

Joachim Whaley. *Germany and the Holy Roman Empire: Volume I: Maximilian I to the Peace of Westphalia 1493-1648*. Oxford: Oxford University Press, 2012. xxi, 722 S. \$160.00 (cloth), ISBN 978-0-19-873101-6.

Joachim Whaley. *Germany and the Holy Roman Empire: Volume II: The Peace of Westphalia to the Dissolution of the Reich 1648-1806*. Oxford: Oxford University Press, 2012. xxiv, 747 S. \$160.00 (cloth), ISBN 978-0-19-969307-8.

Reviewed by Robert von Friedeburg
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Sammelrez: J. Whaley: Germany and the Holy Roman Empire

The about 1,500 pages of these massive two volumes provide a partly chronologically, partly structurally organized synthesis of the political and constitutional history of the primarily German speaking parts of the Holy Roman Empire during the Early Modern period. Where necessary and appropriate, structural chapters on the development of the different Christian confessions on German soil since the Reformation, on the history of education, the development of the territorial states and the Enlightenment are also covered. Social, economic or demographic history in the more narrow sense plays a less important role. Within these confines, Joachim Whaley has arguably written the major synthesis on its subject available in the English language for a very long time. His work, though different in emphasis and organisation, stands equal with the major German speaking syntheses today existing such as by Horst Rabe, Otmar von Aretin, Heinz Schilling, or Georg Schmidt. His detailed knowledge of the vast relevant research literature, in German or in any other language, on topics ranging from the later fifteenth to the early nineteenth century is breath-taking. As such, this work is a must-read for all students of Early Modern Germany unless they work on specific issues of social and demographic history.

The organisation of the two volumes follows mainly the chronological guide of high politics, but includes sev-

eral core chapters to assess the state of culture, religion, administration, the territorial states and other issues for certain longer periods. An overview of its contents will help to orientate the reader of this review.

Volume I begins with an opening structural chapter on Germany and the Holy Roman Empire around 1500, focussing on 'Origins and Frontiers', on 'The Reich as Polity', on 'Fragmented Territories' and on the relation of the Empire and the German Nation. For this last section, he primarily addresses the Humanist rhetoric on the German Nation, but insists that this rhetoric allows to identify a 'national dimension' of the politics of the Empire (p. 51). Chapter 2 deals with the 'Reform of the Reich and the Church' 1490–1519. Chapter 3 covers the politics of Charles V in Germany in particular vis-à-vis the Reformation. Chapter 4 follows the interdependence of politics and religion during the 1520s to 1550s. Chapter 5 covers Imperial politics until the outbreak of the Thirty Years War, but also treats 'Irenicism and Patriotism' on the eve of this war. Again, terms and concepts which one encounters in literary output produced for the extremely rich and diverse book-market of this roughly 20 million men polity are considered as evidence for the existence of a basic sense of national allegiance among Germans in general (pp. 472–3). Chapter 6 addresses the emerging German territories and government in the cities, chapter

7 the Thirty Years War. Whaley concludes with a strong affirmation of Georg Schmidt's claim of the Empire as the 'state' of Germans as 'compelling' because of common law courts and common fundamental laws (pp. 642–3).

The second volume's chapter 1 focusses on 'Reconstruction and Resurgence' during the second half of the seventeenth century; the next chapter describes the Empire under Joseph I and Charles VI; the third chapter focusses on German territories during the over hundred years between the end of the Thirty Years War and the 1760s. Here, a rich tapestry of social, economic, cultural and political history is brilliantly woven together. Chapter 4 addresses the politics and wars of the 1740s to 1792; chapter 5 the 'German Territories after c. 1760' and finally, chapter 6, 'War and Dissolution' between 1792 and 1806.

