



Alterity and Self-Understanding: Inclusion and Exclusion Strategies of Southern German Estates in the Fourteenth and Fifteenth Centuries

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This article analyses diversification strategies in the politics of Sigismund I as king and emperor. Three examples (Swabia, Bavaria, and Tyrol) show different aspects of this diversity. In Swabia, Sigismund attempted to mediate alliances between the knightly societies and the city federations in order to create a counterweight to the imperial princes. In Bavaria, he privileged the knighthood and thus created a dynamic that led to the formation of the land estates with their own identity. Sigismund also supported rebellious nobles in Tyrol against their prince. All interventions can be better contextualised against the backdrop of his imperial policy. At first glance, he was not successful anywhere, but the imperial privileges he granted had an impact on the conflicts between the knighthood/nobility and princes in the fifteenth century and thus diversified late medieval constitutional practice.

Keywords: nobility, empire, constitution, knighthood, Swabia, Bavaria, Tyrol, estates

When King Sigismund was in Nuremberg in September 1422, he had difficult months behind him which had born witness to his coronation as king of Bohemia, victories and defeats against the Hussites, and a hasty flight. Furthermore, he was not in Nuremberg entirely voluntarily, for after he himself had let an invitation to a possible court day in Regensburg lapse, the electors had summoned him to appear in Nuremberg on July 15, 1422.¹ Historian Sabine Wefers speaks of the self-organisation of the empire.² Sigismund arrived on July 26 and tried to make the day called by the electors his own after all.³

On September 13, 1422, the Sunday before the Exaltation of the Holy Cross, he allowed the knighthood in the empire (it remains unclear whether at this point he was only addressing the estate of imperial knights, which was

1 RTA 8, 111. Many of the following source quotations are taken from the edition of the Reichstagakten (RTA), to this: Wolgast, “Deutsche Reichstagsakten.” On court days, imperial days, diets, and their distinction, see Hardy, “Tage,” and Annas, *Hoflag – Gemeiner Tag – Reichstag*.

2 “Selbstorganisation des Reichs.” Wefers, *Das politische System*, 93.

3 An overview is provided by Wefers, *Das politische System*, 81–110.

also not yet clearly definable) to unite for the protection of their rights and to admit imperial cities to their union. In the corresponding charter, at least one of which is preserved in the original in Munich, the king emphasises his concern for safeguarding the rights of the knighthood of his realm.⁴ His aim was for the nobility to be happy and blessed.⁵ Sigismund had to intervene, as he had heard that the knighthood in Germany was suffering much coercion and that many of its rights were being challenged.⁶ This is followed in the corresponding charter by the cities, to which he grants the full right to join the associations of the nobility.⁷ For himself and all his successors, Sigismund confirmed the right of association for the knighthood and cities in his realm.

The charter from September 13, 1422 has so far received attention as King Sigismund's "privilege," especially in research on the Swabian nobility. Hermann Mau even regarded it as the "Magna Carta der deutschen Reichsritterschaft."⁸ The aim of this royal privileging of Sigismund was, in my view, to diversify the political constellations of actors in the Holy Roman Empire so that Sigismund himself would be able to intervene as the ordering head of this empire and thus to create counterweights to the Electoral College. Sigismund's approach can be seen as innovative against the backdrop of his father's legislation (the Golden Bull) and the denigration by towns and princes of previous associations of lesser nobles as "evil societies" (*böse Gesellschaften*, e.g. in the early 1380s).

If we understand diversity as a system of differentiations⁹ that could be developed and asserted in different ways depending on historical constellations, this can be seen as Sigismund's attempt to create diversity in order to secure and expand his rule. In the following, I will examine how realistic this attempt proved. I draw on three concrete examples: the Swabian noble alliances, the estates of the Duchy of Bavaria, and rebellious nobles in the County of Tyrol. I conclude with an admittedly incomplete attempt to assess the exemplary results to Sigismund's

4 Sigismund expresses his concern, "damit der adl bestet ist, also versorgt werde das er bestee und nicht zerrutte noch zerstort oder also gedrungen sey an seinen rechten." Sigismund – RI XI, 1 no. 5246.

5 Sigismund continues: "bey unsern zeiten an seinem wesen glücklich und seliglich beleibe." Sigismund – RI XI,1 no. 5246.

6 Sigismund describes the situation of the knighthood: "wann wir wol vernomen haben, das die ritterschaft in teutschen land viel zwang leidet und vast gedrungen wirdet an iren rechten von etlichen." Sigismund – RI XI,1 no. 5246.

