

Social Position of the Ministeriales in Medieval Germany

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Introduction

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In this paper, attention will be given specially to the social upward mobility of the ministeriales. First, looking into the position of the ministeriales in social status and their origin, I try to illustrate the factors for their rise in social position in consideration of social and political situations of the German monarchy at that time, and then to look into what changes took place in their position after the 13th century.

I. The social position and the origins of the ministeriales

First of all, we should investigate the concept of the 'ministeriales'. According to some scholars, the words 'minister' and 'ministerialis', which in the late antiquity had referred to the imperial household slaves were applied during the Carolingians to a great variety of state, court, and domestic officials, i.e. to a count and a bishop as well as to a stableboy, rather than to the members of a peculiar estate. While these terms

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continued to be used in this indiscriminate fashion in France, by the middle of the 11th century German charters carefully distinguished the status. Those who were most commonly called ministeriales by the 12th century were closely related to the court and the king with special services. They formed a hereditary and occupational estate composed of territorial administrators, warriors, reeves, and household officials. The lands which were granted in recompense for such services could be hereditary.¹⁾ Owing to the prestige attached to their offices the ministeriales rose socially well above the other semi-freemen and came to mix with the knights and nobles who took the similar offices.

But these knights, these powerful individuals whose mode of life was that of the nobility, were in most cases still serfs at the same time. In the Post-Carolingian period, ecclesiastical lords increasingly assigned important manorial and household responsibilities to their servile dependents whose subordinate position made them more reliable than the free vassals. According to the traditional theory about the origins of the ministeriales, the holders of the household offices gradually performed the greater offices and they became the ministeriales. It has been emphasized that by the middle of the 11th century a number of factors had contributed to the transformation of this group of servile retainers into a hereditary estate. But there could be no doubt that the ministeriales had originally been of servile provenance seeing that until the 13th century they remained subject to legal restrictions commonly associated with serfdom.²⁾ It was considered as a national disgrace that the nobles of Germany were the descendants of serfs. Therefore, at the beginning of the 20th century German scholars rejected the traditional theory,³⁾ but they were little supported by other historians.

K. Bosl contended that the ancestors of the ministeriales should rather be sought among the *servi proprii*, the serfs who did not possess their own tenures, but who worked every day in the lord's household or in his demesne in exchange for room and board. He argues that they had daily personal contacts with their lord, and most importantly had freedom of movement, which was a crucial factor in medieval upward social mobility.⁴⁾

As for the origin of the ministeriales, recent studies generally have not called the traditional theories in question and it seems that there is no ground to reject their servile origin.

Because of their servile origin, ministeriales' de jure status was in contrast with their de facto status. By the 12th century, functionally the ministeriales were nobles, but legally they remained serfs being subject to *mainmorte* and the prohibition against *formariage*. In this respect the terms which Bosl called "noble unfreedom", "free unfreedom" can be justified.⁵⁾ Here, we can find the feature of social upward mobility that has surmounted restrictions of the law.

II. Social upward mobility of the ministeriales

It has been observed in the preceding chapter that the ministeriales enjoyed considerable social privileges in spite of their servile origin. Such an upward mobility can be explained in consideration of the special circumstances in Germany at that time. First of all, the peculiarity of the German social structure must be considered. The social order was so strict that the view prevailed that, on pain of forfeiture of rank, anyone could not hold a fief of one who was considered his inferior. And also, the German conception of freedom made it unable for a freeman to accept the linkage of freedom with service. Therefore, the powerful men including the king were forced to find their assistants in the servile status and in these circumstances the ministeriales could rise.

