Ossi Kokkonen

Understanding peace in 13th century German culture. Were the Rhenish league and town leagues "coniurationes"?

Introduction

In this article I study the Rhenish league and German town leagues of the second half of the 13th century. Typically these institutions have been scrutinised from the point of view of history of law and of history of administration, and thanks to this their legal standing is well known. My purpose is not to deny the relevance of this kind of approach but to show that the leagues can also be placed in a wider context of European town history. I try to show that they can be portrayed as *coniurationes*.

Coniuratio is a widely and often contradictorily used term. The Latin noun "coniuratio" has two meanings: the taking an oath together or a conspiracy, plot, treason, or intrigue. Although the corresponding English noun "conjuration" is not widely used, it still bears these two meanings. This basic bipartition is evident also in medieval political, juridical and religious writings. Unfortunately it is not possible to go here into the wider question concerning the various interpretations of *coniuratio*. However, on a general level it can be demonstrated that various points of views can be reverted into these two opposite views of understanding the *coniuratio*, i.e. to those who saw *coniuratio* in a positive light as a sworn union and to those who saw it in a negative light as a conspiracy.

Various meanings have also been given to *coniuratio* in studies concerning medieval social history. Earlier it was quite often seen in a narrow sense as an early phase of the founding of medieval towns especially in Northern Italy, Flanders and Northern France. Lately, however, it is seen on a more general level as a sworn association between equal and voluntary members that was based on a mutual oath of its participants. Peter Blickle for example sees *coniuratio* as an oath taken on a voluntary basis by individuals who form a political and moral corporation. This corporation orientates itself towards peace and shows its will in statutes that get their legitimation from the common good. Its members enforce these statutes and re-swear their association from time to time.[1]

This brings up the importance of the idea of peace in *coniuratio*. In the Middle Ages peace was given many ecclesiastical and secular meanings. Thus also peace has to be understood in a wider sense than in our own times when it is normally seen simply as the opposite of war. Because of this in the medieval context lack of peace or disorder (*discordia*) are normally better opposites for peace than war. Permanent or common peace was a rarely materialized ideal, a utopia on the horizon or a Christian metaphor, whereas open or latent disorder was a social standard.[2]

In this article I exploit a bipartition that is common in law history. In this peace is divided into a *pax ordinata* (given peace) and a *pax iurata* (sworn peace). It is obvious that this division is artificial and that in reality different forms of peace worked side by side, completing each other and from time to time causing legal disputes.[3] *Pax ordinata* was given by a supreme ruler, lord or town lord to his subjects, and it was characteristically "lord-driven". Most of the medieval national and regional peaces, and also peaces that established the legal standing of different kinds of groups of people, like women, Jews or merchants, can be seen as given peace.

Pax iurata on the other hand was based on a mutual agreement between associates. For example special peaces between equal participants, like peaces of an autonomous town or town leagues are of this kind. Also some regional public peaces can be seen in this light. The one characteristic feature of *pax iurata* is the promise of mutual help of the associates. In effect peace got concrete and variable contents as the character of this help varied from one agreement to another and could thus be financial, legal, political, or military. Closely connected to this was an another characteristic of *pax iurata*, namely opposition against everyone who did not swear the peace (*mutuum adiutorium / consilium / auxilium contra omnes*).[4] This central aspect of all communal action forms a tension between the associates and everyone else. It also explains the different attitudes of members and non-members towards the *pax iurata*. From the members point of view it constituted a positive and self made special peace (*voluntas*) that was seen as replenishment or a substitute of existing legal principles. On the other hand those who saw *coniuratio* as a conspiracy also took a negative stance towards *pax iurata* and interpreted it as a breach of law and an action against prevailing social order.

Because of these two characteristic features the texts taking a positive stance towards *coniuratio* also imply a bipartition between good and bad, i.e. members and non-members, or us and them. This attitude is clear for example in the sources concerning the commune-building process. Thus it is also no wonder that longing for peace is portrayed as a central motive in the formation of communes. Gerhard Dilcher has shown in his influential doctoral thesis that the communes of Lombardy saw themselves as a union of peace (*foedus pacis*), and use peace (*pax*) as a parallel with a sworn

association (*coniuratio*).[5] Likewise the statutes of the commune of Valenciennes in Flanders (1114) call commune *pax* and its members as *coniurati / homines / viri pacis*.[6]

To emphasise their message these texts make a strict division between new commune builders and the old elite of society. They portray the forms of life of the nobles as degenerate: nobles are said to lead a life where vices like arrogance (*superbia*), insolence (*insolentia*), and injustice (*iniuria*) are prevailing. The commune, however, is seen as a place where such Christian virtues as love (*caritas, dilectio*), brotherhood (*fraternitas*), concord (*unanimitas*), and humility (*humilitas*) can flourish.[7] These virtues and townspeople's longing for peace are seen as a moral ground on which the commune was built. The commune is thus seen as a positive self made action that was based on a special peace between the associates.