7 Sigismund addresses the cities: "Darumb mit wolbedachten muet, guetn rate und rechter wissen geben wir volle macht und gewalt, und das sy auch unsere und des reichs stete in densel-ben punt wol nehmen mögen, die sich zu in wolten verpinden." Sigismund – RI XI,1 no. 5246.

8 Mau, *Rittergesellschaften*, 59.

9 "System von Differenzierungen." Florian et al., "Diversity," 11.

imperial policy and his understanding of rule. A quick glance at the secondary literature suffices to show that the relationship between King and Emperor Sigismund to the non-princely nobles has hardly been studied. Historians have tended focus on his relations with the princes of the Holy Roman Empire and the political actors who enjoyed “imperial immediacy” (*reichsunmittelbar*).¹⁰ From a broader perspective, the preliminary findings of this paper can further a more nuanced understanding of the associative political culture of the late medieval empire, as recently emphasised by Duncan Hardy, for example:¹¹ “The Empire therefore consisted of a shifting kaleidoscope of intertwined jurisdictions and networks.”¹² The functioning of these networks within the empire in its parallel and mutually overlapping constitutional structures and constellations, especially below the level of the imperial princes, has not yet been sufficiently studied.¹³ In this article, I attempt to do this from the perspective of diversity.

The Swabian Noble Alliances

On April 25, 1413, the regional Swabian knightly confederations under the banner of St. George concluded the Bund der Gemeinen Gesellschaft, the so-called Jörgenbund.¹⁴ A few days later, 19 imperial cities entered a union among themselves with a protective relationship with Count Palatine Ludwig and Count Eberhard of Württemberg.¹⁵ More than a year later, at Christmas 1414, Sigismund came to the empire as the elected Roman king. At this time, he could only rely on the support of the electors to a limited extent. Accordingly, Sigismund quickly sought to harness the political potential of the lower nobility and the cities. He built on the origins of the Society of St. George’s Shield in the suppression of the Appenzell rural communes and the League above the Lake

10 Wefers, *Das politische System*, and Wefers, *Primat der Außenpolitik*, with her strong focus on foreign policy, almost does not address the political issues below the imperial level, which paints Sigismund’s picture too strongly in one direction.

11 Hardy, *Associative Political Culture*, passim.

12 Hardy, “The Emperors of Sigismund,” 293. Other works dealing with Sigismund’s ruling practices include *Sigismund von Luxemburg*, edited by Macek et al., *Kaiser Sigismund*, edited by Hruza and Kaar, and Whelan, “Dances, dragons and a pagan queen.”

13 While the question of an imperial constitution (*Reichsverfassung*) has been raised again and again, its connection with the constitutional structures of the territories is not clear. Still central to this discussion is Moraw, *Von offener Verfassung zu gestalteter Verdichtung*, passim.

14 Mau, *Rittergesellschaften*, 12–35. Cfr. to the internal constitution of society Obenaus, *Recht und Verfassung der Gesellschaften mit dem St. Jörgenschild*.

15 Cfr. Florian, *Graf Eberhard der Milde*, 77–92, especially 81.

in 1407–1408, which surely played a major role in making the Society and other associations of lesser nobles potential partners of kings and emperors.¹⁶ At the Diet of Constance in February 1415, Sigismund reminded the city delegates of the great city alliances of the fourteenth century, and he explained to them that the princes were increasing their rights at the expense of the empire, while the empire only had the cities to support it. However, his attempts at motivation were unsuccessful. The cities refused to accept the royal alliance policy proposed.¹⁷

All the more surprising is the reason Sigismund gives in his Nuremberg charter of September 13, 1422 for not only allowing an alliance between the nobility and the cities but even having called for it. In the charter, he states that all the cities represented in Nuremberg had a great desire to achieve unity and friendship among themselves.¹⁸ He, the king, could therefore only welcome the fact that the cities stuck together when the princes joined forces.¹⁹ However, it is doubtful whether Sigismund acted as reactively as scholars have often believed him to have done. Rather, the charter should be understood merely as a rhetorical attempt to realise a project that had been running since 1414 at the latest, albeit unsuccessfully in this case as well.

This corresponds to an assumption expressed by Heinz Angermeier that it was not the intention of the imperial cities to engage in a new imperial policy. Rather, it was the king who based on his Hungarian experiences, believed that he could also only develop a monarchical policy in Germany with the help of the cities.²⁰ After Sigismund's initial conflicts with the Hungarian estates, he was able to come to terms with them in the following years. The model for his attempts to establish city alliances in the empire was certainly the great city privileges of the Hungarian diet of 1405. He probably assumed that this would also enable him to govern successfully in the empire.

