

# German Bishops and their Military Retinues in the Medieval Empire

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The majority of bishops in medieval Germany were born into aristocratic or knightly kindreds which prided themselves upon their proficiency in warfare.<sup>1</sup> In spite of the message of the Gospels and the training received for high clerical office, it is not perhaps surprising that bishops retained the nobleman's instinct as *bellatores* when they became *oratores*. In theory it was accepted that there existed distinctions between types of service; warfare, labour, and prayer.<sup>2</sup> A notable proponent of such divisions was himself an imperial bishop, Gerhard I of Cambrai (1012–51). According to his biographer, he composed a homily which gave wide advertisement to the subject.<sup>3</sup> In practice the political experience of the Church in its complex relationship with secular power showed that the distinctions were not easy to

<sup>1</sup> Tables on episcopal origins in L. Santifaller, *Zur Geschichte des ottonisch-salischen Reichskirchensystems* (Sitzungsberichte der österreichischen Akademie der Wissenschaften, phil.-hist. Klasse, 229: 1; Vienna, 1954), 76–83 and discussion in A. Schulte, *Der Adel und die deutsche Kirche im Mittelalter* (Kirchenrechtliche Abhandlungen, 63–4; Stuttgart, 1910). On the aristocratic nature of the German Church, H. Zielinski, *Der Reichsepiskopat in spätottonischer und salischer Zeit 1002–1125*, I (Stuttgart, 1984), 19–73; W. Störmer, *Früher Adel: Studien zur politischen Führungsschicht im fränkisch-deutschen Reich vom 8. bis 11. Jahrhundert* (Monographien zur Geschichte des Mittelalters, 6: 2; Stuttgart, 1973), 311–57.

<sup>2</sup> O. G. Oexle, 'Tria genera hominum. Zur Geschichte eines Deutungsschemas der sozialen Wirklichkeit in Antike und Mittelalter', in L. Fenske, W. Rösener, and T. Zotz (eds.), *Institutionen, Kultur und Gesellschaft im Mittelalter: Festschrift für Josef Fleckenstein* (Sigmaringen, 1984), 483–500; and 'Die funktionale Dreiteilung der "Gesellschaft" bei Adalbero von Laon', *Frühmittelalterliche Studien*, 12 (1978), 1–54; L. Manz, *Der Ordo-Gedanke: Ein Beitrag zur Frage des mittelalterlichen Ständegedankens* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, Beihefte 33; Stuttgart/Berlin, 1937); H. Stahleder, 'Zum Ständebegriff im Mittelalter', *Zeitschrift für bayerische Landesgeschichte*, 35 (1972), 523–70; J. Fleckenstein, 'Ordo', in A. Erler and E. Kaufmann (eds.), *Handwörterbuch zur deutschen Rechtsgeschichte* (hereafter HRG), III (Berlin, 1984), cols. 1291–6.

<sup>3</sup> *Gesta episcoporum Cameracensium Liber III* (Monumenta Germaniae historica [hereafter MGH], Scriptores, 7) 485 f; 'Genus humanum ab initio trifarium divisum esse monstravit, in oratoribus, agricultoribus, pugnatoribus; horumque singulis alterutrum dextra laevaue foveri, evidens documentum dedit.' See G. Duby, *Les Trois Ordres ou l'imaginaire du féodalisme* (Bibliothèque des histoires; Paris, 1978), 35–61; E. A. R. Brown, 'Georges Duby and the Three Orders', *Viator*, 17 (1986), 51–64; T. Schieffer, 'Gerhard I. von Cambrai (1012–1051): Ein deutscher Bischof des 11. Jahrhunderts', *Deutsches Archiv*, 1 (1937), 323–60.

draw.<sup>4</sup> The clerical circles which fostered the *pax Dei* in an attempt to restrain aristocratic methods of violent self-help also came to promote the armed pilgrimage or crusade in the legitimate interest of the universal Church.<sup>5</sup> Since 1076 the ideological and military confrontation between the reformed papacy and the Salian imperial dynasty had compelled the Church to accept armed force, in certain circumstances, as a rightful method of ecclesiastical policy.<sup>6</sup>

For this there were antecedents stretching back to the Carolingian Empire where the Church was required to support, at least in liturgical terms, Frankish expansion against the heathen, be they Saxons, Avars, Slavs, Arabs, or even 'heretical' Greeks of the east Roman Empire.<sup>7</sup> In the disorders of the ninth century prelates themselves took to retaining armed followings,<sup>8</sup> so that it was possible to transmit the model of a militarized Church into the tenth-century east Frankish realm beset by Magyar invasion. Cathedral-towns were fortified,<sup>9</sup> and Provost Gerhard of Augsburg describes how the sainted

<sup>4</sup> K. Schnith, 'Recht und Friede: Zum Königsgedanken im Umkreis Heinrichs III.', *Historisches Jahrbuch*, 81 (1962), 22–57; H. Hürten, 'Die Verbindung von geistlicher und weltlicher Gewalt als Problem in der Amtsführung des mittelalterlichen deutschen Bischofs', *Zeitschrift für Kirchengeschichte*, 82 (1971), 16–28; J. Fleckenstein, 'Problematik und Gestalt der ottonisch-salischen Reichskirche', in K. Schmid (ed.), *Reich und Kirche vor dem Investiturstreit. Gerd Tellenbach zum achtzigsten Geburtstag* (Sigmaringen, 1985), 83–98.

<sup>5</sup> H. Hoffmann, *Gottesfriede und Treuga Dei* (MGH, Schriften, 20; Stuttgart, 1964); H. E. J. Cowdrey, 'The Peace and the Truce of God in the Eleventh Century', *Past and Present*, 46 (1970), 42–67; E.-D. Hehl, *Kirche und Krieg im 12. Jahrhundert: Studien zu kanonischem Recht und politischer Wirklichkeit* (Monographien zur Geschichte des Mittelalters, 19; Stuttgart, 1980) 9–20, 109–58; G. Althoff, 'Nunc fiant Christi milites, qui dudum extiterunt raptores: Zur Entstehung von Rittertum und Ritterethos', *Saeculum*, 32 (1981), 317–33. For the ecclesiastical background and implications of crusading, C. Erdmann, *Die Entstehung des Kreuzzugsgedankens*, new edn. (Darmstadt, 1972), esp. 51–85, 212–325; M. Villey, *La Croisade: essai sur la formation d'une théorie juridique* (L'Église et l'état au moyen âge, 6; Paris, 1942); J. A. Brundage, *Medieval Canon Law and the Crusader* (Madison/Milwaukee, 1969); H. E. Mayer, *The Crusades*, tr. J. Gillingham, 2nd edn. (Oxford, 1988), 8–37.

<sup>6</sup> K. J. Leyser, 'The Polemics of the Papal Revolution', in B. Smalley (ed.), *Trends in Medieval Political Thought* (Oxford, 1965), 42–64 and in his *Medieval Germany and its Neighbours 900–1250* (London, 1982), 138–60; I. S. Robinson, 'Gregory VII and the Soldiers of Christ', *History*, 58 (1973), 169–92; J. Fleckenstein, 'Heinrich IV. und der deutsche Episkopat in den Anfängen des Investiturstreites', in J. Fleckenstein and K. Schmid (eds.), *Adel und Kirche: Gerd Tellenbach zum 65. Geburtstag* (Freiburg/Basel/Vienna, 1968), 221–36; F. H. Russell, *The Just War in the Middle Ages* (Cambridge Studies in Medieval Life and Thought, 3rd ser. 8; Cambridge, 1975), 30–9.

<sup>7</sup> On the growth of this tradition, which was not without controversy, see M. McCormick, 'The Liturgy of War in the early Middle Ages: Crisis, Litanies, and the Carolingian Monarchy', *Viator*, 15 (1984), 1–23; L. Wallach, *Alcuin and Charlemagne: Studies in Carolingian History and Literature* (Cornell Studies in Classical Philology; Ithaca, 1959), 5–33; K. F. Morrison, *The Two Kingdoms: Ecclesiology in Carolingian Political Thought* (Princeton, 1964); F. L. Ganshof, 'The Church and the Royal Power in the Frankish Monarchy under Pippin III and Charlemagne', in *The Carolingians and Frankish Monarchy: Studies in Carolingian History*, tr. J. Sondheimer (London, 1971), 205–39; J. M. Wallace-Hadrill, *The Frankish Church* (Oxford History of the Christian Church; Oxford, 1983), 181–303.

<sup>8</sup> F. Prinz, *Klerus und Krieg im früheren Mittelalter: Untersuchungen zur Rolle der Kirche beim Aufbau der Königsherrschaft* (Monographien zur Geschichte des Mittelalters, 2; Stuttgart, 1971). On the conditions for this, J. Fleckenstein, 'Das grossfränkische Reich: Möglichkeiten und Grenzen der Grossreichsbildung im Mittelalter', *Historische Zeitschrift*, 233 (1981), 265–94 and J. Fried, 'Der karolingische Herrschaftsverband im neunten Jahrhundert zwischen Kirche und Königshaus', *Historische Zeitschrift*, 235 (1982), 1–43.

<sup>9</sup> e.g. MGH Diplomata, Louis the Child, 58 (908).

Bishop Ulrich himself directed the defence of the town during the Magyar siege of 955.<sup>10</sup> It was, however, the achievement of Otto the Great (936–73) to commit the bishops to the military purposes of the new German *imperium* on a regular basis.<sup>11</sup> But if the bishops supported the Empire in arms, the imperial Church did not lose sight of the parallel tradition of missionary endeavour which had achieved great political significance under St Boniface, his circle, and successors.<sup>12</sup> Louis the Pious had relied upon this method when he engaged St Ansgar upon the abortive conversion of Scandinavia in the ninth century,<sup>13</sup> and it was employed by Otto III in his diplomatic dealings with Poland and Hungary at the end of the tenth.<sup>14</sup> The last major instance was the work of Bishop Otto of Bamberg (1102–39) in the conversion of Pomerania in the twelfth century.<sup>15</sup>

As missionaries, reformers, and administrators, the bishops of the imperial Church were unrivalled in Europe.<sup>16</sup> Instrumental in guiding the papal curia

<sup>10</sup> H. Kallfelz, *Lebensbeschreibungen einiger Bischöfe des 10.–12. Jahrhunderts* (Ausgewählte Quellen zur deutschen Geschichte des Mittelalters: Freiherr vom Stein-Gedächtnisausgabe, 32; Darmstadt, 1973), 104–6.

<sup>11</sup> L. Auer, 'Der Kriegsdienst des Klerus unter den sächsischen Kaisern', *Mitteilungen des Instituts für österreichische Geschichtsforschung*, 79 (1971), 316–407 and 80 (1972), 48–70; E. N. Johnson, *The Secular Activities of the German Episcopate 919–1024* (University of Nebraska Studies, 30–1; Lincoln, 1932); Zielinski, *Reichsepiskopat*, i. 220–42; O. Köhler, 'Die ottonische Reichskirche: Ein Forschungsbericht' in *Adel und Kirche*, 141–204; T. Reuter, 'The "Imperial Church System" of the Ottonian and Salian Rulers: a Reconsideration', *Journal of Ecclesiastical History*, 33 (1982), 347–74.

<sup>12</sup> T. Schieffer, *Wifrid-Bonifatius und die christliche Grundlegung Europas*, new edn. (Darmstadt, 1980), 120–286; W. Levison, *England and the Continent in the Eighth Century* (Oxford, 1946), 70–93; T. Reuter, 'Saint Boniface and Europe', in *The Greatest Englishman: Essays on Saint Boniface* (Exeter, 1980), 69–94; Wallace-Hadrill, *Frankish Church*, 143–61.

<sup>13</sup> G. Waitz, *Vitae Anskarii et Rimberti* (MGH, *Scriptores rerum Germanicarum in usum scholarum* 55; Hanover, 1884); H. Jahnkuhn, 'Das Missionsfeld Ansgars', *Frühmittelalterliche Studien*, 1 (1967), 212–21; Wallace-Hadrill, *Frankish Church*, 414–16.

