

The Rules of Conflict among the Warrior Aristocracy of the High Middle Ages

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It is a condition of intercultural comparisons that the characteristics of a culture be clearly defined. This requires steps of abstraction and evaluation in the course of which personal viewpoints also play a part. My comments too are based on the construction of such a model, whose foundations can certainly be discussed. So I would like to speak right at the start about some of these foundations and their problems. In what follows I will take the relationship of the warrior aristocracy of the High Middle Ages to violence as my theme. I think this is a good topic through which characteristics of this society can be picked out, which can then be compared with those of others. But at the same time it is a topic, which is, in the European view of history, connected with rather fixed ideas. For a long time, the development from barbarity to civilisation was examined according to the paradigm of violence. Roughly, procedures of civilisation were constructed, in which people's otherwise unlimited potential for violence was restricted, made subject to sanctions, suppressed and regulated by the state's monopoly of violence. Before these procedures, there existed 'the Dark Ages', a time in which Europe was born from the 'spirit of violence', as a German publisher saw fit to rename a recent book.

In fact there is evidence enough from this period of blind, senseless, uncontrolled and inhuman violence, whose existence was either simply accepted or not effectively kept in bounds. I do not want to gloss over anything, - and yet, in my opinion, this characterisation of the Middle Ages is insufficient if not misleading. The Middle Ages were not as barbaric as those assumptions suggest, just as our time is not as civilised as we like to think. This has been proven often enough in Europe and other parts of the world during the 20th and 21st centuries.

I would like to show you a different image of medieval warrior society by demonstrating which rules governed the use of violence, and which strategies were known and used to avoid or contain violence.

My comments only claim validity for parts of the medieval society. I want to stress that in advance. But these are vital parts - because they concern the noble warriors, their vassals and retainers who had the monopoly of violence during the

High Middle Ages and who claimed the right to employ force, a right that they used in countless feuds and conflicts. They, however, observed a number of rules during their conflicts, which in total permit the conclusion that we can here observe a conscious, even cautious use of violence which, in my opinion, requires a revision of that image of the barbarous Middle Ages. Such rules, however, only applied to conflicts amongst each other-on the social level of noble warriors and their retainers. Members of the lower classes, serfs and peasants were frequently victims of unrestricted violence and were slaughtered - as the sources say - like cattle. Moreover, when fighting against pagans and heretics one did not feel bound to those rules. That as well led to atrocities that are in part responsible for the popular image of the violent Middle Ages.

The rules within the warrior society - this has also to be stressed from the outset - were never written down during the high medieval period. They are habits according to which that society organised its communal life, which one agreed upon again and again in council. However, the fact that they were not written down should not lead one to the conclusion that they did not have a strong claim to validity, and so were not binding.

Yet, the existence of such rules can only be proven - a further important pre-supposition of my comments - by collecting and analysing the many cases where the conduct of warriors during conflicts is described, appraised and criticised, and reconstructing from the descriptions and evaluations the rules that governed this conduct. I will use two sorts of sources for my attempt: First sources, which are supposed by historians to depict reality; second literary sources, in this case the famous *Nibelungenlied*, a poem, which is last but not least famous, because the reported acts of violence are especially cruel and inhuman.

In what follows, I would now like to depict for you warriors' conduct during conflicts that followed the above-mentioned rules. I will do this in the light of concrete sources and proceed so to speak chronologically by considering first conduct during the outbreak of conflicts, then during the course of events and finally techniques of ending those violent disputes amicably. I shall repeatedly consider examples from the *Historia Welforum* - written about 1170 - the oldest example of historiography that solely concentrates on the history of a single noble family, and which consequently refers again and again to the outbreak, pursuit and settlement of feuds.

In each of the cases I have selected as examples, behaviour is described that is also mentioned in other cases. That permits me to see this behaviour as

conforming to rules, and to deduce from these cases the rules of conflict within the warrior society. On the whole, the *Historia Welforum* offers a realistic insight into medieval feuds and their development, since it treats the devastation of entire regions through robbery and fire as well as the razing of castles to the ground quite frankly as stories of success. However, it betrays clear emphases with respect to warriors' behaviour.

