracy, Karl Schmid, who investigated the change in family structure during the Saxon and Salian eras, and Karl Bosl, who studied the role of the ministerials in the Hohenstaufen revival.

TELLENBACH FIRST PRESENTED HIS VIEWS about the Carolingian imperial aristocracy (*Reichsaristokratie*) in 1939 in a book on the so-called newer stem duchies.[7] This aristocracy was composed primarily of Frankish sips, or clans, who came from the heartland of the empire, the region between the Meuse and the Moselle. These nobles held the chief offices, clerical and secular, in the empire and had extensive property holdings throughout Western Europe but were highly dependent on the

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[5] See, for instance, Josef Fleckenstein, *Early Medieval Germany*, trans. Bernard S. Smith, Europe in the Middle Ages: Selected Studies, vol. 16 (Amsterdam, 1978), xi–xv, 75–86; and Karl Ferdinand Werner, *Structures politiques du monde franc (VIᵉ–XIIᵉ siècles): Etudes sur les origines de la France et de l'Allemagne* (London, 1979), i–iii. Fleckenstein's book was published originally as *Grundlagen und Beginn der deutschen Geschichte*, Deutsche Geschichte, vol. 1 (Göttingen, 1976).

[6] Reuter pointed out that there has been little agreement about the purpose or methodology of *Landesgeschichte*; Reuter, "A New History of Medieval Germany," *History*, 66 (1981): 442. Pankraz Fried has collected a number of theoretical articles on the topic. See Fried, *Probleme und Methoden der Landesgeschichte*, Wege der Forschung, vol. 492 (Darmstadt, 1978).

[7] Tellenbach, *Königtum und Stämme in der Werdezeit des Deutschen Reiches*, Quellen und Studien zur Verfassungsgeschichte des Deutschen Reiches in Mittelalter und Neuzeit, vol. 7, pt. 4 (Weimar, 1939), esp. 41–69. The stem duchies were tribal units that the Merovingians incorporated into the Frankish kingdom but that retained considerable autonomy under the leadership of dukes appointed by the king. The Carolingians abolished the stem duchies, but the great magnates, acting largely on their own authority and drawing on this tribal legacy, created the duchies of Bavaria, Franconia, Saxony, and Swabia, the so-called newer stem duchies, around 900.

ruler's favor. As the Carolingian empire disintegrated in the course of the ninth century, the sips were gradually provincialized, and their members became the creators of the kingdoms, principalities, and stem duchies that arose out of the ruins of Charlemagne's empire. In an article published in 1943, Tellenbach extended his analysis to the twelfth century and traced the connection between the Carolingian imperial aristocrats and their descendants, the German princes who created the individual principalities.[8] Since the Second World War, Tellenbach and the other members of the Freiburg School (O. Baumhauer, Josef Fleckenstein, Eduard Hlawitschka, Karl Schmid, H. M. Schwarzmaier, R. Sprandel, Franz Vollmer, and Joachim Wollasch) have studied sips, like the Welfs, in more detail.[9]

It should be pointed out that Tellenbach refined his interpretation of the Carolingian imperial aristocracy during a debate with Martin Lintzel and Walter Schlesinger in 1941 and 1942 about the origins of the first German Reich. Tellenbach stressed the actions of the king, while his opponents emphasized the role of the folk led by the nobles. This is especially clear in the disputants' discussion of the deposition of Charles III and the accession of Arnulf of Carinthia in 887.[10] The choice of such a topic at the height of the Third Reich can hardly have been coincidental. Schlesinger defended himself in his preface to the 1964 edition of *Die Entstehung der Landesherrschaft* (1941) against the accusation that the subtitle of one of his chapters, "The Seignorial Structure of the Folk Order," had Nazi overtones,[11] and Tellenbach's description of how the dukes formed the politically unorganized stem into a duchy betrays the period of its composition. "The stem duchy did not arise out of the fragmented will of the leaderless [*führerlosen*] stem but rather out of the duke's determination to rule. The duke himself was the political organization of the hitherto unorganized leaderless [*führerlosen*] stem."[12] Although Lintzel was initially skeptical about describing a sip

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[8] Tellenbach, "Vom karolingischen Reichsadel zum deutschen Reichsfürstenstand," in Theodor Mayer, ed., *Adel und Bauern im deutschen Staat des Mittelalters* (1943; reprint edn., Darmstadt, 1967), 22–73. This article was reprinted in Kämpf, *Herrschaft und Staat*, 191–242. Reuter translated the article into English; "From the Carolingian Nobility to the German Estate of the Princes," *The Medieval Nobility*, 203–42.

[9] Tellenbach, "Kritische Studien zur grossfränkischen und alemannischen Adelsgeschichte," *Zeitschrift für württembergische Landesgeschichte*, 15 (1956): 169–90; and Tellenbach, ed., *Studien und Vorarbeiten zur Geschichte des grossfränkischen und frühdeutschen Adels*, Forschungen zur oberrheinischen Landesgeschichte, vol. 4 (Freiburg, 1957). I derived the list of Tellenbach's associates from his "Kritische Studien" (p. 169, headnote) and from the contributors in *Studien und Vorarbeiten*. On the Welfs, see Tellenbach, "Über die ältesten Welfen im West- und Ostfrankenreich," in Tellenbach, *Studien und Vorarbeiten*, 335–40; and Fleckenstein, "Über die Herkunft der Welfen und ihre Anfänge in Süddeutschland," *ibid.*, 71–136.

[10] Schlesinger, "Kaiser Arnulf und die Entstehung des deutschen Staates und Volkes," *Historische Zeitschrift*, 163 (1941): 457–70; Tellenbach, "Zur Geschichte Kaiser Arnulfs," *ibid.*, 165 (1942): 229–45; and Lintzel, "Zur Stellung der ostfränkischen Aristokratie beim Sturz Karls III. und der Entstehung der Stammesherzogtümer," *ibid.*, 166 (1942): 457–72. These articles have been reprinted with the original pagination. See Kämpf, ed., *Die Entstehung des Deutschen Reiches (Deutschland um 900)*, Wege der Forschung, vol. 1 (Darmstadt, 1956). In addition, see Tellenbach, *Königtum und Stämme*; and Schlesinger, *Die Entstehung der Landesherrschaft*, Sächsische Forschungen zur Geschichte, vol. 1 (1941; reprint edn., Darmstadt, 1964), 130–32. On this debate, see Werner, *Das NS-Geschichtsbild und die deutsche Geschichtswissenschaft* (Stuttgart, 1967), 51–52.

[11] Schlesinger, *Entstehung der Landesherrschaft*, xiv.

[12] Tellenbach, *Königtum und Stämme*, 92. Geoffrey Barraclough popularized in the English-speaking world Tellenbach's thesis that the dukes created the duchies during the reign of Conrad I; Barraclough,

like the Liudolfingians, the ancestors of the tenth-century Saxon kings of Germany, as simply a "creature of the king" and had misgivings about the meaning of *Reichsaristokratie*,[13] the term has become standard in postwar German historiography.[14]

Tellenbach's theory of an imperial aristocracy can be criticized on a number of grounds. The first, methodological. Although members of the Freiburg School have repeatedly cautioned historians about using distinctive names that appear frequently in the sources to fill in gaps in family trees before the eleventh century,[15] the temptation to arrange the few surviving pieces of the jigsaw puzzle into a complete picture has proved overwhelming, even for Tellenbach and his colleagues. For instance, in his discussion of Frankish aristocrats who served in Italy, Tellenbach wrote: "One must judge equally carefully about Duke Garamannus, about whom Pope Adrian I complained in 787/91 because he had seized properties of the church of Ravenna. We find several references in Alamannia to a Count Caramann between 797 and 820, yet another one in 834, and then between 838 and 850 to a witness Caramann [Craman]. Count Caramann was, according to the testimony of witnesses about St. Gall's property in Vilsingen, a relative of the Berthold sip. He is undoubtedly the Count Caramann who is named on several occasions in the Book of Confraternity of Reichenau. He could have been the same person as the Italian duke."[16] Although Tellenbach did not actually say that the Italian duke and the Alamannian count were the same person, his overall thesis about an international imperial aristocracy with interests on both sides of the Alps would have been better served if they were. How likely is it, however, that a duke about whom the pope complained in 787/91 would still have been alive in 834, let alone in 850?

The danger in equating people who had identical or similar names is illustrated by Heinz Dopsch's critical comments about previous studies of the Otakare, the twelfth-century margraves of Styria, whose ancestry has been traced by other scholars to the eighth century. Dopsch pointed out that the Frankish duke

Autchar, who fled with Carloman's widow to the court of Desiderius in 771 and who became the model of the epic hero Ogier le Danois, could not have been the same person as the Otakar who was at the moment of Autchar's flight to Italy a benefactor of Fulda, and it is not known whether either man was identical with the Otakar who founded the Bavarian monastery of Tegernsee around 762/65.[17] In this case we are dealing, as Dopsch has shown, with two, if not three, contemporary prominent men with the same name or variants thereof. Such evidence can be subjected to numerous permutations that are the scholarly equivalent of a magician pulling rabbits out of a hat. Tellenbach and his associates have created an extremely useful methodology for studying the early medieval nobility, but it must be used with great care.

