

Volker Bauer

**Cameralism and Court:**

**The German Discourse on Court Economy in the  
18th Century**

Thesis submitted for the degree of a Ph.D. at the European University  
Institute (Florence)

Jury members:

Prof. Franco Angiolini  
Prof. Peter Claus Hartmann  
Prof. Jochen Hoock  
Prof. Jacques Revel  
Prof. Keith Tribe

Florence, June 1993

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## Introduction

The play *Nicht mehr als sechs Schüsseln*, written by the German author and actor Gustav Friedrich Wilhelm Großmann in 1780, stages a conflict between two different sets of values, represented by the bourgeois court councillor Reinhard on the one hand, and his noble wife on the other.

At the beginning of the drama they argue about the number of dishes to be served for a dinner with noble guests. According to the husband, who - by provision of the marriage contract - has to address his spouse as "*Ihr Gnaden*" ("Your Grace"), six dishes are enough, whereas she insists upon eighteen. Finally the wife relents and reconciliation takes place with the following words:

"Court councillor R.: You would give up your damned stiff ceremonial and be the German wife of a German man, addressing him with *Du*?

His wife: I want to, with all my heart.

Court councillor R.: Let us shake hands and be happier with bourgeois manners and six paid dishes, than Their Honours are with 16 ancestors and 18 borrowed dishes."<sup>1</sup>

Already this short passage makes it quite obvious that there is more at stake than just simply the alternative between six or eighteen dishes at a dinner table. The subject of the couple's argument is really the decision whether to model its household after the bourgeois or the aristocratic pattern. While the former way of life is characterized by informal behaviour and economizing, the latter combines ceremonial bearing and "conspicuous consumption" (Veblen).

In the case of the play, the collision of these concepts takes place within the framework of a family and hence can be solved easily by the wife's giving in to her loved and respected husband. But what about similar conflicts outside a private setting? During the 18th century the problem the Reinhard's faced also occurred on a much bigger scale. At the political level in the early modern states, there was also a clash of two incompatible mentalities and rationalities: Firstly, there were prince and court, and their *raison d'être* was the representation of political power, regardless of any

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<sup>1</sup> Großmann, *Sechs Schüsseln*, p. 26:

"Hofrath R. Du wolltest dein verdammtes steifes Ceremoniel zum Teufel werfen? Eines deutschen Mannes deutsches Weib seyn, auf Du und Du?

Hofrathinn. Das will ich, von ganzer Seele will ich es!

Hofrath R. Schlag ein! und laß uns bey bürgerlichen Sitten und sechs bezahlten Schüsseln glücklicher seyn, als ihro

Hochwohlgebornen Gnaden bey sechszehn Ahnen und achtzehn geborgten Schüsseln."

economic and financial rules; secondly, there was the financial administration responsible for the provision of money by the application of these very rules. In other words, there was a conflict between ceremonial and economy.

One brief example might suffice as an illustration. Karl VII (1742-45) was crowned head of the Holy Roman Empire in a desperate situation of military defeat and political crisis. The pertinent ceremonial took place nonetheless with an overwhelming and costly display. The emperor himself happily commented upon it

*"que de l'aveu de tout le monde jamais de couronnement n'a été plus brillant ni plus magnifique que le mien, le luxe et l'abondance en toute chose aiant surpassé l'imagination."*<sup>2</sup>

At this very moment Karl had already lost the economic resources of his power base, Bavaria, to his enemies, and one can easily imagine how his remark sounded to the ears of the civil servant in charge of his budget. The latter was probably striving to act according to the general rules of contemporary financial science, which among other things stated: "Expenditure must absolutely not exceed revenue."<sup>3</sup>

But such an orderly financial administration was hardly possible under the given circumstances, which are characterized by the fact that two of the central institutions of the early modern states had quite different notions of economy and finance and their political functions. The financial experts called for a policy that was based on the primacy of the public revenues over the expenses in order to achieve a balanced budget or even a surplus. Moreover, the demands of the court formed just one of numerous items, and was not always given the highest priority.

At court, however, the opposite attitude usually prevailed. The economic mentality of the court society was characterized by the primacy of expenditure because its task was first of all the legitimizing of political power by conspicuous consumption.

Nevertheless both sides had to come to terms as - even though the court sphere was normally the stronger party - every monarch and every court and even virtually every courtier had to rely on bourgeois experts for the handling of their financial affairs. The practical financial policy of a monarchy or a noble household therefore depended on the relationship between the noble master and his financial administrator (often called *intendant* or *Rendant*).

This normally imbalanced situation was described by Norbert Elias as follows:

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<sup>2</sup> Heigel (ed.), *Tagebuch Kaiser Karl's VII.*, p. 51.

<sup>3</sup> Zincke, *Grund-Riß II*, p. 349: "*Die Ausgabe muß schlechterdings nicht die Einnahme übersteigen.*"

"This aristocrat-intendant sub-figuration was therefore so constituted that the persons in the more powerful position were bound to pursue an expenditure strategy governed by the primacy of rank and status, while the less powerful, subordinate position had to adopt a strategy, as far as their weaker position allowed, where expenditure was governed by the income of the lord and master."<sup>4</sup>

Elias' remark refers to a single aristocratic household, but the problem it touches upon can easily be transferred to the main subject of this study, i.e. the German territorial states of the 17th and 18th centuries. In their case the central battlefield of the conflicting economic attitudes was - naturally enough - formed by the court itself. *Hofökonomie* (court economy) was a major concern of the period, since the economic and financial management of the princely household was a particularly delicate field, where the interests of the court members and of the financial administration were most likely to clash.

After all, questioning the economic behaviour of the court society aimed at the very basis of their existence and therefore also at the general social and political structure of the *ancien régime* as a whole. Hence the special sensitivity of the courts to attempts at economic reform, which on the other hand were indispensable according to the bourgeois financial experts of the epoch, the *Kameralisten* (cameralists). Being responsible for a balanced budget and, moreover, exponents of an economy of revenues, they had to try to convince the reluctant princes and their courts of the necessity of measures that in the end would affect the very political and social role of the court society.

Hence the debate on court economy was more than a simple technical discussion within the ranks of specialized financial experts, but rather an indicator for the overall acceptance of the court as a social and political institution. It could even imply the questioning of the legitimacy of the entire court society.

From this point of view the discourse on court economy provides us with an important theatre of the conflict between the traditional values of the *ancien régime*, epitomized by the princely courts, and the modern bourgeois notion of state and society. It thus offers the opportunity of describing one aspect of the fundamental societal transformation during the 18th century, marked by the decline of the court society and the formation of the bourgeois society with their respective values.<sup>5</sup>

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<sup>4</sup> Elias, *Court Society*, p. 290.

<sup>5</sup> The definitions of the terms *court society* and *court rationality* in this study are wider than those developed by Norbert Elias. According to him, *court rationality* refers to "historical psychology" alone. It denotes the mental transformation of the aristocracy, which was a result of its "courtization", leading to a "muting of drives"; Elias, *Civilizing Process II*, pp. 281ff; see also *idem*, *Court Society*, pp. 110f. For the meaning of *court rationality* in the context of the present work cf. e.g. the remarks in Volker Bauer, *op. cit.*, pp. 28ff. The term *court society* is used here

This study will analyse the discourse on court economy in order to shed some light on this process. But before the discursive plane can be examined, its substratum must be handled. *Chapter I* therefore describes the subject of the debate itself, i.e. the German territorial courts from c. 1650 to 1800. Their most important feature was the decisive part played by the ceremonial, through which their function and structure were closely intertwined. Ceremonial did not only strictly regulate the interior relations at court, but also fulfilled a twofold political role in the wider setting of the given territory and the Holy Roman Empire. Firstly, it achieved a sacralization of the princely person and rule, and secondly, it displayed the social superiority and political power of prince and court by making them sensuously perceptible through representation in space. Thus the political and social order of the German princely states became sacred and hence unassailable, and at the same time visible by being translated in spatial terms. In short: the princely court formed a kind of sacral space. But the political benefits derived from this device also involved considerable economic costs, which sometimes could even render court splendour counter-productive. As soon as court economy comes into play, the political advantages of court life were likely to be outweighed by its economic consequences. In some cases at least excessive court costs weakened princely rule to some degree.

Only after chapter I has thus accounted for the real relevance of court and court economy, will the pertinent discourse, or rather discourses, be treated. They will be reconstructed with the help of source material, which almost exclusively consists of printed books which do not draw a picture of the reality of the court or of court economy. Rather they are normative sources in that they contain information on, according to their authors, the ideal arrangement of the court sphere. They are, in other words, didactic in character, but as such are informative about how the problem of court economy was perceived and evaluated in the late 17th and 18th centuries.<sup>6</sup>

On this discursive level the conflict outlined above, between court rationality on the one hand, and financial rationality on the other, was expressed by the principal incompatibility of *Zeremonialwissenschaft* (ceremonial science) and *Kameralwissenschaft* (cameralistic science). Since the oeconomics<sup>7</sup> of the *Hausväterliteratur* (writings for the father of the

following *Nell*, Zum Begriff "Kritik der höfischen Gesellschaft", pp. 179f: "In contrast to Elias' definition, the term *court society* refers (...) to the the totality of social life (...) with respect to its being stamped by court and court society."

<sup>6</sup> As to cameralistic texts cf. e.g. *Jenetzky*, System und Entwicklung, pp. 32f and 82; *Schulz*, Das System und die Prinzipien, p. 404; *Stolleis*, Pecunia Nervus Rerum. Zur Staatsfinanzierung, p. 151; see also the remark in *Tribe*, Governing Economy, pp. 10f.

<sup>7</sup> Throughout the whole text the spelling of the words *oeconomy*, *oeconomics* etc., in contrast to *economy*, *economics* etc., is to indicate that these terms are used in the meaning of *householding*, according to the Aristotelian tradition.



house) formed sort of a mediation between the two mentioned sciences, the three chapters II-IV, each devoted to one approach, together make up the systematic core of the whole study.

First *chapter II* handles ceremonial science. Given the significance of ceremonial at the courts of the period, it is small wonder that the pertinent field of knowledge must be seen as the main forum of the general discourse on the court in 18th-century Germany. The relevant writings, published between 1700 and 1778, discuss the court in accordance with the categories to be expected after the information given in chapter I: The court is understood as a sphere, where the individuals are arranged and evaluated according to their respective right to space. The spatial position of the single court members in relation to others and especially to the ruler corresponded to their social rank and sometimes their political influence. In the course of the century, however, this principle of ceremonial science was gradually pushed into the background, and the court ceased to be seen as an analogous, holistic image of the entire polity and society. In this respect, ceremonial science truly reflected the crisis of the court as a model of the political and social order.

*Chapter III* then discusses the intermediate oeconomic discourse, represented by the *Hausväterliteratur*. Books of this genre, which flourished in Germany from the 16th to the 18th century,<sup>8</sup> taught traditional oeconomic, i.e. the art of householding. Their main concern was the interior order of the house, based upon a strict hierarchy among its inmates, whose head was the father. By a simple theoretical operation the oeconomic conception could easily be applied to the princely court too: The court was defined as a princely household in the first hand, and the ruler took over the position of the father of the house. The inclusion of the court into the reasonings of the *Hausväterliteratur* was not only an implicit consequence of the oeconomic approach, but also undertaken explicitly by some authors, especially by Franciscus Philippus Florinus in his *Oeconomus prudens et legalis* (1702/1719).<sup>9</sup> From his point of view the prince was obliged to maintain order at court, just as the father was in his house: The prince himself became a *Hausvater*. Because ceremonial was defined by the oeconomists as one means of securing such an order, the principles of ceremonial science and of *Hausväterliteratur* could be reconciled without difficulty. The structural similarities of both conceptions even allow *Zeremonialwissenschaft* to be interpreted as a special case, a subspecies of the oeconomic discourse. On the other hand, the books on court oeconomic, above all that of Florinus, also took into account general problems of finance and economy beyond the proper court sphere. They tried to integrate the knowledge offered by the *Kameralwissenschaften* of the period into their oeconomic systems. They thus, to a certain extent, bridged the

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<sup>8</sup> Cf. as a bibliography of *Hausväterliteratur* Güntz, *Handbuch der landwirtschaftlichen Literatur* I, pp. 118ff.

<sup>9</sup> *Florinus*, *Oeconomus prudens*, 2 vols.

gap between ceremonial science and cameralistic science. Court economics can hence be understood as the (missing) link between the two opposing approaches.

Since the late 17th century however the tradition of the *Hausväterliteratur* had increasingly been superseded by the conceptions of the cameralists, whose contributions to the problem of court economy make up the subject of *chapter IV*. Cameralism was the form of political economy specific for the early modern German territories. Because court economy had a considerable weight for their overall financial state, the cameralists had to cope with it. Particularly in the era of the great cameralistic textbooks from c. 1730 to 1780<sup>10</sup> the economic and financial management of the princely courts formed part of most relevant treatises. Court economy always held the same systematic position within these works: It was handled as the second part of *Finanzwissenschaft* (financial science), referring to public expenditure. These passages were characterized by a functional attitude on the part of the cameralists, who demanded that expenses were to be made according to their degree of usefulness. Court economy, i.e. court costs, were however largely exempted from these utilitarian rules. This was because the cameralists were unable to develop a cameralistic, economic justification of court expenditure, which instead was legitimized by external arguments, stemming from a different context, namely ceremonial science. Thus even within the cameralistic discourse on court economy the principles of ceremonial science had priority over financial solvency. By their partial adoption the cameralists' attempts to convincingly grasp the problem of court economy failed.

*Chapter V* then concludes the previous reasoning on the discourses by clarifying the causes and consequences of the cameralists' acceptance of parts of ceremonial science. They had no choice but to do so, because due to their social and institutional position they remained dependent on support and favour at court. Hence they did not dare to simply deny the validity of *Zeremonialwissenschaft*, which after all formulated the rationale of the court society. But unfortunately ceremonial and cameralistic sciences were irreconcilable. While the former rested on the theory of the *right to space*, the latter was based on the notion of *function in time*. The incompatibility of both approaches was even recognized by some of the cameralists themselves, who analysed it in linguistic terms. In 1790, for example, Johann Georg Büsch compared the "ceremonial language of the court" ("*Ceremoniel = Sprache des Hofes*") with the "business language" ("*Geschäfts = Sprache*").<sup>11</sup>

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<sup>10</sup> Cf. as a bibliography of the vast production of cameralistic writings comprising more than 14,000 entries: *Humpert*, *Bibliographie der Kameralwissenschaften*; see also the shorter list of the principal works in *Dittrich*, *Die deutschen und österreichischen Kameralisten*, pp. 125ff. On the location of cameralistic books in German libraries cf. *Tribe*, *Locating German Economics*.

<sup>11</sup> *Büsch*, *Fragmente über die Erziehung eines Prinzen*, especially pp. 161ff.

*Chapter VI* describes the debate on court economy outside the context of academic cameralism proper. It starts by showing the contribution of economic arguments to the German court criticism of the second half of the 18th century. Criticism on economic grounds was much more dangerous for the court society than the traditional moral censure, because it aimed at its very *raison d'être*. An explicitly critical attitude to court economy could scarcely be found in the cameralistic textbooks analysed in the previous chapters, but several articles in the journals of the time provide suitable source material.<sup>12</sup> The more their approach was strictly functional, i.e. centered around the economic usefulness of court consumption, the more outspoken was their condemnation of the usual state of court economy in the German territories. The relatively high degree of determination can be partially explained by the fact that the quoted articles, unlike the textbooks, refer to the luxury debate of the period. By linking economic court criticism to the advanced discourse on luxury, a purely economic argumentation became possible, which argumentation was largely free of politics or moral resentment.

The articles in the German journals dealing with *Hofluxus* (court luxury) were on the one hand considerably influenced by the French debate, and on the other hand looked to Britain, where the civil list seemed to have solved the problem of court economy satisfactorily. The second and third parts of the chapter will therefore make a brief comparison of both countries. Although in France, as well as in Britain, relative court costs were much smaller than in most German territories, both monarchies experienced quite fierce discussions on this subject, especially from the 1770's on. In France an increasingly politicised public opinion made court economy a popular target of general political discontent, and similarly in Britain parliamentary opposition made use of the same issue for an attack on Crown and government. In contrast to the French conditions, British politics could however channel the debate on court economy, because there was a functioning national Parliament. The growing parliamentarization of court economy, made possible by the compromise of the civil list, thus prevented the catastrophic consequences of the French model.

During the 19th century nearly all European monarchies took over the successful solution of the civil list. The last part of chapter VI sketches this process in the German states. By the adoption of the civil list, the problem of court economy was not only settled on the institutional plane, but correspondingly ceased to be an issue of economic reasoning. Instead it became a question of public, of constitutional law.

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<sup>12</sup> There are two bibliographies of articles in German journals of the 18th century which are supplied by an index comprising the item *Hof* and its derivatives: *Akademie der Wissenschaften zu Göttingen*, Index deutschsprachiger Zeitschriften 1750-1815 (1990) and *Hocks, Schmidt* (ed.), Index zu deutschen Zeitschriften der Jahre 1773-1830 (1979).

Finally the *conclusion* leads back to the central concern of the whole study, i.e. the conflict between ceremonial court rationality on the one hand, and the financial rationality of the cameralists on the other, in 18th-century Germany. The differences between the two approaches, which prevented a convincing solution of the problem of court economy, will be put in a wider context. The main idea is based on the opposition of the *temporal* and the *sacral/spatial*. The subject of cameralism can be interpreted as the temporal affairs of early modern polity and society, and that in a double sense. Firstly, cameralistic science dealt with the princely state as a form of organization, in which political rule was exercised by administrative actions. Secondly, these actions could only be carried through successfully by planning them in advance; in other words, by planning them in time. The corresponding two antonyms of *temporal* are *sacral* and *spatial*, and this pair of terms expresses exactly the core of court rationality laid down in the maxims of ceremonial science. The ceremonial discourse did not stress the administrative state, but rather the symbolic, sacral side of political rule. And the "expressive nature", the "semiotic aspects" of political authority (Geertz)<sup>13</sup> were concentrated at the courts during the 17th and 18th centuries. Because symbolic action is dependent on visibility, the representation of political power with the help of court life moreover requires its exposition in space. Thus the fundamental, incompatible categories of the temporal and of the sacral and spatial imply the whole problem of court economy.

Together the different parts of this study explore a field of historical research that as yet had less attention than it deserves. Up to now the problem of court economy, of the economic aspect of court society has only been touched on in a handful of classic works, the authors of which are not historians in the strict sense but rather economists and sociologists. Five names especially have to be mentioned in this context: Thorstein Veblen, Werner Sombart, Max Weber, Norbert Elias and, an outsider in this group, Georges Bataille.

In his "Theory of the Leisure Class" (first edition 1899) the American sociologist and economist Thorstein Veblen handles the universal features of the economic behaviour of social élites in a way completely applicable also to the early modern courts. He starts from the assumption of permanent social emulation, especially among the members of the upper classes who are "exempt from industrial occupations", this being the "economic expression of their superior rank". Instead they deal with "government, warfare, religious observances, and sports".<sup>14</sup>

The most important ways of demonstrating their social position are, however, "conspicuous leisure" and "conspicuous consumption" which

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<sup>13</sup> Geertz, *Negara*, pp. 13 and 123.

<sup>14</sup> Veblen, *Leisure Class*, pp. 1f.

both prove the abstention from productive work.<sup>15</sup> Particularly "under a régime of status" these requirements lead to a full "system of ranks, titles, degrees and insignia, typical examples of which are heraldic devices, medals and honorary decorations". Moreover, they are responsible for the high esteem of "manners and breeding, polite usage, decorum, and formal and ceremonial observances generally".<sup>16</sup>

Finally this development brings about the necessity for the upper classes of even more convincing evidence of their superior rank, and that is the maintenance of numerous servants whose main task is to serve as a proof of their masters' wealth and power by "vicarious leisure" and "vicarious consumption".<sup>17</sup> Hence the consumptive behaviour of the élite, which seems to be irrational from a strictly economic point of view, possesses a rational core. The apparent waste turns out to be a purposive strategy, aimed at ensuring a superior social status.

Veblen's conception is very similar to what Werner Sombart has to say about the pre-capitalist understanding of economy. According to him it can be characterized by two principles: Firstly, pre-modern economy is always "*Ausgabewirtschaft*" ("economy of expenditure"), which means the end of all economic activities is consumption; and secondly, this consumption follows the "*Idee des standesgemäßen Unterhalts*" ("idea of a maintenance in accordance with one's rank"), which implies that the expenditure of the consumers must be related to their respective social status.<sup>18</sup>

These general and brief remarks are all that can be extracted from Sombart's writings, because his main work on the relationship of court and economy, the book *Luxus und Kapitalismus* (first edition 1913), deals with the impact of court expenditure on general economic history. Sombart holds court economy to be responsible for the formation of capitalism, as it was the courts' demand that promoted the luxury industry which developed the first enterprises with a capitalist organisation.<sup>19</sup>

Concerning the proper economic rationale of the courts, however, Sombart does not go beyond Veblen's findings, which are also paraphrased by a famous passage of Max Weber's:

"'Luxury' in the sense of a rejection of the purposive-rational orientation of consumption is, to the feudal ruling class, not something 'superfluous', but one of the means of its social self-assertion."<sup>20</sup>

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<sup>15</sup> Cf. *ibidem*, pp. 35ff and 68ff.

<sup>16</sup> *Ibidem*, pp. 44ff.

<sup>17</sup> *Ibidem*, pp. 59 and 68.

<sup>18</sup> Sombart, *Der Bourgeois*, pp. 11f.

<sup>19</sup> *Idem*, *Luxus und Kapitalismus*, especially pp. 202ff.

<sup>20</sup> Max Weber, *Wirtschaft und Gesellschaft*, p. 750 (English translation taken over from *Elias*, *Court Society*, pp. 37f).

Norbert Elias, in his study on "The Court Society" (*Die höfische Gesellschaft*), which deals above all with the political function of the absolutist courts, follows the familiar line of arguments on the problem of court economy. He too emphasizes the rationality of the economic behaviour of the members of the court society in opposition to the modern, bourgeois notion of economy and consequently he quotes the relevant works and remarks of Veblen, Sombart and Weber.<sup>21</sup>

In contrast to the four above-mentioned authors, who simply wanted to make it clear that the orientation of court economy towards expenditure was more than irrational and vain waste, the French philosopher Georges Bataille emphatically praises expenditure and consumption in *La Part maudite* (first edition 1948) and in *La Souveraineté*, which was to form its continuation.

Bataille insists on the incompatibility of the capitalistic and the pre-capitalistic understanding of economy. While the former is based on accumulation, the latter is characterised by an absolute primacy of spending, which manifests itself e.g. in the priority of the sacrifice over the work in the Aztec society<sup>22</sup> or by the Indian *potlatch*.<sup>23</sup>

The key to the understanding of expenses as the center of all economic activities is "sovereignty". "*Économiquement, l'attitude souveraine se traduit par l'usage de l'excédent à des fins improductives*",<sup>24</sup> for, as Bataille goes on,

*"il y eut, dans le monde féodal, une préférence pour un usage souverain, pour un usage improductif de la richesse. La préférence du monde bourgeois fut réservée bien au contraire à l'accumulation. Le sentiment de la valeur qui prédomina dans la bourgeoisie porta les hommes les plus riches, afin de produire, à vouer leurs ressources à l'installation d'ateliers, d'usines ou de mines. Le monde féodal édifia des églises, des châteaux, des palais qui avaient pour fin d'émerveiller. Les oeuvres bourgeoises répondirent à la volonté de multiplier les moyens de production. Une oeuvre immense, l'édification de Versailles, est peut-être la forme plus notable (...), que recut le principe d'une existence noble vouée au mépris de l'activité utile. (...) Je ne songe pas à dire que la révolution avait tort contre Versailles. Mais je ne vois pas non plus de raison de voir en Versailles une aberration et de n'en chercher le sens. Une exigence demeure en nous dont l'attitude bourgeoise est la négation, de cette exigence Versailles est sans doute l'expression déformée, haïssable même, mais il n'en est pas moins l'occasion de bien discerner le foyer d'attraction dans lequel l'orbite du monde a gravité jusqu'à nous. D'un tel foyer, Versailles est loin d'être le seul exemple, mais, pour qui refuserait de voir ce que la splendeur y signifia, l'humanité jamais ne revêtirait cet aspect solaire, limpide et irréfutable qui est celui de la souveraineté. Versailles est*

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<sup>21</sup> Elias, op. cit., e.g. pp. 37ff and 284ff.

<sup>22</sup> Bataille, *La part maudite*, pp. 52ff.

<sup>23</sup> *Ibidem*, pp. 70ff.

<sup>24</sup> *Idem*, *La Souveraineté*, p. 326.

*le symbole de l'ordre que les révolutions, bourgeoises et prolétariennes, ont voulu abolir. Les unes et les autres, les grandes révolutions ont eu pour fin l'abolition de l'ordre féodal, dont la souveraineté est le sens, et dont Versailles donna la forme universelle. J'aimerais en parler d'une manière moins vague, mais j'ai voulu disposer sans attendre d'un symbole familier de l'ordre souverain.*"<sup>25</sup>

This relatively long quotation is given for two reasons: firstly, because it might be less well-known than the relevant passages by the other authors cited above; secondly, because at the end of it Bataille confesses the vagueness of his ideas.

In a sense this admission also sums up the present state of research. Certainly the conceptions from Veblen's to Bataille's were necessary to overcome the bourgeois prejudices about court life, which prevailed throughout the whole 19th century and still influenced historiography even in the 20th. From this angle emphasizing the specific economic values of the court society must be interpreted as an attempt at its rehabilitation. This motivation is clear in the following remark from the pen of Elias:

"The different economic ethos of the court aristocracy (...) was not an expression of the irrationality of these people, their lack of intelligence or even their social 'immorality'. All such explanations of the characteristic attitudes of a whole group of people, which are founded on the specific social structure of the group, in terms of concepts that make them appear as constituent and perhaps even innate peculiarities of particular individuals lead us astray. The regularly recurring ruin of families of the nobility of the sword was just as inherent in the society of the *ancien régime* and in the structure of its upper classes, as the bankruptcy of firms is inherent in bourgeois society."<sup>26</sup>

By working out the rationality of the courtly way of life the verdict was refuted that the courts were a field of gigantic useless extravagance. This "argument of waste" ("*Verschwendungsargument*")<sup>27</sup> was particularly repeated by those German historians who studied the so-called *Kulturgeschichte* (cultural history),<sup>28</sup> which had a sort of monopoly of court history well into the 1960's.<sup>29</sup>

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<sup>25</sup> *Ibidem*, pp. 321f.

<sup>26</sup> *Elias*, op. cit., p. 287.

<sup>27</sup> *Kruedener*, *Rolle des Hofes*, p. 18.

<sup>28</sup> For two reasons the works in this tradition are however still useful: Firstly, they can serve as a quarry of valuable material; cf. especially *Biedermann*, *Deutschland im 18. Jahrhundert* (2 vols., first edition 1854-1858), especially II, pp. 54ff; *Boehn*, *Deutschland im 18. Jahrhundert* (1921), especially pp. 231ff; *Vehse*, *Geschichte der deutschen Höfe* (48 vols., 1851-1860). Secondly, they often grasp surprisingly well what could be called the court mentality. In taking court life at its face value, their "impressionistic" approach indeed seems to be unexpectedly suitable in offering access to the self-interpretation of the court society. Among others the following two

On the other hand however, the contributions of these five theorists raised the issue of a specific doctrine of court economy without explaining it in detail. In other words; they formulated the problem rather than offering the answer. So their reflections represent progress in comparison with the reasonings of the traditional *Kulturgeschichte*, which simply imposed the bourgeois set of values upon the courts.<sup>30</sup> But avoiding this anachronism is only a first step and is not a substitute for a thorough analysis of the early modern notion of court economy.

Even more recent historical research has not produced such an examination, because the pertinent suggestions of the mentioned authors have not yet been looked at seriously.

In principle one could expect the German discourse on court economy to be tackled from two different angles: firstly, in the context of a history of early modern economic thought, i.e., with regard to Germany, of cameralism above all; secondly, in the context of court history in general. But from neither side has the problem been considered.

The earlier studies on cameralism<sup>31</sup> were basically written with the intention of supplying a kind of pre-history of modern political economy.<sup>32</sup> Hence they analysed cameralism with the help of categories which could not meet its particular features,<sup>33</sup> let alone those of court economy. Therefore it is hardly surprising that the problem of the economic or oeconomic aspect of court society did not appear at all in these writings.

The same is true of more recent and theoretically more ambitious works. Hans Maier's study *Die ältere deutsche Staats- und Verwaltungslehre* is restricted to dealing with *Polizeiwissenschaft* (science of police),<sup>34</sup> whose matter has to do with the subjects rather than with the court sphere.<sup>35</sup> The books by Brückner and Tribe in contrast both put cam-

books could be mentioned, both of which owe a lot to the traditional historiography of court life: *Alewyn*, *Das große Welttheater*; *Maravall*, *La cultura del Baroco*.

<sup>29</sup> Cf. e.g. *Volker Bauer*, *Die höfische Gesellschaft in Deutschland*, pp. 26f.

<sup>30</sup> *Winterling*, *Der Hof der Kurfürsten*, pp. 6ff; *Ehalt*, *Ausdrucksformen absolutistischer Herrschaft*, pp. 16ff.

<sup>31</sup> Cf. e.g. *Roscher*, *Geschichte der National=Oekonomik*, pp. 219ff (1874); *Nielsen*, *Die Entstehung der deutschen Kameralwissenschaft* (1911); *Zielenziger*, *Die alten deutschen Kameralisten* (1914); *Sommer*, *Die österreichischen Kameralisten* (1920/25); *Tautscher*, *Staatswirtschaftslehre des Kameralismus* (1947).

<sup>32</sup> A bibliography of and comment on the earlier research on cameralism is supplied by *Dittrich*, *op. cit.*, especially pp. 1ff.

<sup>33</sup> Alternative approaches beyond a simple *Dogmengeschichte* are e.g. developed in *Tribe*, *Land, Labour and Economic Discourse*; and *Krauth*, *Wirtschaftsstruktur und Semantik*.

<sup>34</sup> *Maier*, *Ältere deutsche Staats- und Verwaltungslehre* (1966).

<sup>35</sup> Cf. e.g. *Berns*, *Festkultur deutscher Höfe*, pp. 299f.



eralism into a wider intellectual and institutional context, but also without paying attention to court economy.<sup>36</sup>

An account of this problem is, in any case, most probably to be found in the writings on cameralistic financial science, as court economy was explicitly referred to in the framework of public expenses. Unfortunately the relevant studies handle only, or at least mainly, the cameralistic theory of public revenues,<sup>37</sup> which has no connection to court economy.

Similar observations can be made, on the other hand, with regard to studies on German court culture and court society which do not usually discuss economic and financial aspects.<sup>38</sup> There are however a few exceptions to the rule.<sup>39</sup> One is constituted by Ulrich Christian Pallach's book *Materielle Kultur und Mentalitäten im 18. Jahrhundert* (1987). It treats the economic importance and the social and political functions of luxury in 18th-century France and Germany, including the luxury consumption of the courts.<sup>40</sup> As to German court economy however, this interesting attempt suffers from a fundamental methodological weakness. The intended comparison of France and Germany is claimed rather than actually carried out, because the discussion of German circumstances simply forms a short annex to a detailed description of the French ones, so that the results with respect to the German courts are relatively scanty.<sup>41</sup>

Peter Claus Hartmann's article *Monarch, Hofgesellschaft und höfische Ökonomie* also has to be mentioned. It concentrates on "economy and society in early modern princely capitals", but only provides a general sketch of the problem and may hence serve more as an overview, though an instructive one.<sup>42</sup>

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<sup>36</sup> Brückner, *Staatswissenschaften, Kameralismus und Naturrecht* (1977); Tribe, *Governing Economy* (1988).

<sup>37</sup> Cf. e.g. Mann, *Steuerpolitische Ideale* (first edition 1937); Jenetzky, op. cit. (1978); Schulz, op. cit. (1982); Stolleis, op. cit. (1983). Public revenues are, in spite of its title, also dealt with in Wachenhausen, *Staatsausgabe und Öffentliches Interesse* (1972). It must also be noted that all these works, except for Mann's, are meant as contributions to the history of law.

<sup>38</sup> Cf. also Cattini, *Romani*, *La Corte nella storiografia economica italiana*, where the same lack is noticed with respect to Italian historiography.

<sup>39</sup> Schnee, *Die Hoffinanz und der moderne Staat* (6 vols.) e.g. describes the role of the Jewish court agents (*Hoffaktoren*) as financiers of the German early modern states and courts. This is however a particular problem the discourse on court economy has never touched upon. On the somewhat questionable aspects of Schnee's approach, both ideologically and methodologically, see in brief Salin, *Review*. Cf. also the following works by Selma Stern: Stern, *The Court Jew*; *idem*, *Jud Süß*; and the two more recent case studies: Schedlitz, *Leffmann Behrens*; Gerber, *Jud Süß*.

<sup>40</sup> Pallach, *Materielle Kultur und Mentalitäten*.

<sup>41</sup> Cf. *ibidem*, especially pp. 112f, 148f and 167.

<sup>42</sup> Peter Claus Hartmann, *Monarch, Hofgesellschaft und höfische Ökonomie*.

The other pertinent contributions, apart from Pallach's and Hartmann's, are characterized by the dominance of the Elias-school, which almost exclusively concentrates on the political function of the early modern courts.<sup>43</sup> Due to its "conceptional hegemony" in the German historiography since the 1970's,<sup>44</sup> the relevant monographs and articles also merely examine the political role of court life, thereby neglecting its economic side.<sup>45</sup> Even the most thorough case study, Winterling's analysis of the court of the electorate of Cologne in the 18th century, omits the question of funding and expenditure.<sup>46</sup>

Thus the history of economic ideas and court history both leave blank the discourse on court economy in early modern Germany. In the following study this gap is at least partially filled.

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<sup>43</sup> The founding works of this school are: *Elias*, op. cit. and *Kruedener*, op. cit.

<sup>44</sup> Cf. *Volker Bauer*, op. cit., pp. 34ff; *Winterling*, op. cit., pp. 26ff.

<sup>45</sup> Cf. e.g. the following studies: *Plodeck*, Hofstruktur und Hofzeremoniell; *Ehalt*, op. cit.; *Baumgart*, Der deutsche Barockhof.

<sup>46</sup> Responsible for this lack again is the Elias-school, but in this case *ex negativo*, as the aim of Winterling's study is the refutation of its principal argument regarding the political functionality of the early modern courts: *Winterling*, op. cit., especially pp. 1, 35ff and 151ff.

## Chapter I

### Representation and Prosperity: The Political and Economic Role of the German Courts

The princely court, "a protean institution and an elusive subject",<sup>1</sup> is a universal feature of pre-modern Europe. The direct social environment of a monarchical ruler, his household, formed a sphere in which both the practical exercise and the symbolic representation of power were equally concentrated. But beyond this very general definition European court history is a field of great diversity. Although court society and court culture of the single countries shared some basic characteristics,<sup>2</sup> distinctive periods and areas differed in their patterns.

This is also true of the German courts of the 17th and 18th centuries, which constituted the subject matter of the discourses to be analysed in this study. It will hence have to begin with a description of the historical reality the different positions in the debate on court and court economy referred to. This is the purpose of the present chapter. It is divided into two main parts. While the first one explains the structure and function of German court life in general, the second one assesses the impact of court consumption on the prosperity of the single territories and residence cities in particular.

#### 1. Court Ceremonial

In the period 1648 to 1806 the German courts<sup>3</sup> gained an unparalleled social, political and cultural significance, because "more than ever they became centers of political decisions, economic initiative and cultural

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<sup>1</sup> Evans, *The Court*, p. 481.

<sup>2</sup> Cf. e.g. Elias, *Civilizing Process II*, pp. 6f.

<sup>3</sup> Cf. the following case studies: *Plodeck*, *Hofstruktur und Hofzeremoniell (Anspach)*; *Emma Maria Weber*, *Bamberger Hofleben (Bamberg)*; *Vehse*, *Illustrierte Geschichte des preußischen Hofes (Berlin)*; *Winterling*, *Der Hof der Kurfürsten (Bonn)*; *Czok*, *Am Hofe Augusts des Starken (Dresden)*; *Lampe*, *Aristokratie, Hofadel und Staatspatriziat (Hanover)*; *Straub*, *Repraesentatio Maiestatis (Munich)*; *Fauchier-Magnan*, *Small German Courts (Stuttgart)*; *Ehalt*, *Ausdrucksformen absolutistischer Herrschaft (Vienna)*; *Zimmermann*, *Hofstaat der Fürstbischöfe (Würzburg)*. See also the survey by *Volker Bauer*, *Höfische Gesellschaft in Deutschland* and the following articles: *Baumgart*, *Der deutsche Hof*; *Press*, *La Corte principesca*; *Vierhaus*, *Höfe und höfische Gesellschaft*.

life".<sup>4</sup> This period was not just the last phase of the Holy Roman Empire,<sup>5</sup> but also a distinct stage in the history of German court culture and court society, which has often been labelled as "absolutist" or "baroque" by historiography. Its end only came with the downfall of the *ancien régime* as a whole. Afterwards the court life of the 19th-century was merely a "reflex of general political conditions".<sup>6</sup>

That the year 1648 marks the starting point of a whole era of court history is agreed upon by most modern scholars<sup>7</sup> as well as by the 18th-century writers on ceremonial, who traced back the lavish court culture of their own times to the end of the Thirty Years' War.<sup>8</sup> Another important hint is that around the same date the court began to be defined as an institution separate from the proper state apparatus. Veit Ludwig Seckendorff's *Teutscher Fürsten=Staat* (first edition 1656) clearly indicates the innovative character of this notion:

"In a general sense the court also includes the ecclesiastical and secular institutions of government, consistory and chamber with their staff, and these persons are also regarded as court members. Because, however, they are not at court always and every day and are not fed and maintained there, but have their own houses and households (...), we keep the most common and proper meaning of the word court and understand it as *the whole execution of the offices and services and as the provision, required at a prince's court for the ruler, his wife, his children, and the therefore indispensable servants.*"<sup>9</sup>

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<sup>4</sup> Vierhaus, op. cit., p. 123.

<sup>5</sup> For the general history of the Empire during the period in question cf. e.g. *Michael Erbe*, *Deutsche Geschichte 1713-1790*; *Möller*, *Fürstenstaat und Bürgernation* (Siedler Deutsche Geschichte. Die Deutschen und ihre Nation I) *Press*, *Kriege und Krisen. Deutschland 1600-1715* (Neue deutsche Geschichte V); *Schilling*, *Höfe und Allianzen* (Siedler Deutsche Geschichte. Das Reich und die Deutschen V); *Vierhaus*, *Deutschland im Zeitalter des Absolutismus* (Deutsche Geschichte VI); *idem*, *Staaten und Stände* (Propyläen Geschichte Deutschlands V); *Wehler*, *Deutsche Gesellschaftsgeschichte* I.

<sup>6</sup> *Vehse*, op. cit. I, S. VII.

<sup>7</sup> Cf. e.g. *Kruedener*, *Rolle des Hofes*, pp. 4f; *Sagarra*, *Social History of Germany*, p. 23; *Baumgart*, op. cit., pp. 25f. For an alternative periodization see *Berns*, *Festkultur der deutschen Höfe*, pp. 296ff.

<sup>8</sup> Cf. e.g. *Lünig*, *Theatrum Ceremoniale* I, An den Leser (1719); *Rohr*, *Einleitung zur Ceremoniel-Wissenschaft* II, p. 17 (1727); *Friedrich Carl Moser*, *Teutsches Hof=Recht* I, p. 32 (1754); *Carrach*, *Grundsätze und Anmerkungen*, col. 499 (1757).

<sup>9</sup> *Seckendorff*, *Teutscher Fürsten=Staat*, pp. 587f: "*Es werden zwar sonst in gemeinem verstand unter der Hof=statt auch die geist= und weltlichen collegien der regierung, consistorii und cammer, und alle darinnen bediente mit begriffen, und solche personen auch für hof=bediente geachtet: Demnach sie aber nicht stets und*

The most peculiar feature of the early modern history of Central Europe, the fact that the formation of states took place in the territories instead of on the national plane, of course deeply influenced the courts of the Holy Roman Empire. Unlike England, France or Spain, but comparable to some extent with Italy, Germany did not possess a central court that was able to monopolize social prestige. The "Milky Way" consisting of the numerous secular and ecclesiastical member countries of the Empire<sup>10</sup> accounts for a density of courts not to be found in any other European country. Their number has been estimated at about 300<sup>11</sup> and this multitude comprised extremely different examples, due to the heterogenous structure of the principalities and electorates that made up the imperial organism.<sup>12</sup>

This variety was especially marked after 1648, since the course and outcome of the Thirty Years' War meant that the Empire would never again have the chance of developing into a state with more than a minimum central power. This result played an important role in the development of its courts. In the Peace of Westphalia the German territories were recognized as semi-sovereign states, freed to a large extent from legal and political restrictions on the part of the Empire. From then onwards their princes saw themselves as largely independent participants in the European political system and strived for a manifestation of their recently acquired *Landeshoheit*. This aim required a court life which could meet the level of representation already achieved by the established European powers.

But court life and its splendour was not only addressed to rival princes. It also aimed at documenting the social and political superiority of the princely ruler in his given domestic setting. On this level the aftermath of warfare had likewise improved the position of the princes or electors, since it had considerably weakened or completely ruined their and their courts' political, social and cultural rivals inside a lot of territories. Many rulers seized the opportunity of the lasting state of emergency after 1648 to use their executive power without intervention of the estates. Correspondingly,

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*täglich bey hof zu seyn, noch daselbst gespeiset und unterhalten zu werden pflegen, sondern ihre absonderliche wohnung und haußhaltung haben, (...) so bleiben wir itzo bey der gebräuchlichsten und eigentlichsten bedeutung des worts hof=statt, und verstehen damit die gantze bestellung der ämter und dienste, auch die verschaffung dessen, was in einem fürstl. Hof vor den Landes Herrn, dessen Gemahlin und Kinder, und die allerseits dabey unentbehrliche bedienten, erfordert wird."*

<sup>10</sup> Golo Mann quoted by *Wehler*, op. cit. I, p. 47; a good impression of the political decentralization is given by *Köbler* (ed.), *Historisches Lexikon der deutschen Länder*, especially pp. Xff.

<sup>11</sup> Cf. *Boehn*, *Deutschland im 18. Jahrhundert*, p. 464 and *Kruedener*, *Rolle des Hofes*, p. 10, where the number of 300, and *Winterling*, *Hof der Kurfürsten*, p. 1, where the number of 350 German courts are mentioned.

<sup>12</sup> It might only be noted here that even the imperial abbey (*Reichabteien*) could sometimes dispose of considerable courts of more than 200 people (e.g. Kempten in 1802); cf. *Zückert*, *Die sozialen Grundlagen der Barockkultur*, p. 243.

alternatives to court culture, supported, for example, by the traditional bourgeoisie of the towns or by the nobility of the knights (*Ritterschaft*), lost their attraction in the course of the growing pre-eminence of the princes and their retinue.

Courtly representation thus had a twofold purpose. It was to convince both external and internal competitors, i.e. other princes and the estates, of the sovereignty of the single ruler. This double function results from the double role of the *Reichs-* and *Kurfürsten*, who

"were not only or mainly the top of the social hierarchy of their courts or countries, but as such again members of a society of princes with a hierarchical structure. Within this supraregional formation the single ruler was not primarily the centre and distributor of all social opportunities, but he had to strive for the increase or maintenance of his own reputation in the eyes of the others. Here competition took place, a struggle for power and prestige, for promotion of one's rank, e.g. by the acquisition of a royal crown, and for raising the honour of one's house".<sup>13</sup>

An examination of early modern German court history hence must proceed from the discrimination of two levels. On the one hand, there were the princely households of the different territories, which are the equivalent proper to the royal courts of the great West European monarchies. The princes and electors were the undisputed heads of these territorial court societies and used them to express their political monopoly by a social and cultural one.

On the other hand, however, the modest but lasting political cohesion of the Empire also had its social effects. It meant that the rulers of the single territories belonged to a specific exclusive group, which possessed its own principles and dynamics. So the totality of all the *Reichs-* and *Kurfürsten* together formed the so-called "court society of the Empire" ("*höfische Gesellschaft des Reiches*"), which was fundamentally different from the monopolized court society of, for example, France. There was no central court, but rather a network of communication between the numerous territorial court societies and especially their heads. It was maintained through the continuous exchange of information by mutual visits, court almanachs, correspondances etc.<sup>14</sup> The relatively loose structure of this system reflected the extreme heterogeneity of the territorial court societies. It nevertheless led to the formulation of certain standards of representation that had to be reached in order to be recognized as a fully-fledged member of the princely college. In other words: membership in this group implied an obligation to the maintenance of a court.<sup>15</sup>

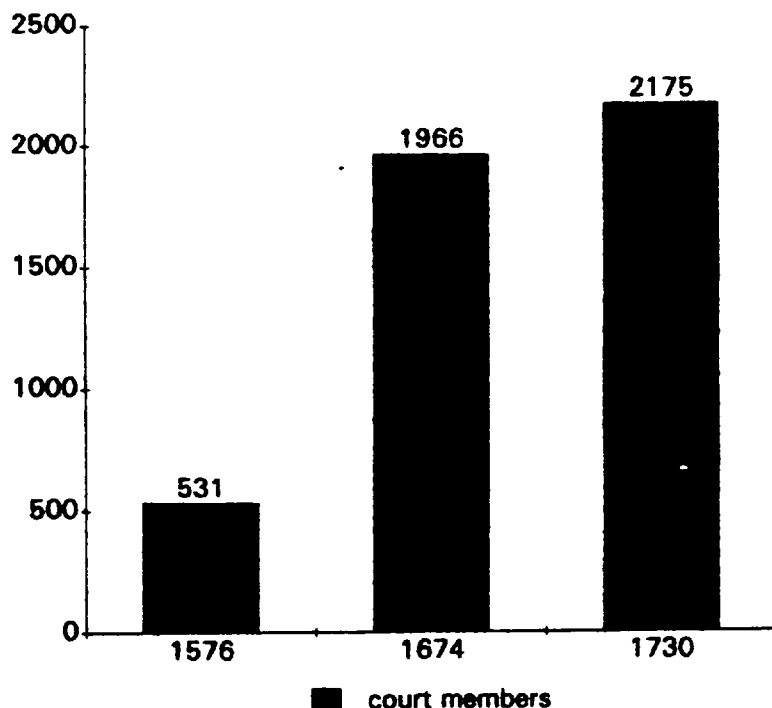
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<sup>13</sup> Winterling, op. cit., p. 154.

<sup>14</sup> *Ibidem*, especially p. 153ff.

<sup>15</sup> Cf. also Straub, op. cit., pp. 3ff.

**Figure 1:** Growth of personnel at the Imperial court in Vienna from the late 16th to the early 18th century



Since the relationships between the single princes were moreover highly competitive, the display of court splendour was regarded as a zero-sum game. The consequence was an ever increasing level of court consumption and building activities, which drew considerably on the financial resources of the territories involved.

In quantitative terms the expansion of the territorial courts made itself felt, e.g. by the number of people employed. The second half of the 17th century especially was a period of real growth.<sup>16</sup> The growth rate of the court personnel was impressive. The highest number of court members can of course be found at the Imperial court in Vienna. In 1576 it comprised 531, in 1674 1,966 persons,<sup>17</sup> and by around 1730 2,175 individuals made up the court.<sup>18</sup> Second only to Vienna were the courts of the two electorates Saxony and Bavaria. At the beginning of the 18th century the court of Dresden already counted over 460 persons<sup>19</sup>, but thirty years later this number had risen to more than 700 people.<sup>20</sup> The

<sup>16</sup> *Kruedener*, op. cit., p. 4.

<sup>17</sup> *Baumgart*, op. cit., p. 29.

<sup>18</sup> *Ehalt*, op. cit., pp. 57f.

<sup>19</sup> *Czok*, op. cit., p. 77.

<sup>20</sup> *Blaschke*, *Umlandbeziehungen Dresdens als Residenzstadt*, p. 148.

court of Max Emanuel in Munich around 1700 consisted of about 2,000 members,<sup>21</sup> a figure that, however, went down to c. 1,400 persons in 1747.<sup>22</sup> The courts of the Palatinate and of Württemberg in the second half of the 18th century were of similar dimensions,<sup>23</sup> and even the smaller principalities maintained courts of several hundred officials: those of Anspach<sup>24</sup> and Hanover<sup>25</sup> e.g. had c. 300 persons each at the beginning of the 18th century, while the ecclesiastical courts of Würzburg<sup>26</sup> and Bamberg<sup>27</sup> some 30 years later comprised between 200 and 250 persons. The court of the electoral bishopric of Mayence grew to between 200 and 400 members in the second half of the 18th century.<sup>28</sup> One has moreover to bear in mind that even the imperial knights (*Reichsritter*) tried to imitate the court life of the princes and electors, though admittedly on a much more modest scale.<sup>29</sup>

Unfortunately a serious estimate of the total of court members in all German territories is not possible due to the present state of research. It is however well established that the quantitative evolution after 1648 made the Empire the area with the highest sum of people belonging to a princely household. The sheer number of German courts of the 17th and 18th centuries accounts for a total of court staff not to be reached by any other single European country, France included.<sup>30</sup>

But the courts did not only grow in size. At the same time court life in the territories overcame its relative backwardness compared to the conditions in West and South Europe. Excessive drinking and crude jokes of the princes at the expense of their courtiers and visitors, both notorious habits at many German courts,<sup>31</sup> were abandoned. But more important than these minor steps was the fact that the courts changed in structure. The fundamental process in this context was the increasing importance and sophistication of etiquette, a thorough ceremonialization of court life.

Ceremonial has generally determined the pattern of early modern court society throughout Europe. Above all it must be seen as a semiotic sys-

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<sup>21</sup> *Kruedener*, Hof und Herrschaft, p. 120.

<sup>22</sup> *Idem*, Die Rolle des Hofes, p. 9; cf. also *Peter Claus Hartmann*, Monarch, Hofgesellschaft und höfische Ökonomie, p. 75.

<sup>23</sup> *Ibidem*, p. 9.

<sup>24</sup> *Plodeck*, op. cit., pp. 52ff.

<sup>25</sup> *Baumgart*, op. cit., p. 29.

<sup>26</sup> *Nottarp*, Vom fürstbischöflichen Hof, pp. 623f.

<sup>27</sup> *Emma Maria Weber*, op. cit., pp. 66f.

<sup>28</sup> *Peter Claus Hartmann*, op. cit., p. 76.

<sup>29</sup> *Kollmer*, Die schwäbische Reichsritterschaft, pp. 196f.

<sup>30</sup> *Kruedener*, op. cit., p. 10.

<sup>31</sup> *Sagarra*, op. cit., p. 32f; *Fauchier-Magnan*, op. cit., pp. 80ff; *Biedermann*, Deutschland im 18. Jahrhundert II, pp. 90ff.



tem,<sup>32</sup> which expressed the very rationale of court society: it turned the princely household into a sacral space<sup>33</sup> by the construction of distinction. Therefore it was not just simply a device employed by the rulers to play off the single court members against each other in order to consolidate their own power as apparently neutral arbitrators.<sup>34</sup> Beyond being an efficient version of *divide et impera*, it actually was a necessary precondition of social intercourse at the early modern courts, for it allowed communication and interaction with or between ruling princes.

The structural inequality of the early modern society, the existence of a formalized differentiation of many social groups with particular rights and privileges, required a corresponding differentiation of manners of intercourse with them. Thus in each case there was a considerable risk of choosing the wrong form of address; this explains the huge literature on civility which flourished in this period. The formalization of behaviour according to the diverse prescriptions served to simplify social relations that were extremely complex due to the different status of the respective partners.

In the special case of princes and courts, however, this formalization, now taking the form of ceremonial, fulfilled an even more basic function, in that communication was thus only possible with and between the prince and his company. The principles of the "representative public" ("*repräsentative Öffentlichkeit*") ascribed a public, "political" character to the monarch, which also influenced the way his court was perceived. Hence ruler and retinue were not regarded as private persons,<sup>35</sup> but rather every single action of theirs had political implications.<sup>36</sup> When communicating with them, they had to be addressed and treated in a manner which took into account this particular quality. Etiquette served as a suitable means to this end, since it was a code especially qualified for the distinction of ranks, as Norbert Elias has made clear:

"In it court society represents itself, each individual being distinguished from every other, all together distinguishing themselves from non-members, so that each individual and the group as a whole confirm their existence as a value in itself."<sup>37</sup>

Ceremonial was thus used for two purposes: as a means of regulating the internal relations at court and of controlling the access to it from outside.

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<sup>32</sup> Cf. *Schlechte*, Nachwort, p. 3; the semiotic aspect of ceremonial was also explicitly referred to in 18th-century writings: cf. *Rohr*, op. cit I, p. 7, and II, pp. 2f.

<sup>33</sup> Cf. *Straub*, op. cit., pp. 44ff; on the sacrality of the princely residence (palace and city) beyond the court as such cf. also *Fantoni*, La città del principe for early modern Italy and *Andermann*, Kirche und Grablege for Germany.

<sup>34</sup> Cf. e.g. *Kruedener*, op. cit., pp. 60ff and *Ehalt*, Zur Funktion des Zeremoniells.

<sup>35</sup> *Habermas*, Strukturwandel der Öffentlichkeit, pp. 19ff.

<sup>36</sup> *Berns*, Der nackte Monarch und die nackte Wahrheit, pp. 334f.

<sup>37</sup> *Elias*, Court Society, p. 103.

The formalized character of ceremonial on the one hand allowed relations with the ruler and his environment, but on the other still made clear their exceptional position. Etiquette served as a necessary medium for any contact with or inside the court sphere.

The specific communicative value of ceremonial can only be appraised adequately, if one bears in mind that the entire court itself can be interpreted as a "semiotic universe",<sup>38</sup> which continuously generated a certain message. It spoke about the ruler as the sole source of political power and social favour and about the sacral foundation of his reign.

In a sense the court life of the 17th and 18th centuries was the heir of the tradition of the great state ceremonials. They had displayed the notion of the sacral nature of princely power<sup>39</sup> on the occasion of the monarchical *rites de passage*. Consecrations, coronations and royal funerals basically took place in the form of a Christian service and usually in front of a crowd; thus the religious basis of secular rule was demonstrated.<sup>40</sup>

But in the 17th century these public spectacles gave way to a more secluded court life, upon which the representative task of the former now fell.<sup>41</sup> It could only be fulfilled sufficiently, if the relatively closed character of the courts was made up for by an all the more efficient employment of their semiotic potential. Extensive representation through state ceremonial was superseded by intensive representation through court life.

One possible means was the use of artistic elements in the court sphere that otherwise could only be found in a religious context, e.g. canopies or balustrades.<sup>42</sup> More important however was the role of ceremonial. Its omnipresence ritualized the courts to an extent which could only be equalled by the church, and thus etiquette became a functional equivalent to Christian liturgy.<sup>43</sup> The analogy between the court and the religious sphere, both using the same language of ritual, created the impression that the prince as the head of the court and the centre of ceremonial was due the same veneration as God. His retinue was arranged around him through cer-

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<sup>38</sup> Schümer, *Der Höfling*, p. 16.

<sup>39</sup> Cf. e.g. the following classical studies: Bloch, *Les Rois thaumaturges* (1924); Kantorowicz, *The King's Two Bodies* (1957); Schramm, *Herrschaftszeichen und Staatssymbolik* (1954-56).

<sup>40</sup> Cf. e.g. Giesey, *Modèles de pouvoir dans les rites royaux en France*.

<sup>41</sup> *Idem*, *Cérémonial et puissance souveraine*, especially pp. 72ff; cf. also Habermas, *op. cit.*, p. 22 and Möseneder, *Zeremoniell und monumentale Poesie*, p. 207.

<sup>42</sup> Kruedener, *op. cit.*, p. 32; Ehalt, *Ausdrucksformen absolutistischer Herrschaft*, p. 101ff. See also Sedlmayr, *Die politische Bedeutung*, *op. cit.*, pp. 137ff and Straub, *op. cit.*, pp. 45f.

<sup>43</sup> Kruedener, *op. cit.* p. 62; Ehalt, *op. cit.*, pp. 101f. Secular court ceremonial and ecclesiastical liturgy serve the same end: Both have to make communication possible between partners who are extremely unequal (prince and subject; God and man). The way out for the weaker side is to act in ritualized form.

emonial in the position of mere worshippers of the princely dignity and sublimity.

As etiquette, moreover, supplied any action of the ruler and the court staff with a second, symbolic meaning, while drastically reducing their accessibility to outsiders, it turned the whole court sphere into a kind of supernatural world, very different from the everyday experience of the prince's subjects.

Together all these elements ascribed sacral qualities to the person of the ruling prince, and thereby to his household too.<sup>44</sup> In that respect ceremonial turned the courts into the main arena in which the sacral foundation of princely rule was preserved right to the end of the *ancien régime*.<sup>45</sup>

The sacral aspect of court life was also manifested by the fact that the passing of time was practically denied by etiquette. The courtly retinue revolved about the prince in the endless, repetitive motion of ceremonial and so time became virtually non-existent at court.<sup>46</sup> The temporal dimension was in any case thrust into the background to make way for the spatial one.<sup>47</sup> Social distinction as the main concern of the court society was translated in distance, hence in spatial terms.

This becomes particularly clear on a topographical level. Most of the great building projects designed for courtly use were realized after the middle of the 17th century outside the traditional capitals. The court left Paris for Versailles and this is only one of a host of examples from nearly every European country. The isolated sites of the new palaces corresponded to the emphasized social exclusivity of the court society living there.

Moreover, their construction in the countryside, where no other buildings needed to be taken into consideration, meant that it was possible to make them the focus of a system of axes converging in the central room of the main building. This pattern is especially marked in those cases where the princely palace is the centre of an entire new capital built around it.<sup>48</sup>

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<sup>44</sup> Cf. e.g. *Kruedener*, op. cit., pp. 30ff.

<sup>45</sup> Cf. e.g. *Straub*, op. cit., pp. 62ff; *Ehalt*, *Zur Funktion des Zeremoniells*, pp. 414f.

<sup>46</sup> *Ehalt*, op. cit., p. 416; see also *Himmelein*, *Selbstdarstellung von Dynastie und Staat in ihren Bauten*, p. 55.

<sup>47</sup> For a general discussion of the relation between courtly and spatial order cf. *Papagno*, *Quondam, La Corte e lo spazio*. *Appunti problematici*; *Frühsoerge*, *Der Hof, der Raum, die Bewegung*; *idem*, *Vom Hof des Kaisers zum Kaiserhof*, e.g. p. 248. See also the conception of the "geometrization" of the courtly space and individuals: *zur Lippe*, *Naturbeherrschung am Menschen*; *Eichberg*, *Geometrie als barocke Verhaltensnorm*, e.g. pp. 28f; *Hinrichs*, *Staat und Gesellschaft im Barockzeitalter*, p. 218.

<sup>48</sup> On these cities cf. "Klar und lichtvoll wie eine Regel"; on the impact of the site of a princely capital on the spatial organization of the surrounding region, which could be turned into a "*Residenzlandschaft*" (Blaschke), see *Blaschke*, op. cit. for the case of

The ground-plan of, for example, Karlsruhe is paradigmatic of this arrangement.<sup>49</sup>

Figure 2: Ground-plan of Karlsruhe (1779/80)



Karlsruhe, founded in 1715 as the capital of the margraviate Baden-Durlach is the clearest German example for 18th-century town-planning centered around the princely palace.

This layout fulfilled a dialectical function, for at the same time it opened and closed the architectural space of the palace and hence the social space of the court. The ruler, placed at the zero point of this coordinate system, could look over his country along the aisles of his palace and his park, both governed by a geometrical order. He alone possessed the privilege of controlling his realm from a central perspective.<sup>50</sup> But the rays from the centre, which laid open the country, were predominantly one-way streets.

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Dresden and Reinhard, *Die Residenz in der Kulturlandschaft Südwestdeutschlands for Southwest Germany*.

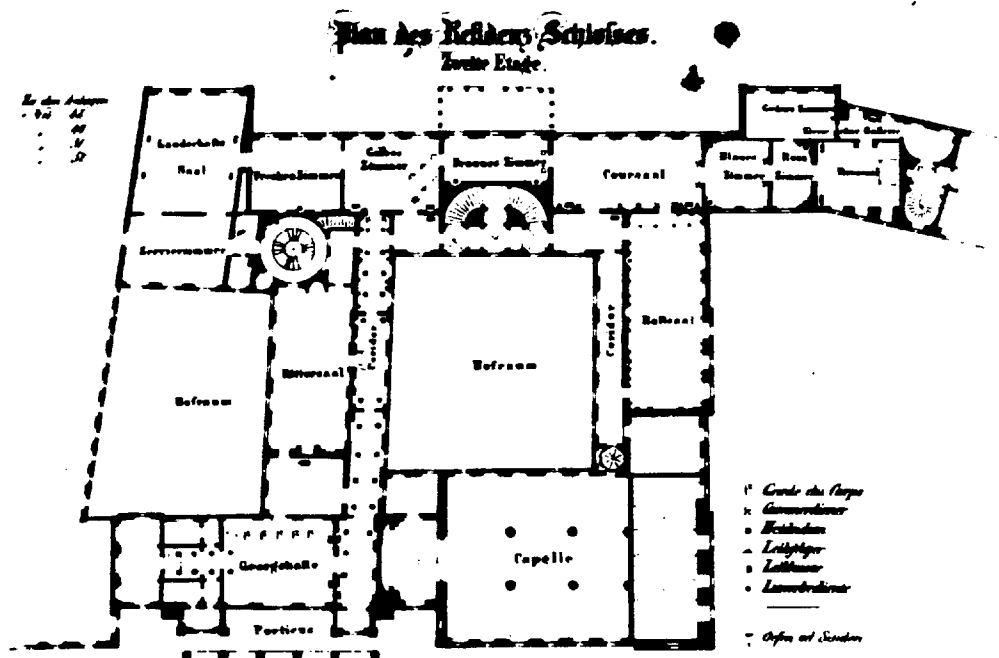
<sup>49</sup> On Karlsruhe cf. *Brünche*, Vom markgräflichen "Lust-Hauß" zur großherzoglichen "Haupt- und Residenzstadt" and *Christina Müller*, *Karlsruhe im 18. Jahrhundert*.

<sup>50</sup> *Zur Lippe*, *Hof und Schloß*, especially pp. 151ff; see also *Himmelein*, op. cit., p. 51.

Access to, or even a view of, the ruler and his court was possible to a limited extent only. The closer the monarch, the more did ceremonial channel the movements and filter the people. Thus ceremonial marked the border between the outside world of the subjects and the inside world of the court.

On the interior plane of a given court there was likewise a close connection of etiquette and palace buildings.<sup>51</sup> The respective "logic" of ceremonial determined the concrete architectural organization of space by the suite of rooms.<sup>52</sup> This accordance has even been regarded as "the Newtonian principle of court history" (David Starkey).<sup>53</sup> It rested upon the fact that the ceremonial code used spatial terms to make evident the social and political order at court in a literal sense. It was visualized by being exhibited in space.

Figure 3: Court and palace as ceremonialized space (1846)



The ground-plan of the royal palace in Hanover is filled by different symbols standing for the positions of lower court servants with ceremonial functions (*Garde du Corps*, *Kammerdiener*, *Heiducken*, *Leibjäger*, *Leibhusar*, *Livrébediente*).

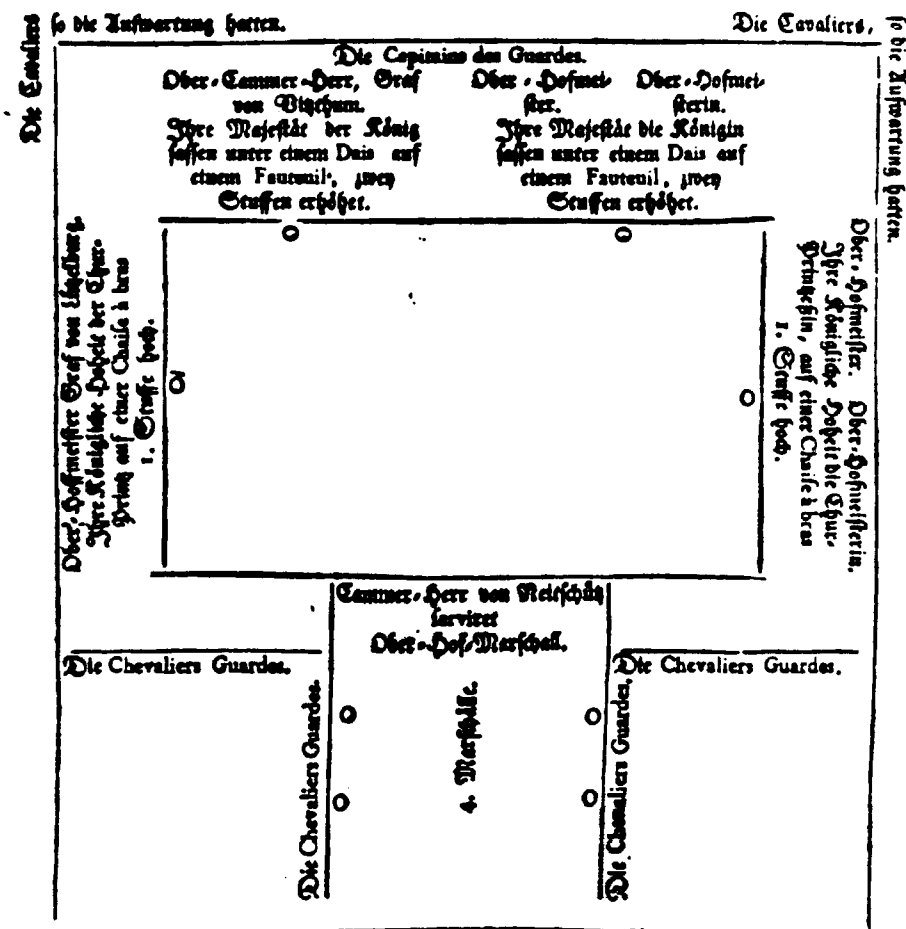
<sup>51</sup> Cf. also *Ehalt*, *Schloß- und Palastarchitektur im Absolutismus*.

<sup>52</sup> *Baillie*, *Etiquette and the Planning of the State Apartments*, e.g. p. 171.

<sup>53</sup> *Starkey*, *Introduction*, p. 2.

Etiquette distributed the courtly space among the single courtiers according to status. Social rank and sometimes political influence could be read by two criteria: on the one hand by precedence in general and on the other by proximity to the prince in particular.<sup>54</sup> The spatial position of the different court members, prescribed by ceremonial, thus corresponded with their social position within the hierarchy of ranks. The court hence forms the one sphere of early modern society in which the characteristic, general representation of social distinctions *via* space was carried through with specific vigour and virtuosity.

Figure 4: The spatial order of table ceremonial (1719)



The drawing presents the seating arrangement on the occasion of a dinner of the royal couple of Saxony-Poland with the crown prince and his consort. It also shows the positions of some higher court officials and the different seats of the two pairs. The ruling majesties sit under canopies on *Fauteuil*s, two steps higher than ground level. The royal highnesses in contrast sit on *Chaises à bras*, only one step above ground level.

<sup>54</sup> *Ehalt*, Zur Funktion des Zeremoniells, p. 412.

Hence it was largely etiquette that ascribed peculiar spatial and sacral qualities to court life. Consequently it influenced the inward structure and outward impact of the courts. The ceremonial organization of the court personnel was the prerequisite for drawing a line between the court sphere and the subjects. Internal discrimination made external demarcation possible and thus the structure and role of the early modern courts were closely intertwined by etiquette. To put it more precisely still: ceremonial expressed distinction with the help of distinction. Perhaps the commonplace *The medium is the message* has never been more true than in this case.

This feature of etiquette provides a perfect example of a special kind of pre-modern communication which has been called analogous in contrast to its digital form. "Digital communication" is performed through signs, the meanings of which are arbitrary, because based on convention. There is no natural connection between *signifiant* and *signifié*. Therefore, unlike its counterpart, digital communication is suitable for dealing with discursive matters. "Analogous communication" proceeds with the help of "symbols, images, gestures which are somehow similar to what they mean" and mainly handles the mutual relations of people.<sup>55</sup>

It was a constituent of the medieval public, which was, apart from analogous communication, generally characterized by the need for sensuous, particularly visual perception. Under these circumstances visibility was necessary if representation was to reach its addressees. The result was a "tendency towards an 'inundation' of the social world (...) by signs, an 'over-semiotization' of the public, particularly of its representatives".<sup>56</sup> The early modern courts with their ceremonial fit this description perfectly.

But the practical use of the elaborate ceremonial code required a particular type of court. Its staff had to be made fit to meet the requirements of etiquette, which implied sufficient training and discipline. Above all, however, a strict hierarchy of ranks had to be established in order to provide the single individuals with specific social values, because then they could function as signs of the ceremonial language. Within the German principalities, courts which disposed of these preconditions only came into being fully as a result of a thorough transformation of the patriarchal princely households of the 16th and early 17th centuries.

The example of the margraviate Brandenburg-Anspach, studied in detail by Karin Plodeck,<sup>57</sup> might serve to illustrate this development. It was based on the organizational separation of court and state apparatus, which began with the exclusion of the staff of the main administrative bodies from being fed by the court kitchen in 1539.<sup>58</sup> Progress was, however,

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<sup>55</sup> Thum, *Öffentlichkeit und Kommunikation im Mittelalter*, especially pp. 79f.

<sup>56</sup> *Ibidem*, pp. 76f.

<sup>57</sup> Plodeck, *op. cit.*

<sup>58</sup> *Ibidem*, p. 65.

slow, so that the definite segregation of court and civil servants only occurs in 1703, in a list of the court personnel.<sup>59</sup>

Parallel to the rising institutional independence, the internal structure of the court of the small South German principality changed. In the early 16th century the princely household gave a picture of "patriarchal unity", since it formed a rather amorphous group of people, which still encompassed the person of the ruler himself.<sup>60</sup> But gradually the court lost its homogeneity. It was divided into several departments with fixed responsibilities<sup>61</sup> and at the same time the social distance between the different kinds of court members grew.<sup>62</sup>

A strict hierarchy of rank was introduced, which distinguished between a rising number of classes: whereas in 1699 six ranks were defined, there were already nine in 1720 and eventually 11 in the second half of the 18th century.<sup>63</sup> The way in which these differences in status were expressed changed correspondingly. Traditionally the individual position of a court member was manifested largely by quantitative categories, e.g. by the amount of wine he was entitled to. In the course of the 17th century, however, social status was indicated more in qualitative terms: now the sort of wine became important.<sup>64</sup>

These steps formed the prerequisites for the rising ceremonialization of court life in Brandenburg-Anspach. Until to the 17th century the household of the Margraves had primarily served the practical needs of the princely family, supplying it above all with food and shelter. But especially after 1648 the function of representation gained priority over provision. The creation of a consequent hierarchy of administrative competence and social rank arranged and disciplined the court staff, until it was capable of acting according to the subtleties of ceremonial. Etiquette turned the court into a smoothly functioning mechanism for the sake of worshipping the person of the ruler. It displayed a new image of rulership, which was no longer characterized by patriarchal care for the country and the subjects, but rather by emphasizing the distance and exclusivity of prince and court.<sup>65</sup>

In that respect Anspach was no isolated case, but only one example of the structural change of German court society taking place in the late 17th century. It can best be described by a typological approach, which links certain models of courtly representation to certain kinds of territories.<sup>66</sup>

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<sup>59</sup> *Ibidem*, pp. 73ff.

<sup>60</sup> *Ibidem*, p. 67.

<sup>61</sup> *Ibidem*, pp. 59, 61ff and especially 72f.

<sup>62</sup> *Ibidem*, pp. 67f.

<sup>63</sup> *Ibidem*, pp. 83f.

<sup>64</sup> *Ibidem*, pp. 124ff and 130f.

<sup>65</sup> *Ibidem*, especially pp. 133ff; see also *Foerster*, *Herrschaftsverständnis und Regierungsstruktur*.

<sup>66</sup> For a typology of German courts in the 17th and 18th century cf. *Volker Bauer*, *op. cit.*



The principalities and electorates of the Empire can be divided into three classes. Firstly, there were the mini-states, mainly Protestant territories e.g. in Franconia and Thuringia. Their rulers hardly had sufficient financial resources to build up splendid courts and so they had but two options to gain a profile within the "court society of the Empire". Either they practised patronage of arts and learning (e.g. as did the duchy of Saxony-Weimar), or they kept to the modest characteristics of court life prevailing during the 16th and early 17th centuries. Thus the mini-states had the choice between two types: the "patriarchal court" ("*hausväterlicher Hof*")<sup>67</sup> and the "scholarly and artistic court" ("*Musenhof*").<sup>68</sup>

Secondly, Austria and Prussia, the two great powers of the Empire, were special cases in court matters too. The Imperial court in Vienna made up a type *sui generis*. It was peculiar alone by its sheer size. The rank of its Imperial head as well as of its court nobility, which even comprised members of princely families from South Germany, was, moreover, without serious rival in the Empire and so the only real challenge to Versailles.<sup>69</sup>

While the Viennese court was, therefore, an important instrument of Austria's foreign policy, Prussia, after 1713, rather relied on her army. The Prussian military, particularly the officers, had become the functional equivalent to the courts in the other German countries. Through the army the nobility of the kingdom was integrated into the state apparatus and at the same time a clientèle was won among the neighbouring, mostly Protestant, princes. As the military had taken over these tasks, the royal court did not play a prominent role in Prussia's political system.<sup>70</sup>

Thirdly, the middle powers of the Empire have to be considered; these can be defined as the electorates (including Prussia until 1713) and some principalities striving for a similar standing, e.g. Württemberg or Hesse-Kassel. Although these princely states could not match Prussia or Austria, let alone the other great European powers, their rulers nevertheless claimed to be independent political factors in spite of limited resources. The suitable expedient was a type of court which brought about equality with the splendid royal households at least on the representative plane. It can be labelled "ceremonial court", since the reign of etiquette was unrestricted.<sup>71</sup> Together with the so-called court ordinances (*Hofordnungen*), which mainly regulated the conduct and responsibilities of the lower court servants,<sup>72</sup> ceremonial governed the everyday life at these courts as well as the festivities. At least as far as the person of the ruler was concerned,

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<sup>67</sup> *Ibidem*, pp. 66ff.

<sup>68</sup> *Ibidem*, pp. 73ff.

<sup>69</sup> *Ibidem*, pp. 63ff.

<sup>70</sup> Cf. *Kunisch*, *Hofkultur und höfische Gesellschaft*.

<sup>71</sup> *Volker Bauer*, op. cit., pp. 57ff.

<sup>72</sup> Cf. the collection of court ordinances by *Kern* (ed.), *Deutsche Hofordnungen* (2 vols.).

even those acts that are nowadays considered very private were carried out according to its principles, e.g. getting up in the morning and being dressed (*lever*). The almost total rule of ceremonial, sometimes regarded as a tyranny by the princes and courtiers themselves, eventually called for different sorts of compensation (stays in pleasure seats, folkloristic forms of entertainment, the *incognito*, seating arrangements by lot etc.).<sup>73</sup>

This model of courtly representation was employed because it built up a splendid facade that was to deceive rival powers about the insufficient political potential of the territories in question. The ceremonial court thus is an outcome of the political patchwork character of the Empire and a symptom of the resulting competitive nature of the relations between its single members. In a period when the political weight of a state was expressed above all by ceremonial -<sup>74</sup> as the numerous quarrels prove-<sup>75</sup>

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<sup>73</sup> Cf. e.g. *Friedrich Carl Moser*, op. cit. I, pp. 274f; *Kruedener*, op. cit., p. 64.

<sup>74</sup> Cf. *Roosen*, *Early Modern Diplomatic Ceremonial*.

<sup>75</sup> One incessant source of ceremonial conflicts was e.g. the dispute between Spain and France about precedence: cf. *Stieve*, *Europäisches Hoff=Ceremoniel*, pp. 85ff and 105ff; *Lünig*, op. cit I, pp. 14ff. Another important issue was the rank of the German electors and their diplomats, who had to cope with the pretensions especially of Venice. There is e.g. a report on an incident at the English court in 1685, in which a young resident of Brandenburg, Johann von Besser, later among the most famous German experts in ceremonial matters, and his experienced Venetian colleague Vignola were involved: cf. *Besser*, *Schriften*, pp. LXVIIIff: "The 12 March (...) gave Besser the opportunity to distinguish himself in a dispute about rank. The evening before the royal master of ceremonies had fixed the mentioned date and a certain hour in the morning for their (...) congratulations to the king because of his accession to the throne. Vignola immediately desired the precedence (...), but Besser stubbornly opposed, arguing that according to his written instructions he would never compromise his elector, because no republic was entitled to precedence over him. Other envoys present intervened and managed to make both promise that the one who at the fixed day would enter the royal antechamber first, was (...) to talk to the king first. When Vignola had gone, the Imperial envoye however (...) told Besser that the Italian was an old cunning fox, who certainly had a trick in his mind already, so that he should beware (...). Besser took heed of that and found a way to stay at court the whole night through, so that at dawn he was in the royal antechamber. Vignola came later, though still quite early, and was surprised to see that the young resident had beaten him. He could not hide his anger and briefly declared to nevertheless claim precedence, although Besser warned him against shame and disgrace. Finally the master of ceremonies came, the audience chamber was opened, and both rivals entered at the same time. Vignola was clever enough to start talking (...) earlier than custom or decorum did normally allow. But since he did not stop in spite of Besser's repeated secret reminders, the latter employed a device from the arts of fencing and wrestling and succeeded in grasping the Italian's trousers with such skill and strength that he could toss him some steps behind. He did so without turning the face from the king on the throne and thus had already finished his address

this type of court was of vital importance for ambitious but small countries. They had only the pretension of power to fall back on and the ceremonial court was an efficient means to this end.

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with complete decency (...), before the other one had gathered himself and recovered from the unexpected surprise. He also wanted to say something, but Besser retired orderly and received the applause of the whole court and all persons present, and (...) even of the king himself (...). The elder one in contrast was ridiculed at by everybody, especially by the Spanish envoy who remarked: *Caro Vecchio, havete fatto una granda cacata!* (Der zwölffte Mertz gab Bessern (...) eine Gelegenheit an die Hand, wegen eines entstandenen Rang=Streits sich hervorzuthun. Der Königl. Ceremonien=Meister hatte den Abend vorher ihm und dem Residenten von Venedig, Herrn Vignola, zu Ablegung ihres Glückwunsches bey dem Könige wegen seiner Erhebung auf den Thron, gemeldten Tag anberaumt und eine gewisse Morgen=Stunde dazu ernannt. Vignola beehrte sofort den Vorzug (...). Besser im Gegentheil setzte sich hartnäckig darwider, mit dem Bedeuten, daß er, vermöge seiner schriftlichen Verordnung, nicht das allermindeste seinem Churfürsten vergeben würde, als welcher schlechter dings keiner Republick den Vortritt zustünde. Einige andre damahls gegenwärtige Gesandten legten sich dazwischen, und brachten endlich beyde dahin, daß sie sich das Wort gaben, derjenige, welcher auf gesetzten Tag eher als der andre in dem Königl. Vorsaal anlangen würde, sollte (...) so dann erst vor dem Könige reden. Der Kayserliche Gesandte aber (...), als Vignola nach Hause gefahren (...) sagte ihm, der Italiäner wäre ein alter durchtriebener Fuchs, er solte auf seiner Hut seyn (...). Besser ließ sich dieses nicht vergebens gesagt seyn, und fand ein Mittel, die gantze Nacht bey Hofe zu verweilen, so daß er mit anbrechendem Tage in dem Königlichen Vorzimmer war, und Vignola, der erst hernach, aber auch sehr frühe ankam, ein grosses paar Augen machte, als er sahe, daß ihm der junge Residente bereits den Paß abgerannt hatte. Er vermochte auch nicht, seinen Verdruß darüber zu verbergen, und erklärte sich kurz, daß er dennoch den Vortritt behaupten würde, ob ihn gleich Besser vor Schimpf und Schande warnete. Der Ceremonien=Meister kam endlich herbey, der Verhör=Saal ward eröffnet, und beyde traten zugleich hinein. Vignola war so schlau, daß er schon (...) eher zu reden anfieng, als es sonst Gebrauch war, oder der Wohlstand leiden wollte. Nachdem er aber, auf Bessers wiederholtes heimliches Abmahnen, nicht schweigen wollte, brachte dieser einen glücklichen Streich aus seiner Fecht= und Ring=Kunst an, und kriegte, ohne das Gesicht von dem auf dem Throne sitzenden Könige abzuwenden, den guten Italiener plötzlich mit solcher Behendigkeit und Stärke hinten an den Beinkleidern zu packen, daß er ihn einige Schritte hinter sich wegschleuderte, und zugleich mit der besten Anständigkeit (...) seine Rede fast schon vollendet, ehe jener sich wiederum zusammen gerafft und von dieser unvermutheten Überraschung sich in etwas erholt hatte. Zwar wollte er noch etwas hersagen, Besser aber zog sich mit der schönsten Ordnung zurück, erhielt des gantzes Hofes und aller Anwesenden, ja (...) selbst des Königes Beyfall (...): der Alte hingegen ward von allen, sonderlich aber von dem Spanischen Gesandten mit diesen Worten verlacht: *Caro Vecchio, havete fatto una granda cacata!*)”

Whereas previously the patriarchal court had been predominant among the German principalities, it was superseded during the last decades of the 17th century by the ceremonial pattern, at least in those countries which could afford it. The ceremonial court thus prevailed within the court society of the Empire in the period from c. 1680 to 1740.

Then another type, the "sociable court" ("*geselliger Hof*") gained at the expense of the ceremonial pattern of court life.<sup>76</sup> In many respects the new model was the complete opposite to the former. It preferred an intimate, informal way of sociability which largely renounced the application of etiquette. Thereby court life lost its political implications, since it simply served as the frame for the leisure time of the ruler. There he enjoyed his private life, seeking relaxation from the efforts of his princely profession.<sup>77</sup>

Thus in spite of the principal simultaneity of the five types (*Musenhof*, Imperial, patriarchal, ceremonial, sociable court) during the major part of the 18th century, one can nevertheless discern a diachronical development, which was constituted by the sequence of popularity of the three last court paradigms forming the conceptional core of the whole typological model. There were certain times, when the "court society of the Empire" clearly preferred one to the two others.<sup>78</sup> The patriarchal, ceremonial, and sociable court hence each represent a kind of stage in German court history after 1650.

Yet ceremonial remained an important element of the German court society and court culture throughout the whole of the 18th century.<sup>79</sup> There were famous, or rather notorious, examples of the ceremonial type in the second half of the 18th century, provided by the courts of Karl Eugen of Württemberg (1737/44-1793) and Karl Theodor of the Palatinate (1742-98).<sup>80</sup> The sociable court, furthermore, was defined mainly by its relation to ceremonial, though in this case by its absence, so that the court history of the period from 1648 to 1806 cannot be understood without referring to ceremonial.

It is indeed by the latter that the entire era gains its cohesion. The decades after the Peace of Westphalia witnessed the rise of etiquette, the reign of which was almost absolute in the late 17th and early 18th century, until it had to be defended after 1740 against a new sociability. Thus the time studied here is identical with the period of the hegemony of ceremonial intercourse - though it was never completely undisputed -, and that not only in a court context, but also with a strong impact on the whole society.

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<sup>76</sup> Cf. Volker Bauer, *op. cit.*, especially pp. 77f.

<sup>77</sup> *Ibidem*, pp. 70ff.

<sup>78</sup> *Ibidem*, e.g. pp. 77f and 109.

<sup>79</sup> On the the importance of ceremonial in the 18th century in general cf. Gerteis (ed.), *Zum Wandel von Zeremoniell und Gesellschaftsritualen*.

<sup>80</sup> Volker Bauer, *op. cit.*, pp. 92f

Ceremonial therefore is *the* key to the interpretation of the early modern courts, and in particular of the German ones even of the late 18th century. It contains their proper *raison d'être*, their rationality. They served for the spatial representation of the sacral character of monarchical rule. Thus they displayed the underlying principle of the whole political and social order, namely inequality, by creating distinction. Court and ceremonial laid this foundation open to sensory experience.<sup>81</sup> They testified the sublimity and dignity of the single ruler both on the domestic plane, comprising the subjects and estates of his territory, and on the inter-court plane, constituted by his colleagues.

The court hence can be seen as the place where the staging of political power and social superiority took place. But the actors had to avoid the impression of mere play-acting in spite of the close affinity of court life and theatre.<sup>82</sup> If the claim of princes and courtiers to obedience and submission were to be credible, the subjects had to believe in the seriousness of what they were offered in dramatic form. In this context an episode which took place during the coronation of Friedrich I of Prussia in 1701 gains in significance. The future king had minutely planned the ceremonial procedures and took their exercise quite seriously. His wife Sophie Charlotte however felt the whole solemn ritual to be extremely boring and so she diverted herself by taking snuff. Her husband was not amused at all.

The different behaviour of the royal couple marks "the point of fracture between the old notion of the holyness and dignity of kingship and the new world of enlightenment",<sup>83</sup> for a convincing use of ceremonial implied that it was not revealed as mere propaganda by the court society itself. Friedrich obviously understood better than his consort that there was more at stake than a simple outward performance. The court was the indispensable evidence of the princely rank of its head. Court splendour was to demonstrate that the ruler indeed belonged to the exclusive class of the princes and electorates supplied with *Landeshoheit*, as he was able to fulfill the representative requirements demanded by and from the members of this group.<sup>84</sup>

Representation however is a term with a wide range of meanings,<sup>85</sup> and so it might be necessary to further define its features within the discussed context. This will be done by the application of the discrimination between analogous and digital communication to political representation. "Digital representation" is an apt term to describe the modern parliamentary procedure. The entity to be represented (the "people" or "nation") is divided into single units, the individual votes of which all possess the same value and

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<sup>81</sup> Berns, *Der nackte Monarch und die nackte Wahrheit*, pp. 334f.

