

Old Saxony

By James Westfall Thompson, in **Feudal Germany**, 1928

The history, institutions, and culture of the Germans of the fifth century have for three generations been a hunting ground for the student of social origin. Almost nothing new may be found there. It is threshing old straw to study them.

But there was a great German tribe living in late Roman times where their descendants live to this day, namely, the Saxons of lower Germany, who did not come in contact with Roman civilization or Christianity, as other Germans had done, in the fifth century, and knew nothing of the Romano-Christian-German culture of early medieval Europe until the end of the eighth century. Accordingly, a study of early Saxon history when these people, still in a state of barbarism, first came into contact with medieval civilization has a freshness that is denied to the earlier period. For, compared with the study of the social origins and practices of the early Germans, that of the Saxons has been neglected.

In superficial area Saxony was the greatest of the German tribal duchies. It included the entire territory between the lower Elbe and Saale rivers almost to the Rhine. Between the mouths of the Elbe and the Weser it bordered upon the North Sea. The only parts of the territory which lay across the Elbe were the little counties of Holstein and Ditmarsch. Adam of Bremen, writing in the eleventh century, compared the shape of Saxony (including Thuringia) to a triangle, and estimated from angle to angle the distance was eight days journey. Roughly speaking, Old Saxony was an equilateral triangle measuring approximately two hundred miles on each side.

For the most part, the land was a broad plain, save on the south, where it rose into hills, and the low mountainous country of the Harz and Hesse, where are the sources of the Weser, the Ems, the Lippe, and the Ruhr rivers. This low divide was all that separated the country of the Saxons from their ancient enemies and ultimate conquerors, the Franks. The lack of clear physical definition along this border, from time immemorial, had been the cause of incessant tribal conflict between the Saxon and the Frank.

Along the Frisian border and in the bottom lands of the Ems and Weser the soil was very marshy until drained by the Dutch and Flemish colonists in the twelfth and thirteenth centuries. But as a whole, Saxony was a rich alluvial plain of alternating prairie and forest, the fertility of which was highly praised in the eleventh and twelfth centuries by Adam of Bremen and Helmold, the ablest North German chroniclers of the feudal period.

As a people the Saxons were divided into four kindred groups: the Angrians, along the right bank of the Weser; the Westphalians, along the Ems and the Lippe; the Eastphalians, on the left bank of the Weser; and the Nordalbingians, in modern Schleswig-Holstein. But not even with these four tribal groups was the term of tribal division reached. For the Saxon "nation" was really a loose congeries of clans of kindred stock. For example, the Nordalbingians alone were divided into lesser groups—Holsteiners, Sturmarii, Bardi, and the men of Ditmarsch. The primitive bond of kindred

and clan was particularly strong among the Saxons, and in spite of these many divisions the Saxons were an unusually homogeneous nation living as late as the eighth century as the early Germans had lived.

The long warfare with the Franks largely reduced, though it did not wholly obliterate, the identity of these ancient tribal groups, and the ducal leadership of the house of Widukind, the first important person mentioned in Saxon history, was confirmed by the heroic resistance of the people under him for thirty years (772-802) against Charlemagne. "Gens dura Saxonum" was a Frank byword as early as Einhard's time.

The Saxons were composed of an aristocracy of nobles, not a landed proprietary class, but a free warrior class of distinction and renown, simple freemen, and many unfree. Social differences were jealously guarded by social prescription. The death penalty was imposed on any man who married above his rank; the marriage of a man below his station was severely condemned; bastardy was not tolerated; intermarriage between Saxons and other Germans was frowned upon; and strangers were hated. So tenaciously did the Saxons cling to their ancient customary law that clear traces of these social survivals persisted in Saxony down through the Middle Ages.

The nobles, as a class, seem to have been of late origination and to have developed greatly during the long wars with the Franks, for the earliest designation of them is found in a capitulary of the year 797, and Bede's well-known characterization of the Saxons of the eighth century makes no mention of any noble class, but only war-chieftains. But once arrived, the Saxon nobility displayed a tenacity and durability not found elsewhere in North Germany. In the tenth century, Saxony was the only country of North Germany still retaining its own historic and old-line noblesse.