The main thread of Joachim Whaley's impressive survey is twofold. One, he stresses the fragility of German territories that never even in the slightest approached the consolidated nature of other European kingdoms. The true players in Germany appear to be the major dynasties. Second, he emphasizes the broad sphere of religion, culture, universities, books and so on that constituted a realm of communication that one might refer to as German, and that, to Whaley, did substantiate a German national community of at least the German parts of the Holy Roman Empire quite beyond the German Nation of princes.

Georg Schmidt is one of the main German authors consulted for this approach, and indeed, Schmidt's suggestion to understand state building in Germany during the early modern period not as a one-sided process of territorial state building – at the expense of a decaying Empire – but as a double edged process both at the Imperial and territorial level has many strengths. This reviewer finds those strengths rather for the sixteenth and only partly for the seventeenth or eighteenth century and certainly does not agree with Schmidt with regard to addressing the Empire as the 'state' of Germans. If such excellent books as Georg Schmidt's account of eighteenth century Germany and Joachim Whaley's brilliant and exhaustive synthesis argue in favour of some kind of German community and are willing to go so far to defend the term 'state' for that community, those critical to this approach, like this reviewer, need to think again.

This reviewer has been persuaded by Whaley that indeed the Empire may have survived the 1790s and early nineteenth century despite the increasing state of disintegration since the 1740s, the Bavarian Emperorship and

the establishment of Austrian-Prussian dualism with the Peace of Hubertusburg in 1763. On the epistemological issue whether that warrants addressing it as the 'state' of Germans this reviewer feels less certain. Other important political organisations, we need only to think of the European Union today, exist, continue to exist, and are yet not straightforward states in a meaningful sense. But since the term 'state' can have very different definitions and no one holds monopoly on any single 'right' one, the approach to the Empire in this regard can legitimately be varied. Given Whaley's own observation that the Empire cannot be compared with kingdoms like England, France or even the Spanish Crown (vol. I, p. 2), what does then the insistence to refer to it as 'state' brings us as insight?

Whaley does not discuss the arguments which Eckhard Müller-Mertens has recently put forward in an article on the strategic role of a number of key claims, among them the claim that the Empire was of the 'German Nation' in the struggle between Emperors and the papacy. Eckhard Müller-Mertens, *Römisches Reich im Besitz der Deutschen, der König an Stelle des Augustus. Recherche zu der Frage: seit wann wird das mittelalterlich-frühneuzeitliche Reich von den Zeitgenossen als römisch und deutsch begriffen?*, in: *Historische Zeitschrift* 282 (2006), pp. 1-58. The crucial social limitations of what 'German Nation' meant – i.e. principally the dynasties and corporations assembled at the Imperial Diet rather than a community of subjects able to act jointly within the framework provided by a common culture or even a common 'state' – is an issue the author only partly takes into account. Perceptions among the French nobility who saw themselves as part of a 'Frankish' nation were by no means socially inclusive either, but then in the case of France the argument in favour of addressing the kingdom as a political unit developing into a state can rest on the executive rights of the crown and its overriding importance as source of patronage for noblemen all over the kingdom. No doubt, the average English Essex yeomen, while defining himself as 'Essex man', would have had several and multiple political allegiances, but throughout the sixteenth century, and surely around 1600, he clearly understood that he was first and foremost a subject to the Crown of England. I do not see that something similar could be said for the Hessian peasants that this reviewer has studied, and who had a rather dim, if any, idea of Empire or Emperor. Robert von Friedeburg, *Ländliche Gesellschaft und Obrigkeit. Gemeindeprotest und politische Mobilisierung im 18. und 19. Jahrhundert*, Göttingen 1997.

These differences were perceived by contemporaries,

they were not inventions of nineteenth-century Prussian historians. These differences stemmed from differences in the nature of the realm of England in comparison to the Empire readily acknowledged by the author (vol. I, p. 2), but seen in less direct relation to the issue of Germany as national community as this reviewer would like to see them. Once Whaley wishes to refer to a German national culture in order to identify the unity of a German nation, the very selective nature of that culture must also be put into the picture. What was possibly much more inclusive were the emerging confessional cultures, but then again, they divided rather than united the Empire and supported the growth of confessional cultures for many of the emerging princely territorial states, promoted as 'fatherlands' by propaganda publications just as the Empire as a whole.

