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# Communities and Conflicts in the Alps from the Late Middle Ages to Early Modernity

edited by
Marco Bellabarba / Hannes Obermair / Hitomi Sato

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*In ricordo di*

*Klaus Brandstätter (1961-2014)*

*zum Gedenken*

# Preface

This volume brings together the proceedings of the international conference "Comunità e conflitti nelle Alpi tra tardo medievo e prima età moderna", held in Trento on March 27 and 28, 2014. It was promoted by the Istituto Storico Italo-Germanico of the Fondazione Bruno Kessler in Trento with the collaboration of the research project "Communication, Conflicts and Order in Medieval and Early Modern Europe" coordinated by Professor Yoshihisa Hattori of Kyoto University, and with the financial support of the Fondazione Cassa di Risparmio di Trento e Rovereto. Over the two days of work there was a convergence of results from the research project initiated at the Istituto Storico Italo-Germanico in 2012, again with the financial support of the Fondazione Cassa di Risparmio di Trento e Rovereto, focused on investigating the way in which ancien régime communities exhibited a singular form of organization of space and political cohabitation in the Alpine area between the Late Middle Ages and Early Modern Period.

In a more operative phase of the project, and in view of the publication of the proceedings, the Istituto Storico Italo-Germanico initiated an institutional collaboration with the Stadtarchiv Bozen / Archivio Storico Città di Bolzano already involved in the scientific organization of the conference. This resulted in the inclusion of the archive, and through them the city of Bolzano, among the bodies organizing the seminar and co-financing the publishing project.

Right from the start the project defined its geographic ambit as a vast tract of Alpine terrain (northern Lombardy, present day Trentino, and Italian and Austrian Tyrol) characterized by its location along zones of intersection between different political and institutional models. These included the commune based system of Italian origin widespread within the Alpine area (for example the cities of Trento, Bolzano, and Merano), and the aristocracy based system originally more common in areas subject to imperial dominion, but which spread rapidly into more southern areas. The study of the "cross-contamination" between these two models was the main aim of the initial archival investigations

conducted between 2012 and 2013, principally by Hitomi Sato, Carlo Taviani, and Alessandro Paris. This interest in the theme of circulation of political-institutional models highlighted the openness of the Alpine model towards the outside, both in a longitudinal sense (from the mountain to the plain and vice versa), and along the transverse lines of communication between cities, valleys, and rural lordships lying within different political spheres.

The study of institutional structures was always conducted in symbiosis with investigation of the forms of conflict, not necessarily viewed as processes of community disaggregation. Ancien régime societies, both rural and urban, were highly permeable aggregations, in which conflicts also represented important occasions for communication and political mediation. This was the reason for giving preference to geographical and temporal contexts that could be classed as "frontiers", since these appeared the most suited for comparing the formal and informal strategies adopted in the resolution of conflicts, strategies that could at times be in competition and at other times strictly bound by official judicial procedures.

The results of the first two years of research provided a basis for the preparation of the conference in March 2014, which was discussed during a seminar held in Trento on January 14, 2013, with the participation of other experts in the sector. As defined by the Scientific Committee (Yoshihisa Hattori – Kyoto University, Graduate School of Letters and Faculty of Letters; Massimo della Misericordia, Università degli Studi di Milano – Bicocca, Dipartimento di Scienze Umane per la Formazione Riccardo Massa; Hitomi Sato, Konan University, Faculty of Letters; Marco Bellabarba, FBK-Isig, University of Trento; Carlo Taviani, Isig-FBK; Alessandro Paris, FBK-Isig; Hannes Obermair, Stadtarchiv Bozen / Archivio Storico Città di Bolzano) the talks delivered at the conference examined the study of community conflict in relation to inclusion within specific areas of sovereignty (city, lordship systems, and states), as well as the penetration of economic ties (the trade and tax collection networks), regulatory models (urban and rural statutes, *Landesordnungen,* decrees of local nobility), and religious institutions (the network of chapels, parishes, and religious confraternities). A valuable additional contribution to the work of the conference was the presentation of papers from Japanese scholars part of the research group "Communication, Conflicts and Order in Medieval and Early

Modern Europe" coordinated by Professor Yoshihisa Hattori and financed by the Japan Society for the Promotion of Science, which enabled an extension of the field of observation to territories bordering on the project's study area (Bohemia and Switzerland), thus providing interesting points of comparison.