Let us begin with typical behaviour before the outbreak of violent conflict. In 1163, the honour of Duke Welf VI could not of course suffer that Hugo, count palatine of Tubingen, had had a servant of the Welfs hanged for robbery, while he left his own retainers unpunished. The duke however did not resort to force, but addressed the count with his demand for satisfaction (*satisfactio*) for the wrong done to him. When he in turn received a humble response (*humile responsum*), he first turned his attention to other things, but without regarding the matter as closed. Before taking up arms there were therefore contacts that aimed at eliminating the problem without violence. In a moment we will see that those negotiations for an appropriate *satisfactio* were a regular feature of medieval conflict regulation that was initiated either by the protagonists themselves or by mediators. In this case the duke's son, Welf VII, took over. "He renewed the complaint and admonished the count palatine repeatedly." The case now escalated, for a precisely described reason: "He [the count palatine], however, did not rely on his own power nor on that of his followers, but on that of the Duke Frederick [a Staufer] who urged him on in this, probably because he envied Welf's fame and to diminish the latter's honorary deeds. Thus, instead of satisfaction, the count palatine gave an insulting and threatening answer which moved his young opponent to taking up arms and thus brought the most damnable catastrophe and terrible devastation to the whole of Swabia."

According to this depiction, the dispute escalated due to very conscious actions: instead of giving satisfaction, the protagonists resorted to provocation because they saw themselves in a stronger position. But the reaction of the young Welf towards this provocation also follows the rules of conflict: "Welf presented the wrong done to him to his relatives, friends and followers and brought it about that everybody was more than ready to help him". With relatives, friends, and followers, i.e. vassals, those three groups are mentioned whose help a noble warrior could claim during the Middle Ages - but not without prior counselling. As you have just heard, he had to present his case and after that a decision was made as to whether and how support was to be given. We know of examples where the request for help

in combat was refused. Even if we can assume a general readiness to answer an attack on associate with violence, we have to take into account that there was counselling about the appropriate reaction. The demand for satisfaction for an injustice suffered as well as taking counsel with the *familiares* about further actions demonstrate that the warrior society knew steps and measures that either made violence unnecessary or used it consciously as a last resort after its justification and necessity had been considered.

But even the decision to answer supposed injustice with violence did not automatically lead to battles being fought. Instead, military threats were regularly employed over longer periods of time with the aim to force the opponent to yield at the last moment in the face of one's power and determination. The *Historia Welforum* describes this procedure in great detail several times. In case of the feud of Tübingen it recounts: "Then more than two thousand two hundred armed men came together [three bishops and a number of counts and margraves provided Welf VII with their levies] and made camp near Tübingen on the evening of the sixth of September. They were determined to spend the following Sunday in peace and quiet. However on the other side was Duke Frederick with everyone he could muster with threats or favour, ... and also very many more. They had quartered their collected forces in the castle [Tübingen]. Here some passed the night in prayers, others worried about the reparations and amicable settlement."

We regularly hear of this: one party is encamped threateningly outside the castle of another. But first and foremost this is supposed to indicate a willingness to fight if the other party does not decide to give in. Giving in at an early stage - before first blood - was regularly rewarded with favourable terms when it came to making amends. If, however, the decision to yield came only when the military situation had become hopeless, the victor dictated harsher conditions. It should be obvious that such rules of the game contributed to checking violence.

Such threatening gestures - which offered time for taking counsel - could continue for weeks and months. Sometimes we hear that after a certain time such a 'siege' was intensified, and merchants and other persons were no longer permitted into the castle - thus demonstrating that things were now getting serious.

