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Journée d'étude organisée par l'Institut historique allemand
les 29 et 30 mai 2017

Études réunies par Regine Maritz et Tom Tölle
(avec la coopération de Eva Seemann)

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Everyday Practices and Processes of Negotiation

Edited by Susann Baller

NEKROLOGE

Regine Maritz

»… TO SALVAGE HIS HONOUR, WHICH HAD BEEN STRUCK«

Corporeality, Fighting, and the Practice of Power at the Early Modern Court of Württemberg

On 30th December 1606, Maria von Remchingen wrote to Duke Friedrich I (r. 1593–1608) of Württemberg with a query on behalf of her son:

> »Your Grace […] I have written to you on several occasions, in order to ask you most humbly to mercifully cast aside any disfavour you may feel towards my son Hans Ulrich von Remchingen concerning the affair of the pitiful accident that [he] admittedly committed against von Weittershaußen; do think of his youth and education, as he undertook this soldierly act recklessly in order to salvage his honour, which had been struck […][1].«

The archives of Stuttgart contain several dozen documents relating to the incident between Hans Ulrich von Remchingen and his namesake Hans Ulrich von Weittershausen, and, as a result, the broad strokes of the background story that led to the writing of this letter are easily filled in. On the first day of August 1604 the young nobleman Remchingen stabbed his fellow-courtier Weittershausen twice in the course of a pre-arranged combat. Weittershausen's injuries were so severe that he perished three days later, but by this time Remchingen had already fled the duchy of Württemberg[2]. This event triggered an in-depth investigation led by high-ranking ducal councillors, who sought to establish how it had been possible for a fatal combat to take place in the very seat of political power in Stuttgart. Yet even Southern Germanic administrative vigour could not bring back to life the young Weittershausen, and his grieving family resisted all of the reconciliation attempts made by Duke Friedrich and Maria Remchingen over the following years. Although this might appear to be a rather typical case of a ritualised combat, very little is self-evident in this story of violence and honour.

Much of the incident's complexity is contained in Maria Remchingen's letter. She variously called the killing of Weittershausen a »pitiful accident«, and a »soldierly act«, and she attempted to highlight the circumstances that might have mitigated her son's culpability, such as his youth, recklessness (*vnnbedächtlich fürgenommen*), and the goal of salvaging his honour, which

1 Haupstaatsarchiv Stuttgart (hereafter HStAS) A 20 Bü 58, *Supplikation* by Maria von Remchingen, 30th December 1606: […] *Gnädiger Herr,* […] *wegen meines Sohns Hannß Vlrichs vom Remchingen, gegen den vom Weittershaußen seeligen, zugestandenen laidigen vnfahls, zue vnderschiedlichen mahlen ganntz demüetig, vnnd hochflehentlich, angesuecht* [habe]*, daß nämblichen dieselbige zuuorderst in gnädige bedenckhung seiner jugend, wie zu gleich auch deß auß solcher anleittung, zue rettung seiner angedasteten Ehren, so vnnbedächtlich fürgenommen soldatischem Process, vnnd außtrags, die vermuettlich* […] *wider Ihm geschöpffte Vngnad, gnädig schwenden vnnd fallen* […] *lassen wöltte* […].

2 See for instance HStAS A 20 Bü 58, report about the *Rauffhandel*, 4th August 1604.

had been touched or struck (the German is ambiguous here). It is not obvious how these elements related to each other. For one thing, how could the action be both an accident and a soldierly gesture? Did not the latter require the type of training and forethought that would make the former impossible, or at least unlikely? Even beyond its immediate language, Maria Remchingen's supplication raises a host of questions about power relationships, legalities, and contemporary conceptions of violence and honour. What was the contemporary attitude towards pre-arranged, consensual combat between noble contestants in Württemberg at this time, and what role was played by the duke in this process of conflict resolution? Furthermore, what should we make of the concept of honour that Maria Remchingen invoked? Her letter suggests that honour could be touched, and that fighting was an obvious way of »salvaging« one's honour, thus suggesting a corporeal dimension of a concept that historians of dynastic power have predominantly discussed in social and intellectual terms.

In the present article, I seek to provide some answers to these questions on the basis of a close reading of the Remchingen and Weittershausen case, as well as a range of similar cases of fighting and brawling that took place at the ducal court of Stuttgart between 1580 and 1661[3]. The sources analysed here have been preserved as part of the court chancellery records in Stuttgart. They span only the years discussed here, although we must assume that fighting and brawling did not commence suddenly in the late sixteenth century, nor stop after the 1660s. The documents themselves are of a very heterogeneous nature. In some cases, we have dozens of documents and letters relating to a single case, but for other incidents we retain only a single source as testimony. It is evident that the surviving records are incomplete, which is why this article does not attempt to provide any quantitative results relating to the topic of violence and honour at court. Moreover, the analysis isolates the violent transgressions of men. Women do show up in the records, but uniquely either as victims of violence, or in connection with disputed pregnancies and corresponding issues of paternity, in which questions of consent are difficult to establish. No female perpetrators of violence were recorded. This speaks more to contemporary attitudes to honour-based fighting than to feminine potential for violent acts[4]. Evidently, it was solely fighting between men that attracted the regulatory interest of the ruler and his court councillors, and I engage with that contemporary interest in this article. In what follows, I argue that paying attention to lived corporeality not only aids us in reconstructing contemporary practices of conflict resolution, but also yields new insights about the dynamics of early modern honour, and the role of violence in the consolidation of practices of power in this crucial period of early modern history.

Violence and Honour: Cultural and Social Norms at the Early Modern Court

Ehrenhändel (disputes of honour) in the German lands of the Holy Roman Empire of the late sixteenth and early seventeenth century were not duels. Though this latter term dominates the historiography of honour-based fights at Italian, French, and English courts at this time, we cannot apply such findings directly to the situation in this region. Ulrike Ludwig has shown in her important studies that, while ritualised types of single combat existed in the German lands, they were at that time not treated as a unified practice separate from other fights and honour-based conflicts[5]. Just as elsewhere in Europe, the German nobility engaged in fighting in order

3 The sources can be found in HStAS A 20 Bü 57–59.

4 See also Maren Lorenz, Das Rad der Gewalt. Militär und Zivilbevölkerung in Norddeutschland nach dem Dreissigjährigen Krieg (1650–1700), Cologne 2007, p. 276–277.

5 Ulrike Ludwig, Das Recht als Medium des Transfers. Die Ausbreitung des Duells im Alten Reich, in: id., Barbara Krug-Richter, Gerd Schwerhoff (ed.), Das Duell. Ehrenkämpfe vom Mittel-

to deal with injuries to their honour, but the formalised duel was established as a specifically noble practice only through the legislation launched by German princes in the 1660s. While this legislative enterprise was an effort to deter men from engaging in duels, Ludwig suggests that it actually had a counterproductive effect. Since the practice was now clearly defined as a transgression committed by the elites of society, all those who considered themselves to be a part of that demographic group could now make their status visible, in a spectacular fashion, by infringing on the duelling laws[6].

Elsewhere in Europe, debates surrounding the duel are intricately bound up with varying narratives of state-formation. The duel's history is closely intertwined with the development of judiciary and executive powers. It is believed that this form of ritualised single combat initially developed out of the medieval legal concept of trial by combat. This was a means of determining the culpability of a defendant once all other means of ascertaining the truth had failed. If the defendant was able to beat his accuser in combat, then this was a sign that he enjoyed divine favour, which would be granted only to someone of pure intentions[7]. In Renaissance Italy, the duel between noblemen took shape when honour came to be defined in more individual terms, thus opening up a way to replace vendettas, or blood feuds, with single combat between individuals[8]. The early modern status of duels is contested in historiography, with many historians of court culture viewing them as a kind of medieval relic that powerful rulers banished from court as soon as they were able to do so[9]. Markku Peltonen, however, advances a compelling argument in his study focusing on duelling in England, which points to the profound connection between the contemporary debates surrounding the duel and civility at this time. To him, the embracing of the »foreign fashion« of the duel was, for many noblemen, part and parcel of the fashioning of a polite habitus[10]. In France, equally, the noble duel gained greatly in prominence in the sixteenth century and duelling activity remained at a high level until the personal reign of Louis XIV. Robert Nye suggests that the noble duel was »a kind of touchstone for the multiple significations of honor« that was of particular importance for the self-image of the French nobility, which is partly why Richelieu and later the Sun King himself sought determinedly to restrict the practice[11]. For many historians of Europe, the quest to bring noble duelling practices under the control of the ruler is a primary example of state-formation at work, as different regimes sought to strengthen their hold on the monopoly of violence.

