

# The elite university – roles and models

*Edited by Ditlev Tamm*



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## CHAPTER 4

# Keeping up with the Elite. Noblemen at German Universities (15.-16. century) with a Special Regard to Freiburg im Breisgau

*Rainer Christoph Schwinges*

### Abstract

Noblemen were welcome at German universities, where they could, of course, assert their usual privileges. Outside of the universities the nobility got under pressure at the end of the fifteenth century, when a more and more academically educated bourgeois elite advanced into positions of the state and the princes' services, the courts, and the church. Affected by this process were first of all the lower nobility and the chivalry. In response to this, their university attendance increased, especially at the princely provincial universities (Landesuniversitäten). One of these was the Habsburg University of Freiburg in Anterior Austria, whose profile is exemplarily investigated in this article. Most of the noblemen, however, were still satisfied with the mere attendance of the university. Only a minority (12%) of the nobility was taking graduations (usually in arts and law) and thus keeping up with the bourgeois elite. These nobles obviously had not only (official) careers in mind, but were really interested in the academic world. For some (but very few), even the profession of a university professor was an option.

**Key Words:** University, Nobility, Elite, Students of rank, Privileges, Examination, Graduation, Careers, Habsburg, Anterior Austria

Much like their European counterparts, German universities not only accepted, but eagerly welcomed the nobility – prominent part of the social elite that it was.<sup>1</sup> Universities explicitly welcomed noblemen, were prepared for their arrival and proud of counting the sons of all ranks of the nobility among their students. In Oxford, for example, all persons of rank were to be accorded their accustomed privileges and honors: the *consueti honores*.<sup>2</sup> In the Holy Roman Empire, this was taken one step further: the statutes of the University of Vienna declared as early as the 1390s and continued to do so in the following century: we want nobles, peers and others of noble rank to be honoured and treated with preference: *volumus nobiles illustres statum nobilitatis tenentes honorari et preferri*.<sup>3</sup>

## Privileges

Such statements are to be taken not only as incentives and instruments of publicity, but also as insights into the social circumstances of the time. Some universities incorporated this fact in their statutes, others just applied it in practice. It was always a matter of controlling one's self-representation towards the public both within

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1. I use the expression 'elite' pragmatically while acknowledging its ambiguity as described, e.g., by Jean-Philippe Luis, *Les trois temps de l'histoire des élites à l'époque moderne et contemporaine*, in: *Les élites et leurs facettes. Les élites locales dans le monde hellénistique et romain*, textes réunis par Mireille Cèbeillac-Gervasoni et Laurent Lamoine (Collection de l'École Française de Rome, 309; Collection ERGA, 3), Rome/Clermont-Ferrand 2003, p. 37-49. See also my introduction to *Gelehrte im Reich. Studien zur Sozial- und Wirkungsgeschichte akademischer Eliten des 14. bis 16. Jahrhunderts*, ed. Rainer C. Schwinges (*Zeitschrift für Historische Forschung*, Beiheft 18), Berlin 1996, p. 11-22 (Karrieremuster).

2. Cf. *Statuta antiqua universitatis Oxoniensis*, ed. Strickland Gibson, Oxford 1931, p. 239.

3. Cf. Rudolf Kink, *Geschichte der kaiserlichen Universität zu Wien*, Vol. 2, Vienna 1854 (Reprint Francfort on the Main 1969), p. 91.

and without the university, and all *membra universitatis* had to be treated and positioned according to their status. Following a grave social conflict in Basel in the 1460s, which had gotten its university dangerously close to ruin, a formal *ordo differentie* was devised, which then proceeded to be adopted in other places. In this document, strict adherence to the order of precedence is depicted as a virtual guarantee for the continuity of the university, since ‘no society can exist in any other way, unless it is ruled by such a distinction between its ranks’: *quia nulla universitas poterit alia ratione subsistere, nisi magnus eam differentie regulat ordo*.<sup>4</sup> The universities thus responded to their contemporaries’ distinct desire to think in categories of status and to establish themselves within this system. Even the fair copies of the general registers made concessions to this need: The sequence of visitors’ names no longer followed the random order of immatriculation according to dates, but a social hierarchy, which at the same time served as a testimonial for the university’s social prestige. As such, the noblemen and the (generally clerical) dignitaries can be found at the top of the immatriculation lists, whereas the so-called *pauperes* – students without financial means and/or, more importantly, social connections – at their end.<sup>5</sup> Awarding honours and preferences to certain social groups was simply part of ordinary university life. While all students sat and studied in the same rooms, they did so under very different circumstances: In academic lectures, it was a

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4. Liber statutorum (Universitätsarchiv Basel A1), quoted in Guido Kisch, *Die Anfänge der Juristischen Fakultät der Universität Basel 1459-1529* (Studien zur Geschichte der Wissenschaften in Basel, 15), Basel 1962, p. 52-54. For the conflict behind that *ordo* see Rainer Christoph Schwinges, *Reformverlierer an der Basler Universität des 15. Jahrhunderts. Oder: Die verhinderte Definitionsmacht der Juristen*, in: *Reformverlierer 1000-1800. Zum Umgang mit Niederlagen in der europäischen Vormoderne*, ed. Andreas Bihrer and Dietmar Schiersner (Zeitschrift für Historische Forschung, Beiheft 53), Berlin 2016, p. 255-275, here p. 264-265.

5. On this topic, see Hilde de Ridder-Symoens, *Rich Men, Poor Men: Social Stratification and Social Representation at the University (13th-16th Centuries)*, in: *Showing Status. Representations of Social Positions in the Late Middle Ages*, ed. Wim Blockmans and Antheun Janse, Turnhout 1999, p. 159-175. Rainer Christoph Schwinges, *Deutsche Universitätsbesucher im 14. und 15. Jahrhundert. Studien zur Sozialgeschichte des Alten Reiches* (Veröffentlichungen des Instituts für Europäische Geschichte Mainz, Abteilung Universalgeschichte, 123), Stuttgart 1986, p. 373-375.



FIGURE 1: A master tells a nobleman-student, that his clothing is not what a student's gown should be. Woodcut in Robertus de Euromodio, *Cato moralissimus*, Deventer (Richard Paffroed) 1497, from Emil Reicke, *Magister und Scholaren. Illustrierte Geschichte des Unterrichtswesens*, Leipzig (Verlag Eugen Diederichs) 1901, p. 19.



matter of course for persons of rank – *nobiles, honesti, illustres, notabiles* – to take their seats on the first and foremost benches, which were reserved for them. Commoners, however, always had the option to purchase a *statum honestum* at the front of the room and move up as *statum tenentes*. Much as they sought proximity with princes, nobles and authorities, the medieval universities at the same time were civic, municipal institutions; after all, their origins lay in urban environments, and they were devoted to the economy, values, ways of life and goals of bourgeois society.