A regular feature of this phase of threatening is again described in detail in the *Historia Welforum* in the case of another feud of the year 1133 between the Welf Henry the Proud and the Bishop of Regensburg. The first steps of the feud are identical with the one mentioned before: "Throughout the whole of Lent the bishop had visited his relatives and friends and persuaded them to expel the Duke in

disgrace if he once again entered his possessions. Now, while the Duke is busy besieging the castle (Wolfratshausen), the bishop approaches at the head of his entire force. In the plain on the Isar they set up camp. On the other side the duke places his knights in battle-order, moves the infantry into position and orders that the siege be given up only in the utmost emergency." The potential for threats has been exhausted in this case. Everything now speaks for battle. But something entirely different happens.

"In the meantime the Count Palatine Otto, a clever man who had access to both sides, had a look at the deployment of both armies. He informs the others that ours is the stronger and thus frightens them. Intending to establish an amicable peace he first admonishes his relative, the advocate Frederick, to yield. Deserted by all his people Frederick yields to the advice of the count palatine, enters the duke's camp in the company of his relative, throws himself at the duke's feet and is accepted back into grace. After the count palatine has achieved this, he urges his son-in-law Otto to surrender and make amends because of the disaster threatening his family."

Thus, battle was avoided through the actions of a mediator and an amicable settlement between the duke and the bishop was established. At first sight, the story may sound unbelievable. But if we take into account how often an amicable end to a feud was reached by subjection and satisfaction shortly before the imminent outbreak of violence, and how often "trustworthy mediators" with access to both parties can be observed in similar attempts at persuasion, then we can interpret the development of this conflict as characteristic and typical.

But even if the mediators failed to end the conflict before the parties took to weapons, this did not mean that violence was now used wantonly and without rules. This is again proven by a report from the *Historia Welforum* about a battle during the feud of Tübingen that took place rather accidentally: "Around midday some of our men carelessly rush out of the camp without thinking of the consequences and without the knowledge of the others who wanted to spend the day in peace. Our men get into a scuffle with some of the enemy's knights who had ventured forward with the same rashness, close to the castle under the eyes of our opponents. As a result ... our men jump up and take to their weapons, everybody tries to beat the others to it. ... Meanwhile the enemy left the castle, choosing a particularly safe position, thereby leaving our men only a very difficult access that leads like a canyon from the riverbank. ... Still all who reached the battle fought extremely bravely for two hours, although with one exception no one fell on either

side. For they were all so well protected by their armour that they were taken prisoner rather than killed. While thus only part of our people got into the scuffle the others take to flight. Thereby they leave an undeserving victory to the enemy and burden themselves and their descendants with eternal shame. ... They drive them in front of them like sheep from the meadow to the stable and, all in all, take nine hundred prisoners and enormous spoils."

This report warns us against imagining battles in medieval feuds as fights to the last drop of blood. It is not only in this case that the warriors made use of the possibility of surrender and let themselves be taken prisoner. Consequently, a central theme of such feuds is the topic of ransom. Financial ruin or indeed self-enrichment was far more common than losing one's life. Surrender is a similarly important topic regarding the siege of castles. Usually the siege did not last until the storming of the castle-the garrison bargained for a safe conduct in exchange for the castle's peaceful surrender. And with respect to all these negotiations between the disputing parties we hear repeatedly of the work of one or more mediators.

Medieval scholarship has only recently discovered the institution of mediators - and their relevance for conflict settlement during this period. Ethnologists and anthropologists on the other hand, have known about them for a long time. The mediators are a fitting topic for an intercultural comparison, because they are characterised by a similar working method in pre-constitutional societies, because they are recruited from similar social groups and their work possessed a comparable relevance. During the European Middle Ages the mediator or mediators maintained the communication between disputing parties; and, where possible, ascertained and created the readiness to abstain from violence by negotiating about reparations that could serve as a basis for an amicable end to the conflict. His working method was confidential; for their office the mediators required prestige, and so were normally high-ranking persons. Power was equally helpful as we can see from the fact that we often encounter kings as mediators. They enforced the willingness to refrain from violence by threatening to revoke their favour. Mediators made binding assurances as to how the conflict could be ended, and to what compensation should be given by the parties. Their authority resulted less from the measures of compulsion they could employ than from society's acceptance of this institution, which was the only one that could lead back from conflict to peace. Refusing the advice - not the judgement - of the mediators was therefore difficult, and it isolated those who attempted to do this. This explains the readiness, reported again and again, to let oneself be persuaded by the mediator's arguments, as we have just heard in the example

quoted from the *Historia Welforum*.