One comes across this same kind of attitude in the formation of the Rhenish league and town leagues. There was naturally no chronological cause and effect relationship between early communes and the leagues but rather same kind of social and legal background. In a purely juridical point of view they were all illegal and against the prevailing law. In the case of the German town leagues this is clear, as rulers had forbidden them. This was for the first time done by Henry VII in 1231 and the best known ban was that of the Golden bulla of 1356 by Charles IV. These and other restrictions, however, did not have much effect in practise as the towns broke them time and again and also rulers themselves could exploit town leagues for their own benefit.

Town league[8] is a general term that describes different kinds of unions and agreements between towns. It was a common institution in Germany from the 13th to the 15th century. Most of the town leagues were small, short lived and modest in their aims. Quite commonly they guaranteed mutual economic benefits and legal standing of towns and burghers. Leagues were often formed in times of social instability, like during the rule of a weak ruler or crown vacancy. Sometimes the aim of the league was to act against the lords and knights and a recurring theme was the maintenance of the security of the trade routes, travelling burghers and the towns. Strictly speaking the Rhenish league[9] is not a town league as it had secular and ecclesiastical lords as its members. Despite its short existence (1254--1257) it was the most significant league between towns and lords in medieval Germany.

The Rhenish league as a *coniuratio*?

The 1220s to the 1250s are often labelled as the final struggle of the Hohenstaufen dynasty (*Endkampf der Hohenstaufen*) as they were decades in German history that were characterised by the juxtaposition between the supporters of the dynasty and the pope. The battle for power between the supporters of the Hohenstaufen dynasty and the pope resembled constant war that threatened the whole society with instability. This conflict was intertwined with other factors that added to the insecurity, such as changes in local social order, the expansion of the autonomy of towns and the rise of territorial lords. One result of this widespread social uncertainty and disorder were the different kinds of local and regional leagues between towns and lords. [10]

The Rhenish league was formed in July 1254 by Mainz, Worms, Speyer, Strasbourg, Basle, the archbishops of Mainz, Cologne, Trier, bishops of Metz, Strasbourg and Basle and other, unnamed towns, lord and knights. [11] The league was from the beginning meant to be a union between equal members. Most of our knowledge concerning the administration of the league as well as of the aims of the league came from the so called *Aktemsammlung*. [12] This source includes 10 registers of meetings of the league and an incomplete list of the members. There were no fundamental differences between towns and lords in the decisions of the *Aktensammlung*. They had the same basic rights and duties. However, in practise the league was not as unanimous as the official records claim. In fact, the league was divided into hostile blocks of lords and towns shortly after the second meeting. This division became more severe during 1255 and the lords did not take part in four consecutive meetings. [13]

The impetus for the league came clearly from the towns. One chronicle goes so far that it even mentions a burgher of Mainz called Arnold Walpot as the founding father of the league. [14] The central role of the burghers in the founding of the league is closely connected to its aims. The record in the *Aktensammlung* that concerns the first meeting implies indirectly that the central reason for its forming was the lack of peace. [15] The previous decades had seen the growth of unrest in the Middle Rhine region and as neither the Hohenstaufen rulers nor their opposites, the kings appointed by the pope could stabilise the realm the burghers took action into their own hands. As the political and military weight of the towns was not sufficient they needed the help of the lords and knights.

The motif behind the joining of the lords is not that straightforward. According to the *Annales Stadenses* the lords – and especially those who lived off the social uncertainty – did not approve the fact that the burghers got a leading role in the league. [16] Another chronicle claims that the towns forced the lords to join the league. [17] For this the towns were, however, too weak. One also has to

bear in mind that the most influential ecclesiastical lords of the Rhineland were from the beginning members of the league. There has been some speculation whether or not they took part in the league in order to monitor the actions of the towns. One should also not forget that even if some lords and knights benefited from the social insecurity, for most of them stability was as important as for the towns.

The Rhenish league constituted a political union that tackled some social problems. Its political agenda sounds almost too utopian: to maintain the peace and stop excessive use of violence. In order to do this the league forbade its members to collect unjustified taxes, asked them to hold to their traditional rights, and decided to build its own army and navy.[18] Behind this agenda lay political and social realities that show the central standing of the towns in the league. Most of the decisions of the league were "town friendly", i.e. they benefited in the first place the burghers and their trade.