In 1958, in a review of Tellenbach's studies, Bosl levied a more fundamental criticism at the Freiburg School: it was ignoring the Germanic *Uradel*, the stem nobility, in its work.[18] Since then Austrian and Bavarian scholars have studied how the imperial aristocracy and the stem nobility coalesced in southeastern Germany. Michael Mitterauer demonstrated that Frankish imperial aristocrats, a few of whom, such as Count Witagowo of the Carantanian mark, were actually of Gallo-Roman ancestry, intermarried with Bavarian and even Slavic nobles. For instance, the Sighardinger, partisans of Louis the German's son Carloman, came from the Rhineland to the southeastern Carolingian marks, where they married Bavarian noblewomen.[19] Their descendants played a prominent role in Austro-Bavarian affairs until the thirteenth century.[20] Friedrich Prinz and Wilhelm Störmer, Bosl's own students, have emphasized that the Bavarian nobility in the Freising area already had close ties to the Carolingians before Bavaria's final incorporation into the Frankish empire. Prinz even called the five noble kindreds (who were described in the eight-century *Lex Baiuvariorum* as being second in rank only to the ducal house) Charlemagne's Fifth Column in Agilulfingian Bavaria.[21] Ironically, the last Agilulfingian duke, Tassilo III, whose mother was the sister of Pepin the Short, was himself of Burgundian-Frankish ancestry.[22] The contrast

The Origins of Modern Germany (2d edn., New York, 1947), 21–23. On this point, see Tellenbach, *Königtum und Stämme*, 70–100. The origins of the so-called newer stem duchies has been one of the most controversial issues in postwar German historiography on the medieval period. For additional information, see John B. Freed, "Germany, Stem Duchies," *The Dictionary of the Middle Ages* (New York, 1985), vol. 5, pp. 505–11.

[13] Lintzel, "Stellung der ostfränkischen Aristokratie," 162–64.

[14] See, for instance, Bruno Gebhardt, *Handbuch der deutschen Geschichte*, ed. Herbert Grundmann (9th edn., Stuttgart, 1970), vol. 1, pp. 192–95, 719–21.

[15] Schmid, "Königtum, Adel und Klöster zwischen Bodensee und Schwarzwald (8.–12. Jahrhundert)," in Tellenbach, *Studien und Vorarbeiten*, 330–31, "Über die Struktur des Adels im früheren Mittelalter," *Jahrbuch für fränkische Landesforschung*, 19 (1959): 1–7, and "Zur Problematik von Familie, Sippe und Geschlecht, Haus und Dynastie beim mittelalterlichen Adel: Vorfragen zum Thema, 'Adel und Herrschaft im Mittelalter,'" *Zeitschrift für die Geschichte des Oberrheins*, 105 (1957): 1–16; and Tellenbach, "Kritische Studien," 169–70, 179–80. Schmid's articles "Über die Struktur des Adels" and "Zur Problematik von Familie" have been reprinted in Schmid, *Gebetsgedenken und adliges Selbstverständnis im Mittelalter: Ausgewählte Beiträge; Festgabe zu seinem sechzigsten Geburtstag* (Sigmaringen, 1983), 245–67, 183–244. Reuter translated "Über die Struktur des Adels." See "The Structure of the Nobility in the Earlier Middle Ages," *The Medieval Nobility*, 38–42.

[16] Tellenbach, "Der grossfränkische Adel und die Regierung Italiens in der Blütezeit des Karolingerreiches," in Tellenbach, *Studien und Vorarbeiten*, 65.

[17] Dopsch, "Die steirischen Otakare: Zu ihrer Herkunft und ihren dynastischen Verbindungen," in Gerhard Pferschy, ed., *Das Werden der Steiermark: Die Zeit der Traungauer*, Veröffentlichungen des steiermärkischen Landesarchivs, vol. 10 (Graz, 1980), 78–83.

[18] Bosl, "Reichsaristokratie und Uradel," *Zeitschrift für bayerische Landesgeschichte*, 21 (1958): 138–45.

[19] Mitterauer, *Karolingische Markgrafen im Südosten: Fränkische Reichsaristokratie und bayerische Stammesadel im österreichischen Raum*, Archiv für österreichische Geschichte, vol. 123 (Vienna, 1963), 144–53, 212–27, and "Slawischer und bayrischer Adel am Ausgang der Karolingerzeit," *Carinthia I*, 150 (1960): 693–726.

[20] Dopsch, *Geschichte Salzburgs: Stadt und Land*, volume 1: *Vorgeschichte, Altertum, Mittelalter*, 3 pts. (Salzburg, 1981–84), pt. 1, p. 363.

[21] Störmer, *Adelsgruppen im früh- und hochmittelalterlichen Bayern*, Studien zur bayerischen Verfassungs- und Sozialgeschichte, vol. 4 (Munich, 1972), *Vorwort*, 3, 6; and Prinz, "Herzog und Adel im agilulfingischen Bayern: Herzogsgut und Konsensschenkungen vor 788," *Zeitschrift für bayerische Landesgeschichte*, 25 (1962): 283–311. Prinz's article has been reprinted with the original pagination; Bosl, ed., *Zur Geschichte der Bayern*, Wege der Forschung, vol. 60 (Darmstadt, 1965).

[22] Erich Zöllner, "Die Herkunft der Agilulfinger," *Mitteilungen des Instituts für österreichische Geschichtsforschung*, 59 (1951): 245–64; and Josef Siegwart, "Zur Frage des alemannischen Herzogsgutes um Zürich: Beitrag zur Genealogie des alemannisch-bayrischen Herzogshauses," *Schweizerische Zeitschrift für Geschichte*, 8 (1958): 145–92. Zöllner's article has been reprinted with the original pagination; Bosl, *Zur Geschichte der Bayern*. Siegwart's article has been reprinted; Wolfgang Müller, ed., *Zur Geschichte der Alemannen*, Wege der Forschung, vol. 100 (Darmstadt, 1975), esp. 237–49.

between the Frankish imperial aristocracy and the Bavarian stem nobility ought not to be drawn too sharply.

Still, Bavaria was one of the last areas to be incorporated into the Carolingian empire, and it is thus not particularly surprising that Bavaria retained more of its Germanic character than the more western parts of Charlemagne's realm. As Léopold Genicot has pointed out, German scholars have always tended to believe in the survival of the *Uradel*, while French historians, such as Paul Guilhiermoz and Marc Bloch, have maintained that the Merovingians exterminated both the Gallo-Roman senatorial aristocracy and the Frankish stem nobility.[23] Karl-Ferdinand Werner has argued, however, that both groups survived and merged in Merovingian Gaul and that the Carolingians depended on the nobility of Neustria and Burgundy as well as that of Austrasia in their rise to power.[24] Charlemagne's alliance with the western Bavarian nobles against Tassilo III, his cousin and rival prince, and the subsequent coalescing of the Frankish and Bavarian nobility to form the high nobility of medieval Bavaria may not have been exceptional after all. If Werner is correct, little remains of Tellenbach's Carolingian imperial aristocracy recruited from the area between the Meuse and the Moselle and dependent on the king's favor. In essence, Werner, like Lintzel and Schlesinger, has stressed the Carolingians' dependence on the nobility. The picture that emerges is one of extraordinary continuity in the composition of the upper stratum of the nobility between the Merovingian and Hohenstaufen periods. The princes of the twelfth century were the descendants of nobles who had assisted the Carolingians in their rise to power and in the governance of the Frankish empire and who had been the chief beneficiaries of its dissolution.

Constance B. Bouchard has challenged this picture in the case of the French nobility. She argued that demonstrations of biological continuity between the nobility of the Carolingian period and the nobility of the twelfth century—for example, Werner's work on the Touraine and Duby's revised study of the Mâconnais—do not disprove the theory that the composition of the noble elite changed between the ninth and twelfth centuries because new men were able to marry into established lineages. Essentially, Werner and Duby have merely proved that upstarts became the sons-in-law of "noble fathers with a large number of eligible daughters." This explains in Bouchard's opinion why the size of the French noble elite expanded dramatically between the ninth and twelfth centuries and why noble lineages like the Angevins, whose ancestry can be traced to the

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[23] Genicot, "Les recherches relatives à la noblesse médiévale," *Académie royale de Belgique: Bulletin de la classe des lettres et des sciences morales et politiques*, 5th ser., 61 (1975): 59–63. This has been reprinted with the original pagination; Genicot, *La noblesse dans l'Occident médiéval* (London, 1982). See Guilhiermoz, *Essai sur l'origine de la noblesse en France au moyen âge* (1902; reprint edn., New York, 1960), 1–4; and Bloch, *Feudal Society*, 2 vols. (Chicago, 1964), 2: 283–84.

[24] Werner, "Bedeutende Adelsfamilien im Reich Karls des Grossen: Ein personengeschichtlicher Beitrag zum Verhältnis von Königtum und Adel im frühen Mittelalter," in H. Beumann, ed., *Karl der Grosse, Lebenswerk und Nachleben*, volume 1: *Persönlichkeit und Geschichte* (Düsseldorf, 1965): 83–142. This has been translated by Reuter; "Important Noble Families in the Kingdom of Charlemagne—A Prosopographical Study of the Relationship between King and Nobility in the Early Middle Ages," *The Medieval Nobility*, 137–202.