The various stages in the Frankish conquest of Saxony may be discerned from careful analysis of the chronicles, and the variety of methods employed by Charlemagne to maintain the subjugation of the country are worth observing. In 755 Charlemagne established two Frankish garrisons: one at Eresburg, the other at Syberg. These fortified points marked an advance line of protection, a "mark", at some distance from the imperiled Hessian frontier. Soon afterwards the fortress of Karlsburg was established on the Lippe. Thus a triangle of fortified posts and a segment of occupied territory was marked out in the heart of the Saxon land. At the same time a civil and an ecclesiastical administrative organization began to be installed through the medium of counts, bishops and abbots who were introduced into Saxony. The method of reduction of the country was exactly similar to that employed by Pepin earlier in Frisia in the time of Willibrord and Boniface. Although the Franks were driven out time and again, they always returned and ultimately wore down the Saxon resistance into submission both to Frankish rule and to Christianity. The most intractable region was the low, marshy country between the lower course of the Elbe and that of the Weser, called Wihmode or Wigmodia, and in Nordalbingia. The whole Frankish policy is registered in the ferocious capitulary *De partibus Saxoniae* (785?). But the continual and desperate risings of the Saxons, united with the humane protest of Alcuin, gradually induced Charlemagne to moderate the drastic nature of the government in Saxony.

The Saxons were too inflexible (*gens dura*) to be utterly reduced, and had to be compromised with in certain ways. The change is measured by comparing and contrasting the capitulary just mentioned with a new law proclaimed in 797, which evidently was the result of long deliberation between the king, the clergy, the nobles, the counts, and the Saxon leaders themselves. It is most significant that the Saxons in 797 were permitted the right of public assembly and to retain their own ancestral laws and customs. The country lost its independence and was incorporated within the great Frankish empire. But the Saxons still preserved many of their native manners and customs, which they were too indomitable to surrender. The chief change in Saxony effected by the conquest was in the matter of religion. Yet, as we shall see later, the ancient Germanic paganism persisted and was strong in Saxony for many years.

Charlemagne, with that unerring judgment which distinguished him, when the subjugation of the Saxons was completed, treated the Saxon nobles with great consideration, and we find many of them at his court in the latter years of his reign. But the freeman class, which was not so large as once believed, was only very slowly worked into the Frankish military system. When the Frankish conquest ended, the dependent peasant was already the rule. When peasant holdings were given to a monastery, the donor was not the cultivating peasant, but his small landlord, who gives the land and the peasant on it. What happened in the Carolingian epoch was not the birth of landlordship, but a new allotment of the permanently dependent peasants, leading to the formation of a relatively small number of great lordships instead of a larger number of little ones.

Thirty years of bitter and wasting wars between the Franks and the Saxons, while it created an aristocracy of warrior nobles among the Saxons, also left in its wake thousands of broken freemen, serfs and slaves. This is evident from the account of Nithard, the Frankish chronicler of the middle of the ninth century, who relates that during the civil war between the sons of Louis the Pious, after the defeat of Lothar at Fontenay in June 841, he sought assistance from the Saxons. His relation is very interesting for the light which it throws upon the texture of lower Saxon society and the profound social and religious effect which the Frankish conquest had. He writes:

“As all Europe knows...the great emperor Charles... turned the Saxons from the vain worship of idols to true Christian belief in God...All this nation is divided into three classes. First there are those who in their speech are called *aedhillingi*, the second are called *frilingi*, finally there are those known as *lazzi*, that is to day in Latin, nobles, freemen and serfs. In the strife between Lothar and his brothers, the nobles were divided into two factions, one of which espoused Lothar, the other, Ludwig. This being the case, Lothar perceiving that after the victory of his brothers the people who had been with him wished to desert him, compelled by various exigencies, sought assistance wherever and however he could. He distributed the crown lands for his own advantage, he gave liberty to some and promised that he would give it to other when he had won. He even sent messengers into Saxony and promised both freemen and serfs, whose number was immense, if they would support him, that he would restore to the law which their forefathers had possessed when they were worshippers of idols. Won over by this means

these classes formed a league, adopted a new name for themselves, that is *Stellinga*, and having almost driven their masters out of the country began to live the law which each pleased after ancient Saxon custom...But Ludwig...suppressed the rebels in Saxony both by legal process (i.e., by confiscations and forfeitures) and by executions.”

