Providers and Educators: The Theory and Practice of Fatherhood in Late Medieval Basel, 1475-1529

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Dedication

Patri caelesti Filioque unigenito Spiritoque adoptionis filiorum
et ecclesiae, familiae Dei
atque uxori amatissimae meae, quae corpus animumque alit
ac patri mei cum matre mea, qui nobis torum maritum donaverunt
etiam socri mei, imprimatori, cum socru mea, qui hic detractatum imprimuerunt
et Simeoni, causa cuius tota mea verba in facta mutanda sunt

Abstract

The dissertation uses sources from fifteenth-century Basel, including municipal court records, personal letters, and pedagogical treatises, to examine the ways that humanists and other late medieval people thought about and practiced fatherhood. Using Basel as a case-study reveals important connections between the various roles that fathers played. Two roles stand out: father as provider and father as educator.

Provision of food and clothing in the present was the foundational experience of fatherhood; surrogate caregivers connected their care of children in the present with providing for their future through inheritance. Furthermore, fathers used provision as an incentive to encourage morality and obedience in their children, and the food and clothing that fathers provided were focused sites for instruction in and demonstration of one's social virtues. Providing for the future was influenced by the sex of the child; inheritance and marriage arrangements could apply to both sons and daughters, entry into a cloister was primarily for daughters, and vocational training and formal education were almost entirely for sons. Even provision for the future was rooted in practical considerations.

Fathers had a primary responsibility to see to the moral and academic education of their children. Formal education was closely associated with moral education, as bad behavior could damage one's material fortunes as well as one's reputation. Fathers were thought to combine the authority necessary to enforce discipline in their children with the affection necessary to discipline them for their benefit. Moreover, fathers were thought to provide an example which their children would imitate, whether for good or for ill. The importance of fathers as a symbol of instruction and advice caused other educators to

borrow fatherly status for themselves, making the alliance between fathers and teachers fraught with tension. The unique significance of fathers to medieval people derived from their location at the intersection of education and provision. There were many affectionate comrades and many forms of authority in medieval society, but only fathers were both.

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NOTE ON NAMES, DATES, AND CURRENCY

In standardizing the names of people, I have used the modern German forms of their given names and conformed the spelling of surnames to modern German words where possible. I have, however, retained distinctively Swiss spellings, such as the use of *–li* or *–ly* as a diminutive. I have used the Latin forms for the given names of scholarly figures because that is the practice in other secondary literature on them.

The court records are dated according to feast days, but most cases are not dated at all. In some cases, an entire year's worth of court records contain dates only for Christmas (December 25) and the Feast of John the Baptist (July 24). In my citations, I have converted the cases to modern dates, but in many cases this is only an estimate of the month in which the case was recorded. Some cases, of course, were heard months or years after the events that the witnesses recount.

The value of currency in Basel is difficult to fix precisely, due to the high amount of long-distance commerce as well as to fluctuating exchange rates. Purchasing power remained stable through the fifteenth century, though it decreased considerably in the sixteenth.[1] Beginning in 1403, Basel was part of a currency network covering the upper Rhineland region that standardized the gold Rhenish gulden by stipulating that it was worth two hundred forty pennies; that is, a pound (*Pfund*) of pennies. The *Pfund* was purely a currency of account.[2] A shilling (sometimes called a *Blaphart*) was worth twelve

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[1] Knut Schulz, *Handwerksgesellen und Lohnarbeiter: Untersuchungen zur oberrheinischen und oberdeutschen Stadtgeschichte des 14. bis 17. Jahrhunderts* (Sigmaringen: Jan Thorbecke Verlag: 1985), 323.

[2] Martin Körner, "Zum Problem der Währungsvielfalt in der Alten Schweiz" in *Münzprägung, Geldumlauf und Wechselkurse: Minting, Monetary Circulation and Exchange Rates*, ed. Eddy van Cauwenberghe and Franz Irsigler; 8th International Congress on Economic History, Budapest, Hungary, 1982; Trierer Historische Forschungen 7 (Trier: Verlag Trierer Historische Forschungen, 1984), 219-236 (at 220).

pennies.[3] There was also a *Rappen* coin worth two pennies.[4] Although in theory, a gulden was worth a *Pfund*, the quality of pennies deteriorated by about forty-five percent over the course of the fifteenth century. Already by 1430, a gulden was worth two hundred eighty-eight pennies instead of the original two hundred forty.[5] By 1499, the exchange rate had risen to three hundred twenty-five pennies per gulden.[6] Witnesses in the court records sometimes used *Gulden* and *Pfund* interchangeably, though the difference was considerable.

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[3] Peter Spufford, *Handbook of Medieval Exchange* (London: Offices of the Royal Historical Society, 1986), 260.
[4] Schulz, *Handwerksgesellen und Lohnarbeiter*, 319.
[5] Schulz, *Handwerksgesellen und Lohnarbeiter*, 319.
[6] Peter Spufford, *Handbook of Medieval Exchange* (London: Offices of the Royal Historical Society, 1986), 260.

WHAT DOES PATRIARCHY HAVE TO DO WITH FATHERHOOD? THEORETICAL APPROACHES, METHODOLOGY, AND THE HISTORIOGRAPHY OF MEDIEVAL FATHERHOOD

A patriarchal moment: The turn of the sixteenth century

In the decades around 1500, royal, municipal, religious, and guild authorities across Europe attempted to exert greater control over their subjects. When they did so, they chose fatherhood as a metaphor and mechanism for enhancing that power. During the sixteenth century, city councils across German-speaking regions passed laws that attempted to bring all residents under the control of individual male householders. For example, according to a 1580 decree in Munich, servants were forbidden to leave the house without their employers' permission, or to take food out of the house. The decree also forbade citizens to rent rooms or store possessions for single men or women who did not have a position as a servant or employee. An Augsburg law ordered all single spinners to live in the household of a male weaver, rather than on their own. These examples are taken from the sixteenth century, but the trend toward regulation of servants within a household began in the fifteenth century.[1] The legislating authorities saw the social role of fatherhood and the micro-institution of the household as the solution to a perceived need for more stability and organization in their society.[2]

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[1] Merry Wiesner, *Gender, Church and State in Early Modern Germany: Essays* (New York: Longman, 1998), 95, 98, 100. English laws of the time reflect the same development; Shannon McSheffrey, "Men and Masculinity in Late Medieval London Civic Culture: Governance, Patriarchy, and Reputation" in *Conflicted Identities and Multiple Masculinities: Men in the Medieval West*, Jacqueline Murray, ed. (New York: Garland, 1999), 243-278; and Gordon Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculations and Attitudes Especially in Seventeenth-Century England* (Oxford: Blackwell, 1975).

[2] Susan C. Karant-Nunn, "Reformation Society, Women and the Family," in *The Reformation World*, ed. Andrew Pettegree (New York: Routledge, 2000), 443-460 (at 441); Gerald Strauss, *Luther's House of Learning: Indoctrination of the Young in the German Reformation* (Baltimore: Johns Hopkins University Press, 1978), 116-118.

Many religious writers of the period also saw the decay of marriage and the family as a root of their contemporary societal problems.[3] Such assessments were particularly prominent during the reformations of the sixteenth century in the emphasis placed by "evangelicals" or early Protestants on the family as the main site of religious instruction, but they are not an invention of the reformers; concern over the state of the family began well before the reformations. These developments are a part of contemporary attempts by governing authorities to extend their authority over their subjects—attempts to bring public morality under the purview of city authorities, attempts to bolster the church (whether Catholic or Protestant) as an institution of religious instruction and order, attempts to regulate labor in the form of guilds, attempts to control trade and taxation on an ever more detailed level, and so forth.[4]

The three-way relationship between individual fathers, the members of their households and official authorities of the city, church, or state, is full of tensions and complexities, but it is an important one that will resurface often in what follows. Fifteenth- and sixteenth-century Europe was a historical season of "acute" patriarchy, in which the potential of the individual father to bring order was so highly prized that political authorities attempted to bolster individual fathers' authority. This means that it is a particularly significant period for examining the connections between fatherhood as a social relationship and fatherhood as the metaphorical basis for a larger system of power relations, namely patriarchy. This dissertation is concerned primarily with the former, but it can hardly avoid the latter; the ideological uses of fatherhood provide both insight into

[3] Steven Ozment, *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, Mass.: Harvard University Press, 1983), 1-49; Joel F. Harrington, *Reordering Marriage and Society in Reformation Germany* (Cambridge: Cambridge University Press, 1995), 25-26.

[4] Harrington, *Reordering Marriage and Society in Reformation Germany*, 12.

what fathers were expected to do and much of the historical interest in studying the social role of fatherhood in the late medieval era.

Late medieval infatuation with patriarchal authority is all the more clearly historicized because of its current repugnance. In his preface the author of a recent introductory book on contemporary gender issues speaks of his happiness at "rediscovering what men can be beneath the distortions of patriarchal masculinity." His impetus for writing the book was "an unshakable belief that oppression [meaning patriarchy] is not an inevitable feature of human life" and to oppose "disregard for human dignity" and "the inherent wrongness of oppressive systems."[5] He goes on to caution the reader that in order "to understand [our gender legacy] and take part in the journey out of it, we have to find ways to unravel the knot."[6] The assumption of the author is that patriarchy must be minimized or escaped. To most modern observers, assertions of the primacy of fathers seem not only to be factually inaccurate—what do such assertions mean for cloistered religious, for married journeymen and their wives, for widowed or unmarried women who do not fit neatly into the scheme of patriarchal households?—but also pompous and oppressive. We see the desire for order as a sort of medieval mania. The statement of the city council of Strasbourg that servants "walk up and down freely whenever they want to, and it is a source of great annoyance"[7] seems absurdly arrogant to many of us. But this clash of values is a sign of the potential for fruitful investigation of cultural history, an opportunity to explicate *why* medieval authorities thought such an

[5] Allan G. Johnson, *The Gender Knot: Unraveling our Patriarchal Legacy* (Philadelphia: Temple University Press, 1997), vii-viii.

[6] Johnson, *The Gender Knot*, 4. See also Carol Gilligan and David A.J. Richards, *The Deepening Darkness: Patriarchy, Resistance and Democracy's Future* (Cambridge: Cambridge University Press, 2009), discussed further below.

[7] Strasbourg, Archives Municipales, Grosse Ratsbuch, Vol. 1 No. 150; see also Munich Stadtarchiv, Zimilien Eidbuch 1688; cited in Wiesner, *Gender, Church and State*, 97.

obviously (to us) bad idea was a good one. What was it that caused them to look to fathers as a way to reform society's ills? What did they see as the potential of fatherhood?

Patriarchy for everyone: Feminism, gender and patriarchy

The term "patriarchy" is used with a bewilderingly wide array of meanings. The most precise meaning describes a legal and social regime in which most power rests on the male head of the household.[8] The Roman concept of *patria potestas* is a well-known example of this. The usage of "patriarchy" in this sense is attested in English from the seventeenth century.[9] However, patriarchy is also used to describe a larger cultural mindset, and it is important (if daunting) to incorporate this broader concept of patriarchy into this study. The next, slightly broader use of the term describes an individual taking on a fatherly role—this could include the master of an apprentice, a legal guardian, and so forth. These surrogate father roles were ubiquitous in the medieval era. Bernardino of Siena, for example, listed in a sermon seven "fathers" to whom one owed obedience: God, one's natural father, godfather, confessor, benefactor, government official, and any elderly man.[10] At a higher level of abstraction (as visible in Bernardino's list), surrogate father roles shade off into a practice that I would call paternalism, whereby a political authority, such as a king, pope, abbot, (or even a town council or an empire) describes him- or itself in explicitly fatherly terms. This, too, was common in the medieval era.

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[8] Judith Bennett, *History Matters: Patriarchy and the Challenge of Feminism* (Philadelphia: University of Pennsylvania Press, 2006), 55-56.

[9] "Patriarchy," 2.a., *Oxford English Dictionary*, http://dictionary.oed.com/ (accessed online, April 10, 2009).

[10] "Il primo padre è eternale, il dio. . . il carnale. . . lo spirituale. . . il penitenziale. . . il benefiziale. . . uffiziale. . . invecchitale," Bernardino of Siena, sermon from March 20, 1424 in Bernardino of Siena, *Le Prediche Volgari*, ed. Ciro Cannarozzi (Pistoia: Banchi, 1934), 1:198-209 (at 198-199); cited in Louis Haas, *The Renaissance Man and His Children: Childbirth and Early Childhood in Florence, 1300-1600* (New York: St. Martin's Press, 1998), 78.

In its broadest meaning, "patriarchy" does not involve fatherhood directly. Instead, it can be used to describe any form of dominance by males, or by some males. This usage grew out of the development of feminist history; the earliest attestation of this usage in the *Oxford English Dictionary* is from 1970.[11] Joan Scott thus makes a passing reference to "patriarchy, a system of male domination."[12] Judith Bennett, too, uses a broad definition of patriarchy, as a set of means by which men control and subsume women through social, cultural, legal, or economic structures.[13] This usage of "patriarchy" recognizes the pervasive and subtle forms that such systems can take, but one disadvantage of it is that it runs the risk of an oversimplification, in which "patriarchy" can serve a similar rhetorical function to the term "*ancien regime*"; namely, the "bad old days," a short-hand for everything objectionable about the past that is at variance with current ideological aspirations.

The other problem with equating patriarchy with male dominance is that male dominance is essentially universal in human societies. Joan Scott noted in her AHA presidential address that the universality of male dominance makes patriarchy difficult to historicize, since academic historians are often preoccupied with tracing change.[14] As a solution, Bennett offers the concept of a "patriarchal equilibrium" as a set of societal structures that work to empower males. This equilibrium can respond to historical changes in order to perpetuate male power without conscious action on the part of

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[11] "Patriarchy, 3, *Oxford English Dictionary*, http://dictionary.oed.com/ (accessed April 10, 2009).

[12] Joan Wallach Scott, "Introduction" in *Feminism and History*, ed. Joan Wallach Scott (New York: Oxford University Press, 1996), 1-13 (at 4).

[13] Bennett, *History Matters*, 55-56.

[14] Joan Scott, "Gender: A Useful Category in Historical Analysis," *American Historical Review* 91 (1986): 1053-1075.

males.[15] Continuity in the status of women, then, belies the variety of ways that societal structures work together in a specific time and place in order to maintain that status. Historicizing it involves not only understanding differences in the degree to which males were dominant in a given society, but also understanding the mechanisms by which patriarchy was re-created in changing historical contexts.

Academic feminist historians have been cautious to avoid simplistic scapegoating of an essentially universal social structure, though popular attitudes are often less nuanced. It is startling to find a stark example of this view, not as an underlying attitude, but as the explicit thesis of an academic work published in 2009. In *The Deepening Darkness,* Carol Gilligan, a developmental psychologist and professor of gender studies at Harvard and David A.J. Richards, a professor of constitutional law, explore "a heroic conception of patriarchal manhood associated with a personal history of loss…and a history of militarism and religious persecution that becomes associated with a particular construction of manhood."[16] They argue that "the darkness associated with gender, the patterns of loss, traumatic rupture of relationships, repression of an ethically resisting voice and also of what might be called sexual voice continue into the present."[17] Their survey of primarily literary and philosophical texts begins in the Roman empire, though they examine *Gilgamesh* and Greek tragedy as well. Ironically, they skip from Augustine in the fourth century to John Locke in the seventeenth century, omitting the Middle Ages

[15] Bennett, *History Matters*, 77-78. This is illustrated in the case of Bennett's study of the brewing trade in late medieval England. In 1300, brewing was a small-scale, unskilled occupation practiced predominantly by women. By 1600, it was much more elaborate and professionalized, and women were gradually excluded from it, not because, for example, guilds were formed in order to exclude women, nor because women could not employ male workers, but rather as a combination of factors that were not consciously directed by any individual or group (Judith M. Bennett, *Ale, Beer and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford: Oxford University Press, 1996).)

[16] Gilligan and Richards, *The Deepening Darkness*, 2.

[17] Gilligan and Richards, *The Deepening Darkness*, 4.

without so much as a mention. Gilligan and Richards' definition of patriarchy covers the entire span of meanings discussed above, from "an anthropological term denoting families or societies ruled by fathers" to a much broader idea of the general political attitude of a given society.[18] Although they do acknowledge that patriarchy has become "something of a code word for men's oppression of women" as well as "patriarchal demands on men and the complicity of women in enforcing such demands," they impute virtually every evil they can think of to patriarchy, such as the "associated ills of racism, anti-Semitism, puritanism, homophobia and a history littered, as Woolf reminds us in *Three Guineas*, with 'dead bodies and ruined houses,'" including the mismanagement of the current war on terror.[19] They argue that "models of equality [including ethical resistance] are actively countered by" patriarchy on a fundamental level.[20] Patriarchy is, in fact, the "darkness" they refer to in the title. Their work is important in that it is a formal articulation of attitudes toward patriarchy that are widespread but often only partially articulated. I will say here only that this attitude stands in extreme opposition to the views of the medieval people studied in this dissertation and return to the issue in my concluding chapter when the two views can be contrasted in more detail.

The historical study of patriarchy is important for its impact on men and masculinity as well as its impact on women and femininity. Bennett focuses on the potential of the study of patriarchy to revitalize the history of women. Yet she emphasizes that some women benefited from patriarchy more than others, that some women participated in perpetuating patriarchy, and that patriarchy favored some men

[18] Gilligan and Richards, *The Deepening Darkness*, 12.
[19] Gilligan and Richards, *The Deepening Darkness*, 4, 12.
[20] Gilligan and Richards, *The Deepening Darkness*, 4.

over others.[21] It seems logical, then, to add to Bennett's statement and say that understanding patriarchy is important to the history of women *and* men—that is, of everyone. Men, too, were a part of the patriarchal equilibrium and were also not entirely in control of it. The fact that men were generally beneficiaries of the system does not mean that they were independent of it.

The complexity of the situation can be illustrated by the example of men's interaction with marriage regulation courts in the early modern period.[22] In a sample stretching across two centuries and a widespread geographical and confessional variety of jurisdictions, in eighty percent of cases, it was husbands who were brought before the court by their wives, not the reverse. Women were cooperating with judicial authorities in enforcing the ideals to which husbands, as the head of their households, were expected to conform. When men did not live up to those ideals, they could be penalized by the marriage courts. This state of affairs showcases the manifold complications of analyzing patriarchy. On the one hand, it was the husbands who were being subjected to legal discipline in these cases. On the other hand, the number of complaints against wives may be low simply because men had enough personal power to enforce their desires without recourse to the court system. Then again, the court system was a part of the "patriarchal" system, and thus is usually thought of as a means of controlling women. Although the courts in this case provided an opportunity for women to exercise power, they could only access that power by appealing to a patriarchal set of values—namely, that their husbands were not exercising appropriate control over their households. Patriarchy clearly was not

[21] Bennett, *History Matters*, 56.

[22] Heinrich R. Schmidt, "Hausväter vor Gericht," in *Hausväter, Priester, Kastraten: Zur Konstruktion von Männlichkeit in Spätmittelalter und früher Neuzeit*, ed. Martin Dinges (Göttingen: Vandenhoeck & Ruprecht, 1998), 213-236.

simply a question of all men imposing their will on all women. This dissertation, then, will acknowledge the system of patriarchy by attempting to show its effects on all types of people involved in it.

As we have seen, the history of patriarchy as a system owes its development so far mainly to feminist historians. This is also true for the history of gender more broadly; the study of masculinity has emerged as a subject for historical study later than the study of femininity and as a response to it.[23] Even though many of the earliest histories of medieval women struggled to wrest any information about women at all from sources largely written by and about men,[24] femininity as a concept is usually the "marked" gender and therefore easier to discern than masculinity. Historians of masculinity, then, are learning from the example of historians of femininity to wrest insight from written sources that are as reluctant to reveal the ideology of masculinity behind the records of men as they are to reveal the lives of women behind the tropes of femininity.

Many important works on the topic of femininity have taken the form of collections of essays, such as Erler and Kowaleski's *Women and Power in the Middle Ages* and their *Gendering the Master Narrative.*[25] The papers in these volumes predominantly explore the ways in which women in medieval society might exercise power either in their own right or through association with powerful men, influence the

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[23] Feminist historians have been instrumental in the development of the study of masculinity. Natalie Zemon Davis called for a history of masculinity as early as 1976; Natalie Zemon Davis, "'Women's History' in Transition: The European Case." *Feminist Studies* 3:3/4 (Spring/Summer 1976), 83-103 (at 90).

[24] Eileen Power, *Medieval Women* (Cambridge: Cambridge University Press, 1975); Susan Mosher Stuard, ed. *Women in Medieval Society* (Philadelphia: University of Pennsylvania Press, 1976); Suzanne Wemple, *Women in Frankish Society: Marriage and the Cloister, 500 to 900* (Philadelphia: University of Pennsylvania Press, 1981).

[25] Mary Erler and Maryanne Kowaleski, ed., *Women and Power in the Middle Ages* (Athens, Ga.: University of Georgia Press, 1988); Mary Erler and Maryanne Kowaleski, ed., *Gendering the Master Narrative: Women and Power in the Middle Ages* (Ithaca, N.Y.: Cornell University Press, 2003).

layout of domestic and sacred space, and act as patrons of learning and religious activity. Other studies have explored many of these same themes. Caroline Walker Bynum's *Holy Feast and Holy Fast*[26] and Dyan Elliott's *Proving Woman*[27] have focused on the ways that feminine spirituality has differed from, and sometimes conflicted with, masculine spirituality. Ruth Mazo Karras' *Common Women*[28] and Judith Bennett's *Ale, Beer and Brewsters*[29] have examined the ways in which the construction of femininity has interacted with economic concerns.

The common strand in all these studies of gender is the concept, popularized by Judith Butler, that gender is performative; unlike biological sex, gender is continually demonstrated by a series of actions that express it.[30] This means that gender is influenced by culture (just how much remains a matter of debate) and therefore a subject of historical analysis. Butler, in fact, denies that there is any innate content to sex, much less gender, but this is not a necessary conclusion.[31] The fact that gender is culturally shaped does not mean that there is no non-cultural core to gendered identity. It does produce an epistemological problem: how can we know what is a product of culture and what is a product of innate identity? However, since there is no such thing as a human who is not a member of any culture, it is entirely a philosophical problem, not a historical one. Leonore Davidoff has stated the problem more usefully for historians by writing that "the

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[26] Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Los Angeles: University of California Press, 1987).

[27] Dyan Elliott, *Proving Woman: Female Spirituality and Inquisitional Culture in the Later Middle Ages* (Princeton: Princeton University Press, 2004).

[28] Ruth Mazo Karras, *Common Women: Prostitution and Sexuality in Medieval England* (Oxford: Oxford University Press, 1996).

[29] Bennett, *Ale, Beer and Brewsters in England*.

[30] Judith Butler, *Gender Trouble: Feminisim and the Subversion of Identity* (New York: Routledge, 1990), 24-25.

[31] Butler, *Gender Trouble*, 6-8.

effort to conceive gender—or class or race—as an abstract logical grid without a notion of historical process is doomed, for the categories are only worked out during that process and are emergent in social processes."[32]

Whatever the mix between innate identity and cultural inflection, the emerging historiography of masculinity has retained the governing paradigm of performativity, but has emphasized the anxieties produced by this fact. Vern Bullough demonstrates this concept in his early discussion of the fragility of masculinity. He argues that the very assertion of male superiority means that "'the superiority of the male' has to be demonstrated continuously or else it will be lost."[33] Thus, medieval authorities viewed male cross-dressing with more hostility than female cross-dressing, and cases of sexual impotence were subject to experimental verification.[34] Other works have retained this theme, such as the edited volumes *Conflicted Identities and Multiple Masculinities* and *Masculinity in the Reformation Era.*[35] The theme of anxiety produced by a constant need to demonstrate one's gender is much more central to studies of masculinity than of femininity.

Many studies of masculinity focus on alternative or minority views on masculinity—one edited volume, for example, contains three essays on the castration of

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[32] Leonore Davidoff, *Worlds Between: Historical Perspectives on Gender and Class* (New York: Routledge, 1995), 10.

[33] Vern L. Bullough, "On Being a Male in the Middle Ages," in *Medieval Masculinities*, ed. Clare Lees (Minneapolis: University of Minnesota Press, 1994), 31-45 (at 34).

[34] Vern L. Bullough, "On Being a Male in the Middle Ages," 36-45.

[35] Jacqueline Murray, ed. *Conflicted Identities and Multiple Masculinities: Men in the Medieval West* (New York: Garland, 1999); Scott H. Hendrix and Susan C. Karant-Nunn, ed. *Masculinity in the Reformation Era*, Sixteenth Century Essays and Studies 83 (Kirksville, Missouri: Truman State University Press, 2008). Another, less well-received work on this theme in literary scholarship was Mark Breitenberg, *Anxious Masculinity in Early Modern England* (Cambridge: Cambridge University Press, 1996).

Peter Abelard, an incident which is exceptional in almost every way.[36] Some studies of male sexuality have focused on homosexuality, such as Michael Rocke's *Forbidden Friendships,* which examines the way that authorities in Florence attempted to control—but not eliminate—the practice of homosexual activity among men at certain points in their life-cycle.[37] Some have focused on alternative models of masculinity for clerics, who were theoretically not supposed to make war, have children, or amass wealth for their heirs—all key components of masculine identity for laymen.[38] Other studies, however, have focused on normative masculinity. Ruth Mazo Karras' *From Boys to Men* examines the ways young men in the fourteenth century were socialized or inducted into manhood—"how men learned to be men."[39] Karras argues that various groups in society defined masculinity in opposition to various other statuses. Knights defined masculinity through violence and power, often in opposition to femininity; university students defined masculinity as not only not-feminine, but also rational rather than beast-like; craftsmen defined it as independence in opposition to boyhood.[40] Even the preliminary existing studies of masculinity, then, have deflated the notion of a monolithic patriarchy that

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[36] Jeffrey Jerome Cohen and Bonnie Wheeler, ed. *Becoming Male in the Middle Ages* (New York: Garland Pub., 2000).

[37] Michael Rocke, *Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence* (Oxford: Oxford University Press, 1996).

[38] Joann McNamara, "The *Herrenfrage:* The Restructuring of the Gender System, 1050-1150," in *Medieval Masculinities*, ed. Clare Lees (Minneapolis: University of Minnesota Press, 1994), 3-29; Jacqueline Murray, "Masculinizing Religious Life: Sexual Prowess, the Battle for Chastity and Monastic Identity," in *Holiness and Masculinity in the Middle Ages*, ed. P.H. Cullum (Cardiff: The University of Wales Press, 2004), 24-43; Patricia H. Cullum, "Clergy, Masculinity and Transgression in Late Medieval England," in *Masculinity in Medieval Europe.* ed. D.M. Hadley (New York: Longman, 1999), 178-197; Jennifer D. Thibodeaux, "Man of the Church or Man of the Village? Gender and the Parish Clergy in Medieval Normandy," *Gender and History* 18.2(2006): 380-399. For the impact of Christianity on early medieval lay masculinity, see J.L. Nelson, "Monks, Secular Men and Masculinity, c. 900" in *Masculinity in Medieval Europe* ed. D.M. Hadley (New York: Longman, 1999), 121-142. For the early formation of a Christian model of masculinity, see Mathew Kuefler, *The Manly Eunuch: Masculinity, Gender Ambiguity, and Christian Ideology in Late Antiquity* (Chicago: University of Chicago Press, 2001).

[39] Ruth Mazo Karras. *From Boys to Men: Formations of Masculinity in Late Medieval Europe* (Philadelphia: University of Pennsylvania Press, 2003), 3.

[40] Karras, *From Boys to Men*, 11-12.

simply bolstered male egos.

As a way of avoiding the various pitfalls associated with the different definitions of patriarchy that have been advanced so far, I adopt a cultural definition: Patriarchy is the cultural process by which power is interpreted as masculine. This definition allows for the fact that women exercise some power via patriarchy, and that patriarchy favors some men over others. It also acknowledges the way that the patriarchal equilibrium shifts in response to historical change as well as the ubiquity of patriarchy as a cultural structure. Patriarchy as a cultural process, then, strongly influences the way literal fatherhood is thought about and practiced, but it also involves many other aspects of social relationships and societal structures. Finally, this definition allows for individuals to participate in the creation and recreation of patriarchy, while acknowledging that it is an arena in which multiple views compete for influence. No individual or group of individuals is fully in control of a cultural process. It is not the master-plot of all men to control all women. In fact, all men have never controlled all women.

Fatherhood and the Reformation

This dissertation takes as its endpoint the Reformation in Basel. Though reformers wrought some changes in family life, there was a substantial amount of continuity on both a conceptual and a practical level. Historians have seen the various reformations of the sixteenth century as pivotal in the development of the modern family. Susan Karant-Nunn has aptly characterized this shift by saying that the reformers "tacitly redefined the family as nuclear by cropping off nearly every extraneous leaf and branch" from a medieval conception of the whole cosmos as "diffusely familial."[41] They abolished

[41] Karant-Nunn, "Reformation Society, Women and the Family," 434-436.

religious confraternities. They decried monasticism and devalued celibacy, undercutting the familial nature of many cloistered religious communities. They insisted on the immediate baptism of newborns, making it more difficult to wait for godparents to join the parents for the christening. They advocated a much more subdued, limited level of celebration for both christenings and weddings, which curtailed the expression of social bonds between neighbors and extended kin groups.[42] As Karant-Nunn points out, it is doubtful that the reformers intended to restrict the family to only the nuclear household, but many of the reforms had just such consequences.[43]

The reformers were remarkable for the especially high value they placed on the nuclear family and for the great hopes they had for using the family as a vehicle for achieving their goals for society as a whole. All reformation groups except Catholics rejected the ideal of vows of celibacy. Instead, the married pastor and his wife and children became the new ideal. Many different reformers, especially Lutherans, laid new emphasis on the idea that marriage should provide support and companionship for the couple, although many writers advocated an amicable, rational "esteem" between spouses over erotic passion. Protestant writers published many and voluminous works of advice for the household, beginning with Menius' 1529 *Oeconomia Christiana.*[44] They pioneered new advice genres, such as *Ehespiegeln* for young couples embarking on marriage, and *Haustafeln*, more general household advice books.[45]

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[42] Karant-Nunn, "Reformation Society, Women and the Family," 434; see also Lyndal Roper, "'Going to Church and Street': Weddings in Reformation Augsburg," *Past and Present* 106 (February 1985): 62-101.

[43] Karant-Nunn, "Reformation Society, Women and the Family," 434.

[44] Karant-Nunn, "Reformation Society, Women and the Family," 444.

[45] One of the most prodigious examples of this new flood of writing is Caspar Huber's 1553 *Mirror of Domestic Discipline*, which runs to 600 folio pages of household advice in the form of a verse by verse commentary on Ecclesiasticus (Strauss, *Luther's House of Learning*, 114-125).

The reformers had important plans for the family.[46] Until at least the mid-1520s, Luther envisioned the family as the basic unit of religious activity; fathers would study the Bible with their families and lead family devotions, imparting the teaching they received from preachers.[47] Even as his followers and other reformers put systems of formal religious education in place, they continued to place high priority on the role of the family in religious instruction.[48] Protestant domestic advice treatises contain not only items about household duties, but also information about prayers, hymns and how the father should lead family devotions.[49]

Yet the impact of the reformation on the family must be qualified. Gerald Strauss and Susan Karant-Nunn have argued that reformers' views of the family were not particularly original. Instead, what is noteworthy is the high degree of emphasis, the intensity of attention which the family received.[50] Reformation historians have emphasized the substantial amount of medieval precedent for Reformation ideas about gender and the family, both the positive value of marriage and the misogyny and pessimism about human nature.[51] Late medieval theologians, particularly preachers, universally acknowledged the good of marriage.[52] There were materials for religious

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[46] In this they were like lay authorities; religious and lay leaders alike were involved in the project of achieving greater control and discipline over society during the fifteenth and sixteenth centuries, and they saw the family as a pivotal site for that project.

[47] Strauss, *Luther's House of Learning*, 123.

[48] Karant-Nunn, "Reformation Society, Women and the Family," 451-453; Strauss, *Luther's House of Learning*, 116, 130.

[49] Karant-Nunn, "Reformation Society, Women and the Family," 444.

[50] Karant-Nunn, "Reformation Society, Women and the Family," 441; Strauss, *Luther's House of Learning*, 110, 119, 124.

[51] Merry Wiesner, "Women's Response to the Reformation," in R. Po-Chia Hsia, *The German People and the Reformation* (Ithaca: Cornell University Press, 1988), 148-172 (at 150); K.M. Davies, "Continuity and Change in Literary Advice on Marriage" in *Marriage and Society: Studies in the Social History of Marriage*, ed. R.B. Outhwaite (New York: St. Martin's Press, 1981), 58-80 (at 60).

[52] Karant-Nunn, "Reformation Society, Women and the Family," 439.

instruction in the home in the late medieval era.[53] The importance of instructing and disciplining children was well-established by medieval writers. Medieval economic treatises treated the father as both the moral and the economic head of a household. The project of harnessing the family to achieve civic order was already gathering strength in the fifteenth century; it did not begin in the sixteenth.[54]

Studies about the practice, as opposed to the ideology, of family life have reached similar conclusions. Joel Harrington argues that the reformations were unable to achieve strict control over marriage; regulation at the local level remained more important than centralized control. Nonetheless, he locates sixteenth-century marital reforms in the context of longer-term agendas dating from the twelfth century.[55] Although reformers made marriage a civil transaction, they did not suddenly make divorce possible; there had been both official and informal options for marriage dissolution available in the late medieval era. Thomas Safley's *Let No Man Put Asunder* argues that Protestant authorities allowed official divorce with remarriage for a somewhat wider variety of reasons (such as abandonment and abuse) than Catholics, based on a comparison of several local jurisdictions. Nonetheless, he, too, argues for a high degree of continuity in the legal regulation of marriage from the medieval to the early modern era, even in Protestant jurisdictions.[56]

Scholars dealing with longer time-frames such as R.W. Connell and Wolfgang Schmale have also seen the years around 1500 as pivotal in the development of new ideas

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[53] Strauss, *Luther's House of Learning*, 124.
[54] Karant-Nunn, "Reformation Society, Women and the Family," 440.
[55] Harrington, *Reordering Marriage and Society in Reformation Germany*. See also Karant-Nunn, "Reformation Society, Women and the Family," 449-450.
[56] Thomas Max Safley, *Let No Man Put Asunder: The Control of Marriage in the German Southwest: A Comparative Study, 1550-1600* (Kirksville, Missouri: The Sixteenth Century Journal Publishers, 1984).

of masculinity, but both date the change to several decades *before* the Reformation began.[57] Other scholars such as Helmut Puff and Scott Hendrix have been even more cautious about seeing the Reformation, the Renaissance, or even the growth of humanism as historical ruptures.[58] This dissertation in fact ends with the Reformation in Basel in 1529, but this date can not be seen as a tidy ending point. The goal is not to pinpoint a moment of revolution, but rather to highlight the continuity of concepts of fatherhood that led them to being deployed in new historical contexts. The reformers did not beget fatherhood; instead, they inherited it.

Patriarchy and practice: The historiography of fatherhood in the medieval family

In answering the question posed in the title to this chapter, "What does patriarchy have to do with fatherhood?" a partial answer is that fatherhood is patriarchy "on the ground." This answer is not wholly satisfactory; many aspects of patriarchy have no direct relationship to fatherhood. Abstract terms such as "the patriarchal equilibrium" are a convenient way to describe large-scale cultural mechanisms that exerted influence on the daily actions of medieval fathers and their dependents, but I am just as interested in the influence in the opposite direction. All medieval people, whether academic theorists or uneducated laborers, were deeply influenced by their own experiences and observations about fatherhood, in addition to whatever literary or theological ideas they may have also interacted with. This means that if we want to understand medieval

[57] Connell credits the Reformation and the development of humanism with fundamental changes to masculinity, but argues that the growth of capitalism and overseas empires were also important (R.W. Connell, *Masculinities* (Berkeley: University of California Press, 1995) 185-191); Schmale also treats late medieval ideas as fundamentally congruent with Renaissance and Reformation models of masculinity (Wolfgang Schmale, *Geschichte der Männlichkeit in Europa, 1450-2000* (Vienna: Böhlau, 2003), 25-31.

[58] Scott Hendrix, "Masculinity and Patriarchy in Reformation Germany" in *Masculinity in the Reformation Era*, ed. Scott H. Hendrix and Susan C. Karant-Nunn, Sixteenth Century Essays and Studies 83 (Kirksville, Missouri: Truman State University Press, 2008), 71-94 (at 71-72, 88).

patriarchy, we must begin by understanding medieval practices of fatherhood. This dissertation, then, is concerned with a narrower question within the broader issue of masculinity and patriarchy: how did medieval people think about and act out fatherhood? Rather than focusing on the abstract uses of fatherhood in the service of patriarchy, this study will approach fatherhood "on the ground," taking the city of Basel as a case study. Examining the practices of individual fathers will illuminate both the reasons for the continuing appeal of fatherhood as a metaphor and the ways that received ideas about fatherhood were deployed in everyday life.

Social history, the history of the disenfranchised, of children, of women—in short, of the vast majority of people, who did not write the documents or shape the events of their times—has occupied much recent attention, and the history of the family is a part of this development. Yet little has been written on medieval fatherhood specifically. The broad syntheses on fatherhood inevitably telescope the medieval period. Yvonne Knibiehler's *Les pères aussi ont une histoire,*[59] for example, in the chapter on "traditional" fatherhood, includes evidence from 1618 for the incidence of legal adoption and a reference to the writings of Restif de la Bretonne in the 1790s to illustrate the idea of fatherhood as monarchy.[60] Her focus is mainly on the changes wrought by industrialization and the enlightenment. She asserts, for example, that it was Rousseau who first emphasized the emergence of paternal love alongside maternal love as a deeply affective social role—a stance which cannot be accepted without a great deal of qualification.[61]

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[59] Yvonne Knibiehler, *Les pères aussi ont une histoire* (Paris: Hachette Littérature Générale, 1987).
[60] Knibiehler, *Les pères aussi ont une histoire*, 101, 115.
[61] Knibiehler, *Les pères aussi ont une histoire*, 192; J. Delumeau and D. Roche, ed., *Histoire des pères et*

In a similar way, Dieter Lenzen's *Vaterschaft: Vom Patriarchat zur Alimentation* is a stimulating synthesis of other secondary literature that attempts to map changes in the concept of fatherhood throughout the history of the West, using a mix of anthropology and intellectual history.[62] Lenzen's treatment of the middle ages is better than Knibiehler's, but is still quite abstract. Most of his observations are along the lines that, for example, the crisis of the papacy in the fourteenth century "could not have been irrelevant for the conception of fatherhood."[63] He fails, however, to specify what that relevance might have been, or even to give any evidence that medieval people perceived any connection.

Despite the slowly growing body of smaller studies of medieval fatherhood (which will be discussed below),[64] most of the available material on fatherhood is embedded in works on motherhood,[65] childhood,[66] or the family in general.[67] This is entirely appropriate; none of these family relationships can be viewed in isolation. The intent of this dissertation is not to isolate fatherhood, but rather to approach the ideology of family life via the avenue of fatherhood. To the historical study of mothers and

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de la paternitè (Paris, Larousse, 1990) provide another useful synthesis, but they, too, telescope the middle ages.

[62] Dieter Lenzen, *Vaterschaft: Vom Patriarchat zur Alimentation* (Reinbek bei Hamburg: Rowohlt Taschenbuch Verlag, 1991).

[63] Lenzen, *Vaterschaft*, 135.

[64] Didier Lett, ed. *Être père à la fin du moyen age*, Cahiers de recherches médiévales, XIII-XV s. (Paris: Librairie Honoré Champion, 1997).

[65] Clarissa W. Atkinson, *The Oldest Vocation: Christian Motherhood in the Middle Ages* (Ithaca: Cornell University Press, 1991); C.W. Bynum, "Jesus as Mother and Abbot as Mother: Some Themes in Twelfth-Century Cistercian Writings," *Harvard Theological Review* 70 (1977): 257-84.

[66] Nicholas Orme, *Medieval Children* (New Haven: Yale University Press, 2001); Shulamith Shahar, *Childhood in the Middle Ages* (New York: Routledge, 1990).

[67] Barbara Hanawalt, *The Ties That Bound: Peasant Families in Medieval England* (Oxford: Oxford University Press, 1986); Albrecht Classen, "Family Life in the High and Late Middle Ages: The Testimony of German Literary Sources," in *Medieval Family Roles*, ed. Cathy Itnyre (New York: Garland Publishing, Inc., 1996), 39-66; Beatrice Gottlieb, *The Family in the Western World from the Black Death to the Industrial Age* (Oxford: Oxford University Press, 1993). Despite their titles, Ozment's *When Fathers Ruled* and Haas' *The Renaissance Man and His Children* are both general works on the family.

children, which are rightly enriching our understanding of the past, must be added the experience of fathers.

Prevailing popular views, largely drawing upon the early academic works on the subject by such historians as Ariès and Stone, typify premodern households as hierarchical structures in which fathers held absolute power and there was little affection among members.[68] While study after study has refuted this understanding of medieval families, the virtue of such arguments is that they have historicized childhood and the family, raising the question of the changing structure and experience of these institutions over time.[69] However, the debate over the existence of affection in the family has retarded any more nuanced analysis of the topic. The wave of studies responding to these pessimistic works exhibits a tendency to fixate on proving that medieval children were recognized as such and were loved, at least in the simplicity of their stated theses, though

[68] Lawrence Stone, *The Family, Sex and Marriage in England, 1500-1800* (New York: Harper & Row, 1977); Philippe Ariès, *Centuries of Childhood: A Social History of Family Life*, trans. R. Baldick (New York: Knopf, 1962). A number of scholars have challenged these views, including Alan MacFarlane, "Review of *Family, Sex & Marriage in England, 1500-1800* by L. Stone," *History and Theory* 18.1 (1979): 103-126 and Martin Ingram, *Church Courts, Sex & Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987), 125. The number of challenges to Ariès' or Stone's work is noteworthy, even in contexts that are only incidentally related. Other examples are Christopher Brooke, *The Medieval Idea of Marriage* (Oxford: Oxford University Press, 1989), 20; James Amelang, *The Flight of Icarus: Artisan Autobiography in Early Modern Europe* (Stanford: Stanford University Press, 1998), 392, n. 21 and John Boswell, *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance* (New York: Pantheon Books, 1988), 36-38. For an example of the popular persistence of the idea, see the survey textbook by Laura Berk, *Child Development* (Boston: Allyn and Bacon, 1991). A more recent article in a general reference book acknowledges Ariès' contribution, but tempers it with more recent work (Benjamin B. Roberts, "The History of Childhood: Europe" in *Encyclopedia of Children and Childhood: In History and Society*, ed. Paula Fass (New York: MacMillan Reference USA, 2004), 2:422-426.

[69] The two most thoughtful assessments of Ariès work itself are P.J.P. Goldberg, Felicity Riddy, and Mike Tyler, "Introduction: After Ariès," in *Youth in the Middle Ages*, ed. P.J.P. Goldberg and Felicity Riddy (Rochester, NY: York Medieval Press, 2004), 1-10 (at 1-3); and James A. Schultz, *The Knowledge of Childhood in the German Middle Ages, 1100-1350* (Philadelphia: University of Pennsylvania Press, 1995). See also Margaret King, "Concepts of Childhood: What We Know and Where We Might Go," *Renaissance Quarterly* 60.2(2007): 371-407.

the detail they provide is much more substantive and will strongly figure in the discussion below.[70]

As scholarly understanding of medieval fatherhood progresses, it is becoming more and more clear that the image of a father serenely exerting authority over his submissive household was simply an ideological one, an ideal that was as rosy to medieval people as it is distasteful to many modern people. Not only on an emotive level, but on more material and institutional bases, the historiographic trend is that each study shows more and more ways that theoretically absolute patriarchal power was mitigated in practice by a variety of other agents, from governments who exerted increasingly close control over their subjects, to economic forces, to other social groups, to social or personal bonds that allowed subordinates to exert their own power. We will take up in turn the place of late medieval fathers in terms of demography, economy, and law before returning to their affective roles. Nonetheless, it will become clear in what follows that these different categories cannot in fact be separated from each other; even demographic trends and legal institutions played a role in the social and affective dimensions of fatherhood. One of the major tasks of this dissertation is to illuminate the ways that different parts of medieval life combined to form an individual's total experience of fatherhood.

The scope of fatherhood: The demographics of the household

In placing fathers in the context of the historiography of the medieval family, we begin with the structural, demographic aspects of the family. For medieval people,

[70] Ozment, *When Fathers Ruled*, Barbara Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (Oxford: Oxford University Press, 1993); Orme, *Medieval Children*; Shahar, *Childhood in the Middle Ages*; Haas, *The Renaissance Man and His Children*.

fatherly authority extended over more than one's biological offspring. David Herlihy, one of the pioneers of family history, famously advanced the concept that it is not the family, but the *familia*, the household, which forms the basic unit of study for the medieval period.[71] The original Roman usage of the term dealt mainly with the property under the authority of a single *paterfamilias*, including land and movable property as well as slaves, livestock, wives and children.[72] Medieval fathers, too, in their role as head of *familia* were viewed as having authority over "children, wife and other members of the household, both relatives and servants," as the Florentine humanist Alberti put it.[73] This was especially true at the upper end of the socio-economic spectrum: the households of nobles and ecclesiastical lords functioned almost like small modern corporations, employing dozens of individuals to perform different tasks and enfolding long-term guests and distant relatives as well as members of the lord's nuclear family.[74] The *familia* formed the basic unit in which medieval fathers acted.[75]

This study will define fatherhood as medieval people did, which means that it has the potential to include men in relation to wives, servants, and apprentices as well as

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[71] David Herlihy, *Medieval Households* (Cambridge, Mass.: Harvard University Press, 1985); Felicity Riddy, "Looking Closely: Authority and Intimacy in the Late Medieval Urban Home" in *Gendering the Master Narrative.* ed. Mary Erler and Maryanne Kowaleski (Ithaca: Cornell Univerisity Press, 2003), 212-28. Marc Bloch also posited the importance of the *familia* in Marc Bloch, *Feudal Society*, trans. L.A. Manyon, 2 vols. (Chicago: University of Chicago Press, 1962), 2:134-144.

[72] David Herlihy, "Family" *The American Historical Review* 96.1 (Feb. 1991): 1-16 (at 2, 3).

[73] "I figliouoli, la moglie, e gli altri domestici, famigli, servi. . . " Leon Battista Alberti, *I libri della famiglia*, in *Opere Volgari di Leon Battista Alberti*, ed. Anicio Bonucci, 5 vols. (Florence: Tipografia Galileiana, 1844), 2:266-267; Leon Battista Alberti, *The Family in Renaissance Florence: I libri della famiglia*, trans. Renée Neu Watkins (Columbia: University of South Carolina Press, 1969), 180; cited in Haas, *Renaissance Man and His Children*, 36.

[74] C.M. Woolgar, *The Great Household in Medieval England* (New Haven, CT: Yale University Press, 1999), 17, 30, 39, ff.

[75] For valuable qualifications to this concept, some of which will be addressed below, see Michael Borgolte, *Sozialgeschichte des Mittelalters: Eine Forschungsbilanz nach der deutschen Einheit, Historische Zeitschrift, Beihefte (Neue Folge)* 22, ed. Lothar Gall (Munich: R. Oldenbourg, 1996), 385-394.

children. A man's relationship with his wife or servant was not identical to that with his children, of course, and this dissertation will not examine these relationships in detail. Nor are examples from such relationships sufficient evidence that a given action was seen as "fatherly." The relationship between a father and children is paradigmatic. Nonetheless, relationships within the larger household can illustrate the principles we see at the narrower core of fatherhood.

For our present purposes, we are most concerned with locating urban households in the historiographic debate over the development of the "northwestern European marriage pattern," typified by marriage between spouses in their early to mid-twenties and the practice of neolocality (in which the couple forms their own separate household). Tracing the emergence of the northwestern European marriage pattern has been a major attraction for historians intent on uncovering the origins of the modern nuclear family.[76] This can lead to a false sense of steady development; in fact, aristocrats in twelfth-century France placed heavy emphasis on the nuclear family, and families in the fourteenth century consolidated ties among kin and other social networks in what has been called "linear regrouping."[77] Describing an appropriate foil or contrast to the nuclear model has become increasingly difficult, whether in terms of chronology[78] or

[76] Sarah Rees Jones, Felicity Riddy, Cordelia Beattie, Charlotte Carpenter, Matthew Holford, Lara McClure, Sarah Williams, Jayne Rimmer, Jeremy Goldberg, Bethany Hamblen, Isabel Davis, Rachel Moss, Wanchen Tai, Bronach Kane, and Kate McLean, "The Later Medieval English Urban Household," *History Compass* 5.1(2007): 112–158.

[77] Theodore Evergates, *The Aristocracy in the County of Champagne, 1100–1300* (Philadelphia: University of Pennsylvania Press, 2007); Henri Bresc, "Europe: Town and Country (Thirteenth-Fifteenth Century)" in *A History of the Family: Volume One, Distant Worlds, Ancient Worlds*, ed. André Burguière, Christiane Klapisch-Zuber, Martine Segalen, Françoise Zonabend; trans. Sarah Hanbury Tenison, Rosemary Morris and Andrew Wilson (Cambridge, Mass.: Belknap Press of Harvard University Press, 1996), 430-466 (at 432). The volume first appeared as *Histoire de la famille* (Paris: Armand Colin Éditeur, 1986).

[78] Hajnal, who first advanced the concept for England, saw the northwestern European marriage pattern as an early modern development, as did Lawrence Stone. (J. Hajnal, "European Marriage Patterns in

geography.[79] For Germany, there is an important "stem-family" model, in which couples married earlier and formed multi-generational households where married adults lived with their parents and with other adult siblings, often sharing a piece of agricultural land. The stem-family model also sometimes incorporated live-in servants who were often members of the extended family.[80]

The stem-family model has only limited applicability to urban households, however.[81] The tools of many crafts were simply not as valuable, and thus did not form a good patrimony for the sons to inherit. Something like a baker's oven, for example, was both of substantial value and also an immovable part of the property on which it stood, in contrast to, say, a set of shoemakers' awls, but neither were anything like a plot of land and a set of farm implements.[82] Far more valuable than inheriting tools was the fact guild masterships became increasingly hereditary.[83] There was thus a great deal of variation across crafts; a 1387 tax-list from Frankfurt, for example, records five out of one hundred

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Perspective," in *Population in History*, ed. D.V. Glass and D.E.C. Eversley (London: E. Arnold, 1965), 101-143, cited in Jeremy Goldberg et al. "The Later Medieval English Urban Household,", 126; Stone, *The Family, Sex and Marriage in England*). However, it is now clear that nuclear families predominated among the lower classes in England by the fourteenth century, and possibly even before the Black Death (R.M. Smith and Z. Razi, "The Myth of the Immutable English Family," *Past and Present* 140 (1993): 3–44; Hanawalt, *The Ties that Bound*, 65-104).

[79] One of the contrasts to the northwestern European marriage pattern is the Mediterranean marriage pattern described by Herlihy and Klapisch-Zuber, in which women in their teens married husbands in their late twenties (David Herlihy and Christiane Klapisch-Zuber, *Tuscans and Their Families: A Study of the Florentine Catasto of 1427* (New Haven, CT: Yale University Press, 1985)). It now appears, however, that the Mediterranean marriage pattern might be better characterized as an urban upper-class marriage pattern, since middle- and lower-class families even in Florence exhibit few of the needed characteristics (Haas, *Renaissance Man and His Children*, 21-23; Tovah Bender, "Negotiating Marriage: Artisan Women in Fifteenth-century Florentine Society," (University of Minnesota, doctoral dissertation, 2009), 230-267).

[80] Michael Mitterauer and Reinhard Sieder, *The European Family: Patriarchy to Partnership from the Middle Ages to the Present*, trans. Karla Oosterveen and Manfred Hörzinger (Chicago: The University of Chicago Press, 1982), 17, 56, 61; first published as *Vom Patriarchat zur Partnerschaft: Zum Strukturwandel der Familie* (Munich: Beck, 1977).

[81] Eberhard Isenmann, *Die deutsche Stadt im Spätmittelalter* (Stuttgart: Eugen Ulmer, 1988), 291-2.

[82] Michael Mitterauer, "Familie und Arbeitsorganisation in städtischen Gesellschaften des Späten Mittelalters und der frühen Neuzeit," in *Haus und Familie in der spätmittelalterlichen Stadt*, ed. Alfred Haverkamp (Cologne: Böhlau, 1984), 1-36 (at 23).

[83] Mitterauer, "Familie und Arbeitsorganisation," 22.

twelve (4.4 percent) master shearers who have adult sons still living with them, while there are twenty-one out of sixty-five (32.3 percent) butchers in the same situation.[84] Inheritance of living space also seems to have been less prevalent in cities: neolocality predominated, in which a newly married couple set up a new household of their own, rather than living with either spouse's parents and eventually inheriting the house.[85] Urban areas also had a greater proportion of childless households, and a smaller number of children present per household, both because of children being sent out as apprentices, and because once children reached adulthood, they did not stay in their parents' home to wait for an inheritance.[86] Families in the greater Basel region were also predominantly small and nuclear.[87]

It is also necessary to point out the sizable minority of the population who simply did not fit into the model of the fatherly household. The approximately ten percent of the population who were either secular or cloistered clergy were not legally able to form married households, although many parish priests kept concubines in long-term arrangements that were essentially identical to marriage.[88] In Basel, between fifteen and thirty percent of the households were headed by women, not men.[89] In England, the figure was at least thirty percent.[90] According to another estimate, forty percent of

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[84] Mitterauer, "Familie und Arbeitsorganisation," 24.
[85] Mitterauer, "Familie und Arbeitsorganisation," 25.
[86] Mitterauer, "Familie und Arbeitsorganisation," 21.
[87] Rippman reports that almost all families visiting Basel's fair had three or fewer children; Dorothee Rippmann, *Bauern und Städter: Stadt-Land-Beziehungen im 15. Jahrhundert: Das Beispiel Basel, unter besonderer Berücksichtigung der Nahmarktbeziehungen und der sozialen Verhältnisse im Umland* (Basel: Helbing & Lichtenhahn, 1990), 60-62.
[88] James A. Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago: University of Chicago Press, 1987), 401-405, 474-477, 536-539, 567-569.
[89] Katharina Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter: Zunftinterne Strukturen und innerstädtische Konflikte* (Bern: P. Lang, 1988), 234.
[90] Cordelia Beattie, "Governing Bodies," in *The Medieval Household in Christian Europe, c. 850-c. 1550: Managing Power, Wealth, and the Body*, ed. Cordelia Beattie, Anna Maslakovic, Sarah Rees Jones

women in fifteenth-century Europe were unmarried; half of these were widows and thus had been previously in their husbands' household, and another sizable proportion were probably cloistered religious.[91] Relatively high mortality rates meant that many adults had more than one spouse in the course of their lifetimes. Similiarly, the majority of children probably experienced multiple household arrangements while they were growing up.[92] Not only women, but many men, were excluded from the model of the conjugal household. Journeymen, for example, were theoretically excluded from marrying and forming a household, though it is clear that they did so.[93] On the one hand, all of these qualifications and exceptions should remind us that in describing a model of households we are not approaching a static structure (despite the images that the term "house" conjures up) but rather a moment in a dynamic process—what Sieder and Mitterauer call a "snapshot."[94] This model, of course, carried many possibilities for variation or even breakdown, and at no time was every member of the population settled in a household. On the other hand, the fact that all of these exceptions were a minority of the population and the tendencies toward household formation and toward remarriage upon the death of a spouse show that a household composed around married couple was indeed a norm that the majority of people found desirable, or at any rate necessary.[95]

(Turnhout: Brepols, 2003), 199-220.

[91] Ozment, *When Fathers Ruled*, 1.

[92] King, "Concepts of Childhood," 374; David Nicholas, *The Domestic Life of a Medieval City: Women, Children, and the Family in Fourteenth-Century Ghent* (Lincoln: University of Nebraska Press, 1985), 116.

[93] Dorothee Rippmann, *Bauern und Städter*, 113-117.

[94] Reinhard Sieder and Michael Mitterauer, "The Reconstruction of the Family Life Course: Theoretical Problems and Empirical Results," in *Family Forms In Historic Europe*, ed. Richard Wall, Jean Robin, and Peter Laslett (Cambridge: Cambridge University Press, 1983), 309-346.

[95] Barbara Hanawalt notes that married households formed the basic economic unit as well (Barbara Hanawalt, *The Wealth of Wives: Women, Law, and Economy in Late Medieval London* (Oxford: Oxford University Press, 2007), 4-5).

The production of offspring was a major goal, if not *the* major goal, of medieval marriages. Academic theologians held, with Augustine, that the three-fold purpose of marriage was fidelity, the production of offspring, and the signification of a sacrament. This theory was upheld in practice by ecclesiastical courts, both Catholic and Protestant, which ruled that the impotence of a man or woman was grounds for separation.[96] Many laypeople subscribed to this same idea; they wanted to have children. There are numerous examples of one adult who produced over ten children, whether from one or several marriages.[97] Louis Haas argues that in Florence, most parents wanted to have large numbers of children, though it was only the wealthy who were able actually to do so.[98]

These high fertility rates were countered by high mortality rates, which increased the permeability and instability of the household even further. Across Europe in the sixteenth century, one-third to one-half of the population died before the age of five.[99] In addition, during the early modern era, somewhere between one and two percent of all births resulted in the death of the mother.[100] This number is broadly comparable to data from late medieval Florence.[101] This apparently low number is much more sobering when compared to the contemporary U.S., which has .069 mother-mortalities *per one thousand*

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[96] For an early Protestant ruling in Basel, see Adrian Staehelin, *Die Einfuhrung der Ehescheidung in Basel zur Zeit der Reformation*, Basler Studien zur Rechtswissenschaft 45 (Basel: Helbing & Lichtenhahn, 1957), 159-161; cited in Mathias Beer, *Eltern und Kinder des späten Mittelalters in ihren Briefen: Familienleben in der Stadt des Spätmittelalters und der frühen Neuzeit mit besonderer Berücksichtigung Nürnbergs (1400-1550)* (Nuremberg: Stadtarchiv Nürnberg, 1990), 205; see also Ozment, *When Fathers Ruled*, 100f. 44-45, 100-101.

[97] Beer, *Eltern und Kinder*, 205-207.

[98] Haas, *Renaissance Man and His Children*, 21-29; for a study on the substantial amount of medieval thought on what we would call demographics, with special focus on Florence, see Peter Biller, *The Measure of Multitude: Population in Medieval Thought* (Oxford: Oxford University Press, 2000), 385-417.

[99] Ozment, *When Fathers Ruled*, 1.

[100] Eva Labouvie, *Andere Umstände: Eine Kulturgeschichte der Geburt* (Cologne, Weimar, Vienna: Böhlau, 1998), 169. The study uses a variety of geographic locations in France and Germany from the sixteenth to the nineteenth centuries and notes a huge range in death rates. The numbers here are therefore only the crudest of approximations, even for the early modern era, much less the late medieval period.

[101] Herlihy and Klapisch-Zuber, *Tuscans and their Families*, 277.

births; this means that death from childbirth was on the order of three hundred times more likely in premodern Europe. In all, about twenty percent of female deaths were caused by childbirth.[102] Peter Laslett calculated that a child in the seventeenth and eighteenth centuries had about a thirty percent chance of losing at least one parent.[103] This means that despite the relative rarity of divorce or separation, many children had more than two parents, more than one household arrangement during the course of their childhoods. The representative family in late medieval cities, then, had approximately the same composition as the modern nuclear family, including the strong possibility of blended families, though this was due to high birth- and mortality-rates. The household nonetheless remains a useful conceptual model, not only in terms of demographics, but also economics.

Hausvater vs. guild: The household as economic unit

Medieval thinkers conceived of the household as an economic unit, as is evident from the genre of household economic treatises. Early modern texts of this genre have been dubbed *Hausvaterliteratur,* but they are simply a continuation of a tradition with roots in classical writers like Aristotle and Xenophon, who were read and reiterated

[102] Haas, *Renaissance Man and His Children*, 48-49, note 66. Equally chilling is the fact that female mortality rates approximately mirrored that of men of the same age; this means that as lethal as childbirth could be, there were other dangers that claimed the lives of men at the same rate (Mireille Laget, *Naissances: L'accouchement avant l'âge de la clinique* (Paris: Éditions du Seuil, 1982), 281). Heide Wunder states that women had a higher mortality rate than men because of childbirth, but she does not cite any evidence to support her claim; Heide Wunder, "Überlegungen zum Wandel der Geschlechter Beziehungen im 15. und 16. Jahrhundert aus sozialgeschichtlicher Sicht," in *Wandel der Geschlechterbeziehungen zu Beginn der Neuzeit*, ed. Heide Wunder and Christina Vanja, (Frankfurt am Main: Suhrkamp, 1991), 16.

[103] Peter Laslett, *Family Life and Illicit Love in Earlier Generations: Essays in Historical Sociology* (Cambridge: Cambridge University Press, 1977), 168-170. The chapter is a revised version of an earlier article: Peter Laslett, "Parental Deprivation in the Past: A Note on the History of Orphans in England" *Local Population Studies* 13 (Autumn, 1974): 11-18.

throughout the medieval era.[104] By the fifteenth century, writers were adapting such material for vernacular texts that circulated in dialogue form or were embedded in didactic poetry.[105] This dissertation uses some of these texts, which will be discussed further in the next chapter. Here, however, the main point is to note that these texts treat the household as an economic unit, the main function of which was production to meet its own needs; that is, reproductive labor.[106] The topics treated in these texts run from relationship with one's wife and injunctions to moral behavior to securing provisions for the needs of the household, care of livestock, being a good host, and arranging for one's inheritance. Much of the discussion of household roles consists of economic roles.[107] It is also important to note that all these economic texts are addressed to the father as the manager of the household; one explicitly states that "a house can not be well-ordered by a woman."[108] It was, then, specifically the father whom the texts portrayed as the head of the economic household.

Modern writers, too, have approached the household from an economic standpoint. Mitterauer and Sieder's *The European Family*, for example, covers the Middle Ages, but focuses primarily on the early modern period and the process by which consumption and the rearing of children displaced production as the major functions of

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[104] Irmintraut Richarz, "Das ökonomisch autarke 'Ganze Haus' – Eine Legende?" in *Haushalt und Familie in Mittelalter und frühe Neuzeit*, ed. Trude Ehlert (Sigmaringen: Jan Thorbecke, 1991), 268-276 (at 275-276).

[105] Trude Ehlert, "Die Rolle von 'Hausherr und Hausfrau' in der spätmittelalterlichen volkssprachigen Ökonomik" in *Haushalt und Familie in Mittelalter und frühe Neuzeit*, ed. Trude Ehlert (Sigmaringen: Jan Thorbecke, 1991), 153-166 (at 154).

[106] Manfred Lemmer, "Haushalt und Familie aus der Sicht der Hausväterliteratur," in *Haushalt und Familie in Mittelalter und frühe Neuzeit*, ed. Trude Ehlert (Sigmaringen: Jan Thorbecke, 1991), 181-191 (at 183).

[107] Ehlert, "Die Rolle von 'Hausherr und Hausfrau,'" 156, 162.

[108] Ehlert, "Die Rolle von 'Hausherr und Hausfrau,'" 161.

the family.[109] The idea of a household as an economic unit must, however, be qualified. Irmintraut Richarz has shown that the "economic autonomy" espoused by the *Hausvaterliteratur* and sometimes taken as descriptive by modern historians was not in fact the case. Individual households were closely tied to the market economy in even their most mundane transactions.[110]

The household's economic status in terms of reproductive labor, however, does not mean that it was also the primary unit of commercial labor, especially for late medieval cities.[111] As in rural areas, urban households originally undertook a great variety of tasks.[112] Up through the fourteenth century, the "household economy" included not only the *Hausvater's* craft or trade, but also reproductive labor, such as the processing and preparation of food, the cleaning and care of the living space, as well as the possibility of other work on the side, such as selling produce. This side work gradually became piece-work, such as spinning thread for weavers to buy, so that women could be engaged in wage-earning work that was different from their husbands' trades.[113] Even if both spouses were involved in the same trade, the concept of the family workshop was still not always applicable. If a woman was responsible for selling her husband's goods, it meant that they were spatially apart from each other during their activities, not working together. Again, many craftsmen, such as shearers, butchers, masons, and those involved in transport of all kinds, did not work from their homes. Nor was it usual for a son to be

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[109] Mitterauer and Sieder, *The European Family*.
[110] Richarz, "Das ökonomisch autarke 'Ganze Haus,'" 268-275.
[111] Mitterauer, "Familie und Arbeitsorganisation," 1-4, 10, 13.
[112] Mitterauer, "Familie und Arbeitsorganisation," 31. See also Martha C Howell, *Women, Production and Patriarchy in Late Medieval Cities* (Chicago: University of Chicago Press, 1986).
[113] Mitterauer, "Familie und Arbeitsorganisation," 29-31.

apprenticed to his own father; the father would instead be assisted by his journeymen.[114] The term "household economy," then, must be taken to apply to all of a household's economic activities, not only those activities related to the *Hausvater*'s trade.

It was the development of urban guilds that introduced a strong division into this arrangement. Although women participated in guilds up through the fourteenth century, their gradual exclusion from guilds during the fifteenth and sixteenth centuries produced an increasingly gendered division of work—a crystal-clear example of the patriarchal equilibrium as a cultural process whereby power is inflected as masculine.[115] Despite the fact that women's work at "secondary" tasks continued to be important both for guild crafts and for their own income, guild activity was progressively gendered masculine and separated from other parts of the household economy.[116]

The separation of the workplace from the household is also visible in terms of the status of journeymen. In the early fourteenth century, journeymen were forbidden to sleep outside of their masters' houses in many cities in Northern Germany. This was an attempt to limit their sexual escapades and keep them from setting up households of their own by forcing them into the households of their masters.[117] However, over the course of the

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[114] Mitterauer, "Familie und Arbeitsorganisation," 27.

[115] Wunder , "Überlegungen zum Wandel der Geschlechter Beziehungen," 19-22; Mitterauer, "Familie und Arbeitsorganisation," 34.

[116] Mitterauer, "Familie und Arbeitsorganisation," 29, 34; see also Howell, *Women, Production and Patriarchy in Late Medieval Cities*; Merry Wiesner, *Working Women in Renaissance Germany* (New Brunswick, N.J.: Rutgers University Press, 1986). This process culminated in the nineteenth century with the full articulation of the idea of "separate spheres" for men and women. Mitterauer's argument for the division of labor carries the debate earlier, though medieval people did not have a fully articulated vision of separate spheres. Marion Gray examines the articulation of separate spheres by studying the changing language of the *Hausvaterliteratur* genre during the eighteenth century; Marion W. Gray, *Productive Men, Reproductive Women: The Agrarian Household and the Emergence of Separate Spheres during the German Enlightenment* (New York: Berghahn Books, 2000); see also Davidoff, *Worlds Between*, for studies of the relationship between domestic work and waged work in the nineteenth century.

[117] Rolf Sprandel, "Handwerkliche Betrieb des Spätmittelalters und seine Probleme" in *Haus und Familie in der Spätmittelalterlichen Stadt*, ed. Alfred Haverkamp (Cologne: Böhlau, 1984), 327-337 (at 330).

fourteenth century, journeymen—as servants who helped with guild work—began to live outside their masters' households, while domestic servants continued to live in it.[118] Throughout the late fourteenth and fifteenth centuries, journeymen displayed increasing solidarity as a constituency of their own, with guild organizations, dedicated drinking-parlors and barracks for sleeping.[119] Journeyman's guilds allowed journeymen to deal corporately with craft guilds. In 1375, for example, in Hamburg, the baker's guild began punishing journeymen for bad work itself, rather than delegating the task to individual masters. This reflects the increasing level of collective interaction between masters' and journeyman's guilds, as well as the growing influence of city-level authorities over household life.[120] Journeyman's guilds also agitated against both the participation of women in guilds and the right of craft guilds to regulate journeyman's activities.[121] Journeymen both helped to reinforce the separation of the household from the workplace and cemented their own place outside it, though their position continued to be an ambiguous one up through industrialization, since masters still exerted some authority over them.[122] By the late medieval era, urban households, at any rate, no longer functioned as the basic units of economic organization. The supposed economic authority of the *Hausvater* was thus mitigated by increasing regulation by craft guilds, journeyman's guilds, commercial market economies, and municipal authorities.

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[118] Mitterauer, "Familie und Arbeitsorganisation," 35.

[119] Knut Schulz, "Die Stellung der Gesellen in der Spätmittelalterlichen Stadt" in *Haus und Familie in der Spätmittelalterlichen Stadt*, ed. Alfred Haverkamp (Cologne: Böhlau, 1984), 304-326.

[120] This trend is also visible in the tension between city authorities' desire to prevent fire and accidents and the desire of individual builders to produce buildings according to their own desires; Harry Kühnel, "Das Alltagsleben im Hause der spätmittelalterlichen Stadt," in *Haus und Familie in der Spätmittelalterlichen Stadt*, ed. Alfred Haverkamp (Cologne: Böhlau, 1984), 37-65.

[121] Merry Wiesner, *Gender, Church, and State*, 163-196.

[122] Rolf Sprandel, "Handwerkliche Betrieb des Spätmittelalters," 337.

Patria potestas: Legal aspects of fatherhood

Legally, too, males and more specifically fathers were theoretically supreme, but this supremacy was strongly modified in practice. This modification of theoretical patriarchal power is not a late development; indeed, the process is already visible even in the earliest Roman law codes.[123] When Roman law was revived in the fifteenth and sixteenth centuries in the empire (and throughout Europe), its practice continued to mitigate the principles of patriarchal authority. The adoption of Roman law did reimpose upon women the requirement of having a guardian (such requirements had existed in Germanic law but had died out in the late medieval period). Nonetheless, under Roman law, women were able either to hold property in common with their husbands or to retain individual control of it, to make wills, and to testify in criminal cases.[124] Basel in the fifteenth century represented a transitional case as Roman law replaced customary law; the Schultheissengericht cases referred to a woman's *Vogt*, or guardian, but women nonetheless carried out land transactions and disposed of property. In some cases, a woman had a *Vogt* who was not her husband, though the latter was alive and participated

[123] In Roman law only the *paterfamilias*, the oldest living male of a lineage, was fully a person in the legal sense. Even an adult son had the same legal status as a slave (in terms of private law) until he became the *paterfamilias* upon the death of his male ancestors. The *paterfamilias* had the legal right to sell or even kill his own children. A woman was legally incompetent for the duration of her life, being transferred from her father's custody to her husband's upon marriage and reverting to that of her birth family upon divorce or widowhood. Yet this strict, if tidy, legal system was not fully used even in Roman times. The early development of the *peculium* allowed an adult son to exercise virtually complete ownership of property, even during his father's lifetime. The theoretical incapacity of women was largely a specious concept by the time of Gaius in the second century; guardians of women could be more or less compelled to give their consent to transactions. Although fathers retained the theoretical right to kill or sell their children, this, too, was a specious concept by the end of the empire; Barry Nicholas, *An Introduction to Roman Law* (Oxford: Clarendon Press, 1962), 35-6; 65-67, 95.

[124] Wiesner, *Gender, Church and State*, 84-93. English common law, too, made some attempt to bar women from making wills, but this principle was ignored; Ann J Kettle, " 'My Wife Shall Have It': Marriage and Property in the Wills and Testaments of Later Medieval England," in *Marriage and Property*, ed. Elizabeth M. Craik (Aberdeen: Aberdeen University Press, 1984), 89-103 (at 94).

in the case.[125] This means it was at least possible for a woman to use her *Vogt* to take legal action against her husband, and indeed, some court cases involved financial disputes between a husband and wife.[126] The legal practice of Basel will be discussed further in the next chapter.

David Nicholas' study of legal transactions regarding the family in fourteenth-century Ghent uncovers analogous patterns.[127] Under a mix of customary and Roman law, women were theoretically subject to a male *vocht*, yet they could acquire and inherit property just as men could.[128] In Nicholas' sources, women appear as principal transactors in twenty to twenty-eight percent of real estate transactions. If women who exercised co-ownership with their husbands are included, forty-two percent of real estate transactions involve a woman as a property owner. The evidence of the *exuwe* tax payments (a fee assessed as a penalty for removing property from the city's tax jurisdiction) provides independent confirmation of this proportion, with twenty-five to thirty percent of payments being made by women.[129] This, in combination with the fact that in marital litigation over wasteful spending, wives had a detailed understanding of their husbands' business and financial affairs, contributes to Nicholas' argument that

[125] In one example, Bartholomew Rossnagel was one of the plaintiffs in the case, yet he mentioned that Fridli Veltsbach was a "rechtgebener Vogt Agatha Woneck;" Agatha was Bartholomew's wife; Kundschaften D24, Bartholomew Rossnagel vs. Herr Dr. Woneck's heirs, [September-October]1526, 11v, 79v-80r (at 79v).

[126] In one example, Thomas Seckler was married to Katherina, but she would not pay him for work that he had done in a vineyard belonging to her child from a previous marriage; Kundschaften D13, Thomas Seckler de Thann vs. Katherina Conlin or Rysin, [December] 1486, 94v.

[127] Nicholas, *Domestic Life*.

[128] Nicholas, *Domestic Life*, 18, 111.