Indeed, from the 1650s and then in particular the 1740s onwards, this reviewer finds that Whaley's attempt to downplay the problems of addressing the Empire as 'state' has an increasing price. Whaley eschews to problematize in his good discussion of Seckendorff's *Deutscher Fürstenstaat* (vol. II, p. 195) that from the second part of the seventeenth century onwards, it were indeed the territories of princes that were addressed with a more recognizable sense of state. Whaley describes the Seven Years War as the third of the three Silesian wars and stresses that Britain and France soon chose not to engage in it anymore in Germany (vol. II, pp. 352-365, in particular 360). In fact, after the 1759 decisive British naval victories in North America both reinvigorated their attempts to capture or respectively defend Hanover right into summer 1762. Understandably, Whaley has to ask "What was the role of the Reich in all this?" (vol. II, p. 361). Similarly, in describing the 'reverberations' among German intellectuals to the French Revolution, he has to ask "What, if anything, did this have to do with the Reich?" (vol. II, p. 601). Whaley can point to the detrimental *effects on the Empire*, but it is difficult to see the *Empire as a player of its own* in these contexts. The way Prussia essentially made peace with revolutionary France in order to pursue its interest in Poland is duly described; Prussia's dealing and wheeling with France to capture Hanover during 1801 to 1806 less so. As Georg Schmidt does, Whaley cites German intellectuals claiming the existence of a German Nation in need of a state (p. 645), but his rhetorical questions – 'what does the Empire has to do with it' – would have been rarely possible for a historian describing the 1745 Jacobite invasion in England and then asking 'What had England to do with it?' For the British Crown, the king and parliament acting in unison and possessing the sinews of the British state, were

very much a player in their own right on their own soil. By 1800, crown – and country – militias reaching right down to the local level had become a mass phenomenon in England. Propaganda in favour of allegiance to the crown captured quite common people. Can that be said of the Westphalian or Bavarian or Hessian soldiers of the 1790s and early 1800s?

With respect to nation and state, we need terminology reflecting these fundamental differences among European polities. The fact remains that as the sinews of state commonly understood – taxes, soldiers, civil servants – had been shifting to the major German dynasties, and not to the Empire, and had been organized on the level of territorial states, the Empire as polity rested also for its partly very impressive defence endeavours (against the Ottomans and France) on the well-meaning of its citizens, to contemporary understanding not 'Germans', but the princes, in particular the major dynasties. It could thus, according to the dynamics of the ambitions of these major dynasties and according to the balance of power among them, be weak or strong from one moment to the next. The term 'polity' can well be used for such an entity, as Whaley does partly himself, but the term 'state'? In terms of European comparison, neither within the Polish-Lithuanian Commonwealth nor within the Dutch Republic princely territories with standing armies developed; the Swiss Confederation was, to contemporary legal scholars, not a single polity, but an uneven federation of polities, and was politically conceived, by the Dutch, as a Banana Republic that provided a model to 'cantonize' the Southern Netherlands in collaboration with France. To liken the legal-political structures of the Empire to Poland-Lithuania, to the Dutch Republic or to the Swiss Confederation (vol. I, p. 643) is not only technically problematic; in the case of the very negative image of the Swiss in the eyes of Dutch politicians it is not even serving the author's case.

On these points, however, legitimate disagreement remains possible. What is certain is that beside the accomplished syntheses of Georg Schmidt on sixteenth and eighteenth century Germany, there is now another excellent study supporting Schmidt's interpretation, and perhaps this reviewer will have to review his own epistemological assumptions about the meaning of 'state' as a consequence. The superior quality of Whaley's synthesis is beyond question. This is a master piece that demands close attention and respect. Given the strengths, but also the utter complexity of arguments on both sides, the book could also serve as a starting point for a new dialogue about both views on this issue.

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