Apart from the general preference, universities granted their attendants of rank several other minor or major privileges concerning the general quality of life. One special concession consisted in a partial or complete dispensation from the obligation of the oath of enrollment. Most persons of rank, especially those of the higher nobility, gladly made use of this dispensation, since it allowed them to avoid potential conflicts of interest. Furthermore, persons of rank were awarded liberties with regard to dress code, allowed to choose their living quarters freely without obligation to live in a Burse, to carry weapons and to pursue athletic and chivalric activities such as games, hunts and tournaments as well as social events such as festivities, banquets and feasts. The university leadership, of course, was happy to participate in such occasions, to socialise and mingle with the nobility, and was therefore rather half-hearted in prescribing a certain upper limit on expenses. Additionally, many universities offered a formal honorary rectorship to students of higher nobility.<sup>6</sup>

## Students of rank

Of course, it was a very small minority to whom the universities extended such a welcome – it corresponds, *cum grano salis*, to the per-

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6. Rainer A. Müller, *Universität und Adel. Eine soziostrukturelle Studie zur Geschichte der bayerischen Landesuniversität Ingolstadt 1472-1648* (Ludovico Maximiliana, Forschungen, 7), Berlin 1974, esp. p. 44-52. Rainer Christoph Schwinges, *Student education, student life*, in: Walter Rüegg (Ed.), *A History of the University in Europe*, Vol. 1: *Universities in the Middle Ages*, ed. Hilde de Ridder-Symoens, Cambridge 2ed. 1994, p. 195-243, here p. 199-200, 223-230.

centage of nobles, which for the 15<sup>th</sup> century has been estimated to amount to roughly 2 % of the Empire's total population.<sup>7</sup> Among the older universities founded in the fourteenth century, only Heidelberg has a verifiable, disproportionately high attendance rate of nobles (3,4 %) – the highest in the entire period of the fifteenth century. This rate is significantly higher than in other places such as Cologne (2,3 %), Erfurt (2,0 %), Vienna (1,3 %), and Leipzig (0,8 %), to name only the major universities.<sup>8</sup> Based on the universities' own sources – especially the general registers – those percentages seem rather high; however, they are considerably lower if seen in the context of presumed actual circumstances. The rectors keeping the records did not always indicate the noble status of their attendees clearly (e.g. with the title *nobilis* or the name element *von*, Latin *a* or *ab*), particularly if they were only of the lower nobility. This was only to noticeably change at the turn of the sixteenth century.

Attending university was neither a given nor even necessary for the nobility of the late Middle Ages not only in the Holy Roman Empire, but also in all of Europe – much less the taking of any exams. *Begehr nit doctor zu werden, und hats Gott seys gedanckht, nit im Sün*n (I do not desire to become a doctor, nor am I planning to, thank God): This remark of a noble student in the seventeenth century denotes the persistent cultural and social attitude towards academic titles, which prior to 1500 would of course have encompassed all academic degrees.<sup>9</sup> However, this appraisal mainly concerns the lay nobility,

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7. Peter Moraw, *Von offener Verfassung zu gestalteter Verdichtung. Das Reich im späten Mittelalter 1250 bis 1490* (Propyläen Geschichte Deutschlands, 3), Berlin 1985, p. 68.

8. These numbers are based on random samples, see Schwinges, *Deutsche Universitätsbesucher* (note 5), p. 379-381. For a more detailed study (also for the privileges mentioned above) see Rainer Christoph Schwinges, *Die Universität als sozialer Ort des Adels im deutschen Spätmittelalters*, in: *Grand Tour. Adeliges Reisen und europäische Kultur vom 14. bis zum 18. Jahrhundert. Akten der internationalen Kolloquien in der Villa Vigoni 1999 und im Deutschen Historischen Institut Paris 2000*, ed. Rainer Babel and Werner Paravicini (Beihefte der Francia, 60), Ostfildern 2005, p. 357-372.

9. Quoted according to Müller, *Universität und Adel* (note 6), p. 161. Cf. furthermore Gerhard Fouquet, „begehr nit doctor zu werden, und hats Gott seys gedanckht, nit im Sün”n“. *Bemerkungen zu Erziehungsprogrammen ritterschaftlicher*

whose functions were still mainly of a political and military nature, making an academic education unnecessary. The situation was slightly different for aristocratic clergymen, who, provided with prebends or sinecures at cathedral chapters or collegiate churches, pursued an academic education, if only to fulfill the required *biennium*. This could be done before or after accession to the prebend and usually consisted of basic liberal arts or, more frequently, legal studies at both German or foreign universities. However, the numbers of aristocratic clergymen enrolled in universities remained comparatively low.<sup>10</sup>

More significant than average numbers, however, are trends and tendencies. Those at least seem to generally prove true, while numbers, due to different research methods and periods, can rarely be directly compared to the findings of other studies.<sup>11</sup> This is partly due to the fact that university attendance became more attractive for persons of rank after 1450. In some years, ten or more out of 100 enrolled students were noblemen. This increase, however, was disproportionate to the rapid growth in general attendance numbers at German universities, which comprised 2500-3000 additional matriculations each year since the 1470s. In spite of the absolute increase in attendees, the ratio between noblemen and commoners shifted more and more in favour of the latter. It can be said that the nobility had its place within the university, but the university was not yet a place for the nobility. Apparently, in addition to the familiar crises of legitimacy, the late medieval nobility also struggled

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Adliger in Südwestdeutschland (14.- 17. Jahrhundert), in: *Wirtschaft - Gesellschaft - Städte. Festschrift für Bernhard Kirchgässner zum 75. Geburtstag*, ed. Hans-Peter Becht and Jörg Schadt, Ubstadt-Weiher 1998, p. 95-127.

10. See for example: Horst Rudolf Abe, *Der Anteil des Adels und der Geistlichkeit an den Promotionen der Erfurter Artistenfakultät im Mittelalter 1392-1521*, in: *Beiträge zur Hochschul- und Wissenschaftsgeschichte Erfurts* 20, 1985, p. 7-14.

11. See e. g. Müller, *Universität und Adel* (note 6), p. 70-76. James H. Overfield, *Nobles and Paupers at German Universities to 1600*, in: *Societas. A Review of Social History* 41, 1974, p. 175-210. Beat Immenhauser, *Wiener Juristen. Zur Sozialgeschichte der juristischen Besucherschaft der Universität Wien von 1402 bis 1519*, in: *Mitteilungen der Österreichischen Gesellschaft für Wissenschaftsgeschichte* 17, 1997, p. 61-102, here p. 86-89. Fouquet, *Begehr* (note 9), p. 107-109.

with a cultural crisis, a crisis of education among the ruling class. This crisis only deepened around the turn of the century, as Ulrich Hutten, among others, recognised correctly.<sup>12</sup>

An economically prospering, confident and increasingly educated bourgeoisie began to take over positions in the church, administration and territories of the Empire that had hitherto been more or less exclusively the realm of the nobility. This concentrated competition was also a result of the growing supply of university graduates towards the end of the fifteenth century, to which the nobility reacted swiftly and in the only way possible: “Um universitärer Bildung und Ausbildung nicht nur honorige Geburt als Äquivalent entgegensetzen zu können, entschied er sich gleichfalls für das Universitätsstudium” (‘In order to be able to counter academic education with more than just honourable birth, they decided to attend university as well’).<sup>13</sup> Apart from the high esteem in which they held the humanist ideal, they had also realised the “bittere noodzaak”.<sup>14</sup> This does not concern nobility as a whole nor its higher ranks, but specifically the groups that depended upon making their livelihood in the service of princes – where they now had to deal with the competition of educated commoners. Their decision to pursue academic education was facilitated by the fact that they found their accustomed privileges and prerogatives to naturally still apply at university, which made it possible to keep up with the elite of educated citizens without sacrificing one’s status.