The notion that the process of civilisation advanced hand-in-hand with the development of state control over violent and otherwise transgressive behaviours was developed most influ-

alter bis zur Moderne, Konstanz 2012 (Konflikte und Kultur: Historische Perspektiven, 23), p. 159–174; B. Ann Tlusty, The Martial Ethic in Early Modern Germany. Civic Duty and the Right of Arms, Basingstoke 2011 (Society and Culture), p. 106–116, also shows the practical proximity of duels to other types of brawls in the seventeenth century in the early modern German lands, but Tlusty continues to use the term duel in her examination, which has a reifying effect that slightly muddies the analysis of this point. It has to be noted that she prepared her book without having the advantage of Ulrike Ludwig's studies, which were published a year later.

6 Ludwig, Das Recht als Medium des Transfers (as in n. 5), esp. p. 171–173.

7 See for instance Robert A. Nye, Masculinity and Male Codes of Honor in Modern France, Berkeley, CA 1998, p. 21.

8 Steven C. Hughes, Politics of the Sword. Dueling, Honor, and Masculinity in Modern Italy, Columbus, OH 2007 (History of Crime and Criminal Justice), p. 13–15.

9 See for instance Laurence W. B. Brockliss, Concluding Remarks: The Anatomy of the Minister-Favourite, in: John H. Elliott, Laurence W. B. Brockliss (ed.), The World of the Favourite, London 1999, p. 279–309, here p. 293–294.

10 Markku Peltonen, The Duel in Early Modern England. Civility, Politeness and Honour, Cambridge 2003, p. 13.

11 Nye, Masculinity and Male Codes of Honor (as in n. 7), p. 22.

entially by Norbert Elias. He saw the princely court as a type of germ cell of the civilising process. There, noble warriors with their rough mannerisms and violent tendencies were tamed, and, instead, the noble actors soon found themselves entangled in less bloodthirsty conflicts fought over etiquette and hierarchies of status[12]. The numerous historians who have since responded to Elias with critical analyses of their own have complicated this narrative. Many agree that life at court was increasingly choreographed by ceremonial protocols, but they also find that this did not mean that the old elites lost their bite[13]. Instead, the nobility participated in the renegotiation of the rules of the practice of power, and they were skilled in using such prescriptions to their own advantage. Nevertheless, the underlying notion that violence among courtiers was a challenge to the power monopoly of the ruler remains resilient within historiography[14].

It is notable that violence is a neglected subject in the New Court Studies, which have developed on the basis of different strands of critique of Elias and of other models of absolutism. The present generation of court historians is, however, greatly invested in the study of conflicts where they relate to social hierarchies. Disputes between courtiers and members of the ruling family about markers of status, such as orders of precedence, the right to be seated in the presence of the ruler, the length of ceremonial mantles, and many other finer points of ceremony are now recognised as the very core of early modern political activity at court by many of the leading historians in the field[15]. One reason for the fact that violent disputes do not feature centrally in these studies is probably the assumption that the rationale behind conflicts related to social status was removed from corporeality. For, although we no longer see the court as a grand theatre of power in which the ruler directed his players' every move, we still have a tendency to view the efforts of rulers and elites to construct, consolidate, and trade power as strategic and even intellectual work[16]. From such a perspective, physical violence at court figures merely as an arbitrary disruption of the political process that does not merit separate studies[17].

12 Norbert Elias, Über den Prozess der Zivilisation. Soziogenetische und psychogenetische Untersuchungen, vol. 1, Munich 1969, see esp. p. 269–283 on how *Angriffslust* (the desire to fight) was redirected into selected spectacles of brutality during the early modern period; ibid., vol. 2, ch. IV, Die Verhöflichung des Kriegers, p. 351–369.

13 Important examples are Giora Sternberg, Status Interaction During the Reign of Louis XIV, Oxford 2014; specifically, on the point of violence at court see Jeroen Duindam, The Keen Observer versus the Grand-Theorist. Elias, Anthropology and the Early Modern Court, in: Claudia Opitz (ed.), Höfische Gesellschaft und Zivilisationsprozess. Norbert Elias' Werk in kulturwissenschaftlicher Perspektive, Cologne 2005, p. 87–104, here p. 99.

14 See Ute Frevert, The Taming of the Noble Ruffian. Male Violence and Dueling in Early Modern and Modern Germany, in: Peter Spierenburg (ed.), Men and Violence. Gender, Honor, and Rituals in Modern Europe and America, Columbus 1998 (The History of Crime and Criminal Justice Series), p. 37–63, here p. 44; also in Stuart Carroll, Blood and Violence in Early Modern France, Oxford 2006, p. 286–290, although overall this monograph emphasises the prevalence of violence throughout the period.

15 On this see the pioneering Barbara Stollberg-Rilinger, Des Kaisers alte Kleider. Verfassungsgeschichte und Symbolsprache des Alten Reiches, Munich 2008; on seats and the length of mantles see Sternberg, Status Interaction (as in n. 13), p. 49–71, 72–96 respectively.

16 An example of such a perspective is Andreas Pečar, Die Ökonomie der Ehre. Der höfische Adel am Kaiserhof Karls VI. (1711–1740), Darmstadt 2003 (Symbolische Kommunikation in der Vormoderne), esp. p. 297–301. Here courtly actors deployed specific symbolic and financial resources, engaged with the norms of courtly ceremonial, and sought out opportunities for representation.

17 Yet beyond the field of court studies, the nuances of non-state-sanctioned violence in the process of consolidating rulership have been an important topic for some time, see Horst Carl, Gewalttätigkeit und Herrschaftsverdichtung. Die Rolle und Funktion organisierter Gewalt in der

As we have argued in the introductory article, however, corporeality not only has its place among the new cultural approaches to the history of the court, but also can help us to work out new insights even in already intensively researched areas of the field. Analysing violent encounters at court is one way of putting this into practice. As Francisca Loetz has importantly reminded us, violence has a distinct history of its own, and as historians we must take care to historicise contemporary definitions of violence and attitudes towards it, rather than viewing this as a self-evident constant across time[18]. Our task is somewhat simplified by the nature of the sources considered here. The cases in this article all stem from the records of the *Oberrat* of the Württemberg court, a specific assembly within the court chancellery that dealt with infractions committed by persons exempted from local jurisdiction, such as courtiers[19]. As a result, the only cases that were committed to paper in the first place were those in which the bodies of the courtiers involved had chafed against implicit or explicit courtly rules and regulations to such an extent that the duke ordered the *Oberrat* to investigate. These sources thus offer an ideal opportunity to study the multilateral interactions between corporeality and socio-cultural attitudes to violence and honour.

These attitudes were intertwined with the specific relationship German men cultivated with weapons and their usage. Princely rulers and patricians at this time had to rely on the contribution of civilians to defend their territories, and as a result the bearing of weapons was not merely a privilege for male subjects, but also a civic responsibility. The right to bear arms was so fiercely propagated by civil institutions and claimed by individuals that in the sixteenth and seventeenth centuries it had become deeply intertwined with masculine identity[20]. Furthermore, male sociability was rooted in communal alcohol consumption, as well as in brawls and fights of all shapes and sizes[21]. Young and unattached men were particularly prone to violent behaviours[22], as they had an increased need to stage their own physical prowess, while they could not yet claim the role of head of household to buttress their masculinity. But even beyond this demographic group, the ubiquitous bearing of weapons made for a relatively high potential for violence wherever numerous men gathered[23]. In order to contain such disruptions,

Frühen Neuzeit, in: Michaela Hohkamp, Claudia Jarzebowski, Claudia Ulbrich (ed.), Gewalt in der Frühen Neuzeit. Beiträge zur 5. Tagung der Arbeitsgemeinschaft Frühe Neuzeit, Berlin 2005 (Historische Forschungen, 81), p. 141–144, where a broader argument is advanced about how the effective regulation of violence was probably more effective in facilitating the consolidation of the practice of power than the striving to eradicate any forms of violence that was not state-sanctioned.