[129] Nicholas, *Domestic Life*, 70-74.

despite the political dominance of men, women in Ghent exercised an appreciable amount of economic power, which was expressed in legal practice.[130]

Another qualification to the legal supremacy of men is the question of guardianship of children when one or both of their parents died. The nature of this guardianship is examined not only by David Nicholas in his study of Ghent just discussed, but also by Barbara Hanawalt in her *Growing Up in Medieval London* and by Louis Haas for Florence in his *The Renaissance Man and His Children*.[131] The three examples of Ghent, London, and Florence exhibit some differences in the practice of wardship, but also substantial similarities. In all three places, the primary concern of wardship was the management of the child's inheritance until he or she was emancipated. In Ghent and many other cities, boys attained legal majority at fifteen, girls at twelve; however, emancipation often occurred later and informally, when a child married or began living on his own.[132]

Legal guardianship often involved having access to a child's inheritance for several years, representing a major financial incentive with the potential for abuse, which the legal system tried to minimize. In London, most wills did not stipulate a guardian, and the city authorities usually appointed the surviving parent. In those wills that did name a guardian, it was the mother in fifty-five percent of the cases.[133] In London, if guardians were appointed, they came from the side of the child's family *opposite* the deceased parent, since they would not stand to inherit anything.[134] They also were required to

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[130] Nicholas, *Domestic Life*, 9, 43, 80-81.
[131] Haas, *Renaissance Man and His Children*, 173; Hanawalt, *Growing Up in Medieval London*, 92-95.
[132] Nicholas, *Domestic Life*, 136.
[133] Hanawalt, *Growing Up in Medieval London*, 92-95.
[134] Hanawalt, *Growing Up in Medieval London*, 92-95.

provide surety for the estate. In Ghent, the guardian was usually from the clan of the deceased parent. If both parents died, there was one guardian from each side.[135] The surviving parent could not be originally named guardian, but the guardianship was often turned over to the surviving parent once the estate was settled.[136] Florence had an *Ufficiale dei Pupilli* to administer the estates of orphans beginning in 1384, and the *Ufficiale* invested the child's estate itself (though this sometimes resulted in the estate being defrauded through excessive taxing), or sometimes appointed a custodian who was not a relative.[137] In matters of wardship, too, women exercised essentially the same functions as men.

The legal guardianship of a child was primarily concerned with the management of the child's property, not with the actual raising of the child. Nonetheless, formal wardship cannot be described as a merely legal institution. Many wardship agreements stipulate some provision for educating the ward, as well as regular payments for the child's maintenance in food and clothing.[138] Indeed, many of the cases surrounding wardship in Ghent involve petitions on the part of the person raising the ward for reimbursement for expenses. While this may reflect rather mercenary motives on the petitioners' part, it may also proceed from a real need for the payments in order to provide for the ward. Even if the petitioners were acting fraudulently, they were able to manipulate the system because the system was concerned for the day-to-day welfare of the child.

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[135] Nicholas, *Domestic Life*, 111, 115.
[136] Nicholas, *Domestic Life*, 121.
[137] Haas, *Renaissance Man and His Children*, 173-74. Basel had a similar *Vogteigericht*, but the records are only fragmentary until the end of the sixteenth century.
[138] Nicholas, *Domestic Life*, 127-128.

In the event of the death of one or both parents, medieval people practiced several kinds of surrogate childrearing. Formal adoption based on Roman law was relatively rare, and in any case was primarily concerned with inheritance; it was closely related to the legitimization of an heir.[139] Nonetheless, Jack Goody's assertion that there was no adoption in medieval Europe is simply false; it was practiced throughout the medieval era, especially in the Mediterranean world.[140] Arrangements to foster children tended to be more informal and could take a variety of forms. Beginning with the most institutional, child oblation—that is, the consignment of children to a monastery—had been practiced since the sixth century. It reached its apex in the twelfth century, after which it gradually declined.[141] A major development of the late medieval era was the appearance of foundling hospitals in cities across Europe from the thirteenth through the fifteenth centuries; John Boswell argues that this institutionalization of charitable childrearing was a tragic development, sanitizing the problem by removing it from the public eye while simultaneously resulting in extremely high mortality rates for the children housed there.[142] In addition to these institutional solutions, there were a variety

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[139] Philippe Maurice "Adoption et donation d'enfants en Gévaudan à la fin du Moyen Age" in *L'adoption: Droits et pratiques*, ed. Didier Lett and Christopher Lucken (Saint-Denis: Presses Universitaires de Vincennes, 1999), 83-92.

[140] Jack Goody, *The European Family: An Historico-Anthropological Essay* (Oxford: Blackwell Publishers, 2000), 36. Roumy published the definitive rebuttal of this assertion well before the work of Goody quoted here (Franck Roumy, *L'Adoption dans le droit savant du XIIe au XVIe siècle*, Bibliothéque de droit privé 279 (Paris: Librairie Générale de Droit et de Jurisprudence, 1998)). Roumy discusses in detail the legal institution of adoption in Roman, germanic, and canon law, along with its legal forms and mechanisms and its implications for adoptive parents and for inheritance. For studies on the practice of formal adoption in Florence and Gevaudan, see Didier Lett and Christopher Lucken, ed. *L'adoption: Droits et pratiques* (Saint-Denis: Presses Universitaires de Vincennes, 1999); for the political significance of adoption in the early medieval era, see Bernhard Jussen, *Spiritual Kinship as Social Practice: Godparenthood and Adoption in the Early Middle Ages*, trans. Pamel Selwyn (Newark: University of Delaware Press, 2000).

[141] Boswell, *The Kindness of Strangers*, 228, 296. See also Mayke De Jong, *In Samuel's Image: Child Oblation in the Early Medieval West* (New York: E.J. Brill, 1996).

[142] Boswell, *Kindness of Strangers*, 414; Haas, *The Renaissance Man and His Children*, 24-5.

of informal arrangements for the rearing of children. Boswell discusses apprenticeship, fostering, and the selling of children into slavery (or at any rate into service) as arrangements that could function as *de facto* forms of child abandonment, though he concedes that they could also have more positive motivations.[143] According to a study of Orleans in the fifteenth century, sixty percent of apprenticeships resulted from the death of one of the parents, and apprenticeship thus could fulfill the social function of fostering.[144] In Florence, many children who had lost a father were taken in by their father's family if their mother remarried, independent of arrangements for custodians of their estates; some Florentines took in multiple orphans off the streets.[145] Both legal and informal arrangements for an individual to foster a child, sometimes for pay, occasionally appear in the Basel records, and will provide some significant cases to be examined in later chapters. There are also several marriage contracts stipulating what obligations a step-father or step-mother had in providing for their new step-children, indicating that children were often integrated into the new household formed by remarriage.

Authority and affection: The social roles of medieval fathers

We now turn to the ways that fathers interacted with their children personally. As mentioned above, the emotional content of medieval household life has been the chief subject of historiographic debate regarding fatherhood. Mitterauer and Sieder, for example, detect a level of psychological detachment in premodern families and unapologetically celebrate the fact that modern families exercise fewer functions, thus

[143] Boswell, *Kindness of Strangers*, 398-405.

[144] F. Michaud-Frejaville, "Bons et loyaux services: Les contrats d'apprentissage en Orléannais (1380-1480)," in *Les Entrées dans la vie: initiations et apprentissages.* Actes du XIIe congrès de la Société des hitoriens médiévistes de l'enseignement supérieur public (Nancy: Presses universitaries de Nancy, 1982).

[145] Haas, *Renaissance Man and His Children*, 24-25, 174.

freeing individuals to have a greater variety of associations and social connections.[146] They echo Edward Shorter in his description of the "indifference" of peasant husbands to wives and peasant mothers to children until the mid-eighteenth century.[147] Despite these earlier views, the emotional attachment of family members has been established beyond all doubt. But it is possible to go even further than that. It is not simply that parents loved their children, but that parents were *assumed* to love their children. This is demonstrated in a variety of sources. James Schultz provides a list of dozens of passages in Middle High German literary texts that subscribe to this idea.[148] When the Florentine humanist Alberti supposedly was weighing the evidence for and against family life, the main "disadvantage" he listed was the anxiety that comes from how much parents love their children.[149] The danger, in fact, according to Alberti and many other didactic writers of the fifteenth and sixteenth centuries, was *excessive* love.[150] Family affection was a foregone conclusion for medieval writers.

It is only relatively recently that writers on the family have explicitly moved beyond the simple question of the existence or absence of affection to more detailed questions, and have embraced both the familiarity and the alterity of the medieval family.[151] The zeal of medievalists to prove that medieval families loved each other has led to an elision of the fact that medieval views of childrearing are not merely brutal or

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[146] Mitterauer and Sieder, *The European Family*, 61.

[147] Edward Shorter, *The Making of the Modern Family* (New York: Basic Books, Inc., 1975), 56-65, 169-174.

[148] Schultz, *Knowledge of Childhood*, 110-111.

[149] Haas, *Renaissance Man and His Children*, 17-19, 25. Haas begins the chapter with nine quotations from different Florentine writers that assume the high priority of parental love.

[150] Haas, *Renaissance Man and His Children*, 143, ff.; Manfred Lemmer, "Haushalt und Familie aus der Sicht der Hausväterliteratur," 187; Ozment, *When Fathers Ruled*, 133; Hanawalt, *Growing Up in Medieval London*, 70, ff; Strauss, *Luther's House of Learning*, 92.

[151] Schultz, *Knowledge of Childhood*; Beer, *Eltern und Kinder*.

affectionate; rather, the categories of medieval people often simply do not coincide with our own. It is not that *either* medieval people loved their children *or* they subjected them to harsh corporal punishment, but rather that medieval people loved their children; *therefore* they punished them. The nature of that "therefore", the reasoning by which two (to us) diametrically opposed statements can follow from one another, is the topic of this dissertation.

The affective and social role of medieval fathers progressively increased as their children grew older. Childbirth was primarily a feminine cultural space, with a body of knowledge and practices that were passed down orally rather than through writing. The earliest written gynecological treatises purport to be written to midwives;[152] it was only in the seventeenth century that male physicians began to dominate childbirth practices.[153] Fathers did not occupy a central place in the birthing process.[154] Concern for young children, however, played a major role in fifteenth-century burgher correspondence. Letters show fathers asking about their children's physical development and providing

[152] Beryl Rowland, ed., *Medieval Woman's Guide to Health*: *The First English Gynecological Handbook* (Kent, Ohio, 1981).

[153] King, "Concepts of Childhood," 383.

[154] Precisely how marginalized men were has been a matter of some debate. Hanawalt portrays men as completely excluded from the process, relegated to performing sympathetic magic or offering prayers (Hanawalt, *Growing Up in Medieval London*, 42). For a much earlier period, Lee provides an maximal view of fathers' involvement (Becky Lee, "A Company of Women *and* Men: Men's Recollections of Childbirth in Medieval England," *Journal of Family History* 27.2 (2002): 92-100; Becky Lee, "Men's Recollection of a Woman's Rite: Medieval English Men's Recollections Regarding the Rite of the Purification of Women after Childbirth," *Gender and History* 14.2 (2002): 224-241). Beer argues that fathers were not usually present at the actual birth, but were concerned with the dangers of the process and were involved in support roles of summoning family and attendants (Beer, *Eltern und Kinder*, 215-226). Ozment argues that prescriptive texts such as the *Haussbuch* of Cöler expect fathers to be nearby during childbirth (Ozment, *When Fathers Ruled*, 115). Nitschke claims that fathers were actually present. (August Nitschke, "Die Stellung des Kindes in der Familie im Spätmittelalter und in der Renaissance," in *Haus und Familie in der Spätmittelalterlichen Stadt*, ed. Alfred Haverkamp (Cologne: Böhlau, 1984), 218). Haas argues that they were not in the birthing room, but were usually waiting anxiously just outside (Haas, *Renaissance Man and His Children*, 40). In any case, fathers inevitably played a relatively minor role in childbirth itself.

gifts and toys for them. The gifts most often consisted of clothes.[155] Physical provision thus formed the main part of fathers' duties when their children were young. Nonetheless, nursing and other activities of early childrearing were mostly carried out by women.[156]

At the age of five or seven, children could enter formal education. Schools for reading in German and learning arithmetic were open to boys and girls alike; Latin schools were for boys only.[157] There was also the possibility of private tutors.[158] The management of the children's schooling seems to have been almost entirely the task of fathers; in one letter, Magdalena Paumgartner explicitly says that her husband must go himself to speak with the headmaster.[159] This is perhaps because fathers usually kept their families' account-books, and tuition payments form frequent entries there.[160] Again, if the sons were enrolled in a Latin school, mothers would necessarily have had no experience with the subject. Formal education as a distinct province of the father is highlighted in Christoph Scheurl's household record book. In it, he noted that when his sons were still nursing, they preferred their mother to him. But when his son Georg was five, he "began to love his father more," and once the boys began to learn Latin, "they preferred their father more than they had their mother." [161]

In addition to responsibility for formal schooling, medieval fathers were expected to look to their children's moral and personal formation. Household economic texts included as much advice on how to avoid drunkenness and bad conduct as they did on the

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[155] Beer, *Eltern und Kinder*, 244, 268, 291-299. Florentine men also recorded substantial expenditure on children's clothes (Haas, *Renaissance Man and His Children*, 144-145).
[156] Schultz, *Knowledge of Childhood*, 73; Haas, 137.
[157] Beer, *Eltern und Kinder*, 328-329; for Florence, see Haas, *Renaissance Man and His Children*, 177.
[158] Beer, *Eltern und Kinder*, 337, ff.
[159] Beer, *Eltern und Kinder*, 323.
[160] Beer, *Eltern und Kinder*, 318.
[161] Scheurl Bibliothek [in Nuremberg] Bd. 275/337.2, "Haushaltungsaufzeichnungen Christoph II Scheurls," fol. 108v., 159v, 171v; cited in Beer, *Eltern und Kinder*, 324.

finances of the household. [162] Handbooks on deportment gave fathers a major role in schooling their children away from being "wild and wanton" to being "sad and wise," as English texts put it.[163] This focus was not restricted to personal moral behavior, however. The main goal of parental instruction was that "children be raised well and taught self-discipline, usable skills and a sense of honor. What richer and better inheritance could any father give his children than to help them advance in these three things and become useful and reliable to themselves and to others?"[164] Moral formation was contiguous with the development of professional skills.

This melding of personal and professional formation is attested in practice by a pair of articles. Julian Vitullo's "Fatherhood, Citizenship and Children's Games in Fifteenth-Century Florence" examines the treatises of Leon Battista Alberti and other humanists to argue that the paternal responsibility for education in Florence included a concern for the child's social development as well as intellectual development.[165] August Nitschke juxtaposes Alberti's writings with those of Konrad von Megenburg and a large number of early modern autobiographies and personal narratives.[166] He argues that though there is an apparent divide over "moral" and "practical" approaches to education, both "camps" had the same goal: to teach children not only to take moral action, but to take moral action appropriate to their estate and the estate of those around them. Both

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[162] Ehlert, "Die Rolle von "Hausherr und Hausfrau" in der spätmittelalterlichen volkssprachigen Ökonomik," 156.

[163] Hanawalt, *Growing Up in Medieval London*, 5, 70-73.

[164] Otto Brunfels, *Von der Zucht und Underweisung der kinder /Ein Leer und Vermanung. Item ein underweisung der döchterlin auss der Epistel oder sentbrieff des heyligen Hieronymi die er zum Letam geschriben hat* (Strasbourg, 1525), [Ox-Bod, T.L. 98.16] a4b; cited in Ozment, *When Fathers Ruled*, 136.

[165] Julian Vitullo, "Fatherhood, Citzenship, and Children's Games in Fifteenth-Century Florence," in *Framing the Family: Narrative and Representation in the Medieval and Early Modern Periods*, ed. Rosalynn Voaden and Diane Wolfthal, Medieval and Renaissance Texts and Studies 280 (Temple, Arizona: Arizona Center for Medieval and Renaissance Studies, 2005), 181-191.

[166] August Nitschke, "Die Stellung des Kindes in der Familie im Spätmittelalter und in der Renaissance."

Vitullo and Nitschke note Alberti's recommendation that fathers should watch their children from an early age for clues to their appropriate vocation. The role of fathers in education will form a major portion of the body of the dissertation.

The moral dynamics of an urban household should not be seen as two-sided—with the *Hausvater* exercising power over his subordinates—but as *three*-sided—a process wherein the *Hausvater*, his subordinates, and higher authorities such as guilds and city governments all negotiated with each other over regulation of their daily activities. This leads back to the fact that policy makers were attempting to harness fatherhood in order to bolster their own authority, which is where this chapter began. This is demonstrated for Reformation Augsburg in Lyndal Roper's *The Holy Household* and for Reformation Geneva by Karen Spierling's "Father, Son and Pious Christian."[167] The Augsburg City Council saw civic order in terms of the guild household, in which a married master craftsman and guildsman supervised his wife, servants, and unmarried apprentices; the Genevan consistory and City Council also saw fathers as primarily responsible for their households. Roper argues that the Augsburg Council's model of order was inherently contradictory, in that when the Council intervened in unruly households to uphold what was supposed to be the "natural" order, they highlighted the artificiality of the husband's leadership.[168] This is a weak argument; it is doubtful whether contemporaries saw City Council intervention as challenging the authority of

[167] Lyndal Roper, *The Holy Household: Women and Morals in Reformation Augsburg* (Oxford: Clarendon Press, 1989); Karen E. Spierling, "Father, Son and Pious Christian: Concepts of Masculinity in Reformation Geneva," in *Masculinity in the Reformation Era*, ed. Scott H. Hendrix and Susan C. Karant-Nunn, Sixteenth Century Essays and Studies 83 (Kirksville, Missouri: Truman State University Press, 2008), 95-119.

[168] Gerald Strauss argues much the same thing, seeing the reliance of the reformers on fathers as a "rear-guard" action to preserve a dying cultural form; he argues that their attempts to bolster paternal authority actually hastened its demise (Strauss, *Luther's House of Learning*, 118).

Hausväter. However, Spierling makes a much stronger case by discussing several cases that highlight the difficulties of the City Council in punishing men who were not fulfilling their responsibilities while simultaneously looking to them to discipline their subordinates. She also gives some explanation of how Genevans resolved this tension by casting obedience to authority as another part of masculinity. Admittedly, it was an imperfect solution and several Genevans did not accept the idea.[169] These tensions show how, as city councils across Europe engaged in increasing amounts of regulation, even when their regulations favored fathers as agents of social control, they did so not only at the expense of individual autonomy, but also at the expense of fatherly authority.

What has become of the *Hausvater* in all this? The picture of the household that emerges is not one of easy hierarchical authority over a self-contained unit of economic production, but rather one in which the *Hausvater* struggled to balance external concerns, such as the demands of competition in his craft and increasing regulation by the guild and city authorities, with the multiple concerns of running his household in a domestic sense. He was expected to provide for his children both in the present and in the future, with both their material and their moral interests at heart. As with other gendered categories, there was a constant need for a father to reiterate and reconstitute his status as an authority figure.

Fatherly roles: The conceptual framework

As is evident from the discussion above, fatherhood was a concept that stretched across many aspects of medieval society. This multivalence means that fatherhood cannot be reduced to a single task or identity; as Myriam Carlier puts it, "*the* father does not and

[169] Spierling, "Father Son and Pious Christian," 108.

did not exist."[170] Instead, the studies of medieval fatherhood so far have concentrated on the multiple roles that fathers were expected to play.

It is clear that medieval theorists as well as modern ones conceived of fatherhood as a set of interlocking roles. Rainer Specht's very early discussion of Thomas Aquinas' view on fatherhood covers not only father-as-progenitor, but also father-as-provider and father-as-teacher.[171] A paper by Constance Rousseau continues this practice in examining the ideology of fatherhood in the papal letters and other writings of Innocent III.[172] Innocent invoked paternal authority (both his own and that of other father-figures) in terms of reproduction, nurture and authority. She argues that while Innocent ascribed the traits of reproduction and nurture to both father and mother, he gendered the trait of authority as solely paternal, except in metaphorical contexts; he ascribed authority to Mother Church, for example, but not to human mothers. My own "Aspects of Fatherhood in Thirteenth-Century Encyclopedias" traces the way in which the masculine heat described by anatomists not only played a role in the conception of children, but also carried over into the responsibility to provide for and educate them.[173]

A similar emphasis on multiple roles is visible in studies that use descriptive rather than prescriptive sources, such as Myriam Carlier's "Paternity in Late Medieval Flanders." Carlier notes similar functions of reproduction, education and affection, but

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[170] Myriam Carlier, "Paternity in Late Medieval Flanders," in *Secretum Scriptorum: Liber Alumnorum Walter Prevenier*, ed. Wim Blockman, Marc Boone, and Thérèse de Hemptinne (Leuven: Garant, 1999), 235-258 (at 236). Spierling echoes this sentiment for sixteenth-century Geneva; Spierling, "Father, Son and Pious Christian," 95-96.

[171] Rainer Specht, "Über Funktionen des Vaters nach Thomas von Aquino," in *Das Vaterbild im Abendland*, ed. Hubertus Tellegback, 2 vols. (Berlin: Kohlhammer, 1978), 1:95-109.

[172] Constance Rousseau, "'Pater urbis et orbis': Innocent III and His Perspectives on Fatherhood," *Archivum Historiae Pontificiae* 37(1999): 25-37.

[173] Philip Grace, "Aspects of Fatherhood in Thirteenth-Century Encyclopedias," in *Journal of Family History* 31.3 (July 2006): 211-236.

she approaches them via legal sources to show popularly expected behaviors for fathers of individuals, whether they were biological or surrogate fathers.[174] Her assertion that paternal social obligations were relatively unaffected by biological fatherhood or legitimacy of the child bears further testimony to the significance of fatherhood as a performative cultural category.[175] The studies collected by Didier Lett in *Être père à la fin du Moyen Age* show a similar variety.[176] Danièle Alexandre-Bidon's "Images du père de famille au Moyen Age" enumerates the roles of fathers in medieval iconography, including education, affection, cruelty, and care for one's offspring. Didier Lett's "L'expression du visage paternel" discusses the expectation that children will bear a resemblance to their fathers. Philippe Maurice's "Les limites de l'autorité paternelle" examines the legal authority of fathers, finding that fathers' theoretical legal authority was in fact limited in practice, both by other aspects of the law and by the personal influence individuals could exert in their families. Other collections in the volume examine literary or dramatic texts, sermons, and so forth. The diversity of approaches is further testament to the multiple aspects of medieval fatherhood.

The multiple roles of fatherhood make it all the more significant as a subject, and all the more frustrating as well. Fatherly roles could crop up almost everywhere without being explicitly treated anywhere. Fatherhood is a diffuse set of ideas, rather than a focused and unified concept. But it is precisely this ubiquity and complexity that made fatherhood such a powerful concept to medieval people. Ideas of fatherhood exerted influence in everything from economy to religion, from classical scholarship to pragmatic

[174] Carlier, "Paternity in Late Medieval Flanders," 235-258.
[175] Carlier, "Paternity in Late Medieval Flanders," 245, ff.
[176] Lett, ed., *Être père à la fin du Moyen Age*.

advice, from history and politics to marriage to choosing sides in a fist-fight. The chief significance of fatherhood, then, is not any one of these roles (each of which could also be played by others), but the richness of meaning found at the intersections of multiple roles. Defining the roles fathers were expected to play more precisely and examining the connections between them, as well as the contexts in which the various roles were invoked, is the next logical step in elucidating medieval ideas of fatherhood.

Methodology and sources: Cultural history and everyday rhetoric

The methodology of the dissertation reflects the multi-faceted nature of its subject. How can historical research get at such an ephemeral and complex idea as fatherhood? Prescriptive sources such as literary texts or academic treatises are generally more interested in describing what ought to be than what is. Much of their composition can be explained in literary terms; the writers were more interested in what classical writers had said about fatherhood, and in demonstrating their erudition and wit, than they were in describing their contemporary realities. Even personal letters written by humanists and other scholars are filled with classical and biblical allusions, often explicitly citing their sources. How can we know whether, say, Sebastian Brant thought that fathers were a source of wise advice, or whether he was simply translating what Cato had said because Cato's name had the necessary cachet to help sell books? In fact, all works that have a didactic dimension to them exist because of some shortcoming in practice. All works that have an argumentative dimension to them exist because the author disagrees with someone else. Prescriptive sources by definition deal with contested territory; they are deployed in the arena of intellectual combat. Furthermore, the writings of the upper tenth of the population in terms of wealth, education and social

status can hardly be equated with the views of the general population. Relying exclusively on them can result in simply restating the agendas of the writers who produced them.

Documents of practice, such as court records, present a different but equally frustrating set of problems. Such records are uneven and fragmentary until well into the early modern period. In many cases, they are maddeningly brief; there is simply not much information about any specific incident. Part of this is precisely because they have a pragmatic purpose; they are written, not to communicate meaning, but to record the outcome in practical terms. The records of the *Drei über den Ehebruch*, the Basel task force charged with enforcement of public morals, would form an excellent body of sources—except that they record the amounts paid for fines without listing the infractions.[177] The brevity and pragmatism of these sources means that they often do not provide much nuance. Relying exclusively on them can produce an understanding of the past that is overly concerned with structures in which humans are mere ciphers.

The fact that so much was at stake in generating documents of practice means that gauging their truthfulness is all the more fraught. A woman has more motivation to lie about, say, the legitimacy of her birth in a deposition about her inheritance than in a letter to a friend. In the case of court records, it is helpful that the court itself ideally had a forensic interest in uncovering the facts. This does not mean that the verdicts of the court were always correct. Bribery, prejudice, and misunderstandings all played a part. The

[177] The sources in question are Baselstaatsarchiv, Älteres Hauptarchiv, Öffnungsbücher 1-7; for the information scholars have gleaned about public morality in Basel from other sources, see Hans Rudolf Hagemann, *Basler Rechtsleben im Mittelalter*, 2 vols. (Basel: Helbing & Lichtenhahn, 1987), 1:69-73, 263-268; Adrian Staehelin, "Sittenzucht und Sittengerichtsbarkeit in Basel," *Zeitschrift der Savigny-Stiftung für Rechtsgesichichte: Germanistische Abteilung* 85(1968): 78-103.

court officials were not simply impartial observers and recorders. They certainly influenced the records through leading questions, omissions, and so forth.[178] They also pursued their own interests, whether that was personal gain through bribes, class solidarity through sympathetic alliance with other social elites who came before the court, or a commitment to favoring Roman law over customary law.

In addition, medieval litigation played out in terms of social alliances. A court case was often a feud carried on by other means; it was normal practice to recruit witnesses from the same group of people who would aid in a street brawl. Many testimonies must therefore have reflected social solidarity rather than whatever the witness may or may not have seen. Because of this, one late medieval legal strategy was to allege that a witness was too closely allied to the opposition, in order to negate his or her testimony.[179] The fact that medieval courts allowed this strategy shows that they were aware of the danger of deceit; the fact that this strategy was left to the litigants to pursue shows that deceit was common. The virtue of the court setting is not that it guaranteed truthfulness; statements before courts were still what Natalie Zemon Davis calls "fictional," in that the witnesses or petitioners were constructing a statement that followed narrative conventions and was shaped rhetorically in order to produce a certain outcome.[180] The virtue of the court setting is that the forensic interest of the court gave witnesses an incentive to tell truthful, or at any rate *plausible* narratives in order to

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[178] The seminal statement of this problem is Carlo Ginzburg, "The Inquisitor as Anthropologist," in *Clues, Myths, and the Historical Method*, trans. John and Anne C. Tedeschi (Baltimore: Johns Hopkins University Press, 1989), 156-64; see also John Arnold, *Inquisition and Power: Catharism and the Confessing Subject in Medieval Languedoc* (Philadelphia: University of Pennsylvania Press, 2001), 7-15.

[179] Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca: Cornell University Press, 2003), 208-209.

[180] Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, Calif.: Stanford University Press, 1987), 3.

produce the outcome they wanted; if the narrative were proven to be false, or if it were patently absurd, they would be more likely to lose the case. Documents of practice were often written in a setting that attempted to establish legal facts, even as the real consequences of the outcome created incentives for deceit.

The bias inherent in both descriptive and prescriptive sources is both the crux of the problems outlined above and the key to navigating them successfully. As Steven Justice aptly wrote, "I would not be surprised to hear myself enjoined that I…cannot have it both ways. I would reply that *we* cannot have it. . . in any fewer than two ways," that in evaluating distorted sources, "we must begin from the distortions themselves."[181] The reason that all the sources have bias is that they were all written by complex people who had both material needs and intellectual capacity. Social elites and common people alike participated in their cultural settings. It is neither a question of a top-down process by which a literate (and subtly disembodied) elite imposed a culture on a passive population, nor a question of a simple materialism by which the masses pursued their lives without any sort of ideological outlook. Instead, material and abstract considerations, present agendas and pre-existing *milieux*, influenced each other as people of all sorts attempted to negotiate their lives with their contemporaries.

Rather than dealing with any single genre of sources, then, the best way to examine fatherhood is to use a variety of the genres discussed above. Academic and pedagogical treatises provide some of the most nuanced and careful thinking about fatherhood. Witness depositions are valuable as informal narratives that show how the

[181] Steven Justice, *Writing and Rebellion: England in 1381* (Berkeley: University of California Press, 1994), 255.

general population applied ideas about fatherhood to their own circumstances.[182] Personal letters are important as a sort of bridge between the two, showing the process by which classical ideas were not merely academic knowledge, but exerted influence on the actions of individual family members. Inevitably, the available sources provide a great deal more information about the relatively wealthy class of humanists, printers, and other intellectuals than they do about the lower classes, but by using the court records, I hope to demonstrate the extent to which humanists shared a mindset with their immediate neighbors as well as with their compatriots in the international republic of letters. The specific sources under consideration here will be discussed in more detail in the next chapter.

This dissertation will examine both the theory and the practice of fatherhood; indeed, it aims precisely at the intersection between the two. Almost everything discussed in this dissertation has an immensely practical dimension. Medieval (like modern) people did most things for immediate, pragmatic reasons. But the working assumption of my approach is that these reasons are not fully sufficient. Even in the most basic circumstances, human cultures produce another layer of ideology that exerts a real influence on everyday actions. Death, food, sex, wealth; these things are universal constants of human experience. Cultural history examines the ways in which these constants are filtered and shaped by the mental apparatus by which people interpret these experiences.

[182] For an example of how the study of litigation as opposed to jurisprudence can uncover ways in which practice differed from prescription, see Richard H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge: Cambridge University Press, 1974); for an example of how legal records can uncover the regulation and cultural construction of an institution like prostitution, see Karras, *Common Women*.

I aim at describing, not a tidy model of "what everyone thought," but rather what I call the "everyday rhetoric" by which people appealed to shared ideas for their own purposes. The goal is not merely uncovering the most typical incidents, but rather the most illuminating ones. I aim to search out the rare circumstances that caused a person to articulate the half-conscious attitudes that they and their contemporaries held about fatherhood. In examining the everyday rhetoric of fatherhood, context is key. It is unacceptable merely to quote, say, a witness calling a father "a brute," and leave it at that. What were the circumstances of the incident? Did the witness structure his or her story to excuse someone's actions or to condemn them? What stake did the witness have in the incident? Because of the importance of such considerations, I have deliberately described in detail the court cases I discuss. Only by uncovering the agendas of those who produced the sources is it possible fully to understand how they shaped their texts in pursuing them.[183]

This is not legal history—I make no argument about developing legal procedures. It is not quantitative history—I make no argument about the relative frequency of any given practice, though I draw upon other studies that use quantitative methods for background information where possible. I do not aim to produce demographic or statistical models. It is not intellectual history in the usual sense—although I examine

[183] Minimal attention to context in quoting sources happens for a variety of reasons. Sometimes there is simply no more context to be had in pressing scanty sources for information. Wray has criticized historians using wills for pursuing quantitative analysis without considering the unique circumstances under which each will was created (Shona Kelly Wray, *Communities and Crisis: Bologna During the Black Death* (The Medieval Mediterranean 83; Leiden: Brill, 2009), 8-9). Early works of social history often use brief anecdotes as illustrations of general principles, sometimes to the neglect of context. The quick recitation of several cases is justifiable when it is establishing the meaning of a term (as in Karras, *Common Women*, 52), or to establish basic events. It is less so when it is used to examine attitudes and mindsets. This practice is especially common in synthetic works or surveys quoting literary sources (Orme, *Medieval Children*, 156-157; Shahar, *Childhood in the Middle Ages*, 164-165; Heywood, *A History of Childhood*, 84-86).

certain academic texts in detail, I am not, in the end, concerned with how any individual scholar approached a specific problem. Instead, this is cultural history, which asks only certain types of questions, and I use a mix of sources that allows only certain types of answers. Such conclusions are admittedly less precise than a more technical study would yield, because the cultural practice of the myriad conflicting members of a population is itself chaotic. They offer reasonable persuasion, rather than absolute proof, since they are in the messy realm of human experience. Nonetheless, arguments about human experience are still susceptible of *dis*proof. It is not enough for me to draw my own connection between two ideas; I must show that medieval people did in fact make use of a given potential connection. My emphasis, then, will be on how individual Baslers used ideas about fatherhood to appeal to their contemporaries to get what they wanted, and how those ideas affected what they wanted. If some of my evidence is inevitably circumstantial and if some of my conclusions are a bit speculative, I hope that my arguments will persuade rather than prove.

The theory and practice of individual fatherhood

Using Basel as a case-study has allowed me to uncover important connections between the various roles that fathers played. It has proven virtually impossible to isolate any task that *only* fathers performed. At each step along the way, we will see how mothers, nurses, teachers, and so forth all participated in the same tasks that fathers did. But this does not mean that fathers were replaceable or interchangeable. Instead, the signficance of fatherhood comes from its position at the intersection of the different roles. There were many affectionate comrades and many forms of authority in medieval society, but only fathers were both. There were many members of intimate household

space and many participants in the larger world, but only fathers were both. Among many roles that were laid upon fathers, two stand out in the sources examined here: father as provider and father as educator.[184] In a schematic sense, both involve the father managing the boundary between the household and the outer world. In provision, the father brought resources from the world to care for their children. In education, fathers figuratively brought their children out into the world, preparing them to face the moral and practical challenges of life. The dissertation will examine the ways that these two roles were closely intertwined in each of its chapters.

Provision of food and clothing in the present was the foundational experience of fatherhood; even surrogate fathers connected their care of children in the present with providing for their future through inheritance. Furthermore, the food and clothing that fathers provided were focused sites for instruction in and demonstration of one's social virtues. Providing for the future was influenced by the sex of the child; inheritance and marriage arrangements could apply to both sons and daughters, entry into a cloister was primarily for daughters, and vocational training and formal education were almost entirely for sons. Even provision for the future was rooted in practical considerations. Formal education was closely associated with moral education, as bad behavior could damage one's material fortunes as well as one's reputation. Fathers were thought to provide an example which their children would imitate, whether for good or for ill. The importance of fathers as a symbol of instruction and advice caused other educators to borrow fatherly status for themselves, which means that the alliance between fathers and

[184] This pair of responsibilities was popular among writers in fifteenth century Florence as well (Haas, *The Renaissance Man and His Children*, 135-136).

teachers could be fraught with tension. The unique significance of fathers to medieval people derived from their location at the intersection of education and provision.

THE SETTING AND SOURCES: BASEL IN THE FIFTEENTH CENTURY

The individual residents of Basel we will examine in detail moved through a world of immense complexity, daily navigating everything from rivalries with their neighbors to regional economic markets to imperial politics. This chapter examines Basel's context in terms of its place in European affairs and then turns to ever more internal and local matters. In the course of this survey, we will pause to examine the different categories of sources used in the dissertation as we encounter them, locating both the subjects of and the sources for the dissertation in their original context.

Basel's political context

Empire, economics and hinterland

The city of Basel became part of the Holy Roman Empire in the eleventh century; the temporal lordship of the territory was held by the prince-bishops of Basel, whose deputies exercised the power to mint coins, dispense justice, and control markets and fairs.[1] By 1386, the imperial lordship of Basel was held permanently by the Senate, though its members nominally swore an oath of obedience to the bishop until the sixteenth century.[2] By the fifteenth century, Basel-Stadt was the primary holder of political authority within about twenty-five kilometers of the city itself.[3] It also

[1] André Bandelier, "Basel (Fürstbistum)" and Werner Meyer, "Basel (Stadt)," in *Historisches Lexicon der Schweiz*, ed. Norbert Furrer (Bern: Rohr, 1991-), http://www.hls-dhs-dss.ch/ (accessed February 16, 2009).

[2] Martin Alioth, *Basler Stadtgeschichte* vol. 2, *Vom Brückenschlag 1225 bis zur Gegenwart*, 2 vols. (Basel: Friedrich Reinhardt, 1981), 20.

[3] Dorothee Rippmann, *Bauern und Städter: Stadt-Land-Beziehungen im 15. Jahrhundert: das Beispiel Basel, unter besonderer Berücksichtigung der Nahmarktbeziehungen und der sozialen Verhältnisse im Umland* (Basel: Helbing & Lichtenhahn, 1990), 146.

dominated this territory economically.[4] This is essentially the same territory as the tiny modern-day canton of Basel-Land, which still shares a government with Basel-Stadt.

The bridge over the Rhine and Basel's place on the route to the Gotthard Pass across the Alps made the city a major transport site and led to explosive growth.[5] By the end of the fifteenth century the population had grown to between eight thousand and ten thousand.[6] The city functioned as a regional distribution center for an area with a radius of one-hundred-fifty kilometers, encompassing the Upper Rhine region including Strasbourg, Konstanz and Zürich.[7] Though regional connections furnished the bulk of economic activity in Basel, the long-distance luxury trade connections were also significant, though not as numerous.[8] In one court case from Basel, one merchant loaned another a sum of money in Venice; the borrower did not have the money to repay it when he saw the lender in Strasbourg, but he agreed to bring it with him to Frankfurt and pay him there.[9] Such merchants functioned in a community that was international, not simply local. Basel was also a significant financial center, both in regional and international terms.[10]

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[4] Rippmann, *Bauern und Städter*, 78-81.

[5] Dr. Albert Bruckner, "Das bischöfliche Basel," in *Basel: Eine Illustrierte Stadtgeschichte*, ed. Eugen A. Meier (2nd ed., Basel: Helbing & Lichtenhahn, 1969), 27-50 (at 47). Of several routes through the region of Jura on the way to the Gotthard Pass, Werner Reber shows that in the late fifteenth century, the Upper Hauenstein pass, on a route passing through Liestal, carried more than half of all the traffic. Basel levied tolls on several passes and was active in improving the roads and infrastructure along these routes; Werner Reber, *Zur Verkehrsgeographie und Geschichte der Pässe im Östlichen Jura* (Liestal: Kantonale Drucksachen- und Materialzentral, 1970), 192-194.

[6] Ammann uses municipal and imperial tax records, civic defense lists, and parish inventories from throughout the fifteenth century to adjust the earlier estimates made by Gustav Schönburg; Hektor Ammann, "Die Bevölkerung von Stadt und Landschaft Basel am Ausgang des Mittelalters," *Basler Zeitschrift für Geschichte und Altertumskunde* 49 (1950): 25-52.

[7] Rippmann, *Bauern und Städter*, 78-81.

[8] Thomas A. Brady, Jr., *Turning Swiss* (Cambridge: Cambridge University Press, 1985), 11.

[9] Kundschaften D18, Hans Wingerschen, Peter Schalt and Anselm Johan vs. Michel Otter, [February] 1501, 5r.

[10] Rippmann, *Bauern und Städter*, 163.

The government of Basel also actively pursued political power on a regional scale, an essential activity for many cities in this period.[11] The major external political issue in the late fifteenth century was the question of whether Basel ought to remain a part of the Holy Roman Empire or "turn Swiss."[12] The Confederacy was continuing to grow and it was by no means clear where the growth would stop. According to Thomas Brady, "the line between the Swiss Confederacy and the rest of the Holy Roman Empire…marked no natural, linguistic, or social division."[13] The *Nuremberg Chronicle*, published in 1493, highlighted Basel's liminal status in its description of the city, remarking that "this city is in Alsace, sometimes called Swiss, sometimes French, but also belonging to Germany."[14] The question of "turning Swiss" was an important one to average Baslers; several court cases around the time recorded quarrels in which people asserted, "I'm no Swiss; I'm a Basler," or remarked that if one went to Dornach for meat, one would find a Swiss as soon as a Swabian—a grisly joke if the "meat" refers to the corpses left by the recent battle there.[15] Public opinion generally favored turning Swiss.[16] The Swiss victory against imperial troops at Dornach convinced Basel to join the Swiss Federation in 1501, unlike many other imperial cities.[17] However, it did not form especially strong ties with other Swiss cities, nor sever its imperial connections, until the

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[11] Teuteberg, *Basler Geschichte*, 125.
[12] This phrase was used by contemporaries and is the focus of Brady, *Turning Swiss.*
[13] Brady, *Turning Swiss*, 1.
[14] Hartmann Schedel, *The Chronicle of the World: The Complete and Annotated Nuremberg Chronicle of 1493*, ed. Stephan Füssel (Taschen: New York, 2001), 244.
[15] "ich bin kein switzerin sonder ein Baslerin," Kundschaften D17, Hans Fleischans vs. Jörg Kornmesser [July] 1500, 113r; "mocht sy velicht als bald ein Switzer als ein Swabner finden," Kundschaften D17, Katharina Druckerin vs. Burckhard's wife, [July] 1500, 113v; Kundschaften D17, Uli Franschin den Kutler vs. Meiger von Oberwiler, [September] 1500, 125v.
[16] Amy Nelson Burnett, *Teaching the Reformation: Ministers and their Message in Basel, 1529-1629* (Oxford: Oxford University Press, 2006), 30.
[17] Brady, *Turning Swiss*, 63; Burnett, *Teaching the Reformation*, 30.

Reformation.[18] In fact, the treaty of alliance stated that Basel should act as a mediator in disputes between other members of the Confederation, a task which it performed several times, with varying success.[19] Basel's theater of political action, then, included both the Upper Rhine and the Swiss Confederation, with substantial connections to other southern portions of the Empire.

Guild-republic: Basel's internal politics

Having placed Basel in its regional context, we now turn to internal affairs. Basel's form of government has been called an "urban guild-republic" and this is an apt characterization.[20] The first extant charter for a guild in Basel dates from 1226; by 1354, a structure of fifteen craft and merchant guilds (some of which were comprised of multiple crafts) enveloped the vast majority of the city's population.[21] By 1357, the date of the first extant book of its proceedings, the Basel *Rat*, or Senate, was comprised of a *Bürgermeister* and four knights (all chosen from the regional nobility who had been drawn into Basel-Stadt), eight members of the *Achtburghers* (a group of urban patrician families), and fifteen guild representatives.[22] Most of the daily business was handled by a series of committees.[23] Guilds were also a unit of civic participation; it was the guilds who elected delegates to the Senate, and who also organized civic services such as fire

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[18] Burnett, *Teaching the Reformation*, 29-35; see further discussion below.

[19] Guggisberg, *Basel in the Sixteenth Century*, 4; the *Bundesbrief* is summarized in Rudolf Wackernagel, *Geschichte der Stadt Basel*, 3 vols. (Basel: Helbing & Lichtenhahn: 1968 facsimile of 1911 edition), 2:183-184.

[20] Guggisberg, *Basel in the Sixteenth Century*, 7.

[21] Teuteberg, *Basler Geschichte*, 105; Alioth, *Basler Stadtgeschichte*, 15; Pierre L. Van der Haegen. *Der frühe Basler Buchdruck: Okonomische, Soziopolitische und Informationssystematische Standortfaktoren und Rahmenbedingungen* (Basel: Schwabe & Co., 2001), 97.

[22] Teuteberg, *Basler Geschichte*, 117; Alioth, *Basler Stadtgeschichte*, 32; Gustaf Adolf Wanner, "Die Basler Zünfte und Gesellschaften," in *Basel: Eine Illustrierte Stadtgeschichte* ed. Eugen A. Meier (2nd ed., Basel: Helbing & Lichtenhahn, 1969), 147-164 (at 152).

[23] Guggisberg, *Basel in the Sixteenth Century*, 7.

brigades and the city watch.[24] The guilds thus exercised a controlling interest in every stage of city government.

The guilds acted as advocates for the professional interests of their members.[25] Membership in a guild was required in order to participate in either the production or the local buying or selling of goods.[26] Each trade was strongly protected from incursion by other guilds as well as from "foreigners"—that is, competitors who were not citizens of Basel. Native wholesalers had rights of first purchase on foreign goods; foreign merchants had to sell in specific places.[27] Guilds also regulated their own manufacturing standards; each guild elected officials annually who were responsible for policing matters such as weights and measures.[28] The guilds also defended their own interests against each other. For example, the merchant guilds (composed of those whose living was derived from the selling of goods) began to agitate against enforced monopolies in the 1460s, but the craft guilds (who actually produced the goods) defeated them and reinforced the protections by 1495.[29]

Internal dynamics varied with the guild. Originally, all members voted in the election of guild officials, but after 1401, the Guild Master was elected by the incumbent and newly elected members of the *Sechser*, the board of six directors. This strongly curtailed the participation of most guild members, especially since cohorts of the *Sechser* often simply alternated back and forth each term.[30] In Basel, new professions were

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[24] Alioth, *Basler Stadtgeschichte*, 30.
[25] Alioth, *Basler Stadtgeschichte*, 28.
[26] Endowment letter of the *Kürschnerzunft*, 1226; cited in Van der Haegen, *Der frühe Basler Buchdruck*, 98.
[27] Van der Haegen, *Der frühe Basler Buchdruck*, 99-100.
[28] Alioth, *Basler Stadtgeschichte*, 30.
[29] Van der Haegen, *Der frühe Basler Buchdruck*, 100.
[30] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 2.

incorporated into the existing guilds, so many guilds contained more than one profession—the Gardener's guild, for example, included basketmakers, ropemakers, and innkeepers, among others.[31] The Saffron (a merchant's guild), the wine-makers, and the butchers were the largest guilds.[32] Economic differentiation played a part in the complicated competition for prestige, symbolized by the lists of the order in which the various guilds were arranged in the annual procession through the city, from the wealthy patrician merchant guilds to the vintner's guild and the gardener's guild, probably the poorest.[33] Other guilds, like the *Spinnwetter* guild, included poor professions like the bricklayers, but also professions like the wagon-makers, some of whom were much better off.

In parlor and *Platz*: The social geography of Basel

Guilds were also important in determining the daily experience of Baslers. Katharina Simon-Muscheid has used the 1453-4 tax records to produce a picture of the social topography of Basel that follows a core-periphery model. At the center of town was the Grain Market square, surrounded by the Town Hall and the guild halls of some of the more prestigious guilds like the Guild of the Key, a merchants' guild. The Rhine-bridge was nearby, but between the Grain Market and the Rhine lay the Fish Market. Here and in the nearby streets, thirty-nine percent of the population were in the highest category by income, with more than a thousand gulden in assets; many were in two or more guilds.[34] There were no poor households and virtually no households headed by

[31] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 8.
[32] Füglister, *Handwerksregiment*, 5.
[33] Katharine Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter: Zunftinterne Strukturen und innerstädtische Konflikte* (New York: P. Lang, 1988), 5, 230.
[34] It was possible for an individual to join more than one guild; though it required additional money, this afforded the opportunity to branch out economically. If one was a member of a trade guild, for example,

women.[35] There were not strictly delineated quarters or streets for a given profession in Basel. Instead, specific professions dominated sections of a street, usually surrounded by members of comparably wealthy and prestigious other professions. Nonetheless, most neighborhoods showed some mixing of rich and poor.

As one moved away from the center of the city, the neighborhoods grew generally poorer, with a higher proportion of sub-lessees, many of whom were very poor: in the districts of St. Peter and St. Leonhards, eighty-three percent of sub-lessees had less than ten gulden in assets.[36] In many cases, their landlords were not much better off.[37] About seventy percent of the sub-lessees were single women, some living with a daughter; many were probably widows.[38] Some of the suburbs were dominated by specific professions: many fishermen lived in St. Johann's suburb along the Rhine, for example, while there were many field-workers in the New Suburb and in St. Elizabeth's.[39] The more prestigious guilds thus dominated the center of town, with the poorer guilds sharing outer neighborhoods and suburbs with other poor people, many of whom were not in a guild at all.[40]

Even being a poor guild-member, however, was quite different from being a non-guild-member. Guilds provided a network of social support. They provided a network over time; sons of guild members were said to "renew" their fathers' membership in the

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one could spend the extra money to join one of the merchant's guilds, which would allow one to become involved in long-distance trade with one's goods, and not just their production (Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 5).

[35] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 201-204.

[36] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 224.

[37] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 227.

[38] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 223.

[39] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 207.

[40] Füglister's detailed examination of the social topography of Basel reaches substantially similar conclusions, but it examines issues of class and overall wealth and includes several illuminating maps (Füglister, *Handwerksregiment*, 57-91).

guild.[41] They had religious aspects, in the form of associated religious confraternities.[42] Guilds also ideally provided care for the widows and orphans of their members in cases of sickness or death.[43] Even a poor guild widow, forced to rent a room or take in renters, was still surrounded by the social network of the guild.[44]

The guild *Stube*, or drinking-parlor, also played an important role in day-to-day social life.[45] *Stube* was the name given to the main room of a private house, where much of the life of the household took place.[46] Witnesses in the court records often described conversations that took place when they were in their own or another person's parlor, sometimes as guests at someone's house for dinner.[47] The same word, however, could be used for either a public drinking-parlor or one reserved for one of the guilds. Journeymen or apprentices sometimes also kept their own drinking parlors.[48] Such parlors could be the site of dancing as well as eating and drinking.[49] Some of the court cases mentioned men and their wives eating together in a drinking-parlor;[50] in other cases, the witnesses described a group of masters and journeymen, or sometimes a group of all journeymen

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[41] Alioth, *Basler Stadtgeschichte*, 30. The cost of membership in a guild for the son of a master was about one tenth of the standard fee (Füglister, *Handwerksregiment*, 5-15).

[42] Alioth, *Basler Stadtgeschichte*, 28.

[43] Van der Haegen, *Der frühe Basler Buchdruck*, 98.

[44] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 232.

[45] Alioth, *Basler Stadtgeschichte*, 28.

[46] Fred Kaspar, "Das Mittelalterliche Haus als Öffentlicher und Privater Raum," in *Die Vielfalt der Dinge: Neue Wege zur Analyse mittelalterlicher Sachkultur*, ed. Helmut Hundsbichler, Gerhard Jaritz, and Thomas Kühtreiber (Vienna: Verlag der Österreichischen Akademie der Wissenschaft, 1998), 207–236 (at 215-219).

[47] Kundschaften D16, Michael Vogt vs. Hans Schoneberg zu Nurnburg, [Summer] 1494, 74v; Kundschaften D19, Anthony Somling vs. wife of Laurence Rinnhard, [April-May] 1505, 56r.

[48] Kundschaften D23, Caspar Merk von Bern vs. Bernhardt, [July] 1520, 126r. This is consistent with the development of separate guilds and group solidarity for journeymen that took place across German-speaking Europe during the late fifteenth and early sixteenth centuries; Merry Wiesner, *Gender, Church and State in Early Modern Germany:Essays* (New York: Longman, 1998), 173-196.

[49] Kundschaften D18, Paul de Busch vs. Alexander, shoemaker, [March-April] 1502, 43r.

[50] Kundschaften D11, Emelin zem Schlussel vs. Hans Ertinger, [April-May] 1479, 88r.

drinking and gaming together.[51] In the end, the vast majority of the ten thousand or so people in Basel in the fifteenth century probably considered their association with their guild to be a fundamental part of their day-to-day social identity.

Basel's cultural life

The Council of Basel

Basel's political and economic endeavors were closely entwined with its contributions to the religious and intellectual upheavals of the fifteenth and sixteenth centuries. The city was host to the general Council of Basel, which took place between 1431 and 1449.[52] The Council of Basel was convened in order to carry out the agenda of Church reform outlined in 1415 at the Council of Constance in such matters as promoting church discipline, combating Hussite beliefs, and effecting a reconciliation with the Greek church, but it soon became embroiled in a conflict over supremacy with Pope Eugene IV. Eugene IV convened a rival papal council in Florence. Ultimately, Nicholas V successfully asserted the supreme authority of the papacy over the Council of Basel, which had moved to Lausanne in 1448. Political authorities in the Empire and across Europe were deeply invested in this conflict, and France and the Empire favored the Council of Basel. Paul Ourliac has interpreted 1440 as a pivotal year after which papal supremacy was favored across Europe, but Joachim Stieber has argued that in fact both the clergy and the lay authorities in the Empire remained deeply dissatisfied with the

[51] Kundschaften D18, Rotembach vs. Langmesser, [March-April] 1502, 40r.
[52] Johannes Helmrath, *Das Basler Konzil 1431-1449: Forschungsstand und Probleme* (Cologne: Böhlau, 1987).

papacy even after the end of the Council of Basel and for the ensuing century and beyond, contributing to the religious reformations of the sixteenth century.[53]

The presence of the Council had far-reaching consequences, but it had immediate consequences for Basel-Stadt as well. Because the Council lasted for so long (only Trent was longer, and it was not continuous), it acquired a bureaucracy of its own. The residence (on a rotating basis) of thousands of clerics and their retinues in Basel for more than a decade during the Council had immediate economic effects on the city.[54] In 1431, King Sigismund decreed that Basel must sell groceries and necessities to the delegates at a fair price and let them go about their work. Nonetheless, several contemporary observers describe how the prices of eggs, grain, and lodging skyrocketed, as might be expected after a sudden population growth of perhaps twenty percent. A mixed commission from the Senate and the delegates to the Council was instituted to fix fair prices, and the Senate decreed that any foreign coin that passed a test by a metallurgist must be accepted by local merchants. The Senate also bought two houses in the suburb of Spalen to house the new influx of prostitutes and ordered that they must remain in their houses during the day.[55]

The Council contributed indirectly to Basel's cultural status. Although scholastic theologians did contribute to the council, many of the representatives were influential humanists, and the personal acquaintances begun there were instrumental in the spread of

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[53] Paul Ourliac, "Martin V, Eugène IV et le Concile de Bâle," in Étienne Delaruelle, Edmond-René Labande, and Paul Ourliac, *L'Église au temps du Grand Schisme et de la crise conciliare (1378-1449)*, Histoire de l'Église depuis les origines jusqu'à nos jours 14 (Paris: Bloud & Gay, 1962), 201-293; Joachim W. Stieber, *Pope Eugenius IV, the Council of Basel, and the Secular and Ecclesiastical Authorities in the Empire: The Conflict over Supreme Authority and Power in the Church* (Leiden: E.J. Brill, 1978), 5, 331-3.

[54] Helmrath, *Das Basler Konzil*, 77-175.

[55] Teuteberg, *Basler Geschichte*, 159.

humanism to Germany and England.[56] The delegates and their secretaries also took the opportunity to search (and plunder) nearby monasteries for classical manuscripts, which provoked complaints from the abbot of St. Gall, among others.[57] The Council of Basel provided an active market for the copying and sale of manuscript books.[58] Paper manufacturing began in Basel around 1433, and found a ready market in the body of clerics, scribes and secretaries assembled for the Council.[59] There was even an abortive attempt during the Council at founding a university which lasted from 1440 to 1449.[60] The University of Basel was permanently founded in 1460 by Pope Pius II, who had attended the council as Enea Piccolomini, a secretary to an Italian bishop, and wrote a description of the city from his experiences there.[61] The University was not important to the development of humanist circles in Basel; it remained a conservative institution. It was also quite small, with only a dozen faculty and one to two hundred students. Enrollment dropped even further in the late fifteenth century due to competition from the

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[56] Frederich Awalde Kremple, *Cultural Aspects of the Councils of Constance and Basel* (Ph.D. diss., University of Minnesota, 1954), 110-166.

[57] Kremple, *Cultural Aspects of the Councils of Constance and Basel*, 113-127.

[58] Kremple, *Cultural Aspects of the Councils of Constance and Basel*, 128-131. See further Paul Lehmann, "Konstanz und Basel als Büchermärtke während der grossen Kirchenversammlungen," *Zeitungsgeschichtliche Mitteilungen Beiblatt zur Zeitschrift des Deutschen Vereins für Buchwesen und Schrifttum* 4 (1921): 6-11, 17-27 (at 21-27).

[59] Teuteberg, *Basler Geschichte*, 167. Kapr even speculates that Johannes Gutenberg was in Basel during the Council, though he admits that he has not found any evidence for this whatsoever; Albert Kapr, *Johann Gutenberg: The Man and His Invention*, trans. Douglas Martin (Brookfield, VT: Ashgate Publishing, 1996), 60; first published as *Johannes Gutenberg: Persönlichkeit und Leistung* (Munich: C.H. Beck, 1987)).

[60] See also Kremple, *Cultural Aspects of the Councils of Constance and Basel*, 109. He cites Virgil Redlich, "Eine Universität auf dem Konzil in Basel," *Historisches Jahrbuch: Im Auftrag der Görres Gesellschaft* 49 (1929): 92-101.

[61] Edwin Zeydel, *Sebastian Brant* (New York: Twayne Publishers, Inc., 1967), 26; Teuteberg, *Basler Geschichte*, 153. Piccolomini's accounts are available in Alfred Hartmann, ed. *Basilea Latina: lateinische Texte zur Zeit- und Kulturgeschichte der Stadt Basel im 15. und 16. Jahrhundert* (Basel: Lehrmittelverlag des Erziehungsdepartements, 1931), 38-61; and in abbreviated form in both Latin and German in Edgar Bonjour, ed., *Basel in einigen alten Stadtbildern und in den beiden berühmten Beschreibungen des Aeneas Sylvius Piccolomini* (Basel: Holbein-Verlag, 1954).

newly founded universities at Freiburg (1457) and Tübingen (1477).[62] The university nearly closed around the turn of the sixteenth century.[63] Although it survived, the printer Hans Froben reminded Boniface Amerbach, who was considering a position in the faculty of law, that "there are not many students. Most of them come from Switzerland, and you know well that they are in general not very talented."[64] After the Reformation, however, there were larger numbers of foreign scholars at the university, some of them religious refugees.[65]

The circle of printers and humanists: Amerbach's correspondence and humanist pedagogical treatises

After the Council, Basel became one of the earliest centers of printing in Europe. Printing began at Mainz around 1440; by 1469, Berhard Ruppel had established himself as Basel's first printer, and within a few decades Basel had become one of the major centers for printing. [66] By 1501, there were seventy printers in Basel.[67] Basel publishers produced many important works, including Erasmus' Greek New Testament, the first Latin edition of the Qur'an, many of Luther's works in Latin and German, John Calvin's *Institutes*, Andreas Vesalius' *De humani corporis fabrica*, the works of Paracelsus, and the second edition of Machievelli's *The Prince*.[68] Printing was officially designated a "free art" in Basel in 1480, meaning that it was not a part of the guild structure discussed

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[62] Guggisberg, *Basel in the Sixteenth Century*, 9.

[63] Barbara C. Halporn, *The Correspondence of Johann Amerbach: Early Printing in Its Social Context* (Ann Arbor: University of Michigan Press, 2000), 149.

[64] "dann der solt ist klein und sind schuler wenig und fast Eydgenossenn, die ir dann woll kennet, wy sy geschickt sien zu studiren," Alfred Hartmann, *Die Amerbachkorrespondenz*, 10 vols. (Basel: Verlag der Universitätsbibliothek, 1942-1995), 2:455, no. 945, Johannes Froben to Bonifacius Amerbach, December 1523. Translation taken from Guggisberg, *Basel in the Sixteenth Century*, 16.

[65] Guggisberg, *Basel in the Sixteenth Century*, 49-53.

[66] Van der Haegen, *Der frühe Basler Buchdruck*, 102.

[67] Andreas Staehelin, "Das geistige Basel," in *Basel: Eine Illustrierte Stadtgeschichte*, ed. Eugen A. Meier (2nd ed., Basel: Helbing & Lichtenhahn, 1969), 51-72 (at 51-53).

[68] Guggisberg, *Basel in the Sixteenth Century*, 14, 21, 41-44; Burnett, *Teaching the Reformation*, 26-29.

above.[69] In *Der frühe Basler Buchdruck*, Pierre van der Haegen attempts to assess the importance of a variety of factors in this development.[70] He argues that intellectual factors, such as the presence of the Council in the preceding decades, played little role in the decision. The presence of several cloisters and churches with good libraries (which provided manuscript materials) in Basel was important, but not as important as market considerations.[71] The presence of a university (founded in 1460) was even less important, at least in terms of producing books; with the exception of Sebastian Brant, most editors in Basel were not academic faculty.[72]

Instead, van der Haegen argues that the print trade prospered in Basel based on the printers' weighing of many factors in their attempt to maximize profit. The printing trade was a risky one. Spending the time to edit, typeset and print a run of hundreds or thousands of copies of a book represented a major investment of time and resources. If a book did not sell, the printer might well be ruined.[73] Basel was a good site for printing most essentially because it provided a good market for books. The burghers of Basel were sufficiently curious and sufficiently wealthy to buy books, and Basel's economic openness made the enterprise possible.[74] Although there were only about a hundred students at the university, it may have contributed to the demand for books in Basel, though not to their production. Further, Basel's place on major transport networks made

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[69] Individual printers were free to join guilds: Michael Wenssler, one of the first Basler printers, joined three different merchant guilds in the 1470s (Van der Haegen, *Der frühe Basler Buchdruck*, 102). Most printers joined the *Safranzunft* (Füglister, *Handwerksregiment*, 9).

[70] Van der Haegen, *Der frühe Basler Buchdruck*.

[71] Van der Haegen, *Der frühe Basler Buchdruck*, 25, 85-91.

[72] Van der Haegen, *Der frühe Basler Buchdruck*, 189.

[73] John L. Flood, "'Volentes Sibi Comparare Infrascriptos Libros Impressos': Printed Books as a Commercial Commodity in the Fifteenth Century" in *Incunabula and Their Readers: Printing, Selling and Using Books in the Fifteenth Century*, ed. Kristian Jensen (London: The British Library, 2003), 139-151; see also Halporn, *Correspondence*, 2-6.

[74] Van der Haegen, *Der frühe Basler Buchdruck*, 37-52, 184.

it possible to export books easily, and the presence of investment capital in the city could help finance new editions.[75] The rational calculation of these factors played an important part in the success of printing in Basel, but van der Haegen cautions that personal factors and chance also played a role, especially in the first generation of printers. He speculates that Berhard Ruppel may have stayed in Basel not only because of the considerations mentioned above, but because he fell in love with Magdalena Meigerin and married her.[76] In any case, the printing industry furnished a vital part of Basel's cultural and economic life during the late fifteenth century.

The printing trade in Basel played a role in furnishing many of the sources for this project. Invaluable among them is the personal correspondence of Johannes Amerbach, a prominent printer in Basel from 1477 to his death in 1513.[77] There are hundreds of extant letters, mostly written *to* Amerbach by business associates, friends and family members.[78] Most of the letters between males are in Latin; this is even the case for personal correspondence between Amerbach and his sons once they had gone to Latin grammar school.[79] There are also a number of letters in German, usually when either a woman or a non-scholar was involved, such as Johannes' wife Barbara.[80] These letters

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[75] Van der Haegen, *Der frühe Basler Buchdruck*, 53-81, 187-88.

[76] Van der Haegen, *Der frühe Basler Buchdruck*, 179-80.

[77] The letters have been transcribed and published in Alfred Hartmann, *Die Amerbachkorrespondenz*, 10 vols. (Basel: Verlag der Universitätsbibliothek, 1942-1995) (hereafter abbreviated AK). Citations of AK refer to the numbers Hartmann assigned to each extant letter unless otherwise noted. The first volume contains the letters from Johannes Amerbach's lifetime. Many of the letters have been published in English in Barbara C. Halporn, trans. and ed. *The Correspondence of Johannes Amerbach: Early Printing in its Social Context* (Ann Arbor: University of Michigan Press, 2000). I have used her translations where possible; other translations are my own.

[78] Halporn, *Correspondence*, 3, 7, 12.

[79] There are nine letters from his sons Bruno and/or Basilius while they were at Sélestat, twenty-three from them while they were at Paris and twenty-one from Johannes to them in Paris. They are all in Latin.

[80] There are fifteen letters from his wife, Barbara Amerbach and twenty-three letters addressed to her (although one or two are not from her kin). There are eight letters from his daughter Margarete. The gendered difference in the languages of the letters is indicative of the status of Latin as a predominantly

are a rich body of sources for the relationships among the members of the Amerbach family, including their understanding of fatherhood.

Amerbach's intellectual and academic contacts reached far beyond Basel. Through his old master at the University of Paris, Johannes Heynlin, Amerbach had contact with many of the network of German humanists centered at Heidelberg.[81] He was active in a far-reaching community of humanist scholars that established and reinforced its interconnections by the exchange of epitaphs and dedicatory letters between different scholars in early printed works.[82] These relationships were personal as well as professional. Amerbach thus worked with Sebastian Brant as an academic editor in preparing his editions of Ambrose and other patristic writers and also stood as godfather to Brant's son Onophrius.[83] Amerbach's older sons studied under Kraft Hofmann in Sélestat,[84] and his youngest was a student of the legal scholar Ulrich Zasius.[85] The theologian Jakob Wimpfeling used his friendship with Amerbach to pester him to publish his vitriolic poetry, but he refused.[86] Sebastian Brant, in turn, was a student of Johannes Reuchlin.[87] Amerbach' younger partner Johannes Froben, who hosted Erasmus when he was in Basel, took over management of the firm after Johannes' death.[88] He also had

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masculine language at the time; Rebecca Krug, *Reading Families: Women's Literate Practice in Late Medieval England* (Ithaca: Cornell University Press, 2002), 67-76; Ruth Mazo Karras, *From Boys to Men* (Philadelphia: University of Pennsylvania Press, 2003), 67-68.

[81] Halporn, *Correspondence*, 52.

[82] Lisa Jardine, *Erasmus, Man of Letters: The Construction of Charisma in Print* (Princeton: Princeton University Press, 1993).

[83] Halporn, *Correspondence*, 93-95, 311.

[84] Halporn, *Correspondence*, 137.

[85] Alfred Hartmann, "Familiares aus der Amerbachkorrespondenz," *Basler Jahrbuch* (1951): 35-57 (at 44).

[86] AK 1:464, Jakob Wimpfeling to Bruno, Basilius and Boniface Amerbach, Strasbourg, July 10, 1512; Halporn, *Correspondence*, 80.

[87] Zeydel, *Sebastian Brant*, 23.

[88] Amerbach's sons inherited a share in the firm and continued working as academic editors, but they did not become a printing dynasty; Bruno died in 1519, Basilius did not take leadership in the firm, and

contact with Conrad Pellican, Beatus Rhenanus, and other humanists of the next generation.[89] The brilliant, or at any rate egotistical medical theorist Paracelsus (b. 1493) also lived in Basel in 1527 and 1528, and was a friend of Froben, the Amerbach brothers, and their circle.[90] Johannes Petri, another Basler printer, was the leading printer of Luther's works in the 1520s.[91] Learned discussions of fatherhood in Basel thus partook of a much wider cultural sphere.

The circle of humanists and scholars connected with Basel furnished another set of sources for the dissertation in the form of several pedagogical treatises. In what follows I shall offer a brief description of each of the didactic sources used for the project, examining them on their own terms for authorship, context and goals before dissecting them in later chapters for information about fatherhood. The texts are Sebastian Brant's translations of the manners-books *Thesmophagia*,[92] *Moretus*, and *Cato*, his famous *The Ship of Fools*; Erasmus' treatises *Declamation on Early Liberal Education for Children* and *On Good Manners for Boys*; Jacob Wimpfeling's compendious *Adolescentia*; and several versions of the anonymous *Letter Concerning the Management of Household Affairs*, one of which is a portion of Heinrich Wittenwiler's comic poem *The Ring*.[93]

Sebastian Brant, originally from Strasbourg, had degrees in both canon and Roman law from the University of Basel, and was also a lecturer in the humanities

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Boniface focused on his legal career (Wackernagel, *Geschichte der Stadt Basel*, 3:208; Halporn, *Correspondence*, 12; and Hartmann, "Familiares aus der Amerbachkorrespondenz," 41-43).

[89] Halporn, *Correspondence*, 52.

[90] Wackernagel, *Geschichte der Stadt Basel*, 3:434-9.

[91] Burnett, *Teaching the Reformation*, 26-29.

[92] He also produced a *Facetus* in 1496, but it is about table-manners like *Thesmophagia*.

[93] For the editions consulted for this project, see the discussion below.

there.[94] He was unusual among academics for his close involvement with the printing trade in Basel, working as an academic editor and proofreader in preparing editions, in addition to writing his own works.[95] He developed his German poetic technique by publishing broadsides about natural wonders such as a meteorite that landed in Ensisheim in 1492 (the first known printed illustrated broadside) or a calf born with two heads.[96] Brant was deeply pious, publishing poems in praise of the immaculate conception of Mary (during a heated contemporary controversy over the doctrine) and questioning the place of pagan writers in humanist studies.[97] He was also deeply patriotic in his devotion to the Holy Roman Empire and to Emperor Maximilian more specifically. When Basel turned Swiss in 1501 and withdrew from the empire, Brant moved back to Strasbourg until his death in 1521.[98]

Brant published German translations of several works on manners—*Thesmophagia*, *Cato* and *Moretus* —in Basel in the 1490s.[99] All three of these works were printed editions of older Latin didactic texts, with Brant supplying a translation into rhyming German after each stanza. *Thesmophagia* was a translation of Reinerus Alemannicus' thirteenth-century *Phagifacetus*, the first stand-alone treatise on table-

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[94] Zeydel, *Sebastian Brant*, 23, 30-36.

[95] Van der Haegen, *Der frühe Basler Buchdruck*, 189; Zeydel, *Sebastian Brant*, 37.

[96] Falk Eisermann, "Mixing Pop and Politics: Origins, Transmission, and Readers of Illustrated Broadsides in Fifteenth-Century Germany," in *Incunabula and their Readers: Printing, Selling and Using Books in the Fifteenth Century*, ed. Kristian Jensen (London: The British Library, 2003), 159-178; Zeydel, *Sebastian Brant*, 41.

[97] Zeydel, *Sebastian Brant*, 57, 109; Halporn, *Correspondence*, 100-101.

[98] Zeydel, *Sebastian Brant*, 42

[99] Sebastian Brant, *Sebastian Brants Tischzucht (Thesmophagia 1490): Edition und Wortindex*, ed. Silke Umbach, (Wiesbaden: Harrassowitz Verlag, 1995), 9. *Cato* was first published in 1498, *Moretus* in 1499. For this project, I have had access to the 1510 edition of *Cato* and the 1508 edition of *Moretus* via the digital collections of the Bayerische Staatsbibliothek, http://www.bsb-muenchen.de/Dokumentlieferung__Altes_Buch.1470.0.html (accessed February 20, 2009).

manners.[100] *Cato* was a translation of *Distichia Catonis*, a collection of proverbs named for the Roman Cato the Elder who was associated with proverbs of fatherly advice; the collection was partially assembled as early as the second century and was commonly used in schools throughout the middle ages, with continual modifications.[101] The Latin proverbs are often only two words long, and do not follow any particular order. This leads to sometimes odd juxtapositions, such as the following: "care for your household, help the poor/sleep enough; keep your word/pay gladly; feast seldom/flee bad women; read books, educate your children."[102] *Moretus'* title page claimed that it was the material left out of *Cato.* Its structure is quite different however, consisting of several long sections about different professions boys might take up. Both the original Latin versions of these texts and Brant's editions with translations were intended for use in schools and universities.[103]

Sebastian Brant published his most famous work, *The Ship of Fools*, in Basel in 1494. It is a catalogue of nearly one hundred types of fools that Brant saw in contemporary society.[104] Most entries are a single two-page spread in length. Each

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[100] Umbach, ed., *Sebastian Brants Tischzucht (Thesmophagia)*, 9; Manfred Lemmer, "Sebastian Brant," in *Die Deutsche Literatur des Mittelalters Verfasserlexicon*, ed. Kurt Ruh et al., 14 vols. (New York: de Gruyter, 1989), 1:992-1005 (at 997); 7:1161.

[101] F.A.C. Mantello and A.G. Rigg, *Medieval Latin: An Introduction and Bibliographical Guide* (Washington, D.C.: Catholic University of America Press, 1996), 570; J. Wight Duff and Arnold M. Duff, *Minor Latin Poets* (Cambridge, Mass.: Harvard University Press, 1934), 585-639.

[102] "Familia cura; mutuum da cui des videto/Quod satis est dormi; jusjurandum serva/Solve libenter; raro convivia; meretricem fuge; libros lege/Que legeris memento; liberos erudi," Brant, *Cato*, a2v.

[103] Umbach, ed., *Sebastian Brants Tischzucht (Thesmophagia)*, 9-10.

