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Article abstract

This article examines the prelude to the Thirty Years' War in Austria. It places the country's estate system in an international context and evaluates the implications of the religious schism for the relationship between monarchs and nobles. Thwarted in their efforts to enforce confessional orthodoxy in the Holy Roman Empire, the Habsburgs were determined to retain control of their patrimonial lands. The analysis reveals the careful strategy of Catholic restoration pursued by the dynasty as well as the increasing radicalization of Protestant opposition, and the consequential futility of the last major attempt at defusing the confessional conflict in the Habsburg Monarchy. The fundamental differences between noble and dynastic ideologies of state made compromise all but impossible.

Fall of the Peacemakers: Austria's Protestant Nobility and the Advent of the Thirty Years' War

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This article examines the prelude to the Thirty Years' War in Austria. It places the country's estate system in an international context and evaluates the implications of the religious schism for the relationship between monarchs and nobles. Thwarted in their efforts to enforce confessional orthodoxy in the Holy Roman Empire, the Habsburgs were determined to retain control of their patrimonial lands. The analysis reveals the careful strategy of Catholic restoration pursued by the dynasty as well as the increasing radicalization of Protestant opposition, and the consequential futility of the last major attempt at defusing the confessional conflict in the Habsburg Monarchy. The fundamental differences between noble and dynastic ideologies of state made compromise all but impossible.

Cet article analyse le prélude à la guerre de Trente Ans en Autriche. Il propose de situer la société d'ordres du pays dans son contexte international, et d'évaluer les conséquences du schisme religieux pour les relations entre les monarques et les nobles. Bien que leurs efforts pour imposer l'orthodoxie confessionnelle au sein du Saint Empire aient échoué, les Habsbourgs restaient déterminés à maintenir leur contrôle sur leurs territoires héréditaires. L'analyse révèle la prudence de la stratégie menée par la dynastie, visant à rétablir le catholicisme ; elle met également en lumière la radicalisation croissante de l'opposition protestante ; et elle démontre l'échec de cette ultime tentative majeure de désamorcer le conflit confessionnel au sein de des territoires des Habsbourgs. Ce sont les désaccords idéologiques fondamentaux, opposant une conception de l'État noble à une conception dynastique, qui ont rendu le compromis quasi impossible.

The Protestant Reformation spread rapidly in the Habsburgs' hereditary lands. Only in the westernmost regions could this development be brought to an early end, aided by the successful suppression of the locally strong Anabaptist movement and its joint demand for social and spiritual reform.¹ In the remaining provinces, Lutheranism seemed destined to establish itself as the majority religion, especially among the societal elites in the aristocracy

1. For the origins of Anabaptism in Tyrol, see Werner Packull, *Hutterite Beginnings: Communitarian Experiments during the Reformation* (Baltimore: Johns Hopkins University Press, 1995), 161–86, and Gretl Köfer, "Täuferium in Tirol," in *Michael Gaismair und seine Zeit: Gaismair-Tage 1982*, ed. Christoph von Hartungen and Günther Pallaver (Bozen-Innsbruck: Kontaktkomitee fürs andere Tirol, 1983), 112–22.

and the urban patriciate.² Yet the ruling dynasty remained deeply devoted to the old church, even if individual members may have held more complex views.³ As was the case throughout much of Europe, the monarchs eventually determined religious conditions within their realms. This process took time, however, because the Habsburg domains were so politically and geographically diverse that the authorities had to contend with conflicting laws, traditions, and political systems.

Religious tensions in the Habsburgs' hereditary lands gradually escalated into a power struggle between Catholic rulers and Protestant nobles.⁴ Confessional differences became ideologically charged and merged into a broader debate about the very nature of monarchy and government. This debate engaged most of contemporary Europe, regardless of religion, but it turned especially acerbic in polities with deep confessional rifts. Religion frequently served as the ideological glue that held polities together, providing identity to the populace and legitimacy to the political leadership.⁵ As a consequence, noncompliance with the monarch's confessional choices was frequently seen as outright disobedience to his rule and majesty.⁶

The Habsburgs had already faced the interaction of politics and religion in the Holy Roman Empire. The historical autonomy of the imperial estates had

2. For the religious history of early modern Austria, see Rudolf Leeb, "Der Streit um den wahren Glauben: Reformation und Gegenreformation in Österreich," in *Geschichte des Christentums in Österreich*, ed. Rudolf Leeb et al. (Vienna: Ueberreuter, 2003), 145–360.

3. For the general affiliation of dynasty and church, see Anna Coreth, *Pietas Austriaca: Österreichische Frömmigkeit im Barock*, 2d ed. (Vienna: Verlag für Geschichte und Politik, 1982). For individual complexities, see Viktor Bibl, "Zur Frage der religiösen Haltung Kaiser Maximilians II," *Archiv für österreichische Geschichte* 106 (1918): 289–425.

4. Almost all Protestants in the Austrian lands were Lutherans at that time, so both terms can largely be used interchangeably in this article. For an examination of the few representatives of Austrian Calvinism and their role in Protestant politics, see Peter Thaler, "Conservative Revolutionary: Georg Erasmus von Tschernembl and the Ideology of Resistance in Early Modern Austria," *History of European Ideas* 41 (2015): 544–64.

5. For the importance of coercion and legitimization in general and of religion in particular for the coherence of political entities, see also Anthony H. Richmond, "Ethnic Nationalism and Postindustrialism," *Ethnic and Racial Studies* 7 (1984): 4–18.

6. See Robert Bireley, *Religion and Politics in the Age of the Counter Reformation: Emperor Ferdinand II, William Lamormaini, S.J., and the Formation of Imperial Policy* (Chapel Hill: University of North Carolina Press, 1981), 13.

prevented the emperors from upholding their religious authority, forcing them to tolerate the establishment of heterodox polities within their perceived sphere of power. Indeed, the concepts of German liberty and freedom of religion had largely merged in Protestant discourse, where they had evolved into mutually dependent and reinforcing preconditions of the empire's political order.

In response, the Habsburgs intensified their efforts to recatholize their patrimonial domains. Yet even there, the established privileges of territorial estates proved serious obstacles. Hereditary principalities were not by definition unlimited monarchies, self-assured nobles reminded their rulers.⁷ They, too, followed complex rules of power-sharing, deriving from customary law and practice as well as from individually entered accords. In the eyes of local magnates, the Habsburgs could not unilaterally control their allodial territories any more than the empire.

This article argues that the fundamental differences between noble and dynastic ideologies of state made compromise all but impossible. It places the estate system in both its Austrian and its wider European context. At the same time, it traces the implications of governmental dualism for the course of confessional politics in the hereditary lands. Since all sides tried to generate domestic and international support, a rich variety of sources has survived—revealing the careful strategy of gradual restoration pursued by the dynasty, and the increasing radicalization of Protestant opposition. The last major attempt at defusing the confessional conflict in the Habsburg Monarchy proved futile.⁸

Nature and origin of the estate system

“Some are devoted particularly to the service of God; others to the preservation of the State by arms; still others to the task of feeding and maintaining it by peaceful labors. These are our three orders or estates general of France, the

7. See, for example, *Relation Der Vnter- und Oberösterreichischen Euangelischen Stände Abgesandten nach Wien: Allda Zwischen Ihrer Königlichen May. zu Hungarn etc. vnd jnen den dreyen Österreichischen Euangelischen Ständen der Frid tractiert vnd geschlossen worden* (n.p., 1610), 27.

8. For initial attempts at confessional compromise in Austria, see Howard Louthan, *The Quest for Compromise: Peacemakers in Counter-Reformation Vienna* (Cambridge: Cambridge University Press, 1997).