16 The origins are reconstructed by Carl, "Vom Appenzellerkrieg zum Schwäbischen Bund."

17 Mau, *Rittergesellschaften*, 51.

18 Sigismund emphasises with regard to the cities: "daz alle die stette die nun zu ziten allhie zu Nurenberg sint eine große begirde hant daz die stette eine einunge und eine fruntschaft mit enander hettent." RTA 8, 127, 136, line 11f. See also Hoensch, *Kaiser Sigismund*, 263 with reference to the Reichstagsakten.

19 Sigismund continues with regard to the princes and cities: "sich die stette zusammen hieltent, wen die fursten eines werent." RTA 8, 131, 142, line 33f.

20 "Nicht die Intentionen der Reichsstädte waren mithin auf ein neues reichspolitisches Engagement ausgerichtet, vielmehr war es der König, der aus seinen ungarischen Erfahrungen heraus glaubte, auch in Deutschland eine monarchische Politik nur mit Hilfe der Städte entfalten zu können." Angermeier, *Königtum*, 53.

This attempt to encourage and favour alliances of the lower nobility, the knighthood, and the cities was supplemented by a clear policy of prohibition, which can be seen as two sides of the same coin. For example, Sigismund forbade the Elector of Mainz and the Rhenish imperial cities of Mainz, Worms, and Speyer to form alliances, with a clear justification addressed to the Elector of Mainz: Since Emperor Charles IV had forbidden such association, he too, Sigismund, thought it was forbidden. He therefore did not want the Elector to approach the aforementioned cities. Instead, he should show consideration for the king and the Empire. In this case, Sigismund clearly argued with the prohibition of alliances formulated in the Golden Bull,²¹ which the king knew how to interpret differently for himself than for the imperial princes: an alliance could only be established with the knowledge and will of the imperial power. Sigismund wanted to secure a monopoly on it, so to speak.²² Mark Whelan has identified several factors of the communication between the Princely Abbey of Ellwangen and Sigismund's court which can probably be cited as an additional difficulty in achieving this goal: "the obstacles associated with traversing the vast Luxembourg realms and the costs involved in treating with an often distant sovereign."²³ As Whelan points out, this did not mean that these problems diminished Sigismund's "significance to contemporaries,"²⁴ but they perhaps did make some of his policies more difficult to implement in practice.

Nevertheless, some of the electors also tried to apply Sigismund's strategy and organise alliances under their leadership. However, the cities and the St. Jörgen Society refused such electoral association plans at the end of 1427. In May of the following year, the electors again tried to establish such an alliance under their aegis, but we know of no reaction to their efforts.²⁵

At the Diet of Pressburg in 1429, Sigismund himself again called on the cities and knights in the Roman-German Empire to form an alliance, but again

21 The Golden Bull is published: *Die Goldene Bulle Kaiser Karls IV. vom Jahre 1356*, edited by Wolfgang, MGH Leges 8 (Weimar: Böhlau, 1972), 11. According to Capitulum XV *De conspiratoribus* of the Golden Bull (p. 70f), which was similarly contained in Friedrich Barbarossa's Roncal Peace of 1158, connections between lords and cities were forbidden. Sigismund thus certainly contributed in the long term to a weakening of the normative dimension of the Golden Bull on this point.

22 Angermeier, *Reichsreform*, 360, sees this as the transition from a policy of association to a policy of alliances.

23 Whelan, "Dealing," 342. Also Whelan, "Taxes, Wagenburgs and a Nightingale," with a focus on the Hussite Wars.

24 Whelan, "Dealing," 342.

25 Cfr. Angermeier, *Reichsreform*, 350–60.

without any discernible result.²⁶ Here too, the situation in Swabia nevertheless served as a model illustrating the merits of his argumentation. He sent the knight Konrad von Flörsheim to the knighthood in the Gau and Westerrreich, west of the Vogesen, who was to call on them to unite in the name of the king. They need only examine and recognize the benefits such an association, which Sigismund had helped them to achieve, had brought to the Knighthood of Jörgenschild.²⁷ Hermann Mau saw this as Sigismund's ultimately failed attempt to create a "new basis of power"²⁸ for himself and the empire.