The editors of the volume would like first of all to thank the participants at the congress (speakers, session chairpersons, and debaters) for the insightful and enjoyable discussions that enhanced the two days of work. Furthermore, we would like to thank the publishing office of the Fondazione Bruno Kessler for their valuable collaboration in the publishing of the proceedings.

And finally, the editors would like to commemorate their late colleague, Klaus Brandstätter, Professor of Medieval History at the University of Innsbruck, who took part in the research project from its earliest stages and whose participation was foreseen in the program. The serious illness that prematurely ended his life denied us his valuable participation in the discussion of issues in which he was a highly esteemed scholar. With great regret we dedicate this volume to his memory.

*Marco Bellabarba*
*Hannes Obermair*
*Hitomi Sato*

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# Community, Communication, and Political Integration in the Late Medieval Alpine Regions

## Survey from a Comparative Viewpoint

by *Yoshihisa Hattori*

### I. "Kommunalismus" and communication

The Late Medieval and Early Modern Alpine regions seem to illustrate quite significant cases for the comparative study of political integration or state-building in the fourteenth and fifteenth centuries. During these periods, some of these regions show an interesting interaction process between rural communities and growing state power, regardless whether it is monarchical or republican. It is generally accepted that such autonomous rural communities as villages and valley communities (jurisdictional districts) played a crucial role in the development of territorial or regional states. However, such communities could only be influential political partners of the central power when they cooperated with each other by organizing alliances or durable confederations.

When discussing communities and states in the Alpine regions, Peter Blickle's thesis, "Kommunalismus" and "kommunal-bündische Verfassung" retains its cardinal importance[1]. In his highlights of the political function of communities, however, Blickle failed to sufficiently consider the complex structure of the local or rural communities in the Alpine valleys and their mutual relationships. In my view, intercommunal relations and communication in daily life, which also included significant phases of conflicts, settlements, alliances, and confederations, are closely

This research project was supported by the Japan Society for the Promotion of Science (JSPS) KAKENHI Grant Number 21242025.

[1] P. Blickle, *Kommunalismus. Skizzen einer gesellschaftlichen Organisationsform*, 2 vols, München 2000.

correlated with the social and political structure of the region and with the method of the state's integration. In this essay I make a preliminary survey of the communities and the state in the interactive relationships in some Alpine regions in the Late Middle Ages to promote future comparative studies. Although in his impressive book, *Geschichte der Alpen,* Jon Mathieu adopted a broad perspective and comparatively studied the social and political structure, economy, demography, etc. of the western, central, and eastern Alpine regions, the relationship and communication between communities do not seem to be significant factors for understanding the history of the Alps. Nevertheless in a recent article, Mathieu pointed out the importance of a comparative study of the interaction between communities (also unions of communities), the nobles, and state (monarchical) power[2]. Studies by Blickle and Mathieu remain relevant for the historical study of the Alps.

## II. Structure of community in Alpine valleys

Considering the aspect of communication, I will indicate some characteristic points of the communities that formed the base of social and political life in the local societies of the Alps. In Alpine society, community (*Gemeinde* in German) refers to a unit of diverse geographical levels, such as village, a certain district or division, or valley. A large (upper) community (*Großgemeinde*, *comungrande*) usually corresponded to a jurisdictional district and was generally formed in the framework of a valley. A wide-ranging valley community (*Talgemeinde*), which often overlapped the mother parish in early periods, was comprised of several smaller settlements or villages. In a community spreading over a wide area based on a spacious and long valley, as Valtellina situated on Milan's northern periphery, there were multilayered subdistricts in the entire valley (*università di valle*). Therefore, we must at times consider double or multiple strata of overlapping communities that were provided with different autonomy that functioned complementarily[3].

[2] J. Mathieu, *Geschichte der Alpen 1500-1900*, Wien 1998; J. Mathieu, *Gemeinde als sozialer Prozess. Der Freistaat der Drei Bünde 1500-1800*, in F. Hitz - C. Rathgeb - M. Risi (eds), *Gemeinde und Verfassung. Bündner Politik und Gebietsstruktur gestern, heute, morgen*, Chur 2011, pp. 44-45.