Clergy, the Nobility, and the Third Estate.⁹ With this quote from French jurist Charles Loyseau's *Traité des Ordres et Simples Dignitez* of 1610, Georges Duby introduced his much-debated study of feudal society and its constituent parts. The individual orders comprise diverse elements but remain intrinsically divided into three, reflecting the perfection of the triune, which was reanimated in medieval Europe but already present in its historical antecedents.¹⁰ The ensuing structure relied on hierarchy and discipline, to be mitigated by Christian affection and concord.¹¹ As late as 1776, the royal representative defined the constituent parts of the Parisian parliament as living bodies, as links in a great chain of which the first rests in the hands of the king.¹²

Other influential interpreters put the origins of the estate system into a more pragmatic context. According to Otto Hintze, the estates acted on behalf of private interests *vis-à-vis* the monarch, who embodied the state.¹³ The German historian explained the origins of this division of power as the monarchs' need to ensure the financial and military support of regional magnates. In return for this assistance, the notables demanded ever more substantial privileges. The need to protect these privileges, in turn, forged previously unrelated strongmen into a new social corporation.¹⁴ The representative system of government originated within a monarchic framework, Hintze emphasized, even though it tends to be seen as an expression of republicanism. It was conceived

9. Georges Duby, *The Three Orders: Feudal Society Imagined* (Chicago: University of Chicago Press, 1980), 1. See also Charles Loyseau, *A Treatise of Orders and Plain Dignities*, ed. Howell A. Lloyd (Cambridge: Cambridge University Press, 1994). For Duby's broader view of feudal society, see also Georges Duby, *Qu'est que la société féodale?* (Paris: Flammarion, 2002).

10. Duby, *The Three Orders*, 3, 5. For older precedents, see also Georges Dumézil, *Mythe et Épopées*, 3 vols. (Paris: Gallimard, 1968–73).

11. Duby, *The Three Orders*, 66–75.

12. A. R. Myers, *Parliaments and Estates in Europe to 1789* (London: Thames and Hudson, 1975), 9. Myers also provides a useful overview of the development of representative government in different parts of Europe. For such an overview within a narrower German framework, see also Francis L. Carsten, *Princes and Parliaments in Germany from the Fifteenth to the Eighteenth Century* (Oxford: Clarendon Press, 1963).

13. Felix Gilbert, ed., *The Historical Essays of Otto Hintze* (New York: Oxford University Press, 1975), 304.

14. Gilbert, ed., 312.

in medieval Western Europe and lacked direct equivalents in other contemporary societies.¹⁵

The estate system could draw on older models. With its universal councils, the medieval church provided successful examples of collective decision-making. After liberating itself from its erstwhile dependence on cooperating monarchs, the church actively promoted the limitation of secular power. It also had an intrinsic interest in substituting traditional allegiances of lineage and kinship with alternative modes of affiliation. Next to the new ecclesial councils, there also existed older Germanic traditions of popular assembly. When the two began to merge, they gave rise to separate secular and ecclesiastic curiae.¹⁶

Otto Brunner shared some of Hintze's interpretations, but criticized a tendency to project modern concepts of sovereignty back in time. The Austrian medievalist did not see the estates as privileged corporations instated to control or limit monarchic government.¹⁷ Such an understanding premises an originally unrestricted monarchic sovereignty, which only gradually conceded some of its power to representative institutions. It may explain the process of parliamentarization in nineteenth-century Europe, but would be anachronistic in regard to medieval societies. Instead, Brunner advanced the seemingly paradoxical axiom that the estates did not represent the territory (or land, as his term tends to be rendered in literal translation), but "were" the territory.¹⁸ Brunner anchored this aphorism in his very definition of "land," which he, at least in an Austrian context, described as a territorial community and its common law.¹⁹

Brunner's approach has left enduring marks on the scholarly debate, but it has also evoked criticism. Some argued that Brunner's political affinity to National Socialism had impacted his historical findings, and saw his integral household of medieval society as an ideological criticism of modern

15. See also Myers, 34–47. For a divergent view on the existence of representative government outside Western Europe, based on the Russian *zemski sobor*, see M. N. Tikhomirov, "Soslovno-predstavitel'nye uchrezhdenia (zemskie sobory) v Rossii XVI veka," *Voprosy istorii* (1958: 5): 3–22. For a concise critique of the equation of the *zemski sobor* with Western parliamentary institutions, see Peter B. Brown, "The Zemskii Sobor in Recent Soviet Historiography," *Russian History* 10 (1983): 77–90.

16. Gilbert, ed., 319.

17. See Otto Brunner, *Land und Herrschaft: Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter*, 5th ed. (Vienna: Rohrer, 1965), 414f.

18. See Brunner, 422f.

19. For Brunner's discussion of the concept of territory, see Brunner, 180–96, especially 194f.

individualism.²⁰ Yet even sympathetic historians such as Michael Mitterauer considered the equation of territory and estates most relevant for the origins of the latter, holding that it subsequently lost its real-life foundation.²¹ At the same time, interest in the roots of social stratification has not been restricted to traditional historians. Focusing on the nature of feudalism, especially, sociologists and social-science historians have refined our understanding of the estate system. Marxist conceptions put economics into the centre of analysis and saw medieval Europe as the home of class societies, in which power derived from control over arable land and those who worked it, with historical development being driven by the struggle between those who owned the means of production and those who did not.²² While toning down the economic determinism of classic Marxist analysis, modern representatives such as Perry Anderson retained the theoretical focus on the primacy of materialism.²³

Liberal and positivist functionalists, frequently drawing on Max Weber, preferred a more composite conception of social differentiation, which

20. See, for example, James Van Horn Melton, "From Folk History to Structural History: Otto Brunner (1898–1982) and the Radical-Conservative Roots of German Social History," in *Paths of Continuity: Central European Historiography from the 1930s to the 1950s*, ed. Hartmut Lehmann and James Van Horn Melton (Cambridge: Cambridge University Press, 1994), 263–92, and Peter N. Miller, "Nazis and Neo-Stoics: Otto Brunner and Gerhard Oestreich before and after the Second World War," *Past and Present* 176 (2002): 144–86.

21. Ernst Bruckmüller, Michael Mitterauer, and Helmuth Stradal, *Herrschaftsstruktur und Ständebildung 3: Beiträge zur Typologie der österreichischen Länder aus ihren mittelalterlichen Grundlagen* (Munich: Oldenbourg, 1973), 115f.

22. For examples of Marxist analyses of the feudal period, see E. A. Kosminsky, *Studies in the Agrarian History of England in the Thirteenth Century* (Oxford: Blackwell, 1956); Robert Brenner, "Agrarian Class Structure and Economic Development in Pre-Industrial Europe," *Past and Present* 70 (1976): 30–74; or Christopher Dyer, *Standards of Living in the Later Middle Ages: Social Change in England c. 1200–1520* (Cambridge: Cambridge University Press, 1989). For a discussion of Marx's focus on productive forces, see Stephen H. Rigby, *Marxism and History: A Critical Introduction* (Manchester: Manchester University Press, 1987).

23. See especially two works by Perry Anderson: *Passages from Antiquity to Feudalism* (London: NLB, 1974) and *Lineages of the Absolutist State* (London: NLB, 1974). For a discussion of the challenges feudalism poses to classic Marxist theory, see Rodney Hilton, "Feudalism in Europe: Problems for Historical Materialism," *New Left Review* 147 (1984): 84–93. For another aspect of this scholarly controversy, see T. H. Aston and C. H. E. Philpin, eds., *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-Industrial Europe* (Cambridge: Cambridge University Press, 1993).

supplemented economics with power and status.²⁴ Weber had paired Marx's economic concept of class with, *inter alia*, the notion of status groups, which he defined as amorphous communities connected primarily by positive or negative social esteem, while acknowledging the frequent association of economic resources and social status.²⁵ In his attempt to modify both the dichotomic Marxian conception of class and the contractual imagery of liberal stratification theory, Frank Parkin utilized Weber's concept of closure in a manner that has special relevance for the study of Europe's medieval estates.²⁶ Social groups restrict access to special opportunities and benefits to a select circle of eligibles, whereby a wide variety of characteristics—ranging from race to language and social origin—can provide the basis for categorization.²⁷ The standards of distinction can be individualist or collectivist in nature, with individualist criteria such as education and property allowing for a larger degree of mobility than collective ones such as descent. At the same time, the monopolization of opportunities can occur in the form of outright exclusion of non-members, but

24. For a pronounced expression of classical stratification theory, see Robert Nisbet, "The Decline and Fall of the Concept of Social Class," *Pacific Sociological Review* 2 (1959): 11–17; idem, *The Sociological Tradition* (New York: Basic Books, 1966). For additional examples, see Kingsley Davis and Wilbert E. Moore, "Some Principles of Stratification," *American Sociological Review* 10 (1945): 242–49, and Kaare Svalastoga, *Social Differentiation* (New York: McKay, 1965). For a practical application in modern settings, see also Kaare Svalastoga and Preben Wolf, *Social rang og mobilitet*, 2d ed. (Copenhagen: Gyldendal, 1972).