Carolingian period, were viewed in the twelfth century as the descendants of upstarts.[25]

While Germany in the Ottonian and early Salian periods was considerably more stable than tenth-century France, Bouchard's thesis may also be partially applicable to Germany. Many German nobles improved their positions by fortuitous marriages. For instance, the Spanheimer, the dukes of Carinthia from 1122 to 1269, were the descendants of Siegfried of Spanheim, who married Richgard, the daughter of Count Engelbert, whose inheritance included extensive properties in Carinthia and Bavaria. An entry in the codex of traditions of the Benedictine monastery of St. Paul's in the Lavant Valley described their son Count Engelbert I, the father of the first duke, as "Count Engelbert through his father Siegfried a Frank, but through his mother Richgard first among the magnates of Carinthia."[26] There may even have been some real *novi homines* among the princes of the twelfth century. Lutz Fenske has demonstrated that Louis I, who became the landgrave of Thuringia in 1131, was the grandson of a minor nobleman.[27] Finally, studies of the continuity of the German noble elite have concentrated on the princely and comital dynasties, but continuity among these groups does not necessarily mean that the large number of minor noble lineages that are mentioned—say, in the codices of traditions of the various Bavarian churches in the twelfth century—were the descendants of the Carolingian imperial aristocracy or Bavarian stem nobility. For example, the first known members of the Felben and Walchen lineages, the two most important noble families in the Pinzgau in the Austrian province of Salzburg, appeared only in the first half of the twelfth century.[28] It would be presumptuous to suppose that, if only the extant documentation were better, we could trace the Felbens' and Walchens' ancestry to the ninth century. In short, although Tellenbach and the Freiburg School have enormously increased our understanding of the noble elite of the Carolingian empire and its role in the formation of the successor kingdoms and principalities that emerged from the ruins of Charlemagne's realm, the origins of minor noble lineages like the Felbens and Walchens remain largely unknown. An investigation

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[25] Bouchard, "The Origins of the French Nobility: A Reassessment," *AHR*, 86 (1981): 528; Werner, "Untersuchungen zur Frühzeit des französischen Fürstentums (9.–10. Jahrhunderts)," *Die Welt als Geschichte*, 18 (1958): 256–89; 19 (1959): 146–93; 20 (1960): 87–119; and Duby, "Lignage, noblesse et chevalerie au XIIᵉ siècle dans la région mâconnaise: Une révision," *Annales, économies, sociétés, civilisation*, 27 (1972): 803–23. Duby's article has been translated by Postan; "Lineage, Nobility, and Knighthood: The Mâconnais in the Twelfth-Century—A Revision," *The Chivalrous Society*, 59–80.

[26] *Monumenta historica ducatus Carinthiae*, ed. August von Jaksch (1904; reprint edn., Klagenfurt, 1978): vol. 3, pp. 188–90, no. 488. On the origins of the Spanheimer, see Dopsch, "Die Grafen von Lebenau," *Das Salzfass: Heimatkundliche Zeitschrift des Historischen Vereins Rupertiwinkel*, new ser., vol. 4, pt. 2 (1970): 33–40. Two other men who made fortuitous marriages were Margrave Azzo of Este, who married the sister of the last Welf in the male line and whose son, Welf IV, continued the "Welf" lineage, and Frederick, the nephew of Archbishop Frederick I of Salzburg (958–91), who married a Swabian heiress and became the ancestor of the Hohenstaufen. On the latter, see Hansmartin Decker-Hauff, "Das staufische Haus," *Die Zeit der Staufer: Geschichte-Kunst-Kultur* (Stuttgart, 1977), 339–43.

[27] Fenske, *Adelsopposition und kirchliche Reformbewegung im östlichen Sachsen: Entstehung und Wirkung des sächsischen Widerstandes gegen das salische Königtum während des Investiturstreits*, Veröffentlichungen des Max-Planck-Instituts für Geschichte, vol. 47 (Göttingen, 1977), 241–46. Another example is Wiprecht of Groitzsch, who was enfeoffed with Meissen in 1123. *Ibid.*, 255–64.

[28] Dopsch, *Geschichte Salzburgs*, pt. 1, pp. 393–96.

of their origins would undoubtedly alter the present view of the almost caste-like structure of the German nobility between the ninth and twelfth centuries and the perception that the Carolingian order survived in Germany until the Investiture Contest.

KARL SCHMID HAS STUDIED THE CHANGE in structure of the aristocratic kindred, and the change in the nobility's self-consciousness, during the Saxon and Salian periods. In "Welfisches Selbstverständnis," perhaps his most brilliant article, he analyzed how the twelfth-century Welfs, who were eager to learn more about their ancestry, could have overlooked their famous ninth-century West Frankish relatives, including the Welf kings of Burgundy, or forgotten that Judith and Hemma, the daughters of the first known Welf, had been married to two Carolingian monarchs, Louis the Pious and Louis the German. The Welfs remembered instead Eticho and his son Henry with the Golden Plough, who established the family's lordship in Swabia around 900.[29]

Bloch thought such ignorance indicated that the nobility, which he defined as a hereditary, legally privileged social class,[30] did not exist before the twelfth century. But Schmid attributed both the nobility's interest in and ignorance about its ancestry to a fundamental change in noble self-consciousness and family structure that occurred around 1000. During the Carolingian and early Ottonian periods, the nobility was organized, according to Schmid, in amorphous sips composed of men and women, both important and insignificant, who could claim kinship, however remote, with a powerful magnate. The kinship system was not patriarchal; enates—that is, maternal relatives—could be more important than agnates—kin related patrilineally—if the enates were more distinguished in their ancestry, wealth, and social position. Special emphasis was placed on relatives of royal blood because proximity to the royal house raised a sip's status and chances for advancement. As a member of the Freiburg School, Schmid emphasized that the gain or loss of royal favor was a major factor in the formation and dissolution of sips. Since individuals had only one name and since such names could be inherited from maternal as well as paternal ancestors, the attempts by modern scholars and genealogists to identify and label specific sips on the basis of distinctive names—for example, the Sighardinger—are, Schmid concluded, simply an anachronistic effort to impose a patrilineal family structure on people who did not think in such terms.

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[29] Schmid, "Welfisches Selbstverständnis," in Fleckenstein and Schmid, eds., *Adel und Kirche: Gerd Tellenbach zum 65. Geburtstag* (Freiburg, 1968), 389–416. This article has been reprinted; Schmid, *Gebetsgedenken und adliges Selbstverständnis*, 424–53. There are other examples of such selective memories. In the 1160s Count Siboto IV of Falkenstein recalled that his mother's grandfather had been named Gerold, when he had been in fact the first Siboto. Freed, *The Counts of Falkenstein: Noble Self-Consciousness in Twelfth-Century Germany*, Transactions of the American Philosophical Society, vol. 74, pt. 6 (Philadelphia, 1984), 33–35. Bishop Otto of Freising thought that the Babenbergs, his lineage, were the descendants of the Frankish count Adalbert, who had been executed in 906 during the feud between the Conradins and the Old Babenbergs, but modern scholarship suggests that the Babenbergs belonged to the sip of the Liutpoldingians, the tenth-century dukes of Bavaria. Karl Lechner, *Die Babenberger: Markgrafen und Herzoge von Österreich*, Veröffentlichungen des Instituts für österreichische Geschichtsforschung, vol. 23 (Vienna, 1976), 39–45.

[30] Bloch, *Feudal Society*, 2: 283–85.

As office holding became hereditary in the tenth and eleventh centuries, greater emphasis was placed on agnate descent as evident in the increasing use of first names inherited in the male line in successive or alternate generations. The royal family, the only real dynasty in early medieval Europe, offered a model for the rest of the nobility. The holders of hereditary offices were able to consolidate their possessions in the area where they exercised power, and by the middle of the eleventh century they were beginning to be identified with the castles that served as the centers of their lordships. The foundation of a dynastic monastery, which served as the family burial place and which preserved the lineage's traditions, stimulated and strengthened this sense of family identity. Initially, one man often employed a number of different cognomina to identify himself, but, as the nobility's sense of belonging to specific lineages intensified in the twelfth and thirteenth centuries, toponyms became fixed and turned into surnames. The great magnates adopted this practice first, but the custom gradually spread to lower social orders. The adoption of such hereditary surnames completed the transformation of the sips into patrilineal dynasties. The nobles of the twelfth century had such difficulties in reconstructing their ancestry because the kinship structure and self-perception of the nobility changed, not because the nobility was nonexistent before 1100.[31]

Schmid's work has been extremely influential, both inside and outside Germany. For instance, in examining the Capetian custom of making the king's eldest son a coruler in his father's lifetime, Andrew W. Lewis used Schmid's analysis of Henry I's designation of Otto I as his heir in 929 as a model. Indeed, Lewis retained the German words *Sippe* and *Geschlecht* in his own analysis.[32] More important, Duby, who has acknowledged his debt to Schmid in several places, employed Schmid's theory about the formation of patrilineal lineages to reinterpret his findings about the origins of the nobility of the Mâconnais.[33]

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[31] Schmid, "Adel und Reform in Schwaben," in Fleckenstein, ed., *Investiturstreit und Reichsverfassung*, Vorträge und Forschungen, vol. 17 (Sigmaringen, 1973), 295–319, "Königtum, Adel und Klöster" and "Die Mönchsgemeinschaft von Fulda als sozialgeschichtliches Problem," *Frühmittelalterliche Studien: Jahrbuch des Instituts für Frühmittelalterforschung der Universität Münster* (hereafter, *FS*), 4 (1970): 173–200, "Neue Quellen zum Verständnis des Adels im 10. Jahrhundert," *Zeitschrift für die Geschichte des Oberrheins*, 108 (1960): 185–232, "Religiöses und sippengebundenes Gemeinschaftsbewusstsein in frühmittelalterlichen Gedenkbucheinträgen," *Deutsches Archiv für Erforschung des Mittelalters*, 21 (1965): 18–81, "Über die Struktur des Adels," "Über das Verhältnis von Person und Gemeinschaft im früheren Mittelalter," *FS*, 1 (1967): 225–49, "Welfisches Selbstverständnis," "Zur Problematik von Familie, Sippe und Geschlecht," and Schmid and Joachim Wollasch, "Die Gemeinschaft der Lebenden und Verstorbenen in Zeugnissen des Mittelalters," *FS*, 1 (1967): 365–405. The following articles, cited here for the first time, have also been reprinted in Schmid's *Gebetsgedenken und adliges Selbstverständnis*: "Adel und Reform," "Religiöses und sippengebundenes Gemeinschaftsbewusstsein," and "Über das Verhältnis von Person und Gemeinschaft."