So what remains of the intended diversification? Probably more than contemporaries were aware of. In his work on the Schwäbische Bund, the Swabian Confederation, Horst Carl describes the period under Sigismund as an important phase in the cooperative socialisation of the nobility in the German southwest.²⁹ However, the privilege of 1422 by no means belongs only to the prehistory of the Swabian imperial knighthood, because the hypothesis that Sigismund only addressed knights and towns that were impartial to the empire is not persuasive, as the following example clearly illustrates.³⁰

The Land Estates in the Duchy of Bavaria

The Bavarian estates (*Landstände* or *Landschaft*) existed in 1422 in the four partial duchies that had been created in the late fourteenth century after the death of Emperor Ludwig IV under his sons and grandsons.³¹ There they formed their own political entities without giving up the idea of an existing Duchy of Bavaria.³² Whether they were the addressees of Sigismund's Nuremberg charter is difficult to say, but probably not. Nevertheless, the Bavarian estates took this royal charter very much for granted and included it as the thirtieth letter of freedom in their collection of rights and privileges created in 1508.³³

It was obviously easy for them to integrate this royal document into their perception of themselves and their status, because this right of the nobility and

26 Cf. Mau, *Rittergesellschaften*, 82.

27 Cf. Mau, *Rittergesellschaften*, 58f.

28 "Neue Machtgrundlage." Mau, *Rittergesellschaften*, 36.

29 Phase of "genossenschaftlichen Vergesellschaftung des Adels." Horst, *Schwäbischer Bund*, 100.

30 Mau, *Rittergesellschaften*, 49, Anm. 148.

31 Holzapfl, "Bayerische Teilungen."

32 Lanzinner, "Landstände."

33 The Letters of Freedom have been published, but only in an older edition. I am preparing a modern historical-critical edition: Lerchenfeld and Rockinger, *Die altpäuerlichen landständischen Freibriefe*, here no. 30, 74f.

the knighthood to unite with the towns had long been a reality in the Duchy of Bavaria. The institutionalised inclusion mechanisms, which we know as the right of the nobility to unite, were at the same time countered, however, by equally (and I would say causally) necessary exclusion mechanisms, which first and foremost slowly contoured the group that wanted and was supposed to unite. These exclusion mechanisms were also strongly developed in the Duchy of Bavaria at the beginning of the fifteenth century.³⁴

The treatment of guests (*Gäste*), i.e. of foreigners, or non-Bavarians in this specific case, was regularly a topic of discussion, as was their role in the ducal administration, the council bodies, and the affiliation with the *Landschaft*.

The three Bavarian dukes Stefan, Friedrich, and Johann had to make several concessions to the nobility at a Diet in Munich in 1392: For themselves and their descendants, they promised not to issue any charter to guests, i.e. foreigners, which could call into question the rights of the “land und leut,”³⁵ a term that the estates liked to use, in Bavaria. If they did, these documents would be pronounced invalid. Likewise, the dukes vowed for both Upper and Lower Bavaria that they would not take guests into consideration when appointing councilors (*Räte*), guardians (*Pfleger*), and other court offices, and that they would not appoint anyone who did not come from Bavaria, i.e. that they would only take Bavarian compatriots into their service.³⁶ As a reaction to this, on the same day the “graven, freien, dinstleut, ritter und knecht, stet und mergkt gemainglich wie die genant sein die zu den landen obern und nidern Bairn gehörent,”³⁷ so counts and nobility, towns and markets in Upper and Lower Bavaria declared

34 There are as yet no monographs on the Bavarian estates in the Middle Ages. First overviews can be found in Carsten, *Princes and Parliaments*, 348–57; Lieberich, *Landherren und Landleute*; and Volkert, “Entstehung der Landstände in Bayern.”

35 Lerchenfeld and Rockinger, *Die altpäuerlichen landständischen Freibriefe*, no. 13, 30–33, 31.

36 “Auch ist ze wissen, das wir und unser erben und nachkomen kainen gast noch yeman anders kainerlay brief umb pfantung und angriff unserer egenanten land und leut nit geben sollen, als sy des von unsern vordern und von uns auch brief habent. Teten wir es daruber, oder ob wir vor sölich brief icht gegeben hieten, die sollen unsern egenanten landen und leuten unschedlich sein. Und wie sy sich sölicher angriff und pfantung werent, daran thunt sy nicht wider uns noch unser erben in kain weiss.” Lerchenfeld and Rockinger, *Die altpäuerlichen landständischen Freibriefe*, no. 13, 30–33, 31f. The charter continues: “Auch bekennen wir, das wir unsern landen und leuten zu obern und zu nidern Bairn die genad getan haben, das wir und unser erben nu fürbas zu unsern räten, pflegern und allen andern amben wie die genant sind in denselben landen kainen gast nicht nehmen noch setzen sollen, der zu unsern landen obern und nidern Bairn nicht gehöret.” Lerchenfeld and Rockinger, *Die altpäuerlichen landständischen Freibriefe*, no. 13, 30–33, 32.

