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## Habsburg Rule in the German Southwest

At the beginning of the sixteenth century, the principle challenge facing the Habsburg dynasty in southwestern Germany was, in the words of Thomas A. Brady, Jr., to consolidate a system of lordship and clientage "solid enough and rich enough to serve as a basis from which to strengthen its power over the rest of the Empire". [1] But no alliance formed between Habsburg and the free cities and nobility of Swabia that was durable enough to withstand the religious and social upheavals of the 1520s, and with this failure *Vorderösterreich* rendered variously in English as "Outer", "Further", or "Hither" Austria gradually assumed the role of military outpost. Because its relation to processes of state formation was one of unfinished business and lost functions, the province was never more than a side-show in the nation-centered narratives of nineteenth-century German historiography. Even if it had been otherwise, the effects of Outer Austria's dismembering in 1805-6 would have hampered archival research: as Bernhard Theil explains, the dispersion and disorganization of Outer Austria's documentary record was extreme, with holdings scattered among archives in Vienna, Innsbruck, Stuttgart, Karlsruhe, Colmar and elsewhere. These factors in combination postponed scholarly interest in the province until after 1948, when it was en-

livened by debates surrounding the formation of a southwest German federal state. [2]

The present volume consists of twenty-two papers presented at an international colloquium held in Eendingen in November 1996. Its stated purpose is to update the findings of postwar scholarship in light of archival documentation re-organized and catalogued since the early 1980s. But as its title suggests, the volume's heuristic goal is to recast Outer Austria's position within the broader system of Habsburg rule. If there is a single thesis that unifies this disparate collection, it is that despite the transformation of Outer Austria's role in Habsburg's geopolitical designs, the province's political and administrative structures continued to develop at the intersection of three domains of interaction: between urban elites and the executors of Habsburg *Landvogtei*; between central authorities and its delegates in the lordships that made up the province; and in both of these cases, between Austria and Swabia as a regional network of clients and competitors.

The largest number of contributions addresses some aspect of Habsburg urban policy. As Martin Burkhardt observes, this oscillated between support for civic autonomies and meddling paternalism, depending on momentary power-political exigencies (p. 425). As long as Habsburg territorial lordship remained fragile and its motives pecuniary, the cardinal objectives of urban policy re-

mained to preserve the financial strength of Breisgau towns as sources of revenue and to suppress their freedom of independent political action. As a practical matter, therefore, the balance of local power between burghers and *Landvoegte* was decisive: in moments of ducal weakness, such as the imperial ban against Duke Friedrich IV in 1415, the Habsburg delegate was helpless to prevent alliance-making among the Breisgau cities.

Ducal interventions after 1450 increased the *Landvogt's* formal authority over civic appointments, but as Juergen Treffeisen shows in his overview of urban policy, this by no means ended Habsburg dependence on elected urban magistracies or put a halt to collective action among the towns. Instead, the consolidation of territorial rule redirected their collective action in a manner that pushed the province toward greater institutional consolidation: the formation of an urban curia in the provincial estates was the direct outgrowth of surreptitious alliance-making among the Breisgau towns after 1430.

For Claudius Sieber-Lehmann, these factors help explain why the Breisgau's burgher elites threw their lot with Austria: unable after decades of sporadic warfare to sustain the costs of self-defense, Outer Austrian patricians accepted Habsburg "protection" as the price of inclusion in territorial estates and the stability it promised. Sieber-Lehmann thinks that this contradicts Brady's argument about the attractions of "turning Swiss" (p. 280-281) but this is to confuse the geopolitical calculations of patricians with the communalist reveries of peasants and artisans.