[32] Lewis, *Royal Succession in Capetian France: Studies on Familial Order and the State* (Cambridge, Mass., 1981), 1–43. Oddly enough, Lewis did not cite in his bibliography the two articles that are most relevant to his thesis: Schmid, "Neue Quellen," 186–203, and "Die Thronfolge Ottos des Grossen," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung*, 81 (1964): 80–163. The section of "Neue Quellen" that is cited here has been reprinted with an addition; Eduard Hlawitschka, ed. *Königswahl und Thronfolge in ottonisch-frühdeutscher Zeit*, Wege der Forschung, vol. 178 (Darmstadt, 1971), 389–416. "Die Thronfolge Ottos des Grossen," has been reprinted in the same collection (pp. 417–508).

[33] Freed, *Counts of Falkenstein*, 3–5.

Schmid's critics have focused in large part on details rather than on substantive issues. There has been some concern about Schmid's evidence. Karl Leyser questioned whether Schmid's use of the *Libri memoriales*, monastic books of remembrance, as his chief source might not have led him to overstate the sip consciousness of the early medieval nobility. There is a difference, Leyser suggested, between remembering distant kinsmen in prayer and bequeathing property to them.[34] Schmid's admission that many monastic foundations were destroyed before the eleventh century by relatives of the founders who felt cheated by the donors' beneficence bears out Leyser's criticism.[35] Similarly, historians have expressed doubts that the adoption of a toponymic surname indicates the development of a patrilineal family consciousness. Störmer contended that at least some of the magnates developed a sense of family identity before they consolidated their territorial lordships and built the castles that were the centers of their lordships and that provided their surnames. For instance, the Bavarian counts of Mödling named the castle of Mödling, which they built near Au in the 1120s, after a village in the Chiemgau, twenty kilometers away, where they owned property. In other words, they perceived themselves as the Mödlings before they built the castle. Störmer also argued that the Bavarian magnates were not the first to adopt surnames. They were well known in the area where they lived and exerted their power, and they required no further identification. It was the lesser nobles who first employed surnames in the first half of the eleventh century—a practice soon copied by the ministerials—while dynasties of comital rank adopted surnames only in the second third of the twelfth century.[36] My own study of the Austro-Bavarian counts of Falkenstein indicates that noble families changed their cognomina with bewildering frequency. The counts of Falkenstein employed seven different surnames in a span of 160 years, and one individual could use several different surnames, often simultaneously.[37]

Leyser maintained that the only way to show that a stable patrilineal family structure developed in Germany was to demonstrate, as Duby did in the case of the Mâconnais, that the inheritance rights of other heirs were limited in favor of the eldest son.[38] This happened to the daughters and younger sons of the Falkenstein counts, but, in general, Leyser's criticism is well taken. German scholars have not investigated how changes in self-perception among the nobility affected the rights of daughters and younger sons and how family strategies that restricted their inheritance rights contributed to the rapid decimation of the

[34] Leyser, "The German Aristocracy from the Ninth to the Early Twelfth Century: A Historical and Cultural Sketch," *Past and Present*, 41 (1968): 32–34. This article has been reprinted; Leyser, *Medieval Germany and Its Neighbors, 900–1250* (London, 1982), 168–70. For Leyser's comments, see *Rule and Conflict in an Early Medieval Society: Ottonian Saxony* (London, 1979), 50. Genicot repeated Leyser's criticisms; "Recherches relatives à la noblesse médiévale," 64.

[35] Schmid, "Adel und Reform," 304–06.

[36] Störmer, "Adel und Ministerialität im Spiegel der bayerischen Namengebung (bis zum 13. Jahrhundert): Ein Beitrag zum Selbstverständnis der Führungsschichten," *Deutsches Archiv für Erforschung des Mittelalters*, 33 (1977): 119–31. On the Mödlings, see Günther Flohrschütz, "Die Vögte von Mödling und ihr Gefolge," *Zeitschrift für bayerische Landesgeschichte*, 38 (1975), 3–143.

[37] Freed, *Counts of Falkenstein*, 52–57.

[38] Leyser, "German Aristocracy," 50–51.

nobility during the High Middle Ages.[39] For example, every noble family in the principality of Salzburg had either died out or entered the archiepiscopal ministerialage by 1250.[40]

Another issue in German historiography concerns whether the importance of paternal and maternal relatives differed in various time periods. Prinz and Störmer, employing evidence from Bavarian legal and ecclesiastical records, have argued that Schmid overemphasized the importance of enate versus agnate ties among the nobility in the early Middle Ages. According to these two historians, the five *genealogia*, aristocratic kindreds, who were assigned a double wergild in the eighth-century codification of Bavarian stem law, were agnate-affiliated groups.[41] Recently, however, Alexander C. Murray has shown that the *genealogia* were simply composed of individuals who had inherited, either through their father or mother, a share in an undivided property.[42] And Störmer's study of the name-giving customs of the Bavarian nobility has demonstrated that enates continued to be important in the twelfth and thirteenth centuries, particularly if the mother was an heiress.[43] For example, Count Siboto IV of Falkenstein was named after his maternal grandfather, Count Siboto of Weyarn, from whom the counts of Falkenstein obtained their comital dignity, and Siboto IV named his older son Kuno after his father-in-law, Count Kuno of Mödling.[44] As David Herlihy has pointed out, a patrilineal family structure was imposed in the High Middle Ages on a structure that did not distinguish between agnate and enate descent, and both patterns of descent can thus be detected in the same lineage.[45]

Geographical location and the relative strength of royal or princely authority affected the speed of the change from bilateral kinship to patrilineal lineage. Thus, changes in family structure occurred at different times in various parts of Europe. Duby discovered that the property of the six sips in the tenth-century Mâconnais, where royal and comital authority had broken down at an early date, had, by 1000, already been divided among twenty-four families.[46] While in the mid-eleventh century the Swabian nobles were establishing dynastic monasteries, a key indicator of the change in family consciousness, most of the Bavarian dynastic monasteries were established only in the first half of the twelfth century.[47] The best explanation

[39] Freed, *Counts of Falkenstein*, 45–49, 63–67. Also see Freed, "Diemut von Högl: Eine Salzburger Erbtochter und die erzbischöfliche Ministerialität im Hochmittelalter," *Mitteilungen der Gesellschaft für Salzburger Landeskunde*, 120/121 (1980/81): 646–56.

[40] Dopsch, *Geschichte Salzburgs*, pt. 1, pp. 361–67.

[41] Prinz, "Bayerns Adel im Hochmittelalter," *Zeitschrift für bayerische Landesgeschichte*, 30 (1967): 57–58; Störmer, "Adel und Ministerialität," 96–112, and *Früher Adel: Studien zur politischen Führungsschichte im Fränkisch-Deutschen Reich vom 8. bis 11. Jahrhundert*, Monographien zur Geschichte des Mittelalters, vol. 6 (Stuttgart, 1973), 44–51, 91, 212–13.

[42] Murray, *Germanic Kinship Structure: Studies in Law and Society in Antiquity and the Early Middle Ages*, Studies and Texts, vol. 65 (Toronto, 1983), 99–108.

[43] Störmer, "Adel und Ministerialität," 112–16.

[44] Freed, *Counts of Falkenstein*, 51.

[45] Herlihy, "The Making of the Medieval Family: Symmetry, Structure, and Sentiment," *Journal of Family History*, 8 (1983): 122.

[46] Duby, "Lineage, Nobility, and Knighthood," 67.

[47] Bosl, "Adel, Bistum, Kloster Bayerns im Investiturstreit," *Festschrift für Hermann Heimpel zum 70. Geburtstag am 19. September 1971*, Veröffentlichungen des Max-Planck-Instituts für Geschichte, vol. 36/2 (Göttingen, 1972): 1121–46. On the reform movement in Bavaria and Swabia, see Hans Hirsch, "The

for this difference is that ducal authority was weak in eleventh-century Swabia, which became a major center of opposition to Henry IV, whereas Bavaria was in effect the Salian royal domain.[48] The change in family structure occurred even later in the remote Pinzgau in the Austrian Alps, where the two leading noble lineages, the Felbens and Walchens, adopted those surnames only around 1150.[49]

Neither Schmid nor his critics have paid much attention to the origins of the nobles' lordships, perhaps because there has been a widespread belief among German scholars since the 1940s that nobles were entitled to rule inferiors. While nineteenth-century liberal historians traced the roots of the medieval principalities to the delegation or usurpation of royal authority, primarily comital rights,[50] Otto Freiherr von Dungern argued in 1927 that the nobles had an innate right to rule. Their personal immunity from comital authority was extended to the people who lived on their domains and antedated the establishment of the Carolingian empire.[51] In 1933 Theodor Mayer maintained that France was the heir of the centralized Roman state and that even the feudal anarchy of the tenth century was based in theory on the delegation of royal authority, whereas Germany had been dualistic from its inception because the nobility had exercised extensive rights of government that were not derived from the crown. The basis of the nobles' authority was their innate right to reclaim and to rule the vast wilderness areas in Germany.[52] The theory of the nobility's autogenous regalian rights received its classic formulation in Schlesinger's 1941 study of the Carolingian comital structure in Thuringia, which was largely confined to the royal domains and which did not include the nobles' own lands and people.[53] The theory has been incorporated into postwar general histories of Germany. For instance, Josef Fleckenstein, a prominent member of the Freiburg School, wrote in 1976 that "the identification of feudalism with the rule of a noble class is . . . unsound, though it is often found in scholarly writing. In a strictly legal sense, rule by a noble class depends closely

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Constitutional History of the Reformed Monasteries during the Investiture Contest," in Barraclough, trans., *Mediaeval Germany, 911–1250,* (Oxford, 1938), vol. 2, pp. 131–73; Hermann Jakobs, *Der Adel in der Klosterreform von St. Blasien,* Kölner historische Abhandlungen (hereafter, KhAbh), vol. 16 (Cologne, 1968), *Die Hirsauer: Ihre Ausbreitung und Rechtsstellung im Zeitalter des Investiturstreites,* KhAbh, vol. 4 (Cologne, 1961); Jakob Mois, *Das Stift Rottenbach in der Kirchenreform des XI.–XII. Jahrhunderts: Ein Beitrag zur Ordens-Geschichte der Augustiner-Chorherren,* Beiträge zur altbayerischen Kirchengeschichte, 3d ser., vol. 19 (Munich, 1953); Schmid, "Adel und Reform," 295–319; and Stefan Weinfurter, *Salzburger Bistumsreform und Bischofspolitik im 12. Jahrhundert: Der Erzbischof Konrad I. von Salzburg (1106–1147) und die Regularkanoniker,* KhAbh, vol. 24 (Cologne, 1975).