[3] As for diverse forms and spatial frames of Alpine communities, see F. Mouthon, *Les communautés alpines et l'État (milieu XIIIe-début XVIe siècle)*, in *Montagnes*

Valley communities, which functioned as districts of jurisdiction and state administrations but enjoyed substantial self-government, represented individual communities to the central government and occasionally stood for a sort of federal entity. Because of the complex construction of valley communities, conflicts frequently occurred inside them, especially between individual communities, but a valley community itself was adequate for settlement, as discussed below. The political initiative of such communities greatly influenced the territorial constitution, as Grisons (*Graubünden*) in the fifteenth century, where political restructuring progressed.

Perhaps valley communities should not be derived from a single source. Undoubtedly, the administrative and judicial districts of influential lordships in the High Middle Ages provided a base of the framework of later valley communities. On the other hand, valleys were a shared space, where the peasants pastured on scattered alps. Rising from a loosening manorial organization, individual communities clearly emerged with the autonomous management of resources for cattle breeding in the twelfth and thirteenth centuries in the western, central, and eastern Alpine regions. Probably in the thirteenth century and after, it became necessary for small communities to arrange and regulate the use of resources more strictly and in wider ranges because of increases of population and intensive pasturing. Presumably parallel to such developments of intercommunal communication, a potential territorial lordship might have tried to organize the jurisdictional and administrative districts, perhaps considering a valley a shared space of peasant life. Although such a rough hypothetical sketch might improve understanding of the dynamic interaction of the development of communities and states, it has not been sufficiently considered[4].

*médiévales* (Actes des congrès de la Société des historiens médiévistes de enseignement supérieur public, 34), Chambéry 2003, pp. 154-157; O. AUGE, *Das Werden von Dorf und Gemeinde. Südwestdeutsche, Tiroler und norddeutsche Befunde im Vergleich*, in K. ANDERMANN - O. AUGE (eds), *Dorf und Gemeinde. Grundstruktur der ländlichen Gesellschaft in Spätmittelalter und Frühneuzeit*, Epfendorf 2012, pp. 11-30.

[4] For the formation and political functions of the valley communities in Tyrol and Vorarlberg, see *Herrschaftsstruktur und Ständebildung*, vol. 3, München 1973, especially the chapter "Täler und Gerichte" by E. BRUCKMÜLLER, pp. 11-51.

This essay discusses the following two main points:

1. conflict, communication, and potential of confederations between communities;
2. interactive relationship among growing communities and their confederations on one hand and the political integration or restructuring of the state on the other.

These two aspects are correlated, but regarding the actual situation, remarkable differences are unquestionably discernible among regions. I roughly categorize the Alpine regions into four groups (A-D) from the above viewpoint and characterize each group as follows:

(A) Communities and their alliances brought about a communal and federal constitution. Under a loose territorial lordship and parallel to or encouraged by the decline and extinction of the important families of local lords in the Late Middle Ages, communities and their unions rapidly obtained the right to exert political influence and leadership in the region, to preserve autonomous customs and practices, and to defend their territory against outside threats. Grisons and Valais in the fifteenth century belong to this group.

(B) Through relatively early organized local administration and the jurisdiction of territorial states, close relationships between central governments and local communities were promoted from the thirteenth century, accelerated by restraining and excluding the power of local lords. Interactive communication between governments and communities was mainly realized in the territorial assemblies (*Landtag*) that were not only composed of nobles and prelates but also by the deputies of the (urban and rural) communities. Tyrol and Vorarlberg belong to this type.

(C) Rural communities were politically active and frequently revolted against local and ecclesiastical lords. Princely power intervened and managed the conflicts and tended to support the communities to put the lords under its control. The cooperation and union of communities for uprisings, however, did not continue or develop into federal organizations. A prince as a dominant territorial lord increased monarchical power; but although the fifteenth and sixteenth century communities enjoyed customary rights, they could no longer be political partners of their princely lords. The western Alpine regions, especially Savoy, show such circumstances. Also in the territory of the Archbishop of

Salzburg after the Peasant Wars, such relationships can be observed between communities and princes.