[104] Sebastian Brant, *Das Narrenschiff: Faksimile der Erstausgabe Basel 1494 mit dem Nachwort von Franz Schultz*, ed. Dieter Wuttke (Baden Baden: Valentin Koerner, 1994). Translations used in the dissertation are my own, because the widely available sixteenth-century translation by Alexander Barclay is archaic and Edwin Zeydel's translation, while it does an excellent job of capturing the playfulness of the original, inevitably paraphrases in order to achieve rhyming couplets; Sebastian Brant, *The Ship of Fools*, trans. Alexander Barclay, ed. Thomas Hill Jamieson (Edinburgh: William Paterson, 1874); Sebastian Brant, *The Ship of Fools*, trans. Edwin Zeydel, (New York: Dover, 1944). In citations of *Das Narrenschiff*, I have included chapter numbers and titles for ease of comparison in using different editions of the work.

contains a woodcut (about half of which were executed by a young Albrecht Dürer) and an accompanying poem in rhymed German couplets filled with classical and biblical literary allusions as well as contemporary German proverbs.[105] Brant's fellow scholars praised the work highly; Carthusian writers took excerpts from the book, and the preacher Geiler von Kayserberg used material from *The Ship of Fools* in his sermons.[106] The work was, indeed, hugely popular. It was translated into other German dialects, Latin, English, French and Russian almost immediately. Within a hundred years of its original publication, there were twenty-nine editions of the work.[107]

Explaining the widespread popularity of the text was a perplexing dilemma for early critics because as an epic poem, it was, in their opinion, without any literary merit to speak of.[108] However, in the 1960s Ulrich Gaier successfully argued that the work should be understood as reviving the classical genre of satire exemplified by Horace and Juvenal.[109] This reinterpretation has set literary criticism of Brant on a new footing. Recent scholarship no longer questions the status of *The Ship of Fools* as art and instead focuses on the way the poem appeals to multiple audiences for different reasons.[110] The question of multiple audiences is not a simple one, however; marginal notes in a first

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[105] Successive editions include more and more annotations by Brant, giving more detail about the sources he used; Harry Vredeveld, "Materials for a New Commentary to Sebastian Brant's *Narrenschiff*," *Daphnis Zeitschrift für Mittlere Deutsche Literatur* 26.4 (1997): 553-651 (at 553)).

[106] Zeydel, *Sebastian Brant*, 90-92.

[107] Zeydel, *Sebastian Brant*, 74.

[108] John van Cleve, *Sebastian Brant's* The Ship of Fools *in Critical Perspective, 1880-1991* (Columbia, SC: Camden House, 1993), 1-57.

[109] Contemporary humanists praised the work specifically as a satire, and in fact lobbied for Brant to include the word *satire* in the title; Ulrich Gaier, *Satire: Studien zu Neidhart, Wittenwiler, Brant und zur satirischen Schreibart* (Tübingen: Niemeyer, 1967), 215-327; summarized in Ulrich Gaier, "Sebastian Brant's *Narrenschiff* and the Humanists," *PMLA: Publications of the Modern Language Association of America* 83.2 (1968): 266-70; see also Van Cleve, The Ship of Fools *in Critical Perspective*, 60, 67.

[110] Van Cleve, The Ship of Fools *in Critical Perspective*, 76.

edition of Locher's Latin translation indicate that even non-university-educated merchants of Cologne could respond to the humanist aspects of the text.[111]

As a satire, *The Ship of Fools* offered a largely negative image of society. The impetus for the work, as Brant said in his introduction, was that despite the Bible and the teachings of church fathers, people refused to better themselves, so "every street and alley is full of fools." In his book, Brant intended to hold up a "mirror" to the reader; if he could see himself (or herself—Brant was explicit that the work would correct fools of both sexes) in these pages, it would warn him or her to change and become wise.[112] Within the work, there was a chapter dedicated to the teaching of Wisdom as an allegorical figure from the biblical book of Proverbs, in which she pled with fools to listen to her and become wise.[113] There were several chapters on good advice (and refusing to follow it) and on bad advice.[114]

On the other hand, Brant did not see education as a panacea for producing morality. In addition to criticisms of religious impiety, greed, selfishness, and ignoring changing fortunes, Brant pilloried misguided attempts to learn the wrong things in the wrong way or refusal to learn at all. Indeed, the opening chapter was about those who buy books but fail to read them.[115] This was, of course, an ironic jab at the reader to impel him to read the rest of the book. Later chapters criticized teachers for making their charges into greater fools than they were before and students for spending years at

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[111] Severin Corsten, "Kölner Kaufleute lesen Brants *Narrenschiff*: Humanistisch gesinnte Grossbürger zu Beginn des 16. Jahrhunderts" in *De captu lectoris: Wirkungen des Buches im 15. und 16. Jahrhundert dargestellt an ausgewählten Handschriften und Drucken*, ed. Wolfgang Milde and Werner Schuder (Berlin: de Gruyter, 1988), 67-80; cited in Van Cleve, The Ship of Fools *in Critical Perspective*, 81.

[112] "spiegel," Brant, *Das Narrenschiff*, "Vorrede," 4.

[113] Brant, *Das Narrenschiff*, Ch. 22, "Die ler der wisheit," 58-59.

[114] Brant, *Das Narrenschiff*, Ch. 2, "Von guten reten," 10; Ch. 8 "Nit volgen gutem ratt," 24; Ch. 40, "An narren sich stossen," 100; Ch. 54, "Von ungedult der straff," 132.

[115] Brant, *Das Narrenschiff*, Ch. 1, "Von unnutzen buchern," 8.

university and emerging fit only to serve drinks due to the practice they got while studying.[116] Another chapter criticized those who are obsessed with learning details about geography and astronomy.[117] The purpose of the poem was not to illuminate fatherly instruction, but to picture the many different varieties of folly. Nonetheless, it is fruitful to examine the place that fathers occupy in the moral universe of fools and instructors in *The Ship of Fools*.

Erasmus is distinguished from the other figures under discussion here for his prolific literary and scholarly output and an illustrious academic career that took Erasmus from his native Burgundian-Habsburg Netherlands to Italy, England, France and Basel, among other places; his writings were even more widely travelled than Erasmus himself. Although he had taken vows as an Augustinian canon, Erasmus received special permission to live outside the cloister and to dress as a secular priest. He was also a vocal critic of many aspects of the late medieval church though he did not support Luther's break with the church.[118]

Erasmus lived in Basel off and on from 1514 until 1529, when he left Basel in view of the impending reformation in the city. He did not return until just before his death in 1536; nonetheless, he was given a lavish public funeral and is buried in Basel cathedral.[119] During his time in Basel he made close friends with many Basel humanists, including a young Boniface Amerbach and Johannes Froben, who became one of Erasmus' major printers. Much of his time there was devoted to preparing texts like his

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[116] Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 20.
[117] Brant, *Das Narrenschiff*, Ch. 66, "Von erfarung aller land," 166.
[118] James D. Tracy, *Erasmus of the Low Countries* (Berkeley: University of California Press, 1996), 17-20, 27-28, 41-43, 74-103.
[119] His tombstone was commissioned by Boniface Amerbach, who was a close friend of his (Hartmann, ed., *Basilea Latina*, 5-6; Teuteberg, *Basler Geschichte*, 192).

new Greek-Latin New Testament and Froben's edition of the works of St. Jerome for publication.[120]

His treatise *Declamation on the Subject of Early Liberal Education for Children* was published in 1529 by Froben in Basel, though Erasmus had written the text around 1510 in Italy.[121] *On Early Liberal Education* is predominantly a rhetorical exercise; Erasmus gave an example of a brief argument in outline, then embellished it at length. The basic argument was that children's education in the liberal arts should begin as early as possible, since at that formative age they are both capable of learning and stand to benefit morally from it, even if they cannot yet learn more advanced subjects. His expansion of what may have seemed a rather routine argument is precisely what makes the work so useful in examining often unspoken ideas about fatherhood. In the process of his exposition, Erasmus addressed parents' responsibilities and desires for their children, refuted possible objections to educating children so young, detailed the dangers associated with failing to educate them, and explained his vision for a remarkably gentle, pleasurable approach to pedagogical discipline. The text therefore comprises a polished statement of a Christian humanist ideal of liberal education.[122] Erasmus' treatise *On Good Manners for Boys* was written in Freiburg, but published in Basel in 1530, again by Froben.[123] *On Good Manners for Boys* was devoted solely to a discussion of manners and

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[120] Tracy, *Erasmus of the Low Countries*, 75.

[121] Tracy, *Erasmus of the Low Countries*, 46. I have used the Latin-French edition with extensive commentary by Margolin (Erasmus, *Declamatio de pueris statim ac liberaliter instituendis*, trans. Jean-Claude Margolin, Travaux d'humanisme et Renaissance 77 (Geneva: Droz, 1966)); unless otherwise noted, English quotations are from Erasmus, *Declamation on the Subject of Early Liberal Education for Children*, trans. Beert C. Verstraete, Collected Works of Erasmus 26 (Buffalo: University of Toronto Press, 1985), 291-346.

[122] Verstraete, introduction to Erasmus, *On Early Liberal Education for Children*, 292-294.

[123] Latin quotations are taken from Erasmus, *De civilitate morum puerilium*, in *Opera omnia*, ed. Jean Le Clerc, 10 vols. (Hildesheim: G. Olm, 1961-1962) 1:1033-1049; unless otherwise noted, English quotations

etiquette, though the introduction fits etiquette into a larger educational scheme of piety, liberal arts, and attention to duty.[124]

The dissertation will also use Jakob Wimpfeling's *Adolescentia*, which saw eight printings between 1500 and 1515, mostly in Strasbourg.[125] Wimpfeling did not himself live in Basel; he was a teacher of rhetoric and grammar at the chapter school of Young-St. Peter in Strasbourg. Nonetheless, he was closely involved with the Amerbach family and other humanists.[126] He was an academic theologian, a writer of numerous pedagogical works, and one of the most prominent members of the *Sodalitas Rhenania*, the circle of Alsatian humanists centered at Strasbourg.[127]

Adolescentia is an enormous compilation of material from classical writers, church fathers, medieval writers, and near-contemporary humanists and theologians like Jean Gerson. *Adolescentia* was intended for use by teachers in classroom instruction, both as a textbook for Latin and the liberal arts and as a didactic text.[128] The general thrust of the work was an exhortation to youth to pursue virtue above all, and to shun vice,

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are from Erasmus, *On Good Manners for Boys*, trans. Brian McGregor, Collected Works of Erasmus 25 (Buffalo: University of Toronto Press, 1985), 268-282.

[124] Erasmus, *On Good Manners for Boys*, 270-272. In his seminal study, Norbert Elias argues that in this treatise, Erasmus was the first to assign to the word *civilitas* the particular meaning of "civility" that became essential to modern notions of good behavior. According to Elias, *De Civilitate's* popularity made it the foundation of the modern genre of etiquette books. He is careful, however, to place this development in the context of medieval writings on table etiquette from the twelfth century onwards; indeed, he sees questions of good conduct as a "process that has no beginning." Norbert Elias, *The Civilizing Process: The History of Manners and State Formation and Civilization*, trans. Edmund Jephcott (Oxford: Blackwell, 1994), 42-52; the work was first published as Norbert Elias, *Über den Prozess der Zivilisation*, 2 vols. (Basel: Haus zum Falkner, 1939).

[125] The Latin edition is Jakob Wimpfeling, *Jakob Wimpfelings Adolescentia*, ed. Otto Herding (Munich: Wilhelm Fink, 1965), 8-14. English translations are my own.

[126] Herding, ed., *Adolescentia*, 8-14.

[127] Wimpfeling lived 1450-1528; Barbara Könneker, "Jakob Wimpfeling," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation*, ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 3:447-450.

[128] Herding, ed., *Adolescentia*, 13.

particularly remembering their own mortality.[129] However, since the work was dedicated to Wolfgang, the seven-year old of Count Ludwig von Löwenstein-Scharfeneck, portions of the work partake of the "Advice for Princes" genre, including diatribes against excessive indulgence in hunting and plundering churches.[130] *Adolescentia* is not a pro-fatherhood tract; it is a pro-education tract. It necessarily privileges the role of formal educators over such lessons as boys and girls might learn at home. Nonetheless, in the midst of the multiple goals of the text, the ideology of fatherhood occupies a prominent place.

The last pedagogical treatise to be discussed is actually a cluster of texts. *Adolescentia* includes, among many other texts, a Latin version of the Pseudo-Bernhardine *Letter Concerning the Management of Household Affairs*, which circulated in the medieval era.[131] It was translated into German nine different times during the fifteenth century, and appears in twenty-three manuscripts and five printed editions.[132] Although it was most popular in southern Germany and Austria, a few of the translations are in the Alemannic dialect of south-western Germany.[133] Heinrich Wittenwiler's *The Ring* is a parodic "peasant-epic" poem describing the courtship and marriage of a peasant

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[129] The work thus drew upon the *memento mori* theme popular in late medieval didactic writing; early editions contained woodcuts of skeletons and bodies being buried (Herding, ed., *Adolescentia*, 152).

[130] Hans-Joachim Schmidt, "Mittelalterlich Konzepte zur Vermittlung von Wissen, Normen und Werten an Kinder und Jugendliche: Zur Analyse des Fürstenspiegels von Aegidius Romanus," in *Europa und die Welt in der Geschichte: Festschrift zum 60. Geburtstag von Dieter Berg*, ed. Raphaela Averkorn, Winfried Eberhard, Raimund Haas and Bernd Schmies (Bochum: Dr. Dieter Winkler, 2004), 293-312 (at 293-295).

[131] The Latin text of the *Epistola de cura re familiari* is in Wimpfeling, *Adolescentia*, 289-295. English translations are my own.

[132] The dissertation draws only upon one German version in addition to the Latin version in Wimpfeling's *Adolescentia* and the paraphrase in Wittenwiler's *The Ring*. It is a German translation from before 1437 and seems to have come from the region of Alsace or Swabia. Cossar designates it Version B. The most complete manuscript is Wolfenbüttel, Herzog August Bibliothek, Cod.Guelf.78.4 Aug.2, f. 169ra-172ra. The German text was published by Cossar, along with a critical edition of all the German texts; C.D.M. Cossar, *The German Translations of the Pseudo-Bernhardine* Epistola de cura rei familiaris (Göppingen: Verlag Alfred Kümmerle, 1975), 70, 108-118. English translations are my own.

[133] Cossar, *The German Translations of the Pseudo-Bernhardine* Epistola, 2, 90-91.

named Bertschi Triefnas to one Mätzli Rüerenzumph, and the ensuing peasant "tournament" and war that results in the burning of the village of Lappenhausen.[134] The poem also includes speeches of advice given to Bertschi that are parodies of other forms of didactic literature. Härtel Seichinkrug, a friend of the father of the bride, speaks a loose adaptation of the *Letter Concerning the Management of Household Affairs* to Bertschi.[135] Wittenwiler wrote the poem in Konstanz in Switzerland, and may have come from the Toggenburg region of Switzerland; both are some one-hundred fifty kilometers from Basel.[136] *The Ring* survives in only one manuscript dating to around 1410, making it the earliest German version of the *Letter* that is extant.[137] This somewhat broader cluster of texts provides insight into older ideas about fatherhood less influenced by humanist ideas.

The Reformation in Basel

The dissertation takes as its ending point the institution of the Reformation in Basel in February 1529. Baslers had followed the news of Luther's conflict and break with the church just as other cities across Europe did; the Basel printer Johannes Froben published the first collection of Luther's Latin works in 1518. Johannes Petri, another Basler, was a leading printer of Luther's works throughout the 1520s. The humanists were hardly unanimous, however; Erasmus, for one, remained opposed to Luther's break with the church, although he also derided church corruption. Other constituencies in Basel also took sides. The university was against Luther, as were the Dominicans and the cathedral chapter. The Franciscans were in favor of Luther, as were the parish clergy at St. Alban and St. Theodor, though the laity of St. Theodor were against Luther and

[134] Heinrich Wittenwiler, *Der Ring*, ed. and trans. Bernhard Sowinski (Stuttgart: Helfant-Texte, 1988).
[135] Wittenwiler, *Der Ring*, lines 3565, 3620-3625.
[136] Sowinski, ed., *Der Ring*, 499-501.
[137] Cossar, *The German Translations of the Pseudo-Bernhardine* Epistola, 333.

successfully deposed their curate, Martin Bertschi. In 1525, the peasants in Basel-Land marched on the city with demands similar to those of the participants in the German Peasant's War that same year.[138] There were also occasional religious demonstrations within the city, some of them also concerned with relations between the artisans and merchant's guilds or with the composition of city government.[139] The *Spinnwetterzunft*, the *Gartnerzunft*, the butchers, the weavers, and most of the population of Lesser Basel all supported Luther.[140]

In 1522, Johannes Oecolampadius arrived in Basel. Oecolampadius had studied at Heidelburg, Tübingen, and Augsburg, as well as the university in Basel.[141] As a doctor of theology, he began to give lectures on the book of Isaiah at the University—but he lectured in German and to laypeople.[142] He soon became vicar of St. Martin's church. [143] In tandem with Oecolampadius' sermons at St. Martin's, St. Leonhard's church became another center of evangelical (that is, pro-Luther) ideas in Basel. By 1526, Basel had become the first Swiss city to sing the Psalms in German, and several city officials were known to be evangelicals.[144] In April of 1527, the dating of the court records abruptly switched to reckoning by months rather than by feast days—apparently, the court notaries had made up their minds.[145] The Senate carefully tried to maintain a balance between

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[138] They dispersed peacefully without gaining any lasting concessions.

[139] This intertwining of religious with political reform was also the case in other European cities (Guggisberg, *Basel in the Sixteenth Century*, 22-30).

[140] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 299-300; Paul Burckhardt, *Geschichte der Stadt Basel von der Zeit der Reformation bis zur Gegenwart* (Basel: Helbing and Lichtenhahn, 1957), 17; Füglister, *Handwerksregiment*, 266-271.

[141] Rudolph Heinze, *Reform and Conflict: From the Medieval World to the Wars of Religion, A.D. 1350-1648* (Grand Rapids, MI: Baker Books, 2005), 135-7.

[142] Burckhardt, *Geschichte der Stadt Basel*, 8.

[143] Burnett, *Teaching the Reformation*, 26-29.

[144] Burckhardt, *Geschichte der Stadt Basel*, 15.

[145] Kundschaften D24, Hans Michel de Etzats, April 24, 1527, 104v,

Catholics and evangelicals, but by 1529, approximately four-fifths of Baslers were evangelical. The institution of the Reformation in Basel was triggered by an iconoclastic riot on the eve of Ash Wednesday, 1529, but the transition in Basel was marked by very little violence overall.[146] By April 1, the Senate issued the Reformation Ordinance, which formally declared Basel's churches to be evangelical. Catholic members of the Senate were expelled; Catholic clergy were allowed to remain if they took an oath of obedience to the city.[147] Despite some changes to the structure of the city government, Basel became even more oligarchic than it had been, once the Reformation was instituted in the city.[148] Enforcement of religious orthodoxy was fairly lax in Basel; Catholics and even Anabaptists could exist in the city, provided they did not attract public notice to themselves.[149]

Although politically a part of the Swiss confederation, Basel retained close cultural ties to the empire. During the 1520s this began to change as Oecolampadius sided with his friend Ulrich Zwingli in the eucharistic controversy, though Basel accepted Martin Bucer's conciliatory (and ambiguous) Wittenberg Concord.[150] However, by the 1580s, the increasing definition of theological stances by Lutherans, Zwinglians, and Calvinists forced Basel to commit itself to Reformed Orthodoxy, which pulled it more fully into the cultural orbit of Bern, Zürich, and other Swiss cities and cut its residual ties with cities in the empire.[151]

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[146] Burckhardt, *Geschichte der Stadt Basel*, 19.
[147] Burnett, *Teaching the Reformation*, 26-29.
[148] Guggisberg, *Basel in the Sixteenth Century*, 31.
[149] Guggisberg, *Basel in the Sixteenth Century*, 38; Burckhardt, *Geschichte der Stadt Basel*, 24-26.
[150] Heinze, *Reform and Conflict*, 135-137.
[151] Burnett, *Teaching the Reformation*, 29-34.

Basel: The view from the courthouse

The personal correspondence and pedagogical treatises discussed above provide insight primarily into the practice of fatherhood among humanists and other intelligentsia. In order to supplement this perspective with attention to the views of the general population, the dissertation draws upon the witness depositions of the *Schultheissengericht*, one of Basel's municipal courts. Describing the structure and procedures of the court itself and summarizing the types of cases brought before the court will show that medieval Baslers were closely involved with the practice of law.

Procedures of the Schultheissengericht: Witness depositions and court proceedings

There had been two municipal courts in Basel since at least the 1260s.[152] Although the Senate did pass legislation, both courts were based mainly on customary law. The higher court was the *Vogtgericht*, headed by the *Vogt*, an official who held legal plenipotentiality, originally from the bishop or emperor, then from the Senate.[153] The *Vogtgericht* heard criminal charges and offenses against "life and limb."[154] The Schultheissengericht (which concerns us most here) was the lower of two municipal courts in greater Basel.[155] In addition, there was the ecclesiastical court of the bishop of Basel. This court heard only cases under canon law, as elsewhere in Europe. In 1495, Emperor Maximilian I instituted a reformed, central imperial court in Nürnberg, the *Reichskammergut*. Baslers may have been able to appeal to it, but there were many

[152] Hans Rudolf Hagemann, *Basler Rechtsleben im Mittelalter*, 2 vols. (Basel: Helbing und Lichtenhahn, 1987), 1:148.
[153] Hagemann, *Basler Rechtsleben*, 1:149-150; 2:9-11.
[154] Hagemann, *Basler Rechtsleben*, 1:198-199.
[155] Lesser Basel (on the northeastern bank of the Rhine) had its own court, as did outlying villages. Nonetheless, it is clear from the caseload that the Schultheissengericht had jurisdiction in the surrounding villages and countryside within about twenty-five kilometers or so—essentially the territory of the present-day canton of Basel-Land; Hagemann, *Basler Rechtsleben*, 1:198-99.

exemptions from its jurisdiction, and in any case, Basel left the Empire in 1501.[156] The array of courts functioning in Basel is not as extensive as the choices confronting residents of a city like fourteenth-century Marseille,[157] but there were nonetheless several courts.

The head of the Schultheissengericht was the *Schultheiss*, another city official also designated by the Senate. The most convenient translation is "mayor" but this is misleading since he did not head the Senate and had virtually no duties except the supervision of his court. The Schultheiss presided over the procedure and pronounced the punishment. He did not, however interpret the law—that was the job of the panel of twelve *Urteilsprecher*, who were men drawn from the guilds, the *Achtburgher* patrician families and the knightly families (though these last did not often appear after the 1470s).[158] Almost all *Urteilsprecher* were members of the Senate.[159] The *Urteilsprecher* swore to uphold the law as they understood it, to pronounce verdicts, and not to advise anyone outside of court. They were appointed twice a year—the personnel lists of the Schultheissengericht were written into the record on Christmas (December 25) and the Feast of St. John the Baptist (July 24) each year. This provided the opportunity for a large numbers of burghers to serve as Urteilsprechers, though there was a tendency (as with the Senate and Guild Councils) to serve multiple alternating terms. Neither the Schultheiss nor the Urteilsprechers were expected to have any formal legal training—no doctor of law sat as Schultheiss. The Schultheiss received a salary and often small gifts from

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[156] O.F. Robinson, T.D. Fergus, W.M. Gordon, *European Legal History: Sources and Institutions* (London: Butterworths, 1994), 190.

[157] Daniel Lord Smail, *The Consumption of Justice. Emotions, Publicity, and Legal Culture in Marseille, 1264–1423* (Ithaca: Cornell University Press, 2003).

[158] Hagemann, *Basler Rechtsleben*, 2:19-23.

[159] Füglister, *Handwerksregiment*, 248.

litigants. Urteilsprecher was theoretically an honorary position, but those who served did receive a "sitting fee."[160]

There were several other court officials who were salaried employees. The secretary (*Gerichtschreiber*) and his assistants were responsible not only for recording the proceedings and producing letters and documents for litigants to keep or to send to other courts, but also for searching the records to retrieve information for the court—the court records from January 1501 contain a slip of paper that reads, "Dear John, Find a case between Heinrich Mürer and Kasper Ritter von Hartgendall regarding a house in [the suburb of] An der Steinen that happened after the war; look three or four years after that."[161] There were also several summoners or bailiffs (*Amtleute*) for the court. They ran errands, delivered documents and gave litigants notice when they were to appear in court.[162] They also acted as spokesmen for the parties in court, though this appears to have been only assisting with navigating the procedures rather than acting as formal advocates, and it appears to have declined after the 1450s.[163]

The court convened every weekday morning except Friday in the courtroom in the City Hall that stood on the Grainmarket Square (today the *Marktplatz*) in the center of Basel, not far from the bridge over the Rhine. Parties gathered in the courtyard, where one of the summoner/bailiffs instructed them on presenting their case. On one occasion,

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[160] Hagemann, *Basler Rechtsleben*, 2:19-23. The use of untrained *Schöffen*, or law-finders, was usual throughout the Empire (Robinson, et al., *European Legal History*, 185). See also Franz Wieacker, *Privatrechtsgeschichte der Neuzeit: Unter besonderer Berücksichtigung der deutschen Entwicklung* (Göttingen: Vandenhoeck & Ruprecht, 1967), 103. Wieacker's book is one of the monumental studies in the history of the reception of Roman law. It has been translated as Franz Wieacker and Reinhard Zimmermann, *A History of Private Law in Europe*, trans. Tony Weir (Oxford: Oxford University Press, 1996).

[161] Urteilsbuch A43, January 1501, 102v-108v.

[162] For an example of the activities of an *Amtman*, see Kundschaften D13, Gertrude von Munsa vs. Hans Nessen uss der Grafschaft Toggenburg, [October] 1486, 94r.

[163] Hagemann, *Basler Rechtsleben*, 2:24-25.

parties gave each other the lie and got into an actionable argument while they waited.[164] Usually real estate transactions were heard first, followed by breaches of the peace, and then civil grievances. Baslers' cases usually took precedence over foreigners'. The business was usually finished by noon.[165] There are occasional mentions of court costs in the records, one case mentioned a payment of seven shillings to the notary for producing an official document.[166] Another mentioned ten or twelve shillings as the total costs for a court case.[167]

In attempting to disentangle the legal principles and procedures of late medieval Basel, we have a convenient and eminently capable guide in the person of Boniface Amerbach, whose career reflects the substantial changes in legal practice underway in the late fifteenth and early sixteenth centuries.[168] Medieval Europe mostly functioned under customary law. There was some tendency toward unification, but there were still numerous bodies of law limited to relatively small regions.[169] This was especially the case in the Empire, which remained a patchwork of customs and overlapping special jurisdictions even in the fifteenth century.[170] From the twelfth century on, however, the learned study of Roman law exerted increasing influence on both conceptual and practical levels. Roman law came to be seen as the *ius commune*, the framework into

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[164] Kundschaften D16, Roland de Poma vs. Symon de Bruclein, [December] 1496, 207v.

[165] Hagemann, *Basler Rechtsleben*, 2:18-19.

[166] Kundschaften D12, Hans Zschein Tesin de Mumpelgart vs. Heinrich von Murstal, [August 22], 1482, 19r, 40r (at 40r).

[167] Kundschaften D20, Paul Bilger vs. Walther Roubli, [February] 1507, 74r-76r, 79r-80r (at 79v).

[168] His father Johannes' correspondence with his brothers and him makes up another major portion of the current project.

[169] R.C. van Caenegem, *An Historical Introduction to Private Law*, trans. D.E.L. Johnston (Cambridge: Cambridge University Press, 1992), 35. Originally published as R.C. van Caenegem, *Introduction historique au droit privé* (Brussels: Editions Story-Scientia, 1988).

[170] Robinson, *European Legal History*, 185; Wieacker, *Privatrechtsgeschichte der Neuzeit*, 98-99.

which all local customs could be fitted.[171] In Southern France and Italy, Roman law became the basis for legal practice as early as the thirteenth century.[172] Other regions of Europe moved more slowly, but ecclesiastical and royal authorities as well as universities all advocated Roman law.[173] From the fourteenth century, academic jurists began to write opinions on contemporary cases.[174] Similarly, advocates in courts of customary law began to quote Roman legal principles in their arguments, and the opposing counsels then had to be able to refute their arguments or quote opposing passages.[175]

The growing influence of Roman law is visible even in customary courts like the Schultheissengericht. Cases could proceed according to the older process of accusation and response, or according to the newer inquisitional model. Then again, occasionally the Schultheiss initiated a case by making himself the accuser, thus producing an accusational-process case that was nonetheless *ex officio.*[176] By the late fifteenth century, Roman legal procedures coexisted with, then displaced customary law even in municipal courts across the Empire. The untrained law-finders were then forced either to rely upon their trained notaries or to forward the entire case to the law faculty at the local university; these officials produced "draft" decisions for approval by the law-finders.[177]

Boniface was an eminent legal scholar who served as *Syndicus*, or legal advisor to the city of Basel and who also wrote legal opinions for a variety of clients.[178]

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[171] Van Caenegem, *An Historical Introduction to Private Law*, 45.
[172] Van Caenegem, *An Historical Introduction to Private Law*, 67-68.
[173] Van Caenegem, *An Historical Introduction to Private Law*, 71-73.
[174] Van Caenegem, *An Historical Introduction to Private Law*, 52-53; Robinson, *European Legal History*, 66-67.
[175] Van Caenegem, *An Historical Introduction to Private Law*, 75.
[176] Hagemann, *Basler Rechtsleben im Mittelalter*, 2:199-200.
[177] Robinson, *European Legal History*, 112, 193.
[178] Robinson, *European Legal History*, 172; Van Caenegem, *An Historical Introduction to Private Law*, 57. Hans-Rudolf Hagemann, *Die Rechtsgutachten des Bonifacius Amerbach: Basler Rechtskultur zur Zeit*

Amerbach's opinions were especially useful in navigating the different types of law in play in the empire, which could be relevant if a case concerned property outside the juridiction of Basel. Although Amerbach's degree was in Roman law, his written opinions frequently draw upon Roman, canon, Imperial, local, and even natural law.

Navigating the different systems of laws in the empire could be difficult, but the customary procedures of the Schultheissengericht were not. Enea Silvio Piccolomini wrote after his visit to Basel, "here, the litigation has no twists or turns; here there are no 'attendants with thick bundles of documents,' no hired speeches by procurators and advocates. Everything goes forward summarily, and people hold it to be more useful to the commonwealth to satisfy one party quickly than to frustrate both through tortuous examination."[179] The practice of the Schultheissengericht, then, emphasized speed and efficiency over intricate procedures.

Extant records of the Schultheissengericht begin in 1394 with collections of extremely brief protocols. During the course of the fifteenth century, officials began to record different types of transactions in different volumes. The *Beschriebbüchlein* contain estate inventories; *Fertigungsbücher* have wills; *Vergichtbücher* record debts. The *Kundschaften*, or witness depositions, form the core of this dissertation. They begin

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des Humanismus (Basel: Helbing and Lichtenhahn, 1997), 5. On the reception of Roman law in Basel, see also Guido Kisch, *Die Universität Basel und das Römische Recht im fünfzehnten Jahrhundert*, Ius Romanum Medii Aevi 5,12 (Mediolani: Typis Giuffre, 1974), though Kisch provides little more than a summary of the founding and personnel of the law faculty at Basel. For a description of Roman law's spread from Bologna throughout Switzerland, see Sven Stelling-Michaud, *La diffusion du droit Romain en Suisse*, Ius Romanum Medii Aevi 5,12b (Mediolani: Typis Giuffre, 1977); Hagemann, *Rechtsgutachten*, 6-13, 21.

[179] "nec hic litis anfractus, non 'magno comites in fasce libelli,' non empta procuratoris atque advocati verba; omnia summaria sunt, utiliusque arbitrantur rei publice, alteri parti cito consulere quam protracta cognitione utramque decipere." The quotation within a quotation is from Juvenal, *Satires* 7:107; Enea Silvio Piccolomini, *Enea Silvio Piccolomini, Papst Pius II: Ausgewählte Texte aus seinen Schriften*, ed. and trans. Berthe Widmer (Basel: Benno Schwabe & Co., 1960), 366-367; cited in Hagemann, *Basler Rechtsleben im Mittelalter*, 2:77.

in separate volumes in 1422 and continue almost unbroken through the sixteenth century and beyond. The *Urteilsbücher*, also unbroken, contain the proceedings of the court itself, and will also be cited when possible.

Although there is a wealth of information in the records, they are far from complete. It is only possible to match about one-fourth of the depositions with corresponding cases in the *Urteilsbücher*. Not every case required witnesses, and almost certainly not every witness was recorded. Conversely, there are many dated witness depositions with no records at all for that date in the *Urteilsbuch*, meaning that not all cases that were heard were entered in the *Urteilsbuch* (although sometimes witnesses were deposed on one day and judgment rendered on another). The court records were originally written on loose quires of a few pages each, some of which were subsequently bound, so any number of the quires may have been lost before binding. The extant manuscript records contain numerous marginal notations and crossings-out, indicating that they are transcriptions written at the time of the deposition rather than fair copies produced later. Although the difficulty of collating the records is frustrating, the few cases where both depositions and verdict are extant gives us at least a sense of what types of argument were successful and persuasive in the Schultheissengericht. The other advantage to beginning with the depositions rather than the *Urteilsbücher* is that the depositions contain scores of cases that would never be found if one began with the *Urteilsbücher*; the depositions, furthermore, contain far more of the detailed material that makes each case unique; many of the entries in the *Urteilsbücher* are simply procedural, with little to distinguish one case from another.

Buying and brawling: The caseload

What sorts of cases make up the records of the Schultheissengericht? By far the most common entry in the proceedings of the court itself is the short record of the designation of a *Vogt*, that is, a legal agent for someone unable to act on his or her own, namely a minor or a woman. Similarly common is the designation of a *Gewalthaber*, that is a legal proxy, usually for someone who *was* legally competent, such as a business partner who will be travelling. Both of these types of entry are numerous but extremely brief.

Inheritance disputes form a major and much more complex part of the Schultheissengericht caseload. Inheritance law provides a good example of the complexity of legal practice in Basel. It is most discouraging to find Boniface Amerbach himself writing this in a letter to an associate:

> Before I answer your questions, you should know that about wills, guardianship, and inheritance, very few laws have been written. The greater part is regulated by custom and established practice; the rest, which is prescribed neither by law nor custom, depends for the most part on the discretion of the judge, who, as they say, decides the case according to what is 'right and fair.' Because the research of custom is so difficult, and because the 'right and fair' adjudication of the rules cannot be traced, you will not be surprised that in most cases, I can only tentatively give information about our city.[180]

Even a contemporary legal expert was unable to provide a fully coherent account of inheritance practices in Basel.

[180] "Antequam ad quaestiones tuas respondeam, vir praestantissime, illud praeferi me oportet de testamentis, tutelis, successionibus perpaucas apud nos leges scriptas esse. Consuetudine vero et more recepto plura regi, reliqua, quae legibus moreve definita non sunt, ab arbitrio iudicum, ex aequo, ut aiunt, et bono pronuntiantium, magna pro parte dependere. Itaque, cum et consuetudinis difficilior sit investigatio, neque sententiarum aequum bonumve arbitrantium certae regulae concludi possint, non miraberis hesitantius me quoque in plerisque de jure nostro municipali respondere." Hagemann, *Basler Rechtsleben*, 1:3, 2:6.

Nonetheless, litigation records provide insight into at least the main features of inheritance practices. There is a clear concern in the sources for establishing who is the deceased's *nächste Erb*, his "next (or nearest) heir." According to custom, legitimate children inherited first, with the widow receiving a third of the estate for her use for life. Both men and women routinely left inheritances; many cases mentioned that a child had received their "motherly inheritance" or "fatherly inheritance." In Greater Basel, daughters inherited equally with sons beginning in the thirteenth century; Lesser Basel used the same arrangement after 1419. In the 1470s, a series of cases appealed to imperial law for the principle that half-siblings should come behind full-siblings in the order of precedence in inheritance, but the court continued to uphold "the law, custom, and usage of Basel" that gave half-siblings equal preference.[181] If there were no descendants, the parents of the deceased were the heirs, then the siblings of the deceased, then the children of the siblings, then the grandparents.[182]

This order of precedence is made all the more important by the fact that Basel customary law did not allow anyone to make a will unless they had no children or parents.[183] The growing influence of Roman law made it possible to create a will, but the different systems coexisted, sometimes even within a single testament. It was not until 1430 that the Senate allowed testators to pass over living children in favor of a spouse when designating heirs, and testators still did not have complete freedom of disposal until the seventeenth century.[184] The inheritance cases that appear in the Schultheissengericht

[181] Hagemann, *Basler Rechtsleben*, 2:186.
[182] Hagemann, *Basler Rechtsleben*, 2:180-182.
[183] Hagemann, *Rechtsgutachten*, 113-114.
[184] Theodor Bühler, "Verfügungen von Todes wegen im Recht der deutschen Schweiz," in *Actes à cause de mort/Acts of Last Will*, ed. Société Jean Bodin pour l'histoire comparative des institutions congrès, 4

depositions are not wills; written testaments were recorded in the separate *Fertigungsbücher* beginning in the 1420s. The disputes are therefore never simply estate settlements. If someone died, leaving a household—that is, a set of recognized children and possibly a widow or widower—the inheritance went to them; there was no cause for a court case. Instead, these disputes often concerned estates with more distantly related competing heirs, or the collection of debts related to the estate.

Witnesses in inheritance cases were predominantly concerned with tracing biological relationships, often through grandparents who were siblings, in order to establish the order of precedence. However, there was also a concern to establish whom the deceased *declared* to be their nearest heir. This means that the conventional principles of succession could be countered (or at least modified) by the verbal will of the deceased, even when he or she did not make a legal will. The boundary between the two was further blurred by the fact that there were two methods of making a legal will in Basel; one required a few witnesses to a written document, while the other required more witnesses to an orally produced will; the notarized document in such a case was primarily a list of the witnesses, who were to be consulted in verifying the will.[185] Despite the presence of a customary order of succession, and even in cases with an extant will, the scene around a person's deathbed still played a dramatic and central role in the testimonies of witnesses in inheritance disputes.

Marriage contracts are a second major category of case in the Schultheissengericht records. This project will treat marriage contracts and dowry

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vols. Recueils de la Société Jean Bodin pour l'histoire comparée des institutions 59-62 (Brussels: De Boeck Université, 1992-1994), 3:77-123 (at 88, 91).

[185] Hagemann, *Rechtsgutachten*, 114.

arrangements as part of inheritance practices since, as Jack Goody argues, such arrangements are part of devolution, the process by which wealth is transmitted to the next generation.[186] This was certainly the case in medieval Basel, where daughters conventionally received their dowry in lieu of a share in the estate at the death of the parent.[187] Inheritance was closely tied up with marriage payments for both sexes, since young men often had to wait for their inheritance to have enough wealth to support a family and provide a dower for a bride.[188] In Basel, a typical marriage agreement included several elements. One case stated that "when Heinrich Spitaler of Liestal (sainted) gave Emelin his daughter to Hans Blomer, he gave her as *Eestur* a prepared bedstead. . . for which Hans Blomer gave to Emelin 5 pounds for *Morgengabe*."[189] The *Eestur*, or dowry, was paid by the father of the bride to the groom. The *Morgengabe*, or morning-gift, was paid by the husband to the wife, and she retained rights to it even after his death. Myriad variations on this system of multiple gifts existed throughout medieval Europe.[190] In southern France, for example, quite close to Basel, the morning-gift became in the eleventh and twelfth centuries solely a promise of a share in the husband's estate, rather than a specific set of property; by the fourteenth, it was reduced to a small

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[186] Jack Goody, "Inheritance, Property and Women: Some Comparative Considerations," in *Family and Inheritance: Rural Society in Western Europe, 1200-1800*, ed. Jack Goody, Joan Thirsk, and E.P. Thompson (New York: Cambridge University Press, 1976), 10-36 (at 15-18).

[187] This practice was also common elsewhere (Diane Owen Hughes, "From Brideprice to Dowry in Mediterranean Europe," in *The Marriage Bargain: Women and Dowries in European History*, ed. Marion A. Kaplan, Women & History 10 (New York: Institute for Research in History: Haworth Press, 1985), 32); Laurent Mayali, *Droit savant et coutumes: L'exclusion des filles dotées XIIème-Xvème siècles*, Studien zur Europäischen Rechtsgeschichte 33; Ius Commune: Veröffentlichungen des Max-Planck-Instituts für Europäische Rechtsgeschichte (Frankfurt am Main: Vittorio Klostermann, 1987).

[188] Barbara Hanawalt, *The Wealth of Wives: Women, Law and Economy in Late Medieval London* (Oxford: Oxford University Press, 2007), 64.

[189] Kundschaften D16, Blumer des Sunder's Eefrow, [August-September] 1496, 173v.

[190] Hughes, "From Brideprice to Dowry," 14-15.

symbolic gift.[191] Yet the cases from Basel clearly give substantial amounts of specific property to the wife as *Morgengabe*.

In addition to the one-time payments at marriage, contracts had to address the division of the couple's property. The question of whether to pool property or to keep separate properties for each spouse was another issue that varied in different places across Europe; societies on the Mediterranean tended to favor the maintenance of separate properties so that the dowry could revert to the wife's kin.[192] In Basel, it was usual for the couple to pool all their property into a single estate, which is why negotiation of the marriage contract often involved a discussion of what each spouse brought into the marriage.[193] When Conrad Schott married Adelheid, they agreed "according to the law of the city"[194] that if they had children and one spouse died, the survivor would split all of the couple's goods equally with the children. If they had no children, however, the survivor was entitled only to "his clothes and what pertains to his body, and what he brought"[195] to the marriage, while the heirs of the deceased would also only inherit what the deceased had brought to the marriage. In this case, if Adelheit and Conrad had children, their estate would be pooled; it was only in the event of not having children that each spouse would retain their individual property. However, "they pledged some to each other (he two hundred pounds to her, she one hundred pounds to him) so

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[191] Hughes, "From Brideprice to Dowry," 29, 31.

[192] Hughes, "From Brideprice to Dowry," 37; see also Martha Howell, *The Marriage Exchange: Property, Social Place and Gender in Cities of the Low Countries, 1300-1550*, Women in Culture and Society (Chicago: The University of Chicago Press, 1998), 29-43.

[193] Kundschaften D23, [Cristianna, Tursen the tablemaker's daughter] vs. [Michael the tablemaker, her step-father and Ursula, her mother], February-March 1524, 274v-275v (at 275r).

[194] "nach der Stadtrecht," Kundschaften D20, Adelheid, widow of [Conrad] Schott vs. Bartholomew, their son, [March-April] 1509, 157r-v (at 157r).

[195] "so solt dem lebend sine cleider cleider [sic] und was zu sinem Lib gehoert mitsamt sine zu bracht güt volge. . . " D20, Adelheid vs. Bartholomew, 157r-v.

that if Conrad Schotter died before Adelheit his wife, she would have the use of two hundred pounds by his brief until the end of her time" and after her death it would revert to his heirs, and vice versa.[196] This stipulation made some provision for the spouse even if the couple was childless. It was usual in Basel, as in all places dominated by Frankish and Burgundian customary law, for a surviving spouse to retain use of one-third of the estate for life, though he or she could not bequeath or alienate it.[197] Upon the death of the survivor, the one-third reverted to the heirs, normally the children. The navigation of all these inheritance and dowry practices in specific cases occasionally provides insight into how the bride's father or a new step-father perceived their responsibilities.

Both inheritance and marriage arrangements also involved arrangements regarding children, whether they were survivors of the deceased, step-children from a previous marriage, or future heirs. One part of inheritance practices was the need to designate a *Vogt* or guardian to administer the wealth of a surviving child. The Vogt was nearly always a man, though one case refers repeatedly to a female Vogtin.[198] Marriage contracts also often addressed the status of children from a previous marriage, since high mortality rates made "blended families" resulting from remarriage common in Basel. In one case, Conrad Wagner was arranging the marriage for his "step-daughter named Emelin," and explicitly stated that before they married, his wife "brought Emelin to him, and gave her to him for *Morgengabe*, with the understanding that they would inherit from each other." He clarified that Emelin would inherit twenty pounds if he died before

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[196] "Unnd hete bede einander gewidmet, nidlich er irs ii c lb und sy im c lb in denen worte sturbe er Conrat Schott vor Adelheit sin husfrow ab so solt sy ii c lb uff sinem gultbrief bis zu end irer wyle niessen," D20, Adelheid vs. Bartholomew, 157r-v.

[197] Hughes, "From Brideprice to Dowry," 22.

[198] Kundschaften D11, Jodecus Streiff vs. the heirs of Clewin Schweizer de Munchenster, [February-March] 1476, 22v.

her.[199] Giving a step-child to a groom "for *Morgengabe*" occurs in several different cases. This case and a second both indicate that it means designating the step-father as an heir of a step-child, making the arrangement a potential financial asset; the step-child was therefore a sort of marriage payment to the step-parent.[200] It seems also to include the expectation that the step-child will receive an inheritance from the step-father. Naturally, this was not a foregone conclusion; some step-children did not inherit from their step-fathers. There are also a number of other types of arrangements about providing for step-children and surviving children that occur in the cases of the Schultheissengericht.

Cases concerning debts are another numerous category in the Schultheissengericht records, but they are more straightforward as well as being slightly less central to the current project. All debts were supposed to be recorded in the *Vergichtbücher*, but in some cases the entries in the *Kundschaften* appear to be records of the transaction rather than descriptions of disputes. After entry in the court records, the notaries often made an official document of the transaction for the parties to keep,[201] though the word used, *Brief*, could refer to any written document. Aside from the initial registry of the agreement, disputes over the payment of any debt, whether for real estate, wholesale goods like grain, wood or wine,[202] retail goods like a missal-book,[203] all the

[199] "stiefftochter…genant Emelin…sin wib vor und ee er sy zur heiligen ee genomen die genante tochter zu im bracht im die zu morgengab geben mit den wortten dz ir eins dz ander erben solte." Kundschaften D13, Diepold Redersdorff vs. Conrad Wagner, [June] 1485, 59r.

[200] Kundschaften D14, Ulrich Zschupp as vogt for Emelin Sidelmans, [October] 1489, 51r. The deposition stated that Agnes and Lorenz Sidelman had six children; one died. It listed the remaining five sons, but said that Erhard "were der mutter als sy sagtn zu Morgengabe geben"; Erhard later died and Lorenz inherited from him. This means that Agnes brought Erhard to the marriage and gave him as Morgengabe. This is why Lorenz inherited from him.

[201] Kundschaften D15, Clewin Müller vs. Uli Rieren von Lapperswiler, [December] 1492, 47r.

[202] Kundschaften D17, Jakob Gelbi vs. Hugzerbach am Waltbach, [March-May] 1499, 93v.

[203] Kundschaften D12, the heirs of Andre Bischof vs. Hans Meister, [September] 1482, 42v.

way down to a debt of one *Rappen*,[204] or penny, were brought before the Schultheissengericht.

A final category of interest here is composed of cases for breaches of the peace. How violent was Basel? Hagemann has calculated crime statistics that furnish some basic information, based on an estimated 8,500 laypeople for the population.[205] Hagemann calculates a figure of 435-569 woundings per 100,000 people per year, allowing comparison with modern statistics.[206] Hagemann states that this rate is higher than present-day Basel; it is also higher than the U.S., which reported in 2007 a figure of 298 aggravated assaults (the closest analogue to woundings, by no means a perfect match) per 100,000 even in metropolitan areas and 165 per 100,000 in non-metropolitan counties.[207] The difference is even starker in terms of murder rates. Fourteenth-century Basel had 82-108 murders per 100,000 people per year;[208] metropolitan areas of the U.S. saw only 6.1 murders per 100,000 people; non-metropolitan counties saw 3.1.[209] Although the categories are precisely comparable here, it must be remembered that modern medical care succeeds in curing many wounds that would have been fatal in late medieval Basel; many medieval accounts of murders describe the victim lingering for a week or two before dying.[210] Medieval Basel, then, had a violent crime rate nearly double that of a

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[204] Kundschaften D20, Hans Ruch dem Weberknecht vs. Hans Kingl [December] 1508, 142r. There must have been something more at issue here, because the court costs would certainly outweigh the amount of money sought. Cases involving less than ten *Rappen* occured regularly.

[205] Admittedly, the sources are imperfect, the categories do not always equate with modern ones, and the study examines the years 1361 to1364, more than a century before the timespan of the dissertation, but Hagemann's findings provide a basic comparison.

[206] Hagemann, *Basler Rechtsleben im Mittelalter*, 1:159.

[207] U.S. Department of Justice – Federal Bureau of Investigation, *Crime in the United States, 2007*, http://www.fbi.gov/ucr/cius2007/offenses/violent_crime/index.html, Table 8 (accessed February 20, 2009).

[208] Hagemann, *Basler Rechtsleben im Mittelalter*, 1:159.

[209] U.S. Department of Justice – Federal Bureau of Investigation, *Crime in the United States, 2007*, http://www.fbi.gov/ucr/cius2007/offenses/violent_crime/index.html, Table 8 (accessed February 20, 2009).

[210] For an example, see Kundschaften D13, Jorg Wager vs. Melchior, Anthoni Bappyrer's servant,

city like modern New York, compressed into a population smaller than that of Brainerd, Minnesota.[211]

In prosecuting violent crimes, the *Vogtgericht* heard the most serious cases, while the Schultheissengericht heard cases for breaches of the peace up to a penalty of three gulden. This means that the feuds that appeared before the Schultheissengericht were mostly abortive; people argued, pounded on doors, exchanged the standard insults of thief, whore, liar and *bosewicht* ("evil creature"), knocked each other to the ground, sometimes drew a knife and stabbed one another, but before anyone was maimed or killed, someone separated them or one of the parties left the scene. Very occasionally, a case concerned an actual death, but the Schultheissengericht was not concerned with the murder *per se*, but with related matters like reimbursing the parties who nursed the victim as he was dying.[212]

The city watch sometimes separated quarreling parties, but it was just as likely to be some other bystander. A crucial part of the process was the practice of bidding the brawlers "Peace."[213] Usually a bystander urged the fighters to peace, but occasionally a victim used it to warn off an attacker. This bidding to peace appears in nearly every court case describing a brawl, probably because it constituted a reminder to the parties that they were in danger of breaching the peace. Ignoring this warning and continuing to fight increased one's culpability. Cases regarding inheritance disputes, dowry settlements, debt

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September 1486, 51r.

[211] U.S. Census data, http://www.census.gov/popest/cities/SUB-EST2007-4.html (accessed February 20, 2009).

[212] Kundschaften D13, Jörg Wager vs. Melchior, Anthony Bappyrers knecht, [November] 1486, 51r-v (at 51r). This deposition is out of chronological order in the records.

[213] Kundschaften D16, Conrad and Luke Lutterlin vs. Hans Bernfeld, [September-November] 1493, 11v.

resolution, and breaches of the peace generated most of the witness depositions that will provide us with insight into how Baslers thought about and practiced fatherhood.

Baslers and the law

If the witness depositions are understood to be anything other than the most bald-faced fantasy, it is clear that the discussion of law in Basel was not restricted to the courthouse. Witnesses claimed to have had conversations about who would inherit from whom, not only when the deceased was on his or her deathbed, but also when distant relatives visited,[214] or when discussing possible spouses.[215] They claimed to have closed major business transactions in the Herberge Rosegarten, a local tavern.[216] They claimed that wives asked their husbands about their marriage arrangements while they were hosting guests for dinner.[217] Explicitly legal issues were a part of incidental conversation.

Everyday Baslers had not only a casual acquaintance with the law, but a detailed formal involvement with it. In marriage contracts, divisions of estates and other types of cases, correct procedure was arrived at by consensus. A discussion of the marriage settlement was a standard part of the celebration of a wedding; the spouses met with their parents, friends and allies for a frank discussion of what each partner should contribute to the marriage. It was "the honorable people gathered there" who decided that such an agreement should be written down, that such and such amount was too small, that a widow should indeed provide her new husband with something, and so forth.[218] Several cases stated that there had been "tension" between the two parties, often over a debt, and

[214] Kundschaften D22, Jacob and Wilhelm Gross' children, [March-May] 1516, 118r.
[215] Kundschaften D23, Messerhans Sydenstucker vs. Hans Suter's heirs, [September-October] 1523, 260r.
[216] Kundschaften D14, Hans Silberberg Jr. vs. the debtors of Hans zem Riesgarten, [March] 1488, 19v.
[217] Kundschaften D20, Peter Schul vs. Hans Tuffel der Oberweiler, [June] 1507, 94r.
[218] Kundschaften D18, Bartholomew Snider vs. Hans Snider, [February-March] 1501, 8r; in this case, the gathering of people divided Hans' wife's estate between her widower and sons.

that friends or relatives tried to resolve the dispute.[219] The cases that appear in the records obviously led to legal action, but they did not always lead to violence, as they might have. One must assume that many more legal disputes were solved by informal mediation and do not appear in the records. Communal discussions thus formed a first level of legal deliberation on contracts, debt collection and the attendant social relationships.

Even Baslers of modest means made loans to one another, sometimes with quite intricate arrangements regarding interest rates and terms of repayment.[220] They also kept running lines of credit with each other, rather than conducting every small transaction in cash. Sometimes they gave one another written receipts, and many people also kept a personal account book.[221] Periodically, acquaintances sat down and reckoned with each other the net amount that one owed to the other. In several cases, witnesses described these private financial arrangements as "friendly."[222] Again, one must assume that the vast majority of such running credit, as well as many major transactions, went forward without going to court.

Baslers in the witness depositions also show a continual awareness of the potential for court action and their own participation in it. People in conflict threatened each other with legal action.[223] In one case, Conrad Swartz had quarrelled with Elsina

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[219] "Spannung," Kundschaften D11, Hans Matter Cuttelifer vs. Burckhard Schern, [February] 1476, 18v; Kundschaften D20, Erhard Scheffer von Plotzen vs. Hans Baumgartner, [April] 1506, 3r; Kundschaften D20, Nicholas Scherer vs. Peter Scherer, [July] 1507, 96v. Another case indicates informal mediation by the members of the Senate and the masters of the shearers guild that was still not an official legal case; Kundschaften D20, Paul Bilger vs. Walther Roubli, [February] 1507, 74r-76r, 79r-80r (at 79r-80r).)

[220] Kundschaften D13, Hans Kraft vs. the widow of Alban Leinnes, [August] 1484, 20v.

[221] Kundschaften D11, Joss Streiff vs. heirs of Clewin Switzer de Munchenster, [March] 1476, 22v; Kundschaften D12, Ludwig Munzmeister vs. Conrad Lugelman, [September-October] 1483, 61v; Kundschaften D16, Sterin vs. Holzschumacherin, [Autumn] 1495, 145v; very occasionally, the original receipt is bundled with the court records, as in Kundschaften D13, Martina Hemerlin vs. Hans Schmid, [Spring] 1486, 78r.

[222] "fruntlich," Kundschaften D11, Martin Habertur vs. Ulnin Zschaberlin, [February] 1479, 86v.

[223] Kundschaften D16, Peter de Dann, [Autumn] 1493, 17r; Kundschaften D16, Heinrich Plosser vs. the

Burckhardt, had hit her and knocked her down, and she had expressed a grudge against him. Margaret Eichler, a witness, said that when she told Elsina that she and others would testify in court so that Conrad would be punished, "Elsy danced for joy in Peter Rofer's parlor that she had thus brought Conrad to grief."[224] People came to their acquaintances and neighbors and asked them to go and give a deposition about some matter or other, or sometimes asked them *not* to testify.[225] Even in the midst of violent situations, Baslers thought in terms of future court cases. When Conrad Brugg stopped Heinrich Meder's cart and threatened him with a sword, for example, Heinrich called in the same breath for help and for those standing nearby to be witnesses to the event.[226] This is not to say that there is not the occasional case where a witness was entered and sworn in, only to say that they did not know anything about the affair in question.[227] Nonetheless, most witnesses gave testimonies that included crucial details one way or the other (possibly as the result of coaching by the plaintiffs or leading questions by the court officials).

What all this means is that the people of Basel interacted with the law quite a lot. There was thus a body of popular legal knowledge, especially regarding Basel's customary law. Occasionally, professional advocates appear in the Schultheissengericht pleading cases on behalf of clients, but this is not the norm. Additionally, wealthy and influential men, such as those who served on the Senate, the guild councils, and as *Urteilsprecher* were likely to have more familiarity with the law. But neither they nor the

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Boatman's Guild, [Autumn] 1494, 98v; Kundschaften D20, Conrad Swartz of Muttenz vs. Elsina Burckhardt, [October] 1508, 135r.

[224] "hab Elsy Burckhardt in Peter Rufers stuben von froid getanzt dz sy Cunrate also zu schad bracht hette." Kundschaften D20, Swerentz vs. Burckhardt, 135r.

[225] Kundschaften D13, Matthew Tischmacher, [August 11], 1484, 23r; D17, Margretha Ludwig vs. Uli Mornach, [February] 1498, 11r.

[226] Kundschaften D15, Heinrich Meder der Regen vs. Mangeltin, [Autumn] 1493, 58v.

[227] Kundschaften D23, Elizabeth [and] Hans Durfen vs. Hans Wordendorf, [May-June] 1519, 52v-67v (at 67v).

bailiffs nor the Schultheiss himself had advanced degrees in law. Even the notaries had at the most bachelor or master's degrees rather than doctorates in law.[228] Of those who appeared before the court, wealthier individuals, especially merchants and those involved with commerce, likely had greater familiarity with law than, say, a poor day laborer. Nonetheless, the legal regime of Basel was by and large practical and integrated into the usual activities of Baslers. The witness depositions therefore contain accounts of a broad range of activities and settings from everyday life, which makes them fruitful sources for exploring the practice of fatherhood.

Near the turn of the sixteenth century, ten-thousand residents of Basel rose every morning and went about their lives. Johannes Amerbach woke up in Lesser Basel and crossed the Rhine-bridge to his printing shop just off the Grain Market square, or walked along his side of the Rhine to the Carthusian monastery of St. Theodore, which was the main site of his religious devotions and donations.[229] Baslers left the city to go to their gardens outside St. John's Gate or to gather firewood in their outlying fields.[230] They searched the forests for lost pigs.[231] They met with prostitutes behind the nearby castle of Dornach.[232] They capsized cartloads of wine while trying to cross flooded rivers.[233]

Baslers could go to the booksellers and buy a locally-printed copy of *The Ship of Fools*, or Boethius, or the decisions of the *Rota Romana*, or Aesop, or Mandeville's

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[228] An apprenticeship with another notary was more likely; Stephen Epstein, *Wills and Wealth in Medieval Genoa, 1150-1250* (Cambridge: Harvard University Press, 1984), 8.
[229] Hartmann, "Familiares aus der Amerbachkorrespondenz," 37.
[230] Kundschaften D13, Conrad Tutelin vs. Wysgerwerin, [October] 1486, 93v; Kundschaften D20, Hans Holstein vs. the Village of Atemswiler, [November] 1507, 111r.
[231] Kundschaften D11, Clewin Kreblisman vs. Riche Jovis, [April] 1480, 114r.
[232] Kundschaften D14, Stein de Bernhard vs. Werlin Gredler, [July] 1487, 6v.
[233] Kundschaften D11, Heinman Meiger, [November] 1479, 80r,.

Travels, or Bartholomaeus Anglicus' encyclopedia *De Natura Rerum*, or a broadsheet about the meteorite that just landed near Ensisheim, not to mention all the imports from the Frankfurt book fairs.[234] The hundred or so students at the university worked their way through Justinian's law code.[235] Baslers could go hear the Senate debate whether to turn Swiss or not. In later years, they could go hear a sermon in favor of Luther at St. Alban's, against Luther at St. Peter's, or choose the endowed preacher at the cathedral, or any of the three mendicant orders, who were licensed to preach as long as their sermons did not conflict with parish mass.[236]

Fishermen went out to the countryside and rented weirs across various streams from the landowners in order to bring in a new catch.[237] Paper-makers and crossbow-makers worked at their trades.[238] Stonemasons repaired churches.[239] The butcher's guild stirred up trouble in their long-standing tradition of resistance to the authority of the Senate.[240] Young men went off and joined the *Landsknechte* or other mercenary companies to fight in imperial wars.[241] People in the public bathhouse quarreled over the temperature of the water.[242] Baslers strolled with their spouses along the Rhine.[243] They

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[234] Pierre L. van der Haegen, *Basler Wiegendrucke: Verzeichnis der in Basel gedruckten Inkunabeln mit ausführlicher Beschreibung der in der Universitätsbibliothek Basel vorhandenen Exemplare* (Basel: Schwabe & Co., 1998), 10, 63, 218; Eisermann, "Mixing Pop and Politics," 159-178.

[235] Burnett, *Teaching the Reformation*, 22.

[236] Burnett, *Teaching the Reformation*, 21-23.

[237] Kundschaften D22, Martin von Rinach vs. Ludwig Zwischenbart, [December] 1517, 216v.

[238] Kundschaften D23, Heinrich de Eifur vs. Armbruster de Frankfurt, [March-April] 1524, 278r.

[239] Kundschaften D14, Hans Gretz vs. Hans Nutzdorf, [March] 1491, 116v.

[240] Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 277.

[241] Kundschaften D16, Conrad de Brettheim, [November-December] 1495, 148r; Kundschaften D17, Hospital in Scola Judea vs. Conrad Swart, [February] 1498, 3v, 5v-6v, 13v-18r, 26v-27r (at 3v); Kundschaften D22, Clewin Boggli von Hegenheim vs. Clewin Gredi von Hegenheim, [May-June] 1517, 183r.

[242] Kundschaften D16, Hans Frucker vs. Conrad Glasser and Heinrich von Murstal, [September-October] 1496, 191r,.

[243] Kundschaften D20, Hans der Spengler, [August] 1507, 103r.

joked with barmaids in the drinking-parlor.[244] Journeymen and their masters played dice and cards and had to leave their shirts in pawn when they lost too heavily.[245] They went to a friend's house for dinner.

And among these busy, squabbling, inventive, brawling crowds were myriad fathers and their dependents. They were trying to live their lives—make some money, find a spouse, support their friends, undo their enemies, save their souls. They went to work, to war, to court, to dinner. They read and sold, dug and wove, prayed and paid, cuffed and cursed and quaffed. Fatherhood was only one among these many concerns. The diffuse question of what fathers ought to do and the difficulty of actually doing it came to the fore only occasionally. Nonetheless, the pages that follow will examine the ways that medieval Baslers wrestled with and invoked this fundamental aspect of human society in the course of their lives.

[244] Kundschaften D11, Kobin zem Engel vs. Blech, [June-July] 1479, 93r.
[245] Kundschaften D21, Hans Kupferschmid vs. Karl der Messerschmidknecht, [November] 1511, 92r.

FATHERLY HABITS: THE EXPERIENCE OF CHILDREARING

Our exploration of fatherhood begins with the practicalities of day-to-day experience. How did individual fathers implement their responsibilities? What did caring for their children and teaching them look like in practice? The expression of these roles in everyday life played a fundamental role in shaping ideals of provision and education on a more abstract level.

This chapter begins with the task of provision, by which I mean the deployment of resources to see to the physical needs of one's household: food, clothing, shelter, and so forth. This task was seen as the most fundamental responsibility of fathers by both theoretical writers and rank-and-file Baslers. Provision was so heavily associated with fatherhood that providers of all kinds took on fatherly identity by the very act of providing. This means that, paradoxically, surrogate providers figure prominently in the discussion that follows. The express statements that they made explaining the connections between provision and affection or between fosterage and inheritance illuminate the deep significance of fatherhood itself; the edges, by definition, circumscribe the middle.

Providing for children on a purely logistical level went hand in hand with developing affection toward them; medieval people connected material provision and emotional affection so deeply that they saw little need to separate them. Present provision also created an expectation of provision for the future; Basler witnesses routinely appealed to relationships of provision in identifying rightful heirs, even when blood ties also existed. Both sexes were involved in caring for children and in showing affection for them; the portrayals of father-as-provider and mother-as-nurturer are differences in

emphasis only. Fatherly provision intertwined with the fatherly task of moral formation in several ways: provision was used as an incentive to promote obedience and other moral behavior, and the food provided by fathers functioned as a site of fatherly instruction in table manners.

Performing love: Pragmatism and emotion in provision

The role of provision had both immense practical value and substantial ideological meaning. Conrad Krepsen and his wife "had a little girl with them named Trutlin." [1] She was not their child, but an orphan. Trutlin's *Fruntschaft* (a word that means something like "circle of relatives and allies" and will be discussed further below) came to Conrad and his wife, and "since the little girl had certain household goods that she had inherited, the *Fruntschaft* asked that Conrad and his wife would care for the little girl with the household goods."[2] Conrad and his wife did not sell the household goods—perhaps items like linens or dishes. They were indeed heirlooms; although they could be converted to cash in an emergency, the idea was to keep the items around.[3] Instead, to "care for the little girl with the household goods" seems to mean that they used the items in the household while caring for Trutlin; when she left the household she would take the items with her as another portion of her inheritance.[4] The practical intentions for Trutlin's inheritance exhibit an intertwining of intimate care with financial

[1] "hette…ein dochterlin by inenn genant Trutlin," Kundschaften D23, Ulrich Geist von Mulheim, [September-October] 1520, 142r.

[2] "und hette das dochterlin ettlichenn hussrat so es ererbt hetti do bete die fruntschaft Conrat Krepsenn unnd sin husfrow das sy im dem dochterlin zu dem hussrat sorg hette." D23, Ulrich Geist von Mulheim, 142r.

[3] On pawning goods as a source of ready cash, see Peter Spufford, *Money and Its Use in Medieval Europe* (Cambridge: Cambridge University Press, 1988), 336-337; see also Daniel Smail's book on goods and debts in Mediterranean Europe currently in progress.

[4] This deposition stated that it was produced at the request of Ulrich Geist (Trutlin's husband), and it seems that it was produced for official documentation in case of future need, rather than in the context of a specific case. Many depositions describing marriage arrangements are of a similar format, simply documenting what was agreed to orally on the day of the wedding.

considerations. Surely the very practicality of the need for provision increases the deep-seated significance of it, though it makes such actions less startling and isolated as symbols.

Receiving money or goods had an emotional aspect to it that was *enhanced* by the fact that the transaction had a practical, tangible value to it, instead of merely a sentimental one. Erasmus illustrated the melding of economic and emotional relationships when he asked, "Is there anything more precious than a son, especially an only son, into whom we would pour, not only all our riches but also, if it were possible, our very life?"[5] It is important to note that Erasmus brought up financial provision in the same breath as sentiments of self-sacrifice. This same trait will be repeatedly visible in the discussion that follows; medieval writers again and again chose to put emotional and economic aspects of provision in the same context, without any noticeable attempt at separating them.

It seems better not to translate certain German terms in the court records, precisely because they highlight this ambiguity. The words *Frunt* and *Fruntschaft* are usually translated as "friend" and "friendship," but this translation does significant violence to the way the terms were used. *The Ship of Fools* contained a chapter "on true *Fruntschaft"* which described a *Frunt* as everything from "one who has never done any wrong to you," to "one who has set all his hope, loyalty and virtue on you," and in one

[5] "Quid enim filio carius, praesertim unico, in quem etiam vitam nostram cupiamus transfundere, si liceat, non modo facultates?" Erasmus, *Declamatio de pueris statim ac liberaliter instituendis*, trans. Jean-Claude Margolin, Travaux d'humanisme et Renaissance 77 (Geneva: Droz, 1966), 381; Erasmus, *Declamation on the Subject of Early Liberal Education for Children*, trans. Beert C. Verstraete, Collected Works of Erasmus 26 (Buffalo: University of Toronto Press, 1985), 291-346 (at 299).

place listed "all *Fruntschaft*, love, blood relationship or family," in a breath.[6] Most of the examples in the chapter were intensely intimate male comrades like David and Jonathan or Achilles and Patroclus. The chapter ended with the dictum to "have love for others," and a final appeal to "the common good."[7] In this chapter, *Fruntschaft* covered almost the entire possible range of social bonds. The term could also indicate a financial bond. Especially given the haphazard nature of premodern spelling, it is often impossible to tell whether a word is *Pfründer*, "designee, beneficiary," or *Freund*, "friend." But this ambiguity is instructive; it is not that medieval German-speakers were unable to distinguish between these ideas, but rather that the concepts were closely linked and often did not need to be distinguished. In the court records, the terms *Frunt* or *Fruntschaft* were often used to mean the network of blood relatives, family friends and heirs who simultaneously had a vested interest in a given estate as potential heirs and acted as social allies and advocates for the person at the center of their network. This advocacy could involved negotiating marriage agreements or arranging for the fostering of a child, as in the case of Trutlin mentioned above. *Fruntschaft* meant a bond involving both emotive loyalty and material benefit.

The intertwining of affection with acts of provision means that the logistical actions of arranging for a child's needs had a deep-seated cultural significance as well. Medieval didactic texts attached heavy importance to fathers as those who provided for

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[6] "der im nye leydes hat gethan…der all sin hoffnung trüw und muot /allein gesetzet hat uff inn…all frintschafft lieb sipschafft geschlecht," Sebastian Brant, *Das Narrenschiff: Faksimile der Erstausgabe Basel 1494 mit dem Nachwort von Franz Schultz*, ed. Dieter Wuttke (Baden Baden: Valentin Koerner, 1994), Ch. 10, "Von Worer Fruntschafft," 28.

[7] "der andre lieb hab als selbst sich…wem nit der gmein nutz ist als werd/als eigen nutz," Brant, *Das Narrenschiff*, Ch. 10, "Von Worer Fruntschafft," 29. See also "Fruntschafft," in Dietmar Benkartek, *Ein Interpretierendes Wörterbuch der Nominalabstrakta im* Narrenschiff *Sebastian Brants von Abenteuer bis Zwietracht* (Frankfurt am Main: Peter Lang, 1996), 98-99.

their children. It is not so much that the writers promoted this as an ideal, but rather that they took it as so fundamental that they could base other arguments upon it. This idea has generally circulated in many milieux, but the association is particularly close in this case; medieval writers assumed that providing for one's children was *the* predominant motivation for pursuing wealth. Erasmus asked rhetorically, "For whom do men plough, sow and build? For whom do they ransack land and sea for wealth? Do they not do it all for their children? But what advantage or honor lies in these things if the beneficiaries are unable to make proper use of them?"[8] Erasmus was pursuing his agenda of promoting humanist education. The expectation of providing for one's children was so fundamental that Erasmus argued from it toward education by extension. *The Ship of Fools* echoed the idea: "you thoughtless fools/you pay great attention to your collections of goods/and pay no attention to your children/although such riches are collected for them."[9] If Erasmus' and Brant's audience did not agree upon the importance of provision, their rhetoric would have been absurdly unsuccessful.

The deep-seated identification of fathers with the role of providing for their households is implicitly visible in many incidental contexts. A passage in *The Ship of Fools* criticized usurers and speculators who "so use a poor man/that he dies of hunger with his wife and child."[10] It was not merely a literary conceit; it also occurred over and over in witness depositions from the Schultheissengericht. Heinrich Wiberlin, short of ready money, asked Hans Stehelin to buy two horses for him "so that he might nourish

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[8] "Cui conserunt? cui arant? cui exstruunt? cui terra marique venantur opes? Nonne liberis? Ad ista quid habent vel usus vel decoris, si is cui haec omnia cedunt nesciat uti?" Erasmus, *De pueris instituendis*, 385; Erasmus, *On Early Liberal Education*, 302.

[9] "jer narre unbedacht/Ir hant uff guotsamlen gross acht/Und achten nit uff uwer kind/Den ir soelich richtum samlen sindt," Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 20.

[10] "Alls wyn und korn im ganzen land/Und voerchtet weder sund noch schand/Do mit ein arm man nützet synd/Und hungers sterb mit wib und kynd," Brant, *Das Narrenschiff*, Ch. 93, "Wucher und Furkouff," 249.

his children so much the better and hold them with honor," which Hans did.[11] When asked to provide security for his son Felix's purchase of two oxen from Conrad Niklin, Peter Wolfer said that "his son had taken a wife and two children to him, and if he did well and rightly he would gladly help him."[12] When Heinrich Kopferberg died, he asked his wife to give his brother Ulrich two hundred gulden, because "his brother was a good pious man and had many dear children and was in need of such a gift."[13] Ludwig Wernher was commisserating with Stefan Gerster the Wagoner about the trials of the working life and complained that he had "two shillings for his work with which he must nourish his children."[14] When Ludwig Gewenstein took Andre the procurator with him on a long business trip, he "clapped Andre on the shoulder, saying 'Dear Andre, do not worry; I will pay you your wage that I swore to you so that your wife and your child will praise and thank me.'"[15] It is clear from all of these references that to medieval people, an adult man worked *in order to* provide for his children; this was the primary reason for earning money, for working people as well as for social elites.

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[11] "zu Stehelin beten in di andere zwei pferd…zü koffen und hinder in disen gezugen als sin eigentlich güt zu stellen und des willen daz er dz gut och sine kind dester bass erneren und in eren halten möchte dz habe och Stehelin thon." Kundschaften D11, Johannes Stehelin vs. Margaret Sweblin and Heinrich Seltensperg, Vogt, [December] 1478, 73r-v (at 73r). This debt along with others later resulted in Stehelin trying to reclaim his goods from Margaret, with whom they had been kept.

[12] "sin sun hette dz wib und ii kind zu im genom und wan er wohl und recht ton wolte er im gern helfen." Kundschaften D11, Conrad Niklin de Bietenholz vs. Peter Wolffer, [May] 1479, 94r.

[13] "sin bruder ein güter fromer man und vil lieber kind hette und solich gabe notturfftig were." Kundschaften D13, Ulrich Turnisin, burgher of Basel vs. Heinrich Kupfferberg, Brotbecker, burgher of Nürnberg's widow, [October] 1485; 64v-65r. She agreed but thought that the law of Nuremberg, where they lived, would not allow such a gift; the suit was Ulrich's attempt to get the inheritance.