Over centuries, however, a central element of giving satisfaction in the course of ending armed conflicts was practised again and again: the subjugation ritual, or *deditio*. It required one party to prostrate themselves before the other in public; this satisfactio could be answered in various ways: by total forgiveness symbolised by the raising the opponent from the ground and offering the kiss of peace - but also by the imprisonment of the opponent. These conditions were fixed and guaranteed by the mediators, but unknown to the audience at the moment of the public ritual. In each individual case the course the action took depended on the circumstances of the conflict and the strength of the networks into which each party was bound. Yielding in the early stages of the conflict resulted in more favourable conditions than surrender in a desperate situation.

In case of the Tübingen feud, that has been taken as an example, the *Historia Welforum* reports briefly but precisely about this subjugation ritual: "Soon the stubbornness of the count palatine was brought down. On Shrove Tuesday (1166) he submitted himself at a great council at Ulm in the presence of Duke Henry the Lion, our sovereign (Welf VI), under the gaze of Emperor Frederick himself and Duke Frederick, the younger Welf (VII). He prostrated himself at his feet and had to accept being arrested and led away in chains. He was kept in prison until the death of this Welf one and a half years later."

The account does not explain how the count palatine's willingness to participate in this dishonouring act was obtained. To my knowledge this is the only case where a noble was bound and lead away to imprisonment as part of the ritual. A different report mentions that he had even to repeat the prostration twice. We can assume that the compensation was so substantial and dishonouring because the damage to his enemy's honour during the feud had been so extensive. Remember the nine hundred prisoners taken by the count palatine - obviously, his opponent's loss of honour had to be redeemed. It is very likely that the emperor - present at the ritual - acted as mediator. He could not afford a dispute with the Welf at that time and thus probably ended the feud with his authoritative mediation.

As regards the possibility of comparing the shaping of this ritual with others where much care was taken not to violate the honour of those subjugating themselves we should strongly stress one point: The very details of those rituals were fashioned according to the individual case. And we can presuppose that medieval warrior society had a keen understanding of the meaning of such details. It was no accident when there were negotiations as to whether the ritual had to be performed

barefoot or with shoes. Some participants were even ready to pay considerable sums of money to keep their shoes on. On the other hand the 'victims' of those feuds were sometimes ready to make considerable concessions, material or otherwise, to receive the appropriate satisfaction of a barefooted prostration as part of the ritual. Many sources allow us to judge how theatrically this ritual could be fashioned. I refer to only one example of many, to the subjugation of the citizens of the town of Tivoli to Emperor Otto III. The subjugation had been negotiated by Pope Sylvester and Bishop Bernward of Hildesheim: "On the next day the bishops returned to the emperor, followed by a noteworthy triumphal procession. For all respected citizens of the town followed them, only clad in a loin cloth, in their right hand carrying a sword, in their left a rod, and they moved in this manner to the palace shouting: They and all they owned, even their very lives, were forfeit to the emperor; he could execute with the sword whomever he viewed as guilty and could have whipped with rods on the pillory whomever he pitied. ... The emperor was full of praise for the peace makers, the pope and Bishop Bernward, and in response to their entreaty he granted the trespassers forgiveness." With this only seemingly unconditioned surrender the honour of the monarch was restored. Countless conflicts of the European Middle Ages were resolved this way. The rules established for the pursuit of conflicts pressured all parties into going this direction.

Here is not the time to go into detail how contested this form of peaceful conflict resolution was in different periods. More important is the fact that it held its ground again and again against many attempts to replace it in favour of more severe measures even though the emphasis did shift from mildness to rigidity.