<sup>82</sup> Cf. e.g. Tintelnot, *Die Bedeutung der "festa teatrale"*.

<sup>83</sup> Baumgart, *op. cit.*, pp. 32f.

<sup>84</sup> Cf. again Straub, *op. cit.*, pp. 3ff.

<sup>85</sup> Cf. e.g. Hofmann, *Repräsentation*; Podlech, *Repräsentation*; see also Schmitt, *Repräsentation und Revolution*.

together decide on the composition of the representative body. "Analogous representation" in contrast depends on a completely different principle,<sup>86</sup> namely on drawing a holistic picture of what is to be represented. The court is a good illustration of this operation, for it forms an image of the entire societal order, though on a smaller scale. The hierarchical structure of early modern society and polity is truly reflected by the construction and organization of court society, but, due to the expressiveness of court life in general and ceremonial in particular, as it were in a concentrated, more intense manner. From this angle the courts had one main purpose: they served for a sacral, spatial, holistic, analogous representation of the early modern order as a whole.

## 2. Court Economy

But filling the physical space with palaces, gardens and works of art, and the social space with a crowd of representative court officials was very costly. Analogous representation had to be paid in a digital unit, in money. Therefore the quantitative growth of the court personnel after 1648 led to a similarly impressive rise of absolute and relative court expenditure.<sup>87</sup> Some data prove this "*Wirtschaftswunder* for nobility and princes".<sup>88</sup>

The court of the emperor in Vienna in the second half of the 16th century consumed 224,277 fl.; one century later this amount had risen to about 500,000 fl. and within one decade (from the 1660's to the 70's) it grew to double the size. Around 1700 the court expenses totalled

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<sup>86</sup> Cf. also the somewhat similar observations in *Burke*, *The Fabrication of Louis XIV*, pp. 127f.

<sup>87</sup> The contemporaries observed the rise of court costs and mostly attributed the financial crisis of the territories to it; cf. only *Wiegleb*, *Review*, p. 394, where the 1770's are characterized as a "time in which so many German princes have (...) opened a door to waste at their courts; in which the countries are drowning in debts; in which the subjects are kept in poverty, so that they have populated foreign continents (...), where they enjoy fertility, tranquility and property; in which Imperial law courts are overburdened with execution proceedings; and in which the estates of some provinces have to act as trustees and administrators of their princes and of their (...) taxes, which, though often been raised with difficulty, have often been used for mistresses, castrates, and dancers (*Zeit, da so viele Fürsten Deutschlands (...) der Verschwendung an ihren Höfen Thür und Thore geöffnet haben; da die Länder in Schulden versunken sind; da die Unterthanen in Armuth geschwelgt worden, die (...) fremde Welttheile bevölkert haben, wo Fruchtbarkeit und Ruhe und Eigenthum ihrer wartete; da die Reichsgerichte mit Executionsprocessen überladen sind, und Landstände mancher Provinzen Curatores und Administratores ihres Prinzen und ihrer (...) oft schwer herbeygebrachten Steuern werden müssen, weil diese oft an Maitressen, Castraten und Tänzer verwendet worden*)".

<sup>88</sup> *Dreizel*, *Absolutismus und ständische Verfassung*, p. 15.

4,000,000 fl. according to the study of Ehalt.<sup>89</sup> The accounts of Dickson seem to be more reliable, but they only start with the budget year 1729. For this year he gives court expenses of 2,633,365 fl. (12.4 % of the total expenditure); 20 years later the corresponding figures are 1,931,228 fl. and 6.6 %, and again 20 years later 2,919,447 fl. and 7.0 %. From 1770 to 1778 they had risen from 3,795,539 (9.1 %) to 3,935,480 fl. (8.2 %), before they decreased considerably to 838,574 fl. and 1.7 % under the economical Joseph II in 1784.<sup>90</sup>

A higher share still was consumed by the courts of smaller territories. In 1701 26 % of the whole Bavarian budget was used for court demands; about the same ratio can be observed 70 years later.<sup>91</sup> For 1777 and 1792 the court's share however fell to 17 % and 19 %.<sup>92</sup> The court of the Palatinate in 1775 consumed c. 36 % of the overall expenditure of 1,6 million fl.<sup>93</sup> In Hanover at the beginning of the 18th century the court swallowed up one half of the chamber's budget,<sup>94</sup> whereas in Baden this figure was surpassed at the end of the century: In 1769-71 the court costs comprised 63 % of the whole state expenditure and in 1789-97 48 %.<sup>95</sup> The small principalities of Nassau-Usingen and Nassau-Saarbrücken likewise spent a considerable percentage for their courts. In the former case it rose from 27.4 % (1735) to 40.5 % (1750) and later fell back to 36.1 % (1774), 28 % (1781) and finally 28.8 % (1800).<sup>96</sup> The corresponding figures for Saarbrücken show similar conditions: Between 1759 and 1763 a share of between 34.1 % and 39.7 % of the public expenses were caused by the court.<sup>97</sup>

The ecclesiastical courts were not left behind: the most prominent one among them, Mayence, used up 273,826 fl. in 1785, which accounted for 12 % to 22 % of the overall revenue of the electorate.<sup>98</sup> Much more, namely 50 % of the chamber's budget were spent for the court of the bishopric of Würzburg in the 1740's,<sup>99</sup> whereas the neighbouring court of Bamberg half a century earlier with its c. 35,000 fl. used up 15 % of the

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<sup>89</sup> Ehalt, *Ausdrucksformen absolutistischer Herrschaft*, pp. 57ff.

<sup>90</sup> Dickson, *Finance and Government under Maria Theresia II*, pp. 385f.

<sup>91</sup> Peter Claus Hartmann, *op. cit.* p. 80; cf. also the data in Baumgart, *op. cit.*, p. 29, according to whom 55 % of the whole Bavarian budget of 1,360,000 fl. were spent for the court in 1701, and 36 % of 2,120,000 fl. in 1750.

<sup>92</sup> Ullmann, *Staatsschulden und Reformpolitik*, p. 55.

<sup>93</sup> Mörz, *Aufgeklärter Absolutismus*, p. 260.

<sup>94</sup> Baumgart, *op. cit.*, p. 29.

<sup>95</sup> Ullmann, *op. cit.*, pp. 254f.

<sup>96</sup> Bleyemehl-Eiler, *Wiesbaden 1690 bis 1866*, p. 402. The given percentages however refer to public revenues.

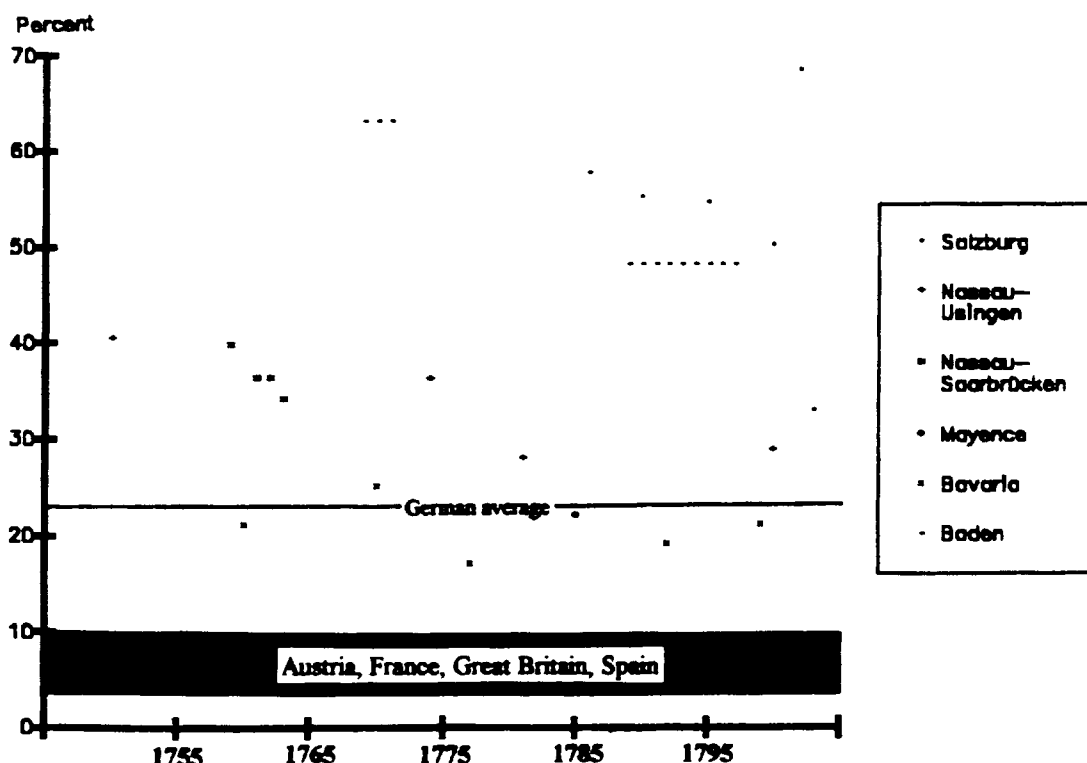
<sup>97</sup> Klein, *Staatshaushalt des Fürstentums Nassau-Saarbrücken*, pp. 250f.

<sup>98</sup> Peter Claus Hartmann, *op. cit.*, p. 80.

<sup>99</sup> Wild, *Staat und Wirtschaft*, p. 110.

entire expenditure.<sup>100</sup> Finally the case of Salzburg might still be mentioned: between 1786 and 1802 the court costs made up more than one half of the charges on the chamber's treasury.<sup>101</sup>

**Figure 5:** Share of court costs in total public expenditure (2nd half of 18th century)



As all the above-mentioned figures are based on different kinds of sources and estimates they cannot be compared to each other directly.<sup>102</sup> But at least they give an impression of how high the relative and absolute court costs were in the German cases. The general rule that runs that court expenditure in early modern Europe never amounted to more than 10 % of the whole budget certainly did not apply to them.<sup>103</sup> Among the German examples for which relevant data have survived only the Austrian and the

<sup>100</sup> Caspary, *Staat, Finanzen, Wirtschaft und Heerwesen*, p.379.

<sup>101</sup> Dirringer, *Staatliche Finanzwirtschaft im Erzstift Salzburg*, p. 565. The given percentages, however, refer to public revenues.

<sup>102</sup> The structures of the financial administration and the practice of accounting of the *ancien régime* render most attempts at precisely reconstructing the budgets of the early modern territories futile. Cf. for a detailed discussion of the Bavarian example Rauh, *Verwaltung, Stände und Finanzen*, pp. 183ff.

<sup>103</sup> Witzleben, *Staatsfinanznot und sozialer Wandel*, pp. 26f.



Prussian court<sup>104</sup> did not exceed this mark for the major part of the 18th century. Around its end the average distribution of public expenses in all the territories of the Empire are said to have shown the following pattern: 38 % were military costs, 25 % costs of the civil administration, 14 % were used for the repayments of debts, and 23 % were court costs.<sup>105</sup>

The economic consequences of court expenditure are difficult to assess, as relevant studies hardly exist.<sup>106</sup> It is clear that the generous financial supply of the courts had become necessary to a large extent because of the growth of the court staff. The salaries of the numerous servants and officials were an important item.<sup>107</sup> The individual consumption of the court members and their families has however not so far been analysed. It is nevertheless possible to evaluate the role of the courts with regard to the respective territorial economies by seeing them as collective consumers of goods, agricultural as well as industrial ones.

This is more than just a truism, as for many products the courts not necessarily had to rely on market mechanisms. They were primarily households - though princely ones - and as such they too were subjected to the economic rules in the traditional sense. And economy meant the proper conduct of a household that in theory was autonomous, hence self-sufficient in economic terms.<sup>108</sup> Indeed even a cameralistic classic like Seckendorff's influential *Teutscher Fürsten=Staat* gave the advice of primarily using foodstuff and raw material for the court's need that stem from the production of the princely domains and the prestations paid by the subjects in kind.<sup>109</sup>

The later cameralists too maintained the principle that certain sources of revenues, namely those from the domains, which largely accrued in kind, should be consumed directly by the court,<sup>110</sup> especially by its kitchen.<sup>111</sup>

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<sup>104</sup> On Prussia cf. *Baumgart*, op. cit., pp. 29f; *Kunisch*, op. cit.; *Behre*, Geschichte der Statistik, especially pp. 92ff. Before 1713 however Prussian court costs made up 20 % of the whole public expenditure: see *Vehse*, op. cit. I, pp. 127f.

<sup>105</sup> *Henning*, Deutsche Wirtschafts- und Sozialgeschichte I, pp. 909f.

<sup>106</sup> Cf. though *Peter Claus Hartmann*, op. cit.

<sup>107</sup> According to documents on the budget of the duchy of Wolfenbüttel the salaries of the court personnel made up 15-30 % of the whole court costs from 1750 to 1770; cf. *Niedersächsisches Staatsarchiv* Wolfenbüttel: 71 Alt 138. The court of Wiesbaden respectively spent 10.9 % (1735), 7.5 % (1750), 19 % (1781), and 14.4 % (1800) of its expenditure for salaries of the servants; cf. *Bleymehl-Eiler*, op. cit., p. 402.

<sup>108</sup> Cf. the classical study of *Brunner*, Das "ganze Haus" and *Tribe*, Governing Economy, pp. 22ff.

<sup>109</sup> *Seckendorff*, op. cit., pp. 380f and especially 594.

<sup>110</sup> *Schulz*, Das System und die Prinzipien, pp. 191f.

<sup>111</sup> The kitchen expenses generally were among the most important items of the court expenditure. In the case of Wolfenbüttel in 1750/51 about one third of the whole

So the real extent to which a court acted as a buyer of agricultural goods on the domestic market was, among other factors, very much dependent on the tax system of the given territory. Only rather late can a text be found where the priority of the purchase of these goods on the market is explicitly advocated, i.e. Johann Christoph Erich Springer's *An einen teutschen Hofmarschall* from 1774.<sup>112</sup>

The results of a study on the impact of the court of Ansbach on the constitution and economy of the correspondent princely capital provides the information necessary to return from this short excursion into cameralistic financial theory back to economic reality. They establish quite firmly - at least for the territory in question - that during the century after 1648 the court in fact was "almost completely self-sufficient" on the agrarian sector.<sup>113</sup> This is true for the supply of grain and flour and of meat and fish as well as of beer and wine. Only some articles, especially luxury goods such as crayfish and foreign wine, had to be acquired on the market.<sup>114</sup>

After this single case the following paragraph concerning the economic consequences of the court consumption for the industrial sector will again be of a more general character. It will mainly deal with the institution of the court artisan (*Hofhandwerker*). First of all, this denotation is a juridical rather than an economic technical term that was employed as a collective name for those artisans who worked within the court context under different legal statutes.<sup>115</sup>

Whereas in some cases it was simply a honorary title indicating the special favour of the prince or the court for a certain craftsman, in other cases it could mean a workman with exactly the same dependent status as an average court servant.<sup>116</sup> As a rule, however, this title was held by a master craftsman who was resident in the princely capital, supplying the court with the products of his workshop (though not always as a monopolist),<sup>117</sup> and by privilege either exempt from some or all municipal and guild taxes and fees or from municipal jurisdiction or from both.<sup>118</sup>

Sometimes intervention by the prince or his government was necessary to gain access to a guild, which usually demanded the making of an expen-

court costs was due to the kitchen; cf. *Niedersächsisches Staatsarchiv* Wolfenbüttel: 2 Alt 4060.

<sup>112</sup> Springer, *Hofmarschall*, cf. e.g. pp. 76, 78ff, 84f, 90, 92ff, 128.

<sup>113</sup> Bahl, *Ansbach*, p. 295.

<sup>114</sup> *Ibidem*, pp. 295ff.

<sup>115</sup> Hence the German standard work of the period concerned on court artisans is a legal treatise: *Beier, De Artificibus Palatinis*.

<sup>116</sup> Cf. the different types of court artisans in *Stürmer, Handwerk und höfische Kultur*, pp. 218f; see also *Christina Müller, Karlsruhe im 18. Jahrhundert*, pp. 256ff.

<sup>117</sup> Cf. e.g. *Sangl, Bamberger Hofschreinerhandwerk*, p. 138.

<sup>118</sup> On the legal conditions cf. *Beier, op. cit.*, especially part II, pp. 267ff; see also *Rödel, Im Schatten des Hofes*, pp. 90f.

sive masterpiece. Its design, however, was often fixed by tradition, which rendered the product unsaleable. When in 1788 a journeyman wanted to join the guild of the cabinetmakers (*Schreiner*) in Berlin, he refused to construct the chest of drawers prescribed by the guild, because he thought it outmoded. He turned to the *Kriegs- und Domänenkammer*, which forced the guild to accept a fashionable bureau as an admission ticket.

A similar event took place in Mayence half a century earlier, when the elector decided to allow his future court cabinetmaker Franz Anton Herrmann to build a piece of furniture which did not meet the guild regulations for a masterwork. The prince not only made it possible for the journeyman to join the guild, but even bought the bureau which had been the reason for the conflict.<sup>119</sup> Herrmann could not resist the temptation to express his triumph by a written note he hid in his work:

"The present English bureau, made according to the newest invention and useful design, the like of which has not yet been built in Mayence, has not been admitted as a masterpiece by the praiseworthy guild of the cabinetmakers. But after the drawing (...) had been most humbly submitted to His Electoral Grace, it has not only been praised, but also most graciously approved by him."<sup>120</sup>

Artisans delivering to the court could thus normally rely on princely favour and support in the case of a problem with the guilds.

But the most important special right of the court artisans concerning economic matters proper was the *privilegium boethi supernumerarii* (privilege of supernumerary journeymen).<sup>121</sup> Through it a court artisan was allowed to employ more than just the usual two journeymen in his workshop, thus being able to thrust aside his fellow guild masters and in some cases even to undersell them.<sup>122</sup> Sometimes linked to this economic superiority were social privileges, i.e. title and court rank.<sup>123</sup> In the case of 18th-century Karlsruhe one can prove that the town council was increasingly dominated by the court artisans,<sup>124</sup> who besides developed a specific marriage pattern. In contrast to their colleagues they tended to marry daughters from families of court servants.<sup>125</sup>

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119 *Stürmer*, *Luxusgüter in der Knappheitsgesellschaft*, pp. 343ff.

120 Quoted *ibidem*, pp. 345: "*Gegenwärtiger Engl. Schreib-Casten, so nach der neuesten Invention und wohl gebrauchender Einrichtung gemacht, ist zu Mayntz vor ein Meister Stück, deßgleichen daselbst noch keines verfertigt worden, von einer Löbln Schreiner Zunfft nicht admittiret worden. Nachdem aber die Zeichnung (...) Ihro Churfürstlen Gnaden unterthänigst übereicht, ist solche von Höchst Deroselben nicht allein bestens belobt, sondern auch sogleich approbirt worden.*"

121 *Beier*, *op. cit.*, pp. 322ff.

122 Cf. on this the examples given in *Stürmer*, *op. cit.*, p. 230.

123 *Idem*, *Economy of Delight*, pp. 511f; cf. but also *Sangl*, *op. cit.*, p. 138.

124 *Christina Müller*, *op. cit.*, pp. 277ff.

125 *Ibidem*, pp. 265f.

Of course one has to bear in mind that among the dozens of professions that could be carried on as a court artisan<sup>126</sup> only a few offered the opportunity of social promotion. The benefits of such an appointment especially could be found among the cabinetmakers, who in the 18th century built "the main object of luxury", namely expensive furniture.<sup>127</sup> In the ecclesiastical residence city of Mayence, for example, in 1752 there were 44 cabinetmakers, who altogether employed 94 journeyman. 27 of them were, however, working for the court cabinetmaker alone and another five for the master who supplied the cathedral, so that the 42 ordinary masters who had not been exempted from the guild rules only had 62 journeymen at their disposal.<sup>128</sup>

More noteworthy still was the career of David Roentgen,<sup>129</sup> who in 1767 in the residence city Neuwied took over his father's workshop, which already had a good reputation as a privileged manufacturer of luxury furniture. By making use of new ways of publicity and marketing as well as of techniques of production David Roentgen turned his workshop into one of the most successful European enterprises of the luxury industries.

During the 1780's he opened up branches in Paris, where he was appointed *mécanicien de la reine*,<sup>130</sup> in St. Petersburg and in Berlin. One factor of this success was his flexibility with regard to the taste of his court customers. Altogether he produced three different types of furniture: firstly in a very elegant style for the market in Paris, secondly in a rather weighty one for the Russian court, and thirdly in a more modest and sober style for the German court societies.<sup>131</sup> Thus he was able after 1768 to realize an average annual turnover of about 100,000 T for a period of 20 years. He maintained c. 300 workers, on whom 40 % of the returns were spent.<sup>132</sup>

The example of Roentgen makes it clear that within the ranks of the court artisans in contrast to the guild masters there were the disposition and ability to employ capitalist methods which in some cases had become necessary because of the sheer scale of their enterprises.<sup>133</sup> But as these capitalist structures were introduced into a segment of the market that was to a very high degree dependent on the taste of the European court society, they were also very vulnerable. On the one hand, more than one court supplier

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<sup>126</sup> Cf. the list of about 100 different professions in *Friedrich Carl Moser*, op. cit. II, pp. 222ff; cf. also the list of court artisans in Württemberg presented in *Pfeilsticker*, *Neues Württembergisches Dienerbuch I*, §§ 1034ff, that enumerates more than 80 different branches for this duchy alone.

<sup>127</sup> *Stürmer*, *Höfische Kultur*, p. 269.

<sup>128</sup> *Idem*, *Economy of Delight*, p. 504.

<sup>129</sup> On Roentgen cf. *idem*, *Handwerk und höfische Kultur*, pp. 240ff.

<sup>130</sup> *Idem*, *Luxusgüter in der Knappheitsgesellschaft*, pp. 358 and 363ff.

<sup>131</sup> *Ibidem*, pp. 363ff.

<sup>132</sup> *Idem*, *Economy of Delight*, p. 519.

<sup>133</sup> *Idem*, *Handwerk und höfische Kultur*, pp. 234f; *idem*, *Economy of Delight*, pp. 513, 516 and 519f.

suffered from a drastic shift of taste when a new prince ascended the throne or when general fashion changed. Economic success or failure therefore was always a question of princely favour, too,<sup>134</sup> which after all is a non-economic factor. On the other hand, the existence of the entire industry was irresolvably linked to the very survival of the court culture of the *ancien régime* as a whole. And with its fall caused by the French revolution and the subsequent wars the crafts of the court artisans also came to an end.<sup>135</sup>

This was also the experience of David Roentgen when the collapse of the luxury market after 1791 forced him to stop production in his manufactory. Only some small workshops survived of what had been a famous and successful enterprise.<sup>136</sup> The exports and the expansion to Paris had, however, been exceptions anyway, as usually the German courts were supplied with luxury goods by French enterprises rather than the other way round.

The Bavarian court in the decade from 1718 to 1727 spent about 6,280,000 l. in Paris through the agent d'Albert<sup>137</sup> and a considerable share of this amount was consumed for luxury goods such as precious textiles, state coaches, jewels and perfume.<sup>138</sup> These purchases even exceeded the French subsidies paid to Bavaria at that time by c. 2,200,000 l.,<sup>139</sup> so that the financial balance was a positive one for France. The general weight of the purchase of luxury goods was nevertheless rather low in comparison to the Bavarian state expenditure in general and also to the court costs - apart from exceptional years like 1722.<sup>140</sup>

These findings can hardly be generalized. It is, however, quite clear that the balance of commerce between France and Germany during the 18th century was always negative for the German states except in 1724<sup>141</sup> and that among the exports from France luxury goods were prominent.<sup>142</sup> But reliable figures cannot for now be offered due to the deficiencies of the source material.<sup>143</sup>

More promising for an assessment of the economic effects of court expenditure than such a national account is a more restricted frame such as the single princely capitals. The first point that has to be mentioned in this context refers to demography. As a rule they experienced an over-propor-

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134 *Idem*, *Economy of Delight*, pp. 523f.

135 *Ibidem*, pp. 527f.

136 *Idem*, *David Roentgen*, pp. 273ff.

137 *Peter Claus Hartmann*, *Luxuskäufe des Mühner Hofes*, p. 360.

138 *Ibidem*, pp. 352ff.

139 *Ibidem*, p. 360.

140 *Idem*, *Ökonomie des höfischen Luxus*, pp. 316ff.

141 Cf. *Pallach*, *Materielle Kultur und Mentalitäten*, pp. 86f.

142 *Ibidem*, pp. 37ff.

143 *Ibidem*, pp. 26ff and 80ff.

tionate growth of inhabitants compared to other types of towns in the period after 1650. Due either to deliberate policy on the part of the princes or to the natural attraction of the courts with their posts and consumption, they were able to profit from migration to a much larger extent than the venerable commercial *Reichsstädte* such as Nuremberg, Cologne or Lübeck.<sup>144</sup>

Their respective social structure can give quite valuable information on the impact of the courts.<sup>145</sup> One suitable example is again Bavaria with her capital Munich. From 1623 to 1806 Munich was the residence of the Bavarian electors,<sup>146</sup> and during this whole period the court steadily became the most prominent social and political institution in the town. This is especially true for the 18th century,<sup>147</sup> when out of the 37,840 inhabitants (1781) only 10,000 were under the jurisdiction of the town council, whereas the rest comprised noble families, church personnel, princely bureaucrats, the military and the members of the court. Living under the protection of the court marshal (*Hofmarschall*), the latter numbered about 5,000 people, and they were exempted from the urban taxes, though sometimes only partly.<sup>148</sup> In addition there were the so-called *Hofschutzbefreite*, mostly master craftsmen who were also under the court's jurisdiction. In about 1800 this group represented one quarter of all persons who were busy in the town's trades and industries,<sup>149</sup> not to mention the enterprises run by the court itself, from the famous *Hofbräuhaus* to the porcelain manufactory that was founded in 1747.<sup>150</sup>

These sketches might suffice to make clear the importance of the court within the framework of electoral Munich. It explains the grievance of the town's businessmen when in the last decade of the 17th century the elector Max Emanuel was absent from the town. Its economic dependency on and powerlessness without the court were revealed again when in 1788 the elector Karl Theodor wanted to change the guild restrictions. The protest of the town council against this reform offended the prince, and he simply left Munich to go back to his former capital Mannheim for a year. And of course the whole court, which was of such great importance for the economic prosperity of the town, followed him.<sup>151</sup>

Even more informative than this is the comparison of a town's social structure in two different periods: the first during which it was the seat of a princely court, the second comprising the time before or after it functioned

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144 *Rödel*, op. cit., pp. 98ff; for the case of Hanover cf. *Hauptmeyer*, Die Residenzstadt, especially p. 146.

145 Cf. also in general *Rödel*, op. cit.

146 *Schattenhofer*, München als kurfürstliche Residenzstadt, p. 1203.

147 *Ibidem*, p. 1216 and pp. 1220ff.

148 *Ibidem*, pp. 1224ff.

149 *Ibidem*, pp. 1226f.

150 *Ibidem*, p. 1210.

151 *Ibidem*, pp. 1230f.

as a princely capital.<sup>152</sup> For this purpose the two towns of Brunswick and Wolfenbüttel may serve as examples.

The latter had been the capital of the corresponding duchy and hence seat of the ducal court since 1491. But after the Guelphs in 1671 succeeded in subduing the prosperous and important town of Brunswick, they gradually transferred the central institutions of their territory from Wolfenbüttel to the recently acquired town. In 1753 the final decision was made in favour of Brunswick, when the *Residenzpflicht* - the duty of court members to live in the capital - concerning Wolfenbüttel was abolished. Thus it ceased to be capital<sup>153</sup> and suffered considerably from this shift, as demographic and social data for the subsequent years show. The number of inhabitants decreased from 9,212 persons in 1754 to only 6,289 in 1763,<sup>154</sup> and the following recovery took several decades, until eventually in the 1860's the level of 1754 was surpassed.<sup>155</sup>

Of course it were especially those crafts which had supplied the court before 1754 that underwent a serious crisis in the second half of the 18th century.<sup>156</sup> But more or less the whole town felt the blood-letting caused by the departure of those social groups linked to the presence of the ducal court. One third of all households, i.e. 786 out of 2,388 belonged to that group, and more than 10 % of these over 2,000 families to the court personnel alone (which comprised, however, administrative staff too).<sup>157</sup> If one only takes into account the actual court officials,<sup>158</sup> in 1754 there were about 200 of them living in Wolfenbüttel (2.1 % of the inhabitants), whereas in 1782 there were only 31 left (0.5 %). Within the same period the ratio of all groups that were specific for the function of Wolfenbüttel as the capital of the duchy (administrative, court, and military personnel) fell from 8.6 % to 4.1 %.<sup>159</sup> Together with the effects of the Seven Years' War, this situation led to a persistent economic depression in Wolfenbüttel at the end of the 18th century.<sup>160</sup>

But Wolfenbüttel's loss was neighbouring Brunswick's gain. From 1671 the dukes advanced this town culturally, e.g. by building an opera house in 1690, as well as economically, e.g. by the establishment of two annual fairs in 1681. In 1718 they started to erect a palace in the centre. From 1671 to 1758 the number of inhabitants rose from 15,600 to c. 22,500, and in the following thirty years again to 26,154. A considerable share of this growth was due to the presence of duke and court in the town after

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<sup>152</sup> Cf. *Kruedener*, *Die Bevölkerung Mannheims*, pp. 323f.

<sup>153</sup> *Ohnesorge*, *Bevölkerungsentwicklung in der Stadt Wolfenbüttel*, pp. 27ff.

<sup>154</sup> *Ibidem*, pp. 44f.

<sup>155</sup> *Ibidem*, p. 40.

<sup>156</sup> *Ibidem*, pp. 40ff.

<sup>157</sup> *Idem*, *Wolfenbüttel*, pp. 107f.

<sup>158</sup> On the criteria cf. *ibidem*, p. 108.

<sup>159</sup> *Idem*, *Bevölkerungsentwicklung in der Stadt Wolfenbüttel*, p. 43.

<sup>160</sup> *Ibidem*, p. 52.

1753.<sup>161</sup> Its social character also changed. The predominance of the old patrician families was superseded by the importance of prince and court.<sup>162</sup> 17 % of the c. 6,300 households were provided by the administration and the court, and the latter category at least had not existed at all in Brunswick before the 18th century. The same applies to the 28 % who belonged to the army<sup>163</sup> so that 45 % of the households had a close connection to the capital function of the town. The fate of Brunswick in the second half of the 18th century therefore seems to be a negative reflection of the decline of Wolfenbüttel, and the respective development of both towns was largely influenced by where the court had its seat.

The best evaluation of the impact of a court on the urban economy of a princely capital is, however, the above-mentioned study on Anspach by Herms Bahl. In 1665 this town had 3,300 inhabitants, of which 2,250 had no special connection to the court, whereas 570 persons were court members and 480 persons administrative officials. The corresponding figures for 1713 show 5,950 inhabitants, 4,200 of them without court connections, while 1,050 belonged to the court and 700 to the administration. In 1734 there were 8,750 inhabitants and 5,900 of them without court connections. 1,700 in contrast belonged to the court and 1,150 to the administration. Including the military, the number of inhabitants even rises to 6700 (1713) and 9500 (1734).<sup>164</sup>

The economic results of this strong presence of court or court-connected groups within the town are rather clear-cut, and they are pretty disadvantageous for the major part of the population. Apart from the court members themselves a very small group of Anspach's inhabitants did indeed profit from court consumption, namely the privileged court artisans. They were exempted from the guild restrictions and therefore could employ as many journeymen as they needed. The personal tailor of the prince (*Leibschneider*) in 1729 employed 12-16, while of his 48 colleagues in 1734 25 did not have a single journeyman. The court locksmith (*Hofschlosser*) alone gave occupation to 40 % of all the journeymen of his profession, whereas the court carpenter (*Hofzimmermann*) disposed of 50-100 workmen, unlike his fellow-masters who only employed two or three.<sup>165</sup> The court artisans could therefore work more effectively and cheaply than their colleagues, and they were thus able to secure for themselves a growing share of the commissions that did not come from the court.<sup>166</sup> So within the ranks of the guilds the wealthiest members were as

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<sup>161</sup> *Meibeyer*, *Differenzierung der Stadt Braunschweig*, pp. 128f.

<sup>162</sup> *Ibidem*, p. 129.

<sup>163</sup> *Ibidem*, p. 140.

<sup>164</sup> *Bahl*, *op. cit.*, p. 213.

<sup>165</sup> *Ibidem*, pp. 301f.

<sup>166</sup> *Ibidem*, pp. 302f.



a rule the court artisans, while many others lived on or below the fringe of pauperization.<sup>167</sup>

The court artisans were among the lucky few who as *Hofschutzbefreite*<sup>168</sup> were exempted from some or all municipal charges at least until 1752.<sup>169</sup> Often they did not contribute at all to the town's financial supply, and at the same time they exercised a ruinous pressure on their colleagues, who were the backbone of the urban economy. Outside the circle of the court artisans there was hardly anybody among the craftsmen (and the traders) who profited because of court expenditure. Not only in terms of the juridical control over the citizens, but also economically, Anspach suffered rather than profited from being the seat of the court.<sup>170</sup>

As it is impossible to simply transfer these findings into a different territorial setting, the direct importance of the German courts for the economy of the corresponding princely capitals cannot be evaluated too easily. Undoubtedly the court was the decisive economic factor in most of them,<sup>171</sup> especially with respect to the building trade and those branches having to do with food and textiles.<sup>172</sup> But it seems to be reasonable to be sceptical about an overall healthy effect. For example, the urban economy of Mannheim depended almost exclusively on the court<sup>173</sup> and one can imagine the disastrous consequence of this monoculture after 1778, when the court was transferred to Munich.<sup>174</sup> Often the main consequence of court expenses might have consisted in social and economic polarization within the ranks of the urban population.

With respect to the territorial level, where the impact of court economy was more indirect, one has to be more cautious still. Although there were probably favourable effects of court consumption on some economic groups of the territories, it is nevertheless also probable that the major part of the population suffered from the increasing tax pressure necessary to finance court costs.<sup>175</sup> The case of the Southwest German imperial abbeys

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<sup>167</sup> *Ibidem*, p. 279, cf. also pp. 265f, and p. 275.

<sup>168</sup> The assumption quoted by Schattenhofer that this group only existed in Munich therefore proves wrong; cf. *Schattenhofer*, op. cit., p. 1227. See also *Rödel*, op. cit., p. 91, who speaks of an increase of "hofschutzbefreite court artisans" in Dresden from 130 (1739) to 430 (1755).

<sup>169</sup> Cf. on the legal status of the *Hofschutzbefreite Bahl*, op. cit., pp. 80ff.

<sup>170</sup> *Ibidem*, pp. 346ff, especially 352 and 355.

<sup>171</sup> *Peter Claus Hartmann*, op. cit.; *Rödel*, op. cit., p. 92.

<sup>172</sup> *Ammerich*, *Zweibrücken und Karlsberg*, p. 353.

<sup>173</sup> *Voss*, *Mannheim*, p. 328 and 332.

<sup>174</sup> *Ibidem*, p. 332.

<sup>175</sup> The connection between the increasing tax pressure and court expenses is especially well established for the duchy of Brunswick-Wolfenbüttel in the 18th century. Until 1790 the financial charges on the subjects grew continuously and they had become necessary because of the financial extravagancies of the princes and their courts; cf. *Achilles*, *Die steuerliche Belastung*, pp. 69ff, 154ff, 191ff and 228ff.

after the middle of the 17th and during the 18th century seems to confirm this opinion. The growing level of representation, largely following the model of the princely courts, manifested itself particularly by great building activities.<sup>176</sup> These were primarily borne by the peasants, who being the serfs of the monasteries had to perform more and more statute labour. To prevent their ruin, they offered resistance.<sup>177</sup>

The same system of financing the construction of a palace was chosen by duke Karl Eugen of Württemberg (1737-1793), who in the 1760's could thus build his pleasure seat *Solitude*. The artisans and other specialists necessary for this project were paid rather badly and mostly the money was in arrears. The building of this palace and of the new capital Ludwigsburg at the beginning of the century did considerable damage to Württemberg's whole economy, since the resulting shortage of cash led to a relapse into barter economy.<sup>178</sup> Another consequence of the splendid court life of Karl Eugen however was a severe political crisis. The protestant bourgeois élite of the *Ehrbarkeit* was shocked by the lavishness and catholicism displayed at court and it succeeded in achieving the famous *Erbvergleich* of 1770 that prevented future absolutist aspirations on the part of the dukes. Thus court life was indirectly responsible for the strengthening of the estates.<sup>179</sup>

A quite similar development took place in the duchy of Brunswick-Wolfenbüttel at the same time. The public debts of the principality in the 1760's amounted to 10,000,000 or even 11,000,000 T,<sup>180</sup> while the annual revenue in 1770 only reached 925,000 T.<sup>181</sup> The desperate financial situation was largely due to the expenses of the court and of duke Karl (1735-80) himself, for instead of consuming the ordinary 100,000 T a year, the court used up more than 200,000 T in 1745, reaching a peak of 243,000 T in 1762, i.e. 20 % of the entire revenue, and that even though it was during wartime.<sup>182</sup>

To overcome this strain in 1768 the estates, which had a say in tax matters, had to be summoned again to form the first diet (*Landtag*) since 1682. Within the ranks of the knighthood, the decisive estate, two conflicting factions came into existence. One group called itself "patriots" and its opponents were the "court party" ("*Hofpartei*"). The session of the diet lasted until 1770, and after difficult negotiations the estates took over a considerable share of the debts, but in return they were guaranteed their traditional rights again.<sup>183</sup> So in this case, too, court costs caused a politi-

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176 Zückert, op. cit., pp. 268ff.

177 *Ibidem*, especially pp. 64ff, 311ff and 336ff.

178 *Ibidem*, pp. 292ff.

179 *Ibidem*, p. 295; cf. also *Fleischhauer*, Barock im Herzogtum Württemberg, p. 310, and also *Vann*, The Making of a State, pp. 173ff, 189ff and 258ff.

180 *Achilles*, op. cit., pp. 194ff.

181 *Ibidem*, p. 148.

182 *Ibidem*, p. 196.

183 On the diet cf. *Schmidt*, Der braunschweigische Landtag, passim.

cal crisis, and the outcome was a hard blow to the absolutist position of the prince and his court. In the 1780's the annual court costs under Karl Wilhelm Ferdinand (1780-1806) had been reduced to c. 110,000 T, about the same amount his father had spent for this item at the beginning of his reign some 50 years ago.<sup>184</sup>

It is however an open question to what extent the given examples may be generalized.<sup>185</sup> It is difficult to draw a realistic picture of the consequences of court economy which applies to all or most of the numerous German principalities existing in the period studied. But the following conclusion can certainly be drawn: at the territorial level court consumption brought about a re-distribution of financial resources for the benefit of the capital. Taxes had to be paid all over the country, but the revenues were largely spent in the residence city. The bulk of the territory's population thus probably suffered from this re-allocation. In contrast, the inhabitants of the capital could profit from court expenses, but they did so on different scales. The winners were to be found among clear-cut social groups like the court servants and court artisans, whereas others might come away empty-handed. On this level therefore the result of court economy was above all social polarization.

So the material presented suggests that at least in some territories the economic effects of court expenditure primarily consisted in rising taxes and other charges imposed on the subjects and that in spite of these measures the result for the princely governments was financial distress<sup>186</sup> and hence often political crisis. A favourable impact on the respective domestic economies as a whole does not seem very likely, and Sombart's optimism about the developing effect of court consumption<sup>187</sup> is exaggerated at least within the German context.<sup>188</sup> Rather than being a stimulus for economic evolution, some German courts clearly overcharged the capacity of their territories.

This applies of course especially to the host of smaller members of the Empire, the common fate of which can be summarized as follows:

"There is a small country. The entire taxable capacity is drained from its veins in order to build a palace, the size of which seems to have been determined by absolute madness, to lay out a park with marble statues and waterworks, to maintain an opera with expensive Italian eunuchs and primadonnas, with an orchestra and ballet, with sets and machines, to keep a mistress and arrange festivities for her, which

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184 *Achilles*, op. cit., p. 196.

185 Hesse-Darmstadt under Ludwig VIII (1739-1768) seems to form another comparable case; cf. *Wolf*, Darmstadt als Residenz, p. 382.

186 Cf. but also the case of Hanover where the court could easily be maintained financially; *Lampe*, Aristokratie, Hofadel und Staatspatriziat, p. 102, fn. 33.

187 Cf. *Sombart*, Luxus und Kapitalismus.

188 Cf. also *Kruedener*, Rolle des Hofes, pp. 18f; cf. also *Winterling*, op. cit., pp. 9f, and *Pallach*, op. cit., especially pp. 138f.

the *Mercure Galant* will report about, thus stunning the whole of Europe. Some years or decades later the country is exhausted by the excessive efforts, maybe for several generations. The opera remains closed, the foreign singers are dismissed, the palaces fall into decay, the gardens grow wild. The princely table is frugal, the nobility eats at home. The swarm of visitors has moved to a neighbouring court, where the world has a rendezvous for the next couple of years. Until one day the country has recovered or discovered new funds and a young prince ascends the throne, haunted by ambition or recklessness, until again the savings of a more thrifty rule are wasted for entertainment and excitement. This is the history of all middle, smaller or tiny courts of the rococo.<sup>189</sup>

### 3. Analogous Representation and Digital Finance

If the political and the economic aspect are considered together, the court played an ambiguous role in the framework of the early modern German princely states. It was certainly an indispensable element of monarchical rule, but this political benefit was likely to be cancelled by the costs involved. In short one could speak of a contradiction between court ceremonial and court economy.

There is also an interesting theoretical point. According to the conception of Norbert Elias and Jürgen von Kruedener the courts were built up to tame the nobility by imposing upon it a rising level of conspicuous consumption. Thus the nobility had to exhaust itself economically to pay the growing representative expenses and hence became increasingly dependent on court offices as a source of income. So the political function of the courts, namely to ensure the absolutist rule of the princes, required a spendthrift court economy.<sup>190</sup>

But, one could add, beyond a certain degree this very mechanism turned against the princely régimes itself. As the rising demand of the courts did not stop at the limits that were set by the financial resources at hand, the princes had to rely on credits and rising taxes, and in many German territories this also meant: on the estates. The courts walked into the very trap they had invented. Therefore they seem to have been quite an unsuitable instrument for the establishment or maintenance of absolutist rule.<sup>191</sup>

But the political necessity of the courts on the one hand, and the potentially detrimental effects of court economy on the other, was already being

189 *Alewyn*, *Das große Welttheater*, p. 8.

190 Cf. *Elias*, *Court Society and Kruedener*, op. cit.; for a brief account of their conception see e.g. *Winterling*, op. cit., pp. 13ff.

191 In a sense this situation resembles the famous "general crisis of the 17th century" examined by Hugh Trevor-Roper. According to him it was largely caused by the subjects' growing discontent with the consequences of court life and its lavishness: *Trevor-Roper*, *The General Crisis of the 17th Century*, especially pp. 48ff.

debated intensely during the 17th and 18th centuries. The discussion concentrated on the conflict of goals between a becoming princely representation, often referred to as decorum, and a sound financial policy. The discourse on court economy formed an especially complicated affair, since the two positions rested on completely different mentalities and rationalities. This difficulty can be summarized by saying that the analogous notion of representation was irreconcilable with the digital nature of financial matters.

This incompatibility was the proper driving force for the steady intellectual occupation with the court and its economy. In the last resort the functionality or even the legitimacy of the entire court society was at stake. In the following chapters the field of this discourse will be explored in detail.

## Chapter II

### Court Rationality in the Mirror of Ceremonial Science and Court Law

Among the different areas where reasoning on the court society took place in 18th-century Germany, "ceremonial science" (*Zeremonialwissenschaft*), which after 1750 was pursued as "court jurisprudence" (*Hofrechtsgelehrtheit*), held a prominent place. It was in fact the main form of the discourse on court life in general, though with an important restriction. As its designation already makes clear, ceremonial science only took into account the first half of the problem outlined in chapter I. It was responsible merely for the political, the representative aspect of the courts, while court economy hardly played a role. In that respect it reformulated the principles, the inherent rationality of court society.

One must however bear in mind that ceremonial science and "court law" (*Hofrecht*) did this in a certain manner. Unlike in France, where the discourse on the court manifested itself primarily in the wide autobiographic literature of the period, e.g. memoirs,<sup>1</sup> neither approach here looked at court life from the point of view of an insider. The pertinent contributions instead were written by learned men, who sometimes had quite critical ideas about their subject. Although as to certain points their works might offer a somewhat distorted image of the courts, they are still the most important mirrors of it, if only because of the sheer bulk of information they contain.

The writings of this genre were all voluminous treatises of several hundred pages, from Friedrich Wilhelm Winterfeld's *Teutsche und Ceremonial-Politica* (1700 and 1702), Gottfried Stieve's *Europäisches Hoff=Ceremoniel* (first edition 1715), Johann Christian Lünig's *Theatrum Ceremoniale Historico-Politicum, Oder Historisch= und Politischer Schauplatz Aller Ceremonien* (1719/1720) and Julius Bernhard von Rohr's *Einleitung zur Ceremoniel-Wissenschaft Der Privat-Personen* (first edition 1728) and *Einleitung zur Ceremoniel-Wissenschaft Der großen Herren* (first edition 1729), to Friedrich Carl von Moser's *Teutsches Hof=Recht* (first edition 1754/55) and the relevant works of the latter's father Johann Jacob Moser, i.e. his *Versuch des neuesten Europäischen Ceremoniels* and *Vom Ceremoniel* (both 1778).<sup>2</sup> Finally Johann Philipp Carrach's series of articles from

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<sup>1</sup> *Frühsorge*, *Der Hof, der Raum, die Bewegung*, p. 429; cf. also Jürgen Hartmann, *Staatszeremoniell*, p. 91.

<sup>2</sup> Quoted as: Winterfeld, *Ceremonial-Politica*, (vol.) I and II; Stieve, *Europäisches Hoff=Ceremoniel*; Lünig, *Theatrum Ceremoniale*, (vol.) I, II and III; Rohr, *Einleitung zur Ceremoniel-Wissenschaft*, (vol.) I and II, Friedrich Carl Moser,

1755 and 1757 must also be mentioned, published in eight parts as *Grundsätze und Anmerkungen zur Känntnis des Teutschen Hofrechts*.<sup>3</sup>

These writings will serve as the material for the present chapter, which therefore will at first present them in detail and in chronological order.<sup>4</sup> Afterwards the common features and the inner development of the genre throughout the 80 years of its existence will be examined, before finally the nature of the reasoning on ceremonial is put in a wider discursive setting.

## 1. Ceremonial Science from Winterfeld to Rohr

18th-century ceremonial science was established as a distinct field of knowledge with its own discursive characteristics by Winterfeld's *Teutsche und Ceremonial-Politica*, published in 1700, although it does not only handle ceremonial matters. In confirmity with its title it also contains a general "German politics",<sup>5</sup> that can be interpreted as an example for the political reasoning of later Aristotelianism, prevailing in the Protestant territories of the Empire throughout the 17th century.<sup>6</sup>

Winterfeld's version is divided into two books and starts with a definition of *Politica*, which according to him is "an art or a practical science, by which a republic or town is constituted and arranged well right from the start and by which they are afterwards (...) administered and ruled well"<sup>7</sup>. After the first book then has been completed by, in the following chapters, laying the politics' foundation by describing family, household, village and town,<sup>8</sup> the second book deals with the *Respublica* proper, defining her as follows: "*Respublica* is *Societas Civilis* or civil society, which is given its shape or form by the order existing between the high authorities (*hohe*

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Teutsches Hof=Recht, (vol.) I and II; *Johann Jacob Moser*, Versuch des Ceremoniels; *idem*, Vom Ceremoniel.

<sup>3</sup> *Carrach*, Grundsätze und Anmerkungen.

<sup>4</sup> Such a comprehensive account is possible in the case of ceremonial science, since there only were nine principal works by seven authors. It is moreover motivated by the fact that the pertinent titles are comparatively unknown sources and the secondary literature consequently is not too abundant; cf. *Berns*, Der nackte Monarch, pp. 333ff; *Braungart*, Hofberedsamkeit, especially pp. 24ff; *Frühsorge*, Nachwort; *idem*, Prolegomena einer Zeremonialwissenschaft; and *Schlechte*, Nachwort, and *Jürgen Hartmann*, op. cit. pp. 1ff. None of these contributions, however, pays any attention to the pertinent writings of Carrach and Johann Jacob Moser.

<sup>5</sup> *Winterfeld*, op. cit. I, pp.

<sup>6</sup> *Dreitzel*, Monarchiebegriffe in der Fürstengesellschaft, pp. 547ff, especially 551.

<sup>7</sup> *Winterfeld*, op. cit. I, pp. 1f: "eine Kunst oder practische Wissenschaft / eine Republic oder Stadt / von Anfang wohl zu constituiren und einzurichten / und nachdem (...) wohl zu administriren und zu regiren".

<sup>8</sup> *Ibidem* I, pp. 7-40.

*Obrigkeit*) and the subjects.<sup>9</sup> The rest of this book is devoted to the different forms of government<sup>10</sup> and to single constitutional problems.<sup>11</sup>

Compared to these 256 pages, the lion's share of Winterfeld's text, comprising roughly 1500 pages altogether, however deals with ceremonial alone. It formed the subject of part two of volume one<sup>12</sup> and of part three, which is identical to volume two, published in 1702.<sup>13</sup> The main concern of the work moreover becomes clear by looking at the title-page of volume one, which contains a detailed account only of the second, ceremonial part. The following dedication of the book to two officers of the duchy of Brunswick-Wolfenbüttel confirms this impression, for it almost exclusively mentions the ceremonial aspect by saying that "the present ceremonial politics (...) is borne for the first time" and that it is intended for "curious enthusiasts" ("*Liebhaber*")<sup>14</sup>. The preface, though starting with a general justification of publishing such a book in German,<sup>15</sup> likewise concentrates upon the chapters on ceremonies. The author, whose biography is unfortunately rather obscure,<sup>16</sup> apologizes for their somewhat unstructured presentation, explaining that this lack of a "precise order of material" is due to their being a mere compilation collected from different sources.<sup>17</sup>

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<sup>9</sup> *Ibidem* I, pp. 41f: "*Respublica sey Societas Civilis, oder eine Bürgerliche Gesellschaft / welcher ihre Gestalt oder formam giebet die Ordnung / so da ist zwischen der hohen Obrigkeit und denen Unterthanen.*"

<sup>10</sup> *Ibidem* I, pp. 49-97.

<sup>11</sup> *Ibidem* I, pp. 98-256.

<sup>12</sup> Cf. the table of contents in *ibidem* I.

<sup>13</sup> Cf. the table of contents in *ibidem* II.

<sup>14</sup> *Ibidem* I, Dedication: "*gegenwärtige Ceremonial-Politic (...) zum erstenmal die Welt erblicket*".

<sup>15</sup> *Ibidem* I, Vorrede: "(...) *da einige dafür halten mögten / es sey dem Publico nicht wohl gerathen / daß dergleichen Bücher in Teutscher Sprach heraus gegeben / und also diese Doctrin zu gemein gemacht würde / (...) so kan doch angeführten mit leichter Mühe begegnet / und dasselbe wiederleget werden / in dem so wohl die Italiäner / als Frantzosen und andere / viel Politische Bücher in ihrer Mutter=Sprache heraus gegeben / es auch an teutschen Politischen Büchern und Schrifften nicht ermangelt / ja die besten und Pragmatischen Sachen / in solche insgemein verfasst werden*".

<sup>16</sup> Scarce information is given by an entry in *Zedler, Universal-Lexicon*, vol. 57, p. 982. According to this passage, the author of the *Ceremonial-Politica*, who is however called Johann Friedrich von Winterfeld here, was member of the branch of the noble Winterfeld family resident in Holstein. He held important administrative posts. In 1647 he was appointed privy councillor (*Geheimrat*) of Holstein, *Domprobst* (dean of the cathedral) in Lübeck and *Dechant* (dean) in Eutin. One of his descendants, Anne Dorothee von Winterfeld, married duke Ludwig Carl of Holstein-Franzhagen in 1705.

<sup>17</sup> *Winterfeld*, op. cit. I, Vorrede.



Part two "containing the ceremonies"<sup>18</sup> also begins with a preface of its own where the author claims not to have written "for prudent (*Staatskluge*) or experienced politicians, but for beginners of political studies", which does not mean, however, that he is impudent enough to see himself as a master of ceremonies. His aim instead is simply to describe "curial formalities, ceremonies, manners and customs, which use to happen and to vary in political and other affairs, on happy as well as on mournful occasions".<sup>19</sup> The presented ceremonies are to serve as models for the beginner in ceremonial matters.<sup>20</sup> At the end of the preface Winterfeld promises a continuation of the *Ceremonial-Politica* if the first volume becomes a success.<sup>21</sup>

Obviously this was the case<sup>22</sup> as two years later a second volume was published as the third part of the entire work and it too was devoted exclusively to ceremonial subjects.<sup>23</sup> It again was provided with a preface, which, however, does not contain much relevant information. The only interesting point is the author's remark with regard to his "method or order" which according to him is self-evident as it follows from the presented material itself.<sup>24</sup> This is a revealing confession, and it might explain why - in contrast to the general politics - the second and third part on ceremonies are hardly structured in a comprehensible way. It seems to make sense to start a treatise on this subject with a description of the ceremonies that took place on the occasion of the election and coronation of the Emperor, thus starting at the very top of the secular hierarchy.<sup>25</sup> But then Winterfeld goes on with marriages and engagements,<sup>26</sup> only to continue with abdications and depositions of monarchs.<sup>27</sup>

This lack of coherence and structure is a significant feature of the *Ceremonial-Politica*, which is basically a casuistic collection of rather heterogeneous material. It contains examples of ceremonies from different countries (besides Germany, especially from France, Spain and Italy) and on various occasions. But this wide range of interests in a way is a wasted effort, as there is no systematic order that makes the inner connection of what he

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18 *Ibidem* I, p. 257.

19 *Ibidem*, pp. 261f: "*Curialien / Ceremonien / Sitten und Gebräuche / so bey Politischen und anderen Sachen so wohl in freuden = und trauerFällen / als anderen An gelegenheiten pflegen vorzugehen / doch aber oft zu variiren*".

20 *Ibidem* I, pp. 262.

21 *Ibidem* I, p. 263

22 The assumption of Jürgen Hartmann, op. cit., p. 7, that Winterfeld's contribution did not find much attention among his contemporaries therefore seems to prove wrong.

23 Winterfeld, op. cit. II

24 *Ibidem* II, Vorrede.

25 *Ibidem* I, pp. 265-413 = 2. Theil, Capitel I.

26 *Ibidem* I, pp. 414-526 = 2. Theil, Capitel II and III.

27 *Ibidem* I, pp. 526-587 = 2. Theil, Capitel IV.

presents as examples of ceremonial events clear. This weakness is due, it seems, to the decisive deficiency of Winterfeld's reasoning: There is no abstract conception of ceremonies recognizable. He offers no definition, let alone an articulate theory of them.

Winterfeld's book is nevertheless an important innovation, because it fundamentally transformed the German reasoning on etiquette and ceremonies and thereby in a sense founded the ceremonial science of the 18th century. The new elements of its approach can best be described by looking at the sources used by Winterfeld. Actually only two books are mentioned explicitly, and each stands for one discursive context. The first reference is the *Syntagma Dignitatum*<sup>28</sup> by Johann Christoph Beckmann (1641-1717),<sup>29</sup> published in 1696, which was basically another improved edition of the successful *Notitia Dignitatum* by the same author, published in 1670, 1677 and 1685.<sup>30</sup> It can be described not only as the sum of Beckmann's ceremonial life-work, but also of the 17th-century German reasoning on this field in general.

The *Syntagma* comprises twenty academic theses on altogether 1500 pages. The first nine theses, which form part I, treat the ceremonial rights and privileges of kings,<sup>31</sup> whereas the 11 theses of part II deal with the same subject as to the other lords and princes of the secular and ecclesiastical hierarchies.<sup>32</sup> The text is entirely written in Latin and only takes into account state ceremonial, whereas court life plays no important role. The *Syntagma* examines from a purely legal point of view the ceremonial questions that occur on occasions that touch upon the political structure and constitution of the princely states: the rights to titles and precedence, elections, coronations and abdications of kings etc. Hence ceremonial problems are presented here as matters of public law.

The scope of Winterfeld's work in contrast is much wider, and probably the second book quoted in the *Ceremonial-Politica* is responsible for this feature. Apart from the *Syntagma* only the *Directorium Aulicum* (1687)<sup>33</sup> by Johann Christoph Wagenseil (1633-1705)<sup>34</sup> is cited explicitly. It

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<sup>28</sup> Beckmann, *Syntagma Dignitatum*.

<sup>29</sup> Beckmann was born in Zerbst in 1641 as the son of a *Superintendent* and a professor of theology. His academic life took completely place at the university of Frankfurt-on-Oder, where he studied theology, philosophy and history, and where he later, from 1667 onwards, worked as a professor of Greek, history, politics and theology; cf. *Allgemeine deutsche Biographie*, vol. 2, pp. 240f; *Neue deutsche Biographie*, vol. 1, p. 730.

<sup>30</sup> Cf. Jürgen Hartmann, *op. cit.*, p. 6.

<sup>31</sup> Beckmann, *op. cit.*, pp. 1-879 = Pars I.

<sup>32</sup> *Ibidem*, pp. 881-1493 = Pars II.

<sup>33</sup> Wagenseil, *Directorium Aulicum*.

<sup>34</sup> Johann Christoph Wagenseil was born in Nuremberg in 1633 as the son of a merchant. After having lived in Sweden, he became tutor of several noblemen in 1654, in whose service he travelled through Germany, Italy, Spain, France, Holland and

belongs to an important type of literature in 17th- and 18th-century Germany dealing with compliments. Its major concern is the teaching of "Höflichkeit" (civility)<sup>35</sup> and thus it can be classified in short as a book of manners.

As Beckmann's and Wagenseil's writings are the only two sources that Winterfeld refers to,<sup>36</sup> one might be justified in seeing his conception of ceremonial science as the result of a combination of two 17th-century currents of thought. By binding together the legal discourse on state ceremonies<sup>37</sup> and the discourse on civility and compliments<sup>38</sup> Winterfeld achieved a structural change of the reasoning on ceremonial.

Though the *Ceremonial-Politica* clearly shows a preponderance of passages that deal with the same subjects as Beckmann's text, a different kind of topic can also be found. Chapters XII and XIII of the second, ceremonial part, where visits are handled,<sup>39</sup> speak of manners, of rules of polite behaviour rather than of ceremonial in the strict legal sense à la Beckmann. They deal with, in other words, problems of civility, and not of public law.

It is surely not by chance that these pages contain references to Wagenseil. One could say that the new ceremonial science of the 18th century was created by Winterfeld who supplemented the ceremonial knowledge of the previous century with a more general account of manners. Thus it developed into an integral science of court life.

Winterfeld's innovations affected, moreover, the very form of ceremonial reasoning. This becomes clear if it is compared to Beckmann's book which is, after all, a true collection of the complete ceremonial knowledge of the 17th century and therefore conveys a good idea of its approach. The *Syntagma* was written entirely in Latin, consisted of academic theses and therefore clearly belongs in a university context. The *Ceremonial-Politica*

England. He was fellow of some Italian academies and received a royal pension during his stay in France. In 1667 he returned to Germany and was appointed professor of history and public law at the university of Altdorf, where he had studied from 1649 to 1654. His further academic career remained confined to this university, but Wagenseil kept on working as a princely tutor besides. One outcome of this activity was his book *Von Erziehung eines Jungen Prinzen / der vor allem Studiren einen Abscheu hat* (1705); cf. *Allgemeine deutsche Biographie*, vol. 40, pp. 481ff.

<sup>35</sup> *Ibidem*, p. 7.

<sup>36</sup> Winterfeld, op. cit. I, pp. 708 and 718 (quotation of Beckmann's *Syntagma*); Vorrede (quotation of Aletophilus' *Tractatus Politico Historicus*) and pp. 924 and 928f (quotation of Wagenseil's *Directorium*). Aletophilus is a pseudonym of Wagenseil, and the *Tractatus* is largely identical with the *Directorium*.

<sup>37</sup> Cf. the brief annotations in Jürgen Hartmann, op. cit., pp. 3ff.

<sup>38</sup> These writings are thoroughly analysed by Beetz, *Frühmoderne Höflichkeit*.

<sup>39</sup> Winterfeld, op. cit. I, pp. 919-927 = 2. Theil, Capitel XII, and pp. 927-944 = 2. Theil, Capitel XIII.

must be seen in a completely different light, though it was published only four years later.

The most obvious difference is, of course, the use of German rather than Latin. Winterfeld obviously felt it was necessary for him to defend himself for this innovation in the field of political and ceremonial literature.<sup>40</sup> A second point is the more pragmatic approach of Winterfeld's book. It is clearly meant to serve as practical instruction for the beginners<sup>41</sup> rather than an abstract account of ceremonial matters. Both Winterfeld's decision to write in German and his didactic intention, might well be due to the influence of Wagenseil's book.<sup>42</sup>

Thus the status of ceremonial questions was altered. Previously they had been a topic of technical knowledge interesting only to a group of experts, i.e. public law specialists. Consequently ceremonial had mainly been taught within a purely academic context, as is obvious in Beckmann's case. Because of the integration of matters of civility that were of importance not only for jurists and previously had been taught in texts such as Wagenseil's, Winterfeld's *Ceremonial=Politica* in contrast was more attractive to a wider public. The use of German made this possible. Thus for Winterfeld and his successors ceremonial science had become a field of knowledge in its own right which can be defined as an overlapping of reasoning on civility and on public or constitutional law.

The somewhat unsatisfactory character of Winterfeld's book<sup>43</sup> was noticed by his contemporaries. It was, for example, one of the motives that Gottfried Stieve, librarian and professor of history, ethics and politics at the *Ritterakademie* Liegnitz,<sup>44</sup> published his *Europäisches Hoff=Ceremoniel* in 1715 (in octavo), avoiding the mistakes of Winterfeld's unsystematic

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<sup>40</sup> *Ibidem* I, Vorrede.

<sup>41</sup> *Ibidem* I, p. 260.

<sup>42</sup> The instructive character of Wagenseil's book is indicated by its designation as a *Directorium*. As to the language it is interesting that the larger part of it is in German; cf. *Wagenseil*, *Directorium*, p. 92, from which point the text starts to be written increasingly in German, while the previous pages are exclusively in Latin.

<sup>43</sup> Cf. also Jürgen Hartmann, *op. cit.*, p. 7.

<sup>44</sup> This single piece of information on Stieve comes from *Zedler*, *op. cit.*, vol. 40, p.47. One could however speculate that the publication of the *Europäisches Hoff=Ceremoniel* was regarded by its author as a continuation or extension of his activity as a teacher at an academy for noblemen. A printed treatise might in fact have been a better instrument for the dissemination of ceremonial knowledge, which was important especially for younger noblemen, than a *Ritterakademie*, the heyday of which was more or less over anyway. On the latter cf. *Conrads*, *Ritterakademien der frühen Neuzeit*.

approach.<sup>45</sup> In his *Vorbericht* the author explains that he has finally realized his idea of writing such a book because he had been disappointed by the existing works, namely Gregorio Leti's *Ceremoniale historico* (1685) and Winterfeld's contribution. While the Italian author had written a "*Historiam universalem*" rather than a ceremonial treatise,<sup>46</sup> as Stieve rightly states,<sup>47</sup> he criticizes the German work because of its approach, as it only presented the "material's outward appearance (...), namely mere facts".<sup>48</sup>

Stieve himself in contrast wants to form "theorems" ("*Lehr=Sätze*") out of the single ceremonial cases,

"which can steadily be kept as a rule and which can give an idea of prerogatives and ceremonial and a conclusion of whom in relation to others is due the prerogative and presidency and what kind of ceremonial can be conceded to this or that potentate".<sup>49</sup>

The relevance of this didactical programm results from the crucial role of ceremonies in history, law and in polity, as according to Stieve they are

"among the most sublime parts of history. At the same time the politicians, especially the practical men, understand that the prerogatives or the precedence, which the gods on earth pretend to have in comparison with each other, make up the most distinguished and important chapter of politics beside the *jure maiestatis*".<sup>50</sup>

Having thus presented his motives for writing the *Europäisches Hoff=Ceremoniel*, Stieve goes on to explain for whom it might be useful. Besides for those people who are curious or who love "universal erudition" ("*Uni-*

<sup>45</sup> Consequently Stieve's book was regarded in 1728 by Johann von Besser, another leading expert in ceremonial science, as "the best one of its kind"; cf. *Besser, Schriften*, p. CV.

<sup>46</sup> *Stieve*, op. cit., *Vorbericht*

<sup>47</sup> Cf. *Leti*, *Ceremoniale historico*; in fact, only the last of the six volumes that constitute this work touches upon ceremonial matters, and it merely deals with the different rights of envoies.

<sup>48</sup> *Stieve*, op. cit., *Vorbericht*: "*materia (...) wie sie von aussen scheinert (nemlich blosse Facta)*".

<sup>49</sup> *Ibidem*, *Vorbericht*: "*an welche man sich als eine Regel beständig halten, und sich eine Ideam von der Praerogativa und dem Ceremoniel: endlich auch einen Schluß formiren könne: Wem die Praerogativa oder Vorsitz für einem andern gebühre, und was für ein Ceremoniel man diesem oder jenem Potentaten zugestehen könne*".

<sup>50</sup> *Ibidem*, *Vorbericht*: "*eines der sublimesten Theile der Historie; Die Politicis, sonderlich aber practici, wissen zugleich auch, daß die Praerogativa oder der Vorzug, welchen die irrdischen Götter auf Erden, einer für dem andern zu haben praetendiren, in der Politica, nebst dem Jure Majestatis, das vornehmste und wichtigste Capitul ausmache*".

*versal-Gelehrsamkeit*"), he recommends his book for the readers of newspapers and especially for two other groups. One comprises travellers who look for "the splendour of the world and the courts" and want to understand what they see, the other comprises those who want to make a court or diplomatic career, e.g. as "chamberlains and pages" ("*Cammer= Herren und Hof=Juncker*") or "envoyes" ("*Gesandte*").<sup>51</sup>

Stieve then explains his "method and style", which shall be analogous to an architectural order; this only means, however, that part one serves as the general foundation for the following four parts which successively deal with congresses and meetings of princes (part two), with the different sorts of diplomatic staff (part three), with ceremonial disputes on peace conferences (part four) and at the courts (part five). The author finally affirms that he wants to avoid "all expressions implying partiality" and thus concludes his preface with a protestation of his neutrality in the ceremonial quarrels of his time.<sup>52</sup>

The following first part of the *Hoff=Ceremoniel*<sup>53</sup> is especially interesting as it indeed confirms the author's claim to be more systematic than his predecessor Winterfeld. It consists of nine chapters, of which the first one ("*Von dem Ceremoniel insgemein*") is the theoretical basis,<sup>54</sup> starting with a twofold definition of "*Ceremoniel*". In the first, more general sense it means

"anything one is used or forced to do with respect to firstly, the position of the body, e.g. reverence, genuflection; secondly, the dress, e.g. mourning dress or Burgundian dress; thirdly, walking, sitting and standing, e.g. on the right or the left, in front or behind etc."<sup>55</sup>

In the second, stricter sense, which is the relevant one for Stieve's purpose, it means "the manner alone in which potentates or their envoyes use to receive each other or have to do according to tradition."<sup>56</sup> This is illustrated by another, more detailed definition of ceremonial on the same page clearly stating

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51 *Ibidem*, Vorbericht.

52 *Ibidem*, Vorbericht.

53 *Ibidem*, pp. 1-144.

54 *Ibidem*, pp. 1-9 = I. Theil, Capitel 1.

55 *Ibidem*, p. 1: "*alle dasjenige was man ratione 1. Der Stellung des Leibes, v.g. Reverenz, Kniebeugung, 2. Der Kleidung, v.g. Trauer=Habit, Burgundische Kleidung, 3. Des Gehens, Sitzens und Stehens, v.g. zur Rechten oder Lincken, it. voran oder hinten nach, etc. zu thun gewohnet oder genöthiget ist.*"

56 *Ibidem*, p. 2: "*nur allein die Manier mit welcher Potentaten, und derer Gesandten einander zu recipiren pflegen, oder auch gestalter Sachen nach müssen.*"

"that it is an order introduced by treaty, custom, and possession among the sovereigns, or persons equal to them, according to which they or their envoys and agents have to take care that nobody gets too much or too little."<sup>57</sup>

Stieve also makes it clear that there is a difference between this meaning of ceremonial and simple courtesy:

"The origin of such a ceremonial is not, as e.g. for the writers on compliments, civility, because the latter has no laws, but it is rather the pride, stemming from the higher dignity which one believes to have relative to others, to which the qualities of law have been ascribed and which has been given the title of prerogative or precedence."<sup>58</sup>

The principal foundation of ceremonial is therefore, as stated in this quotation, the right of precedence, and the competition aroused by this among the princes is a main source of ceremonial and political conflicts. One of the main tasks of ceremonial science is thus the construction of a binding hierarchy of rank for the European states and rulers.<sup>59</sup> It is therefore consistent that the following chapter ("*Von den General-Fundamentis, Auf welche die Majestäten ihre Praecedenz gründen*") tries to present general criteria for such a ranking.<sup>60</sup> These criteria are subsequently applied to the single monarchies and republics: For each country and prince there are the reasons given for their respective position within the European hierarchy.<sup>61</sup>

After part one, which with its definition of ceremonial and its discussion of precedence offers a systematic introduction to the field, the rest of the book deals with the different occasions where ceremonial took place, and this is done in a casuistic way similar to Winterfeld's. The main concern of Stieve was obviously the ceremonial disputes on peace conferences, as about 400 of the more than 700 pages are devoted to this topic.<sup>62</sup>

On the last numbered page, after having given some examples of ceremonial quarrels that occurred at the single courts, he wrote: "These facts may suffice to prove that ceremonial matters are not yet completely in the

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<sup>57</sup> *Ibidem*, p. 2: "Daß es eine unter den Souverains, oder ihnen gleichenden Personen, ex Pacto, Consuetudine, Possessione eingeführte Ordnung sey, nach welcher sie sich, derer Gesandten und Abgesandten bey Zusammenkünfften zu achten haben, damit keinem zu viel noch zu wenig geschähe ."

<sup>58</sup> *Ibidem*, pp. 2f: "Der Ursprung solches Ceremoniels, ist nicht, wie etwan bey den Complimentisten, die Höflichkeit, denn diese hat keine Leges, sondern vielmehr die aus einer grössern Dignität, so man für einem andern zu haben vermeinet, her-rührende Superbia, welcher man die Qualitäten Juris zugeeignet, und ihr den Titel der Praerogativa oder Praecedentiae gegeben."

<sup>59</sup> *Ibidem*, pp. 4ff.

<sup>60</sup> *Ibidem*, pp. 9-72 = I. Theil, Capitel 2.

<sup>61</sup> *Ibidem*, pp. 73-144 = I. Theil, Capitel 3-9.

<sup>62</sup> Cf. *ibidem*, pp. 284-681 = IV. Theil.

right order".<sup>63</sup> This remark with its tone of resignation should, however, not deceive us about the progress that Stieve's work represented in ceremonial science compared to Winterfeld's contribution.

Stieve did not only present his heterogenous material, but tried to put it into the "form of a system"<sup>64</sup> and thus was able to offer something like a structured set of rules for court life that was characterized by ceremonial,<sup>65</sup> i.e. by a specific order. He even claimed the scientific character of his topic, speaking of ceremonial as "*diese Szientz*".<sup>66</sup> The higher degree of coherence that he achieved also follows from limiting his subject strictly to ceremonies, without Winterfeld's ambition of putting forward a general *Politica* too.

The second and improved edition of the *Europäisches Hoff=Ceremoniel*, published in 1723, retained this structure and scope, though it had grown to 832 numbered pages. The longer text mostly resulted from numerous footnotes which simply supplied details to different points that in the first edition were missing. The largest annotations however were an answer to the then acute problem concerning the title of the Russian monarch, as in 1721 Peter I lay claim to the form of address, *emperor*. Stieve devoted several pages to the ceremonial aspect of the case.<sup>67</sup> There was still another reaction to recent developments in this second edition. In a flattering way Stieve mentioned Johann Christian Lünig and his *Theatrum Ceremoniale* (1719/20),<sup>68</sup> which will be the next example to be introduced.

Lünig's work, too, starts with the usual preface ("*An den Leser*"), making clear the author's motives and intentions in venturing upon the delicate matter of ceremonies. Lünig thinks his treatise is indispensable for everybody "who wants to succeed at court and in chancelleries", for it provides him with "good knowledge of court, and chancellery ceremonial (*Cantzley=Ceremoniel*)". He then mentions as his predecessors the well-known names of Leti, Winterfeld and Stieve, explicitly praising this last, "because he has written methodically and kept in order what he had collected about ceremonial".<sup>69</sup> But nevertheless he criticizes all three scholars since they have not paid enough attention to the "*Cantzley=Ceremoniel*"

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<sup>63</sup> Cf. *ibidem*, p. 704: "*Diese Facta nun werden zulänglich seyn, zu erweisen: daß das Ceremoniel=Wesen noch nicht in völliger Richtigkeit*".

<sup>64</sup> *Ibidem*, Vorbericht.

<sup>65</sup> Cf. also Jürgen Hartmann, *op. cit.*, p. 7f.

<sup>66</sup> Stieve, *op. cit.*, Vorbericht.

<sup>67</sup> *Ibidem* (edition 1723), pp. 36-39 and 42-46; for the ceremonial behaviour of the czar during his visit in France cf. Gruenter, *Zwei Bemerkungen zum Thema Ceremonia*, pp. 363ff.

<sup>68</sup> *Ibidem* (edition 1723), p. 9.

<sup>69</sup> Lünig, *op. cit.* I, *An den Leser*: "*weil er methodice geschrieben, und allenthalben, so viel er vom Ceremoniel zusammen gebracht, eine gute Ordnung gehalten*".



and had written in general on mere "solemnities which normally can be increased or decreased" rather than on "ceremonial in the strict sense which has to be observed precisely".<sup>70</sup>

After having explained that his interest starts in 1648, as only by the Peace of Westphalia did "*das Teutsche Ceremonial*" take shape, he clarifies what, according to him, ceremonial science could indeed achieve and what it was overcharged with:

"This however is indispensable to remember: though some writers claim that they plan to organize ceremonial matters into certain theorems and rules, this however has still not been achieved; and apart from the attempt by the above-mentioned professor Stieve, this is almost impossible for such a delicate topic, which concerns the greatest powers in the world. This will be proved by this work and the examples it contains, for the time and the occasion require now less, now more at court and no sovereign wants to accept a limit and measure in these things."<sup>71</sup>

Lünig thus assumes that the variability of ceremonial, because of its dependency on the princes' arbitrariness, makes every attempt at putting it into certain maxims and principles futile. His claim is much less ambitious than Stieve's.

But on the other hand he presents a more thorough analysis of the pre-conditions and the origin of ceremonies which are the main subject of the very first chapter of his text ("*Vom Ceremoniel insgemein*").<sup>72</sup> For Lünig ceremonial is deeply rooted in the inequality of men as a result of the fall. They are ruled by ambition and other sins and vices that express themselves by different passions. So he writes about the anthropological sources of ceremonies:

"According to the opinion of most moralists they only consist in the vain ambition of man and the violence employed against others because of this. But probably the

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<sup>70</sup> *Ibidem* I, An den Leser.

<sup>71</sup> *Ibidem* I, An den Leser: "*Dieses aber ist noch unumgänglich zu erinnern nöthig, daß obwohl einige Scribenten melden, als wenn einer, oder der andere gesonnen, so zwar biß dato nicht erfolget, ausser was obgedachter Herr Professor Stiev zum Versuch gethan, das Ceremoniel-Wesen unter gewisse Lehr=Sätze und Grund=Reguln zu bringen, solches in einer so delicaten Materie, welche die grössesten Puissancen in der Welt concerniret, fast eine unmögliche Sache sey, davon dieses Werck und die darinn befindliche Exempel, so die kräftigsten Lehrer sind, das beste Zeugnis geben können; Indem die Zeit und die Gelegenheit des Hofes bald ein mehreres, bald ein wenigeres erfordert, und sich kein Souverain dißfalls gerne Ziel und Maß setzen lassen will.*"

<sup>72</sup> *Ibidem* I, pp. 1-7 = Caput I.

other main human emotions have also gradually contributed to the increase of ceremonial in human life."<sup>73</sup>

Lünig explicitly mentions "voluptuousness" ("*Wollust*") and "avarice" ("*Geitz*").<sup>74</sup>

But in spite of this derivation he does not simply condemn ceremonial, but rather has a more cautious, ambiguous attitude towards it, as the following passage demonstrates:

"Hence ceremonial and solemnities are, to put it frankly, a brood of the corrupt human nature and sinful passions. But one must not throw out the baby with the bathwater, for there have always been wise and virtuous men among the most corrupt ones, who have clearly recognized the poor condition of people clinging to outward ceremonies, but at the same time fully understood that certain rites and ceremonies were necessary for the maintenance of a certain order without which the human society cannot persist."<sup>75</sup>

Ceremonial as an indispensable order is also stressed by the following definition:

"Ceremonial is however an order, introduced among sovereigns, or persons regarded equal to them, by their own action and arbitrariness, by tacit consensus, explicit arrangement, usurpation, possession and prescription. At many human occasions at their courts or solemn meetings they have to pay attention to it, just like their ministers, who are sent off with different ranks, have to at foreign courts and in general everywhere they meet, in order to preserve their good esteem in front of subjects and foreigners and not to give anybody more or less than he is due to."<sup>76</sup>

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<sup>73</sup> *Ibidem* I, p. 1: "Diese scheinen nach der meisten Moralisten Meynung, nichts anders, als der eitle Ehrgeiz der Menschen und die durch dessen Antrieb gegen andre gebrauchte Gewalt zu seyn, doch haben vermuthlich auch die übrigen menschlichen Haupt=Affecten nach und nach das Ihrige zu Vermehrung derer Ceremonien im menschlichen Leben mit beygetragen."

<sup>74</sup> *Ibidem* I, pp. 1f.

<sup>75</sup> *Ibidem* I, p. 2: "Es ist also, Teutsch von der Sache zu reden, das Ceremoniel- und Solennitäten=Wesen eine Brut der verderbten menschlichen Natur und sündlichen Affecten; Jedoch man muß das Kind nicht zugleich mit dem Bade wegwerffen; denn es hat doch allezeit mitten unter den verderbsten, auch weise und tugendhafte Menschen gegeben, welche den elenden Zustand derer an äuserlichen Ceremonien klebenden Leute gar wohl erkannt, aber auch gar deutlich begriffen, daß zu Erhaltung einer gewissen Ordnung, ohne welche die menschliche Gesellschaft nicht bestehen kan, gewisse Ritus und Ceremonien von nöthen wären."

<sup>76</sup> *Ibidem* I, p. 2: "Es ist aber das Ceremoniel eine unter souverainen, oder ihnen gleichgeltenden Personen aus eigener Bewegniß und Willkühr / durch einen

In further explaining this definition, the author still emphasizes the point of order, when he continues:

"It will not be useless to examine this description a bit more precisely. The ceremonial is order. All things in the world have their specific order, and one thing is always subordinate to another. Why? They descend from so perfect a being, that it could only proceed orderly. The great work of creation is a perfect model of the most beautiful order."<sup>77</sup>

If thus the whole of creation is primarily characterized by order, the same must apply to the environment of a prince which comprises many people. They have to be kept in order by ceremonial. As long as only his own court is concerned, the ruler is free to determine its concrete form, i.e. to change it according to his will or temper.<sup>78</sup> With regard to his princely colleagues he must, however, take into account different factors among which political interests play an important role.<sup>79</sup>

This reasoning leads Lünig to a reflection on the political function of ceremonial which is closely connected to his considerations about the state of mankind after the fall of man. The relevant passage about the "ultimate purpose" ("*Endzweck*") of ceremonial says:

"Most people, particularly the populace, are of such quality that sensory perception and imagination have more influence than wit and reason. Therefore they are better moved by things which stimulate the senses and appeal to the eyes than by the most conclusive and clearest explanations. If the common people were told hundreds of times with selected words and arguments that they should obey their ruler, because it was in accordance with the commandment of God and sane reason, one would not achieve very much, if the ruler was dressed and behaving just like a common citizen. But if a prince is presented, who is dressed splendidly, surrounded by many courtiers, venerated by different foreign princes with legations, and protected

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*stillschweigenden Consens, ausdrücklichen Vergleich, Usurpation, Possess und Praescription eingeführte Ordnung, nach welcher sowohl sie, bey allerhand menschlichen Gegebenheiten, an ihren Höfen, und bey solennen Zusammenkünften / als auch ihre unter verschiedenen Characteren abgeschickte Ministri sich an frembden Höfen und überhaupt an allen Orten, wo sie zusammen kommen / zu achten haben / um sich dadurch bey Unterthanen und Frembden in gutem Ansehen zu erhalten, auch keinem weder zu viel noch zu wenig thun."*

<sup>77</sup> *Ibidem* I, p. 2: "Doch es wird nicht ohne Nutzen seyn, diese Beschreibung etwas genauer zu untersuchen. Das Ceremoniel ist eine Ordnung. Alle Dinge haben in der Welt ihre gewisse Ordnung, und es ist immer eines dem andern subordiniret; Warum? sie kommen von einem so vollkommenen Wesen her, das nicht anders hat, als ordentlich procediren können. Das große Werck der Schöpfung der Welt stellet ein vollkommenes Muster der schönsten Ordnung dar."

<sup>78</sup> *Ibidem* I, pp. 2f.

<sup>79</sup> *Ibidem* I, pp. 3f.

by a respectable guard, the people will begin to be astonished at his highness. This astonishment however brings about esteem and deference, from which submission and obedience result. Everybody will be willing to obey such a prince, especially if he personally profits at the same time from the outward state.<sup>80</sup>

This quotation can be read as an illustration of the ambiguous remark on the necessity of ceremonies for the maintenance of an ordered human society, that now has, however, a much clearer social connotation. The uneducated populace especially is the addressee of the rulers' ceremonial efforts, while the learned élite seems to be able to see through their superficiality.

After these theoretical considerations, the author focuses his attention on the basic problem of precedence that makes up the contents of the whole of chapter two.<sup>81</sup> The first paragraph on its general foundations and elements ("*Discours von der Praecedenz insgemein*")<sup>82</sup> greatly resembles the corresponding pages of Stieve's work.<sup>83</sup> But Lünig in any case owes a lot to his predecessor. His definition of ceremonial<sup>84</sup> as well as his reasoning on the order of the world are clearly influenced by Stieve.<sup>85</sup> Lünig basically supplemented Stieve's remarks with more detail, and he also copied the structure of his introductory passages: firstly, there is a definition of ceremonial, which is, secondly, linked to the idea of order, before, thirdly, precedence is discussed as a key element.

Nevertheless interesting innovations can be found in his work. It contains, for example, a chapter on "court, house, and chamber ceremonial"

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<sup>80</sup> *Ibidem* I, p. 5: "Denn die meisten Menschen, vornehmlich aber der Pöbel, sind von solcher Beschaffenheit, daß bey ihnen die sinnliche Empfind= und Einbildung mehr, als Witz und Verstand vermögen, und sie daher durch solche Dinge, welche die Sinnen kützeln und in die Augen fallen, mehr, als durch die bündig= und deutlichsten Motiven commoviret werden. Wenn man dem gemeinen Volck hundert und aber hundert mahl mit auserlesenen Worten und Gründen vorstellte, daß es seinem Regenten deßwegen gehorchen solte, weil es dem Göttlichen Befehl und der gesunden Vernunft gemäß wäre, dieser aber sich in Kleidung und sonst in allem so schlecht, als ein gemeiner Bürger aufführete, so würde man wenig damit ausrichten. Allein man stelle demselben einen Fürsten vor, der prächtig gekleidet, mit vielen Hofleuten umgeben, von verschiedenen auswärtigen Printzen mit Gesandtschafften verehret, auch von einer ansehnlichen Guardie bedeckt ist, so wird es anfangen, sich über dessen Hoheit zu verwundern, diese Verwunderung aber bringet Hochachtung und Ehrfurcht zuwege, von welchen Unterthänigkeit und Gehorsam herkommen. Ein jeder wird sich willig finden lassen, einem solchen Fürsten zu gehorsamen, vornehmlich, wo er zugleich bey diesem äuserlichen Staat sein Interesse findet."

<sup>81</sup> *Ibidem* I, pp. 7-30 = Caput II.

<sup>82</sup> *Ibidem* I, pp. 7-11.

<sup>83</sup> Cf. Stieve, op. cit., pp. 9ff.

<sup>84</sup> Cf. Lünig, op. cit. I, p. 2 and Stieve, op. cit. p. 2.

<sup>85</sup> Cf. Lünig, op. cit. I, p. 2 and Stieve, op. cit., pp. 3f.



ceremonial with the aim of instructing a master of ceremonies.<sup>89</sup> To supply a survey of all the different elements of all possible ceremonies for all potential occasions,<sup>90</sup> Lünig developed a mechanical tool, a sketch of which is found on p. 1340.<sup>91</sup>

It is, however, for a different reason that the three volumes of Lünig have become an outstanding example, if not the culmination, of the genre, namely the incredible abundance of material it contains. Though other ceremonial treatises have doubtless shown more sophistication in handling and using the different sorts of sources on ceremonies, the *Theatrum Ceremoniale* is without competition as to the quantity of accounts that are presented.

It gives information on European conditions as well as on the Turkish<sup>92</sup> or other non-European courts<sup>93</sup> and also includes both private<sup>94</sup> and academic ceremonial.<sup>95</sup> Altogether the three volumes<sup>96</sup> in folio have about 3500 numbered pages, each of them divided into two columns.