37 Lerchenfeld and Rockinger, *Die altpäuerlichen landständischen Freibriefe*, no. 13, 30–33, 33.

that they wanted to unite, also to resist, but in a way that the dukes should always remain with the rule in Bavaria, for the unity of the country, one could well say.

The two charters of the Tuesday before St. Catherine's Day 1392, one issued and sealed by the princes (*Landesfürsten*) and one issued and sealed by the estates, reflect the reciprocal relationship. The assurance of exclusivity necessarily went hand in hand with the right to exclusivity for a privileged group. The following year, Duke Johann and Duke Ernst of Bavaria-Munich promised at a diet in Munich that they would only staff their council as well as their castles and fortresses with locals.³⁸ This exclusion was also linked to inclusion, for in the same charter, the two dukes granted the counts, knights and nobles, the towns and markets, or in other words, the "land und leute" of their partial duchy, the right to assemble at any time as soon as necessary.³⁹ On the eve of the Nativity of the Virgin Mary in 1396, the dukes Stefan and Johann confirmed in Munich that they would only fill their council positions and all offices with persons who had been born in Bavaria or who were residents there, i.e. who had landed property and thus belong to the "land."⁴⁰

At this point, one could mention numerous other letters of alliances, privileges, and their confirmations which were written with particular frequency around 1400. They all move within the range of exclusivity and inclusivity that has been described, and it is only by thinking about them together that we can understand the diversity of political actors and structures. If we think further about Patrick Lantschner's observation for the late Middle Ages that "the logic of conflict is the logic of political order itself,"⁴¹ the dynamic between inclusion and exclusion can also be interpreted not only as a conflict between prince and

38 "Wir sullen auch ainen rat alzeit setzen und nehmen nach rate ritter und knecht und unser stet, und sullen auch all unser vesten, schloss und pfleg besetzen mit landherren und landleutn die zu dem land obern und nidern Bairn gehoren und die darin gesessen sind." Lerchenfeld and Rockinger, *Die altbayerischen landständischen Freibriefe*, no. 16, 36–38, 37.

39 "Es mögen auch unser vorgehent graven und freien, dinstleut, ritter und knecht, stet und mergkt, land und leut wol tag suechen und zu ainander komen her gen München oder anderswo, als oft in das not beschicht, und zue in aus dem land pitten wen sy verstant der darzue nutz und guet sey, und da mit ainander reden der herschaft des landes und ir notturft." Lerchenfeld and Rockinger, *Die altbayerischen landständischen Freibriefe*, no. 16, 36–38, 37.

40 "Wir sollen und wollen auch fürbas kainen unsern rat, noch kain unser gericht, pfleg noch ambt besetzen noch entpfelhen mit kainem gast, dann alain mit leuten die zu den landen Bairn gehören und darinne gesessen sind." Lerchenfeld and Rockinger, *Die altbayerischen landständischen Freibriefe*, no. 20, p. 43–47, 46.

41 Lantschner, *The Logic of Political Conflict*, 207.

estates, but as a principle of political order, as Christina Lutter also points out for Vienna.⁴²

The question of exclusivity is by no means confined to Bavaria, especially on Sigismund's side, but is also encountered in the monarch's immediate environment. The question of the national composition of his council became particularly intense after the death of his chancellor Georg von Passau in early August 1423. The number of Hungarian magnates, for example, in the witness lists and the strong participation of Italian scholars of jurisprudence were repeatedly criticised in the empire, but so was the prominent role of some members of the Swabian noble alliances in Sigismund's close environment.⁴³