The league adopted one of the central tasks of the king since it saw itself as the guarantor of the peace. Even the whole existence of the league can be seen as an answer to the weakness of the ruler. However, this did not mean that it would have acted against the king. In fact the league turned out to be rather conservative also in this respect as it called Wilhelm the rightful king already in its second meeting. As the league and the king shared a common interest in stabilising the realm it is no wonder that they worked closely with each other. The league allowed the king to attend its meetings; Wilhelm took part in one meeting and his representative Adolf of Waldeck in two more.[19] Although the king did not have any direct influence on the leagues decisions this still shows how it could have been turned into his tool. This interesting juridical development ended abruptly in January 1256 as Wilhelm of Holland was slain by the peasants of Friesland. After the death of the king the league tried to build a united front in respect of the upcoming election. This had a twofold significance: to show the solidarity of the league both to its members and to outsiders.

The Rhenish league was also a moral union that saw itself in a positive light. The formation of the league constituted a bipartition between members and non-members. The league and its members were seen as guarantors of peace whereas everyone else was at least theoretically its enemy. From the point of view of the league a lord or a town was either with it or against it. As a moral self-help corporation it formed a division between us (good) and the rest of the society (bad). It is clear that the formation of the league, its existence and action was based on the idea of *pax iurata*. The league constituted on the one hand a special law that completed the existing jurisprudence and on the other a moral union. In this sense the league also resembled other forms of medieval social order that were based on *pax iurata*. From the purely legal point of view it was unjustified and revolutionary

just like the early communes. More importantly they both constituted a union of peace (*foedus pacis*), in which the political and moral aspects intertwine.

The need for inner unity was an important factor for all unions and in the case of the Rhenish league this was especially vital. In the end this was due to the fact that the existence of the league and its ability to act was based on the co-operation and combined forces of its members. The inner unity of the league was put into question from the beginning. The emphasis on the unity in the official documents can be seen as a means in sustaining the image of unity. Attempts to strengthen the organisation were driven by the same purpose. Thus the league decided, for example, on yearly meetings, on correspondence between its members, on rules concerning the legal standing of the representatives of the towns, and on tax with which a union hall was supposed to be built.[20]

Another main subject alongside the relationship between the members was the relationship between the league and the rest of the society. As the Rhenish league saw itself in a positive light as a self-made association that maintained social security it is clear that the rest of the society was seen in a more or less negative light. In a way everybody outside the league posed a threat to it. In the best possible scenario those outside the league were possible new members. Because of this all the members had to do everything in their power to get their neighbouring towns and lords to join the league.[21] Even the fact that a lord or a knight did not join the league was interpreted as a violation against the peace; the sources never mention towns as this kind of violators. The violator had to be closed outside the community of peace.[22] Here the league comes close to circular reasoning, as the members of the league constituted a community of peace and those outside of the league were automatically considered as not belonging to it. It seems that the league wanted to emphasise that the society was divided into those belonging to the league, and thus to the commune of peace, and into those who were outside both the league and the commune of peace. Certain decisions the league made give the impression that this alone was a valid reason for the league for a justified attack.

Lords and knights who attacked the league or broke the peace naturally posed the biggest threat. Thus it is no wonder that one of the main characteristics of the league was combined military effort for defence if one of its members was attacked. This was meant to be at the same time a central unifying feature between the members and a reference to the power for the league to its enemies. Quite often the league stressed its orders by threatening to use military measures against its enemies, and twice it ordered a common troop to attack those who broke the peace.[23] In fact the league – or at least part of its members – did take up arms a few times.

The peace of the Rhenish league covered not only its members but also a wide range of people who could not themselves join the league, like women, Jews, priests, monks, and peasants.[24] The relationship between the league and these people was one-sided and mostly passive. There was no need for defining their duties since they did not have any role in maintaining the peace and they did not pose a threat to the league. However, the fact that the league also took them into the community of the peace is of great significance. It namely shows that the league's aim was not only to stabilise the relationship between its members but those of the whole society in general. This task was well in balance with its character as a powerful political and moral corporation. At least in its self understanding the league was a prominent force in maintaining the peace.

The town leagues as *coniurationes*?