18 Francisca Loetz, A New Approach to the History of Violence. »Sexual assault« and »sexual abuse« in Europe, 1500–1850, Leiden 2015 (Studies in Central European Histories, 60), esp. p. 8–10; on the complexity of identifying early modern attitudes to violence, see also Maren Lorenz, Besatzung als Landesherrschaft und methodisches Problem. Wann ist Gewalt Gewalt? Physische Konflikte zwischen schwedischem Militär und Einwohnern Vorpommerns und Bremen-Verdens in der zweiten Hälfte des 17. Jahrhunderts, in: Hohkamp, Jarzebowski, Ulbrich (ed.), Gewalt in der Frühen Neuzeit (as in n. 17), p. 155–172, esp. p. 170–172.

19 See James Allen Vann, The Making of a State. Württemberg 1593–1793, New York 1984, p. 63.

20 These are some of the central findings of Tlusty, The Martial Ethic (as in n. 5), here esp. p. 265–276.

21 Lyndal Roper, Oedipus and the Devil. Witchcraft, Sexuality and Religion in Early Modern Europe, London 1994, p. 110–124.

22 This point is emphasised in Martin Dinges, Ehre und Geschlecht in der Frühen Neuzeit, in: Sibylle Backmann, Hans-Jörg Künast, Sabine Ullmann, B. Ann Tlusty (ed.), Ehrkonzepte in der frühen Neuzeit. Identitäten und Abgrenzungen, Berlin 1998 (Colloquia Augustana, 8), p. 123–147, here esp. p. 128.

23 See for instance Mark Häberlein, Tod auf der Herrenstube. Ehre und Gewalt in der Augsburger Führungsschicht (1500–1620), in: Backmann, Künast, Ullmann, Tlusty (ed.), Ehrkonzepte in der frühen Neuzeit (as in n. 22), p.149–169.

both medieval and early modern contemporaries constructed specific spaces of peace, such as the household, churches, guild halls, and at times entire cities, within which it was an offence to draw a weapon, or even to make remarks that might cause another person to do so[24].

The courtly space magnified many of the practices and problems attached to urban and rural arms-bearing and the corresponding outbreaks of violence. The nobles who lived at court not only took part in the martial ethic so widely present in the German lands, but also in many ways they were its epitome. Renaissance Humanism began to impact upon the education of noble youths significantly in the sixteenth century, but training at arms and on horseback remained a key component of a noble upbringing[25]. The right to carry a sword or rapier was a crucial, visible status distinction that, in principle, marked nobles out from lower social orders[26]. In practice, it was not possible to restrict sword ownership to such an extent, but that did not diminish the symbolic appeal of this particular weapon[27]. As a result, noble courtiers in Stuttgart went about their daily business armed with potentially deadly weapons, and – what is more – they were trained in how to use them.

It thus makes sense that ruling princes, just like those in authority over cities and guild halls, decreed numerous rules and regulations designed to reduce the occurrence of physical violence at court. In sixteenth- and seventeenth-century Stuttgart, written ordinances structured most aspects of everyday court life. Almost all courtly offices came with their own ordinances, which outlined in detail the duties attached to a certain position. A single, lengthy ordinance was designed to organise the communal aspects of the daily routine of the members of the court[28]. The initial pages of this *Hofordnung* were concerned with practices of piety and made exact stipulations for how often courtiers should hear the sermon. Directly thereafter followed a number of pages that laid out in detail how libellous words, violence, and other conflicts at court were to be treated. This passage grew from four and a half folios in the court ordinance of 1611 to nine folios in the ordinances of 1614 and 1618[29]. The ordinance of 1611 noted »that none who was of equal rank should taunt, mock, challenge, threaten, or curse another, neither should he hit, stab, push, or otherwise outrageously insult another«[30]. The ordinance demanded that in case of an infraction the perpetrator be held in his chambers »and that further advice be sought from us [the duke] in order to determine what should happen to him«[31]. In the ordinances from 1614 and 1618 this latter passage listed in much greater detail the appropriate punish-

24 On the diachronic development of *Stadtfrieden* see Joachim Eibach, Institutionalisierte Gewalt im urbanen Raum. »Stadtfrieden« in Deutschland und der Schweiz zwischen bürgerlicher und obrigkeitlicher Regelung (15.–18. Jahrhundert), in: Hohkamp, Jarzebowski, Ulbrich (ed.), Gewalt in der Frühen Neuzeit (as in n. 17), p. 189–205; on the sanctity of the household, see Tlusty, The Martial Ethic (as in n. 5), p. 58–63; on the social construction of space see Susanne Rau, Räume. Konzepte, Wahrnehmungen, Nutzungen, Frankfurt am Main 2013 (Historische Einführungen, 14), esp. p. 122–191.

25 See for instance Thomas Mutschler, Die Erziehungsinstruktion des Grafen Wolfgang Ernst von Ysenburg-Büdingen aus dem Jahr 1604, in: Hessisches Jahrbuch für Landesgeschichte 55 (2006), p. 21–46, here p. 31.

26 Tlusty, The Martial Ethic (as in n. 5), p. 91.

27 Joel F. Harrington, The Faithful Executioner. Life and Death, Honor and Shame in the Turbulent Sixteenth Century, New York 2013, p. 41–42.

28 See Anja Kircher-Kannemann, Stuttgarter Burgfrieden und Burgfriedensbezirk im Spiegel der württembergischen Hofordnungen, in: Zeitschrift für württembergische Landesgeschichte 76 (2017), p. 177–216, here p. 193 offers a definition of court ordinances as a source type.

29 HStAS A 21 Bü 215 and A 20 Bü 27.

30 HStAS, A 21 Bü 215, *Hofordnung* 1611, fol. 4r–v*: das keiner wer der gleich seye, den anndern mit Wortten schmehen, oder hochmuehten, hinaußfordern, tröwen, fluochen, noch auch schlagen, stechen, stoßen oder sonnsten Inn ainichen weg freuenlich beleidigen solle*.

31 Ibid., fol. 4v.

ments for various infractions[32]. As we now know, an increase in rules did not necessarily mean that the regime in question adopted a more assertive stance towards disruptions of the prescribed order. Instead, such a dynamic might indicate either a desire on the part of the ducal authority to be seen to proclaim the right order, or a response to a rise in transgressions[33].

Either way, these prescriptions were aimed at a very specific space called the *Burgfrieden*. This area was defined in detail in the court ordinances and comprised not only the castle, but also all the gardens, stables, chancellery buildings, and a host of other landmark buildings reaching as far as the very gates of the city of Stuttgart. The space was visually marked with specifically fashioned plaques so that no one could be in any doubt as to where they were located at any given time[34]. Within the area thus outlined, both physical *and* verbal attacks were said to constitute a transgression of the rules outlined for the noble courtiers by the duke himself. If two courtiers of the same rank insulted each other or traded blows, then this carried a much milder penalty than if a lower-ranking person attacked a holder of a prestigious court office. It was even recorded that »if one or another were to raise a fist to our first officer, or to our deputy officer, then his fist shall be forfeit«[35]. Moreover, the spatiality of the *Burgfrieden* was further complicated by the duke's own physical movement. For the ordinance stated that its tenets were valid not only at court, but also »in every other location where we will be present in person«[36]. The specially regulated space of the *Burgfrieden* was thus intended to follow the duke's movement even beyond the city walls. Furthermore, within the *Burgfrieden* of the Stuttgart court, the duke's physical presence intensified the decrees of the ordinances. Any transgressions that took place in proximity to him were to be punished more harshly than when they occurred at a distance from the ruler[37]. The prescriptions of court ordinances were thus nothing like the universal laws drafted by nation states today. They were meant to be adaptable to social space and rank, and the order they projected was neither rigid nor independent of corporeality.