<sup>14</sup> From the extensive literature see P. E. Schramm, *Kaiser, Rom und Renovatio: Studien zur Geschichte des römischen Erneuerungsgedankens vom Ende des karolingischen Reiches bis zum Investiturstreit*, 3rd edn. (Darmstadt, 1975), 87–187; R. Wenskus, *Studien zur historisch-politischen Gedankenwelt Bruns von Querfurt* (Mitteldeutsche Forschungen, 5; Münster/Cologne, 1956); A. F. Czajkowski, 'The Congress of Gniezno in the Year 1000', *Speculum*, 24 (1949), 339–56; and both traditions, force and persuasion, discussed in the collection edited by H. Beumann, *Heidenmission und Kreuzzugsgedanke in der deutschen Ostpolitik des Mittelalters*, 2nd edn. (Wege der Forschung, 7; Darmstadt, 1973).

<sup>15</sup> J. Petersohn, 'Apostolus Pomeranorum: Studien zur Geschichte und Bedeutung des Apostelepithetons Bischof Ottos I. von Bamberg', *Historisches Jahrbuch*, 86 (1966), 257–94; E. Demm, *Reformmönchtum und Slawenmission im 12. Jahrhundert: Wertsoziologisch-geistesgeschichtliche Untersuchungen zu den Viten Bischof Ottos von Bamberg* (Historische Studien, 319; Lübeck, 1970); R. Bartlett, 'The Conversion of a Pagan Society in the Middle Ages', *History* 70 (1985), 185–201.

<sup>16</sup> e.g. K. Bogumil, *Das Bistum Halberstadt im 12. Jahrhundert: Studien zur Reichs- und Reformpolitik des Bischofs Reinhard und zum Wirken der Augustiner-Chorherren* (Mitteldeutsche Forschungen, 69; Cologne/Vienna, 1972); S. Weinfurter, 'Reformkanoniker und Reichsepiskopat im Hochmittelalter', *Historisches Jahrbuch*, 97–8 (1978), 158–93; H. Goetting, *Das Bistum Hildesheim*, iii. *Die Hildesheimer Bischöfe von 815 bis 1221 (1227)* (Germania Sacra, n.s. 20; Berlin/New York, 1984); M. Parisse, 'L'Évêque impérial dans son diocèse: L'exemple lorrain aux Xe et XIe siècles', in Fenske et al., *Institutionen, Kultur und Gesellschaft*, 179–205; E. N. Johnson, 'Adalbert of Hamburg-Bremen: A Politician of the Eleventh Century', *Speculum*, 9 (1934), 147–79 and 'Bishop Benno II of Osnabrück', *Speculum*, 16 (1941), 389–403; G. Jenal, *Erzbischof Anno II. von Köln (1056–75) und sein politisches Wirken* (Monographien zur Geschichte des Mittelalters, 8; 2 parts; Stuttgart, 1974–5); K. Zeillinger, *Erzbischof Konrad I. von Salzburg 1106–1147*

into the path of reform in the mid-eleventh century,<sup>17</sup> the German episcopate discovered that, papal schisms notwithstanding, the demands of ecclesiastical reform and of political loyalty to the Empire were by no means incompatible.<sup>18</sup> The military habits and methods ingrained in the tenth and eleventh centuries also died hard. The German bishops may have been remarkably talented in the peacetime execution of their office, but their martial spirit remained so inseparable a part of the episcopal apparatus that it came in for considerable comment. For 1167 the Cologne Chronicle, referring to Frederick Barbarossa's fourth Italian expedition, records with pride how Archbishop Rainald of Cologne had assisted the emperor in the subjection of Italy.<sup>19</sup> Accompanied only by 140 knights, the archbishop was caught up and besieged in Tusculum by a large force of Romans. When Archbishop Christian of Mainz and the chancellor Philip of Heinsberg, dean of Cologne, suddenly appeared with 500 reinforcements, Archbishop Rainald burst out of the town with his small troop and inflicted a terrible massacre upon the distracted besiegers. As a result of this victory, Barbarossa was enabled to enter Rome. Then epidemic decimated his army, destroyed the archbishop, 'a man remarkable for wisdom and diligence, upon whom the emperor's glory relied to the utmost degree', and obliged the ruler to return to Germany.

In a similar vein the Stade Annals report that on the next expedition, the above-mentioned Archbishop Christian of Mainz depopulated Lombardy and Tuscany with his mercenaries and struck great fear throughout Italy by besieging and reducing Bologna, Ferrara, Ravenna, and Ancona.<sup>20</sup> In the battle for Bologna it was recorded that, clad in full armour and on horseback, the bloodthirsty prelate killed nine men with a triple-headed bludgeon. One of his secretaries, Henry of Bremen, saw him take a rock and smash the teeth of twenty-eight prominent Italians, presumably prisoners. Not all bishops turned out to be equal to the military tasks which circumstances imposed upon them. The sources for the Saxon War (1073-75) and the subsequent

(Wiener Dissertationen aus dem Gebiete der Geschichte, 10; Vienna, 1968); H. Wolter, *Arnold von Wied, Kanzler Konrads III. und Erzbischof von Köln* (Veröffentlichungen der kölnischer Geschichtsverein, 32; Cologne, 1973).

<sup>17</sup> H. Beumann, 'Reformpäpste als Reichsbischöfe in der Zeit Heinrichs III.', in H. Ebner (ed.), *Festschrift Friedrich Hausmann* (Graz, 1977), 21-37.

<sup>18</sup> R. Jordan, *Die Stellung des deutschen Episkopats im Kampf um die Universalmacht unter Friedrich I. bis zum Frieden von Venedig 1177* (Würzburg, 1939); R. L. Benson, *The Bishop-Elect: A Study in Medieval Ecclesiastical Office* (Princeton, 1968), esp. 203-334; M.-L. Crone, *Untersuchungen zur Reichskirchenpolitik Lothars III. (1125-1137) zwischen reichskirchlicher Tradition und Reformkurie* (Europäische Hochschulschriften, 3rd series; Geschichte und ihre Hilfswissenschaften, 70; Frankfurt/Berne, 1982). See also the *Vita Sancti Norberti Archiepiscopi Magdeburgensis*, in Kallfelz, *Lebensbeschreibungen*, 443-541, and MGH Diplomata, Frederick I 317 (1160).

<sup>19</sup> G. Waitz, *Chronica Regia Coloniensis* (MGH, *Scriptores rerum Germanicarum in usum scholarum*, 18; Hanover, 1880), 116-18. Other sources bear out this account, e.g. the continuator of Acerbus Morena in F. Güterbock, *Das Geschichtswerk des Otto Morena und seiner Fortsetzer* (MGH *Scriptores*, n.s., 7; Berlin, 1930), 196 f.

<sup>20</sup> *Annales Stadenses* (MGH, *Scriptores*, 16), 347. See also D. Hägermann, 'Die Urkunden Erzbischof Christians I. von Mainz als Reichslegat Friedrich Barbarossas in Italien', *Archiv für Diplomatik*, 14 (1968), 202-301.

War of Investitures give examples of bishops defeated, captured, driven from their dioceses, and even killed in battle. Perhaps the best-known of such events is the Battle of Mellrichstadt in 1078, when Henry IV inflicted a major defeat upon the Saxons. Archbishop Wernher of Magdeburg was killed, Bishop Wernher of Merseburg fled the field, and Archbishop Siegfried of Mainz, Bishop Adalbert of Worms, and the papal legate, were taken captive.<sup>21</sup>

The author of our principal account of this, Bruno of Merseburg, commented sarcastically upon the dilemmas of bishops when secular politics compelled them to go to war. 'Since they were trained for the religious life, all of them knew better how to sing psalms than to dispose of legions in war; and turning in flight at the very sight of a battle, so many followed them that the king must have decided that almost the entire Saxon army had given way and fled.'<sup>22</sup> Bruno was canonically correct but politically old-fashioned in claiming that the bishops 'should never even have come to a fight', for their vassal-status as prelates invested by the crown and enfeoffed with temporalities implied the regular provision of military service. Even when investiture was abandoned in 1122,<sup>23</sup> the retention of temporalities by the episcopate still carried military obligations. As Abbot Wibald of Corvey, an impeccably reformist dignitary, wrote to Bishop Bernhard of Hildesheim in 1149,<sup>24</sup> the king's service, *servitium regis*, required attendance at court, the provision of hospitality and supply to the itinerant royal household, and assistance upon the king's campaigns, *in expeditione*.<sup>25</sup> And one of this bishop's predecessors at Hildesheim had joined just such an expedition in 1126, Lothar III's campaign against the Czechs. In the ambushes which brought disaster upon the Germans in the defiles of the Erzgebirge, 'the bishop of Hildesheim is said to have lost the fifty knights which he led on that expedition.'<sup>26</sup> The crusades saw German bishops in similar straits. During the Second Crusade, Bishop

<sup>21</sup> G. Meyer von Knonau, *Jahrbücher des deutschen Reiches unter Heinrich IV. und Heinrich V.*, iii. new edn. (Berlin, 1965), 137-45.

<sup>22</sup> H.-E. Lohmann, *Brunos Buch vom Sachsenkrieg* (MGH Deutsches Mittelalter, 2; Leipzig, 1937), 89.

<sup>23</sup> MGH, *Constitutiones et Acta Publica*, i: 107f.; P. Classen, 'Das Wormser Konkordat in der deutschen Verfassungsgeschichte', in J. Fleckenstein (ed.), *Investiturstreit und Reichsverfassung* (Vorträge und Forschungen, 17; Sigmaringen, 1973), 411-60.

<sup>24</sup> P. Jaffé, *Monumenta Corbeiensia*, (Bibliotheca Rerum Germanicarum, 1; Berlin, 1864), 150, p. 239.

<sup>25</sup> B. Heusinger, 'Servitium regis in der deutschen Kaiserzeit: Untersuchungen über die wirtschaftlichen Verhältnisse des deutschen Königtums 900-1250', *Archiv für Urkundenforschung*, 8 (1922-3), 26-159; M. Weikmann, 'Königsdienst und Königsgastung in der Stauferzeit', *Zeitschrift für bayerische Landesgeschichte*, 30 (1967), 314-32; C. Brühl, *Fodrum, Gistum, Servitium Regis: Studien zu den wirtschaftlichen Grundlagen des Königtums in Frankenreich und in den fränkischen Nachfolgestaaten* (Kölner Historische Abhandlungen, 14; Cologne/Graz, 1968); W. Metz, *Das Servitium Regis: Zur Erforschung der wirtschaftlichen Grundlagen des hochmittelalterlichen deutschen Königtums* (Erträge der Forschung, 89; Darmstadt, 1978) and 'Quellenstudien zum Servitium Regis (900-1250)', *Archiv für Diplomatik*, 22 (1976), 187-271; 24 (1978), 203-91; 31 (1985), 273-326; F. Opll, *Das Itinerar Kaiser Friedrich Barbarossas (1152-1190)* (Forschungen zur Kaiser- und Papstgeschichte des Mittelalters: Beihefte zu J. F. Böhmer, *Regesta Imperii*, 1; Vienna/Cologne/Graz, 1978).

<sup>26</sup> *Chronicon Montis Sereni* MGH, *Scriptores*, vol. XXIII, p. 140; D. Schäfer, 'Lothars III. Heerzug nach Böhmen 1126' in *Historische Aufsätze für Karl Zeumer* (Weimar, 1910), 61-80.

Otto of Freising managed to lose his division of the German army in a Saljuq ambush, but with the bishop of Naumburg, he escaped to the southern coast of Asia Minor. In his own account of the expedition he maintained great discretion about this inglorious episode,<sup>27</sup> mentioning only that 'scattered by the Turks while proceeding to Jerusalem', the party was able to continue the journey by sea.