In spite of these dimensions the *Theatrum Ceremoniale* is not the life-work of Lünig, but just one voluminous collection among other equally impressive compilations. During the last four decades of his life (1662-1740),<sup>97</sup> the *Stadtschreiber* Lünig published e.g. six volumes of speeches as rhetorical examples,<sup>98</sup> the 24 volumes of his famous *Reichs-Archiv*, four volumes of a *Codex Italiae diplomaticus* and numerous similar series.

A vast production like his was possible only if one was able to visit the most important libraries in person, or if one disposed of a wide network of correspondents. Lünig used both ways: After having studied law in Helmstedt and Jena, he travelled through Italy, England, Holland and France, later to Moscow, Sweden and Denmark, where he visited different archives and libraries.<sup>99</sup> Other material for his publications was obtained by

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<sup>89</sup> *Ibidem* II, pp. 1334-1340.

<sup>90</sup> Cf. the list in *ibidem* II, p. 1339.

<sup>91</sup> *Ibidem* II, p. 1340; cf. the explanation on p. 1338.

<sup>92</sup> Cf. *ibidem* II, pp. 1441-1461 = Caput XXXV.

<sup>93</sup> Cf. *ibidem* II, pp. 1461-1472 = Caput XXXVI.

<sup>94</sup> Cf. *ibidem* II, pp. 1315f.

<sup>95</sup> Cf. *ibidem* II, pp. 1341-1390 = Caput XXXII.

<sup>96</sup> *Ibidem* III exclusively deals with "*Cantzley=Ceremoniel*".

<sup>97</sup> Lünig was born in Schwalenberg in 1662 as the son of a *Haus = Hofmeister* of a widowed princess of Hesse-Darmstadt. After having studied law in Helmstedt and Jena, he traveled as a princely tutor through Italy, England, Holland and France. Later on he held the administrative post of an *Ammann* in Saxon Eulenburg for four years, before he was appointed *Stadtschreiber* in Leipsic. There he published several voluminous collections of legal material. The *Theatrum Ceremoniale* thus is only one of many similar projects of Lünig's editorship; cf. *Zedler*, op. cit., vol. 18, pp. 1101f; Deutsches Biographisches Archiv, microfiche no. 788, pp. 430ff.

<sup>98</sup> Cf. *Braungart*, op. cit., pp. 2ff.

<sup>99</sup> Cf. *Zedler*, op. cit., vol. 18, p. 1102.

appealing to other people to send him relevant information for his different projects.<sup>100</sup> Digesting such a quantity of texts, however, obviously over-charged him sometimes, as the weakest point of his books proves: they are not always reliable, due to a careless and hasty editing practice.

Julius Bernhard von Rohr (1688-1742)<sup>101</sup> avoided this mistake when writing his contribution to ceremonial science. Its first part was published in 1728, bearing the title *Einleitung zur Ceremoniel-Wissenschaft Der Privat-Personen*.<sup>102</sup> It was mainly addressed to "young cavaliers", "who leave behind their infancy and are about to visit the courts and enter the big world".<sup>103</sup> Like Stieve the author intends to bring the knowledge he wants to teach into the "form of a science",<sup>104</sup> and hence chapter one of the first part<sup>105</sup> primarily deals with defining the position of ceremonial science with respect to other fields.

Rohr starts by saying:

"Ceremonial science teaches how one is reminded by something appealing to the senses of a particular duty and how in general one is to arrange his actions according to the circumstances of localities, persons and times, so that they fit the matter and are judged decent by most or the most distinguished people."<sup>106</sup>

According to Rohr this task of ceremonial science makes it a part of moral philosophy: "This doctrine is connected to the science dealing with human

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<sup>100</sup> Cf. *Braungart*, op. cit., p. 6.

<sup>101</sup> Rohr was born in 1688 on the estate of his family in Elsterwerda in Saxony. After having studied law, mathematics, physics, chemistry and oeconomics in Leipsic and Halle (where Christian Wolff was one of his teachers), he held several administrative posts in Prussian and Saxon service after 1714. Rohr's publications comprised economic, legal and ethical writings, and especially the latter ones were strongly influenced by Christian Wolff's moral philosophy. Rohr managed to successfully combine academic prestige with the traditional values of the nobility; cf. *Zedler*, op. cit., vol. 32, pp. 560ff; *Frühsorge*, Nachwort, pp. 11ff.

<sup>102</sup> *Rohr*, op. cit. I.

<sup>103</sup> *Ibidem* I, Vorrede: "die ihre Kinder=Jahre verlassen / und nunmehr im Begriff sind / die Höfe zu besuchen / und in die grosse Welt zu gehen".

<sup>104</sup> *Ibidem* I, Vorrede.

<sup>105</sup> *Ibidem* I, pp. 1-33 = I. Theil, I. Capitul ("Von der Ceremoniel-Wissenschaft überhaupt").

<sup>106</sup> *Ibidem* I, p. 1 (§ 1): "Die Ceremoniel-Wissenschaft lehret, wie man bey einem und dem andern, so in die äusserlichen Sinnen fällt, sich einer besondern Pflicht erinnern, und überhaupt seine Handlungen nach den Umständen der Oerter, Personen und Zeiten so einrichten soll, wie sie sich zur Sache schicken, und nach dem Urtheil der meisten oder vornehmsten vor wohlänständig gehalten werden."

doings (*Thun und Lassen*).<sup>107</sup> Hence it is founded on "purely human convention" ("*lauter Menschen=Satzungen*"), which implies that its rules are sometimes contrary to reason and virtue.<sup>108</sup> The following sentence therefore only describes an ideal state of ceremonial:

"If the people used their reason and will like they should and could do, all ceremonies and customs would have their reasons. They could harmonize perfectly with the virtues, with natural law and with prudence. And the people would always choose the best and most perfect also with regard to their outward actions."<sup>109</sup>

Though this passage clearly shows Rohr's critical attitude to at least a part of the usual ceremonial, he is however cautious enough to limit the distinction of legitimate and illegitimate ceremonies to the private sphere only, while explicitly not applying it to the "lecture on the doctrine of state and court ceremonial".<sup>110</sup>

The general importance, or even necessity, of ceremonial is explained in words that very much resemble Lünig's remark about its function:<sup>111</sup>

"A lot of people infer the interior from the outward. The one who, according to the opinion of the people, is skilful in outward things is not only taken for polite, but also for prudent and wise. The other who commits a ceremonial mistake is however regarded as a dreamer (*Phantast*). Outward actions catch everybody's eyes, the fool's as well as the wise man's, and often it happens that someone who normally possesses little wit can perceive another man's mistake, committed in outward matters."<sup>112</sup>

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<sup>107</sup> *Ibidem* I, p. 3 (§ 4): "Es ist diese Lehre ein Stück mit derjenigen Wissenschaft, so sich um das Thun und Lassen der Menschen bekümmert."

<sup>108</sup> *Ibidem* I, p. 6f (§ 8).

<sup>109</sup> *Ibidem* I, p. 7 (§ 8): "Gebrauchten sich die Menschen ihrer Kräfte des Verstandes und Willens auf die Weise, wie sie sich wohl derselben gebrauchen sollen und könnten, so würden die Ceremonien und Gebräuche alle ihren Grund haben, sie würden mit der Tugend=Lehre, mit dem natürlichen Recht und mit der Lehre der Klugheit, vollkommen können harmoniren, und die Menschen würden auch bey ihren äußerlichen Handlungen jederzeit das beste und vollkommenste erwählen. See also the *corrigenda* for the correct meaning.

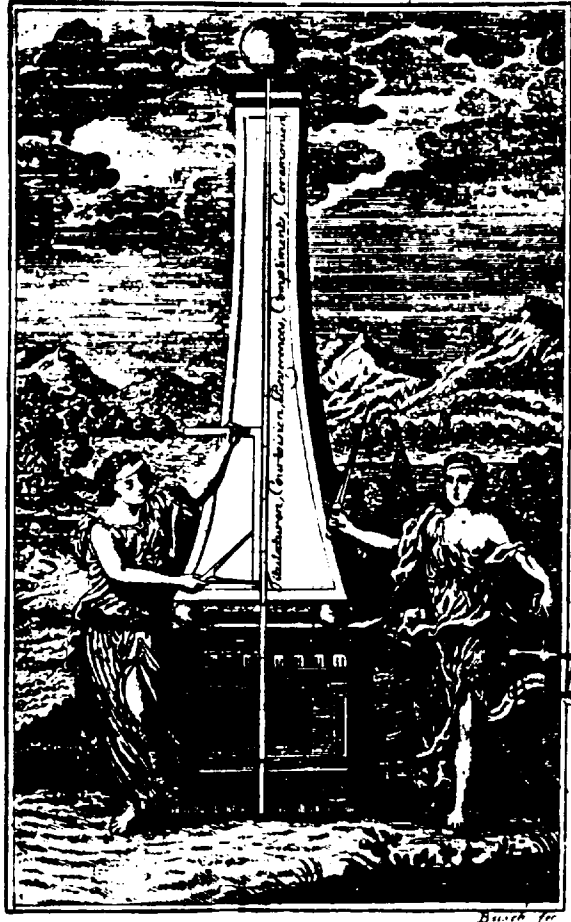
<sup>110</sup> *Ibidem* I, pp. 23f (§ 27); cf. also pp. 21ff (§§ 25f).

<sup>111</sup> Cf. Lünig, op. cit. I, p. 5.

<sup>112</sup> Rohr, op. cit. I, p. 25 (§ 28): "Ein grosser Theil der Menschen schließt von dem äusserlichen auf das innerliche; wer sich nach der opinion der Leute in dem äusserlichen wohl zu schicken weiß, der wird von vielen nicht allein vor manierlich, sondern auch vor klug und weise gehalten, und hergegen der andere, der bey dem Ceremoniel einen Fehler begehet, vor einen Phantasten angesehen. Die äusserlichen Handlungen fallen allen Leuten in die Augen, dem Narren so wohl als dem Klugen,



**Figure 7:** An allegory of the geometrical order of ceremonial (1729)



The right-hand figure represents political power, while the woman on the left measures the obelisk, which bears the following inscription: titles, courtesies, reverences, compliments, ceremonies.

This social aspect of ceremonial bearing is closely linked to the very character of ceremonial as a sign. Rohr's concise definition reads as follows:

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*und es geschicht nicht selten, daß mancher, der sonst wenig Witz im Kopff hat, an dem andern einen Fehler, den er bey dem äusserlichen begehret, wahrnehmen kan."*

"A ceremony is a certain action, by which, as a sign, something is hinted at. It shall either remind the one performing the ceremonial, or those who are submitted to it, or occasionally the spectators and audience, of a certain duty." 113

Having thus built up quite an explicit and elaborate basis for his argument in the first chapter, the author completes the first part by presenting seven more chapters on the more general aspects of his topic, e.g. fashion, rank, and court life.<sup>114</sup> The rest of the book consists of the second part which is about single occasions where ceremonial knowledge is needed, such as religious service, gambling, or funerals.<sup>115</sup>

In 1729 Rohr published the second volume of his work. Its title, *Einleitung zur Ceremoniel-Wissenschaft Der großen Herren*, indicates that it refers to the ceremonial for princes only, and there are some hints that suggest that the author himself thought this topic to be more important than the ceremonial for private people. Volume two is not only about 200 pages longer than its forerunner, but it also contains more explicit reasonings on the general features of ceremonial; in this it clearly excels in comparison to the works of Winterfeld, Stieve and Lünig. Though the prefaces and first chapters of both volumes mention the same points, they are, however, somewhat sharpened and more precise in volume two.

As to the definition of his reasoning as a science, Rohr is much more explicit in the later part of his work:

"Four or five years ago, I was induced to it by the court councillor Wolff's *Vernünfftige Gedancken von der Menschen Thun und Lassen*, because I could learn from § 179 of chapter III that with good reasons the ceremonies could be subject of a proper science. After I had come across Lünigs *Theatrum Ceremoniale* (...) about the same time (...) and had learned (...) that no systematic and philosophical work on secular ceremonies existed, though it had been demanded by the learned world and though some writers had already offered themselves, but never realized such a work, I decided to attempt it myself." 116

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113 *Ibidem* I, pp. 7f (§ 9): "Eine Ceremonie ist eine gewisse Handlung, dadurch, als ein Zeichen, etwas gewisses angedeutet wird, und entweder denjenigen selbst, der die Ceremonie vornimmt, oder mit denen sie vorgenommen wird / oder auch wohl nach Gelegenheit die Zuschauer und Zuhörer einer gewissen Pflicht erinnern soll."

114 *Ibidem* I, pp. 33-45 = I. Theil, II. Capitul, pp. 105-139 = I. Theil, IV. Capitul, pp. 221-244 = I. Theil, VIII. Capitul.

115 *Ibidem* I, pp. 245-278 = II. Theil, I. Capitul, pp. 403-427 = II. Theil, VIII. Capitul, pp. 662-671 = II. Theil, XIX. Capitul.

116 *Ibidem* II, Vorrede, § 1: "Vor ein vier oder fünf Jahren gab mir der Herr Hof=Rath Wolff in seinen vernünfftigen Gedancken von der Menschen Thun und Lassen die erste Gelegenheit hiezu / als ich aus dem 179. §. des III. Capituls ermeldeter Schrift ersahe / daß man mit gutem Grunde von den Ceremonien eine eigene Wissenschaft machen könnte. Nachdem mir hernach fast zu gleicher Zeit (...) / des Herrn Lünigs

The modest author was not quite sure about his success; he did not want to claim "that the learned world was completely satisfied with the present work and that ceremonial matters were perfectly governed by the rules of a science". He hoped, however, that he had achieved a way of reasoning that was "similar to a systematic teaching method".<sup>117</sup>

The only other remarkable passage of the preface shows to whom this work is directed. It is written mainly for itinerant young people, for

"if they carry with them this compendium on their tour, they know what especially they have to inquire about with regard to ceremonial matters at this or another court. They find regular classes, into which they can file what they experience and observe themselves. Thus they become very experienced in a short time and find gathered in one place what has been practised at most European courts, especially recently, for the last 30 years".<sup>118</sup>

This paragraph is the most concrete information on the practical use for which the ceremonial treatises were actually designed: They were to serve as a handbook that was always available for the younger nobleman on his tour throughout the courts of Europe. Of course this holds true only for those works - such as the writings of Rohr, but also of Winterfeld and Stieve - which were published in octavo.

Next to the preface, the most interesting part of the second volume of Rohr's *Einleitung* is the very first chapter which speaks of its subject in general terms.<sup>119</sup> The inevitable definitions here read:

"State ceremonial prescribes a certain way of decorum to the outward actions of rulers or their representatives in order to maintain or increase and augment their honour and respect in the eyes of their subjects and servants, their princely relatives

*Theatrum Ceremoniale in die Hände gerieth (...) / und ich (...) ersahe / daß man noch kein Systematisch und Philosophisch Werck von den weltlichen Ceremonien hätte / ob schon dergleichen von der gelehrten Welt längst verlangt worden / unterschiedene Autores auch sich hiezu anheischig gemacht / noch keiner aber zu Stande gebracht / ward ich schlußig / selbst einen kleinen Versuch hierinnen vorzunehmen."*

117 *Ibidem* II, Vorrede, § 5: "als ob durch gegenwärtige Arbeit dem Verlangen der gelehrten Welt ein völlig Genügen geschehen / und das Ceremoniel-Wesen nach aller Vollkommenheit in die Regeln einer Wissenschaft eingeschlossen"

118 *Ibidem* II, Vorrede, § 4: "wenn sie dieses Compendium auf Reisen bey sich führen / so wissen sie wornach sie sich an diesen oder jenen Hof bey dem Ceremonien = Wesen insonderheit zu erkundigen haben / sie finden ordentliche Classen / wohin sie dasjenige was sie selbst erfahren und observiren / dazu tragen können / sie gelangen hierdurch in kurtze Zeit zu einer grossen Erfahrung / und finden dasjenige was an den meisten Europäischen Höfen / insonderheit den neuesten Zeit nach / von ein dreyßig Jahren her biß ietzund im Gebrauch / an einem Ort beysammen".

119 *Ibidem* II, pp. 1-18 = I. Theil, I. Capitul ("Von dem Staats = Ceremoniel überhaupt").

and other fellow-rulers. The science of state ceremonial regulates the actions of the princes with respect to themselves, their families and their subjects, and imposes certain limits and measures on what they honour other princes or their envoys with.

Some ceremonies are absolutely reasonable and established for good reasons. They have to be regarded as a means by which a certain purpose is achieved, this purpose being to cause the subjects' particular respect and reverence for their ruler. If the subjects recognize the majesty of the king, they have to understand that the highest authority and power is with him and hence their actions have to be arranged in such a way that they are forced to recognize his authority and power. The common man who merely clings to the outward senses and scarcely uses reason cannot imagine the majesty of the king, but through visual and the other senses he gets a clear notion of his majesty, authority and power. See Wolff's *Gedancken von dem gesellschaftlichen Leben der Menschen*, pp. 499 and 501.

Originally some old ceremonies served to remind the rulers as well as the subjects of certain duties by this or that appealing to the senses. But afterwards the main point is forgotten and only the minor matter preserved: one looks at the sign, but does not know its meaning. \*120

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120 *Ibidem* II, pp. 1ff (§§ 1ff): "Das Staats=Ceremoniel schreibet den äusserlichen Handlungen der Regenten, oder derer, die ihre Personen vorstellen, eine gewisse Weise der Wohlanständigkeit vor, damit sie hierdurch ihre Ehre und Ansehen bey ihren Unterthanen und Bedienten, bey ihren Hoch=Fürstlichen Anverwandten und bey anderen Mitregenten entweder erhalten, oder noch vermehren und vergrössern. Die Staats=Ceremoniel-Wissenschaft reguliret die Handlungen der grossen Herren, die sie in Ansehung ihrer selbst, ihrer Familie und ihrer Unterthanen vornehmen, und setzet auch dem, womit sie andere Fürsten oder ihre Gesandten beehren, eine gewisse Ziel und Maaße.

Einige Ceremonien sind gar vernünftig, und mit gutem Grunde etabliret. Sie sind als Mittel anzusehen, dadurch ein Landes=Herr einen gewissen Endzweck erreicht, immassen den Unterthanen hiedurch eine besondere Ehrfurcht und Ehrerbietung gegen ihren Landes=Herrn zuwege gebracht wird. Sollen die Unterthanen die Majestät des Königes erkennen, so müssen sie begreifen, daß bey ihm die höchste Gewalt und Macht sey, und demnach müssen sie ihre Handlungen dergestalt einrichten, damit sie Anlaß nehmen, seine Macht und Gewalt daraus zu erkennen. Der gemeine Mann, welcher bloß an den äusserlichen Sinnen hangt, und die Vernunft wenig gebrauchet, kan sich nicht allein recht vorstellen, was die Majestät des Königes ist, aber durch die Dinge, so in die Augen fallen, und seine übrigen Sinnen rühren, bekommt er einen klaren Begriff von seiner Majestät, Macht und Gewalt. S. des Hrn. Hofrath Wolffens *Gedancken von dem gesellschaftlichen Leben der Menschen*, p. 499. u. 501.

Bey dem Ursprung mancher alten Ceremonien hat man dahin gesehen, daß so wohl die Regenten als Unterthanen durch dises oder jenes, so in die Sinnen fällt, sich gewisser Pflichten erinnern sollen. Man hat aber nachgehends das Haupt=Werck

Though in a way this quotation is only a more detailed paraphrase of points already made in volume one,<sup>121</sup> it is nevertheless a crucial one. Firstly, it shows again that Rohr's main source of inspiration is the philosophy of Wolff from which he has drawn a view of ceremonial that stresses its function and also can be found in Lünig's *Theatrum*.<sup>122</sup> Secondly, here the character of ceremonial as a sign is emphasized again, and thirdly, both notions, the functional as well as the semiotic one, make ceremonial vulnerable to criticism. The remarks on the purpose of ceremonial imply that it only works towards common, uneducated people, while the definition of ceremonies as signs opens the door for them to be seen as meaningless.

Although the rest of the book (divided into four parts and with 61 chapters altogether) gives a more structured account of ceremonial than even Stieve offered,<sup>123</sup> the main achievement of Rohr's book is nevertheless to be found in its general and theoretical parts. He clearly and deliberately linked ceremonial to moral philosophy, and even to a distinct school, i.e. Christian Wolff's, thus providing a systematic basis for his reasoning. Thus he is justified in claiming to have brought the discourse on ceremonial into the form of a science fully for the first time. It is significant though that it was only Rohr who reacted to Wolff's suggestion of turning ceremonial into a science. As an academic author of noble origin he embodied the reconciliation of the different values of the academic and the noble world: according to his contemporaries he distinguished himself as a man of the sword as well as of the pen.<sup>124</sup> Rohr's intermediate position is reflected by his books on ceremonial too: Their subject - court life - is linked to traditional aristocratic values, but their approach stems from the enlightened philosophy of Wolff.

Though the pattern of ceremonial science had largely been set by the *Ceremonial-Politica* in 1700, it increasingly gained a distinct profile through the writings of Winterfeld's successors. This process consisted above all in emphasizing the character of ceremonial reasoning as an independent science, which also disposed of a peculiar terminology and taxonomy. The lengthy and somewhat tiring definitions and classifications of ceremonial, which usually prevail in the prefaces, introductions or first parts of the pertinent texts, were to demonstrate this status. At the same time the functional aspect of ceremonial and court life was also stressed. In the course of this development the link of ceremonial science with politics and law was thrust into the background by its connection with moral philosophy. But this proved to be a sort of dead end in the middle of the 18th century,

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*vergessen, und bloß das Nebenwerck behalten; man siehet auf das Zeichen, und weiß doch nicht was dadurch angedeutet werden soll."*

121 Cf. *Ibidem* I, pp. 7f (§ 9) and 25 (§ 28).

122 Cf. Lünig, op. cit. I, p. 5.

123 Cf. Rohr, op. cit. I, Verzeichniß der Capitel.

124 Cf. Frühsorge, Nachwort, pp. 11ff.

when ceremonial science was reformulated as "court law" and hence tied to public law again.

## 2. Ceremonial in Court and International Law

Friedrich Carl Moser's (1723-1798)<sup>125</sup> *Teutsches Hof=Recht* from 1754/55 is even more explicit than Rohr's contribution in making ceremonial science an accepted academic discipline. In his *Vorbericht* the author states - after having set out the problems of his endeavour in remarks that clearly reveal his critical attitude towards the court sphere -<sup>126</sup> the kind of future for such a "*Wissenschaft*" he thinks desirable:

"If my wish was fulfilled that a special teacher was appointed at a university for the science of court matters, so necessary in the life of the world, who could combine the pleasant with the really useful in a good manner, then it would be a meritorious work to write a verified history of the national court customs. As Göttingen, the queen of the universities, has undisputedly contributed more to the expansion of the sciences in the few years since her foundation than some academies have in entire centuries, I hope that the privilege (...) is reserved to her to establish the first chair of court law and *Cantzley=Praxis* in Germany."<sup>127</sup>

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<sup>125</sup> Friedrich Carl Moser was born in 1723 in Ludwigsburg (Württemberg) as the son of the famous jurist Johann Jakob Moser. He studied law in Jena until 1743 and afterwards started his career, which always comprised two fields: administrative practice in the service of several princes and at the same time an extensive activity as a publicist, in which guise he gained prominence as an author of legal and political books and articles. He very often harshly criticised the reality of the princely states of his time, and was fiercely critical of the court. This criticism sprang from two sources: firstly, from the conviction that political participation by the estates and the administrative experts were to protect the single countries from detrimental absolutist ambitions of the princes; secondly from a moral rigorism with pietistic connotations; cf. *Allgemeine Deutsche Bibliothek*, vol. 23, pp. 764ff and *Stirken*, *Der Herr und der Diener*.

<sup>126</sup> *Friedrich Carl Moser*, op. cit. I, *Vorbericht*.

<sup>127</sup> *Ibidem* I, *Vorbericht*: "*Käme aber mein Wunsch in Erfüllung, daß zu diser in dem Leben der Welt so nöthigen Wissenschaft des Hof=Wesens auf einer hohen Schule ein eigener und solcher Lehrer bestellet würde, welcher auf eine gesunde Art das angenehme mit dem würcklich brauchbaren zu verbinden wüßte, so wäre es ja wohl eine Danckswürdige Arbeit, eine erwiesene Geschichte der Vaterländischen Hof=Gebräuche zu liefern. Da Göttingen, die Königin der hohen Schulen, seit den wenigen Jahren ihrer Stiftung zu Erweiterung der Wissenschaften unstreitig mehrers, als manche Academien in ganzen Jahrhunderten, beygetragen hat und bey so Eintrachtvollen Bemühungen mit schnellen Schritten der Vollkommenheit zueilet; so verhoffe ich, daß ihr auch diser Vorzug (...) vorbehalten seye, den ersten*

This proposal and, of course, the title of Moser's book both speak, however, of "court law" ("*Hof=Recht*") rather than of court ceremonial. But this does not necessarily mean that his subject is different from either Winterfeld's or Rohr's, just that the approach has been modified. He clearly refers to them as his predecessors when he gives a bibliography of writings that belong to the field he is working upon. He presents in detail the contents of Stieve's book and of the second volume of Rohr's work; he mentions Winterfeld, whose text, however, was not available to him; and he speaks of Lünig's collection as a "main book" among the principal sources.<sup>128</sup>

He refers to the ceremonial treatises in the preface, describing his quotation practice:

"To what extent I have exploited existing writings my work itself shows. Rohr and Stieve are always mentioned when I use them. I have besides literally repeated several examples from Lünig's great *Schau=Platz der Ceremonien*, so that my work can serve as a manual which one can refer to without that great yet unsystematic work being at hand."<sup>129</sup>

Though Moser thus confesses his indebtedness to his forerunners, he nevertheless has to justify his new, legal approach to court life and its order. Therefore the major part of the first book of his work (*Erstes Buch Enthaltend Die Einleitung zu der Lehre des Teutschen Hof=Rechts, deren Quellen und Hülf=Mitteln, wie auch die Geschichte des Teutschen Hof=Wesens*)<sup>130</sup> is devoted to defining its main notions and to clarifying the mutual relations between them. The first two paragraphs deal with the word *Hof* in general, discerning four meanings<sup>131</sup> and then defining it in social terms:

*Lehr=Stuhl des Hof=Rechts und der Cantzley=Praxis in Teutschland bey sich zu errichten."*

<sup>128</sup> Cf. *ibidem* I, pp. 14-20 (§ 24) on Stieve, Rohr and Winterfeld; and p. 22 (§ 26) on Lünig.

<sup>129</sup> *Ibidem* I, Vorbericht: "Wie wenig oder vil ich mir andere vorhandene Schrifften zu nutz machen können, weiset das Werck selbsten aus. Die Herren von Rohr und Stieve habe ich allezeit angeführt, wo ich mich ihrer je bedienet. Daß aber aus Lünigs grossem *Schau=Platz der Ceremonien* verschiedene Exempel wörtlich allhier wiederholet worden, ist deßwegen geschehen, weil dieses gegenwärtige Werck ein Handbuch abgeben kan, auf welches man sich, ohne jenes grosse und und ohnehin unsystematische Werck bey der Hand zu haben, zu beziehen im Stand seyn sollte."

<sup>130</sup> *Ibidem* I, pp. 1-48 (§§ 1-52).

<sup>131</sup> *Ibidem* I, p. 5 (§): "Erstlich verstehet man darunter die ganze Regiments=Verfassung und begreiffet in diser Idee auch alle Staats=Bediente. So sagt man z.E. Der Berliner Hof hat zum Principio angenommen etc.. Zweytens wird darunter die eigentliche jedoch ganze Hofhaltung verstanden; in diesem Sinn sagt man: Der Dresdner Hof ist einer der prächtigsten in Europa etc.."

"The word court should, strictly speaking, only be used with respect to emperors, kings, princes, and electors. But it also used to refer to the households of ruling imperial counts."<sup>132</sup>

After this general explanation of what he understands as a court, Moser specifies different types of courts, and this is done with a great deal of sarcasm<sup>133</sup> ("A court is splendid, if magnificence is accompanied by high debts").<sup>134</sup>

The next six paragraphs then define the central term "*Hof=Recht*" and its connection with "*Hof=Ceremoniel*":

"The life, manners, conduct, customs, tradition by which the ruler and his special household are exceedingly distinguished from the way of life of his people, and the relations of the single court republics to each other, both determine what is known and understood under the old name of court law. The doctrine of German court law hence is the instruction to a thorough and complete notion of the inner constitution of the German courts, with respect to the differences between them and with respect to the relations among the people belonging to a single court, with their duties, offices, ranks in comparison to superior, equal and subordinate ones. It moreover comprises the knowledge of the necessary and arbitrary manners, customs and ordinances, founded by the tradition valid at the most excellent German courts.

Court law is divided into two important branches, the more significant of which is the court law proper, while court ceremonial makes up the other. Court law in the strict sense determines the principal constitution of a court, as far as it is necessary and indispensable for the maintenance of discipline, order, decency, subordination of different offices and services, strict observance of anybody's duty and obligation, good behaviour among themselves and towards foreigners, and for the security and immunity of the buildings, investigation and punishment of the crimes committed at court and by court staff etc. Court ceremonial is more properly concerned with what necessarily has to be known and done for the magnificence, reputation, splendour, respect of the court and the princes, for their precedence over and their relation to foreigners, for festivities and entertainment at court. These two branches however rest upon one trunk and are irresolvably linked to each other and

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*Drittens begreift man darunter noch eigentlich die Residenz oder dasjenige Schloß, wo sich der Souverain ordentlicher Weise aufhält. Solcher gestalt sagt man z.E. Ich werde auf den Abend nach Hof fahren, er ist bey Hof etc..*

*Viertens ist darunter der Platz vor und zwischen den Schloß=Gebäuden zu verstehen, nach welchem Sinn man von dem ersten, zweyten und innersten Hof spricht."*  
<sup>132</sup> *Ibidem* I, pp. 5f (§ 2): "Das Wort: Hof kann in höhern Sinn nur von Kaysern, Königen, Chur= und Fürsten gebraucht werden. Doch wird es auch den Hofhaltungen regierender Reichs=Grafen beygelegt."

<sup>133</sup> *Ibidem* I, pp. 6f (§§ 3-9).

<sup>134</sup> *Ibidem* I, p. 6 (§ 5): "Ein glänzender Hof ist, wo man bey vilem Pracht grosse Schulden antrifft."



intertwined, so that court law and court ceremonial can only be separated as to a few matters.\*<sup>135</sup>

Briefly the difference between court law and court ceremonial can be described as follows:

"One could also say: the customs of a court are partly necessary, partly arbitrary. The necessary ones are mostly based on the notion of court law. The arbitrary ones refer instead to court ceremonial.\*<sup>136</sup>

Hence for Moser, court law in the wider sense determines firstly the totality of all the features by which a ruling prince's household confirms its specific status, regardless of their origins, and secondly the relationship between the single courts. Whereas court law in the stricter sense com-

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<sup>135</sup> *Ibidem* I, pp. 7ff (§§ 10-15): "Das Leben, die Sitten, der Wandel, die Gebräuche, das Herkommen, womit der Regent und seine besondere Haushaltung, sich auf eine ganze ausnehmende Weise von der Lebens=Art seines Volcks herauszeichnet, und die Verhältniß, welche diese einzelne Hof=Republiquen unter einander haben, bestimmen das, was unter dem alten Nahmen nach Hofe=Recht bekannt ist und verstanden wird. Die Lehre von dem Teutschen Hof=Recht ist also eine Anleitung zu einem gründlichen und vollständigen Begriff von der innerlichen Verfassung der Teutschen Höfe, nach ihrem Unterschied gegen andere und der Verhältniß der zu Einem Hof gehörigen Personen unter sich selbst, in ihren Pflichten, Aemtern, und Rang gegen Höhere, gleiche und Geringe: benebst einer Kenntniß der nothwendigen und willkührlichen durch ein an den vornehmsten Höfen Teutschlands gültiges Herkommen gegründeten besondern Sitten, Gebräuche und Ordnungen. Das Hof=Recht theilet sich in zwey wichtige Zweige ab, deren der eine und vornehmste das eigentliche Hof=Recht, der andere aber das Hof=Ceremoniel ausmacht. Das in engerm Verstand genommene Hof=Recht bestimmt die Grundverfassung eines Hofes, in so weit sie zu Erhaltung guter Zucht, Ordnung, und Ehrbarkeit, nöthiger Subordination der verschiedenen Aemter und Bedienungen, genauer Beachtung eines jeden besondern Pflicht und Obliegenheit, Betragen unter sich und gegen Fremde, zur Sicherheit und Unverletzlichkeit der Gebäude, Einsicht und Bestrafung der bey Hof und von Hof=Leuten begangenen Verbrechen etc. nothwendig und unentbehrlich ist. Das Hof=Ceremoniel beschäftigt sich mehrers und eigentlich mit demjenigen, was zur Pracht, Ansehen, Glantz und Respect des Hofes und der Herrschafft, deren Vorzügen und Verhältniß vor und gegen Fremden, denen Feierlichkeiten und Lustbarkeiten des Hofes zu wissen, zu thun und zu lassen vonnöthen ist. Diese beyde Zweige ruhen aber auf einem Stamm und sind unter sich so unzertrennlich verbunden und in einander verflochten, daß nur in wenigen Materien das Hof=Recht von dem Hof=Ceremoniel abgesondert werden kan."

<sup>136</sup> *Ibidem* I, p. 12 (§ 22): "Man könnte auch sagen: Die Gebräuche eines Hofes seyen theils nothwendig, theils willkührlich. Die nothwendige beruhen meistens in dem, was in dem Begriff des Hof=Rechts enthalten ist. Die willkührliche haben ein mehreren Bezug auf das Hof=Ceremoniel."

prises the prescriptions that are indispensable for keeping in order and discipline the court and its members, court ceremonial means all elements of court life that are a matter of discretion and only serve for the court's external reputation.

Ceremonial can again be divided into four categories, the ceremonial proper, etiquette, fashion and phantasy.<sup>137</sup> More important for Moser, however, is the distinction between "court" and "state ceremonial" ("*Hof=*" and "*Staats=Ceremoniel*"). The former consists of those ceremonial actions that only refer to the court itself, whereas the latter either touches on the constitution of the state (e.g. coronation or homage) or on international law ("*Gesandtschafts=Ceremoniel*"), hence on political events outside the single court sphere.<sup>138</sup>

Defined thus "*Hof=Recht*" becomes the universal science of the court, and having knowledge of it would therefore seem to be necessary for anybody coming into contact with court life, whether aspiring to a career in politics and at court, or whether as a scholar.<sup>139</sup> As one important element of Moser's program is a history of German court life,<sup>140</sup> the last and longer section of the first book (after the definitory and bibliographic remarks) deals with this point at some length.<sup>141</sup> The author especially stresses the Peace of Westphalia as the starting point of a new period of German court culture.<sup>142</sup> It was characterized by considerable court growth, caused by the increasing attraction of the French model.<sup>143</sup>

It is typical of Moser that the whole, very basic, first book ends with two paragraphs that bear witness to his critical, even hostile view of the court.<sup>144</sup> His mental distance from court life also prevails in the preface<sup>145</sup> culminating in a harsh remark directly after Moser has confirmed his respect due to all "majesties and rulers". He writes about his book:

"If I have declaimed (...) more against courtly sins and vices than some coddled ears are used to suffer, I consider it as my only and well-deserved reward for the hard hours during which I held the awkward position of a servant of vanities".<sup>146</sup>

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137 *Ibidem* I, p. 9 (§ 16).

138 *Ibidem* I, p. 10 (§ 18).

139 *Ibidem* I, p. 14 (§ 23).

140 Cf. his remark on the academic instituting of such a science in *ibidem* I, Vorbericht.

141 *Ibidem* I, pp. 22-43 (§§. 29-46): "*Kurze Geschichte des Teutschen Hof=Wesens*".

142 *Ibidem* I, pp. 32f (§ 33).

143 *Ibidem* I, pp. 43-45 (§§ 47-48).

144 *Ibidem* I, especially p. 47 (§ 51), cf. also p. 48 (§ 52).

145 Cf. e.g. his quotation from Zincke in *ibidem* I, Vorbericht.

146 *Ibidem* I, Vorbericht: "*Habe ich (...) über die Hof=Sünden und Laster mehrers geeifert, als manche verzärtelte Ohren zu ertragen gewohnt seynd, so rechne ich dises als meinen einigen und mir gebührenden Lohn vor die mähseelige Stunden, in welchen ich die unangenehme Stelle eines Dieners der Eitelkeiten vertreten müssen*".

This is quite a revealing remark for the author of a book on court matters and one which only becomes explicable in the context of his entire work continuously stigmatizing as it does the court as a stronghold of sin. In fact Moser was one of the most influential representatives of fierce court criticism of his time.<sup>147</sup> During the second half of the 18th century he published at least 25 works dealing with court problems,<sup>148</sup> and this corpus contains an almost complete catalogue of all the critical arguments against court life that were familiar to his contemporaries.<sup>149</sup> Moser's attitude was certainly inspired by his father Johann Jakob, who had brought his son up according to pietistic principles which included an in-built hostility towards the courtly way of life.<sup>150</sup>

However, the religious ideas of pietism were not the only reason that made Friedrich Carl Moser become such a bitter opponent to the values and the reality of court life. Personal experience also played a very important role. His position as a chancellor in the service of the Landgrave of Hesse-Darmstadt (from 1772 until 1780) led to an endless quarrel between Moser and his master, and after his dismissal Moser saw himself as a martyr for the case of court criticism.<sup>151</sup> From this point of view it is a very telling as to the importance of court matters in the middle of the 18th century, that a famous studied jurist like Friedrich Carl Moser, who, moreover, was a declared despiser of the court, devoted quite a lot of energy to the writing of a *Hof=Recht*.

Moser's work was, however, - and this might be an explanation - more than just a simple collection of ceremonial rules for every occasion; rather it was a legal handbook on the proper administration of all the different aspects of court life. It would have been of practical use especially for the smaller German courts<sup>152</sup> and have served as a model for their improvement. One has only to look at the table of contents<sup>153</sup> to realize the universal scope of the work; it not only deals with strictly legal problems,<sup>154</sup> but, for example, also pays attention to economic questions.<sup>155</sup>

The two volumes of the *Hof=Recht* with their altogether c. 2,100 numbered pages in quarto are clearly more versatile than other ceremonial treatises, which were, nevertheless, still the point of reference for

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147 On Friedrich Carl Moser's view of the court cf. *Kiesel*, "Bei Hof", pp. 207ff.

148 *Ibidem*, pp. 209f.

149 *Ibidem*, pp. 210ff.

150 *Ibidem*, pp. 207f, cf. also p. 213.

151 *Ibidem*, pp. 208f.

152 Cf. *Friedrich Carl Moser*, op. cit. I, Vorbericht.

153 Cf. *ibidem* I, Inhalt des ganzen Wercks.

154 Cf. especially *ibidem* I, pp. 109-142 = II. Buch, III. Capitel ("Von der Hof=Policey") and *ibidem* II, pp. 739-832 = XII. Buch ("Von der Hof=Gerichtsbarkheit").

155 Cf. e.g. *ibidem* I, pp. 143-201 = II. Buch, IV. Capitel ("Von der Hof=Oeconomie").

Friedrich Carl Moser. His most important innovation was his explicit legal approach, and it ensured the survival of the whole genre, as the relevant works of Johann Philipp Carrach and his father Johann Jakob Moser will show.

In 1755 and 1757 the jurist Johann Philipp Carrach (1730-after 1769)<sup>156</sup> published a series of eight articles in the *Wöchentliche Hallische Anzeigen*, under the title *Grundsätze und Anmerkungen zur Känntnis des Teutschen Hofrechts*. They are a special case in the context of the genre discussed here, since all the other contributions are voluminous monographs. Carrach's text in contrast fills not more than 100 columns, yet contains as much substance as the other writings. The only difference is that in his articles he has dispensed with the lengthy accounts of diverse ceremonial events which elsewhere were used as examples.

Carrach starts by declaring his dissatisfaction with the contemporary state of research: "Up to now court law has not yet been lectured on in the context, shape and order of a special science".<sup>157</sup> This reproach is not only addressed to Lünig's and Stieve's writings or to Seckendorff's *Teutscher Fürsten=Staat*, but also to Friedrich Carl Moser's *Hof=Recht*. Carrach comments upon the latter: "This work is a collection of material on court law in systematic order rather than a real system thereof", since it lacks "convenient and general principles".<sup>158</sup>

His critique of the recently published book is more fundamental still:

"The limits of court law, court politics, and court moral are not always observed. The latter in particular is sometimes handled so rigidly that the treatise is partly turned into a very vigorous (...) penitential sermon and partly into a satire upon the courts (...) instead of simply being a court law."<sup>159</sup>

Carrach himself defines the three approaches by saying:

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<sup>156</sup> Johann Philipp Carrach was born in Halle in 1730 as the son of the well-known jurist Johann Tobias Carrach. He studied law at the university of Halle after 1745 and then became professor in Duisburg (1758/64) and Kiel (1768). In 1769 he converted to catholicism and went to Vienna, where he worked as a publicist in favour of the Austrian policy in the Holy Roman Empire. His year of death (after 1769) is unknown.

<sup>157</sup> Carrach, op. cit., col. 807ff: "*Das Hofrecht ist bisher noch nicht im Zusammenhange, in der Gestalt und Ordnung einer besonderen Wissenschaft vorgetragen*".

<sup>158</sup> *Ibidem*, col. 809: "*Nur ist dieses Werk mer eine Sammlung vom Stof zum Hofrechte in systematischer Ordnung, als ein wares System davon.*"

<sup>159</sup> *Ibidem*, col. 809: "*Die Gränzen des Hofrechts, der Hofpolitik und der Hofmoral sind nicht jederzeit beobachtet, fürnemlich die letzere unterweilen mit solcher Strenge getriben, daß die Abhandlung teils eine überaus heftige (...) Bußpredigt, teils eine Satire auf die Höfe (...) mer als ein Hofrecht abgibt.*"

"Court law regards the persons and affairs of the court according to rights and obligations; court politics looks after prudence, the outward advantage and detriment; court moral after decency, morality and virtue."<sup>160</sup>

His own project is introduced by Carrach as follows:

"I intend to give rules to the main pieces of German court law, one after another, by giving reasons, without intervention from others, completely free of passions and prejudices".<sup>161</sup>

The starting-point of this program is the fact that "court and state are not identical" ("*Der Hof und der Staat sind nicht einerlei.*")<sup>162</sup>

"Apart from the ruler and his house, the court as such only includes those persons who belong to the service of a ruling prince and his family (...), without respect to the government of the state and the affairs of the country. This class is also called the *Hofstaat*, which does not comprise the ruler's house. The civil servants appointed to matters of state, war, finance, justice, fief, and church, even those in the capital, and also the envoys, are hence not to be reckoned among it".<sup>163</sup>

This distinction is finally explained by Carrach in theoretical terms too:

"Another difference between court and state is revealed. Whereas the court also takes place with apaundered princes, the maintenance of civil servants of the state can only be found with effectively ruling princes, since the state is based on the whole connection of the civil society, or, correctly spoken, is identical with it. Therefore it essentially exists independently from the dignity of the ruler, while the mere

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<sup>160</sup> *Ibidem*, col. 823: "*Das Hofrecht betrachtet die Personen und Geschäfte des Hofes nach dem Rechte und der Schuldigkeit; die Hofpolitik sihet nach der Klugheit, dem äusserlichen Nutzen und Schaden, die Hofmoral aber nach dem Wolstande, der Sittlichkeit und der Tugend an.*"

<sup>161</sup> *Ibidem*, col. 809: "*Ich habe mir vorgenommen, die hauptsächlichen Stücke des teutschen Hofrechts nach einander aus Gründen, ohne fremde Einmischung, mit einer gänzlichen Freiheit von Leidenschaften und Vorurteilen, in Regeln zu bringen.*"

<sup>162</sup> *Ibidem*, col. 810.

<sup>163</sup> *Ibidem*, col. 811: "*Der Hof an sich schliesset, ausser dem Regenten und dessen Hause, nur diejenigen Personen ein, welche zu eines regierenden (...) Herrn und seiner Familie Bedienung ohne nähere Absicht auf die Staatsregierung und Landesgeschäfte gehören. Diese Classe heisset auch sonst der Hofstaat, worunter man des Beherrschers Haus nicht mit begreifet. Die zu Staats= Kriegs= Finanz= Justiz= Lehns= und Kirchensachen verordnete Beamte, auch in der Residenzstadt, sind also hieher (...) so wenig zu rechnen, als die Gesanten.*"

court rests on the personal privileges of a prince or princess rather than on their sovereignty (*Landeshoheit*).<sup>164</sup>

This separation makes court law a special field:

"The distinction of court and state produces different notions of court law and public law (*Staatsrecht*). The latter fixes the rights and obligations of the rulers and members of a republic (*gemeines Wesen*) so far as they are regarded as such, the court law however contains the rights and duties of the persons belonging to the court without taking into account their connection to the state."<sup>165</sup>

Because court law thus belongs to the legal context it can form the subject of a science.

"Similar to public and international law (*Staats- und Völkerrechtsgelahrtheit*), the notion of court law (*Hofrechtsgelahrtheit*) develops into a science regulating the actions at court according to suitable laws".<sup>166</sup>

Hence it must equally be taught at universities:

"Anybody understanding the connection of court law with other legal fields (...) will easily and completely be convinced of the necessity and usefulness of this science (...) and of the benefits following from (...) thorough and practical lectures in these matters at an academy."<sup>167</sup>

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164 *Ibidem*, col. 812f: "es veroffenbart sich noch ein Unterscheid des Hofes vom Staate. Die Haltung der Staatsbedienten findet nur bei würcklich regirenden, der Hofstaat aber auch bei abgefundenen Herren Platz, indem der Staat auf die ganze Verknüpfung der bürgerlichen Gesellschaft sich gründet, oder vielmer in der richtigsten Bedeutung mit diser einerlei ist, und in den wesentlichen Stücken sondern Absicht auf die Würde des Regenten bestehet; dahingegen die blosse Hofhaltung mer auf den persönlichen Vorzügen als auf der Landeshoheit eines Herrn oder einer Dame beruhet."

165 *Ibidem*, col. 813: "Der Unterscheid des Hofes vom Staat zeuget die Verschidenheit des Begrifs des Hofrechts vom Staatsrechte. Letzteres sezet die Rechte und Verbindlichkeiten derer Regenten und Glider eines gemeinen Wesens in so ferne feste, als man selbige nach diser Eigenschaft ansihet; das Hofrecht aber enthält die Rechte und Obligenheiten derer ausser der Staatsverbindung betrachteten zum Hofe gehörigen Personen."

166 *Ibidem*, col. 815: "Der Begriff der Hofrechtsgelahrtheit emtwickelt sich hieraus gleich der Staats- und Völkerrechtsgelahrtheit dahin, daß erstere in einer Wissenschaft bestehe, die eigentlichen Hofhandlungen nach darzu dienlichen Gesezen zu reguliren".

167 *Ibidem*, col. 832: "Wer den Zusammenhange des Hofrechts mit anderen Rechtsteilen (...) einsihet, (...) der wird sich von der Notwendigkeit und dem Nutzen diser Wis-

The sources of court law are twofold: On the one hand there are the written instructions in the form of court ordinances (*Hofordnungen*),<sup>168</sup> on the other there is the unfixed tradition of convention ("*Herkommen*").<sup>169</sup> It is within this second context of customary law that ceremonial comes into play, for

"the convention of a court and ceremonial are often confused with each other, although there remains an essential and clear difference between these pieces."<sup>170</sup>

Convention can refer to all aspects of court life, which are not necessarily linked to ceremonial.

"The ceremonial, which must be observed by rulers and persons employed or present at court, does not in any case belong to the court law and cannot always be regarded as the court ceremonial proper",

because other sorts of ceremonial also interfere, e.g. international or state ceremonial.<sup>171</sup>

The rest of Carrach's reasoning on ceremonial consists of several examples<sup>172</sup> and mainly an adoption of Friedrich Carl Moser's remarks. The author takes over the definitions of his predecessor<sup>173</sup> as well as his classification.<sup>174</sup> Thus the writer of the *Teutsches Hof=Recht* is at least in part rehabilitated by Carrach, who however blames Winterfeld, Stieve, Lünig and Rohr for mixing up court law with public and international law.<sup>175</sup> The same reproof<sup>176</sup> is also directed to Zacharias Zwanzig's *Theatrum praecedentiae* (1709)<sup>177</sup> and to Jean Rousset's *Cérémoniel diplomatique*

*senschaft (...), ingleichen von den Vorteilen eines (...) gründlichen und practischen Vortrags von disen Sachen auf der Academie, mit weniger Mühe vollkommen überzeugen."*

168 *Ibidem*, col. 844ff.

169 *Ibidem*, col. 457ff.

170 *Ibidem*, col. 476: "*Herkommen des Hofes und das Ceremoniel mit einander vermischt; der Unterscheid diser Stücke aber bleibt allemal wesentlich und deutlich."*

171 *Ibidem*, col. 477: "*Das Ceremoniel, worauf die regirende und am Hofe stehende oder daselbst erscheinende Personen zu sehen haben, gehöret inzwischen nicht allemal in das Hofrecht, und kan keineswegs jederzeit vor das eigentliche Hofceremoniel gehalten werden"*.

172 *Ibidem*, col. 478f.

173 *Ibidem*, col. 480.

174 *Ibidem*, col. 482f.

175 *Ibidem*, col. 486.

176 *Ibidem*, col. 485f.

177 *Zwanzig, Theatrum praecedentiae*. This work is not included in the present account of German ceremonial science, because it only handles a single aspect of ceremonial, unlike the other examples that give a full account of it and even of court life in gen-

*des cours de l'Europe* (1739).<sup>178</sup> In contrast Carrach recommends "narrations of historiographers", "descriptions" and "news" as suitable information on court law,<sup>179</sup> because the evaluation of unwritten convention as well as of written court ordinances require an examination of their historical background. "All these circumstances can be learned from the histories, the knowledge of which hence is indispensable for court law."<sup>180</sup>

Consequently the article also contains a concise history of German court life.<sup>181</sup> In this section Carrach emphasizes above all its complexity<sup>182</sup> which stems from the different political and legal conditions in the single territories.<sup>183</sup> It was particularly marked after the Peace of Westphalia, when the German princes tried to outdo one another as to rank, ceremonial and splendour.<sup>184</sup> This trend persisted well until to the time when the article was written, so that its author was concerned that court law would become "more difficult and confused still".<sup>185</sup> Though some courts, particularly the Prussian one under Friedrich Wilhelm I, had already largely rejected ceremonial,<sup>186</sup> Carrach insists that these examples did not indicate "a general aversion or disgust on the part of the present century to or at all ceremonies".<sup>187</sup>

Before the article concludes with a typology of the German courts, which again largely draws on Friedrich Carl Moser's *Hof=Recht*,<sup>188</sup> Carrach discusses the central question of the function and justification of the princes' courts in general. He paraphrases the familiar argumentation of Lünig and Rohr by saying:

"Furthermore nothing is more reasonable and fairer than the outward and obvious signs of such essential and very well grounded privileges. In fact it is precisely these marks of sovereignty that are one of the most suitable, or even most indispensable, means of providing those people, who for lack of knowledge and penetration, or for inner pride, do not properly realize the greatness of the power and

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eral. Zwanzig's book moreover has not been regarded as a part of their own tradition by the above-mentioned authors themselves, as is proved by their quotation practice.

178 *Rousset de Missy, Le Cérémoniel Diplomatique.*

179 Carrach, op. cit., col. 485.

180 *Ibidem*, col. 852: "Dise Umstände lernet man insgesamt aus denen Geschichten, deren Wissenschaft daher zum Hofrechte unentbehrlich ist."

181 *Ibidem*, col. 489ff.

182 *Ibidem*, col. 499.

183 Cf. also *ibidem*, col. 814 and 474.

184 *Ibidem*, col. 499.

185 *Ibidem*, col. 507.

186 *Ibidem*, col. 511.

187 *Ibidem*, col. 512.

188 *Ibidem*, col. 533ff.



dignity of the rank of such high persons, with more exalted sentiments leading to the observance of the necessary maxims of a deep reverence."<sup>189</sup>

Carrach even states an "obligation of the ruler to reveal his real splendour externally" ("*Verbindlichkeit des Regenten zu einer äusserlichen Offenbarung seines wahren Glanzes*")<sup>190</sup> and therefore demands a multitude of exclusive services and offices at a princely court. It requires

"respectable servants of distinguished families, fitting for the outward splendour of the courts, and hence supplied with high ranks and salaries, and on top of this all superior officers for the maintenance of the dignity of the court, the supervision of all pertaining persons, the direction of the relevant events and matters, finally the observation of befitting conditions and good order".<sup>191</sup>

In other words: the whole apparatus of court life was legitimized in Carrach's eyes by the princely duty of representation.

Johann Jakob Moser (1701-1785) became famous as an expert in public law.<sup>192</sup> During the last decade of his life he turned his attention to interna-

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<sup>189</sup> *Ibidem*, col. 523: "Nichts ist auch vernünftiger und billiger, als die äusserlichen in die Augen fallenden Zeichen sothaner wesentlichen und bestgegründeten Vorzüge, ja eben diese Merkmale der Hoheit sind eines der bequemsten, ich wil selbst sagen der unentberlichsten Mittel, denenienigen Leuten, die aus Mangel der Wissenschaft und Penetration, oder aus einem innerlichen Stolz die Grösse der Macht und Würde des Standes solcher hohen Personen nicht gehörig einsehen, erhabenerer Sentimens zur Beobachtung der nötigen Maximen einer tiefen Erfurcht einzudruken."

<sup>190</sup> *Ibidem*, col. 524.

<sup>191</sup> *Ibidem*, col. 524: "ansenlichere und aus vornemeren Geschlechtern herstammende, zum äusseren Glanze des Hofstaats sich schickende, deshalb mit einem grossen Range und starkem Gehalt versehene Diner, und widerum über dieses alles eine zur Aufrechterhaltung der Würde des Hofstaats, zur Aufsicht über die dazu gehörige Personen, zur Direction derer dahin besonders einschlagenden Vorfälle und Angelegenheiten, endlich zur Beobachtung standesmässiger Verfassungen und guter Ordnungen bestellte Oberbeamten".

<sup>192</sup> Johann Jakob Moser was born in Stuttgart in 1701 as the son of a financial councillor (*Rechnungsrat*). He studied law in Tübingen, where he became professor in 1720. Later on he obtained several teaching and administrative posts (e.g. in Prussia, Hesse-Homburg, after 1751 again in Württemberg) and became one of the most well-known public law experts of the Empire, above all with his *Teutsches Staats-Recht* (52 vol., 1737-1754) and his *Neues Teutsches Staatsrecht* (21 vols., 1761-1775). His imprisonment on the fortress Hohentwiel (1759-1764) after conflicts with duke Karl Eugen of Württemberg increased his fame. It seemed to confirm his reputation as a defender of the rights of the estates against the princes. His bad personal experiences with different princely employers and his pietism both

tional law,<sup>193</sup> publishing two corresponding series of books on this topic: firstly, the *Versuch des neuesten Europäischen Völkerrechts* in ten parts (1777-80), secondly, the *Beyträge zu dem neuesten Europäischen Völkerrecht* in five parts (1778-80). Their respective second parts, that in both cases made up the second volume of each series (both published in 1778), dealt with ceremonial,<sup>194</sup> again put into a purely legal context, i.e. the law of nations in the case of the elder Moser.

Although thus anchoring ceremonial into a respected field of learning, Moser obviously had a bad conscience in dealing with it, as his preface to the *Versuch des Ceremoniels* reveals:

"Because I myself pay attention to the essentials of international law rather than to what merely appeals to the senses, I have cut this book shorter than I will do with other matters which are more important (...). If someone thinks that much of what is dealt with, particularly in chapter IV, does not belong strictly to this work, I will agree with him. But since others have also included it and it can be useful and will be read as a hobby, I do not mind it slipping into the book."<sup>195</sup>

The text then follows a familiar structure: After the first chapter on ceremonial in general ("*Von dem Ceremoniel überhaupt*"), the following chapters deal with the different sorts, e.g. chapter four (mentioned above) with "*Hof= und Staats=Ceremoniel*".<sup>196</sup> As usual the whole work starts with a definition:

"Ceremonial here means the outward bearing of the full and semi-sovereigns towards other persons, especially of high rank. Others describe ceremonial differently; everybody is free to do so. There is, though, ceremonial among people who are no rulers, let alone of full or half sovereignty, and even among people of bourgeois rank, which is dealt with by specific printed writings. But I have nothing to do with this kind of ceremonial. By outward bearing I understand firstly, the oral and otherwise personal proof of respect, honour and esteem, including when per-

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contributed to a general critical attitude to the world of the courts; cf. *Allgemeine Deutsche Bibliothek*, vol. 23, pp. 372ff and *Walker*, Johann Jakob Moser.

193 *Ibidem*, pp. 338ff.

194 Cf. *Johann Jakob Moser*, *Versuch des Ceremoniels*, and *idem*, *Vom Ceremoniel*.

195 *Idem*, *Versuch des Ceremoniels*, Vorrede: "*Da ich aber auch selbst mehr auf das wesentliche des Völkerrechts sehe, als auf das, was bloß in die Sinnen fällt; so habe ich dieses Buch dermalen kürzer gefaßt, als ich mit anderen mehr zu bedenken habenden Materien thun werde (...). Wer endlich glaubt, viles von deme, was hernach, sonderlich in dem 4ten Capitel, gemeldet wird, gehöre nach der Strenge gar nicht in dieses Werk, dem gebe ich selber recht darinn: Da aber Andere vor mir es auch mit hinein gezogen haben, es auch seinen Nutzen haben kan, und auch seine Liebhaber finden wird; so mag es dann meinewegen mit hineinschliffen.*"

196 *Ibidem*, pp. 186-481 = 4. Capitel.

formed by proxy; secondly, the curial formalities indicating the same, i.e. expressions of specific style and according to the persons involved."<sup>197</sup>

Then follow bibliographic remarks that mention Lünig's, Stieve's and Rohr's contributions, that are however reviewed critically, and also his son's *Teutsches Hof=Recht*.<sup>198</sup> A special and friendly reference is also made to Rousset de Missy's *Cérémoniel Diplomatique Des Cours de l'Europe* (1739).<sup>199</sup> This work served as a supplement to a compendium on the European law of nations,<sup>200</sup> which underlines Moser's decision to see ceremonial as an element of international law. In his own words this reads:

"Although the taste of the courts with regard to ceremonial is not the same always and everywhere, the doctrine of ceremonial nevertheless forms an important part of the European law of nations."<sup>201</sup>

Even the diminishing importance that was attributed to ceremonial by monarchs such as Friedrich Wilhelm I of Prussia, Peter I of Russia, or Karl XII of Sweden did not impair the usefulness of ceremonial knowledge, as according to Moser this only applied to the very persons of these rulers, but not to their courts or their political and diplomatical actions. Hence "this science is often indispensable, and at the very least useful for all young people of rank and others having to do with courts."<sup>202</sup>

The general discussion of ceremonies eventually finishes with an attempt at classification, although Moser holds it "entirely arbitrary" and without

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197 *Ibidem*, pp. 2f (§ 1): "Das Ceremoniel bedeutet hier das äusserliche Betragen derer ganz und halb Souverainen gegen andere Personen, zumalen von hohem Stand; und diser gegen Jene.

Andere beschreiben das Ceremoniel anderst, jeder hat darinn seine Freiheit. Es giebt zwar auch ein Ceremoniel zwischen Personen, die keine Regenten, viel weniger ganze oder halbe Souverainen, seynd, ja selbst unter Personen bürgerlichen Standes; wovon auch eigene Schrifften im Druck vorhanden seynd: Mit einem solchen Ceremoniel aber habe ich hier nichts zu thun. Unter dem äußerlichen Betragen verstehe ich 1. die mündliche und übrige persönliche selbsteigene, oder durch andere erstattende, resp. Respects = Ehren = oder Achtungsbezeugungen; 2. die eben dieses anzeigende sogenannte Curialien, oder in der Schreibart sich auszeichnende, und nach denen Personen eingerichtete, Ausdrücke."

198 *Ibidem*, pp. 2ff (§ 2)

199 Rousset de Missy, op. cit.

200 Dumont (ed.), *Corps universel diplomatique du droit des gens*, 24 vol. (1726-39).

201 Johann Jakob Moser, op. cit., p. 7 (§ 3): "Obgleich der Geschmack der Höfe in Ansehung des Ceremoniels nicht allemal, noch zu allen Zeiten einerley ist; so ist doch die Lehre von dem Ceremoniel ein wichtiges Stück des Europäischen Völkerrechts."

202 *Ibidem*, pp. 8f (§ 3): "ist diese Wissenschaft allen jungen Leuten von Stand, und andern, so mit Höfen zu thun haben, bald unentbehrlich, bald wenigstens nützlich."

"proper use". Still he distinguishes "the personal ceremonial of princes" ("*das persönliche Ceremoniel derer großen Herren*"), "the chancellery," "court," "minister," "legation," "water," and "war ceremonial" ("*Canzley-*", "*Hof-*", "*Minister-*", "*Gesandtschafts-*", "*Wasser-*", and "*Kriegsremoniel*"). The *Versuch des Ceremoniels* only deals with the personal, chancellery, court and water ceremonial, whereas the other sorts are discussed elsewhere in his series on international law.<sup>203</sup> The book, however, contains a chapter on knightly and other orders<sup>204</sup> that is not mentioned at all in chapter one.

The author always tries to put the different types of ceremonial into abstract theorems, before he provides examples, but given the casual character of almost every ceremonial, this endeavour only leads to rather trivial and tautological sentences.<sup>205</sup> In chapter four, for example, he defines his topic court and state ceremonial as follows:

"Court and state ceremonial consist in the outward bearing of the people belonging to a court or showing up there, generally and always, as well as on certain special occasions."<sup>206</sup>

Still more absurd are his remarks on the two different branches of the "*Residenz=Ceremoniel*". About the first one he says:

"As to private and ordinary state and court ceremonial most or all courts have something in common, but several have their peculiarities. But everything is arbitrary",<sup>207</sup>

whereas on the second one he states: "Some pieces of great state ceremonial have their traditional prescriptions (at least in certain countries), while others have not."<sup>208</sup>

These quotations indeed prove the author's pedantry rather than being helpful for the reader. But they also make clear Moser's soberness and seriousness in his presentation of ceremonial matters. This is a sharp con-

<sup>203</sup> *Ibidem*, pp. 1ff (§§ 5-6).

<sup>204</sup> *Ibidem*, pp. 494-571 = 6. Capitel.

<sup>205</sup> Cf. also Walker, op. cit., p. 339.

<sup>206</sup> Johann Jakob Moser, op. cit., p. 187 (§ 1): "*Das Hof= und Staatsceremoniel bestehet in dem äußerlichen Betragen derer zu einem Hof gehörigen= oder sonst an demselbigen erscheinenden Personen, so wohl überhaupt und zu allen Zeiten, als auch bey gewissen besonderen Gelegenheiten.*"

<sup>207</sup> *Ibidem*, p. 194 (§ 5): "*Im privat= und ordinairn Staats= Hofceremoniel haben die meiste, oder alle, Höfe manches mit einander gemein: Einige aber auch darinn etwas besonders: Alles aber ist willkührlich.*"

<sup>208</sup> *Ibidem*, p. 202 (§ 6): "*Einige Stücke des großen Staatsceremoniels haben, (wenigstens in gewissen Landen,) ihre herkömmliche Vorschriften: Andere hingegen nicht.*"

trast to his son's attitude in his *Hof=Recht* and all the more surprising as certainly both Mosers, father and son, shared a critical view of court life.<sup>209</sup> Obviously in the 1770's the courts were still important enough to be paid attention to, even by scholars who were not too enthusiastic about them and who had made bad personal experiences at them.<sup>210</sup> The fact that beside the *Versuch des Ceremoniels* a second book written by the elder Moser also dwells on ceremonial, i.e. *Vom Ceremoniel*,<sup>211</sup> underlines this assumption. It contains the promise of further work on this topic,<sup>212</sup> a promise that was, however, not fulfilled. The rest of this second ceremonial monograph is of little importance and does not contain any new ideas.<sup>213</sup>

Johann Jacob Moser's approach must, however, be judged differently: firstly, it was he who definitively put ceremonial into the context in which it has primarily survived until today, i.e. diplomacy and international law; secondly, he was the author on ceremonial who most decisively tried to organize the casuistic pell-mell of his subject by stating abstract rules, though often very trivial ones.

He did not find a successor though, and so with his two books in octavo, each of them comprising more than 550 pages, the genre of the ceremonial treatise in Germany was to die out. The explanation that with the pertinent writings of the elder Moser ceremonial science came to an end as a distinct discourse has a lot to do with its general features.

### 3. The Science of the Court

What then were the common elements of the writings discussed above? The most evident answer of course is that they all deal with ceremonial and that they all contain recurrent problems and solutions, which concentrate on the definition, classification and justification of etiquette in the first hand. This answer is less superficial than it might seem, if one takes into account that the authors themselves were conscious of this common ground, since any single writer used to refer to the relevant contributions of his predecessors.

Johann Jacob Moser explicitly relies on Friedrich Carl Moser, Rohr, Lünig and Stieve (leaving out Winterfeld and Carrach),<sup>214</sup> while Carrach

<sup>209</sup> Cf. *Kiesel*. op. cit., pp. 207f.

<sup>210</sup> On Johann Jakob Moser's unhappy relationships with his princely masters cf. *Walker*, op. cit., especially pp. 78ff, 91ff and 234ff.

<sup>211</sup> Obviously it was meant to serve as a further illustration to the *Versuch des Ceremoniels*.

<sup>212</sup> *Johann Jacob Moser*, *Vom Ceremoniel*, pp. 369f (fn.).

<sup>213</sup> The supplementary remark on the classification of ceremonial might be seen as an exception; *ibidem*, pp. 4f (§ 4).

<sup>214</sup> *Johann Jacob Moser*, *Versuch des Ceremoniels*, pp. 2ff.

comments on the same list of authors plus Winterfeld;<sup>215</sup> Friedrich Carl Moser refers to Rohr, Lünig and Stieve, and at least mentions Winterfeld;<sup>216</sup> Rohr only speaks of Lünig and Stieve;<sup>217</sup> Lünig judges among others Stieve and Winterfeld;<sup>218</sup> and Stieve gives his opinion on Winterfeld.<sup>219</sup> In the cases of Lünig and Stieve there is even mutual quotation.<sup>220</sup>

**Figure 8:** An allegory of ceremonial science (1732)



<sup>215</sup> Carrach, op. cit., col. 809 and 486.

<sup>216</sup> Friedrich Carl Moser, op. cit. I, pp. 14ff; cf. also the review of vol. I of the *Hof=Recht* in the *Göttingische Anzeigen* (1754), where Friedrich Carl Moser also is ranged in the succession of Stieve, Lünig, and Rohr: Review of *Hof=Recht* I, pp. 1084f.

<sup>217</sup> Rohr, op. cit. II, Vorrede, §§ 1 and 3f.

<sup>218</sup> Lünig, op. cit. I, An den Leser.

<sup>219</sup> Stieve, op. cit., Vorbericht.

<sup>220</sup> Cf. Lünig, op. cit. I, An den Leser and Stieve, op. cit. (edition 1723), p. 9.

The engraving is dedicated to the memory of Johann von Besser (1654-1729), one of the most famous court poets of 18th-century Germany. He was appointed master of ceremonies in 1690 under Friedrich I of Prussia (1688-1713). Dismissed by his parsimonious successor in 1713, he left Berlin for Dresden in 1717, where he again became master of ceremonies. He built up the biggest collection of writings on ceremonial, comprising c. 13,000-18,000 titles. He was regarded by his contemporaries as an outstanding expert in ceremonial matters, and other specialists such as Florinus and Friedrich Carl Moser were sorry that he never published his awaited standard work on this field (cf. *Florinus*, *Oeconomus prudens et legalis* II, p. 160; *Friedrich Carl Moser*, *Teutsches Hof=Recht* I, p. 22).

His disciple and successor Johann Ulrich König published the engraving above in his edition of Besser's works and supplied it with an "Explanation of my invention of the copper engraving of Besser: Ceremonial Science is sitting in a library containing the books and writings of Besser's concerning this science. She is pictured as a good-looking young woman in ceremonial dress and armor. The white Polish and the black Prussian eagles on it indicate that *Herr* von Besser has been master of ceremonies at both courts. Her head is covered by Mercury's winged helmet, which hints at the missions and legations connected with this science, just like the staff with the serpents in her hand hints at receptions, attendances, marriages, treaties, alliances and conclusions of peace. She sits in front of a honorary rack (*Ehren=Gerüste*) with the noble coat of arms of Besser in the middle. Above there is a portrait of the *Herr* von Besser, which is held and mourned at by Ceremonial Science, which has lost by his death, because he had been the first to have practised this science perfectly. A scalepan and a level lie next to the picture, showing that she knows how to consider and decide disputes about rank and the like privileges. The library is decorated by crowns, scepters, caps of electors and princes, mitres, knightly swords, dynastic banners, coats of arms, family trees, episcopal staffs, stars, chains and garters of orders, victor's laurels, palm, olive, myrtle, and cypress branches, helmets, knightly banners, seals, shields, wedding and mourning torches, burning hearts, intertwined hands, adorned skulls, wedding rings, and other signs of different state and court splendour in joy and in sorrow, the arrangement of which is the business of Ceremonial Science (*Erklärung Zu dem Besserischen Kupfer=Bilde. Die Ceremoniel=Wissenschaftt sitzt in einem Bücher=Saale, worinne die Besserischen zu dieser Wissenschaftt gehörige Bücher und Schrifften stehen. Sie wird abgebildet als eine ansehnliche junge Frau, in einem Ceremonien=Kleide und Wapen=Rocke, worauf der Pohln. weisse und der schwarze Preußische Adler zu sehen; anzuzeigen, daß der Herr von Besser als Ceremonien=Meister an diesen beyden Höfen gestanden. Auf dem Haupte ist sie mit des Mercurius Flügel= Hute bedeckt, welcher die bey dieser Wissenschaftt vorkommende Verschickungen und Gesandschafften; wie der Schlangen=Stab in ihrer Hand, auf Einholungen, Bewirthungen, Heimführungen, Verträge, Bündnisse und Friedens=Schlüsse ziele. Sie sitzt vor einem Ehren=Gerüste, daran in der Mitte das Besserische Adelige Wapen, oben darüber aber das Bildniß des Herrn von Besser befindlich ist, welches von der Ceremoniel=Wissenschaftt gehalten und, wegen ihres durch sein Absterben erlittenen Verlustes, traurig von ihr angesehen wird; indem er der erste gewesen, der diese Wissenschaftt zu einer so vollkommenen Ausübung gebracht hat. Neben dem Bilde liegen auf dem Gerüste vor ihr eine Wagschale und ein Richtscheit, anzudeuten daß sie die Rang=Streitigkeiten und andre dergleichen Vorrechte genau zu erwegen und zu entscheiden wisse. Der Bücher=Saal ist ausgeziert mit einem*

*Aufputze von Cronen, Zeptern, Chur= Bischoffs= und Fürsten=Hüten, Ritter=Schwertern, Geschlechts=Fahnen, Wapen, Stamm=Bäumen, Bischoffs=Stäben, Ordens= Sternen, Ordens=Ketten und Bändern, Sieges=Kränzen, Palm= Oel= Mirthen= Lorbeer= Zypressen=Zweigen, Helmen, Ritter=Fahnen, Insiegeln, Schilden, Hochzeit= Erleuchtungs= und Trauer=Fackeln, brennende Hertzen, zusammengefügtten Händen, bekränzten Todten=Köpfen, Trau=Ringem und andern Merckzeichen verschiedener Staats= und Hof=Gepränge, bey Freud und Leid, mit deren Anordnung die Ceremoniel=Wissenschaft sich zu beschäfftigen pflaget)."*

But the fact that obviously all the above-mentioned authors chose to work on the same subject and that their contributions formed a discursive context of its own, is only a first step which provides an outward framework of analysis. This framework must be filled by concretely examining the mutual relations between the single elements forming the defining terms of this discourse, i.e. *ceremonial, court, law, and science*.

The discussion of the prototype, namely Winterfeld's *Ceremonial-Politica*, has shown that ceremonial held an intermediate position between legal rules and the rules of civility. This ambivalence<sup>221</sup> of course influenced the theory of ceremonial throughout the whole 18th century. It forced Stieve, for example, to declare that the ceremonial that he intended to analyse did not originate from simple civility, which had no "*Leges*". Rather it was generated by prerogative and precedence, possessing the "qualities of law".<sup>222</sup> This statement does not only show the legal character of what Stieve dealt with, but also the obvious necessity of drawing a line between his project and a treatise on civility in the sense of e.g. Wagenseil's.

Ceremonial science consequently showed a marked affinity to legal reasoning. Even Rohr, who later on linked it to moral philosophy,<sup>223</sup> had originally taken it for a part of public law.<sup>224</sup> The two Mosers consequently employed such an approach, and Carrach explicitly made clear that "*Staatsrecht*" was the origin of "*Hofrecht*".<sup>225</sup> Other jurists working outside the context of ceremonial science, e.g. Johann Friedrich Wilhelm von Neumann or Wigulaeus Xaverius Aloysius Kreittmayr, confirmed this connection to public law.<sup>226</sup>

The pertinent entry of the *Deutsche Encyclopädie* ("*Ceremoniel*") in 1781 pointed out:

<sup>221</sup> *Möseneder, Zeremoniell und monumentale Poesie*, pp. 65ff; *Beetz*, op. cit., pp. 121ff.

<sup>222</sup> *Stieve*, op. cit., pp. 2f.

<sup>223</sup> On the position of ceremonial between practical philosophy and law cf. also *Zschackweitz, Ceremoniel Grosser Herren und Dero Abgesandten*, pp. 495ff.

<sup>224</sup> *Rohr*, op. cit. II, Vorrede, § 1.

<sup>225</sup> *Carrach*, op. cit. col. 814.

<sup>226</sup> *Neumann*, *Bibliotheca Juris*, pp. 289ff ("*Tandem etiam ad Jus Gentium aequae, ac Publicum Universale, referunt nonnulli Jura Praecedentiae, & Ceremoniarum*"); *Kreittmayr, Grundriß des Allgemeinen und Deutschen Staatsrechts*, p. 29.



"The science of state ceremonial is indeed very different from public law; those who have given oral or written lectures on the latter have, however, while handling the rights and obligations stemming from state-affairs, at the same time supplied so much on ceremonial science to give better insight and judgement of state-affairs".<sup>227</sup>

According to the encyclopaedia ceremonial and legal science were hence far from being identical, but there were several points of contact between them.

On the other hand, ceremonial was more than just a legal matter. In a wider sense, it just meant formalized behaviour according to the rules of civility. Anything that usually or necessarily is observed with respect to bearing and movement of the body and to dress could be labelled as ceremonial, as in Stieve's general definition.<sup>228</sup> The title of a book simply called *Ceremoniel im Reden*, published in 1705 and offering models of suitable speeches for different occasions,<sup>229</sup> confirms the view that ceremonial also touched on matters of mere manners and compliments.

The ambiguous character of ceremonial science showed itself in the increasing attention that was paid to mere court ceremonial in opposition to state ceremonial. Whereas the latter was closely linked to "hard" constitutional questions, the former included "softer" phenomena such as fashion and "phantasy", as Friedrich Carl Moser and Carrach put it.<sup>230</sup> In a way this differentiation again reflects the two elements that made up ceremonial science, i.e. the respective contributions of Wagenseil and Beckmann.<sup>231</sup> The introduction of court ceremonial as a distinct sphere undertaken by Lünig<sup>232</sup> therefore proves that ceremonial science had overcome purely legal reasoning.

This also altered the reception of the ceremonial treatises. Their more pragmatic approach served those readers who needed practical information on how one actually had to act in a court setting. They were thus written

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<sup>227</sup> Deutsche Encyclopädie, vol. 5, p. 406: "*Die Staatsceremonielwissenschaft ist zwar vom Staatsrecht allerdings sehr verschieden; indessen haben doch die, welche vom letztern mündlichen und schriftlichen Unterricht ertheilten, wenn sie die aus Staatsgeschäften entstehenden Rechte und Verbindlichkeiten abhandelten, zugleich von der Ceremonielwissenschaft so viel beygebracht, als zur besseren Einsicht und Beurteilung der Staatsgeschäfte nöthig war*".

<sup>228</sup> Stieve, op. cit., p. 1.

<sup>229</sup> *Ceremoniel im Reden*.

<sup>230</sup> Friedrich Carl Moser, op. cit. I, p. 10 (§ 18); Carrach, op. cit., col. 482f. See also Rohr, op. cit. II, p. 10 (§ 16).

<sup>231</sup> While Beckmann beyond question must be seen as a writer on state ceremonial, Wagenseil could be classified in 18th century as a writer on court ceremonial; cf. Pütter, *Litteratur des Deutschen Staatsrechts* III, p. 207.

<sup>232</sup> Lünig, op. cit. I, pp. 292-368; Jürgen Hartmann, op. cit. p. 9.

mainly for beginners,<sup>233</sup> for people wanting to embark on a court career,<sup>234</sup> which implies that young noblemen in particular were seen as possible readers.<sup>235</sup> Stieve's book explicitly seeks to give information necessary to "those who travel",<sup>236</sup> which is also the purpose of Rohr's contributions.<sup>237</sup> It is rather likely that the other writings of the same format as Stieve's and Rohr's books, i.e. Winterfeld's and Johann Jacob Moser's texts, were also for travellers visiting the European courts.

But the writings on ceremonial science had another intention beyond this very practical purpose of being a sort of travel guide to court life. They also had an entertaining function - probably for those who stayed at home - in that they made them familiar with "the splendour and lustre of the European courts".<sup>238</sup> Thus Stieve thought his *Hoff=Ceremoniel* interesting to all curious people<sup>239</sup> and Rohr wanted to win readers by praising his texts for containing cheap entertainment.<sup>240</sup> Even the elder Moser still justified his *Versuch des Ceremoniels* by assuming it would attract readers whose hobby was ceremonial.<sup>241</sup>

The distance of this popularized version of ceremonial science from, for example, Beckmann's understanding of ceremonial as a matter of public law is obvious. Ceremonial knowledge had undergone a twofold opening: It had integrated questions of court ceremonial instead of only dealing with state ceremonial and it was able to attract a public besides academically trained lawyers.

But this double extension did not lead to the abandonment of scientific standards. All the authors of the ceremonial treatises of the 18th century were anxious to stress the academic dignity of their new notion of ceremonial knowledge.<sup>242</sup> Two different strategies were possible to make the ceremonial science created by Winterfeld a respected field of learning: It could either be defined as a discipline in its own right, with a proper theoretical basis, or it could be linked to a suitable science that was already established.

The first was chosen by Rohr. He claimed that his approach indeed established ceremonial knowledge as a science of its own standing. According to the preface of the second volume of his *Einleitung zur Cere-*

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233 *Ibidem* I, p. 260.

234 Stieve, op. cit., Vorbericht; Lünig, op. cit. I, An den Leser; Friedrich Carl Moser, op. cit. I, p. 14 (§ 23); Johann Jacob Moser, Versuch des Ceremoniels, p. 9 (§ 3).

235 Rohr, op. cit. I, Vorrede, speaks of "young cavaliers"; Johann Jacob Moser, op. cit., p. 9 (§ 3) of "young people (...) of rank".

236 Stieve, op. cit., Vorbericht.

237 Rohr, op. cit. I, Vorrede.

238 Lünig, op. cit. I, Dedication.

239 Stieve, op. cit., Vorbericht.

240 Rohr, op. cit. II, Vorrede, § 4.

241 Johann Jacob Moser, op. cit., Vorrede.

242 Cf. also Zschackwitz, op. cit., pp. 493f.

*moniel-Wissenschaft*, Rohr had never previously been very interested in ceremonial, as he had merely taken it for a part of the "*Juris Publici*".<sup>243</sup> But then he had come across a passage in Christian Wolff's (1679-1754)<sup>244</sup> *Vernünfftige Gedancken von der Menschen Thun und Lassen* (first edition 1720): "One understands (...) that one could form a special science on ceremonies."<sup>245</sup> He thus had learned by the lecture of Wolff's ethics that the reasoning on ceremonial could form a "proper science" ("*eigene Wissenschaft*").<sup>246</sup>

Rohr also owed other decisive elements of his approach to the philosopher. His definition of ceremonial as "a certain action, by which, as a sign, something is hinted at",<sup>247</sup> is likewise a paraphrase of a sentence from Wolff's book, which reads: "Ceremonies are nothing else but signs of what we are to consider while doing something."<sup>248</sup> Rohr's reflection on the function, the "*Endzweck*" of ceremonial,<sup>249</sup> finally is inspired by Wolff's *Vernünfftige Gedancken von dem gesellschaftlichen Leben der Menschen* (first edition 1721), which contains the following "*locus classicus*"<sup>250</sup> of ceremonial reasoning:

"And therefore it is necessary that a king or prince establishes his court in a way which gives reason to recognize his authority and power. All court ceremonies also arise from this source."<sup>251</sup>

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243 Rohr, op. cit. II, Vorrede, § 1.

244 Wolff was born in Breslau in 1679 as the son of a tanner. Having studied philosophy and mathematics in Jena after 1699, he became professor at the reform university of Halle in 1707, where he held his lectures in philosophy in German. Charged with accusations of determinism and atheism, he was forced to leave Prussia in 1723 and only returned to Halle after the accession to the throne of Friedrich II in 1740. He worked as a professor of mathematics and of natural and international law and in 1743 even was appointed chancellor of the university; cf. *Allgemeine Deutsche Bibliographie*, vol. 44, pp. 12ff; *Thomann*, Christian Wolff.

245 Wolff, *Vernünfftige Gedancken von der Menschen Thun und Lassen*, p. 109: "*Man begreiffet (...), daß man eine besondere Wissenschaft von den Ceremonien machen könnte.*"

246 Rohr, op. cit. II, Vorrede, § 1.

247 *Ibidem* I, pp. 7f (§ 9); cf. also II, pp. 2f (§ 3).

248 Wolff, op. cit., p. 107: "*Es sind nemlich die Ceremonien nichts anders als Zeichen dessen, daran wir bey einem Vorhaben gedennen sollen.*"

249 Rohr, op. cit. II, p. 2 (§ 2); cf. also I, p. 25 (28).

250 *Holenstein*, *Huldigung und Herrschaftszeremoniell*, p. 32.

251 Wolff, *Vernünfftige Gedancken von dem gesellschaftlichen Leben der Menschen*, p. 504: "*Und demnach ist nöthig, daß ein König und Landes = Herr seine Hoff = Staat dergestalt einrichte, damit man daraus seine Macht und Gewalt zu erkennen Anlaß nehmen kan. Auch entspringen aus dieser Quelle alle Hoff = Ceremonien.*"

With these adoptions Rohr provided his ceremonial science with an explicit and prestigious theoretical foundation.<sup>252</sup>

The second strategy, that of preserving the academic reputation of ceremonial science by linking it to an established field of learning, was employed with particular efficiency by Carrach and the two Mosers. Hardly surprisingly, the anchoring function in their case was accomplished by jurisprudence. It took, however, half a century before Friedrich Carl Moser reformulated the problem of ceremonial in legal terms. As state ceremonial was previously closely linked to public law, while diplomatic ceremonial was closely linked to international law, the creation of a proper court law subsuming court ceremonial suggested itself.<sup>253</sup> This, in fact, was Moser's contribution.<sup>254</sup> By his construction of a "*Hof=Recht*" in the wider sense, comprising court law in the strict sense as well as court ceremonial,<sup>255</sup> the latter element, for the first time since Winterfeld, was completely integrated into a legal context.

Although in a way court ceremonial was the less obligatory part of court law,<sup>256</sup> it nevertheless had a legal character, stemming from the different regulations regarding, for example, the rank of the court members, the ceremonies on certain occasions or the duties of the single officials (*Bestallungsurkunden*).<sup>257</sup> Together these rules were meant to secure the "*Hof=Policey*", i.e. the good order of the court,<sup>258</sup> and they were the basis for the decisions of the "*Hofmarschall*", who was responsible for jurisdiction over court members.<sup>259</sup>

By choosing the term court law, in contrast to his predecessors that had spoken of ceremonial, Moser had found a much more flexible title for his intended "science of court matters".<sup>260</sup> The elaborate legal system of the *Hof=Recht* provided many more potential connections with all the different aspects of court life than could be grasped in purely ceremonial terms. While court ceremonial from Winterfeld to Rohr had primarily referred to the concrete person of the given ruler, Moser's more abstract conception of court law took into account the whole court as a complex institution,<sup>261</sup> the smooth functioning of which was to be guaranteed. Thus Moser's

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<sup>252</sup> Cf. *Frühsorge*, op. cit., p. 7.

<sup>253</sup> *Jürgen Hartmann*, op. cit., p. 11.

<sup>254</sup> The review of vol. II of the *Hof=Recht* in the *Göttingische Anzeigen* (1755) even states that Friedrich Carl Moser's book even was unique: cf. Review of *Hof=Recht* II, p. 376.

<sup>255</sup> *Friedrich Carl Moser*, op. cit. I, p. 8 (§ 12).

<sup>256</sup> *Ibidem* I, pp. 8f (§§ 13f).

<sup>257</sup> Cf. the catalogue of possible sources for studies on court law in *ibidem* I, p. 21 (§ 26).

<sup>258</sup> Cf. *ibidem* I, pp. 109-142 = II. Buch, III. Capitel.

<sup>259</sup> Cf. *Ibidem* II, pp. 793-832 = XII. Buch.

<sup>260</sup> *Ibidem* I, Vorbericht: "*Wissenschaft des Hof=Wesens*".

<sup>261</sup> Cf. *Braungart*, op. cit., pp. 24ff.

*Hof=Recht* had an eye also for the sphere of the court servants and the everyday life of the majority of the court members.<sup>262</sup>

Because of his introduction of court law as the main content of a science of court life in general, Moser could even dream of the academization of court knowledge. He wanted a chair for the "science of court matters" ("*Wissenschaft des Hof=Wesens*"), and he was bold enough to call for it at the leading German university of the time in Göttingen<sup>263</sup>.