In the following three sections, this order and its practical application can be observed. I am interested as much in the procedures for investigating and processing violence in the courtly community, as in the acts of violence themselves. For the manner in which these various transgressive acts were negotiated by members of the court can give us an insight into a range of cultural codes surrounding violence that we cannot glean from normative sources. First, I consider the threshold level for acts that were considered to be transgressive. We have already seen that, in normative terms, even verbal injuries to honour were classified as a breach of the court ordinance, yet isolated swearwords usually were not considered significant enough to be recorded by the courtly chancellery. Second, I review how the offending acts unfolded and in what manner the investigators sought to establish the culpability of those involved. Corporeality underwrote both the fights, and the procedures of conflict resolution in their aftermath, as it was invoked by perpetrators, witnesses, and investigators alike. In the third and final section, I consider the question of reconciliation after violent acts.

32 See HStAS A 21 Bü 215, *Hofordnung* 1618, fol. 2r–6r.

33 Jürgen Schlumbohm, Gesetze, die nicht durchgesetzt werden. Ein Strukturmerkmal des frühneuzeitlichen Staates?, in: Geschichte und Gesellschaft 23 (1997), p. 647–663, here p. 659–661; also see Andrea Iseli, Gute Policey. Öffentliche Ordnung in der Frühen Neuzeit, Stuttgart 2009, p. 24–25.

34 HStAS, A 21 Bü 215, *Hofordnung* 1611, fol. 4v–5r.

35 Ibid: *Wann aber einer oder anderer, gegen vnsern Ober: oder vnnder Officier, sich mit der faust vergreifen: oder schlagen würden, derselb solle die faust verwirckht haben.*

36 Ibid., fol. 4r: *sonder auch an einem jeden annderen ort, da wür jedesmals Inn der Person sein werden*.

37 HStAS, A 21 Bü 215, Hofordnung 1618, fol. 3v–4r.

The Making of an Affair of Honour

Under which circumstances were conflicts between courtiers recorded and examined by courtly officials, or even by the duke himself? In the case of the honour fight between Remchingen and Weittershausen cited above, the trigger for a courtly investigation was quite obviously the death of one of the combatants. The majority of the conflicts at court did not conclude with a fatality, however, and it seems certain that many heated discussions and even minor fights and brawls escaped the quills of courtly administrators. What, then, made the difference? The duke and his administrative officials usually involved themselves in *Ehrenhändel* as soon as a serious corporeal injury had been inflicted. Yet the identification of such injuries was not as straightforward as one might imagine, as they did not always come with visible physical markers such as blood or broken bones. This is only a seemingly paradoxical statement, for in this section I shall demonstrate that the early modern courtiers of Stuttgart conceived of injuries to honour in corporeal terms.

Let us begin with a case that fits perfectly into the model of an »ideal type description of acts of interpersonal violence« proposed by Gerd Schwerhoff[38]. In January 1607, two courtiers named Besserer and Schleinitz engaged in a bitterly fought brawl outside the gates of the city of Stuttgart. Numerous citizens and courtiers witnessed the dispute, and they later described in their testimonies how Schleinitz stabbed Besserer twice, after the fist fight between them had escalated and both had drawn weapons. Besserer's physical injuries proved to be of a superficial nature. Not only did he survive the incident, but he even recovered quickly enough to give a lengthy account of what had happened only days after he had been injured[39]. Duke Friedrich I of Württemberg, at this point, had already given the order to launch an investigation into the matter, and tasked the bailiff of Stuttgart with the gathering of witness statements from everyone who had been present on the day[40]. It quickly emerged that this fight was merely the culmination of an animosity that had been building over several months between Besserer and a group of courtiers headed by Schleinitz. Besserer testified that Schleinitz and three other courtiers (Dachsberger, Münchinger, and Wildnau) had taunted him frequently in the *Ritterstube* during meals. This took the form of verbal attacks, as well as several instances when the others had hit him, and even kicked him with their feet. On one such occasion Besserer had fallen to the ground, and on another the troublesome group had knocked his hat out of his hands, which was a clear attack on his honour[41]. He emphasised that he had tried to avoid his tormentors, even changing his seat in the *Ritterstube* (for which he cited a witness), and he insisted that several others knew that »they made jokes of him that should not be mistaken for [harmless] mockery«[42].

Events unfolded differently in a dispute between the ducal councillor Fircksen and the officer Dela Frene, which neatly illustrates the intense rivalry between courtiers of the sword and the pen. In December 1595 Dela Frene overheard Fircksen give an opinion about a certain officer and felt personally insulted (although Fircksen later insisted that he had been speaking about a different person) and told Fircksen to go back to school with his books and pens, since he knew

38 Gerd Schwerhoff, Early Modern Violence and the Honour Code. From Social Integration to Social Distinction?, in: Crime, Histoire & Sociétés/Crime, History & Societies 17 (2013), p. 27–46, here p. 34–35.

39 See HStAS A 20 Bü 58, *Hofjunckers Besserers Anzaig*, January 1607.

40 HStAS A 20 Bü 58, doc. 4, *Inquisitio* by Johann Sebastian von Hornmold and Andreas Leher.

41 On the knocking down of a hat see Schwerhoff, Early Modern Violence and the Honour Code (as in n. 38), p. 35.

42 HStAS, A 20 Bü 58, *Hofjunckers Beßerers Anzaig*, fol. 1r: *andere wißen werden, das sie im vil grober boßen gerißen, die nit* für *boßsen zuhalten*.

nothing of warfare[43]. Fircksen considered this to be an affront to his honour as a nobleman, and replied that while he might not be an officer, he knew the business of war just as well as one, and whoever did not believe him would only have to try him. The dispute escalated the following morning when the enraged Dela Frene drew a dagger on Fircksen as they were leaving the *Ritterstube* after breakfast and »moreover struck him with *ehrverletzlichen* [defamatory] words«, and eventually challenged him[44]. The challenge was later repeated when the two men met in the street. It was at this point that Duke Friedrich became involved in the matter and ordered the head of the *Oberrat*[45], as well as the court master and two other high-ranking court officials, to question the two parties and effect a reconciliation between them. After a series of conversations and an exchange of official letters with the duke himself, Fircksen and Dela Frene agreed that their dispute had been a misunderstanding, that they did not wish each other any harm, and that their words had been spoken only »in heat, and as the result of a tumultuous temper«[46].

At first glance, the parameters of this case appear to differ significantly from the dispute between Besserer and Schleinitz. Here, the duke stepped in before anyone was physically harmed, whereas Besserer had been knocked to the ground and kicked on several occasions without triggering such a process of conflict resolution. The sluggish response from the authorities was linked to questions of social rank and networks. Besserer belonged to a house of urban nobility that had its seat in the city of Ulm[47]. As such, his noble credentials were of lower status than those of the courtiers taunting him, who stemmed from wealthier and more established lines[48]. During the enquiry, Besserer signalled his humility in his complaint, stating that »he was sorry himself« and emphasising that he had attempted to de-escalate the conflict on many occasions and had exhausted all options to avoid physically attacking the other courtiers[49]. Furthermore, he clearly lacked personal connections at court, as he often found himself facing his tormentors completely alone. Fircksen, on the other hand, had a direct line to the duke's ear owing to his prestigious court office, and he made use of this immediately to signal the injury to honour he believed he had suffered after the altercation with Dela Frene[50]. Similarly, the dispute between Remchingen and Weittershausen, cited at the outset of the article, was identified as a disruption before the fatal fight took place. As happened frequently in these cases, their altercation began during a meal in the *Ritterstube*, when Weittershausen questioned Remchingen about his extended stay in France and asked him to translate a number of words into French as a test of his abilities. Remchingen did not take this well and suggested Weittershausen was acting like an immature youth[51]. As tempers were rising, a courtier at a neighbouring table cut into the conversation and made it clear to the pair that they were acting in an inappropriate manner[52]. Both of them eventually agreed to share a drink together and as a result several people who had overheard the exchange later stated that they »would never have thought that they would meet each

43 HStAS A 20 Bü 58, report signed by *Landhofmeister* Laymmingen, fol. 2r.
44 Ibid., fol. 3r: *auch mit disen ehruerletzlichen wortten angetastet.*
45 For *Oberrat* see section »Violence and Honour« of this article.
46 HStAS A 20 Bü 58, report signed by *Landhofmeister* Laymmingen, fol. 6v: »In ainer hitz auß bewegtem gemüeth ergangenen reden«.
47 S. v. »Besserer v. Thalfingen«, in: Ernst Heinrich Kneschke, Neues allgemeines deutsches Adels-Lexikon, vol. 1 Aa-Boyve, Zurich 1996, p. 283–285.
48 See s. v. »Schleinitz«, in: Kneschke, Neues allgemeines deutsches Adels-Lexikon, vol. 8 Saackhen, Wailckhl v. Saackhen – Steinhauer zu Bulgarn (as in n. 47), p. 195–199.
49 Ibid., fol. 1r: *Es sey im selber laid.*
50 HStAS A 20 Bü 58, report signed by *Landhofmeister* Laymmingen, fol. 2r.
51 HStAS A 20 Bü 58, *Inquisitio*, 2nd August 1604, fol. 1r.
52 Ibid., fol. 2r.

other with weapons after this«[53]. The bystanders had mistakenly believed that the injury to honour had been healed with the symbolic and corporeal act of drinking together[54]. Nevertheless, Remchingen and Weittershausen fought outside the city walls the very next day.