[14] "so hett er dannacht ii s fur sin arbeit damit er ouch sine kind erneren müst." Kundschaften D20, Gerhard der Wagener vs. Stefan Gersser der Wagener, [May-July] 1508, 129v-130r (at 129v).

[15] "da klopft ludwig (selig) andre uff die achseln sprechende lieber Andres lass dich nitzit bekummern ich will dir lone by dem eid so ich gesworn han das dan din wib und dine kind mir lib und dank sag musse." Kundschaften D16, Andre, Procuratore vs. Ludwig Gewenstein, [Autumn] 1493, 18v-19r, 21r, 27v, 29r-v (at 19r).

Men were the paradigmatic providers, despite the fact that women could also do so. In one case before the Schultheissengericht, Heinrich Meder was sixty gulden in debt to Jacob Allgemer and in danger of being "ousted."[16] He asked his mother Ursula to dip into her savings to help. She consulted her *Vogt*, who in his testimony said that "she wanted to do as a mother and help her son in this spot out of his emergency."[17] The significance of this is not merely that Heinrich asked his mother for money, but rather that her *Vogt* interpreted her actions as particularly appropriate for a mother in helping her son financially. It is worth noting here, however, that Heinrich's father was dead; the entry in the *Urteilsbuch* explained that the savings that Ursula dipped into were a legacy to his mother from his father.[18]

Surrogate fathers: Vogtei and fosterage

The obligations of fatherhood were not limited to those with a biological bond. In the absence of a father (most often through death), others stepped into the role, and provision was a prominent part of surrogate fatherhood. It is necessary to distinguish between two posts. *Vogt* means "legal guardian" and it seems better not to translate the term; the Roman law term for it is *tutor*, which has associations with education for English-speakers, and "guardian" can mean both legal executor and daily caregiver. As discussed in a previous chapter, the *Vogt* was primarily charged with acting as the agent for the children's estate while they were not legally autonomous. Most records of *Vogtei*, "guardianship," in the Schultheissengericht are extremely cursory, simply recording the

[16] "mit recht vertriben." Kundschaften D17, Heinrich Meder vs. Jacob Allgemer, *Vogt* for his mother, [Autumn] 1498, 46r-47r.

[17] "vermeinte die Mütter sy wolt tün als ein Mutter und dem Sun an dem ort uss nottn helffen." D17, Meder vs. Allgemer, 46r-47r.

[18] Urteilsbuch A42, 1498-1499, 79v, 84v, 85v, 93v-94r, 135v (at 93v-94r).

name of the person appointed; sometimes men appearing before the court mentioned that they were the *Vogt* of a widow or child, either to explain how they knew the details to which they were about to testify or to explain why they had the legal authority to make the arrangements they had. Nonetheless, a *Vogt* cannot be simply thought of as a legal designee who had no affective relationship with his charge.

One case is especially precise in describing *Vogtei*. Jakob Yselin,[19] a summoner/bailiff for the Schultheissengericht, testified about the duties he performed when Barbara Hessin died, leaving two children. Jakob "sent for Aberli Bernhart of Arlsdorf as a related *Frunt*" and "by virtue of his office…ordered that he should be the *Vogt* for the aforementioned Barbara's children (named Hemy and Achtli Bernart), and treat them loyally as befitted a *Vogt*, to provide for and look after them as though they were his own, that he should raise them and pay their debts."[20] This case is unusually (and usefully) explicit about the responsibilities of the *Vogt*, and it shows that *Vogtei* was thought of precisely as surrogate fatherhood, not merely legal oversight.

Baslers drew upon an assumption that *Vogtei* had an affective content even when they were pursuing their own agendas. When Conrad Einhorn died, Hans Armbroster asked the group of friends assembled to discuss the estate

> that they allow him to be Conrad Einhorn (sainted)'s two children's Vogt because he desired no wage from them; but rather Conrad Einhorn their

[19] Jakob styles himself a *Junker*, a member of the patrician class of Basel. The Iselin family rose to even greater prominence in Basel in the eighteenth and nineteenth centuries (Edmund Wyss, "Aus der Frühgeschichte des sozialen Basel," in *Basel: Eine Illustrierte Stadtgeschichte*, ed. Eugen A. Meier, 2nd ed., (Basel: Helbing & Lichtenhahn, 1969), 165-174 (at 168)).

[20] "Da hette er diser zug Oberly Bernart von Arlstorf als ein gesipte frund beschickt…den selben Oberli Bernhart gezwunge im ouch by dem eyd min herren gethan gepotte das er der bemelte Barbara verlassner kinder mit namen Hemy unnd Agtly Bernart vogt sin solli inn ouch truwlich als ein vogtman gezimpet handeln sy versorge unnd versehen also ob sy sin eyge weren das ir in ziehen unnd di schuld bezaln." Kundschaften D22, Aberly Bernhart von Arnswiler vs. Swizer Hannsen, [February-March] 1518, 219v-220v (at 220r).

> father had shown him such loyal love and friendship during his life and let him be raised in his house and brought him into his craft so that he desired no wages because the children did not have much, so that if they had to pay a Vogt, not enough would remain for them.[21]

Affective and financial motives intertwined here. Hans invoked his personal relationship (indeed, his fosterage) with Conrad as reason to become his children's *Vogt*, but his statement shows that *Vögte* sometimes did receive wages for their service.[22] The court case arose when Hans later *did* try to claim some sort of remuneration. The witnesses to his earlier rhetorical flourishes of loyalty were therefore testifying against him. The deposition continued that, "the witness says also that he wondered that Master Hans would request a wage from such a *Vogtei*, because he said he would not take any wages for it."[23] Hans may have meant his rhetoric at the time, but the bonds he felt were not enough to keep him from trying to claim money later, to the indignation of the witnesses. More significant for us is that when he persuaded Conrad's other friends to designate him as *Vogt*, Hans appealed to the social bond he felt with Conrad.

Though *Vogtei* had an affective dimension, it did not necessarily mean that the *Vogt* was the person with daily custody of the child, whom I will call the "fosterer" for the sake of convenience. In some cases, of course, a child could be fostered even if the biological father were still alive. Fosterage could be much more informal than official

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[21] "das sy inn Cunrat Einhorns selige zweyer kinder vogt lassen sin wolte, dann er begerte kein belohnung von inen, sonders so hette im Cunrat Einhorn ir vatter selig vil truwe lieb unnd fruntschafft by sinem leben getan unnd erzeigt inn in sinem hus lassen us unnd in gan unnd das sin zü sinem handtwerck bruchen darumb so begerte er kein belohnung wann die kinder hette nit vil so sy dann ein vogt lonen müsste wurde inn nit vil ubrig plibenn." Kundschaften D23, Chrisostmus Gengenbach vs. Meister Hans Armbroster, [March] 1519, 44r-v (at 44r).

[22] It is unclear whether this was universal, though another case also mentions at least the possibility: Kundschaften D22, Burkhard Stempher vs. the Meder estate, [May] 1516, 130v-131v (at 131r).

[23] "unnd sagt diser zug ouch das inn wunder nem das meister hanns einne belonnung von solcher vogtye ervordet dann er lutter zugesagt kein belonnung darvon zenemen." D23, Gengenbach vs Armbroster, 44r.

Vogtei. Conrad Kunlin's sister came to him from Dieppurg[24] and "asked him, since her daughter Katherin was with child, to do as a brother, and take on the aforesaid Conrad Kunlin [I.e. the boy was named Conrad Kunlin like his great-uncle], whom she had brought with her, still young in years (about eight years or thereabouts), her daughter's son, to hold him with him and do what was best for him and raise him."[25]

This was an informal arrangement regarding the person with whom the child would actually live, rather than a legal designation of Conrad as *Vogt*.

Fostering a child was less formal than acting as *Vogt*, but as with *Vogtei*, affective considerations and financial burdens and benefits intermingled. Fosterers could benefit from the child's labor, and might also be paid by the birth parents or *Vogt*. In one case, a witness testified that

> he was strolling with Melchior Brand on the Rhine-bridge; Melchior's wife came to him, leading a little boy by the hand, and wanted to give it to Melchior. He (the witness) asked Melchior whose the child was. Melchior answered, "It is Margarete Zapffengiesser's, who lodged the child with me;" the witness asked if she gave him something for that. Melchior answered, "Zapfy has paid me honestly until now, but just as well if she gave me nothing for it, I would still hold him, because he is as dear to me as my own."[26]

This testimony must have been less than welcome to Melchior in the court case, since he was attempting to claim money from Margarete for caring for the child. Whether

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[24] There is a Dieburg near Frankfurt, some three hundred kilometers down the Rhine.

[25] "begert si an in nach dem ir dochter Katherin mit kind überlad were das er als ein bruder so wol tun und den vorgenant Cunrat Kunlin den si mit ir bracht hat doch jung der jaren als by acht jaren oder da by irer tochter sun abnemen by im behalten unnd das best tun unnd uffziechenn." Kundschaften D18, Conrad Kunlin, [February] 1503, 78r-v.

[26] "Hans Spengler der Schuhmacher sagt by geworen eid daze er vor vi jaren ungevarlich mit Melchior Brand uff der rinpruggen spazieren gang sye melchiors wyb zu im komen habenn clein kneblin an der hand gefurt unnd daz melchior gebn welle, fragte er diser zug melchior wer dz kneblin were. Antwurte melchior, es ist margre Zapffengiessers, die hat mir es verdingt, fragte diser zug, ob sy im etwas darvon gebe, antwurte Melchior Zapfy hatt mich noch bishar redlich bezalt unnd ob sy mir glich wol nitzit darvon gab so wolte ich inn dannacht behalte dann er is mir als lieb als were er min." Kundschaften D20, Margaret, widow of Burkhard Zapffengiesser vs. Melchior Brand, [August] 1506, 21r-22r, 36v, 37v (at 36v).

Melchior felt affection for the child first or agreed to foster him for money first, he discussed the money he made from fosterage in the same breath as an emotional connection with the child, as well as his willingness to provide for the child at his own expense.

The habit of provision

To medieval Baslers, providing for a child in the present was habit-forming; it produced a strong expectation of inheritance. Both *Vögte* and fosterers were likely to be blood relatives of their charges, and therefore were part of Basel's customary order of precedence in inheritance. But it is remarkable how many times witnesses based claims of inheritance, not on blood relationship, but rather on a history of fosterage.

Melchior Brand's statement above, that he would continue to foster the child as his own without payment, was seen as an ominous sign by Margarete Zapffengiesser, the child's mother. As a widow, she had taken work as a servant in Solothurn, and Melchior had asked her several times to pay for fostering her child. After much discussion, he said, "'Very well; I will raise him, and if she (meaning the Zapffengiesserin), takes a husband, or else inherits something, or he would inherit [something], then I have not forgiven my claim and right to what the child (or I in his place) might have.'"[27] Because of this, Margarete saw Melchior as a threat to her child's inheritance. What concerns us here is Margarete's strategy to prevent this from happening. Two other witnesses reported Margarete's fear that Melchior "wanted to raise my child as his own, but I will not let

[27] "nun wolhin, ich wil es erziehen unnd ob ir die Zapffengieserin meinende ein man nemen, oder sunst etwas uberkomen, oder er erben wurden, alsdann mich miner ansprach unnd gerechikeit die dz kind oder ich von sinen wegen an ouch habenn mocht nit verzige habenn. Do sprach di zapffengiesserin gehilft mir got dz mir etwas wurt so wil ich ucht unbelohnt nit lassen unnd mich damit des kinds nit gar verzihen." D20, Zapffengiesser vs. Brand, 37v.

him; he would like to inherit from me and the child."[28] Her idea was that taking the child away from Melchior would also prevent him from inheriting.

The link between fosterage and inheritance is illustrated more directly in another case. Margarete, Truckenbrot's wife, claimed that she was the nearest heir of her cousin, Heinrich. Their blood relationship was mentioned in the court case, but was never clearly established—one witness said he did not know whether the relation was through brother or sister. Instead, when Margarete's husband asked about him, "she said he is the next *Frunt* of her father and her father had taught him (her cousin) the [shearer's] trade and taken him to himself in a child's place and also sent him out with clothes, shearing-materials and other things to wander [as a journeyman]."[29] Another witness described the same arrangement when he said Margarete's father "had also given the guild five shillings for the boy, per the guild regulations, and after the boy's apprenticeship, he (the boy) was taken into the craft."[30] The inclusion of these details was not merely corroborative. Both witnesses not only mentioned the mere fact of apprenticeship, but implied that there was something more; Heinrich occupied "a child's place" according to one witness, and the other mentioned that the master had paid his apprentice-cousin's guild membership fee. The case was not directly concerned with the father; it was over the inheritance of Margarete after her death.[31] The reason the witnesses brought up the

[28] "er wollti gernn min kind fur sin kind erziehenn so will ichs im nit lassen er mochti mich unnd das kind ubernacht erben." D20, Zapffengiesser vs. Brand, 22r.

[29] "ja er were ir nechst frund vom vatter unnd ir vatter hett denselbn irn vetter das hantwerck gelert und ine an eins kindsstatt zu im genomen unnd ouch mit kleider scherzug und andern ussgeschickt ze wandern." Kundschaften D17, Laurentz von Gersdorf vs. Heirs of Margrete, Truckenbrots Eefrow, [November] 1499, 76r-v (at 76v).

[30] "Hanns Rorschelin hett ouch der zunfft v ss von dem knaben gebn wie der zunfft recht Und nach verschnung sin des knabn ler jarn were er der knab hinwegk dem hantwerk nach gezoge." D17, Gersdorf vs. Truckenbrot, 76r.

[31] The account above is taken from other witnesses recounting what she had said while alive.

apprenticeship is that the bonds of heir-ship ran both ways; Heinrich was his uncle's heir, Margarete was his heir (provided he had no children), and by implication, Heinrich's relatives could also claim Margarete's estate. Most importantly, when witnesses argued for Heinrich as Margarete's nearest *Frunt*, they glossed over blood relationship (though it existed) and concentrated on bonds of fosterage. This case attests to the power of the experience of caring for a child, even for surrogate caregivers rather than literal fathers.

The link between fosterage and inheritance was so deep-seated that it was almost automatic. In the case of Trütlin with which the chapter opened, the girl's *Fruntschaft* brought her to Conrad and his wife,

> asking them to hold the little girl as their own and to give her something. Conrad Krepsen answered the *Fruntschaft* that he wanted to hold the little girl as his own child…Conrad and his wife agreed that after their death the girl should receive a plot of vines (located in Mulheim on the further knoll) and a cow, but while they lived they would use the vines and the cow.[32]

Conrad, his wife and the girl's relatives all assumed that raising Trutlin went hand-in-hand with providing an inheritance for her. No blood relationship is even mentioned here, though it may have existed. Again, the experience of fostering the child carried more weight than blood relationship.

The habit of provision created by fosterage could also be manifested in marriage settlements, as demonstrated in the case arranging the marriage of one Clara to Lienhart Aberli. Margaret Meder went to Lienhart and confided to him that she would like to

[32] "desselbenn dochterlins fruntschafft genn Mulheim zu Conrat Krepsenn unnd siner hussfrowenn komenn, sy gebettenn das dochterlin als ir eigentlich kind zuhaltenn unnd ime etwas zumachenn Do hab Conrat Kreps der fruntschafft zu antwurt geben Er wolte das dochterlin als sin eigentlich kind haltenn…under annderm bewilligte der genannt Conrat Krepss unnd desselbenn husfrow das noch irm abgangg dem dochterlin ein stuck Rebenn zu Mulheim inn der widenn hubenn glegenn unnd ein ku word solte aber diewyl sy beide lebtenn soltenn sy sollich stuck Rebenn unnd di ku nutzen." D23, Ulrich Geist von Mulheim, 142r.

betroth Clara to him, offering a field near Aeschentor (one of Basel's city gates) as dowry. She added that when she and her husband Heinrich died, "Clara would be her heir, because they had taken Clara in a child's place and they had no other to have and hold like their legitimate children, and that they wanted to let no one other than her succeed [them]."[33] The closeness of their surrogate relationship to Clara was not simply a case of legally designating an adult as their heir; rather, on her wedding day, the Meders reiterated "that they had taken Clara in a child's place, raised her as their own, and cared for her like their own legitimate child, and wanted also to hold her. . . as their own legitimate child…and to give daily help, and after their death for her to inherit like their own legitimate child."[34] When they named Clara as their heir, they cited fosterage to explain their desire for a relationship of continuing provision.

Later witnesses emphasized how Heinrich Meder came to them and consulted about how Clara was the Meders' only heir and that they wanted no one else at all to inherit from them. The issue appears to be that someone else was claiming part of their estate. A case from three years earlier listed different parties, but it, too, involved the Meder estate.[35] In this case, the claim was made by one Kungolte, who also was a

[33] "Clara halp, wie sy die gar gern im lienhart vermehlen wolti, und das sy im zu ein anfang ein Rebacker und ein Mat an ein andern vor eschentor geleg zu ire zu Estur geben, darnach im beid tegliche hilf bewysen und am letzten so sy und heinrich meder selig abgon so wurd sy die bemelt Clara ir beider einige erb sin dann sy beid dieselb Clara an eins kinds stat angenomen und sy beid nit anders dann wie ir eelich kind haben und halte und dz ir niemans anderen dann irs gonnen und verfolgen lassen wolte. Daruf Lienhart Aberli geantwurt das im die sach nit ubel gefallen, doch woltet er mit heinrich meder und der dochter selbs darvon Red." Kundschaften D23, Leonhard Aberli vs. Blosen and Zutharn Wysschendli, [November] 1519, 82r-v. This Heinrich Meder could be the same man who appealed to his mother for financial help in the case discussed above, since this case was only about 15 years after the previous one.

[34] "Der meder und die mederin das sy Clara an eins kinds stat genomn wie ir eygn kind erzogn ouch das vie ir eygen eelich kind versorgen hette wolte ouch das nit anders dann wie ir eygen eelich kind halten…darzu imm fur und fur tegliche hilf bewysen und nach ir beider tot ir beider gut niemans bast dann die Clara gonnen und irs das als irm eygen eelichen kind verfolgen lassen." D23, Aberli vs. Wysschendli, 82v.

[35] Kundschaften D22, Burkhard Stempher vs. the Meder estate, [May] 1516, 130v-131v.

surrogate child of the Meders, having been raised by them for several years until her marriage after the death of her parents. This means that the Meder estate was being claimed by two different women whom the Meders had fostered. A case from 1422, the year of the first extant Schultheissengericht depositions, also involved claims on an estate by rival foster-children.[36] Although anecdotal, these cases suggest that certain households made a habit of taking in multiple foster-children.[37]

Baslers recognized the claim created by fosterage ties even when it was to their own detriment. Hans Kuny was on his deathbed and was being given the sacrament. His brothers Lienhart and Diebolt were there, as well as the witness and several other people. "Dear brothers," he said, "you know how I raised Clewi Lapp, my brother Diebolt's son from the youngest age; he has done me much good, and he is very dear to me. Now, he has a legitimate little daughter to whom I want, out of special *Fruntschaft*, to award two plots of vines…and asked them, both brothers, whether they would assent to that."[38] Diebolt consented readily; Lienhart was more reluctant because he lived on Hans' plot of land and wanted to continue doing so; he complained that he, too, had "done good to" Hans, but conceded that Hans "might give away his land if he wanted."[39] The case was

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[36] Kundschaften D1, Junker Peterman Geyg's estate, [January] 1424, 70r-v, 72v-73r, 76v, 80v, 97r.

[37] This practice has also been noted in Florence (Louis Haas, *The Renaissance Man and His Children: Childbirth and Early Childhood in Florence, 1300-1600* (New York: St. Martin's Press, 1998), 24-5).

[38] "lieben prudern, ir wüssen wie ich Clewin lapp, mÿns bruders dieboltz sonn von jungst uf erzogenn hab der hat mir nun vil gut getan, das er mir vast lieb ist Nun hat er ein elich dochterli dem will ich umb sonnderer fruntschafft willen ii schaz Reden…vergabenn unnd sy beid sunder gfragt ob sy gunst unnd willen darzugebenn wollenn." Kundschaften D24, Clewi Lapp, [June] 1526, 65v-66r (at 65v). A *schaz* is about a fifth of a day's worth of plowing or a third of a *juchart*, I.e. two *schaz* is around half an acre. I am grateful to Dr. Ray Wakefield for his help with this term; "Schaz," in *Mittelhochdeutsches Wörterbuch*, Wilhelm Müller, Georg Friedrich Benecke, Friedrich Zarncke, ed., 3 vols. (Hildesheim: G. Olms, 1963); "Schatz," meaning f., in *Deutsches Wörterbuch*, Jacob and Wilhelm Grimm, ed. 16 vols. (Leipzig: S. Hirzel 1854-1960); and "Morgen," *Langenscheidt's New Muret-Sanders Encyclopedic Dictionary of the English and German languages*, Otto Springer, ed. (New York, Barnes & Noble, 1962).

[39] "er mag sin gut gebenn wen er wil, ich habe im aber ouch fruntschafft bewysenn und gutz getann." D24, Lapp, 66r.

brought to the court by Clewi, probably trying to claim the two plots of vines for his daughter. Again, the daughter was numbered among Hans' heirs by blood ties, but the reason he gave for his "special *Fruntschaft*" for her was the close relationship he had with his nephew caused by the fact that he had raised him.[40]

Even apprenticeship could elicit such feelings of loyalty and provision. Michael Stud had been apprenticed to Andre Süchentrunk for five years to learn cannon-founding; Andre later gave a character reference that Michael "conducted himself honorably, piously, and honestly with him in the city of Basel," and remarked that "if the same Michael were ever in need of anything and he could [give any], he (the witness) would help him as his own child."[41] This indicates that Andre felt more loyalty to his apprentice than would be required by contractual obligation; the time spent fostering Michael created in Andre a willingness to continue to provide for him. In describing his feeling of loyalty, Andre chose fatherhood as the paradigm by using the phrase "as his own child." It is an appropriate paradigm partially because of the extent of Andre's support, but also because that loyalty had its roots in day-to-day provision. If the surrogate care-givers discussed in this section felt the link between fosterage and provision so strongly, it was even more so for biological fathers. The extreme pragmatism of disbursing resources for a dependent laid the foundation for the ideal of fatherly provision.

[40] The fact that Clewi's father Diebolt was still alive is an incidental glimpse into the fact that children were sometimes fostered with someone without being orphaned.

[41] "by im sich erberlich fromklich und redlich uffenthalten…unnd were im demselben Michel utzit notdurfftig gewesen were unnd do bedorffen darzu hette er der zug im geholffe als sine eigen kind." Kundschaften D21, Michael Stud den Kannengiessergesellen, [January] 1512, 101v-102r.

Excursus: Father as healer

One of the specific forms that fatherly provision took is particularly interesting because of its tenderness and intimate association with the body. The association of fathers with healing highlights the fact that, although tenderness was often interpreted as a feminine trait, and although actions of nurturing were commonly associated with mothers, men were expected to feel affection for their children, and were also involved in the intimate task of caring for the body.[42]

The correspondence of Johannes Amerbach with his children reveals his role as their healer. For these more overt expressions of tenderness, Johannes appealed to motherhood.[43] Both Bruno and Basilius had severe fevers in the summer of 1505, as well as other health concerns. Amerbach wrote to them in Paris, "You are both pitiable and to be pitied because you are sick. Your mother and I are sympathetic with you and we do not know what we should do with you."[44] In expressing his most tender feelings for his sons, he made the sentence about their mother's and his feelings together. This is especially significant given that, in her letter written about the same time, Barbara said only, "I know all about all of your illnesses and understand it and I am sorry,'[45] and then

[42] Studies of papal letters, legal records from Flanders, and medieval iconography have all uncovered depictions of nurturing as a fatherly trait; Constance Rousseau, "'Pater urbis et orbis': Innocent III and His Perspectives on Fatherhood" *Archivum Historiae Pontificiae* 37(1999): 25-37; Myriam Carlier, "Paternity in Late Medieval Flanders," in *Secretum Scriptorum: Liber Alumnorum Walter Prevenier*, Wim Blockman, Marc Boone, and Thérèse de Hemptinne, eds. (Leuven: Garant, 1999), 235-258; and Danièle Alexandre-Bidon "Images du père de famille au Moyen Age" in Didier Lett, ed. *Être Père à la Fin du Moyen Age*, Cahiers de recherches médiévales, XIII-XV s. (Paris: Librairie Honoré Champion, 1997), 41-60.

[43] This is a mirror image of the way Barbara appealed to fatherhood in order to get obedience from the boys, which will be discussed further in a later chapter.

[44] "Estis revera ambo miseri et miserandi, quia defectuosi. Mater vestra et ego vobis compatiuntur et, quomodo vobiscum agere debeamus, ignoramus." AK 1:283, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, September 12, 1505; Barbara C. Halporn, *The Correspondence of Johann Amerbach: Early Printing in Its Social Context* (Ann Arbor: University of Michigan Press, 2000), 197.

[45] "uwer beder kranckheit weis ich wol und han die wol verstanden und ist mir leid," AK 1:281, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 10, 1505; Halporn, *Correspondence*, 195.

went on to other matters—berating them for their drunkenness, in fact. Johannes' letter of condolence continued, "We wish that you were in your paternal home and perhaps your worried mother could nurse you back to health."[46] Again, although he invoked fatherhood with the adjective "paternal," Johannes indicated that Barbara would be the one nursing the boys back to health.

Although here Johannes assigned the task to Barbara, he himself gave them detailed medical advice both there and in the next letter.[47] He not only provided the money for them to buy medicine,[48] but actually sent them medicine of his own. On one occasion, he simply described them as "some powders" that Basilius was to take on a piece of moistened bread.[49] However, later he sent two bandages, "some salve with which I sometimes used to heal you," and "a root called *consolida* in Latin" to take to cure diarrhea.[50] Amerbach wrote a lengthy and detailed description about exactly how to fit the bandages and apply the salve, using a silk patch

> between the skin and the plaster. . . because when the salve gets warm it sticks and is difficult to remove and thus. . . [with the silk] you can easily remove it when you wish. I made one plaster for you and put it on a silk patch and when you make one, follow the example. . . also fit the bandage to your body; for this reason I have made holes in the bandages and have attached two strings.[51]

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[46] "Vellemus, quod essetis in laribus paternis, et fortassis mater sollicita vestri curam diligentem haberet," AK 1:283; Halporn, *Correspondence*, 197.

[47] AK 1:283, AK 1:285, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, October 2, 1505.

[48] AK 1:276, Bruno Amerbach to Barbara Amerbach, Paris, July 8, 1505; AK 1:277, Bruno Amerbach to Johannes Amerbach, Paris, July 26, 1505.

[49] "ei pulveres" and "pulveres." AK 1:265, Johannes Amerbach to Bruno Amerbach, Basel, May 22, 1505; AK 1:266, Johannes Amerbach to Basilius Amerbach, Basel, May 22, 1505.

[50] "de unguento, de quo te aliquando sanabam. . . etiam radicem, quae Latine dicitur consolida." AK 1:283; Halporn, *Correspondence*, 197. *Consolida* is the Latin word for black briony. It was used as a diuretic, but it is also poisonous; M. Grieve, *A Modern Herbal: The Medicinal, Culinary, Cosmetic and Economic Properties, Cultivation and Folk-Lore of Herbs, Grasses, Fungi, Shrubs & Trees with their Modern Scientific Uses* (New York: Dover, 1971; first edition New York: Harcourt, Brace &Co., 1931), http://botanical.com/ (accessed February 19, 2010).

[51] "inter cutem et emplastrum. . . quia unguentum, quando calefit, libenter pendet et difficulter potest

These instructions are obviously based on practical knowledge, and Johannes did as much as possible himself. He mentioned the possibility that the *consolida* root may have been available at an apothecary, but Johannes sent the root itself instead. His letter indicates that Johannes saw part of his role as providing medical assistance and advice for his sons, as a part of his providing for and nurturing them, despite the fact that he used motherly language in expressing his concern. When Basilius later got kidney stones, Conrad Leontorius wrote a letter with advice for Johannes as he tried to decide whether to take the risk of surgery.[52] This may relate to the humanist preoccupation with bodily illness that Ingo Trüter has described as a part of the scholarly *habitus;* describing and diagnosing diseases by letter was a way of demonstrating erudition as well as taking on the mantle of the suffering scholar.[53] This is one particularly intimate example of the tenderness of fatherly provision.

Without provision: Fathers and poverty

Although fathers were associated with the intimate care of their children, much more prominent was their responsibility for logistical provision of material goods. What if this provision by a father was lacking? In the eyes of late medieval Europeans, the overwhelming alternative was poverty. Herlihy and Klapisch-Zuber's demographic study of the Florentine catasto of 1427 is devastatingly clear in the stark contrast between male-headed and female-headed households. For any age-range, the average male head-of-

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removeri et sic, . . . faciliter potes removere, quando vis. Feci tibi unum emplastrum et superposui panniculum sericum, et quando tu vis facere emplastrum, fac similiter (feci enim tibi in exemplar). . . Item ligaturam apta secundum quantitatem tui corporis; propterea in ligatura feci fieri foramina et apposui duas ligas." AK 1:283; Halporn, *Correspondence*, 197.

[52] AK 1:387, Conrad Leontorius to Johannes Amerbach, Engental, August 24, 1508; Halporn, *Correspondence*, 297.

[53] Ingo Trüter, "Scholarly Habitus around 1500. The Building of Academic Identities," unpublished paper presented at "The Long Fifteenth Century," International Colloquium, University of Minnesota, April, 2008.

household was substantially more wealthy than the average female head-of-household. Furthermore, urban males tended to be poorest around the age of twenty-five or thirty and then accumulate wealth until they peaked around the age of fifty-five and began distributing property to their heirs. In contrast, for both urban and rural female heads-of-household, there was no rising portion of the curve; instead, it faltered downward throughout their lifetimes.[54]

Basel has much more limited demographic sources than the Florentine catasto, but Katharine Simon-Muscheid's study using the Basel tax records of 1453-4 shows similar results. The studies may be usefully compared because the Basel records survey households for the purpose of assessing a tax from each, broadly similar to the catasto. In the rich neighborhood along the *Freiestrasse*, thirty-nine percent of the households had over a thousand gulden in assets; there were no households categorized as "poor" and almost no female-headed households.[55] By contrast, seventy percent of sub-lessees who rented rooms (often mere cubicles subdivided with plaster partitions), mostly in poor suburbs, were women living alone or with a daughter. Eighty-three percent of all sub-lessees had less than ten gulden in assets.[56] Poverty in Basel was markedly female.[57] Medieval people were aware of these trends. This does not mean that fathers always

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[54] David Herlihy and Christiane Klapisch-Zuber, *Tuscans and their Families: A Study of the Florentine Catasto of 1427* (New Haven: Yale University Press), 303-306.

[55] Katharine Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter: Zunftinterne Strukturen und innerstädtische Konflikte* (New York: P. Lang, 1988), 200.

[56] Their landlords were often not much better off (Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter*, 222-224).

[57] To a lesser extent, this is still the case in the U.S. today The interpretation of modern statistics is dizzingly complex; I refer here only to the crudest outlines of the available data. According to the U.S. Census, female-headed households with no husband present are nearly twice as likely to be below the poverty line as male-headed households with no wife present, and between three and four times as likely as married households; this holds true for several different definitions of "poverty." U.S. Census Bureau, Current Population Survey, http://www.census.gov/macro/032008/rdcall/3_001.htm (accessed June 23, 2009).

provided for their households; some were profligate and left their heirs with literally less than nothing. Certainly there were also literary tropes inherited from antiquity that portrayed women as unfit for hard work and equated widowhood with poverty, and certainly some singlewomen were able to exert economic power, but the rhetoric still had a strong basis in reality.[58]

A case from the Schultheissengericht illustrates how such trends were played out in practice. In the case, Hans Lengk died. His widow and children were planning on moving to Rummeld. Michael Meyer was intent on collecting the six pounds that Hans had owed him and had put a legal proscription (*Verbot*) on their goods. Leonhard Scharpfnagel, the childrens' *Vogt*, asked him to "consider the little children and the length of time that the debt had existed, and to leave the children something." Leonhard's appeal here rested on the assumption that the loss of their father made the debt financially crippling to the children. Even more significantly, Michael was persuaded by this argument. He relented, saying, "if you will pay me and want to be the debtor yourself, I will let the goods out of the proscription and will take no more than four of the six pounds." [59] Leonhard was willing to take on debt in order to shield his *Vogtkinde* from it, but Michael, too, bore a financial cost, losing a third of the payment he was due, apparently out of a mix of resignation to the fact that they would never pay the full amount and pity for the children. Michael stood by his word; later, the widow's new husband, Nikolaus Sonnenschein, came to pay the debt, and Michael steadfastly refused

[58] Patricia Skinner, "Gender and Poverty in the Medieval Community" in *Medieval Women in Their Communities*, ed. Diane Watt (Cardiff: University of Wales Press, 1997), 204-221.

[59] "Lienhart Scharpffnagel als ein vogt der kind inn gepettenn die cleinen kind und die lenge der zit darum dann dise schuld angestannd ist zebedennke, den kind etwas nach zelassen…so ver du mich bezallnn unnd selbs schuldner sin wilt wil ich dz gut us dem verpot lassen damit benugen haben unnd fur die vi lb nit mer dann iiilb nemen." Kundschaften D20, Leonhard Scharpfnagel vs. Nikolaus Sonnenschein, [January] 1507, 62v-64r, 67v (at 62v).

payment, saying "I have nothing to do with you." [60] It was the remarriage of the widow that produced new possibilities for payment.

This principle is echoed in the case of Melchior Brand and Margarete Zapffengiesser, discussed earlier. When Margarete was unable to pay Melchior for fostering her child, he said, "'Very well; I will raise him, and if she (meaning the Zapffengiesserin), takes a husband, or else inherits something, or he would inherit [something], then I have not forgiven my claim and right to what the child (or I in his place) might have.'"[61] Melchior's assumption was that remarriage or inheritance might make it possible for her to repay the debt, but it was unlikely that her continuing to work as a servant would do so.

For medieval Baslers, the way to help a woman out of poverty was to include her in a male household, through marriage, *Vogtei*, or charity.[62] The most popular form of charitable bequests to the poor in wills was providing dowries for poor women.[63] This shows that they thought the way to get them out of poverty was not to set them up in business, but to provide them the "capital" required to get married, which would provide a regular return in terms of ongoing provision. Fatherly provision was often channelled into arrangements for marriage, a fact which will be discussed further in another chapter.

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[60] "sonnenschins Liuggen seligen witwe jetziger mann zu im kommen wolte inn recht notigen was woher die schuld entstan were sprach diser zug ich hab mit dir nit zu schaffen." D20, Scharpfnagel vs. Sonnenschein, 62v-63r.

[61] "nun wolhin, ich wil es erziehen unnd ob ir die Zapffengieserin meinende ein man nemen, oder sunst etwas uberkomen, oder er erben wurden, alsdann mich miner ansprach unnd gerechikeit die dz kind oder ich von sinen wegen an ouch habenn mocht nit verzige habenn." D20, Zapffengiesser vs. Brand, 37v.

[62] This stands in contrast to a modern solution of paying women more to end their marginalization from the wage economy.

[63] Samuel K. Cohn, Jr., *Death and Property in Siena, 1205-1800: Strategies for the Afterlife* (Baltimore: Johns Hopkins University Press, 1988), 28.

It was not only men who thought this way. When discussing Hans Schott's arrangements for his housekeeper Elisabeth and their illegitimate daughter, Elisabeth said that "I and my daughter will share equally after his death in his goods, and I will hold my daughter and raise her until she is taken to God or to a husband who will care for her and take her goods in hand." [64] Elisabeth assumed that her daughter would marry and thus be provided for, and that her husband would receive "her goods," namely, the inheritance from her father, which would thus continue as a source of provision for her.[65] In the event, the daughter was espoused to Hans Eberli, a weaver, and the two of them are spoken of together as having arranged the division of goods between mother and daughter. These several cases show that although fathers and mothers both exhibited tenderness to some extent, fatherly caregiving was not simply interchangeable with motherly caregiving. Men had an irreplaceable ability to procure resources for their dependents, due to the gendered differences in medieval ideas of work and wealth.

Excursus: Father as recipient

The discussion of fatherly provision and poverty as its alternative leads to another aspect of fatherhood that is an inversion of what has gone before. In old age, fathers became the *recipients* of care and resources, rather than the providers of it. Fathers were expected, however, to reflect their provision back upon themselves by harnessing their power to provide inheritance. Certainly aging mothers were included in this arrangement, but as we have seen already, women were seen as recipients of support and were less

[64] "ich und die dotchter mit ein andern das herrn güt nach sin tod glichlich teylen sollen vnd sol ich die dochter by mir behalten und sy erziehen bis man sy zu gott oder wollt versorgen wurt und irs alsdann ir gut zu hand stellen." Kundschaften D24, Hans Ebli der Webers vs. Simon Morgenstern den Muller, [September] 1526, 78r-v.

[65] The other alternative is probably a reference to death, although it could mean entry into a cloister.

wealthy throughout their lifecycle; this change in status was much more noticeable in aging fathers. Although this role occupied a short segment of the lifecycle, it received significant attention from didactic writers.

The thirteenth-century encyclopedia of Bartholomaeus Anglicus, printed in Basel in a 1479 edition, stated in the chapter on the father that "'father' (*pater*) derives from 'feeding' (*pascendo*), who feeds the sons in their youth, and is fed by sons in old age, just as it is to be seen in birds of the raven species. For the young feed the old (as Aristotle says) when they are not able to get their food because of old age."[66] Erasmus also drew an analogy with animals, but he favored the human side: "No animal of any species expects from its offspring a reward for its care, unless we are to believe the story that storks take turns feeding their aged parents and transporting them on their backs."[67] Although each writer cited one postive example from the bestiary tradition, Erasmus went on to say that "among human beings, on the other hand, the ties of filial affection are not dissolved by the advance of years. What comfort, reputation, and support can a parent not expect if he provides his son with a good education?"[68]

Erasmus furthered his argument by appealing to the parents' self-interest. What better way to provide for one's old age, he argued, than to carefully educate and train "a son who will be a source of pride and well-being to his parents, to whom they can safely entrust a good share of responsibility in the administration of the family estate, and

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[66] "Pater vero qui a pascendo est dictus qui pascit filios in eorum iuventute." Bartholomaeus Anglicus, *De Proprietatibus Rerum*, (Frankfurt: Minerva, GMBH, 1963, facsimile of 1601 Frankfurt ed.), 6.14.

[67] "Atqui brutorum genus nullum expectat a sobole sua nutricationis aut institutionis praemium, nis forte credere libet quod ciconiae parentes aetate defectos vicissim nutriunt humerisque bajulant." This anecdote about cranes appears in Pliny, *Natural History* 10.32, and Erasmus quoted it in other writings as well (Margolin, ed., *De pueris instituendis*, 401, 512, n.272; Erasmus, *On Early Liberal Education*, 311).

[68] "At inter homines quoniam pietatis gratiam nulla solvit aetas, quod solatium, quod decus, quod praesidium sibi parat, qui filium recte curat institutendum?" Erasmus, *De pueris instituendis*, 401; Erasmus, *On Early Liberal Education*, 311.

whose affection will comfort and sustain them under the growing burden of old age?"[69] His argument was that even aside from the good of one's children, their education was an investment from which the parents benefited directly in old age. This could take the form of a retirement arrangement. The father passed all or almost all of his inheritance on to his children in exchange for a living space, food, and perhaps a small income for the remainder of his life. The retiree lived with different children in turn, or lived on a small plot of land with a separate house. This was an common arrangement in rural areas across Europe.[70]

The problem with the rosy views expressed above is that filial affection often waned once there was no further inheritance to collect. Jack Goody has noted the principle that the potential for providing future inheritance is a means for the elder generation to maintain control over the younger generation.[71] Medieval writers realized this too. A passage in the Latin *Epistola* and its German translation cautioned, "If you have a son, you should not make him a manager of your goods while you yourself can work, because if he ruins you, you cannot legally ruin him. . . Keep your son in your hand and take care that you never see yourself in his hand."[72] Fathers who became financially

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[69] "caeterum ut filium habeant qui parentibus et ornamento sit et usui, in quem bonam domesticarum curarum partem transferant, cujus pietas ingravescentem aetatem foveat fulciatque?" Erasmus, *De pueris instituendis*, 385; Erasmus, *On Early Liberal Education*, 301-302.

[70] David Gaunt, "The Property and Kin Relationships of Retired Farmers in Northern and Central Europe," in *Family Forms In Historic Europe*, ed. Richard Wall, Jean Robin, and Peter Laslett (New York: Cambridge University Press, 1983), 249-280; Jack Goody, "Introduction" in *Family and Inheritance: Rural Society in Western Europe, 1200-1800*, ed. Jack Goody, Joan Thirsk, and E.P. Thompson (Cambridge: Cambridge University Press, 1976), 1-9 (at 6); and Barbara Hanawalt, *The Ties that Bound:Peasant Families in Medieval England* (Oxford: Oxford University Press, 1986), 74-76.

[71] Jack Goody, "Inheritance, Property and Women: Some Comparative Considerations," in *Family and Inheritance: Rural Society in Western Europe, 1200-1800*, ed. Jack Goody, Joan Thirsk, and E.P. Thompson (Cambridge: Cambridge University Press, 1976), 10-36 (at 28).

[72] "Hastu einen sun, den saltu nicht zu eim pfleger über dein gut seczzen, dye weil du selbst gearbeiten magst, wan verdirbt er dich, so magstu in mit dem rechten nicht verdirben. . . Du solt deinen sün in dein hend lassen sehen und hüt dich das du im icht müst sehen in sein hent." C.D.M. Cossar, *The German*

dependent on their children were in a perilous position. Brant's translation of *Cato* proverb collection still advocated filial devotion, but from a more sober estimate of ths situation, advising the reader to "bear patiently the long life of your parents."[73] This is a much more pragmatic view; the delay in inheritance meant that the supposedly happy state of having one's parents enjoy long life had to be simply endured. This is the context in which medieval people heard the biblical commandment, paraphrased in *Cato* as "love and honor your parents to have happiness and honor on earth; don't scorn your mother if you want your father's good will."[74]

The Ship of Fools also had a chapter "On honoring father and mother" that addressed this commandment. It began, though, with a statement addressed to fathers, warning "He is a fool who gives his children/what he should live on in his lifetime."[75] The chapter on honoring parents thus began with the other side of the equation, arguing that fathers should not rely on their children. It was not only that one should avoid asking them for money; the text railed against any man who gave away the major part of his estate—"what he should live on"—before death, even if he gave it to his children. The text continued with the absurdity of the thought "that he should not pay his children/and [expect that] they should help him in his need."[76] Giving them the inheritance and

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Translations of the Pseudo-Bernhardine Epistola de cura rei familiaris (Göppingen: Alfred Kümmerle, 1975), 116. The Latin is more brief but contains the same thought; Jakob Wimpfeling, *Jakob Wimpfelings Adolescentia*, ed. Otto Herding (Munich: Wilhelm Fink, 1965), 293.

[73] "Parentes patienter vince. . . Nit gedult din eltern uberwünd." Sebastian Brant, *Cato* (1510; first edition Basel, 1498), Bayerische Staatsbibliothek, http://www.bsb-muenchen.de/Dokumentlieferung__Altes_Buch.1470.0.html (accessed February 20, 2009), a2v.

[74] "Dilige non egra caros pietate parentes/Nec matrem offendas: dum vis bonus esse parenti/dyn eltern hab lieb und werd/So wechst dir gluck und heil uff erd/Erzurn ouch nit die muoter dyn/So du dim vatter guot wilt syn." Brant, *Cato*, b2r. The Bartholomaeus Anglicus passage on ravens quoted above also moves immediately into a discussion of this commandment.

[75] "Der ist eyn narr der kynden gytt/Do er syn zyt solt leben mytt." Brant, *Das Narrenschiff*, Ch. 90, "Ere vatter und mutter," 239.

[76] "Verlossend sich uff guten won/Das inn syn kynd nit sollen lon/und im ouch helffen inn der not"

expecting them in return to pay his way indefinitely would have disastrous consequences for the father. "One wishes death for him every day/and he will soon be abandoned/an unwelcome guest in his children's mind."[77] The woodcut for the chapter trenchantly showed a father holding out a moneybag, while his adult children raised clubs against him. It was the father, not the children, who wore the donkey-eared cap that marked the fool in every chapter of *The Ship of Fools.*

The chapter then turned its attention to the children, saying, "Yet he will not live long on earth/to whom father and mother are not valuable." The remainder of the chapter listed biblical and classical figures who either honored or failed to honor their parents: Absolom, Ham, Coriolanus, and so forth. It noted that "Sennacherib died from his sons/yet neither acquired any wealth from it," drawing again the link between honoring one's parents and receiving wealth, normally from inheritance.[78] The biblical commandment to honor one's parents so that one may enjoy prosperity on earth therefore had a straightforward mechanical interpretation, in addition to a more abstract filial aspect. The chapter ended by circling back to the commandment, "Whoever would live, says God the Lord/shows father and mother honor/he will grow old and rich."[79] Medieval didactic writes thus struggled to interpret the phase at the end of life when the father, the provider, began to need provision.

Brant, *Das Narrenschiff*, Ch. 90, "Ere vatter und mutter," 239.

[77] "Dem wünsch man allen tag den dot/Und wurt gar bald eyn über last/Den kynden syn eyn unwert gast." Brant, *Das Narrenschiff*, Ch. 90, "Ere vatter und mutter," 239.

[78] 2 Kings 19:36-37.

[79] "Wer leben will spricht gott der herr/Der buet vatter und mutter ere/So würt er alt und richen sere" Brant, *Das Narrenschiff*, Ch. 90, "Ere vatter und mutter," 239.

Provision as education: The link between provision and moral education

Since the provision of necessities was such an important fatherly role, medieval Baslers connected it with other fatherly roles. They were especially concerned to use the incentives inherent in provision in order to produce good behavior in their dependents. This is apparent in the reflexive rhetorical move of linking provision and obedience. It is also evident in the ways that food and clothing, which were important categories of fatherly provision, also functioned as sites of fatherly instruction.

The rhetorical use of provision is evident in Johannes and Barbara Amerbach's correspondence with their sons Bruno and Basilius during their university studies at Paris. The main reason for bringing up fatherly provision in the correspondence was as a way of securing obedience, either in a specific instance or in a more general sense of encouraging good behavior, virtue, and discipline. One letter from Johannes to Bruno and Basilius draws out the connection quite nicely. Encouraged by his sons' recent successful and tidy settling of accounts, Johannes wrote enthusiastically, "You think that your expenditures are a heavy burden for me, but that is not really true; I take it in stride so long as you devote all your effort to study. . . But if you have been lazy, . . . rest assured that I would regret spending a single penny. Therefore, be diligent in your study and you shall have a most generous father."[80] Amerbach identified provision as a specifically paternal role. He also implied that his sons' education was a higher priority than saving money. That priority, however, tied his willingness to spend money to his sons' obedience and discipline.

[80] "Facite ergo diligentiam studendo, et habebitis largissimum patrem." AK 1:214, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, February 12, 1504; Halporn, *Correspondence*, 175.

This tie between provision and obedience is perhaps not startling to us today; one might find similar sentiments in contemporary emails between parents and their children at university. What is significant about it in the Amerbach correspondence is the strength of the connection. The connection is not incidental; Johannes made this exact same rhetorical move over and over again, almost reflexively. In another letter, he wrote, "submit to paternal commands and paternal gifts will not be denied to you."[81] In yet another, he wrote, "follow your father's advice; you will never regret it. . . I urge both you and your brother Basilius to give your complete attention to the pursuit of learning, as I trust you to do, and I will never refuse you the necessities."[82] Barbara, too, made the same connection, telling the boys to "learn fast, and I hope you will find your father kind."[83] Obedience was closely linked with fatherly provision.

The correspondents also traced a connection past the link between provision of money and the duty of obedience by adding a link between the father's work and the provision of money. This reasoning took the form, for example, in a letter from Barbara Amerbach, "work diligently and obey your master and think of the hard work your father does early and late for your sake."[84] In leaving implicit the middle link of the chain—namely, the money itself—Barbara linked Johannes' hard labor and the sons' duty to work hard. This was partially an appeal to sympathy, partially an appeal to imitate

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[81] "et paternis iussis acquiescite, et [pa]terna [benefi]cia a vobis non tollentur." AK 1:184, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, February 14, 1503.

[82] "iuxta consilia paterna facere, et numquam vos penitebit. . . Vale, mi Bruno, et tu et frater tuus Basilius omnem operam date studio litterarum, uti de vobis confido, et ego necessaria numquam denegabo." AK 1:191 Johannes Amerbach to Bruno Amerbach, Frankfurt, April 16, 1503; Halporn, *Correspondence*, 171.

[83] "leren fast, so hoff jch, jr werden ein guetigen vatter finden." AK 1:152, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, April 25, 1502; Halporn, *Correspondence*, 160.

[84] AK 1:227, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 180. See also AK 1:159, and AK 1:281; Halporn, *Correspondence*, 195, both from Barbara to the boys, which contain essentially the same thought.

fatherly example, and partially an appeal to the father's provision. Johannes himself used the same appeal, writing, "concentrate on your studies. . . do not squander the money I earn by constant effort."[85] In another letter, he complained that the boys were living "wildly, without concern for how your parents earn the money they send you. . . consider what it costs me to pay for two. . . and how your father's substance comes from hard work."[86] The father's labor for the purpose of provision was the motive for good behavior.

Johannes sometimes linked his provision to more specific acts of obedience rather than general discipline. In one letter, he complained that he had not received a letter from Bruno, despite several opportunities for him to send one, and said, "I can't decide whether sloth and laziness have inhibited you or whether you have become a rich lord who no longer needs our help."[87] He drew an implicit link between Bruno's need for financial support and his duty to write letters to his father.

Johannes further asserted that future provision, not only present provision, was at stake in securing his sons' obedience. He remarked in one letter regarding their early refusal to study with Ludwig Ber that "even though I threatened to disinherit you if you did not go to him, you did not heed my command."[88] If Johannes asserted this link

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[85] "date operam studio. . . ne frustra consumatis, quod ego lucubrantissima vigilantia acquiro." AK 1:127, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, June 6, 1501; Halporn, *Correspondence*, 152.

[86] "quod vivatis in iubilo, non curantes, unde parentes vestri accipiant pecunias, quas vobis mittant. . . cogitate, quod oportet me semper pro duobus soluere. . . et qualiter substantia vestra paterna sit parta magno labore." AK 1:246, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, January 2, 1505; Halporn, *Correspondence*, 186.

[87] "Subdubito tamen, quod pigritia aut desidia te suppresserit vel quod dominus factus sis et dives, amplius non indigens nostro subsidio." AK 1:330, Johannes Amerbach to Bruno Amerbach, Basel, February 24, 1507; Halporn, *Correspondence*, 276.

[88] "quamquam minatus fueram vobis, nisi eum adiretis, vos privare paterna hereditate, preceptum meum non curatis." AK 1:265, Johannes Amerbach to Bruno Amerbach, Basel, May 22, 1505; Halporn, *Correspondence*, 192. This letter was written several years after the incident; the most relevant extant letter written during the incident itself did not threaten disinheritance explicitly. In it, he "wonder[ed] why you

between his future provision for his sons and their duty to obey him and be well-disciplined, his sons accepted it. Bruno wrote that he wished to stay with Mattheus ex Loreyo, promising, "if I remain with my master through the successive steps to the master's degree. . . [and] if I am not as learned as any of Master Ber's students, you can disown and disinherit me, write me off and say that I am not your son."[89] In bargaining with his father for the right to stay with Mattheus, the "collateral" that he offered for the risk was his inheritance. This indicates that Bruno was appealing to the same concept as Johannes: his father's provision for him was for the purpose of securing education (both academic and moral); if he failed to fulfill his father's wishes, he would forfeit that provision. He could not, of course, forfeit the money that Amerbach had already spent on his tuition, and would therefore forfeit his father's *future* provision for him.[90]

Though Johannes threatened to disinherit his sons, he never carried out his threat; indeed, in the end, he did not see his provision for them as contingent on their obedience. In one of his letters complaining about their expenditures, Johannes told them, "Unless you live more sparingly than you have up till now, I will recall you to your paternal home, whether you are bachelors or masters, and I will settle you in the manual crafts,

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have not yet obeyed your father's orders," warned that if they did not they would "deeply offend" him, and told them not to ignore his wishes if they wanted "to have the good will of [their] father," but did not mention disinheritance ("et quare iussionibus paternis non paruistis, vehementer admiror. . . graviter offendetis. . . si saltem patrem benignum habere volueritis." AK 1:135, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, August 28, 1501; Halporn, *Correspondence*, 157-8). It is possible that he made the threat explicitly in a letter that has been lost.

[89] "si ad magisterii usque gradus consecucionem cum magistro meo remansero. . . si non adeo doctus evaserim ut aliquis ex iuvenibus magistri Ber, abdica, exhereda et denique transcribe me filiumque tuum me appella minime." AK 1:158, Bruno Amerbach to Johannes Amerbach, Paris, July 3, 1502; Halporn, *Correspondence*, 167. See also AK 1:256, Halporn, *Correspondence*, 190, where Bruno remarks that one who has lost his father's regard is considered an orphan.

[90] This is not to say that Bruno necessarily liked or fully believed in this arrangement, but he was not in a position to dictate terms; this passage reflects his recognition that he had to negotiate this implicit bargain, not necessarily his endorsement of it.

where you will learn by the work of your hands."[91] In another letter, he told Bruno, "if twenty-four *ecus* a year is not sufficient for you, return to your fatherland and I will feed you at my table."[92] These are some of the harshest threats that Johannes ever made regarding his sons' prodigality, and in both of them, the threat was that he would find some other way to provide for them, whether feeding them directly or apprenticing them. In both places, too, Johannes found a way to include a reference to fatherhood, whether the "paternal home" or the *patria*, the fatherland.

The connection between obedience and provision had a unique application to marriage. What if a woman married against her father's wishes? In February of 1506, the sixteen-year-old Margarete Amerbach eloped with one Jakob Rechberger, a merchant from Strasbourg. We have letters from Rechberger's brother Itelhans and from Jakob Wimpfeling interceding with Johannes on Rechberger's behalf before the elopement.[93] We have the crucial letter from Jakob to Margarete urging her to meet him at "the bow-maker's house."[94] When Margarete agreed and ran away with Rechberger, what became of Johannes' fatherly provision?

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[91] "Et revera, nisi parcius vixeritis, quam hucusque vixistis, revocabo vos in lares paternas, sive sitis baccalaurei sive magistri et locabo vos ad manuartifices, ubi ex laboribus manuum vestrarum vos educatis." Johannes Amerbach to Bruno and Basilius Amerbach, Basel, January 2, 1505; Halporn, *Correspondence*, 186.

[92] "Si autem 24 scutata per annum tibi non sufficiunt, redi in patriam, et ego te in mensa cibabo" AK 1:348, Johannes Amerbach to Bruno Amerbach, Basel, July 23, 1507; Halporn, *Correspondence*, 284. An ecu was worth about 1.25 gulden; John H. Munro, "Appendix 1: The Coinages of Renaissance Europe, ca. 1500," in Thomas A. Brady, Jr., Heiko A. Oberman, James D. Tracy, ed., *Volume One: Structures and Assertions* in *Handbook of European History, 1400-1600: Late Middle Ages, Renaissance and Reformation* (Leiden: Brill, 1994), 671-678 (at 674).

[93] AK 1:295, Jakob Wimpfeling to Johannes Amerbach, Strasbourg, January 26, 1506; AK 1:296, Itelhans Rechberber to Johannes Amerbach, Strasbourg, February 1, 1506.

[94] AK 1:297, Jakob Rechberger to Margarete Amerbach, Basel, [February] 1506; Halporn, *Correspondence*, 202. It reads oddly like one of Erasmus' *Colloquies*, written about the same time, since Jakob's letter warns Margarete that her parents want to put her in a convent, and the colloquy *The Woman-Hating Virgin* takes the form of a dialogue between a wooer and his love in which he tries to convince her that the cloister is the *worst* place to preserve chastity; Desiderius Erasmus, "Virgos Misogamos" in

Those most closely involved saw this as a serious event. Rechberger assumed she would be disinherited; he wrote to Margarete, "You need have no worry that, because you will not bring me anything, you will be any less valuable to me."[95] Unless this was also a real, major concern for Margarete, its inclusion in a love letter represents a catastrophic miscalculation on his part. After the elopement, there were letters of condolence from Bruno Amerbach in Paris and from Conrad Leontorius, commiserating with Johannes Amerbach over his loss.[96] Bruno wrote, "you once had a beloved daughter and I a cherished sister. I do not know by what persuasion (may the gods uproot and destroy them) she ignored her paternal teachings and incurred your displeasure."[97] An entry in the Basel court records stated that "Hans Ammerbach and his wife disinherit their daughter according to the ordinance in the blue book."[98]

However, any visions of patriarchal disowning that this conjures up would be overblown. Bruno was writing one of his most florid letters, seizing the opportunity to use the letter of consolation model that appeared in epistolary handbooks, and therefore

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Colloquia. The original Latin is available in Erasmus, *Opera omnia*, ed. Jean Le Clerc, 10 vols. (Hildesheim: G. Olm, 1961-1962), 1:697-701.

[95] "Ir dorffend ouch kein sorg haben, so ir mir nut zu bringend, das ir mir dester unwerder syend." AK 1:297; Halporn, *Correspondence*, 202.

[96] AK 1:299, Bruno Amerbach to Johannes Amerbach, Paris, March 10, 1506; Halporn, *Correspondence*, 203; AK 1:300, Conrad Leontorius to Johannes Amerbach, Engental, March 10, 1506; Halporn, *Correspondence*, 204.

[97] "Fuit hec olim tibi filia charissima nobisque soror amantissima. Nescio nunc quorum suasu (dii funditus eos extirpent perdantque!) paterna precepta pretersiliens vestram mouerit succensionem." AK 1:299, Halporn, *Correspondence*, 203.

[98] "Meister Hanns Ammerbach und seine Ehefrau enterben, gemäss der Ordnung des bluen Buchs, ihre Tochter, welche sich ohne ihr Wissen und Willen mit Jacoben Rechburger verheirathet hat; sie behalten sich jedoch vor, ihr später Gnade zu erweisen." The document is in Urteilsbuch A47, dated February 18, 1506. It has been published in Karl Stehlin, *Regesten zur Geschichte des Buchdrucks*, Archiv fur Geschichte der deutschen Buchhandels 14 (Leipzig: Verlag der Börsenvereins der deutschen Buchhändler, 1891), 26, Nr. 1743. A digitized version is available online through googlebooks, http://books.google.com/books?id=LRwPAAAAIAAJ (accessed Dec. 1, 2009). After 1450 Basel customary law allowed the disinheriting of children of either sex under the age of twenty who married without the permission of their nearest kin; Hans Rudolf Hagemann, *Basler Rechtsleben im Mittelalter* (Basel: Helbing & Lichtenhahn, 1987), 2:192.

he was being melodramatic. Whatever the circumstances surrounding the original elopement, whatever the assumptions of those involved, whatever the strictures allowed by customary law, Margarete's elopement did not cause lasting alienation. Less than one year later, Bruno asked Barbara to greet Margarete for him.[99] Eighteen months after the elopement, Johannes himself mentioned in a letter that he had to "help Margarete out."[100] Since this was in the midst of a host of reasons that Bruno could not continue to spend money at the rate he was, it is clear that Johannes was helping Margarete financially. There was no more than a temporary rupture in their relationship. In fact, Johannes' will stated that Margarete would not receive her five hundred gulden of the inheritance, but it was because he has already paid that amount as her dowry to Rechberger.[101] This means that it was not a grudging deathbed reconciliation, nor a reconciliation after the irrevocable loss of the dowry, but rather that the full amount of her dowry had been given to Rechberger, despite the fact that Johannes did not originally arrange Margarete's marriage. Even the record of Margarete's disinheritance contained a note that "[the parents] reserve for themselves the possibility of extending her pardon."[102] Less than a week after her departure, the Amerbachs were not interested in taking any irrevocable action. Disobedience in marriage *could* result in a forfeiture of fatherly provision, but in

[99] AK 1:322, Bruno Amerbach to Barbara Amerbach, Paris, October 16, 1506; Halporn, *Correspondence*, 275.

[100] AK 1:348, Johannes Amerbach to Bruno Amerbach, Basel, July 23, 1507; Halporn, *Correspondence*, 284.

[101] The German and Latin versions of Amerbach's will (identical in substance) are published as AK 1:491, 1:492. It was common practice (and officially part of imperial law) to count the dowries of daughters as their portion of the inheritance; Hughes, "From Brideprice to Dowry," 16, 32; Hans-Rudolf Hagemann, *Die Rechtsgutachten des Bonifacius Amerbach: Basler Rechtskultur zur Zeit des Humanismus* (Basel: Helbing and Lichtenhahn, 1997), 119.

[102] "Sie behalten sich jedoch vor, ihr später Gnade zu erweisen." Stehlin, *Regesten zur Geschichte des Buchdrucks*, 26.

Margarete's case, it did not, just as Johannes threatened to stop paying for his sons' studies but never did.

In addition to the rhetorical usage of provision to enforce obedience, provision was linked to moral formation in a practical way as well; the fatherly provision of food (and, to a lesser extent, clothing) made it a site for instruction in the morality of food. Behavior surrounding food was a central concern of most medieval conduct literature, and the texts from Basel are no exception. Table manners were treated as an important and inextricable component of more abstract moral virtues. *Adolescentia* included, along with copious information on loving God, refraining from judgment and other abstract virtues, a chapter from Johannes Sulpitius Verulanus' treatise *Table Manners (Facetia Mensae)*.[103] Brant's *Thesmophagia* and Erasmus' *On Good Manners for Boys* were devoted almost entirely to table manners. Food-related behavior was a major moral concern.

This principle is visible in a court case brought by Hans Wicke against Hans Wurtzburg after Wurtzburg stabbed Wicke in the thigh. Wurtzburg's defense strategy was to show that the stabbing had been unintentional and that Wicke had been unruly and unpredictable that evening. Both of the eyewitnesses began their stories long before the stabbing with a number of people gathered for dinner in the house of Conrad Wicke, the victim's brother. Hans Wicke disrupted this scene by "standing in front of the window and sticking a halberd handle in through the window, which this witness thought was shameful."[104] The other eyewitness specified that Wicke "poked him across the table

[103] Johannes Sulpitius Verulanus lived 1444-1494; Wimpfeling, *Adolescentia*, 191, n. 15; 286-289.

[104] "hans wick vor den fenster gestannden und mit dem halbbarten styl zum fenster ingestossen das er der zug für schipf gehept." Kundschaften D22, Hans Wurtzburg vs. Hans Wick, [August] 1514, 24v-26r (at

with the halberd handle, which did not please them."[105] During dinner, Wicke "came into the parlor and sat on the corner of the table and took the bread and threw it at Wurtzburger so that the bread fell under the table," at which his brother protested and "the witness also thought was shameful."[106] None of these details have anything to do with the later offense; for the witnesses and their hearers, Wicke's unruliness specifically relating to food colored their opinions of his overall character. Later in the evening, Wurtzburg took out his purse and remarked that he had no money left. Wicke reached across with his knife and stabbed a hole or two in the purse. Wurtzburg retaliated, ostensibly trying to stab a hole in Wicke's robe or tunic, but in fact giving him what the witnesses euphemized as a *wündli*, a "little wound," in the thigh. Wicke cried out that the *bosewicht*, the evil creature, had given him a mortal wound, "just like you gave to Balthasar Stosskorb."[107] The details concerning food here serve to counter Wicke's charge by establishing him as a generally unvirtuous person.

Clothing, too, had a moral dimension. In *On Early Liberal Education*, when listing the evils that young children are liable to learn from their parents, Erasmus expounded on the tendency to demand "purple or scarlet cloth" from a very young age, as a result of parents who "foist any novel design in clothing upon a child."[108] A chapter

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24v).

[105] "mit dem halbarte stÿl zu inen über disch gestossen daran sy kein gefallen gehept haben." D22, Wurtzburg vs. Wick, 25r.

[106] "hinin inn die stuben komen und sich an ein eck zum disch gesetzt unnd den broten erwüschst und wurtzburgern damit geworffe das der broten under den disch gefallen sye." D22, Wurtzburg vs. Wick, 25r. "das er der zug ouch fur ein schimpf gehept." D22, Wurtzburg vs. Wick, 24v.

[107] "wie du Balthassar Stosskorb ein hast geben." D22, Wurtzburg vs. Wick, 25r.

[108] "parit aliquid novi monstri, hoc infanti addimus." Erasmus, *De pueris instituendis*, 395-397; Erasmus, *On Early Liberal Education*, 308. This passage is a close paraphrase of one in Quintilian, *Oratoria Christiana*, 1.2.6 (Margolin, ed. *De pueris instituendis*, 504 n. 204-206). This complaint is also certainly applicable to Florence, where parents spent lavishly on their children's clothing (Haas, *The Renaissance Man and His Children*, 144). It is noteworthy that *De pueris instituendis* was composed while Erasmus was in Italy.

toward the end of *Adolescentia* contained a letter from the editor Wimpfeling to two young scholars, whom he urged to practice modesty and piety and to flee from pride, to fear God before all and flee evil companions. He then continued, without any apparent sense of changing topics,

> but I want you to be fitting in all your gestures, and especially in your clothing: to be not unusual or arrogant or fickle or like a pantomime. Wear clothing in the tradition of your elders, long and closed, not slashed or embroidered, in which you can appear without shame and infamy before your honorable parents and uncles, before most reverend bishops and other high-ranking men, and before serious men and at religious activities. Put on clothes that are fitting for and adorn students, philosophers, good scholars, pious adolescents, future priests, not those that are put on by barbarians, inept peasants, pimps, singers, rakes, mimes, false fools of the first order, courtiers, mercenaries, or fickle men.[109]

Wimpfeling treated his students' clothing as an integral part of the whole process of virtuous behavior; he finished the passage, "For indecent clothing indubitably shows what is hidden within a man."

In *The Ship of Fools,* clothes were brought up in the service of other examples of foolishness. The chapter "On Bad Manners" took clothing as its opening point. The three-line title-stanza described one who has "bad manners" and "drags his cap on the ground."[110] The woodcut for the chapter depicted a young man dressed in a robe notably more garish in its pattern than the clothing in any of the other woodcuts. His hose were

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[109] "Volo autem vos in omni gestu esse compositos, pracipue vero in vestitu esse non singulares non arrogantes non leves et histrionicos. Utimini vestibus more maiorum vestrorum longis clausis, non scissis non acupictis, in quibus coram honestis parentibus et patruis avunculisque vestris, coram reverendissimis episcopis et ceteris primoribus coramque gravibus viris et re ipsa religiosis absque pudore et infamia incedere prodireque possitis. Induite vestes, quae discipulos, quae philosophos, quae bonos scholasticos, quae pios adolescentes, quae futuros sacerdotes decent atque exornant, non quibus barbari, inepti rustici, lenones, citharoedi, scurrae, mimi, ficti principum fatui, satellites, bellovagi atque levissimi quique homines induuntur. Nam turpis vestitus, quid in ipso homine lateat, indubie prodit." Wimpfeling, *Adolescentia*, 359.

[110] "bos sitten. . . der schleyfft die kappen an der erd." Brant, *Das Narrenschiff*, Ch. 9, "Von bosen sytten," 26.

also rumpled and out of place. He was dragging his fool's cap (which all fools throughout *The Ship of Fools* wear) along the ground by a cord. The rest of the chapter was predominantly about loud and disrespectful behavior, but the opening material made it clear that bad clothing was *the* fundamental indicator or illustrator of bad manners. Similiarly, the chapter "On Novelties" was a tirade about innovations in fashion, and the woodcut featured a young man in grotesquely fashionable garb as an example of one "who brings new fashions to the land/causes much nuisance and shame/and leads the fool by the hand."[111] The chapter treated all these innovations as morally lacking, mentioning, for example, "short, shameful and slashed robes,"[112] a phrase which mixed physical and moral descriptions.[113] *Moretus* made the same move, saying that a cleric "should cover all his members well/and go honorably in long clothing."[114]

Food and clothing were not only moral objects; they were also linked to the responsibility of the father to provide. It is important to note here that the father's role is one of provision, not of preparation. The father was the source of the wealth needed to procure the necessary goods; wives, servants, or tradespeople were primarily responsible for processing the items into their "end-user" forms.

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[111] "Wer vil nüw fünd macht durch die land/Der gibt vil aergernys und schand/und halt den narren by der hand." Brant, *Das Narrenschiff*, Ch. 4 "Von nuwen sunden," 14.

[112] "Kurtz schaentlich und beschrotten roeck." Brant, *Das Narrenschiff*, Ch. 4, "Von nuwen sunden," 15.

[113] What specifically is shameful about short clothing remains unclear. Bernardino of Siena invoked such clothing as effeminate, which led to sodomy (Franco Mormando, *The Preacher's Demons: Bernardino of Siena and the Social Underworld of Early Renaissance Italy* (Chicago: The University of Chicago Press, 1999), 130-137). Erasmus mentioned several times that tousled hair or certain other fashions were effeminate; he was probably aware of this thought process, but he did not mention sodomy; Erasmus, *De civilitate morum puerilium*, in *Opera omnia*, ed. Jean Le Clerc, 10 vols. (Hildesheim: G. Olm, 1961-1962) 1:1033-1049 (at 1035-1037); *On Good Manners for Boys*, 276-279.

[114] "Vestibus ex longis sua contegat ultima membra/Nam pudor esset ei si caro nuda foret Er sol all glider decken schon/erlich in langen kleydren gon/." Sebastian Brant, *Moretus* (Argentoratum: 1508 (first published in Basel, 1499), aa4r.

When Peter Schickli hired his son Thomas out to Burkhart's father, his negotiations involved partially transferring his role as provider to Burkhart's father as a new surrogate father-figure. The terms of the agreement were that in the first year, Burkhart would provide for Thomas "a tunic and a shirt; in the second year he will pay him ten shillings and three sesters of grain."[115] Food and clothing were major components of providing for Thomas. Similarly, in a passage from *Moretus*, food and clothing were at the core of the description of maintaining a household, as well as a fundamental part of describing a virtuous, prosperous man: "He adorns his body lest he be held in contempt by anyone/yet he does not abandon his duty./ He has fitting clothing and a lot of furniture/he lives securely/with food and drink and bread and wine."[116] But although both food and clothing appear in these examples, food was much more acutely fatherly than clothing, both in terms of provision and in terms of education.

The Latin version of the pseudo-Bernhardine *Epistola* in *Adolescentia*, the popular German translations of it, and the looser adaptation of it in *The Ring* all focused on providing food as a fatherly responsibility. In a passage where the Latin text simply mentioned watching one's expenses, *The Ring* expounded, "If you want to keep house with honor, you need to keep in your pouch a second house made from silver, to buy hay and fodder and straw, wine and grain and wood, millet and cabbage, beans, herbs, barley, lard, lentils, meat for drying, salt, dishes and bedclothes, cheese, fruit and much more."[117]

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[115] "ein rocklin und ein hemd, Item, dz ander jar fur x ss pfen und iii sester korns." Kundschaften D13, Thomas Schickli vs. Burkhardt Wald of Turlisdorff, [August-September] 1485, 41r.

[116] "Exornet corpus ne contemnatur ab ullo/Non tamen officium deserat ipse suum/Er zier seyn leib rein tag und nacht/Das er von nyemans verd veracht/Doch hald do myt solch moss und fug/das er seym ampt auch tug genug. Sit bene vestitus cui non fit parva suppellex:/Et caute vivat potibus atque cibis/Wol kleidung dem gar wol zu stot/wem in seym huss ist vil hussrot/der leb das er mog sicher syn/mit spyss und trenck mit brot und win." Brant, *Moretus*, aa3r.

[117] "Wilt du halten haus mit eren,/Das scholt des ersten so an keren:/Ze tragen in der täschen tracht/Ein

Food predominated among these supplies as the concern of the householder. The Latin text also advised feeding one's servants with "abundant but not too luxurious food."[118] A German translation of the text tied this advice to moral regulation by adding, "for he who familiarly carouses and relaxes with his servant makes him stubborn and disobedient."[119] Here the link between morality and provision was made in the context of a *Hausvater* and his dependent servants, an extension of the core responsibility of using food to regulate one's children.

The texts not only treated fathers as the provider of food, but as the primary figure responsible for teaching etiquette and food-related morality. *The Ship of Fools'* chapter "On Bad Manners" complained that Noah had good manners, "yet he did not cultivate them in Ham his son."[120] In the book of Genesis, Ham was the son who looked at Noah when Noah was drunk and naked. So although Noah was himself a righteous person (on the whole), he neglected his fatherly duty to teach manners, and he suffered the shameful consequences of it himself. A chapter that went beyond table etiquette to the question of gluttony and carousing warned that "he who busies himself with wine and rich food/will never be blessed or rich, to his woe and his father's woe." [121] That such shortcomings would fill *fathers* with shame implies that fathers were expected to impart to their

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ander haus von silber gmacht,'Daz du dir chauffen mügest so/Häw und fuoter, dar zuo stro,/Wein und korn und holtz da mit,/Hiers und kraut (das ist der sitt),/Bonen, ärwess, gersten, smaltz,/Linsen, flaisch ze terren, saltz/Hausgeschier und bettgewand,/Käs und ops und manger hand." Wittenwiler, *Der Ring*, 216, lines 5019-5030. The Latin text reads, "attende…quod, si in domo tua sumptus et redditus sint aequales, casus inopinatus de facili poterit destruere statum tuum." Wimpfeling, *Adolescentia*, 290.