According to Wendt Nassall, the price of subjection was not high. In his survey of judicial practice in Freiburg, Nassall demonstrates that practical departures from the Ulrich Zasius' civic code of 1520 were virtually unheard-of before the eighteenth century; indeed, the city's two civic tribunals acted with near complete autonomy until the *Constitutio Criminalis Theresiana* nullified the city's penal code in 1769. Thus the dividend of

Habsburg policy was three centuries of near-independence in internal affairs. In domestic affairs, Konstanz too retained its imperial privileges until 1748. At the opposite pole, of course, small towns were exposed to far greater interference from Habsburg representatives. But as Wolfgang Wuest contends in his study of Burgau's relations with its region and the Habsburg state, this familiar contrast requires qualification: the stability of small towns, too, depended on the integration of communal with territorial resources and personnel. Analyses of the Outer Austrian cities that focus exclusively on formal power structures will miss the full depth of symbiosis between town and crown.

Martin Burkhardt's study of Konstanz suggests a chronology that might be applied to towns throughout the province: first, a period of "active consolidation of Austrian territorial lordship (*Landesherrschaft*)" over the towns, lasting from the mid-fifteenth to the early seventeenth century; then a phase of "passive consolidation", in which the promotion of self-governance prevailed. From the standpoint of urban history, the centralizing and encapsulating administrative reforms of Maria Theresa constituted a deep caesura. Despite many continuities between them and the Josephine reforms, argues Alexander Klein in his study of poor relief, the greatest rupture came in 1780, when the goals of administration were finally reoriented away from paternalism and toward the security and order (pp. 452-453).

A second group of studies explores the modalities of territorial rule and the formation of an administrative elite in Outer Austria. As with urban policy, Habsburg governance was motivated by the often contradictory goals of effective rule and revenue-getting, which ensnared it in complex reciprocities with the patrician classes and inter-regional nobility of Swabia. If Dieter Speck is right about the origins of Freiburg university, this was in part the outcome of trial and error: according

to his lengthy contribution, the university was of a plan by Duke Albrecht VI, the only Habsburg prince to establish a court in Freiburg (1440-1458), to revive the Duchy of Swabia on the basis of territorial rule with the Breisgau at its core. The project failed for lack of funds and political support, and resulting vacuum helps explain the province's loose organization and the relative autonomy its constituent estates enjoyed.

The institution of pledge lordship (*Pfandherrschaft*) epitomizes the entanglements that Habsburg penury generated, and Georg Wieland's contribution on the personnel of the Swabian *Landvogtei* exposes the full depth of their complexity. It is customary to view pledge-lordship as incompatible with the consolidation of territorial rule, but as Hillay Zmora recently argued and these studies confirm, *Pfandherrschaft* offered princes an effective means of drawing nobles into closer association with their territories [3]. So did debt: in his study of factionalization among the fifteenth-century Swabian aristocracy, Markus Bittmann argues among other things that debt effectively increased the dependence of noble creditors (pp. 75-88). But such reciprocities, he argues, produced no predicable diplomatic or military alignments in the fluid political environment of the mid-fifteenth century.

Of course, office-holding drew nobles and patricians into the Austrian orbit: as Heinz Noflatscher argues in his observations on social mobility between Swabia and Austria, it ranked first among the motives for change of residence during the late fifteenth and early sixteenth centuries (pp. 321-340). But service to Habsburg did not eliminate other obligations or bases of prestige. In his careful study of the fifteenth-century Outer Austrian *Landvoegte*, for example, Rolf Koehn finds salaried noble functionaries and an early case of bureaucratization, but also tensions between such subordination the elevated status this office conferred (pp. 153-198). As these studies reveal, tendrils of Habsburg clientage extend-

ed far beyond provincial boundaries long after the sixteenth-century dream of a "Western Austria" was lost.

In what sense, then, can one speak of the formation of a provincial administrative elite? Here the most striking distinction is that between patterns of recruitment for Habsburg officers among nobles and non-nobles. While the Swabian nobility continued to supply top-ranking personnel throughout the period, Wieland's prosopography shows that non-noble functionaries were recruited increasingly from territorial subject populations, especially in Habsburg cities between Tirol and the Rhine; imperial cities constituted at best a secondary recruiting field. This encouraged the formation of non-noble service dynasties, such as the Schmidlin families studied by Peter Johannes Weber, who over the course of three centuries traded education and kin ties against office and promotion. But their example is equivocal: if their careers initially played out within provincial bounds, the eighteenth-century Schmidlins served in every corner of the realm. If anything, their lineage argues against the "marginality" of Outer Austria and describes its gradual integration within the Habsburg system. It also confirms Wolfgang Zorn's characterization of Outer Austria as little more than a jumping board for ambitious functionaries. [4]