Moser's claim, however, is double-edged. On the one hand, it confirms the importance of court life even in the second half of the 18th century, if a writer as critical of court culture as Moser thought its academic institutionalization necessary. The actual realization of Moser's hope moreover would have meant the beginning of the professionalization of court administration. On the other hand, however, Moser's formulation of this project in strictly legal terms put an end to Rohr's emphatical proclamation of ceremonial science as an autonomous field of knowledge, worthy of being studied in its own right. 25 years after Rohr's optimism, ceremonial was definitely a subject of a branch of jurisprudence again.

And as such it was to survive.<sup>264</sup> This is demonstrated by Carrach's series of articles, which definitely forms one of the most sophisticated contributions to the problem of court life and ceremonial written in the 18th century. In the present context it might suffice to repeat that Carrach handled the whole problem of ceremonial in the wider frame of court law too.<sup>265</sup> Johann Jakob Moser's procedure was similar. His *Versuch des Ceremoniels* was not only the last German ceremonial compendium of the *ancien régime*, but also the second of ten parts dealing with international law. One of its aspects was ceremonial, and this was certainly not the most valuable one according to the author. In his preface he obviously sees ceremonial knowledge at best as an auxiliary science for the expert on the law of the nations.<sup>266</sup> Nevertheless it was Johann Jakob Moser who with this restriction gave ceremonial its final position, for up until the present time its role in diplomacy has been and is important. At the end of the 18th century, it seems, ceremonial studies again could only be pursued when they were clearly embedded in a legal system.

With this notion however ceremonial science in the sense of the 18th century reached its final point. For it was reduced to a mere minor of international law and thus of interest once again only to a small group of

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<sup>262</sup> Cf. e.g. *Friedrich Carl Moser*, op. cit. II, pp. 210-220 = VI. Buch, VI. Capitel, where the "populace" ("*Pöbel*") of the court is dealt with (p. 210).

<sup>263</sup> *Ibidem* I, Vorbericht.

<sup>264</sup> There even existed a specific criminal law regarding cases committed at court. It was particularly concerned with theft on the part of the court staff ("*Hofdiebstahl*"); cf. *Karl Friedrich Erbe*, *Rechtliche Anmerkungen über den Hofdiebstahl* (1775); *Runde*, *Von Bestrafung des Hofdiebstahls* (1802).

<sup>265</sup> *Carrach*, op. cit., especially col. 476ff.

<sup>266</sup> *Johann Jakob Moser*, *Versuch des Ceremoniels*, Vorrede.

experts. In the form it was given by Johann Jacob Moser it was part of the professional knowledge of diplomats, who had to study ceremonial as well as other topics.

This can be proved by a diplomatic textbook of Christian Gotthelf Ahnert. It was published in 1784 and meant to comprise the "sciences, requirements and rights of the envoyes".<sup>267</sup> The second volume of this work discusses exclusively questions of rank and ceremonial for more than 600 pages<sup>268</sup>; it primarily refers to Lünig's and Johann Jacob Moser's relevant writings.<sup>269</sup> The ceremonial knowledge of the 18th century was thus in Ahnert's case used only to serve as a part of the professional training of diplomatic agents; it was technical knowledge, indispensable only for a distinct circle of specialists.

The wider public in contrast obviously no longer took ceremonial matters seriously. In the same year as Ahnert's book an article was published, whose title promises a *Beytrag zur neuesten Geschichte des deutschen Hof=Ceremoniels* ("contribution to the most recent history of German court ceremonial"). Instead of an earnest presentation, however, this article contains a sarcastic account of the following anecdote:

"The countess of W...., an old, very venerable Lady (...) decided two years ago to visit the court of ... in order to participate in the great festivities which then were to happen because of a special occasion. She wrote to the H... and received the friendly answer that she would be welcome. Hence the countess journeyed to that place (...). Her expectations were however thwarted, since for certain reasons the festivities were largely called off. This was a common fate, and so the countess of W... had to put up with it too. She had however other reasons to complain, because at court she was not paid the respect she had the right to expect. Thus was the mood of the lady when the first opera was performed and she took her assigned position together with the other noblemen. This court was distinguished for its stiff ceremonial among the stiffest courts in Germany (and that indeed says a lot) and decided to surpass itself on that occasion. Consequently all spectators, ladies included, were to remain standing while listening to the opera. There were chairs, but not for use. But the countess of W... thought it advisable to use the chair standing behind her. This delicate offence was answered by a message from the H...., reminding her of the order. The countess excused herself with her age and weakness (...). Another message and reminder to behave like the rest of the public followed, which again was answered by a refusal for the above-mentioned physical reasons. The matter grew serious and certainly more interesting for the spectators than the Italian opera, which was listened to yawning. She was given the order to either stand up or leave the theatre. The countess replied that she had travelled so far to be present at the court festivities that she could hardly decide on the latter;

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<sup>267</sup> Ahnert, *Lehrbegriff der Wissenschaften, Erfordernisse und Rechte*.

<sup>268</sup> *Ibidem* II = Vierte Abtheilung ("*Von dem Range, Staats= und Kanzleyceremoniel, wie auch von dem Style der Staatsschriften, nebst Beylagen*").

<sup>269</sup> *Ibidem* I, Vorrede.

that she knew her obligations, which she was sure she was not violating, if, at her age, she used a chair in a public place; that she was eager to see what the H.... would do to a lady of an old line of counts; that, in short, she would definitely not stand up. A last message that extreme measures would be resorted to in case of further refusal likewise remained without effect. The last answer of the countess was that she expected to be carried away. That was it; the intermezzo was not continued, which for a philosophical spectator was more entertaining than all the songs of eunuchs. Although this topic is inexhaustible and the event characteristic of the German customs in the last quarter of the 18th century, I shall nevertheless not comment on it. *Difficile est satyram non scribere.*"<sup>270</sup>

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270 *Archenholz, Beytrag zur Geschichte: "Die Gräfin von W.... eine alte sehr ehrwürdige Dame (...) entschloß sich vor zwey Jahren, den ...schen Hof zu besuchen, um an den großen Feyerlichkeiten Theil zu nehmen, die damals allda bey einer außer ordentlichen Gelegenheit vor sich gehen sollten. Sie schrieb an den H... und erhielt die gnädige Antwort, daß sie sehr willkommen seyn würde. Die Gräfin reisete also dorthin (...). Ihre Erwartung aber wurde vereitelt, weil aus gewissen Ursachen diese Festins gröstentheils eingestellt wurden. Da dieses das allgemeine Loos war, so mußte die Gräfin von W... auch damit zufrieden seyn; indessen hatte sie andre Ursachen sich zu beklagen, da man ihr bey Hofe nicht mit der Achtung begegnete, die sie ein Recht hatte zu erwarten. In dieser Disposition des Geistes befand sich diese Dame, als die erste Oper gegeben wurde, und sie nebst dem andern Adel ihren zugewiesenen Platz einnahm. Diser Hof, der sich durch sein steifes Ceremoniel unter den steifsten Höfen Deutschlands auszeichnet (welches in der That viel sagen will) nahm sich vor, bey dieser Gelegenheit sich selbst zu übertreffen. Dem zufolge sollten alle Zuschauer, selbst die Damen, die ganze Oper stehend anhören. Es waren zwar Stühle dar, aber nicht zum Gebrauch. Die Gräfin von W... fand jedoch für rathsam, sich des hinter ihr stehenden Stuhls zu bedienen. Auf diesen bedenklichen Verstoß erfolgte eine Bothschaft von Seiten des H...., der sie an die gemachte Verordnung erinnern ließ. Die Gräfin entschuldigte sich mit ihrem Alter und Schwachheit (...). Eine neue Bothschaft und Erinnerung, sich wie die übrige Versammlung zu betragen; worauf eine abermalige abschlägige Antwort aus vorbesagten physischen Gründen erfolgte. Die Sache ward ernsthaft, und für die Zuschauer gewiß interessanter als das italienische Singspiel, das man jähnend anhörte. Man sandte ihr den Befehl zu, entweder aufzustehn, oder das Schauspielhaus zu verlassen. Die Gräfin erwiederte, sie wäre so weit gergekommen, den Hoffeyerlichkeiten beizuwohnen, daß sie sich zu dem letztern nicht entschließen könnte; sie wüsste sehr wohl ihre Schuldigkeit, die sie aber nicht zu verletzen glaube, wenn sie bey ihrem Alter sich an einem öffentlichen Orte eines Stuhls bediene, und daß sie daher begierig sey zu sehen, was der H.... einer Dame aus einem alten gräflichen Hause deshalb thun wolle; und kurz, daß sie durchaus nicht aufstehn würde. Eine letzte Ambassade, daß man im Weigerungsfall zu den grösten Extremitäten schreiten würde, that auch keine größere Wirkung. Die letzte Antwort der Gräfin war, sie erwartete, ob man sie forttragen würde. Hiebey blieb es; das Intermezzo wurde nicht weiter fortgesetzt, das für einen philosophischen Zuschauer mer Reize hatte, als alle Kastratengesänge. So*

Thus a text the title of which would lead the reader to expect a serious discussion of ceremonial matters reveals to what extent they had lost credit by the end of the century. It does not however simply ridicule them, but, moreover, confirms the universality of this contempt. Obviously this critical attitude to etiquette was shared by the majority of the spectators of the opera, and moreover by a member of the court society, the aged countess. Though this event must be regarded as typical of late 18th-century Germany, as the author Archenholz assures us, it nevertheless reveals that such rigid ceremonial was already seen as absurd and obsolete.

Thus by the 1780's opinions of ceremonial science had changed greatly: it was a worthwhile object of reasoning only for certain experts, but not as popular a subject as it had been before. In Johann Jacob Moser's version ceremonial knowledge went back to its roots. At the end of the 17th century it had had a purely technical character as a branch of public law, and this characterization also broadly fits the situation 100 years later.

Johann Jacob Moser's conservative understanding of ceremonial science, moreover, becomes clear in a second point concerning its scope. In contrast to the development from Winterfeld's *Ceremonial-Politica* to Carrach's *Hofrecht*, he defined his topic as merely ceremonial matters again, without taking into account other problems of court life that are only loosely connected with the main concern.

Previously, however, ceremonial science had also paid attention to these aspects. Already Winterfeld's concise summary of what he wanted to treat in the second part of his work includes more than pure ceremonial. He wanted to give information on "curial formalities, ceremonies, manners and customs (...) that are usual in political and other affairs".<sup>271</sup> Lünig's *Theatrum Ceremoniale* even claimed to give a complete picture of European court life. The dedication announced his book as a "work in which the splendour and lustre of the European courts is presented".<sup>272</sup> Nor did Rohr confine his interest strictly to ceremonial. The first volume of his *Einleitung zur Ceremoniel=Wissenschaft* contains two chapters that deal with court life in a rather general way.<sup>273</sup>

The integration of topics that had to do with the court, but not necessarily with its ceremonial, was subsequently undertaken by Friedrich Carl Moser. His reshaping of ceremonial science as court law offered the possibility of a universal science of court. And indeed such a "science of court matters" was demanded by the younger Moser.<sup>274</sup> His own work and

*reichhaltig auch der Stoff ist, und so sehr diese Begebenheit die deutschen Sitten in dem letzten Viertel des achtzehnten Jahrhunderts charakterisirt, so will ich mich doch aller Bemerkungen darüber enthalten. Difficile est satyram non scribere."*

<sup>271</sup> Winterfeld, op. cit. I, pp. 261f.

<sup>272</sup> Lünig, op. cit. I, Dedication; cf. also II, Dedication.

<sup>273</sup> Rohr, op. cit. I, pp. 201-221 = I. Theil, VII. Capitulum, and pp. 221-244 = I. Theil, VIII. Capitulum.

<sup>274</sup> Friedrich Carl Moser, op. cit. I, Vorbericht.



Carrach's articles at least were an important first stage of such a project, as they included a wide range of subjects beyond ceremonial.

Before Johann Jacob Moser again retracted its general character, ceremonial science could therefore be seen as an attempt at constructing a discipline that was competent for the entire court. If ceremonial is to be interpreted as the basic mechanism of court society, then ceremonial science is to be understood as its directions for use. Thus it does indeed become a decisive field where reasoning on the role of the courts took place in 18th-century Germany.<sup>275</sup> The discourse on the court in general, on its function and justification, can be found above all in the writings of Winterfeld, Stieve, Lünig, Rohr, Carrach and the two Mosers.

#### 4. The Crisis of Analogous Representation

Ceremonial science as outlined above was a German peculiarity. There is only one comparable work in 18th-century Europe that was not written by a German scholar. In 1739 Jean Rousset de Missy's *Cérémonial diplomatique des Cours de l'Europe* was published in two volumes as a supplement to Dumont's *Corps universel et diplomatique du droit des Gens*. Rousset's contribution very much resembles the relevant German writings, but this similarity can be easily explained: The main source and inspiration for the author was Lünig's *Theatrum Ceremoniale*.<sup>276</sup> Except for this title, the other French authors dealing with ceremonial confined their interest to their domestic court, as did the English, while the Italians mainly wrote about the Papal court.<sup>277</sup>

The explanation of why ceremonial science was largely an exclusively German phenomenon obviously has to do with the sheer quantity of courts within the Empire. As there were numerous courts, each of them with its own tradition and style, German ceremonial was much less uniform than, for example, the French one.<sup>278</sup> So the personal experience of a courtier in one or even more residences did not necessarily teach him how to behave

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<sup>275</sup> Another proof of this thesis is Wolff's legitimization of ceremonial and court and the reception it found in later writings. Wolff himself had justified the court in general and ceremonial in particular by the same argument; cf. *Wolff*, op. cit., p. 504. It also plays an important role in Lünig's, Rohr's and Carrach's writings, but in their case as a legitimization of ceremonial in the first hand; cf. *Lünig*, op. cit. I, p. 5; *Rohr*, op. cit. II, p. 2 (§ 2); *Carrach*, op. cit. col. 523. Zedler's encyclopaedia likewise paraphrased Wolff's paragraph, but under the wider item of *Hof* instead of *Ceremoniel*; cf. *Zedler*, *Universal-Lexicon*, vol. 5, p. 1874, and vol. 13, p. 404.

<sup>276</sup> *Rousset de Missy*, *Ceremonial Diplomatique*, Avertissement.

<sup>277</sup> *Jürgen Hartmann*, op. cit., pp. 3f.

<sup>278</sup> *Ibidem*, p. 95; cf. also e.g. *Friedrich Carl Moser*, op. cit. I, Vorbericht; *Carrach*, op. cit., col. 814.

at a court unknown to him. The multipolarity of German court life prevented one standardized court model.

**Figure 9: "Old" and "present-day Germans" (1728)**



The couple on the left represents the "old Germans" ("alte Teutschen"), wearing Spanish court costume and obviously of equal rank. The couple on the right are Germans of the early 18th century ("jetzige Teutschen"). Both the latter are dressed in a French manner, and one is paying the other a compliment. The contrast between the two pairs is furthermore symbolized by the different architectural settings in the background.

So in a way the German discourse of ceremonial science served as a functional equivalent to a centralization of court life that did not, in fact, happen. It presented all the knowledge there was on ceremonial in printed form and thus made its diffusion beyond the limits of a certain territory

possible. Ceremonial science hence effected, or at least intended, a "national" standardization of the most important field of knowledge in the court sphere, and thus it reflected the features of German court society.

The diachronic evolution of ceremonial science can also be connected to court history. Reasoning about ceremonial, more precisely state ceremonial, began after 1648,<sup>279</sup> when the courts of the territories grew in quantitative, and drastically changed in qualitative terms.

This process caused an increasing demand for ceremonial literature, which was supplied by public law in the form of academic treatises written in Latin. This genre started in 1665 with Jakob Andreas Crusius' *Tractatus politico-juridico-historicus de Praeinentia, Sessione, Praecedentia, et universo jure proedriae Magnatum* and reached its culmination with Beckmann's *Syntagma Dignitatum* in 1696.<sup>280</sup> When Winterfeld, in 1700, created the ceremonial science of the 18th century by fusing the former reasoning with the discourse on civility, the "ceremonial court" was the predominant type in the Empire. The fates of both the "ceremonial court" and ceremonial science were in fact closely linked to each other. As ostentatious, ceremonial court life decreased in popularity after 1740, ceremonial science changed its shape. It was superseded by court law, which handled the same material, but only as a less important element. In the end ceremonial science was merely a trivial appendage of the law of nations.

These correspondences confirm the suitability of ceremonial science as a mirror of the development and features of German court life. An analysis of ceremonial science therefore gives information on the general notion of court society and court culture in the 18th-century Empire. They reveal a deep, and finally deadly, crisis of the main function of court life. As was shown in chapter I, the courts were instruments for the holistic, analogous representation of the entire political and social order. Ceremonial was used to exhibit in space the sacral character of princely rule.

It is therefore hardly surprising that these features were of central relevance for the contemporary ceremonial discourse. Stieve and Lünig in particular stressed the argument that court life had the purpose of exhibiting the sacrality of the ruler in accordance with cosmic order. The *Europäisches Hoff=Ceremoniel* speaks of the princes as "gods on earth" ("*irrdische Götter auf Erden*")<sup>281</sup> and then proves the necessity of precedence and ceremonial by linking it to the idea of universal hierarchy. In Stieve's words:

"It can easily be agreed upon that one thing is preferred to another, not only with respect to *irrational* creatures but also to *lifeless* things. A horse is regarded as superior to a donkey or an ox, a diamond more valuable than a pebble (...). Among

<sup>279</sup> Berns, op. cit., pp. 335f; Jürgen Hartmann, op. cit., p. 3.

<sup>280</sup> Jürgen Hartmann, op. cit., pp. 3ff.

<sup>281</sup> Stieve, op. cit., Vorbericht.

rational human beings the man is set over the woman, the father over the children, the elder over the younger, the ruler over the ruled, by the command of God. One could therefore say that among the things mentioned here one must be worth more than another, *correlatis, natura et ordine a Deo instituto*, and that the one worth less must necessarily concede precedence to the one worth more. Therefore prerogative does indeed exist *natura & ratione*".<sup>282</sup>

In the *Theatrum Ceremoniale* a similar conception can be found. For Lünig the whole of creation is ruled by order, stemming from God himself.<sup>283</sup> In analogy to the latter, but of course on a smaller scale, the princes establish and maintain order at their court,<sup>284</sup> which thus becomes a reduced picture of the world. The princes themselves possess a sacral nature,

"for in spite of being mortal like other people, they have been elevated by God himself over others in this temporality and been appointed his governors on earth, so that in this sense they are even called gods in the Holy Scriptures".<sup>285</sup>

In another passage Lünig is more explicit still:

"As princes represent the Almighty on earth they should try to become as similar to him as possible. But God is a God of perfect and eternal order. The more similar to him those who want to represent him here on earth desire to be, the more orderly they have to be with respect to themselves and their affairs, if their own well-being and esteem in the eyes of the subjects is to persist."<sup>286</sup>

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282 *Ibidem*, p. 3: "Man wird sich leicht bescheiden, daß nicht nur unter unvernünftigen Creaturen, sondern auch so gar unter leblosen Dingen eines dem andern pfleget vorgezogen zu werden, denn ein Pferd wird höher als ein Esel oder Ochse, ein Diamant werther als ein Kiesel=Stein geachtet (...). Unter den vernünftigen Menschen aber ins besondere, wird der Mann der Frauen, der Vater den Kindern, der Alte dem jungen, der Herrschende dem Gehorchenden, so gar auf göttlichen Befehl vorgesetzt, so daß man sagen könnte, daß eines unter den hier genenneten *Correlatis, natura et ordine a Deo instituto*, mehr gelten müsse als das andere, und der weniger geltende dem mehr geltenden nothwendig den Vorzug lassen müsse, so daß es allerdings *natura & ratione eine Praerogativam giebet*".

283 Lünig, *op. cit.* I, p. 2.

284 *Ibidem* I, p. 3.

285 *Ibidem* I, p. 5: "Grosse Herren sind zwar sterbliche Menschen, wie andere Menschen; weil sie aber GOTT selbst über andre in dieser Zeitlichkeit erhoben, und zu seinen Stadthaltern auf Erden gemacht, also daß sie von der Heil. Schrift in solchem Verstande gar Götter genennet werden".

286 *Ibidem* I, p. 292: "Grosse Herren, wie sie das Bildniß des Allmächtigen auf Erden an sich tragen, also sollen sie auch demselben, so viel möglich, durchgehends ähnlich zu werden suchen. Nun ist GOTT ein GOTT der Ordnung, welche sich in allen erschaffenen Dingen vollkommen erweist, auch bis zur Vergänglichkeit aller Crea-

Hence for Stieve and for Lünig the court is not only an analogous representation of the well-ordered society and polity, but of the entire cosmos.<sup>287</sup>

An even more complete account of the princely court as a sacral space is given by two texts which, however, only peripherally belong to the context of ceremonial science or court law strictly speaking. In 1735 Johann Ehrenfried Zschackwitz (1669-1744)<sup>288</sup> published his *Heraldica Oder Wapen=Kunst* including an annex titled *Ceremoniel Grosser Herren und Dero Abgesandten*, which quotes among other writings the books of Winterfeld, Stieve, Lünig and Rohr.<sup>289</sup> It also contains a paragraph explaining that the "state customs or ceremonies (*Staatsgebräuche, oder Ceremonien*)" mostly originated from religious customs (*Religions=Gebräuchen*):

"After the *religion*, or the divine service, had started to be converted into simple customs and (...) the oriental princes in particular made themselves be served in the same way as used to be the case with the pictures consecrated to God, these things gradually entered in their courts (...). They spread from the orient to occidental countries, though with manifold modifications, since the occidental monarchs do not enjoy or receive the same servile adoration as the oriental ones. Therefore certain changes of the ceremonies can be observed here."<sup>290</sup>

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*turen dauren wird. Je ähnlicher nun diejenigen, so sein Bildniß hier auf Erden tragen wollen, demselben zu seyn begehren, je ordentlicher müssen sie an sich selbst und in ihren eigenen Verrichtungen seyn, wenn ihre eigene Wohlfahrt und ihr Ansehen bey den Unterthanen bestehen soll."*

<sup>287</sup> Cf. also Zschackwitz, op. cit., pp. 494f.

<sup>288</sup> Johann Ehrenfried Zschackwitz was born in Kösen (Saxony) in 1669 as the son of a *Floßverwalter*. He studied theology, law, and history in Leipsic from 1688 to 1691. Afterwards he held diplomatic, administrative and teaching posts in the different Saxon principalities, before he went to Prussian Halle, where he taught history and public law. In 1731 he was appointed professor; cf. *Allgemeine deutsche Biographie*, vol. 45, pp. 444f; *Deutsches Biographisches Archiv*, microfiche no. 1419, pp. 19ff.

<sup>289</sup> *Ibidem*, p. 526.

<sup>290</sup> *Ibidem*, p. 504: "*Nachdem die Religion, oder der Dienst gegen GOtt sich nach und nach in blosser Gebräuche zu verwandeln angefangen, und sonderlich in Morgenland (...) die grossen Herren sich eben auf solche Art bedienen liessen, als denen der Gottheit gesetzten Bildern zu geschehen pflegete, so haben diese Dinge von daher sich allmählig an dero Höfe gezogen (...). Aus Morgenland sind selbige in die Abendländer gewandert, wiewohl mit vielfältigen Unterschieden, indem die Abendländischen Monarchen keine solche servilische adorationem genossen, oder empfangen, als wie die Morgenländischen, daher auch um deswillen gar besondere Veränderungen in den Ceremonien allda angetroffen worden."*

The second example dates from 1749, five years before Friedrich Carl Moser's *Hof=Recht*. Then Andreas Elias Roßmann (1708-1767)<sup>291</sup> published his article *Vom Hofrechte*, comprising a mere eight pages. Though handling diverse ceremonies, Roßmann nevertheless only quoted Stieve's *Hoff=Ceremoniel*, praising it emphatically as a "small book which everybody seeking thorough knowledge in ceremonial matters should buy" because of its "order, extensive reading, and completeness".<sup>292</sup> Other writings discussed above are not mentioned. Instead Roßmann doubts

"that a universal court law has ever been written. The court of a prince has his written or unwritten laws, but nevertheless a system of court law and of its single pieces is lacking."<sup>293</sup>

His own outline largely concentrates on the sacral quality of the person of the ruler<sup>294</sup> and its spatial display:

"By speaking of the court of a prince, we only regard the prince in his residence (*Wohnung*), thereby wholly excluding all his other actions in state, justice, war, hunting, and other matters. Court law thus is the law which is exercised in the residence of the prince. It may refer to himself, his consort, children, civil and court servants, or to his house etc. (...) Princes are gods on earth. For this reason the Romans not only tried to serve and worship them divinely, but also to construct and ornament (...) their buildings in the manner of temples."<sup>295</sup>

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<sup>291</sup> Andreas Elias Roßmann was born in Halle in 1708 as the son of a municipal civil servant. In 1728 he began studying philosophy, history and law at the university there, and in 1740 he gave legal and philosophical lectures himself. After 1742 he was appointed professor of law, later of philosophy and history also, at the newly founded university of Erlangen and at the same time court councillor of Brandenburg-Bayreuth; Deutsches Biographisches Archiv, microfiche no. 1057, pp. 172ff.

<sup>292</sup> Roßmann, *Vom Hofrechte*, p. 230, fn. y.

<sup>293</sup> *Ibidem*, pp. 225f: "Ich zweifle selbst: ob jemahls ein Hofrecht, überhaupt betrachtet, geschrieben? Der Hof eines Fürsten hat zwar seine geschriebene und ungeschriebene Gesetze, deswegen aber kann es uns doch an einen Systemate des Hofrechts und seiner besondern Stücke fehlen."

<sup>294</sup> Cf. also the writings of another writer whose work does not belong to ceremonial science in the strict sense: Zschackwitz, *op. cit.*, p. 504.

<sup>295</sup> Roßmann, *op. cit.*, pp. 226f: "Wenn wir von dem Hofe eines Fürsten reden: so betrachten wir den Fürsten nur allein in seiner Wohnung; und schließen also damit alle seine übrigen Handlungen, in Staats= Gerichts= Kriegs= Jagd und anderen sachen, gänzlich aus. Das Hofrecht ist demnach dasjenige Recht, das in der Wohnung des Fürsten ausgeübet wird. Es mag nun seine Person, Gemahlin, Kinder Beamte und Hofbediente oder das Haus etc. betreffen. (...) Fürsten sind Götter dieser Erden; deshalb hat man sie bey denen Römern nicht allein göttlich zu bedienen

Roßmann's reference to the Romans in this passage may not be read as a weakening modification of the godlike nature of the rulers,<sup>296</sup> since he permanently mixes Roman and contemporary examples and sources as evidence for his conception. For example while talking about princely guards, he remarks on their nationality: "The emperor Augustus had Germans. At many courts the Swiss are given this honour. In France there were Scotsmen."<sup>297</sup>

It must of course be emphasized that apart from Stieve, Lünig or even Roßmann every contribution to ceremonial science in principle retained analogous representation as its core. The very choice of the topic ceremonial proves that the court was primarily seen as the stage on which social distinction was performed and hence made visible. This assumption is also underlined by the role that decorum played in the context of ceremonial science.

Early modern society was built on structural inequality, as it consisted of different distinct estates, which were not only defined in legal terms, each estate having its own rights and privileges, but also by their respective ways of life. What was suitable for an artisan, was not suitable for a peasant, and what was due to a state official, was not due to a noble landlord and so on. The conduct of life in a way fitting to a person's status within the social order was called *Wohlstand* or *Wohlanständigkeit*, the German equivalents to the Latin *decorum*.

The theory of decorum was intensely debated particularly in the early 18th century and the pertinent arguments can be found summed up in a tract by Sebastian Jakob Jungendres (1684-1765),<sup>298</sup> published in 1720.<sup>299</sup> He saw decorum as a part of moral philosophy,<sup>300</sup> and defined it concisely as "such a conduct that can please everybody or at least cannot justly displease anybody".<sup>301</sup> The observance of the rules of decorum hence was to avoid giving any offence.<sup>302</sup> Though decorum was partially the same for

*und zu verehren, sondern auch ihre Gebäude nach Art der Tempel aufzurichten, und (...) auszuschnücken, gesucht."*

<sup>296</sup> Cf. also *ibidem*, p. 228, fn q.

<sup>297</sup> *Ibidem*, p. 232: "Der Keyser August hatte schon Teutsche. Die Schweitzer genießen an vielen Höfen die Ehre. In Franckreich waren es sonst die Schotten."

<sup>298</sup> Sebastian Jakob Jungendres was born in Nuremberg in 1684 as the son of a drawer of gold and silver wires. From 1703 to 1710 he went to the universities of Leipsic, Jena and Altdorf, where he studied theology, philosophy and law. In 1710 he became a tutor in Vienna, before returning to Nuremberg in 1715. After working as a writer and a proof-reader he eventually became a teacher in 1730; cf. Deutsches Biographisches Archiv, microfiche no. 615, pp. 100ff.

<sup>299</sup> *Jungendres*, Kurzer Entwurf von der Wolanständigkeit.

<sup>300</sup> *Ibidem*, pp. 14f (§ I).

<sup>301</sup> *Ibidem*, p. 18 (§ XIII): "eine solche Aufführung, welche jedermann gefallen oder wenigstens niemand mit Recht mißfallen kan".

<sup>302</sup> *Ibidem*, p. 22 (§§ XXVf).

all men ("*Decorum naturale*"),<sup>303</sup> it was basically dependent on social status ("*Decorum politicum*").<sup>304</sup> One means of discovering what was suitable was simply to imitate the members of one's own rank.<sup>305</sup>

Among the numerous forms of decorum that existed due to the social differentiation there was also a special court decorum ("*Hof-Decorum*").<sup>306</sup> Therefore it is no wonder that references to decorum can also be found in the works on ceremonial science. Decorum served as an important measure of an appropriate court life.<sup>307</sup> As the authors from Winterfeld to Johann Jakob Moser explicitly mentioned decorum as a criterion for their handling of the court, the main concern of ceremonial science, i.e. the reasoning on external signs of social inequality and political power, was embedded into a broad and influential social and philosophical theory.

It was even possible to identify court decorum and court ceremonial with each other, as the *Wahre Grund=Reguln einer Staats=Wissenschaft* from 1748 confirm: "By this public decorum we do mean none other than the ceremonial common at court."<sup>308</sup> After this definition the anonymous author gave a list of relevant titles, including the familiar names of Leti, Beckmann, Winterfeld and particularly Lünig.<sup>309</sup> Seen from this point of view the characteristics of court life were an expression of the obligation to lead a life according to the rules of decorum. The members of the court were subjected to them just like other social groups, the only difference being that the laws were particular ones in their case. The corpus of the works on ceremonial science quasi formed the pertaining legal code.<sup>310</sup>

Yet it also contained four indicators to the decline of the model of analogous representation. Firstly, ceremonial did not aim at a contemplative perception on the part of the spectators, but intended to overwhelm them in the form of an instantaneous éclat. Such an impact could however hardly be expected, if ceremonial was of such a complexity that the relevant knowledge had to be presented and explained as a science.<sup>311</sup>

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303 *Ibidem*, pp. 38 (§ LXII) and 55f (§ XV).

304 *Ibidem*, pp. 80 (§ VII).

305 *Ibidem*, pp. 78 (§ III) and 93 (§ XXXIII).

306 *Ibidem*, pp. 81f (§ XII).

307 Cf. e.g. Lünig, op. cit. I., p. 5; Rohr, op. cit. I, title-page, Vorrede, p. 1 (§ 1), and especially II, p. 1 (§ 1); Friedrich Carl Moser, op. cit. I, p. 9 (§ 17); Johann Jakob Moser, Versuch des Ceremoniels, p. 17 (§ 1).

308 *Wahre Grund=Reguln einer Staats=Wissenschaft*, p. 148 (§ 39): "Durch diesen publiquen Wohlstand verstehen wir nichts anders, als das bey Hofe gebräuchliche Ceremoniel."

309 *Ibidem*, p. 149.

310 Cf. also Braungart, op. cit., p. 29.

311 Cf. Berns, op. cit., pp. 341f.



Once ceremonial was comprehensible only after the study of voluminous treatises which helped to decipher it,<sup>312</sup> it had doubtless already lost a great deal of its semiotic efficiency. The claim to scientific, later, even academic, standards thus reveals that the mechanism of analogous representation had ceased to be a matter of course. Ceremonial *science* hence is a symptom of the very crisis of ceremonial.

Secondly, this crisis was aggravated by the development of ceremonial science into court law, which meant a higher degree of abstraction. In ceremonial science from Winterfeld to Rohr the connection of ceremonial and social rank was direct and did not need any mediation. In correspondence with the rules of analogous communication, social relations were identical with their symbolic expression and thus spatial and social positions equated with one another. Hence Winterfeld could offer an unsystematic account of ceremonial occasions all centered around the ruler and nevertheless claim that the order of material was self-evident.<sup>313</sup>

This was no longer possible with court law as the principal point of reference; the direct link between ceremonial action and its message was broken.<sup>314</sup> Speaking of Friedrich Carl Moser's *Hof=Recht*, Braungart remarks:

"Here the legal fact is (or at least tends to be) expressed or fixed in abstract terms and in principle independently from external forms. There are still precise formal instructions for the exercise of a legal act in any single case, but the mode of the exercise does not necessarily have an inner, 'substantial' connection to the matter."<sup>315</sup>

The reformulation of ceremonial as court law moreover allowed the person of the ruler to be largely disregarded. The court was thus changed from a simple entourage related to the prince into an institution in its own theoretical right.<sup>316</sup> Again Friedrich Carl Moser's book is a good example. It is not only structured according to the diverse ceremonial events, but also

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<sup>312</sup> Rohr, e.g., wanted to re-establish the relationship between the concrete ceremony and its implied obligation; cf. *Rohr*, op. cit. I, p. 7, and II, pp. 2f (§ 3).

<sup>313</sup> *Winterfeld*, op. cit. II, Vorrede.

<sup>314</sup> This process can also be observed in the field of precedence, which underwent a development from Zacharias Zwanzig's *Theatrum Praedentiae* (1709) to Johann Christian Hellbach's *Handbuch des Rangrechts* (1804) quite similar to the one from Lünig's *Theatrum Ceremoniale* to Friedrich Carl Moser's *Hof=Recht*. The change from ceremonial to court law was thus reflected by the change from precedence to the "law of ranks" ("*Rangrecht*"); cf. *Zwanzig*, op. cit.; *Hellbach*, *Handbuch des Rangrechts*.

<sup>315</sup> *Braungart*, op. cit., p. 25.

<sup>316</sup> Cf. also *ibidem*, p. 26.

to function. Next to chapters on, e.g., obsequies,<sup>317</sup> weddings<sup>318</sup> or audiences<sup>319</sup>, there are chapters on "court police" ("*Hof=Policey*")<sup>320</sup> and "court economy" ("*Hoff=Oeconomie*").<sup>321</sup>

The whole scope of the "science of court matters", based on court law, could be grasped only by dividing it into different areas of competence, defined by functional categories. These sections however destroyed the holistic nature of the court, which had persisted in the earlier stage of ceremonial science. In spite of this effect, function obviously began to supersede ceremonial rights as the foundation of the reasoning on courts around the middle of the 18th century.<sup>322</sup>

Thirdly, the growing awareness of the difference between court and state also contributed to the decay of the idea of analogous representation. In ceremonial science this idea was expressed by the distinction of court and state ceremonial (*Hofzeremoniell* and *Staatszeremoniell*). Winterfeld and Stieve had written indiscriminately on both aspects, though with more emphasis on the latter. Lünig then explicitly introduced "court, house, and chamber ceremonial" as a specific category, without however clarifying its relation to other forms of etiquette. Rohr moreover paid no attention to these types at all. Though he once speaks of "*Staats= und Hoff=Ceremoniel*" in the first volume of his work,<sup>323</sup> this distinction plays no role in the second volume, which promises the ceremonial of princes ("*Grosse Herren*"). Instead the table of contents and the title of the first chapter call it "*Staats=Ceremoniel*".<sup>324</sup> In this respect the inconsistency of ceremonial science caused a blurring of the line between court and state.

Friedrich Carl Moser did not only comment upon this neglect<sup>325</sup> but clearly distinguished between the two classes himself: in contrast to court ceremonial, state ceremonies, like elections, coronations, or homages, did not "touch upon the court and its inner constitution, although court members take part in them."<sup>326</sup> The most consistent approach however can be found in Carrach's text. For him the difference between the two types of

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317 Friedrich Carl Moser, op. cit. I, pp. 377-496 = III. Buch, V. Capitel ("*Von dem Sterben und Begräbniß des Regenten*").

318 *Ibidem* I, pp. 537-591 = IV. Buch, II. Capitel ("*Von der Vermählung und deren Feyerlichkeiten*").

319 *Ibidem* II, pp. 550-560 = IX. Buch, III. Capitel ("*Von den Audienzen*").

320 *Ibidem* I, pp. 109-142 = II. Buch, III. Capitel.

321 *Ibidem* I, pp. 143-201 = II. Buch, IV. Capitel.

322 Roßmann's article however proves that the use of the term *court law* alone did not necessarily mean an overcoming of the categories of ceremonial science proper.

323 Rohr, op. cit. I, pp. 23f.

324 *Ibidem* II, Verzeichniß der Capitel, and p. 1.

325 Friedrich Carl Moser, op. cit. I, p. 10.

326 *Ibidem* I, p. 10. The definitions of Friedrich Carl Moser were also taken over by his father; cf. Johann Jakob Moser, Vom Ceremoniel, p. 12.

ceremonial<sup>327</sup> is much less important than the basic separation of court law ("*Hofrecht*") and public law ("*Staatsrecht*"). In fact the contrasting definition of the two legal fields is the principal aim of the whole article. It is based on the notion that the state is simply another aspect of the civil society and as such independent from the ruler, whereas the court is determined by the latter's personal rights and privileges. Even his sovereignty ("*Landeshoheit*") is not regarded as the decisive factor of the maintenance of a court.<sup>328</sup> Court and state are seen here as two separate spheres. The legal position of the ruler is not identical in both fields,<sup>329</sup> and hence the notion of the court as an analogous picture of the entire political and social régime became less and less convincing.

Fourthly, all the works above contain an important reservation when discussing the whole complex of analogous representation. Wolff, Lünig, Rohr, and Carrach all agreed that court and ceremonial were necessary for an external display of the high rank and political power of the ruler, thus legitimizing his rule with tangible evidence.<sup>330</sup> But they all confine this justification to the uneducated, common people.

Wolff and Rohr describe the main addressee of court ceremonial and splendour with almost the same words: "the common man who merely clings to his senses and scarcely uses reason".<sup>331</sup> Lünig speaks of the "populace" ("*Pöbel*"), which is "of such quality that sensory perception and imagination have more influence than wit and reason".<sup>332</sup> Carrach is equally condescending, talking about people who suffer from "lack of knowledge and penetration".<sup>333</sup>

These passages must therefore be read as a subtle form of criticism of the court<sup>334</sup> rather than as a legitimization.<sup>335</sup> They imply that analogous representation is a device which only functions with the uneducated commonalty, whereas the élites can no longer be manipulated by it. It is revealed as a mere cheap trick, which once seen through becomes useless.

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327 Carrach, op. cit., col. 477.

328 *Ibidem*, especially col. 812f.

329 *Ibidem*, e.g. col. 852.

330 Wolff, op. cit., p. 504; Lünig, op. cit., p. 5; Rohr, op. cit. I, p. 25, and II, p. 2 (§ 2); Carrach, op. cit. col. 523.

331 Wolff, op. cit., p. 504; Rohr, op. cit. II, p. 2 (§ 2).

332 Lünig, op. cit., p. 5.

333 Carrach, op. cit. col., 523.

334 The works mentioned also contain quite explicit court criticism. Cf. e.g. Lünig, op. cit. I, p. 2, where ceremonial is seen as "a brood of the corrupt human nature and sinful passions", or Rohr, op. cit. II, p. 4 (§ 8), where the author admits that some ceremonies comprise elements "that run counter to the honour of God, the prescription of his word and the ordinance of the natural rights".

335 Winterling, Hof der Kurfürsten, p. 4.

Thus in 18th-century Germany, ceremonial science both articulated and undermined the rationale of ceremonial and of analogous representation as a whole. By discussing at length the reasons, justifications and mechanisms of ceremonial, it contributed to its exposure and stigmatization as either an instrument of manipulation or as simple formal vanities.

The reformulation of the whole matter as a part of court law in particular harmed the efficiency of the symbolic display of monarchical power. In that respect the quarter of a century between Rohr's two books and Friedrich Carl Moser's and Carrach's relevant publications forms the period in which, so to speak, ceremonial was "disenchanted". The diachronic development of ceremonial science itself bears witness to the crisis of the rule of etiquette within court society.<sup>336</sup>

## 5. The Discursive Context of Ceremonial Science

The main concern of ceremonial science was to regulate court life, in other words: to supply it with a semiotic as well as a practical order, which reflected the construction of the natural and the social universe. In that respect ceremonial science had a lot in common with early modern oeconomic, which taught the proper conduct of a household. The oeconomic discourse will be analysed in detail in the following chapter; for now only the most evident parallels of ceremonial and oeconomic science will be explained.

From the 16th to the 18th century oeconomic reasoning in Germany disposed of its own literary genre, the so-called *Hausväterliteratur* (writings for the father of the house). The pertinent treatises see the household as an autonomous entity, the direction of which is in the hand of the "father of the house" alone. The *Hausvater* literally rules the house and stands at the top of a strict hierarchy, while the other members (his wife, children, the domestics) must be content with fixed dependent positions. Oeconomy was based on an irresolvable "unity of 'house' and 'rule'", forming "the basic law of patriarchal rule: order in space."<sup>337</sup> Again the internal order of the single household reflects the cosmic order, for the universe was conceived as a "world oeconomic" administered by God, the "*Hausvater* of heaven and earth".<sup>338</sup>

The underlying "principle of the immovable assignement of the position which men and things have to occupy in the (...) space of the (...) household"<sup>339</sup> is also the foundation of ceremonial science, with the difference

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<sup>336</sup> Cf. also Gerteis (ed.), *Zum Wandel von Zeremoniell und Gesellschaftsritualen*.

<sup>337</sup> *Frühsorge*, *Vom Hof des Kaisers zum "Kaiserhof"*, p. 243.

<sup>338</sup> Cf. e.g. one of the most famous examples of *Hausväterliteratur*: *Hohberg*, *Georgica Curiosa*, *Zuschrift*.

<sup>339</sup> *Frühsorge*, *op. cit.*, p. 244.

that it dealt with the ceremonialized space of the court. Ceremonial science can thus be understood as the specific oeconomics of princely households.

The oeconomic interpretation of the court as primarily a household, albeit of a monarchical sovereign, did not however consider the peculiar status of its head. Ceremonial science largely ignored, or perhaps had to ignore, that a ruling prince not only reigned over his court, but also over his country, and that on different legal grounds.<sup>340</sup> The distinction between court and state was merely rudimentary carried through by the differentiation of *Hofzeremoniell* and *Staatszeremoniell*. None of the authors from Winterfeld to Johann Jakob Moser found the plausible solution of defining the former as ceremonies concerning the court as the princely household, and the latter as ceremonies concerning the court as the seat of the princely head of state.

This discrimination, or rather the lack thereof, was to be the foremost problem also for those writings of *Hausväterliteratur* which explicitly tried to apply oeconomic categories to the 18th-century courts. They will be presented in the following chapter.

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<sup>340</sup> Cf. however again as the most consequent exception *Carrach*, op. cit, e.g. col. 810ff, 852, 529.

## Chapter III

### Court *Oeconomia*, or: The Princely Household

It has already been noted in the previous chapter that ceremonial science shared some basic characteristics with early modern oeconomic thinking. But there was also a more direct connection between the court and oeconomics, which was not mediated by the writings from the *Ceremonial-Politica* to *Vom Ceremoniel*. Given the basic notion of the court as the household of a ruling prince, oeconomics, including knowledge on household management,<sup>1</sup> naturally enough included the court sphere as a subject too. Oeconomic conceptions therefore form the second discursive context that has to be analysed in dealing with the reasoning on court economy. Hence court *oeconomia* will be the topic of this chapter. It will concentrate largely on Franz Philipp Florinus' *Oeconomus prudens et legalis* (1702 and 1719),<sup>2</sup> because this work is paradigmatic of the oeconomic form of handling court matters.

Oeconomics must not be confounded with modern economics, since it was — "no doctrine on the market, but a doctrine on the house."<sup>3</sup> The house as the point of reference accounts for the unity of oeconomics, which otherwise seems to be an inconsistent mixture of heterogenous intellectual fields, comprising natural sciences, medicine, agronomics, ethics etc. But elements from all these areas were required to form the complete knowledge necessary for the successful conduct of a household on the part of its patriarchal head. Since the single house was seen as an autonomous, self-sufficient organism, oeconomics was concerned with its internal conditions, whereas external relations were of minor importance. Exchange of goods on the market therefore had no proper part of it, but was left to contemptible chrematistics.<sup>4</sup>

The house was managed by head, the father, who played the dominant part in the different relations between the persons and groups living together as house-mates: the marital relation of father and mother, the parental relation of parents and children, and the relation between the

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<sup>1</sup> Research on traditional oeconomics has above all been stimulated by *Brunner*, *Das "Ganze Haus" und die alteuropäische "Ökonomik"*. As recent surveys cf. *Richarz*, *Oikos, Haus und Haushalt*; *Ehlert* (ed.), *Haushalt und Familie in Mittelalter und früher Neuzeit*.

<sup>2</sup> Quoted as *Florinus*, *Oeconomus prudens I and II*.

<sup>3</sup> *Brunner*, *Adeliges Landleben und europäischer Geist*, p. 245.

<sup>4</sup> *Idem*, *Das "Ganze Haus" und die alteuropäische "Ökonomik"*, p. 105.

master and the domestic servants. Their roles were not defined functionally, but fixed ontologically.<sup>5</sup>

Up to the 18th century the writers on *oeconomia* were conscious of the fact that their conceptions were rooted in a centuries old tradition<sup>6</sup> founded in antiquity by the oeconomic passages of Aristotle's *Politics* and the *Oikonomikos* of Xenophon, who saw it as a part of practical philosophy.<sup>7</sup> Their texts served as a model for the pertinent writings of the Romans<sup>8</sup> as well as of the medieval scholastics.<sup>9</sup> During the early modern period oeconomics could be found in different versions in almost any European country.<sup>10</sup> With Johann Coler's *Oeconomia ruralis et domestica* (first edition 1593) the art of householding was also adapted to the specific German setting. By a combination of agricultural knowledge and ethical reasoning on the household Coler founded the genre of the so-called *Hausväterliteratur*,<sup>11</sup> which was to be the German version of oeconomic reasoning.<sup>12</sup>

The central purpose of these treatises for the father of the house was to teach him how to conduct a household so as to secure its happiness and well-being. Hence they contain very practical information on how agriculture and stock-farming were to be carried on according to the different natural preconditions. The writings referred to agrarian households, and mainly to the large-scale ones of, for example, the lords of the manor. Therefore the relevant books often look like simple agricultural encyclopaedias,<sup>13</sup> though rather bulky ones.

But this technical aspect only forms the first of the two constituent parts of the knowledge that was taught by the oeconomic writings. The second one comprises the nature and proper inner order of the single household which in principle was seen as an autonomous unit. The house was a distinct legal sphere<sup>14</sup> as well as the main frame in which collective production and consumption took place.<sup>15</sup>

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<sup>5</sup> Pustejovsky, *Giving Paternalism a Bad Name*, p. 54.

<sup>6</sup> On the history of *oeconomia* to the later Middle Ages cf. Krüger, *Zum Verständnis der Oeconomica*; cf. also Egner, *Verlust der alten Ökonomik*, pp. 21ff

<sup>7</sup> Richarz, *op. cit.*, pp. 19ff.

<sup>8</sup> *Ibidem*, pp. 31ff.

<sup>9</sup> *Ibidem*, pp. 45ff.

<sup>10</sup> On the oeconomic writings of the single countries cf. Brunner, *op. cit.*, pp. 266ff; Richarz, *op. cit.*, pp. 57ff; on the Italian tradition see also Frigo, *Il Padre di Famiglia*.

<sup>11</sup> On the importance of Coler's contribution cf. Egner, *op. cit.*, p. 103; Brückner, *Staatswissenschaften, Kameralismus und Naturrecht*, pp. 52f; and Richarz, *op. cit.*, p. 137.

<sup>12</sup> Richarz, *op. cit.*, pp. 137ff.

<sup>13</sup> Brunner, *Das "Ganze Haus" und die alteuropäische "Ökonomik"*, p. 106; Tribe, *Governing Economy*, p. 26.

<sup>14</sup> Dülmen, *Kultur und Alltag*, pp. 12f.

<sup>15</sup> *Ibidem*, pp. 14ff, especially 17f.

Even if in reality the majority of the early modern households could survive only with the help of market relations,<sup>16</sup> trade and exchange were only marginally taken into account by the oeconomic authors: The paradigmatic house was conceived as self-sufficient. In contrast the internal relationships between the members of the household were of crucial importance for the *Hausväterliteratur*. Domestic order as the decisive prerequisite of a suitable managing of the household could only be achieved by a strictly regulated co-operation of the people belonging to it. Each household formed a distinct unit of rule and a proper hierarchy. At the top was the father of the house, who ascribed fixed positions to the other house-mates - the mother of the house, his children and the domestics.<sup>17</sup> Order and obedience were hence the basis of the relationships within the house.

The oeconomic model furthermore gave a complete picture of the over-all world, as it was applied to the religious as well as to the political sphere. Just as the father of the house ruled his domestic *oeconomia*, the prince ruled his country *oeconomia*, and even God ruled the complete world *oeconomia*. The latter idea was, for example, expressed in Wolf Helmhard von Hohberg's outstanding *Georgica Curiosa*. According to the author, God, being "the highest creator, keeper and father of the house of heaven and earth" ("*der oberste Schöpfer / Erhalter und Hausvatter Himmels und der Erden*"), took care of the "world-oeconomy" ("*Welt = Oeconomia*").<sup>18</sup>

### 1. Florinus' *Oeconomus prudens et legalis*

In addition to Coler's work - the prototype of the genre - and Hohberg's book,<sup>19</sup> in which oeconomics were presented in a version especially suitable for noble households,<sup>20</sup> another treatise could be named as one of the most remarkable and successful contributions to *Hauväterliteratur*. The text in question is Franz Philipp Florinus'<sup>21</sup> *Oeconomus prudens et*

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<sup>16</sup> Cf. *Richarz*, *Herrschaftliche Haushalte in vorindustrieller Zeit*; *Wehler*, *Deutsche Gesellschaftsgeschichte I*, pp. 81ff; and *Richarz*, *Das ökonomisch autarke "Ganze Haus" - eine Legende?*.

<sup>17</sup> Cf. e.g. *Dülmen*, *op. cit.*, pp. 38ff.

<sup>18</sup> *Hohberg*, *Georgica Curiosa*, *Zuschrift*.

<sup>19</sup> The *Georgica Curiosa* has been thoroughly analysed by *Brunner*, *Adeliges Landleben und europäischer Geist*, especially pp. 237ff. Cf. also *Richarz*, *Oikos, Haus und Haushalt*, pp. 148ff.

<sup>20</sup> *Richarz*, *op. cit.*, p. 148.

<sup>21</sup> Probably Florinus was just one of several authors of part one of the *Oeconomus prudens*, while part two was only published under his name after his death; cf. on his identity *Frühsorge*, "Oeconomie des Hofes", p. 42, fn. 4.



*legalis*<sup>22</sup> (1702),<sup>23</sup> which will serve as an example for the more general findings given above.

It is divided into nine books, the first of which lays the foundation by dealing with "the general ground which the householding is to cover".<sup>24</sup> Hence the first chapter in particular is of a very basic character; it gives a sort of definition of a household and makes it clear that this could only flourish if the religious obligations were observed. As to the first point Florinus remarks

"that an orderly and and well-run household (...) was never founded on a single person, but required a society or company of several persons, who happen to be considered, according to different intentions, as husband and wife, parents and children, master and subordinates, but altogether as domestic mates in one society".<sup>25</sup>

With regard to Christian conduct Florinus was insistent on rendering "obedience to the will of God as the highest father of the house".<sup>26</sup>

Consequently, chapter two deals mostly with the duties of the father of the house towards God,<sup>27</sup> whereas the subsequent ten chapters are devoted to explaining the mutual obligations of the household members.<sup>28</sup> The character of these duties depends on their domestic relation, or, in the words of Florinus:

"So now we want to discuss the mutual duties which the father of the house owes his domestic mates and which in turn they owe the father of the house; hence one duty requires another. Here, however, we find three kinds of relationships (*Gesellschaften*): the first between husband and wife, the second between parents and children, the third between lords and their subordinates."<sup>29</sup>

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<sup>22</sup> Florinus, op. cit. I.

<sup>23</sup> On the importance of these three oeconomic writings cf. e.g. Richarz, op. cit., p. 138.

<sup>24</sup> Florinus, *Oeconomus prudens* I, pp. 1-160 = I. Buch ("Von dem allgemeinen Grund / worinnen die Haushaltung bestehen soll").

<sup>25</sup> *Ibidem* I, p. 2 (§ 2): "daß eine ordentliche wolbestellte Haushaltung / (...) niemals auf einer einzelnen Person beruhe / sondern eine Sozietät oder Gesellschaft verschiedener Personen erfordere / welche nach unterschiedlichen Absichten / als Ehemann und Ehefrau / Eltern und Kinder / Herrschafft und Untergebene / insgesamt aber als Hausgenossen in einer Sozietät zu betrachten vorkommen".

<sup>26</sup> *Ibidem* I, p. 4 (§ 10): "Gehorsam gegen den Willen Gottes / als des obersten Haus = Vatters".

<sup>27</sup> *Ibidem* I, pp. 5-8 = I. Buch, II. Capitel.

<sup>28</sup> *Ibidem* I, pp. 9-86 = I. Buch, III.-XII. Capitel.

<sup>29</sup> *Ibidem* I, p. 12 (§ 1): "So wollen wir nun zu den Wechsel = Gebühren treten / die der Haus = Vatter seinen Hausgenossen / und diese hinwiederum dem Haus = Vatter

Correspondingly the following chapters treat respectively the obligations of the husband towards his wife,<sup>30</sup> her obligations towards him,<sup>31</sup> the obligations of the parents towards their children,<sup>32</sup> and the latter's obligations towards their parents,<sup>33</sup> the obligations of the father of the house towards the domestics and day labourers,<sup>34</sup> and the domestics' obligations towards their lords.<sup>35</sup>

Later on Florinus deals with the duties of the father of the house outside the domestic sphere. He advises a harmonious relationship with the neighbours,<sup>36</sup> and speaks in detail of "the civil righteousness of the father of the house", including his behaviour in commercial matters and those of wage and credit.<sup>37</sup>

The first book ends with a summary of "general rules of the house", which is mainly a catalogue of the virtues considered most important for the successful administration of a household.<sup>38</sup> Diligence and thrift are among those mentioned,<sup>39</sup> as are reliance on experience and cautiousness against innovations.<sup>40</sup> Not only does he call for loyalty to tradition, however, but also, hardly surprisingly, for order.<sup>41</sup>

After having thus examined the values and principles of *oeconomia* in the first book, in the other books Florinus gives practical advice on the different activities of the household and its members. The second book deals mainly with construction, but also with purchase and lease of an estate and with meteorological questions,<sup>42</sup> while the third one handles agriculture<sup>43</sup> and the fourth one gardening, viticulture and forestry.<sup>44</sup> Then follow books

*schuldig sind / und also eine Schuldigkeit die andere erfordert. Wir finden aber hie drey Arten von Gesellschaften / die Erste zwischen Ehemann und Ehefrau / die Andere zwischen Eltern und Kindern / die Dritte unter Herrschafften und denen Untergebenen."*

<sup>30</sup> *Ibidem* I, pp. 31-34 = I. Buch, V. Capitel.

<sup>31</sup> *Ibidem* I, pp. 34-38 = I. Buch, VI. Capitel.

<sup>32</sup> *Ibidem* I, pp. 38-49 = I. Buch, VII. Capitel; cf. also pp. 49-63 = I. Buch, VIII. and IX. Capitel.

<sup>33</sup> *Ibidem* I, pp. 63-69 = I. Buch, X. Capitel.

<sup>34</sup> *Ibidem* I, pp. 69-82 = I. Buch, XI. Capitel.

<sup>35</sup> *Ibidem* I, pp. 82-86 = I. Buch, XII. Capitel.

<sup>36</sup> *Ibidem* I, pp. 97-101 = I. Buch, XVI. Capitel.

<sup>37</sup> *Ibidem* I, pp. 101-113 = I. Buch, XVII. Capitel: "Von der bürgerlichen Gerechtigkeit des Haus = Vatters".

<sup>38</sup> *Ibidem* I, pp. 131-142 = I. Buch, XXIV. and XXV. Capitel: "Allgemeine Haus = Regeln".

<sup>39</sup> *Ibidem* I, pp. 132ff (§§ 3-6).

<sup>40</sup> *Ibidem* I, pp. 136 (§§ 2 and 4).

<sup>41</sup> *Ibidem* I, pp. 131f (§ 2).

<sup>42</sup> *Ibidem* I, pp. 161-530 = II. Buch.

<sup>43</sup> *Ibidem* I, pp. 531-642 = III. Buch.

<sup>44</sup> *Ibidem* I, pp. 646-858 = IV. Buch.

on the breeding of horses and cattle,<sup>45</sup> on sericulture, bee-farming and fishery,<sup>46</sup> on the processing of plants, fruit and meat<sup>47</sup> and on anatomy, medicine and pharmacy.<sup>48</sup> The ninth and final book of the *Oeconomus prudens* is a cookbook.<sup>49</sup>

In its structure and contents Florinus' work (altogether c. 1,700 pages in folio divided into nine books) is not only typical of the *Hausväterliteratur*, but can even be seen as a sort of sum of its reasoning.<sup>50</sup> It is however for a different reason that this text of all possible examples has been selected here. In his preface the author announces that this work will be continued:

"In this first (part) we have put forward the general prudent and judicious father of the house, and therefore, in the second part, we shall climb up higher with our thoughts and look at a court."<sup>51</sup>

There then follows a complete program of what part two would consist of.

In 1719 the promise was kept, and the *Oeconomus prudens et legalis continuatus*<sup>52</sup> was published. It was explicitly addressed to princely and noble householders, as the German title shows,<sup>53</sup> and dealt with "court oeconomy" ("*Oeconomie des Hofes*"), while the concern of the previous part was designated as "common oeconomy" ("*gemeine Oeconomie*").<sup>54</sup>

The *Oeconomus prudens continuatus* consists of five books, and the first book (850 pages long and about two thirds of the whole work) is divided into seven sections ("*Abtheilungen*").<sup>55</sup> The overall structure of this treatise is largely the same as that of its predecessor: the second book of part one speaks mainly of construction, and the second book of part two deals analogically with representative architecture;<sup>56</sup> the fourth book of part one on gardening has a parallel in the third book of part two on pleasure gar-

<sup>45</sup> *Ibidem* I, pp. 859-1108 (wrong pagination instead indicates 859-2008) = V. Buch.

<sup>46</sup> *Ibidem* I, pp. 1109-1186 (wrong pagination instead indicates 2009-1186) = VI. Buch.

<sup>47</sup> *Ibidem* I, pp. 1187-1228 = VII. Buch.

<sup>48</sup> *Ibidem* I, pp. 1-130 of vol. 2 = VIII. Buch.

<sup>49</sup> *Ibidem* I, pp. 131-415 of vol. 2 = IX. Buch.

<sup>50</sup> Cf. Egner, op. cit., p. 105.

<sup>51</sup> Florinus, op. cit. I, Vorrede: "*Wir haben in diesem ersten (Theil) den allgemeinen Klug- und Rechtsverständigen Haus-Vatter fürstellig gemacht / und daher werden wir mit unsern Gedancken / im andern Theil / höher steigen und einen Hof betrachten.*"

<sup>52</sup> Quoted in the following as *Florinus, Oeconomus prudens II*.

<sup>53</sup> *Ibidem* II, title-page: "*Grosser Herren Stands und Adelicher Haus-Vatter*", which might be translated as "father of the house of princely and noble estate".

<sup>54</sup> *Ibidem* II, Vorrede.

<sup>55</sup> *Ibidem* II, pp. 1-850 = I. Buch.

<sup>56</sup> Cf. *ibidem* I, pp. 161-530 = II. Buch, and *ibidem* II, pp. 851-896 = II. Buch.

dens;<sup>57</sup> and the fifth book of part one treating horse-breeding corresponds to the fourth book of part two on the art of riding.<sup>58</sup> The fifth and final book of part two on hunting<sup>59</sup> however has no direct counterpart in part one.

But the respective first books of both parts also refer to each other. The first book of part one presents the general features of householding<sup>60</sup> and for this reason starts with two chapters mainly concerning its religious foundation.<sup>61</sup> Similarly the first section of the first book of part two deals with the court in general terms,<sup>62</sup> and the first three chapters treat religious matters.<sup>63</sup> Furthermore chapter three of part one "how the father of the house should rule or behave towards himself"<sup>64</sup> is mirrored perfectly by chapter four of part two "on the Christian conduct of a ruler with regard to himself".<sup>65</sup>

Chapter five, which concludes the first section is concluded, gives instructions on how a prince has to behave towards other people.<sup>66</sup> The whole section can thus be interpreted as an ethical introduction to the *Oeconomus prudens continuatus*. It is, in other words, a didactical tract for princes in the tradition of the *Fürstenspiegel* ("mirror of princes").<sup>67</sup>

In fact, its contents consists of little more than the application of all the domestic rules and virtues to a new setting, this being the prince and his court. The prince has to obey the same laws as the private father of the house, if he wants to lead a life pleasing to God. Regarding Christian conduct Florinus remarks:

"Furthermore just as every father of the house is obliged not only to honestly serve the Lord God himself, but also to keep his domestic mates to godliness and to prevent any sinful nuisance in his house, Christian rulers who would be called and

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<sup>57</sup> Cf. *ibidem* I, pp. 646-858 = IV. Buch, and *ibidem* II, pp. 897-980 = III. Buch.

<sup>58</sup> Cf. *ibidem* I, pp. 859-1108 (wrong pagination instead indicates 859-2008) = V. Buch, and *ibidem* II, pp. 1-160 of vol. 2 = IV. Buch.

<sup>59</sup> *Ibidem* II, pp. 161-406 of vol. 2 = V. Buch.

<sup>60</sup> *Ibidem* I, pp. 1-160 = I. Buch.

<sup>61</sup> *Ibidem* I, pp. 2-8 = I. Buch, I. und II. Capitel.

<sup>62</sup> *Ibidem* II, pp. 1-42 = I. Buch, I. Abtheilung.

<sup>63</sup> *Ibidem* II, pp. 1-15 = I. Buch, I. Abtheilung, I.-III. Capitel.

<sup>64</sup> *Ibidem* I, pp. 8-12 = I. Buch, III. Capitel ("Wie sich der Haus=Vatter selbst regieren / oder gegen sich selbst verhalten soll")

<sup>65</sup> *Ibidem* II, pp. 15-18 = I. Buch, I. Abtheilung, IV. Capitel ("Von Christlicher Auf-führung eines Regenten / in Absicht auf sich selbst").

<sup>66</sup> *Ibidem* II, pp. 18-23 = I. Buch, I. Abtheilung, V. Capitel.

<sup>67</sup> On this genre cf. Singer, *Fürstenspiegel in Deutschland*.

would be fathers of their countries are obliged, for God's sake, to do the same in their great household." .<sup>68</sup>

Hence a good prince has to act exactly like a good father of the house.

In section two<sup>69</sup> the quality of the prince as a good householder is said to be all the more relevant, as the state of the court determines the situation of the entire country:

"For according to whether the court is well-established or is disorderly, the whole country has reason to either enjoy its well-grounded happiness or to grieve about its confused constitution."<sup>70</sup>

For this reason the main concern of section two is so important: It consists of analysing the court from an oeconomic angle. "The court can however be viewed in three ways: in a *moral*, a *political* and an *oeconomic* way", but only the latter perspective is the task of the present section<sup>71</sup>.

So what picture of the court is drawn then from the oeconomic knowledge of Florinus? The first point to be mentioned is of course expenditure, and especially court costs. Like every prudent father of the house the prince has to be economical to avoid the financial distress which is largely caused by excessive court splendour. For

"when one wants to investigate the real reason why princes and lords today immerse themselves into so great a burden of debt, most, if not all, guilt springs from the conduct of an immoderate pomp, which widely exceeds the revenues".<sup>72</sup>

So according to Florinus, every prince has to take the extent of his revenues into account before he establishes his court. In this respect the Italian

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<sup>68</sup> Florinus, op. cit. II, p. 14 (§ 8): "*Gleichwie ferner ein jeder Hauß-Vater verbunden ist / nicht allein vor sich GOtt dem HErrn redlich zu dienen / sondern auch seine Haußgenossen zur Gottseeligkeit anzuhalten / und allem sündlichen Unwesen zu steuern; also lieget auch Christlichen Regenten / die da Vätter ihres Landes heissen und seyn sollen / von Gottes wegen ob / in ihrer grossen haushaltung ein gleiches zu thun.*"

<sup>69</sup> *Ibidem* II, pp. 43-220 = II. Abtheilung.

<sup>70</sup> *Ibidem* II, p. 44 (§ 1): "*Denn nachdem sich der Hoff wohl eingerichtet oder unordentlich befindet / nachdem hat auch das gantzeLand sich über seine eigene wohlgegründete Glückseligkeit zu erfreuen / oder über seine verwirrte Verfassung zu betrüben Ursache.*"

<sup>71</sup> *Ibidem* II, pp. 44f (§ 1).

<sup>72</sup> *Ibidem* II, p. 45 (§ 1): "*wenn man die eigentliche Ursache erforschen will / warum Fürsten und Herren heut zu Tage sich in so grosse Schulden=Last versencken / die meiste wo nicht alle Schuld auf die Führung eines unmässigen / und die Einkünffte weit übersteigenden Staats redundiret.*"

princes and courts are exemplary,<sup>73</sup> but there are also some German examples which combine "a splendid, but reduced oeconomy, and an admirable order"<sup>74</sup>.

The second interesting feature of oeconomic reasoning on the court as it is represented by Florinus is the definition thereof. Section two is called "on the establishment of a princely court",<sup>75</sup> and its first chapter bears the title "on a princely court in general".<sup>76</sup> And indeed this chapter contains a description of the French, the Imperial and the Prussian courts,<sup>77</sup> while the next two chapters speak of the duties of the highest court officials, namely the court marshal and the master of the horses.<sup>78</sup> This information could have been expected in an 18th-century book on the court and is doubtlessly familiar to a reader of, for example, the writings on ceremonial science.

Florinus' extensive definition of the court is, however, surprising. In chapter one he introduces a "division of the court" into five different fields, which are called "ecclesiastical court services" ("*Geistliche Hoffbedienungen*"), "the court itself" ("*der Hoff=Staat selbst*"), "state of government" ("*Regierungs=Staat*"), "state of war" ("*Kriegs=Staat*"), and "state of the chamber" ("*Cammer=Staat*")<sup>79</sup>. So besides the court in the strict sense which also includes ecclesiastical offices, Florinus' notion of the court still includes the administrative authorities of the territorial states.

Such a broad definition of court had however become obsolete long before the continuation of the *Oeconomus prudens* was published. At the latest it was by Veit Ludwig von Seckendorff's influential *Teutscher Fürsten=Staat* (first edition 1656) that firmly established a definition of court confining it to

"the whole execution of the offices and services, and as the provision, required at a prince's court for the prince, his wife, his children, and the therefore indispensable servants".<sup>80</sup>

Thus Seckendorff had already explicitly excluded the members of the administrative institutions from what he understood as a court.<sup>81</sup> Florinus' conception, in contrast, was much broader; he saw everybody who worked in the central administrative machinery as a member of it.

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<sup>73</sup> *Ibidem* II, p. 46 (§ 3).

<sup>74</sup> *Ibidem* II, p. 48 (§ 8).

<sup>75</sup> *Ibidem* II, p. 43: "*Von Einrichtung eines Fürstlichen Hof=Staats*".

<sup>76</sup> *Ibidem* II, pp. 44-73 = I. Buch, II. Abtheilung, I. Capitel: "*Von der Fürstlichen Hoffhaltung insgemein*".

<sup>77</sup> *Ibidem* II, pp. 47f (§§ 5-7).

<sup>78</sup> *Ibidem* II, pp. 74-105 = I. Buch, II. Abtheilung, II. and III. Capitel.

<sup>79</sup> *Ibidem* II, pp. 49ff (§§ 10-15).

<sup>80</sup> *Seckendorff*, *Teutscher Fürsten=Staat*, p. 588.

<sup>81</sup> *Ibidem*, pp. 587f.

Another point is also worth mentioning. Section two regarding the court in oeconomic terms has altogether c. 180 pages, and what is remarkable is that one third of them is devoted to chapter seven alone which handles ceremonial.<sup>82</sup> Obviously ceremonial matters were of considerable weight for Florinus' oeconomic view of the court. And this is no wonder, as ceremonial, together with regulations of rank and court ordinances, which were also considered in the second section,<sup>83</sup> played a decisive part in guaranteeing the central concern of oeconomy, i.e. order within the household.

All the knowledge that is taught by ceremonial science could hence easily be put in the frame of oeconomics, and, to put it more concretely, form a part of the continuation of the *Oeconomus prudens*. Ceremonial science and court *oeconomia* both share the basic assumption that the court must primarily be seen as a household, which must rigidly be kept in order. And that is why Florinus devotes a relatively long passage of his work to the discussion of ceremonial. In this respect he is indeed up to date, as is proven by the lengthy annotations. They contain an entire bibliography of ceremonial literature,<sup>84</sup> and of course Florinus refers to the pertinent works of Winterfeld and Stieve.<sup>85</sup>

The chapter on ceremonial is the last one of section two. Section three speaks "of the art of government",<sup>86</sup> and its central intention is to demonstrate the value of experience and tradition in this field. Primarily the whole text only discusses the right education for a prince (or princess) education. The most suitable means are the writings of experienced ruling princes themselves, namely instructions and wills.<sup>87</sup> Thus about 90 pages of this section are filled with relevant texts by monarchs from the Byzantine emperor Basileios I (867-886) to Karl IV (1346-1378).<sup>88</sup> This section also stresses the importance of the princess as the "mother of the country" ("*Landes=Mutter*"), stemming from feminine participation in household matters, because, as Florinus states,

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82 *Florinus*, *Oeconomus prudens* II, pp. 159-220 = I. Buch, II. Abtheilung, VII. Capitel ("*Von dem Ceremoniel und Solennitäten des Hofes*").

83 *Ibidem* II, pp. 106-126 = I. Buch, II. Abtheilung, V. Capitel ("*Von denen Fürstlichen Rang= und Hof=Ordnungen*").

84 *Ibidem* II, pp. 166-220.

85 *Ibidem* II, pp. 164f.

86 *Ibidem* II, pp. 222-362 = I. Buch, III. Abtheilung ("*Von der Regierungs=Kunst*").

87 *Ibidem* II, pp. 222f.

88 *Ibidem* II, pp. 225-310.

"when I look at human societies or companies, the men with their state and war affairs do not have a bigger share in them than the women with their knowledge on householding".<sup>89</sup>

While the following section then explains "what is to be observed by a princely father of the house with respect to the whole empire",<sup>90</sup> section five teaches "what must be observed by a princely father of the house in his country in the political state".<sup>91</sup> The most important advice is that a Christian prince has to be well-disposed towards the estates of his country.

"He is not of such a kind to rule his subjects like an obstinate householder rules his domestics and to treat them as slaves (...), but he rules them like a father rules his children, for the welfare of their bodies and souls".<sup>92</sup>

Section six summarizes "what must be observed by a princely father of the house in his ecclesiastical state",<sup>93</sup> before the final section presents "what is to be observed by a princely father of the house in the chamber and in the oeconomy".<sup>94</sup> Considering the above-quoted passage on court expenditure, it is easy to guess what Florinus had to say on this point. He felt he was justified

"in considering as one cause of the rotten financial affairs that today one is used to (...) the fact that the prince's honour and reputation is to be reflected in a splendid court, a delicious table, a gallant livery, many servants, costly dress, magnificent buildings and lovely furniture, various entertainments that consume money, and like vain things."<sup>95</sup>

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<sup>89</sup> *Ibidem* II, p. 330: "wenn ich die menschlichen Societäten oder Gesellschaften ansehe / die Männer mit ihrer Staats- und Kriegsverrichtung nicht mehr Theil daran haben / als die Weiber mit ihrer Haußhaltungs = Wissenschaft".

<sup>90</sup> *Ibidem* II, pp. 363-594 = I. Buch, IV. Abtheilung ("Was Bey einem Fürstlichen Hauß = Vatter / In Ansehung des gantzen Reichs zu beobachten").

<sup>91</sup> *Ibidem* II, pp. 595-712 = I. Buch, V. Abtheilung ("Was Von einem Fürstlichen Hauß = Vatter In Seinem Lande in dem Politischen Staat muß beobachtet werden").

<sup>92</sup> *Ibidem* II, p. 596 (§ 1): "Er ist nicht geartet / so / wie ein eigenwilliger Hauß = Würth sein Gesinde / die Unserthanen zu regieren / und solche als Slaven zu tractiren / (...) sondern er regieret sie wie ein Vatter seine Kinder regieret / zu ihrer Leibes und Seelen Wohlfahrt".

<sup>93</sup> *Ibidem* II, pp. 713-736 = I. Buch, VI. Abtheilung ("Was Von einem Fürstlichen Haus = Vatter In Dem Kirchen = Staat muß beobachtet werden").

<sup>94</sup> *Ibidem* II, pp. 737-850 = I. Buch, VII. Abtheilung ("Was von einem Fürstlichen Haus = Vatter in dem Cameral = Staat und in der Oeconomie zu beobachten").

<sup>95</sup> *Ibidem* II, p. 735 (§ 2): "als eine Ursach des verfallenen Cameral = Wesens zu consideriren / daß man heut zu Tag übermässigen Staat zu führen pfelet / die Ehre und Reputation des Fürstens in einer prächtigen Hofhaltung / deliciösen Tafel, galanten



Later on he dares to make an even harsher comment on this point:

"And certainly, if this matter is looked at more closely, it can only be called great waste that at some courts such a very immoderate treatment takes place (...), when at the same time whole provinces are left without bread and food because of the heavy taxation and evil times. The languished faces of their population reproach the fat court flunkies (...) outrageously. Most courtiers, however, answer, it being in their own interest, that the glory of the prince requires such luxury and his table and expenses must reflect the degree of his dignity, so that a prince differs from a count, and a king from a prince. The groundlessness of this reason is evident (...) from the examples not only of great emperors and kings, who have made do with moderate food and dress and thus (...) shown that the art of government does not consist in excessive expenses, especially since such superfluity is something which any well-to-do citizen or farmer can have in common with a prince."<sup>96</sup>

This rather explicit statement explains why in the subsequent paragraph, which deals with the different classes of expenditure, the court costs hold the most prominent position. Florinus distinguishes between expenses "firstly for the court" (*"Erstlich bey der Hof=Statt"*), "for the point of government, and state matters" (*"Bey dem Punct des Regiments= und Staats=Wesens"*), "for the third point of charitable matters" (*"Beym dritten Punct / von milden Sachen"*), "fourthly for construction" (*"4. Zum Bauwesen"*), and "fifthly for paying of debts" (*"5. Zu Bezahlung der Schulden"*).<sup>97</sup>

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*Livray / grossen Dienerschafft / kostbaren Kleidung / Magnifiquen Gebäuen und herzlichen Meublen / allerhand Geld=verzehrenden Belustigungen / und dergleichen eiteln Dinge / suchet."*

<sup>96</sup> *Ibidem* II, pp. 741f: "Und gewiß / wann man die Sache recht beym Licht besiehet / so ist es ja nichts anders / als eine grosse Profusion zu nennen / daß an einigen Höfen so gar übermässig tractiret / (...) wird / da indessen ganze Provinztien der schweren Contribution und bösen Zeiten halber / Brod und Nahrungs loß sitzen / und mit ihren verschmachteten Gesichtern / denen Fetten Hof=Schrantzen gleichsam eine heimliche / jedoch aber Himmel=schreyende Reproche geben. Zwar ist der meisten Höflinge interessirter Gegen=Einwurf daß des Landes=Herrn seine Gloire einen solchen Luxum erfordern / und daß nach der Maaß des Grades seiner Dignität / auch seine Taffel und Depensen vermehret werden müssen / also daß ein Fürst sich vor einen Grafen / ein König vor einem Fürsten distinguire. Allein wie ungegründet / diese Ration sey / solches erhellet daraus / weil (...) *Exempla* / nicht allein grosser Kayser und Könige vorhanden / welche mit sehr mässiger Kost und Kleidung sich behotffen / und dadurch (...) zu verstehen gegeben / daß in übermässigen Depensen die Regier=Kunst gar nicht bestünde / zumahl weil dergleichen Überfluß eine Sache ist / welche ein jeder reich=begüeter Bürger oder Landmann mit einem grossen Herrn gemein haben kan."

<sup>97</sup> *Ibidem* II, pp. 744f.

Besides his condemnation of excessive court costs and their position in the context of total expenditure, Florinus does not provide any more information on this point. Neither in the chapter "on princely chambers in general", where the above-mentioned quotations are to be found,<sup>98</sup> nor in the rest of section seven does he ever revert to this problem. Instead he rather long-windedly examines the different sorts of princely revenues and their appropriate administration.<sup>99</sup>

## 2. A Fragmentary Discourse

Florinus' bipartite *Oeconomus prudens* is very telling as to the problem of court economy. It is the only work within the German *Hausväter*-tradition in which the analogy of private, and princely householding is made explicit.<sup>100</sup> Certainly the historical point of reference for oeconomy had always been the larger agricultural households, and among them especially those of the nobility<sup>101</sup> (this accounts for the great concern for power and authority in the relevant writings). The transfer of oeconomic knowledge to the princely household, which in principle was no different from any other, was therefore a logical step. Prior to Florinus, however, this parallel had only been registered tacitly, never explicitly;<sup>102</sup> the only exception being Konrad von Megenberg's *Yconomia*,<sup>103</sup> written in about 1350, but existing only in manuscript form until 1973.<sup>104</sup>

Megenberg's text consists of three books, and while the first speaks "*de regimine domestico popularium hominum*"<sup>105</sup> and the third "*de domibus divinis*",<sup>106</sup> the second deals with the court.<sup>107</sup> In the table of contents it is described thus: "*Liber secundus est de regimine curie principum temporalium et precipue Cesaris augusti et continet quatuor tractatus*".<sup>108</sup> Of its four treatises it is the last one ("*de regimine imperatoris*")<sup>109</sup> which includes matters similar to those handled by the later *Hausväterliteratur*, in

<sup>98</sup> *Ibidem* II, pp. 740-785 = I. Buch, VII. Abtheilung, I. Capitel ("Von denen Fürstlichen Rent=Cammern insgemein...").

<sup>99</sup> Cf. especially *ibidem* II, pp. 786-845 = I. Buch, VII. Abtheilung, II.-IX. Capitel.

<sup>100</sup> On this point cf. *Frühsorge*, op. cit.

<sup>101</sup> Brunner, Das "Ganze Haus" und die alteuropäische "Ökonomik", especially pp. 109 and 117.

<sup>102</sup> Münch, "Obrigkeit im Vaterstand", p. 30; *Frühsorge*, op. cit., p. 41.

<sup>103</sup> Megenberg, *Ökonomik*, 3 vols..

<sup>104</sup> Cf. Krüger, Einleitung.

<sup>105</sup> Megenberg, op. cit. I, pp. 23-353 = Liber primus; cf. also p. 3.

<sup>106</sup> *Ibidem* III = Liber tercius; cf. also I, p. 9.

<sup>107</sup> *Ibidem* II = Liber secundus.

<sup>108</sup> *Ibidem* I, p. 7.

<sup>109</sup> *Ibidem* I, p. 9.

that it discusses the mutual relations of the different members of the imperial household.<sup>110</sup>

Thus, apart from Megenberg's *Yconomia*, which, in any case, was written well before the period considered here, the *Oeconomus prudens* is unique and, as such, all the more valuable. Part one in the usual way of oeconomic reasoning collects all the knowledge that is necessary for the father of the house to properly administer his household.<sup>111</sup> Likewise part two, structured similarly, is a compilation of all the knowledge of interest to a prince who wishes to rule his country in the right way, namely as a good father of the country.<sup>112</sup>

Obviously for Florinus the transference of the oeconomic doctrine of part one into the political context of the early modern princely state caused no problem at all. In the headings of sections four to seven he simply spoke of the ruler as the "princely father of the house" ("*Fürstlicher Hauß=Vatter*"), echoing the German title of part two which reads: "*Grosser Herren Stands und Adelicher Haus-Vatter*".<sup>113</sup> Again the most concise translation might be "princely and noble father of the house", and this title moreover indicates to whom it was addressed: to the common nobility as well as to the princes. The preface says:

"Because the nobility is divided into two classes, in high and ordinary nobility, one has endeavoured in this work to satisfy both, so that the princes and persons of estate will find some helpful pieces for their government affairs, just as the other nobility will find useful assistance in its householding."<sup>114</sup>

This passage reveals that for Florinus the difference between the administration of a country and the running of a simple, though noble, household was apparently not qualitative, but one of degree only.

This basic assumption of Florinus can be explained by the ethical basis that oeconomics and the genre of the *Fürstenspiegel* had in common. The proper art of government was taught by the "mirrors of princes" in ethical terms mainly. But the virtues relevant to a prince were the same as those a good father of the house had to possess. The authors of the instructive *Fürstenspiegel* were convinced of "the analogy of father of the house and

<sup>110</sup> *Ibidem* II, pp. 161-219 = Liber secundus, Tractatus quartus.

<sup>111</sup> Cf. Brunner, op. cit., S. 105.

<sup>112</sup> Cf. Florinus, op. cit. II. p. 14 (§ 8), where the princes are called "fathers of their country" ("*Vätter ihre Landes*"); cf. e.g. also p. 803, that speaks of the "prince or father of the country" ("*Fürst oder LandesVatter*").

<sup>113</sup> *Ibidem* II, title-page.

<sup>114</sup> *Ibidem* II, Vorrede: "*Weil sich der Adel in zwey Classen theilet / in den hohen und ordinairn Adel / so hat man sich beflüssen in diesem Werck beyden ein Genüge zu thun / dergestalt / daß die Fürsten und Stands=Personen / in ihren Regierungs=Angelegenheiten einige hierzu dienliche Stücke / als auch der andere Adel in seiner Haushaltung nützliche Beyhülffe finden wird.*"

father of the country", which formed a "constituent character" of their writings. Since Florinus referred to them in the continuation, he clearly shared their views.<sup>115</sup> Consequently he had no difficulties in basically teaching the same kind of proper conduct to both a private householder and a prince. After all both had the same aim, namely the maintenance of order in their respective fields of activity.<sup>116</sup>

Furthermore the roles of the father in his house and of the prince in his country were both conceived of in an organismic way. According to Florinus any household had to function like the "oeconomy of the human body" ("*Oeconomie des menschlichen Leibes*"): "Hence it (...) cannot work better than in a household where the father of the house as the head ruled his subjected mates as he did his limbs (...)".<sup>117</sup> Correspondingly the prince is seen "as the head of the political body, his principality" ("*der Fürst / als das Haupt des Politischen Körpers / das ist / seines Fürstenthums*"), while his subjects are its "limbs" ("*Gliedmassen*").<sup>118</sup>

Eventually the very designation of the prince as "father", whether of the house or the country, shows a common element of the rule within a household and a territorial state. For father must not be interpreted as a mere metaphor; it has a concrete generational meaning. The continuity of the household required an heir to be instructed by the father of all the necessary skills to secure the house's future well-being. This is why Florinus emphasized the education of the children in a private household<sup>119</sup> and also warned the father of the house against breach of traditions.<sup>120</sup> The proper conduct of a household ideally consisted in the simple application of traditional measures which were the result of a long-standing oeconomic experience. This knowledge was handed down by the father of the house to his son.

The same process took place within the princely sphere. The quality of a prince as a father did not only strengthen the legitimacy of his rule or immunize him from criticism or even resistance,<sup>121</sup> but was also valid in a concrete sense. The ruler was father (of a son as he hoped) in a dynastic chain, and he too was to pass on his experience and knowledge to his heir and successor. For that reason Florinus devoted a major part of the third section on the art of government to the reprinting of princely instructions and wills.<sup>122</sup>

115 *Frühsorge*, op. cit., p. 43.

116 Cf. e.g. *Florinus*, op. cit. I, p. 2 (§ 3), and II, p. 106.

117 *Ibidem* I, pp. 2f (§ 4): "*Also kan es (...) in einer Haushaltung nicht besser gehen / wo der Haus = Vatter / als das Haupt / das seine untergebene Hausgenossen / als die Glieder regieren / (...) soll*".

118 *Ibidem* II, p. 666 (§ 1).

119 Cf. *ibidem* I, pp. 49-60 = I. Buch, V. Capitel.

120 *Ibidem* I, pp. 98f (§ 7) and p. 136 (§ 4).

121 *Münch*, op. cit. pp. 22ff.

122 *Frühsorge*, op. cit. pp. 44f.

These three points, that are of course elements of a centuries old *topos* consisting in the equation of the householding father and the ruler,<sup>123</sup> only partially explain why it was a mere matter of course for Florinus to follow this tradition.

The solution must be sought in another area. Florinus escapes *via* his conservative definition of court from the problems that usually arise when this parallel is drawn. Originally, and this is quite plain, the perception of the prince as primarily a father of the house was rooted in the fact that he was also head of a household in a very concrete sense. This household was the court, which had been the main administrative institution of princely rule for centuries. As the court, indeed the house of the prince, fulfilled important governmental functions, its head could be seen as also the head of the state - at least inasmuch as the bundle of rights that the power of the ruler was built upon can be described as a state at all.