The mistake of the bystanding courtiers in the *Ritterstube* is easily comprehensible, since no visible injury had been inflicted on either of the opponents during their first, verbal, exchange. And yet, words were clearly enough to injure someone's honour, as we see in the prescriptions of the court ordinances, as well as in the Dela Frene and Fircksen case, where the opponents used words that »struck« each other's honour. They further attested that the »heat« and tumult of their temper had caused them to make such utterances. The language and logic they used referred to a humoralist conception of a body that was in constant flux, and which could be damaged as easily through the force of a violent emotion as an angrily wielded rapier[55]. Their verbal exchange had caused an internal heat and imbalance (tumult), which favoured the production of yellow bile, which, in turn, triggered the overflow of angry remarks[56]. The connection between corporeality and verbal utterances was thus so close that a clear distinction between them would not have made sense to contemporaries[57]. We see this rationale borne out in the other cases discussed so far: Besserer lumped together physical and verbal aggressions in his account of his altercations with Schleinitz and his group of courtiers; in the Remchingen and Weittershausen case a seemingly innocuous verbal exchange led directly to a fight with a fatal outcome. Words had such unpredictable power because of their ability to »strike« the honour of an opponent.

Such conceptions point to the existence of a corporeal dimension of honour. Corporeal honour has previously been identified and discussed within the historiography of violence, but it is conspicuous by its absence from court studies[58]. In the last two decades, historians of courts and dynasties have paid particular attention to social interactions that established status hierarchies, as well as to »economies of honour«[59]. They often use metaphors, such as the distinction between »vertical« and »horizontal« honour[60], or the concept of symbolic and cultural

53 See for instance ibid., fol. 1v: *hienach kein wegs gemeinte, das sie deswegen mit wehren aneinander khommen sollte.*

54 On the potentially far-reaching implications of drinking together see Kathy Stuart, Defiled Trades and Social Outcasts. Honor and Ritual Pollution in Early Modern Germany, Cambridge 2006, p. 47–48.

55 Ulinka Rublack, Fluxes. The Early Modern Body and the Emotions, in: History Workshop Journal 53 (2002), p. 1–16; see also Michael Stolberg, Der gesunde Leib. Zur Geschichtlichkeit frühneuzeitlicher Körpererfahrung, in: Paul Münch (ed.), »Erfahrung« als Kategorie der Frühneuzeitgeschichte, Munich 2001 (Beihefte Historische Zeitschrift, 31), p. 37–58, here p. 39–40.

56 See also Allyson F. Creasman, Fighting Words. Anger, Insult, and »Self-Help« in Early Modern German Law, in: Journal of Social History 51 (2017), p. 272–292, here p. 276–280.

57 On the relationship between violence and language see also Jutta Eming, Claudia Jarzebowski (eds.), Blutige Worte. Internationales und interdisziplinäres Kolloquium zum Verhältnis von Sprache und Gewalt in Mittelalter und Früher Neuzeit, Göttingen 2008 (Berliner Mittelalter- und Frühneuzeitforschung, 4), though the contributors are less concerned with corporeality.

58 See Peter Spierenburg, A History of Murder. Personal Violence in Europe from the Middle Ages to the Present, Cambridge 2008, p. 8–10; Valentin Groebner, Losing Face, Saving Face. Noses and Honour in the Late Medieval Town, transl. by Pamela Selwyn, in: History Workshop Journal 40 (1995), p. 1–15, here p. 9–11; discussions of bodily dimensions of honour at court have long been focused on considerations of sexual or economic honour, see Nye, Masculinity and Male Codes of Honour (as in n. 7).

59 See Sternberg, Status Interaction (as in n. 13); on the »economy of honour« see Pečar, Die Ökonomie der Ehre (as in n. 16).

60 See Peltonen, The Duel in Early Modern England (as in n. 10), p. 35–44.

capital, in order to grasp analytically the dynamic movements of early modern honour[61]. These aids to thinking, however, privilege an intellectual conception of honour that does not reflect the full richness of the attitudes and experiences relating to what it meant to lead an honourable life at this time. In the *Ehrenhändel* considered here, brawling could be explained and legitimised by pointing to previous injuries of honour inflicted by the opposing parties. These injuries did not usually leave visible marks, but they could trigger an almost involuntary physical reaction (or, in other words, the brawl or armed combat); in the same way, insulting words would rise to the lips of an agitated man without his performing the intellectual effort of summoning them.

We can observe corporeal honour in practice in the Stuttgart cases as late as 1661. In that year, the courtly exchequer offices were the backdrop to a heated exchange between the *Oberrat* and chancellery scribe, Dapp, and the court master of the noblewomen's apartments' (*Frauenzimmerhofmeister*) and bailiff of Leonberg, Münchinger. Münchinger attempted to use the superiority of his rank in order to pressure his junior colleague into accepting a diminished return on money he had invested in the department of Leonberg[62]. The discussions went on for quite some time, and they were accompanied by a number of alcoholic drinks. Still Dapp continued to insist on a guarantee he had received from the duke himself, and when Münchinger reminded him inelegantly of his inferior rank as »nothing but a scribe« he lost his temper[63]. He retorted in a raised voice that Münchinger was in no position to order him to do anything, and if he had a problem with him, then he should say so in front of the *Oberrat*. Witnesses testified that they were shocked at the »angry« and »impatient gestures« that accompanied Dapp's outburst, and they asked him to remember whom he was addressing in this fashion[64]. And indeed, once the pair had cooled off and sobered up, Dapp found himself forced to ask for forgiveness for his *faux pas*, as Münchinger now contacted the duke demanding satisfaction. Münchinger said that Dapp had acted in an irresponsible fashion, since he had insulted him without thinking of his age and bad health: by so doing, »[he] rendered me even more ill and he weakened the forces of my body, which had been diminished to begin with«[65]. Münchinger used the German term *kränken* (literally: »to render ill«), which today is usually translated in English as »to offend« or »to hurt someone's feelings«. But in this instance, the context makes it quite clear that Dapp's transgression was described in corporeal – not figurative – terms[66].

Peter Spierenburg, who argues for the importance of corporeal honour in the early modern period, furthermore suggests that this type of honour was particularly widespread in social milieux that lacked stable forms of governance[67]. The cases considered here challenge this proposition. Württemberg was certainly no fully formed state in the seventeenth century, but

61 See Pečar, Die Ökonomie der Ehre (as in n. 16).
62 HStAS A 20 Bü 59, *Decretum* 6th April 1661, fol 2r–v.
63 Ibid., fol. 4v: *seye er doch nur ein schreiber.*
64 Ibid., fol. 5r.
65 HStAS A 20 Bü 59, letter from Münchinger, 20th March 1661, fol. 1r: *vnnd mich in meinem zunehmendem Altter vnnd bekannten übelen Leibes disposition noch mehrers zue kränckhen vnnd mithin die vorhin wenige Leibes kräfften, mercklich zuschwächen.*
66 The corporeal honour at stake here is thus distinct from (though related to) the practice of reading body parts and gestures as parts of a code of honour, which is frequently emphasised in older studies. See Martin Dinges, Die Ehre als Thema der historischen Anthropologie. Bemerkungen zur Wissenschaftsgeschichte und zur Konzeptualisierung, in: Klaus Schreiner, Gerd Schwerhoff (ed.), Verletzte Ehre. Ehrkonflikte in Gesellschaften des Mittelalters und der Frühen Neuzeit, Cologne 1995 (Norm und Struktur. Studien zum sozialen Wandel im Mittelalter und Früher Neuzeit, 5), p. 29–62, here p. 53.
67 Spierenburg, A History of Murder (as in n. 58), p. 10; see also Schwerhoff, Early Modern Violence and the Honour Code (as in n. 38), p. 29.

it boasted a well-developed regional administration and, particularly in Stuttgart, the duke's reach was broadly felt, as is attested by these very documents[68]. They show that the duke and his councillors were at least occasionally successful in resolving injuries to honour before physical injury occurred, provided that courtiers judged socially disruptive situations correctly, and channels of communication with the duke were sufficiently direct[69]. All cases considered here featured an injury to corporeal honour. The investigations triggered by these disputes used the same procedures for cases of violence directed against the physical body and injuries to honour, thus suggesting the absence of a qualitative distinction between the two phenomena. Unsurprisingly, these attitudes to corporeality also played a crucial role in the practices used by court authorities in order to establish the culpability of those involved in fights and brawls. This will be the subject of the next section of this article.