Secondly, it is necessary to observe the policy of Salian-Staufer monarchs who have tried to make use of the ministeriales as a means of strengthening their authority. As well known there were 5 duchies in Germany after the disintegration of the Carolingian empire and the most powerful duke was elected as the German king. Consequently the monarchy was not in a position to defend its rights against the dukes. In the Saxon period, however, the monarchy gradually became strong and especially Otto I intended the conversion of ducal authority into an office granted by, and

discharged in the service of, the king and the royal authority. The dukes responded these efforts with revolts, and the dualism involved in the interplay of the royal authority and the ducal authority did not appear to meet the needs of kingdom. Moreover, the royal authority was bound up entirely with the person of the ruler. No lasting institutional check was established over the dukes. In short, the whole functioning of government depended on an unstable balance.⁶⁷ Thus, from the very beginning of the 11th century, there were perceptible attempts by every German ruler of the period to cope with the problems Otto I had left unsolved.

Henry III accepted reform movement and tried to realize his ideal of a christian ruler. However he won few friends among the great estate, moreover, throughout his reign, the German church was entirely aristocratic. The churchmen became more intent on their secular interests, less dependable; and in church as well as in secular administration, the Salian kings had need of a new and more dependable class. The king could find among the upper ranks of the dependent classes the necessary resources which he failed in looking for among the free nobility. Unlike in England and France, in Germany the lack of close feudal ties forced all lords, the king among them, to turn to the servile classes for administrative officers and for armed knights; thus, in Germany rose a class of ministeriales as a unique estate in the feudal society of the western Europe.

Ministeriales at first were employed by the great churches, both as administrators of ecclesiastical estates and as armed knights performing the churches' military services, since bishops and abbots disliked to enfeoff their lands to free vassals against the performance of such duties. Because of their habitual obedience and dependence ministeriales were more preferable than vassals and less dangerous to entrust with power. Their holdings, moreover, were not true fiefs but were servile tenures and were the property still of their lords.

Occasional instances of favorite ministeriales near the person of the king may be found in Saxon period, but Conrad II was the first German ruler to favor the royal ministeriales as a class, and to organize them into an administrative staff. Conrad's aim was to recover lands for the

crown and increase their yield by putting them in the hands of the ministeriales. Such policy was carried further by Henry IV. It was under Henry IV that the Salian policy of employing ministeriales as the backbone of the royal administration was pushed to its logical conclusion. It was his intention to build up the royal demesne and subject it to systematic administration and devoted service of the ministeriales, whose task was to execute the king's plans. When the chroniclers of the period complain that Henry listens only to low-born councillors and spurns the advice of high-born princes, they are voicing the complaints of the aristocracy against Henry IV's consistent and exclusive use of ministeriales.⁷⁾

It was the Investiture Contest that brought a moment for the distinct rise of the ministeriales. The Investiture Contest resulted in a fundamental change in the balance of political power in Germany. The aristocracy exploited the long struggle between church and state to reaffirm its position.

Another result of the Investiture Contest was the transformation of German society. As a result of the Investiture Contest Germany advanced fast-ly feudalism. The free society passed away. Under the stress of the times the weaker freemen, in particular the peasantry, went down to serfdom, while the stronger freemen became knights or ministeriales and were bound to higher lords by the ties of vassalage and homage. Many freemen, to avoid bankruptcy and ruin, gave up their liberty and entered the ministerial ranks, seeking in this way to escape the rigorous serfdom. Thus the civil wars which originated in the Investiture Contest completed the first phase in the rise and emancipation of the ministerial class. It rose rapidly in the social scale; its separation from the common body of servile dependents, from which it had sprung, was fulfilled.