All these findings converge on the question of political identities. As Dieter Mertens shows in his analysis of discourses on regional consciousness (*Landesbewusstsein*), Humanist constructions of German nationhood were often grounded in Upper Rhenish autostereotypes and mytho-historical narratives that in turn reflected the situation of a regional aristocracy navigating between a distant prince and difficult Swiss neighbors (pp. 208-210). But it would be rash to speak of a well-developed regional, let alone provincial consciousness among fifteenth-century elites; the interests this discourse reflected were simply too diverse. Ironically, these studies suggest that strongest impetus

toward a regionally-defined identification with Austria arose in social responses to the vulnerabilities of Habsburg rule. As Martin Zuern shows in his superb overview of rural resistance movements, pledge lordship enabled peasants to forge potent links between communal grievances and Habsburg patriotism. In lordships subject to direct rule, by contrast, institutions of judicial appeal effectively diffused social tensions before violence erupted.

Angelika Westermann reaches a similar finding in her study of mining administration, that the exercise of regalian rights drew the distant Austrian monarch more powerfully into the everyday lives and consciousness of villagers and townsfolk in Outer Austria's mining districts than elsewhere. Throughout the province, argues Zuern, the slogans of rebellion concealed the cold interest politics of kin and clientage. Still, these phenomena attest to the ongoing vitality of corporatist consciousness in Outer Austrian villages and show that where territorial rule was weak, peasants continued to fuse communalist reveries with an instrumental Habsburg "monarchism" well into the seventeenth century.

The shortcomings of this volume stem for the most part from a narrow understanding of the political as a set of institutional transactions among urban or territorial corporations and from a preoccupation with the sources of social stability. The socio-economic bases of politics get short shrift: with the exceptions of Zuern, Sieber-Lehmann, and Bittmann, few of these studies take seriously questions of social conflict or examine the practical exercise of power. Gender as a category of historical analysis is entirely absent. Similarly, the matter of Outer Austria's evolving location within economic and commercial networks is addressed in depth only by Westermann. None of this is to suggest that the collection ought to be something other than what it is: the point is rather that economic and commercial regulation, not to mention social conflict, were integral to many of the inter-

actions and regional identities that are at issue in these studies. [5] Peter Steuer's useful survey of information contained in the many repositories of Outer Austria's administrative records suggests the full range of social and economic relations and policies that defined Habsburg's position in the German southwest.

#### Notes

[1]. Thomas A. Brady, Jr., "The Common Man and the Lost Austria in the West", in E.I. Kouri and Tom Scott, eds., *Politics and Society in Reformation Europe: Essays for Sir Geoffrey Elton on his 65th Birthday* (London: Macmillan, 1987) pp. 142-157.

[2] Friedrich Metz, ed., *Vorderoesterreich: Eine geschichtliche Landeskunde* (Freiburg: Rombach, 1959; 2nd rev. ed. 1977); Hans Maier and Volker Press, eds., *Vorderoesterreich in der Fruehen Neuzeit* (Sigmaringen: Jan Thorbecke, 1989). These volumes contain the results of scholarly conferences held in 1955 and 1981, respectively.

[3] Hillay Zmora, "Princes and Nobles in Late Medieval Germany", *Past and Present* 153 (1996) pp. 37-63.

[4] Wolfgang Zorn, "Vorderoesterreich als Karrieresprungbrett: Beobachtungen zur Sozialgeschichte des Beamtentums", in Maier and Press, eds., *Vorderoesterreich in der Fruehen Neuzeit*, pp. 43-56.

[5] See Tom Scott, *Freiburg and the Breisgau: Town-Country Relations in the Age of Reformation and Peasants' War* (Oxford: Clarendon Press, 1986); and his *Regional Identity and Economic Change: The Upper Rhine 1450-1600* (Oxford: Clarendon Press, 1997).

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