25. See especially his essay "Klassen, Stand, Parteien," published posthumously as a chapter of *Wirtschaft und Gesellschaft*. See Max Weber, *Wirtschaft und Gesellschaft*, 2d ed. (Tübingen: Mohr, 1925), 631–40. Weber's German colleague Ferdinand Tönnies, too, saw estates, and especially ruling estates, as distinguished by pride of status. At the same time, he set them apart from classes by their organic interconnection, which contains not only economic but also political and ideological dimensions. See especially Ferdinand Tönnies, "Stände und Klassen," in *Handwörterbuch der Soziologie*, ed. Alfred Vierkandt (Stuttgart: Enke, 1931), 617–38.

26. For a recent overview of the conflicting interpretations of social differentiation, consult also the useful collection of central texts in David Grusky, ed., *Social Stratification: Class, Race, and Gender in Sociological Perspective*, 4th ed. (Boulder: Westview Press, 2014).

27. Frank Parkin, "Strategies of Social Closure in Class Analysis," in *The Social Analysis of Class Structure*, ed. Frank Parkin (London: Tavistock, 1974), 3. Randall Collins has argued that education can serve the same purpose, especially where it provides cultural and technicist socialization rather than concrete job preparation. See, for example, Randall Collins, "Functional and Conflict Theories of Educational Stratification," *American Sociological Review* 36 (1971): 1002–19, and, by the same author, *The Credential Society: An Historical Sociology of Education and Stratification* (New York: Academic Press, 1979).

also through intra-group solidarity.²⁸ Parkin assigns exclusionary strategies to dominant strata intent on keeping outsiders at bay, whereas solidarist (sometimes also called usurpatory) strategies aim at redistributing power toward disadvantaged groups.²⁹ These positions are not absolute but relational, as demonstrated by historical attempts by white American workers, economically disadvantaged *vis-à-vis* their employers, to exclude black or Chinese competition.

Drawing on established theory, Weberian as well as Marxian, W. G. Runciman affirmed the economic, ideological, and coercive dimensions of social power; this power can, in other words, express itself through access to or control of the means of production, the means of persuasion, and the means of coercion.³⁰ The British sociologist concretized this division with the help of the neologism “systact,” which he defined as a category of people who by virtue of their social role share a similar position within the societal power structure and a common interest in preserving or improving this collective position.³¹ Among such systacts, Runciman listed orders, whose location is juridically demarcated; classes, which are defined by their relation to the process of production; castes, whose membership is hereditary and based on a traditional division of labour and hierarchy of purity; and status-groups, which are distinguished by a common value system and lifestyle.³² The fact that Runciman defined estates as systacts that are constitutionally entitled to a separate representation in government underscores the political roots of the term, whereas the more complex social and ideological components of the European estate system surface in his discussion of the corresponding German terminology.³³

28. Parkin, 4.

29. Parkin, 6–12.

30. W. G. Runciman, *A Treatise on Social Theory*, vol. 2 (Cambridge: Cambridge University Press, 1989), 12. For a summarization of his approach, see also W. G. Runciman, “Toward a Theory of Social Stratification,” in *The Social Analysis of Class Structure*, ed. Frank Parkin (London: Tavistock, 1974), 55–101.

31. Runciman, *A Treatise on Social Theory*, 2:20.

32. Runciman, *A Treatise on Social Theory*, 2:23f.

33. Runciman, *A Treatise on Social Theory*, 2:24.

The composition of the estates in the Alpine hereditary lands

The composition of estates varied considerably, both within the borders of the Holy Roman Empire and beyond. As elaborated by Georges Duby above, a division into three estates—clergy, nobility, and commoners—was most widespread, whereby the right to be represented in the third estate regularly was restricted to urban elites. This triangular structure echoed philosophical conceptions that divided society into those who prayed, those who fought, and those who worked. Due also to the French Estates-General of international renown, it is widely seen as normative; in fact, it was far from universal. In his attempt to develop a European typology, Otto Hintze contrasted a division into three curiae, which dominated in central and southern Europe, with a separation into two chambers, which could be found in an outer circle of northern and eastern European countries from England to Hungary.³⁴ Even within so circumscribed and culturally homogenous a realm as the Habsburgs' Alpine hereditary lands, representational bodies displayed considerable diversity.

During the late 1500s and early 1600s, in part even beyond, the Habsburgs' Alpine and Danubian provinces were divided among different branches of the family. The archduchy of Austria (below and above the Enns) comprised modern day Lower and Upper Austria, while Styria, Carinthia, and Carniola—together with Gorizia and parts of the Adriatic littoral—formed an entity called Inner Austria or Austria Interior, with Graz as its capital. Finally, the later provinces of Tyrol and Vorarlberg were ruled from Innsbruck, together with the old Habsburg domains in southwestern Germany; they were known as Tyrol and the *Vorlande*, or Austria Anterior.

In the Habsburgs' core territory of Lower Austria, the estates were divided into four curiae.³⁵ The first curia consisted of the prelates or ecclesiastical lords, that is, the high-ranking officeholders of the church. In spite of their honorary preeminence as clerics, however, the prelates did not form the diet's centre of power. In both influence and length of representation they were

34. Otto Hintze, "Typologie der ständischen Verfassungen des Abendlands," *Historische Zeitschrift* 141 (1930): 229–48.

35. For the following, see especially Michael Mitterauer, "Ständegliederung und Ländertypen," in *Herrschaftsstruktur und Ständebildung 3: Beiträge zur Typologie der österreichischen Länder aus ihren mittelalterlichen Grundlagen*, by Ernst Bruckmüller, Michael Mitterauer, and Helmuth Stradal (Munich: Oldenbourg, 1973), 115–203.

overshadowed by the nobles, who were divided into two separate curiae. The second estate comprised the secular lords, corresponding to the higher and typically older nobility, in which the dynastic families of counts and lords had merged with princely ministerials.³⁶ As such, they formed the historical nucleus of the estate system, which they continued to dominate; the curial president (*Landmarschall*), too, was chosen from their ranks.³⁷ Represented in a curia of its own was the lower nobility of knights and squires. Since their social genesis lay in direct service to lords and princes, they were not originally considered worthy of independent representation, but their inclusion in the armigerous segment of the population gradually improved their social and legal status; when territorial diets emerged in the fourteenth century, they already included the lower nobility.³⁸ The fourth estate, finally, consisted of territorial cities and market towns. In general, market towns were poorly represented in the Lower Austrian diet, as many of them were subject to noble or municipal seigneurs. As such, they enjoyed no autonomous representation, as was also the case for urban communities that were directly subsumed in the monarch's fisc.

Conditions in Upper Austria resembled those of its larger neighbour, although influential monasteries strengthened the representation of prelates. In Inner Austria, lords and knights were united in a joint curia, even if they remained divided in social and economic status; the small number of lords explains the absence of a distinct curia.³⁹ Noteworthy in Carinthia was the inclusion of no fewer than four bishops in the clerical estate, among them the influential imperial prince-bishops of Salzburg and Bamberg.⁴⁰ In general, however, the similarities with the archduchy predominated.