What was the *Stellinga*? Is it an example of the ancient German gild surviving in Saxony, but which Charlemagne and the church had stamped out among the other Germans? It seems to bear resemblance to those *conjurations servorum* which existed in the salt marshes of Flanders and Frisia, and which the legislation of Louis the Pious condemned in 821. If so, then it was a rebellion of broken freemen and serfs. There can be no doubt that the *Stellinga* was an insurrectionary movement in Saxony which intended to secure the restoration of those old Saxon rights and liberties which the conquest had suppressed or destroyed. We know from the biographer of Louis the Pious that the emperor restored many of the Saxons who had suffered under his father to their rights and liberties, and this restoration of the Saxon nobles may have infuriated the peasantry, who were not partakers of the royal clemency and who endured the exactions of church and feudality, to rebellion. The tyranny of the tithe was a potent source of their dissatisfaction.

But the *Stellinga* was also a pagan reaction. The *Annals of St. Bertin*, indeed, emphasize this nature of the rebellion. After fifty years of professed Christianity, actually it was but a gloss in Saxony. Deep below all outward profession of the conquering faith, in the hearts of the Saxon people were the memories of old worship, old strivings and victories which the imposed religion could not efface. Even Saxon Christianity was tintured with these ancient aspirations. J. G. Robertson describing the *Heliand*:

“To the old Saxon poet Christ is a king over his people, a warrior, a mighty ruler...The Christ in the *Heliand* is a hero of the old Germanic type, an ideal of courage and loyalty, and his disciples are noble vassals from whom he demands unflinching loyalty in return...The background of events in the *Heliand* is the flat Saxon land with the fresh North Sea...’Nazarethburg,’ ‘Bethlehemsburg,’ ‘Rumuburg’” (Rome) called up more vivid, if more homely pictures than any description of Palestine or Rome; the marriage at Cana and Herod’s birthday feast become drinking bouts in the hall of a German prince.”

But traces of this pagan persistence may be found much later than the ninth century in Saxony. In 1013, when Bishop Unwin came to Hamburg, he found pagan rites still celebrated in some parts of the diocese, the fasts of the church ignored, and even, we are told, bloody sacrifices.

It is significant that in 852 there is a record of a third revolt of the *Stellinga*. The seat of the discontent was Angraria and the *pagi* in Eastphalia of Hardego, Suabengo, and Hohsingo, localities in which to this day old Saxon characteristics and ancient Saxon customs still persist with remarkable fidelity.

The conquest of Saxony by Charlemagne, it is manifest, was the point of departure of enormous political, economic, social and religious changes. But the innate and rock-ribbed conservatism of the Saxons was more proof against the thrusts and pressures

imposed by the growing feudalization of things than any other part of Germany. According to Meitzen, there are villages today in this portion of Germany in which nine-tenths of the *Hofe* may be traced back as far as the changes which took place during the tenth and eleventh centuries. A modern French historian, G. Blondel (and the only one who is a competent authority upon the history of medieval Germany) relates how he found a peasant of Drantum near Osnabruck who in his (the historian's) belief was living still upon the same farm which his ancestors worked a thousand years before. Winckelmann also claims that a considerable proportion of the present farming population in what was once old Saxony can trace their family history, at least in family tradition, back to the time of Widukind.

The agrarian economy of the Saxons reflected simple and homely farming conditions. The social texture was the result of the agricultural system. While manorial conditions and practices prevailed upon the lands of the church and those of the greater nobles, on the other hand there were thousands of allodial freeholders in Saxony and great blocks of freehold land. In a word, freeholds, not tenures, were the rule. Moreover, the tenacity of family ties and stubborn persistence of the spirit of the old clan group gave protection and support to this condition. What Phillpotts has written has pertinence here:

“It is generally agreed that the isolation of the small landowner was his undoing, since it rendered him unable to withstand adverse circumstances, such as a bad year, a fire, a plague among his beasts, or a piratical raid upon his homestead. This is all quite true of the isolated small landowner, but we cannot believe it at all true of the small peasant proprietor who was surrounded by a kindred... In regions where the kindred preserved its solidarity would be far less easy for a wealthy landowner, or even for ecclesiastical foundations, to exploit the financial and social difficulties of a poor neighbor by acquiring his lands, or by extorting rights over him at a period of want.”