In pursuit of their interests as lords of their temporalities in Germany, the bishops were involved in scores of local conflicts which might similarly end in disaster. For a long time the bishops of Utrecht experienced resistance to their rule in their extensive territories beyond the River IJssel, culminating in the dangerous rising of 1227. Bishop Otto II conducted his own forces to the siege of Coevorden, but they were caught in the swamps by a counter-attack of the Frisian knights and peasants, and the bishop was killed in the rout. It was several years before order was restored in this region.<sup>28</sup> In another case, the city of Strasburg rose in defence of its rights against the new bishop, Walter of Hohengeroldseck, in 1261. During the subsequent campaign against the townsmen, the bishop was defeated at the Battle of Hausbergen. Directing in person, he had two horses killed under him, and reluctantly fled upon a third. More than sixty of his knights, including his brother and uncle, were killed, and many more were captured. Within the year he had died of chagrin, according to the report.<sup>29</sup> In a struggle on a much larger scale, the dispute which had originated in the 1150s over ducal authority between the archbishops of Cologne and the dukes of Brabant in the lower Rhineland was resolved forever at the Battle of Worringen in 1288. A small but efficient Brabantine coalition destroyed Archbishop Siegfried's army, captured and imprisoned him for a year, and extorted a large ransom as well as his recognition of all their territorial rights.<sup>30</sup>

No doubt these prelates were guilty of serious military misjudgements, but one of Archbishop Siegfried's more formidable predecessors at Cologne, Conrad of Hochstaden (1238–61), was called *vir furiosus et bellicosus*,<sup>31</sup> and the annals of his time are full of praise for the aggressive tactics by which he

<sup>27</sup> G. Waitz and B. von Simson, *Otonis et Rahewini Gesta Friderici I. Imperatoris* (MGH, *Scriptores rerum Germanicarum in usum scholarum*, vol. XLVI, 3rd edn., Hanover/Leipzig, 1912), 81; Mayer, *Crusades*, 100 f; G. Constable, 'The Second Crusade as Seen by Contemporaries', *Traditio*, 9 (1953), 219 f.

<sup>28</sup> *Gesta episcoporum Traiectensium* (MGH, *Scriptores*, vol. XXIII), pp. 400–26.

<sup>29</sup> *Ellenhardi Bellum Waltherianum* (MGH, *Scriptores*, 17), 105–14. On conditions here, A. Hessel, 'Die Beziehungen der Strassburger Bischöfe zum Kaisertum und zur Stadtgemeinde in der ersten Hälfte des 13. Jahrhunderts', *Archiv für Urkundenforschung*, 6 (1916–18), 266–75; H. Mosbacher, 'Kammerhandwerk, Ministerialität und Bürgertum in Strassburg: Studien zur Zusammensetzung und Entwicklung des Patriziats im 13. Jahrhundert', *Zeitschrift für die Geschichte des Oberrheins*, 119 (1971), 33–173.

<sup>30</sup> *Gestorum abbatum Trudonensium continuatio tertia*, (MGH, *Scriptores*, 10), 405 f. On the battle, J. F. Verbruggen, *The Art of Warfare in Western Europe during the Middle Ages* (Europe in the Middle Ages: Selected Studies, 1; Amsterdam/New York/Oxford, 1977), 237–48.

<sup>31</sup> *Catalogi Archiepiscoporum Coloniensium*, MGH, *Scriptores*, vol. XXIV, p. 353. See also F. R. Lewis, 'Prelates and Nobles in the Rhineland: a Church Province in the Thirteenth Century', *History*, 22 (1937), 193–200.

outfaced his princely rivals in the archdiocese.<sup>32</sup> One of his schemes was to introduce Earl Richard of Cornwall into Germany as king of the Romans in 1257.<sup>33</sup> The new king wrote home to his nephew, the Lord Edward, about the military campaigns in the Rhineland which his arrival had provoked, and remarked with some enthusiasm: 'Look what spirited and warlike archbishops and bishops we have in Germany; I would count it not at all unprofitable to you if such were created in England, by whose attention you would be secured against the importunate assaults of rebellion.'<sup>34</sup> If this spirited and warlike tendency was a consequence of necessity rather than of sacerdotal corruption,<sup>35</sup> a strong intellectual tradition continued to question episcopal involvement with imperial politics. In the twelfth century Provost Gerhoch of Reichersberg maintained that the German bishops had been tainted by their temporalities,<sup>36</sup> and in the fourteenth Conrad of Megenberg held that they had proved untrustworthy in the quarrels between Louis the Bavarian and the papacy.<sup>37</sup>

By the time that the anonymous *Reformatio Sigismundi* was completed in the 1440s, the author had nothing but distaste for the belligerence of the German episcopate:

Take a good look at how bishops act nowadays. They make war and cause unrest in the world; they behave like secular lords, which is, of course, what they are. And the money for this comes from pious donations that ought to go to honest parish work, and not be spent on war . . . No bishop ought to own a castle. He ought to take up permanent residence in the principal church of his diocese and lead a spiritual life there. He should be an example to the clerics in his bishopric. But nowadays bishops ride about like lords in secular state. Change this wicked practice and you will greatly have increased the chances of peace.<sup>38</sup>

<sup>32</sup> *Annales Sancti Pantaleonis Coloniensis*, MGH, *Scriptores*, vol. XXII, pp. 529–47.

<sup>33</sup> R. Reisinger, *Die römisch-deutschen Könige und ihre Wähler 1198–1273* (Untersuchungen zur deutschen Staats- und Rechtsgeschichte, n.s., 21; Aalen, 1977), 71–88; N. Denholm-Young, *Richard of Cornwall* (Oxford, 1947), 86–97; C. C. Bayley, 'The Diplomatic Preliminaries of the Double Election of 1257 in Germany', *English Historical Review*, 62 (1947), 457–83 and *The Formation of the German College of Electors in the Mid-Thirteenth Century* (Toronto, 1949), 63–77, 152–63.

<sup>34</sup> H. Luard, *Annales Monastici*, i. *Rerum Britannicarum mediæ aevi Scriptores*, xxxvi (London, 1864), 394.

<sup>35</sup> Just as the saintly Bishop Otto I of Bamberg expected to provide military service: MGH. *Constitutiones*, i; 76, p. 128, 1105 and 81, p. 133, 1107.

<sup>36</sup> E. Sackur, *Gerhohi praepositi Reichersbergensis libelli selecti*, MGH, *Libelli de lite*, 3; Hanover, 1897, 335–8, 343–5; P. Classen, *Gerhoch von Reichersberg: Eine Biographie* (Wiesbaden, 1960), 40–7.

<sup>37</sup> H. Kusch, *Konrad von Megenberg: Klagelied der Kirche über Deutschland, Planctus Ecclesiae in Germaniam* (Leipziger Übersetzungen und Abhandlungen zum Mittelalter, A: 1; Berlin, 1956), 96. See H. S. Offler, 'Empire and Papacy: The Last Struggle', *Transactions of the Royal Historical Society*, 5th ser., 6 (1956), 21–47 and S. Krüger, 'Megenberg, Konrad von', *HRG*, iii, cols. 427–9.

<sup>38</sup> H. Koller, *Reformation Kaiser Siegmunds* (MGH, *Staatsschriften des späteren Mittelalters*, 6; Stuttgart, 1964), 126–8; the translation is by G. Strauss, *Manifestations of Discontent in Germany on the Eve of the Reformation* (Bloomington/London, 1971), 11. See H. Koller, 'Untersuchungen zur Reformatio Sigismundi', *Deutsches Archiv*, 13 (1957), 482–524, L. Graf zu Dohna, *Reformatio Sigismundi: Beiträge zum Verständnis einer Reformschrift des fünfzehnten Jahrhunderts* (Veröffentlichungen des Max-Planck-Instituts für Geschichte, 4; Göttingen, 1960), esp. 116–37, D. Werkmüller, 'Reformatio Sigismundi', *HRG*, iv, cols. 457–9 and the literature cited there.

It is hard to resist the irony of Erasmus on the same subject:

I still find it difficult to make up my mind whether certain German bishops have set an example or are following one, in the way in which they have abandoned pomp and benedictions and other such ceremonial matters and carry on as secular lords, even to the extent of believing that it is almost a mark of cowardice and unbecoming to a bishop to render up his warrior soul to God elsewhere than on the battlefield.<sup>39</sup>

Although the bellicose secular procedures of the German episcopate were a matter for such extensive and long-lasting comment, good reasons for them can be inferred from the political tradition of the medieval Empire. The rank of king and emperor itself included the effective headship of the Church as a visible hierarchy. In 1047 Abbot Eckbert of Tegernsee described Henry III as *caput ecclesie*, and when Archbishop Aribio of Mainz addressed Conrad II about taking up the *christianum imperium* in 1024, Wipo ascribed to him the words: 'You have arrived at the highest office, you are the vicar of Christ.'<sup>40</sup> As servants of God, bishops were also required to sustain the terrestrial purposes of rulers who were themselves anointed like Christ, *rex et sacerdos*.<sup>41</sup> Belief in kingship sanctified by Christ's image as heavenly king may have been questioned by the papal reform movement, but it was amply revived in the twelfth century, and not only in the German Empire. Bishop Otto of Freising reports that during Frederick Barbarossa's coronation at Aachen in 1152, the new bishop of Münster was also consecrated, so that 'in one church the same day saw the unction of two persons who are sacramentally anointed according to the custom of the New and Old Testaments, and are rightly called *christi Domini*, the Lord's anointed.'<sup>42</sup>

The German cathedral churches possessed land on a vast scale,<sup>43</sup> and this alone compelled bishops, however unworldly in character or vocation, to act in the aggressive style of lay magnates. The economic administration of their

<sup>39</sup> A. H. T. Levi, *Collected Works of Erasmus*, vol. xxvii. *Literary and Educational Writings*, (Toronto, 1986): 'Praise of Folly', tr. B. Radice, 139 f.

<sup>40</sup> K. Strecker, *Die Tegernseer Briefsammlung (Fromund)* (MGH, *Epistolae selectae*, 3; new edn., Berlin, 1964), 125, p. 142; H. Bresslau, *Die Werke Wipos*, (MGH, *Scriptores rerum Germanicarum in usum scholarum*, 61; 3rd edn., Hanover/Leipzig, 1915), 22 f.

<sup>41</sup> From the huge literature see discussion in K. J. Leyser, *Rule and Conflict in an Early Medieval Society: Ottonian Saxony* (London, 1979), 75–107; T. E. Mommsen and K. F. Morrison, *Imperial Lives and Letters of the Eleventh Century* (Records of Civilization: Sources and Studies, 67; New York/London, 1962), 3–51; H. Fuhrmann, 'Rex canonicus—Rex clericus?' in Fenske *et al.*, *Institutionen, Kultur und Gesellschaft*, 321–6; H. Keller, 'Grundlagen ottonischer Königsherrschaft', in Schmid, *Reich und Kirche vor dem Investiturstreit*, 17–34; H. Beumann, 'Die sakrale Legitimierung des Herrschers im Denken der ottonischen Zeit', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung*, 66 (1948), 1–45 and 'Zur Entwicklung transpersonaler Staatsvorstellung', in T. Mayer (ed.), *Das Königtum: Seine geistigen und rechtlichen Grundlagen* (Vorträge und Forschungen, 3; Lindau/Constance, 1956), 185–224; A. Erler, 'Kaiser, Kaisertum', *HRG*, ii, cols. 518–30 and E. Kaufmann, 'König', *HRG*, ii, cols. 999–1023.

<sup>42</sup> Waiß and von Simson, *Ottomis et Rahewinis Gesta Friderici*, p. 105.