[48] Helmut Maurer, *Der Herzog von Schwaben: Grundlagen, Wirkungen und Wesen seiner Herrschaft in ottonischer, salischer und staufischer Zeit* (Sigmaringen, 1978), 129–217; and Max Spindler, ed., *Handbuch der bayerischen Geschichte,* volume 1: *Das alte Bayern: Das Stammesherzogtum bis zum Ausgang des 12. Jahrhunderts* (Munich, 1967), 227–46.

[49] *Monumenta Boica* (Munich, 1764), vol. 3, pp. 32–33, no. 94; and *Salzburger Urkundenbuch,* ed. Willibald Hauthaler and Franz Martin (Salzburg, 1916), vol. 2, pp. 497–99, no. 355b.

[50] See the historiographical survey in Schlesinger, *Entstehung der Landesherrschaft,* 1–5.

[51] Dungern, *Adelherrschaft im Mittelalter* (1927; reprint edn., Darmstadt, 1967), esp. 46–68.

[52] Mayer, "Geschichtliche Grundlagen der deutschen Verfassung: Festrede gehalten bei der Reichsgründungsfeier am 18. Januar 1933," *Schriften der Hessischen Hochschulen, Universität Giessen,* vol. 1 (Giessen, 1933). This was translated by Barraclough; "The Historical Foundations of the German Constitution," *Mediaeval Germany,* 1–33. Barraclough incorporated Mayer's ideas in his own book; *The Origins of Modern Germany,* 6–11, 86–88.

[53] Schlesinger, *Entstehung der Landesherrschaft,* xi–xiii, 114–40.

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on the nobility's ownership of private property and not at all on the fief. Such private property was called an *allod* in the Middle Ages, and it would be more accurate to speak of 'allodialism,' something quite different from feudalism."[54]

While Mayer and Schlesinger emphasized the differences between France and Germany,[55] Werner, who has consistently stressed the common features in the French and German heritage, extended the concept of the autogenous lordship to Merovingian Gaul. Werner stated: "It is clear that the Roman senatorial nobility at least was there before the Merovingian king and hence before kingship. It is simply impossible to derive its rights from the former rights of the Germanic king. . . . This throws new light on the dualism of the new state. On the one hand, there was an attempt to restore as far as possible the Roman governmental structure. . . . On the other hand, we find episcopate and king, powerful Gallo-Romans and Merovingians, as partners from the start, both having a power not to be underestimated. Rule over the inhabitants of the private estates of the *potentes* was no more disturbed than it had been in Roman times. . . . Anyone who wants to find autochthonous noble rights will find them here earlier and better documented than anywhere else."[56] Werner has substituted a Roman for a Germanic origin of the nobility's autogenous rights.

The theory of the nobility's innate right to rule never gained universal acceptance. For example, in an article published in 1949, Otto Stolz maintained that territorial supremacy (*Landeshoheit*) did not develop in Upper Bavaria, Salzburg, and the Tyrol from a complex of private estates owned by nobles but was derived from ducal and comital authority supported by a territorial base.[57] In recent years the most important critics of the theory of autogenous lordships have been Mitterauer and Peter Feldbauer, who have traced the origins of the nobles' lordships to their possession of counties, the reclamation of royal forests, and, above all, the exercise of advocatorial rights over ecclesiastical immunities. For instance, Mitterauer showed that the basis of the Falkenstein lordship of Hernstein was five royal hides that Emperor Henry II granted to Tegernsee in 1020 and that Siboto IV's great-grandfather, Patto of Dilching, usurped as the abbey's advocate.[58] It is worth noting in this regard that Mayer's principal evidence for the

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[54] Fleckenstein, *Early Medieval Germany,* 88. For similar views, see Alfred Haverkamp, *Aufbruch und Gestaltung Deutschland 1056–1273,* Die neue deutsche Geschichte (Munich, 1984), vol. 2, pp. 143–44.

[55] Schlesinger wrote: "Im Westen mag die Durchführung der staatlichen Ämterorganisation gelungen sein, denn hier untermischte sich der germanische Erobereradel mit der grundbesitzenden provinzial-römischen Aristokratie, die die Einordnung in das Ämterwesen gewöhnt war. Dem Osten blieb sogar der Begriff des Amtes fremd." *Entstehung der Landesherrschaft,* 120.

[56] Werner, "Important Noble Families," 144–45.

[57] Stolz, "Das Wesen der Grafschaft im Raume Oberbayern-Tirol-Salzburg," *Zeitschrift für bayerische Landesgeschichte,* 15 (1949): 68–109.

[58] Feldbauer, *Der Herrenstand in Oberösterreich: Ursprünge, Anfänge, Frühformen,* Sozial- und wirtschaftshistorische Studien (hereafter, SWhS) (Munich, 1972), esp. 188–205; Feldbauer, *Herrschaftsstruktur und Ständebildung: Beiträge zur Typologie der österreichischen Länder aus ihren mittelalterlichen Grundlagen,* volume 1: *Herren und Ritter,* SWhS (Munich, 1973), esp. 9–16; and Mitterauer, "Formen adeliger Herrschaftsbildung im hochmittelalterlichen Österreich: Zur Frage der 'autogenen Hoheitsrechte,'" *Mitteilungen des Instituts für österreichische Geschichtsforschung,* 80 (1972): esp. 292–93. Mitterauer wrote the introduction to *Herrschaftsstruktur und Ständebildung.* For a critique of Mitterauer's views about the origins of the ministerials' lordships, see Herwig Wolfram, "Zisterziens-

significance of forest reclamation in the formation of lordships was a charter that Archbishop Frederick I of Salzburg (958–91), who started the colonization of the Pongau, forged and that Emperor Otto II confirmed. Salzburg's subsequent territorial supremacy in the Pongau was based on its jurisdiction over this forest.[59] That an archbishop, an "official" of the imperial church, reclaimed a forest without royal authorization hardly proves, however, that every noble had an innate right to do the same thing, and that Archbishop Frederick sought royal confirmation of his actions is surely significant. It is one thing to say that the nobles were perceived as having an inherited charisma that qualified them to rule over others; it is another to assert that the nobility could exercise authority legally without any higher authorization (that they did is another matter).

Finally, there is the bothersome fact that much of the discussion of the German nobility's innate right to establish lordships has focused on areas inhabited by Slavs. For example, Schlesinger discussed the Slavs who lived in central Germany, particularly in the Ottonian marks along the Elbe and Saale Rivers, but he minimized their influence on the subsequent history of the area. "One must start," he wrote, "with the mixture of German and Slavic elements in examining the constitution of the marks. Although the Germans were only a small minority, they were the lords of the land and were, in addition, the bearers of a far superior culture."[60] In his preface to the 1964 edition of *Die Entstehung der Landesherrschaft*, Schlesinger conceded that "the real difference between the eastern marks and the old German territories must be sought in the presence of a broad stratum of Slavic inhabitants. Their constitution needs to be investigated. . . . In 1941 I may perhaps have overestimated Avar, Viking, and even Frankish influences."[61] I cannot help but wonder whether German feelings about the Slavs in general and the political atmosphere in the 1930s and 1940s in particular contributed, consciously or not, to the popularity of the theory of the nobility's autogenous rights. In short, underlying the theory of the noble domination of medieval society is the usually unspoken assumption that nobles had an innate right to establish lordships without any formal authorization. But is that true?

KARL BOSL, WHO IS BEST KNOWN for his exhaustive study of the imperial ministerialage (*Reichsministerialität*), a topic he began investigating in 1943, has repeatedly tried to explain why the ministerial estate formed only in medieval Germany and why the rigid social structure that produced it survived so long east of the Rhine.[62] Twelfth-century Germans were already aware that their social

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ergründung und Ministerialität am Beispiel Zwettls," *Jahrbuch des Vereins für Landeskunde von Niederösterreich*, 46/47 (1980/81): 17–32.

[59] *Salzburger Urkundenbuch*, 56–64, no. 34; 103–06, no. 57. See Mayer, "The Historical Foundations of the German Constitution," 22–24.

[60] Schlesinger, *Entstehung der Landesherrschaft*, 240, 210–42.

[61] *Ibid.*, xvi.