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12. For a general orientation on this topic see Müller, *Universität und Adel* (note 6), p. 44-59. Andreas Ranft, *Einer vom Adel. Zu adligem Selbstverständnis und Krisenbewusstsein im 15. Jahrhundert*, in: *Historische Zeitschrift* 263, 1996, p. 317-342. Christian Wieland, *Status und Studium. Breisgauischer Adel und Universitäten im 16. Jahrhundert*, in: *Zeitschrift für Geschichte des oberrheins* 148, 2000, p. 97-150. For more literature, even in European perspective, see Schwinges, *Sozialer Ort* (note 8), p. 363-364.

13. Quoted according to Rainer A. Müller, *Aristokratisierung des Studiums? Bemerkungen zur Adelsfrequenz an süddeutschen Universitäten im 17. Jahrhundert*, in: *Geschichte und Gesellschaft. Zeitschrift für Historische Sozialwissenschaft* 10, 1984, p. 31-46, here p. 31.

14. Hilde de Ridder-Symoens, *Adel en Universiteiten in de zestiende eeuw. Humanistisch ideaal of bittere noodzaak?*, in: *Tijdschrift voor Geschiedenis* 93, 1980, p. 410-432.

Initially, however, the nobility lost important ground, and at a time when the universities of the Empire entered a critical phase of expansion in the 1470s. A countertrend can be identified; however it was strictly regional. Apart from Erfurt, all universities in the northern part of the Empire – from Leuven and Cologne in the West to Leipzig, Rostock and Greifswald in the East – experienced a decrease, if not a well-nigh stagnation, in the number of attendees of rank.<sup>15</sup> It was not primarily its university that drew persons of rank – and particularly the higher nobility – to Cologne, anyway, but its cathedral chapter as well as its other major collegiate churches. The two Baltic universities, which exhibited a clear penchant towards the merchant class and the Hansa, had no force of attraction to speak of beyond their immediate area and hardly managed to gain the loyalty of the local nobility, not even of its lower ranks, which were not officially acknowledged anyway, but generally treated as *communis status*.<sup>16</sup> In all three Eastern university towns, this was compounded by the lack of church establishments which could have supplied the nobility with benefices and education.

The University of Erfurt was an exception to the general situation in the North. While the general attendance numbers had begun to decline in the 1470s, heralding the gradual conclusion of the town's great medieval period, the attendance rates of persons of rank increased. The university, aided by the two eminent collegiate churches St. Marien and St. Severi, had early developed a considerable appeal for the nobility of Thuringia, Hesse and parts of Franconia; this appeal did not only persist, but grew considerably over time. Erfurt thus forms a link to the situation in Southern Germany,

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15. Schwinges, *Deutsche Universitätsbesucher* (note 5), p. 385; in der Tendenz schon Overfield, *Nobles* (note 11), p. 184-185.

16. This differs from conditions in Germany and the example of Erfurt, cf. Schwinges, *Deutsche Universitätsbesucher* (note 5), p. 349-350. The number of enrolled noblemen increases in the Early Modern period, however: see Matthias Asche, *Von der reichen hansischen Bürgeruniversität zur armen mecklenburgischen Landeshochschule. Das regionale und soziale Besucherprofil der Universitäten Rostock und Bützow in der Frühen Neuzeit (1500-1800)* (Contubernium. Tübinger Beiträge zur Universitäts- und Wissenschaftsgeschichte, 52), Stuttgart 2000, p. 387-390. Zu Löwen see De Ridder-Symoens, *Adel* (note 14), p. 420-421.

which differed considerably from the Northern state of things. All universities from Heidelberg to Vienna – not least the newer universities founded after the mid-fifteenth century such as Freiburg, Basel, Ingolstadt, and Tübingen – had been registering an increasing frequency of nobility amongst their attendees since the 1480s.<sup>17</sup> The North only caught up in this matter after 1525, which was, among other factors, due to the new situation after the Reformation as well as the influence of its central university in Wittenberg, which recruited its attendees from all over the Empire.

The initially different circumstances in the South may be the result of the following five factors<sup>18</sup>: On the one hand, Southern Germany had a much higher concentration of nobility than the northern regions. Lest the quantitative aspect be forgotten, one need only think of the numerous small dominions such as the imperial knights of Franconia and Swabia, the noblemen in the service of the great secular and spiritual sovereigns of the Empire (Rhineland-Palatinate, Württemberg, Baden, Bavaria, Austria), and the prince bishoprics on the Rhine (Basel, Strasbourg, Speyer, Worms, Mainz) as well as in Franconia and Swabia (Bamberg, Würzburg, Freising, Constance, Augsburg). This circumstance must have had immediate consequences when, around 1500, the decision emerged that the nobility would join the academic trend.<sup>19</sup>

On the other hand, for the nobility studying came combined with an educational journey often including sojourns at several different universities. Such journeys were an unmistakable marker of aristocratic status, since changing universities was very uncommon in Germany.<sup>20</sup> On the contrary: students usually chose their univer-

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17. Overfield, *Nobles* (note 11), p. 185-186. Müller, *Universität und Adel* (note 6), p. 70-73. Immenhauser, *Wiener Juristen* (note 11), p. 86-87. Berta Scharnke, *Über Zusammensetzung und soziale Verhältnisse der Heidelberger Universitäts-Angehörigen im 15. Jahrhundert*, unpublished Diss. Heidelberg 1921, p. 29-32.

18. My earlier remarks on this are not only still valid, but have, in light of more recent research, been confirmed and rendered more precise, cf. Schwinges, *Deutsche Universitätsbesucher* (note 5), p. 386-389; idem, *Sozialer Ort* (note 8), p. 366.

19. See also Müller, *Universität und Adel* (note 6), p. 74-75.

20. See Rainer Christoph Schwinges, *Migration und Austausch. Studentenwanderungen im Deutschen Reich des späten Mittelalters*, in: *Migration in der Feu-*

sities according to regional accessibility. Only the nobility and their close associates such as descendants of municipal patricians and dignitaries had a wider horizon to choose from. Their journeys often took them abroad, mainly to the prestigious law schools in France and Italy: to Orléans, Dôle, or Bourges or to Bologna; after the middle of the century, Padua, Pisa, Pavia, Perugia, and Siena, among others, began to gain on Bologna's formerly unrivalled status. On such a journey abroad, Southern German universities frequently represented starting or ending points – mainly Ingolstadt, but also Freiburg, Basel, and Tübingen, and sometimes the university of Vienna, although the latter, being positioned somewhat remotely, played only a minor role in this respect. Under these circumstances, some noblemen did not even take the trouble to attend the nearby local university, but travelled directly south or west.<sup>21</sup>

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dalgesellschaft, ed. Gerhard Jaritz and Albert Müller, Frankfurt/NewYork 1988, p. 141-155. One example from the higher nobility: Idem, *Illustre Herren. Markgrafen von Baden auf Bildungsreise (1452-1456)*, in: *Königtum und Adel am Oberrhein. Festschrift für Thomas Zotz*, ed. Andeas Bihrer et al., Stuttgart 2009, p. 393-405.