<sup>43</sup> F. Merzbacher, 'Hochstift', *HRG*, ii, 178 f. and H.-J. Becker, 'Kirchengut', *HRG*, ii, cols. 753–61; J. Ficker, *Über das Eigentum des Reichs am Reichskirchengute*, new edn. (Darmstadt, 1967); Santifaller, *Reichskirchensystem*, 19–21, 27–9, 46–51, 58 f., 60–3; J. Engel, *Grosser historischer Weltatlas*, ii. *Mittelalter* (Munich, 1970), 114.



estates, the supervision and delegation of effective jurisdiction over their dependants, and the defence of their territories through castle-building and enfeoffing armed retinues demanded their continual attention. German bishops were not, of course, alone amongst the prelates of the Latin Church in being generously endowed with temporal possessions in need of management. But the relative remoteness of the royal court, in its perambulations around a vast Empire, tended to focus reliance upon the defensive practices of immunity and advocacy in the dioceses. In regional politics the church-lands were theoretically secured from all outside interference by royal privileges of immunity,<sup>44</sup> as well as enjoying the protection of secular advocates appointed from the neighbouring aristocracy. In practice these institutions did not work well, and bishops in their dioceses were obliged to defend themselves by force from their local rivals, all too often their own unscrupulous advocates.<sup>45</sup> To conserve what their sees possessed in lands, jurisdictions, and economic rights, the bishops therefore had little choice but to compete on military terms with the other princes and lords in their region. Thus Bishop Otto I of Bamberg, reformer, missionary, and founder of monasteries, was also praised by one of his biographers for the care with which he preserved the rights of his vassals and *ministeriales*, and constructed new castles throughout his lands.<sup>46</sup>

German civil conflicts, royal campaigns abroad, and self-help within the diocese thus imposed a tough military tradition upon the German episcopate. Important detail emerges from the tenth century about how bishops equipped themselves with the necessary retinues, fortifications, and supportive strategies. The mounted *miles* or knight with heavy armour, weapons, and war-horses continued to be the most effective type of military retainer in the Carolingian successor-kingdoms.<sup>47</sup> Increasingly these vassal *milites* were maintained by heritable grants of land in fief, the practice of precarial tenure derived from the Carolingian past and much extended between the tenth and twelfth centuries. We are told that towards the end of the tenth century, Bishop Notker of Liège (972–1008) divided the lands of his church into three equal portions, the first to sustain the episcopal household, the second to sup-

<sup>44</sup> D. Willoweit, 'Immunität', *HRG*, ii, cols. 312–30 and the literature cited there.

<sup>45</sup> A. Hofmeister, *Otonis Episcopi Frisingensis Chronica sive Historia de Duabus Civitatibus* (MGH, *Scriptores rerum Germanicarum in usum scholarum* 45, 2nd edn., Hanover/Leipzig, 1912), 283 f. at Freising; MGH *Diplomata, Frederick I*, 599, (1173) at Münster; MGH, *Constitutiones*, ii: 187, (1234) at Eichstätt.

<sup>46</sup> *Herbordi Vita Otonis Episcopi Babenbergensis* (MGH, *Scriptores*, 12), 765 f. See E. Demm, 'A Program for Revolution in a Medieval Monastery: Herbord's Vita of Bishop Otto of Bamberg', *Studia Monastica*, 14 (1972), 49–74.

<sup>47</sup> For conditions in Germany, K. J. Leyser, 'Henry I and the Beginnings of the Saxon Empire', *English Historical Review*, 83 (1968), 1–32 and in *Medieval Germany* (above, n. 6) 11–42, and 'Early Medieval Canon Law and the Beginnings of Knighthood', in Fenske *et al.*, *Institutionen, Kultur und Gesellschaft*, 549–66; G. Baaken, *Königtum, Burgen und Königsfreie* (Vorträge und Forschungen, 4; Constance/Stuttgart, 1961), esp. 14–21; J. Johrendt, 'Milites und Militia im 11. Jahrhundert in Deutschland', in A. Borst (ed.), *Das Rittertum im Mittelalter* (Wege der Forschung, 349; Darmstadt, 1976), 419–36; E. Wisplinghoff, 'Königsfreie und Scharmannen', *Rheinische Vierteljahrsblätter*, 28 (1963), 200–17; K.-H. Spiess, 'Lehn[s]-recht, Lehnswesen', *HRG*, ii, cols. 1725–41.

port the chapter and the monastic foundations, and the third to grant out in fief to his vassals or *milicia*.<sup>48</sup> This radical solution was also adopted by his contemporary, Bishop Henry of Würzburg (995/6–1018), who took over much land from Amorbach Abbey at the end of the tenth century, ‘and gave it in fief to his *milites*’.<sup>49</sup> The bishops of Eichstätt, in whom we shall be interested later, first began to enfeoff vassals in their relatively under-developed diocese late in the ninth century, when Emperor Arnulf endowed the see with Herrieden Abbey and most of its extensive estates.<sup>50</sup> From an account deriving in its final form from the eleventh century, we hear that Bishop Erchanbald (c.882–912) threw out the monks and installed canons on meagre prebends, distributing the rest of Herrieden’s resources to his *militia* or vassals.<sup>51</sup> ‘For the first time the bishopric of Eichstätt began to have *milites*, since before that it had had none or very few. And today, of all the number of Eichstätt’s vassals, three or four excepted, all are beneficed from the lands of this abbey.’ This arrangement enabled the bishops to contribute to the expansive imperialism of the Ottonians, as when Bishop Reginald was summoned to Italy with fifty armed warriors by Otto II in 981.<sup>52</sup>

If bishops were enfeoffing knights on a larger scale in the tenth and eleventh centuries, the sources pose problems about who these vassals actually were. For Bishop Thietmar of Merseburg (1009–18) the word *miles* had several uses. It was a personal, aristocratic epithet; Duke Conrad the Red, killed at the Lech in 955, is *egregius miles* and Burgrave Ricdag of Meissen, assassinated in 984, is *inclitus miles*.<sup>53</sup> It was also employed for vassals in general; Duke Hermann of Swabia’s *milites* in 1001, for example, or the *milites sancti Martini*, the vassals of the archbishop of Mainz, in 984.<sup>54</sup> Obviously the bishop’s own aristocratic great-grandfathers, *milites optimi et genere clarissimi*, ‘finest knights of the most exalted birth’, who died in action against the Slavs in 929, would have had nothing in common with the bishop of Halberstadt’s following of vassals called *milites servi*, or with the abbot of Corvey’s

<sup>48</sup> *Anselmi Gesta Episcoporum Leodiensium* (MGH, Scriptores, 7), 206.

<sup>49</sup> MGH Diplomata, *Otto III*, 434, pp. 870 f., dated to 996. As a royal charter, this source is formally a forgery, but Würzburg acquired Amorbach and its lands in 993 (confirmed in 999) by genuine diploma, *ibid.* 140, pp. 550 f., and 315, pp. 741 f., explained in A. Wendehorst, *Das Bistum Würzburg*, i. *Die Bischofsreihe bis 1254* (Germania Sacra, n.s., 1; Berlin, 1962), 72, 83 f.

<sup>50</sup> MGH Diplomata, Arnolf, 18, (888).

<sup>51</sup> *Anonymus Haserensis* (MGH, Scriptores, 7), 256 and on this source, W. Wattenbach, R. Holtzmann and F.-J. Schmale, *Deutschlands Geschichtsquellen im Mittelalter: Die Zeit der Sachsen und Salier*, ii. *Das Zeitalter des Investiturstreites (1050–1125)*, new edn., (Cologne/Graz, 1967), 474.

<sup>52</sup> MGH, Constitutiones, i: 436.

<sup>53</sup> W. Trillmich, *Thietmar von Merseburg: Chronik* (Ausgewählte Quellen zur deutschen Geschichte des Mittelalters: Freiherr vom Stein-Gedächtnisausgabe, 9; Darmstadt, 1974), 44, 120. For the Lech, K. J. Leyser, ‘The Battle at the Lech, 955: A Study in Tenth-century Warfare’, *History*, 50 (1965), 1–25 and in *Medieval Germany*, 43–67. On Thietmar’s background, Leyser, *Rule and Conflict*, 32–47, 113–23; H. Lippelt, *Thietmar von Merseburg: Reichsbischof und Chronist* (Mitteldeutsche Forschungen, 72; Cologne/Vienna, 1973), 46–58; H. Wellmer, *Persönliches Memento im deutschen Mittelalter* (Monographien zur Geschichte des Mittelalters, 5; Stuttgart, 1973), 61–82.

<sup>54</sup> Trillmich, *Thietmar; Chronik*, 174, 116.

'vassals of inferior condition'.<sup>55</sup> In the see of Salzburg, where we are relatively well informed about the archiepiscopal retinues,<sup>56</sup> the biographies of Archbishop Gebhard I (1060–88) inform us that his *fideles* were noblemen and *ministeriales*, and that he was supported by his *milites*, including Count Engelbert of Ortenburg, and by his military *servitores*.<sup>57</sup>

Eleventh-century sources thus begin to refer to retinues of *ministeriales*, knights of unfree status, and their importance to bishops was perhaps adumbrated in the *Lex familie* or rules which Bishop Burchard of Worms (1000–25) drew up shortly before his death, for the town of Worms and all the dependants of the cathedral church.<sup>58</sup> Much more explicit information about the new vassal-militias of *ministeriales* was provided by Bishop Gunther of Bamberg (1057–65) in one of his charters.<sup>59</sup> The Bamberg *ministeriales* were endowed with hereditary fiefs in return for military and administrative services. If the bishop preferred not to grant a fief, then the *ministerialis* was free to seek service and rewards under another lord; *militet cui vult*. Bamberg *ministeriales* paid their own preparatory costs for military campaigns north of the Alps, and then received subsidy from the bishop while actually in the field. For Italian expeditions the bishop provided extra horses and a cash-advance of £3 for fitting out the warriors. In the bishop's court, *ministeriales* enjoyed the right of compurgation for all offences save conspiracy against their lord. In his household administration they were obliged only to exercise the honourable offices, of seneschal, butler, chamberlain, marshal, and forester. Such rules of status and service have obscure antecedents which go back

<sup>55</sup> Ibid., 14; MGH Diplomata, *Otto III* 104 (992) and *Arnolf* 3 (887). See also *Annales Sangallenses maiores* (MGH, Scriptores, 83 (1035) for the abbot of St Gallen's *inferiores milites*.

<sup>56</sup> W. Erben, 'Beiträge zur Geschichte der Ministerialität im Erzstift Salzburg', *Mitteilungen der Gesellschaft für Salzburger Landeskunde*, 51 (1911); H. Dopsch, 'Ministerialität und Herrenstand in der Steiermark und in Salzburg', *Zeitschrift des Historischen Vereines für Steiermark*, 62 (1971), 3–31; and 'Probleme ständischer Wandlung beim Adel Österreichs, der Steiermark und Salzburgs vornehmlich im 13. Jahrhundert' in J. Fleckenstein (ed.), *Herrschaft und Stand: Untersuchungen zur Sozialgeschichte im 13. Jahrhundert* (Veröffentlichungen des Max-Planck-Instituts für Geschichte, 51; Göttingen, 1977), 207–53; J. B. Freed, '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; and 'Nobles, Ministerials and Knights in the Archdiocese of Salzburg', *Speculum*, 62 (1987), 575–611.

<sup>57</sup> *Gesta Archiepiscoporum Salisburgensium* (MGH, Scriptores, 9), 26, 36; W. Steinböck, *Erzbischof Gebhard von Salzburg (1060–1088): Ein Beitrag zur Geschichte Salzburgs im Investiturstreit* (Veröffentlichungen des Historischen Instituts der Universität Salzburg, 4; Vienna/Salzburg, 1972).

<sup>58</sup> MGH, Constitutiones, i: 438 where *ministeriales* are mentioned in chs. 29f. See G. Theuerkauf, 'Burchard von Worms und die Rechtskunde seiner Zeit', *Frühmittelalterliche Studien*, 2 (1968), 144–61; A. H. Benna, 'Burchard von Worms', *HRG*, i (Berlin, 1964), cols. 541–3; T. Zotz, 'Bischöfliche Herrschaft, Adel, Ministerialität und Bürgertum in Stadt und Bistum Worms (11.–14. Jahrhundert)' in Fleckenstein, *Herrschaft und Stand*, 95 f., 100 f.