In the Alpine core of Austria Anterior, by contrast, more fundamental distinctions became visible. Noble influence was diminished. In Tyrol, the aristocracy was again represented in a unified curia. Yet in striking difference to eastern Habsburg territories, segments of the local peasantry—organized in

36. Brunner, *Land und Herrschaft*, 405.

37. The curial vice-president (*Landuntermarschall*), in turn, was taken from the knightly curia, further underlining the central role of the nobility.

38. Brunner, *Land und Herrschaft*, 407f.

39. Herbert Hassinger, "Die Landstände der österreichischen Länder: Zusammensetzung, Organisation und Leistung im 16. bis 18. Jahrhundert," *Jahrbuch für Landeskunde von Niederösterreich*, NF (New Series) 36 (1964): 995.

40. In practice, the bishops were represented by their local vicedomes.

rural jurisdictions termed valleys and courts—enjoyed an independent representation in the diet. This created greater equality between urban and rural communities, as both were considered representatives of the territory, but it also served as a counterweight to aristocratic ambitions for power. In diminutive Vorarlberg, finally, which did not receive independent estates until 1541, towns and rural communities were the only ones to attend the diet, whereas isolated noble and clerical possessions formed enclaves of imperial immediacy.

Monarchs and nobles: a confrontation long in the making

By the early seventeenth century, the Counter-Reformation had made visible progress in the Habsburgs' Alpine and Danubian provinces, which formed the core of their hereditary lands. In Inner Austria, the practice of Lutheranism was legally restricted to the indigenous nobility, even if everyday life in Carinthia and Upper Styria still deviated from the princely proscriptions. Yet also in the archduchy itself, the restoration of Catholic supremacy had advanced.

The reasons for this success have been vividly debated. Based on her careful examination of Styrian conditions, Regina Pörtner concluded that the Counter-Reformation in the Habsburg Monarchy relied heavily on the government and formed a crucial part of state-building by strengthening the power of the monarch and providing an ideology of state.⁴¹ Arno Herzig similarly emphasized the role of the state and its insistence on loyalty and conformity.⁴² Howard Louthan's analysis of Bohemia, whose conditions differed little from those in the Alpine hereditary lands, complemented established images of governmental coercion with a stronger emphasis on the mass appeal of baroque Catholicism.⁴³ Based on the interaction of Catholic reformers and local populace in the Traunviertel district of Upper Austria, in turn, Joseph Patrouch

41. Regina Pörtner, *The Counter-Reformation in Central Europe: Styria 1580–1630* (Oxford: Clarendon Press, 2001).

42. Arno Herzig, *Der Zwang zum wahren Glauben: Rekatholisierung vom 16. bis zum 18. Jahrhundert* (Göttingen: Vandenhoeck and Ruprecht, 2000).

43. Howard Louthan, *Converting Bohemia: Force and Persuasion in the Catholic Reformation* (Cambridge: Cambridge University Press, 2009).

concluded that the process was not unilaterally steered by authorities, but consistently negotiated between rulers and ruled.⁴⁴

A pragmatic approach took shape in the late 1500s. At the Munich Conference of 1579, Charles II of Inner Austria, Ferdinand II of Tyrol, and William V of Bavaria agreed on a program for the recatholization of Inner Austria. The religious concessions of the pacification needed to be cancelled “fein tacite und per indirectum,” as the German-Latin original emphasized; that is, in an inconspicuous and indirect manner.⁴⁵ The abolition of religious privileges could be accomplished not through an official revocation but through a prudent strategy that bypassed the diet. The focus should be on actions rather than words and on gradual progress rather than an immediate and all-out assault.⁴⁶ In a 1590 memorandum to the vice regent, Archduke Ernst, Bishop Melchior Klesl recommended a similar approach in Lower Austria.⁴⁷

Strategically important for the dynasty was the separation of urban and noble representations in the diet. The constitutional position of territorial towns had long been contested. In theory, their territorial status derived from superior autonomy. Whereas numerous comparable communities were subjected to worldly or spiritual lords, the territorial municipalities stood directly under the monarch. As a consequence, they traditionally enjoyed autonomous

44. Joseph F. Patrouch, *A Negotiated Settlement: The Counter-Reformation in Upper Austria under the Habsburgs* (Boston: Humanities Press, 2000).

45. Johann Loserth, ed., *Acten und Correspondenzen zur Geschichte der Gegenreformation in Innerösterreich unter Erzherzog Karl II. (1578–1590)* (Vienna, 1898), 38.

46. Loserth, ed., *Acten und Correspondenzen zur Geschichte der Gegenreformation in Innerösterreich unter Erzherzog Karl II.*, 36.

47. The memorandum is printed in Viktor Bibl, “Eine Denkschrift Melchior Khlesls über die Gegenreformation in Niederösterreich (c. 1590),” *Jahrbuch für Landeskunde von Niederösterreich*, n.s. 8 (1909): 164–71. For a comprehensive biography of Klesl (also spelt Khlesl), one still has to consult Joseph von Hammer-Purgstall, *Khlesls des Cardinals, Directors des geheimen Cabinetes Kaisers Mathias, Leben*, 4 vols. (Vienna, 1847–51). See also Anton Kerschbaumer, *Kardinal Klesl: Eine Monographie*, 2d ed. (Vienna: Kirsch, 1905), Johann Rainer, “Der Prozeß gegen Kardinal Klesl,” *Römische Historische Mitteilungen* 5 (1961/62): 35–163, and Rona Johnston Gordon, “Melchior Khlesl und der konfessionelle Hintergrund der kaiserlichen Politik im Reich nach 1610,” in *Dimensionen der europäischen Aussenpolitik zur Zeit der Wende vom 16. zum 17. Jahrhundert*, ed. Friedrich Beiderbeck, Gregor Horstkemper, and Winfried Schulze (Berlin: Berliner Wissenschaftsverlag, 2003), 199–222. For a recent biography of another central proponent of Catholic restoration in Lower Austria, see Elaine Fulton, *Catholic Belief and Survival in Late Sixteenth-Century Vienna: The Case of Georg Eder (1523–87)* (Aldershot: Ashgate, 2007).

representation in the diet.⁴⁸ No Austrian cities lastingly rose to imperial immediacy, however. With the increase in political and confessional tensions, the Habsburgs intensified their attempts to merge the territorial municipalities into their personal fisc. Urban curiae were not dissolved, but the rulers refused to include them in many estate privileges. In particular, the monarchs challenged the right of urban representatives—as their alleged demesne subjects—to contravene governmental policy in the diet.

Municipal councils throughout the archduchy fervently protested their demotion, but they received only halfhearted support from the aristocracy. Whereas these most Protestant segments of society upheld a confessional alliance in neighbouring Hungary, as visible in their firm stance against the monarch at the diet of 1604, the Protestant nobles of Austria increasingly surrendered their urban coreligionists.⁴⁹ Primarily, this abandonment expressed a desire not to link their own, legally protected position to the vulnerable status of the urban populace. Yet many aristocrats were also driven by a desire to preserve their elevated societal standing. They sympathized with the religious aspirations of the Lutheran town councils but held little enthusiasm for enhancing their political influence.

The advances of the Counter-Reformation in the territorial municipalities gradually reduced the confessional dispute in the archduchy to a confrontation between monarchy and Protestant nobility.⁵⁰ Due to the large-scale

48. Not all urban communities availed themselves of this opportunity, however. In order to avoid the associated expenses, cities whose incorporation into Lower Austria occurred relatively late, such as Wiener Neustadt and St. Pölten, never joined the urban estates. See Silvia Petrin, *Die Stände des Landes Niederösterreich* (St. Pölten: Niederöstr. Pressehaus, 1982), 17.