This is precisely what we find in early Saxony, indeed until as late as the end of the twelfth century, whereas in all the rest of Germany this condition had disappeared centuries before.

Remnants of the primitive Germanic *Gemeinde* evidenced in the “plowlands” pertaining to each householder, and the common meadow and duck-pond were everywhere visible in Saxony until the late Middle Ages. Forms of tillage grown obsolete in older Germany survived in Saxony as the ancient one-field and two-field systems, found side by side with the three-field system.

Drastic as the conquest of Saxony had been, the native Saxon temper was too sturdy to be wholly altered in genius and character by it. The influence of the church's organization did not wholly extirpate the ancient *Gau*-system, although Adam of Bremen would have us so believe. Nor did the church succeed in utterly stamping out the immemorial pagan religious practices of the Saxons. Fragments of the cult of Woden and Thor survived for centuries in the mutilated form of folk-lore, custom, superstition. The same vitality characterizes the persistence of primitive social institutions. The *comitatus* – the ancient German war-band or “following” of a war-chieftain or Herzog – can be clearly traced in

Saxon history long after it was lost in feudalism in the rest of Germany. The stubborn nature of Saxon social texture yielded ever so slowly to the pressure of the feudal social structure around it. The *Sachsenspiegel* retained a force in North Germany long after the law of the Swabians and of the Bavarians had gone the way of feudalism. In the dissolution of the Frankish Empire in the ninth century the native institutions of the Saxons asserted their supremacy over the external and exotic Carolingian institutions which Charlemagne had imposed upon them.

The core of the Saxon army for years was the ancient German *Heerban*, led to a rally by the counts, and interspersed with the more compact fighting groups of the *comitatus*. The free farming peasantry of Saxony in a trice, if occasion demanded, could be converted into a fighting force, as the Saxon bishop Thietmar of Merseburg, gleefully records in 1002, when Henry II was in Saxony with a rout of Bavarian troopers, who “with that insatiable avarice which they curb at home, but wantonly indulge abroad, began to waste the crops of our Saxon farmers,” and got soundly thrashed by the infuriated peasants. The brother of the king’s chancellor, together with several other Bavarians, was killed in the melee. The remainder fled to the royal court, which was soon surrounded with augmented bands of irate peasants who were not dispersed until Duke Bernhard of Saxony appeared upon the scene with a strong force.

The army with which Henry II invaded Poland in 1004 contained many Saxon footmen and the same is true of that which he led into Italy, although mounted service prevailed everywhere else in Germany, a fact which shows how un-feudal Saxony was. During the civil war in the reign of Henry IV (1103), the feudal soldiery of the emperor, most of whom came from the Rhinelands and South Germany were astonished to find Saxony freemen cultivating their field in time of piece and in war swarming to the *fyrð*, as their forefathers had done before them, raw peasant levies fighting on foot, armed with antiquated equipment, and perhaps wearing homemade straw hats, as Otto the Great’s army did when it invaded France in 946. “Go back to your fields from whence you came,” cried Henry IV once to a rebel Saxon army over against him.

As a people, the Saxons as late as the twelfth century were a simple folk, wholly agricultural in their means of livelihood, west of the Weser dwelling in isolated farmsteads bounded by a hedge or ditch, east of the river living in jumbled villages, with the “long fields” of the community lying round about the hamlet, every man among them proud of his “long knife,” the *sachs*, from which they were believed to have derived their tribal name, and hating strangers.