(D) In the peripheral or boundary areas of powerful territorial states, particularly in the southern Alpine regions, communities enjoyed comparatively great autonomy, although under deputy administrators from central governments. They even made their own political choices by building federal organizations, especially when the central government faced confusing or critical situations. Such political activity of the communities, surrounded by favorable geopolitical circumstances, was discovered in the valleys of the northern Lombardy or southern Rhaetia, as Valtellina, Poschiavo, Leventina, and in Cadore in the boundary area between the Tyrol and Venetian territories.

Since division into these four groups merely provides rough categorization for comparative considerations, the described characteristics are not necessarily confined to each group[5].

## III. Conflict and communication in local communities

Before describing the characteristics of some Alpine regions, I clarify the significance of conflicts and their resolutions in the context of communication among communities and political power. Although individual communities and peasants continually tried to enhance the shared management of pastures and other natural resources in the valley for peaceful use, they often skirmished and at times disputes escalated into armed violence against neighboring communities. These conflicts are encountered in the local records throughout the Alpine regions belonging to the above four groups. A recent study by Fabrice Mouthon shed light on such intercommunal conflicts on the pastures in the western Alps (Savoy, Dauphiné, and Provence),

[5] Fabrice Mouthon's article in 2003 (see fn. 3) undertakes comparative research into Alpine communities and states in the Late Middle Ages, covering Savoy, Dauphiné, and Provence in the west, Valais, Grisons, and Lombardy in the central, and Tyrol, Vorarlberg, Cadore, and others in the east. His description, especially of the Western Alps, is truly illuminating, even though he gives more weight to the viewpoints of the state than that of the communities. As for the eastern Alpine regions, my interpretation of the relationship between communities and states is occasionally different from his.

and Massimo Della Misericordia illuminated a great many cases of feud-like conflicts among communities in Valtellina, in the area around Lake Como, and in the valley of Ossola and other valleys in northern Lombardy in the Late Middle Ages. Also in the *Bündner Urkundenbuch*, we find peace treaties between communities, suggesting the frequency and intensity of conflicts in the thirteenth century in Graubünden[6].

In my view, conflicts and their resolutions among communities represent the process of intensive communication in local societies, and how conflicts are resolved reflect a region's political and social structures. Consequently, conflict resolution and the political autonomy of communities were closely related because the self-government of medieval communities greatly depended on the effectiveness and the intensity of communication within and among them and such communication probably facilitated conflict resolutions by the communities themselves. However, the differences of the economic and social conditions of the communities and the political circumstances in each region caused diverse appearances of the conflict praxis and resolution ways[7]. In addition, conflicts among communities were caused not only by disputes about the use of natural resources but also for such diverse reasons as rivalries over political advantages in the valley. Furthermore, particularly in the western Alps, conflicts between peasant communities and local lords were probably more remarkable and serious than among communities.

[6] F. Mouthon, *Le règlement des conflits d'alpage dans les Alpes occidentales (XIIIe-XVIe siècle)*, in Société des Historiens Médiévistes de l'Enseignement Supérieur Public (ed.), *Le règlement des conflits au moyen âge*, Paris 2001, pp. 260-263; M. Della Misericordia, *Comunità, istituzioni giudiziarie, conflitto e pace nella montagna lombarda nel tardo Medioevo*, in "Mélanges de l'Ecole française de Rome – *Moyen Âge (MEFRM)*", 122, 2010, 1, pp. 139-172; O.P. Clavadetscher (ed.), *Bündner Urkundenbuch*, Chur 2004, vol. 2, no. 592a, 851.

[7] As a way to resolve conflicts between communities (and monasteries), Mouton emphasizes the transition from mediation or arbitration to decisions in princely courts in the Late Middle Ages. F. Mouthon, *Les communautés alpines et l'État (milieu XIIIe - début XVIe siècle)*, p. 160.

## IV. Community, communication, and political integration in the Alpine regions

In the following comparative survey on each of the Alpine regions categorized above, I focus on somewhat different aspects that characterize the communal actions of the regions.