49. For an introduction to the history of Hungary during the period of confessional strife in one of the more widely read languages, see Márta Fata, *Ungarn, das Land der Stephanskronen, im Zeitalter der Reformation und Konfessionalisierung: Multiethnizität, Land und Konfession 1500 bis 1700* (Münster: Aschendorff, 2000). For a history of Hungarian Protestantism, see also Mihály Bucsay, *Der Protestantismus in Ungarn 1521–1978: Ungarns Reformationskirchen in Geschichte und Gegenwart*, 2 vols. (Vienna: Böhlau, 1977–79).

50. As a consequence, Thomas Winkelbauer has titled his comprehensive synthesis of the era *Ständefreiheit und Fürstenmacht: Länder und Untertanen des Hauses Habsburg im konfessionellen Zeitalter*, 2 vols. (Vienna: Ueberreuter, 2003). See also the central essays in R. J. W. Evans and T. V. Thomas Crown, eds., *Church and Estates: Central European Politics in the Sixteenth and Seventeenth Centuries* (London: Macmillan, 1991), and Gerhard Ammerer et al., eds., *Bündnispartner und Konkurrenten der Landesfürsten: Die Stände in der Habsburgermonarchie* (Vienna: Oldenbourg, 2007).

replacement of obstinate city councils and the monarchs' refusal to tolerate urban opposition in religious matters, the urban curiae no longer formed a political counterweight in the diets. These territorial diets formed the central arena for the denominational confrontation, however. The final phase of the conflict witnessed the formulation of a coherent ideology of state among segments of the Protestant nobility. This ideology defined the estates as guardians of the territory and its laws, and as a constitutional counterweight to monarchic dominance.⁵¹

It may seem peculiar that this statist ideology flourished during a period when societal power had shifted decisively to the monarch. Yet for a long time, Austria's Protestant nobles had tried to reconcile their denominational autonomy with political loyalty to the crown. Aristocrats were not rebels by nature; they believed in and profited from a hierarchical structure that placed them below the monarch but above the bulk of society. As a consequence, Protestant officials such as Sigmund von Dietrichstein and Gotthard von Starhemberg willingly executed their princes' orders to crush peasant rebellions, even if these insurgencies had unmistakable religious undertones. It took a fundamental challenge to their inherited status and privileges to incite the well-to-do profiteers of feudal society to open resistance. Therefore, it appears only logical that the most radical formulation of statist opposition took shape when its protagonists felt endangered politically as well as economically.

Catholic restoration required a confessional homogenization of government. The Habsburgs made a concerted effort to reinforce the Catholic aristocracy. Whereas the established nobility had largely embraced the new faith, two-fifths of the newly admitted lords between 1580 and 1620 were Catholics, and Protestants faced ever more stringent impediments in the final prewar years. The pattern of admission to the knightly estate was more changeable,

51. This ideology, which will be termed "statist," surfaces most explicitly in [Georg Erasmus von Tschernembl], *Consultationes Oder Underschiedliche Rathschläg/ Der maisten und wichtigsten sachen/ welche von Anfang der Böhemischen/ und andern folgenden Aufständ fürgangen/ unnd zu Werck gericht worden/ oder werden sollen : Von wort zu wort auß dem Original Protocoll, so in der Haidelbergischen Cantzley gefunden worden/ gezogen. Mit nohtwendigen Glossis erklärt*, [ed. Jakob Keller] (n.p., 1624). For recent analyses of this ideology and its political implications, see Arno Strohmeyer, *Konfessionskonflikt und Herrschaftsordnung: Widerstandsrecht bei den österreichischen Ständen (1550–1650)* (Mainz: Verlag Philipp von Zabern, 2006), and Peter Thaler, "Conservative Revolutionary: Georg Erasmus von Tschernembl and the Ideology of Resistance in Early Modern Austria," *History of European Ideas* 41 (2015): 544–64.

with Catholics advancing most rapidly during the reign of coreligionist curial vice-presidents at the turn of the seventeenth century and Protestants temporarily reversing this trend after 1609.⁵²

From a political perspective, it proved especially significant that the reinvigorated Catholic minority established its own curial faction in 1606.⁵³ Henceforth, there existed an organized loyalist opposition that placed its ties to the ruler above any community of interest with their Protestant peers; in view of the generous rewards through personal promotion and public service available to one confessional subgroup at the expense of the other, this community of interest had become limited in any case. Internal division diminished the autonomous power of the estates and prevented coordinated resistance.

Although the policy of select ennoblement and promotion achieved many of its strategic goals, it also radicalized the opposition. Karin MacHardy has emphasized the social motivations for the conflict between the monarch and heterodox nobles.⁵⁴ As the Habsburgs transformed the estates through the promotion of Catholic supporters, the old Protestant families developed an acute fear of social displacement. Service to the monarch contributed significantly to the social and economic standing of Austrian aristocrats, just as ennoblement increasingly depended on it after 1500.⁵⁵ Public employment provided a source of income for younger sons, irregular as it may have been, and invaluable access to courtly networks and benefits. Careers and fortunes were made by being present at the right place at the right time. Standing in the good graces of the monarch proved a definite advantage for ambitious nobles and commoners.

The new emphasis on denominational compliance undercut the career opportunities for Protestants at the courts of Vienna and Prague. In 1580, 35 percent of Lower Austria's Protestant nobles stood in the service of the crown and only slightly more than half focused solely on their personal estates.⁵⁶ By

52. See Karin MacHardy, *War, Religion and Court Patronage in Habsburg Austria: The Social and Cultural Dimensions of Political Interaction, 1521–1622* (Houndmills: Palgrave Macmillan, 2003), 142f.

53. Victor Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert: Ein Beitrag zur Geschichte der ständischen Verfassung," *Jahrbuch für Landeskunde von Niederösterreich*, NF (New Series) 2 (1903): 197f.

54. MacHardy, 125f.

55. Otto Brunner, "Bürgertum und Adel in Nieder- und Oberösterreich," in *Neue Wege der Verfassungs- und Sozialgeschichte*, 2nd enl. ed. (Göttingen: Vandenhoeck and Ruprecht, 1968), 266–80.

56. These and the following numbers are taken from MacHardy, 197, 198.

1620, the share of princely servants had dropped to a mere 13 percent, with more than 80 percent of Protestant nobles attending to private affairs. Even if aristocrats enhanced their credentials through academic studies, the results of these efforts were decidedly mixed: whereas three-quarters of university-educated Catholic lords were in Habsburg service in 1620, only one-fifth of their Protestant peers enjoyed similar success.

Although these numbers fully bear out MacHardy's factual argument, one needs to be careful to place them in their right context and sequence. A fear of social decline was not the root cause of noble dissatisfaction. After all, the conscious policy of Catholic ennoblement and promotion premises the denominational conflict. The reinforcement of the Catholic minority in the noble estates formed one of the central strategies applied by the Habsburgs in their preexisting contest with the Protestant nobility. Its social implications undoubtedly exacerbated the confrontation, but did not trigger it. For a nobility that already felt besieged in its religious and political status, however, the loss of economic opportunities could not but increase the willingness to resist.

Yet resistance was never the only recourse. At a time when their peers began to articulate an ideology of statist rights, a number of prominent nobles converted to Catholicism. From the 1590s onward, Catholics regained a more solid foothold in the diets, based not only on the induction of new members but also on the conversion of established families. These conversions expressed a wider tendency among influential magnates throughout the Habsburg Monarchy. Living in close interaction with the court and desiring to retain it, a small but important segment of lords in Bohemia, Moravia, Austria, and even Hungary embraced the religion of its rulers.⁵⁷

57. It should be noted, however, that the opposite could still occur in late sixteenth-century Bohemia, as evidenced by the conversion of Stefan Georg von Sternberg from Catholicism to Ultraquism around 1600. See Petr Mafá, "Vorkonfessionelles, überkonfessionelles, transkonfessionelles Christentum: Prolegomena zu einer Untersuchung der Konfessionalität des böhmischen und mährischen Hochadels zwischen Hussitismus und Zwangskatholisierung," in *Konfessionelle Pluralität als Herausforderung: Koexistenz und Konflikt in Spätmittelalter und Früher Neuzeit*, ed. Joachim Bahlcke, Karen Lambrecht, and Hans-Christian Maner (Leipzig: Leipziger Universitätsverlag, 2006), 310. The need for religious reorientation could also arise among individuals who remained within their church, as has recently been demonstrated for the influential imperial councillor Leonhard von Harrach, who gradually surrendered his pragmatic irenicism in favour of the advancing spirit of Catholic activism. See Michael Haberer, *Ohnmacht und Chance: Leonhard von Harrach (1514–1590) und die erbländische Machtelite* (Vienna: Böhlau, 2011).