More pointedly, the analogy of father of the house and princely ruler and hence the oeconomic interpretation of the latter's role were justified as long as court and central administration were identical. From about the middle of the 17th century this was hardly the case any more in the German states. Administrative history<sup>124</sup> as well as Seckendorff's definition quoted above both prove that the separation of the court as the representative environment of the prince from the central authorities responsible for the proper administration of the country had definitely already taken place when the *Oeconomus prudens* was published in 1702 and 1719 respectively.

But this process was not reflected by Florinus. In the first and second section of book one of the continuation he presents the ruler as the head of the court. And the court was clearly meant when the author spoke of the "great household" ("*grosse Haußhaltung*") of the prince.<sup>125</sup> In the two sections then the court was seen oeconomically. The ideal ruler, according to Florinus, hence had to act like a "prudent and judicious father of the court", a phrase that is never used by him, but makes the compatibility of his view of the model father of the house and the exemplary prince clear.

On the other hand Florinus' incidental division of the court into its functions reveals that for him it also encompassed the administrative institutions of the princely state. So this state became part of the ruler's oconomy, and automatically the "father of the court" was turned into "father of

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<sup>123</sup> Cf. e.g. *Münch*, op. cit.; *Pustejovsky*, op. cit.; *Stolleis*, Geschichte des öffentlichen Rechts I, pp. 338ff; and *Tribe*, op. cit., pp. 21ff. Unfortunately *Tribe* does not take into account the continuation of the *Oeconomus prudens*. Cf. *Tribe*, op. cit., pp. 25f, where he deals with its first part; see also *idem*, Cameralism and the Science of Government, pp. 268f, especially fn. 18. The same applies to *Brückner*, op. cit., pp. 54ff, where also only part one of Florinus' work is taken into consideration.

<sup>124</sup> Cf. e.g. *Willoweit*, Entwicklung des öffentlichen Dienstes, especially pp. 105ff and 125ff; and *idem*, Allgemeine Merkmale der Verwaltungsorganisation, pp. 300ff.

<sup>125</sup> *Florinus*, op. cit II, p. 12 (§ 8).

the country" ("*LandesVatter*"), who could also simply be called "princely father of the house" ("*Fürstlicher Hauß=Vatter*"). By ignoring the difference that was made already between the court and its administration, and the state and its administration, Florinus could freely and easily project his picture of the prince as the father of his household, i.e. the court, onto the territorial level, on which he acted as "father of his country".

In oeconomic terms this approach might have been legitimate, since when the oeconomic knowledge of the private householder comprised every aspect of domestic life, the oeconomic knowledge of the princely householder had consequently to pay attention to all aspects of his duties; and the proper administration of his country was certainly central among them. But this accordance with oeconomic tradition is responsible for the main weakness of Florinus' conception: it did not meet the reality of the beginning of the 18th century. His method was to define the prince as the head of his princely household, the court, and then to give an extremely broad definition of this, which also affected the country outside.

In the years when the *Oeconomus prudens* was being published, a type of court prevailed in the German territories that was not at all suitable as mediator between prince and subjects. The "ceremonial courts"<sup>126</sup>, on the contrary, aimed at isolating and tabooing the prince by increasing the distance between him and his subjects.<sup>127</sup> The court life of this period hence rather destroyed the image of the prince as the caring "father of his country".<sup>128</sup> On the one hand, inside the court, ceremonial was consistent with the idea of *oeconomia*. After all for Florinus oeconomic order of the court could only be achieved with the help of ceremonial. On the other hand, however, with respect to the relation between prince and subjects, ceremonial worked as a filter. It rendered mutual communication more difficult and thus led to reciprocal alienation that eroded the foundation of a convincing oeconomic rule.

Together with the parting of court and governmental sphere, this seclusion of the prince at court had a second negative effect on the applicability of the oeconomic model for the princely state. If no difference was made between the prince as head of state and of court, because they were seen as identical, any oeconomic thinking that claimed responsibility for princely affairs, had simply to transfer the requirements of private householding to the political level. The two parts of the *Oeconomus prudens* with their similar structure provide a good example of this operation.

But once court and state were seen as two different fields and the prince thus possessed a double character, a third element came into play. Besides the private household - as the principal point of reference of oeconomics - two other kinds of household had now to be taken into account: firstly the

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<sup>126</sup> Cf. Volker Bauer, *Höfische Gesellschaft in Deutschland*, pp. 57ff.

<sup>127</sup> Cf. Kruedener, *Rolle des Hofes*, especially pp. 38ff; and Baumgart, *Hof der Barockzeit*, p. 33.

<sup>128</sup> Münch, op. cit., p. 31; Foerster, *Herrschaftsverständnis und Regierungsstruktur*.

court as the proper princely household and secondly the household of the state, i.e. the public budget.

The traditional logic of *oeconomia* was overtaxed by this triangle. Now that the court was more or less discharged of any governmental function, it was indeed just a household like any other. Only its members, above all the prince, held a special rank. In contrast the state budget was an abstract entity rather than a concrete household and hence could hardly be grasped in oeconomic terms. But on the other hand the economic behaviour of the competent court officials was often far from following the oeconomic rules of being orderly and economical. If these standards were ever reached at all, they were reached within the financial administration of the public budget. Therefore oeconomic reasoning in the traditional sense was no longer suitable for the financial reality of the 18th century German state, and the competence for it was finally devolved upon the cameralistic discourse.

Nevertheless further contributions to the *Hausväterliteratur* were published even in the late 18th century. The bombastic finale of the genre was represented by Otto von Münchhausen's six and Christian Friedrich von Gernershausen's seven volumes of writings, published in the 1760's to 1780's.<sup>129</sup> And the oeconomic view of the court likewise did not die out without trace.

Such vestigial tracks might even be found in Friedrich Carl Moser's *Hof=Recht*, which after all presents all aspects of court life and therefore gives a complete picture of the inner, "domestic" aspects of the princely household.<sup>130</sup> Though this is done in legal terms, one could at least speculate as to how far Moser's project itself was inspired by thinking in oeconomic categories. As to its scope, the contents of the *Hof=Recht* can in any case be compared to the continuation of the *Oeconomus prudens*.

Another instance of the continuing effect of oeconomic theory on court matters is represented by the small *Taschenbuch über Haushaltung und Wirtschaft für Fürsten und Standespersonen* by Christian Heinrich Ursinus. It was published in 1792 to remedy the grievance "that so often the princes' expenditure surpasses their revenue".<sup>131</sup> This aim was to be reached by a sort of oeconomic education of the young princes who had to be accustomed to economical spending of money. A suitable training ground, of course, could not be the public budget of the entire state, but rather the household of the junior prince himself. As expressed by Ursinus: "Everyone will see that in this context great and vast royal finances and cameralistic sciences cannot be dealt with",<sup>132</sup> but instead he wanted to

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129 *Güntz*, Handbuch, pp. 148ff.

130 *Friedrich Carl Moser*, Teutsches Hof=Recht.

131 *Ursinus*, Taschenbuch über Haushaltung, p. 3.

132 *Ibidem*, pp. 51f: "Daß hier nicht die Rede von Königl. großen und weitläufigsten Finanzen und Cameralwesen seyn kann, wird ein jeder einsehen".

handle "*Oeconomie, Haushaltung, Hauswirthschaft oder Hauswesen*" "of a prince who was not yet in power, but dependent only on apanages, real estates, honorary posts and so on".<sup>133</sup>

So Ursinus' subject is undoubtedly put in oeconomic terms, but oeconomic knowledge of the young prince on the other hand is clearly just a preliminary step to later cameralistic knowledge. As this idea is formulated in the *Taschenbuch*, it is not just a repetition of the traditional oeconomic maxim that a precondition of a prince's successful rule in his country is his ability to rule at home.<sup>134</sup> Rather it confirms the devaluation of oconomics that had taken place in the 18th century.

Furthermore Ursinus was privy secretary of the Prussian crown prince and presumably no financial and economic expert.<sup>135</sup> Certainly he wrote the book in his capacity of courtier rather than of oeconomic specialist. This is evident from its dedication and preface, where he speaks of himself as a loyal "favourite" ("*Günstling*") of the prince.<sup>136</sup> By the end of the 18th century the topic of court economy in terms of householding had apparently become interesting only for those authors who looked at it from the angle of the court, and less so from the point of view of economic reasoning.

So it is no wonder that the last author who has to be introduced in this context devoted the greater part of his life exclusively to court matters. He made a quick career at court until he was finally appointed court marshall (*Hofmarschall*), i.e. head of the court administration. The person in question is Carl Ernst von Malortie (1804-1887)<sup>137</sup> and his professional field was the Royal court of Hanover, which also served as the major point of reference for his book *Der Hof=Marschall*.<sup>138</sup>

It was published in three editions, 1842, 1846 and 1866/67, the last of which is considerably augmented and thus had to be presented in two volumes.<sup>139</sup> This last edition was published, however, when the very exis-

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133 *Ibidem*, p. 52.

134 Cf. *Münch.*, op. cit., pp. 20f.

135 Unfortunately there are no biographic data available on Ursinus.

136 *Ursinus*, op. cit., dedication, Vorrede.

137 Carl Ernst von Malortie was born in Linden, nowadays a quarter of Hanover, in 1804 as the son of the *General-Forstdirektor* of the kingdom of Hanover. Having studied law at the university of Göttingen from 1823 to 1826 and after some minor administrative and political posts, he took over the administration of the court of duke Ernst August of Cumberland in Berlin. When the latter ascended the throne of Hanover in 1837, Malortie became the leading court official of the kingdom until its end in 1866; cf. *Neue deutsche Biographie*, vol. 15, p. 739; *Deutsches Biographisches Archiv*, microfiche no. 799, pp. 113f.

138 On Malortie and his work cf. also the study by *Frühsorge*, *Hof des Kaisers*.

139 The following remarks only refer to the third edition, quoted as *Malortie*, *Hof=Marschall I and II*; cf. as a supplementary work *idem*, *Die Verwaltung herrschaftlicher Bauten und Gärten*.



tence of the court and the kingdom of Hanover had been ended by Prussia's annexation of the territory, which also led to the end of Malortie's post as court marshall that he had held since 1850.

His *Hof=Marschall*, the subtitle of which runs *Handbuch zur Einrichtung und Führung eines Hofhaltes*,<sup>140</sup> sprang from the author's personal experience, which he wanted to share with his colleagues. The main purpose of the book is therefore evident: "it shall primarily be destined for practical application", as Malortie himself said.<sup>141</sup> Correspondingly all the points that are discussed within the two volumes are explained by extensive supplements that contain models on how they work in practice.<sup>142</sup>

Volume one starts with an introduction<sup>143</sup> which firstly gives a definition of court which is clearly inspired by oeconomics: "The house of the ruler is generally understood by the word court, and this in the wider sense, i.e. the whole household and everything that is connected with it".<sup>144</sup> Then Malortie explains his understanding of "*Hofrecht*" (court law) and "*Ceremoniell*"<sup>145</sup> and their mutual relations. These passages are almost literal repetitions of Friedrich Carl Moser's pertinent remarks, but are, however, nowhere marked explicitly as quotations.<sup>146</sup> According to this differentiation of legal and ceremonial court matters and to an announcement in the preface,<sup>147</sup> the rest of Malortie's work is divided into two parts. While the five chapters of volume one concern the problem of court law, namely the administration and control of the court servants and their conduct and work,<sup>148</sup> volume two only contains chapter six which is on ceremonial alone.<sup>149</sup>

But as this chapter is supplemented by almost 500 pages that illustrate all the aspects mentioned with suitable examples, the second volume of the *Hof=Marschall* is in fact a comprehensive compendium that can definitely match the ceremonial treatises from Winterfeld's to Johann Jakob Moser's. Likewise the five chapters of volume one with their single supplements make up a complete instructional handbook for the administration of a court that can be ranked together with e.g. Florinus' or Friedrich Carl Moser's comparable attempts. And, although the first edition of Malortie's

<sup>140</sup> Malortie, *Hof=Marschall* I, title-page.

<sup>141</sup> *Ibidem* I, p. 2: "soll vorzugsweise für die practische Anwendung bestimmt sein".

<sup>142</sup> Cf. *ibidem* I, pp. 65-469 = Anlagen Nr. 1 bis Nr. 100; and II, pp. 48-562 = Anlagen 1-19.

<sup>143</sup> *Ibidem* I, pp. 1-9 = Einleitung.

<sup>144</sup> *Ibidem* I, p. 1: "Unter dem Worte Hof versteht man im Allgemeinen das Haus des Regenten und zwar im weiteren Sinnes, die ganze Haushaltung und alles, was mit derselben zusammenhängt."

<sup>145</sup> On this cf. also *idem*, *Geschichte der Etikette*.

<sup>146</sup> Cf. *idem* *Hof=Marschall* I, pp. 1f and Friedrich Carl Moser, *op. cit.* I, pp. 7ff.

<sup>147</sup> Malortie, *op. cit.* I, Vorrede.

<sup>148</sup> *Ibidem* I, pp. 10-64 = Capitel I-V.

<sup>149</sup> *Ibidem* II, pp. 1-47 = Capitel VI ("*Das Ceremoniell*").

work was published half a century after Ursinus' *Taschenbuch*, which already presented the retreat of an oeconomic view of the court, the *Hof=Marschall* nevertheless still shows the characteristic traits of an oeconomic approach.

This can be read from the general importance that is ascribed to order at court<sup>150</sup> and especially from Malortie's pleading for the feeding of the servants at court instead of paying them board-wages.<sup>151</sup> On this question he wrote:

"Furthermore, with regard to the problem of decorum I can never reconcile it with my opinion on the administration of a court, that the domestics are not fed in their master's house; this is a historical principle that has been accepted in the history of the court and is the only thing in a regulated administration to maintain order (...)."<sup>152</sup>

Hence the court for Malortie is above all the house or household of the prince,<sup>153</sup> and this domestic character must find its expression in daily court life.

But the *Hof=Marschall* represents the end of oeconomic reasoning on the court, and Malortie seems to have felt the lack of interest in such an account, as he thought his work to be attractive only to his few colleagues who were also concerned with court administration.<sup>154</sup> So if previously the oeconomic approach to court matters had been merely a special case of general conceptions concerning the house, now, during the life-span of Malortie, the court had become the only sort of household that was still subject of serious oeconomic thinking. It was only maintained, however, by court officers themselves and so reduced to mere specialists' knowledge without any influence on other social or professional groups. But thus court *oconomia* had eventually even survived the end of the general oeconomic *Hausväterliteratur*.

A close inspection of general oeconomic *Hausväterliteratur* brings out a particular current within this discourse which referred to the court as a household. But because this specific court oeconomics can be discerned only against the background of general oeconomic reasoning, its features

<sup>150</sup> Cf. e.g. Malortie, op. cit. I, pp. 19 and 23 (§ 3), and II, p. 2.

<sup>151</sup> Obviously this was a central problem for Malortie since he discusses it over four pages; cf. *ibidem* I, pp. 12-15 (§ 2).

<sup>152</sup> *Ibidem* I, p. 15 (§ 2): "Was ferner die Frage des Anstandes angeht, so kann ich es mit meinen Ansichten über Hofverwaltung nie vereinigen, daß die Dienerschaft nicht in dem Hause des Herrn gespeist wird; es ist dieses ein in der Hofgeschichte angenommenes historisches Princip, welches bei einer geregelten Administration das Einzige bleibt, um eine Ordnung (...) zu erhalten."

<sup>153</sup> Cf. Frühsorge, op. cit., pp. 244ff.

<sup>154</sup> Malortie, op. cit. I, Vorrede.

remain shadowy and its development seems quite fragmentary. After all, writings on general oeconomy implicitly comprised court matters too, and therefore the authors did not normally find themselves compelled to explicitly discuss problems concerning the houses of princes.

Yet the German discourse on court oeconomy can be followed over about half a millenium. Starting with Meigenberg's *Yconomia*, it reached its peak with Florinus' masterpiece, while Friedrich Carl Moser's legal formulation of the problem as well as Ursinus' mere didactical use of oeconomics already indicate its loss of relevance. Malortie succeeded in summing up the whole tradition, but he did so in a vacuum, as court and oeconomy were both topics of minor importance in mid-19th-century Germany.

### 3. Oeconomics as a Missing Link

In the period mainly studied here, however, oeconomic conceptions on the court were of strategic discursive importance in the framework of court economy in general, since they mediated between court rationality, represented by ceremonial science, and the economic rationality of cameralism.

On the one hand, oeconomics had close connections with ceremonial science, as it also dealt with court ceremonial in detail. Evidence enough for this statement is provided by the pertinent chapter of Florinus' continuation and by Friedrich Carl Moser's and Malortie's respective books. The latter two texts can be classed with either genre: the *Hof=Recht* has been put into the context of ceremonial science, because it explicitly refers to the writings of Winterfeld, Stieve, Lünig and Rohr, but as to its contents it is possible to see it as a special type of oeconomic manual, which after all contained almost 20 pages of quotations from Florinus' work;<sup>155</sup> the *Hof=Marschall* on the other hand has been presented as an example of court oeconomics, but the comprehensive handling of ceremonial on altogether 562 pages of volume two would also allow its integration into ceremonial science.

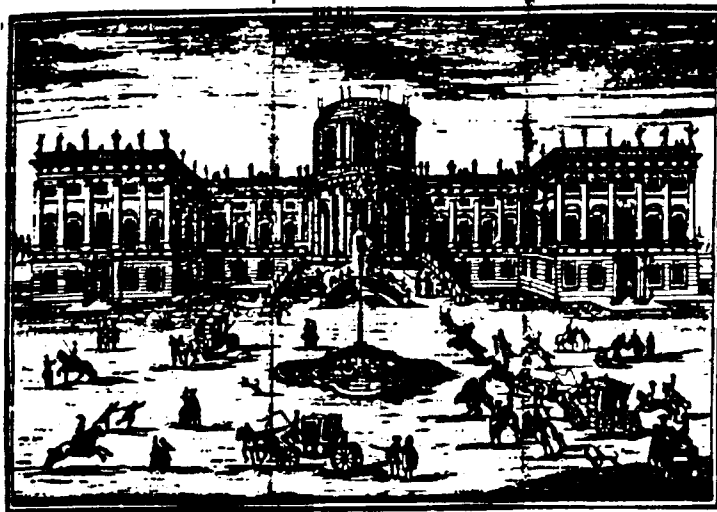
But more significant are the basic parallels of the two approaches. Both are primarily interested in households which are formed by persons of fixed, unalterable status. The very maintenance of this hierarchical order is the proper subject of *Hausväterliteratur* and *Zeremonialwissenschaft*, and the respective means are likewise similar. Where oeconomics deal with courts, *Hofordnungen* (court ordinances) take over the role of ceremonial prescriptions. The latter can in fact be seen as a special case of the former.<sup>156</sup> In oeconomics as well as in ceremonial science the household

<sup>155</sup> Friedrich Carl Moser, op. cit., pp. 174-192.

<sup>156</sup> In Johann Joachim Becher's oeconomic project of a "*großes hausbuch*" one out of altogether 20 components was a "book on manners, ceremonies or compliments (*Sitten-, ceremonien- oder complementbuch*), treating good manners and instructing

or the court is moreover just a section of a larger complex constructed on the same grounds. For Lünig cosmic order and court order are based upon identical principles, and the analogy of world oeconomy and court oeconomy is just another formulation of this view.

**Figure 10:** The sacral and spatial characteristics of court oeconomy (1719)



The chapter "on princely courts in general" ("*Von der Fürstlichen Hoffhaltung insgemein*") of Florinus' book on court oeconomy is introduced by two pictures which stress its sacral and spatial features respectively. The first illustration portrays the court of Jupiter,

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how one must behave on the field, at home and at court towards superior, subordinate and equal people in gesture, speech and actions." Becher's oeconomic manual hence included ceremonial knowledge too; cf. *Becher*, *Oeconomia perfecta ruralis et domestica*, p. 90.

surrounded by the other Olympic deities as his courtiers. The roles of Jupiter and the rulers on earth are thus equated, supplying the latter with a reflection of his divinity. The second engraving shows the architectural representation of the court, the princely palace, the size and magnificence of which spatially advertises rank and power of its resident.

Finally the ceremonial and the oeconomic order were both perceived in spatial terms. Time in contrast was in a sense eliminated from both contexts by only defining it cyclically. In *Hausväterliteratur* the world appeared as a house, hence as structured space. Time was also considered though, e.g. in Coler's *Oeconomia ruralis et domestica*, which included a *Calendario oeconomico perpetuo*.<sup>157</sup> But this example<sup>158</sup> shows that the temporal dimension was present only as calendar, as natural time, parallel to the ceremonial time at court, which was also not a medium of change, but of repetition. If, in short, the *Hausväter*-doctrine can be summarized abstractly by saying that it interpreted the household as the decisive social unit, the spatial order of which holistically and analogously reflected the whole universe, ceremonial science can indeed be defined as a subspecies of the oeconomic discourse in general.

On the other hand, ceremonial science offered a strongly reduced version of oeconomics in that it largely neglected its ethical basis. Unlike e.g. Florinus' contribution, which called for modesty, parsimony and diligence in the case of the ordinary and the princely households, *Zeremonialwissenschaft* did not contain a catalogue of values which supplied potential connections with economic virtues. By the possible transition from oeconomic to economic rationality<sup>159</sup> *Hausväterliteratur* in contrast could be linked to cameralism.

The 18th-century contributions to court oeconomics, i.e. Florinus' and Ursinus' respective books, found their own position towards this German version of political economy. The continuation of the *Oeconomus prudens* simply tried to integrate cameralistic knowledge into its oeconomic conception by the extension of the role of the *Hausvater* to the princely *Landesvater*. It includes an entire section on financial administration and especially princely revenues,<sup>160</sup> which resembles corresponding parts in the writings of the cameralists, of which the famous *Fürsten=Staat* by Seckendorff is mentioned.<sup>161</sup>

Friedrich Carl Moser's *Hof=Recht*, which was not only the most obvious inspiration for Malortie's *Hof=Marschall*, but can perhaps be read as

<sup>157</sup> Richarz, op. cit., p. 138.

<sup>158</sup> Cf. also Becher, op. cit., p. 91, where a "*Calendarium perpetuum*" is mentioned as the last part of the *Oeconomia perfecta ruralis et domestica*.

<sup>159</sup> The origin of modern, bourgeois economic virtues from the oeconomic ones is emphasized by Münch, Einleitung, especially p. 24; on *Sparsamkeit* (economy, parsimony) cf. *idem*, Parsimonia summum est vectigal.

<sup>160</sup> Florinus, op. cit. II, pp. 737-850 = I. Buch, II. Abtheilung.

<sup>161</sup> Florinus, op. cit. II, p. 60.

an oeconomic treatise itself, contains several quotations<sup>162</sup> of Georg Heinrich Zincke's *Grund-Riß einer Einleitung zu denen Cameral-Wissenschaften* (1742),<sup>163</sup> one of the most important programs of cameralism.

The didactical project of Ursinus' *Taschenbuch* eventually rested upon the assumption that mastering court oeconomics was a preparatory step of proper cameralistic knowledge on the part of the prince. One could say that Florinus and Ursinus in particular, more or less reproduced the whole early modern history of political economy, which originated from oeconomic reasoning projected on the state level.<sup>164</sup>

In a way court oeconomics stood between ceremonial science, which was the main form of discourse on court rationality and court values, and the cameralistic discourse on court economy, which was to assess their economic and financial costs and benefits. The discourse on court oeconomy hence forms the (missing) link between ceremonial and cameralistic science of the court. Of these three approaches the last has still to be examined; it is the subject of chapter IV.

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<sup>162</sup> Friedrich Carl Moser, op. cit. I, Vorbericht and pp. 154, 164f and 167.

<sup>163</sup> Zincke, *Grund-Riß einer Einleitung*.

<sup>164</sup> Cf. Tribe, *Land, Labour and Economic Discourse*, especially pp. 80ff, where for this reason the spelling *political oeconomy* is used.

## Chapter IV

### Decorum *versus* Financial Resources: The Cameralistic Discourse on Court Economy

Rather than in the oeconomic context, let alone in ceremonial science, reasoning on the proper economic and financial aspect of the court society took place in 17th- and 18th-century "cameralism" (*Kameralismus*).<sup>1</sup> It can be seen as the particular German model of early modern political economy. The term itself was derived from the word *Kammer* (chamber), which was the place from which the domains of the prince (and later the financial affairs in general) were administered, and thus reveals the main feature of the cameralistic discourse. Economy was not seen as a distinct sphere with its own rules and independent from polity. Cameralism on the contrary dealt with the problem of how the political stability and strength of the territorial state could be achieved by prince, government and administration.

This task was conceived by the cameralists as a matter of economics in a double sense: Firstly, they intended to directly improve the financial state of the princely chambers. They considered ways of raising revenues and at the same time of reducing expenses. In a sense therefore they analysed princely finances in terms of business economics. Secondly, by doing so, they also had to take into account the economic situation of the individual territory as a whole. An augmentation of the chamber's income presupposed the country's prosperity, and as the chamber was normally the biggest economic agent within a territory, its financial policy heavily influenced domestic economy. Thus cameralism also included questions of political economy.

Although, therefore, its main goal was that of providing a stable financial basis for princely rule, the well-being and happiness of the subjects was still important as a precondition. According to all cameralistic writers only a numerous, wealthy and content population could serve as a suitable foundation for power. They developed a whole concept of permanent state intervention into economy and society of the single princely states in order to reach and preserve the prosperity of their respective subjects.

Cameralism hence developed into a doctrine, later regarded as a science, which encompassed the theory of the whole territorial administration. Since however the fiscal motive had originally been its point of departure, this conception remained primarily concerned with financial questions. After all it must be interpreted as the theoretical answer to the problem of the ever increasing demand for money, caused by the growing institution-

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<sup>1</sup> On cameralism in general cf. instead of numerous elder works *Tribe*, *Governing Economy*; *Brückner*, *Staatwissenschaften, Kameralismus und Naturrecht*.

alization and perpetuation of the state, above all by the formation of a civil bureaucracy, a standing army and a stationary court.<sup>2</sup>

The natural scope of cameralistic reasoning was thus the princely territorial state<sup>3</sup> and its basic social and political structures. Reflecting the latter's diversity, it did not constitute a uniform school. Rather it implied a range of constitutional options from the traditional dualism of prince and estates to a more absolutist form of government.<sup>4</sup> Cameralism never developed a coherent ideology and hence was open to different, and moreover opposed, economic and political conceptions.

Cameralism in the second half of the 18th century possessed an open discursive structure which even allowed it to include physiocracy.<sup>5</sup> Gottlob Heinrich Justi, one of the most influential cameralists of this period, almost reached a liberal position,<sup>6</sup> and Adam Smith's "Wealth of Nations", or at least a particular cameralistic interpretation thereof, was likewise regarded as compatible.<sup>7</sup>

The principal legitimacy of princely rule was however never called into question within the different cameralistic treatises, so that the last word in government matters remained with the ruler. On the other hand, however, cameralism can be seen as a doctrine that was created by the members of a new functional élite to prove their own indispensability. It was through the cameralistic theories that the traditional art of government, which had to be learned by the princes themselves, was turned into a science, which had to be mastered by the administrative experts.<sup>8</sup>

By this process a special field of cameralistic knowledge was established, that at least in theory jeopardized the personal prerogative of the prince, since his decisions could now be checked for accordance with cameralistic rules. In other words, cameralism employed a functionalist approach to political and economic issues, which was completely alien to oeconomic conceptions. The main aim consisted in assuring the stability of the princely regime and hence also the prosperity of the subjects. All the measures and institutions of the state were subjected to the evaluation of how far they furthered or impeded these goals. But such an assessment was

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<sup>2</sup> *Stolleis*, *Pecunia Nervus rerum. Zur Diskussion um Steuerlast*, pp. 68ff and 104; for the detailed discussion of a single case (Bavaria) cf. *Rauh*, *Verwaltung, Stände und Finanzen*, pp. 21ff.

<sup>3</sup> Cf. e.g. *Tribe*, op. cit., p. 126.

<sup>4</sup> Horst Dreitzel has repeatedly insisted on the general openness of early modern German political thinking: *Dreitzel*, *Absolutismus und ständische Verfassung*, especially pp. 134ff; *idem*, *Monarchiebegriffe in der Fürstengesellschaft*, especially pp. 467ff and 659f; cf. also *Stolleis*, op. cit., e.g. pp. 100f.

<sup>5</sup> The teaching practice of Johann August Schlettwein, main proponent of Physiocracy in Germany, largely followed cameralistic routine; cf. *Tribe*, op. cit., p. 131.

<sup>6</sup> *Dreitzel*, *Justis Beitrag zur Politisierung der deutschen Aufklärung*, pp. 169f.

<sup>7</sup> *Tribe*, op. cit., pp. 145ff.

<sup>8</sup> *Ibidem*, p. 8; *idem*, *University Teaching on Cameralism*, p. 56.



linked to the use of knowledge owned by the cameralists. Eventually the latter developed into judges who decided whether a political act or plan was to be pursued or not.

This built-in ambiguity of cameralism as to who should have ultimate command over the state, the will of the prince or the application of cameralistic principles,<sup>9</sup> heavily influenced its apprehension of the court, too. For firstly the court was the traditional and undisputed expression of princely rank and as such determined by the personal preferences of the single rulers. They were free to choose their personal way of court life, and the only restriction they had to take into consideration was decorum. Consequently decorum frequently occurred in the writings of the cameralists as an argument for the maintenance of a court.

But secondly they saw the court as one costly institution among others within the framework of the territorial state. Hence its justification had to be investigated by a sort of cost-benefit analysis. This is what was done in those passages that dealt with court economy. Within them the court was subjected to an examination of its functionality and especially of its compatibility with the given financial resources. The whole cameralistic handling of the court thus had to cope with the tension between decorum on the one hand, and financial resources on the other.

The purpose of the present chapter is to analyse this delicate relation. It will do so in two different parts which each reflect a stage of cameralism. Part one presents the three so-called Austrian cameralists (Becher, Hornigk, Schröder)<sup>10</sup> and Seckendorff's treatise *Teutscher Fürsten = Staat*.<sup>11</sup> These works already contained longer passages on court matters, though the categories of decorum and financial resources were not yet fully opposed to one another. This only happened in the second, academic phase of cameralism after 1720, which forms the subject of part two and which largely draws on the works of Georg Heinrich Zincke.

## 1. The Issue of the Court in Elder Cameralism

The fact that Becher, Hornigk, Schröder, and Seckendorff all included court matters in their books can be explained by the respective dates of publication. The writings in question were edited for the first time in the period from 1656 to 1688, when court growth in Germany was gaining momentum. They handled the economic consequences of this process and thus heavily influenced the later cameralistic systems of the 18th century

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<sup>9</sup> Cf. e.g. *Liebel*, *Enlightened Bureaucracy*, p. 9.

<sup>10</sup> For a brief introduction to the works of the Austrian cameralists cf. *Zielenziger*, pp. 199-334, and *Krauth*, *Wirtschaftsstruktur*, pp. 148-196.

<sup>11</sup> For a brief account of Seckendorff's life and work cf. *Stolleis*, *Veit Ludwig von Seckendorff*.

and their ideas on court economy. In the following the four contributions mentioned will be presented in chronological order.

The first one is Johann Joachim Becher's (1653-1682)<sup>12</sup> *Politische Discurs von den eigentlichen Ursachen/ deß Auf- und Abnehmens der Städt/ Länder und Republicken*, published for the first time in 1668. Its main concern becomes clear in its very first sentence: "A civil society is defined by being a populous and nourishing community (*Gemeind*)."<sup>13</sup> The whole treatise seeks to show how a community can reach this favourable state. Its well-being depends above all on the cooperation of the different estates,<sup>14</sup> three of which are distinguished. Farmers, artisans and merchants ("*Bauren = Stand*", "*Handwercks = Stand*" and "*Kauffmanns = Stand*") are functionally dependent on each other, and together they make up the community.<sup>15</sup>

But they also support a second kind of people, namely the latter's servants ("*Diener*"), who are identical with the authorities ("*Obrigkeit*"). As this group, including e.g. clergymen, scholars, doctors and soldiers,<sup>16</sup> does no productive work, their number has to be in accordance with the capacity of the community. For

"although they help to augment and preserve a civil society, they are nevertheless not the community itself, but (...) only its servants, who have to be paid and maintained by it, and hence their number shall be proportional to the community, in order not to overcharge it."<sup>17</sup>

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<sup>12</sup> Johann Joachim Becher was born in Speyer in 1635 as the son of a parson. After an itinerant youth spent in Germany, Sweden, Italy and Holland, Becher in 1660 married a daughter of the successful physician and professor Ludwig von Hornigk in Mayence. He converted to Catholicism and took over the functions of his father-in-law. 1664 he left Mayence for Munich and in 1670 eventually entered into Austrian service. In Vienna he worked as an economic and alchemical adviser of the emperor and developed several projects, many of which however failed or were never put into practice. In 1677 he fell into disgrace, left Vienna and again led an itinerant life in Holland and England, which ended in impoverishment; cf. *Dittrich*, *Die deutschen und österreichischen Kameralisten*, pp. 59f; *Hassinger*, *Johann Joachim Becher*.

<sup>13</sup> *Becher*, *Politische Discurs*, p. 1: "*Die Civil societät wird definirt, daß sie seye eine Volckreiche und Nahrhafftige Gemeind.*"

<sup>14</sup> *Ibidem*, p. 11.

<sup>15</sup> *Ibidem*, pp. 5f.

<sup>16</sup> *Ibidem*, pp. 4f.

<sup>17</sup> *Ibidem*, pp. 4f: "*wiewol sie die societam civilem vermehren / und erhalten helfffen / seynd sie doch noch die Gemeinde nicht selbst / sondern (...) / nur Diener derselben / welche von der Gemeine müssen besoldet und unterhalten werden / und darumb / damit sie nicht überlästigt der Gemeine fallen / soll sich ihr Zahl nach der Gemeind proportioniren.*"

The correct ratio of servants and community also has to determine court expenditure, since the court members belong to the former group. For Becher obviously this item was of special importance, as he states

"that there was no thing which more spoiled and sooner ruined the potentates together with their countries and peoples than these big and unnecessary courts".<sup>18</sup>

Similar warnings can be found elsewhere in his book, e.g. in the section that deals with the princely duties and virtues,<sup>19</sup> where Becher points out the necessity of finding a middle road between liberality ("*Freygebigkeit*") and economy ("*Sparsamkeit*"). This rule is illustrated by examples that spring from the court sphere.

According to Becher "nothing is less suitable for great princes than laying too much stress on money (...) and keeping themselves like beggars", while on the other hand

"those rulers, who do not know where money comes from (...) and where and for whom to spend it usefully, (...) are determined only by their luxury and disorderly passions: if the ruler is a hunter, the hunters wear golden chains (...), if he is a comedian, the comedians wear them, and if he is a fool, the court jesters wear them".<sup>20</sup>

The main task of the prince hence is clear to Becher:

"Above all (...) a prince has firstly to inspect carefully how much the maintenance of his state costs; here he must have learned above all the rule of proportion (*proportional-Regul*), for when his state is greater than his country may and can bear, he either has to consume the substance collected by his ancestors, or necessarily to incur debts. (...) Normally, however, great princes have two items of luxury, namely unnecessarily costly buildings and great courts".<sup>21</sup>

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<sup>18</sup> *Ibidem*, p. 5: "daß kein Ding seye / welches die Potentaten sambt Land und Leuten mehr verderbe / und ehender ruinire, als eben diese gar grosse und unnöthige Hoffhaltung".

<sup>19</sup> *Ibidem*, pp. 20-39.

<sup>20</sup> *Ibidem*, p. 25: "nichts ist / das grossen Herren weniger anstehet / als wann sie zu sehr auff's Geld drucken / (...) und bettelhafftig sich halten / (...) solche Regenten / welche nit wissen / wie das Geld herkommet / (...) wo / und an welche sie es nützlich anwenden sollen / (...) lencken sich nur ihrer luxuri und unordentlichen Affecten nach / ist der Regent ein Jäger / so tragen die Jäge / ist er ein Comoediant, so tragen die Comoedianten / ist er ein Narr / so tragen die Schalcks = Narren güldene Ketten (...)."

<sup>21</sup> *Ibidem*, p. 35: "vor allem (...) muß ein Herr erstlich wohl betrachten / was sein Staat zu erhalten koste / hier muß er die Proportional-Regul vor allem andern gelernt haben / dann wann er seinen Staat höher führet / als es sein Land ertragen mag

Becher's central concern, therefore, is the well-being of the community, and court economy is subordinated to this goal. It is especially subjected to the "rule of proportion", as for Becher court expenditure does not exercise any positive economic effect. Court and courtiers, on the contrary, are likely to be harmful. Court members are unfortunately prone to spending money for imported goods and thus let money flow out of the country.<sup>22</sup>

The usual pre-emption of agrarian goods by the courts likewise damages the community, in that it prevents its members from indispensable exchange. The courts' option of purchase thus forms a dangerous "*Propolium*" that has to be abolished.<sup>23</sup>

"Where there are courts, they have the privilege of purchase, which is then soon taken over by the court's buyers, who under this pretext buy for others, which is a burden for the community, especially if noblemen and court servants also want to have this option right and tear an item out of the hand of a citizen (...) who has bargained for this thing for half an hour. For dainties this might be acceptable, but for other things necessary to housekeeping it hampers the community."<sup>24</sup>

Obviously the court and its expenses, according to Becher, could not be justified in economic terms, and he was quite critical of both. But on the other hand he saw the court as a natural element of princely rule that does not require a particular explanation. It was part of the "*Obrigkeit*" and as such remained undisputed.

The same approach to court matters can be observed in Philipp Wilhelm von Hornigk's (1640-1714)<sup>25</sup> *Oesterreich über alles wann es nur will* (first

*und kan / so muß er entweder die von seinen Vor=Eltern ersammlete Substanz verzehren / oder nothwendig schulden machen / (...) es haben aber grosse Herren gemeinlich zweyerley moventia zur luxuri, nemlich unnöthig köstliche Gebäu und grosse Hoffhaltungen."*

<sup>22</sup> *Ibidem*, pp. 311f.

<sup>23</sup> *Ibidem*, especially pp. 205-208.

<sup>24</sup> *Ibidem*, pp. 213f: "wo Hoffhaltungen sind / solche den Vorzug im Kauf haben / dessen sich dann die Hof=Einkäufer bald zu übernehmen wissen / und sub isto praetextu vor andere einkaufen / welches einer Gemeind sehr beschwerlich ist / zumahlen wann auch die Edelleut / und Hofbedienten dieses Jus propolii haben wollen / und einem Bürgersmann / der eine halbe Stund um eine Sache gemarckt / (...) das Gut aus den Händen reissen: in Leckerbissen kans wol angehen / aber in andern Dingen / die zur Haußhaltung nöthig sind / hinterts die Gemeind."

<sup>25</sup> Wilhelm von Hornigk was born in Frankfurt in 1640 as the son of Ludwig von Hornigk, later physician to the elector of Mayence and professor of medicine at the university there. After having studied law in Ingolstadt, Wilhelm von Hornigk entered into the diplomatic service of Austria. From 1680 he was secretary to the count of Lamberg, an Imperial envoye, who was elected bishop of Passau in 1689.

edition 1684). The starting point of this treatise, which seeks to show how Austria can gain prosperity by an economic policy of self-sufficiency, is the explicit differentiation between "*Landes=Oeconomie*" ("country economy") and "*Cameral=Oeconomie*" ("chamber economy").<sup>26</sup> Whereas the latter is defined as "the particular economy of the country" ("*des Landes Particulair-Oeconomie*"), which intends the benefit of the princely chamber alone,<sup>27</sup> the general country economy aims at the "better arrangement of industries and manufactures".<sup>28</sup> As their flourishing forms the necessary prerequisite of Austria's independence and power, Hornigk's work concentrates entirely on how to promote domestic trades and industries. Therefore chamber economy, i.e. the administration of the princely revenues and expenses including court affairs, is not dealt with.

Nevertheless the imperial court has a place in Hornigk's writings. The main measure by which he would achieve self-sufficiency and prosperity is the banning of the import of foreign goods (except for raw materials).<sup>29</sup> However he expects numerous objections to this suggestion,<sup>30</sup> and one of them reads as follows: "The imperial court will nevertheless have its eclat. It was scorned if it should not equal the foreign nations in lustre." Hornigk's reply follows on the spot:

"If our affairs are arranged in such a way that we equal the foreign nations in the lustre of the purse and a proper country economy, the eclat of the court will certainly not fall behind. Besides, eclat does not consist in the foolish change of fashion and in foreign goods, but also in other, namely domestic, precious things. Even if we had to lack foreign decoration for some years, this would then be substituted by domestic products much more abundantly and profitably. And even if this situation lasted longer, it would nevertheless mean more honour and lustre to stay safely at home in wealth and rest in modest clothes (...) than to be weakened financially by magnificent fashionable coats and attire and to have to run away from any Turk, Tartar and other enemies. We measure our honour by outward splendour at the wrong time and thereby we are forced into the dirt. (...) Besides I am sure that even upon a princely body a domestic cloth would give much more splendour than the most precious foreign brocade, if by the former the general welfare of the hereditary lands could be established again."<sup>31</sup>

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Consequently Hornigk was appointed his privy councillor; cf. *Brauleke*, *Leben und Werk des Kameralisten Philipp Wilhelm von Hörnigk*.

<sup>26</sup> *Hornigk*, *Österreich über alles*, p. 4.

<sup>27</sup> *Ibidem*, p. 185.

<sup>28</sup> *Ibidem*, p. 4: "*bessere Einrichtung des Gewerbs und der Manufacturen*".

<sup>29</sup> *Ibidem*, especially pp. 31f.

<sup>30</sup> *Ibidem*, pp. 106-137.

<sup>31</sup> *Ibidem*, pp. 119f: "*Der Kayserl. Hof will aber seinen eclat haben. Ein Spott wäre es, wenn er es denen frembden Nationen im lustre nicht gleich thun sollte. Wann unsere Sachen erst als gerichtet, daß wir es denen auswärtigen Nationen im lustre*

Hornigk hence gives priority to the prosperity of the country economy, and in comparison with this aim the representative functions of the court are of secondary rank at best. It might however have a stimulating economic impact by consuming exclusively domestic products.

Compared to both this and Becher's view, Wilhelm von Schröder's (1640-1688)<sup>32</sup> *Fürstliche Schatz= und Rentkammer*, first published in 1686, is much more decided as to the healthy economic influence of court expenses. Schröder distinguishes two basic instruments of stable princely rule, a standing army and money at his disposal, and he intends to show how the second element can be achieved.<sup>33</sup>

Generally speaking there are two ways, firstly by raising princely revenues,<sup>34</sup> and secondly by curbing expenditure,<sup>35</sup> which normally means court costs:

"A cameralist who knows how to cut expenses is regarded as competent. (...) Their (sic) economizing, however, commonly consists in interpreting the prince's recre-

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*des Beutels und einer richtigen Lands=Oeconomie gleich thun, so wird der eclat des Hofes gewiß nicht dahinden bleiben. auch bestehet ja solcher nicht eben in der närrischen Aenderung der Mode und in frembden Waaren, sondern auch in andern und zwar inländischen Kostbarkeiten. Müsten wir dann der ausländischen Zierde auf ein paar Jahre gleich ermangeln, so würde solches nachmahls durch die einheimische Fabric so viel reichlicher und profitirlicher ersetzt werden. Und wann es gleich länger damit wähen sollte, so wäre ja gleichwohl mehr Ehre und lustre, in mittelmäßigen Kleidern daheim in Reichthum und Ruhe (...) sicher zu bleiben, als durch prächtige Alamode Röcke und Aufputz im Beutel geschwächt, für jeden Türken, Tartarn, und andern Feinden (...) flüchtig davon lauffen müssen. wir stellen unsere Ehre zur Unzeit in den äusserlichen Pracht, und werden dadurch in den Koth gedruckt. (...) Ich bin darneben versichert, daß auch so gar auf einem Landes=Fürstlichen Leib ein inländisches Tuch weit mehr Glantz geben würde, als der allerköstlichste ausländische Brokat, wann durch jenes das allgemeine Heyl der Erb=Lande wieder möchte gebauet werden."*

<sup>32</sup> Wilhelm von Schröder was born in Königsberg (Saxony-Coburg) as the son of a court councillor and chancellor of Saxony-Gotha. After studying law at the university of Jena from 1659, he went to England, where he became member of the Royal Society. After his legal thesis was rejected in Jena in 1663, Schröder led an itinerant life in London and at several German courts. In 1673 he converted to Catholicism and went to Vienna. In Austrian service he worked as the successor of Becher and experienced similar difficulties. He spent his last years as councillor of a chamber in Hungary and died there as a poor man; cf. *Dittrich*, op. cit., pp. 63; *Srbik*, Wilhelm von Schröder.

<sup>33</sup> *Schröder*, *Fürstliche Schatz= und Rentkammer*, Vorrede, §§ 9f.

<sup>34</sup> *Ibidem*, pp. 20-23 = III. Capitel.

<sup>35</sup> *Ibidem*, pp. 23-34 = IV. Capitel.

ations and entertainments as waste and in speaking out against comedies, hunting, hawking, studs, music and the like, which they want to have reduced."<sup>36</sup>

But this financial policy is detrimental for two reasons. The first one is the political function of court splendour, as it helps the prince to gain the necessary respect from foreigners as well as from his own subjects. According to Schröder, it would be political folly if the prince decided not to spend enough money for

"what serves to preserve (...) and increase the outward splendour and the esteem of his person and majesty, whether for livery and dress of his servants, for his table, or for all other things that make a prince gain esteem in the eyes of the common man or of foreign travellers who visit his court. One cannot believe to what extent these things increase the reverence of all men towards a prince, and to what extent then this reverence towards a prince causes good and prevents evil."<sup>37</sup>

More important, however, than this point is the economic effect of court expenditure. Economizing is advisable for private people, who "strive for what is useful for and beneficial to themselves",<sup>38</sup> whereas for princes other rules of economic behaviour hold.<sup>39</sup> "Common people are rich in money; but a prince is regarded as rich, if he has rich subjects".<sup>40</sup> Therefore the main aim of the prince's economic policy must not be that of saving as much money as possible, but rather that of using his revenues in a way that promotes his subjects' wealth.

"Although economizing is certainly a great virtue, it must however be arranged with certain care, namely with political prudence (...), for always taking from the

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<sup>36</sup> *Ibidem*, p. 23: "Der Kammeralist wird für verständig gehalten, welcher die ausgaben zu beschneiden weis. (...) Ihre (sic) sparsamkeit aber bestehet gemeiniglich darinnen, daß sie des Fürsten recreationes und belustigungen für verschwendung auslegen, und wider die comödien, jägereyen, falkneryen, stutereyen, musiquen und dergleichen reden, und solche eingezogen haben wollen."

<sup>37</sup> *Ibidem*, p. 35: "was den äuserlichen splendorem und ansehen seiner person und majestät (...) zu erhalten, und zu vermehren dienet; es sey nun solches in der liberey oder kleidung seiner bedienten, oder an seiner Tafel, oder sonst allem denjenigen, was einem Fürsten in den augen des gemeinen mannes, oder bey fremden reisenden, welche seinen hof zu besuchen kommen, ein ansehen macht. Denn man kan nicht glauben, wie viel solche dinge die reverenz aller menschen gegen einen Fürsten vermehren, und wie viel hernach solcher reverenz gegen einen Fürsten gutes verursachen, und böses verhindern."

<sup>38</sup> *Ibidem*, p. 34: "trachten nach dem, was ihnen nützlich und zuträglich ist".

<sup>39</sup> *Ibidem*, p. 30.

<sup>40</sup> *Ibidem*, p. 34: "Denn gemeine leute sind reich an gelde; ein Fürst aber ist alsdann reich zu schätzen, wenn er reiche unterthanen hat."

country without any intention of consuming makes the country become desert and waste."<sup>41</sup>

Cameralists who advocate a restrictive spending of money hence make the mistake of not "distinguishing *inter oeconomiam rusticam et oeconomiam politicam*".<sup>42</sup> The laws of political economy in any case require considerable consumption on the prince's part, for only his expenditure keeps in motion the essential circulation of money; "and therefore a prince can use the whole capital of the country, and even more than all the capital is worth, if he only spends it soon and lets it come to the people."<sup>43</sup> This function of the prince induces Schröder to name him "great bill creditor of the country" ("*grosser wechsel=herr des landes*").<sup>44</sup> Consequently those cameralists who want to reduce the costs for princely entertainment and court are instructed by Schröder that "such recreations (...) cannot be called waste, but rather good reasonable economy (*gute verständige wirthschaft*)".<sup>45</sup>

Schröder's economic program hence has a twofold advantage for the prince. On the one hand he can charge the economy of his territory with high taxes and thus secure a considerable, steady income,<sup>46</sup> and on the other he is not only allowed, but even obliged to spend his revenues again. Thus the expenses for his personal preferences and his court become indispensable elements of successful economic policy. Within the framework of Schröder's conception they are legitimized in economic terms, but again only if court consumption is restricted to domestic goods.

Apropos of the steady flow of cash into the prince's treasury, which is achieved by the taxation of the subjects' profits, he therefore remarks:

"And this, I think, is the inexhaustible treasury of a prince, by dint of which he can become a benefactor of the poor, a shelter for the oppressed, a builder of beautiful towns and fortresses, a founder of many churches and schools; this is the treasury by which a prince can provide his court with qualified people, and display his magnificence by precious liveries, beautiful horses, splendid comedies and any pomp, which does not - as in the opinion of the common man - ruin the country, but

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<sup>41</sup> *Ibidem*, p. 28: "Ob nun zwar die sparsamkeit eine grosse tugend ist, so will doch dieselbe mit einer gewissen vernunft, und zwar mit einer prudentia politica menagiret seyn (...): denn von dem lande allezeit nehmen, und nichts wieder verzehren wollen, macht das land öde und wüste."

<sup>42</sup> *Ibidem*, p. 27.

<sup>43</sup> *Ibidem*, p. 47: "und kan also ein Fürst das ganze capital des landes brauchen, und noch mehr dazu, als das ganze capital werth ist, wenn er es nur bald wieder verzehret und unter die leute kommen läst."

<sup>44</sup> *Ibidem*, p. 47.

<sup>45</sup> *Ibidem*, p. 24.

<sup>46</sup> *Ibidem*, pp. 42-46.



rather improves it, provided a prince takes care that the money that is spent for this remains within the country."<sup>47</sup>

A comparison of the three Austrian cameralistic conceptions reveals a slight, but distinct, shift of interest.<sup>48</sup> Becher starts with a definition and explanation of the "*Gemeind*" and its elements, since his real concern is the functioning of the community. Therefore the task of the authorities and the prince is mainly limited to abolishing the obstacles to the smooth integration of the three constituent estates (especially "*Monopolium*", "*Polypolium*" and "*Propolium*").<sup>49</sup> In Hornigk's work the economic responsibility of state and prince is emphasized when he writes: "Yes, I say, remedy must come from the princes of our people, the community cannot do much about it without them."<sup>50</sup> In the case of Schröder's suggestions then the interests of the prince are beyond any doubt the starting point of the whole theory. Whereas in the two earlier works the prosperity of the "*Gemeind*" and of the "*Landes=Oeconomie*" is that which has to be achieved primarily - though of course princely finances and power should profit considerably from such a situation -, in Schröder's book the princely demand for money calls the tune.

It is interesting to see that, corresponding to this shift, the evaluation of the economic consequences of court expenditure likewise changes. Becher was sceptical about any positive effects, while Hornigk at least conceded that it could contribute to domestic prosperity. Schröder was firmly convinced that a costly court was even necessary for the well-being of the "*oeconomia politica*".

But this remark at the same time points out that nevertheless the three Austrians have something important in common. The subject of their analysis is not the particular "chamber economy" of the princely revenues and expenses, it is the "country economy" as a whole, which is constituted by the economic interaction of the different functional groups.<sup>51</sup> Hence they do not look at the individual court as an economic enterprise. They do not discuss the most economical organisation of court affairs, instead they deal

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<sup>47</sup> *Ibidem*, p. 46: "Und dieses, vermeyne ich, sey der unerschöpfliche schatz eines Fürsten, vermittelt welches er ein wohlthäter der armen, eine zuflucht der bedrängten, ein erbauer schöner städte, festungen, stifter vieler kirchen und schulen werden kan; dieses ist der schatz, mit welchem ein Fürst seine hofstadt mit qualificirten leuten versehen, seine magnificenz mit köstlichen libereyen, schönen pferden, prächtigen comödien und aleem pomp an tag geben kan, mit welchem allem doch nicht des gemeinen mannes meynung nach das land ruiniret, sondern vielmehr verbessert wird. Wenn ein Fürst in allen diesen nur darauf merket, daß das geld, das darauf verwendet wird, im lande verbleibe."

<sup>48</sup> Cf. also Brückner, op. cit., p. 47.

<sup>49</sup> Cf. e.g. Krauth, op. cit., pp. 164f and 170ff.

<sup>50</sup> Hornigk, op. cit., p. 87.

<sup>51</sup> On this cf. Krauth, op. cit., pp. 148f.

with the impact of the courts on the overall economic situation of the territorial states.

This is a sharp contrast to Veit Ludwig von Seckendorff's (1616-1692)<sup>52</sup> approach in his *Teutscher Fürsten=Staat*, published for the first time in 1656. This treatise was concerned less with questions of the economy of a territory, and considerably more with administrative problems.<sup>53</sup>

It is divided into three parts, and at least the first one on the "description of a country and principality in general"<sup>54</sup> also takes into consideration the social and economic conditions of the territory.<sup>55</sup> The second part, however, is devoted exclusively to political and administrative aspects, since it handles territorial "government and constitution".<sup>56</sup>

The third part examines "a prince's own estates and revenues (...) and how he thereby conducts and arranges his chamber, and house matters".<sup>57</sup> Roughly the first half of this section deals with the numerous sources of princely revenues, which spring from the domains and the different rights and privileges.<sup>58</sup> Another quarter then painstakingly presents the actual competence, organisation and daily business of the chamber and its officials.

This chapter<sup>59</sup> also contains a classification of state expenditure into five classes: a) for the princely court, b) for "governmental and state affairs", c) for charity, d) for construction, and e) for the payment of debts.<sup>60</sup> It is especially interesting to read that the court item comprises the "salaries of

<sup>52</sup> Veit Ludwig von Seckendorff was born in Herzogenaurach (Franconia) in 1626 as the son of an *Amtmann*, who later became a Swedish officer. Because of his father's merits, duke Ernst of Saxony-Gotha became Seckendorff's patron. In 1642 Seckendorff went to Strasbourg, where he studied philosophy, law, history and theology. Four years later he began his career in Saxony-Gotha with different court and administrative posts, until in 1663 he was appointed chancellor. One year later he took over the same post in neighbouring Saxony-Naumburg-Weitz, before giving it up in 1681 for the benefit of his studies. In 1691 Seckendorff was appointed founding chancellor of the new university of Halle; cf. *Dittrich*, op. cit., pp. 68f; *Stolleis*, Veit Ludwig von Seckendorff.

<sup>53</sup> *Zielenziger*, op. cit., pp. 335f and 345.

<sup>54</sup> *Seckendorff*, *Fürsten=Staat*, pp. 1-30 = I. Theil.

<sup>55</sup> *Ibidem*, pp. 19-30 = I. Theil, Capitel 4.

<sup>56</sup> *Ibidem*, pp. 31-356 = II. Theil.

<sup>57</sup> *Ibidem*, pp. 357-658 = III. Theil ("Von eines Landes=Herrn eigenen Gütern und Einkünfften/ <...> und wie er daraus sein Cammer= und Hauß=Wesen führet und bestellet").

<sup>58</sup> *Ibidem*, pp. 357-517 = III. Theil, Capitel 1-3.

<sup>59</sup> *Ibidem*, pp. 517-585 = III. Theil, Capitel 4.

<sup>60</sup> *Ibidem*, pp. 566-569.

servants in all councils, high and low ones".<sup>61</sup> This is a clear indication that, at least for accounting purposes, the court was understood to include the administrative staff too.

This is slightly surprising, as the rest of part three, i.e. chapter five "on the arrangement and constitution of a princely (...) court"<sup>62</sup> is introduced by a definition of *court* that deliberately excludes the members of the administration proper by saying:

"In a general sense the court also includes the ecclesiastical and secular institutions of government, consistory and chamber with their staff, and these persons are also regarded as court members. Because, however, they are not at court always and every day and are not fed and maintained there, but have their own houses and households (...), we keep the most common and proper meaning of the word court, and understand it as *the whole execution of all the offices and services and as the provision, required at a prince's court for the ruler, his wife, children, and the therefore indispensable servants.*"<sup>63</sup>

This definition clearly demonstrates that Seckendorff still thought of the court in economic terms: The court is the house of the prince, and those state officials who have their own households in principle do not belong to it. The prince as head of his household has to act like a particularly conscientious father of the house,

"because he is not discharged of any obligation of a father of the house (...), but all the more bound to them, since the whole country usually takes as an example the court and the conduct of its members, and accordingly it improves or deteriorates."<sup>64</sup>

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<sup>61</sup> *Ibidem*, pp. 567: "*besoldung aller (...) diener in allen collegiis, höherer und niederer*".

<sup>62</sup> *Ibidem*, pp. 586-658 = III. Theil, Capitel 5 ("*Von Bestellung und Verfassung einer Fürstl <... > Hoff=Statt*").

<sup>63</sup> *Ibidem*, p. 587f: "*Es werden zwar sonst in gemeinem verstand unter der Hoff=Statt auch die geist= und weltlichen collegia der regierung, consistorii und cammer, und alle darinnen bediente, mit begriffen, und solche personen auch für hoff=bediente geachtet: Demnach sie aber nicht stets und täglich bey hof zu seyn, noch daselbst gespeiset und unterhalten zu werden pflegen, sondern ihre absonderliche wohnung und haußhaltung haben, (...) so bleiben wir ietzo bey der gebräuchlichsten und eigentlichsten bedeutung des worts hoff=staat, und verstehen damit die gantze bestellung der ämter und dienste, auch die verschaffung dessen, was in einem fürstlichen Hof vor den Landes=Herrn, dessen Gemahlin/ Kinder/ und die allerseits dabey unentbehrlichen bedienten/ erfordert wird.*"

<sup>50</sup> *Ibidem*, p. 631: "*Sintemahl er hierinnen von der schuldigkeit eines jeden haußvaters (...) nicht befreyet, sondern desto mehr darzu verbunden ist, nachdem von seiner*

Consequently the lion's share of chapter five is filled with instructions on how the court personnel, which can be c. 100 persons in smaller and up to 400 people in larger courts,<sup>65</sup> can be kept in good order and disciplined. Two institutions in particular are responsible for this, namely, the court preacher and the court ordinance.<sup>66</sup> All of court life is thus in accordance with oeconomic tradition, and the picture of the court that is drawn by Seckendorff largely resembles the one that Florinus gave, who in his turn had borrowed a lot from the *Fürsten=Staat*.<sup>67</sup>

But there is an important difference between the two approaches. Seckendorff's topic is the correct rule of the whole princely state, and the court is only one of the institutions that have to be discussed in this context. Florinus takes the opposite way. His point of reference is the court as a household, and his theories on the different administrative authorities grew out of its description. The basis for this difference lies in the respective scope of these authors' definitions of court. Seckendorff, in contrast to Florinus, makes a clear distinction between court and the administrative state apparatus, so that his notion of court is much more limited.

Within this restricted field of the court, however, according to Seckendorff, the old household rules are in force. This implies that the proper height of court expenditure is dealt with in moral rather than in economic terms: a prince must be modest, but not mean, and generous, but not wasteful. The question of how much a court may actually cost thus turns out to belong, first of all, to the traditional problem of the virtues necessary for a prince.<sup>68</sup>

It is clear though that for Seckendorff the inevitable result of excessive court costs is financial crisis.

"If (...) the court is overloaded by too many servants (...), and the treatment (...) abundant and higher than can be afforded (...), or if too much is spent for pleasure and enjoyment, precious furniture, great and excessive buildings, unnecessary travels, superfluous body-guards, and other things one can do without, then, as experience shows, princely chamber affairs are ruined completely (...) and many necessary expenses have to be refrained from which better serve the estate, highness, power and reputation than great magnificence and pomp at court do."<sup>69</sup>

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*hof=statt und der hof=bedienten leben und wandel das gantze land exempel zu nehmen, und sich darnach zu bessern und zu ärgern pflegt."*

<sup>65</sup> *Ibidem*, p. 631.

<sup>66</sup> *Ibidem*, pp. 631-641.

<sup>67</sup> Cf. e.g. *Florinus*, *Oeconomus prudens* II, p. 60.

<sup>68</sup> *Seckendorff*, *op. cit.*, pp. 157ff.

<sup>69</sup> *Ibidem*, pp. 649f: "*Die erfahrung bezeuget, daß, wenn (...) die hof=statt mit dienern überleget (...), das tractament (...) überflüßig und höher, als mans erschwingen kan (...), oder wenn man allzuviel auf lust und ergetzlichkeiten, köstliche mobilien, grosse und übermässige gebäude, unnöthige reisen, überflüssige*

So in a state of emergency court costs have to be reduced drastically, even in the face of the objections of the concerned courtiers, as the reputation of a prince suffers more from indebtedness than from the modest outfit of his court.

"But if necessity requires the expenses to be cut, then soon a thousand objections will be made by (...) court servants, among others e.g. that it would harm the reputation of the prince; (...) that nobody could be ordered to leave the court; (...) that honour and esteem alone mattered to a prince; that it was harassment and meanness to save food, drink, dress and servants; that the old simplicity could not be carried on with, because times had changed completely (...). This and the like objections stop many (...) rulers from making up their minds and make them continue with disorder for fear of disgrace(...). They do not consider that it is much more disgraceful to live in permanent want, worry and debt."<sup>70</sup>

"Hard" economic advice beyond these rather general rules however cannot be found in the *Fürsten=Staat*. The author merely states that the annual budget of the court should be negotiated about by the councillors of the chamber and the court administrator<sup>71</sup> and that the basic foodstuff needed by the court and its kitchen is to be supplied by princely gardens or revenues of the regional authorities (*Ämter*) received in kind.<sup>72</sup>

Such a lack of practical help was not surprising in the case of the three Austrian cameralists, who only dealt with the court because of its role in the overall territorial economy. In the case of Seckendorff's book the explanation is different: He treats of the court as an institution of the princely state, but he does so in oeconomic, not in economic terms.<sup>73</sup> In-

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*leib=guarden, und dergleichen sachen, die man entbehren kan, wendet, daß dadurch zuvörderst das fürstliche cammer=wesen gantz zerrüttet (...), und allerley nothwendige ausgaben, wodurch der stand, hoheit, macht und ansehen, vielmehr, als durch grossen pracht und aufgang bey hof behauptet wird, unterlassen werden müssen."*

<sup>70</sup> *Ibidem*, annotations, pp. 256ff: "Wenn aber die noth erfordert, die ausgaben zu beschneiden, so wird also bald von (...) hof=dienern, tausendfältige difficultät gemacht werden, unter anderm also, es lauffe wieder des herrn reputation (...); man könne niemand von hof gehen heissen (...). Einem herrn sey alles an der ehre und ansehen gelegen; Es sey plackerei und filtzigkeit, wenn man an essen und trincken, kleidern und dienern, etwas ersparen wolte (...); Es könne nicht mehr nach der alten einfalt hergehen; die zeit sey ietz gantz anderst (...). Dieses, und dergleichen vielmehr, hält manche (...) Regenten auf, daß sie sich nicht resolviren können, und aus furcht des schimpffs, in der unordnung continuiren (...), nicht bedenkende, daß es noch viel schimpfflicher sey, in stetem mangel, sorg und borg zu sitzen".

<sup>71</sup> *Ibidem*, pp. 657f.

<sup>72</sup> *Ibidem*, pp. 594ff.

<sup>73</sup> Cf. also *Brückner*, op. cit., p. 42.

stead of really handling court economy, rather he writes about how the princely household can be kept in good order.

But nevertheless Seckendorff's book was at least as great a success as the works of the other three authors. In fact each treatise was published several times before the middle of the 18th century. Becher's political discourse saw six editions before 1759, Hornigk's treatise on the potential of Austria at least 24 by 1784. Schröder's text was published eight times between 1686 and 1752,<sup>74</sup> and Seckendorff's tract ten times, the last edition being undertaken in 1754.<sup>75</sup> Moreover, the *Fürsten=Staat* also served as the basic textbook for the first university lectures in cameralism that took place at Halle in 1727.<sup>76</sup>

Interestingly enough, the two of the four books which were most sceptical about the healthy economic influence of court costs, i.e. Becher's and Seckendorff's, were both supplemented in the 18th century by remarks that weakened their economic court criticism.

When the famous cameralist Georg Heinrich Zincke (1692-1768) published another edition of Becher's treatise in 1754, he supplied it with long annotations. One of them referred to the paragraph in which Becher called for the application of the "rule of proportion" especially with respect to expenses for representative architecture and courts.<sup>77</sup> In his comment Zincke limited the validity of this admonition by saying:

"The expenses for a great court are detrimental in particular if they carry much money out of the country without bringing any into it and if they make the country voluptuous and full of idlers. Hence one has to adopt this all with many distinctions according to today's opinions".

He then continues to show his conceptual superiority over the cameralists of Becher's generation.

"The old did not, moreover, always discern well between private and princely economy, while dealing with the economy of a prince. (...) And they often looked at princely decorum and state with the eyes of the stoics. (...) Building a lot of houses and maintaining a big household is the most certain and quickest way to

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<sup>74</sup> On the editions of Becher's and Schröder's books cf. *Humpert*, *Bibliographie der Kameralwissenschaften*, pp. 7ff; on the editions of Hornigk's work cf. *Brauleke*, *op. cit.*, pp. 93ff.

<sup>75</sup> *Kiesel*, "Bei Hof, bei Höll", p. 165.

<sup>76</sup> *Tribe*, *op. cit.*, p. 42.

<sup>77</sup> *Becher*, *op. cit.*, p. 35.

ruin (...); but actually this is a reminder merely for private people, whereas for great princes there are many exceptions."<sup>78</sup>

Andres Simon Biechling in his edition of the *Fürsten=Staat* (1720) similarly interprets Seckendorff's thesis that normally court costs are responsible for financial distress and this again leads to a loss of princely power and reputation,<sup>79</sup> which after all were the original aims of court expenditure. In a footnote Biechling explains this statement as follows:

"As the whole contents of the text shows, it only deals with excessive expenses, and one can indeed not deny that at most courts violation of this takes place. But one must not think that generally any expenses which are not necessary are to be blamed and that a prince has to act (...) according to the will of those who, due to their lack of sufficient insight and to precipitance, understand the prince's or his spouse's delights, travels, guards and expenses for splendour as unnecessary waste. (...) It has however already been demonstrated elsewhere that the more money is collected by the prince and locked in his box, the poorer the subjects and country become, as it cannot circulate any more. And exactly the same applies to other expenditure, which (...) is to be praised rather than blamed. (...) There is a great difference between the economy of a common father of the house and a princely one. (...) And one will see that (...) a state must suffer from a mean as well as from a spendthrift ruler. Hence also in these matters the middle road has to be taken. And so waste which surpasses the resources of a country must be rejected, but not useful and proper expenditure, which is proportional to the prince's revenues."<sup>80</sup>

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<sup>78</sup> Becher (ed. Zincke), op. cit., pp. 309f: *"Die Ausgaben zu einer grossen Hofhaltung sind sonderlich alsdann schädlich, wenn sie viel Geld aus dem Lande schleppen, und nichts hinein bringen, das Land aber wollüstig machen, und mit Müssiggängern erfüllen. Man muß daher dieses alles nach heutigen Ansichten mit vielen Unterschied annehmen. Die Alten machten auch nicht allemal bey der Betrachtung der Fürsten=Wirtschaft einen guten Unterschied unter einer Privat= und Fürstl. Wirtschaft. (...) Den Fürstl. Wohlstand und Staat sahen sie oft mit stoischen Augen an (...). Viele Häuser bauen, und eine grosse Haushaltung halten, stürzt auf das gewisseste und geschwindeste ins Verderben (...); allein das ist eigentlich nur eine Erinnerung für Privat=Wirte. Bei grossen Herren leidet es viele Ausnahmen."*

<sup>79</sup> Seckendorff, op. cit, pp. 649f.

<sup>80</sup> *Ibidem*, pp. 651f: *"Es ist aber / wie aus dem gantzen Inhalt des texts erscheinet / die rede allein von den übermäßigen auffwendungen zu verstehen / und freylich nicht zu leugnen / daß an denen meisten höfen darinnen verstoß geschehe. Doch darff man nicht meynen / als ob schlechterdings aller auffwand / so nicht unter die nöthigen ausgaben gehöret / zu tadeln sey / und ein Herr sich (...) nach dem eigensinn derer zu rathen hätte / welche aus ermangelung genugsamer einsicht und aus übereyhlung bald des Fürsten / und der Fürstlichen Gemahlin ergetzlichkeiten / reisen / Leib=guarden / den zum splendeur dienenden auffgang (...) / als unnöthige verschwendung ansehen. (...) Allein es ist anderswo schon dargethan / daß so viel geld*

**Figure 11:** Princely pedagogics: "You must learn the art of employing your money usefully" (Chodowiecki 1775)



This picture refers to the following story: A young prince received a certain amount of money from his uncle with the reminder to use it well. When meeting again, the prince proudly presented the intact sum to his uncle, demonstrating his thrift. The latter however threw the coins out of the window saying: "You have to learn to employ money more usefully, for as a prince you have the duty to employ it in a way which serves the others."

Here the restrictive reasonings of Becher and Seckendorff are in fact distorted by their later editors who adopt Schröder's argumentation. Zincke and Biechling stress the difference between private and princely economy; since the latter has to take care of the subjects' prosperity, conspicuous

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*ein fürst samlet und in seinem kasten verschliesset / so viel werden die unterthanen und das land ärmer / weil solches nicht mehr rouliren kan; Und eben also ist es denn mit dem andern auffwand beschaffen / welcher (...) vielmehr zu loben als zu tadeln ist. (...) Zumahl unter eines gemeinen hausvaters und einer fürstlichen oeconomie ein grosser unterschied ist (...). Und wird man sehen, daß (...) so wohl unter geitzigen als unter verschwenderischen regenten ein staat leyden müsse. Demnach auch hier die mittelstrasse getroffen / und nicht so wohl der nützliche und anständige auffwand / welcher nemlich nach des Herrn revenuen proportioniret ist / als vielmehr eine die kräfte des landes übersteigende verschwendung verworffen werden muß."*



consumption, namely court expenditure, plays a positive economic role. Certainly Schröder would have applauded.

And both commentators moreover present the main two criteria for the determination of the proper amount of court costs which set the tone of the 18th-century debate. While Zincke introduces princely decorum as one yardstick of court pageantry, Biechling nevertheless insists on seeing the resources of the country ("*die kräfte des landes*") as the decisive measure. Both arguments formed the poles, inbetween which the discourse on court economy was to take place within the second phase of cameralism, starting in the 1720's.

## 2. Court Expenses in Classic Cameralism: Zincke and his Successors

It could be called its academic stage, as it is characterized by the fact that the "cameralistic sciences" gained access to the German universities. In 1727 the first two chairs were created at the Prussian universities of Halle and Frankfurt-on-Oder, primarily in order to meet the demand of the recently established *Generaldirektorium* and *Kriegs- und Domänenkammern* for trained officials.<sup>81</sup> Other universities in other German territories followed, so that by the end of the 18th century 36 universities disposed of lectures in cameralistic matters.

In comparison with the mid-century, when basically only three functioning chairs existed at the two universities mentioned and in Rinteln (established in 1730),<sup>82</sup> this was certainly a success, but very often the teaching was as poor as the attendance of students. The decisive problem for cameralistic lectures, however, was that nowhere were they regarded as "a permanent and compulsory qualification for entry into state administration".<sup>83</sup>

Yet this development led to an increasing production of possible curricula and textbooks, and gradually these texts constituted a sort of coherent "discursive structure" (Tribe), the elements of which referred to each other.<sup>84</sup> As they were now directed to student readers, they tried to reach academic standard and presented what they thought a comprehensive and coherent picture of cameralistic knowledge, though normally this was achieved by endless repetitions, trivial definitions and circular arguments.

And it was through the construction of these systems that court economy also became an established part of cameralistic knowledge that had to be dealt with by almost every writer. While the economic aspect of the court

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<sup>81</sup> *Brückner*, op. cit., pp. 62ff.

<sup>82</sup> On the development on cameralistic teaching cf. *Stieda*, *Nationalökonomie als Universitätswissenschaft*, e.g. p. 107; and *Tribe*, *University Teaching on Cameralism*.

<sup>83</sup> *Tribe*, op. cit., p. 40.

<sup>84</sup> *Ibidem*, pp. 41f.

had been of minor importance for most of the "elder" cameralists<sup>85</sup> - except for Seckendorff who draws however an oeconomic rather than an economic picture of it -, the situation was changing in the 18th century.

There are several developments that confirm this growing interest. First of all it was manifested by the publication of monographs that more or less exclusively dealt with court economy. In spite of its oeconomic character the second volume of Florinus' *Oeconomus prudens* (1719) could be mentioned in this context.<sup>86</sup> Further examples are provided by Jakob Friedrich Döhler's *Entwurf eines vollständigen Reglements (...) für eine Fürstliche Hof=Cammer* (1767),<sup>87</sup> Johann Christoph Erich von Springer's *An einen teutschen Hofmarschall* (1774),<sup>88</sup> and Christian Heinrich Ursinus' *Taschenbuch über Haushaltung* (1792).<sup>89</sup> Obviously especially in the second half of the century there was a demand for books which treated court economy alone.

Secondly at least some of the cameralistic bibliographies also contain a heading on court matters. This is the case of Johann Heinrich Ludewig Bergius' *Cameralisten=Bibliothek*, which was published in 1762 and, under the head-word *court* (*Hof.Hofstaat*), mentions Friedrich Carl Moser's *Hof=Recht*.<sup>90</sup> Georg Heinrich Zincke's *Cameralisten-Bibliothek* of 1751/52 and Friedrich Christoph Jonathan Fischer's *Lehrbegrif und Umfang der teutschen Staatswissenschaft* of 1783, which are both also primarily designated as bibliographies, even contain entries that directly concern the economic side of the court. While Zincke, under the heading of *court expenses* (*Hofausgaben*), simply states that no relevant works exist,<sup>91</sup> Fischer some thirty years later cites Döhler's *Entwurf*. This recommendation is classified as *court economy* (*Hofökonomie*).<sup>92</sup>

The uniform use of this term is the third piece of evidence for the increasing importance of what it stood for. Originally, at the beginning of the 18th century, *Hofökonomie* was just another synonym for what Hornigk had called "chamber economy", i.e. the income and expenditure of the princely budget in contrast to the economy of the whole country. In this broad sense it appears in books such as Asche Christoph von Marenholtz' *Fürstliche Macht=Kunst* and Martin Hassen's *Entwurff eines Politischen Special=Collegii*, published in 1702 and 1714 respectively.<sup>93</sup>

In the course of the century however it gained a more specific meaning: It referred to all the economic activities that were connected with the court

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<sup>85</sup> Besides the Austrian treatises cf. e.g. *Leib*, Probe, pp. 6f.

<sup>86</sup> *Florinus*, op. cit. II.

<sup>87</sup> *Döhler*, Entwurf eines vollständigen Reglements.

<sup>88</sup> *Springer*, An einen teutschen Hofmarschall.

<sup>89</sup> *Ursinus*, Taschenbuch über Haushaltung.

<sup>90</sup> *Bergius*, Cameralisten=Bibliothek, pp. 244f.

<sup>91</sup> *Zincke*, Cameralisten-Bibliothek, pp. 887f.

<sup>92</sup> *Fischer*, Lehrbegrif und Umfang, p. 20.

<sup>93</sup> *Marenholtz*, Macht=Kunst, p. 47; *Hassen*, Entwurff, p. 18.

and the subsistence of its members. This meaning is already hinted at when Florinus speaks of "oeconomy of the court" ("*Oeconomie des Hofes*")<sup>94</sup> and fully developed in Friedrich Carl Moser's *Hof=Recht*, which contains a whole chapter titled "on court economy".<sup>95</sup>

The semantic career of this term can be seen as another indication of the significance of its underlying problem, for, fourthly, even the German encyclopaedias of the later 18th century paid attention to court economy. The famous cameralistic *Oekonomische Encyclopädie* by Johann Georg Krünitz included an entry called *Hof=Wirtschaft* in volume 24, published in 1781.<sup>96</sup> It largely gave the same definition as the corresponding article in the more general *Deutsche Encyclopaedie* did nine years later under the heading *Hofoeconomie*:

"the branch of state economy that deals with the administration of the amount that is determined for the maintenance of the princely family and the higher court officials".<sup>97</sup>

These points are clear evidence that the economic side of the court became increasingly relevant to the cameralists during the 18th century. In 1743 the first textbook containing an elaborate discussion of court expenses was published.<sup>98</sup> It is probably no simple coincidence that this date falls into the period in which ceremonial science underwent its change into court law. The shift from a ceremonial to a legal view on analogous representation revealed a crisis, that might have opened the way for an economic approach to court life. Friedrich Carl Moser's *Hof=Recht* confirms this hypothesis in that it introduced court law as a substitute for ceremonial and at the same time spoke of court economy in detail. Thus in the very period when the matters of ceremonial science were being reformulated, court economy was put on the agenda of the cameralists.

But the cameralists did not only agree that this topic had to be tackled, they moreover coped with it in the same way. By the increasing production of textbooks which normally referred to their predecessors a standardization of cameralistic approaches took place. A relatively coherent cameralistic discourse was established that comprised a canon of generally accepted presuppositions and assumptions.

They referred, for example, to the internal structure of what should make up the "cameralistic sciences" ("*Kameralwissenschaften*") as a whole.

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<sup>94</sup> Florinus, op. cit. II, Vorrede.

<sup>95</sup> Friedrich Carl Moser, *Hof=Recht* I, pp. 143-201 = II. Buch, IV. Capitel ("*Von der Hoff-Oeconomie*").

<sup>96</sup> Krünitz, *Oekonomische Encyclopädie*, vol. 24, pp. 232f.

<sup>97</sup> *Deutsche Encyclopaedie*, vol. 15, pp. 844f: "*der Zweig der Staatswirtschaft, welcher sich mit der Verwaltung derjenigen Summe abgiebt, die zur Unterhaltung der fürstlichen Familie, und ihrer hohen Hofdienerschaft bestimmt ist*".

<sup>98</sup> Zincke, *Grund-Riß* II.

From the first university textbooks of Gasser and Dithmar<sup>99</sup> and the "classic" works of Zincke, Justi and - with slight modifications - Sonnenfels<sup>100</sup> up to the contributions of the early 19th century,<sup>101</sup> the knowledge that was taught under this label was seen as tripartite.<sup>102</sup>

First it included "economics" ("*Oeconomische Wissenschaft*"),<sup>103</sup> which primarily concerned technological instruction on the different trades, urban and rural ones. Hence it was subdivided again into sections on "town" and "country economy" ("*Stadt="* and "*Land=Oeconomie*"),<sup>104</sup> the second of which owed a lot to the tradition of *Hausväterliteratur*. Another element of cameralistic sciences was called "science of police" ("*Policei=Wissenschaft*")<sup>105</sup>. A convincing distinction between this and the former component, however, was never found by most cameralists.<sup>106</sup> But one could say that economics particularly regarded the single households, which were provided with the technical skill necessary to guarantee their subsistence, whereas the science of police discussed the means of state intervention into territorial society and economy, undertaken in order to secure the smooth functioning of the subjects' economic activities.

The third constituent of cameralistic sciences was "cameralistic science" proper,<sup>107</sup> often also referred to as "financial science" ("*Finanzwissenschaft*").<sup>108</sup> It was concerned with state income and expenditure, in other words with the chamber's sphere of responsibility. Its main goal was thus a balanced budget, which required the consequent use of all sources of revenues as well as prudent administration of expenses.

Thus cameralism analysed the economic activities of the subjects, the political measures to promote them, and finally how the princely state could most efficiently profit from the economic situation attained thereby. These three elements, which appear as early as 1727 in the decree by which the first chair was created in "economy, police, and chamber

<sup>99</sup> Gasser, Einleitung Zu den Oeconomischen Politischen und Cameral=Wissenschaften; Dithmar, Einleitung.

<sup>100</sup> Zincke, op. cit.; *idem*, Anfangsgründe; Justi, Staatswirthschaft; Sonnenfels, Grundsätze der Polizei, Handlung und Finanzwissenschaft.

<sup>101</sup> Cf. Rüdiger, Ueber die systematische Theorie der Cameralwissenschaften, pp. 22ff, according to whom all important cameralists of his time shared this conception; he explicitly mentions the following authors: Dithmar, Gasser, Zschackwitz, Zincke, Justi, Darjes, Suckow, Sonnenfels, Förster, Krünitz, Bergius.

<sup>102</sup> Brückner, op. cit., pp. 67f; Maier, Ältere deutsche Staats- und Verwaltungslehre, especially pp. 211ff and 233.

<sup>103</sup> The terms for defining the tripartite structure are taken from Dithmar, op. cit., p. 2.

<sup>104</sup> *Ibidem*, pp. 91-132 = III. Abtheilung, and pp. 12-90 = II. Abtheilung.

<sup>105</sup> *Ibidem*, p. 5; on the whole problem of police in the 18th century cf. Maier, op. cit., pp. 116-229.

<sup>106</sup> Brückner, op. cit., p. 72; Tribe, op. cit., pp. 51ff.

<sup>107</sup> Dithmar, op. cit., p. 6.

<sup>108</sup> Cf. e.g. Zincke, Anfangsgründe II, title-page.

affairs",<sup>109</sup> were all necessary to achieve a healthy condition of "state economy" ("*Staatswirtschaft*"), which best served the common weal of subjects and prince.

Such was the conceptual framework that all well-known cameralists basically shared. And likewise they agreed on the role court economy played within this structure. As a special subject the court nearly always occurs in the same systematic position in the different cameralistic textbooks: it forms a section of that part of financial science which deals with state expenditure. This is true of most contributions written since the 1730's, but also for Theodor Ludwig Lau's *Aufrichtiger Vorschlag* from 1719.<sup>110</sup>

Court matters are inserted into the cameralistic systems by handling them above all as matters of expenses. The consequences of this approach seem plain. The court is grouped alongside other institutions of the princely state (e.g. administration or army), and they all cost money. Hence it was subjected to the same cameralistic rules concerning state expenditure as any other item and became just another competitor for its share in the overall state budget. The financial resources, which in the most German territories were far from being abundant, had to be distributed among the different items, and that according to their priority.

How urgent a certain expenditure was, was measured by its contribution to the country's prosperity and the state's power. Thus the courts had to be evaluated by the cameralists in economic terms too. They were checked for financial acceptability and economic functionality. Court costs could only be justified if they were in proportion with the territory's economic capacity and exercised a stimulating influence on it. Otherwise they were regarded as simple waste. In other words, the economic legitimacy of the courts was now at stake.

But this radical conclusion was disguised rather than made explicit by the cameralists. How they managed to handle court economy without fundamentally questioning the court and its legitimacy can be best studied by looking at a suitable example. The works of Georg Heinrich Zincke<sup>111</sup>

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<sup>109</sup> Quoted in *Tribe*, op. cit., p. 42: "*Oeconomie, Policey und Cammersachen*".

<sup>110</sup> *Lau*, *Aufrichtiger Vorschlag*, pp. 108 and 110-118; *Zincke*, e.g. *Grund-Riß II*, pp. 378-384; *Justi*, op. cit. II, pp. 560-586; *Darjes*, *Erste Gründe der Cameral=Wissenschaften*, pp. 650ff; *Springer*, *Oeconomische und cameralistische Tabellen*, pp. 70f; *Pfeiffer*, *Grundriß der Finanzwissenschaft*, pp. 354-373; *Fischer*, *Lehrbegrif und Umfang*, p. 20; *Jung-Stilling*, *Lehrbuch der Finanz-Wissenschaft*, especially pp. 36f; *Schmalz*, *Staatswirtschaftslehre in Briefen II*, pp. 116-169; *Harl*, *Vollständiges Handbuch*, pp. 83-86; *Jakob*, *Staatsfinanzwissenschaft*, pp. 714-738.

<sup>111</sup> Georg Heinrich Zincke was born in Altenrode near Naumburg in 1692 as the son of a preacher. After 1709 he studied theology and law at the university of Jena and then taught in Erfurt and Halle. After his graduation in law, he obtained administrative posts in Halle and then Magdeburg, before he entered into the service of the duke of

seem to be especially qualified for this purpose. For Zincke's *Grund-Riß* from 1742/43 is the first proper comprehensive and systematic textbook of cameralistic sciences.<sup>112</sup> Together with its successor, the *Anfangsgründe*, which, in 1755, expounded the principles laid down in the former book in almost 4,000 pages and in over 3,000 paragraphs,<sup>113</sup> it exercised such a great influence on other cameralistic treatises, that it can indeed be seen as representative of cameralistic reasoning as it prevailed from the 1740's to the 1780's.

And this does not only apply to Zincke's general approach, but also to his thoughts on court economy. After all both books also contain quite long and detailed paragraphs on court matters.<sup>114</sup> For these two reasons they have to be read as key texts for the notion of court economy in the cameralism of the second half of the 18th century, or - to put it more correctly - as one key text. For they are largely identical in structure and contents, since they both discuss the same material in the same order: § 1242 of part II of the *Grund-Riß* is on "expenditure concerning court guards" just as § 1242 of part II of the *Anfangsgründe* is etc.<sup>115</sup>

Zincke's two books hence allow central questions concerning the cameralistic attitude towards court economy to be answered. Four points have to be clarified in this context: how is the court introduced as a subject of cameralistic analysis; what practical measures are suggested concerning court economy; how is the court judged economically; and how is it justified generally?