21. For the European perspective, see Jacques Verger, *La mobilité étudiante au Moyen Âge*, in: *Histoire de l'Éducation* 50, 1991, p. 65-90. Hilde de Ridder-Symoens, *Mobility*, in: *Rüegg/De Ridder-Symoens, University in Europe (note 6)*, p. 280-304. Idem, *Les origines géographique et sociale des étudiants de la Nation Germanique de l'ancienne université d'Orléans (1444-1546)*, in: *The Universities in the Late Middle Ages*, ed. Jozef Ijsewijn and Jacques Paquet (*Mediaevalia Lovaniensia, Series I*, 6), Leuven 1978, p. 455-474. Winfried Dotzauer, *Deutsches Studium und deutsche Studenten an europäischen Hochschulen (Frankreich, Italien) und die nachfolgende Tätigkeit in Stadt, Kirche und Territorium in Deutschland*, in: *Stadt und Universität im Mittelalter und in der frühen Neuzeit*, ed. Erich Maschke and Jürgen Sydow (*Stadt in der Geschichte*, 3), Sigmaringen 1977, p. 112-141. Agostino Sottili, *Università e cultura. Studi sui rapporti italo-tedeschi nell'età dell'umanesimo*, Goldbach 1993. Idem, *Humanismus und Universitätsbesuch / Renaissance Humanism and University Studies (Education and Society in the Middle Ages and Renaissance, 26)*, Leiden/Boston 2006. Werner Maleczek, *Deutsche Studenten an Universitäten in Italien*, in: *Kommunikation und Mobilität im Mittelalter. Begegnungen zwischen dem Süden und der Mitte Europas (11.-14. Jahrhundert)*, ed. Siegfried de Rachewiltz and Josef Riedmann, Sigmaringen 1995, p. 77-113. Immenhauser, *Wiener Juristen (note 11)*, p. 73-75, 86-87. Ingrid Matschinegg, *Österreicher als Universitätsbesucher in Italien (1500-1630)*, unpublished Dissertation Graz 1999. Ad Tervoort, *The iter Italicum and the Northern Netherlands. Dutch Students at Italian Universities and*

Thirdly, apart from the *Artes*, noblemen mostly studied the Laws – at least they often attended introductory lectures on the *Institutiones*: For someone wanting to rule or govern, it was advisable to acquire the current standard of knowledge on ruling. The local law faculties or foreign law universities were the appropriate place for this: an exclusive space for the ruling elite and their associates. There, they were mostly among equals: Between 1265 and 1425, the German Nation in Bologna, e.g., fairly consistently had a 75% fraction of noblemen and other upper-class individuals. Between 1470 and 1525, when the middle-class competition had risen to a notable extent, it was still around 35%.<sup>22</sup> This state of things was boosted by the fact that law faculties everywhere expanded in the second half of the fifteenth century; especially the newly founded universities in the south of the Empire benefited greatly from this. Corresponding to the increasing importance of secular Roman Law in administration and courts, chairs in Civil Law were added to the already existing chairs in Canon Law (Heidelberg, Vienna) or established directly upon foundation of the university (Basel, Freiburg, Ingolstadt, Tübingen).<sup>23</sup>

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Their Role in the Netherlands' Society 1426-1575 (Education and Society in the Middle Ages and Renaissance, 21), Leiden/Boston 2005. Melanie Bauer, Die Universität Padua und ihre fränkischen Besucher im 15. Jahrhundert (Nürnberger Werkstücke zur Stadt- und Landesgeschichte, 70), Nuremberg 2012.

22. See Jürg Schmutz, Juristen für das Reich. Die deutschen Rechtsstudenten an der Universität Bologna 1265-1425 (Veröffentlichungen der Gesellschaft für Universitäts- und Wissenschaftsgeschichte, 2), Basel 2000, part 1, p. 83-84. Thomas Schmid, Iusticie cultores. Die deutschen Rechtsstudenten an der Universität Bologna 1426-1525, unpublished Licence phil. Bern 2006, p. 47-49. See also Immenhauser, Wiener Juristen (note 11), p. 61-63. Idem, Iudex id est rex. Formen der Selbstwahrnehmung gelehrter Juristen im späten Mittelalter, in: Ständische und religiöse Identitäten in Mittelalter und früher Neuzeit, ed. Stefan Kwiatkowski and Janusz Mallek, Torún 1998, p. 43-61. Dietmar Willoweit, Juristen im mittelalterlichen Franken. Ausbreitung und Profil einer neuen Elite, in: Gelehrte im Reich. Zur Sozial- und Wirkungsgeschichte akademischer Eliten des 14. bis 16. Jahrhunderts, ed. Rainer Christoph Schwinges (Zeitschrift für Historische Forschung, Beiheft 18), Berlin 1996, p. 225-267.

23. See the 'classical' studies: Helmut Coing, Die juristische Fakultät und ihr Lehrprogramm, in: Handbuch der Quellen und Literatur der neueren europäischen Privatrechtsgeschichte, Vol. 1: Mittelalter (1100-1500), ed. Helmut Coing, Munich 1973, p. 39-128. Karl Heinz Burmeister, Das Studium der Rechte im Zeitalter des Huma-



Humanism may be stated as the fourth factor. It did not have any mass effects in regards to increased university attendance. On the contrary: Precisely the so-called centres of humanism, all of them situated in the south (if Erfurt may be included under this aspect), reported high losses or stagnation in their attendance numbers. Matters are different, however, if the attendance of nobility at the universities in question is considered. A causal connection is very likely to have existed. Fifteenth and sixteenth century German humanism was a typical small class culture in which the nobility and the upper middle classes partook together. Humanism usually entered the universities via cities and courts; once it had taken root, the *studia humaniora* and *studia lucrative* quickly merged – though not through scholarly endeavours, but rather through the persons who pursued both disciplines in the small and exclusive world of lawyers. This process is already well-known from Italian and French universities.<sup>24</sup>

As for the fifth factor: With regard to potential careers in the service of a sovereign, municipal universities increasingly became the wrong choice for noblemen. Instead, they sought out the state universities and at the same time proximity to court. This development began in Heidelberg around the middle of the fifteenth century, then in Freiburg, Ingolstadt, and Tübingen, and finally in the 1490s in Vienna, however only after Maximilian's accession to the throne.<sup>25</sup> As regards the municipal university of Cologne, the pro-

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nismus im deutschen Rechtsbereich, Stuttgart 1974.

24. For the seminal studies on this, see Walter Rüegg, *Anstösse. Aufsätze und Vorträge zur dialogischen Lebensform*, Frankfurt am Main 1973. Idem, *Der Humanismus und seine gesellschaftliche Bedeutung*, in: *Artisten und Philosophen. Wissenschafts- und Wirkungsgeschichte einer Fakultät vom 13. bis zum 19. Jahrhundert*, ed. Rainer Christoph Schwinges (Veröffentlichungen der Gesellschaft für Universitäts- und Wissenschaftsgeschichte, 1), Basel 1999, p. 163-180. Idem, „Humanistic education” as a civic training of new types of elites in ancient Rome and modern Europe, in: *Mare nostrum – mare Balticum. Commentationes in honorem Professoris Matti Klinge*, ed. Paul Raudsepp, Helsinki 2000, p. 485-508. See further Christine Treml, *Humanistische Gemeinschaftsbildung: Sozio-kulturelle Untersuchung zur Entstehung eines neuen Gelehrtenstandes in der frühen Neuzeit* (Historische Texte und Studien, 12), Hildesheim/Zurich/New York 1989.