The Middle Rhine region in 1254

The Rhenish league was preceded by small leagues of towns of the Middle Rhine region. Mainz and Worms formed a league in February 1254 thus making an end to an old tension between the towns.[25] This league is a significant indication of the transgressing of the borders of *Endkampf der Hohenstaufer*, as Worms had supported the dynasty and Mainz the pope. The towns promised to help each other if one was attacked, and gave mutual rights for their burghers. These kinds of decisions are quite common in town leagues. However, Mainz and Worms also founded a new juridical seat to solve reciprocal disputes that shows unusually advanced organisational form and emphasise the towns' will to grasp the social problems themselves without the help of a ruler or lords.[26]

In April Mainz, Worms and Oppenheim formed a new league. As is often the case with town leagues this was not simply an enlargement of the previous league but a totally new one.[27] Also here the central issue was mutual help in the case that one of the three towns would be attacked. The league adopted the juridical seat from the previous one and developed it further. Mainz formed still one more town league, this time in the end of May with Bingen.[28]

The formation of these leagues shows in general not only the towns' need for peaceful conditions but indirectly also the cause for this need, namely the ruler's powerlessness in enforcing the peace and jurisdiction. As self-help unions these leagues tried to restrict the use of violence. There would not have been need for this if the ruler had been capable of doing this himself.

The league of April mentioned for the first time social reasons as an explanation for the formation of the league. And in the same way as in the Rhenish league also here this social reason was accompanied by another, one that has a Christian base, namely Jesus as *pacis auctore*.[29] The most surprising and radical aspect of the league of April was its understanding of its standing in relation to the maintenance of peace. The league promised to protect a wide range of unfree people. This was in essence the core of the Rhenish league. There were also important differences. The town leagues of the spring of 1254 never called the peace "the holy peace or the general peace," both common concepts in the Rhenish league. Secondly town leagues could not take new members without forming a new league whereas the structural flexibility of the Rhenish league enabled its fast enlargement.

There is no doubt that the town leagues of spring 1254 were *coniurationes*. Their formation fulfils all the main characteristics of coniuratio. The leagues built a special peace that was based on a mutual, voluntary oath of the members and distinguished the league from the rest of the society. The equal members swore mutual help against lords and promised to work for the peace.

Strasbourg 1261–1263

The bishops of Strasbourg gave juridical and economic privileges to the burghers from the second half of the 12th century onwards.[30] This happened in mutual understanding until 1260 when a new bishop, Walter of Geroldseck, wanted to regain some of the power his predecessors had given away. In order to do that he accused the leading burghers that they were interested only in their own wellbeing and that they misgoverned the town.[31] The burghers denied the accusations, which led to a conflict between the commune and the bishop. In the beginning it concerned the administration of the town but was quickly expanded to a regional clash as both sides formed alliances and attacked the supporters of the enemy in the countryside.

Strasbourg formed the first league with four powerful lords in September 1261.[32] In the next two months this was followed by three town-leagues, namely with Neuenburg, Colmar and Basle.[33] These four leagues were political and military alliances answering for a certain social situation. The sole reason for their existence and action was to oppose bishop Walter, his family and supporters.[34] In a juridical sense these leagues were clearly illegal and the associates were aware of this. This explains the formulation with which the leagues were put outside of ecclesiastic and secular jurisdiction.[35] This shows the problematic juridical standing but also the division into us (the associates) and them (the rest of the society), which was a typical feature of town leagues.

Some of the associates had a central role in the run of the conflict. In this respect the most important one was count Rudolf of Habsburg, one of the four lords of the first league. Rudolf had supported Walter before, but after joining Strasbourg's cause he became its most prolific military ally. However, according to *Bellum Waltherianum* it was the burghers of Strasbourg who achieved the decisive victory in the battle of Hausbergen in March 1262. The defeat of Walter in Hausbergen was so great that it effectively ended the military conflict and forced the bishop to recognise the power of the commune and its allies in an armistice in March and a peace treaty in July.[36] However, in the eyes of the burghers not even this removed the threat of Walter. Thus Strasbourg and some of its allies formed five new leagues between July and August 1262.[37]

The last phase of the conflict started with the death of bishop Walter in February 1263. Not even this made the leagues unnecessary. A month after the death Strasbourg formed three more leagues. Two of these promised mutual help against the family of Geroldseck in the same way as the earlier leagues had. Another main theme in the leagues was the election of the bishop. In two leagues Strasbourg promised to swear loyalty only to a new bishop who promised to act according to his rights. This was meant to show a united front of the towns and to emphasise that the bishop had to pay attention to laws.