### 1. *Grisons*

According to Jon Mathieu, Grisons is the most remarkable case of the development of a communal constitution in Early Modern Europe[8]. Actually, in this Rhaetian Freestate, temporary or durable political alliances were formed in every level of society and on various scales. These communal, local, and regional alliances were correlated with each other in the process of political restructuring after the extinction or the decline of powerful noble families in the fourteenth and fifteenth centuries. Regarding such political transition in the Three Leagues that constituted Grisons, since many monographs exist, I will only refer to some cases of the formation of intercommunal alliances, considering the multidimensional relationships that are comprised of diverse treaties.

As early as the beginning of the thirteenth century, in *Bündner Urkundenbuch,* documents of conflicts are found on the use of the alps and agreements between communities for safe traffic through valleys and passes. These intercommunal disputes and peaceful agreements were sometimes linked to feuds among nobles, prelates, and cities. At the beginning of the thirteenth century, a conflict between Bishop Arnold of Chur (von Matsch) and Heinrich von Sax (Enrico di Sacco), the bishop and the city of Como, and Chiavenna involved the surrounding valley communities of Schams, Mesocco, Bergell, and Bormio. Even after the pacification between the noble lords in 1219 or 1220, the conflict

[8] J. Mathieu, *Statebuilding from Below – Towards a Balanced View*, in W. Blockmanns - A. Holenstein - J. Mathieu (eds), *Empowering Interactions. Political Cultures and the Emergence of the State in Europe 1300-1800*, Surrey 2009, p. 308. For the following description of Grisons, see Verein für Bündner Kulturforschung (ed.), *Handbuch der Bündner Geschichte*, vol. 1, Chur 2000; R.C. Head, *Early Modern Democracy in the Grisons. Social Order and Political Language in a Swiss Mountain Canton. 1470-1620*, Cambridge 1995; J. Mathieu, *Geschichte der Alpen*, pp. 158-166; O.P. Clavadetscher, *Die Täler des Gotteshausbundes im Früh- und Hochmittelalter*, in *Festschrift 600 Jahre Gotteshausbund*, Chur 1967, pp. 1-42.

among Schams, Bergell, and Chiavenna did not end until 1270[9]. The valley communities negotiated among themselves to pursue their own interests for the favorable use of pastures, somewhat independently from territorial or influential lords.

In the late fourteenth and fifteenth centuries, such assertive action of valley communities developed cooperation to proper alliances and also joined such neighboring unions as the Gray League, which was formed to try and bring peace at the end of the fourteenth century by an alignment of the abbey of Disentis and such noble lords as Rhäzüns, Sax-Misox (Sacco-Mesocco), and others in the area of Vorder- and Hinterrhein. At the beginning of the fifteenth century, the League was consolidated through the participation of the valley communities of Rheinwald, Schams, and Domleschg that had been subordinate to the count of Werdenberg-Sargans. In 1396 these local (valley) communities in the area of Vorderrhein and Hinterrhein formed an alliance with the bishop of Chur and his vassals and valley communities: that is, with the League of the House of God (Chadè) in opposition to the lord of Rhäzüns[10]. Although the valley communities continued to live under feudal rule, they could independently make political decisions as local units and form alliances with other communities or join the League based on the conditions surrounding them.

What circumstances caused the constitution of communal alliance? Since almost all of the influential noble families became extinct in the fourteenth and fifteenth centuries, no mighty territorial lordship existed in any of the areas of the Three Leagues. This transition provoked political chaos and a power struggle among surviving nobles, often under the influence of external monarchs and the state. During repeated conflicts, negotiations, settlements, and alliance formations, the local communities increased their political initiative and influence and particularly in the fifteenth century contributed to communal and federal state-building.

Why and how did communities develop political communication and cooperation in local and interlocal spheres? Since it is beyond the

[9] O.P. Clavadetscher (ed.), *Bündner Urkundenbuch*, vol. 2, no. 592, 592a, 592b, 608; Verein für Bündner Kulturforschung (ed.), *Handbuch der Bündner Geschichte*, vol. 1, p. 189.

[10] Verein für Bündner Kulturforschung (ed.), *Handbuch der Bündner Geschichte*, vol. 1, pp. 277-278.