The reader must however be extremely patient before he ever stumbles across any passages dealing with the court. Part one of Zincke's system treats of "general and special country, and town economics and science of police" ("*so wohl General= als Special= Land= und Stadtoeconomic und Policeywissenschaft*")<sup>116</sup> and it does not contain any mention of the court, let alone of court economy. The economic role of the prince is only marginally referred to. There is a brief discussion on the difference

Saxony-Weimar, where his career however ended in prison from 1735-1738. In 1740 he became lecturer of law and cameralistic sciences in Leipsic, and in 1745 professor at the *Collegium Carolinum* in Brunswick; cf. *Allgemeine deutsche Bibliographie*, vol. 45, pp. 313ff; *Dittrich*, op. cit., p. 90.

<sup>112</sup> In contrast to Zincke's books, the contributions of Gasser and Dithmar were only concise sketches of what was to be taught. Besides, due to the minor importance of court matters in Prussia under Friedrich Wilhelm I, Gasser only occasionally touches on court economy, while Dithmar does not mention it at all; cf. *Gasser*, op. cit., pp. 7f.

<sup>113</sup> *Zincke*, *Grund-Riß*; *idem*, *Anfangsgründe*.

<sup>114</sup> *Zincke*, *Grund-Riß* II, especially pp. 401-487; *idem*, *Anfangsgründe* II, especially pp. 1353-1478.

<sup>115</sup> *Idem*, *Grund-Riß* II, pp. 467f; *idem*, *Anfangsgründe* II, pp. 1448f.

<sup>116</sup> *Idem*, *Anfangsgründe* I, title-page.

between private and princely economy, mainly by repeating the *topos* of the prince's responsibility also for the subjects' well-being.<sup>117</sup> The ruler is also obliged to conduct himself in accordance with his rank, as this is one of his necessary contributions to political stability.<sup>118</sup> But these two potential points of departure for an analysis of the court's role within territorial economy and princely state remain somewhat isolated in the first part of Zincke's cited treatises.

Instead the court plays a major role in part two, which is concerned with "chamber or financial science proper" ("*eigentliche Cammer= und Finanz=Wissenschaft*").<sup>119</sup> Its second section gives information about "the expenses of princely revenues".<sup>120</sup> For Zincke this matter is very important, because although the practice of expenditure decides the well-being of the state, it had hardly been dealt with by "authors on chamber affairs".<sup>121</sup> Cameralists had mostly refrained from it, because bringing the expenditure into order by economizing was not popular at court.

Very often therefore this topic was left to "moralists" or "theologians", whose contributions, however, were not particularly helpful. Public expenditure could not be arranged reasonably from a general moral perspective, but had to be coped with by soberly looking at the single items only.<sup>122</sup> In the words of Zincke this approach reads:

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117 *Ibidem* I, pp. 12ff.

118 *Ibidem* I, p. 13.

119 *Idem*, Grund-Riß II, title-page.

120 *Idem*, Grund-Riß II, pp. 342-538 = II. Buch, 2. Abschnitt ("*Von denen Ausgaben der Fürstlichen Einkünffte*").

121 *Ibidem* II, pp. 342ff.

122 An extremely delicate item in moral terms was the expenditure on mistresses. It was very matter-of-factly handled particularly by Springer, who saw it as a mere financial problem; cf. *Springer*, An einen teutschen Hofmarschall, pp. 327ff. This was also emphasized by *Wiegleb*, Review, pp. 402f. In a different context however Springer consciously avoided dealing with this problem, since he feared to excite his students; cf. *Springer*, Oeconomische und cameralistische Tabellen, p. 71: "Annotation: In dealing with the item of entertainment I have not presented the complete material. There are other sorts, which (...) are not becoming for a lecture (...). These topics may only be handled prudently by a word in someone's ear in order not to offend society and youth or not to create the impression that one approves or disapproves this entertainment. An author could hardly be forgiven if he (...) mentioned it in his lectures to make his audience laugh or even to excite the young men (*Anmerkung. Bey der Rubrik von Ergötzlichkeiten befürchte ich zwar den Reichthum der Materie nicht erschöpft zu haben; denn es giebt noch Ergötzungen, die (...) sich nicht für den Katheder schicken, (...) weil die Gegenstände davon öfters keinen anderen Nahmen haben, als den Kluge sich in das Ohr sagen, um die Gesellschaft und die Jugend nicht zu ärgern, oder nicht das Ansehen zu haben, daß man die Ergötzung selbst billige oder tadle. Einem Schriftsteller würde es am wenigsten zu verzeihen seyn, (...) solche Ergötzungen (...) auf den Katheder zu*

"Just because cameralists are not competent for moralizing (...), we do not have to present this reasonable arrangement in general terms, but only according to the different main chapters of expenditure (...)." <sup>123</sup>

This passage explains why Zincke's books also include three chapters exclusively devoted to court costs. They owe their existence to Zincke's basic method when dealing with expenditure, i.e. classification. While general theorizing on the proper amount of state expenses was a moral business, the task of a cameralist instead mainly consists in simply making a taxonomical list of items.<sup>124</sup> Consequently the major part of the relevant section more or less only contains a lengthy and tiring classification of matters of expenses.

Zincke begins by contrasting "court and chamber expenses" ("*Hof= und Cammer=Ausgaben*"), primarily serving for the "necessary and convenient maintenance of the princely person and family according to princely decorum", with "state and country expenses" ("*Staats= und Landschafts=Ausgaben*"), determined for the "maintenance and demand proper of the whole state itself in a convenient, prosperous, peaceful and secure condition".<sup>125</sup> While the latter above all include costs for civil service and army,<sup>126</sup> the former are composed of three classes. They include expenses necessary for the further supply of money (mainly for infrastructure and financial administration itself), for court demands in a strict sense (i.e. for the personal needs of the princely family), and for all other court use.<sup>127</sup>

The last item is then subdivided again into 21 different sorts of expenditure.<sup>128</sup> Among them there are items, such as kitchen expenses or the salaries of the court personnel, which usually swallow up the lion's share,<sup>129</sup> but also smaller ones such as the costs for princely libraries and collections.<sup>130</sup> Most of these 21 points are eventually discussed in a partic-

*bringen, um ihrem Auditorium etwas zu lachen, auch wohl die jungen Herren (...) selbst lüstern zu machen).*"

<sup>123</sup> *Ibidem* II, p. 345: "Weil nun Cameralisten eben nicht in diesem engen Verstande, zu moralisiren beruffen, so haben wir folglich auch hier nichts mehr zu thun, als diese Einrichtung der Vernunft nach nicht etwa überhaupt, sondern nach denen verschiedenen Haupt=Capiteln der Ausgabe (...) vorzustellen."

<sup>124</sup> Cf. also *idem*, *Anfangsgründe* II, pp. 1286, 1344f and 1351.

<sup>125</sup> *Idem*, *Grund-Riß* II, pp. 376f: "Eine dem Fürstl. Decoro gemäße, nothdürfftige und bequeme Unterhaltung der Fürstl. Person und Familie", and "Die eigentliche Unterhaltung und Bedürfnissen des gesamten Staats selbst, in einen bequemen, blühenden, ruhigen und sichern Zustande".

<sup>126</sup> *Ibidem* II, pp. 384-391.

<sup>127</sup> *Ibidem* II, pp. 378-384.

<sup>128</sup> *Ibidem* II, pp. 381-384.

<sup>129</sup> *Ibidem* II, pp. 381f.

<sup>130</sup> *Ibidem* II, p. 384.



ular chapter "on the expenses occurring because of the court",<sup>131</sup> where, for example, 18 components of the costs for the princely stable are distinguished, so that even the writing material of the stable administration is mentioned as a distinct item.<sup>132</sup> Zincke's main rule that "all expenses have to be structured (...) especially corresponding to their purposes"<sup>133</sup> is put into practice by him so zealously, that the chapters on court expenditure are essentially lists of possible items.

But the very fact that the court appears in the section on state expenditure nevertheless makes court economy subject to certain rules, which are given in its introductory part. One of them for instance remarks simply enough that "expenditure must absolutely not exceed revenue",<sup>134</sup> while another one states that any expense of the state should be made according to its degree of necessity:

"The necessary must be distinguished well from the unnecessary; the indispensable from the dispensable, though useful and convenient; and the useful and convenient from the detrimental. The first must always be given priority (...), while the last must be avoided carefully."<sup>135</sup>

In principle, therefore, any expense can and must be checked for its accordance with these maxims, though they are quite vague and trivial.

But when Zincke concretely handles court costs, these modest instructions are suspended, even at the price of a lack of coherence. In theory Zincke says that of the three elements that make up "court and chamber expenses" the first is the most necessary, because it guarantees the very functioning of the state's financial machinery. Hence it has priority over "court expenses in the strict sense".<sup>136</sup> But just one chapter after having handled the expenses for "foundation, maintenance, augmentation and administration of all income and expenditure",<sup>137</sup> Zincke contradicts himself, when he deals with those court costs directly determined for the princely family. With respect to these he remarks:

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<sup>131</sup> *Ibidem* II, pp. 464–487 = II. Buch, 2. Abschnitt, 21. Hauptstück ("Von denen wegen der Hoffstatt vorfallenden Ausgaben").

<sup>132</sup> *Ibidem* II, pp. 477f.

<sup>133</sup> *Idem*, Anfangsgründe II, p. 1320: "Man muß alle Ausgaben nach (...) sonderlich aber ihren Zwecken (...) zergliedern".

<sup>134</sup> *Idem*, Grund-Riß II, p. 349: "Die Ausgabe muß schlechterdings nicht die Einnahme übersteigen."

<sup>135</sup> *Ibidem* II, p. 348: "Das nöthige muß von dem unnöthigen, das unentbehrliche von dem entbehrlichen, obgleich nützlichen und bequemen, das nützliche und bequeme von dem dabey schädlichen wohl unterschieden, das erste aber allezeit und vor dem andern (...) erlanget, das letzte hingegen sorgfältig dabey vermieden werden."

<sup>136</sup> *Idem*, Anfangsgründe II, p. 1327.

<sup>137</sup> *Idem*, Grund-Riß II, pp. 379: "Gründung, Erhaltung u. Vermehrung und Verwaltung aller Einkünfte und Ausgaben".

"This use of the revenues (...) can never be omitted, except in general inevitable trouble. For it is very deplorable, if finances are ruined to such an extent, that the prince and his family suffer want. Hence before it gets to this point, fairness requires rather that any other expenses be omitted or restricted, even many of those that have been inspected in the previous chapter".

And he adds: "This is a universal rule."<sup>138</sup>

Obviously the general rules of state expenditure are not applicable to the court sphere. This sphere, on the contrary, requires exceptions. Another example confirms this view. Zincke remarks that no money may be spent abroad, but all public expenses must remain within the country for economic reasons, since otherwise the "country in the end becomes poorer every year".<sup>139</sup> In an annotation to this point, however, he confines its validity. One reason is the decorum due to a prince:

"Finally public decorum, or the decorum (*Wohlstand*) that is very necessary for rulers among people like themselves, requires that he not be able to spend all expenses directly within the country."<sup>140</sup>

Apparently for Zincke the court is a special field that cannot be measured by the same cameralistic yardstick as other items of state expenditure. Correspondingly there is not much concrete advice offered on how the economic and financial management of court affairs should be undertaken. Apart from the usual call for control of the court staff to prevent embezzlement, Zincke largely remains silent as to this practical problem. Only concerning kitchen expenses is he quite explicit. He suggests that foodstuff be purchased either on the free market or from the tenants of the domains with the help of an option right rather than running "kitchen estates" and court gardens, as productivity of enterprises administered by court officials themselves is normally quite low.<sup>141</sup>

But Zincke's scepticism as regards the economic performance of the courts goes further. There is no remark in the entire passage to the effect that court expenses are positive for the domestic economy.<sup>142</sup> Although

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138 *Ibidem* II, p. 439: "Man kan diese Anwendung derer Einkünffte (...) niemahls unterlassen, außer in allgemeiner unvermeidlicher Noth. Denn es ist sehr deplorable, wenn es mit dem Verfall des Finanz=wesens so weit gekommen ist, daß der Fürst und die Seinigen Noth und Mangel leiden müssen. Ehe man es daher dahin kommen läset, erfordert es die Billigkeit, lieber alle anderen Ausgaben, ja sogar viele von denen im vorigen Cap. betrachteten entweder zu unterlassen oder einzuschräncken. Das ist eine Universal-Regel."

139 *Ibidem* II, p. 367: "wird (...) endlich der Staat alle Jahre ärmer".

140 *Idem*, Anfangsgründe II, p. 1308.

141 *Ibidem* II, pp. 1416-1420.

142 The only exception is his advice to merely purchase domestic goods for court use, which implicitly hints at a positive economic role of court consumption.

Zincke's comments on Becher's treatise suggest that he believed the court was a necessary stimulus for the territory's prosperity, neither the *Grund-Riß* nor the *Anfangsgründe* discuss this question. Obviously in his eyes there was no economic justification for court splendour.

But in spite of this, the court was legitimized by Zincke, though not in economic terms. The cameralists could not avoid taking into consideration the court's economic and financial aspects; they did not however find any convincing economic arguments in favour of it. The courts were nevertheless regarded as indispensable elements of princely rule in that they were the outward signs of the rulers' rank.

Correspondingly the most important justification for court splendour, which implied considerable costs, was decorum, which is frequently mentioned in Zincke's text, sometimes in the German form of *Wohlstand*.<sup>143</sup> Decorum in the case of the princes required a certain standard of pageantry, the standard being dependent on the given rank. Decorum is Zincke's central argument in favour of court expenses incurred by the prince and his family. He distinguishes between a count, duke, prince, an elector, a king, and an emperor,<sup>144</sup> although binding criteria for the proper decorum due to a certain rank did not exist, and even if they had existed there would have been no way of enforcing them.

Zincke, like his colleagues, had to admit that ultimately the level of court expenditure was determined by the individual will of the prince. Fashion and etiquette also played a role,<sup>145</sup> and hence cameralistic principles by no means ruled at court, but rather the taste and standard of the court society itself. Thus by recognizing that the last word in court matters lay with the prince, the cameralists accepted that all their well-meaning theorizing on court economy was in vain, unless princes and courts themselves shared their views.<sup>146</sup>

This situation is reflected in those passages where Zincke discusses the proper handling of court economy as a whole. He enumerates several factors to be taken into account when deciding court costs. They have to be spent "in view of the size of the country, of the prince, of the revenues, of the necessary people, of the required raw and processed goods";<sup>147</sup> in other words, according to the economic capacity of the country. These criteria determine whether too much or too little money is used by the court, which has to be "orderly and economizing".<sup>148</sup>

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<sup>143</sup> Cf. e.g. again *idem*, op. cit. II, p. 1308.

<sup>144</sup> *Ibidem* II, pp. 1430ff.

<sup>145</sup> *Idem*, *Grund-Riß* II, p. 464.

<sup>146</sup> *Idem*, *Anfangsgründe* II, p. 1422.

<sup>147</sup> *Idem*, *Grund-Riß* II, p. 483: "in Ansehung der Größe des Landes, des Herrn, derer Revenües, derer vieler dazu nöthigen Leute, derer erfordereten rohen und verbesserten Güter".

<sup>148</sup> *Ibidem* II, pp. 483f.

But this is only one side of the medal. By also mentioning the person of the prince, decorum remains an important factor, and it introduces non-economic elements into the debate. Although Zincke complains that concrete measures, aimed at saving money at court, are prevented "now by the prince, now by the servants responsible for state and entertainment (...) under pretext of tradition and respect for the prince etc.",<sup>149</sup> he has himself recognized decorum as an argument in favour of the court.

Zincke's discussion of court economy thus reveals a problem which no cameralist was able to solve completely and convincingly. By dealing with court economy under the heading of state expenditure, it was in principle subjected to the same cameralistic rules as other items, i.e. it should have been in accordance with the financial resources of the state and the economic strength of the country. It was not always thus, however, as the cameralists accepted that the court sphere was dominated by other measures. The court expenses deemed necessary were determined above all by decorum, but also by court fashion and the personal preferences of the ruler. Court economy was therefore ruled by non-economic standards, which normally prevented any attempt at a financial court reform.

These elements of Zincke's approach to court economy can also be found in other cameralistic contributions. It is probable that many writers borrowed directly from the *Grund-Riß* and the *Anfangsgründe*. Johann Heinrich Bergius' *Policey= und Cameral=Magazin*, a cameralistic encyclopaedia published from 1767 to 1774, contains, for example, an entry on the privy purse (*Chatouille*), which is the only reference to court economy. This passage is mainly a literal repetition of a part of the *Anfangsgründe*, which gives an extensive explanation of the problem from Zincke's point of view.<sup>150</sup>

Even the works of Johann Gottlob von Justi (1720-1771),<sup>151</sup> who can be ranked together with Sonnenfels as the most important cameralist of the

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<sup>149</sup> *Ibidem* II, p. 485.

<sup>150</sup> Cf. Bergius, *Policey= und Cameral=Magazin* I, pp. 82-86; and Zincke, *Anfangsgründe* II, pp. 1051ff.

<sup>151</sup> Johann Heinrich Gottlob von Justi was born in 1717 in Brücken near Sangershausen as the son of a lower financial administrator. After having studied law in Wittenberg from 1742 until 1744, Justi worked as an editor of a journal as well as a secretary to an officer. In 1747 he became councillor at the small court of Sangershausen, before he went to Vienna in 1751 to be lecturer at the *Ritterakademie* there for rhetorics and cameralistic sciences. Three years later he left Austria and then held different administrative and teaching posts in Göttingen, Denmark and Prussia, which usually ended up in chaos, dishonourable dismissal and poverty. 1768 Justi was imprisoned at the Prussian fortress Küstrin on a charge of embezzlement as an inspector of the mining industries of the *Neumark*; cf. Dittrich, *op. cit.*, pp. 103f; Frensdorff, *Über das Leben und die Schriften des Nationalökonomen J.H.G. Justi*.

second half of the 18th century,<sup>152</sup> in many respects echo Zincke's discussion of court economy. On this point, at least, Justi could indeed be called Zincke's disciple.<sup>153</sup>

The approach of his *Staatswirtschaft* (first edition 1755) is very familiar to a reader of Zincke's text. He too only treats of the court when dealing with state expenditure, which is also primarily seen in terms of classification.<sup>154</sup> Again the degree of necessity should decide which expenses have priority.<sup>155</sup> Court costs a given a very high degree of necessity; in fact they are ranked second only to military expenses:

"There is no doubt that expenditure on the person and family of the ruler, and on the court required for their attendance, must hold the first position among state expenses, once external and internal security has been taken care of by a sufficient army."<sup>156</sup>

Exactly as does Zincke, Justi allows the general rules of state expenditure to be suspended where court expenses are concerned. Normally money must not flow out of the country, meaning that the import of foreign goods has to be avoided. But again court consumption is an exception to this rule, as the decorous standard of pageantry necessary can only be achieved by the use of products from abroad.<sup>157</sup> This, however, is not the only mention of decorum as an important factor. When the different items of court costs are discussed, their necessity is mostly stated in terms of decorum or honour. This applies, for example, to building and furnishing expenses<sup>158</sup> as well as to costs caused by the maintenance of court servants<sup>159</sup> and the guard.<sup>160</sup>

There is, however, a remarkable passage on the "expenditure on dress and jewelry of the ruler and his children", where the argument of decorum is deliberately rejected. Justi writes:

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152 Cf. eg. *Tribe*, op. cit., especially p. 55.

153 *Dreizel*, op. cit., p. 158.

154 *Justi*, *Staatswirtschaft* II, especially pp. 519-526.

155 *Ibidem* II, pp. 487ff.

156 *Ibidem* II, p. 560: "Es ist gar kein Zweifel, daß der Aufwand für die Person und Familie des Regenten, und die zu ihrer Bedienung erforderliche Hofstatt, unter den Ausgaben des Staats nicht die erste Stelle einnehmen müßte, so bald die Sicherheit von außen und innen durch ein zureichendes Kriegsherr besorget ist."

157 *Ibidem* II, pp. 482ff.

158 *Ibidem* II, pp. 570f.

159 *Ibidem* II, p. 572.

160 *Ibidem* II, p. 579.

"One cannot disregard the decorum and high dignity of the ruler concerning these things. But nowadays one begins to accept the principle that the rank of the ruler is so exalted that he does not need this outward lustre, at least not daily".<sup>161</sup>

But this reproach remains isolated within the *Staatswirtschaft*, which anyway cannot be praised for consistency. Nevertheless this statement is one of the rare examples of a major mid-18th-century cameralist explicitly admitting his doubts that any item of court consumption could still be justified by referring to decorum. A general scepticism of ceremonial and pageantry<sup>162</sup> is, however, uttered by the author on several occasions.<sup>163</sup>

Nor are Justi's thoughts on court economy particularly original. He suggests strict control of the court servants to prevent petty theft from the kitchen,<sup>164</sup> and assumes that some items of court costs could have positive effects on the domestic economy. The installation of an opera house might attract foreigners who spend a considerable amount of money in the given country,<sup>165</sup> and the ordering of works of art and construction activities might help circulate money, unless other sorts of public expenses could not do this job more efficiently.<sup>166</sup>

Though Justi in general seems to be quite sceptical that court consumption might possibly have a healthy economic impact, he does not discuss this question more thoroughly. This reluctance is, however, completely compatible with the structure of his chapter on court economy, which, even more than the pertinent parts of Zincke's works, gives little information beyond the naked classification of the different items. Nor does it contain concrete advice on how a court can actually be administered in the most economical way - a deficiency rather common in cameralistic books.

There is, however, at least one interesting exception to this: Johann Christoph Erich von Springer's manual *An einen teutschen Hofmarschall*, published in 1774. This work is not only one of the few monographs exclusively on court matters, but is also especially important, in that it presents a program for their financial and economic management, which is relatively simple and coherent compared to other cameralistic suggestions. Springer's book was planned as the first of altogether five parts, which

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<sup>161</sup> *Ibidem* II, p. 564: "Man kann die Wohlanständigkeit und die hohe Würde des Regenten in diesen Dingen nicht ganz außer Augen setzen. Allein, man fängt nunmehr von selbst an den Grundsatz anzunehmen, daß der Stand des Regenten dergestalt erhaben ist, daß er dieses äußerlichen Schimmers, wenigstens täglich, gar nicht bedarf." Cf. also Pfeiffer, op. cit., p. 362.

<sup>162</sup> Cf. also Holenstein, Huldigung und Herrschaftszeremoniell, p. 43.

<sup>163</sup> Cf. e.g. Justi (ed.), Deutsche Memoires II,1, pp. 306ff and II,2, pp. 184ff; *idem*, Vergleichenungen der Europäischen mit den asiatischen Regierungen, especially pp. 61ff and 98ff.

<sup>164</sup> *Idem*, Staatswirtschaft II, pp. 567f.

<sup>165</sup> *Ibidem* II, p. 575; cf. also p. 578.

<sup>166</sup> *Ibidem* II, p. 586; cf. also p. 576.

were to make up a comprehensive account of all financial affairs of the state.<sup>167</sup>

**Figure 12:** The title page of Springer's *An einen teutschen Hofmarschall* (1774)



By the vignette on the title page, court economy is symbolized as a horn of plenty. Except for this iconographic eye-catcher, the book, however, contains few passages that explicitly suggest that court consumption might have a healthy economic impact.

Springer (1727-1798)<sup>168</sup> opens his book with an introduction which explains "why economy of expenditure is more necessary than economy of

<sup>167</sup> Springer, *An einen teutschen Hofmarschall*, Zur Erklärung des Titelblatts; the following works belong to Springer's mentioned project: *An einen deutschen Lehensprobst* (1776); *An einen teutschen Policey=Präsidenten* (1777); *An einen teutschen Kammer=Präsidenten*, 3 vols. (1775-77); cf. Humpert, *Bibliographie*, pp. 627, 702, and 962.

<sup>168</sup> Johann Christoph Erich Springer was born in Schwabach in 1727. Despite a lack of formal education, Springer, who always remained proud of his autodidactic education, worked as a lawyer in Anspach and Nuremberg. After 1761 he was appointed member of the chamber of Brandenburg-Andbach, which he left in 1767 to teach cameralism as Justi's successor in Göttingen. In the following three decades he was

income".<sup>169</sup> Although in principle he admits that public expenses are an indispensable means of keeping money circulating within the economy of a territory,<sup>170</sup> Springer is convinced that, given the actual financial distress of most German princely states, the main task of a cameralist was to present ways of saving money.<sup>171</sup>

His *Hofmarschall* shows how this goal could be achieved within the court sphere. His patent remedy was quite simple. The court should only appear on the market in the role of a normal consumer buying there whatever goods it needed. Any economic activity beyond purchase ought to be given up, so that farms, gardens or workshops owned and administered by the court itself should be abolished. On the one hand this would prevent the court staff from dealing carelessly or even criminally with public funds, and on the other promote the business affairs of the subjects.<sup>172</sup>

Springer's book, therefore, mainly presents the different aspects of court life together with the products they required,<sup>173</sup> and he did not tire of pointing out that these products could be supplied on the best terms by private contractors. His approach hence is much more "economic" in the strict sense than that of the other cameralists, which is underlined by the fact that any lengthy treating of decorum does not take place in the *Hofmarschall*.

There is, for example, a whole chapter "on the magnificence of the courts called splendour" ("*Von der Pracht der Höfe, was man Splendeur nennt*"),<sup>174</sup> that does not only avoid any deeper discussion of its justification, but moreover frankly states: "Properly splendour has no place within cameralistic science."<sup>175</sup> Obviously Springer simply takes a certain standard of pageantry for granted and so he only gives a single rule: "The chamber (...) only has to see to it that the expenditure for the splendour remains within the country as much as possible."<sup>176</sup> It must however again be emphasized that Springer's book is an extraordinary exception to the

offered several academic and administrative posts, and Springer ended his career as a professor of *Staatswissenschaften* and accounting at the university of Rinteln, where he eventually became president of the law faculty; cf. *Allgemeine deutsche Biographie*, vol. 35, p. 318; *Deutsches Biographisches Archiv*, microfiche no. 1206, pp. 342ff.

<sup>169</sup> Springer, *An einen teutschen Hofmarschall*, pp. 1-26 = Einleitung ("*Wieferne ist die Wirthschaft der Ausgaben nothwendiger als die Wirthschaft der Einnahmen*").

<sup>170</sup> *Ibidem*, especially pp. 3ff.

<sup>171</sup> *Ibidem*, especially pp. 7f; cf. also the similar statement in *Justi*, op. cit. II, p. 586.

<sup>172</sup> Springer, op. cit. e.g. pp. 76, 78ff, 84f, 90, 92ff, 128 and more often.

<sup>173</sup> *Ibidem*, see e.g. *Zusammenhang des Inhalts*.

<sup>174</sup> *Ibidem*, pp. 331-385 = 6. Abschnitt.

<sup>175</sup> *Ibidem*, p. 331: "*Der Splendeur hat eigentlich in der Kameralwissenschaft seinen Sitz nicht.*"

<sup>176</sup> *Ibidem*, p. 331: "*Die Kammer hat (...) nur dafür zu sorgen, daß der Aufwand für den Splendeur so viel möglich im Lande bleibe.*"



rule. Normally the cameralistic texts on court economy were characterized by a wavering between financial resources and decorum as the main factors setting the standards of court life.

Neither of these two factors was, however, convincingly grasped by the cameralists, let alone defined quantitatively. None of their writings ever dared to state how great court costs could become without damage to the territorial economy and the public budget. Justi on one occasion does advise that the four classes of the "civil budget" ("*Civiletat*"), comprising privy purse, court costs, diplomatic expenses, and salaries of the state officials, should only add up to one third of the whole state expenditure, thus giving at least a slight idea on the intended relative weight of court costs.<sup>177</sup> Other precise data cannot be found in the books of the 18th-century cameralists.

But what was required by decorum was even more difficult to claim. By its very definition decorum was dependent on the rank of the person concerned; it had to be "*standesmäßig*".<sup>178</sup> As for court decorum, however, there was the problem that the features of court life were ultimately determined by the prince. But the ruler was without any political and social competition within his country, so that no real compeers existed to serve as a proper model for his and the court's decorum. Thus the dilemma arose

"that a potentate did not have to observe any decorum in his country, because in that very place he has no equals, as his spouse and princes are also subjects, though the highest ones, and because moreover he does not even need decorum as a means of acquiring favour."<sup>179</sup>

With respect to his own country and subjects, the prince could not dispose of a true measure to show him what kind of court fitted his *Wohlstand*. On the one hand therefore the concept of decorum required a befitting court for the prince to express his superior rank, but on the other hand it did not provide him with a proper standard of court life.

This dilemma is, for example, expressed in the following passage which states again that the decision of what kind of court suited his rank was left to the prince himself, who

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<sup>177</sup> Justi, Kurzer systematischer Grundriß, pp. 360ff; cf. also *idem*, Staatswirthschaft II, p. 525.

<sup>178</sup> Cf. e.g. *idem*, Staatswirthschaft II, p. 571.

<sup>179</sup> Zedler, Universal-Lexicon, vol. 58, p. 87: "*Daß ein Potentat in seinem Lande keinen Wohlstand zu beobachten habe, indem er daselbst nicht nur niemanden, als seines gleichen hat, weil auch seine Gemahlin und Printzen, obwohl die höchsten Unterthanen sind; sondern auch eben nicht nöthig hat, sich durch dieses Mittel eine Gunst zu erwerben.*"

"calculates (...) what he annually needs for his person and family and for the maintenance of a proper court according to his rank (*Standesmäßig*). He dismisses any superfluous and costly entertainment, and only accepts what fits the rank, the court and the circumstances".

This remark is taken from Johann Heinrich Jung-Stilling's (1740-1817)<sup>180</sup> *Lehrbuch der Finanz-Wissenschaft* published in 1789,<sup>181</sup> which was reviewed one year later in the *Allgemeine deutsche Bibliothek*. The anonymous critic points out that this passage did not say anything, since *standesmäßig* cannot be defined bindingly. The meaning of this term is relative, and changes over the course of history.<sup>182</sup>

The quotation from Jung-Stilling's book moreover confirms a second thing. It proves again that the power of definition of which level of court life was in accordance with decorum and necessity lay exclusively with the princes themselves and not with the cameralists.

### 3. The Inconsistency of Cameralistic Court Economy

The prevalence of decorum in the context of court economy hence resisted all efforts of the cameralists to develop binding criteria for the adequate management of court affairs. It did so by destroying the theoretical consistency of cameralism as a whole. In principle cameralism rested on a functional approach in that it considered the different social groups according to their respective functions in early modern society and polity.<sup>183</sup> In that respect Becher's influential *Politische Discurs* set the tone of the entire doctrine. In his case social differentiation was not carried out according to the traditional estates, which were first of all defined legally, but by distinguishing three functional classes, which formed the "*Gemeind*". Then there was the "*Obrigkeit*", which supplied the institutional framework for the *Gemeind's* economic activities.<sup>184</sup>

In later cameralism, i.e. after 1740, one field in particular was subjected to such a functionalist view, namely financial science. Public expenses

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<sup>180</sup> Johann Heinrich Jung-Stilling was born in Grund near Siegen in 1740 as the son of a peasant and charcoal-burner. He studied medicine at the university of Strasbourg from 1770 until 1772, having already worked as a taylor and an elementary teacher and gained a reputation as a leading pietist. In 1772 he became a doctor in Elberfeld and six years later professor of economics and cameralistic sciences in Kaiserslautern, then in Heidelberg and Marburg. In 1806 he was appointed court councillor of Baden; cf. *Allgemeine Deutsche Biographie*, vol. 14, pp. 697ff; *Dittrich*, op. cit., pp. 116.

<sup>181</sup> *Jung-Stilling*, op. cit., p. 20.

<sup>182</sup> Cf. Review of Jung-Stilling, *Lehrbuch*, pp. 230f.

<sup>183</sup> Cf. especially *Walker*, Rights and Functions.

<sup>184</sup> *Becher*, op. cit., pp. 4ff.

were ordered according to priority, which again sprang from different degrees of indispensability. The single items were correspondingly evaluated according to how far they contributed to the economic prosperity of the given territory. In general however one item was largely exempted from this strictly utilitarian reasoning. It was suspended as soon as the court and its economy came into play. Neither the rule of priority nor the ban of foreign goods were valid in their case. Decorum was responsible for this inconsistency, since a decorous degree of court splendour required violation of these rules.

How far decorum overruled economic reasoning proper becomes clear if one looks at the two other main arguments put forward by the cameralists in favour of court consumption. According to them court splendour could be justified in economic terms because it offered employment and brought back into circulation the money collected by the state in the form of taxes etc.<sup>185</sup> These healthy effects on the territorial prosperity were dependent on the precondition that the court demand was satisfied above all by domestic suppliers. But exactly this prerequisite was suspended by decorum which not only allowed, but also called for the purchase of foreign imported luxury goods. Obviously decorum was incompatible with the maintenance of truly cameralistic principles of spending policy.

Under this circumstance court expenditure could not be integrated into the construction of cameralistic financial science without considerable conceptual frictions. Since the decision of which level of pageantry was decorous and necessary was moreover left to the princes, court economy tended to be determined by the values of the court society itself, without effective interference or control on the part of the financial experts. Thus an exclusively economic view of the courts was virtually impossible.

The consequences can be easily found in the cameralistic writings. They hardly contained any economic and financial advice on the management of the courts, which on the other hand could not be justified on economic grounds. Cameralism therefore proved to be unable to generate an economic legitimization of the court society. Instead it resorted to non-economic arguments.

The reasons and consequences of this failure of the cameralists to convincingly grasp the problem of court economy with the help of genuinely cameralistic categories will be discussed in detail in the following chapter V.

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<sup>185</sup> The circulation argument was especially emphasized by *Schröder*, op. cit., pp. 27f and 47; and *Springer*, op. cit., pp. 3ff.

## Chapter V

### The Dilemma of the Cameralists at Court

The three previous chapters have shown that the field of court and court economy was worked on by three different discourses. *Zeremonialwissenschaft*, *Hausväterliteratur* and *Kameralismus* however all dealt with different aspects and therefore this common competence caused considerable problems, since at least the oeconomic conception and ceremonial science on the one hand, and cameralism on the other rested upon irreconcilable principles.

Neither could this gap be overcome by scholars like Julius Bernhard von Rohr or Friedrich Carl Moser, whose works covered all three approaches. Rohr, one of the classical authors of ceremonial science, also wrote the *Haußhaltungs=Bibliothek* (first edition 1716), a book marking the threshold between the oeconomic art of householding and the political economy of 18th-century cameralism.<sup>1</sup> Moser's *Hof=Recht* can also be seen as belonging to the ceremonial and the broader oeconomic discourse, but at the same time it comprises a cameralistic account of court economy. Neither of these two authors, however, succeeded in constructing a theory which consistently and convincingly combined these elements.

But to a certain degree the very way in which Zincke and his successors discussed court economy in their treatises acknowledged that cameralism had no monopoly on this question. The pertinent passages are characterized by an integration of ceremonial and oeconomic aspects into cameralism. The court was dealt with in the context of state expenditure as a whole, for which all cameralists stated genuinely cameralistic rules, which had to ensure that any expense was made in accordance with the capacities of the public budget and of the territorial economy: hence the concern with the degrees of necessity, with the imports of foreign goods etc.

The concrete administration of state expenses had to follow these rules in order to achieve a healthy state of *Staatswirtschaft*. This implied the mutual well-being of the subjects and the prince, and the latter had to observe the interests of his subjects in financial matters as well. He had the right and obligation to maintain his own power, but only in a way that promoted his subjects. Therefore special laws of state economy had to be obeyed; and it was these which they were the real business of the cameralists.<sup>2</sup>

Court costs were, however, a part of state expenditure, and they made up a special item possessing its own rules, which differed from the general

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<sup>1</sup> Rohr, *Haußhaltungs-Bibliothek*.

<sup>2</sup> Cf. e.g. Zincke, *Grund-Riß* II, especially pp. 347ff; *Justi*, *Staatswirtschaft* II, especially pp. 476ff.

ones.<sup>3</sup> Within the realm of court, questions of decorum and ceremonial were so important that the simple application of cameralistic rules, being based on the criterion of the usefulness of expenses, was impossible. With regard to court economy the cameralistic rules were overruled by the laws of ceremonial science.

One component of court expenditure, on the other hand, was the privy purse (*Chatouille*), which was always regarded by the cameralists as the very private expenses of the prince, made not in his capacity as a prince, but as a private person.<sup>4</sup> Hence with respect to this item the prince was neither bound to the rules of state expenditure, calling for the common weal, nor of court expenditure in general, dominated by decorum. The prince could use this money for his personal benefit, without thinking of his people or of ceremonial. Therefore the same rules were valid for the privy purse as for a private household. In other words: traditional economics could also interfere.

Court economy was thus in a systematic position characterized by the overlapping of three different discourses. In a way it formed their intersection. In most cameralistic texts this theoretical triangle was, however, largely reduced to the opposition of ceremonial and cameralistic sciences, due to the minor importance of the *Chatouille* and the general decline of *Hausväterliteratur* in 18th-century Germany. As, moreover, the private expenses of the prince were not considered in the context of *Staatswirtschaft* proper as a special topic, cameralistic reasoning on court economy was influenced above all by the respective relationship of *Zeremonial-* and *Kameralwissenschaft*. This relationship forms the subject of the present chapter. First the reasons why the cameralists tried to integrate ceremonial science into their works will be explained and then why this attempt was bound to fail.

## 1. The Institutional Vulnerability of the Cameralists

Besides the concern for the dignity and becoming conduct of a prince, which has been summed up under the heading of decorum in the previous chapter, there is a second argument in the cameralistic texts which confirms the necessity of a decent court.

Zincke's *Anfangsgründe*, for example, contain the following remark on the purpose of a splendid court life:

"It is required by the reputation of a ruler and of those that under him have the government in their hands, so that sensous people are reminded by sensory things of his high rank and his power, or at least restrained from contempt, his rights and obligations are exercised emphatically, his orders observed more willingly, his

<sup>3</sup> Cf. e.g. Zincke, op. cit. II, pp. 438ff; *Justi*, op. cit. II, pp. 560ff.

<sup>4</sup> Cf. e.g. Zincke, op. cit. II, pp. 8ff and 458f; *Justi*, op. cit. II, pp. 100f and 561ff.

commanders and ministers (...) shyed at and revered, his enemies deterred, the strangers (...) enticed to esteem and love (...)."<sup>5</sup>

Variations on this theme can be found elsewhere, for instance in the *Staatswirtschaft* of Justi, who more simply claims: "The great idea that the subjects get of their ruler requires something external."<sup>6</sup> Even Johann Paul Harl's *Vollständiges Handbuch* from 1820 still speaks of the prince's "reputation, which has to affect the outward senses of the people".<sup>7</sup>

These remarks, and especially the more elaborate passages in Zincke's works,<sup>8</sup> clearly echo those reasonings of ceremonial science that deal with how the courts are to be justified. They again take up the argument of Christian Wolff, to whom courts were indispensable elements of princely rule in that they made clear to the common uneducated people the social rank and political power of the ruler.<sup>9</sup> Via Zincke's influential texts this point, so prominent within the works of Johann Christian Lünig and Julius Bernhard von Rohr, gained access into the cameralistic conceptions of the second half of the 18th century.

This adoption was all the more relevant as it supplied cameralism with a comprehensive legitimization of court life that could not be constructed out of cameralistic principles as such, since the economic consequences of court life had never been undisputed. In other words: the cameralistic writers had to borrow concretely from ceremonial science, because they were at a loss for a convincing argument in favour of court splendour. The link between the ceremonial and the cameralistic discourse could even be a mutual one, as the cases of Zincke and Friedrich Carl Moser confirm: Moser's version of ceremonial science aimed at a complete understanding of all aspects of court life, the economic aspect included. His *Hof=Recht* thus contained a chapter on court economy, and largely it consisted in long

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<sup>5</sup> Zincke, *Anfangsgründe* II, p. 1440: "Das Ansehen eines Regenten und dererjenigen, die unter ihm die Regierung in Händen haben, erfordern solches, damit die sinnlichen Menschen seines hohen Ranges und seiner Macht durch sinnliche Dinge erinnert, oder wenigstens von der Verachtung abgehalten, seine Rechte und Pflichten mit Nachdruck ausgeübet, seine Befehle desto williger befolget, seine Befehlshaber und Ministers (...) gescheuet und verehret, die Feinde erschrecket, die Fremden (...) zur Hochachtung und Liebe gereizet (...) werden." Cf. also *idem*, *Grund-Riß* II, p. 465.

<sup>6</sup> Justi, *Staatswirtschaft* II, p. 582: "Die große Vorstellung, die sich die Unterthanen von ihrem Regenten machen, erfordert allerdings etwas Aeußerliches."

<sup>7</sup> Harl, *Vollständiges Handbuch der Staatswirthschaft*, p. 84: "das Ansehen (das bei dem Volke auf die äussern Sinne wirken muß)".

<sup>8</sup> Zincke, *Anfangsgründe* II, pp. 1440ff; *idem*, *Grund-Riß* II, pp. 465ff.

<sup>9</sup> Cf. on this point also *Holenstein*, *Huldigung und Herrschaftszeremoniell*, pp. 32ff.

quotations from Zincke's *Grund-Riß*,<sup>10</sup> which was praised by Moser for its thoroughness.<sup>11</sup>

Zincke's *Anfangsgründe*, published just after the *Hof=Recht* in 1755, in turn referred to Friedrich Carl Moser's book several times. As Zincke had worked out the importance of decorum and fashion for court economy, his system required at least a brief discussion of these topics, which could be done most easily by mentioning the writings on ceremonial science. Consequently Zincke did not only speak of the most recent contribution - which was Moser's *Hof=Recht* - in the *Anfangsgründe*,<sup>12</sup> but even advertised it in his magazine *Leipziger Sammlungen*. He pointed out its usefulness for the cameralists by saying:

"A cameralist finds among the matters of expenditure (...) also court expenses, and in order to arrange them wisely and in accordance with true financial maxims, he has to understand the court",

an aim that could be achieved by reading the *Hof=Recht*.<sup>13</sup>

According to Zincke, a cameralist was sufficiently prepared to act in a court setting, when he combined his own abstract classification of court expenditure as it was presented in the *Grund-Riß* with the concrete picture of court life as it was presented in Moser's *Hof=Recht*:

"In the second part of Zincke's *Grundriß* court expenses are specified rather abstractly, and this could be used (...) to apply the above-mentioned legal knowledge to it, in order to comprehend better the reason for these expenses (...)." <sup>14</sup>

Apparently a good cameralist had to rely on the knowledge of ceremonial science (or, in the case of Moser, court law) to cope with court matters. Thus Zincke clearly recognized the need of the cameralists for instructive works on ceremonial science, once they were dealing with the economic side of the courts.

The readiness of the cameralists to integrate the rules of ceremonial science in particular into financial science requires an explanation however. For it implied, after all, a lack of systematic coherence, if the few, though

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<sup>10</sup> Friedrich Carl Moser, *Teutsches Hof=Recht* I, pp. 154-159, 164f, 167ff.

<sup>11</sup> *Ibidem*, Vorrede.

<sup>12</sup> Zincke, *Anfangsgründe* II, pp. 1297, 1422 and especially 164.

<sup>13</sup> *Idem*, Nachricht, p. 164: "Ein Cameralist findet unter seinen Geschäften der Ausgabe (...) auch die Hof-Ausgaben, und muß, um dieselben klug und nach ächten Finanz-Maximen einzurichten, den Hof-Staat verstehen."

<sup>14</sup> *Ibidem*, pp. 165f: "In dem II Theil des Zinckischen Grund-Risses sind die Hof-Ausgaben in abstracto ziemlich specificiret, und eben diese würde (...) dienen können, die bisher gedachte Rechtliche Einsicht darauf anzuwenden, und also den Grund dieser Ausgaben (...) besser einzusehen."

admittedly quite simple, maxims of cameralistic financial reasoning were supplemented by the idea of decorum, which stemmed from a different context.

The most obvious reason accounting for this theoretical inconsistency lies in the social and institutional position of the cameralists, which again is rooted in the specific features of the public and the political culture in early modern Germany. Like any other debate with political implications in 17th and 18th-century Germany, the discourse on the court and court economy took place within a small intellectual élite, that was closely associated with the princely states of this period. Unlike, for example, in France or England there was no sphere of intellectual discussion and intercourse autonomous from the state, since all the participants belonged to its functionaries.

On the one hand, the German book-market was not yet developed enough to maintain more than a handful of free-lance authors, who moreover wrote fiction rather than political tracts.<sup>15</sup> On the other hand, the German universities never lost their intellectual hegemony. As they were all under strict state supervision and were mainly responsible for the supply of well-trained officials, this meant that in Germany the intellectual and administrative élite largely merged.

The political discourse was borne by members of the state apparatus itself.<sup>16</sup> Their whole social position outside, or rather beyond, the traditional order of the estates<sup>17</sup> was moreover exclusively owing to their participation in the exercise of political power. Therefore it is not surprising that calls for a fundamental reform of the political system were hardly heard from their ranks.<sup>18</sup> Criticism was mostly limited to the poor degree of administrative efficiency of the territories, the principal legitimation of monarchical rule and of the princely states being beyond question.<sup>19</sup>

The concrete relations between the princely employers and their civil servants could of course develop in different directions in the numerous German countries.<sup>20</sup> Whereas the Prussian bureaucracy managed to achieve a *de facto* "emancipation from monarchical autocracy" during the second half of the 18th century,<sup>21</sup> its counterpart in contemporary Baden remained under the firm grip of margrave Karl Friedrich (1738-1803).<sup>22</sup>

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<sup>15</sup> *Ungern-Sternberg*, Schriftsteller und literarischer Markt, especially pp. 134ff; cf. also *Haferkorn*, Der freie Schriftsteller.

<sup>16</sup> Cf. e.g. *Gerteis*, Bürgerliche Absolutismuskritik, pp. 25 and 204.

<sup>17</sup> *Wunder*, Sozialstrukturen der Geheimratskollegien, pp. 215 and 220.

<sup>18</sup> *Epstein*, Genesis of German Conservatism, pp. 52ff; *Blanning*, Reform and Revolution in Mainz, pp. 13ff.

<sup>19</sup> *Gerteis*, op. cit., p. 187.

<sup>20</sup> Cf. e.g. *Martino*, Barockpoesie, Publikum und Verbürgerlichung der literarischen Intelligenz, p. 130.

<sup>21</sup> *Rosenberg*, Bureaucracy, Aristocracy and Autocracy, pp. 175ff.

<sup>22</sup> *Liebel*, Enlightened Bureaucracy, pp. 21ff, especially 27ff.



These two examples make it clear that the political strength of the administrative staff *vis-à-vis* the ruler had nothing to do with the latter's adherence to the ideals of enlightenment. Friedrich II of Prussia as well as Karl Friedrich can both be counted among paradigmatic princes of "enlightened absolutism" in Germany.<sup>23</sup> Both likewise insisted on the political prerogatives of ruling princes. The growing weight of the Prussian administration compared to the king's was instead caused by the number of administrative acts and decisions that had to be undertaken due to the sheer scale of the affairs of a rising great power. Baden, in contrast, was a small political unit, which could more or less be run by one person, if he was in control of the few necessary channels of information. In other words, the potential personal power of a ruler and his command over his administration was, so to speak, in proportion to the smallness of his territory.

Hence the members of the bureaucracy had to take into account the personal wishes of the given ruler in the majority of the German principalities. Equally important were those people who possessed direct and steady access to him; thus the interests of the court, at least of single influential courtiers, also played a role.

The impact of court affairs on administrative matters was also increased by the growing re-aristocratization of the higher offices that had taken place since the middle of the 17th century. While previously jurists of bourgeois origin had predominated, e.g. in the privy council (*Geheimer Rat*), in most territories in the 16th century,<sup>24</sup> after the Thirty Years' War they were thrust into the background by noble officials.<sup>25</sup> In the 1770's Karl Friedrich of Baden, for example, expelled all commoners from his privy council.<sup>26</sup>

The careers of the noblemen in the central administration had, however, largely begun at court. An examination of the conditions in the Protestant states in South Germany (Baden-Durlach, Brandenburg-Anspach, Brandenburg-Bayreuth, Hesse-Darmstadt and Württemberg) between 1660 and 1720 has shown that 85 % of the noble privy councillors had previously been courtiers.<sup>27</sup> Thus the rationality of the court society was certainly not without influence inside the administrative staff itself.<sup>28</sup> The members of the 18th-century bureaucracy definitely had to carefully avoid any offence or neglect of what was regarded essential at the courts of their time.<sup>29</sup> If

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<sup>23</sup> Cf. e.g. *Birtsch*, *Der Idealtyp des aufgeklärten Herrschers*.

<sup>24</sup> Cf. e.g. *Martino*, *op. cit.*, pp. 126ff.

<sup>25</sup> *Stolleis*, *Pecunia Nervus Rerum. Zur Diskussion um Steuerlast*, p. 106; *Lampe*, *Aristokratie, Hofadel und Staatspatriziat I*, p. 216ff; *Wunder*, *op. cit.*, pp. 213f.

<sup>26</sup> *Liebel*, *op. cit.*, pp. 31f.

<sup>27</sup> *Wunder*, *op. cit.*, p. 176; supplementing data can be found in *Martino*, *op. cit.*, especially pp. 137ff.

<sup>28</sup> *Wunder*, *op. cit.*, p. 155; cf. also *idem*, *Hof und Verwaltung*, pp. 201ff.

<sup>29</sup> The psychological strain exercised on bourgeois court members, especially on extremely talented ones, by the social superiority of noble courtiers has been

the management of the territorial affairs was to be pursued successfully, this could hardly have been done in the face of an entirely hostile court.<sup>30</sup>

This of course also applies to the cameralists, who normally were either university teachers - responsible for the training of future state officials - or state officials themselves. Hence they strived not to alienate influential members of the court sphere, let alone the prince himself, by contesting the very foundation of their lifestyle, i.e. court rationality. For this reason they had to take into account ceremonial science with its legitimization of court life. The reference to decorum etc. thus is an indicator of the cameralists' weak position compared to the courtiers', who in a sense remained the actual decision-makers within the state apparatus throughout the 18th century.

The legal status of the administrative staff was characterized by the fact that its official duties were much more fixed than its rights face to face with its princely employer.<sup>31</sup> Once a member of the administration had fallen into disgrace with his ruler, he could easily be dismissed. The same holds true of the academic sector. State intervention against a lecturer who taught knowledge not in accordance with the view of the prince was quite usual. Especially during the period discussed here, the universities were strictly controlled by the princely administration, above all those subjects that served for the education of future state officials, e.g. cameralistic sci-

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described by Norbert Elias using the example of Mozart with great empathy. His conclusions might be valid also for bourgeois members of the administration in touch with the court sphere; *Elias*, Mozart, pp. 18ff, especially 24ff. *Liebel*, op. cit., pp. 31f reports a tell-tale event: The bourgeois members of the privy council were ordered to wait in the antechamber during the sessions of the *Geheimes Kabinett*, which exclusively comprised noblemen, to be communicated the decisions of the latter. This treatment was obviously regarded as a humiliation at least by the bourgeois privy councillor Seubert, who dared to complain about it to margrave Karl Friedrich in person. See also *Gerteis*, Bürgerliche Absolutismuskritik, p. 168.

30 A member of the financial administration trying to curb court costs might of course also have to overcome the cautiousness and resistance of his colleagues. Ample illustration is the case of Johann Christian Teichs (1746-1827). Coming from an impoverished family, Teichs managed to enter into the civil service of the duchy of Brunswick-Wolfenbüttel in 1763 due to his competence and efficiency - he was said to be "skilled in arithmetics" (*"im Rechnen gut versiert"*). Ten years later he was appointed auditor of the *Finanzkolleg*, which had been established in 1773 to solve the desperate financial situation of the deeply indebted principality. Since a great deal of these problems was caused by the personal and court expenses of duke Karl (1735-1780), Teichs suggested a drastical reduction of court costs, saving about 20,000 T. These propositions were however not accepted by his superiors, who probably thought them too radical; cf. *Deeters*, Das erste Jahrzehnt, especially pp. 104f and 113ff.

31 *Willoweit*, Entwicklung des öffentlichen Dienstes, p. 347; *Wunder*, Privilegierung und Disziplinierung, pp. 19f.

ences.<sup>32</sup> From this point of view the situation on the theoretical level, i.e. the integration of ceremonial science into cameralistic reasoning, simply reflected the real balance of power within the German princely states.

The dependent status of the state officials in general might especially have been felt by the cameralists in particular, who were representatives of a somewhat controversial science not yet established fully in either academic or administrative terms.<sup>33</sup> In the eyes of many contemporaries, they often seemed to belong to "a political type marked at the time with epithets like 'project makers', 'coin clippers', 'plus makers', 'wind puffers': political impresarios who came tempting governments with financial schemes for increasing their wealth and power".<sup>34</sup>

The unsteadiness of their position within the German territories was moreover no abstract threat, but a reality to be experienced by some of the most important cameralistic writers, as the biographies of e.g. Becher, Schröder, Carl, Zincke, Justi and Pfeiffer tell. They all led unstable and rather itinerant lives, for they had only short-lived success at their different administrative and teaching posts. Their uncertain position determined the common pattern of their careers which resemble the biography of a courtly gentleman of fortune like the count Cagliostro rather than the sober life of an established scholar.

Within this context a comparative view on the careers of the Austrian cameralists Johann Joachim Becher, Philipp Wilhelm Hornigk and Wilhelm von Schröder is quite revealing. These three men shared certain characteristics: They belonged to the same generation; they had fathers who had worked as state officials; they were all converted Catholics,<sup>35</sup> and thus they could enter the civil service of the Austrian monarchy. Finally they knew each other personally.<sup>36</sup> In spite of these common traits, however, their biographies differ from each other, and these differences shed a light on the social restrictions they were subjected to.

Johann Joachim Becher (1635-1682) is a typical example of the learned adventurer who offered various economic, alchemical and colonial projects to the courts of his time.<sup>37</sup> After having travelled through Sweden, Italy and the Netherlands,<sup>38</sup> Becher came to Mayence in the late 1650's, where he converted to Catholicism and married the daughter of the physician and professor Ludwig von Hornigk, who had become Catholic some ten years

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<sup>32</sup> *Reiner Albert Müller*, *Geschichte der Universität*, pp. 58ff.

<sup>33</sup> The study of law, and not of cameralistic science(s), became the formal precondition for higher state offices; cf. *Bleek*, *Von der Kameralausbildung zum Juristenprivileg*, especially pp. 95ff and 286ff.

<sup>34</sup> *Walker*, *Johann Jakob Moser*, p. 200.

<sup>35</sup> Hornigk however did not convert personally because his father had already done so in 1647: *Brauleke*, *Leben und Werk*, p. 7.

<sup>36</sup> On their relationship cf. *Hassinger*, *Johann Joachim Becher*, pp. 174ff.

<sup>37</sup> *Ibidem*, e.g. p. 251.

<sup>38</sup> *Ibidem*, pp. 12ff.

earlier. At first Becher was quite successful there in professional terms also, since he was appointed personal physician to the elector Johann Philipp von Schönborn and medical teacher at the university. But after some years in the archbishop's service, Becher felt disappointed in the declining princely interest in his affairs, and he left Mayence for Munich.<sup>39</sup>

This change is only one example of a certain pattern of Becher's career: at the beginning he was able to win the favour of a princely employer by suggesting profitable economic projects and measures, but he soon came into conflict with influential figures at the given court and subsequently fell into disgrace with the prince, as *mutatis mutandis* was the case in Mannheim, Munich, Hanau and Vienna. According to Johann Jakob Marperger, a contemporary writer especially on trade matters, Becher's fate was due to the fact "that he could not adopt to court politics".<sup>40</sup>

For a certain period, from c. 1666-1676, however, Becher decisively influenced the economic policy of the Austrian monarchy. He suggested the establishment of the *Kommerzkolleg*, which was intended as the central planning agency for the industries of the Hereditary Lands, and of several manufactories and trading companies.<sup>41</sup> But as for the economic practice, Becher's enterprises were a failure, and in 1677 he did not dare to return to the Vienna that he had left a year earlier in Imperial service. Financial distress, plus the disgrace of being bribeable,<sup>42</sup> forced Becher to try his luck in the Netherlands and in England. But his alchemical experiments there were without success, and so Becher died as a poor man in London in 1682.<sup>43</sup>

By the irony of fate Wilhelm von Schröder (1640-1688)<sup>44</sup> became Becher's successor in Vienna after 1677. His biography very much resembles Becher's, since he too was an adventurous alchemist and projector. Born as the eldest son of the chancellor of the duchy Saxony-Gotha, Wilhelm von Schröder studied law at the university of Jena, but then gradually developed a marked interest in natural sciences.<sup>45</sup> In 1660 he went to the Netherlands and later to England, where he became fellow of the Royal Society in 1662.<sup>46</sup> The next decade of his life Schröder mainly spent travelling about and visiting several princely courts, while studying and practising alchemy.<sup>47</sup>

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<sup>39</sup> *Ibidem*, pp. 16ff.

<sup>40</sup> *Marperger*, *Erstes Hundert gelehrter Kauffleut*, p. 14: "daß er sich in die Hof-Politic nicht wohl schicken (...) können".

<sup>41</sup> *Hassinger*, *op. cit.*, pp. 138ff.

<sup>42</sup> *Ibidem*, pp. 225ff.

<sup>43</sup> *Ibidem*, pp. 236ff.

<sup>44</sup> On Schröder cf. *Srbik*, Wilhelm von Schröder.

<sup>45</sup> *Ibidem*, pp. 8ff.

<sup>46</sup> *Ibidem*, pp. 17ff.

<sup>47</sup> *Ibidem*, pp. 39ff.

In 1673 he eventually entered the Austrian service - also as a Catholic convert - and characteristically he suggested different projects dealing with the exploitation of alchemy and mining mainly.<sup>48</sup> In 1677 he was appointed director of the Viennese *Kunst- und Werkhaus*, a foundation of Becher's that was to serve as a factory for several goods (woollen cloth, silk, glass etc.) and at the same time as a training institution for Austrian artisans and manufacturers.<sup>49</sup> But soon Schröder got into the same financial trouble and intrigues as Becher had done before, and it was only in 1686 that his situation seemed to improve, since he became councillor of the chamber of Kaschau in Hungary. But at his new post Schröder again came into conflict with his colleagues, and when he died in 1688 he was as poor as Becher, because he had rarely been paid because of the cabal of the other members of the chamber.<sup>50</sup>

In contrast to these two fates, the career of Becher's brother-in-law Philipp Wilhelm Hornigk (1640-1714) proves the importance of having an influential aristocratic patron. Hornigk was born in 1640 as the son of the well-known Ludwig von Hornigk, court councillor and professor of the medical faculty of the university in Mayence. After having studied law at the Catholic universities of Mayence and Ingolstadt,<sup>51</sup> Philipp Wilhelm Hornigk joined the Imperial diplomatic service. Because of this and because of the activities of Becher he came into contact with the Viennese court and was commissioned in 1673 by the *Kommerzkolleg* to make a statistical inquiry about the number of artisans within the Hereditary Lands. At the same time he gained practical administrative experience by managing a rich Austrian incumbency. In the late 1670's this activity and his contact with Becher both ended,<sup>52</sup> and Hornigk became secretary of the Imperial envoy Johann Philipp von Lamberg. The close relationship between the two men lasted from 1680 to the count's death in 1712. During this whole period Hornigk followed his patron's geographical movements and professional career. Until 1684 he was his assistant at difficult diplomatic missions at the courts of Berlin and Dresden.<sup>53</sup> When in 1689 Lamberg was elected bishop of Passau, Hornigk was appointed his privy councillor, and he remained a leading official of the ecclesiastical principality until his own death in 1714, two years after his master's.<sup>54</sup>

Though the careers of Hornigk on the one hand and of Becher and Schröder on the other took quite different courses they nevertheless taught the same lesson to the cameralistic writers and state officials of their time: lasting success could only be achieved with the protection of the prince

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48 *Ibidem*, pp. 48ff.

49 *Ibidem*, pp. 62ff.

50 *Ibidem*, pp. 76ff.

51 *Brauleke*, op. cit., pp. 4ff.

52 *Ibidem*, pp. 12ff.

53 *Ibidem*, pp. 16ff.

54 *Ibidem*, pp. 27ff.

himself or of a person who had access to him, whereas conflicts with influential members of the court had to be carefully avoided, because normally they ended with failure. One important element of success was therefore the cameralist's adaptability to the given court life and its balance of power.

This was still valid in the later phase of cameralism, since the precarious social and professional position of the cameralists basically remained unchanged. Ernst Ludwig Carl (1682-1743), for example, had to institute several legal proceedings against his former princely employers during the last decade of his life.<sup>55</sup> Born as the son of a pharmacist in the small princely capital of Öhringen, part of the county of the Hohenlohe family,<sup>56</sup> Carl registered for law at the university of Halle in 1700, then the most prestigious in Germany. His career as a civil servant started in 1708, when he was appointed secretary to the common council of the two margraviates Brandenburg-Anspach and Brandenburg-Bayreuth.<sup>57</sup>

From 1719 until 1731 he stayed in Paris as a *chargé d'affaires* with a wide range of responsibilities. He informed his employers of the "legal, police, commercial, manufacture, and agricultural matters" of France, especially of John Law's monetary experiment,<sup>58</sup> was active in a law suit against Hercules Mereadec de Rohan,<sup>59</sup> attended on the crown prince Carl Wilhelm Friedrich of Anspach during his tour through France,<sup>60</sup> served as a commercial agent for the purchase of luxury goods on the behalf of the court of Anspach,<sup>61</sup> and finally wrote his *Traité de la richesse des princes et de leurs états*,<sup>62</sup> which was published in three volumes in 1722 and 1723. It was intended as a textbook for the economic education of the crown prince.<sup>63</sup>

Already during his stay in Paris Carl had aroused the anger of influential figures in court and administration of Anspach,<sup>64</sup> and after his return from the French capital he consequently had difficulties in getting paid his outstanding salary and outlay.<sup>65</sup> The endless legal arguments over his financial provision were largely decided against him, and so it is likely that Carl's economic situation was desperate during the last years of his life, spent in Vienna from 1731.<sup>66</sup>

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55 *Kunze*, Ernst Ludwig Carl, pp. 264ff.

56 *Ibidem*, p. 14.

57 *Ibidem*, pp. 30ff.

58 *Ibidem*, pp. 55ff.

59 *Ibidem*, pp. 173ff.

60 *Ibidem*, pp. 198ff.

61 *Ibidem*, pp. 214ff.

62 *Carl*, *Traité de la richesse*.

63 *Kunze*, op. cit., pp. 195f.

64 Cf. e.g. *ibidem*, pp. 199ff and 229f.

65 *Ibidem*, pp. 239ff and 256ff.

66 *Ibidem*, pp. 288ff.

In spite of Carl's experience in the metropolis Paris, his biographer has summed up his life with the following sentences: "He remains attached to the world of the small territories and courts, whether in devoted loyalty or impotent wrath. Service to the princes is his fate."<sup>67</sup> This true, but somewhat histrionic statement nevertheless describes the reality and restrictions of a cameralistic career in 18th-century Germany.

Another good, and more well-known, example is provided by the life of Johann Gottlob von Justi, probably the most famous representative of cameralism in the second half of the century. Justi was born in 1717, and both his father and his stepfather were members of the Saxon administration. After having studied law in Wittenberg in 1742-1744, Justi began his career as a secretary of a Saxon army officer, before going to the small court of the ducal widow Anna Sophie Charlotte von Saxony-Eisenach, where he was appointed councillor.<sup>68</sup>

Three years later he left the small residence of Sangershausen to go to Vienna in order to commercially exploit his experiments on the use of indigo. Instead he was offered a teaching post at the *Theresianum*, a *Ritterakademie* founded in 1746 to train the Austrian nobility according to the administrative requirements of the state. Originally Justi was responsible for "*eloquentia Germanica*", but soon he taught a second subject, namely "Practice in cameralistic, commercial, and mining matters". Being reputed to be a specialist in especially the last of these three subjects, Justi became responsible for a silver mine, which however was exhausted rather quickly. As the blame for this business failure was put on Justi, he left Austria in 1753.<sup>69</sup>

The experiences he had had there were however used to write his main work, i.e. the *Staatswirtschaft*, which was published in 1755 in Leipsic, then his residence. Because of his writings he was appointed to the university of Göttingen, where he stayed as a cameralistic teacher until 1757,<sup>70</sup> when he had to leave this town because of private scandal. After two unsuccessful years spent in Denmark he went to Hamburg, where he tried to make his living as a political free-lance writer.<sup>71</sup>

In the early 1760's he again entered into the civil service, this time in the Prussia of Frederic II. In 1765 he was given the respected and well-paid job of a *Berghauptmann*. In this capacity he was director of several hammer mills and an iron-works. In 1767 he was, however, accused of embezzlement and arrested one year later; in 1771 he died in prison.<sup>72</sup>

The balance of his life, full of spectacular ups and downs, was thus quite meagre. So far Justi's career is paradigmatic of the situation of the

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<sup>67</sup> *Ibidem*, p. 15.

<sup>68</sup> *Frensdorff*, *Über das Leben und die Schriften*, pp. 5ff.

<sup>69</sup> *Ibidem*, pp. 21ff.

<sup>70</sup> *Ibidem*, pp. 38ff.

<sup>71</sup> *Ibidem*, pp. 58ff.

<sup>72</sup> *Ibidem*, pp. 81ff.

cameralists of his time. Though he was a writer of enormous productivity he was not able to maintain himself and his family as a free-lance author.<sup>73</sup> This was no individual problem, but rather characteristic of the "social problems and limits", which confronted those writers who relied on the German book-market to earn their livings.<sup>74</sup>

Under these circumstances the jobs offered by the state sector were indispensable. In Justi's case however, his teaching or administrative offices normally ended rather quickly after promising starts, which shows how vulnerable these positions normally were. Justi's itinerant life thus proves the precariousness of the professional status of a cameralist: He was extremely dependent on the favour of his employer, and when this protection was lacking, he often had to flee the country. Justi had to leave Austria, Hanover and Denmark under rather humiliating circumstances, and the last phase of his life in Prussia even was more ignominious.

Justi's career nevertheless was not unique in 18th-century Germany, but quite paradigmatic.<sup>75</sup> The biographies of Georg Heinrich Zincke (1692-1769) and Johann Friedrich von Pfeiffer (1718-1792) clearly resemble it.<sup>76</sup> Zincke also had to spend several years in prison, before he started his career as a university teacher of cameralism in the 1740's. In 1731 he had become court councillor of the duchy of Saxony-Weimar, but after he had come into conflict with other members of the administration, he soon lost the favour of the prince and was subsequently sentenced to arrest, as "he had harmed the interests of the land".<sup>77</sup>

Pfeiffer had a similar experience. From 1747 until 1750 he worked as a *Kriegs- und Domänenrat* in the Prussian Neumark. Though he was quite effective - Pfeiffer is said to have established 150 villages within that region - he was charged with embezzlement and put into prison. After he was released, he entered into the service of several German princes as a privy councillor, before in 1781 he became professor of economic and cameralistic sciences at the university of Mayence.

The cases of Becher, Schröder, Carl, Justi, Zincke and Pfeiffer demonstrate that the handling of economic and financial affairs implied a considerable risk on the part of the state servants. They were not unlikely to be charged with bribery and embezzlement, and admittedly these accusations often were not without justification.

But even officials whose actions gave rise to no such suspicions could get into serious trouble, if their princely employer wanted to get rid of them. Although they were not cameralists in the strict sense, the biographies of the two Mosers, father and son, illustrate this fact. Both were not

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<sup>73</sup> *Ibidem*, p. 105.

<sup>74</sup> *Dreitzel*, *Justis Beitrag zur Aufklärung*, pp. 161f.

<sup>75</sup> *Ibidem*, p. 162.

<sup>76</sup> *Frensdorff*, *op. cit.*, p. 148; *Walker*, *op. cit.*, p. 205.

<sup>77</sup> *Walker*, *op. cit.*, p. 205.



only among the most famous experts of public law in 18th-century Germany, but they also held important administrative posts.

Friedrich Carl Moser (1723-1798) was dismissed in 1780 from the service of Ludwig IX, landgrave of Hesse-Darmstadt, after the prince learned that Moser's programme of financial reform also touched upon his very personal interests. Ludwig explained his motive by saying: "As long as I live, I want to remain master without my wills and decisions being restricted by the wishes or objections of my servants."<sup>78</sup>

Friedrich Carl's father Johann Jakob had quite similar experiences at different academic and administrative offices, e.g. while working in Hesse-Homburg from 1747 to 1749. There he wanted to enforce economy especially in court expenses, but inevitably lost the favour of his princely employer and was subsequently dismissed.<sup>79</sup> In the course of the conflict between duke Karl Eugen of Württemberg and his estates, Johann Jakob Moser was eventually put under arrest from 1759 until 1763.<sup>80</sup> His imprisonment not only turned the elder Moser into a martyr and symbol for the estates' resistance of absolutism, but could also be seen as a well-known warning of what could happen to a state official who was not in accordance with his prince's political intentions.

The experiences of the elder Moser and of the others illustrate how small the freedom of movement was for state officials of the 17th and 18th centuries. Once they stood in opposition to the prince or his favourites, their very position was at stake. Fundamental criticism of the princely state could indeed hardly be expected under these circumstances from the administrative staff, let alone clear-cut suggestions for political and administrative reforms.

## 2. Right to Space and Function in Time

This reluctance also characterized the cameralistic writings, and the passages on court economy in particular suffered from this attitude. The easiest way for a cameralist to avoid outspoken criticism on the financial performance of the states in general and of the courts in particular consisted in simply not dealing with public expenses at all. Again Zincke most convincingly explains

"why most writers on cameralistic matters extensively deal with the income and all pertinent advantages, suggestions and measures in order to (...) augment it. For thereby they can say a lot of pleasant things to (...) spendthrift and mean people,

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<sup>78</sup> Quoted in *Allgemeine Deutsche Biographie*, vol. 22, p. 774: "*So lange Ich lebe, will Ich Herr bleiben und Meinen Willen und Entschließungen nicht in das Wollen oder Nichtwollen Meiner Diener gefangen nehmen.*"

<sup>79</sup> Walker, op. cit., pp. 172ff.

<sup>80</sup> *Ibidem*, pp. 235ff.

while (...) not dealing with expenditure. (...) That much is sure: the chapter on revenues and their improvements easily opens the access even to courts, the financial affairs of which are very ruined, as long as the chapter on expenses is not touched upon."

According to Zincke cameralists who nevertheless treat of necessary reductions of costs, are often afraid "not to get away unhurt" (*"daß sie nicht unverletzt davon kommen möchten"*).<sup>81</sup>

The outlook of financial science with its stress on revenues instead of on expenses,<sup>82</sup> however, is not only the result of tactical cautiousness<sup>83</sup> on the cameralists' part, but also deeply rooted in the history of cameralism itself. The cameralistic doctrine must basically be seen as the theoretical response to the rising financial demand of the early modern states, which again was the consequence of the internal state-building requiring a growing bureaucracy, a standing army, and a stationary court.<sup>84</sup>

The theoretical conceptions standing at the beginning of cameralism were therefore fiscal treatises showing how public income could be augmented in order to meet the increasing need of money stemming from institutional change that was taken for granted. The early tracts hence were concerned with how the diverse rights of the princely states to financial resources were to be exploited in the most efficient way,<sup>85</sup> whereas economical measures were suggested by those groups to which the growing state apparatus was a threat rather than a promise, i.e. the estates.

From this point of view the proper task of the cameralists consisted in raising public revenues. Compared to the priority of this aim, reasonings on the prosperity of the country as such or the well-being of the subjects are merely by-products. The outward indicator for this attitude is the copiousness of the paragraphs within the cameralistic treatises treating of income and the scantiness of their counterparts treating of expenses.<sup>86</sup>

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<sup>81</sup> Zincke, op. cit. II, pp. 347f: *"warum die meisten Scribenten von Cammer=Sachen zwar ungemein viel von der Einnahme und allen dahin gehörigen Vortheilen, Vorschlägen und Mitteln, um solche (...) zu vermehren (...), handeln, mithin denen (...) verschwenderischen und Haabebegierigen Leuten (...) dadurch viel angenehmes sagen, dahingegen aber von der Ausgabe (...) gar nichts handeln. (...) So viel ist wenigstens gewiß, mit dem Capitul von der Einnahme und ihren Verbesserungen findet man (...) auch bey denen dem Finanz=Staat nach verderbtesten Höfen so weit gar leichte Eingang, so weit nur nicht das Capitul von der Ausgabe berührt wird."*

<sup>82</sup> *Justi*, Staatswirtschaft II, p. 470.

<sup>83</sup> Cf. also the remark of *Stolleis*, *Pecunia Nervus Rerum. Zur Diskussion um Steuerlast*, p. 109.

<sup>84</sup> *Ibidem*, pp. 116 and 148.

<sup>85</sup> Cf. *Schulz*, *Das System und die Prinzipien der Einkünfte*, especially pp. 44ff.

<sup>86</sup> In general within all cameralistic treatises much more space was devoted to discussing the income compared to the expenditure. Zincke's *Grund-Riß* is a positive exception, since both aspects of financial science are dealt with on approximately the

The cameralists' relative neglect of public expenditure hence can be seen as the outcome of tactical reserve on their part not to interfere with the wishes and interests of their princely employer,<sup>87</sup> which was however fitting into the very construction of cameralism itself.

Of course such a reluctance was all the more justified, the more the expenses that were dealt with directly had to do with the ruler and his personal preferences. Therefore treating court costs was particularly dangerous, and some cameralists simply avoided this point completely. Carl August Geutebrück's *Gedanken und Anmerkungen über die Einrichtung einer Herrschaftlichen Cammerverwaltung* (1765), for instance, gives a classification of public expenses, which - largely inspired by Seckendorff - contains a special item called court costs.<sup>88</sup> A detailed account of how to handle the different items, however, leaves out court economy. Without explanation Geutebrück refuses to discuss "what is determined for the court, which I shall not touch upon (...) deliberately".<sup>89</sup> Ernst Ludwig Carl proceeds similarly. His *Traité de la richesse des princes* includes a whole chapter on expenditure,<sup>90</sup> but court costs are only briefly mentioned. Carl even made the effort to explicitly emphasize twice that he had no intention of referring further to court expenditure.<sup>91</sup>

But even those cameralists who had enough courage to show how, in their opinion, a court should be managed were quite cautious. It was by the inclusion of ceremonial science that they were able to soften what could be read as inherent court criticism of their texts. Ceremonial science first of all supplied the courts with a legitimatory function consisting in the display

same number of pages: cf. *Zincke*, op. cit. II, pp. 81-241 (revenues) and pp. 342-564 (expenses). More common is the relation in the following works: *Carl*, op. cit. III, pp. 1-376 (revenues) and pp. 376-423 (expenses); *Darjes*, *Erste Gründe der Cameral=Wissenschaften*, pp. 571-648 (revenues) and pp. 648-664 (expenses); *Justi*, op. cit. II, pp. 40-466 (revenues) and pp. 470-636 (expenses); *Pfeiffer*, *Grundsätze der Universal=Cameral=Wissenschaft II*, pp. 784-909 (revenues) and pp. 909-927 (expenses).

<sup>87</sup> Pfeiffer admitted another motivation for the scarcity of his remarks on court economy; cf. *Pfeiffer*, op. cit. II, p. 923: "I have only touched upon the surface of ordinary and extraordinary court expenses, since I know that the financial chambers are only rarely consulted in these matters, though it was desirable that true financial experts (*Finanziers*) had more influence on the funds of the courts (*Ich habe die ordentliche und außerordentliche Ausgaben der Höfe nur obenhin berührt, weil ich weiß, daß man die Finanzcammern nur selten darüber zu Rathe zieht, ob es gleich wünschenswert, daß wahre Finanziers stärkeren Einfluß bey den Hofcassen haben möchten*)."

<sup>88</sup> *Geutebrück*, *Gedanken und Anmerkungen*, p. 14.

<sup>89</sup> *Ibidem*, p. 17: "*dasjenige, was zur Hofstatt bestimmt ist, als welches ich mit gutem Bedacht (...) nicht (...) berühren will*".

<sup>90</sup> *Carl*, op. cit. III, pp. 376-423.

<sup>91</sup> *Ibidem* III, pp. 388 and 394.

of princely decorum, which was an indispensable element of the political order. Thus the courts and their costs were justified at least in political terms.

Secondly, the acceptance of the rules of ceremonial science by the cameralists also meant that the ruler's exclusive competence in court matters was acknowledged. Whereas in other fields the main criterion of public expenses was their respective degree of necessity for the economic state of the territory in general, the usefulness of court expenses was judged by the prince. He alone had the power of defining what was necessary with respect to court economy.

Therefore the cameralists stressed that the actual decisions over what the money was spent for did not in the first place depend on their reasonings, but rather on an external, accidental factor, namely the personal tastes and pleasures of the single rulers.<sup>92</sup> Thus one central element of cameralism had to be neglected. All relevant writers called for a detailed estimate of all classes of expenses in order to achieve an orderly budget. *Justi* expressed this rule by saying that "one (...) must try to make certain all public expenses as much as possible" ("*daß man (...) alle Ausgaben des Staats, so viel wie möglich, gewiß zu machen suchen müsse*"),<sup>93</sup> while Springer laconically formulated the same "single principle" with the following maxim: "One has to bring chance under one's control as much as possible."<sup>94</sup>

To obey this rule was however virtually impossible at least with regard to court economy, where the very whim of the prince could turn any budget into waste paper overnight. This is what happened to Friedrich Carl Moser in Hesse-Darmstadt, whose ruler simply could no longer stand the interventions made by his prime minister into what he thought was his personal domain. As soon as Moser's financial program required economy in court matters, he lost the princely favour and was dismissed immediately. The landgrave simply stated that by appointing Moser he had never intended "to install a princely tutor" ("*einen Hofmeister zu setzen*").<sup>95</sup> This incident again made clear to the public of the state officials that the prerogative of the prince in the field of court economy and cameralistic budgetary planning could not be reconciled.

Acting within a setting that firstly was largely dominated by the cultural and social paradigm of the court society and secondly characterized by a political system in which the autocratic will of the ruler was a decisive force,<sup>96</sup> the only expedient for cameralists who wanted to put into practice

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<sup>92</sup> Cf. Zincke, *Anfangsgründe* II, e.g. pp. 1424 and 1432; *Justi*, op. cit. II, p. 559.

<sup>93</sup> *Justi*, op. cit. II, pp. 479f.

<sup>94</sup> Springer, *An einen Hofmarschall*, p. 14.

<sup>95</sup> Quoted in *Allgemeine Deutsche Biographie*, vol. 22, p. 774.

<sup>96</sup> Cf. e.g. Vierhaus, *Staaten und Stände*, pp. 98ff; *idem*, *Deutschland im Zeitalter des Absolutismus*, pp. 25 and 58; Press, *Kriege und Krisen*, pp. 328ff; on the role of the

their suggestions as to court economy was to influence the ruler himself. Only when he was won over, was an economic administration of the court according to cameralistic principles possible at all.

Hence the cameralists were thrown upon the traditional ways of persuading a prince, i.e. by counselling and educating him. Both measures must be seen as substitutes, as functional equivalents of external, institutionalized control of the princely actions by e.g. the estates. As the latter were frequently lacking or at least proved ineffective, the only way of avoiding that a prince be driven by his personal idiosyncrasies alone was to build up internal, mental inhibitions. In that respect, counselling and education of the prince were closely related to each other.<sup>97</sup>

The first of these two options, however, was only a reformulation of the problem and as such was not without risk for the outspoken cameralist, who nevertheless had to fulfill his duty,<sup>98</sup> as *Justi* saw it:

"A true cameralist hence must always have enough courage and steadfastness to argue even against the personal and special will of the prince, if the latter lets himself be carried away by his passions and apparent interest into ordering something detrimental for the common weal. The cameralist must dare his objections (...), as long as they are in accordance with the respect due to the prince. And if nevertheless they do not have any effect, he must resign from his office (...) rather than fulfill it."<sup>99</sup>

Unfortunately this advice,<sup>100</sup> which was repeatedly formulated in similar words throughout the later 18th century<sup>101</sup>, was an encouragement as well as an implicit warning: the more a certain measure of a prince sprang from his personal taste and pleasures, the more likely the criticizing official was to find himself dismissed. This message was clearly understood by Johann

princes in the early modern monarchies see also *Vogler* (ed.), *Europäische Herrscher*.

<sup>97</sup> *Stichweh*, *Der frühmoderne Staat*, pp. 67f.

<sup>98</sup> Cf. also *Krauth*, *Wirtschaftsstruktur und Semantik*, pp. 122f.

<sup>99</sup> *Justi*, *System des Finanzwesens*, pp. 30f: "*Ein ächter Cameralist muß dannenhero allemal Muth und Standhaftigkeit haben, selbst gegen den eignen und besondern Willen des Fürsten Vorstellung zu thun; wenn er sich von seinen Leidenschaften und scheinbarem Interesse hinreißen läßt, etwas zu befehlen, was dem gemeinschaftlichen Besten nachtheilig ist. Diese Vorstellungen muß er (...) wagen, so wie es nur immer mit der dem Fürsten schuldigen Ehrerbietung bestehen kann; und wenn sie dennoch ohne Wirkung sind: so muß er (...) eher seine Bedienung niederlegen, als bey derselben seine Dienste leisten.*"

<sup>100</sup> *Justi* nevertheless had no illusions about the current intrigues at court and the danger they meant for a councillor; cf. *idem* (ed.), *Deutsche Memoires I*, pp. 159 and 389.

<sup>101</sup> Cf. e.g. *Friedrich Carl Moser*, *Herr und Diener*, a book completely devoted to describing the mutual relations between princes and their officials; see also *Stirken*, *Der Herr und der Diener* and *Stolleis*, *Geschichte des öffentlichen Rechts*, pp. 363ff.

Heinrich Bergius for example. In contrast to Justi he exhorted the rendant responsible for the privy purse to confine his activities to simple accounting:

"His proper office consists in correct and true accounting of the receipts and spendings (...), and beyond this neither he nor any other accountant has any right to judge income and expenditure or to give advice in these affairs."<sup>102</sup>

This dilemma, which threatened to turn court and court economy into a sort of taboo-zone for cameralistic criticism, could only be overcome by the very education of the prince according to cameralistic principles. In that respect the cameralists shared the general optimism and illusion of the "pedagogic century":<sup>103</sup>

"The rationale for the optimal education of princes was strategic: absolute monarchy seemed an enduring fact, and monarchic states could be improved by the education of their rulers (...). Because of the lack of realistic prospects of institutional changes in eighteenth-century Germany, pedagogy became the German corrective to absolutism."<sup>104</sup>

Hence Zincke and Justi both approved public expenses invested in the education of the princely children.<sup>105</sup> The latter later included a whole chapter on this problem into his *Vergleichungen der Europäischen mit den Asiatischen Regierungen* (1762), a polemic against the European princely states of his time.<sup>106</sup> Johann Heinrich Jung-Stilling even provided his *Grundlehre der Staatswirthschaft* (1792) with the subtitle "*ein Elementarbuch für Regentensöhne*" ("an elementary book for the sons of rulers"),<sup>107</sup> thus addressing it primarily to princes. Consequently cameralism was seen by him as their proper science.<sup>108</sup>

The most elaborate works devoted to the economic and financial education of a young prince were edited in the last decade of the 18th century. In 1792 Heinrich Ursinus published a didactical treatise called *Taschenbuch über Haushaltung und Wirthschaft für Fürsten und*

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<sup>102</sup> Bergius, *Policey= und Cameral=Magazin* I, p. 84: "Sein Amt bestehet zwar eigentlich darin, daß er die (...) ein= und wieder herausgehende Gelder richtig und treu berechnet, sonst aber kommt ihm so wenig, wie einem anderen Rentmeister, zu, über die Einnahme und Ausgabe zu urtheilen oder darinnen zu rathen."

<sup>103</sup> Cf. e.g. the following remark by Tribe, op. cit., p. 124: "Constructed as a body of economic knowledge for the enlightenment of state officials, Cameralism developed naturally into a pedagogy."

<sup>104</sup> Bersier, *The Education of the Prince*, pp. 1f.

<sup>105</sup> Zincke, *Grund-Riß* II, p. 460; Justi, *Staatswirthschaft* II, p. 566.

<sup>106</sup> Justi, *Vergleichungen*, pp. 333-357, especially pp. 333ff.

<sup>107</sup> Jung-Stilling, *Grundlehre der Staatswirthschaft*.

<sup>108</sup> *Ibidem*, pp. 38f.

*Standespersonen*.<sup>109</sup> His starting-point was the question "why are princes so rarely good arithmeticians and economists? - or how is it that so often the princes' revenues are transgressed by their expenses?"<sup>110</sup> The answer is plain: "The only reason or cause (...) is the (...) useless education and instruction of a young prince."<sup>111</sup> Ursinus' educational suggestions hence intend to make the young princes familiar with the basic rules of financial affairs by first of all teaching the proper administration and control of a princely household to them. Thus economic knowledge is used as a preparation for the future task of ruling a whole country in accordance with the rules of cameralism.<sup>112</sup>

Two years earlier, in 1790, Johann Georg Büsch (1728-1800)<sup>113</sup> had published the final draft of his *Fragmente über die Erziehung eines Prinzen zum künftigen Geschäftsmann*.<sup>114</sup> Due perhaps to its fragmentary character, however, this work did not offer a systematic program, but instead rather general thoughts on the possible methods and subjects of princely education. Its promised aim, the prince as an able businessman, was only referred to in passing, except for one chapter on lectures in arithmetics. They formed an indispensable element of Büsch's suggestions, because information as to "*Staats=Wirtschaft*" and "*Privat= oder Hofwirtschaft*" could only be used by a prince who had previously obtained mathematical knowledge.<sup>115</sup> Büsch, like Ursinus, advocated learning by doing:

"Hence I strongly advise that the young prince be provided with a certain amount of money, of which he can dispose freely, and at the same time to be kept to precise accounting. This is advisable, if the money is divided into more than one class."<sup>116</sup>

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<sup>109</sup> Ursinus, Taschenbuch über Haushaltung und Wirthschaft.