Corporeality and Motives

Using early modern trial records or courtly investigations of disputes and brawls (as in our case) exempt from the ordinary judiciary channels as sources can be frustrating at times for historians interested in understanding violence in its contemporary context. For, while such records are testimony to how seriously violent transgressions were taken at the time, they often refrain from explicitly discussing themes that are of great interest to us, such as the motive of the perpetrator, or the emotional and physical impact suffered by the victim[70]. The lack of interest in what Francisca Loetz calls the »psychological circumstances« of a crime can appear odd and emotionally stunted to us[71]. Yet, when we take seriously corporeality and its powerful, polyvalent meanings in the early modern period, then the records discussed in the present article begin to yield evidence of a desire to establish motives and assign culpability. The close attention paid by investigators and witnesses to the material events of the transgression, or – in other words – the lived corporeality of an incident, here reveals itself to be a procedure for building a consensus among witnesses, investigators, and the ruler about what had happened, who was at fault, and why someone had been incited to certain actions.

An interesting example of this is the Besserer and Schleinitz case that we have already encountered above. Besserer had it recorded that on the day of the armed fight, Schleinitz came up to him in the *Ritterstube* during the evening meal and asked derisively, *quod sunt artes liberales?*, while Münchinger pushed him and knocked his hat from his hand[72]. This account was corroborated by Johannes Rotner, who sat at the same table[73]. The court officials and the duke who were to read the report would have understood immediately what was at stake when a courtier from an old noble family taunted a lesser noble about his knowledge of the liberal arts. The knocking away of the hat completed the tableau Besserer was painting and it was evident that an injury to his honour had taken place here.

68 See Vann, The Making of a State (as in n. 19), p. 58–88.

69 This resonates with the important current of historiography emphasising a state-formation narrative from below that studies the fundamental significance of the demands of subjects for the legislative practices of decision-makers. See for instance André Holenstein, *Gute Policey* und lokale Gesellschaft im Staat des Ancien Régime. Das Fallbeispiel der Markgrafschaft Baden-(-Durlach), vol. 1 and 2, Bern 2003 (Frühneuzeit-Forschungen, 9), for instance p. 24.

70 See the commentary on this point in Dinges, Ehre und Geschlecht in der Frühen Neuzeit (as in n. 22), p. 125; also Lorenz, Das Rad der Gewalt (as in n. 4), p. 19.

71 See Loetz, A New Approach to the History of Violence (as in n. 18), p. 119.

72 HStAS A 20 Bü 58, *Hofjunckers Beßerers Anzaig*, fol. 1v.

73 For his witness statement see HStAS A 20 Bü 58, *Inquisitio* signed by Johann Sebastian von Hornmoldt and Andreas Leher, fol. 1r–3v.

Yet Besserer was at pains to emphasise that even at that point he did not yet intend to fight Schleinitz. Instead, he intended to go for a drink in an establishment not far from the courtly stables along with his friend and witness-to-be Rotner. On the way there, he was once more intercepted by Schleinitz and his entourage of courtiers, while still in the *Burgfrieden* area. Here Schleinitz slapped Besserer twice in the face and said that he would no longer be able to eat in the same room as him, if Besserer did not defend himself now[74]. After this final provocation, Besserer followed the group outside the city gates. Interestingly, he omitted any reference to this change in location from his account, but we can reconstruct it from the context and from a number of testimonials by onlookers. Once outside, Schleinitz took off his jacket, but Besserer still insisted in his account that he »did not want to do it« and that he only opened his jacket at the front, but did not take it off[75]. This seemingly banal detail was discussed by eight out of a total of thirteen witnesses (excluding the participants of the fight). It thus seems certain that the Stuttgart city bailiff and the head of the ducal church council, who were in charge of the investigation, had specifically asked about this matter. Six witnesses confirmed that Schleinitz had taken off his jacket first, and two added that he rolled up his sleeves, while Besserer did nothing of the sort. Two others believed that it was the other way around, but then a number of the men and women who witnessed the fight did not know the names of those involved, and called them indistinctly »men of nobility«. Two witnesses further added that, after a first exchange of blows with rapiers, Besserer had thrown away his weapon and had exclaimed that he did not want to fight any more as he was outnumbered. Yet, according to these witnesses, the other four noblemen had forced him to take up his weapon again, although it was clear that he was not interested in fighting[76]. Again, Besserer himself omitted this detail from his account, although it would have underlined how reluctant he was to take part in this fight. It emerges that Besserer had to take into account a number of conflicting demands when he constructed his report. In the first place, it was important that the duke would see that he had not sought to break the rules of the *Burgfrieden* on purpose, nor aimed at sidestepping the court ordinance by walking out of the city gates, where theoretically the peace zone came to an end. Secondly, his narrative also had to uphold his own honour, and the way he told the story was that he managed to knock Schleinitz to the ground with his fist after the others had relieved him of his rapier, thus emphasising his prowess in an obviously uneven fight[77].

The witnesses and the participants of the fight all centred their statements on corporeal behaviours and movements, rather than detailing the impact of intentions and motivations external to the combat situation. The slaps to the face were an excessive provocation on the part of Schleinitz, and the removal of his jacket made it clear that he had prepared himself to fight. The majority of the witnesses commented on how Besserer appeared to be reluctant to fight. One Agnes Klaiber even emphasised that he walked only very slowly, when he followed the four others outside of the city gates[78]. These statements were detailed accounts of the incident, and assignments of culpability, all at once[79]. The duke eventually based his decision on the observations of body language presented to him, and he promptly suspended the courtly service of

74 HStAS A 20 Bü 58, *Hofjunckers Beßerers Anzaig*, fol. 1v.
75 Ibid., fol. 2r: *ers aber nit thun wöllen*.
76 See HStAS A 20 Bü 58, *Inquisitio* signed by Hornmoldt and Leher, fol. 1r–12v.
77 HStAS A 20 Bü 58, *Hofjunckers Beßerers Anzaig*, fol. 2r.
78 HStAS A 20 Bü 58, *Inquisitio*, fol. 5r.
79 Mark Hengerer, Kaiserhof und Adel in der Mitte des 17. Jahrhunderts. Eine Kommunikationsgeschichte der Macht in der Vormoderne, Konstanz 2004 (Historische Kulturwissenschaft, 3), p. 185–186, also emphasises the significance of collective consent for disciplinary action at court.

Schleinitz, Münchinger, Dachsberger, and Wildnau, while Besserer received a higher court office by the end of the year[80].

Even before the corporeal positions and behaviours during a fight became relevant, the interplay between corporeality and social space could reveal a significant amount about the intentions and culpabilities of the perpetrators. As we have seen, it was particularly risky to admit to having committed a physical attack on someone within the zone of the *Burgfrieden*, and all participants of honour-based disputes were consistently careful in relating where they had been when a dispute began, escalated, and ended. The fatal combat between Remchingen and Weittershausen, discussed above, took place the day after their verbal altercation in the *Ritterstube*. Weittershausen's landlady later testified that Remchingen had come to knock on her door early in the following morning dressed only in trousers and a jacket. Because of his informal attire she was not sure whether the young man was of nobility, but she decided to show him to Weittershausen's chambers anyway and to wake her lodger's page boy, so that he would assist him[81]. Remchingen then rudely woke up Weittershausen and challenged him to fight, while the other young man was still lying in bed. The landlady further stated that Weittershausen then asked to meet with Remchingen a couple of hours later, which Remchingen refused. She concluded by saying that Weittershausen »was not well or at his best, since he had [only] just got up […] out of bed« when the pair of them left her house[82].