There can be little doubt that many conversions were influenced by social and economic considerations.⁵⁸ In an early phase, they could express a desire for a career at court, which had become difficult for Protestants. In the end, they reflected a straightforward choice between conversion and emigration. Yet at the same time, these conversions also signaled the renewed vigour and attraction of tridentine Catholicism. Czech historian Karel Stloukal diagnosed a rationalist vitalism among Bohemian converts such as Albrecht von Wallenstein, who sensed the outcome of the political and spiritual struggle in the monarchy early on and embraced the prospective victor both for the opportunities it offered and the superior strength it exuded.⁵⁹

Overall, however, the policy of Catholic incorporation and promotion altered the composition of the noble estates more substantially than did conversions, which only became prevalent after the political transformation of 1620. Only 6 to 9 percent of Protestant lines in the noble curiae of Lower Austria converted between 1580 and 1620.⁶⁰ This comprised six to eight branches of Protestant knights, and ten among lords, including such luminous names as Puchheim, Liechtenstein, Losenstein, Herbertstein, and Althan.⁶¹ These conversions undoubtedly invigorated the Catholic position in the diet, but numerically they remained the exception rather than the rule.

Protestants retained a clear majority in the noble curiae of the Lower Austrian estates. Counted by individual members, they amounted to 88 percent of the total in 1580, which had declined to 74 percent by 1620.⁶² The Catholic

58. For a detailed investigation of conversions in the Habsburg Monarchy, including a typology, see Ernst Winkelbauer, *Fürst und Fürstendiener: Gundaker von Liechtenstein, ein österreichischer Aristokrat des konfessionellen Zeitalters* (Vienna-Munich: Oldenbourg, 1999).

59. See Karel Stloukal-Zlinský, *Karel z Lichtenštejna a jeho účast ve vládě Rudolfa II. (1569–1607)* (Prague: Nákl. vlastním, 1912).

60. MacHardy, 146.

61. MacHardy, 258n58.

62. All the numbers are taken or computed from MacHardy, 147, 144, 146. Counted by families, the Protestant share had been reduced from 87 to 69 percent within the combined curiae, with a Catholic increase from 10 to 26 percent among knights and from 25 to 39 percent among lords. Since MacHardy could not establish the confession of a sizable minority, especially in 1580, the percentages are indicative rather than final. For the religious composition of the contemporary Lower Austrian nobility, see also Gustav Reingrabner, *Adel und Reformation: Beiträge zur Geschichte des protestantischen Adels im Lande unter der Enns während des 16. und 17. Jahrhunderts* (St. Pölten: Verein für Landeskunde von Niederösterreich und Wien, 1976), 11–20.

representation had historically been weakest in the lower nobility, where it expanded from a mere 10 percent in 1580 to 20 percent four decades later.⁶³ Among the lords, who by tradition stood in closer contact with the court, the Catholic share rose from 17 to 32 percent.⁶⁴ In spite of these advances, the dynasty had to achieve its declared objective of reestablishing Catholicism as the sole religion of its Lower Austria heartland in confrontation with two noble curiae controlled by Protestants, long after it had imposed its will on other segments of the populace. In Upper Austria, Protestant dominance was even more substantial.

Dynastic dissension and confessional respite

The changing political climate unsettled the Protestant nobles in the archduchy of Austria. During the peasant unrests of the 1590s, they were torn between confessional sympathies and socioeconomic interests, allowing the monarch to advance his religious agenda by military means.⁶⁵ Their insufficient solidarity with beleaguered municipal councillors, based upon social jealousy as well as juridical caution, further accelerated their political isolation. High-profile conversions showed that the tide had even turned among their closest peers. In the diet, Bishop Klesl and his associates organized an ever more effective internal opposition. The disturbing reports from neighbouring Styria, where the young Archduke Ferdinand implemented recatholization with uncustomary rigour, provided the Austrians with an inkling of things to come.⁶⁶

These alarming developments caused a flurry of activities by the Protestant estates. Much publicity was generated by a mission to sympathetic German princes, which sought to alert them to the growing religious pressure

63. MacHardy, 144.

64. MacHardy, 146.

65. For the Second Upper Austrian Peasant Insurgency, see especially Albin Czerny, *Der zweite Bauernaufstand in Oberösterreich 1595–1597* (Linz, 1890), and Josef Löffler, *Der zweite oberösterreichische Bauernaufstand 1594–1597 im Mühlviertel: Versuch einer systematischen Darstellung* (Saarbrücken: VDM, 2009).

66. For the Styrian developments, see Pörtner, *The Counter-Reformation in Central Europe*. For a recent biography of Archduke Ferdinand III of Styria, better known as Emperor Ferdinand II, see Robert Bireley, *Ferdinand II: Counter-Reformation Emperor, 1578–1637* (New York: Cambridge University Press, 2014).

in the hereditary lands and enlist their support at the imperial court. The estates assigned this task to Wolfgang von Hofkirchen, one of their most prominent leaders both in and outside the diet, who traversed the empire from April to October of 1603.⁶⁷ Hofkirchen was born in 1555 as the eldest son of a later Austrian field marshal and president of the aulic war council.⁶⁸ After years of studying in Italy and administering the family estate, the Lutheran Hofkirchen embarked on a successful career in government, until he was removed from his post as acting representative of the crown in Lower Austria in 1601. There was little doubt that Hofkirchen's religious background had undermined his position, and his Protestant peers responded by electing him officer of the Curia of Lords. In this capacity he visited numerous German courts and conferred personally with the electors of Saxony and Brandenburg.⁶⁹ Everywhere, he submitted the supplication of the Protestant estates and described their deteriorating political and spiritual situation.⁷⁰

The success of Hofkirchen's mission was limited. He found a sympathetic ear among his coreligionists, who tended to be well-informed about Austrian conditions. Several courts interceded in Prague and delayed requested contributions to the imperial war chest. Elector Christian of Saxony, in particular, submitted a passionate appeal to Rudolf II, in which he invoked the old friendship between their houses and implored the emperor to maintain his Lutheran subjects in their established rights.⁷¹ In the end, however, these friendly interpolations accomplished very little; the imperial court considered them annoyances rather than genuine complications and trusted its ability to assuage them with non-committal assurances.

67. For Hofkirchen, see Gustav Reingrabner, "Wolfgang (II.) von Hofkirchen (1555–1611): Schlossherr in Drösiedl und protestantischer Ständepolitiker," in *Waldviertler Biographien*, ed. Harald Hitz et al., vol. 1 (Horn, Austria: Waldviertler Heimatbund, 2001), 23–40.

68. For the father Wilhelm von Hofkirchen, see his entry in *Allgemeine Deutsche Biographie*, vol. 12 (Leipzig, 1880), 621–22.

69. Hofkirchen's personal description of his journey is printed in Johann Loserth, ed., *Akten und Korrespondenzen zur Geschichte der Gegenreformation in Innerösterreich unter Ferdinand II.*, vol. 2, *Fontes rerum Austriacarum* 60 (Vienna: Hölder, 1907), 318–23.

70. The text of the supplication is printed in Bernhard Raupach, *Erläutertes Evangelisches Oesterreich, Oder: Dritte und Letzte Fortsetzung der Historischen Nachricht von den vornehmsten Schicksahnen der Evangelisch-Lutherischen Kirchen in dem Ertz-Hertzogthum Oesterreich* (Hamburg, 1740), 152f.