<sup>110</sup> *Ibidem*, p. 3: "warum doch Fürsten so selten gute Rechenmeister und Oeconome sind? - oder woher kommt es: daß bey Fürsten die Einnahme von der Ausgabe so oft überschritten wird?"

<sup>111</sup> *Ibidem*, p. 6: "Der Grund oder die Ursache (...) liegt lediglich in der (...) zwecklosen Erziehung und Ausbildung eines jungen Prinzen."

<sup>112</sup> *Ibidem*, pp. 50ff.

<sup>113</sup> Born in 1728 as the son of a parson near Hamburg, Johann Georg Büsch spent almost his whole life in the North German centre of commerce. Except for the years 1748-1754, when he studied theology, history and mathematics in Göttingen, Büsch worked as a teacher and publicist in Hamburg. His subject was the commerce and thus he founded a famous *Handelsakademie* in 1767; cf. *Allgemeine deutsche Biographie*, vol. 3, pp. 642f; *Neue deutsche Biographie*, vol. 3, pp. 3f.

<sup>114</sup> Büsch, *Fragmente über die Erziehung*.

<sup>115</sup> *Ibidem*, p. 110.

<sup>116</sup> *Ibidem*, p. 121: "Ich mögte daher sehr rahten, dem noch jungen Prinzen ein gewisses Geld zu seiner freien Verwendung zu geben, aber ihn zu einer genauen Rechnung

The main task of the cameralists in charge of court economy hence consisted in successfully communicating their conceptions to the rulers, regardless of whether the adult ruling prince had to be given advice, or the younger prince to be taught.

Unfortunately this communication was rendered more difficult by the inability of many cameralists to act convincingly within a court setting. Quite often state officials who had to be present at social events at a given court behaved inadequately, since they did not master the social skills necessary there.

This is true e.g. of the somewhat "wooden" Johann Jakob Moser<sup>117</sup> as well as of his son Friedrich Carl, who was ridiculed during a visit to the court of Catherine II of Russia in 1773. His contributions to the conversation were far from being entertaining, and he also made mistakes as to the titles of the court aristocracy. His rival and subordinate Johann Heinrich Merck sarcastically described such a scene as follows:

"He bowed as deep as he could, and in his stuttering, poor French diction he called all the Russian *knezes* votre Altesse, although even the lowest servant of the kitchen only grants an Excellency to a *knez* Gallizin, if he is court marshall or vice-chancellor. This error against any knowledge of the world became known at court and all people of rank looked upon him as a *homme au latin* and a German pedant."<sup>118</sup>

Johann Christoph Erich Springer, writer of one of the most thorough books on court economy had similar experiences. Although his autobiographic writings are normally full of self-praise to an embarrassing degree, he rather openly confesses that he lacked all the skills necessary to make a good impression at court.<sup>119</sup> He was gauche and incapable of compliments and admitted that it was a wrong conclusion to think "that I had enough outward manners and gallant suppleness, since I was a princely tutor".<sup>120</sup>

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*darüber anzuhalten. Man wird wohl thun, ihm dieß in mehr als Eine Classe einzuteilen."*

<sup>117</sup> Walker, op. cit., p. 78.

<sup>118</sup> Quoted in Stirken, op. cit., p. 31, fn. 37: "*Er bückte sich also, so tief er konnte, und nannte in seiner stotternden, kümmerlichen, französischen Diction alle russischen Knäse votre Altesse, da doch nicht der geringste Küchenbediente einem Knäs Gallizin, wenn er Hofmarschall oder Vicekanzler ist, etwas Anders als Excellenz giebt. Dieses Erratum gegen alle Weltkenntniß ward bei Hofe ruchbar und setzte ihn bei allen Leuten von Stande in das Licht eines homme au latin und deutschen pedanten."*

<sup>119</sup> Wiegleb, Review, p. 396 nevertheless sees Springer as someone with "precise knowledge of court life".

<sup>120</sup> Quoted in Strieder, Grundlagen, vol. 15, pp. 189: "*daß da ich Hofmeister war, es mir an äusserlicher Manier und so galanter Biagsamkeit nicht gefehlet haben könnte*".



Such clumsiness surely aggravated the traditional aristocratic contempt of the academic world<sup>121</sup> and was all the more unfavourable to the cause of the cameralists, as only practical experience with court life enabled them to draw a realistic picture of court economy and to put their suggestions into practice. Springer himself thought the success of the cameralist was dependent on good relations with the court marshal<sup>122</sup> and even with low court servants,<sup>123</sup> whereas Zincke stressed that any cameralist was only theoretically competent for the courts, as long as he lacked personal experience of court life. As to measures concerning court economy he remarked:

"However they can hardly be put into sufficient rules. Since I confess my imperfection of knowledge in court matters (...), I therefore (...) cannot take it into consideration, but have to advise everybody, who wants to do something about it, to visit many courts (...) and first of all to acquire a lot of experience, before he undertakes the reform and direction of the court expenses in order not to spend too much or too little."<sup>124</sup>

The woodenness of the cameralists in a court context however was more than the simple result of personal temperament. It was rather the outcome of the differences between the socio-cultural milieus of the bourgeois, learned cameralists and the courtiers,<sup>125</sup> which were analyzed by Christian

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<sup>121</sup> Cf. *Vierhaus*, *Staaten und Stände*, pp. 208f.

<sup>122</sup> *Springer*, *An einen teutschen Hofmarschall, Zur Erklärung des Titulblatts*.

<sup>123</sup> *Ibidem*, p. 139; *Wiegleb*, *op. cit.*, pp. 399f comments upon this passage as follows: Springer "advises the chamber on p. 139 to win over the valets so that they do not work against the suggestions to economies, but make them palatable to the prince. It is however humiliating if a president of the chamber or a court marshal must resort to this means, but often he does not achieve anything without it (...). Too often a servant who powders well is estimated higher by the prince than a minister who administers well. (*S. 139 aber der Kammer heilsame Cautel giebt, die Kammerdiener des Fürsten dahin zu gewinnen, daß sie den Vorschlägen zur Ersparung nicht entgegen arbeiten, sondern dem Fürsten angenehm machen. es ist freylich erniedrigend wenn ein Kammerpräsident oder Hofmarschall dazu seine Zuflucht nehmen muß: aber oft richtet er ohne dies Mittel (...) gar nichts aus; und zu oft gilt bey Fürsten der Diener, der gut pudert, mehr, als der Minister, der gut administrirt.*)"

<sup>124</sup> *Zincke*, *Grund-Riß II*, pp. 486f: "*Allein diese können schwerlich in zulängliche Regeln gebracht werden. Daher ich auch (...) davon nichts gedencken kan, sondern jeden, der hierinne was thun will, anrathen muß, alsdenn viele Höfe zu besuchen (...) und also sehr viel erfahrung zuerst zu erlangen, eher er sich unternehmen will, die Ausgaben einer Hofstatt dergestalt zu reformiren und dirigiren, damit nicht zu viel und nicht zu wenig ausgegeben werde.*"

<sup>125</sup> Perhaps the ability of the cameralists to behave according to the principles of the court society was particularly underdeveloped, because the financial bureaucracy was less attractive to noble officials than other administrative branches; cf. *Stolleis*, *Pe-*

Garve (1742-1798), one of the popularizers of enlightened philosophy in late 18th-century Germany.<sup>126</sup> In an essay published in 1792 he explained why the importance of elaborate social skills was not equal within both groups. Refinement of social intercourse was, he stated, based on permanent exercise, which only took place within the ranks of the aristocracy, particularly at the courts.<sup>127</sup> The economic foundation as well as the political function of the court society did not only leave enough room, but moreover called for a steady interaction and communication between its members<sup>128</sup>, who combined "intimacy" ("*Vertraulichkeit*") and "respect" ("*Achtung*").<sup>129</sup>

This lack of constraint and the ease of aristocratic habits normally cannot be found among members of the bourgeoisie, since their *raison d'être* does not consist in forming a pleasant company,<sup>130</sup> but rather in fulfilling a certain social function. In principle the same is expected from any bourgeois individual as from an artisan or artist: "One does not need to see him in person, but just the product of his work."<sup>131</sup> Hence the technical competence of a righteous cameralist proves to be of no use in the midst of a group of courtiers disposing of superior social competence and authority.

Due to this deep mental gap, a mutual understanding of cameralists and court members was difficult to achieve, since court economy was perceived by both groups in a totally different way. An ample illustration might be a tiny detail from the context of the court kitchen. Many cameralists shared the opinion that one item was especially responsible for the considerable height of court costs, namely the kitchen expenses. There was further agreement that this was largely due to a lack of control, because by embezzlement and petty theft much more food was lost over the budget year than regularly eaten up.

Therefore one of the very few practical means of curbing expenses which were suggested by the cameralists consisted in strictly preventing this practice by exact accounting and supervision. Zincke, for example, was sure: "If control took place, and everything was neatly planned (...), a

cunia Nervus Rerum. Zur Diskussion um Steuerlast, pp. 105ff; *Liebel*, op. cit., p. 15.

126 Born in Breslau in 1742 as the son of a dyer, Garve started studying theology in Frankfurt a.O. in 1762, before he went to Halle one year later, where he heard philosophy and mathematics. After having given philosophical lectures in philosophy at the university of Leipsic, Garve returned to Breslau, where he spent the major part of his life as a private scholar and author of considerable popularity; cf. *Allgemeine Deutsche Biographie*, vol. 8, pp. 385ff; *Neue deutsche Biographie*, vol. 6, pp. 77f.

127 *Garve*, Ueber die Maxime Rochefaucaults, pp. 572ff and 607f.

128 *Ibidem*, pp. 598ff.

129 *Ibidem*, pp. 608f.

130 *Ibidem*, p. 627.

131 *Ibidem*, p. 629: "Man verlangt nicht ihn, man verlangt nur das Product seiner Arbeit zu sehen."

good deal could be saved."<sup>132</sup> But he was realistic enough to anticipate the main objection of the courtiers, who complained that the "respect" for the ruler would suffer from this measure.<sup>133</sup> Justi made the same observations as to the "mess" ("*Unordnungen*") of the kitchen management:

"They are, as it were, tolerated in public, due to the wrong view that it was against the honour of the ruler, if everything was ordered too precisely."<sup>134</sup>

The kitchen problem was perceived by cameralists and courtiers in two completely different ways. For the financial experts it was above all a financial question, and as such to be solved quite easily by an increase of control. For the courtiers, however, who profited from the traditional practice, its economic consequences did not matter at all. As the relevant kitchen formed part of a court, they saw the respect and honour of the prince at stake, not his solvency. Under these auspices, it is difficult to imagine how cameralistic and court staff could have come to terms. Obviously the specific cameralistic rationality was inconsistent with the court society and its rationale, expressed by ceremonial science.

It has already been noted above that leaving the decision over court economy with the ruler ultimately meant introducing an alien, external factor into cameralistic reasoning. It rendered impossible a binding financial planning, which however was the core of *Finanzwissenschaft*. The cameralists had to set up an annual budget in advance,<sup>135</sup> they had to organize the payment of short or long term debts and interests,<sup>136</sup> and they had to make investments e.g. in infrastructure that would only yield in the future.<sup>137</sup> All these central activities of the cameralistic experts took place in the course of time; they were, in other words, linked to the temporal dimension.<sup>138</sup>

Their theory and practice was, moreover, characterized by a functional approach. Cameralism evaluated the elements of early modern society and polity according to its functionality, its usefulness in the words of the relevant authors.<sup>139</sup> Court and courtiers were in principle also subjected to such a utilitarian point of view. Zincke, for example, expressed this idea,

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<sup>132</sup> Zincke, *Grund-Riß* II, p. 1418: "Wenn man aber Aufsicht hält, alles fein eintheilet (...): so kann damit viel erspart werden."

<sup>133</sup> *Ibidem* II, p. 1419.

<sup>134</sup> Justi, *Staatswirtschaft* II, pp. 567f: "Man duldet sie gleichsam öffentlich, in der falschen Einbildung, daß es der Ehre des Regenten zuwider wäre, wenn alles so genau züginge."

<sup>135</sup> Cf. e.g. Zincke, *op. cit.* II, p. 394; Justi, *op. cit.*, pp. 491f.

<sup>136</sup> Cf. e.g. Zincke, *op. cit.* II, pp. 379f and 422f; Justi, *op. cit.* II, pp. 587ff.

<sup>137</sup> Cf. e.g. Zincke, *op. cit.* II, pp. 379 and 402ff; see also Justi, *op. cit.* II, pp. 465f.

<sup>138</sup> Cf. also e.g. Justi, *op. cit.* II, p. 626.

<sup>139</sup> Walker, *Rights and Functions*; Stolleis, *op. cit.*, pp. 101ff; cf. also Krauth, *op. cit.*, pp. 148f.

though with the usual cautiousness, when asking which kind of servants a prince could do without most easily. After having referred to court officials he wrote:

"It is however certain that a reduction cannot be carried out more easily and with less damage than with these kinds of servants, because there is opportunity enough to compensate the loss later on. People who are suitable for other military or civil duties are rarer. I mean to say that it is easier to have or train a court cavalier than a good officer and civil servant (...). Secondly, do the real and much more necessary war and civil affairs suffer much more than the court, if they are performed by too few or too bad people. This seems to me the rule which can have a favourable influence on the prudent ménage of this kind of expenditure. But here however the passion of the prince again is decisive. Some princes would rather do without necessary war or civil servants than without court servants. If this is the case, one has at least to see that people are employed who are of use (...) not only at court, but also for the state and the army."<sup>140</sup>

This quotation confirms that the intervention of the ruler was indeed regarded as an important factor in court life. On the other hand, it also makes clear that the princely will, temper, taste or whim in principle was a mere source of irritation for the cameralistic view of the court, which instead was based upon functional categories. Combining this finding with the significance of the temporal aspect, one can sum up the cameralistic approach, in theory also including the one to court economy, by saying that it rested on the notion of *function in time*.

Ceremonial science in contrast, as shown in chapter II above, was founded on a concept that can be described as one of the *right to space*. Neither institutions nor individuals, nor the court, were subjected to an examination of their usefulness. It was not their function or functionality what counted, but rather their respective rights and privileges, expressed in spatial terms.

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<sup>140</sup> Zincke, Grund-Riß II, pp. 437f: "*Indessen ist es doch gewiß, daß man bey keiner Art von Bedienten mit der reduction am ersten und ohne Schaden eher verfahren könne, als bey diesen, weil sich doch immer Gelegenheit findet, den Abgang wieder zu ersetzen. Denn bey andern Kriegs= und Civil=Bedienten sind die geschickten Leute rarer. Ich will sagen, man kan leichter einen Hof=Cavallier als einen guten Officier und Staats=Bedienten haben, oder doch formiren (...). 2) leiden auch die würcklichen und viel nöthigeren Kriegs= und Civil=Affairen vielmehr als der Hof=Staat, wenn man zu jenen zu wenig oder zu schlechte Leute hat. Dieses scheint mir nun zwar die Regul zu seyn, die einen guten Einfluß in kluge menage bey dieser Ausgabe haben kan. Allein es kommt auch hier wiederum auf die Paßion des Herrn an. Manche Herren lassen es lieber an denen nöthigen Kriegs= und Civil= als an denen Hof=Bedienten fehlen. Wenn es nun so zugeht, so wäre doch wenigstens dahin zu sehen, daß man Leute habe, die (...) nicht nur bey Hofe, sondern auch bey dem Staat oder denen Troupes allenfalls gebraucht werden könnten.*"

Johann Philipp Carrach's *Grundsätze und Anmerkungen zur Känntnis des Deutschen Hofrechts* (1755 and 1757) explicitly referred to this principle. The author made clear at the beginning of his text that he wanted to analyse pure "court law" ("*Hofrecht*"), and not - as Friedrich Carl Moser had done - confuse it with "court politics" ("*Hofpolitik*") and "court moral" ("*Hofmoral*").<sup>141</sup> Later on he dealt with the differences between these three subjects. The first two of them are interesting in the present context. Carrach defined them as follows:

"Court law regards the persons and affairs of the court according to rights and obligations; court politics looks after prudence, the outward advantage and detriment (*Nuzen und Schaden*)".<sup>142</sup>

Utilitarian reasoning therefore is a matter of *Hofpolitik*, not of *Hofrecht*, which only is interested in legal questions. Court law, the continuation of ceremonial science, thus is not bound to analyse the costs and benefits of courtly actions. Consequently the political and the legal requirements as to court matters are often contradictory.<sup>143</sup>

A convincing integration of ceremonial science into cameralism thus was quite impossible, since both approaches are constructed around two opposed principles. Function in time and right to space could not be combined into one integral science, which would have been able to do justice to all aspects of court life. It might suffice to point out again that the the role of the ruler was totally different in both traditions. Whereas ceremonial science saw his right and power to determine court affairs as a matter of course, cameralistic science found itself confronted with the difficult task of building his incalculable person into its financial calculations.

### 3. Ceremonial and Business Language

Hence the relevant attempts of the cameralists to reconcile both sciences were not very successful. The incompatibility of both discourses sometimes was even felt by cameralistic writers themselves, who analyzed it in terms of language.

In 1767 Jacob Friedrich Döhler (1710-after 1787)<sup>144</sup> published his *Entwurf eines vollständigen Reglements oder einer Ordnung für eine*

<sup>141</sup> Carrach, *Grundsätze und Anmerkungen*, col. 809.

<sup>142</sup> *Ibidem*, col. 823: "*Das Hofrecht betrachtet die Personen und Geschäfte des Hofes nach dem Rechte und der Schuldigkeit; die Hofpolitik sihet nach der Klugheit, dem äusserlichen Nuzen und Schaden*".

<sup>143</sup> *Ibidem*, col. 825.

<sup>144</sup> Jacob Friedrich Döhler was born in Ohrdruf (Thuringia) in 1710. Having studied law in Jena, he became Imperial resident at the court of Naples. Being dismissed, he taught cameralism in Jena from 1766 onwards. Later he was appointed court coun-

*Fürstliche Hof=Cammer*.<sup>145</sup> As the title of this cameralistic treatise indicates ("Outline of the complete regulations or of an ordinance for a princely chamber"), Döhler compiled a fictitious tableau of rules for a princely chamber. The whole text was written as if it had been issued officially by a ruler.

Although the contents of his work do not differ too much from the other cameralistic systems, especially of Zincke and Justi,<sup>146</sup> in this case it seemed to stem from the pen of a prince himself, who dealt with all the petty details of the everyday administration of his territory. Thus Döhler achieved a twofold goal: Firstly he elegantly avoided presenting himself as a cameralist who stated rules for the delicate field of the court; and secondly he thereby immunized his book against criticism.

But this device caused the harsh criticism of Döhler's book in a review written by his colleague Springer<sup>147</sup> one year later. The latter declared it impossible to comprehend cameralistic matters with the help of what Döhler called "princely style" ("*Landesherrlicher Stil*") or "*Stylus major*", because only "learned language" ("*Gelehrte Sprache*") was able to suitably express them:

"We doubt that we can stand to follow the author from paragraph to paragraph. For we already see (...) the intention of filling many pages with common things in a language that may be more familiar to the author than the learned one (...). In principle the book is beneath contempt."<sup>148</sup>

Springer moreover ridiculed Döhler's trick of disguising the cameralist as a princely writer (or rather: disguising the prince as a cameralistic writer):

"In the following paragraphs he turns the prince into a simple secretary, who decrees many trivial things (...). On page 35 the prince even teaches how to make an index and how to deal with the initial letters."<sup>149</sup>

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cillor of Hesse-Homburg and the county of Bassenheim (1777). His year of death (after 1787) is unknown.

<sup>145</sup> Döhler, Entwurf eines vollständigen Reglements.

<sup>146</sup> Springer, Review, p. 211.

<sup>147</sup> Springer is identified as the author of the review by Wetzell, Die Mitarbeiter, p. 36.

<sup>148</sup> *Ibidem*, pp. 219f: "Wir zweifeln, ob wir es werden aushalten können, dem Verf. von Artikel zu Artikel zu folgen; denn wir sehen schon (...) die Absicht viele Bogen mit gemeinen Sachen in einer Sprache auszufüllen, die dem Verf. geläufiger seyn mag als die Gelehrte (...). Eigentlich ist das Buch unter aller Critik."

<sup>149</sup> *Ibidem*, p. 223: "In den folgenden Artickeln macht er aus seinem Fürsten einen trivialen Schreibmeister, und läßt ihn lauter triviale Sachen verordnen (...). S. 35 giebt der Fürst sogar Unterricht, wie man einen Index machen und wie man sich in Anschauung der Anfangsbuchstaben verhalten soll."

But Springer not only denies the possibility of handling a princely chamber by letting the prince himself act as a cameralist, he even blames Döhler for thus humiliating the ruler.<sup>150</sup>

The main points criticized by Springer can thus be attributed to the part the prince has to play within Döhler's staging of cameralistic matters. The resulting style stood in the centre of his attack. Springer was convinced that proper cameralism required an adequate "learned language", which was opposed to Döhler's "princely style".<sup>151</sup> Evidently the language normally used by a ruler, which implies the language of the court, was inferior to the technical jargon of the cameralists, when economic or financial facts were concerned.

Springer's opinion can also be expressed with the help of the categories developed above in chapter I: an analogous code like, for example, ceremonial, which was the predominant medium of communication at the early modern courts, was structurally unsuitable to formulate digital matters such as financial problems.

A similar "linguistic" opposition can be found in Büsch's *Fragmente über die Erziehung eines Prinzen*. In this case the comparison however is drawn with more subtlety and outspokenness than in Springer's. Büsch makes a difference between "ceremonial language" ("*Ceremoniel = Sprache*") and "business language" ("*Geschäfts = Sprache*"). He was convinced "that a prince who only speaks and acts in a ceremonial way could never become a true businessman, because he is too tongue-tied to speak like a businessman."<sup>152</sup>

The decisive advantage of "business-language" is its flexibility:

"It can be transformed in more manifold ways than the language of the man of world and manners. (...) He who first thinks of how he can be brilliant in a conversation or how to preserve his dignity, certainly cannot be successful with it."<sup>153</sup>

Therefore the "ceremonial language of the court" ("*Ceremoniel = Sprache des Hofes*") is unsuitable "for the business life of a prince" ("*für das geschäftsvolle Leben eines Fürsten*"),<sup>154</sup> just as, *vice versa*, the "business language" is not an adequate medium of normal court communication.<sup>155</sup> A prince must try to cope with both languages, since

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<sup>150</sup> *Ibidem*, p. 233.

<sup>151</sup> Springer also spoke of a "methodical tone" ("*methodischen Tone*") as opposed to Döhler's "*Stylus major*"; cf. *ibidem*, p. 231.

<sup>152</sup> Büsch, op. cit., p. 148.

<sup>153</sup> *Ibidem*, pp. 157f: "*Sie ist einer weit mannigfaltigeren Umbildung fähig, als die Sprache des Mannes von Welt und Sitten. (...) Der, dessen erster Gedanke ist, wie er in der Unterredung glänzen kann, oder nur daran denkt, seine Würde zu bewahren, trifft es gewiß nicht damit.*"

<sup>154</sup> *Ibidem*, pp. 162f.

<sup>155</sup> *Ibidem*, pp. 161f.

"he always remains the head of his court, even after he has become the first businessman of his country. Often however he then prefers the court language (*Hofsprache*) to business-language, or he combines them into a strange mixture." 156

The last passage quoted from Büsch's text not only describes the task of a ruler who wants to be a good businessman, but *mutatis mutandis* also the fundamental dilemma of the cameralists dealing with the economic and financial handling of court matters. Because court economy formed a field of knowledge defined by the intersection of ceremonial and cameralistic sciences with their respective own languages,<sup>157</sup> the cameralists had to function as translators, who formulated the pertinent problems in a way that was comprehensible and acceptable to the court staff and the prince. They did so by explicitly referring to ceremonial science, thus recognizing the legitimacy of court rationality, which unfortunately however was incompatible with the specific cameralistic rationality.

The explanation for this compromise can be found on the institutional level: The cameralists were not allowed to simply use cameralistic language for their reasonings on court economy, since as state officials they were socially dependent on the courts and rulers of the diverse princely states and hence forced to communicate with them. Thus they had to act in a setting the rationality of which was alien to them. In other words, their fates were largely influenced by the subtle balance of court favour and faction, but most cameralists were not familiar with the relevant mechanisms.

Due to this matter of social history, cameralistic handling of court economy proved to be a dead end. A solution was only possible after the fundamental changes in the course of the French revolution had destroyed the traditional princely states of the early modern period. This had, however, already been prepared by a serious debate on the economic and financial aspects of the court, which took place outside the academic textbooks and will be the topic of chapter VI.

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156 *Ibidem*, p. 207: "Der Prinz bleibt immer der erste Mann seines Hofes, eben dann, wann er der erste Geschäftsmann in seinem Lande wird. Da behält dann gerne auch bei ihm die Hofsprache die Oberhand über die Geschäftssprache, oder vereint sich mit dieser in ein wunderbares Gemisch."

157 Cf. as a French parallel the case of Pierre de Boisguilbert, who saw "*verité marchande*" and "*langage de cour*" as antagonistic: the latter, characteristic of the "*politesse*" in the France of his time, prevented the correct perception of the economic "*verité marchande des faits et des chiffres*"; Faccarello, *Aux origines de l'économie politique libérale*, pp. 233ff, especially pp. 256f and fn. 6.



## Chapter VI

### The Debate on Court Economy at the End of the 18th Century

In the second half of the 18th century, with a marked acceleration after 1770, the hitherto undisputed social and cultural leadership of the courts was increasingly questioned. Such a development is observable on two planes, firstly, inside the court societies of the period, the ceremonial pattern lost attraction. A new type of "sociable court" emerged, the peculiarity of which lay in its informality, its un-courtly features. It can indeed be regarded as the privacy of the prince, who saw rulership as a profession and enjoyed the court as his leisure time.

Secondly, the courtly model of intercourse became less binding for society as a whole. One of the clearest signs of this process is the remarkable success of Adolph von Knigge's book *Ueber den Umgang mit Menschen* (first edition 1788).<sup>1</sup> It propagated a new ideal of sociability,<sup>2</sup> which on the one hand still recognized the existence of separate estates with different mental habits, but on the other hand was characterized by the call for authenticity and sincerity of social intercourse instead of a courtly display of rank and power.<sup>3</sup>

Another decisive process took place on the political level. Enlightened absolutism, though it was often a claim rather than a reality, had at least altered the legitimacy basis of princely rule: the new standard was now efficiency, the personal political performance of the ruler, who had to work as the "first servant of the state"<sup>4</sup> for the well-being of his country and his subjects.<sup>5</sup> Legitimation was no longer gained by the simple display of princely rank, which was still a matter of course, but by the way power

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<sup>1</sup> *Knigge*, *Ueber den Umgang mit Menschen*.

<sup>2</sup> Still *Knigge's* book marks the end of the traditional discourse on social ethics rather than a new start, since it kept the prescriptive approach of its early modern predecessors by stating concrete, objective rules of behaviour for the whole set of possible situations; cf. *Frühsorge*, *Prolegomena einer Zeremonialwissenschaft*, pp. 355f; on *Knigge's* relation to the tradition of the books of manners see *Zaehle*, *Knigges Umgang mit Menschen*; *Bonfatti*, *La "Civil conversazione" in Germania*.

<sup>3</sup> On *Knigge's* advice as to interaction with princes and courtiers cf. *Knigge*, *op. cit.* III, pp. 40ff and 52-81 = III. Theil, Drittes Capitel ("*Ueber den Umgang mit Hofleuten und Ihres Gleichen*").

<sup>4</sup> On this phrase coined by Friedrich II of Prussia ("*Un prince est le premier serviteur et le premier magistrat de l'état*") cf. *Dreizel*, *Monarchiebegriffe in der Fürstengesellschaft*, pp. 779ff.

<sup>5</sup> Cf. e.g. *Retin*, *Einleitung*, pp. 14ff and 21f.

was used. In other words, the administrative reality of the régime grew more and more important at the expense of the suggestive charisma of court life.<sup>6</sup>

**Figure 13:** Two types of taste contrasted (Chodowiecki 1779)



This picture is the counterpart of figure 9. Instead of contrasting pre-ceremonialized and ceremonialized courtly behaviour with each other, the two couples here respectively represent the affected, formalized intercourse of the court sphere and natural bourgeois sociability. Again the background is significant: the formal park on the one hand, open countryside on the other.

These circumstances naturally enough had considerable consequences for the notion of court economy. Once the representative function of court life was superfluous or insufficiently fulfilled, the economic and financial supply of the courts was likewise called into question. Therefore the dispute on court economy grew increasingly intense during the last decades of the 18th century and it went beyond the circle of cameralistic experts and the genre of the academic treatise.

This phase of the debate will be the topic of the present chapter, which is divided into four parts. Firstly, economic court criticism in Germany will be presented. Secondly, its French counterpart has to be introduced too, because court economy in France had similar features to the German territories, though on a much larger scale. The French polemic hence considerably influenced the German one. Thirdly, the conditions in Great Britain must also be described, since the British system of the civil list served as a model for the institutional solution of the problem of court

<sup>6</sup> Cf. e.g. *Volker Bauer, Höfische Gesellschaft in Deutschland*, pp. 100ff.

economy in the German principalities. The German situation will be the subject of the fourth part of this chapter.

## 1. Court Economy and Court Criticism in Germany

The history of the early modern courts is a success story. From the 16th century until the collapse of the *ancien régime* at the end of the 18th century the court remained the most influential social and cultural model all over Europe. But this cultural hegemony was, at the same time, accompanied by a flourishing literature of court criticism,<sup>7</sup> the elements of which had petrified into a set of commonplaces that were repeated endlessly. The court was, first of all, perceived as a hotbed of libertinism and hypocrisy.<sup>8</sup>

Topical argumentation is typical of the traditional ethical literature of the medieval and early modern periods,<sup>9</sup> and pertinent court criticism indeed aimed at a moral reformation of court life rather than at its abolition. Consequently, the virtual motto of this kind of anti-court propaganda ran: "*Exeat aula, qui volet esse pius.*"<sup>10</sup> Although the diverse dangers to the spiritual welfare of the courtiers were colourfully pictured by this literature, the very existence of the court was not questioned.

But the situation gradually changed in Germany during the 18th century, when the traditional type of court criticism was superseded by a more radical, fundamental kind, which by assailing the court intended to strike at the order of the *ancien régime* as a whole. The object of this charge was no longer the moral depravity of a single fictitious or empirical court, but rather the entire court society and its rationality.

"This bourgeois 'criticism of the court society' (...) did not criticize the court as the centre of certain vices or as an image of the wicked world in general (...), but (...) as a function of social interaction. (...) On the political and social level the court is criticized (...) because of his societal function and political effect (...), i.e. as a switch point (*Schaltinstanz*) within a society, which begins to understand itself as a system of mutually dependent functions. Therefore dysfunctionality of the court can affect the outward experience and the structure of the whole society."<sup>11</sup>

One important part of this process of the formation of a new, principal type of court criticism is formed by the rising relevance of economic arguments. When the question of whether the court played a positive, functional role within polity and society of the 18th century had to be dis-

<sup>7</sup> Cf. e.g. *Smith*, *The Anti-Courtier Trend*.

<sup>8</sup> *Kiesel*, "Bei Höf, bei Höll", especially pp. 1ff.

<sup>9</sup> *Uhlig*, *Hofkritik im England des Mittelalters und der Renaissance*, especially pp. 148ff.

<sup>10</sup> *Kiesel*, op. cit., Motto.

<sup>11</sup> *Nell*, *Zum Begriff "Kritik der höfischen Gesellschaft"*, pp. 180f.

cussed, the problem of its economic usefulness was also touched upon. Hence the debate on court economy was decisive for the overall justification of court life. In other words, together with the economic legitimacy of court expenditure, the very legitimacy of court society was at stake.

Such criticism of court economy properly came into being in Germany during the transition from the 17th to the 18th century. Veit Ludwig von Seckendorff's *Teutscher Fürsten=Staat* (1656) still is representative of a reasoning on court economy the standard of which is given by the ethical requirements of the traditional "mirrors of princes" (*Fürstenspiegel*).<sup>12</sup> In the period following the publication of this work, however, criticism of the court on economic grounds underwent a process of

"quantitative extension and (...) qualitative change: the moral and ethical criteria of judgement are weakened, or even replaced, by economic principles."<sup>13</sup>

One proof of this thesis can of course be found within the cameralistic treatises, most of which mentioned the effects of court expenses on the economy of the given country. But normally these passages were not too clear, and when there really was a statement, it was usually favourable. Outspoken court criticism motivated by economic categories was not very abundant within these texts,<sup>14</sup> which were however meant to serve as text-

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<sup>12</sup> Kiesel, op. cit., pp. 164ff; on the *Fürstenspiegel* cf. Singer, *Die Fürstenspiegel in Deutschland*.

<sup>13</sup> Kiesel, op. cit., p. 168.

<sup>14</sup> Cf. but Pfeiffer, *Grundsätze der Universal=Cameral=Wissenschaft II*, pp. 922f, where he deliberately states a priority of investive expenditure made for the improvement of a country's infrastructure over mere court expenditure: "If agriculture has reached the possible state of perfection, if no more channels and no more meetings of rivers are possible, if no more fens can be drained and no more factories and manufactories be established, and if still the financial state of the country is good, then it is time to produce great splendid works of art, which entertain the eyes and express power, wealth and happiness, though with reason, taste and economy. But if however the ruler of a small state drowning in debts desires to do similar things, if he exhausts his subjects in order to satisfy his passions, if he even sends them to the shambles for cash, then the people abandoned to his whip have to be pitied endlessly (*Wenn die Cultur der Landwirtschaft zur möglichsten Vollkommenheit gebracht ist, wenn keine Canäle, keine Vereinigung der Flüsse mehr möglich, keine Moräste mehr auszutrocknen, keine Fabriken und Manufakturen mehr anzulegen sind, und dennoch der Schatz des Landes in guten Umständen sich befindet, so ist es Zeit, prächtige, das Auge belustigende, Macht, Reichthum, Zufriedenheit ankündigende grosse Kunstwerke, mit Verstand, Geschmack und mit Sparsamkeit anlegen zu lassen; wenn aber der Beherrscher eines in Schulden gleichsam ersäuften kleinen Staats etwas ähnliches zu thun sich gelüsten läßt, wenn er, um seine Leidenschaften zu vergnügen, die Unterthanen aussaugt, ja sie gar für baar Geld zur*

books for the academic training of loyal state officials and were therefore unsuitable vehicles of court criticism.

Open scepticism as to the economic conduciveness of court expenses can be found e.g. in Johann Michael von Loen's *Freye Gedancken* (1760), a small book containing thoughts on social and political matters. Among them the court was the subject of a chapter of its own, in which Loen stated that the political benefit usually imputed to a court was often compensated by its economic costs. On balance therefore according to Loen a court weakens rather than strengthens the power of a prince.<sup>15</sup>

The most likely place to find court criticism on economic grounds was however in the periodicals of the time,<sup>16</sup> which formed the main media of enlightened ideas in 18th-century Germany.<sup>17</sup> The genre of the moral weeklies (*Moralische Wochenschriften*) also attacked the court,<sup>18</sup> though their criticism was

"not on principle. The institution of the court, and likewise princely rule, is not questioned. The criticism is directed at the (...) moral difference of the world of the court."<sup>19</sup>

Consequently an economic view on court life can only rarely be found in these journals, and often it is quite positive. Thus the *Freymäurer* wrote on the occasion of an illumination in Leipsic in the honour of the Saxon elector:

"How many thousands of *Thaler* have been distributed among the people all at once? Tinmen, wire-drawers, glaziers, carpenters, joiners, stationers, painters, soap-boilers, shop-keepers, book-binders, smiths, and many others have profited from it. How many honest artisans might have been among them who by this profit purchased more material at the present fair than they could have done otherwise?"<sup>20</sup>

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*Schlachtbank liefert, so sind die seiner Peitsche überlassenen Menschen unendlich zu beklagen).*"

<sup>15</sup> Loen, *Freye Gedancken*, pp. 2f.

<sup>16</sup> Cf. e.g. the examples given by *Gerteis*, *Bürgerliche Absolutismuskritik*, pp. 166ff; it is however revealing that the rulers themselves were mostly spared the criticism directed at the courts.

<sup>17</sup> On the German 18th-century journals and their political role cf. especially *Wilke*, *Literarische Zeitschriften des 18. Jahrhunderts*, especially pp. 64ff; see also *Kirchner*, *Das deutsche Zeitschriftenwesen*.

<sup>18</sup> *Martens*, *Botschaft der Tugend*, pp. 343ff.

<sup>19</sup> *Ibidem*, p. 346f.

<sup>20</sup> Quoted in *ibidem*, p. 311: "Wieviel tausend Thaler sind nicht dadurch auf einmal unter die Leute gekommen? Klemperer, Drahtzieher, Glasmacher, Zimmerleute, Tischler, Papierhändler, Maler, Seifensieder, Kramer, Buchbinder, Schmiede, und

There were however exceptions, as an article in the *Patriot*, published in Hamburg, proves. Its author Weichmann commented upon the familiar conflict between decorum and financial resources, saying of princes:

"The best among them have expenses in the height of their revenues. Else they do not care about what can serve the well-being of their loyal people in case of famine, warfare and other trouble. Others in contrast do not even regulate their expenses according to the capacity of their subjects, but only to the grandeur of their princely rank. Often they even surpass it and try to be equal to the biggest ones among them. (...) Hence most courts are deeply in debt and the countries almost completely exhausted".<sup>21</sup>

This statement is even more of an exception, as it was uttered quite early, in 1725, whereas normally only the journals of the last two decades of the 18th century, long after the heyday of the moral weeklies, dared to express such an opinion.<sup>22</sup> During this period they often contained articles which criticized the economic and financial performance of the courts to a degree unthinkable in any other context, let alone in the cameralistic books.

In contrast to the latter, these texts employed a much more functional approach to court life. Whereas the textbooks on cameralism carefully avoided drawing logical conclusions from their utilitarian view, as chapter IV has proved, the relevant articles dared to deny the court costs any economic or even political usefulness.<sup>23</sup>

*viele andere haben einigen Gewinn davon gehabt. wie mancher ehrliche Handwerksmann wird nicht darunter gewesen seyn, der sich bey diesem Verdienste mehrere Materialien bey gegenwärtiger Messe eingekauft, als er sonst thun können?"*

<sup>21</sup> Weichmann, *Der Patriot*, 97. Stück, p. 366: "Die es von diesen noch am besten machen, lassen ihre Ausgabe mit der Einnahme auffgehen, und bekümmern sich übrigens wenig, was etwan in Hungers=Noht, Krieges=Zeit, und andern Land=Plagen zur Wohlfahrt ihres getreuen Volckes dienen könne. Andere hingegen richten nicht einmahl ihre Ausgaben nach dem Vermögen ihrer Unterthanen ein, sondern bloß nach der Hoheit ihres Fürstlichen Standes. Sie gehen öfters sogar über ihren Stand, und suchen es den allergrösten unter ihnen gleich zu thun. (...) Daher kommt es, daß die meisten Höfe in solchen entsetzlichen Schulden stecken, die Länder fast durchgehends ausgesogen sind".

<sup>22</sup> Cf. however also *Justi* (ed.), *Deutsche Memoires*, especially part II, 2, pp. 184-189, stemming from 1744.

<sup>23</sup> In this context the problem of censorship on the part of the Imperial or territorial authorities is undoubtedly important. To what degree it concretely intervened on the field of court economy, however, remains an open question. After all the material of this study consists of printed sources, which have survived potential attempts of censorship (on censorship in early modern Germany in general cf. *Eisenhardt*, *Die kaiserliche Aufsicht über Buchdruck, Buchhandel und Presse* and *idem*, *Wandlungen von Zweck und Methoden der Zensur*). Case studies on single territories contain remarks on censorship concerning the respective courts, but they refer to periodicals

The point of departure of most of these texts is the complaint about the rising level of court expenditure compared to an earlier period.<sup>24</sup> One article from 1783 is entitled: *Beyträge zu einer deutschen Aufwands= und Prachtgeschichte des Mittels des vorigen Jahrhunderts: aus Originalrechnungen eines deutschen Fürsten* ("Contributions to a German history of splendour and expenditure in the middle of the last century: from the original accounts of a German prince"). In fact the whole text is simply uncommented excerpts of princely accounts, which were obviously thought to speak for themselves, i.e. against the court costs at the end of the 18th century.<sup>25</sup>

An article published in the *Journal des Luxus und der Moden* in 1790 used another method to polemicize on the same subject by explicitly contrasting two accounts from a different temporal and geographical setting. While the first one shows diverse expenses made by duke Johann Ernst of Saxony-Eisenach in the last decade of the 16th century,<sup>26</sup> the second estimates the annual income of a French court dentist up to the year 1789.<sup>27</sup>

Before presenting both pieces, the writer advertises them as "two remarkable documents, which are deliberately compared in order to give a yardstick of the luxury of different times and peoples. What a distance of

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and libels and not to cameralistic textbooks, which as academic writings were normally to be censored by the universities themselves. In Württemberg e.g. the newspaper censor Bühler was ordered in 1762 to ensure that articles on the ducal court were "written properly"; cf. *Schreiner-Eckhoff*, Bücher- und Pressezensur im Herzogtum Württemberg, p. 209. In 1788 the *Kurmainzische privilegierte Zeitung* was forbidden to publish news on the courts of Mayence and Würzburg; cf. *Freund*, Bücher- und Pressezensur im Kurfürstentum Mainz, p. 74. In electoral Saxony the presumable author of the critical *Portrait de la cour de Pologne* (1704), the chamberlain Johann Friedrich von Wolframsdorf (c. 1674-1712) was brought to trial and ended up in prison; cf. *Kobuch*, Zensur und Aufklärung in Kursachsen, pp. 202ff. See also *Eisenhardt*, Die kaiserliche Aufsicht über Buchdruck, Buchhandel und Presse, pp. 125f, especially fn. 63 and 68, where several writings are mentioned that were or were to be censored because they offended the Imperial court in Vienna (*Le portage de la Pologne; Freimütige Briefe an den Grafen von V. über den Zustand der Wiener hohen Schule; Freimütige Betrachtungen eines politischen Weltbürgers über wichtige Gegenstände* <1794>) and the Russian court (articles in the *Neueste Weltgeschichte* <1750> and in the *Post- und Telegrafenzeitung* <1752>, and the *Memoires de la Reine d'Hongriès*).

24 Cf. e.g. *Schlettwein*, Anmerkungen über die Badische Cammer=Ordnung, pp. 150f; Zur Geschichte des Luxus der deutschen Höfe, pp. 402f.

25 *Beyträge zu einer deutschen Aufwands= und Prachtgeschichte*.

26 *Maasstab der modischen und häußlichen Bedürfnisse zu Anfange des XVII. Jahrhunderts in Teutschland*.

27 *Revenüen eines Französischen Hof=Zahn=Arztes bis ins Jahr 1789*.

manners and times!"<sup>28</sup> In the last two sentences of his article, the anonymous author indicates that he approves the French revolution, as it saw to the abolishment of the office of a court dentist, the holder of which could hope to earn c. 30,000 *livres* a year.<sup>29</sup>

A more analytical kind of criticism of court economy can be found in two articles from August Ludwig Schlözer's *Stats=Anzeigen*. The volume from 1788 comprises a so-called *Spiegel für minder mächtige Fürsten* ("Mirror for less mighty princes"), which describes in detail the financial ruin of a small territory, due to the mistaken policy of its young ruler.<sup>30</sup> The main part of the text is formed by the reasonings of the country's chancellor,<sup>31</sup> which are presented as authentic exhortations to his ruler.<sup>32</sup> According to the official, the main reason for the decline consists in the importance of the court sphere. Firstly a splendid court simply costs too much, while secondly it increases the influence of courtiers and "*Projetteurs*" at the expense of honest and competent financial experts.<sup>33</sup>

After having presented Friedrich II of Prussia as an exemplary ruler, the chancellor finally urges the prince to change the hitherto dominating principles of his policy:

"From now on do not regard the consuming class - your courtiers and soldiers -, but the economically active class (*erwerbende VolksClasse*) as the main part of your country, for whom you are properly responsible and to whom you owe the highest esteem and attention."<sup>34</sup>

Whereas in this article the excessive court costs and their devastating consequences are caused individually by the inclinations of the inexperienced prince (and hence can be healed by his individual instruction, offered by a loyal councillor),<sup>35</sup> another article, also published in the *Stats=Anzeigen*

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<sup>28</sup> Maasstab der modischen und häußlichen Bedürfniße zu Anfange des XVII. Jahrhunderts in Teutschland, p. 73: "zwey merkwürdige Akten=Stücke, die wir hier mit Fleiße nebeneinanderstellen, um einen Maasstab des Luxus verschiedener Zeiten und Völker zu liefern. !Welch ein Abstand der Sitten und Zeiten"; cf. also Revenüen eines Französischen Hof=Zahn=Arztes bis ins Jahr 1789, p. 77.

<sup>29</sup> Revenüen eines Französischen Hof=Zahn=Arztes bis ins Jahr 1789, p. 78.

<sup>30</sup> Spiegel für minder mächtige Fürsten, pp. 3ff.

<sup>31</sup> *Ibidem*, pp. 5ff.

<sup>32</sup> Cf. *ibidem*, p. 12, where the text allegedly written by the chancellor is even signed and dated (17 December 1777).

<sup>33</sup> *Ibidem*, pp. 5ff.

<sup>34</sup> *Ibidem*, p. 11: "Sehen Sie also von nun an nicht, wie bisher, die verzerende Classe - Ihre Höflinge und Ihre Soldaten - nein! sehen Sie die erwerbende VolksClasse, für den Haupt=Theil Ihres Landes und für den an, um dessentwillen Sie eigentlich da sind, und welchem Sie die größte Achtung und Aufmerksamkeit schuldig sind."

<sup>35</sup> Cf. especially *ibidem*, pp. 3ff.



(1793), examines the problem of court economy within the framework of a larger historical process.

After the conventional praise of the more economical days of old,<sup>36</sup> the different trends are described, which together led to the ruinous growth of court expenditure: firstly, after the Peace of Westphalia the German princes wished to manifest their newly acquired semi-sovereign status by courtly splendour in spite of the considerable war damage;<sup>37</sup> secondly, after 1700 the traditional princely houses ("*die altfürstlichen Häuser*") strived for equality with the electoral ones;<sup>38</sup> thirdly, French influence on the German courts raised the level of necessary pageantry;<sup>39</sup> and fourthly, there were no institutional inhibitions for rising costs, as the estates in most German territories were too weak to successfully resist court luxury.<sup>40</sup>

The article is rounded off by again looking back into a happier period: the last page contains a letter from the 16th century, treating of a very modest present of a landgrave to his godchild.<sup>41</sup>

Such a retrospective view also introduces the economic court criticism in an article by Johann August Schlettwein (1731-1802),<sup>42</sup> the most important German representative of physiocracy. In 1780 he wrote:

"The luxury, which has become permanently greater over some centuries, has made the maintenance of the courts much more costly than previously. But pardon me, if the continuation or the increase of luxury expenses are not regarded by me as lustre necessary for the princely dignity. Princely dignity as such is sublime enough not to need all the delusion, which by luxury enchants imagination, and to shine more intensely and beautifully in its light, the less it is surrounded by the tinsel of luxury."<sup>43</sup>

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<sup>36</sup> Zur Geschichte des Luxus der deutschen Höfe, dessen Entstehung und Folgen, pp. 402f.

<sup>37</sup> *Ibidem*, p. 403f.

<sup>38</sup> *Ibidem*, p. 403.

<sup>39</sup> *Ibidem*, p.404f.

<sup>40</sup> *Ibidem*, pp. 405ff.

<sup>41</sup> *Ibidem*, p. 410.

<sup>42</sup> Johann August Schlettwein was born in Weimar in 1731 and studied law and cameralistic sciences in Jena. In 1763 he started his administrative career as *Kammer-* and *Polizeirat* in Baden under the physiocratic margrave Karl Friedrich. After their failure to put into practice the principles of the *économistes*, Schlettwein concentrated on an academic career: After having been lecturer in Basel, he was appointed professor of politics and cameralistic sciences at the university of Gießen; cf. Allgemeine deutsche Biographie, vol. 31, pp. 467ff; Deutsches Biographisches Archiv, microfiche no. 1108, pp. 241ff.

<sup>43</sup> Schlettwein, op. cit., pp. 150f: "*Der Luxus, der seit ein Paar Jahrhunderten her immer höher gestiegen ist, hat folglich den Unterhalt der Höfe weit kostbarer gemacht, als er vorher war. Aber man verzeihe es mir, wenn ich es für keinen der*

This passage, very similar to a remark made by Justi more than 20 years earlier,<sup>44</sup> is quite a frank rejection of the usual justification of court life, i.e. the argument of decorum. It is by no means accidental that such a radicalism is uttered by an exponent of physiocracy. It is sufficient in the present context to briefly summarize the central ideas of this school, which had a remarkable success in France in the 1760's<sup>45</sup> and in Germany some ten years later.<sup>46</sup>

The physiocratic conception rested upon the theory

"that agriculture is the original source of wealth, that agricultural labour is uniquely productive, and that taxation should be levied solely upon the natural surpluses arising from agriculture".<sup>47</sup>

These principles had to be recognized by the political actors and put in practice above all by the instituting of commercial liberty and a single tax (*impôt unique*) on the agricultural *produit net*.<sup>48</sup> Then the positive, empirical economic order would be in conformity with the *ordre naturel*, characterized by an ever harmonious balance.

Thereby the role of the state, and in the French and German 18th-century reality this meant of the prince in the first hand, consisted in bringing about this natural order by abolishing all impediments. And thus physiocratic ideas possessed considerable attraction for rulers with absolutist aspirations, since princes pursuing a physiocratic policy did in fact act in accordance with natural order and hence were justified by an advanced politico-economic system.<sup>49</sup> Physiocracy supplied absolutist princely rule with a new legitimization:<sup>50</sup> it was necessary to enforce its maxims.

*Fürstenwürde schuldigen Lüste ansehe, den Aufwand des Luxus fortzusezen, oder gar noch höher zu treiben. Die Fürstenwürde hat an sich schon so große Erhabenheit, daß sie aller der Blendwerke, welche die Imagination im Luxus bezaubert, nicht bedarf, und in ihrem Lichte desto stärker und schöner glänzet, je weniger sie mit dem Flittergolde des Luxus umgeben ist."*

<sup>44</sup> Justi, Staatswirtschaft II, p. 564.

<sup>45</sup> The principal writings of the French physiocrats are collected in *Daire* (ed.), Physiocrates; on the history of the movement cf. the following classical studies: *Weulersse*, Le mouvement physiocratique and *idem*, La physiocratie à l'aube de la Révolution.

<sup>46</sup> On the German reception of Physiocracy cf. *Blaich*, Beitrag der deutschen Physiocraten; *Braunreuther*, Über die Bedeutung der physiokratischen Bewegung; *Tribe*, Governing Economy, pp. 119ff; for a bibliography of the German physiocratic writings cf. *Priddat*, Bibliographie der physiokratischen Debatte in Deutschland.

<sup>47</sup> *Tribe*, op. cit., p. 123.

<sup>48</sup> *Mann*, Steuerpolitische Ideale, pp. 186ff, especially 192f.

<sup>49</sup> *Hensmann*, Staat und Absolutismus, p. 110ff.

<sup>50</sup> *Ibidem*, pp. 292ff; cf. also *Muhlack*, Physiokratie und Absolutismus, especially pp. 26ff.

Paradoxically these consequences of physiocracy, so favourable for monarchical régimes in general, led to a legitimation crisis of the court in particular. Firstly, a splendid court life was no longer necessary to justify princely rule by outward signs. It was instead legitimized by an up-to-date doctrine, which in the Age of Reason seemed to be more convincing an argument. Secondly, court economy had to prove its functionality in the physiocratic framework. All economic actions were checked for their compatibility with the aim of strengthening the agrarian sector. This also applied to court consumption.

While speaking of public expenditure, Schlettwein e.g. pointed out in his *Grundfeste der Staaten oder die politische Ökonomie* (1779):

"The more and the quicker the fortune (*Vermögen*) and the motivation (*Eifer*) of the producers of what is consumed (*Genießungen*), or of the landed proprietor, is stimulated and kept alive by the expenditure of the state, the more perfect and blessed this expenditure is for people and ruler. The less and the slower however the expenditure of the state flows back into the hands of the landed proprietors, the more imperfect it is."<sup>51</sup>

This rule is valid for court costs too, which only can be justified if they contribute to the wealth and prosperity of agriculture to the highest degree possible. Correspondingly Schlettwein the article quoted here openly declared court and civil servants to be less favourable to the economy of a country than soldiers:

"If an expenditure is made exclusively for the pleasure of a ruler, then it is better to maintain many soldiers than to fill chancelleries and other departments with unnecessary servants, to make the court more splendid by many unhappy idlers, to enlarge the princely stable, to keep hundreds or thousands of dogs and other useless animals, to erect costly theatres, and to feed actors and dancers (...). Any expenditure made for soldiers goes back as quickly as possible into the hands of the classes which carry on agriculture and the most necessary and useful industries of the country (*Cultur und die nothwendigsten und nützlichsten Gewerbe des Landes*). Thus the circulation of money and goods is supported. Luxury as to vanities, which is the most detrimental one, is hardly or not at all nourished by the soldiery. These important advantages are not to be found with all the other uses of money, which have been touched upon above."<sup>52</sup>

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<sup>51</sup> Schlettwein, *Grundfeste der Staaten*, p. 623.

<sup>52</sup> *Idem*, *Anmerkungen über die Badische Cammer=Ordnung*, p. 156: "*Wann eine Ausgabe nur zur Lust eines Regenten gemacht werden soll, so ist es unendlich besser, viele Soldaten zu halten, als die Canzleyen und andere Departments mit vielen unnöthigen Bedienten zu besetzen, den Hofstaat durch viele unglückliche Müßiggänger glänzend zu machen, den Marstall zu vergrößern, hunderte oder tausende von Hunden und anderen nicht zum Nutzen erreichenden Thieren zu halten, kostbare*

This passage from Schlettwein's pen is particularly remarkable, for it is one of the clearest examples of court criticism for strictly economic reasons. Court expenditure is reproved, because it serves the needs of the productive classes less than other items. The decisive criterion is the functionality of court economy in the larger context of the whole territory.

Schlettwein's text provoked some reaction by Friedrich Carl Moser, who however did not entirely grasp the novelty or radicalism of this approach. Moser published an article in 1790 asking *Ob es besser seye, viele unnöthige Soldaten, oder viele unnöthige Junkern, Comödianten, Musicanten etc. etc. zu halten?* ("Whether it is better to maintain many unnecessary soldiers or many unnecessary court nobles, comedians, musicians etc. etc.?"),<sup>53</sup>

First of all is it conspicuous that the alternative originally offered by Schlettwein (military *versus* court and administrative staff) is sharpened by Moser, who simply leaves out the latter.<sup>54</sup> Whereas Schlettwein prefers soldiers even to state officials, Moser is obviously unwilling to accept the idea that administrative personnel too could be regarded as unnecessary.

Secondly, and this might be an explanation, Moser does not deal with Schlettwein's economic motivation at all. Though he points out that the then princely employer of Schlettwein<sup>55</sup> disproved his thesis by buying all the military supply abroad,<sup>56</sup> Moser does not discuss its theoretical foundation. Instead he simply wrote on the problem raised by the physiocrat:

"Generally concerning his gloss one could say: Both alternatives are equally useless. But if it was to be discussed as a mere problem, this could best be done in a

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*Theaters zu errichten, und Comödianten und Tänzer (...) zu ernähren. Aller Aufwand, der auf Soldaten gemacht wird, geht in der größtmöglichen Geschwindigkeit in die Hände derjenigen Menschen=Classen zurück, von welchen die Cultur und die nothwendigsten und nützlichsten Gewerbe des Landes getrieben werden. Der Cirkel des Geldes und der Waaren wird dadurch außerordentlich unterstützt. Der Luxus in Vanitäten, welcher gerade der verderbteste ist, bekommt wenig oder gar keine Nahrung durch den Soldatenstand. Bey allen übrigen Verwendungen des Geldes, die vorher berührt worden, finden sich diese wichtigen Vortheile nicht."*

<sup>53</sup> Friedrich Carl Moser, *Ob es besser seye, viele unnöthige Soldaten, oder viele unnöthige Junkern, Comödianten, Musicanten etc. etc. zu halten?*

<sup>54</sup> Although Moser quotes the complete passage from Schlettwein's text: *ibidem*, pp. 478f.

<sup>55</sup> Though Moser dates back Schlettwein's article wrongly to 1785 (cf. *ibidem*, p. 479), he certainly alludes to Ludwig IX, whom Schlettwein served as a professor at the university of Giessen since 1777. It is probably more than a piquant coincidence that the prince criticized here by Moser is identical with the one who had angrily dismissed him in 1780.

<sup>56</sup> *Ibidem*, p. 479.

country, whose ruler had tried all the different items one after another and (...) become fed up with all of them"<sup>57</sup>.

A real debate therefore did not take place, due to Moser's strictly empirical approach, although both opponents certainly had a lot to say about court expenditure and its consequences.

The most thorough discussion on this field thus was left to another contributor, namely August Hennings (1746-1826), a high state official in Denmark and the duchies Schleswig and Holstein.<sup>58</sup> He was the author of an article which promised a *Historisch-Moralische Schilderung des Einflusses der Hofhaltungen auf das Verderben der Staaten* (Historical and moral description of the influence of the courts on the ruin of the states") and indeed can be read as a sort of sum of the economic and other court criticism of the late 18th century.

Hennings' text starts with a definition which considerably influences his view on the court in general: "The court is, in the proper sense, the household of the prince, comprising his, and not the state's, personal domestics."<sup>59</sup> The following paragraphs then contain the usual subjects of court criticism, i.e. the common moral censure,<sup>60</sup> some remarks on the education of a prince,<sup>61</sup> and a negative view of ceremonial, which is said to isolate the prince and to deprive him of his individuality.<sup>62</sup>

The proper matter of Hennings' article is however court economy. It is introduced by stressing that a princely household too must be run by experts such as "accountants, administrators, inspectors" ("*Rechnungsführer, Verwalter, Aufseher*") in spite of the "dignity of a ruler" ("*Würde*

<sup>57</sup> *Ibidem*, pp. 479f: "Ueberhaupt könnte man über seine Größe sagen: Eins ist so wenig nuz, als das andere. Wenns aber nur als Problem erörtert werden soll, würde solches nirgends besser geschehen können, als in einem Land, dessen Regent alle diese Rubriquen nacheinander gehabt und (...) alles satt geworden".

<sup>58</sup> August Hennings was born in Pinneberg in 1746 as the son of a state councillor (*Etatsrat*). After having studied law at Göttingen from 1763 until 1766, Hennings went to Copenhagen, where he held several posts in the financial and commercial administration and later in the diplomatic service of Denmark. In 1781 he was transferred to the duchies Schleswig and Holstein, and the embittered Hennings regarded his removal from the capital Copenhagen as a deliberate discrimination. Besides his activities as an *Amtmann* in Plön, Hennings published books and articles on political topics, which sometimes aroused conflicts with the authorities; cf. *Allgemeine deutsche Biographie*, vol. 11, pp. 778ff; *Deutsches Biographisches Archiv*, microfiche 513, pp. 299ff.

<sup>59</sup> Hennings, *Historisch-Moralische Schilderung*, p. 389: "Der Hof ist, im eigentlichen Sinne, die Haushaltung des Fürsten; dessen, nicht des Staats persönliche Dienerschaft".

<sup>60</sup> *Ibidem*, especially pp. 395ff.

<sup>61</sup> *Ibidem*, pp. 418ff.

<sup>62</sup> *Ibidem*, pp. 421ff.

eines Beherrschers").<sup>63</sup> According to Hennings, the requirements of this special dignity are fulfilled rather easily: "The greatest sovereign does not need more than the smallest prince for his proper personal service."<sup>64</sup>

In reality unfortunately this principle is not acknowledged at court,<sup>65</sup> and due to the political and social impact of the court sphere - even on the prince himself -<sup>66</sup> cannot be put into practice in the princely state as a whole.

The weight of court interests in the political framework is relative to the number of people involved:

"The extent of the influence of the courts on the ruler and the state can be judged best by the pay-roll (*Etat*) of a court. According to a printed advertisement, the court in Munich comprised:

under the <i>Oberhofmeister</i>	1103 persons,
under the <i>Oberkämmerer</i>	234 persons,
under the <i>Oberhofmarschall</i>	692 persons,
under the <i>Oberstallmeister</i>	1107 persons,
under the <i>Oberjägermeister</i>	514 persons,
under the director of the theatre	450 persons,
altogether	4100 persons." <sup>67</sup>

Hennings then deplores that, contrary to his definition of the court as the personal household of the prince, the charge resulting from an expensive court life must be carried by the state budget in general:

"If one compares the number of court members and the costs of their maintenance with the population and revenues of a state (...), one seldom finds a right proportion. The court economy and the pertinent people are reckoned among the requirements of the state, although properly they are a personal expenditure of the ruler.

<sup>63</sup> *Ibidem*, pp. 414f.

<sup>64</sup> *Ibidem*, p. 415: "*Der größte Souverain braucht nicht mehr, als der kleinste Fürst, zu seinem eigentlichen persönlichem Dienste.*"

<sup>65</sup> *Ibidem*, pp. 13ff.

<sup>66</sup> *Ibidem*, pp. 17f.

<sup>67</sup> *Ibidem*, pp. 17: "*Wie mächtig der Einfluß der Höfe auf den Regenten und den Staat ist, kann man am besten aus dem Etat eines Hofes beurtheilen. Nach einer gedruckten Anzeige standen vor einigen Jahren am Hofe zu München,*

<i>unter dem Oberhofmeister</i>	1103	<i>Seelen</i>
<i>unter dem Oberkämmerer</i>	234	-
<i>unter dem Oberhofmarschall</i>	692	-
<i>unter dem Oberstallmeister</i>	1107	-
<i>unter dem Oberjägermeister</i>	514	-
<i>unter dem Theater-Intendanten</i>	450	-
<i>Zusammen</i>	4100	<i>Seelen".</i>

ments of the state, although properly they are a personal expenditure of the ruler. Hence a rule must be fixed of how much the state can afford for them, and with respect to appointments or dismissals of servants the prince must have regard to this certain grant. If prices of goods rise and fairness requires that a little more has to be given for the household of the ruler, then this must happen according to the circumstances, as in England, where the civil list and the budget of the royal house is augmented from time to time. If nothing is fixed, the ruler gets used to handling all public revenues as if they were established for his own use. The state is treated like a leased farm, from which the tenant profits as much as possible".<sup>68</sup>

Here Hennings mentions the institution by which in future the problem of court economy should be settled in the German states, namely the civil list, which was to guarantee the "irrefutable principle that a ruler could not handle public revenues as his own" ("*unumstößlicher Grundsatz, daß ein Regent die Staatseinkünfte nicht wie die Seinigen behandeln könne*"). By the non-identity of princely and public income, the ruler was obliged to economize,<sup>69</sup> a task which was however likely to be thwarted by the poor condition of the court administration. Though inflated in terms of staff, its efficiency was quite low, because it was ruled by personal ambitions rather than by real competence.<sup>70</sup>

But even for Hennings the court was more than just a spend-thrift, cumbersome and in the last resort superfluous apparatus. He too admitted "that outward splendour is necessary for a prince".<sup>71</sup> But its political necessity had nothing to do with the nobility, as he remarked subsequently:

"The question to be discussed is thus whether the policy of the sovereigns does not involve the retaining of courts, in order to keep the owners of dignities and riches, who otherwise would become too proud, in a sort of dutiful submission".

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<sup>68</sup> *Ibidem*, pp. 21f: "Wenn man (...) die Zahl der Hofleute und die Kosten ihrer Unterhaltung mit der Bevölkerung und mit den Revenuen eines Staats vergleicht, so ist selten ein richtiges Verhältniß anzutreffen. Die Hof-ökonomie, mit den dazu gehörigen Personen, wird zu den Staatsbedürfnissen gerechnet, da sie doch eigentlich ein persönlicher Aufwand des Regenten ist, für die eine Regel festgesetzt seyn muß, wie viel der Staat dazu hergeben kann, und auf diesen bestimmten Zuschuß muß der Fürst in der Annahme und in der Verabschiedung seiner Bedienten Rücksicht nehmen. Steigen die Preise der Dinge, und erfordert es die Billigkeit, daß zur Haushaltung des Regenten etwas mehr ausgesetzt werde: so muß dies den Zeitläufen gemäß geschehen, so wie in England die Civilliste und der Etat des Königl. Hauses von Zeit zu Zeit erhöht werden. Wird hierin nichts festgesetzt, so gewöhnt sich der Regent alle öffentlichen Einkünfte so zu behandeln, als ob sie zu seinem Nutzen gesteuert würden. Der Staat wird als ein Pachtgut behandelt, aus dem der Zeitpächter alle möglichen Vortheile zieht".

<sup>69</sup> *Ibidem*, p. 23.

<sup>70</sup> *Ibidem*, p. 24ff.

<sup>71</sup> *Ibidem*, p. 40: "Ich gebe zu, daß äußere Pracht dem Fürsten notwendig ist".

His answer, however, makes clear that this view only applies to despots, not to the average European rulers.<sup>72</sup>

At the end of his article Hennings reflects on the role of the courts in the general history of manners and behaviour. He sees the trading centers rather than the courts as strongholds of the civilizing process:

"Countries and towns where trade and arts flourished have always possessed the tone of real urbanity to a higher degree, and sometimes also earlier, than the courts."<sup>73</sup>

Correspondingly he concludes his text by playing off the superior urbanity of "prosperous commercial towns" ("*blühende Handelsstädte*") against the inferior "courtesy of the court" ("*Höflichkeit des Hofes*").

So on the last few pages Hennings considerably enlarges the scope of his text. His overall judgement of the courts thus takes into consideration different aspects: though he recognizes the political function of the courts, he is at the same time aware of the high economic costs involved. Finally he self-confidently even denies the court society what it had always been so proud of: being the model which has set the cultural standards for the whole early modern society.

It is particularly interesting that three of the articles discussed here explicitly speak of "luxury" ("*Luxus*") when dealing with court expenditure,<sup>74</sup> whereas this term did not occur at all in the relevant passages of the cameralistic treatises. Labelling court expenses as "court luxury" ("*Hofluxus*")<sup>75</sup> made it possible to link economic court criticism to the luxury debate of the 18th century.

This dispute was of crucial importance for the political economy of the period, as fundamental questions were involved. By arguing about the pros and cons of luxury, which was never convincingly defined, problems like the distribution of wealth, social inequality, forms of government, economic and cultural progress were touched upon. The main achievement of

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<sup>72</sup> *Ibidem*, p. 43: "Es ist daher eine nicht aus der Acht zu lassende Frage, ob es nicht die Politik der Souveraine mit sich bringt, Hofhaltungen beizubehalten, um die sonst zu stolz werdenden Besitzer der Würden und Reichthümer in eine Art dienstlicher Unterwürfigkeit zu halten".

<sup>73</sup> *Ibidem*, p. 53: "Länder und Städte, in denen Handel und Künste blüthen, haben immer weit mehr, und zum Teil auch frühzeitiger, als Höfe, den Ton wahrer Urbanität gehabt."

<sup>74</sup> *Schlettwein*, op. cit., pp. 150f; Zur Geschichte des Luxus der deutschen Höfe, dessen Entstehung und Folgen; Maasstab der modischen und häußlichen Bedürfnisse zu Anfange des XVII. Jahrhunderts, p. 73. Hennings does not speak of luxury, but his differentiation between "*Pracht*" and "*Ueppigkeit*" seems to make the latter a synonym of luxury; cf. *Hennings*, op. cit., pp. 40f.

<sup>75</sup> Cf. e.g. Zur Geschichte des Luxus der Höfe, dessen Entstehung und Folgen.



the debate however was the fact that the issue of luxury was the field on which economic topics were for the first time discussed exclusively in economic terms. Prepared already by Bernard Mandeville's "Fable of the Bees" (first edition 1714), the reasoning on the results of luxury was discharged at least after Jean-François Melon's contribution (1734) from moral argumentation. The luxury debate in a sense opened the way to a "modern" understanding of economics, separated from ethics.<sup>76</sup>

Thus it offered the chance also to proceed similarly with court economy, which shared a lot of problems with general luxury and so could have been treated likewise. But this opportunity was not seized by most of the writers. The discourse on court economy was only marginally influenced by the discourse on luxury, due to the latter's peculiarities, especially in the Holy Roman Empire.

Definitely the main theatre of the polemic in continental Europe anyway was France,<sup>77</sup> where it took on a fierceness that was lacking elsewhere, e.g. in Germany.<sup>78</sup> Originally luxury was attacked for two main reasons. It was said to be detrimental in moral terms, since it promoted voluptuousness and mollicoddling at the expense of weakening e.g. military virtues and the feeling of responsibility for social matters. Secondly it was seen as a threat to the static social order, in that the growing consumption of luxury goods by rich members of the bourgeoisie blurred the line especially between the nobility and the third estate.

With the success of Melon's *Essay politique sur le commerce*,<sup>79</sup> however, the level of argumentation changed, for from then onwards economic arguments were introduced into the debate.<sup>80</sup> The advocates of luxury justified it as a means of supplying employment within the luxury trades and of guaranteeing the necessary circulation of money between the social classes.<sup>81</sup> But their opponents (except for the somewhat ambiguous physiocrats)<sup>82</sup> mostly did not follow this step, they rather stuck to their traditional arguments,<sup>83</sup> so that the discourse on luxury resembled a crooked

<sup>76</sup> With slight modifications this even applies to those opponents of luxury who like Jacques Rousseau or some physiocrats justified their attitude by a partial recourse to ethical argumentation. While in the case of Rousseau one can speak of a "'primacy of politics' over moral and religion", the position of the physiocrats rested on a "basis of technical reasoning in economic categories rather than stemming from moral presuppositions"; cf. *Borghero*, Introduzione, pp. 23, 25 and 29.

<sup>77</sup> On France cf. e.g. *Borghero* (ed.), *La polemica sul lusso and Labriolle-Rutherford*, *L'evolution de la notion du luxe*.

<sup>78</sup> On Germany cf. *Stolleis*, *Luxusverbote und Luxussteuern in der frühen Neuzeit*.

<sup>79</sup> Cf. the excerpt in *Borghero* (ed.), op. cit., pp. 23-32.

<sup>80</sup> *Labriolle-Rutherford*, op. cit., pp. 1026f.

<sup>81</sup> *Pallach*, *Materielle Kultur und Mentalitäten*, p. 151.

<sup>82</sup> *Labriolle-Rutherford*, pp. 1034f; cf. also *Landauer*, *Die Theorien der Merkantilisten und Physiokraten*, pp. 84ff.

<sup>83</sup> *Labriolle-Rutherford*, op. cit., pp. 1029ff; cf. also *Pallach*, op. cit., p. 152.

battle order: One party used economic arguments in favour of it, which simply were not answered by the other party, who remained strictly opposed to it, but primarily on non-economic grounds.

This constellation, which of course is a simplified picture of the state of the polemic in the second half of the 18th century, nevertheless explains why the court and its luxury were largely spared from the criticism of the overall luxury. Of course writers who approved of luxury in general had no reason to condemn court splendour, while those who in principle attacked any form of luxury would leave out the court too, since their motivation was usually social conservatism.<sup>84</sup> They wanted to preserve the traditional order of the estates, which they felt was endangered by the indiscriminate spread of luxury beyond the nobility, and hence they also accepted court luxury as well.

Although in France some participants of the polemic censured luxury while explicitly including the court into their reasoning (D'Holbach, Diderot<sup>85</sup>, Pluquet<sup>86</sup>), the conservative intention of the adversaries of luxury from Fénelon to the elder Mirabeau<sup>87</sup> mostly prevented them from seriously attacking the court as a scene of luxury at least until the 1770's.<sup>88</sup>

Much less so than in France,<sup>89</sup> the court had become a target of the luxury debate in Germany, where the discussion as a whole was characterized by a certain backwardness compared to the French one.<sup>90</sup> This might have been due mainly to the lack of centralization in 18th-century Germany, which dispersed both the display of court luxury and the critical public that could have been scandalized by it.<sup>91</sup>

So at least in Germany the luxury debate only occasionally referred to court economy. The cameralistic discourse on the suitable financial and economic handling of the court hence was hardly affected by the general discourse on luxury,<sup>92</sup> although the latter could have supplied a complete

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<sup>84</sup> Landauer, *op. cit.*, p. 126.

<sup>85</sup> Excerpts in Borghero (ed.), *op. cit.*, pp. 155-170 and 175-187; cf. also Borghero, *Introduzione*, pp. XXXIIIff.

<sup>86</sup> Pluquet, *Traité philosophique et politique sur le luxe* II, e.g. pp. 250 and especially 475: "*Le faste, les profusions du souverain, la cupidité des courtisans n'absorbent-ils pas tous les revenus de l'état? Comment voulez-vous que l'administrateur des finances emploie au soulagement des malheureux qui ne peuvent rien pour lui, ce que demandent des courtisans qui peuvent lui nuire?*" See also Landauer, *op. cit.*, especially p. 111, fn.7.

<sup>87</sup> Cf. Galliani, *L'idéologie de la noblesse dans le débat sur le luxe*.

<sup>88</sup> Pallach, *op. cit.*, p. 104.

<sup>89</sup> *Ibidem*, p. 134.

<sup>90</sup> Stolleis, *op. cit.*, pp. 50ff.

<sup>91</sup> Pallach, *op. cit.*, pp. 112 and 167.

<sup>92</sup> Luxury is never mentioned e.g. in either Zincke's textbooks or in Justi's *Staatswirtschaft*. Cf. also Pfeiffer, *Grundriß der Staatswirtschaft*, pp. 100ff, where

set of arguments for or against court splendour. But they were not taken up by the cameralists.

The article on *Pracht und Ueppigkeit* ("splendour and exuberance") in Johann Heinrich Ludwig Bergius' *Policey= und Cameral=Magazin* (1773)<sup>93</sup> is symptomatic for their handling of the problem. After *Ueppigkeit* has been simply equated with luxury, the whole text enumerates the conventional arguments for or against it, as they occurred in the works of relevant French and German writers, among whom Justi is named as the main authority.<sup>94</sup>

Right from the start however luxury is defined as an "important subject of police" ("*wichtiger Gegenstand der Policey*"),<sup>95</sup> i.e. as a problem of control and disciplining of the subjects' behaviour as consumers on the part of the state. The conspicuous consumption of the ruling elite in contrast is only mentioned once. After having stated that unlike democratic or aristocratic regimes a monarchy is wholly compatible with a high level of luxury<sup>96</sup>, Bergius defines the function of the court: it is to set the standard in matters of taste.<sup>97</sup>

These reasonings can also be found in the pertinent articles of Krünitz' *Ökonomische Enzyklopädie*. The text on *Pracht* is largely a literal repetition of Bergius' article,<sup>98</sup> whereas the one on *Luxus*<sup>99</sup> almost completely concentrates on offering measures to prevent luxury in imported goods. The suggestions include legal enforcement of this prohibition as well as enlightenment of the consumers about the detrimental results of such an economic behaviour. Only at the very end of the article are there some examples given of luxury,<sup>100</sup> among which there are a few which can be defined as court splendour.<sup>101</sup>

Bergius' and Krünitz' articles in a sense summarize the general cameralistic conceptions of luxury, which is seen as an exclusive problem of the commonalty rather than of the princes and courts. Instead they are normally omitted from any criticism of luxury - another proof of the cameralists' cautious attitude as to court society. The situation is slightly different in the field of economic court criticism, as it is represented by the articles described above. In this context an implicit reference to the luxury debate was obviously possible, even if the use of the term *Luxus* remained the only indicator of this resort. On the whole therefore the two discourses ran

luxury in domestic goods is defended as favourable for the economically necessary circulation of money, but where the court is not mentioned at all.

<sup>93</sup> Bergius, *Policey= und Cameral=Magazin*, vol. 7, pp. 180-205.

<sup>94</sup> *Ibidem*, p. 181.

<sup>95</sup> *Ibidem*, p. 181.

<sup>96</sup> *Ibidem*, pp. 201ff.

<sup>97</sup> *Ibidem*, pp. 203f.

<sup>98</sup> Krünitz, *Oekonomische Enzyklopädie*, vol. 116, pp. 623-675.

<sup>99</sup> *Ibidem*, vol. 82, pp. 40-94.

<sup>100</sup> *Ibidem*, vol. 82, pp. 76ff.

<sup>101</sup> *Ibidem*, vol. 82, pp. 83ff.

separately side by side without too many points of contact. And the theoretical potential of the luxury debate was consequently never applied fully to the context of German court economy. A test of the latter's economic functionality with the help of the results of the former was never carried out.

But even without exploiting the arsenal of the luxury debate, which after all was furnished by a host of influential and prestigious writers particularly from France, economic court criticism jeopardized the court society seriously enough. In contrast a call for a moral reform of the court did not threaten its existence, because a virtuous court under a virtuous prince was imaginable and maybe had even existed in reality. This was at least claimed by Friedrich Carl Moser, among others, for whom the households of e.g. Ernst der Fromme ("the Pious") of Saxony-Gotha and of Christian Ernst of Saxony-Saalfeld were models of a morally decent court.<sup>102</sup>

A fundamental criticism of the economic performance of the courts, on the contrary, undermined its reason of being, for the court way of life existed for the sake of representation of political power by conspicuous consumption, or, in other words, by the very violation of the rules of economy and financial rationality. A call for the reform of court economy therefore threatened the functionality of the entire court society, which was thus in an unsolvable dilemma: on the one hand, the organs of a politicized public, i.e. the enlightened periodicals, demanded a considerable reduction of court costs, and on the other hand, this measure would weaken the ability of the courts to fulfill their traditional task of legitimizing the political order in the eyes of the impressed common people. If court economy was run in a way which met the expectations of court criticism, then the court would have to lose its political function.<sup>103</sup>

This consequence was expressed by Johann Wolfgang von Goethe in a revealing little note:

"Proceedings of the great, leading to sansculottism. Friedrich separates himself from the court. In his bedroom there is a state-bed, but he sleeps in a camp-bed next to it. (...) Joseph throws away the outward formalities. On journey, instead of sleeping in the state-beds, he lies down on a mattress on the floor. Riding as a courier on a hack, he orders the horses for the emperor. Maxim, the ruler was only the first servant of his state. The queen of France evades the etiquette. This view continues, until the king of France takes himself for an abuse."<sup>104</sup>

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<sup>102</sup> Friedrich Carl Moser, *Teutsches Hof=Recht I*, Vorbericht and p. 54.

<sup>103</sup> Pallach, *op. cit.*, pp. 90ff, especially 104ff and 151ff.

<sup>104</sup> Goethe, *Schemata zur Fortsetzung von "Dichtung und Wahrheit"*, pp. 11f: "*Vorgang der Großen, zum Sansculottismus führend. Friedrich sondert sich vom Hofe. In seinem Schlafzimmer steht ein Prachtbette. Er schläft in einem Feldbette daneben. (...) Joseph wirft die äußeren Formen weg. Auf der Reise, statt in den Prachtbetten*

According to this remark, the neglect of ceremonial and formalities - ultimately, of court splendour -, exercised by king Friedrich II of Prussia, emperor Joseph II, and the royal couple of France, was responsible in the end for the success of the sansculottes.

But at the same time, some writers dealing with the economic aspect of the court were convinced that the French revolution was produced by the spend-thrift and poorly administered court economy in France. Johann Georg Büsch, for example, was convinced that the "cause of the revolution has been the ruined economy of the court."<sup>105</sup> Christian Heinrich Ursinus shared this opinion.<sup>106</sup> Of all rulers he moreover effusively praised Friedrich II and Joseph II because of their economizing and renunciation of ceremonious court life, which according to Ursinus had indirectly obviated the revolution in their countries.<sup>107</sup>

Thus the same financial policy, the restriction of court expenditure, was judged completely differently in the late 18th century. It could be seen as one step towards revolution, but also to avoidance of the same. Both approaches, however, put an end to traditional court economy. It was abolished, either by deliberate decisions on the part of the rulers and their governments, or by the outcome of the revolution. In any case, criticism of the court in economic terms contributed to both alternatives and hence proved to be crucial for the fate of the court society of the *ancien régime*.

The reference to the French revolution and previously to the French luxury debate, and also to the British civil list in Henning's case,<sup>108</sup> furthermore make it clear that the German discourse on court economy did not take place in a national vacuum, but was occasionally linked to the situation in France and Britain respectively. Therefore it is useful to examine briefly the organisation of and the discussion on court economy in both countries. France did not only exercise a strong influence on German court culture in general, but also on the way the problem of court economy was perceived by the German public. In contrast England's civil list supplied the future model by which this problem was to be solved during the reform era that the German principalities underwent at the end of the 18th and the beginning of the 19th centuries. The next two sections will therefore outline the French and the British conditions.

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*zu schlafen, bettet er sich neben an, auf der Erde auf einer Matraze. Bestellt als Courir auf einem Klepper die Pferde für den Kaiser. Maxime, der Regent sey nur der erste Staatsdiener. Die Königin v. Frankreich entzieht sich der Etiquette. Diese Sinnesart geht immer weiter bis der König von Frankreich sich selbst für einen Misbrauch hält."*

<sup>105</sup> Büsch, *Über Abgabem*, p. 3: "Die Ursache der Revolution war die zerrüttete Wirthschaft des Hofes gewesen."

<sup>106</sup> Ursinus, *Taschenbuch über Haushaltung und Wirthschaft für Fürsten*, pp. 17f.

<sup>107</sup> *Ibidem*, especially p. 16.

<sup>108</sup> Hennings, *op. cit.*, p. 22.

## 2. Catastrophe: Court Economy in France

The court of France<sup>109</sup> remained the most prestigious royal household in Europe throughout the entire 18th century, but its attraction was largely due to achievements of the past, i.e. to the example set by Louis XIV (1643-1715).<sup>110</sup> The *Roi Soleil* largely abandoned the venerable tradition of the great state ceremonies, which had emphasized the marked sacral character of the French royalty for centuries.<sup>111</sup> The symbolic power of the *Roi très chrétien*, which up to the reign of Louis XIV had been expressed by the four rituals of coronation, funeral, *entrée*, and *lit de justice* in the first place,<sup>112</sup> was henceforward displayed by and at the royal court, which thus had taken over the whole sacral heritage of the French monarchy.<sup>113</sup>

Therefore court life in Versailles was loaded with all the weight and seriousness of tradition. The almost exclusive concentration of royal representation at the court of Louis XIV proved an enormous success on the domestic as well as on the European level. At least until to the military defeats in the last two decades of the 17th century the French court seemed to accompany the country's leading role in politics by a cultural hegemony over Europe, let alone over France herself.<sup>114</sup> In Versailles the business of analogous representation was obviously mastered with particular vigour and virtuosity.

Unfortunately these achievements turned into burdens under the two successors of the *Roi Soleil*. Since the court had developed into the only theatre for the staging of the sacral character of the French royalty and been extremely successful in this role, it epitomized the political and social order of 18th-century France as a whole. Thus the court gradually became an untouchable cornerstone of the *ancien régime*, with hardly any potential of reform. Consequently court life increasingly petrified under Louis XV (1715-1774) and Louis XVI (1774-1792). The ceremonial role which their great ancestor had shaped and fulfilled so efficiently was also played by both monarchs, but much less convincingly, since they retreated to a growing extent into a parallel private life.<sup>115</sup> Thus the ceremonial engine of the French court was running in idle motion for the greater part of the 18th century. Moreover the dominating influence of the court culture of

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<sup>109</sup> On the French court in general see *Solnon*, *La cour de France*.

<sup>110</sup> On Louis XIV's propaganda, courtly and otherwise, cf. *Burke*, *The Fabrication of Louis XIV*.

<sup>111</sup> *Bloch*, *Les Rois thaumaturges*; *Schramm*, *Der König von Frankreich*.

<sup>112</sup> *Giesey*, *Modèles de pouvoir dans les rites royaux en France*.

<sup>113</sup> *Ibidem*, pp. 594f; *idem*, *Cérémonial et puissance souveraine*, especially pp. 72ff; see for a similar interpretation *Apostolidès*, *Le roi-machine*, especially pp. 131ff.

<sup>114</sup> *François*, *Der Hof Ludwigs XIV*, pp. 729ff; *Solnon*, *op. cit.*, pp. 306ff.

<sup>115</sup> *Solnon*, *op. cit.*, pp. 428ff; see also *Shennan*, *Louis XV*, pp. 319ff and *Viguerie*, *Le roi et le "public"*.

Versailles on the intellectual and social life of France was diminishing as the capital Paris and its *salons* became more important.<sup>116</sup>

French court life hence was merely an outdated mockery under Louis XV and his son, and the court remained an unreformable fossil. This might in part have been due to personal deficiencies of the two kings, who certainly lacked the discipline and will to master the exhausting ceremonialized court life in the style of Louis XIV. More important however was the fact that the very model of analogous representation had lost a great deal of its persuasive power in early 18th-century France,<sup>117</sup> thus leaving the monarchy in a permanent "legitimation crisis".<sup>118</sup>

Figure 14: "Ludovicus Rex. An historical study" by Thackeray (1840)



Stripped of his state costume, Louis XIV appears as an ordinary human being, more ridiculous than charismatic.

The limited liberty of action with regard to ceremonial and court matters was felt for example by Turgot right at the beginning of the reign of Louis XVI. Shortly after having been appointed *Contrôleur général des finances* in August 1774, Turgot wanted to save a considerable part of the costs of the *sacre*, which were estimated at 7 million *livres*. For this reason he suggested that the whole ceremony be held in Paris instead of Reims. Louis

<sup>116</sup> Cf. *Solnon*, op. cit., pp. 447ff and *François*, op. cit., p. 731.

<sup>117</sup> Cf. e.g. *Burke*, op. cit., pp. 128ff.

<sup>118</sup> Jürgen Habermas' famous phrase is applied to this context in *ibidem*, p. 130.

