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THE FEUD IN EARLY MODERN GERMANY

The practice of feuding amongst noblemen and princes represented a substantial threat to law and order, yet it was widely accepted and deeply embedded in late medieval and early modern German society. Hillay Zmora offers a new interpretation of this violent social practice, which has long confounded historians and social scientists. His ground-breaking study explains feud violence in its social context, demonstrating that, paradoxically, nobles feuded mostly not against strangers but with neighbours, relatives and their feudal lords. Focusing on the ambivalent relationships and symbolic communication between nobles, this study explores how values, norms and moral sentiments linked to reciprocity provided the most powerful incentives to engage in violent conflict. It will be essential reading for historians, anthropologists, psychologists and anyone who seeks to understand the link between culture, moral systems and endemic violence.

HILLAY ZMORA is Professor of Early Modern History at Ben-Gurion University, Israel. His previous publications include *Monarchy, Aristocracy, and the State in Europe, 1300–1800* (2001).

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Preface

Can the minor brutalities of a small-time sixteenth-century squire give rise to a modern masterpiece? An author must be audacious to state that he stakes his entire genius on a feuding nobleman from Franconia. But that is precisely what Goethe claimed when he was writing *Götz von Berlichingen with the Iron Hand*, the play which established his reputation. Goethe, a lawyer by training, did not look down on the feuds of his hero as an expression of a barbarous age before the advance of the modern state guaranteed the civilising benefits of domestic peace and justice. For him the feud was not the law of the jungle, the quintessential image of haughty, aristocratic unruliness which it would become for later generations. On the contrary, perhaps: Goethe was evidently influenced by the view of Justus Möser, whom he read on Herder's advice, that the new world of centralised states robbed Germans of some natural rights and stifled the independent spirit which their forefathers had displayed in and through their feuds.

Every age creates its own vision of the feud – a window onto the past that doubles as a mirror in which it observes its own reflection(s). This is perhaps especially true of our age, even though the feud is now predominantly the subject of academic dissection rather than literary imagination. Since the 1930s the feud has become an ideologically contested theme, but the present struggle over its 'correct' understanding is probably fiercer than ever. Recent years have seen a succession of major studies and interpretations of the feud. Few of these works are not directly inspired by contemporary social and political concerns. Yet a second salient – and ostensibly conflicting – aspect of these works is that, whatever their underlying motivations, they have produced major gains in our factual knowledge of the feud as well as greater theoretical sophistication in its explication. The overall effect has been to change the study of feuds beyond recognition in a remarkably short time. Historians now understand the feud in wholly new ways.

It is this profound change in what has become an exceptionally fertile field of research which led me to revisit the subject, having already written one book about feuding in early modern Germany. This is not a revision of an earlier work, still less a defence of it against its critics. While the present

book naturally builds on some parts of the previous one, it is based on a new set of empirical observations and offers a new interpretation.

The key finding of the previous book was that most feuding nobles were well-to-do men who held top positions in the territorial administration of the German principalities. This refuted the then prevalent assumption that the nobility was in the grips of an economic and social crisis and that nobles, under the legal cloak of the feud, took to banditry because they fell on hard times. Taking as a point of departure the intense rivalries set off by the process of territorial and juridical consolidation in late medieval Germany, my earlier book explained the feud as a practice manipulated by both princes and nobles, caught up in a competition for material resources and political power. It concluded that far from being a hindrance to princely state-building in Germany, the feud served as one of the chief strategies for furthering it. State-building was not simply a background against which to account for the noble feud. In fact, the overriding aim of that study was not so much to explain this kind of violent behaviour as to explore the process of state formation in the historiographically unfamiliar setting of a politically most incoherent zone: Franconia.

By contrast, the present volume aims primarily at explaining the feud *per se*, as a form of human behaviour. It follows necessarily that the questions it puts to the sources are fundamentally different, as are the methods it employs and the explanations it proposes. It seeks especially to explain why, in contradistinction to war and contrary to what one might expect, feud violence was eminently an in-group phenomenon; why nobles tended to feud against their neighbours, relatives and feudal lords, despite the ties that bound them and the obvious costs of attacking one's potentially closest allies. Thus, whereas my earlier book focused on the relationship between nobles and princes in the context of state formation, the present one centres on the social, institutional and economic constraints that shaped relationships and communication among nobles. It interprets the feud in terms of the preferences, norms and moral sentiments that shaped noble culture into an uncanny composite of conflict and cooperation.

Fortune is a woman, asserted Machiavelli, and I would certainly concur, without necessarily accepting the menacing connotation of his expression. Discussions with Sheilagh Ogilvie provided in large measure the initial impetus to revert to the subject of the feud. Sheilagh also read the chapters

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in different stages of their evolution and offered her keen criticisms in a marvellously gracious manner that made them not just invaluablely helpful but positively pleasing to digest. Ilana Krausman Ben-Amos's wise counsel was instrumental in bringing me to embark on writing this book and equally important in bringing the writing to a conclusion. Yulia Ustinova showed sympathy for the travails of reconciling academic duties with preparing a manuscript, and her practical support facilitated the progress of my work.

One of the joys of writing the present book was the contact into which it brought me with other scholars. I can report with some astonishment that everywhere I turned I encountered kindness and a generous spirit of cooperation. Indispensable comments, reflections and help in other ways were offered by Kurt Andermann, Scott Dixon, Sven Rabeler, Ulinka Rublack, Joachim Schneider, Tom Scott and Thomas Winkelbauer. It is with pleasure that I record the assistance I received from the German archivists who gladly responded to my queries and searched for the documents I needed: Ingrid Heeg-Engelhart, Johann Pörnbacher, Gerhard Rechter, Klaus Rupprecht and Werner Wagenhöfer.

Some of the ideas contained in the book were tested on conference participants, whose questions and criticisms thankfully made me rethink my arguments. I am grateful to the organisers of these conferences for giving me the opportunity to present my research and for the warm welcome: Jeppe Büchert Netterstrøm and Bjørn Poulsen; Maria Pia Paoli and Paolo Broggio; Christine Reinle, Michael Rothmann and Julia Eulenstein; Jörn Leonhard and Christian Wieland; Antheun Janse and Peter Hoppenbrouwers; and Joachim Schneider.

Finally, my greatest debt is to my family. Yaël, my companion on a journey that began long ago, always kept me on the straight path. Her wisdom, integrity and vision of the good life served as a constant source of inspiration. I dedicate the book to the other woman in my life, my mother Zohara, in memory of my father.

Abbreviations

<i>AO</i>	<i>Archiv des Historischen Vereins für Oberfranken</i>
<i>AU</i>	<i>Archiv des Historischen Vereins von Unterfranken und Aschaffenburg</i>
Bb	Reichsstadt Nürnberg: Briefbücher des Inneren Rates
BPH	Brandenburg-Preußisches Hausarchiv
Fstm.Ansb.	Fürstentum Ansbach
GNM	Bibliothek des Germanischen Nationalmuseums, Nürnberg
GStAB	Geheimes Staatsarchiv Preußischer Kulturbesitz, Berlin
<i>HZ</i>	<i>Historische Zeitschrift</i>
<i>JffL</i>	<i>Jahrbuch für fränkische Landesforschung</i>
Ldf	Libri diversarum formarum
StAA	Staatsarchiv Amberg
StAB	Staatsarchiv Bamberg
StAN	Staatsarchiv Nürnberg
StAW	Staatsarchiv Würzburg
Stb	Standbücher
<i>ZHF</i>	<i>Zeitschrift für Historische Forschung</i>