[62] Bosl, "Die Reichsministerialität als Element der mittelalterlichen deutschen Staatsverfassung im Zeitalter der Salier und Staufer," in Mayer, *Adel und Bauern*, 74–108, and *Die Reichsministerialität der Salier und Staufer: Ein Beitrag zur Geschichte des hochmittelalterlichen deutschen Volkes, Staates und Reiches*,

structure was unique. In 1163 a monk of the Alsatian monastery of Eberheimmünster, who may very well have been a ministerial himself, wrote that, after Julius Caesar had defeated the Gauls, he rewarded the Germans who had assisted him by granting their princes the rank of senators and giving the lesser knights Roman citizenship. Before leaving for Rome, Caesar assigned the knights to the princes but stipulated that the princes were to be lords and defenders of the knights and were not to treat the knights as slaves and servants. Hence, the chronicler explained, the German knights, unlike those of other lands, were called servants of the royal fisc and princely ministerials.[63]

The tale is, first of all, an attempt to explain the restructuring of German noble society during the Hohenstaufen period. In 1180 Frederick Barbarossa recognized the rights of the *Reichsfürstenstand*, the tenants-in-chief of the crown.[64] The other counts, untitled noblemen (*Freiherren*), and powerful ministerials (such as the Bolanden and Liechtensteins), who had their own vassals and who exercised regalian rights in a territory they held in fief from the Reich or from an imperial prince, formed the estate of the lords (*Herrenstand*). But the differences between lords of noble and ministerial ancestry were not forgotten. The remaining noble lineages (if they had not died out or become ministerials as was the case in the principality of Salzburg), the great number of ministerials, and the vassals of the lords formed the estate of the knights. How rapidly these changes occurred depended in part on proximity to the French border—for instance, the ministerialage disappeared more rapidly in Brabant than in Guelders—and on the strength of the prince. The result was enormous variations in social structure, even between neighboring principalities, depending on local conditions. For example, both the archbishops of Salzburg and the dukes of Styria were strong princes, but

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Monumenta Germaniae Historica, Schriften, vol. 10 (Stuttgart, 1950–51). Bosl has been a very prolific author. His most important articles, at least from the perspective of this article, are "Freiheit und Unfreiheit: Zur Entwicklung der Unterschichten in Deutschland und Frankreich," *Vierteljahresschrift für Sozial- und Wirtschaftsgeschichte* (hereafter, *VSWg*), 44 (1957): 193–219, "Das ius ministerialium: Dienstrecht und Lehnrecht im deutschen Mittelalter," *Vorträge und Forschungen*, 5 (1960): 51–94, "Über soziale Mobilität in der mittelalterlichen 'Gesellschaft': Dienst, Freiheit, Freizügigkeit als Motive sozialen Aufstiegs," *VSWg*, 47 (1960): 306–32, and "Vorstufen der deutschen Königsdienstmannschaft: Begriffsgeschichtlich-prosopographische Studien zur frühmittelalterlichen Sozial- und Verfassungsgeschichte," *VSWg*, 39 (1952): 193–214, 289–315. These articles and others, including Bosl's 1943 piece "Die Reichsministerialität," have been reprinted in Bosl, *Frühformen der Gesellschaft im mittelalterlichen Europa: Ausgewählte Beiträge zu einer Strukturanalyse der mittelalterlichen Welt* (Munich, 1964). All citations will be to this edition. In addition, see *Europa im Aufbruch: Herrschaft-Gesellschaft-Kultur vom 10. bis zum 14. Jahrhundert* (Munich, 1980), *Die Gesellschaft in der Geschichte des Mittelalters* (Göttingen, 1966), *Die Grundlagen der modernen Gesellschaft im Mittelalter: Eine deutsche Gesellschaftsgeschichte des Mittelalters*, 2 pts., Monographien zur Geschichte des Mittelalters, vol. 4 (Stuttgart, 1972), and *Mensch und Gesellschaft in der Geschichte Europas* (Munich, 1972). Sylvia L. Thrupp translated "Über soziale Mobilität"; "On Social Mobility in Medieval Society: Service, Freedom, and Freedom of Mobility as Means of Social Ascent," in Thrupp, *Early Medieval Society* (New York, 1967), 87–102. Reuter has translated chapter 5, part 3 of *Grundlagen der modernen Gesellschaft*; "'Noble unfreedom': The Rise of the *Ministeriales* in Germany," *The Medieval Nobility*, 291–311.

[63] *Chronicon Ebersheimense*, ed. Ludwig Weiland, Monumenta Germaniae Historica, Scriptores, vol. 23 (Hanover, 1874), 432.

[64] For information about the formation of the *Reichsfürstenstand*, see Julius Ficker, *Vom Reichsfürstenstande*, ed. Paul Puntschart, 2 vols. (1861–1921; reprint edn., 1984). Fritz Walter Schönherr provided an extremely useful summary and critique of Ficker's complex and incomplete book; *Die Lehre vom Reichsfürstenstande* (Leipzig, 1914).

a powerful *Herrenstand* developed in Styria, which was composed in 1300 of three families of noble status and twenty-two of ministerial rank, because the Habsburg dukes were too preoccupied with imperial politics to profit from the extinction of lordly dynasties. In contrast, no *Herrenstand* formed in Salzburg because the archbishops focused their attention on the principality and acquired the lordships of families that died out.[65]

Second, the monk's tale reveals, as Bosl has pointed out, the ministerials' proud awareness of their importance and their embarrassment about their servile origins.[66] That embarrassment persisted until the twentieth century. In the 1920s, German scholars reluctantly accepted that the ministerials had been of servile origin and that service had been the major factor in their rise, but only after numerous attempts to prove the contrary had failed.[67] Bosl believed that the formation of the ministerial estate was part of a recurring pattern in German history. Pre-Carolingian Germanic society had been characterized by its rigid division between a charismatic nobility and a subservient peasantry. The nobles had viewed service as incompatible with their status as free men. The Germanic chieftains, including the Merovingians, had thus been forced to turn to the lower strata for retainers, for instance, the Merovingian *pueri regis*, antrustions, vassals, and the Carolingian imperial aristocracy. Because service ennobled, a service nobility—the *noblesse de robe* is a later example—appeared beside the Gallo-Roman senatorial aristocracy and the Germanic stem nobility, and the three groups gradually coalesced.[68]

This archaic (one of Bosl's favorite words)[69] social structure survived longer in Germany than in France because of France's Gallo-Roman and more deeply rooted Christian heritage, which stressed the virtues of service and fidelity to a superior. Indeed, in his comparative study of Italian, French, German, and Slavic society and culture between the tenth and fourteenth centuries, Bosl presented Germany as an example of the seignorial model.[70] German nobles continued to view any form of subordination, no matter how honorable or profitable, as demeaning. For instance, the twelfth-century Welfs were extremely proud of their ancestor Eticho, who had refused, allegedly, to speak to his son Henry with the Golden Plough after the latter had paid homage to the emperor, his brother-in-

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[65] Freed, "The Origins of the European Nobility: The Problem of the Ministerials," *Viator,* 7 (1976): 228–33. In addition to the works cited there, see Dopsch, "Ministerialität und Herrenstand in der Steiermark und in Salzburg," *Zeitschrift des historischen Vereines für Steiermark,* 62 (1971): 21–31, and "Probleme ständischer Wandlung beim Adel Österreichs, der Steiermark und Salzburg vornehmlich im 13. Jahrhundert," in Fleckenstein, ed., *Herrschaft und Stand: Untersuchungen zur Sozialgeschichte im 13. Jahrhundert,* Veröffentlichungen des Max-Planck-Instituts für Geschichte, vol. 51 (Göttingen, 1977), 219–44; and Feldbauer, *Herrenstand in Oberösterreich,* and *Herrschaftsstruktur und Ständebildung.*
[66] Bosl, *Europa im Aufbruch,* 214. Also see Wolfram, "Zisterziensergründung und Ministerialität," 19–20.
[67] Freed, "Origins of the European Nobility," 215–222.
[68] Bosl, "Vorstufen der deutschen Königsdienstmannschaft," 238–55.
[69] See, for example, Bosl, *Europa im Aufbruch,* 15–16. Also see the titles of the various sections and subsections in *Grundlagen der modernen Gesellschaft:* "Die archaische Ganzheit und der archaische Mensch" (II, 3); "Christentum und Kirche im Aufbau der archaisch-feudalen Gesellschaft und Kultur" (IV, 3); and "Die Verwandlung der archaischen Gesellschaft durch soziale Mobilität und gesellschaftlichen Aufstieg" (V).
[70] Bosl, *Europa im Aufbruch,* 192.

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law, in order to obtain the lordship of Ravensburg. After hearing the tale, Duke Henry the Black of Bavaria is said to have sought Eticho's grave and to have built a church on the site.[71] Consequently, in the tenth and eleventh centuries, the German magnates, including the king, had to seek their bailiffs, household officials, administrators, and warriors, as the Merovingians and Carolingians had done earlier, among the servile population. Specifically, they turned to the very lowest stratum of the peasantry, the *servi proprii,* the serfs who did not possess their own tenures but who worked daily in a lord's household or on his demesne. These unattached serfs had daily personal contact with the lord they served and were at his complete disposal. Most important, unlike the *servi casati,* the serfs who had their own tenures, the *servi proprii* had freedom of movement, crucial according to Bosl, to upward social mobility in medieval society. Significantly, Bosl asserted that the class of the *servi proprii,* from which the German ministerials were recruited, was far larger in Germany than in France, where the servile population was more homogeneous. By the middle of the eleventh century, the rights of this new servile elite had already been codified, for example, in the famous ministerial code of Bamberg. Functionally, by the twelfth century the ministerials were nobles, but legally they remained serfs—what Bosl called "noble unfreedom" (*adelige Unfreiheit*), the peculiar situation that is reflected in the myth recounted by the monk from Eberheimmünster.[72]

Bosl has elaborated on the work of Hans Kuhn and František Graus to explain why the French, unlike the Germans, did not perceive an incompatibility between freedom and service. Kuhn maintained that the *comitatus* described by Tacitus, composed of freemen willing to fight until their death for their lord, was not a universal institution among the Germanic tribes. The German chieftains distrusted the well-born as potential rivals and preferred a servile retinue, a practice the Germans borrowed from the Celts, the original inhabitants of northern Europe.[73] Graus argued that fidelity was not a Germanic virtue but a biblical ideal promoted by the church to strengthen royal authority in the early Middle Ages.[74] Bosl concluded that the French nobles, influenced by deeply rooted Celtic and Christian concepts of fidelity and service to a superior, were more inclined to serve and to obey than their more recently Christianized German counterparts, the heirs of a purer Germanic tradition.[75] The process that played itself out in the Frankish realm in the early Middle Ages repeated itself, therefore, in Germany between the tenth and thirteenth centuries.