Let me then turn to the field of medieval literature. The field of research we are dealing with here offers excellent opportunities for co-operation between scholars of history and literature, since medieval literature cannot avoid referring to these rules of the game when describing scenes of conflict and violence. Alongside historical sources in the more narrow sense, historiography in particular, literature offers rich evidence for the regulated nature of medieval behaviour. On the other hand, literature is a more difficult subject matter than many annals, chronicles or other historiographical works.

Some years ago I tried to address this problem with the question: do poets play with society's rules of the game? Already in the Middle Ages, literature can be seen as a space similar to a laboratory, where reality is idealised, commented upon ironically, caricatured, exaggerated or made problematic for the sake of experimentation. To take an example from the *Nibelungenlied*: the treatment of prisoners is here

idealised. When Siegfried and the Burgundians return to Worms with Danish and Saxon prisoners, including kings, they heap gifts and honours upon them. The ransom offered for their release is magnanimously refused. If we consider the intensive haggling over ransoms in reality, as mentioned everywhere in contemporary sources, then we might interpret the scene as a mirror, which was intended to influence the sad realities.

In any case, previous experience in this research field indicates that we must count on the poets doing more than just letting their characters act unthinkingly according to the relevant rules. Whether by showing where the stubborn exercising of such a rule leads in a given case, whether by creating suspense by having these rules be broken, or whether by revealing their contradictory nature by constructing situations in which following the rules of the game leads to disaster. All of this is, as I am about to show, observable in the *Nibelungenlied*. And not just in the *Nibelungenlied*, by the way, but also in other works of medieval literature.

In the many interpretations of the *Nibelungenlied* it is often overlooked how many of the characters' activities were aimed at preventing the escalation of armed conflict by means of peaceful agreement, reparations, acknowledgment of wrongs and a mediated resolution. In this respect the *Nibelungenlied* reflects practices of medieval dispute settlement very directly, which I mentioned in the first part of the paper.

When the *Nibelungenlied* poet constructs situations where peace is no longer successfully re-established, he in no way idealises violence, but critiques particular rules of the game or how following them too simplistically leads to disaster. In the *Nibelungenlied* we can see this particularly well from the point when events at Etzel's court seem only to be determined by violence, treachery and revenge. I will just review, without claiming comprehensiveness, the most important attempts at Etzel's court to bring the escalation of violence under control by means of appropriate measures. Similar attempts can be observed in countless real conflicts of the Middle Ages. The poet closely follows the current rules of behaviour of his period, which I mentioned before.

Already in the 31st Aventure, Etzel's appearance is devoted to an attempt at arbitration, when he notices that the Burgundians are going to dinner armed. He immediately interprets this as a sign that the Burgundians must have been insulted, and makes an offer: I would like to provide you with the recompense you believe is right. I am ready to do anything you ask of me to make up for this insult, which I knew nothing about. Exactly as in real conflict situations, the lord offers his

services as a mediator and arbitrator, who makes no authoritarian decision, but offers to lend his weight to demands the parties might make. The path to successful conflict resolution is not successfully taken here only because Hagen does not take Etzel into his trust and remains silent about the true reason for the arms-carrying. Hagen explains the Burgundians' weapons by saying that in Burgundy it is customary to be armed for the first three days of a celebration. In this *Aventiure*, Etzel is involved as an active mediator a second time, after Volker kills a Hun in the tournament. In this case he successfully prevents, sword in hand, the escalation of violence. Etzel's behaviour precisely matches the expectations placed on such a mediator. Here the poet follows the rules of the game very precisely.

Yet even in the 36th *Aventiure*, after Krimhilt's activities have caused the butchery to take on unimagined proportions, the Burgundian squires to be murdered, Etzel's son to be killed by Hagen, and many knights to lose their lives in the subsequent fighting, the *Nibelungenlied* depicts the protagonists' person-to-person negotiations. In a long conversation, the three Burgundian kings Gunther, Gernot and Giselher on the one side, Etzel and Krimhilt on the other formulate their respective positions and justify their behaviour. Similarly, we know of many instances of these kinds of negotiations in real conflicts of the aristocracy - the sources like to use the phrase 'colloquium secretum'. The negotiations aimed at exhausting all the possibilities for a diplomatic solution. So here too the *Nibelungenlied* closely organises its narrative according to how conflict was customarily conducted.