In addition, Sigismund's efforts concerning the "Landfrieden," which Heinz Angermeier has clearly elaborated,⁴⁴ are also reflected in a charter of the Bavarian Landschaft. According to a charter from a diet in Augsburg on the Monday after Palm Sunday 1429, one of the reasons for the association of the estates was that Sigismund had seen the unchristian work and the many sufferings that war and conflict had brought both for the rich and for the poor.⁴⁵ The estates of the Duchy of Bavaria also included this charter, which originated in a different context, in their collections, rights, and privileges and thus also used it in later centuries to legitimise their claims to imperial authority.⁴⁶ In 1434, the Bavarian knighthood had all its rights, freedoms, and privileges explicitly confirmed by Emperor Sigismund. The document was later included in the collection as the thirty-sixth letter.⁴⁷ Under threat of a fine of 100 gold marks for violation of the chartered rights, Sigismund placed the knighthood under special imperial protection. This possibility of sanctions was also explicitly directed against the princes of the empire, i.e. also (although not mentioned by name) against the Bavarian dukes, and it sanctions harmonised well with Sigismund's strategy of forming alliances at the level of the regional nobility, as shown by the example of Swabia. Thus in Bavaria and throughout the empire, sensitivity concerning the exclusivity of one's own rights and privileges seems to have been part of the actors' mindset and certainly played a central role in the question of diversity in the constitutional structure of the late medieval empire. The aforementioned

42 Lutter, "Konflikt und Allianz."

43 For example RI XI,1 5598; RI XI,1 5991, 5894, 5804.

44 Angermeier, *Königtum und Landfriede*, and Hardy, "Between Regional Alliances and Imperial Assemblies."

45 Lerchenfeld and Rockinger, *Die altbayerischen Freibriefe*, no. 35, p. 83–86.

46 *Ibid.*, no. 30, p. 74f.

47 *Ibid.*, no. 36, p. 96–98.

imperial privileges for the Bavarian knighthood also contributed significantly to the formation of the estates, which were later able to invoke precisely these documents – a dynamic that has never been studied before.

Older traditions involving these kinds of demands for exclusivity can be found here. If we look at Tyrol, for example, Margrave Ludwig had also stipulated in the so-called “Großer Freiheitsbrief” (Great Charter of Freedom) of January 28, 1342, which his father, Emperor Ludwig IV, had confirmed, that no important position in Tyrol would be filled by a foreigner.⁴⁸ This observation leads to the third example.

The Nobility of the County of Tyrol

In the county of Tyrol, Sigismund’s strategy of diversifying political actors fell on ground that was every bit as fertile as in Bavaria, since there is also evidence of a long tradition of corporative political participation in Tyrol. Sigismund wanted to take advantage of this to weaken the Habsburgs, who ruled Tyrol at the time.⁴⁹

During his reign, the feud between Duke Ernst and Duke Friedrich in Tyrol ended (specifically, in 1417). After that, the struggle for territorial power, which the noble families of Rottenburg, Wolkenstein, Spaur, and Starckenberg in particular wanted to dispute with the ruler, continued for almost a decade. For this period, Werner Köfler assumes that the influence of the nobility in Tyrol reached a highpoint.⁵⁰ The Tyrolean Landschaft repeatedly acted as a mediating authority. In 1420, Friedrich IV, who wanted and needed to expand his position of power, demanded that the richest nobles of Tyrol return the pledged offices and courts of the prince, though he did offer as a sum in return. However, the nobles refused to return them and sought help not only from other nobles in Tyrol but directly from King Sigismund. There they quickly found support.

As late as December 18, 1422, Sigismund from Pressburg encouraged the support of Ulrich von Starckenberg and Oswald von Wolkenstein. The brothers Michael and Lienhart von Wolkenstein were to support them against Duke Friedrich of Tyrol, who was attacking them. On December 29, Sigismund

48 Hölzl, “Freiheitsbriefe,” 7 (A).

49 Cfr. for the following elaborations especially Köfler, *Land, Landschaft, Landtag*, passim; Jäger, *Geschichte der landständischen Verfassung Tirols*, vol. 2, 307–87; and Fahlenbock, “Durch uns und unnsrer Landschaften gemacht.”

50 “Höhepunkt politischer Einflußnahme.” Köfler, *Land, Landschaft, Landtag*, 58.

ordered Duke Friedrich to cease his hostilities against “his servant” Wilhelm von Starckenberg and his brother Ulrich. They would not violate Tyrolean land law, and thus Friedrich had no right to take action against them. If Friedrich, called the duke “with the empty purse,”⁵¹ wanted to assert his claims, he should do so before the king or before Dukes Ernst and Albrecht of Austria. Sigismund thus intervened relatively quickly in the Tyrolean disputes by strengthening the opposition among the nobles.