In this way the Investiture Contest contributed to the reshaping of the German society. The emancipation of the ministeriales constituted the addition of a new class to German society, which, in spite of its servile origins, became a knightly class taking a place in the feudal hierarchy. Participation of the ministeriales to the courtly feasts, courts and imperial assemblies, and meetings of lords and knights doubtless made

conubium (marriage between ministeriales and Edelfreie women) possible.⁸⁾ By the middle of the 12th century ministeriales were found allying by marriage with noble dynasties, succeeding to aristocratic estates and franchises, and occupying high places in the church and state which had formerly been the prerogative of the nobility. The civil wars, which ruined the small freemen and advanced ministeriales, broke up the unity of the old German aristocracy. Many noble families divided continuously, and soon were scarcely distinguishable from the knights or ministeriales with whom eventually they were amalgamated. The title of ministeriales gradually became official and they were acknowledged as indispensable assistants to the imperial policy doing much more expanded political services. To them were entrusted the education of the young princes, advices to the kings, the custody of the most important castles, and sometimes, in Italy, the greater administrative offices; to them also belonged the purest tradition of imperial policy.

Such ministeriales as Markward of Anweiler, Werner of Bolanden and Henry of Kallendin Pappenheim had shown that their legal unfreedom stood in complete contradiction to social and political reality in consideration of their achievements, their positions, their prestiges, lordly life-style and mentality.

One of the most distinguished ministeriales of Frederick I's reign, Werner of Bolanden, rose so high that he possessed 17 castles and 1,100 knights in his service. Markward of Anweiler stood out prominently, who exercised authority as representative of emperor in Italy and was regent of Sicily after the death of Henry VI.

Heroic epics, courtly epics, the lyrics of the Minnesänger were also composed by ministeriales like Walter von der Vogelweide and Wolfram of Eschenbach. These were men of outstanding creativity, who represented and expressed the spirit and consciousness, the speech, forms, and manners of their society, of a lay world which had reached its majority. Albert the Great, philosopher, theologian and natural scientist of the 13th century, an imperial ministeriales by birth, can be placed alongside them.⁹⁾

III. The transition in social position of the ministeriales after 13th century

The ministeriales, who have risen in social status forming a peculiar class under the Salian-Staufers, underwent changes through the 13th century. The confusion during 1198-1215 over the crown affected the imperial ministeriales who had been the backbone of imperial administration in Germany and Italy. They, who have provided the most effective means in transforming to a modern bureaucratic state of the Stauffer with their loyalty, before long pursued their own interests turning their offices into fiefs and adopting the class interests of the petty nobility. Much of the responsibility for the failure to maintain the devotion of the imperial ministeriales rested upon Otto IV, who evinced only the slightest interest, except in Italy, in keeping alive the tradition of royal government established by Frederick Barbarossa. The same was Frederick II. He, who devoted himself entirely to the political development of his Sicilian inheritance, made no attempt to oppose the existing tendencies to decentralization or to reaffirm the rights of the crown. Hence, after Frederick II political sovereignty of territory was placed in the hands of the territorial princes.

Fundamentally more important was the steady shift in social forces, the rise of new classes seeking after political power.¹⁰⁾ The old nobility attacked from all sides by the princes, had lost influence in the course of the 13th century, while in its place the ministerial class rose to new power and being the willing instrument of the rising princes, became the most radical opponent to the princely authority. With the extinction of the old free nobility the ministeriales became the aristocracy of Germany. The name of ministeriales disappeared from most documents in the 13th century, and they were identified with free vassals as milites. The old Dienstrecht or Hofrecht, which had regulated their originally servile position, disappeared and their obligations were instead governed by feudal law. This meant a greater freedom, and all the advantages acquired from a place in the feudal hierarchy including the right to enfeoff vassals of their own, to hold courts, and even in certain districts -for example, Mecklenburg, Holstein and the march of Brandenburg- to tax their dependents. Thus the rise of the ministeriales, which in its early stages

was sponsored by the princes, finally came to endanger the unity of the German territories. In the exactly same way by which the princes themselves had made the feudalism an instrument for weakening the crown and securing their own rise to power, the knightly class within the territorial states set out to stabilize and consolidate their own hold over their fiefs and offices.