Even the Burgundians' arguments in this negotiation are to be found in surviving historical texts: thus Gunther argues that the Burgundians only acted as they did out of great need: In the tenth century, according to Widukind of Corvey's report, Duke Liudolf had tried to justify his behaviour in his conflict with his father Otto the Great with the same argument, as did the Milanese their behaviour against Frederick Barbarossa in the twelfth. So we can say that the *Nibelungenlied* uses standard arguments from real rounds of negotiation, arguments people used to justify their own behaviour and make it easier to come to a peaceful agreement with the enemy. It is just that in the *Nibelungenlied* the standard arguments don't have any decisive effect, because no one wants peace.

And it is Gunther who even at this advanced stage of escalation thinks that a peaceful agreement is still possible and the best solution. Etzel objects first and foremost with the argument that the disgrace he has suffered demands that the Burgundians pay with their lives. Here too the listener or reader is required to reflect and judge. The *Nibelungenlied* poet makes no decisions for him.

Yet the search for solutions is by no means over with this exchange of words, just as in comparable historical cases we are constantly hearing of how even details are negotiated and debated. It is the same in this scene: Gernot for example demands that he at least be allowed to fight in the open so that the end will come more quickly. Krimhilt refuses, claiming that the Burgundians' armour would thus cool off and they would instead have better conditions. She on the other hand also makes a comparable, if somewhat treacherous, suggestion: if the Burgundians hand over Hagen to her, she will not exclude the possibility that she will then let her brothers live. But she will only consult with her counsellors about this possibility after Hagen is handed over.

This condition is also realistic and occurs in historical cases when a party in a conflict negotiates from a very superior position. But in the real world, binding guarantees were as a rule demanded before a resolution was accepted. The fulfilment of these promises was secured by oaths and guaranteed by mediators. However here it is obvious that the Burgundians can only reject the offer to hand over their loyal retainer. The journey to destruction continues. As a result Krimhilt has the hall where the Burgundians are holding out set fire to in each corner.

I will speak about Rüdiger's intervention in a moment, but even after further butchery, when Dietrich of Berne arms himself for the, so to speak, final battle against Gunther and Hagen, a peaceful resolution is still considered a real option. Even at this late stage Dietrich makes the Burgundians a very extensive offer: "Give yourself and your retainer up to me. I will then protect you as well as I can, so none of the Huns will do anything to you. I give you my word and faithfully promise that I will ride with you to your country. I will escort you, as honour requires, or I will die. I am ready to forget my great distress for your sake." (2337ff.)

It is Hagen who turns down this offer with the argument that surrendering would be improper for Gunther and himself. Yet surrender in armed conflict was for the warriors of the Middle Ages very much an option, which they often made use of. One only has to compare the many knights captured in battle with the small number of casualties which were lamented to realise that here Hagen represents a point of view which was in no way liable to general agreement, let alone an ideal. In medieval eyes not he but Dietrich may well have been the hero of this scene.

In short, we can say that the *Nibelungenlied's* depiction of the course of the conflict is very close to the conduct of real conflict in so far as there are numerous and intensive attempts at a non-violent resolution of the matter. That they all fail is less a result of the tendency to glorify violence, than firstly of the individual's

decisions, on which the poet does not pass judgment, but mainly of the complex situations out of which society's usual rules of the game offered no escape.

The closeness to the socially recognised rules of behaviour we have described can be very clearly seen too in the parts of the work where Rüdiger of Bechelaeren is the protagonist. The Burgundians' battle with the Huns at Etzel's court puts him after all in an especially difficult position because he has developed intensive responsibilities and connections to both sides. He was responsible to Etzel as a vassal and to Krimhilt because of a personal oath. But he was related to the Burgundians and these connections had been strengthened by the betrothal of Giselher to Rüdiger's daughter Dietlint when the Burgundians were guests at Rudiger's court. The quality of the connection and the readiness of both sides to fulfil the resulting duties had been expressed in rich gift-giving. On top of this Rudiger had escorted the Burgundians to Etzel's court, whereby he had taken on the responsibility to bring them home safe and sound. A tighter net of relationships could not be created.