[118] "Familiam tuam grosso et non delicato cibo nutrias," Wimpfeling, *Adolescentia*, 290.

[119] Cossar, *German Translations of the Pseudo-Bernhardine* Epistola, 110.

[120] "Doch fluog im Cham syn sun nit noch." Brant, *Das Narrenschiff*, Ch. 9, "Von bosen sytten," 27.

[121] "Eyn wiser ist/wer syttlich drinckt…Wer wyns und feisst dings flysset sich/Der wurt nit selig oder rich/Dem we und synem vatter we." Brant, *Das Narrenschiff*, Ch. 16, "Von fullen und prassen," 43.

children not only the niceties of table manners, but also a moral and moderate relationship with food and drink.

The link between fatherly provision of food and fatherly responsibility for food etiquette is also visible in Brant's *Thesmophagia,* where it was the father who was said to teach children table manners. "The child, having left his mother's breast/however much he pleases his father/yet does not receive any food from his table/ until he learns table manners/and knows what manners one should have/if one wants to sit at table."[122] The mother was implied to be simply nurturing; the father was "pleased" with the child, but his affection does not impede his fatherly responsibilities. It was the father who was the "gatekeeper," making sure that the child learned appropriate social behavior before joining him in eating. The Latin here referred to "companionship at the father's table", thus emphasizing the social aspect of eating.[123] If the table functioned as a place to learn table manners appropriate for public behavior, it was the threat of being sent away from the table that encouraged obedience.

If the father functioned as the head of the table in teaching manners, then the emphasis throughout *Thesmophagia* on deferring to the "host" is important because the father would be the one filling this role around the table at home. The reader was told to

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[122]"Das kindt von siner mutter brust/Wie wol es gab dem vatter lust/Nam es doch von sim disch kein frucht/Bis das es lernet dische zucht/Unnd wust was sitt es haltten solt/So es zu disch sich setzen wolt." Sebastian Brant, *Sebastian Brants Tischzucht (Thesmophagia 1490): Edition und Wortindex*, ed. Silke Umbach, (Wiesbaden: Harrassowitz Verlag, 1995), lines 50-55; this passage is, in turn, a close translation of the Latin.

[123] "ad patrie recipi consortia mense." Brant, *Thesmophagia*, lines 50-51. Similar language appeared in the thirteenth-century encyclopedia of Bartholomaeus Anglicus, printed in Basel in a 1479 edition, which stated in the chapter on the father that "a man loves and nurtures his boy or child and makes his weaned son his table companion. . . Truly, "father" (*pater*) derives from "feeding" (*pascendo*), who feeds the sons in their youth" ("Homo autem puerum suum sive foretum diligit et nutrit, ablactum suum commensalem facit filium," Anglicus, *De Proprietatibus Rerum*, Bk. 6, Ch. 14).

wash his hands well "if you want to please the host."[124] The meal began "when the host has sat down and the table is covered."[125] When the bread was distributed, one should "divide it with your knife and cut it for your host."[126] *Thesmophagia* also advised the reader to "remain silent. Don't let anything depart from your mouth until [the host] presses you with a question."[127] One should "wait for the host, until he begins to eat; then begin yourself," but should still not reach into a dish until he removed his hand from it.[128] Since the father played the role of host in the home, children being taught good table manners would be expected to defer to him in everything from the arrangement of the people to the distribution of the food to speaking at the table. This served as practice for the deference they would show to the host at more public feasts.

Despite the clear emphasis on provision of food, the sources rarely mentioned fathers as the source of clothing. Clothing did crop up in the more complete or expansive lists of responsibilities. When Martin Christen remarried, his marriage arrangement stipluated that his step-son Anthony would receive "food and drink, along with seemly clothing until he had learned a trade."[129] Again, Hans Meyger agreed to take on the four children his new wife Elisabeth had had with her previous husband, "to serve them with food, drink, shoes, clothing, education and instruction in a trade."[130]

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[124] "Wiltu dem herren gefallen wol/Das er dich furbas laden sol." Brant, *Thesmophagia*, lines 81-82.

[125] "so gesessen is/Der herr unnd ietz bedeckt der disch." Brant, *Thesmophagia*, lines 93-94.

[126] "Teil das mit dinem messer gedrot/Und schnid das dinem herren fur." Brant, *Thesmophagia*, lines 136-137.

[127] "Gross gewalt unnd ere/Ouch wurden hab der selbig herre/So schwig; thu uf nit dinen mundt/Biss er mitt fragen an dich kumpt." Brant, *Thesmophagia*, lines 177-180.

[128] "Des herren wart das er an vach/zu essen; so var du im nach." Brant, *Thesmophagia*, lines 185-186.

[129] "essen und trinken dar zu zimlich becleidung." Kundschaften D24, Hans Meyger of Strasbourg vs. Elisabeth, Andreas Mock the printer's widow vs. her children, [September] 1525, 37r-38r (at 37v).

[130] "zu im nemm sy getrulich vaterlich und muterlich mit essen trinken, schuch, cleidung ler und underwysung zu handtwerk. . . ze dienen." D24, Meyger vs. Elisabeth, 37v.

Although clothing was included in an "unabridged" list of responsibilities, when witnesses tried to find a shorthand way of referring to fatherly provision, they chose food.[131] One case concerned a child (neither name nor sex is ever specified) who was being kept in the house of Junker Hans Heinrich Grieb. The witness (one of Hans Heinrich's servants) made it clear that Hans Heinrich was trying to claim the credit for fostering the child, despite the fact that it slept in the house of Clara Mangoltin (the other party in the case). To bolster this assertion, the witness stated that Hans Heinrich saw to it that "every day, by nightfall, someone had given the child something to eat."[132] One day the child was sick; Hans Heinrich sent a message that Mangoltin was to keep the child at home, but she sent it to Hans Heinrich's house anyway. The witness admitted that Hans Heinrich "furnished the child with a cot," but stated that "it never stayed at Hans Heinrich's house overnight."[133] He went on, "but nonetheless, when the child was with Hans Heinrich, it was well kept by the same Hans Heinrich and his servants with food and all necessities. . . Also, when the child was sick and with it's mother, Hans Heinrich many times sent it food."[134] Food was the primary marker of pseudo-fatherly provision for the child.

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[131] The same assumption was present in late medieval Florence. A 1422 petition to release a man from jail stated, "not only does his detention harm himself, but it deprives his children of their bread and guidance" (Gene Brucker, ed. *The Society of Renaissance Florence: A Documentary Study* (New York: 1971), 173). Indeed, Roman and canon law use the term "alimentation" to refer to supporting a child.

[132] "der selb JHH alle tag uf den oben verschaffenn dz man dem kind by zytte zunacht ze essen geben habe." Kundschaften D19, Clara Mangoltin vs. Hans Heinrich Grieb, [September] 1505, 93v-94r (at 93v-94r).

[133] "und wie wol junkher hannsheinrich dem kind in sinem hus ein pettlin zugerust hab sye doch das kein nacht in JHH hus nie belyben." D19, Mangoltin vs. Grieb, 94r.

[134] "Unnd aber das kind nit desterminder die wyl es by JHH were von dem selven JHH unnd sinem gesind mit essenn und allr notdurftikeit erlich und wol gehalte. . . So hab ouch JHH dem kind als es krank und by der mutter were zum dikernn mal zu essenn geschickt." D19, Mangoltin vs. Grieb, 94r.

Moral texts also contain little mention of fathers as the source of clothing for their dependents. *Moretus* was an exception in that it advised that, "Long clothing/should never be worn by young children/who with their light stride/will drag it behind them/One should let children's legs and feet/grow strong without hose/ but although they flit about without hose, fit both feet with shoes."[135] Erasmus also complained that children cannot grow up to practice "modesty and humility. . . [when] we foist any novel design in clothing upon a child, who is thereby taught to be self-satisfied."[136] These two passages are the only ones that give any indication that fathers (or indeed parents) have control over their children's clothing, and the *Moretus* passage does not even have any moral content.[137]

The lack of emphasis on fatherly provision of clothing carried over into the morality of clothing. Despite all the attention to it, instruction about clothing was never associated with fathers in the texts, neither in terms of the father as the giver of advice, nor the idea that a child's clothing would be a reflection upon the father. Fathers were not the source of clothing, and they were also not the source of teaching about clothing. It is

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[135] "Vestes non longas iuvenilis diligit etas/Ut motus facilis nesciat esse gravis/Lang kleider sol in iungen tagen/das kintlich later nyemer tragen/Das mit syn licht und bhender gangk/Wer schwer und hynder an im schwank/Non natet in caligis vel crus vel pes iuvenilis:/Sed sotularis formet utrumque pedem/ Des kindes beyn und fuss man soll/on hofen lassen starcken wol/Das es nit yn den hofen schwym/Beyd fuss myt stifflen zieren im." Brant, *Moretus* aa6v. Wearing hose for the first time was an important part of the process of boys becoming men; Heide Wunder, "Wie wird man ein Mann? Befunde am Beginn der Neuzeit (15.-17. Jahrhundert)," in *Was sind Frauen? Was sind Männer? Geschlechterkonstruktionen im historischen Wandel*, ed. Christiane Eifert (Frankfurt am Main: Suhrkamp, 1996). 122-155.

[136] "modestus erit vir et fastus contemptor. . . parit aliquid novi monstri, hoc infanti addimus. Docetur sibi placere." Erasmus, *De pueris instituendis*, 397; Erasmus, *On Early Liberal Education*, 308.

[137] This silence may be a function of the sources; English conduct books are more direct in telling parents how to dress their children, and both English and Italian sumptuary laws held men responsible for the dress of their wives and children; Barbara Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (Oxford : Oxford University Press), 70-73; Frances Elizabeth Baldwin, *Sumptuary Legislation and Personal Regulation in England.* Johns Hopkins University Studies in Historical and Political Science (Baltimore: The Johns Hopkins Press, 1926), 47; and Susan Mosher Stuard, *Gilding the Market: Luxury and Fashion in Fourteenth-Century Italy* (Philadelphia: University of Pennsylvania Press, 2006), 65-83.

difficult to prove a negative, but to illustrate this lack, we can examine three chapters in *Adolescentia* that purport to be from a father to his son: A chapter from the apocryphal book of Tobias, the letter from Louis IX to his son, and a letter from Francis Philelphi, a humanist scholar, to his son.[138] All these letters gave general moral advice about loving God, being diligent in study, and so forth. Of the three, only Francis mentioned avoiding excessive devotion to food and drink. None of the three advised his son about his clothing.

Instead, the usual stance was that the speaker, whether a teacher or an ancient writer, was telling the reader how he should dress *himself*, not his dependents. *The Ring* advised the householder, "Honorable clothing, and not too rich,/you know that is praiseworthy/It should be clean, not beshitted,/well mended, not ripped/and usual for the time,/Fools follow new fashion."[139] All of the treatment of clothes assumed that the reader is clothing himself.[140]

The closest the texts came to fatherly instruction through clothing was in the passage from *Adolescentia* already quoted, in which Wimpfeling wroted that his students should "wear clothing like your elders, long and closed, not slashed or embroidered, in which you can appear without shame and infamy before your honorable parents and uncles."[141] In *The Ship of Fools*, too, the idea was that bad manners (expressed in

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[138] Wimpfeling, *Adolescentia*, 241-2, 249, 260.

[139] "Erber gwand und nicht ze reich,/Wiss, daz is gar lobeleich,/Ist es sauber, nicht beschissen,/Wol vernait noch so zerissen/Und daz gewönleich sei der zeit;/Neuwer sitt die narren reit." Wittenwiler, *Der Ring*, 216-218, lines 5053-5060.

[140] This is connected to the greater weight given to a father's example than to his verbal teaching, as discussed in a later chapter.

[141] "Utimini vestibus more maiorum vestrorum longis clausis, non scissis non acupictis, in quibus coram honestis parentibus et patruis avunculisque vestris," Wimpfeling, *Adolescentia*, 359.

clothing) make one ashamed before one's elders.[142] But in both of these texts, the shame did not accrue to the elders, but only to the improperly dressed youths. This is another example of how clothing was broadly associated with paternal authority, but in a much more diffuse way than food.

Both food and clothing had definite moral weight in Basel conduct literature. The provision of food was heavily fatherly, and there was an explicit link between providing food and teaching manners in the German *Letter on the Management of Household Affairs*, in *The Ship of Fools*, and in *Thesmophagia*. But clothing was not treated as part of fatherly provision, and the emphasis was on the morality of dressing *oneself*. Despite some linkage, the morality of clothing in the texts was much less acutely fatherly.

We must look to practical considerations in explaining the different treatment of food and clothing in terms of fatherly morality. First, the act of providing food simply occurred much more often than the act of providing clothing. This alone goes a fair way toward explaining the emphasis on food in the conduct literature. However, there was also the consideration of the production of clothing. During the fourteenth and fifteenth centuries, the growing elaborateness of fashion meant that clothing was increasingly made to order by tailors, (for the rich, at any rate) or bought ready-made, decreasing the father's (and indeed the mother's) role in shaping the clothing.[143] Pragmatic considerations do not fully explain the difference, however, because fathers provided the money for clothing just as they provided money for food.

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[142] Brant, *Das Narrenschiff*, Ch.9, "Von bosen sytten," 26-27.

[143] Florentine *ricordanze* contain mentions of fathers buying hose for their sons, or giving their wives money to do so, or giving them money to buy cloth (Haas, *The Renaissance Man and His Children*, 144).

Gender played an important role as well. Although outer garments were increasingly the product of professionals, Carole Frick has described how wealthy Florentine women were still personally involved in producing undergarments for their families.[144] Weaving and sewing cloth was an image of feminine domestic virtue stretching back to Solomon's Proverbs and to the Roman Lucretia, and it remained not only an important ideal but an important activity for late medieval women, despite the masculinization of luxury cloth production for guilds.[145] This gendered difference is clearly visible in the Amerbach correspondence. The letters from the Amerbach children to their father contained one mention of sending shoes, one mention of sending a fur coat, and one mention that "the cloth [our guardian] bought for us has now been made into clothes."[146] Letters to and from their mother Barbara, however, were full of references to clothing. Barbara reminded Bruno and Basilius to wash their shirts and adds, "I promise to make you some more shirts." [147] On one occasion, Margarete made a shirt for her brother, Basilius; Barbara's letter reminded him again to wash it.[148] When Bonifacius wrote to his mother, he said, "I want to know how many shirts and linen cloths and clogs

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[144] Carole Frick, *Dressing Renaissance Florence: Families, Fortunes, and Fine Clothing* (Baltimore : Johns Hopkins University Press, 2002), 40-41; some of the work was contracted out to non-guild, mostly female pieceworkers, called *camiciai*, who made *camicie*.

[145] Ruth Mazo Karras, "'This Skill in a Woman is By No Means to Be Despised': Weaving and the Gender Division of Labor in the Middle Ages," in *Medieval Fabrications: Dress, Textiles, Clothwork, and Other Cultural Imaginings*, ed. Jane Burns (New York: Palgrave MacMillan, 2004), 89-104; David Herlihy, *Opera Mulierbria: Women and Work in Medieval Europe* (Philadelphia: Temple University Press, 1990), 1-12, 147-148, 162, 173.

[146] "Pannum, quem nobis emit, iam dudum in vestimenta est formatus," AK 238, Bruno Amerbach to Johannes Amerbach, Paris, October 27, 1504. The other references are in AK 107, Bruno Amerbach to Johannes Amerbach, Paris, January 22, 1500; and AK 388, Bonifacius Amerbach to Johannes Amerbach, Selestat, [August] 1508; Halporn, *Correspondence*, 298.

[147] "un uch sufferlich und retlichen zuchen mit uweren houpteren und mit uweren hemderen. Di lond uch weschen und suferen, und so jch hemder ab gond, so gond, do man jch cleider macht, und heissen ich hemder ouch machen." AK 1:159, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, July 16, 1502.

[148] "das schigt uch uwer swester ein hemd, und lot uch bitten ir wellen es nit verschmechen . . . Und wen ir es dragen hend und es wirt, das man es weschen mus, so lons uch seiffen." AK 1:368, Barbara Amerbach to Basilius Amerbach, Basel, January 6, 1508.

and cushions I have."[149] Margarete asked for shoes and stockings, for a collar, for a handkerchief.[150] In another letter she asked for, "two linen cloths so that I will have something to wind around my neck" and an "under-dress."[151] The Amerbach children clearly considered their mother the one to consult about their clothing, especially more "inner" items like collars, shirts, and so forth.

This attitude is also visible in the court cases. The wife of Martin the Organist (never named) was suspicious because her husband "went out and in" often to their neighbor, a midwife. She asked someone else, "tell me, the midwife made my husband a pair of hose; do you know if that's so?"[152] He replied, "Yes, he had a pair of brown hose made and the tailor made them in the midwife's house."[153] Another witness testified that Martin bought and paid for the hose himself, and that the midwife came and confirmed this because "his wife says I bought him the hose."[154] This was the evidence Martin's wife was looking for; she "spoke angry words and evil cursing against the midwife. . . 'When will you have cohabited with my man long enough?'"[155] Providing clothing could be evidence of an adulterous relationship, and it is significant here that the suspicion was that the woman provided clothes for the man. The gendered associations of food and

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[149] "ich uolt gern uissen wie wil ich hembder und lilachen und schlappen und vie wil ich kusse het." Bonifacius Amerbach to Barbara Amerbach, Selestat, [July] 1507.

[150] "mach mir zwen winter schu und socklin dorin min hercz liebe mutter mach mir ein goler. . . schick mir ein tick tuchlin." Margarethe Amerbach to Barbara Amerbach, [Engental?] December 12, 1498.

[151] liebe muuter schick mir zwei flechen unwinderlin das ich etwas umb den hals heig zu winden. . . schick mir den underroch" Margarete Amerbach to Barbara Amerbach, [Engental?] [Autumn] 1502.

[152] "sag mir, die hebam hab minn man ein par hoss gemacht wuss ir nit ob dem also sye." Kundschaften D20, Obstirritem vs. [Martin] the organist's wife, [August] 1507, 104r-v (at 104r).

[153] "ja er hat ein pruim par hoss gmacht unnd der schnider hat im die in der hebamm hus gemacht." D20, Obstirritem vs. [Martin] the organist's wife, 104r.

[154] "sin wip spricht ich hab im den schurlitz kouft." D20, Obstirritem vs. [Martin] the organist's wife, 104r.

[155] "habe har uber mit zornigen worte und bosen fluchten gegen der hebamannen geredt. . . wann hastu mir minen man gnug uffenthalten." D20, Obstirritem vs. [Martin] the organist's wife, 104v.

clothing still do not fully explain the difference, because women were closely involved with the production of food, just as they were with the production of clothing.

My third and final explanation incorporates the previous two, but is based on the differing symbolic significance of food and clothing. Although the late middle ages saw a shift toward private eating (namely, the nobility eating in their own chambers rather than in the hall with their households), commensality was still a strong marker of social bonds.[156] Public feasts were in a sense an intimate family meal writ large, attempting to capitalize on the close bonds created by the members of a household eating together. The Schultheiss himself was required to swear an oath that he would not eat with anyone who had pending business before the court; the logic of the prohibition is that eating with someone necessarily indicated a relational bond.[157] Bad table etiquette (though not gluttony) was an essentially social violation; many of the specific etiquette guidelines were intended to keep one from being disgusting to others at the table.

In the court cases, commensality was closely correlated with respectability. Menolff, a journeyman shearer, picked a fight with his fellow shearer, Peter, then confided that someone had asked Peter's master "Why he had a fellow who was not good enough to eat and drink with good fellows."[158] Peter responded that "no good fellow can

[156] Claire Sponsler, "Eating Lessons: Lydgate's 'Dietary' and Consumer Conduct," in *Medieval Conduct*, ed. Kathleen Ashley and Robert Clark, Medieval Cultures 29 (Minneapolis: University of Minnesota Press, 2001), 1-22 (at 11); C.M. Woolgar, *The Great Household in Late Medieval England* (New Haven, CT : Yale University Press, 1999), 111-135.

[157] Hans Rudolf Hagemann, *Basler Rechtsleben im Mittelalter* (Basel: Helbing und Lichtenhahn, 1987), 2:20.

[158] "warumb er ein knecht hett der nit güt wer das er mit gute gesellen essen noch trinke solt." Kundschaften D17, Peter von Crutznach vs. Menolff von Strassburg, [Summer] 1598, 33v-34v (at 34v).

bring that against me, and I won't allow it from you either,"[159] indicating that he immediately perceived the insult to his character.

The household was so closely correlated with commensality that it, like clothing, could serve as evidence of adultery. Elsin Friken confronted Margarete Merscherin, "You whore, when will you have done enough to me? You've stolen my husband from me, taken him to Huninger. You eat and drink with each other."[160] When she alleged the establishment of an extra-marital bed, she referred in the same breath to the establishment of an extra-marital table. Another case showed the same attitude. Several witnesses reported substantial evidence of an affair between Walther Roubli and Paul Bilger's wife (never named), who was no longer living with her husband. What is more instructive for our purposes is the evidence that more dubious witnesses tried to scrape together. Balthasar Stosskorb, a tavern-keeper, ended his testimony by admitting that "he did not know whether they had something bad to do with each other or not."[161] Nonetheless, he testified that "Paul Bilger's wife came to him and asked for food; he told her to go up to the small parlor and he would share some with her. Not long after that, Walther Roubli came also, with another person, and Walther asked him whether he had something to eat. The witness said "Yes," so Walther and his fellow went with each other into the small

[159] "Das mag kein gut gesell uff mich bringe will dichs ouch noch nit erlassen." D17, Crutznach vs. Menolff, 34v.

[160] "du hur, wan hastu mich gnug gerichet oder umgetriben du zihest mir minen man um furest in gen huningen essen und trinken mit einander." Kundschaften D13, Margarete Merscherin vs. Elsin Friken, [Summer] 1485, 42r.

[161] "Ob ouch walther unnd paulins wip etwas args mit einander zuthunn gehpt haben oder nit ist dis zugen ouch nit wissen." Kundschaften D20, Paul Bilger vs. Walther Roubli, [February] 1507, 74r-76r, 79r-80r (at 76r). This appears to be the same Walther Roubli discussed in a later chapter in a breach-of-the-peace case against Hans Swebli, but the cases are unrelated. This Balthasar Stosskorb may be the same as the one Hans Wick claims that Hans Wurtzburg stabbed to death in the case discussed above (D22, Hans Wurtzburg vs. Hans Wick, 24v-26r).

parlor, where people were eating, and each person paid their own bill."[162] Elsa Wagner also said that she had heard they were having an affair, but she never saw them "strolling together, standing by one another, eating and drinking together, or lying with each other."[163] In casting about for circumstantial evidence of adultery, both witnesses named eating together as potential evidence.

Clothing, on the other hand, was a signifier of personal status. Garments were gender-specific, but also age-specific and class-specific. In inheritance cases, garments most often passed to someone of the same sex.[164] Clothing was social primarily because it communicated to others who saw it; recall Wimpfeling's statement that "indecent clothing indubitably shows what is hidden within a man;"[165] no similar statement was made about food. It was by no means so simple as the idea that clothing was public and food was private; rather, food was deeply imbedded in the household—indeed, defined the household—while clothing defined the individual, though of course it was in terms of his or her place in social networks. The closer association of fathers with food, then, means that fathers were theoretically responsible for maintaining the household as a whole, while mothers were responsible for caring for each of its members, even as the most public, prestigious clothing was increasingly derived from networks of commercial

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[162] "paulis bilgers wip zu im keme unnd essen begerte da hiesse er sy hinuf in dz klein sutblin gan so wolte er mit irs theylen darnach unlang dem walth Roubli ouch unnd einer mit im fratge walther im disen zuge ob er etwas zeessen hete sprech er diser zug ja also gienngen walther und sin gesell mit enander ouch hinuf in dz clein stublin do mann nun gessenn unnd ein jede personn ir vrtl fur sich selbs bezalt hette." D20, Pilger vs. Roubli, 75v-76r.

[163] "zu samen wandlen, by einander stan, oder essen und trinken noch by einander liggern." D20, Pilger vs. Roubli, 75v.

[164] Martha Howell notes that women were the primary givers of garments and other individual items as bequests, since their disposable wealth was more likely to be comprised of these types of items, while the marital estate would be reserved for the lineal heirs (Martha Howell, "Fixing Movables: Gifts by Testament in Late Medieval Douai," *Past & Present* 150 (Feb., 1996): 26-29).

[165] "Nam turpis vestitus, quid in ipso homine lateat, indubie prodit." Wimpfeling, *Adolescentia*, 359.

consumption. The association of fathers with food was a symbol of their status as custodians of both the moral and physical needs of their households.

The perception of fathers as providers and educators for their households had its basis in the practice of providing for children and educating them on a daily basis. These experiences formed the foundation of what medieval Baslers thought about fatherhood. Baslers interpreted provision combined with education as a fatherly trait so deeply that they could draw upon it in pursuing their own legal agendas, as shown in a final example from the Schultheissengericht. Wilhelm Gross' heirs were attempting to claim the inheritance of his Uncle Hans.[166] What concerns us here is the rhetorical strategy used by Hans Richart, one of the witnesses, in establishing that claim. Hans Richart testified that, when he and Wilhelm were schoolboys in search of eggs, they had gone to Wilhelm's Uncle Hans. He was happy to see them and remarked "that he had no nearer heir than Wilhelm and his brother because they were his brother (sainted)'s legitimate sons"—a suspiciously helpful phrase to remember years later in a court case over the uncle's inheritance.[167] Even more significant, though, is his claim that as the boys were leaving, the uncle "gave Wilhelm (sainted) some money and in a friendly way instructed, taught and admonished him that he (Wilhelm) should hold himself pious and honorable, and should learn quickly so that he would become an honorable man, as is usual for *Frunde* to speak to and care for each other, especially the old with the young."[168]

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[166] Wilhelm was deceased, having died in Strasbourg; instead, Jacob Gross, acting as *Vogt*, was attempting to claim the estate for Wilhelm's children. What is important about the witness' testimony is the way that he established Wilhelm as the heir, regardless of the fact that the link was then extended to his children for this particular court case.

[167] "daz er neher erben nit hetti den Wilhelm gros und sin bruder dann sy beid weren sins bruders (selig) liplich unnd eeliche sonen." Kundschaften D22, Jacob Gross for himself and Wilhelm Gross (sainted)'s children, [May] 1516, 118r-v.

[168] "hab derselb hanns gros wilhelm selige etwas geltz geben inn daby fruntlich underwisen gelernet und

We therefore end the chapter where we began, with the intertwined pragmatic and ideological, social and financial relationship of *Fruntschaft.* When trying to establish Wilhelm's heirship, Hans Richart chose to share details (true or false) of Uncle Hans giving Wilhelm money. Gifts in the present implied inheritance in the future. But when the father-figure gave a gift of money, he accompanied it with moral teaching. The witness repeated different verbs for teaching, but all of them have connotations of moral formation. The witness then stated that this was typical behavior; though he specified only the relationship of older and younger *Frunde*, fathers lie at the center of this range. Uncle Hans was not Wilhelm's father, but Wilhelm's father was already dead (Uncle Hans' brother is referred to as "sainted," and Wilhelm is called Uncle Hans' nearest heir), making Uncle Hans his closest male relative. This avuncular moment is therefore an example of surrogate fatherhood. We must give serious weight to this case; not only did the witness say that this was "usual" behavior, his implicit strategy was that as a small boy, he knew that Hans and Wilhelm were related *because* they acted this way towards each other. When the money changed hands along with words of pious advice, the witness concluded that Wilhelm must really be his kin and heir. The connection, largely rhetorical though it was, between provision and instruction provides a crucial link in understanding how meeting material needs was linked to instilling moral principles.

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ermant dz er wilhelm sich fromklich und erberlich halte und vast lernen solte dann ein biderman us im wurd mit vil derglich fruntlichen worten wie dann gwonlich die frund besonder die alte mit den junge phlege zered." D22, Gross and Gross' children, 118r-v.

PERPETUAL FATHERHOOD: FATHERS AND THE FUTURE

If provision in the present was a major role of both biological and surrogate fathers, then actions in the present to make provision for the future were a continuation of that role. Certainly there was no strict separation between the two, but Baslers had a mental list of definite options for their children's futures. When Michael, a tablemaker, married Ursula, a widow, he stated in their wedding agreement that

> he would stand in place of Durschen (sainted) as a father to the [step-] children, with this stipulation: that he would pay attention to, raise and hold the said children henceforth as though they were his bodily children and he should let the boys learn a craft that was honorable and according to each one's will, and if they had no desire to be table-makers he should let them learn another, and when the children came of age and desired a place, whether spiritual or secular, he should, like a father, advise them about that and be helpful and give them twenty pounds for it, and if it should be that he could help them more, and such children followed his will and lived, he should be obliged to increase [the help] according to his ability and whether Michael had more children with their mother. . . or no others, when he died, they should inherit from him as though he was their bodily father.[1]

Michael's responsibility was not only to provide the money for his sons to learn a trade, but also to advise them about their options. This case highlights how present provision could easily meld into future provision. It also shows the circumscribed list of alternatives that Baslers had in arranging for future provision for their children: marriage and a craft for laymen, or holy orders for clerics. The options were alternatives to one

[1] "Michel begeben und zugesagt an stat durschen selig ein vater der kinder zustand mit solchen geding und furworten das er die gedachten kinder woll anstan ziehen und halten hinfur als weren sy sin lipliche kinder und sol die knaben handtwerk lassen leren die erlich und einen jeden zu willen syen und ob sy nit lust zum dischmacher wath hate einanders leren lassen und so die kind zu irn tagen kamen und eins in einen stand er sye geistlich oder weltlich begeren sol er als ein vatter im darzu berate und hilflich sin und einem jed darzu geben zwenzig pfunt und so sich also begeben das er in grossen vermogen were und kamen wurdi und sich ein kind sins willens hielti und legte sol er nach vermogen sollich sumeren wyter schuldig sin, und ob Michel mit der jetzigen irer muter mer kinder uber kame . . . und so er glich wol kein ander kinder uberkomen wurdi und mit tod abgieng sollen sy inn als wer er ir liplicher vatter erben." Kundschaften D23, Ursula and Michael Tischmacher vs. Christiana, Tursen Tischmacher (sainted)'s daughter, [February] 1524, 274v-275r (at 274v).

another: the sons were to receive twenty pounds when they achieved maturity, marked by either marriage or the priesthood. Only sons were mentioned here, but the case was actually brought by one of the step-daughters against Michael and Ursula to recover her father's inheritance.[2]

This chapter incorporates all of the options for future provision, not merely for our convenience, but because Baslers thought of them as a set of alternatives. This list of options has already been hinted at; providing an inheritance was one option, and providing for marriage was closely linked to it. This was especially the case for daughters, although sons also received marriage support from their fathers. An alternative to marriage was entry into a cloister, and the arrangements for this could be quite similar to betrothal arrangements. Education also had a future dimension. For sons, vocational training was a major way to ensure a child's continued prosperity, and choosing an apt profession for the child and supervising his training was a major fatherly responsibility; this training was less overtly professional for daughters, but was still important. We turn first to the ways in which Baslers construed inheritance as a form of fatherly provision.

The meaning of inheritance: Inheritance as practical provision

Despite the emphasis of historians upon large-scale economic aspects of inheritance, I focus here on inheritance as a form of continuing provision. The conception of inheritance as a form of provision gave rise to the strategy of leaving an ongoing collection of payment to one's heirs as a way of continuing provision for them. That this

[2] There was an entry in the Urteilsbuch stating that she was trying to recover her fatherly inheritance and they were allowed a deferrment as they searched for the record of the marriage agreement; Urteilsbuch A56, [January] 1525, 69v.

was motivated by a desire to provide is indicated by the frequency with which the outstanding payments in inheritance settlements were payments in-kind.

Historians have seen inheritance, especially dowry arrangements, as an important aspect of economic history. Historians have discussed the problem of dowry inflation and the marriage market in fifteenth-century Italy and the mutual influence between marital and inheritance law and economic development.[3] Goody argues in general that the wealth that widows brought with them into a remarriage could be a major economic incentive and Hanawalt argues for London in particular that this fact made widows significant players in the process of capital formation. Hughes, too, links changes in dowry practices to the economic changes of the late middle ages.[4] This was the case in Basel as well;

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[3] On the issue of dowry inflation, see Stanley Chojnacki, "Dowries and Kinsmen in Early Renaissance Venice," in *Women in Medieval Society*, ed. Susan Mosher Stuard (Philadelphia: Pennsylvania University Press, 1976), 173-198. Chojnacki's study was originally published as Stanley Chojnacki, "Dowries and Kinsmen in Early Renaissance Venice," *The Journal of Interdisciplinary History* 5.4 (Spring, 1975): 571-600. See also Donald E. Queller and Thomas F. Madden, "Father of the Bride: Fathers, Daughters, and Dowries in Late Medieval and Early Renaissance Venice," *Renaissance Quarterly* 46.4 (Winter, 1993): 685-711 (at 688). More general examples of economic treatments of inheritance and dowry include Hughes, "From Brideprice to Dowry," Barbara M. Kreutz, "The Twilight of Morgengabe" in *Portraits of Medieval and Renaissance Living: Essays in Memory of David Herlihy*, ed. Samuel K. Cohn, Jr. and Steven A. Epstein (Ann Arbor: University of Michigan Press, 1996), 131-147; Daniel Lord Smail, Kathleen M. M. Smail, Caroline Duroselle-Melish, "Démanteler le patrimoine: Les femmes et les biens dans la Marseille médiévale," *Annales: Histoire, Sciences Sociales* 52.2 (Mar.-Apr., 1997): 343-368; Martha Howell, *The Marriage Exchange: Property, Social Place and Gender in Cities of the Low Countries, 1300-1550*, Women in Culture and Society (Chicago: The University of Chicago Press, 1998); and many of the papers in Maria Ågren and Amy Louise Erickson, eds., *The Marital Economy in Scandinavia and Britain 1400–1900*, Women and Gender in the Early Modern World (Aldershot, UK: Ashgate, 2005). For an important and intriguing argument that the shifting of wealth from primarily land to primarily movable goods precipitated the normalization of companionate marriage in the cities, see Martha Howell, "The Properties of Marriage in Late Medieval Europe: Commercial Wealth and the Creation of Modern Marriage," in *Love, Marriage and Family Ties in the Later Middle Ages*, ed. Isabel Davis, Miriam Müller, and Sarah Rees Jones (International Medieval Research 11; Turnhout: Brepols, 2003), 17-61. Although concerned with dowry, all of these studies use wills and deal with testators bequeathing dowries and other forms of inheritance.

[4] Jack Goody, "Inheritance, property and women: some comparative considerations," in *Family and Inheritance: Rural Society in Western Europe, 1200-1800* ed. Jack Goody, Joan Thirsk, E.P. Thompson (Cambridge: Cambridge University Press, 1976), 11-12, 15-18. For an argument that London marital law was constituted to aid in the accumulation of capital through the remarriage of widows, see Barbara Hanawalt, *The Wealth of Wives: Women, Law and Economy in Late Medieval London* (New York: Oxford University Press, 2007), 4-12, 106; Diane Owen Hughes, "From Brideprice to Dowry in Mediterranean

when Hans Fröhlich married Emelin Besserin, he declined a deferred payment of the dowry, saying that "he was a poor man and needed the money for his business,"[5] showing that he viewed the marriage settlement as an influx of business capital. This approach is entirely appropriate, because inheritance and dowry settlements did indeed represent a major mechanism for the circulation of wealth. In order to understand inheritance, we do need to examine the concerns of acquiring land and accumulating capital that were of life-changing importance to medieval people.

My argument here, however, concerns the fact that considerations of the land market and burgeoning economic structures do not fully explain inheritance practices. There were also more personal and ideological considerations. The personal aspect of inheritance has been acknowledged by many scholars. In fact, it has often been simply assumed, possibly because the motivation remains familiar in contemporary practice.[6]

Europe," in *The Marriage Bargain: Women and Dowries in European History*, ed. Marion A. Kaplan, Women & History 10 (New York: Institute for Research in History: Haworth Press, 1985), 42-3.

[5] "Er wer ein armer gsell und bedörffte des geltz zu sinem gewerb." Kundschaften D12, Hans Fröhlich vs. Leonhard Mornach, [March-April] 1483, 52v.

[6] Chojnacki acknowledges the existence of the *corredum* ("trousseau") in Venetian marriage settlements, but then ignores it entirely in favor of enumerating cash bequests and comparing the restrictive patrilineal-minded testamentary behavior of males to the freer distribution of gifts by female testators (Chojnacki, "Dowries and Kinsmen in Early Renaissance Venice," 176). Kettle remarks that the motivation of testators in medieval England was "to provide for the surviving spouse within the restraint imposed by law and custom" before moving on to an examination of women's place in testamentary law (Ann J. Kettle, "'My Wife Shall Have It': Marriage and Property in the Wills and Testaments of Later Medieval England," in *Marriage and Property*, ed. Elizabeth M. Craik (Aberdeen: Aberdeen University Press, 1984), 89-103 (at 89)). In her study of London Consistory Court wills, Jacqueline Murray says only that "there was also a great deal of concern exhibited for the material well-being of the young;" she focuses instead on comparing the testamentary networks of clergy and laity (Jacqueline Murray, "Kinship and Friendship: The Perception of Family by Clergy and Laity in Late Medieval London" *Albion: A Quarterly Journal Concerned with British Studies* 20.3 (Autumn, 1988): 369-385 (at 382)). Kermode notes that testaments were used for a variety of purposes: "to take stock, to identify executors, to provide for family and dependants, to settle unfinished business matters, to make a social statement, to arrange the secular and spiritual future, and to organize the final rites attendant upon death," but then uses her testamentary evidence to reconstruct the social networks of merchants in late medieval Yorkshire (Jenny Kermode, *Medieval Merchants: York, Beverley and Hull in the Later Middle Ages* (Cambridge: Cambridge University Press, 1998), 71). When comparing the status of female testatrices in Venice and Ghent, Guzzetti states that the purpose of dowry was "to provide for the necessities of the household," (in a Latin phrase, *providere ad onera matrimonii*, for which she provides no source) and adds that "some of the nieces, nephews and grandchildren who

These scholars assume that providing for heirs was a concern of medieval testators, but they analyze neither the source of the concern for provision nor the impact that it may have had on inheritance practice. The problem with focusing on large-scale legal and economic issues is that it neglects a huge proportion of inheritance practice. A sample from the late medieval Lyonnais indicates that forty-four percent of taxable capital listed in wills was movable property.[7] Admittedly, the category of movable goods includes high-value items like cash and jewelry, but Kathryn Staples, in her recent dissertation, shows that nearly half of all movable bequests in London wills were household goods of little individual economic value.[8] Catherine Richardson, using a sample of wills from Sandwich, finds that household movables were given more commonly than cash or land, and were second only to religious bequests; thirty-five percent of all testators left a bequest of household movables.[9]

Several recent works have turned back to the practical motivations behind inheritance. Martha Howell, noting that the value of movable goods in an estate could outweigh that of a house, has argued that Douaisien women used the objects they gave as bequests in their wills in a complicated process of preserving social identity in the midst

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inherited may have been young adults who would need the gifts to set up a new household" (Linda Guzzetti, "Women's Inheritance and Testamentary Practices in Late Fourteenth- and Early Fifteenth-Century Venice and Ghent" in *The Texture of Society: Medieval Women in the Southern Low Countries*, ed. Ellen E. Kittell and Mary A. Suydam, The New Middle Ages (New York: Palgrave Macmillan, 2004), 79-108 (at 82, 93)).

[7] Marie-Thérèse Lorcin, *Vivre et mourir en Lyonnais a la fin du moyen age* (Paris: Editions du CNRS, 1981), 32.

[8] Kathryn Staples, "Daughters of London: Inheritance Practice in the Late Middle Ages" (Ph.D. diss., University of Minnesota, 2006), 120-123.

[9] Catherine Richardson, "Household Objects and Domestic Ties," in *The Medieval Household in Christian Europe, c. 850–c. 1550: Managing Power, Wealth and the Body*, ed. Cordelia Beattie, Anna Maslakovic and Sarah Rees Jones (International Medieval Research 12; Turnhout: Brepols, 2003), 433-448 (at 439).

of a commercialized economy in which they participated with a disadvantaged status.[10] Richardson points out that in pursuing the common strategy of leaving "parcels of less valuable items," testators often left groups of objects that were linked by function; for example, "a bed, bolster, pillow and sheet, or a dish, plate, saucer and candlestick."[11] This indicates a pragmatic, rather than an economic motivation. Staples, too, finds that it was common to leave a legatee all the goods pertaining to, say, the kitchen or the bedchamber.[12] Her analysis clearly shows throughout that testators were attempting to provide for their sons and daughters in direct ways. My argument here contributes to this ongoing recovery of the more immediate motivations of people arranging their inheritances.

From the point of view of medieval Baslers, what was the purpose of inheritance? Wittenwiler's parodic advice-poem *The Ring* advised the reader, when making a will, to "give better and faster help to a daughter and the little children/than to the healthy, strong boys who can look after themselves."[13] The consideration of the ability of the heirs to provide for themselves indicates that inheritance was at least partially concerned with the

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[10] Martha Howell, "Fixing Movables: Gifts by Testament in Late Medieval Douai," *Past & Present* 150 (Feb., 1996): 3–45.

[11] Richardson, "Household Objects and Domestic Ties," 439. See also Salter's essay in the same volume, which uses testamentary evidence to examine household goods without reference to testamentary practices (Elisabeth Ellen Salter, "Some Differences in the Cultural Production of Household Consumption in Three North Kent Communities, c. 1450–1550," in *The Medieval Household in Christian Europe, c. 850–c. 1550: Managing Power, Wealth and the Body*, ed. Cordelia Beattie, Anna Maslakovic and Sarah Rees Jones, International Medieval Research 12 (Turnhout: Brepols, 2003), 391-408.) For an analysis of differences between urban, mercantile and peasant domestic values that uses probate inventories and wills, see P.J.P. Goldberg, "The Fashioning of Bourgeois Domesticity in Later Medieval England: A Material Culture Perspective," in *Medieval Domesticity: Home, Housing and Household in Medieval England*, ed. Maryanne Kowaleski and P.J.P. Goldberg (Cambridge: Cambridge University Press, 2008), 124-144.

[12] Staples, "Daughters of London," 135.

[13] "Hilf auch bas und gar geswind/Der tochter und dem chlainen chind/Dann den gesuntten starken knaben,/Die sich selber mugent betragen." Heinrich Wittenwiler, *Der Ring*, trans., ed. and commentary by Bernhard Sowinski (Stuttgart: Helfant-Texte, 1988), lines 5185-5188.

daily maintenance of the heirs, not just their overall wealth.[14] As argued in the previous chapter, the experience of providing for a child in the present created a strong expectation of providing for his or her future; it is thus understandable that this would be one dimension of the many considerations involved in assigning inheritance.

Despite the focus of modern historians on inheritance in terms of property and economic formation, medieval Baslers did not see the inheritances they left as simply cash payments that the heirs could save for major purchases. Instead, inheritances were routinely arranged to provide for the practical, day-to-day needs of the heirs.[15] One example shows how such pragmatic provision could carry over from the present into the future. Hans Küchler gave Conrad Tugelich "a bed, jugs, pans and other little household goods bundled together and said to him (the witness) in his presence, 'Look, I gave these household goods to my cousin (namely Conrad Tugelich) so that he can produce them for my heirs; when I die, he should leave my wife without a care if she should outlive me."[16] Hans arranged for mundane household objects to be returned to his wife (and probably children, since he mentioned "heirs") after his death, as a way of providing for her practical needs. The witnesses reported Hans as explicitly referring to this bundle of goods as part of his *Erbfall* ("inheritance").

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[14] In his study of Constance wills, Baur notes that testators tended to pay special attention to children who were not yet socially established; this indicates that testators shared the same opinion as the poem just quoted; Paul Baur, *Testament und Bürgerschaft: Alltagsleben und Sachkultur im spätmittelalterlichen Konstanz*, Konstanzer Geschichts- und Rechtsquellen: Neue Folge der Konstanzer Stadtrechtsquellen 31 (Sigmaringen: Jan Thorbecke, 1989), 216-217.

[15] Baur discusses several Constance wills that explicitly acknowledge an identical intention (Baur, *Testament und Bürgerschaft*, 209-211).

[16] "habe er im geben ein bett kennlin pfennlin und allerlei husrätlis züsamen gebunden und seite im disem gezugen in sin gegenwurtikeit, Sehst du disen husrät hab ich minen vetter nemlich Conrat Tugelich geben um dz er sich minss erbs verzihen [vorzeigen?] sölle also wan ich mit tod abgang dz er dan min frowen ob sy mich uberleben wurde unbekumert lassen solle. " Kundschaften D12, Widow of Hans Kuchler, shoemaker, [February-March] 1483, 50r. The court case was brought by Hans' widow to recover the goods.

Providing for the ongoing needs of one's household was a major factor in settling estates. In 1518, Hans Bottinger Jr. died with many debts; "around six hundred gulden, more or less, owed beyond what was owed to him."[17] His wife decided to take the advice of her relatives and forego her inheritance so that she would not be obliged to pay the debts; instead, the children received the inheritance and their grandfather, Hans Bottinger Sr. agreed that he would pay the debts on their behalf.[18] But Claus Rinck, one of the witnesses at the division of the estate,

> pitied Hans Bottinger [Jr.] (sainted)'s wife that she should be disinherited, and from pity, he asked Bottinger Sr. to give her some food and a few household goods—not, however as an inheritance, but by his free will, at the witness' request. So she received some food and household goods, but not as an inheritance; rather, she was disinherited, and she did not take anything from the division.[19]

The legal purpose of Claus' statement (and the reason he clarified it repeatedly) was to demonstrate that the goods Hans' wife received were not an inheritance and therefore they did not implicate her in her husband's debts.[20] This is a clear case of legal flim-flam: certainly Hans Sr. administered the children's estate, but any disbursements for their upbringing would likely be given back to their mother, who thereby retained

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[17] "Hans Bottinger by vi c gd minder oder mer ungevarlich mer schuldig dann man im schuldig war." Kundschaften D22, Peter Burki vs. Michael Snider, [June-October] 1518, 236r-v. The case continues D23, 10r.

[18] He was probably their *Vogt*, though the records did not say this explicitly.

[19] "Doch so hetti disen zugen hanns Bottingers seligen frowen das sy ungeerbt solt osgan erbarmt unnd er umb erbarmt willen den alte Bottinger erpette das er irs etwas specks und ein wenig husrats wie wol nit vil aber nit inn erbswys sonnders von fryen willen uff dis zuge Bitt unnd Begen noch glassen desselben Hanns Bottingers der Jungern selige frow hab ouch solhen Speck und hussrat nit inn erbswys angnomen sonnders is sy als diser zug wol weyst ungeerbt usgangen hatt ouch inn der selben teylung nitzit inn erbswys gnomen." D23, Burki vs. Snider, 10r.

[20] Another case shows a similar strategy to avoid the inheritance of debt. In it, "Diepold Snellen's widow had so many debtors to whom she and Diepold remained indebted that [Clewin Hemelin, their *Frunt*] did not want to let the children inherit; instead he supposed that the children would remain with what they had from their grandmother and should not inherit from their father." Clewin shielded his *Vogtkinde* from the financial burden by preventing them altogether from inheriting from their father. ("da hatt diepold snellen wittwe so vil schulden die sy unnd diepold schuldig bliben dartan daz er die kind nit wolt lass erbn sonder vermeint daz die kind by dem so inen von ir Grossmutter worden bliben soltn und den vatter nit erbn soltn." Kundschaften D16, Veltin [vs. Diepold Snellen's heirs], [Spring] 1495, 125r).

effective benefit from (though not legal control of) the property. Indeed, Claus' request may be read as an initial disbursement; Hans Sr. was taking over the estate, but gave a portion of it to his son's widow immediately.[21] Small wonder that it had to be clarified that she was not inheriting anything; it certainly looked like it. But for our purposes, we see here that when Claus worried about her being disinherited, he was worried about her day-to-day practical needs—he asked for "food and household goods" on her behalf, not for cash. Her father-in-law apparently agreed with Claus' concern since he gave these things to her.

One indication that medieval testators saw inheritance as a way of making practical provision for the future of their heirs is the strategy of leaving inheritance in the form of ongoing payments. If debt could persist after death, so could its opposite.[22] By the fifteenth century, there was a thriving market in private credit across Europe, including the ability to resell loans to a third party.[23] Basel, too, had a variety of types of private loans.[24] But was it desirable to arrange for recurring payments? Recurring payments would do little to help the heirs to make major purchases or investments.

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[21] Ann Kettle notes English wills that provided maintenance for the widow during the brief period between the testator's death and the formal settlement of the estate. That such a brief period received explicit attention indicates that the provision met acute needs, not more abstract concerns (Kettle, "'My Wife Shall Have It,'" 97).

[22] As illustrated by the cases of Bottinger and Snelling, discussed above, and the Lengk case in the previous chapter, heirs could easily be overwhelmed by the outstanding debts of the deceased.

[23] John H. Munro, "Patterns of Trade, Money and Credit," in *Volume One: Structures and Assertions* in *Handbook of European History, 1400-1600: Late Middle Ages, Renaissance and Reformation*, ed. Thomas A. Brady, Jr., Heiko A. Oberman, James D. Tracy (Leiden: Brill, 1994), 147-196 (at 173-4).

[24] *Vergichte* were small, short-term loans secured by personal accountability. *Renten* were loans that included a piece of real estate as collateral. *Hauskaufrenten* occurred when the seller of a piece of real estate accepted delayed payment for part or all of the sale price. *Altrenten* were *renten* that had been resold to a third party. *Leibgedinge* (lifetime annuities) and *naturalrenten* (loans repaid in-kind) were also part of the private credit market, and they will be discussed further below (Hans Füglister, *Handwerksregiment: Untersuchungen und Materialen zur sozialen und politischen Struktur der Stadt Basel in der ersten Hälfte des 16. Jahrhunderts*, Basler Beiträge zur Geschichtswissenschaft 143 (Basel: Helbing & Lichtenhahn, 1981), 92-95, 99).

Would it be better to leave one's heirs a lump sum, or a recurring income as a way of continuing provision for them? There were, of course, many different inheritance strategies. Certainly, throughout Europe, leaving land to one's heirs was the most popular, but it was not universal. My argument here is not that everyone tried to secure recurring payments for their heirs, but that it was a possible strategy that was motivated by the ideal of fatherly provision.

In 1510, Agnes Meitlin testified that before she was born, her father Hans Meitlin, a butcher, had sold a market stall (probably in the guild warehouse) to Conrad Schaffner for seventy or eighty gulden. The guild assigned all masters a stall and charged a yearly fee for it. Masters were allowed to rent out their stalls, though they were not supposed to sell them as Hans did; the case may derive from the guild trying to trace how a non-member came to be collecting the proceeds of one of their stalls. Her testimony ended, "Her father said to her the words, 'Ay! Why did I not hold onto my stall so that I could provide something for my child with it, like the other masters of the butchers [guild]?'"[25] Renting stalls out was apparently common; a different witness mentions that Conrad rented him the stall "as other masters sell the use of theirs."[26] Another witness stated that the fee from the guild was one pound per year; he rented out the stall he inherited from his father for twelve years for thirty-five shillings (1.75 pounds) a year—quite a profit.[27] The point of all this is Hans Meitlin's lament. He regretted selling his stall, not because it was land, nor because he decided he wanted to use it after all, nor because his children

[25] "wol hab ir vatt geredt die wort, Y warumb hab ich min banck nit behalte dz ich min kind eins damit ouch wie ander meisters der metzger versorg hette." Kundschaften D21, Conrad Schaffner, genant Hünenberg de Swerentz vs. dins gfules gh tuntat, [March-April] 1510, 15v-20v (at 15v).

[26] "ob er inen den lyhen wolte damit so mochte sy ouch wie ander meister das ir zü nutz verkouffe." D21, Schaffner vs. dins gfules gh tuntat, 16r.

[27] D21, Schaffner vs. dins gfules gh tuntat, 17r.

could use it, but because it could have secured a recurring payment to "provide" for them. Furthermore, this was not an isolated incident. Hans got this idea from seeing what the other masters were doing with theirs—providing for their children. Even the other witness mentioned above happened to have inherited a stall from his father and rented it out for a recurring income. Hans' (belated) goal was to provide ongoing support for his children in the future.

The concern with recurring payments in inheritance is visible in other cases as well. In one, Uli Hofli had fostered Clewi Spenler's son Bartholomew for four years. When Clewi died, Uli was planning to move from Liestal to Basel. He went to Hans Spenler, Bartholomew's grandfather, to ask if he wanted the boy, but Hans said he could not raise him. Moving the discussion directly from fostering to provision, Uli then asked whether Clewi had left his son anything. The grandfather replied, "Yes; he has twenty gulden of capital and a gulden of [interest] money from Hans Hugen's house in Liestal and ten gulden of capital and a half gulden of [interest] money from Clewie Salat's interest in Selbensberg, which are the boy's own goods; so his father designated and gave him thirty gulden in capital and two [*sic*] gulden of [interest] money."[28] The quotation above referred only to "money" (*Geld*), but that these were recurring payments is clarified by the statement at the end of the testimony that this was the arrangement, but

[28] "Ja er hat zwenzig guld hauptgetz und ein guldin gelz uf hansen hugen hus zu liestal und zechen gulden hautgutz und ein halbe guld geltz uf Clewi Salatis Zynss zu Selbensperg das ist des knabe eige gut und sin vatter hat im xxx gl hauptgutz und y guld geltz verordnet und geben." Kundschaften D23, Bartholome Hofly, Schaffner zu Gnadental, [December] 1523, 268r. Uli's deposition was the only record of the case, but it listed Bartholomew as the only party, then a porter at the convent of Gnadental. The case was apparently years later, and Bartholomew may well have been suing to recover the capital, though the fact that Uli's final statement returns to the question of the collection of interest seems to indicate otherwise.

"who collected the interest (*Zins*), the witness does not know."[29] In arranging for and discussing Bartholomew's inheritance, his grandfather, his father and his foster-father were all interested in the lump sum that constituted the capital, but that sum was not liquid; rather, the thing that mattered for Bartholomew's maintenance was the recurring payments from the investment of that money.

It must be admitted that not everyone wanted recurring payments. Agnes Volrat's father had sold his house, called the Red Flag,[30] to Fridlin Hirsinger and his wife Elsin. When Volrat died, Agnes inherited the right to the remaining payments on the sale price.[31] There was still fifty gulden of the original two hundred gulden principal left, and Agnes wanted to collect it immediately, but Fridlin resisted. In attempting to reassure her, Fridlin said that "he would not abandon her and her children during his lifetime, but rather serve them with food and drink, house and hostel. . . and if Agnes should die before her children, and were her children to come to him at her request, he would also not abandon them his life long."[32] As a substitute for a cash inheritance from her father, Fridlin offered to provide for the daily needs of Agnes and her children. Fridlin thought that provision for continuing bodily needs was Agnes' main concern in asking for the money.[33]

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[29] "wer aber den zins ingnome hab war diser zug nit wissen." D23, Hofly, 268r.

[30] Not only taverns, but all houses in Basel, had descriptive names that were used in real estate documents. Historic houses in Basel today have the name and date painted above the door. In the sources, the names of private houses were rarely used unless the house changed hands. The use of a house's name in a breach-of-the-peace case, for example, indicates that the house was a tavern.

[31] This was a *Hauskaufrenten*, as discussed above, though the court record never used the term.

[32] "er wolt sy unnd ir kinden sin irs lebtag lanng nit lassen sonnder mit essen unnd tringken, huss und herberg getrüwe…dessgliche ob sich begeb nach dr wille gottes das Agnes vor irs kind mit tod abgang unnd was im das kind von ire bevolche wurd wolt er das sin lebtag ouch nit lasse." Kundschaften D16, Agnes Volrat vs. Heinrich Cristan von Waldeburg, [Summer-Fall] 1494, 83v-86r (at 83v).

[33] Agnes was not placated; she warned him that if he would not pay, "she would hand him over to another creditor and she wanted to sell the money to someone else." She would have received a lump sum from the new creditor, who would then collect the remaining amount, which means she was not interested

Agnes insisted on receiving a lump sum, but Fridlin's assumption was reasonable; some heirs had no use for lump sums of cash. When Hans Swoben's father died, his stepmother (she is never named) received one hundred gulden in cash as her part of the estate, "which she wanted to loan out for her maintenance."[34] Hans' stepmother "asked him often to help and advise her…so that it would not remain idle and without profit."[35] Hans eventually agreed to help her. He went to a furrier, Master Gilgen, and asked whether any of "my lords of the Council" wanted to claim the money in exchange for an annuity, but they refused.[36] The stepmother asked her friend Adelheit to ask Master Gilgen's wife to talk to him about it, and Master Gilgen eventually accepted the offer.[37] Hans was present in his stepmother's house with Master Gilgen when she "brought him a sack and said to pay Master Gilgen one hundred gulden, so he took the sack and said to his mother, 'Do you want to give Master Gilgen here one hundred gulden so that he will

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in a recurring payment ("oder sy wolt im eine andern zinsherrn ubertreiben unnd wolt das gelt eine anderen verkauff." D16, Volrat vs. Cristan, 84r).

[34] "C gl gehept die sy allweg gern umb lypding angelent." Kundschaften D11, Master Gilgmann, pellicator, vs. Heinrich, seratore, [July-August] 1477, 34v-35v (at 35v). *Leibgedinge* were life-interests, or annuities that expired on the death of the holder. When used in inheritance arrangements, the word *Leibgeding* refers to an arrangement by which a husband left his widow the use and proceeds of a sum for her lifetime, though the gift reverted to the husband's estate upon her death (as is the case here). Wives could also leave *Leibgeding* for their husbands (Theodor Bühler, "Verfügungen von Todes wegen im Recht der deutschen Schweiz," *Actes à cause de mort/Acts of Last Will* (4 vols.; Recueils de la Société Jean Bodin pour l'histoire comparée des institutions 59-62; Brussels: De Boeck Université, 1992-1994), 2:86-87. This case, however, makes it clear that the word could be used more generally for a recurring payment for living expenses. A witness mentioned that Hans suggested that "they both should designate their cash for *lypding*, to edify both of their bodies (*lyb*), so that whoever died first, the other would have the use of the *lypding* for his lifetime." ("sy beidersyt ir bargelt umb lypding uff ir beider lyb anlegen wölten, Also welches vor dem andern abgieng das dann das ander solich lypding sin leptag niessen solt." Gilgmann vs. Heinrich, Kundschaften D11, 34v-35v (at 35v)). That Hans could have received *Leibgeding* of his own shows that the arrangement could be used for other purposes besides old age. Hans' statement made explicit the connection between *Leibgeding* and the body (*Leib*), indicating its designation for bodily needs.

[35] "sy hett och in dik und vil gebetten ir ze raten und zehelffen das es angelent wurd damit es nit also müssig und on gewyn lege." D11, Gilgmann vs. Heinrich, 35v.

[36] "minen hern den Raten zwurent geseitt sy hetten aber das abgeschlagen." D11, Gilgmann vs. Heinrich, 35v. *Leibgedinge* were often issued by public authorities as a way of raising funds, but in this case the *Rat* declined the opportunity, and a private lender made the same type of arrangement.

[37] D11, Gilgmann vs. Heinrich, 34v.

give you ten gulden of money every year of your life for maintenance?' She answered, 'Joh,'" (which is still Basler slang for "Ja" today). Hans then asked Master Gilgen who confirmed the terms and offered to write a brief for it.[38] Hans' stepmother received a lump sum of cash and immediately went to great lengths to get rid of it. She pestered her stepson, her *Fruntschaft*, and her immediate acquaintances; she essentially advertised by word-of-mouth that she had money she wanted to loan out in exchange for an annuity. In the end, she relied on Hans; his actions and words at the actual transaction indicate that he was responsible for ensuring that the terms were clear and legally binding for both parties. This means that, at least for Hans' stepmother, a much smaller annual payment was actually *preferable* to a lump sum.[39] Some testators made such arrangements themselves, rather than leaving the task to their heirs.[40]

Using the right to collect debts to finance ongoing provision could also take the form of marriage. This is illustrated by a case concerning an uncle rather than a father. As Claus Lotschin was dying, he summoned his sister Vereina and Hans Rul, who owed him

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[38] "die muter brechte im disen gezugen einen sekel und hiess meister gilgen c gl zellen Also nem er den sekel und sprech zu der muter du wilt meister Gilgen hie geben c gl das er dir alle jor din leptag x gl geltz lypding gebe antwurte sy Jo." D11, Gilgmann vs. Heinrich, 34v. Ten percent return was a standard interest rate for *Leibgedinge* (Füglister, *Handwerksregiment*, 98).

[39] Because *Leibgedinge* usually bore a ten percent rate of return (while other resold rents were capped at five percent), they were often used as a form of provision for old age. Füglister reports five records of *Leibgedinge* entered in Basel's *Vergichtbücher* (a separate set of records from the cases examined here) between 1500 and 1550: all five were bought on behalf of widows. One was bought by Hans Froben on behalf of the widow of Ulrich Meltinger. There were certainly more than five of these arrangements made during the period, but many of them were less formal, like the case just discussed (Füglister, *Handwerksregiment*, 98). The financial reasoning shown by Hans' stepmother is still sound today in precisely the same circumstances. The Obama administration's Middle Class Task Force recently endorsed annuities as a positive option in planning for retirement (Report of the Middle Class Task Force, http://www.whitehouse.gov/sites/default/files/Fact_Sheet-Middle_Class_Task_Force.pdf (accessed February 19, 2010)).

[40] In another example, Johannes Amerbach left his children a *Zinsbrief*—an interest-bearing investment—in the principality of Wirtenberg; it consisted of 4000 fl. of capital, and each child (Bruno, Basilius, Margarete and Boniface) received 50 fl. yearly from the interest. When Bruno died in 1519 without children, the surviving children divided his share between them and so forth; AK 4, Appendix 3: Estate inventory of Basilius Amerbach, 1535, p. 479.

seventy pounds. Since he was "sick and awaiting the call of God any day," he asked that Hans "give ten pounds of the aforesaid seventy pounds to the church at St. Jakob, and to hold on to the remaining sixty pounds until [Vereina] (the witness') daughter came of age, and then Hans should give the sixty pounds to her so that she might be taken care of better by honorable people."[41] Although it was not in the form of recurring interest, Claus did not attempt to cash his outstanding payments; instead, he treated the outstanding payments as liquid assests, transferring them directly into a donation to a church (a standard bequest to make in a formal will) and a future settlement for his niece. The payment would be a lump sum, but Claus' explicit intention was that she would be *versorgt*, "cared for", the standard verb used for continuing maintenance. The sixty pounds would probably be used for dowry to gain her a more advantageous marriage to "honorable people." This is thus another example of testators attempting to continue pseudo-fatherly provision into the distant future by providing ongoing maintenance for their heirs.

Future provision also sometimes took forms that tied it more directly to the experience of fosterage. In 1529, Jörg Bloch, his *Vogt* Peter Löffel, and Hans Bloch once rode out to Escholtsweiler "to collect some debts that were owed to [Peter's] *Vogtson* and Hans Bloch as heirs of Anthony Bloch."[42] Jörg, so young that he still needed a Vogt, had

[41] "dwil er derselb Niclaus krank und der beruffung gottes alltag warten were. . . derselb hans rul von den vorgedachten lxx lb, x lb an dz gottshuss zu Sannt Jacob gebenn unnd die ubrigenn lx lb hinder im behalten biss dann ir diser zugin tochter zu irenn tagen kame alldem so sollte der genant hanns Rul der selbigen ir tochter solich lx lb gebenn unnd usswisen damit si desterbass zu biderbenn lutenn versorgt wordenn mocht." Kundschaften D18, Morand Wannemacher vs. Hans Rul, [April-May] 1504, 127v. The court case took place ten years later. Morand Wannemacher, Hans' opponent in the case, was probably the daughter trying to recover the money.

[42] "ettlich schuldenn so man sinem vogtson und hansen blochenn als erbenn hern Anthoni Blochem seligenn zuthun schuldig gewesen ist in zeziechen." Kundschaften D24, Hans Bloch von Lanser, January 30, 1529, 201v-202r. Jörg was named as Anthony's son. Hans' relationship is unclear; it seems likely he

received a recurring payment of interest as part of his inheritance, as a part of the strategy discussed in the previous section. Furthermore, this interest was paid in the form of wine. This type of payment, called *winzins*, (or in the case of grain, *kornzins*), appears often in the Schultheissengericht records.[43] It could be argued that this means "cash paid for a loan of wine," or "cash theoretically intended for wine," but this is not so. Jörg Bloch stated that the payment due was "four pails of wine…taken from the vineyard behind her house."[44] *Kornzins* was often measured in quarter-bushels in the records. Clearly, this type of arrangement carried the expectation that the lender would receive in payment the physical goods themselves.[45] The lender could have then sold the goods, certainly, but it seems more likely that wine and grain (I have not found any other in-kind form of interest except for one *fruchtzins*[46]) were commodities in such daily use that the lender would be

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was Anthony's brother or cousin rather than another son. When they arrived, Elsa, Velti Kung's wife, refused to pay, even when they showed her a brief for the debt.

[43] Some examples are: Kundschaften D20, Hans Barr, called Felix de Ysenkan vs. N. Moslin, [February] 1510, 191r-192r; Kundschaften D21, Othman Gross vs. debtors of Martin de Tann, [January] 1512, 102r-v; Kundschaften D24, Fridlin Fruntenger, Stadtknecht vs. Borms Hugli, Vogt for Uly Ayn's children, [February-March] 1526, 58r-v; Kundschaften D24, Werner Schmid vs. Hans Schuh, [May] 1528, 145r-v.

[44] "iiii eimen winzins…von eim rebacker hinder irm huss gelegen zegeven schuldig." D24, Bloch von Lanser, 201v-202r.

[45] Füglister calls these arrangements *naturalrenten*, though I have never seen a primary source that uses the term. He reports that eight percent of all recorded loans were *naturalrenten*. They tended to be small in value. Seventy-five percent of *naturalrenten* were in wine, but loans repaid in grain tended to be bigger, accounting for sixty percent of the value of *naturalrenten.* Almost all of the debtors for these loans were in artisan guilds rather than merchant or patrician guilds (Füglister, *Handwerksregiment*, 100-108). Other scholars have mentioned these types of arrangements elsewhere in the context of inheritance. In his study of wills from Constance, Baur reports that there are numerous bequests of wine and grain, an expression of late medieval fears of famine. He rightly points out that although they are often given in very large quantities, these goods were relatively protected from decay (Baur, *Testament und Bürgerschaft*, 226-227). Arranging recurring payments of smaller amounts, as in the cases from Basel under discussion here, would be a further safeguard against spoilage. Ann Kettle mentions a 1398 will from Bristol which left the widow half a bushel of flour per week, provided she did not remarry (Kettle, "'My Wife Shall Have It,'" 99). Martha Howell mentions a 1403 will from Douai which listed among a widow's assets an income of six *rasières* of wheat, probably received from one of her previous husbands or as part of her dowry from her father, and another case from 1522 in which a rental income of 60 *rasières* of wheat was part of a marriage portion. A *rasière* could be either a measure of volume or a measure of land area (Howell, "Fixing Movables," 31; Howell, *Marriage Market*, 144). These anecdotes all concern widows, but Kettle and Howell are both focusing their studies on women and marriage rather than inheritance more generally.

[46] Georg Fullen Jr. vs. [Gebhart's children], December 1520, Kundschaften D23, 160v. This case is

able to consume them him- or herself, much like an offer of payment in gasoline gift-cards today.

There is certainly a pragmatic aspect to this practice. Payment in-kind was not unique to inheritance; business in general in Basel was often conducted in-kind rather than on a purely cash basis.[47] This was common across Europe; as Martha Howell puts it, "there was, in reality, no such thing as 'cash'—perfectly liquid fiat money—in this or any other contemporary society," because even coins were valuable only by comparison to other commodities or currencies, often at wildly fluctuating exchange rates.[48] People gave in-kind payments in inheritance because that is what they had. Nonetheless, I argue that there is a layer of cultural symbolism to the practice that derives from a concept of the inheritance as continuing fatherly provision for the day-to-day needs of one's heirs. This cultural symbolism is indicated by the hints of explanatory language with which witnesses describe bequests.

One particularly apt example does not concern a father and his children, but rather Hans Rinkin and his wife Elsin.[49] In 1485, Hans sold a substantial amount of land that Elsin had inherited from her parents and reinvested the money elsewhere—without telling her. When she found out about it, the couple quarrelled. A witness asked what was

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noteworthy because the *fruchtzins* was passed on as inheritance *twice*: from Claus Gebhart to Georg Fullen Sr. and his wife, and then from them to Georg Fullen, Jr.

[47] Some examples are: Kundschaften D23, Rely Kaufman vs. Bartholome Schrader's heirs, [January] 1520, 94r; Kundschaften D23, Cleri Diesch von Sundersdorf vs. Hans Rinser, [February] 1524, 275v; Kundschaften D24, Claus Harnasch vs. Bartholome Sternenberg, [September] 1524, 5v.

[48] Martha Howell, *The Marriage Exchange: Property, Social Place and Gender in Cities of the Low Countries, 1300-1550*, Women in Culture and Society (Chicago: The University of Chicago Press, 1998), 69.

[49] Kundschaften D13, Fridlin Rinkin, Vogt for his mother vs. Burkhard Gugelin, Vogt for Elsin Rinkin, widow of Hans Rinkin, [August] 1486; 87v-91v. The proceedings are also extant; Urteilsbuch A35, 1486, 152r-172v. Although this case did not concern literal fatherhood, it is still applicable because medieval Baslers thought of this relationship in the next stratum of fatherhood in the sense of provider for a household, and as we shall see, Hans invoked fatherhood in explaining his actions.

wrong and Elsin exploded, “Dear God, it’s reduced me to poverty! He sold my land; I don’t know why he did it.”

Hans protested, “I did not reduce you to poverty. . . you’re better off than before.”

She said, “Dear God, you’re always saying how well you invested it for me, but you don’t have a seal or a document for it! If I had given my consent, *then* I would be provided for.” Hans told her to hush, “because as soon as he had time he wanted to go before the court with her and provide for all her needs” so that she would have as much as she had before.[50] Unfortunately, he died before doing so. In August 1486, Hans’ brother Fridlin brought suit in his mother’s name contesting the division of the inheritance.[51] Elsin was eventually able to prove these events, allowing her to take her own five hundred pounds out of the estate before dividing the remainder with Hans’ mother.[52]

Two things about this case concern us here: the nature of Hans’ reinvestment, and the protests that he used to justify his actions to Elsin. When he reinvested the money, a substantial amount went to buying a house in Basel.[53] The remainder of the money went to buy a *Kornzins* of wheat. Originally, Claus Heimerdorf had loaned one-hundred-five pounds to a commune at Spechbach, but Hans paid Claus for the right to receive the

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[50] “desmals ubel mit ein ander lepten. . . seite di frow lieber gott ess tüt mir nott Er verkofft mir min güt weiss nit war er dz tüt/dar wider hans Rink selig seit Ess tete ir kein nott. . . were bass an geleit dann vor dwider die frow aber redt lieber got du seist allwegen wie du mir dz min wol angeleit habest. hette aber weder sigel noch brieff darvon. un sy wolte och weder gunst noch willen zu solichem verkoffen geben sy were dann versorgt. . . hans rink aber redt sy solte ruwig ston dann so bald er müssig wurde wolte er mit ir fur gericht gon und sy nach aller notturfft versorgen also dz ir solich erlost gelt und wz er darunder koffte hette warten solte wie vor.” D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 91v.

[51] This was deceitful, since Fridlin was a party to the earlier sale of Elsin’s goods (“antwurtete Fridlin Rinkin er und sin bruder verkofften der frowen munzit wider iren willen,” D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 89r).

[52] Urteilsbuch A35, Rinkin/Rinkin vs. Gugelin/Rinkin, 161v-162r.

[53] “um solich erlöst gelt ein schon huss in der statt basel kofft.” D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 89r. Other witnesses mentioned it was the house “zem Tholden.” D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 87v.

payment of eleven quarters of grain himself instead. He also offered to forgive the commune five pounds of the debt and loan them more money if needed.[54] Hans did not choose a cash endowment. In fact, in negotiating, Hans mentioned that he had recently "released" his wife's money and "if he should die before her, it would pain him if his siblings should get a penny's worth of it."[55] He thus actively tried to get rid of cash. Hans set about securing a house and a recurring influx of grain for his wife, while blocking his more distant heirs. Admittedly, he did so with Elsin's money rather than his own wealth, but he decided upon and took action himself in an attempt to provide for her future.

The need for provision is not merely implicit; it is explicitly the way in which Hans understood his own actions—or at any rate one of the ways that he justified himself to Elsin. In addition to arguing that the deal was generally beneficial, when she complained, he not only brought up provision, but even referenced the specifically fatherly aspect of his provision. He told her, "Dear Elsin, do not worry. I do not want to short-change you. Really, I have no one to provide for besides you and me."[56] The very absence of children became evidence of his provision for her. Again, Hans told her the new arrangement "provides for you much better" than her previously far-flung land-holdings where one could not know exactly what was happening.[57] Despite Hans' blunders, it is clear that when he wanted to provide for Elsin (part of his household, though not his child) in the long-term, and that he chose tangible, bodily benefits over a simple cash payment.