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[71] *Annalista Saxo a. 741–1139,* ed. Georg Waitz, Monumenta Germaniae Historica, Scriptores, vol. 6 (Hanover, 1844), 764.
[72] Bosl employed the term "noble unfreedom," for example, in *Europa im Aufbruch* (p. 205) and in *Grundlagen der modernen Gesellschaft* (p. 190). See his "Freiheit und Unfreiheit," 180–203, "Das ius ministerialium," 301–08, and "Über soziale Mobilität," 169–79. For the text of the *Dienstrecht* of Bamberg, see Wilhelm Altmann and Ernst Bernheim, eds., *Ausgewählte Urkunden zur Erläuterung der Verfassungsgeschichte Deutschlands im Mittelalter* (4th edn., Berlin, 1909), no. 77.
[73] Kuhn, "Die Grenzen der germanischen Gefolgschaft," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung,* 73 (1956): 1–83.
[74] Graus, "Über die sogennante germanische Treue," *Historica,* 1 (1959): 71–121.
[75] Bosl, "Das ius ministerialium," 291–94, and "Über soziale Mobilität," 162–67.

As I pointed out in 1976, Bosl's psychological explanation, suggestive as it may be, does not explain why a hereditary ministerialage developed between the Loire and the Rhine only in those territories that belonged to the medieval empire—for example, in Brabant and Lorraine but not in Flanders and Champagne. It is hard to see why fidelity to one's lord should have been so highly esteemed on one side of a political boundary, drawn without regard for linguisitic differences, and not on the other. This suggests that there must have been political reasons for the use of the ministerials in the empire.[76]

The circumstances surrounding the formation of the ministerialage of the archbishops of Salzburg are fairly clear. The tenth-century archbishops needed men to repel the Magyars, to supply the military demands of the crown (in 980/81 Otto II ordered Archbishop Frederick I to send seventy heavily armed cavalrymen to Italy), and to participate in the monarchy's efforts to curb the autonomy of the dukes of Bavaria. At the same time the gradual dissolution of the sips, which Schmid described, made it increasingly difficult for the archbishop to find sufficient warriors among his own distant kinsmen. The problem was compounded in the case of Salzburg because the emperors deliberately selected non-Bavarians as archbishops in the eleventh century, when the duchy was under direct royal control. By 1050 the archbishop's servile retainers formed a quasi-hereditary estate. Compared to tenth-century France, Bavaria was remarkably stable in the Saxon and early Salian periods. Even the Magyar incursions lasted only half a century, and there were long truces between the raids. There was little room under such circumstances for a radical realtering of society. The major period in the rise of the servile elite was the era of the Investiture Contest, when the archbishops spent long periods in exile. During these years the ministerials adopted surnames and formed into lineages, and *ministerialis* became the standard designation for members of the estate in the 1120s. Still, the rapid advance of the proto-ministerialage during the Investiture Contest should not obscure the fact that the archbishops had been in firm control until 1077 and that Archbishop Conrad I (1106–47) restored order quickly in the archdiocese after he returned from exile in 1121.[77]

Although Bosl is undoubtedly correct in stressing the stability of German society, I object to labeling it as "archaic" in contrast to a "modern" French society,[78] though I confess to using the word "archaic" myself.[79] Such terminology strikes me as another manifestation of Germany's national inferiority complex. Nineteenth-century scholars wondered why medieval Germany, unlike France,

failed to achieve national unity; Bosl is asking the same question in another form. Why did Germany fail to develop a "modern," French-style, feudal structure, which in France provided the framework for the development of the nation-state? Historians have an obligation to explain the similarities and differences in political and social development in France and Germany. But why are we to assume that the French model was necessarily "better"? Such an interpretation presupposes that the unification of Germany was the ideal political solution for the problems of Central Europe.

A more profitable approach is to compare the social structures of different French and German territories without labeling one as "better" than the other. Let me cite an example. In his revised study of the Mâconnais, published in 1972, Duby demonstrated that the 105 laymen who owned property around Cluny and whose descendants were called knights in the twelfth century were the descendants of the men who had belonged to the noble sips of the tenth century.[80] *Miles* and *militiae* were used occasionally in the eleventh century as terms for the free vassals of the archbishop of Salzburg, but *miles* became in the twelfth century the standard designation throughout southeastern Germany for a servile warrior of a ministerial or of a noble of noncomital rank. No noble or prominent ministerial was identified as a knight in a source written within the archdiocese itself in the twelfth century. Not until the beginning of the fourteenth century in the principality of Salzburg did the few surviving lineages of prominent archiepiscopal ministerials finally adopt the designations *miles* or *Ritter* and merge with their own knights to form the *Ritterstand* of the later Middle Ages.[81] In *The Three Orders*, Duby placed the constitution of the French knighthood, which established the knights as an order, in the 1170s and concluded that most knights were "the heirs, quite simply, of the *milites* of the Frankish army."[82] But for *miles* to lose its servile connotations and for knights to be accepted as nobles took at least one hundred fifty years longer in Salzburg than in France.

How can we account for such terminological differences and such fundamental differences in social structure? Duby has repeatedly argued that the spread of chivalric culture, particularly the peace movement with its concept of the *miles Christi*, ennobled the concept of knighthood in eleventh-century France, and he cited knighthood as an example of a cultural pattern that the nobles adopted from their social inferiors.[83] In contrast, Fleckenstein asserted that Frederick Barbarossa introduced French chivalric ideas, including the concept of the

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[76] Freed, "Origins of the European Nobility," 240.

[77] Dopsch, *Geschichte Salzburgs*, pt. 1, pp. 254–73; Freed, "Diemut von Högl," 585–90, 636–38, and "The Formation of the Salzburg Ministerialage in the Tenth and Eleventh Centuries: An Example of Upward Social Mobility in the Early Middle Ages," *Viator*, 9 (1978): 67–102; Spindler, *Handbuch der bayerischen Geschichte*, 204–21, 227–46; and Kurt Zeillinger, *Erzbischof Konrad I. von Salzburg 1106–1147*, Wiener Dissertationen aus dem Gebiete der Geschichte, vol. 10 (Vienna, 1968). There was a comparable development in the diocese of Freising; Flohrschütz, "Die Freisinger Dienstmannen im 10. und 11. Jahrhundert," *Beiträge zur altbayerischen Kirchengeschichte*, 25 (1967): 9–79.

[78] Bosl, "Das ius ministerialium," 320.

[79] Freed, "Origins of the European Nobility," 240.

[80] Duby, "Lineage, Nobility, and Knighthood," 59–67.

[81] Joachim Bumke, *The Concept of Knighthood in the Middle Ages*, trans. W. T. H. and Erika Jackson (New York, 1982), 61–62; Dopsch, *Geschichte Salzburgs*, pt. 1, pp. 399–403; Paul Kluckhohn, *Die Ministerialität in Südostdeutschland vom zehnten bis zum Ende des dreizehnten Jahrhunderts*, Quellen und Studien zur Verfassungsgeschichte des Deutschen Reiches (Weimar, 1910), vol. 4, pt. 1, pp. 129–32; and Otto von Zallinger, *Ministeriales und milites: Untersuchungen ueber die ritterlichen Unfreien zunaechst in baierischen Rechtsquellen des XII. und XIII. Jahrhunderts* (Innsbruck, 1878). Also see my forthcoming article, "The Concept of Knighthood in the Archdiocese of Salzburg."

[82] Duby, *The Three Orders*, 155, 293–307.

[83] Duby, "The Diffusion of Cultural Patterns in Feudal Society," *The Chivalrous Society*, 171–77, "The History and Sociology of the Medieval West," *ibid.*, 85–87, "The Nobility in Medieval France," *ibid.*, 103–09, "Laity and the Peace of God," *ibid.*, 123–33, and "The Origins of Knighthood," *ibid.*, 158–70.

Christian knight, into Germany after his marriage to Beatrice of Burgundy in 1156, whereas Joachim Bumke perceived the princes as the chief promoters of courtly culture.[84] The time lag is obvious in either interpretation, but, more important, chivalry was an idea that spread not to the higher but to the lower social orders in Germany. For that reason, barriers to the social mobility of the servile elite may have persisted, regardless of chivalric culture. Chivalry, secular or religious, was an esteemed foreign import in Germany, not an indigenous product. The spread of the Enlightenment to Germany provides an analogous example.

A final problem with Bosl's work is his insistence that the source of all freedom in the Middle Ages was service and submission to a lord who granted his dependents privileges. Bosl sought—for example, in his *Europa im Aufbruch*—the origins not only of the ministerials but also of the burghers and the free peasants within the *familia*.[85] The subtitle of one of Bosl's most important articles is "Service, Freedom, and Freedom of Mobility as Means of Social Ascent." Hans K. Schulze has suggested that such an interpretation of medieval social development is the direct consequence of accepting Heinrich Dannenbauer's thesis that Germanic society was composed of a mass of dependent peasants ruled by powerful nobles.[86] In such a world, freedom could only be a privilege granted by a gracious lord to his deserving subjects.