25. See Müller, *Universität und Adel* (note 6), p. 76-78. Overfield, *Nobles* (note 11),

cess of re-orientation of the nobility began as early as the 1460s and 70s. Neither the cathedral nor the electoral court of Cologne nor the other rhenish courts could compete with the state university's proximity to the royal court. If the sons of the great secular rulers of the area such as the Dukes of Jülich-Berg, Geldern, and Cleve did not attend university in the powerful commercial and imperial city of Cologne, it was certainly due to political decisions – the princes proved otherwise well-disposed towards the university and were notably happy to utilise its lawyers and physicians as consultants, councillors, diplomats and personal physicians.<sup>26</sup> The same was largely true for the University of Erfurt after 1525. Up to then, it had served as an 'alternative state university', especially for Thuringian and Hessian nobility; now – reinforced by the denominational aspect – it lost that special status to the state universities in Leipzig, Wittenberg, and finally also in Marburg.<sup>27</sup>

### Keeping up with the elite: The example of Freiburg (1500-1545)

A large number of attendants of rank had the power to give a university the reputation of a 'university of nobility'. This was the case for Ingolstadt in Bavaria<sup>28</sup> as well as the small Anterior Austrian

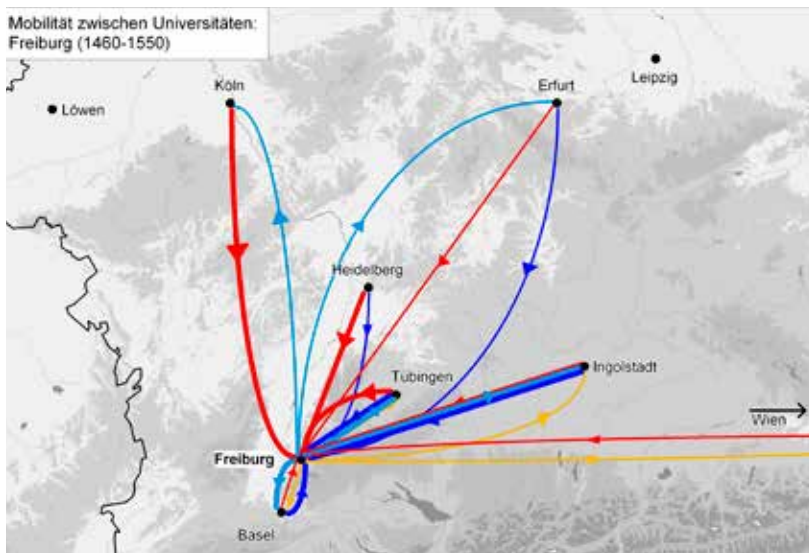
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p. 199. Peter Moraw, Heidelberg: Universität, Hof und Stadt im ausgehenden Mittelalter, in: Studien zum städtischen Bildungswesen des späten Mittelalters und der frühen Neuzeit, ed. Bernd Moeller et al. (Abhandlungen der Akademie der Wissenschaften in Göttingen, Philologisch-Historische Klasse 3. Folge, 137), Göttingen 1983, p. 524-552. Immenhauser, Wiener Juristen (note 11), p. 87-88, Idem, Iudex (note 22), p. 52-53.

26. See Rainer Christoph Schwinges, Zur Professionalisierung gelehrter Tätigkeit im deutschen Spätmittelalter, in: Recht und Verfassung im Übergang vom Mittelalter zur Neuzeit, Teil II: Bericht über Kolloquien der Kommission zur Erforschung des Spätmittelalters. 1996-1997, ed. Hartmut Boockmann et al. (Abhandlungen der Akademie der Wissenschaften in Göttingen, Philologisch-historische Klasse 3. Folge, 239), Göttingen 2001, p. 473-493.

27. See Erich Kleineidam, Universitas Studii Erfordensis: Überblick über die Geschichte der Universität Erfurt, Vol. 3 (Erfurter Theologische Studien, 42), Leipzig 1980.

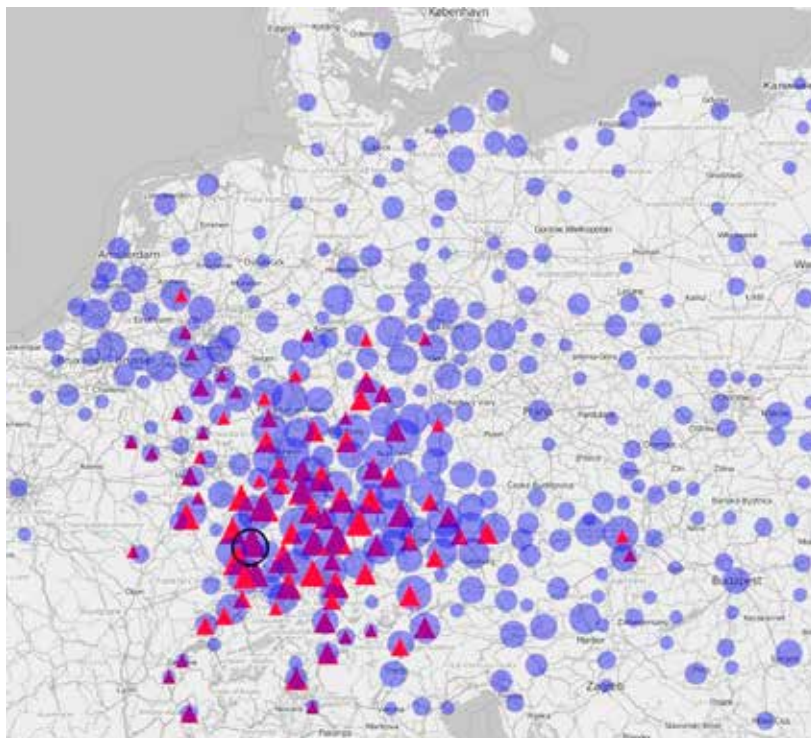
28. See Müller, Universität und Adel (note 6), p. 72, 77-79.