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[54] D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 90v.

[55] "ob er vor ir abgon wurde were im leid dz sinen geswisterngen ein pfennigwertguütz da von wurde." D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 90v.

[56] "Liebe Elsin, bis on sorg/ich wil dich nit verkurzen ich hab doch niemant zü versorgen dan dich und mich." D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 87v.

[57] "es dir gar vil bas versorgt." D13, Rinkin/Rinkin vs. Gugelin/Rinkin, 87v.

Inheritance was associated with fatherhood, but it was practiced by people of all ages and both sexes. With the very real possibility of unexpected death, the order of inheritance had to allow for any number of eventualities. Step-fathers were often named as their step-children's heirs, as well as the reverse. Mothers and grandmothers left inheritances as well. When Burkhart Taffner's wife Agnes died, there was one plot of land that had belonged only to Agnes and therefore should have fallen to the children, but "Burkhart asked his children that he might have the use of the plot for the duration of his life, with which he might nourish himself better."[58] Burkhart was therefore trying to secure provision for himself from his wife's inheritance, which is a reversal of the standard ideal of fatherly provision laid out here. In another case, when Agnes Sidelman died, her children were described as "unraised and unprovided for," despite the fact that her husband Laurence was still alive and, indeed, soon remarried.[59] Her five living sons divided their inheritance from her with their father, and the settlement included household goods, though more detail is not provided. Providing inheritance was not *exclusively* a fatherly activity, but fathers remained the paradigmatic providers of inheritance because of the vulnerability of their dependents.

One of the motivations for arranging ongoing payments was that large sums of cash could too easily fall under someone else's control, such as a future husband, a relative, or a creditor. This is evident in Hans Rinkin's statement that he did not want Elsin's siblings to gain control of their money, and in the fact that his brother tried to

[58] "da umb dasselbig gutlin Burkhart sine kind ime das sin leben lang damit er sin narung dester bas gehaben mocht zeniessende lassen erbetten hat." Kundschaften D14, Nicolaus Pfister from Durlisstorff vs. Burkhard Word, his brother-in-law, [June-July] 1488, 26r.

[59] "unerzogen und unversorgte," Kundschaften D14, Ulrich Zschupp, Vogt for Emelin Sidelman, [October] 1489, 51r.

wrest it from Elsin after Hans' death.[60] Yet it is perhaps evident from what has gone before that the major peril of bequeathing outstanding payments to one's heirs was a similar problem; the heirs had to collect them successfully. People like Hans Swoben's stepmother, Agnes Volrat, and children who were minors struggled to exert enough power to enforce the payments they were entitled to. They relied heavily on their social networks, whether their formal, legal *Vögte* or more informal arrangements of kin or friends. Just as the major alternative to present fatherly provision was poverty, the alternative to fatherly enforcement was legal and economic victimization.

When a father died, the members of his household often struggled to enforce the outstanding payments due to them. When Andre Galtzen died, his heirs hired Jakob Heilweig as a legal proxy to collect his debts, and later took him to court claiming that he had not paid them the full amount. Jakob testified that Andre owed two hundred gulden on a house, but also had several debtors, "in the city of Basel and elsewhere."[61] Using the receipts provided for him, Jakob "collected a goodly sum from Andre (sainted)'s debtors," but Andre's heirs maintained that he was still forty-two gulden short..[62] Jakob mentions that there were fifty-three gulden of debts he failed to collect. When he tried to get Luttia Schaffner to pay her debt, she claimed that "Herr Andre had forgiven her the silver beaker."[63] Andre's son Philip, who brought this case, seems to have been of legal age, but this case illustrates some of the vexations that trying to collect debts could

[60] Kermode states that designating guardians for one's children apart from one's wife indicates distrust of one's widow (Kermode, *Medieval Merchants*, 99). It would be more accurate to say, as Kettle does, that many restrictions on widows in wills were precipitated by distrust of the widow's future husband (Kettle, "'My Wife Shall Have It,'" 99).

[61] "in der statt Basel und usswendig." Kundschaften D24, Philip the fabric shearer, from Zoll vs. Jakob Heylweyk, January 19, 1529, 198r-200r (at 199r).

[62] "er gezug von her Andressen selign schuldnern ein namlich sum ingepracht." D24, Zoll vs. Heylweyk, 199r.

[63] Das her andres selig irs die silberin becher vergaben." D24, Zoll vs. Heylweyk, 199r.

involve, such as unverifiable claims that the deceased had come to some private settlement of the debts. It was enough trouble that Andre's heirs were willing to hire someone to do the job, but even that proved to be difficult, as they felt they were being short-changed. These difficulties were only compounded when the heirs were legally and socially disadvantaged as minors and widows.

Illegal heirs: Illegitimacy and inheritance

The structure of medieval law was designed to exclude illegitimate children from inheritance.[64] Basler witnesses explicitly stipulated over and over throughout the depositions that a son or daughter (or sibling or cousin) was *eheliche*, "of marriage, born in wedlock." This could even refer to the relationship between cousins, namely that the relational links between them were all legitimate. Some depositions were in fact nothing more than a parade of witnesses attesting to a single person's legitimacy, sometimes as part of their application for Basel citizenship.[65]

Nonetheless, some Baslers did not accept the idea that illegitimacy negated fatherly responsibilities.[66] The link between father-as-progenitor and father-as-provider may not be the most important one, though that idea seems to have been in circulation. Agnes Gremper, for example, had a child by Werlin Hugs, who had a wife of his own. Witnesses dissuaded her from shaming Werlin by bringing the child to him publicly, but he was pressured, however reluctantly, into making fosterage payments to Conrad Hemi,

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[64] Basler customary law did grant equal precedence to *half*-siblings—a practice which encountered occasional opposition—but that equality was only granted in the case of legitimate birth. See chapter 2.

[65] One case provides a neat summation of the ways the benefits of legitimacy reinforced each other. Kundschaften D20, Hans Bergmeyer's children, [June] 1507, 92r-93v.

[66] Hagemann adduces several pieces of evidence that Baslers were fairly casual about the existence of extramarital sex and illegitimate children. The examples discussed here are consonant with such an attitude, but the fact remains that illegitimacy was a legal barrier to citizenship, guild membership, and inheritance (Hans Rudolf Hagemann, *Basler Rechtsleben im Mittelalter*, 2 vols. (Basel: Helbing und Lichtenhahn, 1987), 1:265-269).

who testified that "Werlin Hugs came to him and hired out the child of the aforesaid Agnes for a year for eight pounds in pennies, a quarter of grain and a cask of wine." [67] This shows a belief that a biological father was obliged to provide for his child, even if secretly.

I argue, however, that the most important link was the one between present fostering and future inheritance, a link which has already been discussed in a general sense. This same idea appears to have been applied to illegitimate children, just as it was to foster children in general. Hans Hamel, a parish vicar in "Morswyler inn Sunngow" (today Obermorschwiller in the Sundgau region just west of Basel) went

> to the Dean of Heidweiler as his superior in the chapel…and there he designated the aforementioned Benigna, his serving-maid and her children as heirs of his worldly goods; namely, the brief stipulated, that the mother and children should inherit his goods and if a child died without bodily heirs, then the mother should inherit from the child and if the mother died then the same Herr Hans' children should also inherit from their mother.[68]

Benigna (also called Margaret) was obviously Hans' concubine. The children were illegitimate, but Hans took steps to make his family's inheritance as iron-clad as possible by stipulating that not only should they inherit from him, their mother should inherit from them rather than having it revert to Hans' family. Hans died soon afterwards, but the rest of the deposition simply demonstrates how effective this brief repeatedly was. When the old dean died (having apparently been complicit in this plan), the new dean tried to claim Hans' inheritance, but "the lady and children availed themselves of the brief and by the

[67] "Werlin hugs zu inen komen und dz kind der gedacht Agnes verdingt jarss fur acht pfund pfennig, ein fierzal kornss und ein som wins." Kundschaften D12, Agnes Grempers vs. Werlin Hugs de Volkensperg, [September] 1483, 60r.

[68] "vor dem dethan zu Heytwyler als sinem obern des Cappuels uffgerich gehept und dar inn die obgenant Benigna sin dienstmagd und ire kinder zu sins zitlichen guts zu erbn gesetzt, namelich het der brieff ingehalted dz die Müter und kinder sin gut erben solte und wann ein kind on lybserbn abstrub so solt die muter dasselb kind erbn. Unnd wann die Müter abgienge so solte dieselbn herr Hansen kind sy die Müter ouch erbn." Kundschaften D21, Dieterich Treger de Mayr, [April] 1510, 25r.

power of that brief the goods remained to them."[69] Benigna remarried, and Hans' cousin divided Hans' estate with Benigna. But although he claimed half of Hans' inheritance, it was "on behalf of the four children;" the cousin was acting as *Vogt* and not attempting to reclaim Hans' property for himself.[70] Later, "after the two little girls died, the principality of Altkirch attacked the estate of the two children as illegitimate persons, but the mother availed herself of the brief and kept the goods from the principality and inherited from the aforesaid children."[71] Fifteen years after the brief was written, it was the central consideration in the current case, in which one of Benigna's sons attempted to claim his share of her estate, "by the instruction that his lord (sainted) made."[72] In another, similar case, Heinrich Obermeier consulted the City Secretary regarding a brief in which he bequeathed "something to his natural children and their mother" to ask "whether it would have legal force." [73] The City Secretary explained the procedure for registering it with the city court, assuring him that "then it would have power."[74] Both Hans Hamel and Heinrich Obermeier went to considerable trouble to produce briefs that would guarantee that their illegitimate children inherited. Both of them were extremely careful in making their cases as strong as possible, because they knew that established law and custom was against them. Nonetheless, they took seriously the idea that it was their responsibility to provide for their children, regardless of what the law said.

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[69] "da hett die frow und kinder sich des brieffs beholffe und sye ouch inen in crafft desselben brieffs das gut blibn." D21, Dieterich Treger de Mayr, 25r.

[70] "innamen der vier kind." D21, Dieterich Treger de Mayr, 25r.

[71] "nach syent die zwey Meyglin todes abgang da haven die herrschafft zu Altkilch hand uff dieselben zweyer kinder als unelich psonen verlassen güt geslage. Aber die Müter hett sich abermals des briefs beholffe und der oberkiet das gut anbeholte und het sy die abgange kinder geerbt." D21, Dieterich Treger de Mayr, 25r.

[72] "nach wysung sins hrr seligte gemacht." D21, Dieterich Treger de Mayr, 25r.

[73] "dz er her heinrich sine naturlichen kinden und irer muter etwas vergapt heti. . . ob es kraft haben mochte." Kundschaften D23, Verena Ochs vs. Ludwig Lowenstein, [March] 1522, 206r.

[74] "so hete es kraft." D23, Ochs vs. Lowenstein, 206r.

Providing for daughters: Dowry and cloister-entry as practical provision

In Basel (as indeed in most places across medieval Europe), marriage payments were conceived of as part of inheritance. In many places, daughters received their dowry instead of an inheritance upon the parent's death.[75] Diane Owen Hughes has argued that the increasing use of cash for dowries from the twelfth century onward indicates the effective disinheritance of daughters, and that husbands, like their father-in-laws, preferred cash.[76] Certainly there was a trend towards cash dowry, and the Basel sources attest that grooms sometimes wanted to use the dowry as capital for their business. Nonetheless, just as with inheritance practices, I am here concerned with the substantial aspects of dowry practice not explained by economic considerations. Most marriage settlements were not simply cash payments. Instead, Baslers tended to choose forms of payment that symbolized providing for daily needs. In one sense, this represents a continuation of the argument about the symbolic meaning of inheritance already discussed. In another sense, however, marriage settlements used a more focused set of symbolic gifts.

When Herr Doctor Woneck betrothed his *muhmli* ("little kinswoman") Elisabeth to Conrad Rosenberg, he gave her "forty pounds for dowry; that is, a bridal gown, a long and a short coat, and with it a prepared bedstead (or ten pounds for one), and if they produced legitimate heirs with each other, the same [would receive] fifty gulden from his

[75] For a study of the sudden appearance of this principle in French statutes in the second half of the twelfth century, see Mayali. He argues that learned jurists were trying to balance the Roman principle of equality in inheritance with the needs of the families by making dowry equivalent to inheritance; Laurent Mayali, *Droit savant et coutumes: L'exclusion des filles dotées XIIème-Xvème siècles*, Studien zur Europäischen Rechtsgeschichte 33; Ius Commune: Veröffentlichungen des Max-Planck-Instituts für Europäische Rechtsgeschichte (Frankfurt am Main: Vittorio Klostermann, 1987), 51.

[76] Hughes, "From Dowry to Brideprice," 35.

goods."[77] This quotation shows that amounts of value given do not simply indicate cash payments. The overall payment was listed as forty pounds, "that is," three garments. The gifts of a bed or another ten pounds were also interchangeable. Dr. Woneck's supplementary payment of fifty gulden was described as "from his goods," indicating that it may well have been in a form other than cash. In all of these phrases, the numbers belie a very close relationship between cash and physical objects as repositories of value.

Another case later that same year described Dr. Woneck's dowry for his daughter Agatha's marriage to Bartholomew Rossnagel. To her, he gave one hundred gulden with the stipulation that if she died without heirs, it would revert to Dr. Woneck's heirs.[78] Bartholomew was concerned about this, since it meant that he could not use the money for his craft, since he might have to repay it. However, Dr. Woneck also gave Agatha a readied bedstead and another thirty pounds "which were her own free possession."[79] Bartholomew later claimed in the court case that the one hundred gulden were also her "own free goods" and therefore were pooled with the thirty pounds.[80]

The details about the purpose of the dowry are even more illuminating. The witness described the meeting between the two parties about the settlement, and reported Bartholomew and his *Fruntschaft* as saying that Dr. Woneck gave Agatha "thirty pounds

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[77] "Elspeth sin momli. . . xl lb ze estur dessglichen ein brutrock ein langen und ein kurzen mantel darzu ein ufbereyt betstat oder darfur x lb unnd so sy elich was Erben by einandern uberkomen den selben von sin gut l guld an dem allem inen nitzit abgon solli." Kundschaften D24, Conrad Rosapom the merchant vs. Conrad Caspar Turnisen as executor of the will of Doctor Woneck (sainted), [December] 1524, 11v, 79r-80v (at 11v).

[78] It is not stated whether the couple had any children, though it seems that it would have settled the matter if they had.

[79] "darzu 300 lb so ouch dottor wonek der Agatha gemacht hete die ir fry eigen gut sin sollen." Kundschaften D24, Caspar Durnisen on behalf of Dr. Woneck (sainted)'s children vs. Bartholomew Rossnagel, Seckler, [September-October] 1526, 11r, 79v-80v (at 79v).

[80] The deposition did not describe Agatha as "sainted," so she was apparently still alive; it was Dr. Woneck who had died. Possibly his heirs were trying to clarify their right to the money, rather than actually trying to collect it.

in money and in household goods and [Bartholomew] could use it for his craft."[81] Dr. Woneck's party claimed that "Agatha Woneck had one hundred gulden which Dr. Woneck had surrendered to her in his will, so that one could apply the same one hundred gulden toward interest and so that she could have the use of it every year," reiterating that it would revert to Woneck's sons Paul and Ludwig if she died without heirs.[82] Bartholomew also described how the one hundred pounds and thirty gulden would be paid, "twenty gulden in cash when they went to church, then, at Easter the thirty gulden; they should apply [another] fifty gulden toward a house when one came to hand to buy; on the same house, Agatha should confirm it with her twenty gulden of *Morgengabe* [not part of the total], and then the thirty [remaining] pounds, one should also pay them in installments, namely six pounds every year until the thirty pounds are paid, and he should also give them a readied bedstead."[83]

Bartholomew wanted the marriage settlement to be available as liquid capital for his business, but the intentions of his father-in-law were clearly very different. Depending which version one accepts, either the one hundred pounds was intended as principal to provide a regular income through interest for Agatha, or it was folded into a larger sum that was used to provide a house for them, after which the rest would be paid in installments, again indicating ongoing support. Elisabeth's more modest dowry shows the same thing: the forty pounds was not really forty pounds, but rather three expensive

[81] "darzu xxx lb in gellt und inn husrat und konne sin handtwerk." D24, Durnisen vs. Rossnagel, 80r.

[82] "Das Agatha woneck 1c gl hab die ir doctor wonek in sin testament verneigt hab doch das man in dieselben 100 gl lut des testamens umb zins anlegen irs alle jar die nutzung darvon geben." D24, Durnisen vs. Rossnagel, 79v.

[83] "wie man die 1c guld und die xxx lb zaln solte, nemlich xx guld bar so sy zu kilchen gand darnach zu ostern xxx guld und die L guld sol man inn an ein hus an legn wann inn eins zu koufen zu hand shefft uff demselben hus dann sy die bemelt Agatha die xx guld irs morgengab versichern wrd solte und die drissig pfund solte man inn ouch zu zylen bezalen nemlich alle jar vi lb bis das die xxx lb ouch bezalt word und die ussbereite betstatt solte man inn von stund an uberandtwurte." D24, Durnisen vs. Rossnagel, 80r-v.

garments. Dr. Woneck may have ended up giving her another ten pounds, but that ten pounds was explicitly intended for a bedstead. Her fifty pounds if she had heirs was analogous to Agatha's one hundred pounds, which she clearly kept if she had children; it may be read as a sort of "grandfatherly provision," attempting to carry fatherly responsibilities on into the distant future of the next generation. This is a rare glimpse into the way dowry was actually used, and it indicates that the sums mentioned in other marriage settlements were *not* simply large cash payments, but rather the total of a variety of payments, either in-kind or used for specific purchases. This means that even when records listed simply a lump sum, they may be masking a variety of payment arrangements, and should not be taken as a simple transfer of capital.

The specific items given as dowries were not only a general effort at provision; dowry payments had their own symbolic meanings. The bedstead was an extremely common element of dowries, as indicated by the cases just discussed.[84] One witness in another case remarked, in discussing future marriage settlements for Hans Snider's sons, that he "does not really know and can't remember whether the father should add to the twenty gulden a readied bedstead or whether that was intended or not."[85] It was so typical that the witness could no longer remember whether it was stipulated on this occasion. The popularity of this gift has a practical dimension, of course; one gave a daughter a bed as a dowry because she needed a place to sleep at night and a bed was a major expense. It

[84] Yet another example of a bedstead as dowry stated that "when Heinrich Spiteler of Liestal (sainted) gave his daughter to Hans Blomer, he gave her as *Eestur* a prepared bedstead with four-corner bed-posts and four covers" ("Wilent Heinr Spiteler zu liestal selig emelin sin tochter zu hansen blomer zu eestur geb hab ein ussbereite bettstatt mit bett pfalnun vereckerin unnd vier leilachen." Kundschaften D16, Blumer the Sunder's wife, [August-September] 1496, 173v).

[85] "Er der zug wiss eigentlich nit unnd sye im der gedechtnis entschlisse ob der vatter zu den xx gl ein ussbereit bettstatt geben solte oder ob der gedacht sye oder nyt." Kundschaften D18, Bartholomew Snider, de Alsace vs. Hans Snider, his father, [April] 1501, 8r.

was also a symbol, however, of the union of husband and wife in marriage (marriage "at bed and at table," as the marriage liturgy put it)[86] and of the hope for children.

A Schultheissengericht case describing the marriage arrangements between Anna Sackerin and Martin Blossner touchingly illuminates the underlying sentiment of dowry arrangements. Hans Sacker and his wife Katherina were representatives for Anna; she was described as his *Bas* ("kinswoman"). Hans at first offered to give fifteen pounds as her dowry; the groom and his allies remarked that this was not very much, and Hans immediately doubled it to thirty pounds. He expounded poignantly that

> he had raised the daughter as a child; she had shown much love and friendship to him, so much that until now he had been like the daughter's father, and wanted now afterwards to remain as much as her father, to help her daily with horse and cart, with ships, and dishes, at the potter's trade, [the groom was a potter] with health, with money, with anything else.[87]

This list was not a formula taken from some other text. It was Hans' attempt at eloquence, his attempt to express all the ways that he wanted to continue to support his foster-daughter in her married life. All he could do on the occasion of the wedding was to give thirty pounds (or more likely, thirty pounds' worth of goods), but this speech illuminated much more fully what he wanted that thirty pounds to betoken.

Although some inheritances and some dowries took the form of real estate or liquid capital, the cases discussed above show that Baslers were influenced by ideals of

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[86] Thomas Max Safley, *Let No Man Put Asunder: The Control of Marriage in the German Southwest: A Comparative Study, 1550-1600* (Kirksville, Missouri: The Sixteenth Century Journal Publishers, 1984), 130.

[87] "er der Anna siner basen zu Martin Blossner irem eeman in die Ee fuftzehn pfundt geben wolti. Sagte martin und siner bystand das es ging wenig weri. Vermeinti Er sollte mer geben. Also lass sich hanns sacker sellig bereden das er im drissig pundt geben und sagte darby die tochter hat er alls sin kind erzogen sy in vil lieb un fruntschafft bewysen desschahe so were er bisshar alls vil alls der dochter vatter gewesen und wollte ouch furhin alls vil als ir vatter pliben irs mit teglicher hilff ouch mit Ross karren Schiff und geschir zum haffner handwerk heil fand und anders zefaren beholffe und btros sin." Kundschaften D24, Martin Blossner and Anna Sackerin, his wife, [December] 1526, 87v-88v.

fatherly provision in arranging such matters. The practice of providing a recurring income and the desire to secure that income through in-kind payments of wine and grain are indications of an underlying mindset that inheritance was intended for continuing provision for the heir's daily needs. The total sums mentioned in records of dowry payments usually mask from us the practical, specific tasks that portions of the total were earmarked for and the symbolic and metaphorical meaning Baslers imputed to the items that they gave. The few glimpses of the underlying meaning discussed here indicate that dowry settlements were another expression of ongoing fatherly provision.

Sons also received marriage support from their fathers, though it was not as prominent for them as for daughters. When Matthew Gebhart and Elisabeth were married, Matthew's father Claus was asked "what he wanted to give to Matthew for countergift. Claus said, 'The rascal (meaning Matthew) is dear to me…I want to give him sixty gulden in countergift,'" which he paid from Matthew's mother's estate.[88] When Fridlin Gredy "was espoused in marriage, his father gave him a half-parcel of wheat land for countergift."[89] The word translated "countergift" in both of these cases is *Eestur*, literally "marriage payment," the same word used for dowry from a bride's family to the groom. In Mediterranean Europe in the fourteenth and fifteenth centuries, this countergift shrunk to a small gift that was linked neither to the value of the dowry nor to the value of the husbands estate.[90] Here it must refer to a groom's payment to the bride, but the sources normally use the term *Morgengabe* where appropriate, so this is not the same

[88] "Was er von sin gut Mathisen zu Eestur gebn wolti, sage Claus der Leker, mathisn meynende ist mir lieb. . . so wil ich im lx guld zu eestur geben. . . so hab er im doch die nit von sin gut geben, sonders inn mit solchen lx guld sins muterlichen erbgutz usgewisen." Kundschaften D23, Widow of Matthew Gebhart vs. Johannes Gebhart, [February] 1519, 37v-38v (at 37v).

[89] "als sich Fridli selig inn die ee vermechelt hab inn sinn vatter ein halp gütt güt maizen gütt zu Estur gaben." Kundschaften D22, Clewi Boggli vs. Clewi Gredi, [April] 1517, 183r.

[90] Hughes, "Brideprice to Dowry," 27, 30-1. It is sometimes called an *augmentation*.

thing as a *Morgengabe*. Nor is it dower, the tradition of a widow retaining usufruct of one-third of her late husband's estate. Yet Matthew Gebhart's court case occurred after both Matthew and Claus had died, and Matthew's widow Elisabeth was trying to recover the amount from Claus' heirs, which indicates that the money was supposed to pass to the bride. Many scholars have noted that young men needed to inherit before they could feasibly marry, but here we see Baslers making an explicit and immediate connection between the two. What is notable about these two examples is that the transaction is immediate: fathers gave their sons money or goods as an intentional portion of the marriage settlement. The case of Michael the tablemaker discussed at the beginning of the chapter also indicated that Michael would give his step-sons twenty pounds each when they married. Marriage payments were a type of provision for sons as well as for daughters.

Another avenue of arranging provision for daughters was to send them to a cloister. It was usual for entrants into a convent to be accompanied by a donation for their maintenance.[91] Several cases show that even this option was still conceived of in terms of continuing provision. Peter von Tachfeld sent two of his daughters to the cloister at St. Clara's in Lesser Basel. He provided each with ten pounds a year, drawn from a payment of twenty-three gulden from a place in the Black Forest. Upon their deaths, the money would revert to Peter or his heirs.[92] In some sense, this income belonged to the cloister; Paul Hirsinger, the porter of St. Clara's, testified that he collected the money for them for

[91] Connecting such donations to dowry payments is not a new observation; Eileen Power notes that nunneries were forbidden to extract dowries from novices, but they did so anyway; she also notes that it was common to provide novices with a bed and other furniture; Eileen Power, *Medieval English Nunneries, c. 1275 to 1535* (Cambridge: Cambridge University Press, 1922), 16-24.

[92] It is unclear what the purpose of the court-case was; the two plaintiffs may have been co-debtors of the original debt, or heirs of Peter, but none of this was mentioned; in fact, two other names were given for the co-debtors.

years. But the payments were intended specifically for the daughters; Peter stipulated that "each should have ten gulden to the end of her time for her use," and that upon their deaths the money would revert to Peter or his heirs.[93] Naturally, the cloister would have preferred a permanent bequest. The point is that for Peter, sending his daughters into a cloister involved providing some sort of income for them (though less than a dowry would cost).

Another case was based on precisely this ambiguity. Hans Nacht von Bielbanken had a kinswoman named Dorothea, whom he "supported' for many years. When she entered Engental, he, "to show natural love and *Fruntschaft* and also for her loyal service," gave her around ten pounds for her maintenance—but the terms of the arrangement are significant.[94] He gave her "first: five pounds in coins. Second: one gulden. Third: three pounds' [worth] in wine. Fourth: thirty shillings' [worth] in grain." [95] Further, he stipulated that "it was hers for her person, and not the cloister's to use or dispose of, but rather for her, herself, her own free [possession]."[96] That Hans had to belabor the possessives here may show that this was unusual, but it also shows how clearly he saw his action. He was providing for Dorothea, not for the convent. Hans' vehemence was related to the circumstances of the court case; Dorothea later left the cloister and married, and the court case was between her and Engental, the cloister now claiming that Hans had given money to the cloister, in contradiction of his wishes. Small

[93] "yegklich ir x gulden zu ennde ir wile nutzen unnd niessen sollen." Kundschaften D14, Karle von Weil vs. Diepold Storinzsch, [July] 1489, 45v.

[94] "sy ein zytlang by ime als irm vettern unnderhaltenn, und vonn naturlichen liebe und fruntschafft wegen ouch umb der getruwenn diensten." Kundschaften D24, Dorothea Roggenspergen vs. Regelhus Engental, 60v-61r (at 60v).

[95] "von erst v lb inn münz zum andern 1 gulden zum dtyttenn iii lb in wynn und zum vierten mal xxx ss in korn." D24, Dorothea Roggenspergen vs. Regelhus Engental, 60v.

[96] "unnd das irs fur ir person unnd nit dem geysthuss uss verheiss oder zusagung sonnder fur sich selbs sins eigenns fryenn." D24, Dorothea Roggenspergen vs. Regelhus Engental, 60v.

wonder that his deposition was rather heavy-handed. More importantly, the nature of his gift in wine and grain as well as in coins shows that he was attempting to provide for her daily, bodily needs. Dorothea was not his daughter, but he had "supported" her and she had "served" him, meaning they were probably coresident. The experience of fostering her created for him the continuing obligation for provision that we have seen was a part of surrogate fatherhood.

If the cloister was one option for provision, then it competed with other options. Clara Gahel had entered the cloister at Gnadental. After her father's death, her three sisters, their husbands, and her brother repeatedly came to visit her, trying to persuade her "that many goods were promised to her that would be hers if she would come out; they would hold her for a dear sister and show her all *Fruntschaft*."[97] On his deathbed, Michael Gahel, her father, had said that "Clara was so dear to him that he did not consider her a bastard, but rather wanted to think of her also."[98] As an illegitimate child, Clara had been provided for by entry into a cloister, but Michael wanted to supplement that provision with an inheritance. Clara's illegitimacy explains the reason that her half-siblings and stepmother had to work so hard to persuade her. Clara resisted for a time, saying she was not ready to leave the convent. In addition to the protestations of family solidarity already mentioned, the *Fruntschaft* talked about the fifteen gulden that were hers; they brought her secular clothes, though she did not put them on right away; and

[97] "irs vil guts zugesagt das sy irs so sy harus keme thun sy wolti sy fur ein liebn swester halten und irs all fruntschaft bewysen." Kundschaften D24, Clara Gahel and Lienhart Rossnagel vs. the heirs of Michael Gahel (sainted), October 27, 1528, 183v-186r (at 184v).

[98] "das im sin dochtor clara dermassn so liebwere das er sy nit fur ein barkharte halten sonders sy ouch bedenken wolti." D24, Gahel/Rossnagel vs. Gahel, 185r.

they told her that she could marry.[99] They were attempting to show Clara how she could "upgrade" her daily provisions through inheritance, social networks, and marriage.

Education as provision: Vocational training

If inheritance extended fathers' role as providers into the future, their role as educators also supported the goal of future provision. Provision for the future was not limited to the form of an inheritance; it also took the form of vocational training. Education had a dimension of present provision; many children went to grammar school while living at home, but some (like the Amerbach boys) were sent away to a more prestigious grammar school, which means that they boarded there. Children were often also fostered as part of their apprenticeships. But the primary goal of education was preparing the child for the future. In the case of vocational training, it had a pragmatic purpose; namely, to prepare the child to earn a living. We are discussing vocational education in the chapter on inheritance because that is the context in which Baslers discussed it. Vocational education, along with marriage settlements and entry into a cloister, was one of the set of interchangeable options in discussing provision for a child's future.

As discussed in a previous chapter, late medieval writers used the assumed desire of fathers to provide an inheritance to argue for investment in education. Erasmus argued,

[99] More precisely, they said she could marry the preacher at St. Martin's. This is an incidental glimpse into the groundswell of the Reformation that was taking shape in Basel—the case took place in October 1528, only a few months before the institution of the Reformation in Basel. Without a religious explanation, it is difficult to understand why the *Fruntschaft* went to such lengths to persuade Clara to come out, because the court case was over their failure to pay Clara her portion of the inheritance. Perhaps it was a matter of religious principle for the Gahels to extricate Clara from the cloister and marry her to a preacher. Nonetheless, their arguments must have carried some weight; Clara did leave the convent, and she was recorded as the wife of Lienhart Rossnagel. The vicar of St. Martin's after 1522 was Oecolampadius; perhaps Lienhart Rossnagel was a sub-preacher there; Amy Nelson Burnett, *Teaching the Reformation: Ministers and their Message in Basel, 1529-1629* (Oxford: Oxford University Press, 2006), 26.

> If you give wealth to a person who has been properly educated, you are handing him the tools for doing good. . . nothing is more conducive to wealth, social status, influence, and even good health (all blessings which parents earnestly desire their children to enjoy) than moral and intellectual excellence.[100]

It is noteworthy here that Erasmus intertwines the legacy of education with the legacy of an inheritance. Erasmus sometimes cast education in explicitly economic terms.

> Some parents are deterred by sheer meanness from hiring a qualified instructor. . . their meanness and parsimony applies only to one activity, [education], although expenditure for this purpose would be a legitimate excuse for economy in everything else. I wish there were fewer fathers who would spend more money on a stinking whore than on the upbringing of their son. . . Economy has its place everywhere but in education, where it would not be thrift but sheer madness.[101]

Indeed, in refuting the charge that the education of very young children produces only slight returns, Erasmus writes, "I would deny anyone to be a true father who is so anxiously concerned about expense when the education of his son is at stake."[102] Erasmus assumed a close connection between inheritance and training of children in advancing his own argument for academic education in the liberal arts. Wittenwiler's *The Ring* echoes this in advising that "expenditure is good for training children;/also spend your goods for dowry."[103] This links financial provision (though not inheritance *per se*) with vocational education and marriage arrangements.

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[100] "Si ista bene educato comparas, instrumenta virtutum subministras. . . Ne commemorem interim, quod opes, dignitatem, auctoritatem atque etiam prosperam valetudinem, quae tam anxiis votis optant liberis suis, nulla res magis parit homini quam probitas et eruditio." Erasmus, *De pueris instituendis*, 385-387; Erasmus, *On Early Liberal Education*, 302. Margolin notes that the latter part of this passage is drawn from the *Moralia* of Plutarch, especially "De sanitate praecepta" (Margolin, ed., *De pueris instituendis*, 488).

[101] "Sunt quos animus sordidus deterret a conducendo praeceptore idoneo. . . In eo solo parci sordidique sunt, cujus gratia poterat excusari caeteris in rebus parsimonia. Utinam pauciores essent, qui plus impendunt putido scorto quam educando filio. . . Alibi sit locus frugalitati, hic esse frugalem non est parsimonia, sed dementia." Erasmus, *De pueris instituendis*, 405-407; Erasmus, *On Early Liberal Education*, 313-14.

[102] "Verum ego patrem esse negarim, qui quum de formando filio res vertitur, anxiam sumptus rationem habet." Erasmus, *De pueris instituendis*, 455; Erasmus, *On Early Liberal Education*, 342.

[103] "Cost ist guot umb kinder ler;/Mit haimsteur auch daz dein verzer." Wittenwiler, *Der Ring*, 5063-

The connection between inheritance and training was not merely theoretical; cases in the Schultheissengericht reveal similar practices when Baslers arranged their inheritances. After dividing the rest of his father's estate, Michael Franzen's mother kept his father's clothes and paid each of the sons seven gulden for his share. However, the mother remarked to the witness "she had paid Michael enough of the seven gulden, and when he (the witness) asked, 'With what?' she said, 'With cloth and school- and training-money that I disbursed for him, he has had more than seven gulden.'"[104] She reckoned money for education as a part of Michael's inheritance from his father.

Again and again this responsibility was explicitly stated in cases of remarriage. This indicates that it was a set of responsibilites that the father would normally fill; they were drawn out only because it was a step-father in view. Hans Snider's wife died and it was stipulated that in helping his two stepsons, "if they were fit for a craft, for spiritual or secular office, that he should teach them it and help them to it without expense or cost to the children, and when they changed into the state of marriage or priesthood, he should allocate to them and be obligated to give twenty gulden to each when he changed thus," in addition to their inheritance from his wife.[105] This case is remarkably similar to that of Michael the tablemaker, discussed earlier, which stated that "he should let the boys learn a craft. . . and when the children came of age and one desired a place, whether spiritual or

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5064.

[104] "gesagt sy hete michel der vii guld ussgericht unnd do er diser zug womit gefragt hete sy gesagt mit thuch darzu hab ich schul unnd lergelt fur inn ussgebenn das er mer dan vii guld hat." Kundschaften D23, Michael Franzen den Schnider vs. Lienhart his brother, [Autumn] 1521, 172r. The court proceedings are extant: Urteilsbuch A55, 1521, 6v-7r.

[105] "und das wol vertun ee sy zu iren tage kemen…unnd die kind also ufferziehen biss die zu iren tage komen unnd wann sy tenglich wurd zu handwerke oder sust inn geistliche oder weltlichen stat das solt er sy leren und inen darzu helffe alles one der kind eingeltnis unnd koste und darzu wann sy sich inn den stat der ee oder sust zu priesterschafft verenderten als denn und nit ee solt er inen usszichen und ze geben schuldig sin yedem wann es sich also verendert xx guld." Kundschaften D18, Bartholomew Snider, de Alsace vs. Hans Snider, his father, [April] 1501, 8r.

secular he should, like a father, advise them about that and. . . give them twenty pounds for it." [106] There are so many common elements here—the list of vocational alternatives, the idea of fatherly help and advice, and twenty gulden (or pounds) at marriage or priesthood—that this must be taken a standard set of requirements for step-fathers.

When Hans Meyger married Elisabeth, Andreas Mock the printer's widow, they agreed that they would raise her four children by Andreas, "fatherly and motherly, with food, drink, shoes, clothing, teaching and training in a craft" until they came of age.[107] Again, when Claus Matter married Margarete, they made arrangements concerning Uli and Appolonia, the children she had had with Jorge Muller von Landsperg. "They agreed that Claus, their step-father and the mother of the said children should raise them until they came of age, and particularly that [they] should teach Uli, the boy, the shoemaker's trade until he was fourteen years old, at which point the boy could change or remain with them."[108] When Martin Christen married Elsbeth, they agreed that Anthony, their "step- and legitimate son" would inherit his father's clothes, armor and other personal effects, and that "that also they would hire him out to a seemly trade that he desired and send him to be taught, and that they should give him the apprenticeship-fee; that they should both raise the same Anthony to a craft, give him food and drink and seemly clothes until he

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[106] "sol die knaben handtwerk lassen leren. . . und so die kind zu irn tagen kamen und eins in einen stand er sye geistlich oder weltlich begeren sol er als ein vatter im darzu berate. . . und einem jed darzu geben zwenzig pfunt." Kundschaften D23, Ursula and Michael Tischmacher vs. Christiana, Tursen Tischmacher (sainted)'s daughter, [February] 1524, 274v-275r (at 274v).

[107] "sy getriuwlich vaterlich und muterlich mit essen trinken schuh kleidung ler und underwysung zu handtwerk." Kundschaften D24, Hans Meyger from Strasbourg vs. Elisabeth, Andreas Mock the printer's widow, [October] 1525, 37v-38r. They would receive nothing further from their step-father and the costs would be taken from their father's estate. However, they would also inherit from Hans "as though children of his body," and Hans and Elisabeth took over all of Andreas' debts.

[108] "Unnd als ulin und Appollonia die zwey kind jung unerzoge gewesen da sye beredt dz Claus der stieffatter und die Muter die selben kinder biss zu iren tage unnd sunderlich ulin den knaben das schuhmacher handwerk leren und biss er vierzehen jar alt wurde erziehen solt alsdan mochte der knab wandlen oder by inen blibn." Kundschaften D20, Claus Matter der Schuhmacher vs. Hans Frank der Kurschner, [February] 1509, 152r-152v.

learned a trade."[109] Vocational training was listed along with food and clothing as a part of fatherly provision.

The logic could also run in the other direction; education could imply inheritance. When Conrad Kunlin agreed to raise his sister's grandchild, the witness said that "at this request of his sister, Conrad [Sr.] held the boy by him and put him in school and after Conrad [Sr.]'s death, the aforesaid Conrad [Jr.] was hired out by Katherine Rysin, Hans Rysin's widow and Conrad [Sr.]'s daughter to Hertstahell the spur-maker (sainted), with whom he learned a trade."[110] This testimony used Conrad, Sr.'s action in putting Conrad, Jr. in school as one of the reasons that the younger Conrad should inherit from his great-uncle.

The purpose of this practical education was to ensure the child's prosperity. *The Ring* advised, "Don't train your son to be a wandering star, as St. Bernard says. Teach him a craft or a trade quickly, according to your ability, and above all the Scriptures, if you want him to be fortunate. If he cannot become something fitting with you, trade him out! that is his settlement."[111] This passage assumed that sons would learn a trade from their fathers. Helping them to improve their lot by sending them to learn another trade was explicitly equated with an inheritance or marriage "settlement." The motivation for

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[109] "irn stief unnd elichen son zu ein zimlichenn handtwerk dz er begert und dar zu er geschickt ist verdingenn inn das leren lassenn und dz sy dz lergelt von im geben sollen darzu sollenn sy beidi den selben Anthonii bis er zu einem handtwerk kempt erziechen im essen und trinken dar zu zimlich becleidung bis er ein handtwerk gelert geben." Kundschaften D24, Anthony Ringfelder Jr. and his wife vs. Martin Christen and his wife, [December] 1525, 13v-15v (at 15r).

[110] "allso solich siner schwester byt angesehenn behielt her Cunrat selig den knaben by inn und leyt in zu schul unnd nach her cunrats selige abgang wird der obgenant cunrat kulin durch wylend frow Katherin Rysenn Hansenn Rysenn selige verlassene witwen unnd her cunrat kunlin selige tochter zu hertstahell dem sporer selige verdingt by dem er ouch das hantwerck gelert hat." Kundschaften D18, Conrad Kunlin, [February] 1503, 78r-v.

[111] "Deim sun emphilh daz stäbli nicht,/Sam der lieb sant Bernhart spricht!/Ler in drat nach deiner macht/Hantwerch oder chuaffmanschaft/Und die gschrift vor allen dingen,/Wilt du in ze selden pringen!/Mag er pei dir nicht werden teur,/So schik in aus! Daz ist sein steur." Wittenwiler, *Der Ring*, p. 218-220, lines 5099-5106.

vocational (as well as religious) instruction was to bring them *selde* ("fortune, health, happiness"). Similar sentiments are found in *Cato*, which advised slightly different things in the original Latin and in Brant's accompanying translation. The Latin said, "if you have a child and no wealth, teach him a trade so that he shall be able to preserve his life." The German ended, "so that he may nourish his life and prevent poverty for himself."[112] In both *The Ring* and *Cato*, the point of training children in a trade was that they would be able to provide for their own bodily needs.

Although the academic writers under discussion here were obviously interested in promoting formal education, it is clear that providing for the future of one's children could involve many kinds of vocational training. Pedagogical treatises devoted a great deal of attention to helping parents select the right career for their children. Erasmus acknowledged the variety of career options available. He noted that while still expecting, parents consulted astrologers about what their child's career would be, whether a soldier or a position in the church. "If this kind of foresight, which extends even into the period before birth, is not considered premature, is it too early to take thought for a child's education?. . . You may object that your son has the necessary means to live his life. True, but he does not have the means to live a good life."[113] He again melded education with monetary provision.

Erasmus went on to discuss the fact that individuals have particular aptitudes, illustrating it with an anecdote about a young scholar who excelled at Greek and Latin,

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[112] "Cum tibi sint nati ne opes: tunc artibus illos/instrue; quo possint inopem defendere vitam./Hastu kind wenig gult dar by/ler sy in hantwerck künsten fry/Das sie ir leben moegen neren/Und grosser armut sich erweren." Sebastian Brant, *Cato* (Basel, 1510 (first edition 1498)), a5r.

[113] "Haec cura non videtur illis praepropera, quum antevertat ipsam nativitatem, et paepropera videtur quae natorum fingendis animis adhibetur?" Erasmus, *De pueris instituendis*, 387; Erasmus, *On Early Liberal Education*, 303.

but could not stand studying law.[114] Such aptitudes, Erasmus claimed, could be detected early in life, and he mentioned that parents were the ones most responsible for judging their childrens' aptitudes. *Adolescentia* echoed him in a passage taken from Vergerius: "The nature of the boy ought to be measured and tested, regarding which study he seems to be apt for. First, each one is to be inspected for himself regarding his nature and…the parents, or the teachers into whose care the youth has been entrusted, ought to gauge in what type of things the boys seem to be prone or apt."[115] The same idea appeared in Brant's *Moretus*, which argued that it would be much easier to educate a boy in a task he liked, and that "no one is able to teach what [the pupil's] nature denies…nature has given men many gifts…so that each man has something he can do which is not apt for all others…everyone is able to do well in his own position/if without sloth he accepts his lot."[116] The task, then was to educate children in such a way as to bolster their natural aptitudes.

Moretus allowed for the widest variety of career options in the texts examined here; a large portion of the text was devoted to choosing a boy's career. It spoke favorably of academic life: "if letters please him, he should be a cleric, or perhaps he

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[114] Erasmus, *De pueris instituendis*, 411; Erasmus, *On Early Liberal Education*, 316. Margolin speculates that the young man in the anecdote may have been Andreas Ammonius, who eventually became a Latin secretary for Henry VIII (Margolin, ed., *De pueris instituendis*, 524-5).

[115] "Pueri vel adolescentis ingenium metiendum est et examinandum, cui studio videatur esse accomodatum. Principio erit unicuique suum ingenium aut. . . parentes aut praeceptores, quorum curae tradita fuerit iuventus, animadvertere debebunt, in quas res natura proni aptique pueri videantur." *Adolescentia*, 193.

[116] "Quod natura negat discere nemo potest/Jeder umb sunst wyssen begert/Das im ist wider das erslert/Dann das wurt eim zu leren fur/Das im verseyt seyn eygene natur/Officiis multis hominem natura beavit/Et varie variis plurima dona dedit/Die natur hat den menschen gemacht/Selig mit vil seltzen wold dat/Und hat geteylt aussgaben vil/Eym yeden gefelt seyn moss und zyl/Sic habet omnis homo quo se possit fabricare/Qui non est cunctis pluribus aptus erit/Eyn yeder mensch das also hat/Er mag sich schicken in ein stat/Ist er nit geschickt zu allem ding/Mag er doch vil leren gering/Quilibet officio proprio poterit bonus esse/Si sine segnicie complacet ordo sibi/Ein yeder mag seyn gar wol gut/Das er syem egnen ampt recht thut/Ob er on all hynlessigkeit/Ein lieb zu seynem wesen dreit." Sebastian Brant, *Moretus* (Argentoratum: 1508 (first published in Basel, 1499), aa5v.

should be a lay scholar: a physician or lawyer, or a poet; teach him to love books in his early years."[117] But it also acknowledged non-academic pursuits. "If the boy wants to be a layman and practice a certain craft, then his guardian should look into it if his father has died."[118] Different aptitudes and careers called for different programs of education: "But if the child's life is suited to knighthood/he should learn it with his hands and feet/ [and how to] turn and turn about a horse."[119] On the other hand, "he who desires to be a merchant should learn knowledge of coins; . . . he knowledgably explores all lands that have commerce and trade . . . But if he desires to learn an artful craft, he puts himself under good discipline so that he won't be lethargic like a sheep. He who is under such training soon after his birth will be well-taught and much more profitable in his trade."[120] Even academic writers applied the model of education according to aptitude to a wide variety of career possibilities.

Education according to the child's aptitudes did not always take place in practice, but it was widely thought to be desirable. Several of the step-father cases quoted above stipulated that the son should learn "a seemly trade that he desired," and "if they have no

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[117] "Littera si placeat ut clericus efficiatur/Vel forsan laicus doctior esse velit/judex vel medicus: doctor: vel scriba-poeta/In teneris annis discat amare libros/Ob im die ler gefallet woll/und das es geistlich werden soll/oder ein gelerter ley villicht/Richter artzt, doctor, meyster der gdicht/Und schryber in sein iungen tagen/sol er lieb zu den buchern tragen." Brant, *Moretus*, aa4v.

[118] "Cum puer e laicus quibus artibus est sociandum/Provideat tutor: si caret ipse patre/Wan das kynd ein ley werden soll/So sol seyn vogtman lugen wol/Ob seyn vatter ist gangen ab/zu was kunst das kind neygung hab." Brant, *Moretus*, aa4v.

[119] "Sed si milicie puero fit vita petenda/cruribus et manibus flectere discat equos/Ob aber des kinds leben sy/geriechtet zu der rutery/das soll mit hend und beynen leren/Die rosser wenden und umbkeren." Brant, *Moretus*, aa4v.

[120] "Qui mercatoris doctrinam gliscit habere/Noscere denarios discat et ipse prius/Welcher begert zu han die ler/Wie er uff kauffmanschatz sich ker/Der ler die pfennig kennen wol/Wie man eyn yede müntz nemen sol/Providus exploret terras mercatibus aptas/Que varium precium sember habere solent/Wisslich erfar er alle landt/Die Kauffmanschatz und gewerbniss handt/Die sindt gewon zu han allzytt/Was man dür oder wolfeil gytt…Fabriles alias si quis cupiat puer artes/Suppositus ferule desinat esse piger/Ob nun villeicht ein kindt beger/Das es sust kunstrich hantwerck ler/Das underwerff sich guter straff/Das es nit treg sey wie ein schaff/Qui sic instruitur dum transit mollior etas/Arte sua melius forte peritus erit/Wer also bald nach kindscher geburt/In solchem underwise würt/Der wurt gemeinlich wol glert/und in seiner kunst vil bas gemert." Brant, *Moretus*, aa4v-aa5r.

desire to learn table-making, he should let them learn another."[121] In another case, Hans Lantzman's son (who was never named) hung around Diebolt Lad the weaver's shop, saying, "Dear Diebolt, hire me! My father and mother want to make me a potter, but that is not what I have in mind; I would rather be a weaver." [122] Diebolt eventually consulted the boy's current master, who said that "the boy was a wicked rascal and did not want to do any good; he had been at a knife-maker before him, for whom he also did no good and warned that he would not do him any good either, but if the rascal's father would pay the thirty-five shillings, he would gladly hire the boy out to him." [123] Diebolt took him up on this; the court case was between Jacob, the boy's current master and Hans, apparently over the thirty-five shillings. It provides us, however, with a glimpse of a boy who pined for a certain trade; his parents must have known of his desire, but they made another choice instead. Even Diebolt was unwilling to go against their wishes, at least at first. Still, the child's wishes were at least generally thought to be worth taking into account. Diebolt's testimony implied that he thought the boy's desire might make him a better weaver-apprentice than he had been a potter-apprentice. Education according to aptitude was a widely accepted idea, even if it was not universally practiced—much like career counseling today.

Vocational education for sons received the most attention from medieval writers and in medieval legal records, but Wittenwiler's *The Ring* addressed the issue of

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[121] "zu ein zimlichenn handtwerk dz er begert." D24, Ringfelder vs. Christen 15r; "und ob sy nit lust zum dischmacher wath hate einanders leren lassen." D23 Tischmacher vs. Christiana, 274v.

[122] "Lieber diepold dingend mich min vatter und müter machten gern ein hafner uss mir so ist es mir nit im sinn und wolt lieber ein weber werdn." Kundschaften D14, Hans Lantzman vs. Jacob Hasen, [February-March] 1490, 67.

[123] "daruff Jacob haffer gesprochen der knab wär ein böser büb und wölt kein gut tun war och vor bi ein messerschmid gewesen dem het er och kein gut tan und versech sich er wurd im och kein gut tun aber sover im des buben vater die genanten funf und drissig schilling gut machte wie obstat möcht er den knaben sinthalb frölich dingen und wolt in och ungehindert ungeheit daranlassen." D14, Lantzman vs. Hasen, 67r.

daughters' training. It advised the reader to make sure his wife was kept industriously busy: "Make sure that at all times she keeps the kitchen, table and bed well-kept and clean…tell her to clean, sew and spin, milk and clean if you want to have profit." It continued, "you should also see to the same thing with your daughters, and if they do not know how to do something, make sure that they learn it quickly…because what a woman can do for you, will also be useful to another." [124]

Formal apprenticeship usually involved boys, but sometimes girls were also apprenticed, especially in the textile trades.[125] One study of apprenticeship from fourteenth-century Montpellier found approximately fifteen percent of contracts concerned young women.[126] There are also a few examples from Basel. Hans Staler de Waltzhut sent his daughter Emelin to Peter Sengler "and Regelin (his wife) to be taught, namely spinning on the wheel or by hand."[127] This means that in addition to finding

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[124] "Schaff auch mit ir so ze stett,/Daz sei küchi, tisch und pett/Schon berait und sauber halt,/Wol sei pei dir werden alt!/Haiss sei fürben, nän und spinnen,/Melchen, säugen, wilt du gwinnen!/Lass sei selten müessig gen!/Deaz selbig scholt du auch versten/Von deinen tochtren so ze hant;/Und ist es inen underchant,/So tracht, daz sei es lernin schier/Tag und nacht für ander vier!/Won was dein weib dir kunnen schol,/Daz füegt eim andern auch vil wol." Wittenwiler, *Der Ring*, 220. Lest this seem too mercenary, it should be noted that the *Hausvater* himself was told to rise early and when he came home, to realize that if he had not increased his grain or wealth, he had lost the day. *The Ring* advocated a life of useful industry for everyone, men as well as women.

[125] Hanawalt, *The Wealth of Wives*, 36-44. On female makers of silk "narrow ware" in London, see Stephanie Trigg, "'Ye Louely Ladyes With Your Longe Fyngres': The Silkwomen of Medieval London," *Studia Anglica Posnaniensia* 38 (2002): 469-484; see further Kay Lacey, "The Production of 'Narrow Ware' by Silkwomen in Fourteenth and Fifteenth Century England," *Textile History* 18 (1987): 187-204; Marian Dale, "The London Silkwomen of the Fifteenth Century," *Economic History Review* 4 (1933): 324-335; David Herlihy, *Opera Mulierbria: Women and Work in Medieval Europe* (Philadelphia: Temple University Press, 1990), 95-97, 147-148, 162, 173.

[126] Kathryn Reyerson, "The Adolescent Apprentice/Worker in Medieval Montpellier," *Journal of Family History* 17 (1992), 353-370 (at 354); reprinted in Kathryn Reyerson, *Society, Law, and Trade in Medieval Montpellier* (Aldershot, Hampshire: Variorum, 1995). The reprint retains the original pagination.

[127] "Hans von Waltzhut sin tochter Emelin Peter Senglin und Regelen sin hussfrowen zu leren verdingt habe nemlich spinnen am rad och von der hand." Kundschaften D11, Hans Staler de Waltzhut vs. Peter Senglin und Regelen his wife, [November] 1476, 26v. Apparently the original agreement stipulated that they were not to hit her on the head, but Regelin did so many times, sometimes with the spindle, which resulted in a case brought by Hans against Peter and Regelin. Hanawalt notes that in the relatively few London apprenticeship contracts for girls, the master's wife was often included in the contract, which is not the case with boys, indicating that female apprentices had *de facto* female masters (Hanawalt, *The Wealth*

apprenticeships for their sons, some fathers also sought apprenticeships for their daughters.

The case of Andre Bernhart provides more detail; Michel Snider testified that as the *Vogt* of a little girl (she was only referred to as the *meitlin* ("little maid")), he sent her (probably from Therwil, a few kilometers outside Basel, where Michel lived), to Andre Bernhart in Basel to serve him and he "hired her out, that he should hold her as his own child and if she did wrong, he should punish her appropriately," and that they would settle her wages later.[128] This was arguably a way of providing for her daily maintenance, and Michel apparently connected this provision with moral education, specifically asking Andre to act as a surrogate father by disciplining the girl. Andre clearly exceeded his mandate, as we will see in a later chapter, but the fact of Andre's abuse does not negate Michel's original intention of arranging for the girl's fostering in service.[129] In light of the earlier advice given in the *The Ring*, hiring a daughter out for service could be construed as a type of domestic vocational training, though this analogy is not a strong one; the service brought a wage, rather than requiring a payment, and the service was not considered a skilled occupation. Boys, then, paid to learn vocational skills that they were then paid to practice, while girls were paid to learn domestic skills that they were not paid to practice.

Fatherly responsibility for vocational training did not cease once the child had chosen a trade or a career. Erasmus cautioned that "parents should keep a close watch on

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of Wives, 40). In this case, not only was Regelin mentioned, but it was she who was accused of striking Emelin.

[128] "verdingt das er es halte als obs sin eigenn kind were unnd wan es unrecht tete so solt er es zimlich strafen und hernoch wann sy wider zusamen komen wurden woltenn sy dann vonn dem lon ouch Red." Kundschaften D23, Andres Bernhart vs. Gallusin, [July] 1520, 131r-v.

[129] It should also be noted that Michel probably pocketed the girl's wages himself, giving him a financial motive as well.

both pupil and instructor; they cannot relinquish responsibility as they do when they present their daughter in marriage. Rather, the father should pay frequent visits to the classroom in order to see what progress is being made." [130] In education, fathers were supposed to invest time as well as money in providing for their sons' futures.

Gauging fathers' continued involvement in their sons' professional training is a treacherous task. Most apprenticeship contracts committed the boy to a master who was not his father, but a boy apprenticed to his father would hardly require a contract.[131] According to a study of Orleans in the fifteenth century, sixty percent of apprenticeships resulted from the death of one of the parents, but this simply shows the bias of the source base.[132] It is not that sixty percent of all apprentices were orphans, but rather that orphans were more likely to undertake a written contract. In Basel, several of the step-father arrangements discussed above assumed that the sons would learn the same profession as the step-father, whether shoemaking or tablemaking. The most reasonable explanation for this is that they would be informally apprenticed to him, rather than formally apprenticed but restricted to their step-father's trade. This is surely even more true for biological fathers than for step-fathers. One case mentions Hans Gretz and his son as both being stoneworkers.[133] If an urban son took up a similar trade as his father, even if he was

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[130] "Nec interim cessabit cura parentum. Observabunt et praeceptorum et filium, ne sic ablegabunt ab se sollicitudinem, quemadmodum solent omnem filiae curam in sponsum transferre, sed subinde reviset pater exploraturus ecquid profecerit." Erasmus, *De pueris instituendis*, 409; Erasmus, *On Early Liberal Education*, 315.

[131] Michael Mitterauer, "Familie und Arbeitsorganisation in städtischen Gesellschaften des Späten Mittelalters und der frühen Neuzeit," in *Haus und Familie in der spätmittelalterlichen Stadt*, ed. Alfred Haverkamp (Cologne: Böhlau, 1984), 29-31.

[132] Françoise Michaud-Frejaville, "Bons et loyaux services: Les contrats d'apprentissage en Orléannais (1380-1480)," in *Les entrées dans la vie: initiations et apprentissages.* Actes du XIIe congrès de la Société des historiens médiévistes de l'enseignement supérieur public (Nancy: Presses universitaries de Nancy, 1982), 183-208.

[133] Hans de Gretz vs. Hans Nutzdorff, 14 March, 1491, 116v-119v, 120r-v.

apprenticed to a different master, the new master would likely be one of his father's professional acquaintances. The father would then have both the opportunity and the expertise to check up on his son's progress (and make sure he was treated well). Yet such informal supervision would be conducted face-to-face and would have little reason to appear in the sources. We take for our example then, an apprenticeship in a craft of which the product is nothing other than written sources.

Johannes Amerbach's correspondence with his sons makes it possible to trace his close involvement in his sons' technical training. He was, of course, heavily involved in selecting their teachers and curriculum, and in sending them to study in the first place. It is clear from Amerbach's letters to the boys both at Sélestat and at Paris that he wanted them to receive an education for useful, practical reasons. He himself was a master of arts from Paris (a fact attested in virtually every Latin letter addressed to him by his sons or any of his business associates) and used it in his printing business; Bruno later studied Greek and theology and Basilius studied law, but both used their skills as assistants and correctors to their father.[134]

One of Johannes Amerbach's first letters to his sons at Paris contained not only instructions on their living situation and general arrangements, but a detailed discussion of their curriculum. He wrote,

> They say that there are good regent masters in the Collège de Ste.-Barbe . . . When I sent you to Paris, I intended for you to devote your attention to the Scotist school if it was still thriving, but I hear that it has disappeared. After you have mastered logic I suggest that you give your attention unwaveringly to the school of philosophy most widely studied so that,

[134] Halporn, *Correspondence*, 273; Alfred Hartmann, "Familiares aus der Amerbachkorrespondenz," *Basler Jahrbuch* (1951): 35-57 (at 41).

> after you return home, it can't be said that I sent young asses to Paris and got full-grown asses back.[135]

In advising them to choose the school of philosophy "most widely studied," Amerbach was concerned with what we would call the marketability of his sons' degrees—a pragmatic rather than an ideological consideration. Some time later, Bruno brought up the curriculum again.

> On feast days [our tutor, Mattheus ex Loreyo] does rhetoric and practical arithmetic. . . on ordinary days he takes up logic with us in our room. . . you want us to stay at the Collège du Cardinal in order to hear Lefèvre's course. . . Actually, it is beyond me which would be better, a course of nominalism or of Lefèvre.[136]

In addition to trying to arrange which tutor and college the boys studied at, Johannes had a clear interest in their specific intellectual pursuits.

Amerbach's involvement, however, went far beyond placing them in what he saw as a useful trade and urging them in general terms to work hard and excel. His correspondence with his sons was not a transparent means of communication, but was itself a tool for him to assess their progress, a forum for him to offer technical advice, and a means for his sons to hone their skills.

The education that Bruno and Basilius were receiving required them to master Latin as their first basic skill. Their letters home from their grammar school at Sélestat are "copybook" letters, adapted from the collections of example letters that were used in schools for precisely this purpose.[137] One of Bruno's early letters used formal phrasing

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[135] AK 1:128, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, June 11, 1501; Halporn, *Correspondence*, 152.

[136] AK 1:158, Bruno Amerbach to Johannes Amerbach, Paris, July 3, 1502; Halporn, *Correspondence*, 167.

[137] Halporn, *Correspondence*, 141. See further Charles Homer Haskins, "The Life of Mediaeval Students as Illustrated by Their Letters," *Studies in Medieval Culture* (Oxford: Clarendon Press, 1929), 1-35; Giles Constable, *Letters and Letter-Collections*, Typologie des Sources du Moyen Age Occidental 17, ed.

and closed with, "best regards until the sea abandons the bare fishes on the shore," (a quotation from Vergil) as a way of showing his progress in the erudite, allusive style of humanist letter-writing.[138] Johannes apparently wrote back with criticism, for Bruno's next letter replied, "One thing, however, was very disturbing to me—that you suspect I do not compose my own letters but employ the skill of another to write them, because two or three letters I have written to you have the same style and same closing words. I did it inadvertently. Wherefore I ask you to forgive me."[139] Johannes was using the letters as a means of gauging his sons' learning and coaching them in their Latin.[140]

> Throughout his sons' education, Amerbach showed the greatest concern for grammar, which is the foundation of all other knowledge. Indeed, being learned in other knowledge but not strong in spoken grammar (that is, [speaking] suitably and ornately) is how the ignorant man is distinguished from all others, and the erudite man should be distinguished from others in the same way. Therefore I admonish and exhort you, when you say something or write something to someone, first think whether the noun or the verb or other part of speech appropriately and adequately expresses the thing which you intend to express. This is so especially in prose. . . And in casual speech, I urge you to think ahead of time, in which declension, in which kind, in which case, and other details you want to speak; similarly with verbs, under which conjugation or mode or tense, etc.[141]

Léopold Genicot (Turnhout: Brepols, 1976); Martin Camargo, *Ars Dictaminis Ars Dictandi*, Typologie des Sources du Moyen Age Occidental 60, ed. Léopold Genicot (Turnhout: Brepols, 1991).

[138] The quotation is from Vergil, *Eclogues* 1.60. AK 1:107, Bruno Amerbach to Johannes Amerbach, Sélestat, January 22, 1500; Halporn, *Correspondence*, 142.

[139] "Unum autem mihi permolestum fuit, quod suspicaris me non componere meas litterulas, sed ex ingenio aliorum me scribere, ideo, quod binas aut ternas litterulas ad te dedi unius soni et eosdem terminos habentes. Ex improviso feci. Quare te eciam atque eciam rogo, mi ignoscere velis." AK 1:111, Bruno Amerbach to Johannes Amerbach, Sélestat, March 15, 1500; Halporn, *Correspondence*, 144. See also AK 1:390, Bonifacius Amerbach to Johannes Amerbach, Sélestat, August 27, 1508; Halporn, *Correspondence*, 299, where Bonifacius responded to his father's critiques of his Latin, just as his brothers had almost a decade earlier.

[140] In another letter, Johannes told his sons that Basilius should write letters as well as Bruno, saying, "I don't want it to always be just Bruno who writes; I want to know your ability also, Basilius" ("Non volo, quod semper Bruno solus scribat; volo enim et tuum ingenium cognoscere, Basili." AK 1:130, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, July 27, 1501; Halporn, *Correspondence*, 153).

[141] "Caveatis tamen, ne grammatice obliviscamini, que fundamentum est aliarum scientiarum. Doctus enim in aliis scientiis non valens loqui grammatice, videlicet congrue et ornate, ignarus ab omnibus iudicatur, sit etiam eruditus quomodocumque in aliis. Quare admoneo et adhortor, si contingat vos aliquem

Elsewhere, Johannes said that the boys have claimed "that the errors that appeared in your previous letters were not made in ignorance, but by accident. . . in the future, take care to keep such things from happening. I am not criticizing you for simple style; I do not care about that, but I do care about grammatical agreement."[142]

The progress reports from the boys' teachers sometimes gave much more detailed assessments than "your boys are doing well" and other such pleasantries, and Amerbach took definite action based on the reports. In March 1503, Mattheus ex Loreyo wrote, "Bruno works of his own accord; however, in my judgment it is not possible to cause him to amend his pronunciation. Basilius knows enough, but he never does anything unless compelled. Unless continually stirred up, he drifts into fantasies. . . "[143] Amerbach immediately wrote to Bruno, "your master is trying very hard to bring you to a proper and correct pronunciation, but his efforts are frustrated. . . you rush the words. . . You must not do it that way, my son, but you must pay attention to the rules and suggestions your master gives you."[144] Amerbach included a "my son,"[145] as a way of placing his advice in a fatherly context.

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alloqui vel alicui scribere, primum pensitare, an nomen vel verbum aut alia pars orationis proprie et adequate significet rem illam, quam intenditis exprimere, et hoc precipue in prosa. . . Item in dictionibus casualibus hortor premeditari, in qua declintione, in quo genere, in quo casu aut alio accidente velitis loqui, similter in verbis, sub qua coniugatione vel modo vel tempore etc." AK 1:184, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, February 14, 1503.

[142] "quod vitia commissa in anterioribus litteris ad me missis non ex ignorantia sed ex inadvertentia sint facta. Quare vobis indulgendum censeo; sitis tamen providi, ne ulterius contingant similia. Non reprehendo vos de simplici stilo nec de eo curo, sed de congruo." AK 1:191, Johannes Amerbach to Bruno Amerbach, Frankfurt, April 16, 1503; Halporn, *Correspondence*, 171. This emphasis on grammar as "the foundation of all other knowledge" is an indicator of Amerbach's allegiance to the humanist movement, which prized grammar; Walter Rüegg, "Epilogue: The Rise of Humanism," in *A History of the University in Europe Vol. 1: Universities in the Middle Ages*, ed. Hilde de Ridder-Symoens (New York: Cambridge University Press, 1992), 442-468 (at 447).

[143] "Bruno sua sponte laboriosus; non possum tamen emendate pronunciationis meo arbitratu eum efficere. Basilius satis novit, sed nihil nisi coactus agit. Continuo nisi excitetur, speculatur fantasmata. . . " AK 1:185, Mattheus ex Loreyo to Johannes Amerbach, Paris, March 3, [1503].

[144] "magistrum tuum magnam habere diligentiam, ut te ad rectam et emendatam pronunciationem

Arguably, fathers in other trades did similar work of consulting with their sons' masters and giving them instruction in their common trade. The Amerbachs' status as "textual artisans" makes these activities *visible* to historians, rather than impelling them to unique activities. The expected fatherly practice of close supervision of vocational education as a means of ensuring ongoing provision for children, in addition to arranging ongoing payments and ways of supplying practical needs through inheritance and marriage settlements, show the intertwining of education and provision as fathers attempted to extend their responsibilities into the future, even past their own deaths.

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inducat, sed quasi in vanum laborare. . . sed precipitas verba. . . omnia simul proferre. . . Non est tibi illo modo agendum, fili mi, sed oportet, ut obtemperes magistri preceptis, que tibi dat." AK 1:191, Halporn, *Correspondence*, 171.

[145] "fili mi," AK 1:191, Halporn, *Correspondence*, 171.

FATHER AS EDUCATOR

In 1506, Johannes Amerbach sent his son Bruno to Paris for advanced study with the renowned Greek scholar Jacques Lefèvre d'Etaples.[1] He wrote,

> Therefore, my dear sir, I entrust my son to you. . . for his instruction. . . I entreat and implore you to turn your kind glance on my son and even correct him sharply when he needs it, so that he does not waste his time or my resources (I pay him as much as I am able) and does not spend them in vain, but in study. For this reason, excellent sir, I appoint you his master and censor, and entrust to you my whole burden.[2]

This chapter is about the nature of that "burden"—the responsibility of fathers to educate their children—and the ways that they shared that burden with educators, mothers, nurses, and other figures.

This chapter begins with a summary of the education of the Amerbach family which highlights the intertwining of moral and academic training in medieval thought on education. We then turn to the views of human nature that underlay the importance of fatherly discipline as an important aspect of moral instruction. Despite a rhetorical gendering of "softness" as a negative, feminine trait, prescriptive sources still depicted fatherly discipline as advantageous precisely because it was tender and loving as well as powerful and authoritative. Fathers were widely depicted by moral writers as a source of spoken instruction, but far more important was the idea that fathers taught morality by the

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[1] Jacques Lefèvre d'Etaples (c. 1460-1536) published well-received commentaries and translations of Aristotle in the 1490s, which caused a humanist circle to form around him at the Collège du Cardinal Moines in Paris, where he taught. Amerbach's timing here was unfortunate, because in 1507, Lefèvre retired from teaching to focus on his own scholarship. In 1509, he published a humanist commentary on the Psalms that led to a scholarly debate with Erasmus; Henry Heller, "Jacque Lefèvre d'Etaples," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation*, ed. Peter G. Bietenholz, 3 vols.; Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 2:315-318.

[2] "Quare, praestantissime domine mi, hunc filium meum tibi ac benivolentiae tuae erudiendum. . . tuam humanitatem orans et obtestans velis benignos oculos tuos super hunc filium meum inclinare eumque, ubi opus fuerit, etiam acriter castigare, ut tempus suum et meas expensas, quas illi pro meo posse impendam, non perdat nec inutiliter sed dumtaxat in studio consumat. Ob quam rem te, praestantissime domine, illi censorem et magistrum constituo et tibi meas curas totas committo." AK 1:320, Johannes Amerbach to Jacques Lefèvre d'Etaples, Basel, October 2, 1506; Halporn, *Correspondence*, 274.

example of their behavior, whether good or bad. The chapter concludes by examining the tensions that could arise when fathers delegated the academic and moral education of their children (primarily sons) to tutors and other educators. Teachers sometimes laid claim to fatherly identity of their own to justify their actions, even in defiance of literal fathers.

It must be noted at the outset that in the late medieval era, academic education and moral formation were deeply and immediately identified with one another. In *Adolescentia,* Wimpfeling cited Jean Gerson to argue that the teachers of youths (*gymnosophistae*) should teach "not merely the subtleties of dialectic or geometry. . . but what pertains to the divine health of souls, to the glory of the republic. . . what pertains to virtues, to respectability, to the fear of the lord at death and judgment, as much as the boys are able."[3] In *On Early Liberal Education*, Erasmus conceded that very young children could not yet learn advanced academic subjects, but they could at least be taught grammar and the "first beginnings of good behavior and proper devotion."[4] The didactic treatises taught reverence for God, then obedience and submission to one's elders and other superiors, expressed by proper etiquette and deportment.[5] Erasmus listed the four parts of childrearing as instilling piety, love of the liberal arts, devotion to duty, and etiquette.[6] The cultivation of virtue was thus closely intertwined with academic learning.[7]

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[3] "non in solis dialecticae geometriaeque. . . sed ut. . . quibus animarum salus divius honor rei publicae gloria comparari possit. . . ad virtutes ad honestum ad domini timorem ad mortis et iudicii formidinem capacissima puerorum ingenia excitate." Jakob Wimpfeling, *Jakob Wimpfelings Adolescentia*, ed. Otto Herding (Munich: Wilhelm Fink, 1965), 188.

[4] "Haec modestiae pietatisque rudimenta," Erasmus, *Declamatio de pueris statim ac liberaliter instituendis*, trans. Jean-Claude Margolin, Travaux d'humanisme et Renaissance 77 (Geneva: Droz, 1966), 413; Erasmus, *Declamation on the Subject of Early Liberal Education for Children*, trans. Beert C. Verstraete, Collected Works of Erasmus 26 (Buffalo: University of Toronto Press, 1985), 291-346 (at 318).

[5] This is visible throughout *De Civilitate*, as well as in Wimpfeling, *Adolescentia*, 286-289.

[6] "ut tenellus animus imbibat pietatis seminaria: proxima, ut liberales disciplinas et amet et perdiscat:

The experience of the Amerbach family both provides a framework for a larger discussion of the way fathers approached the education of their children and illustrates how commonly formal educators commented on the moral formation of their charges. In the late 1490s, Johannes Amerbach sent his two eldest sons, Bruno and Basilius, who were in their early teens, to Latin grammar school in Sélestat, about eighty kilometers north of Basel along the Rhine.[8] Their headmaster Kraft Hofmann, who also had business dealings with Amerbach, wrote several letters home assuring Amerbach that they had been pursuing "study, morals, and skill at letters, so that, God willing, they will answer properly to your expectation of them."[9] In 1500, the boys finished at Sélestat and Amerbach placed them under a master at the University of Basel. By the spring of 1501, Amerbach had changed his mind; he decided to send the boys to the University of Paris, along with several other boys from Basel.[10] Bruno was seventeen years old; Basilius was

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tertia est, ut ad vitae officia instruatur: quarta est, ut a primis statim aevi rudimentis civilitati morum assuescat." Erasmus, *De civilitate morum puerilium*, in *Opera omnia*, ed. Jean Le Clerc, 10 vols. (Hildesheim: G. Olm, 1961-1962) 1:1033-1049 (at 1033); Erasmus, *On Good Manners for Boys*, trans. Brian McGregor, Collected Works of Erasmus 25 (Buffalo: University of Toronto Press, 1985), 268-282 (at 273).