Bosl is not the only German scholar to harbor such views. Similar ideas about the relationship between service and freedom within medieval Christianity can be found in Tellenbach's classic book *Church, State, and Christian Society at the Time of the Investiture Contest*, first published in 1936. Tellenbach wrote: "The basis of this Christian conception [of freedom] was that every servitude was connected with a corresponding freedom; in short, to every 'free from' there corresponds a 'bound to.' The true content of any freedom is the very dependence of which it is the consequence, and from this derive twin conceptions of freedom—as something false, wretched and fugitive, or as a true, noble, and lofty ideal."[87] Herbert Grundmann reminded his fellow historians in 1957 that the linkage of freedom with service became popular during the Third Reich and that medieval men had perceived freedom as the opposite of lordship.[88] For instance, Eike von Repgow, the author of the *Sachsenspiegel*, the most important medieval German lawbook, argued around 1220 that there was no biblical justification for servitude; it was

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[84] Bumke, *The Concept of Knighthood*, 143–44; and Fleckenstein, "Friedrich Barbarossa und das Rittertum: Zur Bedeutung der grossen Mainzer Hoftage von 1184 und 1188," in *Festschrift für Hermann Heimpel*, 1023–41. Fleckenstein's article has been reprinted; Arno Borst, ed., *Das Rittertum im Mittelalter*, Wege der Forschung, vol. 349 (Darmstadt, 1976), 392–418.

[85] Bosl, *Europa im Aufbruch*, 192–248. Also see his case study of Regensburg; *Die Sozialstruktur der mittelalterlichen Residenz-und Fernhandelsstadt Regensburg: Die Entwicklung ihres Bürgertums vom 9.–14. Jahrhundert*, Abhandlungen der Bayerischen Akademie der Wissenschaften, Philosophisch-historische Klasse, new ser., vol. 63 (Munich, 1966).

[86] Schulze, "Rodungsfreiheit und Königsfreiheit," 532. Also see Franz Staab, "A Reconsideration of the Ancestry of Modern Political Liberty: The Problem of the So-Called King's Freemen," *Viator*, 11 (1980): 51–69. Dannenbauer's article is cited in note 3.

[87] Tellenbach, *Church, State, and Christian Society at the Time of the Investiture Contest*, trans. R. F. Bennett (Oxford, 1940), 4.

[88] Grundmann, "Freiheit als religiöses, politisches und persönliches Postulat im Mittelalter," *Historische Zeitschrift*, 193 (1957): 23–53.

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based purely on force, imprisonment, and other illicit exercises of power.[89] As Schulze has pointed out, Grundmann's admonition has gone largely unheeded.[90]

AS GRUNDMANN'S COMMENTS INDICATE, many of the widely accepted theories about the medieval nobility that appear in postwar German historiography originated or became popular during the Third Reich: the noble domination of Germanic society, the existence of a Carolingian imperial aristocracy dependent on the crown, the nobility's autogenous regalian rights, and the linkage of freedom with service. Let me stress that this does not necessarily invalidate these propositions, though a reexamination may be in order, or indicate that the historians who espoused such views were Nazis or even sympathetic to that regime. After all, Dannenbauer encountered considerable difficulties in 1941 in publishing his article about the aristocratic domination of Germanic society; Lintzel reminded his colleagues at considerable personal risk in 1934 that a historian had to retain his objectivity even in a period of national revival; and Tellenbach ended his *Church, State, and Christian Society* with the admonition that all Christians, Catholic and Protestant, draw a sharp distinction between the Kingdom of God and all earthly kingdoms.[91]

All historians, not only Germans, are influenced by political developments in their own time, but German historiography has always had a tendency to be *zeitbedingt*—to use that marvelous German euphemism—and not only in the Nazi period. As Werner pointed out, German historians may not have been Nazis themselves, but their conservative nationalistic views had much in common with Nazi ideology.[92] Werner's own postwar articles about the Carolingian nobility often sound like an attempt to place the origins of the Common Market in the ninth century. And, specifically to the point of my analysis, Reuter argued that, while the history of medieval England has been "politically innocuous . . . for at least two centuries," this has not been true of German medieval history.[93] For example, Baron Karl vom und zum Stein, the Prussian statesman and reformer, was the creator of the Monumenta Germaniae Historica. Its well-known motto, "Sanctus amor patriae dat animum," provides an insight into vom Stein's motives for promoting the publication of medieval German sources.[94] The famous debate between Heinrich von Sybel and Julius Ficker in the nineteenth century about the medieval empire was in essence an argument about the respective merits of a *kleindeutsch* versus a *grossdeutsch* unification of Germany.[95]

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[89] Haverkamp, *Aufbruch und Gestaltung*, 286.

[90] Schulze, "Rodungsfreiheit und Königsfreiheit," 529.

[91] Dannenbauer, "Adel, Burg und Herrschaft," preface to 1956 edition; Lintzel, "Zur Beurteilung Widukinds und Karls des Grossen," *Vergangenheit und Gegenwart*, 24 (1934), reprinted in Walther Lammers, ed., *Die Eingliederung der Sachsen in das Frankenreich*, Wege der Forschung, vol. 185 (Darmstadt, 1970), 81–82; and Tellenbach, *Church, State, and Christian Society*, 167–68. See the comments of Lammers; *Die Eingliederung*, x. Also see Werner, *NS-Geschichtsbild*, 48–49, 56–59.

[92] Werner, *NS-Geschichtsbild*, 97.

[93] Reuter, "A New History of Medieval Germany," 440.

[94] David Knowles, *Great Historical Enterprises* (London, 1962), 65–74.

[95] Heinrich Hostenkamp, *Die mittelalterliche Kaiserpolitik in der deutschen Historiographie seit v. Sybel und Ficker*, Historische Studien, vol. 255 (Berlin, 1934).

James J. Sheehan has asserted that all German historians, though they may disagree about everything else, "still accept the historiographical legitimacy of the settlement of 1871." According to Sheehan, that historiographical tradition rests on two not necessarily reconcilable propositions: the existence of a German folk as a distinct entity and Prussia's destiny to unify it. As a recent example of an unthinking attempt to reconcile these ideas, Sheehan cited Bosl's statement that "Bismarck fulfilled the will of the Volk from above." "In response to this extraordinary statement," Sheehan commented, "We can only ask, 'What Volk?' Surely not the Reich's Polish, Danish and French minorities. And what about the supporters of the Guelph monarchy, the Saxon particularists, the south Germans and Austrians?" Ultimately, Bosl's repeated description of medieval German society as "archaic" rests on the unquestioned assumption that the unification of Germany in the form of the Second Reich was the inevitable destiny of the German folk and that the long delay in achieving that goal was the consequence of Germany's "archaic" social structure.

Furthermore, Sheehan concluded that this *kleindeutsch* domination of German historiography has affected the interpretation of modern German history in a number of ways—some of which are also applicable, I think, to the study of medieval Germany. First, German historians have focused on politics at the national level, which had led some of them to treat even nonpolitical topics from a political perspective and to ignore those subjects that do not readily lend themselves to such an approach. For example, studies of the economic aspects of the *Reichsgründung* have dealt with the "economic dimensions of nation-building" rather than with "economic development" per se, and, until recently, modern German historians have paid virtually no attention to the history of women and family life. Second, local and regional studies have had little influence on the interpretation of national history. As Sheehan has observed, "Characteristically, this [German regional history] is history written and read by those in the locality itself; it is of interest only to people who share the experiences of the *Heimat*. It is difficult, therefore, to think of works on regional history which have had a major impact on German national historiography comparable to Vann Woodward's book on the American south or Georges Lefebvre's on the Nord."[96]

In sum, the German interest in the medieval nobility has remained essentially political. Tellenbach studied the role of the imperial aristocracy in the formation, governance, and dissolution of the Carolingian empire; Schmid explored the relationship between the change in noble self-consciousness and the formation of the territorial lordships; and Bosl examined the involvement of the imperial ministerials in the Hohenstaufen revival. Bosl's classic study of the imperial ministerialage is, after all, subtitled *A Contribution to the History of the High Medieval German Folk, State, and Reich*. Schmid may have made us aware of the change in family structure that occurred around the year 1000 and its ramifications for the German constitution, but it was Duby who investigated its impact on the noble

family itself—namely, the preference shown to the eldest son at the expense of his sisters and younger brothers. Perhaps it is Duby's broader approach that has led American university presses to publish so many translations of his books and articles and so little of Schmid's work.

In addition, in spite of the postwar popularity of *Landesgeschichte* among German medievalists, I know of no German study of a specific region comparable, say, to Duby's *La société aux XIe et XIIe siècles dans la région mâconnaise* (1953) or Guy Devailly's *Le Berry du Xe siècle au milieu du XIIIe: Etude politique, religieuse, sociale et économique* (1973). Ironically, the only study of a German territory similar to the studies produced by the *Annales* school is Philippe Dollinger's *L'évolution des classes rurales en Bavière depuis la fin de l'époque carolingienne jusqu'au milieu du XIIIe siècle* (1949), but it is concerned, as the title indicates, with the peasantry alone. In German historiography, medieval *Landesgeschichte* remains the story of how a prince created his state by subduing rival noble families, by employing ministerials as instruments of princely authority, and by promoting land clearance and the founding of cities. We need monographs that will investigate such topics as the composition of the nobility, changes in family structure, the rights of women and younger sons, the age of marriage, the formation and rise of the ministerialage, and the causes of family extinction. This is a formidable assignment, but it is not beyond the capacity of German *Gründlichkeit* and *Fleiss*. Once these types of historical studies have been done, we may be able to make comparisons between medieval French and German societal development without labeling one structure as preferable to the other.

Above all, the time has come for medievalists as well as for scholars of modern Germany, in studies of the local as well as the national level, to abandon the primacy of politics and to accept the diversity of the German-speaking world's rich heritage in all of its aspects. The legacy of Bismarck's defunct state does not have to shape forever our understanding of a thousand years of German history.

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[96] Sheehan, "What Is German History? Reflections on the Role of the *Nation* in German History and Historiography," *Journal of Modern History*, 53 (1981): 3, 16, 13, 11.