71. See Raupach, *Erläutertes Evangelisches Oesterreich*, 156–58.

For Hofkirchen himself, the mission had more serious consequences. Already during his journey, the emissary heard rumours about the emperor's displeasure; he, therefore, avoided places where he was bound to encounter imperial officials. Following his return, he was no longer able to elude governmental sanctions. Hofkirchen was arrested for treason and kept prisoner without facing trial. After one year, he was finally released due to the intercession of the Saxon elector, but he was not rehabilitated until 1609 and never fully recovered from the experience.⁷²

The confessional conflict increasingly moved into the noble curiae of the diet, the last remaining bulwark of the Protestant aristocracy. In 1604 the emperor resolved that the leadership of the noble estates had to contain at least one Catholic, and selected a Catholic candidate who had remained in the minority.⁷³ He also reserved the right to confirm all curial officers. Rudolf was able to interject himself so forcefully into previously autonomous decisions by the estates because the formation of a distinct Catholic faction had begun to bear fruit. The Catholic lords, only too aware of their continual minority status, denied the autonomy of estatist decision-making. They suggested an intrinsic monarchic privilege to disregard and alter established practice.⁷⁴ The transformation of the estates from independent political to subordinate administrative body was well on its way.

For years, the constitutional situation was kept purposefully opaque. The court still hesitated to enforce its newly decreed authority over the internal administration of the estates. The Protestant nobles clung to assurances that their customary privileges remained unabridged. All sides waited for the right moment to impose their own interpretation. In the meantime, the crisis at the imperial court began to overshadow the confessional discord. It provided Austrian Protestantism with a final opportunity to reverse its seemingly inevitable decline.

72. Bernhard Raupach, *Kleine Nachlese einiger zu den Evangelischen Kirchen-Geschichten des Ertz-Herzogthums Oesterreich annoch gehörigen und zum theil bisher ungedruckten Urkunden und Nachrichten* (Hamburg, 1741), 27f. The estates expressly promoted Hofkirchen's rehabilitation in his negotiations with Archduke Matthias, as can also be seen in *Relation Der Vnter- und Oberösterreichischen Euangelischen Stände Abgesandten nach Wien*, 82.

73. Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 188f.

74. Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 180.

Family dissension among the Habsburgs

Emperor Rudolf II was a man of profound talents and interests, a multilingual and widely-read patron and connoisseur of the arts, who turned his self-chosen residence of Prague into a haven for artists and scientists from multiple fields and countries. He was also a withdrawn and mentally unstable personality, more committed to his intellectual pursuits than to the duties of government, and increasingly attracted to the dark and mystical fringes of science and philosophy. His most eminent biographer consequently described him as “a remarkable, but also a remarkably unsuccessful, ruler.”⁷⁵

The emperor’s eccentricities, which some have attributed to expressly medical conditions such as schizophrenia, were less pervasive during the earlier phases of his reign.⁷⁶ When they overshadowed his abilities ever more visibly by the turn of the century, the dynasty took action. For reasons that may well have been personal as much as dynastic, several archdukes began to collude against the imperial recluse. They expressed concern about his health and urged him to make arrangements for his succession; Rudolf had never married and was consequently without legitimate (albeit not without illegitimate) offspring.

Archduke Matthias, who had followed his brother Ernst as vice-regent of Austria in 1595, took Rudolf’s declining abilities as a welcome opportunity to position himself as heir apparent in both dynasty and state.⁷⁷ For this agenda he found a valuable ally in Bishop Klesl, his long-time collaborator in Lower Austria. In April 1606 a Habsburg family council assembled in Vienna and secretly agreed to elevate Matthias to effective head of dynasty. Disagreements about the appropriate policy *vis-à-vis* the Ottoman Empire and its Hungarian allies soon brought the intrafamilial discord into the limelight.

If Matthias wanted to challenge his imperial brother openly, he needed the support of more than just his closest relatives and advisers. It was essential

75. R. J. W. Evans, *The Making of the Habsburg Monarchy 1550–1700: An Interpretation* (Oxford: Clarendon Press, 1979), 59. For a more detailed look at the emperor, see R. J. W. Evans, *Rudolf II and His World: A Study in Intellectual History, 1576–1612* (Oxford: Clarendon Press, 1973). For Rudolf’s political role, see also Josef Janáček, *Rudolf II. a jeho doba* (Prague: Svoboda, 1987).

76. For an in-depth examination of the later years of Rudolf’s reign, see Anton Gindely, *Rudolf II. und seine Zeit: 1600 bis 1612*, 2 vols. (Prague, 1863–68). For medical interpretations, see also Felix Stieve’s entry on the emperor in *Allgemeine Deutsche Biographie*, vol. 29 (Leipzig, 1889), 493–515.

77. For Matthias, see Bernd Rill, *Kaiser Matthias: Bruderzwist und Glaubenskampf* (Graz: Styria, 1999).

to secure the cooperation of the territorial estates, which continued to be dominated by the Protestant nobility. It was not without irony that Matthias set out to enlist these nobles against Rudolf, whom he had regularly accused of insufficient dedication to Catholic restoration. Under the impact of reignited hostilities in eastern Hungary, he reached agreement with the Austrian, Hungarian, and Moravian estates. Although Bohemian opposition precluded an outright overthrow of Rudolf, the emperor felt pressured to cede the rebellious provinces—as well as the prospect of future succession in Bohemia—to his brother in the Treaty of Lieben (Libeň) in June 1608.

The Protestant nobles had demanded substantial religious concessions for their assistance. Having learned from previous experiences, the Austrian representatives, in particular, insisted that Matthias officially confirm these assurances prior to his accession to the throne. A majority of Upper and Lower Austrian nobles, together with the urban curia of the former, resolved not to pay homage until Matthias had reverted religious conditions in their territories to the state in which they had been at the death of Maximilian II.⁷⁸ When the pretender refused, the bulk of Lower Austria's Protestant estates moved to the safe haven of Horn, demesial property of the Lutheran barons of Puchheim. From this modest town in the vicinity of Upper Austria and Moravia, they negotiated the modalities of Matthias's succession, leaving behind only a small delegation to represent them in the capital. In Horn they also concluded an alliance, which was signed by 166 Protestant nobles and designed to secure their religious and political privileges; corresponding steps had already been taken in Upper Austria. Whereas the Catholic minority and two lone Protestants followed Matthias's order to swear allegiance unconditionally, a solid majority insisted on prior confirmation of its liberties.

Horn turned into a symbol of Protestant resistance. The dramatic confrontation within the dynasty had offered Austria's Protestant aristocracy an unexpected opportunity to reassert its interpretation of customary law and practice, which Habsburg princes had increasingly felt at liberty to disregard. To the Protestant estates, a change in rulership had never been an objective in itself, but leverage for a lasting affirmation of their constitutional position. Even if Matthias fully shared the dynastic view of hereditary succession and

78. "Vereinigungs-Articul/ auf welche die drey politischen Stände des Ertz-Hertzogthums Oesterreich von Herren Ritterschafft und Städten ob der Enß sich gegen einander verbunden/Anno 1608," in *Das Teutsche Reichs-Archiv*, vol. 5, ed. Johann Christian Lünig (Leipzig, 1713), 52–54.

feudal obedience, his fragile political and military position did not allow him to enforce it. When negotiations with the pretender reached a standstill, the noble opposition even contemplated a return into the imperial camp, which had signalled a new willingness to accommodate them.⁷⁹ The nobles also reminded Matthias of his recent concessions in Hungary when they demanded the reversal of Counter-Reformation restrictions.