[7] For an argument that the moral ideals of humanist education soon degenerated into mere mastery of facts, see Anthony Grafton and Lisa Jardine, *From Humanism to the Humanities: Education and the Liberal Arts in Fifteenth- and Sixteenth-Century Europe* (Cambridge, MA: Harvard University Press, 1986), especially 136-157, which deals with Erasmian ideals and uses the Amerbach family as an example; for an insightful critique of their argument that gives a more sympathetic account of humanist attitudes toward reading as a moral activity, see James D. Tracy, "From Humanism to the Humanities: A Critique of Grafton and Jardine," *Modern Language Quarterly* 51.2(1990): 122-143.

[8] Sélestat was famous as a humanist grammar school; Rainer Christoph Schwinges, "Admission," in *A History of the University in Europe* ed. Hilde de Ridder-Symoens, 2 vols. (Cambridge: Cambridge University Press, 1992), 1:171-193 (at 175).

[9] "disciplina, moribus litterarumque peritia, ita ut expectationi de se tuae deo volente probe responsuri sint." AK 1:75; Kraft Hofmann to Johannes Amerbach, June 5, 1498; see also AK 1:60, 1:65. Kraft Hofmann received a master of arts degree from the university of Heidelberg in 1472, and had been head of the Latin grammar school at Sélestat since 1477 (Hartmann, AK 1, p. 65).

[10] Students could matriculate on any day of the year, so there is no exact date for the event; Maria Rosa di Simone, "Admission," in *A History of the University in Europe*, ed. Hilde de Ridder-Symoens, 2 vols. (Cambridge: Cambridge University Press, 1992),2:285-325 (at 285).

fourteen.[11] In April 1506, Bruno and Basilius incepted as masters of arts. Their headmaster Guillaume Jordan wrote a congratulatory letter to Johannes, saying that not only were they able in their studies, but "indeed, not having been infected with any disgraceful habit, not having been defiled by any stain of vice, not having been disfigured by any blemish of baseness, it is apparent that they are most courteous, amiable and refined."[12]

In 1506, Johannes sent Bruno back to Paris to study with Jacques Lefèvre d'Etaples. Lefèvre did not become Bruno's main teacher; he studied under several other masters for a few years. Basilius studied law in Freiburg briefly but did not take a degree.[13] Their brother Boniface was around a decade younger than they were; he too attended Sélestat and the University of Basel before going on to a doctorate in law, first at Freiburg under Ulrich Zasius, the first German humanist legal scholar, then at Avignon.[14]

Their sister, Margarete, did not attend university or grammar school.[15] Nonetheless, several letters from her survive, written when she stayed at a convent

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[11] Halporn, *Correspondence*, 149.

[12] "Hic etenim null morum dehonestatmento infecti, nulla vitiorum labecula aspersi, nullo sordium nevo devenustati, comissimi, amabilissimi, humanissimi conspiciebantur." AK 1:305, Guillaume Jordan to Johannes Amerbach, Paris, April 25, [1506]. Hartmann knows nothing further of Guillaume Jordan than that he was a regent (Hartmann, AK 1, p. 235).

[13] Halporn, *Correspondence*, 204-273; Alfred Hartmann, "Familiares aus der Amerbachkorrespondenz" *Basler Jahrbuch* (1951): 35-57 (at 41).

[14] Hartmann, "Familiares aus der Amerbachkorrespondenz," 44; Manfred E. Welti, "Boniface Amerbach," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 1:42-46.

[15] Margarete Amerbach (1490-1541) married Jakob Rechberger, a merchant, and they lived in Basel. Boniface Amerbach lived with them for a time after his return from Avignon. Margarete died of the plague; Manfred E. Welti, "Margarete Amerbach," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 1:48; see also Gertrud Lendorff, *Kleine Geschichte Der Baslerin* (Basel: Birkhäuser, 1966), 52-61.

outside Basel for a time to escape the plague. As a child of eight and again at the age of twelve she wrote home in sprightly German while her brothers struggled to express themselves in schoolboy Latin. In one letter, she asked her mother to greet "my teacher"; the term is grammatically feminine, which provides our only glimpse of the circumstances of her education. There were schools that taught German and arithmetic that were open to both sexes; Margarete might have attended one of those, or her letter could refer to a private tutor.[16] In any case, Margarete had a female teacher who was not simply her mother, aunt, or nurse. Although her formal education was much less extensive than that of her brothers, moral education was still an important aspect of raising daughters, just as it was for sons.

How successful were Johannes' efforts at moral and professional training? What assessment would Johannes have made of the later lives of his children? Bruno and Basilius both returned from their studies to work for the family printing firm; after Johannes' death in 1513, his junior partner Johannes Froben continued to manage the business affairs of the firm. Bruno was an able worker, and he also married, but he died of the plague soon after, in 1519.[17] Basilius, judging from his letters, had always lagged behind Bruno academically. He did not get along well with Froben and remained a bachelor, taking meals with Boniface's family. He died in 1535.[18] Margarete, despite her father's original objection to her marriage, seems to have chosen a suitable spouse in

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[16] Beer, *Eltern und Kinder*, 328-329, 337; for Florence, see Haas, *Renaissance Man and His Children*, 177, ff.

[17] Manfred E. Welti, "Bruno Amerbach," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 46; Hartmann, "Familiares aus der Amerbachkorrespondenz," 41-43.

[18] Manfred E. Welti, "Basilius Amerbach," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 42; Hartmann, "Familiares aus der Amerbachkorrespondenz," 41.

Jakob Rechberger; they lived in Basel and remained close to other members of the family. They had several children. Margarete died at the age of fifty, also of the plague.[19] Boniface was the most professionally successful of the family, going on to a distinguished career in law. Ironically, he was perceived primarily as the heir of Erasmus; the two had a long and intimate correspondence, and Boniface was the administrator of Erasmus' charitable trust after his death. Boniface also married and had five children.[20] So, with the exception of Basilius, all of the Amerbach family led respectable, successful adult lives; all of the children continued to use the education they received as children—even Margarete continued to write letters to her brothers.[21]

How did his children assess Johannes' success as a father? I have not found any intensely personal recollections of Johannes by his children. His epitaph and references to him in letters from other people to his children concentrate on his accomplishments in printing learned works.[22] After Johannes' death, the Amerbach firm continued work on his last project—the first printed edition of the complete works of Jerome.[23] In the letter to the reader at the beginning of the edition, Bruno and Basilius refer to the education he gave them in

> three languages. . . without which nothing could be done in this business. Dying during this great work, he delegated the task to us as our inheritance, hoping for the future that if ancient theology lived again, the thorny kind of the sophists and the frigid kind of the theologians would flourish less, and we would have more natural and genuine Christians.[24]

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[19] Welti, "Margarete Amerbach," 48.
[20] Welti, "Boniface Amerbach," 42-46; Hartmann, "Familiares aus der Amerbachkorrespondenz," 43-51.
[21] Hartmann, "Familiares aus der Amerbachkorrespondenz," 45.
[22] Halporn, *Correspondence*, 11-12; AK 2:727; 2:775.
[23] Halporn, *Correspondence*, 338-366.
[24] "Porro pater cum in hoc nos ante velut instruxisset trium linguarum qualicunque peritia, latinae, gracae, et hebraicae, quod sine horum praesidio nihil agi poterat in hoc negocio, tam egregio operi tandem immoriens hanc provincam velut haereditariam nobis delegavit futurum sperans ut, si vetus illa theologia revivisceret, minus valeret spinosum istud sophistarum et frigidum theologorum genus et christianos

In this passage, they remembered their father primarily in terms of their academic education and his ambitious printing agenda, but of course this letter was written to the readers of the edition and may not reflect their more personal memories.

The advantages and disadvantages of wax: Human nature according to the treatises

In explaining the pedagogical philosophies (and, ultimately, the specific fatherly tasks) laid out in the didactic treatises, it is clear that the foundation of the entire question of education is based on one's view of human nature. The concern for early education in the late medieval era was rooted in a view of children as extremely malleable. Erasmus was by no means unusual in writing, "The child that nature has given you is nothing but a shapeless lump, but the material is still pliable, capable of assuming any form. . . if you are negligent, you will rear an animal; but if you apply yourself, you will fashion, if I may use such a bold term, a godlike creature."[25] At various places, Erasmus compared children to parrots that can learn speech by imitation, and to saplings that can be shaped while young.[26] He also used a variety of other metaphors, both here and in his *Adages*; children were like wax, like clay, like new wool being dyed, like a new writing tablet.[27] The chapter in Brant's *The Ship of Fools* "On teaching children" used similar metaphors: "a young tree bends/when one tries to bend an older one,/it snaps in two."[28] This

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haberemus magis ingenuos et germanos." AK 2:551.

[25] "Natura quum tibi dat filium, nihil aliud tradit quam rudem massam. Tuae partes sunt obtemperantem et in omnia sequacem materiam in iptimum habitum fingere. Si cesses, fream habes; si advigiles, numen, ut ita loquar, habes." Erasmus, *De pueris instituendis*, 391; Erasmus, *On Early Liberal Education*, 305.

[26] Erasmus, *De pueris instituendis*, 381-385; Erasmus, *On Early Liberal Education*, 300.

[27] Erasmus, *De pueris instituendis*, 391-3, 413-415; Erasmus, *On Early Liberal Education*, 306, also 318-319. These images are drawn from Horace, *Epistles* 1.2.69-70 (Margolin, ed., *De pueris instituendis*, 497).

[28] "Ein junger zwyg sich biegen lot/Wann man ein altten understat/Zu biegen so knellt er entzwey," Sebastian Brant, *Das Narrenschiff: Faksimile der Erstausgabe Basel 1494 mit dem Nachwort von Franz Schultz*, ed. Dieter Wuttke (Baden Baden: Valentin Koerner, 1994), Ch. 6, "Von ler der kind," 19.

malleability was seen as both a strength and a weakness.[29] Wimpfeling's *Adolescentia* began by listing six virtues and six vices that were specific to children, all of which substantially derived from the same source: the changeability in their nature. If they had the virtues of being "easily moved to pity [and] easily shamed," they had likewise the vices of being "followers of their passions. . . easily changed, easily credulous" and otherwise fickle.[30] The changeableness of children was thought to make them educable, but it was also what kept them from reliable, virtuous behavior. In the medieval view, children were, most essentially, teachable.[31]

However, children were not simply a blank slate that would wait for an impression. Although they were born impressionable, Erasmus cautioned, "you cannot preserve this quality of rawness and freshness forever; if you do not mold your child's soul to become fully human, it will of itself degenerate to a monstrous bestiality."[32] Not only were children seen as malleable, their nature fell somewhere on a continuum between morally neutral and innately depraved.

A range of opinions on this subject is visible in the writings under discussion here, but the range is not really that large. Erasmus was by far the most optimistic, since he was influenced by neo-Platonic ideas regarding the possibility of human goodness.[33]

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[29] Newborn children were also thought to be *physically* moldable, like molten wax (Shulamith Shahar, *Childhood in the Middle Ages* (New York: Routledge, 1990), 88-89).

[30] "facile miserentur, facile erubescunt"; "passionum sectatores. . . facile mutantur, facile credunt," Wimpfeling, *Adolescentia*, 195, 197.

[31] The idea of children as especially impressionable circulated even in the early middle ages: see Danièle Alexandre-Bidon and Didier Lett, ed., *Children of the Middle Ages, Fifth-Fifteenth Centuries* (Notre Dame: University of Notre Dame Press, 1999), 39.

[32] "Non potes habere rudem massam; nisi finxeris in hominis speciem, in ferarum monstrosas effigies sua sponte depravabitur." Erasmus, *De pueris instituendis*, 393; Erasmus, *On Early Liberal Education*, 306.

[33] This is visible in his *Enchiridion* (1503), and also in his much later *On Free Choice* (1524), the tract which elicited Martin Luther's *On the Bondage of the Will* (1525); James D. Tracy, *Erasmus of the Low Countries* (Berkeley: University of California Press, 1996), 33-37, 47, 150-156.

He confided in a letter to Thomas More that he "would not be averse to" the idea that humans can make some moral progress "by the mere powers of nature, without the help of special grace, but St. Paul stands in the way."[34] His ambivalence is evident in *On Early Liberal Education*. At one point he stated, "Nature has given small children as a special gift the ability to imitate—but the urge to imitate evil is considerably stronger than the urge to imitate the good."[35] Later he vacillated, "Nothing will the child learn more readily than goodness. . . The evil is largely due to ourselves; for it is we who corrupt young minds with evil before we expose them to the good."[36] Thus, Erasmus was drawn toward a more optimistic view of human nature than that of either church fathers like St. Paul and St. Augustine or contemporaries like Martin Luther.

The other writers discussed here made no such statements about children being equally disposed to good. The opening section of Wimpfeling's *Adolescentia*, which listed the virtues and vices of youth, was mostly drawn from Vergerius and Giles of Rome, two other medieval educational authors.[37] It summed up with a passage from the

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[34] "Mihi non displiceret opinio que putat nos ex meris nature viribus absque peculiari gratia posse de congruo, ut illi loquuntur, gratiam instituere, nisi refragaretur Paulus." Erasmus to Thomas More, Basel, March 30, 1527, letter 1804, lines 75–95. Published in Percy S. Allen, *Opus Epistolarum Des. Erasmi Roterodami* (12 vols.; Oxford, 1906–1958) vol. 7, p. 8; Tracy, *Erasmus of the Low Countries*, 150-155. The letter does not appear in the first Latin edition of Erasmus' works. It will appear in English translation in volume 13 of *The Collected Works of Erasmus* series, which has not yet been published.

[35] "Natura peculiariter addidit aetati primae facilitatem imitandi, se tamen aliquanto pronior est ad nequitiam quam ad honestatem aemulatio." Erasmus, *De pueris instituendis*, 397-8; Erasmus, *On Early Liberal Education*, 308-309. On Erasmus' ambiguous treatment of human nature, see also Margolin, ed. *De pueris instituendis*, 506.

[36] "Nullius igitur rei docilior erit quam virtutis. . . Huius mali pars maxima nostro vitio debetur, qui prius corrumpimus ingenia vitiis quum iam docti sint ad nequitiam." Erasmus, *De pueris instituendis*, 405; Erasmus, *On Early Liberal Education*, 312.

[37] Vergerius' *De ingenuis moribus et liberalibus adolescentiae studiis liber* dates from between 1402 and 1405, while Aegidius Romanus' *De regimine principium* of the late thirteenth century is one of the major medieval "Mirrors for Princes." Wimpfeling, *Adolescentia*, 85, ff, 95-6; see also Hans-Joachim Schmidt, "Mittelalterlich Konzepte zur Vermittlung von Wissen, Normen und Werten an Kinder und Jugendliche. Zur Analyse des Fürstenspiegels von Aegidius Romanus," in *Europa und die Welt in der Geschichte: Festschrift zum 60. Geburtstag von Dieter Berg*, ed. Raphaela Averkorn, Winfried Eberhard, Raimund Haas and Bernd Schmies. (Bochum: Verlag Dr. Dieter Winkler, 2004), 293-312. Despite the fact that

early-fifteenth-century *Quodlibetum statuum humanorum* of Jacob of Jüterbog the Carthusian, that "the youthful estate is full of passions of the soul and desires of evil."[38] All of the treatises, then, agreed that children were fundamentally but temporarily malleable; they debated only the severity of their tendency toward evil.

This view of human nature did not necessarily lead to cruelty and an extreme, ascetic view of childrearing. It was not that children were evil; it was that they *tended* toward evil. The task of raising children was not to isolate their wickedness, nor to exact punishment or retribution from them for their bad deeds, but rather to produce goodness despite their potential for evil.[39] This is because, in tandem with the belief in the tendency to evil, there was the complementary belief in the existence and achievability of virtue, primarily by adults.[40]

Not only academic writers, but also popular opinion, regarded virtue as a real possibility. The third book of *Cato* began, "Teach your mind with good commandments/never cease to learn/for without instruction, life is wild/and unuseful, like

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Adolescentia quotes extensively from these works, Wimpfeling did not simply copy the previous texts; close comparison shows that even the same quotations are used to vastly different effect from their original context in the older authors (Wimpfeling, *Adolescentia*, 95-6).

[38] "iuvenilis aetas plena est passionum animi malarumque cupiditatum." Wimpfeling, *Adolescentia*, 102, 206.

[39] This attitude is often associated with Puritan childrearing practices. However, by Morgan's account, Puritans did believe children could achieve good behavior through discipline—they did not believe that children could earn salvation through discipline (Edmund S. Morgan, *The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England* (New York: Harper and Row, 1966), 65-86). A more recent account states that "as long as most people believed in the innate depravity of children, the only way they could envisage breaking in such stubborn creatures was by drawing up a tight set of rules and strictly enforcing them," but most of the examples given indicate an attempt to instill obedience and good habits; not a punitive attempt to break the child's will; the book also discusses several examples of tenderness and sentiment among Puritan parents (Colin Heywood, *A History of Childhood: Children and Childhood in the West from Medieval to Modern Times* (Oxford: Polity Press, 2001), 98-102).

[40] I am grateful to Laura Bartlett for pointing out this connection.

an image of death."[41] When Erasmus argued for the radical educability of children, he used examples drawn from everyday life.

> A child who misbehaves at the dinner-table is corrected, and expected from then on to behave properly. When he is taken to church, he is told to kneel, fold his hands, uncover his head. . . children are taught these first beginnings of good behavior and proper devotion before they can even speak. . . he is told by his parents to kiss another child who has stirred up his rage. . . he is also taught to refrain from chattering at inappropriate moments. And finally, he learns to stand up in the presence of elders and to bare his head before a crucifix.[42]

The child-rearing practices described here were not Erasmian, nor humanist, nor indeed a part of formal education at all, but rather general elements of late medieval child-rearing. It was by appeal to these common practices that Erasmus argued his own particular point, that children could also receive formal education at an early age by learning basic grammar as well as aphorisms and fables, which were appealing because of their vivid, narrative nature and useful because of their moral lessons.[43] If medieval people believed children were born with the burden of original sin, they also believed that it was possible to instruct children to make them virtuous people. The treatises usually assumed that the children involved would be boys. The purposes and implementation of girls' moral education were quite different from that of boys, as was their placement in

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[41] "Instrue preceptis animum: nec discere cesses/Nam sine doctrina vita est quasi mortis imago/Dynn gmut mit guoten gboten ler/Zue leren die numer uff hoer/Dann on ler ist das leben wild/und unnutz wie des todes bild." Sebastian Brant, *Cato* (Basel, 1510 (first edition 1498)), a8v.

[42] "sed interim, si quid indecore facit in convivio, monetur, et monitus se componit ad commonstratum exemplar. Ducitur in templum, discit flectere genua, componere manusculas, aperire caput, . . . Haec modestiae pietatisque rudimenta prius discit puer quam fari novit. . . dediscit iracundiam, dediscit vindictam, jussus osculum dare cui indignabatur dediscit importunam garrulitatem. Discit assurgere seni, discit aperire caput ad imaginem crucifixi." Erasmus, *De pueris instituendis*, 413-415; Erasmus, *On Early Liberal Education*, 318. Margolin notes that many of these practices are also covered in *De Civilitate* (Margolin, 530-531).

[43] Erasmus, *De pueris instituendis*, 445-449; Erasmus, *On Early Liberal Education*, 336-340.

the social hierarchy, but the overall vision was substantially the same. The impact of gender on both discipliners and disciplined will be discussed further below.

Father as discipliner: Affection, authority and the contested limits of discipline

The learning that children were capable of was enacted by the mechanism of discipline in addition to instruction; that is, to the use of penalties for misbehavior as a way of teaching virtue, supplementing verbal exhortations with corporal punishment and more abstract penalties. [44] The fierce present-day debates over child-rearing practices have corollaries in the medieval era, though they are not identical. First, fatherly discipline was never described in punitive terms of a child paying a penalty for his or her wrongdoing, but instead was always a teaching tool. Second, fatherly discipline was prescribed as loving and tender, though excessive tenderness was both feminized and stigmatized. In practice, it was quite possible for intentional discipline to degenerate into simple violence, but the boundaries of appropriate discipline were stridently debated by fifteenth-century Baslers.

The prescriptive texts always treated discipline as a tool for education, and many passages prescribed limits to it in the process. The chapter in *The Ship of Fools* "On teaching children" argued that one was blind if one saw one's children misbehave and failed to discipline them, thinking that "they are not yet at the age/where they hold in their ears/what one says to them with discipline and teaching."[45] Brant insisted on the opposite—that young children were indeed capable of learning. He argued for "moderate

[44] This is a well-known facet of medieval child-rearing practices. See James A. Schultz, *The Knowledge of Childhood in the German Middle Ages, 1100-1350* (Philadelphia: University of Pennsylvania Press, 1995), 92-94; Barbara Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (Oxford: Oxford University Press, 1993), 84; Steven Ozment, *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, Mass.: Harvard University Press, 1983), 144-150.

[45] "Sie sygen noch nit by den joren/Das sie behaltten in den oren/Was man in sag sy stroff und ler." Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 18-19.

punishment" which would "without pain drive/the foolishness from a child's heart."[46] Brant's reference to the "rod of breeding"[47] was echoed in *Adolescentia*, in which Wimpfeling urged that "obedience, the switch of discipline and the caution of careful guarding are the seeds of respectable youth."[48] However, it is important to note that this discipline, corporal and otherwise, was articulated in terms of "careful guarding" to prevent them being "deprived of the good" by "ignorance [and] evil desires."[49] Even writers like Brant and Wimpfeling, then, who advocated corporal punishment, saw it as a conscientious and loving action.

Erasmus was markedly more gentle than any of his contemporaries in the discipline he advocated; this was intertwined with his overall educational vision. Especially for very young children, he advocated "a gentle method of instruction" so that "the process of education will resemble play more than work. . . A teacher will excel if he displays the qualities of gentleness and kindness."[50] Erasmus paired gentle, successful learning with a humanist curriculum of liberal arts, in contradistinction to the "barbaric" monastic schools run by "mendicant tyrants." He railed against cruel and incompetent teachers at some length; he described several incidents from his own life in which he was either the victim of cruel punishment or witnessed the extreme mistreatment of other

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[46] "zymlich stroff/. . . vertribt on smertz/Die narrheit uss des kindes hertz." Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 18-19.

[47] "Die rüt der zücht," Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 18-19.

[48] "Oboedientia itaque et disciplinae virga accurataque custodiae circumspectio vera sunt honestae iuventutis seminaria. . . a bono dimovetur atque depravatur; sunt enim tum ignorantiae, tum malae cupiditati obnoxii." Wimpfeling, *Adolescentia*, 207.

[49] "a bono dimovetur atque depravatur. . . tum ignorantiae, tum malae cupiditati obnoxii." Wimpfeling, *Adolescentia*, 207.

[50] "Deinde blanda quaedam tradendi ratio faciet ut ludus videatur, non labor. . . id partim praestabit formatoris lenitas comitasque." Erasmus, *De pueris instituendis*, 423-425; Erasmus, *On Early Liberal Education*, 324.

students.[51] These anecdotes are signal examples of the debatable boundaries of discipline. Erasmus expected the incidents he related to horrify his readers, but he complained that excessive discipline was all too common. He went on, "imparting a liberal education to children is a challenge that is both difficult and glorious. A tyrant controls his subjects through fear, but a true prince makes it his task to rule with benevolence, moderation, and wisdom."[52] He explicitly called attention to the supposed derivation of the Latin *liberi*, "children," from the word "free" and linked this to the widespread idea of the "liberal" arts as fitting for a free person and the opposite of slavery, which was characterized by fear and autocracy.[53]

Despite Erasmus' radically mild ideas, even he acknowledged the perils of neglecting discipline, saying, "Hard and unbending before his teacher is a child that is the product of such a soft and permissive upbringing."[54] Erasmus did not argue that discipline was useless; rather, a teacher must "show restraint in his kindness; otherwise familiarity will breed contempt."[55] Being overly "soft" with children only made them too "hard" in the end, making them unresponsive to useful instruction.

As can be imagined, fathers were thought to play an essential role in the task of moral formation through discipline. *The Ship of Fools*' chapter quoted above on

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[51] Erasmus, *De pueris instituendis*, 427-435; Erasmus, *On Early Liberal Education*, 326-331.

[52] "liberos liberaliter instituere, ut difficillum est, ita pulcherrimum. Tyrannicum est metu premere cives, benevolentia, moderatione, prudentiaque continere in officio regium est." Erasmus, *De pueris instituendis*, 427; Erasmus, *On Early Liberal Education*, 325.

[53] Erasmus, *De pueris instituendis*, 429-431; Erasmus, *On Early Liberal Education*, 327-328. Erasmus was not unusual in making this etymological connection; "Liberal," *The Oxford English Dictionary* (2nd ed. Oxford: Oxford University Press, 1989), http://dictionary.oed.com (accessed Nov. 24, 2009).

[54] "durum et intractabilem formatori reddat puerum mollis illa ac dissoluta educatio." Erasmus, *De pueris instituendis*, 397; Erasmus, *On Early Liberal Education*, 309.

[55] "Fateor praeceptoris comitatem ita temperatam esse oportere, ne pudorem ac reverentiam excutiat familiaritatis comes contemptus." Erasmus, *De pueris instituendis*, 441; Erasmus, *On Early Liberal Education*, 333.

neglecting the raising of children appealed to fathers in particular, saying that "he is blinded by foolishness/who does not take care that his children/will be raised with manners."[56] When Mattheus ex Loreyo wrote to Johannes Amerbach reporting his sons' slackness (an incident discussed in the context of vocational training in a previous chapter), he was implicitly appealing to Amerbach to add his disciplinary clout to his own. Amerbach immediately wrote to Bruno, exhorting him to be more careful in his spoken Latin and adding an endorsement of Mattheus' disciplinary efforts: "you must patiently endure his harsh warnings."[57] He then turned to the problem of Basilius. Johannes appealed to Bruno to stop Basilius from "daydreaming," using exactly the same term that appeared in Mattheus' report.[58] He told Bruno to take Basilius in hand, "scold him harshly sometimes, sometimes persuade him with gentle words," thus involving Bruno in the fatherly supervision of his younger brother.[59]

In response to Amerbach's letter of admonition, Mattheus wrote to him saying, "I have perhaps, honored sir, troubled you too much by an exaggerated account of your sons' situation. . . you know that no ineradicable bad habit can take root in young men of good breeding."[60] He went on to write that Basilius was "behaving well, and I certainly believe that your exhortation, which I'm sure you delivered, has been of great help to me

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[56] "Der ist in narheyt gantz erblindt/Der nit mag acht han das syn kyndt/mit züchten werden underwisst." Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 18.

[57] "sed oportet, ut obtemperes magistri praeceptis, quae tibi dat, et consiliis, et ut monita dura eius patienter feras et in eis veraris." AK 1:191, Johannes Amerbach to Bruno Amerbach, Frankfurt, April 16, 1503; Halporn, *Correspondence*, 171.

[58] AK 1:191, Johannes Amerbach to Bruno Amerbach, Frankfurt, April 16, 1503; Halporn, *Correspondence*, 171. "phantasiari," AK 1:185.

[59] "eum aliquando duriter increpa, aliquando lenibus verbis mitiga," AK 1:191, Halporn, *Correspondence*, 171. Amerbach returns to the same specific problems—Bruno's pronunciation and Basilius' slackness—in another letter almost two years later: AK 1:265, Halporn, *Correspondence*, 192.

[60] "Perturbavi animum tuum, honorande magister, nimia forsan exageratione conditiones natorum tuorum perscribendo. . . Nosti enim in juvenibus bone indolis nihil male consuetudinis evenire posse, quod non facile evellatur." AK 1:199, Matthaeus ex Loreyo to Johannes Amerbach, Paris, June 24, 1503; Halporn, *Correspondence*, 174.

in this matter."[61] Bruno wrote at the same time that he would continue to work on his speaking as Amerbach advised, and said that Basilius had been working harder lately; "your strong warning to him drives him to exert himself in his studies."[62] There is certainly some level of flattery in such letters; both Bruno and his teacher were trying to calm Amerbach down. The fact of their at least partial insincerity, however, does not change the shared concept of fatherhood upon which they were drawing. Fathers, sons, and teachers alike saw fatherly exhortation as a standard and uniquely effective teaching tool.

The importance of fathers in education derived precisely from the fact that they were thought to combine the strength and authority for discipline with a deep-seated desire for the good of their charges. When casting about for an image of a figure to typify his regime of gentle instruction, Erasmus chose a father as the best example. He stated that it was "beneficial if the prospective teacher deliberately adopts a parental attitude toward his pupils. . . love will overcome almost any difficult challenge."[63] Although he used the word "parental" here, the passage emphasized the teacher's masculinity, preferring "one in his vigorous years."[64] The images with which Erasmus continued also emphasized the tender side of fatherhood. The task of the teacher was to be able to "assume any role," by conforming himself to the child's current state and leading him

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[61] "Bene presenter se habet et certe credo adhortationem tuam quam te credo non pretermisisse plurimum subsidii mihi in hac re contulisse." AK 1:199; Halporn, *Correspondence*, 174.

[62] "tua siquidem ei admonitio assiduus est ad capessanda litterarum studia stimulus." AK 1:197, Bruno Amerbach to Johannes Amerbach, Paris, June 24, 1503; Halporn, *Correspondence*, 172.

[63] "Porro non parum adferet adjumenti, si qui puerum suscepit intituendum animi inductione parentis affectum induat. . . siquidem in omni negotio magnam difficultatis partem adimit amor." Erasmus, *De pueris instituendis*, 443; Erasmus, *On Early Liberal Education*, 334.

[64] "Optarim aetatem virentem." Erasmus, *De pueris instituendis*, 443; Erasmus, *On Early Liberal Education*, 334.

on.[65] Just as "parents and nurses" begin with "baby-talk," and food that has been "chewed beforehand;" just as "when a child is being taught to walk, they bend their bodies and accomodate their own pace to that of the other," so a teacher must have realistic expectations of young childrens' abilities.[66] The best way that Erasmus could communicate his ideal of gentle, affectionate discipline was through the metaphor of fatherhood.

A section in *Cato* echoed the idea that fathers were less harsh in their discipline than teachers. It read, "bear the command of your father when it goes out in wrath/ since you, learning, bore at length the beating of the master," translated into German as "Since you sometimes received the blows of masters when you went to learn/suffer your father's punishment daily/when he punishes you with words in anger."[67] Here, fatherly discipline was perceived as less harsh than that of schoolmasters. Fathers give "punishment" (*straffen*) or "commands" (*imperium*) with "words" (*mit wort* or *verbis*), while teachers punish with "blows" (*streich* or *verbera*).[68] What all this means is that although fathers were expected to exercise disciplinary authority over their children, their defining trait was that they were more affectionate, more tender, and more focused on the good of the child than other potential discipliners.

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[65] "et quam non pigeat quamvis personam sumere." Erasmus, *De pueris instituendis*, 443; Erasmus, *On Early Liberal Education*, 334.

[66] "parentes et nutrices. . . blaesa lingua sermonem ad puerliem balbutiem accomodant. . . praemandunt ipsae lacteam pultem, et commansam paulatim in os infantis inserunt. Quomodo docent ingredi? Inflectunt corpus et suos passus ad infantis modulum contrahunt." Erasmus, *De pueris instituendis*, 443; Erasmus, *On Early Liberal Education*, 334-335. Margolin notes similar language in Quintilian, *Institutio Orantia*, 1.2.27-28, 2.4.5 (Margolin, ed., *De pueris instituendis*, 568).

[67] "Fer patris imperium cum verbis exit in iram/Verbera cum tuleris discens aliquando magistri/wann du zu zyten streich entpfachst/Des meisters zu der ler du gast/Dyns vatters straff lyd du teklich/Ober in zorn mit wort straff dich." Brant, *Cato*, b3r.

[68] It should be noted, however, that the almost irresistable Latin pun on *verbum* and *verbera* here means that the passage may be as much a rhetorical device as a description of behavior.

Because discipline was such a necessary element of moral formation, excessive tenderness presented a real danger. Catering too much to one's children was, in essence, indulging their bestial instincts.[69] In fact, the chief danger of parenting was overindulgence.[70] This excessive tenderness was stigmatized as feminine. This is one reason for the prominence of fathers in education. In one late medieval burgher letter, a mother charged with the education of her son assured her recipient that she was not being too "soft" with the boy, but making sure that he was disciplined properly at school.[71] The masculinity of fathers was thought to make them less soft, less prone to overindulgence.[72]

In contrast to the ideal of paternal affection appropriately expressed through discipline, Erasmus portrayed resistance to early education as a misguided form of motherly indulgence. Erasmus asked, "What kind of maternal feeling is it that induces some women to keep their children clinging to their skirts until they are six years old and to treat them as imbeciles?. . . Should mothers of this type not be prosecuted for maltreatment of their children? In a sense they are indeed guilty of poisoning and infanticide."[73]

Furthermore, Erasmus painted anyone who resisted his idea of early education as effeminate. Elsewhere, Erasmus warned,

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[69] Ozment, *When Fathers Ruled*, 133-138.

[70] Schultz, *Knowledge of Childhood*, 92.

[71] Mathias Beer, *Eltern und Kinder des späten Mittelalters in ihren Briefen: Familienleben in der Stadt des Spätmittelalters und der frühen Neuzeit mit besonderer Berücksichtigung Nürnbergs (1400-1550)* (Nuremberg: Stadtarchiv Nürnberg, 1990), 323; the letter was from Cordula Tetzel, 23. August 1520. StaA Nuremberg Tucher –A. Fasz. II 5a Nr. 1.

[72] Ozment, *When Fathers Ruled*, 146-147.

[73] "Quid habent, obsecro, materni cordis foeminae, quae infantes suos usque ad annum pene septimum in sinu detinent, ac tantum non pro morionibus habent?. . . An non in huiusmodi matres mire competeret malae tractationes actio? Est enim plane veneficii genus, est parricidii genus." Erasmus, *De pueris instituendis*, 397-399; Erasmus, *On Early Liberal Education*, 309.

> You ought not to pay attention to those silly women, or to men very much like women save only for their beards, who maintain out of a false spirit of tenderness and compassion that children should be left alone until early adolescence, to be pampered in the meantime by their dear mothers and spoiled by nurses, while providing the servants with a convenient outlet for indecent fun and horseplay.[74]

Here, opponents of early education were feminized because of their association with soft indulgence. In the second part of the passage, fathers were implicitly opposed not only to "pampering" mothers, but also "spoiling" nurses and "indecent" servants; in short, everyone else in the household. This created a model in which the lone *Hausvater*, with the best interest of his children at heart, must guard against the indulgence and inferior virtue of all the other members of the household, who wanted to coddle the children and so prevent them from attaining virtue. Fatherly supervision was idealized as discipline toward virtue motivated by affection, in distinction to others who were either not loving enough to care about the child's best interests or too indulgent to pursue them.

The dichotomy between paternal responsibility for education and maternal indulgence was limited and selective; it was a rhetorical gendering that was sometimes discarded even within Erasmus' text. For example, Erasmus' overall scheme for disciplining children was remarkably mild, yet he did not portray himself as soft or indulgent. Elsewhere, Erasmus attributed great importance to female participation in education. In many passages, Erasmus talked about "parents" rather than fathers; thus, when mothers acted in favor of education and discipline, they were not criticized. Fathers were cited as potential bad examples for their children, but so were nurses; they had

[74] "Neque. . . mulierculas istas audias aut viros etiam escepta barba mulierculis simillimos, qui crudeli quadam misericordia et inimica benevolentia pueros ad ipsam usque pubertatem inter matercularum oscula, nutricum blanditias, ancilarrum ac famulorum lusus ineptiasque parum castas detinendos cesent." Erasmus, *De pueris instituendis*, 381; Erasmus, *On Early Liberal Education*, 299.

influence on children as well.[75] In ensuring that children would have as much natural ability as possible, Erasmus recommended, "It is also best for a child to be nursed by his own mother. However, if this is impossible, it should be done by a wet-nurse who is of sound constitution and. . . good morals."[76] Indeed, in arguing in favor of home education, Erasmus conceded that the main obstacle was that Latin was no longer the vernacular and therefore was not spoken by the whole household. But this was not because Latin was somehow inappropriate for women; he spoke glowingly of a few households where the women did speak Latin and therefore the project of home education could proceed.[77] Even according to Erasmus' formalized rhetoric, women were capable of academic learning and vital to the project of educating children. This was certainly the case in practice—children learned to speak from their mothers or nurses as well as from their fathers. Haas also notes the practice in Renaissance Florence of carving letters out of fruit and prompting very young children to correctly name a letter in order to win the prize of eating it.[78] This task, part of the beginnings of formal education, would have been performed by mothers as well as fathers.

The rhetorical gendering of education as a fatherly task is visible in the Amerbach correspondence. Even when both parents wrote with the intention of eliciting good behavior or thriftiness, they took different tacks. Throughout his letters, Johannes offered advice and gave commands on his own authority, that the boys were to write more often,

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[75] Erasmus, *De pueris instituendis*, 381, 409; Erasmus, *On Early Liberal Education*, 299, 315.

[76] "uxorem bonam, ex bonis prognatam, probeque educatam, tum propsera corporis valetudine. . . ut aut mater uberibus suis, alat infantem aut si qu necessitas inciderit, quo minus id liceat, nutrix deligatur corpore salubri, lacte puro, moribus probis, nec temulenta, nec rixosa, nec impudica." Erasmus, *De pueris instituendis*, 407-409; Erasmus, *On Early Liberal Education*, 315.

[77] Erasmus, *De pueris instituendis*, 417-421; Erasmus, *On Early Liberal Education*, 320-322.

[78] Louis Haas, *The Renaissance Man and His Children: Childbirth and Early Childhood in Florence, 1300-1600* (New York: St. Martin's Press, 1998), 138.

to keep detailed financial accounts, not to neglect their studies, and so forth. Although the things Barbara asked them to do were in fact identical to the things Johannes asked—to be careful with their money, to work hard at learning, to be good and obey their supervisors—the rhetorical strategies she used were markedly different. She cajoled and pled, often with the phrase, "I beg you."[79] She wrote, "Get along the best you can and work diligently, then God willing, you will come home; then we will be happy together."[80] Johannes never appealed to the future happiness of the family; this was another aspect of Barbara's gendered rhetorical strategy.

Barbara used a rhetoric of sympathy, both her sympathy for the boys and theirs for her. She said when she heard of the boys' misbehavior, "it hurts me and you should know that in the past you have caused me much grief when I heard how things are with you. You should know, if things go well with you, then they go well with me. If things are not good with you, then I suffer when I know it."[81] She based her claim, not on

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[79] "ich bit uch" AK 1:159; Barbara Amerbach to Bruno and Basilius Amerbach, Basel, July 16, 1502; "ich bit uch," AK 1:227, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 180; "ich bit uch" AK 1:245, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, December 29, 1504; "ich bit uch" AK 1:269, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, June 15, 1505; Halporn, *Correspondence*, 195.

[80] "So liden uch, wie ir mögen, und dünd uweren flis, so komend ir den, ob got wil, her hem; so welend wir frölich mit ein ander sin." AK 1:281, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 10, 1505; Halporn, *Correspondence*, 195.

[81] "Wen ich den ein semliches hör, so dut es mir we, und sollen wol wissen, das ir mich biss hard gar fast ubel bekumert hand, do ich han vernomen, wie es uch gangen ist. Den ir sollen wol wissen, got es uch wol, so got es mir ouch wol; got es uch ubel, so got es mir ouch ubel, wen ich es weiss." AK 1:227, Barbara Amerbach to Bruno and Basilius Amerbach, [Basel], June 6, [1504]; Halporn, *Correspondence*, 180; AK 1:245 contains a virtually identical passage. Barbara's "if you are well, I am well," is a close German translation of the Latin phrase, "Si vales, valeo." This phrase was used with variations by Johannes (e.g. AK 1:130, AK 1:193, AK 1:214, AK 1:265, AK 1:266, AK 1:330). Bruno used it in almost all of his letters (e.g. AK 1:111, AK 1:161, AK 1:346), as did Basilius (AK 1: 239, AK 1:258), though Boniface did not. Pliny and Seneca both drew attention to it as a standard salutation in letters (Pliny the Younger, *Letters*, Bk. 1, Letter 11; Seneca, *Ad Lucilium Epistulae Morales*, Letter 15). It was not, however, a standard phrase in German, though the sentiment was common. Margarete's letters always used the salutation, "I am well and I would be happy to hear the same from you" (e.g. AK 1:87, AK 1:168). When the boys wrote to their mother in German, they used a similar phrase (e.g. AK 1:230, AK 1:349). This indicates that although Barbara did not write in Latin (to our knowledge), she nonetheless picked up aspects of humanist

authority, nor on their responsibility to be virtuous, but rather on her sympathetic identification with them. She wrote, "I also ask you to be careful with your money. Your father has scolded me. . . "[82] and on another occasion that because of their disobedience she is "obliged to hear a great deal about you."[83] She acted as a stand-in for the boys in bearing Johannes' disapproval.

She painted herself as a sympathetic confidant in other ways too, saying "Dear sons, know that I would like to send something your father wouldn't know about, but I don't have anything so it will take a long time."[84] Though she often reiterated Johannes' commands to be thrifty, here she undercut him by wanting to slip the boys extra money. In this case, she claimed not to have any extra, but it is of course impossible to know how many times her other letters or messages for the boys included a tacit couple of gulden. It is important to note, too, that it was Johannes' disapproval that should be avoided in skirting the rules. He was the arbiter of correct behavior, and she colluded with the boys in avoiding, not indulgence, but his awareness of indulgence.

When Barbara used more definite or commanding language, it was always by appeal to Johannes.[85] Regarding their enrollment under a tutor, she wrote "your father

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subculture from living in a humanist household.

[82] "und bit uch, ir wellen kindig sin mit uwerem gelt. Uwer vatter slot mir ungder ougen." AK 1:227, Barbara Amerbach to Bruno and Basilius Amerbach, [Basel], June 6, [1504]; Halporn, *Correspondence*, 180.

[83] "Und dorum, lieben sun, ich muss gar vil horen von uwerent wegen." AK 1: 281, Barbara Amerbach to Bruno and Basilius, Basel, September 10, [1505]; Halporn, *Correspondence*, 195.

[84] "Lieben sun, [wissen,] das ich uch gern eczwas schickte, das der vatter nit wisste; so han ich es nit, und dor um, es ist noch um ein unlange zit zu dund." AK 1:281, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 10, 1505; Halporn, *Correspondence*, 195.

[85] AK 1:137, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, October 29, 1501; Halporn, *Correspondence*, 158; AK 1:152, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, April 25, 1502; Halporn, *Correspondence*, 160; AK 1:204, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 24, 1503; AK 1:227, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 180; AK 1:245, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, December 29, 1504; AK 1:269, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, June 15,

has ordered you to go to Master Ludwig Ber. You have defied him. He is disturbed that you didn't obey his command. He is, therefore, very angry. . . if it is your wish to stay with the same person, it is all right with me. . . just as long as you learn well. If this doesn't happen, you would make your father even more angry."[86] She claimed that she herself was sympathetic to the boys; it was their father who was issuing the commands, though it was her letter. She reiterated in a later letter, "you should have done as your father commanded."[87] In most of the cases where she gave any moral advice at all, she at least mentioned their father, as a sort of authority by association: for example, she wrote, "think of the labor your father does early and late for your sake, and study hard"[88] and again "use your time well and study and do the best you can and behave properly so that no one can say 'they are wicked rascals who don't obey their father and will always be nobodies.'"[89] This is an example of "mother-as-father" in that a mother fulfilled her objectives by appealing to fatherly authority, thus eliding her own role in a task that was culturally inflected as fatherly and masculine.

Barbara's harshest letter to the boys complained that Basilius spent "all day in taverns. . . [his companion] was so drunk that he fell into the mud. And as to your

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1505; Halporn, *Correspondence*, 195; AK 1:281, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 10, 1505; Halporn, *Correspondence*, 195.

[86] "Min lieben sun, uwer vatter het uch geordnet [zu] meister Ludwig Ber. Hend ir uch des gwiderget. Nimpt in fromd. . . und ist dor umb erzurnet. . . Ist es uwer fug, bi dem selben zu bleiben, ist mir wol gemeint, das ir bi dem selben bliben, doch so fer, das ir wol lernent Ob das nit beschch, wurden ir den vatter in grosseren zorn bringen." AK 1:137, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, October 29, [1501]; Halporn, *Correspondence*, 158.

[87] "ir solten dem gheiss uwers vatter noch gangen sin" AK 1:152, Barbara Amerbach to Bruno and Basilius Amerbach, [Basel], April 25, [1502]; Halporn, *Correspondence*, 160.

[88] "dund das best und sechen an die erbeit, die uwer vatter frug und spot durch uwerent willen dut, und leren fas[t]." AK 1:152, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, April 25, 1502; Halporn, *Correspondence*, 160. This passage was also quoted in a previous chapter.

[89] "ich bit uch, ir wellen uwer zit wol anlegen, die ir noch vor uch hand, und studieren und uwer best dun noch uwerem vermogen und uch redlich halten, das man nit mog sprechen 'es sind boss buben und sind irem vatter unghorsamm gsin und mogen nienen bliben.'" AK 1:227, Barbara Amerbach to Bruno and Basilius Amerbach, [Basel], June 6, [1504]; Halporn, *Correspondence*, 180.

statement. . . Koberger says it is not so."[90] These criticisms were some of the most definite and strident that Barbara made in any of the letters, and she bracketed them with the statement that the reports have "made your father angry again," and "your father is indignant. He thinks this has gone too far. He has the house 'zum Sessel' [his printing business], he has you, he has made a donation to the Carthusians, and has worked very hard for your sakes, and your father thinks that your illnesses are the result of your disorderly life."[91] Her most disciplinary statements, then, were passed through the filter of Johannes' fatherly anger and his fatherly work of providing. In both the letters and theoretical texts, the role of women in disciplining children was masked by appeals to authority as a fatherly trait.

In practice, the ideal of affectionate discipline was anything but tidy. A pair of examples illustrate the circumstances under which corporal punishment was contested by different parties. In 1500, Bruno and Basilius Amerbach finished their Latin grammar school at Sélestat and their father placed them under a master named Jerome Emser at the University of Basel.[92] A letter from his house to Amerbach's, both in Basel, is our first example.[93] Apparently, Bruno and Basilius had complained that Emser habitually neglected them and that on 29 June (the day before the letter), he had beaten them. The

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[90] "Basilius ligen den gaczen dag in der tafernen. . . Do ist er so druncke gsin, das er ist in dreck gfalen. . . und als ir hand gsriben, . . . spricht Koburger, es sig nit." AK 1:281, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 10, [1505]; Halporn, *Correspondence*, 195.

[91] "uweren vatter wider wertig gmacht. . . Der vatter ist ungwillig, er meint, es sig im zu vil. Er het den sessel, er het uch, er het gstift in der cartussen und het vil erbeit durch uwer aller willen, und meint der vatter, uwer kranckheit kom von uwerem unordenlichen leben." AK 1:281, Barbara Amerbach to Bruno and Basilius Amerbach, Basel, September 10, 1505; Halporn, *Correspondence*, 195.

[92] Jerome Emser (1477-1527) studied in Tübingen before becoming a master of arts in Basel in 1499. He left Basel in 1502, continued his academic career, eventually took holy orders, and served as secretary to various churchmen and nobles. He was at first sympathetic to Luther, but after 1519 he wrote polemical pamphlets against him (Ilse Guenther, "Hieronymus Emser," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation*, ed. Peter G. Bietenholz, 3 vols.; Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 1:429-430).

[93] AK 1:117, Jerome Emser to Johannes Amerbach, Basel, June 30, 1500.

reasoning in Emser's letter as he tried to placate Amerbach provides a first glimpse at the rivalry between fathers and other educators that will be discussed later, but here it is notable for his invocation of fatherhood in justifying his disciplinary actions.

Emser began by saying that he had heard that Amerbach was "burning with anger" at hearing of his sons' supposed mistreatment, but he began to justify himself immediately by implying that Amerbach's anger was unreasonable: he was angry "as though I [Emser] were less a father of them—I, who teach them to live well and blessedly—than you, who, in terms of the flesh, gave [them] the mass of life."[94] He made an explicit claim to fatherly status on the basis of his educational role, which he held was just as valid as biological fatherhood. His statement implied that his fatherly role justified his disciplinary actions; his harshness was reasonable *because* he is a father.

Emser went on to imply that in fact Amerbach was *too* loving to be a good father. He asked, "are not almost all fathers blind towards their sons, that they see nothing, hear nothing, in short believe nothing about them except…the most eager lies [they tell] to them?"[95] He reminded Amerbach of his own youth, pointing out that all children "despise and hate affectionate admonition. Can it be that you have not read Flaccus, 'Wax is soft for vices, hard for admonition'?"[96] Emser thus appealed to the belief, discussed above, that children must be forced by discipline to learn good behavior. He continued, "Therefore, if ever I scolded your boys before this, it was not from hatred (I

[94] "Excanduisti (ut audio) iracundior, filios tuos a me haberi ludibrio, vapulare, non amari, quasi ego minus sim pater eorum, quom eos bene beateque vivere erudioquam tu, qui carnalis dumtaxat vitae massam descidisti." AK 1:117.

[95] Adeone omnes fere patres in filiis suis caecutientes, ut nihil videant, nihil audiant, nihil denique cuiquam credant quam ipsis proaetate et timore ad mendacia promptissimis?" AK 1:117.

[96]"Reminiscere, obsecro, juventutis tuae. . . Crede mihi: omnibus hoc inest vicium pusillis istis: dum aemendantur, indiganantur et pios monius odio habent. An non legisti apud Flaccum 'Caereus in vicium flecti, monitoribus asper'?" AK 1:117.

swear to God) but I rebuked them from sincere love in the manner of a father, using harsh words, in order that they should desist from their horrible ways."[97] It bears emphasizing here that to Emser, "rebuk[ing]" the children "from sincere love" was exactly what made his actions "in the manner of a father." He reiterated this in saying that the scolding and striking that had indeed occurred yesterday was done, not from drunkenness but from duty. Emser clearly expected his explanations to be convincing: he wrote multiple times that Amerbach himself would have approved if he had actually seen the incident, and that Amerbach "did not forbid" him to use physical punishment.[98] This implies, of course, that physical punishment was the usual expectation and practice.[99]

Emser had two other explanations to offer. First, he noted that he "did not beat them because of errors in their books, but indeed for another reason."[100] His correction of their "horrible ways"[101] was a part of their moral, not their academic education. Arguably, it was the more important of the two roles, since Emser mentioned it in justification of his actions. Second, Emser took steps to avoid seeming too authoritarian and not loving enough, which would compromise his fatherly status. He said that his "softness" in dealing with the boys should be pleasing to Amerbach, considering the offense.[102] This "softness" is rendered *mollitia* in Latin, but in German it was almost

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[97] "Itaque, si quid filios tuos antehac obiurgatus sum, non odio (testor deum) sed sincera dilectione more paterno illos [illos] increpavi, verbis durioribus utens, ut illi moribus horridioribus desisterent." AK 1:117.

[98] "Non enim prohibuisti me eo ferire, dum delinquerent." AK 1:117.

[99] From the early medieval period, didactic writers repeatedly stressed the need for moderation in physical punishment, but by the early modern period they advised that too much corporal punishment was better than too little, while still aiming for moderation; this extended to disciplining one's wife as well as children (Alexandre-Bidon and Lett, *Children of the Middle Ages, Fifth-Fifteenth Centuries*, 39; Ozment, *When Fathers Ruled*, 146-7).

[100] "Unum hoc velim scias me eum non berberasse propter libri mendas, verum ob aliam causam hac paena dignam." AK 1:117.

[101] Actually the comparative: "moribus horridioribus." AK 1:117.

[102] "Potuisses enim celata pueris istac mollicie (quoniam suapte paterna abutuntur indulgentia) causam ex me coram edidicisse, que tibi non potuisset non placuisse." AK 1:117.

certainly *zartheit*, the very word used to describe dangerous overindulgence. In fact, in the same sentence, Emser mentioned the *indulgentia* of Amerbach, which the boys were abusing, and which led to their punishment. Emser thus claimed to be tender towards the boys, just as Amerbach was.

This letter makes visible the precariousness of the fatherly balance between affection and authority. As a surrogate father-figure, Emser was forced to negotiate with Amerbach in achieving an appropriate balance. Emser was able to claim that his discipline was correct, while Amerbach's concerns came from "blindness" to his sons' true needs. On the other hand, biological fathers were assumed to have affection for their children, but this was not the case for surrogates.[103] If a surrogate father became too authoritative, he became simply a "master," a "tyrant" or some other hierarchical designation. Emser therefore had to show that his discipline was loving because he had the same affection that Amerbach did, without giving in to dangerous indulgence.[104] It shows that the correct amount of corporal punishment was not always agreed upon by Baslers.

The difficulty of determining the limits of disciplinary action is also illustrated by a case from the Schultheissengericht. Michel Snider testified that as her *Vogt*, he had hired out a little girl (she is only referred to as the *meitlin*, "little maid") in service to Andre Bernhart in Basel, "that he should hold her as his own child and if she did wrong,

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[103] James Schultz provides a list of dozens of passages in Middle High German literary texts that subscribe to the same idea (Schultz, *Knowledge of Childhood*, 110-111).

[104] On fatherly affection, see Isabelle Weill, "Basin, un père aimant et tendre dans la chanson d'Auberi le Bourgoin," in *Être Père à la Fin du Moyen Age*, ed. Didier Lett, Cahiers de recherches médiévales, XIII-XV s. (Paris: Librairie Honoré Champion, 1997), 61-69; Constance Rousseau, "'Pater urbis et orbis': Innocent III and His Perspectives on Fatherhood," *Archivum Historiae Pontificiae* 37(1999): 25-37; Myriam Carlier, "Paternity in Late Medieval Flanders," in *Secretum Scriptorum: Liber Alumnorum Walter Prevenier*, ed. Wim Blockman, Marc Boone, and Thérèse de Hemptinne (Leuven: Garant, 1999), 235-258.

he should punish her appropriately," and that they would settle her wages later.[105] Michel apparently connected his provision for her with moral education, specifically asking Andre to ask as a surrogate father by disciplining the girl, though he may have meant making sure she was not neglecting her work. The question at issue is what the term "appropriately" meant. A neighbor, Gertrude Brankbeck, testified that "one day or two after Andre Bernhart hit the girl," the girl "ran into the witness' house and set herself down behind the oven."[106] When Andre found out, he came to the house "and wanted to take the girl with him, but she (the witness) would not let him. He promised that he would not hit her again."[107] Gertrude then "took the girl by the hand and wanted the maid to go home with Andre," but she resisted.[108] As Andre led her out into the street, she tried to bolt again; Andre had "neither cane nor stick, and took the girl by the hand and wanted to take her home."[109] She screamed, at which another woman, Gallusin, intervened, saying, "You murderer, you *bosewicht* (evil creature), are you trying to kill that girl?"

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[105] "verdingt das er es halte als obs sin eigenn kind were unnd wan es unrecht tete so solt er es zimlich strafen und hernoch wann sy wider zusamen komen wurden woltenn sy dann vonn dem lon ouch Red." Kundschaften D23, Andre Bernhart vs. Gallusin, [July] 1520, 131r-v (at 131r). This case was discussed in a previous chapter in the context of vocational training for girls.

[106] "ein tag oder zwen nochdem Andres Bernhart das meitlin geschlagenn hett. . . inn ir der zugen huss nachgeloffenn unnd sich hinder den Ofen gesetzt." D23, Bernhart vs. Gallusin, 131r. Beginning in the thirteenth century and gaining popularity during the fourteenth and fifteenth centuries, completely closed ovens covered in ceramic tile and fed from a duct leading out into the passage, used for heating, had become a major feature of urban houses, though this may have also been a cooking oven; Albert Hauser, *Was für ein Leben: Schweizer Alltag vom 15. bis 18. Jahrhundert* (Zürich: Neue Zürcher Zeitung, 1987), 53.

[107] "und wolte das meitlin mit im heym nemenn do wolte sy dis zugin im das meitlin nit lon er verhiess ir dann das er das metilin niemere schlagen." D23, Bernhart vs. Gallusin, 131r.

[108] "doch neme dies zugin das metilin by der hand und wölte das meitlin Andres Bernhartenn heym füren." D23, Bernhart vs. Gallusin, 131r.

[109] "weder Rute noch steckenn und neme das meitlin by der hannd und wolt das heym füren." D23, Bernhart vs. Gallusin, 131r.

Andre then hit Gallusin with a stick.[110] The case is between the two adults, apparently for Andre's attack on Gallusin.

What does this case indicate about attitudes towards corporal punishment? It was certainly tolerated; Michel expected it, and the court case was not about Andre's treatment of the girl.[111] Even Gertrude was willing to send the girl home with Andre on only his word. Gertrude said that the incident happened a day or two after Andre hit the girl, indicating that his hitting her was not a routine occurence; but the girl's fear may indicate that Andre's action was a recurring one. But it is equally clear that Andre exceeded his mandate: both Gertrude and Gallusin were concerned enough to intervene, though Gallusin was much more aggressive. It does seem significant that it was two women who defended the girl against a man. The only other male mentioned, a servant-boy of Gertrude's, appeared in the story only to run and tell Andre where the girl was hiding. As her *Vogt*, Michel had a responsibility to protect her, but he was not on the scene, since he did not live in Basel. Nor did he approve of Andre's actions; Michel's testimony concluded that "he did not hire out the girl to Andre for him to punish and treat her as he (the witness) heard he did."[112] Although over-indulgence of children was discouraged and corporal punishment was widely accepted, these examples show that Baslers had to negotiate with their contemporaries in maintaining an appropriate balance

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[110] This is why it was mentioned earlier that Andre was not holding one; apparently it was Gallusin's stick.

[111] This is consistent with a recent study of Manosque in Provence, indicating that domestic violence was seldom prosecuted, but that people intervened both formally and informally when they witnessed violence they perceived as excessive (Steven Bednarski, "Keeping it in the Family? Domestic Violence in the Later Middle Ages: Examples from a Provençal Town (1340-1403)," in *Love, Marriage and Family Ties in the Later Middle Ages*, ed. Isabel Davis, Miriam Müller, and Sarah Rees Jones, International Medieval Research 11 (Turnhout: Brepols, 2003), 278-296).

[112] "aber diser zug habe das meitlin nit Andres verdingt das er es strafen und halten als diser zug gehort er gethon habenn." D23, Bernhart vs. Gallusin, 131r.

between authority and affection. Fathers functioned as a powerful symbol of that balance, and other discipliners like Jerome Emser claimed fatherly identity in justifying their actions.

Father as example

Although fathers were encouraged to give moral instruction and discipline, their primary role was as moral examples: this was foremost in the minds of medieval writers and is more visible in the court cases than fatherly moral speech. All of the writers discussed here clearly acknowledged the existence of un-virtuous adults, but they all persisted in their belief that some adults, perhaps "normal" adults, were morally superior to children. The deeply held concepts of children as essentially malleable and adult males as paradigmatically virtuous was a powerful combination. *Moretus* argued that although young people "ought to" (*decet*) play and joke, if a boy "spends time among his elders/he will learn more from it/and if he desires good/he will be good and learn good."[113] Children could learn to be good, then, primarily (and perhaps merely) by being around adults. Throughout *Moretus*, Brant used this principle to appeal to adults to live virtuously, stating that "When one is old and honorable…he should, by his public life, give others a good example."[114] These adages assumed that older men had accrued virtue by their long experience.

Parents, and particularly fathers, were uniquely important in their role as examples to their children. When *Adolescentia* took up the question of remedies for

[113] "Doctior efficitur senioribus associatus./Cumque bonis vadat si bonus esse cupit./Gern er auch by den altern won/So wirt gelerter er da von/Und mit den guten gang er geren/Will er sust gut seyn und guts lern." Brant, *Moretus*, aa6v.

[114] "Quando senex fuerit venerabilis in gravitate/. . . Exemplum cunctis tribuat moderamine vite; Wann einer alt ist und erlich. . . Er soll mit moss eins rechten leben/All menschen gut exempel geben." Brant, *Moretus*, aa4r. See also Brant, *Moretus*, bb3v.

youthful folly, it mentioned, among others, the "holy *conversatio* [way of life, conversation, acquaintance] of parents, who never lead their offspring astray."[115] *The Ship of Fools* laid a great deal of emphasis on education by parental example, though naturally Brant mentioned it mostly in a negative context. The title character of a chapter on the "old fool" bragged, "I clap the youths in shackles/I give the children instruction. . . I give example and bad advice, and pass on what I was taught while young." [116] He rejoiced that although he was not able to accomplish as much folly as he wished, he had "Heintz, my son/who will do what I neglected/he partners with me in the craft. . . one has to say that he is my son."[117] Brant's depiction of an old fool as a bad example was satirical, of course, but it also made a more sobering point: one's status as an example was not dependent on one's worthiness or virtue. Fathers always served as an example to children; being an old fool simply meant that one was a bad example, and that one's advice was harmful. The old fool's happiness that his son was following him in his "craft" of foolishness was an inversion of the hope that a son would imitate his father's virtue and skill, but the principle of imitation was unchanged.

Several other passages upheld the principle that children would imitate their fathers, even to their own detriment. Brant devoted an entire chapter of *The Ship of Fools* to "the bad example of parents."[118] It cautioned that "he who wants to speak of womanizing and wickedness a lot before his wife and children,/will get the same back

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[115] "Secunda est sancta parentum conversatio, quae nonnumquam in prolem derivatur, etsi quandoque liberi visi sunt a patria probitate degenerasse." Wimpfeling, *Adolescentia*, 206-07.

[116] "Den jungen trag ich die schellen vor/Den kynden gib ich regiment. . . Ich gib exempel und boess rodt/Und trib was ich jung hab gelert." Brant, *Das Narrenschiff*, Ch. 5, "Von alten narren," 17.

[117] "heytz mym suon/der wuort thuon was ich hab gespart. . . Man muoss sprechen er sy myn suon." Brant, *Das Narrenschiff*, Ch. 5, "Von alten narren," 17.

[118] Brant, *Das Narrenschiff*, Ch. 49, "Bos exempel der eltern," 122.

from them."[119] Although the title of the chapter referred to "parents," the text clarified that if "there is no breeding nor honor any more on earth," it is because "children and wives learn words und gestures; the wives learn it from the men, the children learn shame from the parents."[120] The sorry state of the world in general was thus ultimately the responsibility of men in their examples as fathers and husbands. This was then reiterated, "The world is full of bad teaching/One finds no breeding nor honor. The fathers are culpable for this/The wives learn it from their husbands, the sons match themselves to the fathers/the daughters to their mothers/No one should wonder/if the world is full of fools."[121] Brant went on explicitly to endorse the opposite principle, "Know that mannerly, virtuous fathers,/make their children also the same."[122]

In warning against the bad habits young children can learn from their parents, Erasmus wrote, "of course, since their own lives have served as the model, the parents will not recognize any signs of moral corruption in their children. . . A youngster who continually sees his father intoxicated and uttering streams of profanities. . . will be so accustomed to this way of life that habit will gradually pass into second nature."[123] Brant said virtually the same thing: "So one should really watch/what one says and does before

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[119] "Wer vor frowen und kynder wil/von buolschafft bosheyt reden vil/Der wart das von inn widerfar/desglich er vor in triben tar." Brant, *Das Narrenschiff*, Ch. 49, "Bos exempel der eltern," 122.

[120] "kyn zucht noch ere is me uff erd/kind forwen leren wort und geberd/Die frowen das von mannen hand/Die kynd von eltern nemen schand." Brant, *Das Narrenschiff*, Ch. 49, "Bos exempel der eltern," 123.

[121] "Die welt ist yetz voll boeser lere/man findt leyder keyn zucht noch ere/Die vaetter sint schuldig dar an/Die frow die lert von irem man/Der suon des vatters halttet sich/Die dochter ist der muotter glich/Dar umb zu wundern neymans yl/Ob inn der welt sint narren vil." Brant, *Das Narrenschiff*, Ch. 49, "Bos exempel der eltern," 123.

[122] "Wys, syttlich vaetter tugentrich/machen ouch kynder iren glich." Brant, *Das Narrenschiff*, Ch. 49, "Bos exempel der eltern," 123.

[123] "Nimirum agnoscunt suos foetus minime degeners, quippe quum ipsorum vita nihil aliud sit quam exemplum nequitiae. Haurit infans impudicas nutricum blanditias. . . Videt patrem eximie potum, audit dicenda tacendaque, effutientem. Assidet immodicis ac parum pudicis conviviis, audit domum mimis, tibicinibus, et psaltriis ac saltatricibus perstrepentem. His moribus sic assuescit puer, ut consuetudo transeat in naturam." Erasmus, *De pueris instituendis*, 397; Erasmus, *On Early Liberal Education*, 308.

one's children,/because habit is a second nature,/the power that cripples many children."[124] The power of example that fathers had meant that they were especially culpable if they taught their children bad habits, not merely through inattention, but through intentional encouragement of bad behavior. For better or worse, fathers occupied an important position as a main figure from whom children learn by imitation.

The power of fatherly example was closely bound up with the idea that children resembled their parents. Didier Lett has traced this ideal through sermons, miracle accounts, and medieval medical texts and pointed out that the resemblance was thought to extend beyond physical traits to moral traits as well.[125] Medieval anatomists debated over the relative influence exerted by the male and the female "seed" in the process of conception, but all agreed that the masculine heat of the male seed acted as a catalyst in precipitating the formation of the child, and that this heat also caused the male seed to dominate the female; the only question was how much it dominated.[126] Erasmus' *On Early Liberal Education* also portrayed a father as an exemplar for his son; at the very outset, Erasmus congratulated the addressee on the recent birth of his son and went on, "You want to be a complete father and want your child to be your true son, reflecting you not only in facial features and physical details but resembling you also in gifts of mind

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[124] "Es darff das man gar eben luog/Was man vor kynden red und tueg/Dan gwonheyt andere natur ist/Die macht/das kynden vil gebrist," Brant, *Das Narrenschiff*, Ch. 49, "Bos exempel der eltern," 123.

[125] Didier Lett, "L' 'expression du visage paternel': La ressemblance entre le père et le fils à la fin du Moyen Age: un mode d'appropriation symbolique," in *Être Père à la fin du Moyen Age*, ed. Didier Lett, Cahiers de Recherches Médiévales (XIIIe-XVe s.) 4 (Paris: Librairie Honoré Champion, 1997), 115-126.

[126] Philip Grace, "Aspects of Fatherhood in Thirteenth-Century Encyclopedias," *Journal of Family History* 31.3 (July 2006): 211–236 (at 224-225); Joan Cadden, *Meanings of Sex Difference in the Middle Ages: Medicine, Science, and Culture* (Cambridge: Cambridge University Press, 1993), 132, 197-198; John W. Baldwin, *The Language of Sex: Five Voices from Northern France around 1200* (Chicago: University of Chicago Press, 1994), 94-97, 206-208.

and character."[127] Here we see a link between physical resemblance and moral formation in the idea that the son will be not merely a good man, but will have the same virtues that his father has. The text went on, however, to advocate formal education, not simple imitation, as the way of achieving this.

In distinction to the importance of fatherly example, there are very few examples of fatherly speech visible in the court cases. It is not surprising that this genre of source does not contain many mentions of, say, fathers regaling their children with proverbs or advising them on wise business dealings, though one might expect some to crop up. However, the silence is much more significant when we examine a category of moral speech that *is* quite commonly visible; the practice of bidding quarreling parties "peace" in order to prevent physical violence. Almost every single breach-of-the-peace case included a mention of someone bidding the parties to peace, and it was almost never the *Hausvater* who filled this role. In one case, the witness reported that Walther Roubli and Hans Swebli were quarrelling in the street in front of the charity home (*Spital*) where he worked. The witness "said they should keep the peace."[128] A *Gesell* (the word may mean "journeyman," "servant," or simply "fellow") who was standing between the two chimed in that "they should think of their little children, and look to them. Walther answered that he had no little children. The fellow said to Swebli, 'But you have little children.'"[129] This was not enough to keep Walther from eventually stabbing Swebli, but the point here

[127] "nimirum vis totus esse pater, et illu vis vere tuum esse filiu, qui de non solum oris figura, corporisque lineamentis exprimat, verum etiam ingenii dotibus referat." Erasmus, *De pueris instituendis*, 379; Erasmus, *On Early Liberal Education*, 298.

[128] "het dis zug geredt sy solte frid halt." Kundschaften D20, Walther Roubli vs. Hans Swebli, [February] 1508, 120v-121r (at 120v).

[129] "redte der gesell so zwischen inen stunde sy solte ir cleinen kind ansehn unnd zu haben daruff antwurt Walther er het kein kleine kind da redte derselb gesell zu Swebli du hast aber kleine kind." D20, Roubli vs. Swebli, 120v.

is that this example was typical; the one urging the combatants to peace was virtually never their father. Instead, the appeal here was that the men would set a bad example for their own children. It is impossible to prove a negative, but despite my search for such cases, I am able to offer a only a single example of fatherly speech in the court cases, and it is a vexing example.

The court proceedings contain several procedural entries for a series of breach-of-the-peace cases brought against Bernhard and Uli von Rinach.[130] They grew up to become fishermen like their father Martin, and they apparently liked to beat up university students, including none other than Jerome Froben, whose father was Erasmus' favorite publisher and became a partner in Amerbach's printing firm, managing it with Johannes' sons after Johannes' death.[131] The brawl happened in the suburb of St. Johann, where many fishermen lived.[132] As the Rinach boys insulted and assaulted the students, several witnesses agreed that their father Martin von Rinach ran to the scene to break up the

[130] Heinrich's more serious charge was melded into a case with other students for part of the proceedings, but two separate verdicts were rendered. Martin pled to be excused but was retained until after the depositions were given; he was then acquitted, but both Uli and Bernhard were fined five pounds and turned over to the Senate for violating the "liberty of the university"; Bernhard was acquitted of the charge brought by Heinrich, while Uli was fined ten pounds plus Heinrich's court costs (Urteilsbuch A52, Master Heinrich Lutz [and other students], vs. Bernhard and Uli von Rinach [and Martin von Rinach, their father], 1516, 196v, 198v, 204r-v, 276r, 278v). One set of depositions is Kundschaften D22, Jerome Froben and Hans Brath vs. Bernhard von Rinach, [September-October] 1516, 142v-143r. The other depositions are discussed below.

[131] Jerome Froben (1501-1563) matriculated at Basel in 1515. From an early age, he was fully involved in his father's printing business. Under Jerome's direction in the mid-sixteenth century, the firm became less associated with prestigious scholarly works, but it also became more profitable; Peter G. Bietenholz, "Hieronymous Froben," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 2:58-60. Some of the account books of the firm under Jerome have been published (Jerome Froben and Nikolans Episcopius, *Rechnungsbuch der Froben & Episcopius, Buchdrucker und Buchhändler zu Basel, 1557-1564*, ed. Rudolf Wackernagel (Basel: B. Schwabe, 1881). See also Halporn, *Correspondence*, 12.

[132] Katharine Simon-Muscheid, *Basler Handwerkszünfte im Spätmittelalter: Zunftinterne Strukturen und innerstädtische Konflikte* (New York: P. Lang, 1988), 207.

fight—carrying a halberd.[133] One witness clarified that Martin said, "'Now I will make some peace,' and he heard that Martin von Rinach punished his sons with it and said they should go home."[134] Another witness added that Martin was "very angry with his sons."[135] Another said that Martin said to the students, "I bid you, by the oath you have sworn, that you appear before the Senate tomorrow," thus de-escalating the violence.[136] Martin was an example of fatherly speech; he used words to scold his sons and to calm the situation down. But he also apparently used the halberd to "punish" his sons as well as to separate them from their opponents. Martin was originally included among the defendants of the court-case, but after the evidence was given, he was acquitted.. This indicates that the court originally assumed that he may have been involved in the brawl himself, but it was satisfied by the depositions that he did not commit any culpable offense.

What are we to make of this dearth of fatherly speech, even in such a plentiful category as bidding combatants to peace? Some may construe this lack of fatherly speech in the court records as evidence that the moral authority of fathers was illusory, that real fathers were unwilling or unable to act as moral leaders. The moral writers discussed here certainly complained about the failings they saw all around them. A further explanation,

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[133] Kundschaften D22, Students vs. Martin von Rinach and both his sons, [September-October] 1516, 165v-167v, 170r (at 165v, 166v, 170r). Halberds appeared several times in the court records. The halberd had become a weapon distinctively associated with the Swiss during the fourteenth and fifteenth centuries. It therefore makes sense that halberds would be available in Basel among those who were involved in even avocational military service. Since a halberd is a polearm with an elongated axe head, it would be a convenient way to break up a fight without interposing one's body directly; John Waldman, *Hafted Weapons in Medieval and Renaissance Europe: The Evolution of European Staff Weapons between 1200 and 1650*, History of Warfare 31 (Leiden: Brill, 2005), 3.

[134] "nun wolt ich doch gern frid machen ob er wol gehort das Martin von Rinach sine sun gestraft hab und gestagt sy solte heim gen schlorffen gan." D22, Students vs. Rinach and sons, 170r.

[135] "Martin von Rinach fast zornig uber sin sunn ist gewesen." D22, Students vs. Rinach and sons, 166r.