One can also call these leagues *coniurationes*. They were clearly based on a mutual oath of voluntary and equal participants who formed a moral and political corporation. The will of this corporation was shown in the founding documents. All the statutes were concerned with one theme only, namely the opposition of the bishop Walter. The whole existence of the leagues and also their action was based on the principle of mutual help against the bishop. In my opinion the leagues saw their existence and action as a way of preserving the peace. The formation of the league meant that the associates formed a special peace. This peace was arbitrary and this was emphasised almost comically through a series of mutual promises of the concerned parties.

It is also interesting to see that the leagues did not try to strengthen their political and juridical standing by speaking of the maintenance of the peace in the same way as the Rhenish league did. As far as I know the burghers never even answered to the accusations made by Walter in the summer of 1261. Neither did the leagues appeal to Christ as a procurator of peace or even blame Walter for misusing his power as a reason for forming the league. This supports the claim that the jurisdiction of the Hohenstaufen dynasty did not have any great significance anymore. However, the main reason was the special character of the conflict. From the start till the end it was crystal clear to Strasbourg and its allies that their enemies were Walter, his family and supporters. In other words the leagues did not fight against general unrest.

1273

King Richard of Cornwall died in England in April 1272 and the realm needed a new king. Richard, who had visited Germany four times between 1257 and 1262, had succeeded in stabilising his standing above all in the Rhineland.[38] He had won the support of the towns of the region quite quickly after his nomination. From the standpoint of the towns his death and the election of the new king resembled the situation of 1256.

On February 5th Mainz, Worms, Oppenheim, Frankfurt, Friedberg, Wetzlar and Gelnhausen formed two leagues. In the first one the towns decided to swear unconditional loyalty to an unanimously elected king. However, if the prince electors would elect more than one king the towns would not support either of them.[39] This resembled the action that the Rhenish league took before the previous election. However, the differences between 1256 and 1273 are quite revealing. Only the Rhenish league wanted to send representatives to control the election. The most striking difference was of course the willingness of the Rhenish league to protect the realm until it would have a new king.[40]

The other league the same eight towns formed on the same day was a typical military alliance that guaranteed mutual defensive help if one of the towns was attacked. The agreement does not mention any enemies like the leagues of Strasbourg had done. However, one can separate two groups of enemies. Firstly the agreement promised help in case that a lord or a knight tried to build a castle too close to a town. This kind of action was against the *bannmeilerecht* of the towns and the people most likely to break this rule were those who wanted to challenge the autonomy of the towns. Secondly it is quite clear that this league was formed to support the towns' cause of the other league of the same day. Thus it seems likely that the towns were afraid of the pretenders and their supporters.[41]

The communal character of the leagues of 1273 is somewhat hard to verify as the scarce sources consist only of the two founding documents. I am inclined to call also these leagues *coniurationes*. The leagues quite clearly fulfil the two most important aspects of *coniurationes*. First of all they were based on a mutual oath of voluntary and equal associates. Secondly they orientated towards peace, even if they only concerned themselves with the election of the king and defensive help respectively. The former was essential in respect of the social standing of the towns in relation to the ruler and the realm. The latter strengthened the message of the former and also guaranteed that no town had to encounter an attack by itself.

Conclusions

In this article I have touched on the question of the nature of the Rhenish league and town leagues. My aim has been to show that they can be portrayed as coniurationes. The analysis has centred mainly on the self image of the leagues as the scarce sources make it impossible to look in detail at how outsiders reacted to their formation. I have interpreted *coniuratio* as a sworn association of equal and voluntary associates that constitutes a special peace. I believe that this kind of wide interpretation allows one to see the structural similarities between institutions like town leagues and communes that seem at first glance quite different.

It is clear that the Rhenish league was a *coniuratio* in this wider sense of the concept. It was based on a mutual oath of equal and voluntary members. In a sense every league meeting meant re-swearing and prolonging of the original oath, i.e. acceptance of the aims and actions of the league. The Rhenish league preserved the basic feature of equality and free will despite the problems caused by its divisions and rapid expansion. It did suffer from being divided into two blocks of towns and lords respectively, but it still did not modify its basic structure or constitution.

Two central issues concerning the action of the Rhenish league were the need for inner unity and the relationship with the rest of the society. These constituted the twofold nature of the arbitrary peace that the league executed. Both of these were of uttermost importance, as neither the king nor the pope could prevent social disorder. As the old juridical system was in a crisis the league had to form a new way of dealing with problems. The most important issue was to stabilise the relationship between the members, i.e. to constitute basic rules for their mutual co-operation. The most important aspect of this naturally was the promise of mutual help in case that one of the members was attacked.