Following protracted negotiations and Matthias's coronation in both Moravia and Hungary, the parties finally reached agreement in March of 1609. In a decree generally known as capitulation resolution, Matthias had to confirm the concessions granted by his father, Maximilian, and add critical modifications and clarifications.⁸⁰ Most important among the latter was the assurance that nobles no longer had to bar non-parishioners from attending services in their privileged churches, which gave the inhabitants of Catholic towns and parishes renewed opportunity to practise their faith. Customary law and practice should be reaffirmed in municipal elections and public appointments, reestablishing Protestant access to these positions. The decree also provided for the institution of impartial courts for the adjudication of ecclesial disputes.

As always, the treatment of urban communities posed the greatest difficulties. In spite of urgent pressure from the estates, Matthias adamantly refused to include them in the concession. Tempers flew high, also within the Protestant camp. A moderate wing advised to accept the confirmation of established liberties and declare victory, rather than try to force the future monarch to extend the concessions to the urban populace.⁸¹ The majority remained firm, however, and refused to simply abandon the towns. In the end, the parties agreed on a compromise. The written resolution only addressed the nobles. Yet in a separate oral declaration, Matthias assured the urban communities that his government would place no undue burden or pressure on them, which was subsequently clarified as entailing individual freedom of religion and the right to attend

79. Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 215.

80. For the content of the resolution, see *Relation Der Vnter- und Oberösterreichischen Euangelischen Stände Abgesandten nach Wien*, 129–32, and Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 219f. Matthias himself distinctly rejected the term capitulation resolution due to its conceptual proximity to election capitulations, which he considered inappropriate in a hereditary principality.

81. See Strohmeyer, 160f.

Lutheran services elsewhere.⁸² In Upper Austria, select urban communities even secured the public exercise of Lutheranism. The Protestant estates made sure to record these oral assurances in writing and include them in subsequent publications.⁸³

Having achieved most of their objectives, the Protestant nobles paid homage to Matthias. Their victory seemed almost complete. Moreover, Emperor Rudolf had to assuage the Bohemian and Silesian opposition with similar concessions. The Bohemian Letter of Majesty, or *majestát*, granted full freedom of worship to noble and urban adherents of the Bohemian Confession of 1575, as well as freedom of conscience to subject peasants.⁸⁴ It also confirmed the independent administration of important cultural and political institutions. As the Bohemian Confession was conceived as a unifying charter for religious heterodoxy rather than a strict doctrinal guideline, a broad coalition of Lutherans, Utraquists, and Brethren shared in the benefits of the concession as well as the accompanying accommodation between Catholic and non-Catholic estates.⁸⁵

Reaffirmed in their rights by the Bohemian Letter of Majesty and the Austrian capitulation resolution, Protestants in both territories appeared to have rebuffed the advance of the Counter-Reformation. It soon became clear, however, that the religious conflict had not come to an end. The Bohemian high chancellor Zdeněk Lobkowitz refused to countersign the *majestát*, and other Catholic stalwarts shared his sentiments. Even more ominous was the reaction by the emperor, who not only retained Lobkowitz in office but made no secret

82. See *Relation Der Vnter- und Oberösterreichischen Euangelischen Stände Abgesandten nach Wien*, 65, 66, 81, 105, 122f.; and Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 218.

83. As in the *Relation Der Vnter- und Oberösterreichischen Euangelischen Stände Abgesandten nach Wien*, cited above.

84. For the text of the Bohemian Letter of Majesty, see "Kaysers Rudolphi II. Majestät-Brief/ welchen er denen Ständen des Königreichs Böhheim sub utraque ertheilet/ das freye Exercitium Religionis betreffend/ de An. 1609," in *Das Teutsche Reichs-Archiv*, vol. 5, ed. Johann Christian Lünig (Leipzig, 1713), 55–58.

85. For an analysis of the relationship between the three denominations sub utraque of contemporary Bohemian usage, that is, the Utraquists, Lutherans, and Brethren, in the early seventeenth century, see Zdeněk V. David, "A Cohabitation of Convenience: The Utraquists and the Lutherans Under the Letter of Majesty, 1609–1620," in *The Bohemian Reformation and Religious Practice 3*, ed. Zdeněk V. David and David R. Holeton (Prague: Academy of Sciences of the Czech Republic, 2000), 173–214.

of the fact that he himself considered the charter a temporary concession made under duress. In Lower Austria, the Catholic estates simply ignored the monarch's resolution.⁸⁶ Since they had not been included in the negotiations, they informed their Protestant peers, no agreement could bind them. In this manner, they echoed earlier Protestant attempts to disregard monarchic resolutions that lacked their explicit acceptance.

The subsequent years constituted a final respite before the storm. In the Lower Austrian diet, the opposing parties grudgingly accepted a temporary compromise that added an additional officer to each of the noble curiae and supplemented the two Protestant deputies with one Catholic; together with the two prelates, the Catholic nobles had thus reached numerical parity with their Protestant peers.⁸⁷ At the same time, the admission of Protestants to the Estate of Knights (albeit not the Lords) increased noticeably again after a period of Catholic favouritism.⁸⁸ In Bohemia, Rudolf's desperate attempt to reverse his demotion ended in abject failure; Matthias succeeded him in Bohemia and—following Rudolf's death in 1612—in the empire. Thus, the reign over the Austrian archduchy and the Bohemian lands was again united in one person. The dynasty's selection of Archduke Ferdinand of Inner Austria—known and feared for his uncommonly rigorous policy of recatholization—as successor to the childless Mathias showed the fragility of confessional compromise. The dispute about his succession was to ignite the Thirty Years' War.

Conclusion

At the turn of the seventeenth century, the confrontation over religion and government in the Habsburgs' hereditary lands intensified. Following decades of covert struggle and subterfuge, both sides increasingly accepted the inevitability of open conflict. Buoyed by the advances of recatholization in Inner Austria, the dynasty expanded its gradualist strategy to the archduchy. By separating townsmen and nobles, the Habsburgs hoped to replicate their Styrian triumph. Afraid of muddling their own privileged status with the exposed position of

86. See Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 221f.

87. See Bibl, "Die katholischen und protestantischen Stände Niederösterreichs im XVII. Jahrhundert," 237.

88. See the chart in MacHardy, 143.

the commoners, the bulk of Styria's Protestant aristocracy had acquiesced to the religious transformation of the territory. It found itself isolated and vulnerable in the end.

Yet the Styrian experience also informed the statist opposition in the archduchy. The fate of Inner Austrian Protestantism became an ominous manifestation of the dynasty's religious agenda. At the same time, it demonstrated the dangers of accepting a new monarch without an unassailable confirmation of existing privileges. In the eyes of his noble detractors, Archduke Ferdinand came to personify the dynasty's intention to deprive them of their liberties. His elevation to heir apparent moved the long-smoldering conflict to a new level.

The gradual escalation into European war was neither linear nor inevitable. As demonstrated during the conflict between the imperial brothers Rudolf and Matthias, peaceful accommodation between the confessional parties was not impossible. Yet this article also shows that the inner logic of confessionalization and state-building pointed toward a violent solution. In spite of mutual attempts to preserve an appearance of commonality, the constitutional visions of the Catholic dynasty and its Protestant nobility could not be reconciled. In the end, the numerous concessions the nobility had wrought from successive monarchs proved to be temporary respites. Whereas the nobles viewed them as hard-won victories that had established lasting precedent, the Habsburgs defined them as personal favours by individual rulers, with no inherent obligation to their successors.

The conflict came to a head in Bohemia, the richest and most independent of the Habsburgs' imperial possessions. Yet the developments in individual territories were closely intertwined. The progress of recatholization in Styria informed the political decisions of Austrian and Bohemian Protestants. Their insistence on constitutional guarantees prior to the acceptance of a new ruler was a logical response to Ferdinand's Styrian strategy. Aristocratic solidarity with the urban communities of Bohemia formed a counterpoint to their substantive surrender in Inner Austria. The noble estates looked beyond their immediate domains and interconnected in an ever tighter web of mutual information and cooperation. Both the emperor and his Protestant opponents had become part of an international ideological community. As a consequence, their domestic discord triggered a continental war.