A more important fact was that numerous ministeriales settled in the towns and became burghers.¹¹⁾ It has always been recognized that large numbers of ministeriales resided until the middle of the 13th century in the imperial and episcopal cities where they exercised their official duties as castellans, judges, doomsmen, toll collectors, market observers, supervisors of the mint, and members of the city council. But most scholars have paid little attention to the ministeriales' presence in the German towns. Some distinguished urban historians have stressed the decisive role played by the international merchants in the formation and development of the European city. From such view point, there can be only little room for the ministeriales bound to their lord by servile as well as feudal ties.

Knut Schulz¹²⁾ who investigated episcopal cities of Worms and Trier, however, explained the roles of the ministeriales in those cities and asserted that the general view of the ministeriales has to be reexamined in connection with the medieval urban history. It has been by the published works that the ministeriales had occupied leading place in the city council among the patricians, and there have been quite a few examples that indicate their close relationship with commerce. We may say that the ministeriales had common interests with other burghers in the commerce and economic activities as well.

Conclusion

In this paper, I have dealt with some problems of the ministeriales peculiar to the medieval Germany. It seems to be that the ministeriales' exceptional social upward mobility was due to the German characteristic circumstances. The Pre-Carolingian German society was characterized by its rigid division between the powerful nobility and the subservient peasantry. The nobles considered the servile offices as incompatible with their free status. When the vassalage system had rapidly decayed in the

German society the powerful men, including the kings, had to find their assistants among the dependents. The dependent ministeriales became the backbone of the imperial administration and the rising principalities in the 12th and 13th centuries owing to the multiplicity of offices, fiefs, land and rights which were handed over to them to administer.

The attempt of the Salier-Staufer to build a modern state with the assistance of the ministeriales ended with little results. The ministeriales became feudal ruling class partaking of the authority with their lord. In that respect, Karl Bosl considered that the German ministeriales represented a detour (Umweg) on the way to the modern state.¹³⁾ The attempt of the Staufer however had been able to promote the imperial consciousness by supplying such devoted man power. Eventually, the ministeriales achieved their leading position by practicing special services which were entrusted to them and the being creative intellectually and culturally.

The real meaning of the ministeriales could be more exactly clarified by further historical researches in consideration of the social circumstances, psychological features and individual territories, apart from the viewpoint of the law history.

NOTES

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- 3) W.Wittich, Altfreiheit und Dienstbarkeit des Uradels in Niedersachsen (Berlin 1906) vi.129-203.;G.Caro, "Zur Ministerialenfrage", Nova turicensia (Zurich 1911) 91.; F.Keutgen, "Die Entstehung der deutschen Ministerialität", VSWG 8(1910)11-16.; P.Heck, "Der Ursprung der Sachsischen Dienstmannschaft", VSWG 5(1907) 116-172.
- 4) Bosl, "Über soziale Mobilität in der mittelalterlichen Gesellschaft", Frühformen der Gesellschaft im mittelalterlichen Europa (Munich 1904) 167-179.; "Freiheit und Unfreiheit" 180-203.; "Das ius ministerialium" 299.
- 5) Bosl, "Noble Unfreedom: The rise of the ministeriales in Germany", The Medieval nobility, 296.; J.B.Freed, "Reflections on the Medieval German Nobility", A.H.R. 91/3 (1986) 569.
- 6) R.H.Tenbrock, A history of Germany, trans.P.J.Dine (München 1968) 33.
- 7) G.Barracough, The origins of modern Germany (Oxford 1967) 78,80-84.
- 8) Bosl, "Noble Unfreedom", 302.
- 9) Ibid. 311.
- 10) Barracough, op.cit. 8,324.
- 11) Freed, "The origins of the European Nobility: The problem of the Ministerials", Viator 7 (1976) 233.
- 12) K.Schulz, "Die Ministerialität als Problem der Stadtgeschichte. Einige allgemeine Bemerkungen, erläutert am Beispiel der Stadt Worms", Rhein.Vjbl. 32(1968)184-219.
- 13) Bosl, "Noble Unfreedom", 293.