Feudalism in Saxony was almost rudimentary when compared to the system elsewhere in Germany. There was hardly any *ordo militaris* there. Suzerainty and vassalage – overlordship and underlordship – were less formal relations than in Swabia and Bavaria. While there were many nobles, there was also a large body of free peasants. Moreover, these nobles were not many of them great landowners. Their distinction was a social one rather than one of political superiority. They lived much like English country gentlemen upon their estates. The early Saxon noble was more a rich proprietor farming his

ancestral acres than a great baron. His life was rustic and his activities and interests rural. He was proud of his class but he wore no estucheon.

The true-born Saxon was opposed to the new-fangled feudal laws and feudal methods like the rigid definition of the relations of overlord and underlord, relief (i.e. inheritance tax for succession to a fief), new judicial processes, new kinds of taxes, extension of the king's ban over the forests, etc. He was a staunch conservative in this attitude, and in the sentiment the peasantry shared. The Saxons were proud of the *crudelissima les Saxonum*, Opposed to the new invention of the church to regulate and restrain private war, the Truce of God, resented efforts to stamp out the good old blood feud (*faida*), were sticklers for the old legal idea of personality of law, were democratic within their class, but clung tenaciously to social distinctions, and detested outsiders (*advenae*) of any kind, Swabians, Bavarians, Flemings, etc., and hated *ministeriales*, both as men of servile origin and as outsiders.

Such is a picture of the culture of Saxony and the Saxon people in the depth of the feudal age – a bit of older Germany surviving and persisting in Central Europe when all the rest of Europe had gone the road of feudalism. Racial instincts, customs and inhibitions, primitive Teutonic religion, primitive Teutonic law, a simple Teutonic society, gradually broken down by stronger outside contacts – such is the history of early Saxony.

Longinqua odia et inexpiabiles irae had existed between the Saxons and the Franks from the time of Charlemagne, and may have been aggravated in 1024 when the scepter passed from the Saxon to the Salian (Frankish) house. But in the eleventh century this factor was probably less concrete than the separatist ambition of the Billunger dukes. This purpose, veiled under Conrad II, became clear in the reign of Henry III (1039 – 56), who took drastic measures for the coercion of Saxony by erecting and garrisoning castles there, so that long in advance of their rebellion the Saxons already were treated much as a conquered people.

In spite of the large part which Saxony played in German history during the rule of the Saxon house (919 – 1024), the Saxon people had always preserved a certain aloofness toward Germany as a whole, and revolved in an orbit of their own defining. Two reasons were mainly responsible for this: One was the fact that the Slav world not only impinged upon the eastern edge of Saxony, along the Elbe River, but actually imperiled Saxony. Accordingly, the interests and the energies of the Saxons for two hundred years were chiefly directed toward the conquest of the Wendish tribes. The colonization and upbuilding of Mecklenburg, Brandenburg, and the Thuringian East Mark, and Pomerania absorbed all the resources of the Saxons. They had neither time nor inclination to participate in the affairs of the rest of Germany.

The other influence which held Saxony aloof from Germany at large was the fatal blunder of Otto I in failing to retain the duchy in his own hands, and instead conferring it upon his friend, Hermann Billung. From the first the Billunger dukes played their hand wholly for themselves, and worked tooth and nail to build up a great lordship in the north which would be all but independent of the German crown. Henry II was well advised

when he built a royal citadel in Bremen. The result was a wall of partition, as it were, between Saxony and the rest of Germany which accentuated the isolation of Saxony.

Until the decease of Duke Benno in 1011 the Billunger had been loyal, though with diminishing fidelity, to the German crown. With the accession of Duke Bernhard the alienation of Saxony became an estrangement which Conrad II was not the man to brook. His lenient treatment of the Wendish peoples (the hereditary foes of the Saxons) and the revindication of the fisc which he began were intimations not lost on the Billunger. Thanks to Conrad II's effective measures, by 1039, when Henry III succeeded his father, only two of the six German duchies, Saxony and Lorraine, were independent. From the Rhine to the Morava, from the Harz to the Brenta, Henry III was both a local prince and a sovereign. Even the string of marches along the eastern border of Saxony were under his control. For after the death of Eckhard of Meissen in 1046, who made the king his heir, the crown had retained Eckhard's allodial lands, while the Thuringian March and Lausitz were given to Dedi of Wettin, a jealous rival of the dukes of Saxony.