The act of surprising a courtier in his lodgings at a time when he was undressed, or otherwise in a vulnerable position, was considered to be improper and a potential injury of honour in itself. A violent dispute broke out in such a situation involving the nobleman Hans David Lammersheim and the doctor of law and *Oberrat* Willhelm Daser in September 1606. The two men occupied chambers in the same building and Daser had accosted Lammersheim in the sitting room and complained that the other's dog was excessively noisy and robbed him of his sleep. Lammersheim had given him what he considered to be an appropriate response, indicating that he would keep the dog only for another couple of days before gifting it to a noblewoman in Nürtingen, before climbing the stairs to his chambers and preparing for sleep. Daser, however, was still unsatisfied, and Lammersheim testified: »He followed me up the stairs to my chamber and surprised me in an undignified manner as I was trying to undress, in this way the doctor caused me to hand my servant my rapier and to descend the steps again […]«[83]. This intrusion at a time of corporeal vulnerability aggravated Lammersheim to such an extent that he felt justified in launching a violent attack in response. Furthermore, in 1581 the knight Dietrich von Görtz accidentally killed Duke Ludwig's (r. 1568–1593) jester with a single blow from his open hand. The incident took place on the way home after a night spent drinking in the house of a mutual acquaintance. Görtz never denied his actions, but he insisted that he had struck the blow (or »slap« as he called it) only after Jörg the jester had finished urinating against the corner of a house[84]. It was of no small importance to Görtz that these details made it into the final councillors' report that was presented to the duke[85]. Since the councillors were satisfied that he

80 See Walther Pfeilsticker, Neues württembergisches Dienerbuch, vol. 1 Hof – Regierung – Verwaltung, Stuttgart 1957, Besserer: § 1501, Dachsberger: § 1501, Münchinger: § 1554, Schleinitz: § 1573, Wildnau: § 1499.

81 HStAS A 20 Bü 58, doc. 2, Inquisition, 2nd August 1604, fol. 8r–v.

82 Ibid., fol 9r: *nicht wol vnd zum besten vfgewest, derenthalben er auch noch von Beth* […] *vfgestanden were*.

83 HStAS A 20 Bü 58, doc. 2, *Gegenbericht* from Hans von Lammersheim, 16th September 1606, fol. 1v: *sondern die stegen hinauf mich Inn meinem Losament hernacher vnwürtiger weiß als ich mich begert vßzuziehen, überlafen, dardurch er Doctor Daser mich verursacht, das ich meinen knecht das Rapier geben vnnd hinab gangen.*

84 A 20 Bü 57, *Inquisition*, 10th April 1581, fol. 2v.

85 For the final report see A 20 Bü 57, *fernere Inquisition*, 15th April 1581.

had indeed struck Jörg with his flat hand, it was reasonable to assume that he had not intended to kill the jester, and, since he had not attacked his opponent quite literally with his pants down, he was able to retain some of his honour.

Corporeality thus gave evidence of many aspects of transgressive disputes among courtiers. Paying attention to bodily positions, behaviours, and conditions could illuminate the intentions of those involved in such disputes, as well as reveal whether implicit codes of honour had been breached and had thus triggered the violent reaction of one of the parties. Witnesses and investigators looked to corporeality to help them establish who was a victim and who was a perpetrator. A (perceived) injury to honour lay at the core of all the disputes considered here. As a result of the tacit understandings of what comprised legitimate reactions to varying levels of honour-based infractions, the sources do not discuss intentions and psychological experiences of violence in a fashion that is immediately apparent to us. I argue, however, that the scrutiny of lived corporeality in these highly specific contexts should be read as a mode for the consideration of questions of culpability and intention in those involved in the disputes considered here.

Reconciliation

The investigations we have considered so far mobilised significant administrative resources. In most cases, the duke's trusted councillors were involved in the process of gathering witness testimonies and writing detailed reports on the basis of their enquiries. The duke often supervised the investigations closely, especially in cases involving high-ranking personnel, and demanded as much information as possible before deciding on the fate of the perpetrators involved. This effort was crucial because the investigation was itself part of the process for reconciliation after the peace and order of the court had been breached. It can be helpful to think of this as a two-step process.

The first step towards reconciliation consisted of the construction of a narrative of the transgressive events that represented a consensus between all those involved. A lot of the work towards the achievement of such a consensus must have taken place orally, which is why this is not easily traceable in the sources. Still, when we consider the fourteen witness testimonies gathered in the Remchingen and Weittershausen affair, it is striking that a single narrative emerges clearly of the altercation between the two young courtiers in the *Ritterstube* on the night before their swordfight[86]. While the documents detailing the seating arrangements in the *Ritterstube* in 1604 have not been preserved, the corresponding ordinance for 1611 lists a total of eighty-seven people who took their meals in this space[87]. The records considered previously show that conversations during mealtimes were common, and we can thus imagine that the noise level in this large space within the Stuttgart palace was probably somewhat elevated. Nevertheless, the court physician Oswald Gabelkhover and the court preacher Erasmus Grüninger both stated that they had heard Remchingen and Weittershausen have a heated exchange about their abilities in speaking the French language. Gabelkhover and Grüninger even used nearly identical language in their testimonies to describe the argument, as did a number of other witnesses who were present that night[88]. When we add to this the fact that the seating order for mealtimes followed strict hierarchical rules, it would appear unlikely that Remchingen and Weittershausen were seated anywhere in the vicinity of Gabelkhover and Grüninger. It is thus evident that some active work towards the formation of a consensus had taken place in 1604 before the witness testimonies were recorded in writing. Such efforts, however, did not

86 HStAS A 20 Bü 58, *Inquisition*, 2nd August 1604.
87 See HStAS A 21 Bü 204, *Setzordnung in der Ritterstuben*, 1611.
88 HStAS A 20 Bü 58, *Inquisition*, 2nd August 1604, fol. 1r–12v.

always go smoothly. In the affair of the jester-killing committed by the knight, Görtz, the court officials had to repeat their witness interviews because a number of details were in dispute[89]. Görtz insisted that Jörg the jester had threatened to throw a candlestick at one of the men present at the gathering, and, when Görtz had intervened, the inebriated jester had threatened to stab him. The other witnesses had not originally mentioned this in their statements. When they were questioned again, all four of them stated that they did not specifically remember that exchange, but they were certain that it could have taken place, since Jörg had been very drunk and had uttered a number of other insults[90]. With these statements the witnesses implicitly accepted Görtz's version of the events and paved the way for him to be sanctioned more mildly on the grounds of mitigating circumstances.

In this way, witnesses, perpetrators, and investigators were actively involved in re-establishing a coherent order where it had been temporarily lost. Once the ruler was presented with all the evidence gathered by the investigation, it was up to him to decree a penalty for the parties he found guilty of an infraction. As we have seen, the court ordinance stipulated relatively harsh punishments for individuals who broke the *Burgfrieden*. Long stretches of imprisonment were listed, as was the chopping off of limbs[91]. In practice, however, such punishments must have been exceedingly rare and in the cases studied here no such measures were taken. Usually, those involved in an *Ehrenhandel* were removed from court for the duration of the investigation, but noblemen were given lodgings appropriate to their rank. In the Besserer and Schleinitz case, the duke requested letters of apology from Dachsberger and Münchinger, who had been instrumental in bullying Besserer[92]. When Remchingen killed Weittershausen, he took a part of the decision-making process out of the hands of the duke, since he fled Württemberg immediately. However, since his family was very well respected and had many connections at the court of Stuttgart, his mother began to petition Duke Friedrich two years after the killing for forgiveness for her son, and for permission to have him return to Stuttgart[93]. Friedrich was careful to include the Weittershausen family in these negotiations and he remained noncommittal himself, since Weittershausen's father gave no signals of forgiveness. Remchingen's mother Maria, however, proved to be tenacious and she kept up her campaign over several years. She even involved the Elector Palatine Friedrich IV, who wrote to Duke Friedrich stating that he was moved by Remchingen's story, and that he would be happy to see a resolution of this situation that would allow the young man to come home to his family[94]. The ruler of Württemberg was much more likely to demand official apologies, to suspend someone's court service, or to mediate reconciliation strategies between families, than to cut off the hand of someone involved in a violent altercation. The act of showing mercy was an important opportunity to display one's princely character[95]. Generosity of spirit and a merciful disposition were among the qualities most celebrated in contemporary rulers, and it made sense for the duke to align himself publicly with these values. In performing his specific brand of justice, which remained untethered to written rules and law, he emphasised his special status in regards to judicial orders, and he highlighted the close and personal relationships he entertained with the elite families in his territory.