XVI however did not accept this advice,<sup>119</sup> and so the whole ritual took place in Reims, where the venerable and costly tradition was followed with slight modifications. The king obviously wanted to demonstrate that the French monarchy was still founded on religious grounds. He used the *sacre* to emphasize the sacral character of his rule,<sup>120</sup> although the reaction of some spectators and the public in general made its legitimizing effect doubtful. It was perceived as a mere spectacle, a play rather than the symbolic expression of the undisputed religious basis of monarchical rule.<sup>121</sup>

Thus Turgot's financial policy had placed ceremonial *versus* economy, but as regards the *sacre* Louis XVI clearly gave priority to the former. The king nevertheless did not achieve his aims, since the impact of this ritual on the public fell short of his expectations. The whole debate over the *sacre* would therefore seem to be an anticipation of one important feature of his reign, i.e. the conflict between traditional ways of court splendour and the financial resources available. The advocates of court rationality and analogous representation were however in rather a weak position, as the effect of ceremonial display on the people had obviously begun to decrease.

At the same time the most urgent pressure for an effective reformation of France's political system was exercised by her ruined financial state.<sup>122</sup> Louis XIV had already left a considerable public debt to his successor, and the latter had done the same to Louis XVI, so that the reign of the last monarch before the revolution had to struggle against accumulated financial obligations, which drastically limited the political and economic freedom of manoeuvre of the French state. Whereas in the middle of the 18th century c. 28 % of the entire public expenses had to be employed for the repayment of credits, this share rose to 37,5 % in 1775 and 41,2 % in 1788.<sup>123</sup>

This development, which meant that state bankruptcy impended over the whole reign of Louis XVI, can be almost completely attributed to military costs, which above all inflated the extraordinary expenses in wartimes.<sup>124</sup> During the second half of the 18th century the Seven Years' War<sup>125</sup> and even more so the American War of Independence<sup>126</sup> have to be mentioned.

The desperate financial state was well-known to the public and formed in fact a main topic of political debate in France. Mathon de la Cour, for

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119 *Herrmann Weber*, *Das Sacre Ludwigs XVI.*, pp. 540f.

120 *Ibidem*, pp. 556 and 558ff.

121 *Ibidem*, pp. 562ff.

122 On the public finances of eighteenth-century France in general cf. *Marion*, *Histoire financière*; on the financial policy under Louis XVI see *Gomel*, *Le causes financières*.

123 *Morineau*, *Budgets de l'état*, p. 183.

124 *Ibidem*, pp. 151ff and 163.

125 *Ibidem*, pp. 147ff.

126 *Ibidem*, pp. 160f



example, remarked at the opening of his *Collection de comptes-rendus* (1788): "*Les conversations roulent (...) souvent, soit à Paris, soit en province, sur les revenus publics, sur les impôts et sur leur emploi.*"<sup>127</sup> To the author's annoyance however the participants of the financial discussion were misinformed. He complained about the "*injustice des idées populaires*", which denied

*"que les dépenses de la cour ne sont qu'environ un sou par livre de la masse des revenus publics, que ces dépenses refluent sans cesse sur la nation, et que, par leur objet même, elles sont aussi des dépenses nationales."*<sup>128</sup>

Obviously during the reign of Louis XVI the discourse on the financial policy was concentrated on the management of the *Maison du Roi*, i.e. on court economy.<sup>129</sup> So Chrétien Guillaume Lamoignon de Malesherbes was perfectly right in describing the current expectations during the 1770's as follows: "*De toutes les dépenses, celle sur la quelle on demandoit la plus d'économie et de réformation, étoit celle de la Maison du Roi.*"<sup>130</sup>

This attitude as well as the general debate were considerably intensified<sup>131</sup> by the publication of Necker's *Compte rendu* in 1781, which was intended to restore the confidence in the French financial policy and hence the credit of the French state.<sup>132</sup> Unfortunately, however, the book produced the opposite effect, as it drew the public attention to court expenses and pensions paid by the crown. Both items were widely regarded as scandalously high, whereas the military origin of the financial crisis was only marginally taken into consideration. Necker's innovative device of making the budget public -<sup>133</sup> though in a somewhat palliated form - thus turned out to be a failure in political terms. Consequently Necker had to pay for his step with disgrace and dismissal,<sup>134</sup> but nevertheless the public focused on court expenses even more than before, though the data supplied by Necker proved that it had a relatively low share of overall expenses.<sup>135</sup>

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127 *Mathon de la Cour* (ed.), *Collection de comptes rendus*, p. III.

128 *Ibidem*, p. IV.

129 *Pallach*, op. cit., especially pp. 107f; *idem*, *Splendeur du trône*.

130 *Malesherbes*, *Mémoire*.

131 On the discussion on the compte rendu cf. *Harris*, *Necker*, pp. 145-191 and the tables in *Mathon de la Cour* (ed.), op. cit., pp. 182f. See also *Necker*, *Sur le compte rendu*, especially pp. 132ff, where Necker defends his data on court expenditure against Calonne's criticism; on the bestselling success of this work of Necker's (20,000 estimated copies) cf. *Gruder*, *Un message politique*, pp. 193ff.

132 *Necker*, *Compte rendu*, pp. 3f.

133 On Necker's conception of the public cf. *Baker*, *Politics and Public Opinion*, pp. 239ff.

134 *Solnon*, op. cit., p. 516.

135 *Necker*, op. cit., pp. 44ff and pp. 113f, where court expenses of 33,740,000 *livres* are specified, which account for c. 13,3 % of the overall expenditure. See also *idem*,

Thus public opinion demanded economy mainly at the *Maison du Roi*,<sup>136</sup> which was however the institution least open to attempts of thorough reform. So the efforts made by the different *contrôleurs généraux* from Turgot to Necker's second ministry<sup>137</sup> failed, mostly due to the resistance on the part of influential court members.<sup>138</sup> The relevant measures were limited to the abolishment of some offices and the improvement of court administration,<sup>139</sup> but these minor changes could have no lasting effect on the public budget as a whole.<sup>140</sup> After all court costs probably only amounted to a percentage of one place and had certainly grown under proportion compared to overall public expenditure.

This fact is emphasized by Mathon de la Cour as one result of his reasoning on the different accounts and estimates in his *Collection de comptes-rendus*:

"Si (...) on considère ce qui s'est passé dans les cours de deux siècles, on reconnoitra que les dépenses de la cour n'ont point été augmentées en proportion de l'accroissement du reste, mais on verra les dépenses militaires s'accroître sans mesure."<sup>141</sup>

Yet for the broad public the economic management of the court remained the main topic of criticism regarding the financial policy of the state.<sup>142</sup> This prejudice grew alongside and was combined with general contempt for court life, which became the target of a propaganda<sup>143</sup> that also used pornographic allegations to discredit the royal family and the *Maison du Roi*.<sup>144</sup> Thus court economy, or to put it more precisely, the perception

De l'administration II, pp. 452 ff, where the data of the *Compte rendu* are confirmed, court costs are partly justified, because they attract foreigners, and exaggerations as to their amount are rejected.

<sup>136</sup> *Ibidem*, pp. 505ff.

<sup>137</sup> On Necker's reforms in the *Maison du Roi* cf. e.g. *Gomel*, op. cit. I, pp. 292ff.

<sup>138</sup> *Dirninger*, Zur politischen Dimension, pp. 45f; *Solnon*, op. cit., p. 516.

<sup>139</sup> *Pallach*, Materielle Kultur und Mentalitäten, pp. 159ff; *Solnon*, op. cit., pp. 510ff; as to Turgot's reforms see *Marion*, op. cit., pp. 305f.

<sup>140</sup> The amount of savings of the *Maison du Roi* claimed by the different ministers were not always achieved in reality. While Necker alleged to have saved 2,5 million livres, Brienne claims to have saved 5,6 million livres in 1788. Accounts for the previous year claim a reduction of c. 4,6 million livres: cf. *Solnon*, op. cit., p. 518; *Pallach*, Splendeur du trône, p. 77.

<sup>141</sup> *Mathon de la Cour* (ed.), op. cit., p. 226.

<sup>142</sup> *Pallach*, op. cit., e.g. pp. 108 and 154; *Solnon*, op. cit. p. 519.

<sup>143</sup> *Pallach*, Splendeur du trône, p. 77.

<sup>144</sup> *Solnon*, op. cit., pp. 523ff; cf. also *Darnon*, Literary Underground of the Old Regime, pp. 200ff on the drastic *livres philosophiques*, which often contained obscene stories about the royal family and the court: "*Les amours de Charlot et Toinette* (...) began with a description of the queen masturbating and then moved on

thereof, contributed decisively to the undermining of the legitimacy of court society, which ultimately developed into a danger for the political order of the *ancien régime* rather than supporting it.

The growing unpopularity of the court was not even mitigated by the fact that its consumption and the example it set for foreign courts gave thousands of workers employment in the luxury trades. Thus for France it would seem valid to argue that court expenditure promoted the circulation of money benefitting domestic industries -<sup>145</sup> unlike in the German principalities, where purchases of luxury goods by the courts normally meant imports, the bulk of which came from the other bank of the Rhine.<sup>146</sup>

But these positive effects of court expenses were thrust into the background of the public debate. The blame for the financial crisis was generally put on the court. Its display of luxury, its conspicuous consumption - though already reduced under Louis XVI - appeared increasingly obscene in the eyes of a public that was only too well aware of the imminent state bankruptcy. This development was moreover furthered by the splitting of court life into two domains. The first comprised the ceremonial part, which less and less convincingly reproduced the now meaningless rituals standardized more than a century earlier, while the second was formed by the private part, which stripped the king of all his royal charisma. As a result of this separation the court was finally also deprived of its political rationale. It seemed obsolete and superfluous, hence court economy simply had to be regarded as a waste. Court life and court economy thus had its share in bringing about the revolution: "*Les dépenses de la cour ont été le cheval de bataille contre la monarchie.*"<sup>147</sup>

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to an account of her supposed orgies with the comte d'Artois, dismissing the king as follows:

(...) It is well known that the poor Sire,  
 Three or four times condemned  
 By the salubrious faculty [of medicine],  
 For complete impotence,  
 Cannot satisfy Antoinette.  
 Quite convinced of this misfortune,  
 Considering that his match-stick  
 Is no bigger than a straw,  
 Always limp and always curved,  
 He had no p... except in his pocket;  
 Instead of f..., he is f...  
 Like the prelate of Antioch."

The actual effect of such books might indeed have been a *désacralisation* of political authority.

<sup>145</sup> Pallach, *Materielle Kultur und Mentalitäten*, pp. 138ff.

<sup>146</sup> Cf. e.g. Hauptmeyer, *Die Residenzstadt*, p. 195, who speaks of the Netherlands and France as the main suppliers of such goods.

<sup>147</sup> Solnon, *op. cit.*, p. 518; cf. also Pallach, *Splendeur du trône*, p. 78.

Certainly it was of little consolation to the court members that the Third Estate employed the symbolics of the court society to achieve its own political aims in 1789.

"Ceremonial was the dominant style of public representation of political events in 1789, and it supplied the medium in which the orderly passage from an absolute style of political conduct to a constitutional one was carried out."<sup>148</sup>

It was part of the revolutionary strategy to use the traditional royal rituals by giving them a new meaning.

Whereas formerly ceremonies like the *entrée* or the opening of the Estates General had underlined royal authority, they were now modified in order to display the new role of the Third Estate and later the National Assembly as representatives of the whole French nation. The ceremonial "semiotic system at Versailles" (Bryant)<sup>149</sup> was superseded by a new rhetoric, which at its beginning however took over the forms of the past. In a sense, therefore, court society itself supplied the ritual vehicles for its own defeat.

### 3. Compromise: Court Economy in Britain

By the time the French court was about to reach the zenith of its importance and prestige under Louis XIV, its English counterpart had already lost a lot of its power and credit. The English court had remained "the focus of politics" only until the revolutions of the 1640's and 1688,<sup>150</sup> which put an end to "court politics of personal monarchy". Instead "parliamentary/aristocratic politics" characterized the political system of England after 1660.<sup>151</sup>

The decline of the court's significance<sup>152</sup> was linked with the fact that its financial independency ceased in 1689 at the latest. The Restoration settlement supplied Charles II (1660-1685) and James II (1685-1688) with a combined income from the hereditary revenues of the Crown and from some taxes voted to them for life. Under Charles these sources finally amounted to more than £ 1,2 million, whereas his successor could dispose of c. £ 1,9 million. From these funds the Crown had to defray all items of ordinary expenditure, military as well as civil. There was no parliamentary control, although attempts were made to examine the expenses of Charles II in 1666 and 1667.<sup>153</sup>

<sup>148</sup> Bryant, *Royal Ceremony and Revolutionary Strategy*, p. 415.

<sup>149</sup> *Ibidem*, p. 419.

<sup>150</sup> Sharpe, *The Image of Virtue*, p. 260.

<sup>151</sup> Starkey, *Introduction*, p. 24.

<sup>152</sup> Cf. however also Beattie, *English Court in the Reign of George I*, pp. 1 and 217ff.

<sup>153</sup> Reitan, *From Revenue to Civil List*, pp. 571f.

Figure 15: "Treason": John Bull farting in the face of the king, whose image is papered at the wall (Newton 1798)



This caricature indicates to what extent the British king, too, had lost his royal credit by the end of the 18th century.

When William III ascended the throne in 1689, he expected to obtain the same provision as his two predecessors. His hopes were, however, frustrated, as Tories and Whigs had a common interest in using the financial settlement with the Crown to strengthen the position of Parliament.<sup>154</sup> They wanted to assure its regular calling and its participation in financial affairs by granting a revenue restricted either in time or amount in order to make the king and court dependent on parliamentary subsidies. Naturally enough military expenses aroused most suspicion in Parliament.

William had to struggle for a permanent revenue for a whole decade, until the financial arrangement between Crown and Parliament was eventually fixed in the form of a compromise, which was to survive throughout the entire 18th century and beyond. Whereas previously the income of the Crown was meant to cover military and civil costs alike,<sup>155</sup> in 1698 the

<sup>154</sup> Cf. Höfler, *Geschichte der englischen Civilliste*, pp. 11f.

<sup>155</sup> The principle of the civil list was shaped already by the decision of the Commons to grant an annual revenue of £ 1,2 million to the Crown in 1689. Half of this amount

Civil List was established. It was to comprise £ 700,000 *p.a.*, to be spent on the personal expenses of the king, on the court and a part of the civil government. Thus William III had lost the disposal of the military budget completely to Parliament, which on the other hand accepted that the Civil List was voted for the life of the monarch and not subject to parliamentary control.<sup>156</sup>

The "Solomonic device of dividing the baby of public finance" (Reitan)<sup>157</sup> remained in force during the reigns of Queen Anne and the three Georges, but this did not prevent continuous struggle in Parliament over financial issues. The financial independence of the Crown only lasted as long as the amount fixed by the Civil List sufficed for the actual annual expenses. Such a balance was however rarely achieved.<sup>158</sup> Though the Civil List was generally increased to well over one million pounds in the course of the 18th century,<sup>159</sup> the Crown was seldom able to make both ends meet and had to rely on Parliament to take over the debts incurred. The latter never missed these opportunities of meddling with the Civil List and discussing its items. Thereby fundamental questions on the political system arose, as the Civil List "was one of the most sensitive issues in eighteenth-century politics", in that it "presented a constitutional problem in the conflict between the independence of the Crown and the principle of parliamentary control of finance."<sup>160</sup>

In practice parliament faced the situation that the institution of a fixed Civil List had gradually become a mockery, since its excessive expenditure required growing debts, which had to be paid by Parliament without any discussion and without the power to alter the financial management involved.<sup>161</sup>

With the increasing deficit of the Civil List, which particularly marked the reign of George III (1760-1820),<sup>162</sup> the debate on the financial conduct of the Crown grew more intense.<sup>163</sup> And what at the first glance seemed to be a simple debate on suitable measures for the limitation of court costs in particular, was clearly perceived by the opponents as an issue with important constitutional implications.<sup>164</sup>

A more fundamental solution therefore had to be found than the usual efforts of abolishing some court offices and improving the efficiency of the

was determined for the purposes which later formed the civil list: *Reitan*, op. cit., p. 578; *Höfler*, op. cit., p. 12.

<sup>156</sup> *Reitan*, op. cit., pp. 586ff.

<sup>157</sup> *Idem*, *The Civil List in Eighteenth-Century British Politics*, p. 319.

<sup>158</sup> On the financial aspect of the court under George I see *Beattie*, op. cit., pp. 106ff.

<sup>159</sup> Cf. the tables in *Mitchell*, op. cit., pp. 389ff.

<sup>160</sup> *Reitan*, *The Civil List in Eighteenth-Century British Politics*, p. 320.

<sup>161</sup> *Ibidem*, p. 328.

<sup>162</sup> Cf. *May*, *Constitutional History of England*, p. 243; *Höfler*, op. cit., pp. 21ff.

<sup>163</sup> *Reitan*, op. cit., p. 326.

<sup>164</sup> *Ibidem*, pp. pp. 323ff and *idem*, *The Civil List, 1761-77*, pp. 195ff.

administration of the royal household. After the parliamentary disputes of the years 1769/70 and 1777 had already smoothed the way for Edmund Burke's plan of reform,<sup>165</sup> he introduced his program in February 1780.<sup>166</sup> It included first of all the abolition of many court offices<sup>167</sup> and the limitation of the pension list to £ 60,000 *p.a.*<sup>168</sup> Burke's principal aim, however, lay somewhere else: he wanted to strip the Crown of its independent financial supply, since the present form of the Civil List in principle allowed any overdraft of the amount originally voted by Parliament. Burke hence characterized this arrangement with harsh words:

"I presume that this is equivalent to an income with no other limits than the abilities of the subject and the moderation of the court; that is to say, it is such an income as is possessed by every absolute monarch in Europe."<sup>169</sup>

The act containing Burke's suggestions met the stout resistance of the supporters of the Crown's case in Parliament and therefore was actually passed only in 1782, after North's ministry had been followed by Rockingham's.<sup>170</sup> Though it fell somewhat short of Burke's original intentions, it nevertheless fundamentally changed the constitution. For while previously the Civil List "had been regarded as a necessary support of the independence of the Crown within the British constitutional system", Burke's Act

"established the right of Parliament to interfere at its discretion in the affairs of the Civil List and thus destroyed another of the few remaining vessels of an independent executive power in the Crown."<sup>171</sup>

Before this decision was taken, Rockingham had guaranteed the king

"that not a single article of the expense to be retrenched touches anything whatsoever which is personal to your Majesty, or to your Majesty's royal family, or which in the least contributes to the splendour of your court".<sup>172</sup>

This enumeration already contains what was to be left of the Civil List, which in the years after 1782 was continuously reduced to court costs

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<sup>165</sup> On Burke's civil list policy cf. *idem*, *Edmund Burke and the Civil List*; see also Höfler, *op. cit.*, pp. 25ff.

<sup>166</sup> *Burke*, *Speech on Presenting to the House of Commons a Plan*.

<sup>167</sup> *Ibidem*, pp. 303ff.

<sup>168</sup> *Ibidem*, pp. 324ff; cf. also Reitan, *The Civil List in Eighteenth Century British Politics*, pp. 331f. On the expenses for the pensions, which normally amounted to c. 11 % of the overall civil list, see *idem*, *The Civil List, 1761-77*, pp. 199.

<sup>169</sup> *Burke*, *Thoughts on the Cause*, p. 515.

<sup>170</sup> *Reitan*, *The Civil List in Eighteenth-Century British Politics*, pp. 333ff.

<sup>171</sup> *Ibidem*, pp. 336f.

<sup>172</sup> Quoted in *May*, *op. cit.*, p. 241.

proper.<sup>173</sup> Previously court expenses in the narrower sense had only been responsible for 50 to 60% of the entire Civil List.<sup>174</sup>

The problem of court economy, which formed an important part of the problem of the Civil List in general, thus turns out to be above all a political question in 18th-century England.<sup>175</sup> This is not only true in abstract constitutional terms, but even more so in a very concrete sense. The court, funded by a considerable part of the Civil List and still including almost one thousand servants under George I (1714-1727),<sup>176</sup> could offer numerous attractive posts,<sup>177</sup> which definitely appealed to potential or actual members of Parliament. Pensions paid from the Civil List likewise aroused the suspicion of serving as a means of influencing parliamentarians on the part of Crown and court, though this fear was hardly justified at least under George III.<sup>178</sup>

As to holders of court offices sitting in Parliament the situation was slightly different. Since "stable administrations were founded (...) on the twin pillars of court and Parliament", the successful policy of the ministers relied on their ability

"to build up and maintain in Parliament a strong following of men who enjoyed places or pensions or other marks of the royal favour, and who owed these benefits to the ministers' influence with the king. It was essential to the ministers not only to influence the king's will in order to make supporters happy; it was perhaps even more important that they make their influence visible, that they make it obvious to the political world that they were secure in the king's confidence."<sup>179</sup>

In that sense the provision of court offices could be an effective weapon in the hand of the administration against the parliamentary opposition. But much more was at stake. In an age when the supremacy of Parliament over the Crown had not been entirely achieved and acknowledged, there were structural and principal objections to the Crown's influence on parliamen-

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<sup>173</sup> *Ibidem*, pp. 243f; see also *Reitan*, op. cit., p. 334.

<sup>174</sup> *Reitan*, *The Civil List, 1761-77*, p. 201; detailed accounts containing the single items of the civil list exist for the period 1688-1702, for the reign of Queen Anne, and for the years 1786-1801: cf. *Höfler*, op. cit., pp. 46ff, fn. 9, pp. 51f, fn. 12 and p. 31.

<sup>175</sup> Cf. e.g. *Burke*, *Speech on Presenting to the House of Commons a Plan*, p. 356, where after having explained that the intended reforms aim above all at diminishing the influence of the Crown, Burke continues: "These are the points on which I rely for the merit of the plan. I pursue economy in a secondary view, and only as it is connected with these great objects."

<sup>176</sup> *Beattie*, op. cit., p. 18.

<sup>177</sup> On the emoluments paid for the different court offices cf. *ibidem*, pp. 181 and especially 209ff.

<sup>178</sup> *Reitan*, *The Civil List, 1761-77*, p. 192.

<sup>179</sup> *Beattie*, op. cit., p. 217f.



tary affairs *via* well-paid positions in the royal household. Hence one important intention of Burke's project consisted in limiting the number of court members in Parliament by limiting the financial capacity of the Crown to provide them with places and salaries. Consequently Burke justified his plan of economical reform of the Civil List on two levels: firstly he pointed out that its realization would save £ 200,000 or 300,000 a year, and secondly he was convinced that it also "destroys direct and visible influence equal to the offices of at least fifty members of Parliament."<sup>180</sup>

But this statement was probably as grossly exaggerated as many estimates of the number of courtiers in both Houses. As the House of Lords and the major court offices likewise were the "natural habitat of the peerage" (Beattie), the Upper House of course included several court members. In the reign of George I they amounted to 53 peers altogether, but never to more than 27 at any one time.<sup>181</sup> More interesting posts were however potentially available, and so "the influencing of as many votes as possible could not have been the only concern of the king and his ministers when vacancies were filled at court."<sup>182</sup>

The same holds true for the House of Commons. A total of 43 of its members held court offices under George I, and the maximum for a single Parliament was reached in 1727, when 24 court members also sat in the ranks of the Commons.<sup>183</sup> Apart from the exceptional year 1761, when the merger of the two courts of George II (1717-1760) and of his grandson and successor resulted in 42 persons being members of the Lower House and the court at the same time, the mark set during the reign of George I was hardly exceeded. In 1782, by the time of Burke's reform, 24 members of the Commons who had found a place at court could again be accounted for.<sup>184</sup>

Because this number certainly fell short of the potential, one can draw the conclusion that the Crown did not make as much use of court patronage directed to members of Parliament as would have been possible.<sup>185</sup> The political reasons for the efforts of Parliament to restrict the influence of the court on its own affairs hence seems to be motivated by widely ungrounded fears rather than by the actual strength of the Crown.

According to Burke however one single destructive and influential courtier in Parliament could suffice to block a reform of the royal household, even if it was necessary for the sake of the whole country. He reminded the Commons of Lord Talbot's futile plan to save money by reorganization of the court kitchen. Burke commented upon the disappointing outcome of this attempt with the following words:

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180 *Burke*, op. cit., p. 356.

181 *Beattie*, op. cit., p. 249.

182 *Ibidem*, p. 252.

183 *Ibidem*, p. 252ff.

184 *Ibidem*, pp. 254f.

185 *Ibidem*, p. 255.

"Why? It was truly from a cause which, though perfectly adequate to the effect, one would not have instantly guessed. It was because *the turnspit in the king's kitchen was a member of Parliament!* The king's domestic servants were all undone, his tradesmen remained unpaid and became bankrupt, - *because the turnspit of the king's kitchen was a member of Parliament.* His Majesty's slumbers were interrupted, his pillow was stuffed with thorns, and his peace of mind entirely broken, - *because the king's turnspit was a member of Parliament.* The judges were unpaid, the justice of the kingdom bent and gave way, the foreign ministers remained inactive and unprovided, the system of Europe was dissolved, the chain of our alliances was broken, all the wheels of government at home and abroad were stopped, - *because the king's turnspit was a member of Parliament.*"<sup>186</sup>

But regardless of the justification of Burke's obsessive, though certainly ironic, *ceterum censeo*, parliamentary politics had created a constitutional model of dealing with court economy that was to spread all over Europe in the course of the late 18th and early 19th centuries. In return for the Crown's renunciation of the traditional, hereditary revenues, the Civil List provided a fixed sum, voted by Parliament for the life of the ruler. The expenditure of the Civil List was confined exclusively to court costs, but within this limit it was at the disposal of the monarch alone.

#### 4. Court Economy and Constitution: The Civil List in the German States

To an amazing extent the internal mechanisms of court life remained intact in the new social and political context of the 19th-century constitutional monarchies in Germany. Certainly the political importance of the courts was diminished by the growing influence of parliamentarian bodies and increasingly professionalized bureaucracies, but still it was no mere *quantité négligeable*. Furthermore social success was complete only after it was accepted at and by the courts, and cultural achievements likewise remained dependent to a large extent on their courtly reception.<sup>187</sup>

Such continuity, however, did not apply to court economy. It was put on a totally different basis by the financial and constitutional innovations introduced in the period after 1806. They are epitomized by the establishment of civil lists in the majority of the German states, which were mostly achieved after the Congress of Vienna.

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<sup>186</sup> Burke, op. cit., p. 309.

<sup>187</sup> Cf. in general Arno J. Mayer, *Persistence of the Old Regime*; Stekl, *Österreichs Aristokratie im Vormärz*; on the German courts of the 19th century see the contributions in Werner (ed.), *Hof, Kultur und Politik*; and in Möckl (ed.), *Hof und Hofgesellschaft*; *idem*, *Der deutsche Adel*. For a detailed monographic analysis of a court cf. Herdt, *Der württembergische Hof*.

On the practical level the problem of court economy therefore remained unchanged and unsolved in most German territories at the end of the 18th and the beginning of the 19th century. Relevant data are available e.g. for the south German principalities of Baden and Bavaria. They show that court costs had a considerable share in overall public expenses and that thus court economy contributed to the financial crisis in both countries, which grew more and more severe during the first decade of the new century.<sup>188</sup>

On the theoretical level however the financial science of later cameralism had undergone a conceptional change, which was wholly compatible with the final solution of the matter of court economy in the form of the civil list. Early pre-academic as well as "classic" cameralism of the period from c. 1730 to 1780 had both insisted on the view that state and private economy shared the fundamental rule of the priority of income. Like any private person a prince was also bound to the principle that his own or his state's expenditure was determined and limited by the height of revenues. It might suffice here to once again quote a relevant remark by Zincke: "Expenditure must absolutely not exceed revenue."<sup>189</sup>

Hence in theory only those expenses which could be covered by the ordinary revenues were regarded as legitimate, i.e. those from the princely domains and from the regales (*Regalien*). Neither source was, however, very flexible, as the yield of the former was limited by nature and the latter formed a fixed catalogue of traditional rights. Taxes in contrast were seen as a temporary expedient, only allowed in the case of financial emergency when any extraordinary event required ready and supplementary money. Taxes were, in other words, a subsidiary means of state finance.<sup>190</sup>

Later cameralism however turned the relationship between income and expenditure upside down: "The revenue of the state must be determined by its necessary expenditure."<sup>191</sup> One of the first examples of this opinion is provided by Jung-Stilling's *Lehrbuch der Finanz=Wissenschaft* (1789), which says:

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<sup>188</sup> Cf. Ullmann, *Staatschulden und Reformpolitik* I, especially pp. 52ff, 90, 144ff, 152f and 156f for Bavaria, pp. 254ff, 270, 276ff, 318ff, 342 for Baden.

<sup>189</sup> Zincke, *Grund-Riß* II, p. 349: "*Die Ausgabe muß schlechterdings nicht die Einnahme übersteigen.*"

<sup>190</sup> Schulz, *Das System und die Prinzipien der Einkünfte*, e.g. pp. 334f; Jenetzky, *System und Entwicklung*, p. 76; Mann, *Steuerpolitische Ideale*, pp. 38ff.

<sup>191</sup> Cf. e.g. Schmalz, *Staatwirthschaftslehre* II, pp. 152f (1818): "*Die Einnahme des Staats muß durch seine norwendige Ausgabe bestimmt werden.*"

"If a ruler wants to design a right and suitable financial system, he firstly fixes the sum, which is *necessarily* required by the (...) government of his state".<sup>192</sup>

Besides this "*Staats=Aufwand*" the prince also determines court costs ("*Hof=Aufwand*"), and together both heads form the "sum of state expenditure" ("*Staats=Aufwands=Summe*"). This total then has to be covered by public income.<sup>193</sup> Court expenditure is seen by Jung-Stilling as the ruler's "salary (...), from which he can live according to his rank and upbringing and provide for his family."<sup>194</sup>

Later cameralism generally accepted the rule that the full amount of public expenses, caused by the diverse functions of the state, had to be covered by the revenues. Public income was dependent on expenditure and had to be arranged to meet it.<sup>195</sup> Since this conception required a financial source which was flexible and augmentable on the one hand and regarded as a justified, permanent and ordinary institution on the other, taxation ceased to be seen as an extraordinary resource. It became an acknowledged and increasingly important element of finance.<sup>196</sup>

Financial policy and administration were fundamentally affected by this reversal of the connection between public income and expenditure. Whereas previously the point of departure of financial planning was an estimate of how much income could be expected annually, now an overall amount of the expenses of a budget year had to be fixed first of all. The former task had required the financial expertise of the cameralists, who thus had played a key role; their role became less important when budget planning mainly meant drafting a list of necessary items. In that respect, financial policy became a political rather than a cameralistic question. This also applies to the single items of the overall "sum of state expenditure" and therefore to court economy too.

The danger of financial voluntarism, which is inherent in this new conception, could only be overcome by two decisive institutional safeguards. Firstly the fiscal efficiency of the state had to be increased in order to meet the potentially rising demands of a budget, which in principle was defined independently from the income attained formerly. Secondly a system of political checks and balances which prevented prince, court and govern-

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<sup>192</sup> Jung-Stilling, *Lehrbuch der Finanz=Wissenschaft*, p. 20: "*Wenn also ein Regent gesonnen ist, ein richtiges und der Sache angemessenes Finanzsystem zu entwerfen, so bestimmt er erstlich die Summe, welche die (...) Regierung seines Staates nothwendig erfordert*".

<sup>193</sup> *Ibidem*, pp. 20f.

<sup>194</sup> *Ibidem*, p. 18: "*ein Gehalt (...), bey dem er seinem Stand und Erziehung gemäs leben, und seine Familie versorgen kan.*"

<sup>195</sup> Cf. e.g. Pölitz, *Grundriß für encyclopädische Vorträge*, p. 129 (1825); *idem*, *Die Staatswissenschaften im Lichte unserer Zeit II*, pp. 282f (1827); see also Karl Salomo Zachariä, *Vierzig Bücher vom Staate*, pp. 126f (1842).

<sup>196</sup> Schulz, *op. cit.*, p. 345; Jenetzky, *op. cit.*, pp. 57 and 78f.

ment from extracting unlimited funds from the subjects had to be established.

Both measures, however, were beyond the reform capacity of the early modern princely state and therefore implied a fundamental change of the whole political system. Therefore they were achieved only after the Napoleonic Wars had put an end to the Holy Roman Empire and so to the German *ancien régime*. The remaining states underwent a thorough process of modernization, which also referred to the two points mentioned above. The financial system lost the last patrimonial features and the competent administration was bureaucratized completely.

Parallel to this development, most German princes had to accept at least the beginning of a parliamentarization of political life, which in the first half of the 19th century was dominated by the struggle for constitutional monarchy. During this period of transformation, which started with the *Reichsdeputationshauptschluß* in 1803 and lasted well into the second half of the century, financial and constitutional matters were generally tied together.<sup>197</sup> The issue of the civil list is ample illustration of this fact.

Following the example of two Napoleonic model states in the Confederation of the Rhine, the kingdom of Westphalia and the great duchy of Frankfurt,<sup>198</sup> the introduction of a civil list was part of the public law of the Confederation. It was, however, not necessarily bound to the consent of the given estates, so that civil list in this sense does not mean more than fixed court costs.<sup>199</sup> After the Congress of Vienna, Baden, in 1818, was the first German state to include the civil list into its written constitution. It lay down that the civil list could only be changed by the common consent of ruler and estates and was to be based upon the revenues from the domains.<sup>200</sup> Since other countries subsequently also adopted the system of

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<sup>197</sup> Cf. the examples of Baden and Bayern analysed in detail by *Ullmann*, op. cit.

<sup>198</sup> The constitutional directions as to civil lists can be found in *Pölitz* (ed.), *Die europäischen Verfassungen*, pp. 39 (constitution of the kingdom of Westfalen, 15th November 1807, Dritter Titel, Art. 9), and 46 (constitution of the great duchy of Frankfurt, 16th August 1810, § 11). Data on their relative amounts are given by *Klüber*, *Bemerkungen über die Nothwendigkeit der Einführung einer Civil=Liste*, pp. 502ff. where the respective share of the civil lists in the overall public expenses are estimated at 12,5 % (Westphalia) and 14 % (Frankfurt).

<sup>199</sup> Cf. e.g. *Klüber*, *Staatsrecht des Rheinbundes*, p. 190: "The determination of the cost of the civil list is left to the sovereign, if it is not already an irrevocable part of the public or dynastic laws, or requires the consent of the estates (*Die Bestimmung der Kosten der CivilListe ist dem Souverän überlassen, wenn sie nicht schon in den Staats- oder Familiengesetzen inwiederruflich enthalten ist, oder der Einwilligung der Stände bedarf*)."

<sup>200</sup> *Heinrich Albert Zachariä* (ed.), *Die deutschen Verfassungsgesetze der Gegenwart*, p. 338 (constitution of Baden, 22nd August 1818, § 59).

the civil list,<sup>201</sup> the handling of court economy followed the same pattern in almost every member-state of the German Federation.<sup>202</sup>

The whole conception<sup>203</sup> rested on the clear separation of princely and state property. Previously the domains, still a valuable financial resource in the 19th century,<sup>204</sup> had been defined as private-law property of the respective princely house.<sup>205</sup> By the new constitutions they were now officially transferred into public-law state ownership and in this character they contributed to the public budget.<sup>206</sup> In return for this assignment the ruling princes were entitled to a fixed amount for their personal, their family's and their court's needs,<sup>207</sup> which was called *Civilliste*<sup>208</sup> after the English and French examples.<sup>209</sup>

The civil list hence must not be regarded as a "salary" or "pension", which was granted to the prince by the parliamentarian bodies, but as an "equivalent" to the income yielded from the domains which had been handed over to the state.<sup>210</sup> Consequently it ought to be paid predominantly from the rents of these estates. This provision was demanded by a conference of the ministers of the German states in 1834. Its records, moreover, state that the civil list should not be decreased without the consent of the ruler, and on the other hand not be increased without the consent of parliament.<sup>211</sup> Apart from the fixing of its amount, which was

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201 All relevant constitutions are to be found in the following two collections: *Pölitz* (ed.), op. cit., and *Heinrich Albert Zachariä* (ed.), op. cit.

202 Cf. e.g. *Heinrich Albert Zachariä* (ed.), op. cit., pp. 128ff on Bavaria, 164 on Saxony, 309 on Württemberg, and 410 on the great duchy of Hesse. On the legal regulations of the civil list in 19th-century Germany cf. also the different contributions in *Marquardsen* (ed.), *Handbuch des Oeffentlichen Rechts*, vols. II,2 and III.

203 For the legal aspect the civil list in general cf. the concise account by *Zoepfl*, *Grundsätze des gemeinen deutschen Staatsrechts* II, pp. 680ff.

204 *Borchard*, *Staatsverbrauch und Öffentliche Investitionen*, pp. 22ff and 41ff.

205 *Zoepfl*, op. cit. II, especially pp. 680ff.

206 *Ibidem* II, pp. 686ff.

207 *Ibidem* II, pp. 688ff.

208 Cf. the definition of civil list in *Klüber*, *Öffentliches Recht des Teutschen Bundes und der Bundesstaaten*, p. 352: "Civil list, also called (costs of the) household of the ruler, i.e. the determination of the quantum of the annual revenue, which in monarchical states the head of the state, in this capacity, has to receive from the public treasury for his and his family's maintenance, the court included (*CivilListe, auch (Kosten der) Haushaltung des Regenten genannt, das heißt, die Bestimmung des Quantums der jährlichen Einnahme, welche, in monarchischen Staaten, der Staatsoberherr, als solcher, für seinen und der Seinigen Unterhalt, mit Inbegriff des Hofstaates, aus der Staatscasse zu beziehen hat*)."

209 On the misleading label *civil list* cf. *Zoepfl*, op. cit. II, pp. 690ff; *Treitschke*, *Civilliste*, p. 519; *Meier*, *Civilliste*, p. 468.

210 *Zoepfl*, op. cit. II, p. 690.

211 *Heinrich Albert Zachariä* (ed.), op. cit., p. 22; see also *Treitschke*, op. cit., p. 520.

either done for the reign of a prince or permanently for his future successors too,<sup>212</sup> parliamentary control of the use of civil list money did not take place. The monarch alone was entitled to decide.<sup>213</sup>

Prussia remained a special case among the German countries as to the court and its economy. Friedrich Wilhelm I had already given up the distinction between the domains and his "private" estates which provided his privy purse (*Chatoullgüter*) in 1713. He and his son voluntarily restricted their personal income to a fixed amount (220,000 T under Friedrich II),<sup>214</sup> and the *Allgemeines Landrecht* from 1794 finally confirmed state ownership of all domains, but also the right of the rulers to use their yield for the maintenance of their family.<sup>215</sup> Thus in 18th-century Prussia a system had emerged that was quite similar to the conception of a civil list, but lacked a stable constitutional basis. This was still true in the first half of the 19th century, when in 1820 the rent from the fideicommissum of the Prussian crown was established by decree as the Prussian version of a civil list.<sup>216</sup> It took, however, another thirty years until it appeared in the first constitution of the kingdom.<sup>217</sup>

The constitutionalization of court economy *via* the civil list was more than a common German feature of the political system; it was adopted in all of Europe. Compared to other states the civil lists were relatively high in the German monarchies. According to an analysis of the budgets around 1850, they could well reach more than 20 % of the total public expenses in the smaller states, whereas the civil lists in the more important countries (Baden, Bavaria, Hanover, Saxony, Württemberg) usually made up c. 8-10 %. Prussia in this respect was again a special case, only needing 3.8 % for the maintenance of the royal family and their courts.<sup>218</sup>

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212 *Welcker*, *Civilliste*, pp. 499f; *Zoepfl*, *op. cit.* II, p. 693; *Treitschke*, *op. cit.* II, p. 520.

213 *Welcker*, *op. cit.*, p. 497; *Treitschke*, *op. cit.*, p. 515.

214 *Welcker*, *op. cit.*, p. 497.

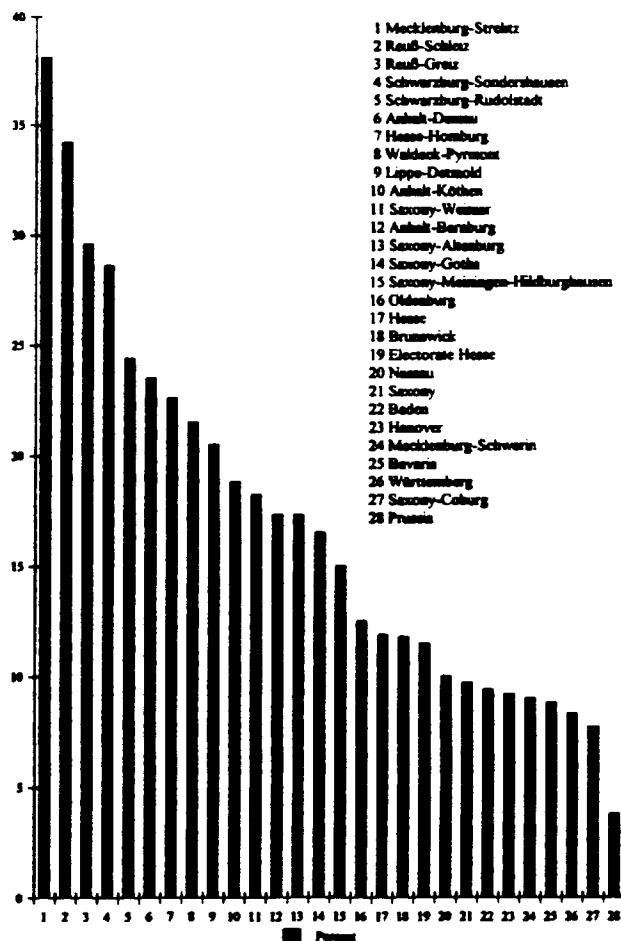
215 *Allgemeines Landrecht*, p. 590 (Zweyter Teil, Vierzehnter Titel, §§ 11f); cf. also *Heinrich Albert Zachariä*, *Deutsches Staats- und Bundesrecht III*, pp. 42f, and *Spahn*, *Civilliste*, col. 1378; *Treitschke*, *op. cit.*, p. 518.

216 *Verordnung wegen der künftigen Behandlung des gesamten Staatsschuldenwesens*, Art. III. The *Kronfideicommissrente* was fixed at 2,500,000 T.

217 *Heinrich Albert Zachariä* (ed.), *op. cit.*, p. 82 (Prussian constitution, 31st January 1850, Art. 59)

218 *Borchard*, *op. cit.*, pp. 183ff. The complete list provides the following percentage of civil list costs in the single countries: Mecklenburg-Strelitz 38.1 %; Reuß-Schleiz 34.2 %; Reuß-Greiz 29.6 %; Schwarzburg-Sondershausen 28.6 %; Schwarzburg-Rudolstadt 24.4 %; Anhalt-Dessau 23.5 %; Hesse-Homburg 22.6 %; Waldeck-Pyrmont 21.5 %; Lippe-Detmold 20.5 %; Anhalt-Köthen 18.8 %; Saxony-Weimar 18.2 %; Anhalt-Bernburg 17.3 %; Saxony-Altenburg 17.3 %; Saxony-Gotha 16.5 %; Saxony-Meiningen-Hildburghausen 15.0 %; Oldenburg 12.5 %; Hesse 11.9 %; Brunswick 11.8 %; Electoral Hesse 11.5 %; Nassau 10.0 %; Saxony 9.7 %; Baden

**Figure 16:** Percentage of civil list costs in public expenditure of the German states (c. 1850)



In another ranking of 23 European countries according to the share of the civil list in the overall state expenditure in the 1850's, Saxony-Weimar took the lead with 16 % ahead of Ottoman Turkey with 11 %. The kingdom of Saxony and the two Hessian states followed next with c. 9 %. Among those ten countries in which more than 6% of the state expenses were consumed by the civil list, seven were members of the Germanic Confederation. The great European powers only appear at the very end of the list: Austria, Prussia and France held places 19 to 21 (c. 2 %), while the relatively smallest civil list could be found in Britain, amounting to less than 0.5 % of all public expenses.<sup>219</sup> Even three decades later the picture largely remains the same. Altogether the German civil lists comprised 42,320,306 Marks, which made up c. 1.4 % of the total state expenditure,

9.4 %; Hanover 9.2 %; Mecklenburg-Schwerin 9.0 %; Bavaria 8.8 %; Württemberg 8.3 %; Saxony-Coburg 7.7 %; Prussia 3.8 %. On missing data concerning Schleswig-Holstein, Lauenburg and Schaumburg-Lippe cf. *ibidem*, pp. 186 and 188.

<sup>219</sup> *Treitschke*, op. cit., pp. 521f.



a rate that, although quite low, was higher than that of other European countries.<sup>220</sup>

In comparison to the situation in the previous century, however, even the relatively high German data indicate the success of the civil list as a means of solving the problem of court economy. It had become possible, because the civil list represents a constitutional compromise between the budgetary rights of parliament and the financial independency of the ruler. Although parliament had no right to influence the way the civil list was used by the monarch, it nevertheless voted its total. Prior to this regulation excessive court costs could only be avoided if the ruler himself had realized their noxiousness, which however was unlikely due to common princely education.

In that respect the institution of a civil list substituted personal inhibitions on the part of the prince that had often been lacking:

"In the eyes of his subjects he does not want to appear prodigal or even as a squanderer of foreign good, which he declares the fortune of his state to be and which only was entrusted to him. He has not had the education of a private person, who in his youth is guided to strict order of his private economy and instructed by many examples. He is not able to conduct and control the financial affairs of his court in person (...). He personally wants to prevent any possibility of waste on his own or his family's part and any misuse or disorder by the managers of his court and privy purse. He wants to set the example of strict obedience even to laws which he has accepted voluntarily and gladly and to stand out as a model of good economy for his subjects. He submits himself and his family to a *CivilList*, arranges his own household according to estimates (budgets) as precisely as possible, and strictly controls their observance."<sup>221</sup>

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<sup>220</sup> Spahn, op. cit., col. 1382; cf. also the statistical data in *Geffcken*, Staatsausgaben, p. 48.

<sup>221</sup> Klüber, , pp. 492f: "*In den Augen seiner Unterthanen will er nicht als ein Verschwender erscheinen, am wenigsten als Vergeuder fremden, ihm anvertrauten Gutes, wofür er das Vermögen seines Staates erklärt. Ihm ist nicht die Erziehung eines Privatmannes zu Theil geworden, der von früher Jugend an zu der strengen Ordnung guter PrivatOeconomie angehalten, und durch vielfältiges Beispiel angeleitet wird. Er vermag nicht, Selbst das Finanzielle seiner Hofhaltung zu leiten und zu bewachen (...). Er will selbst der Möglichkeit einer Verschwendung, von seiner und der Seinigen Seite, so wie Mißbräuche und Unordnungen der Vorsteher seiner Hofhaltung und PrivatCasse, einen festen Damm entgegensetzen. Er will männiglich das Beispiel strengen Gehorsams sogar gegen freiwillig und gern angenommene Gesetze geben, und seinen Unterthanen als muster guter Wirthschaft vorleuchten. Er unterwirft sich und die Seinigen einer CivilListe, ordnet seinen eigenen Haushalt nach möglichst genau berechneten Voranschlägen (Etats), und wacht mit Strenge über deren Befolgung.*"

The success of the civil list as the final solution of court economy can be explained quite easily. The cameralists of the 17th and 18th centuries had tackled this problem attempting to limit court expenditure without being able to state clear-cut rules for it, let alone to enforce them. The prince alone decided what the money was spent on. With the introduction of a civil list, control of court costs changed hands; not court expenses, but court revenues were now limited. This was possible only because the income of the state and of the prince were no longer confused. From this point of view the "nationalization" of the princely domains was the decisive measure. It deprived the ruling houses of independent and hereditary revenues<sup>222</sup> and made them rely on what was granted by parliament.

By the same measure court economy ceased to be a problem of political economy. Cameralistic textbooks of the early 19th century, the subject of which was now called "science(s) of the state" ("*Staatswissenschaft <en>*") rather than cameralistic sciences, did of course still contain passages on court economy, i.e. the civil list. But this institution was handled as a matter of course, which was discussed briefly, but obviously did not arouse further attention.<sup>223</sup> Instead the pros and cons of a civil list were discussed in public law and in political terms.<sup>224</sup> No pertinent text of the 19th century dealt with economic or financial consequences of court consumption, but rather with the legal and constitutional implications of the civil list.<sup>225</sup>

This is proved by a short "treatise on public law" ("*staatsrechtliche Abhandlung*") from 1831, which bears two titles: firstly, *Wem gehören die*

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<sup>222</sup> The principle of the civil list however did not mean that it was the only financial resource of the ruling house. In Württemberg e.g. there were other sources besides it: firstly, the apanages of its adult members, paid directly from the public treasury; secondly, the revenues from the *Hofdomänenkammergut*, which was regarded as "private property of the royal family"; and thirdly, the private fortune of the king: cf. *Herdt*, op. cit., pp. 224ff.

<sup>223</sup> Cf. e.g. *Krug*, Abriß der Staatsökonomie, pp. 221f; *Schmalz*, op. cit. II, pp. 167ff; *Harl*, Vollständiges Handbuch der Staatswirthschaft II, pp. 84ff; *Jakob*, Staatsfinanzwissenschaft II, pp. 720ff; *Pölitz*, Grundriß für encyclopädische Vorträge, p. 130; *idem*, Die Staatsfinanzwissenschaft im Lichte unserer Zeit II, pp. 291ff.

<sup>224</sup> Cf. e.g. the articles of *Welcker*, op. cit., especially pp. 498ff, and of *Treitschke*, op. cit., especially pp. 519ff, where the same three issues are discussed on a political and constitutional level: the general expediency of the civil list; the suitable amount; and the length of the period which it is granted for. See also *Geffcken*, op. cit., p. 47.

<sup>225</sup> The civil list formed a usual element of any textbook (cf. e.g. *Klüber*, Staatsrecht des Rheinbundes, pp. 190f; *idem*, Öffentliches Recht des Teutschen Bundes und der Bundesstaaten, pp. 352f; *Heinrich Albert Zachariä*, op. cit. III, pp. 42ff; *Zoepfl*, op. cit. II, pp. 688ff; *Marquardsen <ed.>*, op. cit. II, 2 and III) and encyclopaedia (*Welcker*, op. cit.; *Treitschke*, op. cit.; *Meier*, op. cit.; *Spahn*, op. cit.) on public law.

*Kammergüter? dem Fürsten oder dem Volke?* ("Who owns the chamber estates, prince or people?"), and secondly, *Ueber Kammergüter und Civilisten deutscher Fürsten* ("On chamber estates and civil lists of German princes"). The author, E. Schneider, calls for an independent financial resource for the princely family, consisting of estates managed separately from the financial administration of the state.<sup>226</sup> He argues that a mere civil list had the "character of a salary of a civil servant" ("*Natur eines Beamtengehalts*")<sup>227</sup> and concludes that "an unpropertied ruler could almost be called pensioner of the people".<sup>228</sup>

Obviously the legal status of the chamber estates was thought to be the key to the constitutional and political position of the ruler. This problem was also the concern of another tract on public law, published thirty years later by the well-known specialist Heinrich Albert Zachariä. Like his colleague Schneider he defended the viewpoint that the chamber estates belonged to the princely family<sup>229</sup> and had to serve as the independent basis of their income.<sup>230</sup> He even reiterated this point in a second book published three years later in 1864,<sup>231</sup> because in the meantime the jurist August Ludwig Reyscher had put forward the opposite opinion. He likewise published two monographs devoted to the question of the property rights concerning the domains. Reyscher thought they belonged to the states by public law and not to the princely houses by private law and hence was a strong advocate of the civil list solution.<sup>232</sup>

For one and a half centuries the problem of court economy had been intensely debated, particularly by the cameralists. It had been a problem of political and economic theorizing, which concentrated on the question of the legitimacy of court splendour. But during the reform era of the early 19th century it took on the form of the civil list, which no longer came

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<sup>226</sup> Schneider, *Wem gehören die Kammergüter?*, pp. 29ff.

<sup>227</sup> *Ibidem*, p. 34

<sup>228</sup> *Ibidem*, p. 37: "*fast könnte man einen eigenthumslosen Regenten: Volkspensionair nennen*".

<sup>229</sup> Heinrich Albert Zachariä, *Das rechtliche Verhältniß des fürstlichen Kammerguts*, especially pp. 39ff.

<sup>230</sup> On the connection of the civil list issue with the problem of the ownership of the domains cf. *ibidem*, e.g. pp. 66ff and 88ff.

<sup>231</sup> Cf. Heinrich Albert Zachariä, *Das Eigenthumsrecht am deutschen Kammergut*, especially pp. 87f, fn. \*\*\*, 97 and 99f, where the civil list is mentioned.

<sup>232</sup> Cf. Reyscher, *Die Rechte des Staates an den Domänen*, e.g. pp. 175, 181, 183, 191ff, 198ff, 203, 205, 276f, 279, 291, 293, 300, 315, 352; *idem*, *Der Rechtsstreit über das Eigenthum an den Domänen*, e.g. pp. 6, 9, 35f, 79. Another contribution to the controversy on domains and the civil list, probably the most radical one defending the public ownership of the state, could not be located in Germany by inter-library loan: Luther, *Über die rechtliche Natur der Domänen*.

under the competence of the cameralists. Instead it became a mere constitutional matter, discussed above all by specialists in public law.

## 5. Perception and Reality

Generally spoken, a considerable strain on financial resources was endemic in all European states of the early modern period. The reasons, however, were diverse. In the great west European monarchies (Britain, France and Spain) the court only accounted for a minor part of the overall public expenses, which instead were largely dominated by the overwhelming costs of the military and warfare; the budgets of most German principalities were damaged by the poor state of court economy.

Estimates for the 18th century allow a comparison of the three kingdoms mentioned, which on average spent less than 10 % of their entire expenditure on the court alone. According to different authors, the Spanish court swallowed up between 5.9 and 10.1 % of the overall expenses during the second half of the century.<sup>233</sup>

Contemporary sources concerning the French court of the same period fluctuate between 3.9 and 17.2 %, but they are often influenced by political interests.<sup>234</sup> The data supplied by Michel Morineau show a lower share: While in 1751 and 1775 the court used approximately 10 % of the overall expenses, this rate fell to c. 6.6 % in 1788.<sup>235</sup>

The English court was financed by the civil list, which, for example, in the years 1751, 1763 and 1774 accounted for 12.9, 4.9, and 8.5 % of the whole public expenditure.<sup>236</sup> For these years further estimates exist of what share of the civil list was actually spent on the "dignity of the crown" exclusively, namely between 51 and 59 %, <sup>237</sup> so that the court costs proper amount to 7, 2.9, and 4.3 % of the respective overall expenses.<sup>238</sup>

The pattern of public expenditure in the German princely states of the time normally differed from this picture. On average 23 % of their whole expenses were spent on the court,<sup>239</sup> which is double the share compared

<sup>233</sup> *Pieper*, *Die spanischen Kronfinanzen*, p. 149, fn. 26, see also pp. 138f and 191f; for the 17th century cf. *Ortiz*, *Los gastos de corte*.

<sup>234</sup> *Pallach*, *op. cit.*, pp. 156f; cf. also *Kruedener*, *Rolle des Hofes*, pp. 15f.

<sup>235</sup> *Morineau*, *op. cit.*, p. 183.

<sup>236</sup> *Mitchell*, *Abstract of British Historical Statistics*, p. 390.

<sup>237</sup> *Reitan*, *op. cit.*, p. 201.

<sup>238</sup> The total of the civil list revenues from the reign of William III to 1785 nevertheless amounted to impressive 80,347,361 £ according to *Höfler*, *op. cit.*, p. 31.

<sup>239</sup> Cf. *Henning*, *Deutsche Wirtschafts- und Sozialgeschichte*, pp. 909f, where the average distribution of public expenses in the German territories at the end of the 18th century is described as follows: 38 % were military expenses, 25 % expenses for the civil administration, 14 % were used for the repayment of debts, and 23 % were court expenses. It must however be noted that the two German great powers, i.e.

to the examples given above. Still the debate on court economy was less radical in Germany than in France or Britain, although the two kingdoms seem to have been more able to carry the financial weight of their courts. Obviously the real weight of the monarchical households was less significant than the public perception thereof. Hence a decisive factor for the degree of economic court criticism the existence of a suitable means of discussing the dangerous topic of court costs. In that respect the main difference between the German territories on the one hand, and France and Britain on the other lay in the fact that the two West European nations disposed of autonomous and established media for the public discourse of matters such as court economy.

There is some irony in the fact that the growing political discontent in both countries, which was vented on economic court criticism, was closely linked to the financial exhaustion due to the high costs of the American War,<sup>240</sup> in which France and England had taken opposite sides. In a sense this common motivation reveals that the court served as an ample target for criticism of the political system as a whole in either country, because the bad management and the waste at court seemed to be visible proof to any subject of the inefficiency of the ruling elite. The court and its economy fueled the obsession of the public and played, in other words, the role of a scapegoat, which united the respective opposition against king, court and government.<sup>241</sup>

The discourse on court economy nevertheless had its specific features in each country. Whereas in France a broad politicized public opinion served as the forum for a debate on the financial and economic effects of court expenditure, Britain disposed of a Parliament as an institutionalized arena for such a discussion, which was centered however on the political influence derived from the financial supply of the court.

Compared to German conditions, these points explain the more outspoken character of the French and British contributions to the debate on court economy. In France and Britain a sphere of discussion had formed which in cultural and social terms was reasonably independent from the influence of court culture and court society, independent enough to be able to call into question the pertinent financial and economic behaviour. Court economy was much less of a taboo than in the German principalities, where it aroused some censure in the journals of the time, the readers of which

Austria and Prussia, largely followed the spending model of France, England and Spain; cf. *Dickson*, *Finance and Government under Maria Theresia*, pp. 385ff for Austria; and *Baumgart*, *Der deutsche Hof*, pp. 29f; *Kruedener*, *op. cit.*, p. 17; *Kunisch*, *Hofkultur*; and *Behre*, *Geschichte der Statistik*, especially pp. 92ff for Prussia.

<sup>240</sup> On Britain cf. e.g. *Reitan*, *The Civil List in Eighteenth-Century British Politics*, p. 329; on France see e.g. *Morineau*, *op. cit.*, pp. 160f.

<sup>241</sup> On Britain cf. *Reitan*, *op. cit.*, pp. 322 and 328; *idem*, *Edmund Burke and the Civil List*, pp. 605f, 609f and 613f; on France see *Pallach*, *op. cit.*, p. 109.

however often belonged to social groups closely associated with the territorial states. Thus the public which sustained the discourse on court economy largely consisted of state officials, who could not afford the liberties of the French *philosophes* or the British parliamentarians.

But the German princes did not rely on the timidity of their civil servants and subjects alone. They watched the erosion of legitimacy in France, caused among other things by the overstrain of court expenditure, and they understood the message. From the 1740's the court costs of many German territories were reduced voluntarily,<sup>242</sup> and later on the lessons taught by the French Revolution were likewise heeded. The compromise solution of the Civil List was taken over in the German states in the era of reforms induced from above, whereas in France it took the catastrophe of the revolution to make it an acceptable expedient.

In a sense the German princes and courts profited from the freedom of discussion in France and Britain and thus also from the anti-court prejudices of the public in both countries, which had considerably distorted the perception of court economy.

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<sup>242</sup> Cf. e.g. *Pallach*, op. cit., pp. 112ff.

## Conclusion

The economic and the representative aspects of German early modern court life can be regarded as the poles of a battery which fed a permanent debate on the overall functionality or legitimacy of the princely courts. This dispute can be followed by looking at the three subdiscourses of *Zeremonialwissenschaft*, *Hausväterliteratur* and *Kameralismus*. Their respective individual evolutions, but also their mutual relations to each other, reveal a deep crisis of court society in the Holy Roman Empire, which grew stronger in the course of the 18th century and finally even proved to be lethal. Although the death of the courtly *ancien régime* seemed to be a sudden one, caused by the export of the French revolution over the Rhine, in fact it followed a long-lasting agony. The problem of court economy was part of this process.

The early 18th century, however, seemed to witness the zenith of the discourse, or discourses, on analogous representation. Between c. 1700 and 1730 the contributions to "classic" ceremonial science, i.e. the works of Winterfeld, Stieve, Lünig and Rohr,<sup>1</sup> were published. For them ceremonial court life was a matter of course, but which had to be taken seriously, since it was embedded in an overall view of the physical as well as the social world. It was a reflection of universal order, mirrored analogously and holistically by the rigid spatial pattern of courtly hierarchy.<sup>2</sup>

This was also the concern of Florinus' *Oeconomus prudens et legalis continuatus*, which was advertised in 1702 and eventually published in 1719.<sup>3</sup> Although belonging to a slightly different discursive context, the second volume of Florinus' book was based on the same principles as ceremonial science (and could in a sense even be classified under this heading).<sup>4</sup>

During the 1730's and 40's the notion of analogous representation was pushed into the background in both fields. In the case of court oeconomy this was simply the consequence of the fact that the entire conception dwindled away after Florinus' bulky achievement. For Ursinus oeconomic knowledge was still useful to princes, but now merely as a sort of

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<sup>1</sup> Winterfeld, *Ceremonial-Politica* I and II; Stieve, *Europäisches Hoff=Ceremoniel*; Lünig, *Theatrum Ceremoniale* I and II; Rohr, *Einleitung zur Ceremoniel-Wissenschaft* I and II.

<sup>2</sup> Cf. especially Stieve, *op. cit.*, p. 3; Lünig, *op. cit.* I, pp. 3 and 292.

<sup>3</sup> Florinus, *Oeconomus prudens* II.

<sup>4</sup> Cf. Berns, *Der nackte Monarch*, p. 334, where Florinus' work is defined as another "writing on ceremonial", namely an "oeconomically specialized" one, and grouped alongside the books of Winterfeld, Stieve, Lünig, and Rohr.

preparatory school for really counting cameralistic competence.<sup>5</sup> Malortie finally again gathered together all the traits of the centuries-old idea of the court as the ruler's household,<sup>6</sup> but in mid-19th century this was largely a wasted effort, without any impact on the contemporary political or social debates.

Ceremonial science in contrast still seemed to be important after Rohr's contributions. It had however changed its appearance, as it now was pursued as court law or court jurisprudence. In the form it was given by Carrach and the two Mosers in the second half of the 18th century,<sup>7</sup> analogous representation was played down by a more abstract legal approach. Ceremonial in the strict sense, moreover, was merely part of the whole subject of court law, and definitely not a high-ranking one.<sup>8</sup> Obviously during the period from 1729, when Rohr's *Einleitung zur Ceremoniel-Wissenschaft Der großen Herren* was published, until 1754, when the first volume of Friedrich Carl Moser's *Teutsches Hof=Recht* was issued, the theory of analogous representation had lost a lot of its intellectual credit.

It is by no means accidental that in this very space of time the general functionalist approach of cameralism,<sup>9</sup> so clear e.g. in Becher's work, also seized hold of the court. By examining the pertinent problems in the context of financial science, the cameralists demonstrated clearly enough that at least in principle the courts were to be evaluated according to their usefulness in the overall framework of territorial economy and finance.

This development is furthermore confirmed on the semantic level. Whereas in early 18th century *court economy* (*Hofökonomie*) was simply a synonym for the whole complex administered by the princely chambers, the term later only referred to the economic aspect of the court in the strict sense, as it had been defined by Seckendorff in 1656.<sup>10</sup> In 1737, for example, the Jewish court agent (*Hoffaktor*), Joseph Süß Oppenheimer, wrote to his master, Karl Alexander of Württemberg, mentioning the latter's "*Hof-Oeconomie-Wesen*". This expression almost certainly denotes the economic and financial matters of the ducal household alone.<sup>11</sup>

Thus court economy had acquired a particular meaning: it referred exclusively to all activities connected with the economic and financial management of the princely courts. They were on the one hand deliberately disconnected from other items of public expenditure such as civil adminis-

<sup>5</sup> Ursinus, Taschenbuch über Haushaltung, especially pp. 51ff.

<sup>6</sup> Malortie, Hof=Marschall I and II.

<sup>7</sup> Carrach, Grundsätze und Anmerkungen; Friedrich Carl Moser, Teutsches Hof=Recht I and II; Johann Jakob Moser, Versuch des Ceremoniels; *idem*, Vom Ceremoniel.

<sup>8</sup> Cf. especially Friedrich Carl Moser, *op. cit.* I, pp. 7ff; Carrach, *op. cit.*, col. 477; Johann Jakob Moser, Versuch des Ceremoniels, Vorrede.

<sup>9</sup> Walker, Rights and Functions.

<sup>10</sup> Seckendorff, Teutscher Fürsten=Staat, pp. 587f.

<sup>11</sup> Quoted by Stern, Jud Süß, p. 274, cf. also p. 263.



tration or the army, but on the other hand explicitly subjected to the same cameralistic principle.

It can be described as based upon *function in time*, which was the complete opposite of the notion of *right to space*, which underlay the whole idea of analogous representation and hence ceremonial science also. On the theoretical level therefore the decline of analogous representation, that had become visible with the emergence of court *law* instead of court *ceremonial*, was irresolvably linked to the reasonings on court economy in the cameralistic writings, or rather their sections on *Finanzwissenschaft* after c. 1740.<sup>12</sup>

The problem of court economy thus illustrates a general cultural shift throughout the 18th century which consisted in the replacement of spatial, static categories by temporal, dynamic ones. Under this perspective the century becomes a period of transformation, a "*Sattelzeit*" (Koselleck), whose central feature is the temporalization (*Verzeitlichung*) of the fundamental discourses. The discursive treatment of the court only forms one of many examples of this process,<sup>13</sup> in the course of which "complexity was handled by techniques of temporalization" to a growing extent.<sup>14</sup>

But why did court economy, of all possible issues, play such a decisive role in the general discourse on court life in 18th-century Germany? Three points above all seem responsible for the importance of economic court evaluation or even criticism. Firstly, the development of cameralism had, naturally enough, put the problem of court economy on the agenda. Once the idea was accepted that any aspect of the princely state had to be analyzed for its accordance with the rules of financial science, the court of course could not be omitted.

Secondly, cameralistic handling of court economy implied that religious or moral questions no longer mattered. By the process leading from court oeconomy *à la* Florinus to court economy in the style of Zincke and his successors, the whole complex of the court was stripped of its ethical side, which had provided the link between court society and cosmic order. Zincke stressed that moralists should not interfere with court expenditure, which instead was regarded as an exclusive matter of sober financial policy.<sup>15</sup>

It must however be noted here that the political function of court life prevented a nakedly economic view in the cameralistic writings, but Justi's

<sup>12</sup> This connection is evident e.g. in the case of Friedrich Carl Moser's *Hof=Recht*, which established court law as the successor of ceremonial science proper and at the same time made quite early and consequent use of the term *court economy* for the economic and financial side of court life; cf. especially *Friedrich Carl Moser*, *Teutsches Hof=Recht* I, pp. 143-201.

<sup>13</sup> Instead of numerous contributions to this question cf. only *Koselleck*, *Vergangene Zukunft*, e.g. pp. 19, 188ff, 321ff; and *Lepenis*, *Das Ende der Naturgeschichte*.

<sup>14</sup> *Lepenis*, op. cit., p. 19.

<sup>15</sup> *Zincke*, *Grund-Riß* II, p. 345.

rejection of this old argument<sup>16</sup> was taken over by Schlettwein<sup>17</sup> and Pfeiffer.<sup>18</sup> Thus in the second half of the 18th century the courts were eventually scrutinized of their functionality in economic terms without further moral or political reasoning.

This evolution of the discourse on court economy bears a striking resemblance to the course of the luxury debate, which had however already largely left behind non-economic arguments after the publication of Melon's famous *Essai politique sur le commerce* (1734).<sup>19</sup> The general dispute over luxury may thus be seen as a necessary preparation for the cameralists' ideas on how a court had to be run economically.

Thirdly, the political authority, the social prestige, and also the cultural leadership of the court remained widely accepted even in late 18th-century Germany. In contrast the economic performance and expertise of most court administrations was obviously poor. It must have been evident, even to a well-meaning observer, that many courts needed reform on the economic and financial field. Thus the attention of the public, however tame and small it might have been, was again focussed on court economy and thereby on the deficiencies of court society.

From this point of view court economy had a considerable share in shattering the efficiency of analogous representation. It was increasingly interpreted as a mere trick for gaining the loyalty of the uneducated populace, while the intellectual élites could no longer be convinced by it. The basic mechanism and legitimation of court society was thus no longer working by the 1740's.

On the non-discursive level of concrete court history this rupture corresponds to the success of a new paradigm of court life. The "sociable court" began to largely displace its ceremonialized predecessor around the same date. The ostentatious feature of court life, rooted in its being an instrument of analogous representation, to a certain extent gave way at the sociable courts to a secluded, almost intimate existence of the prince and his entourage. The courts of this type hence ceased to be political institutions

<sup>16</sup> *Justi*, Staatswirtschaft II, p. 564.

<sup>17</sup> *Schlettwein*, Anmerkungen über die Badische Cammer=Ordnung, p. 151.

<sup>18</sup> *Pfeiffer*, Grundriß der Finanzwissenschaft, pp. 369f: "I know that the decorum of the princes requires expenditure in accordance with their sublime rank (...). But if there are princes (...) who found their greatness and fame on senseless waste and on shiny splendour and who tolerate neglect of order, control and thrift in their court households, they can neither be good nor wise rulers (*Ich weiß, daß der Wohlstand die Fürsten nöthige, einen ihem erhabenen Stande gemäßen Aufwande zu machen <...>; wenn es aber <...> Fürsten geben sollte, welche ihre Größe, ihen Ruhm, in einer sinnlosen Verschwendung, in einen blendenden Schimmer setzen, und in ihrer Hofhaußhaltung weder Ordnung, noch Aufsicht, noch Sparsamkeit herrschen lassen, so können diese weder gute noch weise Regenten seyn*)."

<sup>19</sup> *Borghero*, Introduzione; *Labriolle-Rutherford*, L'evolution de la notion du luxe.

in the first hand. Rather they were private circles, sometimes mainly comprising the personal friends of the monarch.

The new role and appearance of court life was symptom and factor of a fundamental societal change. Previously early modern society was differentiated by social stratification and hence membership of the court society alone guaranteed participation in political and social power. During the 18th century functional differentiation gradually became the predominant mechanism of structuring, and political decisions were taken in an autonomous sub-system. Thus the court sphere was no more longer the foremost, let alone the only, seat of political and governmental authority. By this process it moreover lost its capacity for cultural and social integration of the whole society.<sup>20</sup>

This decline of the court paradigm in particular, however, was only a part of the crisis of the oeconomic model of householding in general. Functional differentiation proved to be mortal for the idea of the house as a holistic institution, which self-sufficiently provided for all needs of its mates. The thorough social transformation which took place in the 18th century did not only destroy the foundations of "court oeconomic" ("*Oeconomie des Hofes*"), but also of the "common oeconomic" ("*gemeine Oeconomie*") of private households:<sup>21</sup> Both parts of Florinus' *Oeconomus prudens* were equally obsolete by the middle of the century.

So the *raison d'être* of the court society was subject to erosion, which made itself felt in Germany around the year 1740. The fates of the ceremonial, the *Hausväter*- and the cameralistic discourses bear witness to this process. It gained momentum especially in the 1780's, as the rising court criticism within the journals of this time prove.

It is, by the way, interesting that this wave coincided with similar phenomena on both sides of the Channel. The public controversy over court luxury in France and the parliamentary debates on the civil list in Britain both prove that the economic management of court matters was a common European concern at the end of the 18th century.

The German chronology thus seems plain: General acceptance of analogous representation obviously ended in the period from 1730 to 1750. The resulting legitimation crisis of court society lingered on for some decades, until it noticeably accelerated in the years after 1780.

Still the court remained an important factor in the German principalities throughout the late 18th century and beyond. Both the sheer social prestige and political skill that both had been accumulated at the courts over centuries enabled them to resist their discursive defeat for some decades. Al-

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<sup>20</sup> This is a brief account of the transformation to modern society in Luhmann's terminology. For a detailed application of his approach to the problem of court and nobility during this period cf. *Luhmann, Gesellschaftsstruktur und Semantik I*, pp. 72-161.

<sup>21</sup> *Florinus*, op. cit. II, Vorrede.

though the conception of analogous representation, which had formed the core of "classic" ceremonial science, lost cultural hegemony in the face of the more functionalist approaches of court law and cameralism, the social carrier of this very conception, i.e. the court society, remained at the top of the *ancien régime*.

The ruling strata held their position by the usual simultaneous use of a stick and a carrot. The princes and courtiers were the ones that offered high-ranking and well-paid jobs, or denied them, to the cameralists. Unlike in France with her functioning free market of books and opinions or in Britain with her established parliament with an established opposition, administrative experts were, due to the lack of alternatives, completely dependent on favour or protection by court members.

The social weakness of the German intellectual and administrative élite was transferred into a political one: The professors, writers and financial specialists who made up the ranks of the cameralists simply could not afford to alienate the court society by radically exposing the theoretical and practical shortcomings of analogous representation. After all they owed their whole existence above (or better: beyond) the traditional order of estates to their being members of the state apparatus.

As a consequence the cameralistic handling of court economy was characterized by a combination of financial rationality and court rationality. In principle court expenses were to be retrenched to the lowest degree possible. But this very degree was defined by the prince himself and, more abstractly, by the opinions, fashions, and the decorum of court society. Courtly values decided over court costs.

On the discursive level this can be read from the fact that arguments stemming from the context of ceremonial science held a prominent place in the texts on court economy. Next to the general mention of decorum, authors adopted in particular those passages which justified court life as an instrument of analogous representation, meant to legitimize princely rule especially in the eyes of the commonalty. Lünig's and Rohr's pertinent remarks<sup>22</sup> can also be found in Zincke's influential *Anfangsgründe*. Court splendour is not only excused there, but in a sense even demanded for the benefit of the ruler, "so that sensous people are reminded by sensory things of his rank and his power".<sup>23</sup>

The acceptance of principal elements of ceremonial science on the part of the cameralists had however a second reason, which, unlike the social and political balance of power, was their responsibility alone. Since they had not been able to find a functional legitimation of the courts on their own, they had to find it elsewhere. If court life was to be included into the utilitarian conception of the princely states the cameralists had developed, it had to be supplied with a specific function, too. Analogous representa-

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<sup>22</sup> Lünig, op. cit. I., p. 5; Rohr, op. cit. II, p. 2.

<sup>23</sup> Zincke, *Anfangsgründe* II, p. 1440.

tion was such a task, hence *Zeremonialwissenschaft* gained access to *Kameralwissenschaft*.

A proper cameralistic justification of court splendour on the other hand was never provided by the writers in question. They certainly put forward economic reasons in favour of court consumption, such as the employment and the circulation arguments. These points, however, had no central position within cameralism, but rather were spin-offs of the alleged political importance of court life.

Thus those sections of cameralistic financial science that dealt with court economy were characterized by an uneasy coexistence of two different theories. Representation moreover mostly had priority over economy. This was a sort of compromise solution on the expense of the cameralists, whose discursive superiority was successfully checked by the social superiority of the courtiers. Certainly the latter also had to pay their price. After c. 1740 court life became much less ostentatious with the growing popularity of the "sociable court" and thereby often also less expensive.

But in spite of this partial adaptation to a new economic court criticism, one can nevertheless state that with ceremonial science the theory of analogous representation, which might with slight exaggeration be called an "ideology of the ruling class", was forced into the hostile doctrine of cameralism. Princes and courtiers had clearly recognized the threat that an economic assessment of court life meant to their whole social existence. It was after all based upon "conspicuous consumption" (Veblen) or, as Sombart has put it, on an "economy of expenditure".<sup>24</sup>

Thus court economy remained a sore topic throughout the 18th century. Many cameralists themselves felt that the integration of cameralistic and ceremonial knowledge was due to be wrecked because of the incompatibility of both sciences. Springer and Büsch e.g. spoke of two different languages in which cameralistic and court matters had to be formulated respectively. "Business language" ("*Geschäfts=Sprache*") and the "ceremonial language of the court" ("*Ceremoniel=Sprache des Hofes*") could not be reconciled with each other convincingly.<sup>25</sup>

The incompatibility of both conceptions expressed itself in a whole set of dichotomies. According to ceremonial science, the world of the court was ruled by analogy. Courtly language and interaction do not only fit perfectly into the model of analogous communication, but the very function of the courts mainly consisted in what above has been called analogous representation.

Cameralism, in contrast, handled financial and economic questions and the therefore necessary "business language" was digital in nature. Furthermore the only thing that literally counted ultimately in this field was

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<sup>24</sup> Veblen, *Leisure Class*, pp. 35ff; Sombart, *Der Bourgeois*, pp. 11ff.

<sup>25</sup> Cf. Springer, *Review*, pp. 219f and especially Büsch, *Fragmente über die Erziehung*, pp. 148ff.

money, the digital unit *par excellence*. Court economy thus had to cope with analogous and digital interpretations of court life at the same time.

Another opposition is closely connected to this one. According to ceremonial science the court stood for the entire social and even physical order. It was not founded on specific grounds, but the legitimacy of court life was identical to the legitimacy of the whole creation. The totality of the court holistically represented the totality of early modern society and polity.

Cameralism, on the contrary, conceived the court as one institution of the princely state among others. Each of these institutions (e.g. army, civil service etc.) had to fulfill its own function, and that by its own peculiar mechanism. Thus the court did not so much symbolize integral order, but rather fulfilled its specific task using specific instruments. Other elements played a different, but equally important role within the political framework, which was regarded as structured through functions.

The functional approach of cameralism to court matters created yet another problem with ceremonial science, as the latter primarily proceeded from a legal point of view. The ceremonial position of the single court members was determined by the rights and privileges they possessed in person or as a result of their respective offices. It was by no means dependent on their usefulness or functionality, as cameralism demanded. Even Carrach was convinced that "outward advantage and detriment" was no business of "court law", which should instead take into account exclusively the "rights and obligations" of "the persons and affairs of the court".<sup>26</sup>

Thus court life was, on the one hand, understood as an analogous and holistic picture of social and political life, and, on the other hand, evaluated according to digital and functional categories. In a sense all these dichotomies are already implied by the two terms mentioned above: ceremonial science examined the court according to the right to space, while cameralism analysed it according to function in time.

This distinction can also be extended to the plane of the early modern monarchies. Cameralism concentrated on their temporal affairs. It dealt with the princely state as a form of organization, in which political rule was exercised by administrative actions. Hence it was above all concerned with the mundane business of securing sufficient funding for them. In that sense financial policy was the foremost topic of the cameralists. The supply of money moreover required planning in time, since the budget had to be drawn up one year in advance, public investments with profit in the future had to be made, and public debts and interests had to be calculated both in the short and the long run.

While cameralism was thus responsible for the *temporal* aspect of political power, ceremonial science was concerned with the very contrary. The two relevant antonyms, *sacral* and *spatial*, exactly describe the aspect of the early modern state with which it dealt. The ceremonial discourse han-

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<sup>26</sup> Carrach, op. cit., col. 823.

dled the symbolic side of princely rule. It was not interested in examining or advising concrete administrative measures, but rather in providing legitimacy. Court ceremonial had the purpose of sacralizing the person of the prince, his entourage and his entire reign. Their abstract sacredness had to be visualized and hence it was displayed in spatial terms.<sup>27</sup> The court as a sacral space retained the traditional notion of the holiness of political authority.

The "expressive nature" and the "semiotic aspects" of the state (Geertz),<sup>28</sup> were however extremely susceptible to the rationalization of power and its use. The process of demythologization or, to borrow Max Weber's famous phrase, "disenchantment of the world" ("*Entzauberung der Welt*"), seriously affected the credibility of mere symbolic rule. The temporal side of the state, e.g. financial administration as it was taught by the cameralists, was in contrast open to rationalization.

Following Weber's suggestions, one could therefore say that cameralistic knowledge anticipated rational, bureaucratic rule of the institutionalized state, while the symbolism of ceremonial science proves that court rationality belongs to the stage of the "patrimonial state".<sup>29</sup>

"Where the prince organizes his political power (...) on the same principles as his domestic authority, we speak of a patrimonial state formation. (...) The patrimonial administration was originally fitted to the needs of a purely personal, largely private household. The attainment of 'political' rule, i.e. rule of *one* master of the house over others who are not subject to his domestic authority means (...) the assimilation to domestic authority of power relationships differing from it in degree and content but not in structure."<sup>30</sup>

The 18th-century courts thus still represented the phase of the patrimonial state,<sup>31</sup> whereas the simultaneous financial administrations represented the beginning of rational bureaucratic rule.

The fact that these two factors belonged to two different historical stages emphasized the necessity of distinguishing between state and court in the course of the 18th century. Evidence for this process can be found in the contemporary discursive development. Both the court oeconomy of Flori-

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<sup>27</sup> A revealing parallel with European early modern court society and its impact on the state is drawn by Clifford Geertz in his study on the Balinese "theatre state". Geertz shows that political integration within the monarchies of Bali was mainly achieved by symbolic actions, so that the king was finally reduced to being "a pure sign". He was hardly capable of any administrative and governmental actions beyond his semi-otic functions; Geertz, *Negara*, pp. 121ff and especially 132f.

<sup>28</sup> *Ibidem*, pp. 13 and 123.

<sup>29</sup> On patrimonialism cf. Max Weber, *Wirtschaft und Gesellschaft*, pp. 679ff.

<sup>30</sup> *Ibidem*, p. 684 (English translation taken over from Elias, *Court Society*, pp. 41f).

<sup>31</sup> Cf. also Elias, *op. cit.*, pp. 41f.

nus and "classic" ceremonial science up to Rohr did neglected equally the distinction between court and state.

Cameralistic reasoning on court expenses and the writings on court law however both explicitly discriminated between them. Zincke, for example, discerned "court and chamber expenses" and "state and country expenses".<sup>32</sup> Carrach was the most consistent in drawing a line between court and state, saying that "the state is based upon the whole connection of the civil society (...), while the mere court rather rests on the personal privileges of a prince":<sup>33</sup> "Court and state are not identical."<sup>34</sup>

This theoretical finding was, however, blurred by the reality of the princely states, because the rulers played a double role. As heads of their households they exercised patrimonial rule at court, but as heads of the state they were obliged to make use of the greater efficiency of rational rule. In the words of Büsch: "The prince always remains head of the court, even after he has become the first businessman of his country."<sup>35</sup>

This sentence however also contains the solution of the problem of court economy. The prince simply had to be discharged of one of his roles. This was achieved by the fundamental political reforms of the early 19th century. On the one hand they preserved the court as the patrimonial domain of the prince and the ruling house. This is proved by the legal definition of the special relationship between the ruler and his court staff in contrast to civil servants.<sup>36</sup> On the other hand, however, the patrimonial features of court life were isolated within the entire political system, because the 19th-century constitutional monarchies had become rationalized, bureaucratized and institutionalized, in one word, modern states.

Following on from the remark cited above, one could say that the ruling prince remained "head of the court", but ceased to be "the first businessman of his country". According to Büsch the latter function was now taken over by the minister of finance, who stood at the top of a professionalized administration.

This situation is mirrored on the discursive level. As late as 1866 Malortie's *Hof=Marschall* clung to the traditional oeconomic notion of the court, which in principle presupposes a patrimonial state.<sup>37</sup> The simultaneous works about the civil list, on the contrary, took the bureaucratic and constitutional monarchies for granted.<sup>38</sup> They supplied the political framework in which a final solution of the problem of court economy was possible. By the civil list court income rather than court expenditure was lim-

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<sup>32</sup> Zincke, Grund-Riß II, pp. 376f.

<sup>33</sup> Carrach, op. cit., col. 812f.

<sup>34</sup> *Ibidem*, col. 810.

<sup>35</sup> Büsch, p. 207.

<sup>36</sup> Cf. e.g. Klüber, *Öffentliches Recht des Deutschen Bundes und der Bundesstaaten*, pp. 713 ff (§§ 487f) and 726ff (§§ 495f).

<sup>37</sup> Malortie, op. cit I, especially p. 15.

<sup>38</sup> Cf. e.g. Welcker, *Civilliste*; Treitschke, *Civilliste*.



ited. And it was not fixed by the prince and the court staff itself, but by an independent body in its own right. Still the parliamentarization and constitutionalization of court economy was only partial, since the concrete use of the money voted by the deputies or fixed by constitutional law was under exclusive control of the ruler.

Previously, in the 18th-century German principalities, such an arrangement could not be achieved. Court economy was the natural field on which two incompatible notions of political rule and the opposed interests of two different groups inevitably clashed. The court rationality of princes and courtiers stood against the cameralistic rationality of the administrative staff. Though both parties were socially and culturally alienated to a certain extent, they were nevertheless functionally dependent on each other.

Thus they had to come to terms with one another. One result of this intricate situation was the compromise character of what the cameralists had to say with respect to court matters. Their wavering between a consistent priority of financial reasoning and the consideration of decorum and the alleged political function of the courts, however, was not convincing at all.

On the other hand, they had no choice. Courtly interests were always likely to outdo economic or financial objections raised by the administration. And the courtiers normally did not hesitate to use their political and social influence for their own benefit, because with court economy much was at stake.

The court was and remained an indispensable pillar of the entire *ancien régime*. But the functioning of court life again largely rested on "conspicuous consumption". Hence a constant and considerable supply with cash and luxury goods was vital for the very survival of the court society as well as of the whole political and social system. Cameralistic rationality was a real threat to most princes and to their courtiers.

The question of court economy thus implied a wide range of difficult problems. It touched upon the foundations of the early modern society. Matters such as economic rationality, social status, political power, cultural values and so on played a role. In that respect reasoning on court economy was comparable to the contemporary luxury debate. It was also an acid test which proved the limits of the openness to criticism and the reformability of 18th-century society and polity.

## Bibliography

NB: Generally the year 1815 is taken as the boundary between primary and secondary references. All texts composed before that date are classified as sources. Material written afterwards is only regarded as a primary source, if it directly deals with the German 19th-century notion of the court and court economy, i.e. mainly with the civil list. Otherwise it is listed under the heading of secondary literature.

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