MAP 1: Mobility of *magistri artium* and university attendants of rank towards and away from Freiburg 1460-1550. Repertorium Academicum Germanicum (RAG), Tobias Steiner.

state university of Freiburg im Breisgau. The latter had a ‘nobility quota’ of 8 to 9 % as early as the 1480s and 1490s, which proceeded to grow from 13 to over 18 % between the 1530s and 1540s.<sup>29</sup> This in-

29. According to research of the RAG – Repertorium Academicum Germanicum ([www.rag-online.org](http://www.rag-online.org)) – which considers not only academic graduates, but (precisely because of the issue of elites) noble university attendants as well. For all persons mentioned below, see here. On the RAG see most recently Christian Hesse, *Das Repertorium Academicum Germanicum (RAG). Perspektiven zur Erforschung der Gelehrten, ihrer Netzwerke und ihres Wirkens im Alten Reich (1250-1550)*, in: *Stand und Perspektiven der Sozial- und Verfassungsgeschichte zum römisch-deutschen Reich. Der Forschungseinfluss Peter Moraws auf die deutsche Mediävistik*, ed. Christine Reinle, Affalterbach 2016, p. 53-64. Rainer C. Schwinges, *Das Repertorium Academicum Germanicum (RAG). Ein digitales Forschungsvorhaben zur Geschichte der Gelehrten des alten Reiches (1250-1550)*, in: *Jahrbuch für Universitätsgeschichte* 16, 2013 [2015], p. 215-232. – The numbers quoted for Freiburg and Tübingen in Müller, *Universität und Adel* (note 6), p. 70ss, are much too low as only nobiles were included. The data concerning the Breisgau nobility alone show higher attendance numbers, cf. Wieland, *Breisgauer Adel* (note 12), p. 108-117.



MAP 2: The noblemen enrolled in Freiburg (O) compared to the noblemen studying in the whole Empire (1460-1550). *Repertorium Academicum Germanicum* (RAG).

crease in university attendance already points to a notion of ‘keeping up’, hence we shall focus on the period from 1500 until around 1545. Freiburg appealed to the nobility both as a (catholic, after 1530) state university and as a stage on educational journeys towards other universities in southern Germany as well as Italy and France. This was apparently widely known, as the following map (Fig. 1) demonstrates: Regarding the presence of Nobility in Freiburg, the map shows that a large number of *magistri artium* migrated to Freiburg, while only very few moved away to other universities. It is significant that the *magistri* came for the most part from Cologne, Heidelberg, and Tübingen, and only rarely from other ‘universities of nobility’ such as Erfurt, Ingolstadt, Basel, or Vienna. Many a *magister* may have speculated to enter a nobleman’s service as a *preceptor*

in Freiburg and be able to accompany him on an educational journey at his expense or to profit from further support. There was, for example, one Magister Laurentius Schleenrieth, who got to accompany a group of noblemen including the two counts Heinrich and Konrad of Castell from Freiburg to France (Dôle, Orléans 1536-1539) and who, expedited by their support, proceeded to make a very impressive career.<sup>30</sup>

The noblemen enrolled in Freiburg hailed from all over the Empire. However, there appear distinct regional clusters, among which the Breisgau region as well as the whole Anterior Austrian area stand out (over 35%), as far as it can be assigned to the upper Rhine dioceses of Constance, Basel, and Strasbourg in Alsace, Baden, and Swabia (Fig. 2).

As can be seen, the nobility really came from the whole length of the Rhine and mostly oriented towards the West: from the Diocese of Chur via Besonçon and the above-mentioned dioceses as well as from Speyer, Worms and Mainz, Toul, Metz, and Trier to Cologne, Liège and Cambrai (71%). Freiburg's reach clearly reflects the Habsburg influence in the west with respect to the state university (over 10% from the Lorraine region alone). If one adds the dioceses of Salzburg and Brixen with the seat of government in Innsbruck as well as Augsburg in Swabia, around 87% of the nobility enrolled in Freiburg are already covered. The scarcity of attendance from the nobility-heavy region of Franconia with its dioceses Würzburg and Bamberg (only 2% each) appears to be founded in tradition, since Franconia tended to be oriented towards the universities in Heidelberg, Erfurt, Leipzig, and Wittenberg.<sup>31</sup> This orientation also

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30. Cf. Stephan Sauthoff, *Adliges Studentenleben und Universitätsstudium zu Beginn des 16. Jahrhunderts. Darstellung anhand des Ausgabenbüchleins von Conrad zu Castell*, Bern/Frankfurt on the Main 1988 pp. 16-17, 85-86, 97-98.

31. See Sarina I. Jaeger und Frank Wagner, *Werdegänge mittelalterlicher Gelehrter*, in: *Akademie Aktuell. Zeitschrift der Bayerischen Akademie der Wissenschaften* 04, Munich 2016, p. 53-57. Rainer C. Schwinges, *Franken in der deutschen Universitätslandschaft des späten Mittelalters*, in: *Die Universität in der Welt - die Welt in der Universität*, ed. Hans-Albert Steger and Hans Hopfinger (Schriftenreihe des Zentralinstituts für Fränkische Landeskunde und allgemeine Regionalforschung an der Universität Erlangen-Nürnberg, 33), Neustadt/Aisch 1994, p. 1-26.

demonstrates that the issue of denomination was not yet relevant in the period in question. Students enrolling in Freiburg were Catholics, at least for the duration of their studies, and were considered Catholic nobility, even though some of them later converted either personally or with their whole family and dominion. Accordingly, clerical noblemen were still highly present; also indirectly facilitated by the above-mentioned Rhine region with its numerous great and well-endowed cathedrals and collegiate churches. However, the portion of laymen amongst the students of rank as well as amongst the whole student body had greatly increased, as was the general trend after 1500.<sup>32</sup> The rector's register of Freiburg in particular picked up on that trend and systematically differentiated between *clerici* and *laici* from about 1532 onwards.<sup>33</sup>

The majority of students of rank were noble knights; partly imperial knights, the lower landed gentry which is known to have suffered particularly hard from the crisis<sup>34</sup>, such as the houses of Blumenegg, Freyberg, Landenberg, Neuneck or Reischach (Diocese of Constance), the von Capal, Salis or Schauenstein (Diocese of Chur), the von Ampringen, Andlau, Bollweiler or Pfirt (Diocese of Basel), the von Fleckenstein, Krantz or Rodeck (Diocese of Strasbourg), the von Eberstein, Flersheim, Gemmingen, Helmstatt, Liebenstein, Löwenstein or Rüppur (Dioceses of Speyer and Worms), the von Eltz, Enschringen or the von der Leyen (Diocese of Trier), the de Chastel, Gaillard, Harancourt, Lenoncourt or Saussure of Lorraine (Diocese of Toul) - often several members of one family or its branches. In addition to these knights, there were such students of rank whose families had emerged from the patriciate of the imperial cities of Upper Germany and the Upper Rhine and had found their way into knighthood via fiefdoms - e.g. the Reichlin von Meldegg from Überlingen on Lake Constance or the Ifflinger von

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32. See Beat Immenhauser, *Bildungswege - Lebenswege. Universitätsbesucher aus dem Bistum Konstanz im 15. und 16. Jahrhundert* (Veröffentlichungen der Gesellschaft für Universitäts- und Wissenschaftsgeschichte, 8), Basel 2007, p. 138-139. Wieland, *Breisgauer Adel* (note 12), p. 120-123.

33. *Die Matrikel der Universität Freiburg im Breisgau von 1460-1656*, Vol. 1, ed. Hermann Mayer, Freiburg 1907, p. lxxxv, 282.