The relationship of the Rhenish league and the rest of the society was the second central issue concerning its action. This also echoes the second characteristic feature of the abstract *pax iurata*, namely the bipartition of the society. The league saw enlargement as a change to gain strength and thus the members had to try to get their neighbours to join it. From the point of view of the outsiders this action was illegal and endangered the prevailing social order, and sometimes their own standing. One clear indication of the actual reasons behind the objections is described by one chronicler, according to whom it was especially the lords who made their living off the unstable conditions that objected to Rhenish league.

Even if the sources concerning the town leagues are scarce and profound comparisons between them and the Rhenish league are thus difficult to make I would call also them coniurationes. All the leagues formed a community that united towns to carry out one or more tasks. These tasks varied from the promise to swear loyalty to a king to the promise to guard the realm without king. They were all based on a mutual oath that bound the voluntary and equal associates together. They formed a moral and political corporation that worked through statutes created together.

When the Rhenish league and town leagues are interpreted as *coniurationes* it is easy to see that the differences between them concern the size of the leagues, not their quality. They were all formed on the promise of mutual help and on a strict bipartition of the society into members and non-members or in other words into us and them. These were the characteristic features that were inherited from the abstract idea of *pax iurata* and that were common to all *coniurationes*.

Thus the early communes of Northern Italy, Northern France and Flanders – which have, as the bringers of horizontal social order, been given a central role in studies concerning the history of medieval towns -- have some interesting parallels with the town leagues studied in this article. Even from a rather small scale comparison one can observe profound similarities in the way these institutions saw their standing in the society, how they acted to fulfil their tasks, etc.

The explanation is that communes, town leagues as well as other *coniurationes*, were based on a similar way of understanding peace. In their core they all had the abstract idea of *pax iurata* that guaranteed mutual help and divided the society between members and non-members, i.e. into us and them. These two characteristic features of communal social order explain how the active members could see their action in a positive light even though it was against the prevailing social order and law.

Published Sources:

Constitutiones et acta publica imperatorum et regum, Vol. 2: 1198–1272. Monumenta Germaniae Historica Legum sectio IV, 2. Weiland, L. (Hg.). Hannover 1896.

Hermanni Altahenisis Annales. *Monumenta Germaniae Historica, Scriptores XVII*. Pertz, Georg Heinrich (Hg.). Hannover 1861, pp. 381–407.

Annales Stadenses. *Monumenta Germaniae Historica Scriptores XVI*. Pertz, Georg Heinrich (Hg.). Hannover 1859, pp. 271–379.

Annales Wormatienses. *Monumenta Germaniae Historica, Scriptores XVII*. Pertz, Georg Heinrich (Hg.). Hannover 1861, pp. 34–73.

Bellum Walherianum. *Monumenta Germaniae Historica, Scriptores XVII*. Pertz, Georg Heinrich (Hg.). Hannover 1861, pp. 105–114.

Charta pacis Valenciennes. *Monumenta Germaniae Historica, Scriptores XXI*. Pertz, Georg Heinrich (Hg.). Hannover 1869, pp. 605–610.

Ruser, Kondrad (Hg.), *Die Urkunden und Akten der oberdeutschen Städtebünde vom 13. Jahrhundert bis 1549*. Vol. 1. Vom 13. Jahrhundert bis 1347. Vandenhoeck & Ruprecht, Göttingen 1979.

Urkundenbuch der Reichsstadt Frankfurt. Vol. 1. Boehmer, Johann Friedrich (Hg.). Joseph Bach & co, Frankfurt 1901.

Urkunden und Acten der Stadt Strassburg. Vol 1. Wiegand, Wilhelm (Hg.). Karl J. Trübner, Strassburg 1879.

Urkundenbuch der Stadt Worms 627–1300. Boos, Heinrich (Hg.). Quellen zur Geschichte der Stadt Worms 1. Weidmann, Berlin 1886.

Literature:

Becker, H.-J., "Städtebund", *Handwörterbuch zur deutschen Rechtsgeschichte* Vol. 4. Erich Schmidt Verlag, Berlin 1990, pp. 1851–1857.

Black, Antony, *Political Thought in Europe 1250-1450*. Cambridge University Press, Cambridge 1992.

Blickle, Peter, "´Coniuratio´. Die politische Karriere einer lokalen Gesellschaftsformation." In Cordes, Albrecht (Hg.) *Stadt – Gemeinde – Kommune. Festschrift für Gerhard Dilcher zum 70. Geburtstag*. Berlin 2003, pp. 341–360.