<sup>59</sup> P. Jaffé, *Monumenta Bambergensia* (Bibliotheca rerum Germanicarum, 5; Berlin, 1869), 51 f., possibly revised before its inclusion, by 1125, in the *Codex Udalrici*. On the Bamberg *ministeriales*, F. Joetze, 'Die Ministerialität im Hochstifte Bamberg', *Historisches Jahrbuch*, 36 (1915), 516–97, 748–98; E. von Guttenberg, *Die Territorienbildung am Obermain* (Berichte des Historischen Vereins zu Bamberg, 79; Bamberg, 1927), 299–358, 395–456.

to the ninth century,<sup>60</sup> and they explain why it was possible to retain men who were vassals in law, knights in function, and unfree in status.<sup>61</sup> It has been convincingly suggested that some of the two thousand or so *loricati*, armoured warriors, summoned by Otto II to Italy for the calamitous Calabrian campaign of 982, were embryonic *ministeriales*.<sup>62</sup> It is striking how many of these *loricati* were retainers of the Church, roughly 70 per cent of them. Nineteen bishops and their *loricati* are mentioned in the source, more were already in Italy with the emperor, and one of them, Henry of Augsburg, is known to have perished in the battle with the Arabs.

The problems surrounding the emergence of episcopal retinues of *ministeriales* in the eleventh century are not as yet capable of completely convincing solutions.<sup>63</sup> But it is clear that by the twelfth century, the armed retinues serving the German bishops consisted almost entirely of *ministeriales* sustained by hereditary fiefs.<sup>64</sup> By far the most comprehensive picture of their

<sup>60</sup> See Benjamin Arnold, *German Knighthood 1050-1300* (Oxford, 1985), 37-41 where the evidence is reviewed.

<sup>61</sup> Such retinues were called *miliciae*, e.g. at Bamberg, C. Erdmann and N. Fickermann, *Briefsammlungen der Zeit Heinrichs IV.* (MGH, Die Briefe der deutschen Kaiserzeit, 5; Weimar, 1950), 35, pp. 233 f. (1063); and at Osnabrück, F. Philippi, *Osnabrücker Urkundenbuch*, i. 772-1200 (Osnabrück, 1892), 272, p. 217 (1146). In *American Historical Review*, 91 (1986), 646 J. B. Freed proposes the interesting neologism 'ministerialage', but J. F. Niermeyer, *Mediae Latinitatis Lexicon minus* (Leiden, 1954-76), 681 prefers 'aggregate vassals', 'knighthood' (the latter therefore used in Arnold, *German Knighthood* and substantiated at pp. 23-52, 69-75, 100-39). For *ministeriales* as knights, e.g. *Chronicon Ebersheimense* (MGH, Scriptores, 23), 433: '... ministerialis, que etiam militaris directa dicitur, adeo nobilis et bellicosa', or the Cologne *Dienstrecht* (as n. 65), where the words *miles* and *ministerialis* are interchangeable, esp. chs. 4 and 12. On the problems of terminology see K. Bosl, 'Vorstufen der deutschen Königsdienstmannschaft', in *Frühformen der Gesellschaft im mittelalterlichen Europa* (Munich/Vienna, 1964), 228-76; J.-P. Ritter, *Ministèrialité et chevalerie: Dignité humaine et liberté dans le droit médiéval* (Lausanne, 1955); J. Bumke, *Studien zum Ritterbegriff im 12. und 13. Jahrhundert* (Beihefte zum Euphorion, 1; Heidelberg, 1964), tr. W. T. H. and Erika Jackson as *The Concept of Knighthood in the Middle Ages* (AMS Studies in the Middle Ages, 2; New York, 1982); J. M. van Winter, 'The Ministerial and Knightly Classes in Guelders and Zutphen', *Acta Historiae Neerlandica*, 1 (1966), 171-86; J. Fleckenstein, 'Die Entstehung des niederen Adels und das Rittertum', in *Herrschaft und Stand*, 17-39; K. Schmid, 'Salische Gedenkstiftungen für fideles, servientes und milites' in Fenske et al., *Institutionen, Kultur und Gesellschaft*, 245-64.

<sup>62</sup> K. F. Werner, 'Heeresorganisation und Kriegführung im deutschen Königreich des 10. und 11. Jahrhunderts', in *Ordinamenti Militari in Occidente nell'alto Medioevo* (Settimane di Studio del Centro Italiano di Studi sull'alto Medioevo, 15; Spoleto, 1968), 843: 'So ist nicht ausgeschlossen, dass schon ein Teil der *loricati* von 981/982 nichtvassalitischer, ministerialischer Herkunft war.' The summons is in MGH, *Constitutiones*, i: 436 (981).

<sup>63</sup> K. Bosl, *Die Reichsministerialität der Salier und Staufer: Ein Beitrag zur Geschichte des hochmittelalterlichen deutschen Volkes, Staates und Reiches*, Schriften der MGH. 10, 2 parts; Stuttgart, 1950-1), 25-73; G. Flohrschütz, 'Die Freisinger Dienstmannen im 10. und 11. Jahrhundert', *Beiträge zur altbayerischen Kirchengeschichte*, 25 (1967), 9-79; J. B. Freed, 'The Origins of the European Nobility: the Problem of the Ministerials', *Viator*, 7 (1976), 211-41; Arnold, *German Knighthood*, 29-46, 249 f. and the review by T. Zotz in *Deutsches Archiv*, 43 (1987), 296 f.

<sup>64</sup> e.g. K. Fajkmaier, 'Die Ministerialen des Hochstiftes Brixen', *Zeitschrift des Ferdinandeums für Tirol und Vorarlberg*, 3rd ser., 52 (1908), 95-191; K. Poth, *Die Ministerialität der Bischöfe von Münster* (Münster, 1912); J. Bast, *Die Ministerialität des Erzstiftes Trier* (Trier, 1918); J. Reimann, 'Zur Besitz- und Familiengeschichte der Ministerialen des Hochstifts Würzburg' and 'Die Ministerialen des Hochstifts Würzburg, in sozial-, rechts- und verfassungsgeschichtlicher Sicht', *Mamfränkisches Jahrbuch für Geschichte und Kunst*, 15 (1963), 1-117 and 16 (1964), 1-266; G. Flohrschütz, 'Die Freisinger Dienstmannen im 12. Jahrhundert', *Oberbayerisches Archiv*, 97 (1973), 32-339; Benjamin Arnold, 'Ministeriales and the development of territorial lordship in the Eichstätt region, 1100-1350', unpublished thesis (Oxford, 1972).

status and function is provided by the *iura ministerialium* drawn up by Archbishop Rainald of Cologne for his retinue in the mid-1160s.<sup>65</sup> Apart from elaborate disciplinary rules and ordinances about the administration of the archiepiscopal household and estates, the custumal is most revealing about the military services which were the principal purpose of such retinues. Under their oaths of fealty the *ministeriales* bound themselves, whether they held fiefs or not, 'to defend the *terra* of their lord the archbishop and to follow him in arms as far as the boundaries of the diocese', and in certain circumstances, beyond them. They were confirmed in their hereditary right to their fiefs and offices by primogeniture, without payments of relief or heriot. Any younger brother was expected to present himself with war-horse, shield, and lance to the archbishop, to declare that he was *miles et ministerialis* of St Peter, the cathedral patron, and to offer fealty and service. After a year's probation, the archbishop would find him a fief and confirm his status as one of Cologne's *milites de familia*, or else release him to seek service and reward in another retinue. The terms of service upon Italian expeditions were also set out in detail. Notice being given a year and a day in advance, *ministeriales* with fiefs worth 5 marks or more per annum were required to attend, the archbishop awarding them 10 marks towards their fitting-out costs, as well as cloth for dressing their servants. Equipment was specified; pack-horses, saddles, leather hold-alls, coverings, and horseshoes with the necessary nails. On the march to the south, the archbishop paid each knight a mark a month once the Alps were reached. Those with fiefs worth less than the yearly 5 marks might stay behind, paying scutage or *herstura*, literally 'army-tax', of half their rental.

Such retinues of knightly *ministeriales* were essential to the survival, prestige, and expansion of the German bishoprics as territorial principalities in the twelfth and thirteenth centuries.<sup>66</sup> The retinues accompanied the bishops upon their peregrinations around the Empire, to attend the imperial court or ecclesiastical synods, to visit monasteries, castles, and towns, or to join military

<sup>65</sup> L. Weinrich, *Quellen zur deutschen Verfassungs-, Wirtschafts- und Sozialgeschichte bis 1250*, (Ausgewählte Quellen zur deutschen Geschichte des Mittelalters: Freiherr vom Stein-Gedächtnisausgabe, 32; Darmstadt, 1977), 266–78; H. von Loesch, 'Das kürzere Kölner Dienstmännerrecht', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung*, 44 (1924), 298–307; Arnold, *German Knighthood*, 81–3. On the Cologne retinue, W. Pötter, *Die Ministerialität der Erzbischöfe von Köln vom Ende des 11. bis zum Ausgang des 13. Jahrhunderts* (Studien zur Kölner Kirchengeschichte, 9; Düsseldorf, 1967) and J. Ahrens, *Die Ministerialität in Köln und am Niederrhein*, (Leipzig, 1908).

<sup>66</sup> J. Prinz, *Das Territorium des Bistums Osnabrück* (Studien und Vorarbeiten zum historischen Atlas Niedersachsens, 15, new edn., Göttingen, 1973), 108–27; W. Hillebrand, *Besitz- und Standesverhältnisse des Osnabrücker Adels 800 bis 1300* (Studien und Vorarbeiten zum historischen Atlas Niedersachsens, 23; Göttingen 1962), 85–207; L. Fenske, 'Ministerialität und Adel im Herrschaftsbereich der Bischöfe von Halberstadt während des 13. Jahrhunderts' in Fleckenstein, *Herrschaft und Stand*, 157–206; L. Falck, 'Mainzer Ministerialität', in F. L. Wagner (ed.), *Ministerialität im Pfälzer Raum*, (Veröffentlichungen der pfälzischen Gesellschaft zur Förderung der Wissenschaften, 64; Speyer, 1975), 44–59; C. Gaier, 'Analysis of Military Forces in the Principality of Liège and the County of Looz from the Twelfth to the Fifteenth Century', *Studies in Medieval and Renaissance History*, 2 (1965) 205–61; Arnold, 'Ministeriales', 124–55, 181–231.

campaigns. About the end of May 1162, for example, Frederick Barbarossa wrote from Pavia to various princes of the Empire to summon them to meet him at Besançon in August, before he moved on to St Jean de Losne to meet Louis VII about settling the current papal schism. Bishop Conrad of Augsburg was advised that since it does no harm to take precautions, he ought to equip the *milites* attending him with weapons and armour. 'Moreover, you should bring tents, which are necessary because of the scarcity of lodging.'<sup>67</sup> The *ministeriales* were also responsible for garrisoning episcopal castles and towns, and for prosecuting the necessary feuds. By the end of the thirteenth century the *iura* or codes of service were beginning to be replaced by new registers of fiefs, and this indicates a decided shift not only in the status of *ministeriales* but also in the way in which episcopal retinues were structured.<sup>68</sup>

The codes of service had sought essentially to discipline retinues of *ministeriales* through their servile legal status, particularly in licensing their marriages so that the offspring, possessed of inherited fiefs, allods, castles, and offices, would not be dispersed to other lords. This might otherwise occur because the rights over *ministeriales* as servile persons, and *a fortiori* over their property, belonged in law to their mothers' lords. So it was essential that in the frequent cases of marriage beyond the *familia*, the lords should come to agreement about a practical division of the offspring and the resources they stood to inherit.<sup>69</sup> But the registers of fiefs shift the mechanism of control on to the implied military obligations of *ministeriales* as vassals, and though this method was by no means neglected in the codes of service either, it preponderates from about 1300.<sup>70</sup> The rules of servile dependence might still be quite vigorously applied by the bishops at the beginning of the fourteenth century,<sup>71</sup> but the subdivision of fiefs and the progression of multiple vassalage accumulating over the generations gave a decided preference to the regis-

<sup>67</sup> MGH, *Diplomata*, *Frederick I*, 363. Barbarossa kept the rendezvous, but Alexander III refused to co-operate and Louis VII therefore decided not to turn up: W. Heinemeyer, 'Die Verhandlungen an der Saône im Jahre 1162', *Deutsches Archiv*, 20 (1964), 155–89; F.-J. Schmale, 'Friedrich I. und Ludwig VII. im Sommer des Jahres 1162', *Zeitschrift für bayerische Landesgeschichte*, 31 (1968), 315–68; W. Kienast, *Deutschland und Frankreich in der Kaiserzeit (900–1270): Weltkaiser und Einzelkönige* (Monographien zur Geschichte des Mittelalters, 9, 3 parts; Stuttgart, 1974–75), 203–12, 669–73.