34. Wieland, *Breisgauer Adel* (note 12), p. 99-104.

Granegg from Villingen in the Black Forest. By comparison, the higher nobility was still attending rather more scarcely in numbers, and if they did, then mostly in the context of high church functions requiring a *biennium*, a stay of at least two years at a university. The same regional distribution applies for the counts and princes of Baden, Bayern-Landshut, Waldburg, Zimmern, Montfort, Fürstenberg, Hohenzollern, Castell, Erbach, Solms, Isenburg, Henneberg, Manderscheid and Zweibrücken; not, however - unlike Ingolstadt in Bavaria - for the members of the family of the Habsburg sovereigns.<sup>35</sup> It was mostly this exclusive circle that was offered honorary rectorates, even though not all of the young gentlemen wanted to appreciate that this honour was an honour and not a right to meddle in university matters, such as count Konrad of Castell demanded in 1537.<sup>36</sup>

As has been demonstrated, the nobility preferred an education in law; this was also the case in Freiburg. For more than half of the persons of rank enrolled, the faculty or branch of study can be determined through sources pertaining to the university. According to these, in the first half of the sixteenth century, 69% studied Law (Canon and/or Civil), 17% various *Artes*, 7% classical languages (*Humaniora*, Greek and Hebrew), 4% Medicine and only 2% Theology.<sup>37</sup> One might think that this choice was connected with the teaching activity of the famous professor Ulrich Zasius (+1535) in Freiburg. However, a look at the noblemen's provenance paints a different picture. Like the other students, the growing number of students of rank just happened to be present at the right time to hear Zasius and later his successors. What attracted students in larger numbers was never the great scholars; as is the case today, the reasons were rather more mundane.<sup>38</sup> It may certainly have been true in individual cases, however. As was the custom amongst professors, Zasius, too, had opened his house to students for board,

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35. Müller, *Universität und Adel* (note 6), p. 78.

36. Sauthoff, *Studentenleben* (note 30), p. 15-16.

37. These figures pertain to primary enrollments in Freiburg; this means that changes in the course of studies, such as from the faculty of arts to the faculty of law, are possible.

38. Schwinges, *Deutsche Universitätsbesucher* (note 5), p. 204-207.

lodging and instruction. Amongst those students were even a few persons of rank who apparently had come to Freiburg for Zasius' sake; in particular noblemen from beyond the immediate vicinity, e.g. the brothers Andreas, Christoph and Erasmus von Könneritz from the Diocese of Merseburg in Saxony who, in 1538, were staying with Erasmus of Rotterdam, or the Tyrolean nobleman Franz Friedrich von Schneeberg or the knights Degenhard von Haes and Konrad von Heresbach from the Cologne region.<sup>39</sup>

As explicit as these results about the acquisition of legal knowledge (or knowledge on ruling) by the nobility are, in order to properly appraise the notion of 'keeping up', it will still be necessary to analyse attitudes towards graduation and the acceptance of academic grades in general and among the nobility in particular.<sup>40</sup> At the universities, two orders of precedence collided: the academic and the social order, which – *ratione gradus aut status*, as the saying went – needed to be conciliated. It was essential for the university that its own order of precedence, its grade system of *baccalaureus*, *licentiatus* and *doctor*, gained acceptance by the hierarchical society and established itself in public – sometimes great ceremonial efforts were made in aid of this.<sup>41</sup> This self-assessment, however, never really coincided with the view from outside – *gradus* remained secondary to *status*, within the universities as well as without. The academic grades' real function was to attain and gradually expand one's teaching qualifications, which simply could not compete with real

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39. Cf. Hans Winterberg, Die Schüler von Ulrich Zasius (Veröffentlichungen der Kommission für geschichtliche Landeskunde in Baden-Württemberg, Reihe B: Forschungen, 18), Stuttgart 1961, p. 48-50, 64-65, 41-43.

40. See Suse Baeriswyl-Andresen, Akzeptanz der Grade. Die Antwort der Gesellschaft bis 1500, dargestellt am Beispiel der Markgrafen von Ansbach und Kurfürsten von Brandenburg, in: Examen, Titel, Promotionen. Akademisches und staatliches Qualifikationswesen vom 13. bis zum 21. Jahrhundert, ed. Rainer Christoph Schwinges (Veröffentlichungen der Gesellschaft für Universitäts- und Wissenschaftsgeschichte, 7), Basel 2007, p. 451-487.

41. Cf. Rainer C. Schwinges, Promotionen in historischer Perspektive: Organisation und Gesellschaft, in: Der Dokortitel zwischen Status und Qualifikation, ed. Nathalie Huber, Anna Schelling und Stefan Hornbostel (Institut für Forschungsinformation und Qualitätssicherung: IFQ-Working-Paper Nr. 12), Berlin 2012p. 15-23 [http://www.forschungsinfo.de/Publikationen/Download/working\\_paper\\_12\\_2012.pdf](http://www.forschungsinfo.de/Publikationen/Download/working_paper_12_2012.pdf).



social status. For a long time, this had benefited the nobility. The problem, however, was that studying noblemen no longer stood vis-à-vis a great mass of commoner students which, by 1550, had reached 300'000 persons in the Empire. They now stood opposite a relatively small minority of a size similar to their own group. It was precisely this relative equilibrium that allowed this minority to compete; to peddle and pitch their knowledge, accredited by promotions and grades, all over the country, as normally it was not even necessary to attain a formal grade – just having studied at a university sufficed. A university's graduate profile resembled a pyramid with a very wide base of undergraduates and *baccalaurei artium*, which up until the mid-sixteenth century was made up of about two thirds of all students. The remaining third consisted of *magistri* and *licentiati*, while only 3-4% attained the topmost grade of *doctor* in one of the three higher faculties, i.e. law, theology or medicine.<sup>42</sup>

In this light, the attitude of the Freiburg nobility towards graduation turns out to be rather unsurprising. Only 12% of the students of rank obtained a degree, of which 3% were *baccalaurei artium*, another 3% *magistri artium*, and 5,6% attained a degree in law, usually *doctor utriusque iuris* (considering only the highest degree attained by each person). Only in very isolated cases do we find a nobleman with a doctorate in theology or medicine. At least where the percentage of doctorates in law is concerned does the nobility outnumber the commoners in Freiburg. This also means, however, that 88% of noble students remained without a degree. So for the vast majority, the presumed ‚catching-up‘ with the middle classes' advance in education – keeping up with the bourgeois elite – only consisted in attending university, not in attaining academic degrees.<sup>43</sup> It is possible that sitting exams with non-aristocratic professors was still incompatible with the aristocratic norms and standards – especially since there were practically no role models and incentives, professors of rank still being extremely rare. Noone of higher nobil-

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42. Schwinges, ib. On the numbers see Christian Hesse, Acta Promotionum II. Die Promovierten der Universitäten im spätmittelalterlichen Reich. Bemerkungen zu Quantität und Qualität, in: Examen, Titel, Promotionen (note 40), p. 229-250.