[136] "ich but uch by dem eyd den ir gesworn haben das ir morn vor Ratt erschinen." D22, Students vs. Rinach and sons, 165v.

however, lies in the fact that fathers did not see the peace that civic authorities sought to enforce as the ultimate value. Instead, the responsibility of protecting one's household was paramount. A recent study of court records from the town of Manosque in Provence finds that fathers routinely appeared as defenders of their dependents; in one case a father wielded a pitchfork against a nobleman on horseback to protect his son.[137] This also holds true for Basel. Lucas Lutelin got into an argument in the stable of the inn at Hegenheim, five kilometers from Basel, and his opponent, Hans Walther, knocked him to the ground. A bystander said, "Dear fellow, you shouldn't hit the boy," thus using words to keep the peace.[138] Lucas' father Conrad, on the other hand, came out with a bread knife in his hand. Two men and two or three women then intervened to restrain Conrad. When told to keep the peace, Conrad retorted, "No one can bid me to peace. No one can meddle in my son's business."[139] The perceived threat to his son caused Conrad to reject explicitly the value of keeping the peace. When put to the test, fatherly speech about peace was far outweighed by fatherly action in defense of one's household, and because of the primacy given to example, discussed above, it was this value that subordinates learned from their fathers.

If we understand that protection, rather than peace, was the virtue fathers valued most, we see that they were indeed teaching this value to their children—by example. Other cases show why the court assumed that Martin von Rinach had participated in the

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[137] Steven Bednarski, "The Quest for the Historical Father: Protective Fathers in Practical Records," in *Das Abenteuer der Genealogie: Vater-Sohn-Beziehung im Mittelalter*, ed. Johannes Keller, Michael Mecklenburg, and Matthias Meyer, Aventiuren 2 (Göttingen: V&R Unipress, 2006), 39-60 (at 46-48).

[138] "Liebe geselle ir sold den knabe nit also schlage." Kundschaften D16, Conrad Luterlin and Lucas Luterlin vs. Johannes Bernfeld, [Autumn] 1493, 11v-12r, 15v-16r (at 11v-12r).

[139] "es darff mir nymant kein frid biete nem sich mirt nyman mins suns sachen an." D16, Luterlin vs. Bernfeld, 12r. Heinrich, a huntsman for the lord of Bernfeld, told Conrad to keep the peace. When Conrad refused, Heinrich drew his own dagger, but yet another onlooker separated them with a halberd. The court case was between Conrad and Heinrich or his employer.

brawl with his sons. When Hartman Scherer got into an argument with his server at the tavern, he led his son to be involved as well. One of the onlookers reported that "the father fell on the servant and shoved or pushed him away from him, after which the son came and hit the servant with a bare knife."[140] Stefan Kutler got into an argument with his neighbor Conrad Vorster over who would pay for a stone water-channel that their houses would share. The witness who was in Conrad's shop to witness the argument said that Stefan shouted that Conrad "would regret those words, gripping his dagger; then Stefan's son. . . attacked Conrad and held him with both hands."[141] As they struggled, Stefan struck Conrad several times with the dagger. The witness urged them to keep the peace and separated them. In this case, the *Hausvater* drew his son into violence in a show of household solidarity, while it was the witness-bystander who sought to enforce the civic peace. These sons were following the lead of their fathers in their violent behavior.

It was not a question of late medieval authorities deciding to invest fathers with moral authority, nor deciding that fathers could be made into agents of education and the development of social virtues and obedience to civic authorities. It was not that they wanted to make fathers authority figures, but that they thought fathers inescapably *were* authority figures. To them, fathers should not be made into educators; rather, fathers were the main mechanism by which any possible education would be accomplished. The crises of the fifteenth century were serious indeed: religious controversy on academic and

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[140] "Der vatter in den knecht fiel und in von im stiess oder zoch dem nach keme der sun un schlüge mit blossem messer zu dem knecht." Kundschaften D11, Henztlin Thoma vs. Hartman Scherer and his son, [January] 1480, 106v.

[141] "Er möcht wol lidenn das er inn deren worten erliss hab inn dem züm tegen gegriffen, do sye steffans son. . . conratenn angefallen im mit beyden henden gehept." Kundschaften D24, Conrad Vorster vs. Stefan Kutler, [July-August] 1528, 163r-165r (at 163v).

popular levels and growing social mobility due to the demographic upheaval caused by the plague resulted in pervasive anxiety about sources of social stability, and in the face of such anxiety, fathers were thought to provide an anchor by their virtuous example. It was not a question of the creation of fatherhood, but rather of the harnessing of fatherhood for specific pedagogical or moral purposes. This is why moral reform efforts were directed at and through fathers. If the ills of late medieval society were to be solved, it would be substantially (though not exclusively) through existing fatherly authority. The idea of the fifteenth century as a patriarchal moment does not mean the creation of fatherly authority, but the invocation of fathers to respond to the need for some kind of authority.

Moral provision: Virtue and worldly success

Moral formation was not only an end in itself, nor was the good of society thought to be its only benefit; the treatises connected the development of virtue to prosperity, linking it back to provision. *Thesmophagia* centered around winning the approval of the "host."[142] The reader was told to wash one's hands well "if you want to please the host."[143] Again, "One should show respect for the host, because he is of more worth."[144] The text also advised that if "the host has great power and honor, then remain silent. Don't let anything depart from your mouth until he presses you with a question."[145] Erasmus, too, noted that in some places, boys were accustomed "to stand bareheaded and

[142] Throughout the text, the Latin uses *herus* or *dominus*; the German uses *herr*. These words could mean anything from the master of a household to a member of the nobility.

[143] "Wiltu dem herren gefallen wol/Das er dich furbas laden sol." Sebastian Brant, *Sebastian Brants Tischzucht (Thesmophagia 1490): Edition und Wortindex*, ed. Silke Umbach, (Wiesbaden: Harrassowitz Verlag, 1995), lines 81-82.

[144] "Dem herren soll man bietten ere/Als dem der ist an wirden mer." Brant, *Thesmophagia*, lines 105-6.

[145] "Gross gewalt unnd ere/Ouch wurden hab der selbig herre/So schwig; thu uf nit dinen mundt/Biss er mitt fragen an dich kumpt." Brant, *Thesmophagia*, lines 177-180.

take their food at the end of the table from their elders. In such societies. . . he should bow and salute the guests, especially the most distinguished among them."[146] The manners treatise included in *Adolescentia* echoed this sentiment, saying, "And I direct you, boy, to sit down only rarely, but stand instead./You will mix the drinks, or if you like carry and serve the banquet. . . always [do] what the master orders immediately,/and take whatever place he gives to you."[147] Deference to superiors was not only good manners; it had more pragmatic benefits as well. At its opening, *Thesmophagia* stated that good behavior would cause the host to "summon you onward."[148] At the beginning of *On Good Manners for Boys*, Erasmus noted that "external decorum…is very conducive to winning good will and to commending those illustrious gifts of the intellect to the eyes of men."[149]

Bad behavior, on the other hand, could lead to severe practical consequences indeed, according to the texts. In discussing the consequences of bad upbringing, the chapter in *The Ship of Fools* on raising children cautioned, "you will pay the price in the end/when your son goes to the Senate/and strives for breeding and honor/then he will show the character/that he was taught from youth/then the father will be sad/and worry that he raised himself a useless cabbage."[150] Lack of "breeding," or mannerly behavior,

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[146] "ut pueri stantes ad majorum mensam capiant cibum extremo loco, retecto capite. Ibi. . . flexo poplite salutet convivas, praecipue qui inter convivas est caeteris honoratior." Erasmus, *De Civilitate*, 1038; *On Good Manners for Boys*, 281-2.

[147] "Tuque puer, iubeo, sedeas vel raro, sed astans/pocula miscebis, poneve tolle dapes. . . quodque iubebit erus facilis semperque subito,/quemque tibi dederit, tu tibi sume locum." Wimpfeling, *Adolescentia*, 288.

[148] "Das er dich furbas laden sol." Brant, *Thesmophagia*, lines 81-82.

[149] "corporis decorum. . . ut sunt hodie mortalium judicia, plurimum conducit, et ad conciliandam benevolentiam et ad praeclaras illas animi dotes oculis hominum commendandas." *De Civilitate*, 1033; *On Good Manner for Boys*, 273.

[150] "Aber uch wirt zuo letst der lon/Wann uwer suen in rott soent gon/Und stellen zücht und eren nach/So ist in zuo dem wesen gach/wie sie von jugent hant gelert/Dann wirt des vatters leydt gemert/Und frist sich selbst das er on nutz/Erzogen hat ein wintterbutz." Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 20.

Brant warned, could be disastrous for one's civic political ambitions and by extension other forms of public and professional advancement. Rather than relying on generalities or classical allusions, Erasmus argued the same point by appealing to the everyday experience of his readers, reminding them that "Every day we have examples before our eyes of citizens who, because of their dissolute children, have been reduced from wealth to indigence, who are tormented and crushed by unbearable shame because their son has been led to the gallows or their daughter has turned to prostitution."[151] By couching his argument in these terms, Erasmus relied on incidents that occurred in his audience's circle of acquaintances. He went on,

> I know eminent citizens of whose numerous children scarcely one has escaped unscathed: one child, for instance, is being consumed by that horrible affliction euphemistically called the "French pox," and drags himself about as a living corpse; another burst his bowels during a drinking bout; and a third, while on a nocturnal prowl for prostitutes, his face hidden by a mask, was ignominiously stabbed to death.[152]

Although most of these anecdotes referred to sons, Erasmus treated the shame of parents whose "daughter has turned to prostitution" in the same breath as the other incidents. These details were vivid enough that Erasmus certainly had in mind a particular family. He concluded, "How could all this have happened? Well, these parents thought it was enough to bring their children into the world and to shower them with riches, but had no interest in their education."[153] He imputed the children's ruin to their parents' failure to

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[151] "quotidie sunt in oculis exempla civium, quos liberorum perditi mores e divitiis ad mendicantem redegerunt, quos filius in crucem actus, aut filia in lupanari prostans intolerabili excruciat atque exanimat ignominia." Erasmus, *De pueris instituendis*, 393; Erasmus, *On Early Liberal Education*, 306-307.

[152] "Novi magnates eximios, quibus ex multis liberis vix unus supersit incolumis, alius abominanda lepra quam scabiem gallicam vocant, tabefactus funus suum circumfert, alius in bidendi certamine crepuit, alius dum noctu scortatur personatus, misere trucidatus occubuit." Erasmus, *De pueris instituendis*, 393; Erasmus, *On Early Liberal Education*, 306-307.

[153] "Quid in causa? Quoniam parentes satis habent genuisse ac ditasse, educandi cura nulla est." Erasmus, *De pueris instituendis*, 393; Erasmus, *On Early Liberal Education*, 306-307.

instill good morals in them. Such statements are another example of how fatherly responsibility for education led back to concern for provision for the child's welfare.

Tutor-as-father: Fathers in competition with formal educators

So far, the chapter has dealt with only moral formation, yet fathers were also vital to the process of academic education. Medieval people considered fathers to be primarily responsible for their children's education. Matthias Beer's study of late medieval burgher letters shows that formal education was in fact almost entirely directed and administered by fathers.[154] However, the supposed responsibility of fathers in education is paradoxical because many fathers did not personally educate their children, even their sons. If the sons pursued an academic education, most of their learning took place at a school under a professional grammarian or master. These schoolmasters acted as a sort of proxy to biological fathers. This set up a vexed relationship between fathers and educators, which could range from close alliance to outright conflict. This has already been hinted at in the discussion of Jerome Emser's conflict with Johannes Amerbach. The potential for conflict over fatherly roles reveals that fatherhood was both a powerful enough status to be worth claiming and a precise enough concept that specific agreed-upon attributes of it could be invoked in such conflicts.

To Erasmus, it was education, not procreation, that was the most essential paternal responsibility.

> Yet there are persons who believe that they have fulfilled their parental obligations through the simple act of procreation. This, however, represents only the least aspect of parental love, which is the prerequisite for the name of father. To be a true father, you must take absolute control of your son's entire being; and your primary concern must be for that part

[154] Beer, *Eltern und Kinder*, 23.

> of his character which distinguishes him from the animals and comes closest to reflecting the divine.[155]

For Erasmus, fathers were the primary figures responsible for educating their children. This was echoed in *The Ring*. Härtel spoke to Bertli before his wedding, yet he was already giving him advice about how to be a father. He said, "Don't train your son to be a wandering star, as St. Bernard says. Teach him early, according to your ability, a craft or a trade, and above all the Scriptures, if you want him to be happy."[156] The assumption was that the father was responsible for his son's professional as well as religious education.

Erasmus argued that parents should ideally educate their own children.[157] However, "if no one in the family possesses the necessary education" parents should find a reliable instructor.[158] He saw fathers as delegators in urging them to "see to it that your infant son makes his first acquaintance with a liberal education immediately."[159] As soon as the child was born, "you should straightaway begin to search for a man of good character and respectable learning to whose care you may safely entrust your son to

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[155] "At quidam sibi parentis officium pulchre videntur implesse, si genuerint tantum, quum haec sit minima portio pietatis quam exigit patris cognomen. Ut vere sis pater totus tibi curandus filius, eique parti debetur prima ac praecipua cura, qua pecudibus antecellit et ad numinis similitudinem proxime accedit." Erasmus, *De pueris instituendis*, 381; Erasmus, *On Early Liberal Education*, 299-300.

[156] "Deim sun emphilh daz stäbli nicht,/ Sam der lieb sant Bernhart spricht!/Ler in drat nach deiner macht/Hantwerch oder chauffmanschaft/Und die gschrift vor allen dingen,/Wilt du in ze selden pringen!" Heinrich Wittenwiler, *Der Ring*, ed. and trans. Bernhard Sowinski (Stuttgart: Helfant-Texte, 1988), 218-219, lines 5099-5104.

[157] He lamented the decline of society betokened by parents who delegated the education of their children. Despite the obstacle posed by the fact that Latin was no longer the vernacular, he cited several contemporary families—the Canters among the Dutch, Isabella of Castile, and Thomas More's family in England—who pursued education at home; Erasmus, *De pueris instituendis*, 417; Erasmus, *On Early Liberal Education*, 321-322.

[158] "Quod si nemo sit domi qui literas norit." Erasmus, *De pueris instituendis*, 417; Erasmus, *On Early Liberal Education*, 323.

[159] "infantem tuum illico bonis literis instituendum curabis." Erasmus, *De pueris instituendis*, 377; Erasmus, *On Early Liberal Education*, 297. This was also the case in Wimpfeling, *Adolescentia*, 192.

receive the proper nourishment for his mind."[160] According to Brant, fathers ought not to educate their children themselves, but rather to entrust their children to teachers; "it's much better for the children/If one gives them to a schoolmaster. . . [as, for example, Alexander was entrusted to Aristotle] but the fathers of our time/blinded by greed/give them to masters that make a son into a fool."[161] Even when fathers did not educate their children directly, they still were the ones who "entrusted" them to a teacher.

However, fathers were not merely to delegate their children to teachers; they were also to be actively involved in education. Erasmus continued, "Parents should keep a close watch on both pupil and instructor. . . the father should pay frequent visits to the classroom in order to see what progress is being made."[162] He went on to praise Aemilius Paulus and Pliny the Younger for inspecting the schools in which their charges were enrolled. Again, he complained that although delegating servants as tutors was an unfortunate development, "if discrimination was used in the selection, there was less hazard, not only because the teacher lived under the watchful eye of the parents, but also because he was subject to their authority if he should do any wrong."[163] Parents, and more specifically fathers, were thus a vital part of the educational process, as supervisors if not as actual educators.

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[160] "nunc virum aliquem circumspice ut moribus incorruptis et commodis, ita doctrina neutiquam triviali praeditum, cui puellum tuum veluti tenerae mentis nutritio in gremium tradas." Erasmus, *De pueris instituendis*, 417; Erasmus, *On Early Liberal Education*, 299.

[161] "Es stünd yetz umb die kynd vil bas/Geb man schuolmeister inn. . . Aber die vaetter unser zitt/Dar umb das sie berblent der gyt/Nemen sie uff soelich meister nuon/Der in zuom narren macht ein suon," Brant, *Das Narrenschiff*, Ch. 6, "Von ler der kind," 20.

[162] "Observabunt et praeceptorem et filium ne sic ablegabunt ab se sollicitudinem. . . sed subinde reviset pater exploraturus ecquid profecerit." Erasmus, *De pueris instituendis*, 409; Erasmus, *On Early Liberal Education*, 315.

[163] "Qua quidem in re si delectus habebatur, hoc minus erat periculi, quod formator non solum in oculis parentum viveret, sed in illorum esset potestate, si quid delinqueret." Erasmus, *De pueris instituendis*, 421; Erasmus, *On Early Liberal Education*, 321-322.

The centrality of fathers to education led other educators to appropriate fatherly status in both abstract and concrete capacities. I have already argued that fatherly example was more important in practice than fatherly speech was. Nonetheless, pedagogical writers borrowed fatherly authority in writing their own advice texts by treating fatherhood as the essential place for advice-giving. Although this practice is part of a tradition stretching back to classical and scriptural sources, it is still important because it illustrates that the image of a father teaching his son was a deeply held way—perhaps even the habitual way—of conceptualizing the communication of wise advice.[164] In demonstrating this, we will examine primarily the structure of the texts rather than the details of their material.

Erasmus' *On Early Liberal Education* is a fictional speech dedicated to William, Duke of Cleves.[165] It purported to congratulate a new father on the long-hoped-for birth of his first son and to advise him on his son's education.[166] What is significant for our purposes is that William was not a new father when the speech was written; indeed, he was only fourteen or so.[167] Its addressee was thus fictional, invented for rhetorical purposes. The fact that *On Early Liberal Education* was then published for general readers added to the spurious nature of the addressee. In framing a speech about the

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[164] Almost all advice literature from ancient Mesopotamia and Egypt was cast as the dictates of a father to his son, as was the biblical book of Proverbs (W.G. Lambert, *Babylonian Wisdom Literature* (Oxford: Clarendon Press, 1960), 92-118; Adolf Erman, *Ancient Egyptian Literature: A Collection of Poems, Narratives and Manuals of Instruction from the Third and Second Millenia* [sic] *BC*, trans. Aylward M. Blackman (London: Kegan Paul, 2005), 54-86; first published as Adolf Erman, *Die Literatur der Aegypter; Gedichte, Erzählungen und Lehrbücher aus dem 3. und 2. Jahrtausend v. Chr.* (Leipzig: J. C. Hinrichs, 1923)). Despite the heavy emphasis on filial piety in Confucianism, classical Chinese texts did not cast the father as the primary source of advice. Instead, the enlightened sage seems to be the most paradigmatic figure; see, e.g., Yanxia Zhao, *Father and Son in Confucianism and Christianity: A Comparative Study of Xunzi and Paul* (Brighton: Sussex Academic Press, 2007), 17-44.

[165] Erasmus, *De pueris instituendis*, 373; Erasmus, *On Early Liberal Education*, 295.

[166] Erasmus, *De pueris instituendis*, 379; Erasmus, *On Early Liberal Education*, 298.

[167] Verstraete, ed., *On Early Liberal Education*, 568, n. 1.

importance of education, Erasmus chose a new father as the most appropriate hearer of the speech.

Adolescentia, as we have seen, was intended as a textbook, but it, too, was dedicated to "Wolfgang, first son of the illustrious lord Ludwig count of Lewenstein and baron of Scharpfeneck."[168] The mention of the boy's father was not incidental; Wimpfeling urged Wolfgang "to follow both the counsel and pursuits of your illustrious father. . . Therefore, noble Wolfgang, imitate your father and love [the study of] letters, the good, orderly and by no means superfluous understanding of which I have no doubt your teachers will diligently pass on to you."[169] Again, the father's authority and responsibility in education was "borrowed" to frame and justify the text of *Adolescentia.* Here, too, the father played a unique role as an example; teachers may offer instruction, but it was the father that the son should imitate. *Adolescentia* also contained many sections that were excerpts of speeches or letters from fathers to sons: in a section on accepting correction gladly, there was a chapter containing selections from the fourth chapter of the book of Tobias in the apocrypha, in which a godly, elderly Tobit advises his son to be generous, honest and pious.[170] Another chapter contained a poem from the wandering scholar Franciscus Philelphus to his son Ioannes Marius, telling him of the importance of study and honoring God.[171] After a lengthy gloss and exposition on the poem, the next chapter was a letter from Louis, king of France, to Philip his son, again advising him to find a good confessor, to hear divine office often, to shun bad

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[168] "Illustris et magnanimi domini Ludovici comitis in Lewenstein baronisque in Scharpfeneck filio primogenito Wolfgango domino clementi et magnopere colendo." Wimpfeling, *Adolescentia*, 189.

[169] "si et consilium et studium illustris tui patris sequi voles. . . quapropter, generose Volfgange, imitare patrem, ama litteras, quarum bonam ordinatam et nullo pacto supervacuam institutionem non diffido praeceptores tuos tibi ingenue traditurus." Wimpfeling, *Adolescentia*, 189-190.

[170] Wimpfeling, *Adolescentia*, 241-2.

[171] Wimpfeling, *Adolescentia*, 249.

companions, watch his tongue, and honor his parents.[172] *Cato* began, "Now I will teach you, dearest son."[173] Brant's edition and translation of *Moretus* was dedicated: "Sebastian Brant, to Onophrius, his son, greetings: O witty son, desiring to learn noble conduct, immediately read this little work."[174] Advice texts were almost invariably cast in fatherly terms.

Fathers were not the only site for advice-giving; the chapter "On Impatience Toward Correction" in *The Ship of Fools* did not even mention fathers, though the chapter "On Not Following Good Advice" featured them prominently.[175] Nor were *The Ship of Fools* or the advice in *The Ring* framed as emanating from fathers; these sets of advice applied to far more than the young. Both the Latin and the German *Advice for Householders* discussed the responsibility of giving good advice to friends; this was also the case with Brant's *Cato.*[176] Clearly, fathers were not the only ones who gave advice, nor were children the only ones who needed it, even in prescriptive treatises like these. Nonetheless, the regularity with which fatherhood was invoked at the rhetorical moment of giving advice is remarkable, though the practice is of long standing.

An appeal in the Amerbach correspondence shows how the association of fathers with moral advice could be deployed for one's own agenda. It occurred in 1512, after Bruno and Basilius had finished their studies and returned to Basel. Jakob Wimpfeling, a

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[172] Wimpfeling, *Adolescentia*, 260.

[173] "Nunc te fili me charissime docebo/Nun will ich aller liebster sun/Dich lernen was du solt thon." Brant, *Cato*, a2r.

[174] "Sebastianus Brant:/Onophrio, filio suo/salutem./Facetos [sic] fili cupiens perdiscere mores/ingenuus: cito perlege parvuum opus hoc." Sebastian Brant, *Moretus* (Argentoratum: Johannes Knobloüch, 1508), aa1v. Onophrius was a historical person and something of a Latin prodigy; Johannes Amerbach was his godfather (Edwin Zeydel, *Sebastian Brant* (New York: Twayne Publishers, 1967), 67; Halporn, *Correspondence*, 93-95, 311).

[175] Brant, *Das Narrenschiff*, Ch.8, "Nit volgen gutem ratt," 24-26; Ch. 54, "Von ungedult der straff," 132.

[176] Wimpfeling, *Adolescentia*, 292; Cossar, *German Translations of the Pseudo-Bernhardine* Epistola; 112; Brant, *Cato*, a2v.

theologian, schoolmaster, and the editor of *Adolescentia*, was a friend of Johannes Amerbach.[177] In 1512, he wrote a series of satirical poems against Matthias Hölderlin, called Sambucellus, a cleric who lived openly with his concubine and their six children in Basel.[178] He submitted the manuscript to Amerbach for publication. The Amerbach firm had always avoided publishing polemical and controversial works, and thus was not interested in this one. Wimpfeling must have anticipated Amerbach's reluctance, and he therefore used a specific strategy as an appeal. He gave the manuscript to Amerbach when he visited Wimpfeling in Strasbourg, but with a cover letter addressed to Bruno, Basilius and also Boniface, who was still attending university at Basel. The inclusion of Boniface is significant because it indicates that Wimpfeling was not writing to Bruno and Basilius merely in their professional capacity as assistants to Johannes. Indeed, the salutation of his letter was, "To Bruno, Basilius, and Boniface Amerbach, who are so kind and unassuming, and as dear as sons to me. Greetings. Dearest sons. . . "[179]

Wimpfeling invoked fatherhood in order to frame the issue in terms of their personal moral development. He went on, "Most delightful sons, I am not able not to write regarding your character, since I know your most sweet father will certainly be carrying this letter to you, as a testimony of my love for you, whom I implore and exhort

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[177] Jakob Wimpfeling (1450-1528) was an academic theologian, a writer of numerous pedagogical works, and one of the most prominent members of the *Sodalitas Rhenania*, the circle of Alsatian humanists centered at Strasbourg; Barbara Könneker, "Jakob Wimpfeling," in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 3:447-450.

[178] Hartmann, AK 1, p. 287; Rudolf Wackernagel, *Geschichte der Stadt Basel*, 3 vols. (Basel: Helbing & Lichtenhahn: 1968 facsimile of 1911 edition), 3:130 and notes.

[179] "Humaniss. modestissimisque Brunoni [Ba]silio Bonifacio Amorbachiis veluti filiis quam carissimis. Sese commendat et offert. Dilectissimi filii. . . " AK 1:464, Jakob Wimpfeling to Bruno, Basilius and Boniface Amerbach, Strasbourg, [July], 1512; Halporn, *Correspondence*, 80.

again and again that you obey (just as you are in the habit of doing). . . ” [180] He not only mentioned Johannes, but explicitly brought up both the boys’ virtue of *humanitas* and their duty to obey their father. Only then did he transition into the actual subject of the letter, saying that he knew the boys “embrace virtue” by natural inclination (and as he later implied, because of their “excellent parents and splendid books”), unlike those who formed “permanent attachments to concubines in a kind of damnable and false marriage,” meaning Sambucellus.[181] He then requested that they publish the manuscript he had enclosed, as well as advising the boys to marry if they needed to.

Wimpfeling’s strategy relied on the responsibilities of fathers. His letter was intended for Johannes as much as for his sons. It was designed to remind Johannes of his responsibility to teach virtue; his sons were brought in as recipients of his teaching. In his address to the sons, Wimpfeling cast himself as a father-figure who was giving them moral advice, though still under the aegis of “imploring” them to “obey” their own father. The satirical poems, Wimpfeling’s letter argued, “deal with this institution [marriage]”; it claimed that they were part of moral education, not personal rivalry or railing at church corruption (which they in fact were).[182] Wimpfeling’s attempt was not ultimately successful; Bruno wrote back that “our Boniface” was attempting his degree in philosophy at the university, and that Sambucellus, who was a university deacon and administrator, would thwart the attempt if he were angry with the Amerbachs.[183]

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[180] “Dilectissimi filii, non potui non scribere humanitatibus vestris, cum dulcissimum patrem vestrum ad vos certo literas perlaturum scirem, testes amoris in vos mei, quem ut observetis (sicut soliti estis) iterum atque iterum obsecro et exhortor.” AK 1:464; this passage is omitted in Halporn’s translation.

[181] “ad virtutes amplex[an]das. . . haud illorum similes, qui vicia expurgare moliuntur et sub typo ficti thartareique coniugii ad se individuas introducunt concubinas.” AK 1:464; Halporn, *Correspondence*, 80.

[182] “Ad id institutum. . . accomodari.” AK 1:464; Halporn, *Correspondence*, 80.

[183] “Bonifacius noster.” AK 1:465, Bruno Amerbach to Jakob Wimpfeling, Basel, July 10, 1512; Halporn, *Correspondence*, 81.

Nonetheless, Wimpfeling's strategy is indicative of the powerful significance that fathers held as givers of moral advice for late medieval people.

The relationship between fathers and their proxies in education was not always an easy alliance, but the tensions and conflicts did not keep it from being a vital one. We now turn to an examination of a very unsuccessful proxy and his claims to fatherly status. In the spring of 1501, when Johannes Amerbach sent Bruno and Basilius to university in Paris along with several other boys from Basel, Amerbach contacted a fellow printer in Nüremberg, Anton Koberger, and asked him to have Koberger's agent in Paris look after the boys.[184]

The agent, Johannes Blumenstock of Heidelberg, appears to have been in his forties at the very least.[185] Heidelberg was to act as a custodian or supervisor of the boys, looking after them and placing them with a tutor rather than tutoring them himself, since he was not a university scholar. Amerbach wanted them to study under Ludwig Ber, who had come from Basel to Paris in 1500 to study at the Sorbonne, and whom Amerbach already knew.[186] Events did not proceed as Amerbach had hoped; Heidelberg put them under a different tutor at a different college, one Mattheus ex Loreyo.[187] Mattheus was no

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[184] Anton Koberger was the head of the largest printing business in German-speaking Europe. He combined a variety of limited partnerships with a huge distribution network stretching to Hungary, Poland, Spain, France, and Italy as well as Germany, making his operation resemble that of a modern publisher. Koberger published the most famous incunabula, Hartmann Schedel's *Weltchronik* of 1493 (Ferdinand Geldner, *Die deutschen Inkunabeldrucker: Ein Handbuch der deutschen Buchdrucker des XV. Jahrhunderts nach Druckorten*, 2 vols. (Stuttgart: Anton Hiersemann, 1968), 1:162-167). For his fifteen-year partnership with Amerbach, Froben and Petri in producing the Hugo Bible, see Halporn, *Correspondence*, 207-272.

[185] This is based on the record of a Johannes Blomenstok de Heydelberga who matriculated to the university of Heidelberg on 14 April, 1469 and received a *baccalarius artium* on January 20, 1471. If Heidelberg was then in his early teens, he was in his mid-forties in 1500 (AK 1, p. 125).

[186] Ber (1479-1554) became a professor of theology in Basel and a cathedral canon. Just before the institution of the Reformation in 1529, he left Basel and went to Freiburg, where he spent his remaining years (Hartmann, AK 1 p. 134).

[187] Halporn states that Amerbach's only concern was to save money by having his sons stay with the

charlatan, however; while the boys' tutor, he had already incepted as master of arts and was working for his doctorate in theology. He went on to hold the office of *reformator* in the faculty of theology at Paris and to serve as an emissary from the Sorbonne professor Josse Clichotove to a bishop in Hungary.[188] It also appears that Bruno, Basilius and the other Basler boys really did want to study with Mattheus, so it was not simply a scheme to trick students out of their money. Whatever Heidelberg's personal motives may have been for preferring Mattheus, what interests us here is how the ideology of fatherhood was used to justify his actions.

In the ensuing conflict between Amerbach and Heidelberg, it is important to understand both sides as sympathetically as possible. On the one hand, it seems clear from a variety of evidence that Heidelberg was a rather abrasive, flamboyant, excessive personality, quite possibly mentally unstable. His letters were filled with wild, passionate expressions. Ludwig Ber, after confronting Heidelberg, wrote to Amerbach that he was a "madman;"[189] Johannes Brisgoicus, another correspondent, called him a "crude lout."[190] In one of his letters, Heidelberg himself admitted that he was simply "unable to

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same master as the other Basler boys, who had chosen Ludwig Ber. However, this explanation does not account for Amerbach's triumphant language when the boys finally did switch to studying under Ludwig Ber, nor does it acknowledge the deep-seated importance of personal networks in late medieval business and academic life (Halporn, *Correspondence*, 153). I am grateful to Dr. Frank Rexroth for this insight.

[188] Astrik L. Gabriel, "The University Career of Matheus de Loreyo: Academic Liaison Between Jodocus Clichtoveus and Humanist Bishop Johannes Gosztonyi," *Hungarian Studies* 3.1-2 (1987): 41-45 (at 41-43).

[189] "insani hominis." AK 1:149, Ludwig Ber to Johannes Amerbach, Paris, March 19, 1502; Halporn, *Correspondence*, 160.

[190] "ignobili vulgus." AK 1:157, Johannes Brisgoicus to Johannes Amerbach, Freiburg, May 30, 1502; Halporn, *Correspondence*, 166. Johannes Brisgoicus (d. 1539) was the head of the German student nation at Paris in 1500. Later in 1502, he accepted a faculty position in theology at Freiburg; Peter G. Bietenholz, "Johannes Brisgoicus," in in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 1:202-3.

flatter,"[191] by which he apparently meant getting along with others, since there was no shortage of honorific language in his letters.

On the other hand, passionate and superlative expressions abound in all of the correspondence. Heidelberg had been accused of rather serious incompetence, so it would be understandable for a sane person to respond quite vehemently. In addition, the boys and several other observers wrote several letters to Amerbach, assuring him that both Heidelberg and Mattheus were satisfactory. Nonetheless, Amerbach was dissatisfied with their progress; he eventually cut their ties with Heidelberg and switched them to a different tutor (after which Heidelberg took to turning his face away from them in the street),[192] but the sons simply said that Mattheus' attention to them "waned," not that he (or Heidelberg) had always been negligent. The boys earned their bachelors and masters of arts degrees in five years, but Amerbach thought this indicated wasted time and slow progress.[193] University statutes estimated three and a half years for an arts course, and the other Basler boys had finished quickly, but with added studies in grammar, the course could take twice as long, so it is difficult to gauge whether Amerbach was justified in his criticisms.[194]

In any case, Heidelberg's letters to Amerbach provide a substantial insight; whatever Heidelberg's general mental state may have been, the fundamental root of his problems with Amerbach was that he took his role as surrogate father *too* seriously. In the

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[191] "Ich kan nit viel feder lesenn." AK 1:186, Johannes Heidelberg to Johannes Amerbach, Paris, March 4, 1503.

[192] AK 1:238, Bruno Amerbach to Johannes Amerbach, Paris, October 27, 1504; Halporn, *Correspondence*, 184.

[193] AK 1:265, Johannes Amerbach to Bruno Amerbach, Basel, May 22, 1505; Halporn, *Correspondence*, 192.

[194] L.W.B. Brockliss, "Patterns of Attendance at the University of Paris, 1400-1800," *The Historical Journal* 21 (1978): 503-544 (at 506).

early stages of the affair with Heidelberg, Amerbach mentioned to his boys that he had entrusted them to Heidelberg "as sons."[195] This metaphor is quite common in descriptions of the succession of different supervisors, tutors, and guardians that the boys had during their time in Paris. In describing the attentions of Caspar, one of their masters, Bruno wrote that he "is as concerned for our well-being as if we were his sons."[196] Amerbach instructed his sons to listen to his messenger Hans Froben "as if I were speaking to you in person."[197] Basilius told his father that Ludwig Ber, the tutor Johannes originally wanted, "pursues our interests as if we were his sons."[198] Most of these characterizations are closely tied to the idea of father as provider, which is significant as we shall see, but the point here is that it was not an unusual turn of phrase.

In his first extant letter, written in an eccentric mix of Latin and German, Heidelberg stated that Amerbach "wrote me about your children and their companions that I should watch over them as if they were my own" and that Koberger, his employer, has "commended the boys to me as if they were his own."[199] He took this as license to watch out for the boys' best interests, even if those clashed with Amerbach's intentions. He indignantly asked whether Amerbach thought that he would "mislead" or "sell out"

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[195] "ut filios." AK 1:128, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, June 11, 1501; Halporn, *Correspondence*, 152.

[196] "Magister Caspar autem in omnibus rebus semper nobis adest nostrisque comodis non secus ac filii essemus studet." AK 1:238, Bruno Amerbach to Johannes Amerbach, Paris, October 27, 1504; Halporn, *Correspondence*, 184;.

[197] "cui credite, ac si ad faciem vobis loquerer." AK 1:246, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, January 2, 1505; Halporn, *Correspondence*, 186.

[198] "qui quoniam negociis nostris non aliter ut filiis studet." AK 1:258, Basilius Amerbach to Johannes Amerbach, Paris, April 12, 1505; Halporn, *Correspondence*, 191.

[199] "Ir habt mir geschribenn by euwernn kindernn und by andernn ir miet geselschaft, wie ich si mir sol lassenn befollenn sein als mein eigenn kinder. Des glichenn auch mir hatt zu geschriben miein iunckher Anthoni Koberger mir di knabenn hoch un groslich befollenn hatt, alss werenss sein eigenn kinder." AK 1:134, Johannes Heidelberg to Johannes Amerbach, Paris, August, 27, 1501; Halporn, *Correspondence*, 155;.

the boys by placing them with Ludwig Ber, which Amerbach had ordered.[200] Heidelberg argued that Ber was not a fitting tutor; that his students did not receive private lessons, while Mattheus de Loreyo's received three a day; that Ber was about to move to another college; that when the boys were asked, everyone agreed that Mattheus was the better teacher. The implicit reasoning here was that Heidelberg understood the boys' interests better since he had more information about the situation. His "proximate vigilance" thus outweighed even Amerbach's wishes. He reiterated: "write again and again whatever you want concerning your sons, Ber will not get them. . . I have fully considered that which I . . . refuse to do. I will not sell out your children. . . am I to release to him your sons to gratify his vanity?"[201] While there are many examples of disobedience visible in the correspondence, it was usually passive, inarticulate, negligent, rather than defiant, as was the case here. The way that Heidelberg justified his defiance was by appeal to the fatherly status he was given. The other boys from Basel, he said, could transfer to Ber "if they wish. . . but he will never have your two because of the special feeling I have towards you and yours."[202] It was not hatred, but rather affection that justified his actions of protection and control.

In attempting to resolve the matter, Amerbach wrote repeatedly to both Heidelberg and the boys for months trying to correct the situation, without result. Nearly a year later, after several exchanges of letters, Heidelberg wrote, "I have understood, not through your writing but from [others'] that you are. . . furious with me. I don't

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[200] "seducere. . . vendere." AK 1:134.

[201] "Et in vero deo: scribatis et rescribatis, quicquid volueritis de vestris, non habebit vestros. . . quod ego recusavi et recusabo, et hoc cum maturo consilio. . . et ego deberem ei dimittere iuvenes vestros ad complendum superbiam suam?" AK 1:134.

[202] "si velint. . . sed vestros duos nequaquam habebit, et hoc ex speciali affectu, quem habeo erga vos et vestros." AK 1:134.

understand what I. . . might be doing wrong. You sent me your children. . . and entrusted them to me, as did my master Anton Koberger, as if they were my own."[203] His anger and frustration are evident in the long, rambling letter that followed. He complained about how much trouble he had been to on the boys' account, and said that "since you don't trust me. . . you should have kept your children at home and not sent them and others to me if I am such a liar."[204] He described a series of misunderstandings about the tutor (which nonetheless failed to explain the letter discussed above).

Most of Heidelberg's complaints, though, were about another matter. The other surrogate fathers, the tutors and college principals to whom Amerbach committed the boys, mainly advanced the boys money when they needed it and paid their fees. Heidelberg did not stop there. He claimed that he bought the boys "carrots, cabbage, salt, lard" and prepared food for them in their room.[205] He mentioned several times that he visited them every day.[206] He complained that he was sent to Paris to sell books, "not to kick the behinds of students day and night."[207] The intense involvement with the boys that Heidelberg claimed was, indeed, a great deal more trouble than the other custodians went to. Later letters from Heidelberg continued this emphasis on close personal care. In one, he discussed with Amerbach the relative merits of drinking wine and water.[208]

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[203] "Hab ich wol vormerckt, un dar zu hab ich vorstanden, nit durch euwer geschrift, sunder durch zu schribenn. . . wie das ir groslich uf mich entrust und zornig seint. B[r]efrempt mich, in welcherley wyss und mass ich dass hab beschult oder moge beschulden. Ir habt mir euwer kinden mit sampt andern leutenn kinden geschickt und mir die habt befollenn dess glichenn auch mein iunckher Anthoni Koberger, also mein eigenn kind." AK 1:154, Johannes Heidelberg to Johannes Amerbach, Paris, May 10, 1502; Halporn, *Correspondence*, 161.

[204] "Do ir mir nit truwt oder glaubenn zu sachtenn, soltent ir euwer kinden daheym haben behalten und mir sie und die andernn nit habenn geschickt, do ich so lugenhaftig bin." AK 1:154.

[205] "Ich hab in kauft ruben, krut, saltz, schmaltz." AK 1:154.

[206] AK 1:154; see also AK 1:198.

[207] "Auch so hat mich mein iunckher gesetzt uff Paris, im sein bucher zu vorkauffen und zu gelt zu machen und nit, dass ich denn studenten dag und nacht im ars stecke." AK 1:154.

[208] AK 1:160; Johannes Heidelberg to Johannes Amerbach, Paris, July 17, 1502.

Another correspondent wrote in response to Amerbach's request that he check on the boys, "Heidelberg's care for them in all their needs is so great, that I believe you yourself could scarcely show more or equal [care for them]."[209] Despite Heidelberg's excesses, both he and other people used physical care-giving as evidence of fatherly affection.

Heidelberg's letters touched not only on providing food for them, but on the danger of bad companions, which again points up the perceived need for close paternal supervision. Heidelberg was apparently responding to complaints Amerbach heard that some of the other students claimed they did not get enough food. He explained that these were older students, that it was Lent, that they were an unruly and corrupting lot. These older students wanted to live outside the college "so that they could come and go as they wish, and not be required, as your children are, to get permission from their master to leave the college and to do so properly."[210] It is not incidental that this characterization gave them the status of youths of ill morals that medieval childrearing theory was so anxious to avoid, since they were trying to rid themselves of proper discipline. Apparently, some of them not only left the college, but ran away to Germany along with their manservant. In the end, Heidelberg denounced them as "lice" and "rogues" whom the Basler boys were well rid of.[211] In another letter a few months later, he railed again against these older boys, that he would rather "that the whoresons and the errant monk got the plague than that they should make fun of me."[212] Heidelberg was trying his best

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[209] "Est nanque Heidelbergensi tanta eorum cura in omnibus necessariis, ut, si ipse esses, maiorem au equalem te habere minime crederem." AK 1:136, Martin Ysenflam to Johannes Amerbach, Paris, Oct 1, [1501].

[210] "so mogent sie uss und in gan, wan wie wollenn, und nit also subject sein als euwer kind, usser demm collegium zu gan sine licentia magistri sui und schlechtlich." AK 1:154.

[211] "leuss. . . buben." AK 1:154.

[212] "Mir wer lieber, dass die huorenkinder und di uss gelauffenn muonch die pestelencz stiess, dan sie mein sollenn spottenn." AK 1:160, Johannes Heidelberg to Johannes Amerbach, Paris, July 17, 1502.

to depict an orderly temporary household in which he cared for a group of boys who were conscientiously learning letters and morals. The presence of these unruly boys was a grave challenge to the order of that household and to Heidelberg's status as the dutiful head of it. In his dismissive explanation, Heidelberg attempted to exclude the former from his set of responsibilities.

Though they were still worried about whether their boys were under good supervision, Johannes and Barbara Amerbach resigned themselves to the situation for about two years; they contented themselves with urging the boys to study hard and sent greetings in their letters to Heidelberg and his wife[213] and to Mattheus ex Loreyo, the tutor.[214] Mattheus tried to win their confidence on a trip to Basel,[215] and there were several letters from patrons of Mattheus as well as from friends of the Amerbach family that assured Johannes and Barbara Amerbach that the boys were doing fine.[216] Eventually, however, Amerbach took further action. During the autumn of 1503, he had the boys settle accounts with Heidelberg as part of removing him as their guardian. In the spring of 1504, he sent Hans Froben and Eucharius Holzach to Paris to move the boys to a new college and a new master, an event which he compared to Moses liberating the Israelites from Egypt.[217]

Despite his dissatisfaction with Heidelberg's rather strident assertions of what he thought was best for the boys, Amerbach clearly did not consider it an option to leave the

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[213] AK 1:184; Johannes Amerbach to Bruno and Basilius Amerbach, Basel, February 14, 1503.
[214] AK 1:178; Barbara Amerbach to Bruno and Basilius Amerbach, Basel, November 21, 1502.
[215] AK 1:160, 1:161; the trip was during late summer or autumn 1502.
[216] AK 1:136; Martin Ysenflam to Johannes Amerbach, Paris, Oct 1, [1501]; AK 1:155, Philippe Hodoart to Johannes Amerbach, Paris, May 1502; Halporn, *Correspondence*, 165; AK 1:161, Bruno Amerbach to Johannes Amerbach, Paris, July 18, 1502; Halporn, *Correspondence*, 169; AK 1:166; Hans Koberger to Johannes Amerbach, Lyon, August 30, 1502.
[217] AK 1:226, Johannes Amerbach to Basilius Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 179.

boys unsupervised. Even before he fully severed ties with Heidelberg, Amerbach began designating not just one, but multiple supervisors for his sons.[218] When he designated Caspar de Thurego as the new tutor for the boys, Amerbach made him their custodian as well in terms of providing money and necessities for them.[219] In his next letter, Amerbach noted triumphantly that under their new master, the boys' "unhappiness has disappeared, and all your laziness. . . is gone."[220] Despite this attempt to keep the boys under supervision, his fears were later confirmed. He wrote in January 1505 that he heard that the boys were living in squalor because they kept cats and dogs in their room, as well as wasting money and drinking too much. He concluded, "since you are not directly under a master who is with you in your room. . . since you do not have a supervisor. . . you live wildly."[221] These reports confirmed for Amerbach the need for fatherly supervision to prevent unruliness.

In the flurry of activity over the variety of surrogate fathers, Amerbach appears to have overlooked one who may have been the most faithful of all, in the person of Hans Nibling. Nibling was a poor young man from Strasbourg who had attended the University of Basel briefly with the Amerbach boys in 1500, and whom Amerbach supported at Paris by hiring him as a servant to Bruno and Basilius.[222] This was not unheard of;

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[218] Ludwig Ber, Guillaume Jordan, and Guillaume Cop.

[219] AK 1:225, Johannes Amerbach to Bruno Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 178. From references in the Amerbach correspondence, it appears that Caspar may have been a member of the prominent Pfister family of Zürich, but nothing else is known about Caspar himself (Hartmann, AK 1, p. 127).

[220] "quod a te transierit omnis maeror, omnis ignavia." AK 1:226, Johannes Amerbach to Basilius Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 180.

[221] "sub recto magistro. . . superattendentem, quod vivatis in iubilo." AK 1:246, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, January 2, 1505; Halporn, *Correspondence*, 186. He reiterated the same idea in AK 1:283, September 12, 1505.

[222] AK 1:249, Johannes Nibling to Johannes Amerbach, Paris, January 17, 1505. He was not, incidentally, the servant whom Heidelberg claimed ran off to Germany with some of the other students, whose name was Gerwayss (AK 1:154; Halporn, *Correspondence*, 162-3). Nibling had matriculated with

Sebastian Brant also worked as a servant while at university in Basel.[223] This means that Nibling was pursuing his own studies at Paris while working for the Amerbach boys to pay his way. He also made at least one trip to and from Basel, taking messages, money and manuscripts back and forth.[224] He apparently was remarkably successful in all his endeavors. Guillaume Jordan, their regent master at the College de Bourgogne, commended him in one of his letters to Amerbach that "he has served them faithfully and excellently. . . not only. . . in the matters that serve the body [but also] in the practice of literary skills."[225] According to Heidelberg, Nibling was "helpful in regard to all their instruction; he continually does repetitions with them."[226] Amerbach himself wrote to Bruno, "I hear that your servant is well trained and talented…give him my regards and ask him for my sake to take you as entrusted to him and teach you his skills, and I will be grateful to him for his time."[227] Nibling was taking his own classes while at the same time physically caring for the boys, and tutoring them as well.

Nibling was in fact doing the same tasks that Heidelberg claimed as a part of his surrogate-father status, but no one in the letters ever called Nibling "fatherly," indicating that assistance with their physical needs and their education was not sufficient to claim

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the Amerbach boys at the university of Basel in 1500; by 1508, he was listed as *Argentine iuventutis litteratorius gymnasiarcha*. He may have been the Johannes Nibling who became the chaplain of St. Erhardt in Strasbourg in 1523 (Hartmann, AK 1, p. 234).

[223] Zeydel, *Brant*, 23-24.

[224] AK 1:273, Johannes Nibling to Johannes Amerbach, Paris, July 7, 1505; AK 1:274, Johannes Nibling to Barbara Amerbach, Paris, July 7, 1505.

[225] "nam quam optime et fidelissime eis inseruit. . . non solum est eis commodo in his, qui corpori subserviunt, verum etiam qu literarum exercitio conducunt." AK 1:250, Guillaume Jordan to Johannes Amerbach, Paris [January 17], 1505; Halporn, *Correspondence*, 189.

[226] "Famulus noster est meilor de tota lectione; qui continue facit reparationes cum ipsis." AK 1:198, Johannes Heidelberg to Johannes Amerbach, [Paris], June 24, 1503; Halporn, *Correspondence*, 173.

[227] "quia audio vos habere famulum satis doctum et ingeniosum. . . me tamen tu ei commenda et pete, ut mei causa te et fratrem tuum habeat commendatos et vos informet in his, in quibus est peritus, et ego erga eum non ero ingratus tempore suo." AK 1:225, Johannes Amerbach to Bruno Amerbach, Basel, June 6, 1504; Halporn, *Correspondence*, 179.

fatherly status. The missing ingredient was authority. Nibling was probably quite young, of a similar age to the Amerbach boys, and he had also been hired as a servant, making him subordinate to the boys, or at any rate to Johannes. Just prior to Jordan's commendation of him, Johannes wrote a letter to his sons lamenting that since they had been taken from Heidelberg's care, they were living wildly, since they had no supervisor whatsoever.[228] Nibling was clearly present during this time, and he had been given at least a small amount of authority. In one letter, Johannes told Basilius that he should take advice from "Bruno or the servant [Nibling] or even Master Ludwig Ber" on how to spend money.[229] Nonetheless, Nibling's authority in financial matters was not enough for fatherly status: he did not have any power to discipline the students or to keep them from "living wildly." One of Nibling's letters to Amerbach complained that his studies with Basilius were disturbed by drunken students. When Nibling protested, they threatened to have him dismissed. Nibling asked for help, and he did it by an oblique reference to fatherhood, saying, "it does not seem to me that their parents would hold dear someone who fulfills any and all inordinate desires of their sons."[230] Nibling was in no position to demand fatherly authority; he had not been offered anything of the kind. Nonetheless, his understanding of his own situation was that the missing component, in addition to his physical and intellectual care for the boys, was the requisite fatherly authority to produce orderly discipline.

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[228] "sub recto magistro. . . superattendentem, quod vivatis in iubilo." AK 1:246; Halporn, *Correspondence*, 186;.

[229] "qualiter exponere debeatis, Bruno tibi dicet et famulus vel etiam magister Ludovicus Ber." AK 1:266, Johannes Amerbach to Basilius Amerbach, Basel, May 22, 1505; Halporn, *Correspondence*, 194.

[230] "Non enim cordi esse parentibus videre videor eorum, quo inordinatis quibusque filiorum voluptatibus satisfiat." AK 1:290, Johannes Nibling to Johannes Amerbach, [Paris], [October] 29, [1505].

Despite his problems with surrogate fathers, Amerbach's continued reliance on fatherhood as a necessary structure for social order is visible in a closing example, when he designated Guillaume Cop,[231] a physician friend from Basel, as the boys' new guardian, he wrote,

> I have commended you to Dr. Guillaume Cop as sons, who doubtless will do what he is able to do for you out of love for me; put all hope in him. Therefore, if anyone molests you about the debts, or if something torments you that you would not dare to say to anyone, you should make plain all your pressing needs to that doctor as you would to me, I who am your father. He is mild, he is good, he is just and I have no doubt he will give you counsel and aid. Do not revere any other man, but open your hearts to him completely and all your needs and, as I hope, he will provide for you honorably and lawfully; but when he senses you are erring, in the manner of a pious father he will correct you and set you back on the right path. For this, you should follow [him] with all effort.[232]

The fact that Amerbach expounded at such length on the expectations of surrogate fatherhood may be read as an attempt to delineate more clearly the limits of such power. If this is the case, however, it is remarkable how far such limits extended. Far from restricting Cop's role, Amerbach traced out all the interrelated functions that have been covered in this dissertation. He even relied on Cop's judgment, his proximate vigilance in lieu of Amerbach's physical presence with his sons. He delegated to Cop a multiplicity of

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[231] Guillaume Cop (d. 1532) had received a master of arts degree from the University of Basel in 1483 and a doctorate of medicine from Paris in 1496. By the time this letter was written, he was a regent of the university and the staff physician for the German student nation at Paris. He went on to publish translations of Galen and Hippocrates and to serve as personal physician to Louis XII and Francis I; Peter G. Bietenholz, "Guillaume Cop," in in *Contemporaries of Erasmus: A Biographical Register of the Renaissance and Reformation* ed. Peter G. Bietenholz, 3 vols., Collected Works of Erasmus (Toronto: University of Toronto Press, 1985), 1:336-337.

[232] "item doctori Guilhelmo Copp commendavi vos ut filios; qui indubie quod mei amore vobis facere poterit faciet; in quem omnem spem ponite. Quare si quis vos molestet ultra debitum vel si quid vos torquesat, quod nemini dicere audeatis, et omnes necessitudines incombentes eidem doctori propalate uti mihi, qui pater sum. Mitis est, bonus est, aequus est et nullum mihi dubium vobis erit consilio et auxilio. Nolite vereri aliquem hominem, sed ei totum cor aperite et omnes vestros defectus, et, ut spero, vobis providebit in honestis et licitis; ubi autem senserit vos errare, more pii patris vos corripiet et iter rectum ostendet. Cui totis nisibus insequimini." AK 1:203, Johannes Amerbach to Bruno and Basilius Amerbach, Basel, September 24, 1503.

his fatherly roles, as an affectionate authority figure who provided both physical care and moral advice and who ought to be obeyed and imitated in return. The competition between real and surrogate fathers over such roles shows how important and worthwhile medieval Baslers considered them to be.

CONCLUSION: THE USES OF FATHERHOOD

What light have the preceding chapters thrown upon the problem of understanding fatherhood? Rather than advancing a model of fatherly autocracy, this dissertation has explored patriarchy as a contested arena in which individual fathers constantly negotiated with subordinates and superiors in navigating economic, legal, and cultural obstacles to fulfill a variety of obligations. Some fathers failed miserably, but the dissertation has explicated some of the standards at which Baslers were aiming and the ways in which various components were combined with each other. The central structure of the dissertation is the connection between provision and education, but we have also touched upon fathers as recipients of care, healers, discipliners, advisors, image-givers, examples, and protectors.

It might be better to speak of fatherhood in practice and theory than the other way around; the ways that Baslers attempted to implement these ideas in practice fed back into abstract ideals. Baslers connected the day-to-day experience of fostering children with the prescribed responsibility of providing inheritance for them, and they appealed to this connection as evidence even when blood ties also existed. Although inheritance practices can be partially explained by strategies of preserving lineage and accumulating large parcels of wealth, Basler fathers expended effort to arrange recurring incomes as a way of providing for their dependents' ongoing needs, sometimes in the form of in-kind payments such as an inheritance of grain and wine or a bedstead as part of a marriage settlement. They selected from a definite constellation of possibilities for the future of their children, choosing between marriage or a cloister and between lay and clerical careers, including vocational education in their inheritance arrangements. Even moral

education had an intensely practical aspect—both prescriptive and descriptive sources treated the example children drew from their father's actions as more vitally important than the principles they drew from abstract speech. Medieval people saw the pedestrian concerns of clothing and even more importantly food as opportunities for fathers to demonstrate and teach moral conduct while providing for practical needs.

Fathers shared their responsibilities with a variety of other actors, and these other actors were thereby drawn into the rhetorical orbit of fatherhood. Those who fostered children accepted a continuing responsibility to provide for them. Fathers tended to have the largest and most valuable estates to bequeath, but mothers, uncles, and other benefactors also attempted to provide for their dependents through inheritance. Fathers shared their educational responsibilities not only with mothers, but with nurses, tutors, and didactic writers; all of these tended to appeal to fatherly authority in enforcing their directives. Because of this, their contributions to providing for and educating children were largely subsumed into the ideology of fatherly authority.

Despite the many contributions of others, fathers remained the central figures in fulfilling these obligations, both in theory and in practice. The inherited wisdom of the ages and the daily observations of Baslers agreed that fathers were the quintessential examples of provision and education. They thought that the alternative to fatherly provision and protection was poverty and exploitation. They thought that the alternative to fatherly instruction was bestial chaos and ignominy. Fathers occupied a unique place precisely because they stood at the intersection of the various roles they were expected to fulfill. Fathers were thought to combine tender affection for their children with the authority required to instill virtue in them. They were thought to care for the physical

needs of their children while preparing them to face a dangerous world. They were thought to model for their children an intimate, immediate example of virtuous conduct as well as having the power and resources to protect them against present and future eventualities. Because they enfolded all of these abilities in themselves, fathers were irreplaceable. In light of this irreplaceability, late medieval moral and legal authorities attempted to harness fatherhood for their own ends. The increasing appeals to fatherly authority, however, were not an attempt to create something new. In the face of social and cultural upheaval, fatherly authority was a necessary component of any possible solution.

If this is what the experience of fatherhood meant to late medieval people, it must necessarily inform the way we understand the deployment of it as a metaphor in more abstract, theoretical contexts. When Sebastian Brant edited the decrees of the Council of Basel for their first printed edition in 1499, what did he and his readers make of the invocations of fatherhood in the document?[1] We must note that the Council of Basel was notorious for its opposition to papal supremacy; it was the final expression of the conciliar movement, which held that an ecumenical council was the supreme authority in the church. When the delegates assembled in Basel composed their decrees in an attempt to correct church corruption, they chose the metaphor of fatherhood as a way of curbing

[1] The original edition is Sebastian Brant, ed. *Concilium Basiliense: Decreta* (Basel: Jakob Wolff, 1499). It is listed in Pierre L. van der Haegen, *Basler Wiegendrucke: Verzeichnis der in Basel gedruckten Inkunabeln mit ausführlicher Beschreibung der in der Universitätsbibliothek Basel vorhandenen Exemplare* (Basel: Schwabe & Co., 1998), 227). Latin taken from Philippe Labbe, Gabriel Cossart, Nicoláo Coleti, Jean Baptiste Martin, Louis Petit, Giovan Domenico Mansi, eds., *Sacrorum conciliorum nova, et amplissima collectio* (Venice: Antonio Zatta, 1788; repr. Paris: H. Welter, 1904) 29:74-118, http://www.llmcdigital.org/docdisplay.aspx?textid=25478739 (accessed Nov. 30, 2009). English translation taken from Norman P. Tanner, ed., *Decrees of the Ecumenical Councils*, 2 vols. (Washington, DC: Georgetown University Press, 1990), 1:453-591; Tanner provides Latin and English on facing pages.

excessive authority by appealing to concepts which have been discussed in the dissertation.

The council occasionally invoked the metaphor of motherhood, but to starkly different effect than fatherhood. The decree for Session Nineteen began, "As a dutiful mother is ever anxious about the health of her children and is uneasy until any dissension among them has been quietened," so much more was the council anxious to end "the recent discord of the Bohemians and the ancient discord of the Greeks."[2] This metaphor was taken up again years later after the council had been moved to Ferrara. Eugenius IV's bull *Laetentur Caeli*, officially announcing the recently-negotiated union with the Greek church, read, "Let mother church also rejoice. For she now beholds her sons hitherto in disagreement returned to unity and peace, and she who hitherto wept at their separation now gives thanks to God with inexpressible joy at their truly marvelous harmony."[3] Throughout the decrees, the phrase "mother church" was used in conjunction with enfolding all the church's members back into unity. This is consonant with the conciliatory, sympathetic rhetoric that is visible in Barbara Amerbach's letters to her sons.

In contrast, fatherly metaphors were used in different, though still tender ways. A newly elected pope was ordered to spend eight days consulting with other clergy about how to fulfill his responsibilities "and like a dutiful father he should strive with his

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[2] "Sicut pia mater pro filiorum salute semper anxia est, nec unquam quiescit, donec si qua inter ipsos dissensio sit. . . illud recens Bohemorum antiquumque Graecorum diffidium prorsus extinguere." Council of Basel, Session 19; September 7, 1434. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:92; Tanner, *Decrees of the Ecumenical Councils* 1:478.

[3] "'Gaudeat et mater ecclesia,' quae filios suos hactenus invicem dissidentes iam videt in unitatem pacemque rediisse; et quae antea in eorum separatione amarissime flebat, ex ipsorum modo mira concordia cum ineffabili gaudio omnipotenti deo gratias referat." July 6, 1439. Latin text taken from Joseph Gill, S.J., *The Council of Florence* (Cambridge: Cambridge University Press, 1959), 412.

brethren carefully to provide remedies."[4] Two other passages in the same decree said he should "apply to them as to sons remedies which will provide for their benefit and security and for the common good."[5] and that the pope "as the common father and pastor of all. . . should apply salutary medicines, as best he can, for all the illnesses of his children."[6] In three places, the decree linked healing explicitly to fatherly identity, as mentioned in conjunction with Johannes Amerbach's letters.

When laying out guidelines for the reform of provincial administration, the decrees relied upon the idea of father as example. Bishops were ordered to hold a council every two or three years, to avoid simony, and to take seriously their responsibility for pastoral care.[7] Councils should investigate the conduct of bishops and should also investigate the metropolitan, "and the council should explain clearly to him his faults and defects, admonishing and imploring him that since he is called and ought to be the father of others, he should altogether desist from such failings."[8] The logic of the decree was that as a "father of others," the metropolitan's good example was indispensable in securing the good conduct of the bishops.

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[4] "et ubique sicut pius pater cum fratribus suis remediis opportunis diligenter providere studeat." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:110-116 (at 113); Tanner, *Decrees of the Ecumenical Councils* 1:497.

[5] "et tandem in omnibus utilitati et indemnitati ipsorum, ac bono publico, provisionis remedia tanquam filiis adhibeat." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:114. Tanner, *Decrees of the Ecumenical Councils* 1:499.

[6] "Ipse autem summus Pontifex, tanquam communis omnium pater et pastor. . . quam potest omnibus filiorum morbis salutarem conferat medicinam." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:118; Tanner, *Decrees of the Ecumenical Councils* 1:502-504.

[7] Council of Basel, Session 15; November 26, 1433. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:74-78 (at 76); Tanner, *Decrees of the Ecumenical Councils* 1:474-475.

[8] "simili modo de ipso metropolitano circa omnia supradicta diligenter inquiratur, cujus excessus et defectus ipsum Concilium eidem specialiter exprimat, ipsum admonendo et obsecrando, ut, cum aliorum pater vocetur et esse debeat, a talibus omnino desistat." Council of Basel, Session 15; November 26, 1433. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:76; Tanner, *Decrees of the Ecumenical Councils* 1:474-475.

The decree also extended the metaphor of fatherhood to that of a household. "Let [a newly elected pope] begin by reforming and ordering in an exemplary way his house, his household and the Roman curia. . . so that from the visible reform of the church which is the head of all others, lesser churches may draw purity of morals and no occasion may be given for calumny and malicious talk.[9] A later passage in the same decree expounded that "the household, table, furniture and horses of both pope and cardinals should not be open to blame as regards quantity, state, display or any other excess. The house and its contents should be on a moderate scale, a model of frugality and not a source of scandal."[10] The description of a well-ordered household explicitly included the table, in accordance with the acute association of fathers with food as a symbol of the commensal household. This well-ordered household was a sure sign of a responsible leader, and again, the example of the head of the household was vital for the morality of his subordinates.

The decree further mandated that church lands should be

> justly and peacefully ruled with such moderation that the difference between government by ecclesiastics and by secular princes is like that between a father and a master. He should not aim at gain, but cherishing all with paternal charity; he should esteem them not as subjects but as sons and daughters. . . he should not tolerate any austere measure or unjust burden being laid on his subjects' necks. For it would be wicked to allow

[9] "ad ea quae proximiora sunt manum apponens, mox domum, familiam, et curiam Romanam, ubi et prout necessarium fuerit exemplariter componere, veraciterque reformare incipiat, ut ab ejus oculata reformatione, quae ceterarum est Ecclesiarum caput, inferiores Ecclesiae morum hauriant puritatem, nec aliquibus calumniandi ac maledicentiae praestetur occasio." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:113; Tanner, *Decrees of the Ecumenical Councils* 1:497.

[10] "Familia, mensa, supellex rerum et equorum tam Papae quam Cardinalium, nec numerositate, ne fastu, aut pompis, neque aliquo excessu reprehensibilis sit. Ita domum et quae in domo sunt moderate componat, ut alii non scandalum, sed frugalitatis capere exemplum possint." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:119; Tanner, *Decrees of the Ecumenical Councils* 1:504.

> those whom the pope should rule as a father to be treated tyrannically by others.[11]

This passage explicitly contrasted tyrannical rule with patriarchal rule. The difference between the two was that a father was assumed to have the best interests of his subordinates at heart in a way that no other ruler could.

The decree continued, "The supreme pontiff calls himself the servant of the servants of God; let him prove it in deeds. As long as people from all parts have recourse to him as to a common father, he should give them all easy access." He should hold public audience once a week "and shall assist all with kind advice and help as each one has need and as a father does for his children."[12] His identity as a father would be proven in his accessibility, his intimate care and his tender advice to his charges.

The decree concluded that

> if the cardinals ever notice that a pope is negligent. . . with filial reverence and charity they shall beg him as their father to live up to his pastoral office, his good name and his duty. . . Much more so, if it comes to the pope's notice that some cardinal is acting wrongly and reprehensibly, he should correct him, always with paternal charity and according to evangelical teaching. Thus, acting in charity towards each other, one to another, a father to his sons and sons to their father, let them direct the church with exemplary and salutary government.[13]

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[11] "juste ac pacifice gubernentur, tali quidem moderamine, ut inter regimen Ecclesiasticorum ac saecularium principum sic distet, sicut inter patrem et dominum. Non quaestui, sed protectioni ac tutelae intendat, et paterna caritate cunctos fovens, non tarn subditos quam filios existimet. . . Quidquid autem austeritatis seu injusti oneris super cervices subditorum fieri cognoverit, nequaquam toleret. Pati enim impium est ut hi, quos Papa per se paterne regeret, per alios tyrannice tractentur." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:114; Tanner, *Decrees of the Ecumenical Councils* 1:498.

[12] "Sicut servum servorum Dei summus pontifex se profitetur, ita opere comprobet; et, dum ad ipsum tanquam communem patrem undique homines confugiant, adiri se ab omnibus facile permittat. . . cunctisque sicut pater filiis, prout cuique opus fuerit, juxta vires consilio et auxilio provideat benigne." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:115-116; Tanner, *Decrees of the Ecumenical Councils* 1:500.

[13] "Si quando Papam (quod absit) negligentem aut remissum, seu agentem quae statum illius non decent, ipsi Cardinales inspexerint, filiali reverentia et caritate tanquam patrem obsecrent, ut officio pastorali honorique ac debito suo satisfaciat. . . Multo magis, si quem ex Cardinalibus aliquid perperam seu

When the delegates of the Council of Basel set out to correct the abuses they saw in church administration, they called for the pope to act *more* like a father. If the cardinals appealed to the pope as their father, it would inspire him away from any negligence or moral failings. If the pope, in turn, acted with "paternal charity," it would curb any excessive use of his power as well as any misdeeds of the cardinals. The metaphor of fatherly authority was not new; instead, the point here is that when these long-standing ideas were deployed in newly emerging political circumstances, the ways in which they were used reflected precisely the contemporary and everyday experiences of individual fathers and their children. The delegates to the council of Basel saw the affection and duty of fathers as a cure, not merely for individual moral failings, but for the ills of Christendom itself.

How do such whole-hearted endorsements of fatherly authority compare to contemporary attitudes on the subject? I now return to Gilligan and Richards' *The Deepening Darkness*, mentioned in the introduction. Their statements about patriarchy are in fact orthogonal to their main thesis, which is that freedom of sexual choice correlates with ethical resistance, and therefore with democracy, while patriarchy as a system fundamentally opposes sexual choice, conscientious ethics, and "models of equality."[14] They are no more trying to delineate patriarchy than the witnesses before the Basel Schultheissengericht were. Their work is significant here for the underlying concepts that it illuminates. I sought it out as a careful and rigorous articulation of

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reprehensione dignum facientem Papa cognoverit, paterna semper caritate et juxta doctrinam Evangelicam corrigat, ut sic alter in alterum, pater in filios, et filii in patrem caritatis opera exercentes, Ecclesiam exemplari ac salubri moderamine gubernent." Council of Basel, Session 23; March 26, 1436. Labbe et al., eds., *Sacrorum conciliorum nova*, 29:118; Tanner, *Decrees of the Ecumenical Councils* 1:503.

[14] Carol Gilligan and David A.J. Richards, *The Deepening Darkness: Patriarchy, Resistance and Democracy's Future* (Cambridge: Cambridge University Press, 2009), 4.

popular attitudes that are much more widespread as well as being less clearly stated. To restate their depiction of patriarchy, they argue that "a heroic conception of patriarchal manhood" is "the darkness associated with gender."[15] They see the "culture and psychology we call patriarchy as the nerve of the problem."[16] They argue that primordial patriarchal authority, as seen in the *Orestia*, arose from a rupture of intimate relationships.[17] Since humans are "by nature" (that is, according to cognitive psychologists like Gilligan) relational, patriarchal authority is something very evil indeed.[18] In fact, they see patriarchy, whether "Islamic, Hindu, Jewish, or Christian," as a transhistorical "single ideology that wars on our human nature," deforming both men and women.[19] According to them, patriarchy is responsible for "racism, anti-Semitism, puritanism, homophobia" and war.[20] Though Gilligan and Richards do not make any policy recommendations (aside from an implicit claim that legalizing gay marriage is necessary for the preservation of democracy), escape from patriarchy or its obliteration seem to be the only tolerable options.

These attitudes are reflective of much of the current distaste for patriarchy touched upon in the introduction. Patriarchy is equated with tyrannical authority. It is used as the mutually exclusive opposite of affection and relationship. But the intermingling of authority and affection is surely the most central trait of the model of fatherhood examined here. When Gilligan and Richards carefully articulate such

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[15] Gilligan and Richards, *The Deepening Darkness*, 2, 4.
[16] Gilligan and Richards, *The Deepening Darkness*, 19.
[17] Gilligan and Richards, *The Deepening Darkness*, 14-15, 19.
[18] Gilligan and Richards, *The Deepening Darkness*, 193-5, 266.
[19] Gilligan and Richards, *The Deepening Darkness*, 193, 265.
[20] Gilligan and Richards, *The Deepening Darkness*, 4, 12.

underlying attitudes, then, they have not understood literally the first thing about the structure they are demonizing.

Texts like *Adolescentia* or *The Ship of Fools*, and to some extent even the decrees of the council of Basel just discussed, were written with precisely the same purpose as *The Deepening Darkness*: to explain the source for and cure of all the ills that plague contemporary society. This makes comparing the two all the more instructive, because the prescriptions are diametrically opposed. Gilligan and Richards see patriarchal authority as the source of all our problems, while Wimpfeling, Brant and other medieval people saw it as the only possible cure. If the religious reformations of the sixteenth century, for example, failed fully to restore society as the reformers hoped, a medieval observer might well insist that the reformations failed because they failed to reach fathers, who demonstrated little interest in attending catechism classes, much less teaching catechism at home.[21] It was not so much that they sought to *make* fathers into moral authorities as that they thought they inescapably *were* moral examples and instructors of their children, whether they filled that role well or not.

Much of our modern disdain for patriarchy springs from the horrors wrought by excessive, "paternalistic" authority in the early modern and modern eras. When legislating authorities—the coalescing third party visible throughout the dissertation—did manage to harness fatherhood, its rhetoric was used to cover over social double-standards, political marginalization, economic exploitation and a host of other ills. The

[21] Gerald Strauss, *Luther's House of Learning: Indoctrination of the Young in the German Reformation* (Baltimore: Johns Hopkins University Press, 1978), 115-118; Susan C. Karant-Nunn, "Reformation Society, Women and the Family," in *The Reformation World*, ed. Andrew Pettegree (New York: Routledge, 2000), 433-460 (at 451); Amy Nelson Burnett, *Teaching the Reformation: Ministers and their Message in Basel, 1529-1629* (Oxford: Oxford University Press, 2006), 228.

appropriation of fatherly ideology by the state was toxic because the state is structurally unable to experience fatherhood itself. Paternalistic authorities did not and could not have the intimate experience of day-to-day fosterage of their subjects that formed the habit of provision. They did not act as fatherly examples of the values they pretended to espouse. The problem was not that these authorities were too fatherly, but rather that they were not authentically fatherly enough.

To say it another way, the widespread views of which Gilligan and Richards are an example begin with the wish that there were no such thing as hierarchy (ironic, given our age's painfully acute awareness of the insidious persistence of power differentials through any and all permutations of human experience) and set out to abolish what should never have been. Medieval writers began with an acceptance of hierarchy and attempted to shape that authority (ironic, given their age's pervasive naturalization of it) as loving and affectionate, with the best interests of subordinates at heart.

But despite their differences, the two stances agree upon one thing, and that is the primacy of fatherhood. In addition to the vital and indispensable importance of mothers, we keep coming back to fathers. Fathers may be the villains or the heroes, but they are not bit players. Fathers may fail dreadfully, they may cause misery, they may be absent entirely, but they are either the core of the problem or the core of the solution. For all the complexity of society's ills, for all the things that seem as intolerable as they are insurmountable, the answer lies in the most fundamental of relationships. For all of the many desperate needs on every side, we must return to the question of how one generation prepares the next. Repairing the shattered parts of the world, we are sure, must begin with fathers and with the things that they pass on to their children.

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