At a meeting in Merano at Pentecost 1423, Duke Friedrich confirmed the rights and freedoms of the assembled estates in order to quickly achieve an association of the country against the opposition of the nobility. With Sigismund’s support, however, the latter wanted to prevent such an agreement at all costs. When the king was in Altsohl (today Zvolen, Slovakia) in July, he once again increased his support for the rebelling nobles. Since Friedrich IV had not fulfilled his obligations to him as king and to the entire Roman-German Empire, in July 16, he was deprived of all fiefs in the county of Tyrol, the land on the Adige and in the Inn valley, as well as other courts. Sigismund announced his intention to return them to the empire and to grant the County of Tyrol to the brothers Ulrich and Wilhelm von Starckenberg as a fief for their loyal service. At the same time, at the request of the two brothers, Sigismund confirmed the rights and privileges of the estates on the Adige and in the Inn valley. Here we encounter a phenomenon that can be observed regularly throughout the fifteenth century: emperors and kings used their power to grant privileges to provincial estates to strengthen them against sovereigns. This constituted a diversification of the constitutional structure of the Roman-German Empire. On the following day, July 17, Sigismund ordered the Imperial Marshal Haupt von Pappenheim to lead the imperial panoply against Duke Friedrich, the disturber of the peace. Sigismund also called on the nobility of neighboring Tyrol, namely Counts Hans von Lupfen and Friedrich von Toggenburg, to take up arms against the disobedient Friedrich and to support Ulrich and Wilhelm von Starckenberg and to march into the Inn and Etsch valleys. One day later, on July 18, 1423, the Tyrolean nobility (we can see how well coordinated the king and the nobility were at this point) formed an alliance on behalf of the entire Tyrolean countryside to protect its freedoms and rights vis-à-vis the prince. At this moment, Sigismund seemed to have been successful with his strategy of playing the Tyrolean nobility

51 “Herzog Friedrich Friedrich mit der leeren Tasche”; Fahlenbock, “Durch uns und unnser Landschaften gemacht,” 70.

off against the disagreeable prince. Friedrich, however, remained unimpressed with the day convened for August 5. In the forefront, he had so-called *cedulas* (“*Zedeln*”) sent to the courts of the country, which Friedrich thus gave more political significance than before, informing them about grievances in the country that needed to be remedied and the evil activities of the rebellious nobility. The “*Zedeln*” also contained the explicit prohibition against entering into any alliance without the consent of the prince, and they were thus clearly directed against alliances of the nobility, such as the alliance that King Sigismund had deliberately permitted in Nuremberg the previous year.⁵²

Friedrich’s only problem was that hardly any nobles appeared in Brixen on August 5. The few who were present therefore asked for the date to be postponed, and a committee was formed to solve the problem later. The rebellious nobles, however, did not succeed in getting the estates on their side. On the next day, probably a committee meeting, on November 18, 1423, the bishop of Brixen and representatives of the estates appeared alongside the ruler and some of his councillors, who distanced themselves from the alliance that had been formed by the nobles. Finally, the council condemned the alliance of the nobility as an affliction of Tyrol.

Over the course of the year, Duke Friedrich succeeded in settling with a large part of the Tyrolean nobility, which is why *de facto* the alliance only lasted a few weeks. The sources, however, are silent about King Sigismund, who had wanted to intervene in the conflict a few months earlier. Friedrich’s fight against the Starkenbergs, who were particularly supported by Sigismund, continued. On May 10, 1424, a meeting in Innsbruck decided to send a delegation of representatives of the land estates to Greifenstein, the main castle of the Starkenbergs. This delegation failed, however, whereupon the *Landschaft* agreed to support the ruler by force of arms. Friedrich had thus decided the conflict *de facto* in his favour.

This enabled him to consolidate his rule, not quickly, but steadily, against the few remaining opposition families. In 1426, the *Landschaft* successfully mediated between him and the Spaur. Wilhelm von Starkenberg gave up the fight against the duke in November of the same year. Only Oswald von Wolkenstein⁵³ remained, whom we know well from other contexts around Sigismund. Isolated as the last resister from the noble group, he wrote his depressed song

52 Cfr. Köfler, *Land, Landschaft, Landtag*, 251–53.

53 See Schwob, *Oswald von Wolkenstein*.

“Durch Barbarei, Arabia” in the winter of 1426–1427, which ended with the following words: “Mein freund, die hassen mich überain / an schuld, des müss ich greisen. / das klag ich aller werlt gemain, / den frummen und den weisen, / darzü vil hohen fürsten rain, / die sich ir er land preisen, / das si mich armen Wolckenstein / die wolf nicht lan erzaisen, / gar verwaisen.”⁵⁴ In 1427, he was summoned to the Diet in Bolzano, secretly left the country, was captured and brought to Innsbruck. Already on December 15, 1424, more than two years earlier, King Sigismund had promised him that he would comply with his request and intercede with Duke Friedrich IV on the rebel’s behalf. Here too, Sigismund did little apart from make announcements from afar. Nevertheless, Oswald von Wolkenstein was admitted to the Order of the Drake (*Drachenorden*) by Sigismund at the Diet of Nuremberg in 1431, which presumably gave him a belated sense of satisfaction.