Given these relationships, the conflict brings up the difficult question of how Rudiger should behave. Implicitly the question is about whether there was a hierarchy of these duties, and so whether in this situation kin relationships matters more than feudal ones or the other way round, whether an oath is more important than the responsibilities of an escort and so on. Rudiger thereby faces problems of which the aristocratic warriors of the twelfth and thirteenth century were certainly very aware, because they too often had to come to such judgments in conflicts. Countless efforts to grant loyalty to the king, for example, precedence over all other duties serve as evidence of attempts to establish rules in this area. But such attempts were not in the least successful.

In the light of this question's relevance it is hardly surprising that it is discussed in a major scene, where Etzel and Krimhilt finally persuade Rudiger to intervene on their behalf. Yet this scene deals with the rules of the game in a way whose closeness to reality is striking. It takes place in the 37th Aventure, so at a point at which the fighting has already lasted a long time and the escalation is at an advanced stage.

Rüdiger enters the scene with the declared intention of wanting to act as a mediator: To this purpose he sends messengers to Dietrich of Bern, who is supposed to find out what possibilities there might be of resolving the conflict peaceably. Rudiger behaves in this respect exactly as in reality people did who had connections to both parties: as you heard earlier, he remains neutral and looks for ways to bring

about a solution. Dietrich sends him a curt message: Etzel wants no arbitration. The poet, as almost always, has no comment on this answer. Still, it is questionable whether parties in a conflict could simply refuse an offer of arbitration. This certainly was not easy; there had to be very good reasons for such a refusal. The reader or listener is thereby once more required to decide whether Etzel's refusal is justified, a decision which certainly needed to be made frequently in real conflicts of the period.

Because of this neutrality, Rüdiger is accused by a Hun of cowardice, since the great power he has been given by Etzel must oblige him to fight for the king. The Hun says this directly to Krimhilt. Enraged, Rudiger strikes him dead. But this is the catalyst for a verbal exchange with Etzel and Krimhilt in which all the arguments for and against Rüdiger's intervention in this conflict are aired. To evaluate the drama of this verbal conflict correctly, it must be taken into account that virtually the start of the discussion both Krimhilt and Etzel are kneeling before Rüdiger. So the royal couple argue from a kneeling position, while throughout the entire exchange there is no mention of their standing up again. So argumentation and pleading are depicted as a unity.

Such a gesture of self-subordination on the part of a superior was however also well known in real communication. It made a request that was supported by such a gesture more or less irrefusable, because the superior put his entire prestige at stake for this request. The most famous and extremely unusual case of this kind is Frederick Barbarossa's prostration before Henry the Lion in Chiavenna, with which the Emperor tried to acquire Henry the Lion's help for an Italian campaign. Allegedly, Henry refused the request despite the prostration, which is an enormous charge against the Lion, since such a self-subordination of a ruler in fact forced the fulfilment of the request. It is hardly to be doubted that these rules of real communication are being used here by the poet to increase the drama of the scene.

Krimhilt begins her argument with a general reference to the oath that Rüdiger swore to her. Rudiger counters this by saying that he had sworn to risk life and honour for her, but not his soul. He says he brought the Burgundian princes to this celebration, and so given them escort. He uses this to justify his neutrality. For the time being, this argument is not dealt with in the exchange. Instead, Krimhilt reminds Rüdiger of the exact formulation of the oath: to take vengeance for all my harm and sorrow. That was in fact the promise Rudiger had made. It had presumably been consciously formulated in such a way that Rudiger would be under obligation. For this reason he only has a general objection to this argument: I have never

refused you anything.