Buschmann, Arno, "Der Rheinische Bund von 1254–1257. Landfriede, Städte, Fürsten und Reichsverfassung im 13. Jahrhundert." In Maurer, Helmut (Hg.) *Kommunale Bündnisse Oberitaliens und Oberdeutschlands im Vergleich.* Vorträge und Forschungen 33. Jan Thorbecke, Sigmaringen 1987, pp. 167–212.

Demandt, Karl E.: "Der Endkampf des staufischen Kaiserhauses im Rhein-Main-Gebiet." *Hessisches Jahrbuch für Landesgeschichte* 7 (1957), pp. 102–164.

Dilcher, Gerhard, *Die Entstehung der lombardischen Stadtkommune.* Untersuchungen zur deutschen Staats- und Rechtsgeschichte Neue Folge 7. Aalen 1967.

Dilcher, Gerhard, "Coniuratio." *Handwörterbuch zur deutschen Rechtsgeschichte* Vol. 1. Erich Schmidt Verlag, Berlin 1971, pp. 631–633.

Dilcher, Gerhard, *Deutsche Rechtsgeschichte. Land und Stadt. Bürger und Bauer im alten Europa.* Springer, Berlin 1999.

Ennen, Edith, "Coniuratio." *Lexicon des Mittelalters* Vol 1. Artemis, Müchen 1986, pp. 135–137.

Ennen, Edith, "Rhenischer Städtebund." *Handwörterbuch zur deutschen Rechtsgeschichte* Vol. 4. Erich Schmidt Verlag, Berlin 1990, pp. 1017–1018.

Fahlbusch, F.B., "Städtebund." *Lexicon des Mittelalters* Vol. 7. Artemis, München 1997, pp. 17–18.

Fried, Johannes, "Einleitung." In Fried, Johannes (Hg.), *Träger und Instrumentarien des Friedens im hohen und späten Mittelalter.* Vorträge und Forschungen 42. Jan Thorbecke, Sigmaringen 1996, pp. 7–16.

Hartmann, Wilfried (Hg.), *Europas Städte zwischen Zwang und Freiheit. Die europäische Stadt um die Mitte des 13. Jahrhunderts.* Universitätsverlag Regensburg, Regensburg 1995.

Isenmann, Eberhard, *Die deutsche Stadt im Spätmittelalter: 1250–1500. Stadtgestallt, Recht, Stadtregiment, Kirche, Gesellschaft, Wirtschaft.* Eugen Ulmer, Stuttgart 1988.

Kammerer, Odile, "Strassburg – das Selbstverständnis einer Stadt im 13. Jahrhundert." In Hartmann, Wilfried (Hg.), *Europas Städte zwischen Zwang und Freiheit. Die europäische Stadt um die Mitte des 13. Jahrhunderts.* Universitäts-Verlag Regensburg, Regensburg 1995, pp. 63–82.

Kaufhold, Martin: *Deutsches Interregnum und europäische Politik. Konfliklösungen und Entscheidungsstrukturen 1230-1280.* Monumenta Germaniae Historica Schriften 49. Hansche Buchhandlung, Hannover 2000.

Oexle, Otto Gerhard, "Friede durch Verschwörung." In Maurer, Helmut (Hg.), *Kommunale Bündnisse Oberitaliens und Oberdeutschlands im Vergleich.* Jan Thorbecke, Sigmaringen 1987, pp. 115–150.

Schulz, Knut, *Denn sie lieben die Freiheit so sehr. Kommunale Aufstände und Entstehung des europäischen Bürgertums im Hochmittelalter.* Wissenschafliche Buchgesellschaft, Darmstadt 1995.

Voltmer, Otto, *Wirtschaft und Gesellschaft am Mittelrhein. Vom 13. bis zum 16. Jahrhundert.* Historische Komission für Nassau 63. Wiesbaden 1998.

Voltmer, Ernst, "Der Rheinische Bund (1254–1256). Eine neue Forschungsaufgabe?" In Katalog Landesarchivverw. Rh.-Pfalz. 1986, pp. 117–143.

Weiler, Björn, "Image and Reality in Richard of Cornwall´s German Career." *The English Historical Review*, Vol. 63 (1998), pp. 1111–1142.

Notes

[1] Blickle 2003, p. 347; see also Oexle 1996, p. 150; Isenmann 1988, pp. 89–93; Dilcher 1967; Dilcher 1971; Dilcher 1999, pp. 367–372; Ennen 1986, pp. 135–137; Schulz 1995.