<sup>68</sup> On *iura* or customs for *ministeriales*: K. Bosl, 'Das ius ministerialium: Dienstrecht und Lehnrecht im deutschen Mittelalter', in his *Frühformen*, 277–326; R. Scheyhing, *Eide, Amtsgewalt und Bannleihe: Eine Untersuchung zur Bannleihe im hohen und späten Mittelalter* (Forschungen zur deutschen Rechtsgeschichte, 2; Cologne/Graz, 1960), 89–94; Arnold, *German Knighthood*, 76–99; R. Fressel, *Das Ministerialenrecht der Grafen von Tecklenburg: Ein Beitrag zur Verfassungs- und Ständegeschichte des Mittelalters* (Münster, 1907). The Tecklenburg text survives in a 14th-c. version based upon the original from the 1220s: L. Weinrich, *Quellen zur Verfassungsgeschichte des römisch-deutschen Reiches im Spätmittelalter (1250–1500)* (Ausgewählte Quellen zur deutschen Geschichte des Mittelalters: Freiherr vom Stein-Gedächtnisausgabe, 33; Darmstadt, 1983), 84.

<sup>69</sup> See Arnold, *German Knighthood*, 53–65, 162–83.

<sup>70</sup> K.-H. Spiess, 'Lehnbuch, Lehnregister', *HRG*, ii, cols. 1686–8, discusses the distinctions made in German historiography between 'books' and 'registers' of fiefs, the former, older type relying upon the *habet, tenet* formula, the latter, newer type upon the *recepit* form.

<sup>71</sup> e.g. *Monumenta Boica*, 49 (Munich, 1910), 326 (1303): Würzburg and Eichstätt.

ters of fiefs, backed by *Lehnrecht*, as the more effective means of holding retinues together.<sup>72</sup> This also indicates that rendering military services in return for fiefs was by no means a moribund practice in fourteenth-century Germany. As we shall see, episcopal treasuries were not up to paying for military service on the basis of annual salaries or longer contracts, although it is clear that many of the fiefs were in fact assignments upon incomes from episcopal manors and other possessions.

To sustain an obedient and effective retinue in a competent state of military preparedness was, with the economic exploitation of their lands and the administration of justice within their territory, the principal secular concern of bishops at home in their dioceses. The enfeoffment of knights was expensive, and the use or abuse of episcopal resources for the purpose often raised fears of waste in the cathedral chapters.<sup>73</sup> There were other dangers too. *Ministeriales* were themselves a hereditary order of landowners with interests to defend, and this often led them into armed conflict with their neighbours or even with their episcopal lords.<sup>74</sup> Multiple enfeoffment, mobility between retinues, and the subdivision of fiefs had also tended to erode the human composition of the retinue as well as the material foundation of fiefs, castles, and offices upon which it was supposed to rest.

A closer examination of interaction between bishop and retinue is made possible for the Bavarian see of Eichstätt by the survival of two sources providing complementary information about its military circumstances in the later Middle Ages. The first consists of the series of biographies of the fourteen bishops who reigned between 1279 and 1445, its first authors successfully establishing the tradition of taking particular note of military affairs.<sup>75</sup> Six of the biographies (1306–55) are the work of the Eichstätt canon Henry Taube of Selbach (d. 1364), a distinguished historian who wrote a general chronicle on the popes and emperors of his time.<sup>76</sup> All these biographies were continuations of the *Liber pontificalis* ordered by Bishop Gundekar II of Eichstätt in 1071 or 1072.<sup>77</sup> The second source is the Eichstätt *Liber feudorum*, a paper codex of the early sixteenth century into which were copied eight registers of fiefs, the earliest of them dating from the first decade of the fourteenth cen-

<sup>72</sup> Spiess, *HRG*, ii, col. 1687: 'Den aufstrebenden Territorialherrschaften, die, besonders seit der Zunahme der Pluralvasallität und der damit einhergehenden verstärkten Mobilität der Lehnsleute, auf aktuelle Bestandsaufnahme sowie auf Kontrolle und Erfassung der gesamten Vasallenschaft ausgerichtet waren, leisteten die Lehnregister bessere Dienste'; and col. 1688: 'Die Lehnregister stellen einen Versuch der Territorialherren dar, die persönlichen Strukturen des Lehnwesens zu versachlichen, d.h. sie in eine geordnete Verwaltung zu pressen.' See also Arnold, *German Knighthood*, 103–10.

<sup>73</sup> e.g. *Osnabrücker Urkundenbuch*, ii, 21, p. 14, 1203 (Osnabrück); MGH, *Constitutiones* ii. 277, p. 391 (1222); Passau; *Monumenta Boica*, 49: 66, (1259): Eichstätt.

<sup>74</sup> See Arnold, *German Knighthood*, 225–47.

<sup>75</sup> *Gesta episcoporum Eichstetensium continuata* (MGH, *Scriptores*, 25), 590–609.

<sup>76</sup> H. Bresslau, *Die Chronik Heinrichs Taube von Selbach* (MGH, *Scriptores*, n.s., 1, 2nd end.; Berlin, 1964); the Eichstätt biographies at pp. 123–32.

<sup>77</sup> *Gundechari Liber pontificalis Eichstetensis* (MGH, *Scriptores*, 7), 239–50; Wellmer, *Persönliches Memento*, 1–10.

ture.<sup>78</sup> The seven registers which follow are, in effect, lists of renewals of title upon the accession of the bishops from 1365 to 1496.<sup>79</sup> If Eichstätt was not materially at the forefront of the German bishoprics, it occupied a position of strategic significance in the borderlands of Franconia, Swabia, and Bavaria.<sup>80</sup> In the second half of the thirteenth century it recovered from great losses suffered at the hands of the cathedral advocates, the Bavarian comital dynasty of Hirschberg. Between 1280 and 1300 it became possible for the bishops to purchase extensive lands, to establish a reformed administration on the basis of castles and offices enfeoffed to *ministeriales*, and to expand their military retinue to about sixty knightly families. One result was attention to the written record: a new cartulary and cadastral survey,<sup>81</sup> the new register of fiefs, the construction of formal episcopal memorials, and the better archival preservation of diplomatic originals,<sup>82</sup> all taking place within a few years of 1300.

Then, early in the fourteenth century, the bishops' standing as territorial princes was greatly improved by a single inheritance. In 1305 the childless Count Gebhard of Hirschberg, last advocate of the cathedral church and town, made amends by bequeathing most of his extensive possessions to Eichstätt.<sup>83</sup> The transfer included the majority of his knights and their fiefs,<sup>84</sup> and the 1365 register of fiefs indeed shows that the episcopal retinue had expanded by about 50 per cent over the figure about 1300, from roughly sixty names to about ninety. This register appears not to be complete but, taken with the 1384 register, about three dozen of the knightly families in the late fourteenth-century Eichstätt retinue must have transferred their allegiance to the bishops from the Hirschberg retinue after 1305. But once again the episcopal treasury was often empty in the fourteenth century; together with the lands, Eichstätt had inherited the massive Hirschberg debts and it also incurred new ones, all of which took decades to pay off.<sup>85</sup> The see probably suffered in the periodic economic crises of the fourteenth and fifteenth centuries,

<sup>78</sup> Bayerisches Staatsarchiv Nürnberg, Hochstift Eichstätt Lehnbücher, 1, fos. 1r–340v: *Liber feudorum ad collationem episcopi Eystetensis spectantium* fos. 1r–73v, before 1310; fos. 74r–85r (1365) for Rabno of Wilburgstetten; fos. 90r–122r (1384) for Frederick of Oettingen; fos. 130r–150v (1415) for John of Heideck; fos. 154r–168r (1429) for Albert of Hohenrechberg; fos. 170r–194v (1445) for John of Aich; fos. 200r–248r (1464) for William of Reichenau; fos. 254r–300r (1496) for Gabriel of Eyb (d. 1535).

<sup>79</sup> On the rules of renewal, K.-H. Spiess, 'Lehnserneuerungen', *HRG*, ii, cols. 1708–10.

<sup>80</sup> E. Klebel, 'Eichstätt zwischen Bayern und Franken', in *Probleme der Bayerischen Verfassungsgeschichte* (Schriftenreihe zur bayerischen Landesgeschichte, 12; Munich, 1957), 341–4; H. Maurer, 'Confinium Alamannorum. Über Wesen und Bedeutung hochmittelalterlicher "Stammesgrenzen"' in H. Beumann (ed.), *Historische Forschungen für Walter Schlesinger* (Cologne/Vienna, 1974), 150–61.

<sup>81</sup> W. Füsslein, 'Das älteste Kopiaibuch der Eichstätter Hochstiftes nebst einem Anhang ungedruckter Königsurkunden', *Neues Archiv*, 32 (1906–7), 605–46; Bayerisches Staatsarchiv Nürnberg, Hochstift Eichstätt Literalien 165, c.1300.

<sup>82</sup> *Monumenta Boica*, 49: pp. vii–x.

<sup>83</sup> *Ibid.*, 49; 344 f., (1304); F. M. Wittmann, *Monumenta Wittelbacensia: Urkundenbuch zur Geschichte des Hauses Wittelsbach* (Quellen zur bayerischen und deutschen Geschichte 6; Munich, 1861), 222, (1305).

<sup>84</sup> As Bishop Conrad's notary Thomas recorded, *Gesta episc.*, 592 (1305): '... cum rebus, possessionibus et hominibus, militaris condicionis videlicet et vulgaris'.

<sup>85</sup> Bresslau, *Chronik Heinrichs Taube*, 125, 127 f.



although definite answers about the agrarian milieu would have to await comparative study of the informative Eichstätt land-register of about 1300 and the rich fifteenth-century cadastral evidence.<sup>86</sup> Bishops tended to be cautious about expanding their enfeoffed retinue of vassals, in spite of the several territorial acquisitions which had transformed their political position in southern Germany.

Such circumspection was abandoned upon the accession of Frederick of Oettingen in 1383. His biographer describes his love of princely magnificence, and of his retinue reported that 'he had a large court of noblemen and a copious enough household, which he tenderly supported, maintained, and nourished.'<sup>87</sup> His register of fiefs bears this out, recording more than 200 knightly names, well over a hundred of them apparently new vassals of the see. The counts of Oettingen were themselves powerful territorial princes adjacent to the bishopric on the west. Although Bishop Frederick was fond of the knightly families who had served the Oettingen in the past, and granted at least forty of them Eichstätt fiefs, his recruitment ranged far and wide amongst the nobility of Bavaria, Swabia, and Franconia.<sup>88</sup> In part the bishop's motives for expanding the retinue arose from the perilous politics of southern Germany during the 1380s, culminating in the defeat of the Swabian league of towns in 1388. Although his predecessor had joined the anti-urban *Herrenbund* of princes at Nuremberg in 1383, Frederick changed course and allied himself to the Swabian cities to frighten the dukes of Bavaria, who posed a constant threat to his see.<sup>89</sup> In this tactic he was followed by Archbishop Pilgrim of Salzburg, whose subsequent kidnap by the dukes actually precipitated the Swabian war. Although the league was defeated and his diocese was ravaged, Bishop Frederick extricated himself without serious loss of standing. Obviously he was a contrary and single-minded prince. From 1409 to 1415 he still adhered to the Roman pontiff Gregory XII although nearly all

<sup>86</sup> Bayerisches Staatsarchiv Nürnberg, Hochstift Eichstätt Literalien, 9 (1407); 143 (1447-8); 144 (1450).