Then when Etzel also starts to plead on his knees, Rüdiger tries to escape from the situation another way: he wants to give everything back which he ever got from Etzel and leave the country on foot. Yet Etzel counters in turn by offering to give Rüdiger everything as his own personal property and to make him into a powerful king too. Now Rüdiger yet again lists all his duties towards the Burgundians: they had been invited into his house, they had eaten and drunk together, exchanged gifts, and bound themselves as kin. All of these were certainly good reasons not to fight against them. Yet Krimhilt's appeal to have mercy on her suffering decides the matter. She thereby implicitly recalls Rüdiger's oath.

The tension of the scene therefore results from the fact that real problems or medieval conflict management are dealt with, using all verbal and non-verbal means. Yet the situation is ultimately caused by a network of relationships that leads to tragic consequences: according to the logic of the story, it is in the end the formulation of the oath that forces Rüdiger to fight against his kin, friends, and wards. This implicitly underlines Krimhilt's systematically planned revenge, since she herself had formulated the oath for Rüdiger. At the same time the story requires critical reflection on the meaningfulness of rules that demand such actions. So it is in no way about the uncritical description, let alone glorification of violence. We can much better speak of an appeal to reconsider rules that cause or allow something like this to happen.

I have only been able to sketch on the basis of a few examples, what consequences there are for the interpretation of the *Nibelungenlied* when a historian reads it with the question in mind as to how it handles society's rules in conflicts. Instead I asked about the patterns of behaviour according to which the characters of the *Nibelungenlied* oriented their actions. The answer, which could be explicated here on the basis of only a few examples, is relatively unambiguous: they very frequently acted according to the real rules of the game of twelfth-century society. The more interesting discovery on the other hand, is that these actions also serve to problematise the rules of behaviour. The consequences of decisions are presented to the readers or listeners, but they are thereby apparently required to examine the reasons for these decisions critically and to consider whether these were the only possible actions, or if there were others. The construction of situations in which the usual rules of the game no longer help positively demands a critical perspective on these rules.

In total, an interpretation of this kind results in a new view of the story's relationship to violence: no promotion of loyalty until death, no glorification of honour and obligation to avenge until the point of ruin, but instead an interpretation which sees the mechanisms which the real society of the twelfth century used to avoid violence clearly depicted in the *Nibelungenlied*. That precisely these mechanisms of the de-escalation of violence are ineffective and no peaceful end is possible is explicable partly due to the decisions of individual people, but partly due also to the invention and construction of events where the usual rules no longer offer any solution. I think that this is a reading that is very compatible with the concerns of recent German studies. So the question of the rules of the game does indeed seem to be suitable for uniting the different medieval disciplines, at least in a discussion about the same texts and topics.

The rules observed in medieval life and in medieval literature concerning the use of weapon and violence seem to be very comparable.

Time considerations force me now to summarise and to outline once again what precisely concerns me. By highlighting the fact that during the European Middle Ages armed conflicts followed certain rules, I wanted to argue against the popular cliché of the violent and therefore dark, barbaric Middle Ages. The existence of the rules presented here, with their obvious tendencies to suppress violence, is - on the whole - undisputed amongst medievalists. The range of their validity and the extent to which they were obeyed is certainly open to discussion. Therefore, once again as clarification: the rules only applied to members of the warrior aristocracy, not to the lower social levels, not to pagans, infidels, and heretics.

I have deduced these rules by analysing the conflicts in the Frankish-German realm. There they had validity, and I found them again in medieval literature, as the examples taken from the *Nibelungenlied* show. I cannot and will not claim that they applied in a similar way in other European countries. There are signs that on the whole this is so - Georges Duby has emphasised similar aspects for the French region. But there are also signs of regional particularities, such as a greater harshness and acceptance of violence in Norman South Italy - for example.

In the warrior aristocracy of 'Old' Europe in any case people knew how to use violence very carefully, warn of its application long before by unambiguous threats and thereby provide time and opportunity to yield. They had at their disposal ways and means to end conflicts peacefully by replacing violence with finely tuned compensation measures. That those rules were also broken and violated, that the measures and ways to avoid violence were not sufficient in certain cases, I accept

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unreservedly. Still, they do not thereby lose their value as a characteristic feature of a warrior aristocracy that did not blindly indulge in violence.