43. See also Wieland, Breisgauer Adel (note 12), p. 119-120.

ity, no *illustris dominus*, had ever attained an academic degree, neither in Freiburg nor elsewhere. Knights and the lower nobility, on the other hand, clearly dominated the lists of law graduates; this includes second-generation members of newly ennobled families, be it from the imperial cities' patriciate or from the officialdom in service with kings, emperors, or sovereigns. Most of them had completed the educational journey typical for their class, either within Germany (Heidelberg, Tübingen, Ingolstadt, Vienna, Leipzig, and Wittenberg) and/or in Italy (Bologna, Padua, Ferrara) or France (Orléans, Dôle, Paris). They mostly chose Freiburg as their university to graduate from, however. Apparently, a doctoral promotion now served not only to reinforce their existing status, but the newly gained knowledge – especially legal expertise – could be used to secure adequate careers, i.e. appointments in the state government or churches, for oneself and one's family of origin. This strategy resembles the behaviour of the municipal elite – in southern Germany called the *Ehrbarkeit* – which had embraced university attendance and academic degrees as a part of its family advancement strategy.<sup>44</sup>

Admittedly, all of this only applies to the small group of doctors of rank in Freiburg. The behaviour of the nobility in general – whether and how its lives were influenced by academic education – still remains to be further investigated. It can be expected that for the nobility as well as for society in general, academic knowledge was decidedly in demand, but in most areas of occupation degrees were entirely unnecessary. Barring a small number of leading positions in privy councils, imperial and ecclesiastical courts as well as the medical field, the majority of state and city administrations, schools, trade, and even churches of all sizes functioned perfectly fine without academic expertise. There always were viable alternatives.<sup>45</sup>

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44. See Immenhauser, *Bildungswege* (note 32), p. 228-230

45. See Rainer C. Schwinges, *Zur Professionalisierung gelehrter Tätigkeit im deutschen Spätmittelalter*, in: *Recht und Verfassung im Übergang vom Mittelalter zur Neuzeit*, Part II: Bericht über Kolloquien der Kommission zur Erforschung des Spätmittelalters. 1996-1997, ed. Hartmut Boockmann et.al. (*Abhandlungen der Akademie der Wissenschaften in Göttingen, phil.-hist. Klasse, 3/239*), Göttingen 2001, p. 473-493.

One thing, however, stands out: Unlike the noblemen of equal rank who only attained artistic grades (*bacc.* or *mag. art.*), the noblemen with doctor's grades proceeded to have outstanding careers and gain entry into the academic elite. The *Artes* graduates – as tradition would have it – succeeded almost exclusively within the church, be it as canons and capitulars or perhaps as provosts.<sup>46</sup> The doctors, on the other hand, primarily prospered in secular functions, sometimes after having resigned their canonries, gotten married and converted. Zasius' above-mentioned student Dr. iur. Andreas von Könnertitz initially served as an assessor at the Imperial Chamber of Court in Speyer, then became privy councillor to King Ferdinand I. and bailiff for Anterior Austria in the Ortenau. Though he graduated from Leipzig, the connections he had forged in Freiburg clearly had an effect on his career. Dr. iur. Christoph von Mellinger from Innsbruck, graduated from Freiburg, likewise became an assessor at the Imperial Chamber of Court, then Imperial Commissioner and *Regimentsrat* in Innsbruck. Christoph Mattias Reichlin von Meldegg from Überlingen on Lake Constance, graduating as Dr. iur. after studying in Ingolstadt, Tübingen, Freiburg, and Orléans, set out as a procurator at the Imperial Chamber of Court, advised the government in Innsbruck and held office as chief bailiff in Sigmaringen. Knight Georg Pfau von Rüppur, Dr. iur., presumably graduated from Freiburg, became Imperial Councillor in Vienna. Dr. Julius Gut, a nephew of Dr. Oswald Gut of Rheinfelden, an ennobled councillor and chancellor of the Margravate of Baden-Durlach from Baden, officiated as a councillor for Baden and a *Landschreiber* in Emmendingen in Breisgau. The two knights from the Cologne region, Degenhard von Haes and Konrad von Heresbach, initially aspired to a church career after having pursued further studies in Italy and obtained doctor's degrees in Padua and Ferrara, respectively. However Degenhard, canon at St. Gereon in Cologne and St. Cassius in Bonn, resigned his benefices, married,

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46. An interesting analogy to this state of things is the predominance of artes graduates in Swiss collegiate churches; see Christian Hesse, *Artisten im Stift. Die Chancen, in schweizerischen Stiften des Spätmittelalters eine Pfründe zu erhalten*, in: *Gelehrte im Reich* (note 1), p. 85-112.

became a special assessor at the Imperial Chamber of Court in Speyer, and finally lived in Linn (Krefeld) as a councillor and officer for the Electorate of Cologne. Konrad was a canon at St. Viktor in Xanten and held the provost's office in Rees; he, too, resigned and became privy councillor to the Duke of Jülich-Kleve. Balthasar Helu, descended from impoverished Dutch lower nobility, made an impressive career securing the status of his family when he tried to settle down in Alsace (Hagenau). Although he could not afford the high fees for a doctoral promotion and remained a mere *licentiatus* of both laws, he rose via personal connections to become chancellor of the Prince-Bishopric of Würzburg and the dominating political figure of the *Hochstift*.<sup>47</sup>

It is not possible to make general statements, but for the University of Freiburg, new fields appear to have opened up: Some noblemen now became professors - without exception in the legal field, of course. Adam von Müllberg, a knight from Diessenhofen (Switzerland), held a chair in Canon Law at the University of Basel as well as the university prebend at the collegiate church of St. Peter in Basel and the deanery at St. Mauritius in Zofingen. Martin Trainer zu Moos, from a family of Bavarian knights near Braunau am Inn, became professor in Canon and Civil Law in Vienna after having studied in Ingolstadt, Leipzig, Freiburg, Bologna, and Vienna. Dietrich von Hattstein, descendant of a family of imperial knights in the Mainz region which later was to bring forth Marquard von Hattstein, a prince bishop of Speyer, became a student and occasional teaching substitute of Zasius and ended up teaching the Laws himself in Freiburg. Another part of this circle was Joachim Mynsinger von Frundeck, perhaps Zasius' most eminent student who, after Zasius' death in 1535, took over his chair in *Institutiones* and later the chair in Canon Law. Mynsinger (or Münsinger) was descended from a family which originally had been native to Münsingen near Bern (Switzerland), but as Habsburg supporters

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47. On all persons mentioned see [www.rag-online.org](http://www.rag-online.org). On the latter in particular see Heinzjürgen N. Reuschling, *Die Regierung des Hochstifts Würzburg 1495-1642. Zentralbehörden und führende Gruppen eines geistlichen Staates (Forschungen zur fränkischen Kirchen- und Theologiegeschichte, 10)*, Würzburg 1984, p. 247-250.

later emigrated to Württemberg. In 1548 he resigned his professorial chair, became an assessor for the Upper Rhine district at the Imperial Chamber of Court in Speyer, and from 1565 onwards officiated as chancellor of the Duchy Braunschweig-Wolfenbüttel, where he co-founded the University of Helmstedt and became its first vice-chancellor in 1576.<sup>48</sup>

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48. See again [www.rag-online.org](http://www.rag-online.org). Winterberg, Schüler (note 39), p. 53-55. See also Sabine Schumann: Joachim Mynsinger von Frundeck (1514-1588). Herzoglicher Kanzler in Wolfenbüttel - Rechtsgelehrter - Humanist. Zur Biographie eines Juristen im 16. Jahrhundert. Wiesbaden 1983 (but consider the corrections by Walther Ludwig, Joachim Münsinger und der Humanismus in Stuttgart, in: Zeitschrift für Württembergische Landesgeschichte 52, 1993, p. 91-135).