Thus, in Tyrol, Sigismund made significant attempts in the initial conflict to oust the unpopular Habsburgs by diversifying the power structures within the county. The fact that all the relevant charters were issued far from Tyrol, not even in southern Germany, points to another problem. Sigismund seems to have had neither time nor energy to enforce his attempts. In the end, he failed in Tyrol in his fight against the establishment of a strong principality in the south of the empire. But here too, over the long term, an enduring image emerged of Sigismund as a leader who could dynamize the people emerged.

An Attempt at Synthesis

Now it is worth taking a final look at Sigismund’s attempts to diversify the political landscape of the Holy Roman Empire in his favour. Although the knightships of Swabia, Franconia, and Bavaria had formed a defensive alliance against the Hussites in Ellingen on July 10, 1430, this alliance expired again after three years on St. George’s Day 1433. After Sigismund’s return from the imperial coronation in Rome at the end of 1433, further efforts of his failed at the imperial diets in Basel and Ulm in 1434 and at the imperial diet in Regensburg. In March of the same year, the negotiations between the St. Jörgenschild Society and the Swabian League of Towns failed in Kirchheim unter Teck.⁵⁵ In mid-October 1434,

54 On this poem by Oswald von Wolkenstein Moser, see “Durch Barbarei, Arabia.”

55 See Tumbült, “Schwäbische Einigungsbestrebungen unter König Sigmund.”

Sigismund left the Empire for good, and with his departure, the negotiations on the Swabian association were broken off and never resumed.

But why did Sigismund's sometimes very ambitious efforts fail at first sight?

Perhaps it can be said quite simply at first: Sigismund's efforts towards diversification failed because of the diversity of the actors and the unwillingness of the cities to cooperate with the nobility and the knighthood, as a Nördlingen city scribe reported from Kirchheim in 1434: "aber es wart keine ainung troffen, quia displicuit civitatibus, et semper, in quantum licite potuerunt, quesiverunt vias exeundi."⁵⁶ The efforts to achieve peace (*Landfrieden*) at the end of the fourteenth century had already failed due to the differing interests of the cities and knights.⁵⁷ Sigismund's renewed attempts were equally unsuccessful.

Thinking further about an idea of Heinz Angermeier's concerning the land peace order (*Landfriedensordnung*): Sigismund, with his numerous territories outside the empire, tended to be less affected by his own policy of diversification within the empire. He never had a direct view of his efforts to further associations and alliances and quickly lost sight of them.

The system of diversification can also be seen in Sigismund's role as King of Bohemia. In the fight against the Hussites, he generously endowed the "Catholic" cities with privileges, as Alexandra Kaar has shown, but he repeatedly fell short of his promises to them as well.⁵⁸ Ultimately, the mutual securing of advantages functioned there in a way that did not work in such a direct manner vis-à-vis imperial cities, especially in the German southwest. The goal of creating "a world of personal relationship framed and maintained by symbolic communication and conventional and negotiatory institutions and associations"⁵⁹ ultimately failed.

The royal charters were gratefully received in the regions of the empire in which a certain level of political participation had already been established, but without always having the effect intended by Sigismund. The question of failure thus ultimately remains one of perspectivation. If we look at the long-term consequences of the policy of diversification, it will certainly not be easy to reconstruct concrete causal chains. Even his greatest critics will not

56 RTA 11–13, no. 117.

57 Cf. e.g. Zielke-Dünnebeil, "Die Löwen-Gesellschaft," 60–62.

58 See Kaar, *Die Stadt*. On the broader context of Sigismund's trade prohibitions against the Hussites, see Kaar, "Wirtschaft, Krieg und Seelenheil."

59 Hardy, "The Emperorship Sigismund of Luxemburg," 314. Angermeier, *Königtum und Landfriede*, 345, refers to it as a "System sich ergänzender und gegenseitig helfender Einungen im Reich."

be able to deny that Sigismund's attempts, which were considered a failure by his contemporaries, certainly had a dynamizing effect on the establishment of the estates in the territories of the empire and that he thereby enabled more differentiated actor structures to emerge in the constitutional structure of the empire.

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