<sup>87</sup> *Gesta episc.*, 603.

<sup>88</sup> For Oettingen names, E. Grünenwald, *Das älteste Lehenbuch der Grafschaft Oettingen (14. Jahrhundert bis 1477)* (Schwäbische Forschungsgemeinschaft bei der Kommission für bayerische Landesgeschichte, ser. 5, Urbare, 2; Augsburg, 1976) and the witness-lists in R. Dertsch and G. Wulz, *Die Urkunden der fürstlichen Oettingischen Archive in Wallerstein und Oettingen, 1197-1350* (Schwäbische Forschungsgemeinschaft, ser. 2A, Urkunden und Regesten, 6; Augsburg, 1959): on Bavarian names, H. Lieberich, *Landherren und Landleute: Zur politischen Führungsschicht Baierns im Spätmittelalter* (Schriftenreihe zur bayerischen Landesgeschichte, 63; Munich, 1964): on Franconian names, E. Riedenauer, 'Kontinuität und Fluktuation im Mitgliederstand der fränkischen Reichsritterschaft: Eine Grundlegung zum Problem der Adelsstruktur in Franken', in *Gesellschaft und Herrschaft: Eine Festgabe für Karl Bosl zum 60. Geburtstag* (Munich, 1969), 87-152.

<sup>89</sup> *Deutsche Reichstagsakten*, i. (Munich, 1867), 363 f. (1383); T. Straub, 'Bayerns Rolle im Reich und im Städtekrieg (1374-1391)' in M. Spindler (ed.), *Handbuch der bayerischen Geschichte*, ii. (Munich, 1969), 209-16; H. Angermeier, 'Die Funktion der Einung im 14. Jahrhundert', *Zeitschrift für bayerische Landesgeschichte*, 20 (1957), 475-508; and *Königtum und Landfriede im deutschen Spätmittelalter*, (Munich, 1966), 266-97.

the rest of the Empire had abandoned him in favour of the Pisan candidates to the papal title.<sup>90</sup>

Retaining knights on Bishop Frederick's generous scale was not continued after his death in 1415, although the five bishops who reigned after him until the Reformation continued to cut a figure in south German politics. Numbers slowly declined from about 130 names at the accession of John of Heideck in 1415 to about eighty names in 1496, at the accession of Gabriel of Eyb. German knights complained that bishops were keeping them out of fiefs as their services became less essential, but this was certainly not the reason for dwindling numbers in the bishopric of Eichstätt. The bishops were, on the contrary, concerned to keep numbers up by fresh recruitment, largely from the heirs of knightly families which were extinguished without leaving direct male descendants. From the early fourteenth century until 1496 the registers record nearly 400 family names, but only about forty of them survive from the three fourteenth-century registers right through to Bishop Gabriel's time. In sustaining a credible retinue the bishops were having to cope with several related problems: with mobility, that is, knightly families transferring their allegiance elsewhere after one or two generations of service; with genetic failure, that is, the demise of patrilineally-defined noble families without leaving direct descendants; with sales of fiefs, which had to be transferred with the bishops' consent and recorded by their chancery; and with rear-tenancies, that is, the sub-enfeoffment of fiefs or fragments of fiefs to other parties, again requiring permission from the bishops. The registers record these various transfers of fiefs, the majority to collateral heirs who then received incomes, lands, offices, or castles from Eichstätt.<sup>91</sup>

In terms of families, the composition of the retinue over the decades was therefore very unstable indeed; about 400 names occurred over 200 years, but only 10 per cent of them all the way through the registers. The remaining 90 per cent gravitated towards Eichstätt's service either in the following of an ambitious bishop such as Frederick of Oettingen, or as collateral heirs of episcopal knights, or by new enfeoffment. In most cases the provenance of the new names can be quite readily identified: from the disbanded retinue of the counts of Hirschberg, from the *Landherren* of ducal Bavaria, and from the *Ritterschaft* in neighbouring territories, that is, the Upper Palatinate, the county of Oettingen, and the dynastic lands of the Zollern burgraviate of Nuremberg. Contributions also came from the remnant of the imperial *familia* of *ministeriales* with their own knights, from the *Ritterschaft* further afield in Swabia and along the River Main, and from a handful of towns, notably

<sup>90</sup> Engel, *Weltatlas*, ii. 119.

<sup>91</sup> e.g. Eichstätt Lehnbücher, 1, fo. 79r (1365) for 'Engelhardus Wirzberg miles recepit omnia bona que Ulricus Emmendorfer tenuit in Emendorf et Mörnshaim' and fo. 81r (1365) where *armiger* Conrad Prentl, ducal castellan at Lupburg, received Krugsburg Castle near Eichstätt, resigned by his *socer* Henry of Morsbach, or fo. 163v for 'Wernher von Barsperg Ritter recepit alle der Schenken von Reicheneck lehen 1430.'

Nuremberg, Regensburg, and smaller communities in the dioceses of Augsburg, Eichstätt, and Würzburg. The bishops thus cast a wide net of vassalage, the geographical and jurisdictional boundaries of territorial principalities as yet having little inhibiting effect upon the vassal-relationship which could be established and maintained between princes and a far-flung *Ritterschaft*.<sup>92</sup>

The registers enable us to estimate with some precision the size of the episcopal retinue of knights in the fourteenth and fifteenth centuries. But in spite of the traditions and training of the German nobility, we cannot assume that all of them rendered military service in return for their fiefs. The registers do not positively record obligations, although active military service in return for fiefs prevailed in many regions of Germany well into the sixteenth century. Some of the Eichstätt fiefs were actually portions of manorial revenue, especially tithes, drawn upon the estates of the cathedral church. Some consisted of jurisdiction over Eichstätt's serfs in a given district.<sup>93</sup> Others were in effect episcopal property pledged to knights in return for cash.<sup>94</sup> The most important fiefs obviously did involve military command: the bishop's household offices,<sup>95</sup> and the captaincies of towns and castles.<sup>96</sup>

More is revealed about military service in the episcopal biographies. The bishops are praised for the vigour with which they prosecuted their feuds and for the care they devoted to their castles. Bishop Rabno of Wilburgstetten (1365–83) was noted to be *in armis strenuus* and we are told that 'he suppressed the tyrannies of his many enemies, stoutly avenged the church of Eichstätt for the injuries inflicted upon it, and admirably supervised its defence.'<sup>97</sup> Bishop Frederick of Oettingen 'rebuilt, embellished, and repaired all the castles with various buildings and structures' and there follows a long

<sup>92</sup> On this see K.-H. Spiess, *Lehnsrecht, Lehnspolitik und Lehnverwaltung der Pfalzgrafen bei Rhein im Spätmittelalter* (Geschichtliche Landeskunde, 18; Wiesbaden, 1978); H. Cohn, *The Government of the Rhine-Palatinate in the Fifteenth Century* (Oxford, 1965), 152–74; B. Diestelkamp, *Das Lehnrecht der Grafschaft Katzenelnbogen (13. Jahrhundert bis 1479)* (Untersuchungen zur deutschen Staats- und Rechtsgeschichte, n.s., 11; Aalen, 1969); W. Rösener, 'Ministerialität, Vasallität und niederadelige Ritterschaft im Herrschaftsbereich der Markgrafen von Baden vom 11. bis zum 14. Jahrhundert', in Fleckenstein, *Herrschaft und Stand*, 40–91.

<sup>93</sup> e.g. Eichstätt Lehnbücher, 1, fo. 93r (1384) for 'H. Hainrich und Hanns sin Vetter Von Gumpenberg receperunt alle das Stiffts aigen leüt in Oberrn Bäjren' and fo. 114r (1384) for 'Hainrich Waischenfelder receipt alle die aigen leüt die der Stiff in der Grawschaft zur Graispach hat.'

<sup>94</sup> e.g. *ibid.*, fo. 75r (1365) where the knight Conrad Frick 'recept in feudum opidum Lohen' through his family connection with Henry of Otting 'que tenet idem opidum nomine pignore'.

<sup>95</sup> *Ibid.* fos. 155r (1429), 171r (1445), 201r and v (1464) and 255r and v (1496–1506) for the offices of chamberlain, marshal, butler, and *magister coquinae*, as well as *Stadtrichter* of Eichstätt, fo. 97r (1384), *Landvogt*, fo. 245r (1468) and *Hofmeister*, fo. 248r (1492).

<sup>96</sup> *Ibid.*, fo. 155v (1429) for 'Burcard von Seggendorff zur Abenberg receipt die Erbburghuet mit seiner zuegehörung'; fo. 166v (1429) for 'Jacob von Wolffstain receipt den Marckt Allersperg und vil andere lehen'; fo. 76r (1365) for 'Ludwig de Eyb receipt castrum Summersdorff', and see the advocates Henry of Büttendorf at Altenmuhr, fo. 101r (1384), Seitz of Eglingen at Hirschberg, fo. 101v (1384), and *Pfleger* Wolff of Wernau at Dollnstein, fo. 243r (1464). Frequently the command of castles was shared: at fo. 226v (1464) Albert Klack of Rain, Peter of Wilmersdorf, and Hans of Mörnshiem have 'Schloss und Sitz Prunn vor dem Köschinger forst gelegen'.

<sup>97</sup> *Gesta episc.*, 599.

and detailed description of this work castle by castle throughout his territory. Another practical result of maintaining an efficient retinue was amply demonstrated by this bishop in 1408. His biographer tells us that

this reverend prince also put down frequent molestations by the Franconian nobility, with which they had audaciously and fearlessly persecuted him. Note that one day in the year of our Lord 1408 the Franconian nobility hostilely invaded the see of Eichstätt with a large force, and near Herrieden they savagely fell upon the peasantry with fire and pillage, carrying off their cattle and belongings. So our praiseworthy father and lord furiously pursued them with his *magister curiae* and others of his household. In the evening the same day they bravely attacked them at the village of Lauterbach two miles from the town of Rothenburg in Franconia, boldly crushed them, seized back the peasants' goods, and took twenty-three of the enemy captive. Others of the enemy retreated into the castle in that village, or fled hither and thither. So they returned rejoicing to Herrieden with the captives, the peasants' belongings, and also the cattle. Of the noble and common captives the praiseworthy lord bishop afterwards allowed twenty-two of them to be decapitated after legal sentence. One of them, a young squire, just escaped death through the pleas made on his behalf. So the church of Eichstätt obtained tranquillity and peace, since the Franconian nobility did not again invade the diocese during the lifetime of that venerable bishop. He was hard on others of his adversaries, pursuing them courageously and permitting most of them to be sentenced to death or other punishments.<sup>98</sup>

The Eichstätt biographers also reveal that the enfeoffed retinue was not the only source of military service employed by the bishops. When Frederick of Oettingen's successor John of Heideck (1415–29) joined the League of Constance against Duke Louis the Bearded of Bavaria-Ingolstadt,<sup>99</sup> he maintained a private army of 300 salaried knights for the duration of the war (1420–2). His successor Albert of Hohenrechberg (1429–45) sent forty or more knights to protect the towns near the Bohemian frontier from Hussite attack. In the Reichstag of 1431 he was assessed at thirty lances for the Hussite crusade,<sup>100</sup> and sent a larger contingent: 150 knights and 150 infantry with a train of thirty-two war-wagons 'beautifully made with ironwork and iron chains, capable of forming a fort and defence in necessity, and lavishly equipped with food, tools, tents, arms, cannon, powder, and crossbows'.<sup>101</sup> It cost the bishop more than 3,000 florins, and all was lost in the field. By coincidence an accurate illustration of an eight-wheeled battle-wagon carrying fourteen guns was included by Conrad Kyeser of Eichstätt in his military treatise *Bellifortis*, probably composed rather earlier than this campaign.<sup>102</sup> Like his predecessors Bishop Albert was also involved in local conflicts, and for eight-

<sup>98</sup> *Ibid.*, 605. On miscreant knighthood, W. Rösener, 'Zur Problematik des spätmittelalterlichen Raubrittertums', in H. Maurer and H. Patze (eds.), *Festschrift für Berent Schwineköper* (Sigmaringen, 1982), 469–88.