89 This is the reason cited for the writing of the HStAS A 20 Bü 57, *fernere Inquisition*, fol. 1r.
90 Ibid., fol. 1v–2v.
91 HStAS A 21 Bü 215, *Hofordnung* 1618, fol. 2r–6r.
92 The apologies from Münchinger and Dachsberger are transmitted under HStAS A 20 Bü 58.
93 See introduction to this article.
94 HStAS Bü 20 Bü 58, doc. 11, letter from Pfalzgraf Friedrich IV, 25th September 1607.
95 See also Ulrike Ludwig, Das Herz der Justitia. Gestaltungspotentiale territorialer Herrschaft in der Strafrechts- und Gnadenpraxis am Beispiel Kursachsens 1548–1648, Konstanz 2008 (Konflikte und Kultur: Historische Perspektiven, 16), esp. p. 174–177.

The ambiguity and inscrutability of corporeality helped to facilitate this gentler brand of conflict resolution. When the young courtier Remchingen killed his peer Weittershausen, he left the duke in a difficult position. With the perpetrator on the run and the victim dead, the duke's authority was compromised from the perspective of Weittershausen's family, who had assumed that their son was in a safe place to advance his education. The in-depth investigation of the events leading up to Weittershausen's death was one step in the direction of re-establishing order, but the family required more than that. Although Remchingen's guilt was uncontested and there was no need for further evidence against him, the Weittershausen family asked the duke that their son's body be opened and examined in order to determine in detail the damage Remchingen's rapier had caused[96]. At once, Duke Friedrich instructed his physicians Gabelkhover and Schwartz (who had already served as witnesses to the dispute in the *Ritterstube*) to perform the desired examination. Two high-ranking courtiers were present as witnesses during the examination, and the physicians wrote a detailed report of what they had found. Remchingen's rapier had entered Weittershausen's abdomen below the navel, where it had damaged the peritoneum and the intestine severely[97]. The weapon had completely pierced the body and an exit wound was plainly visible. The physicians further noted the large amount of blood that was gathered »deep down in the body«[98]. They came to the conclusion that Weittershausen had been in good health, but that it would have been completely impossible to recover from the wound he had suffered. The records do not show whether this reassured the family in some way; at least they now knew that there was only one person guilty of their son's death, and that the court physicians could not have done anything more to save him. Perhaps the privilege of being cared for by the same hands that treated the ruler himself bestowed a measure of post-mortem honour on the deceased. In any case, the duke could thus fulfil a request from a family who had suffered a significant loss, and he made it plain that he supported them in this matter in any way he could.

At other times, the very fact that corporeality was difficult to read could become a bargaining chip in the process of conflict resolution. In the case involving Görtz and the death of Jörg the jester, several outcomes were on the table for the perpetrator. The councillors acknowledged as much in their final report to the duke, in which they stated that, depending on how the facts of the case were interpreted, he might decide either to inflict corporal punishment on Görtz, as required by legislation, or to punish him on the basis of the power of his office (*ex officio*) and decide upon a different sanction[99]. The report further stated that the deciding factor was whether Görtz's blow alone had killed Jörg, or whether Jörg's state of great inebriation had contributed to his death. The councillors wrote: »it might well be that the wine or the drunkenness contributed to his fall […] and, when in doubt, it is usual to state that another accident occurred at the same time and finished him off«[100]. On the basis of this, the duke could himself choose which option he preferred, and then fall back on either interpretation of Jörg's corpore-

96 This decision is all the more puzzling as Karin Stukenbrok, Der sezierte Leichnam als Objekt der (Körper-)Erfahrung in der Frühen Neuzeit, in: Münch (ed.), »Erfahrung« als Kategorie der Frühneuzeitgeschichte (as in n. 55), p. 73–88, identifies significant cultural, religious, and sensory obstacles to giving consent to autopsies, albeit on the basis of eighteenth-century sources.

97 HStAS A 20 Bü 58, report by the court physicians Oswald Gabelkhover and Christof Schwartz, 4th August 1604.

98 Ibid., fol. 1v: *zu aller vnderst im leib hauffen weis gesamlet ghabt*.

99 HStAS A 20 Bü 57, *Bedenken*, 15th April 1581, fol. 1v.

100 Ibid., fol. 1v–2r: *vnd khan wol sein daß wein oder trunckhenheyt zu sampt dem fahl* […] *ein ander accidens mit ein geschlagen deß Ine vollendts hingericht, wie man dan in dubis in dergleichen fällen constatirt.*

al state to back up his choice[101]. The ambiguity of the body thus provided the ruler with room for manoeuvre[102].

Conclusion

Gerd Schwerhoff and other researchers of violence have alerted us in important ways to the changing and, at times, unexpected social functions of violence[103]. In their studies, violence emerges not merely as an arbitrary and ultimately meaningless disruption of the social order that yields results only when studied quantitatively. Instead, violence is shown to fulfil social and political purposes of integration and consensus-building in the *ancien régime*. For the specific context of this article, I propose that it is crucial to examine violence alongside the procedures that contemporaries employed to achieve conflict resolution. When a courtier inflicted an injury upon the corporeal honour of another, the act was thoroughly investigated. This fact-finding mission was itself part of the resolution process, as it was during the gathering of witness statements and other information relating to the events that the councillors, the courtiers, and the duke negotiated the culpability of those involved. Once the various accounts of the violent action were brought into alignment with each other, the duke could sanction the perpetrators. These sanctions were invariably characterised by a wish to appear merciful and by a desire to reconcile the parties. Corporeality guided actors during the entirety of the procedure to resolve violent disruptions. The exact physical location of fights, the insults proclaimed, the weapons drawn, and the arrangement of clothing on the body could all variously give evidence of culpability, or provide grounds for extenuating circumstances. Moreover, it was the opacity of corporeality that opened up options for those in need of forgiveness and resolution. The duke's physicians could peer beneath the skin of a dead body, but even so material corporeality retained many secrets. Who could say whether the victim might have lived if a wound – inflicted in anger – had penetrated the body slightly further to the right, or if fewer goblets of wine had interfered with the internal balance of the injured party? These ambiguities were precious, as they permitted a flexible use of punishment and mercy that facilitated reconciliation within the court community and that also assisted rulers in emphasising their own exalted status.

Finally, the notion of corporeal honour is still neglected in today's court studies. In this article, I have argued for a revision of this attitude, as many of the models developed on the basis of intellectual conceptions of honour overemphasise strategic thinking and the transactional mentalities of courtly actors. Reintroducing the often unpredictable and always intractable corporeal dimension of honour to such studies of social and political interaction at court could provide an important corrective.

101 This also suggests that the »politics of the body« described in Birgit Emich, Körper-Politik? Die Duellforderungen Karls V., in: Ludwig, Krug-Richter, Schwerhoff (ed.), Das Duell (as in n. 5), p. 197–211, here p. 203–205, should now be extended to include the bodies of courtiers, rather than focus solely on the corporeality of rulers.

102 Julia Heinemann makes a similar argument about bodies in the context of aristocratic marriage negotiations: Von Impotenz, Schönheit und Komplexion. Körper in Eheanbahnungen des französischen Gesandten Raymond de Fourquevaux am spanischen Hof (1565–1572), in: Frühneuzeit-Info 29 (2018), p. 57–74, here p. 68–69.

103 Schwerhoff, Early Modern Violence and the Honour Code (as in n. 38); also Roper, Oedipus and the Devil (as in n. 21), p. 113–120.