<sup>99</sup> T. Straub, 'Ludwig der Bärtige und die Konstanzer Liga (1413–38)' in *Handbuch der bayerischen Geschichte* ii. 234–41.

<sup>100</sup> *Deutsche Reichstagsakten*, ix (Gotha, 1887), 408.

<sup>101</sup> *Gesta episc.*, 608.

<sup>102</sup> G. Quarg, *Conrad Kyeser aus Eichstätt: Bellifortis*, ii. (Düsseldorf, 1967), 20 f.

een months maintained 200 knights to defend the diocese from the depredations of the counts of Oettingen.

Like the Eichstätt series, registers of fiefs survive for the vassals of many another bishopric in late medieval Germany.<sup>103</sup> In conjunction with related material, especially letters of enfeoffment and the *Lehnsreverse*, promissory acknowledgements binding the feoffees,<sup>104</sup> we can perceive that vassalage was a military reality and had not entirely relapsed into an inanimate system of aristocratic land-tenure. If the fiefs recorded in the registers did not often carry a specific military obligation, then military service was still an enduring social tradition which in principle governed the relationship between knight and bishop, and was the motive for granting out, transferring, or renewing fiefs.<sup>105</sup>

The Eichstätt evidence reveals some remarkable continuities of method from the ninth to the sixteenth centuries in supporting the bishops' military retinues, from Bishop Erchanbald's use of the Herrieden lands after 888 to the preservation and editing of all the registers of fiefs into the paper codex in Bishop Gabriel of Eyb's chancery after 1500. But we can see that the vassals who were sustained by a handsome proportion of the possessions of the cathedral churches were themselves no static order or group within German society. The humble *milites* of the Carolingian and Ottonian age were quite different from the *ministeriumales* of the Staufener era, whose dynamism sustained them as a knightly nobility. In the fourteenth century the bonds of servility which bound them closely into the *familiae* of their lords finally disappeared. They had evolved into the *Ritterschaft* as a privileged order or estate within the territorial principality.<sup>106</sup> But their function changed more slowly than

<sup>103</sup> e.g. G. Hertel, *Die ältesten Lehnbücher der Magdeburgischen Erzbischöfe* (Geschichtsquellen der Provinz Sachsen und angrenzender Gebiete, 16; Halle, 1883); F. Hüttner, 'Das Lehenbuch des Würzburger Bischofs Gottfried III. von Hohenlohe (1317-1322)', *Forschungen zur Geschichte Bayerns*, 9 (1901), 69-116, 253-83; H. Rothert, *Die mittelalterlichen Lehnbücher der Bischöfe von Osnabrück* (Osnabrücker Geschichtsquellen, 5; Osnabrück, 1932); E. Klebel, 'Territorialstaat und Lehen' in *Studien zum mittelalterlichen Lehenwesen* (Vorträge und Forschungen, 5; Lindau/Constance, 1960), 195-234 (Salzburg and Bamberg material); W. Martini, *Der Lehnshof der Mainzer Erzbischöfe im späten Mittelalter* (Düsseldorf, 1971); H. Hoffman, *Das älteste Lehenbuch des Hochstifts Würzburg 1303-1345* (Quellen und Forschungen zur Geschichte des Bistums und Hochstifts Würzburg, 25; Würzburg, 1972).

<sup>104</sup> K.-H. Spiess, 'Lehnsbrief', 'Lehnsrevers', *HRG*, ii, cols. 1701 f., 1742 f. For early examples of the *Lehnsrevers* from Eichstätt, see *Monumenta Boica* 49: 255 (1297) for Henry, butler of Hostetten and Geyern at Hirschberg and Nassenfels Castles; vol. 50: 170 (1317) for Rüdiger, marshal of Diethenhofen at Wernfels Castle, and 507 (1346) for Fritz of Holzungen at Arberg Castle.

<sup>105</sup> Also found for the diocese of Cologne; G. Droege, *Verfassung und Wirtschaft in Kurköln unter Dietrich von Moers (1414-1463)* (Rheinisches Archiv, 50; Bonn, 1957), 79-82. On the late medieval 'feudal' relation at this level, G. Theuerkauf, *Land und Lehenwesen vom 14. bis zum 16. Jahrhundert: Ein Beitrag zur Verfassung des Hochstifts Münster und zum nordwestdeutschen Lehenrecht* (Neue Münstersche Beiträge zur Geschichtsforschung, 7; Cologne/Graz, 1961) and B. Diestelkamp, 'Lehenrecht und spätmittelalterliche Territorien', in H. Patze (ed.), *Der deutsche Territorialstaat im 14. Jahrhundert* (Vorträge und Forschungen, 13: 1 Sigmaringen, 1970), 65-96.

<sup>106</sup> On bishops, *Ritterschaft*, and estates in Franconia see S. Bachmann, *Die Landstände des Hochstifts Bamberg: Ein Beitrag zur territorialen Verfassungsgeschichte* (Bamberg, 1962); E. Schubert, *Die Landstände des Hochstifts Würzburg* (Veröffentlichungen der Gesellschaft für fränkische Geschichte, 9th ser. 23; Würzburg, 1967); R. Sprandel, 'Die Ritterschaft und das Hochstift Würzburg im Spätmittelalter', *Jahrbuch für fränkische Landesforschung*, 36 (1976), 117-43.

definitions or appearances. The tradition of military service was not much affected by the decay of legal servility, and is likely to have been reinforced by the economic difficulties in which knighthood found itself in the fourteenth and fifteenth centuries. Knights were still fulfilling much the same military and administrative functions as in the thirteenth century, with the very same castles, offices, lands and revenues as reward.

Terms indicative of the servile nexus, *ministerialis*, *Dienstleute*, and *homines proprii* were in decline by the beginning of the fourteenth century,<sup>107</sup> but vassalage still continued to vitalize the bond between retinues of knights and the territorial princes. In the Eichstätt registers the *homines proprii* of about 1305 are called *Lehenleute* or vassals from 1365 and are described as *sesshaft*, that is, in occupation of or in residence upon their fiefs.<sup>108</sup> Rural Germany was not very well suited to newer methods of retaining which were evolved in France and England; the *aliance*, indenture, or *fief-rente*, although some fiefs in Germany were indeed assignments upon income.<sup>109</sup> These measures were more efficient in sustaining military mobility in long campaigns over great distances or across the sea itself. They were much less relevant to the German military situation in which the great majority of conflicts were local feuds within territorial or provincial dimensions. In addition, the German territorial principalities were relatively backward in their administrative and fiscal organization and potential, so that although salaries certainly were paid to knights, the princes could not rely steadily upon their treasuries to maintain their retinues. They therefore depended upon traditional methods of direct enfeoffment with hereditary offices, fortifications, incomes, and estates which pertained to their principalities. Such methods were better suited to political reality in the German Empire, where private war conducted by the retinue was still an effective instrument.

This began to change again towards the end of the fifteenth century, when the princes were experimenting with legal and administrative innovations which enhanced their authority and their command of regional security and order.<sup>110</sup> One consequence was that the ancient functional connections

<sup>107</sup> The first Eichstätt register still has 'Homines infeudati ab Ecclesia qui proprii sunt Ecclesiae', fos. 15v-23v.

<sup>108</sup> Ibid., fo. 169v has 'Summa aller obbenanter sesshafter 130.'

<sup>109</sup> On these forms, N. B. Lewis, 'The Organization of Indentured Retinues in Fourteenth-Century England', *Transactions of the Royal Historical Society*, 4th ser., 27 (1945), 29-39; W. H. Dunham, *Lord Hastings' Indentured Retainers 1461-1483* (Transactions of the Connecticut Academy of Arts and Sciences, 39; New Haven, 1955); B. D. Lyon, *From Fief to Indenture: The Transition from Feudal to Non-feudal Contract in Western Europe*, (Harvard Historical Studies, 68; Cambridge/Mass., 1957); J. W. Sherborne, 'Indentured Retinues and English Expeditions to France, 1369-80', *English Historical Review*, 79 (1964), 718-46; P. S. Lewis, 'Decayed and Non-feudalism in later medieval France', *Bulletin of the Institute of Historical Research*, 37 (1964), 157-84; A. Goodman, 'The Military Subcontracts of Sir Hugh Hastings, 1380', *English Historical Review*, 95 (1980), 114-20; P. Contamine, *War in the Middle Ages*, tr. M. Jones (Oxford, 1984), 92 f., 150-65.

<sup>110</sup> H. Patze, 'Die Herrschaftspraxis der deutschen Landesherrn während des späten Mittelalters', in W. Paravicini and K. F. Werner (eds.), *Histoire comparée de l'administration (VI<sup>e</sup>-XVIII<sup>e</sup> siècles)* (Beihefte der Francia, 9; Zurich/Munich, 1980), 363-91; D. Willoweit, 'Die Entwicklung und Verwaltung der spät-

between prince-bishop and *Ritterschaft* quite rapidly lost their significance. The bitter sense of ingratitude and betrayal which this dissolution engendered in the knightly order was a potent cause of anti-episcopal sentiment and agitation which culminated in the Knights' War of the early 1520s. At Schweinfurt in 1522 an assembly of knights pointed out with some justice that 'without doubt, had the nobility not stood so firmly and loyally by the bishoprics on the lower Rhine, in Franconia, Westphalia and along the Weser, their secular neighbours on the offensive would long ago have reduced them to servitude, as has happened to the bishops in Thuringia, Meissen, the Mark (Brandenburg), Pomerania, Mecklenburg, and elsewhere.'<sup>111</sup>

mittelalterlichen Landesherrschaft', in K. G. A. Jeserich, H. Pohl, G.-C. von Unruh (eds.), *Deutsche Verwaltungsgeschichte, i. Vom Spätmittelalter bis zum Ende des Reiches* (Stuttgart, 1983), 66-143; and *Rechtsgrundlagen der Territorialgewalt: Landesobrigkeit, Herrschaftsrechte und Territorium in der Rechtswissenschaft der Neuzeit* (Forschungen zur deutschen Rechtsgeschichte, 11; Cologne/Vienna, 1975); A. Wolf, 'Die Gesetzgebung der entstehenden Territorialstaaten', in H. Coing (ed.), *Handbuch der Quellen und Literatur der neueren europäischen Privatrechtsgeschichte, i. Mittelalter (1100-1500): Die gelehrten Rechte und die Gesetzgebung* (Veröffentlichungen des Max-Planck-Instituts für europäische Rechtsgeschichte; Munich, 1973), 586-626; F. R. H. Du Boulay, 'Law Enforcement in medieval Germany', *History*, 63 (1978), 345-55; Cohn, *Rhine-Palatinate*, 202-46; T. Mayer, *Die Verwaltungsorganisationen Maximilians I.: Ihr Ursprung und ihre Bedeutung* (Forschungen zur inneren Geschichte Österreichs, 14, new edn.; Aalen, 1973); H.-S. Brather, 'Administrative Reforms in Electoral Saxony at the end of the Fifteenth Century', in G. Strauss (ed.), *Pre-Reformation Germany* (Stratum Series; London, 1972), 225-62.

<sup>111</sup> *Deutsche Reichstagsakten*, n.s., iii. (Gotha, 1901), 113. On military, tenurial, and other conditions relevant to the knights, see Strauss, *Manifestations*, 170-207; G. Franz, 'Von Ursprung und Brauchtum der Landsknechte', *Mitteilungen des Instituts für österreichische Geschichtsforschung*, 61 (1953), 79-98; V. Press, 'Adel, Reich und Reformation' in W. J. Mommsen (ed.), *Stadtbürgertum und Adel in der Reformation: Studien zur Sozialgeschichte der Reformation* (Veröffentlichungen des Deutschen Historischen Instituts London, 5; Stuttgart, 1979), 330-83; H. Wiesflecker, *Kaiser Maximilian I., v. Der Kaiser und seine Umwelt* (Munich, 1986), 54-9, 91-101, 545-62.