[2] Fried 1996, p. 8.

[3] Oexle 1996, p. 115. According to Oexle one can divide the whole history of the idea of peace from late antiquity to our own times into *pax ordinata* and *pax iurata*.

[4] Oexle 1996, pp. 127, 144–145.

[5] Dilcher 1967, p. 144.

[6] Charta pacis Valenciennes, MGH SS XXI, pp. 605–610; See also Oexle 1996, p. 139.

[7] Oexle 1996, p. 128; Black 1992, pp. 119–120.

[8] For town leagues in general see Ruser 1979; Isenmann 1988, pp. 121–127; Becker 1990.

[9] For Rhenish league see Buschmann 1987; Voltmer 1986; Fahlbusch 1997; Ennen 1990.

[10] For the Middle and High Rhine regions between 1220's–1250' s, see Demandt 1957; Kaufhold 2000; Hartmann 1995; Volk 1998.

[11] MGH Const. 2 no 428/1; Annales Stadenses; Annales Niederaltaich.

[12] For the sources concerning the Rhenish league see Voltmer 1986, pp. 123–127; Buschmann 1987; Ruser 1979.

[13] Namely in 4th at 15.8. 1255 (MGH Const. 2 no 428/4), 5th at 14.10. (MGH Const. 2 no 428/5), 6th at 10.11. (MGH Const. 2 no 428/7) and 7th at 6.1. 1256 (MGH Const. 2 no 428/8).

[14] Annales Stadenses, p. 373.

[15] MGH Const. 2 no 428/1: "*Cum terrarum pericula et viarum discrimina nonnullos ex nostris iam per multum temporis discursum destruxerint penitus et plerosque bonos et ydoneos traxerint in ruinam, ut innocentes opprimerentur sine calculo rationis, ad obviandum huiuscemodi tempestatibus et procellis modum rimari oportuit et perquiri, per quem nostri saltim termini et districtus, omissa equitatis digressione, possint ad pacis orbitam revocari*". See also Annales Stadenses; Annales Niederaltaich.

[16] Annales Stadenses, p. 373: "*Non placuit res principibus nec militibus, sed neque praedonibus et maxime hiis, qui habebant assidue manus pendulas ad rapinam, dicentes esse sordidum mercatores habere super homines honestos et nobiles dominatum*".

[17] Hermanni Altahensis Annales, p. 397: "*Viconos principes et comites sue societati adhere compellunt*".

[18] MGH Const. 2 no 428/2.

[19] MGH Const. 2 no 428/7. Because of this Buschmann calls the meeting the highlight of the league, see Buschmann 1987, p. 169.

[20] For domus pacis see MGH Const. 2 no 428/4; for correspondence see MGH Const. 2 no 428/2; for yearly meetings see MGH Const. 2 no 428/5; for representatives of towns see MGH Const. 2 no 428/2.

[21] See for example MGH Const. 2 no 428/2.

[22] See for example MGH Const. 2 no 428/9: "*Insuper omnia sancte pacis per nos statuta ibidem inviolabiliter servare promisimus*". And also: "*Illis vero dominis, militibus sive aliis, qui pacem non iurassent, nullum auxilium prestaremus*".

[23] MGH Const. 2 no 428/8; MHG Const. 2 no 428/10.

[24] See already MGH Const. 2 no 428/1: "*... ut non solum maiores intra nos hoc communi presidio gratulentur, verum universi minores cum maioribus, clerici seculares et omnes religiosi cuiuscunque sint ordinis, laici et Iudei, hac tuitione perfrui se gaudeant et in tranquillitate sancte pacis valeant permanere*". This decission is repeated several times in different formulations in the sources.

[25] UB Worms 1 no 253; Annales Wormatienses, p. 55. Only the latter gives also the month.

[26] UB Worms 1 no 253: "*Ad renovandam autem omnem litis occasionem aut discordie fomitem, que inter nos et concives nostros Moguntinos nobis specialiter dilectos posset aliquotenus suboriri, quatuor viros inter nos elegimus et ipsi similiter inter se quatuor statuerunt, qui auctoritate utriusque civitatis omnes questiones et negotia inter nos utrosque amicabiliter vel per iusticiam terminabunt; quorum cum aliquis decesserit, alter loco ipsius a concilio statuetur.*"

[27] UB Worms 1 no 252.

[28] Ruser 1979 no 174.

[29] UB Worms 1 no 252: "*Hinc est, quod nos serie presentis scripti cupimus innotescere universis tam presentibus quam futuris, quod nos cooperante domino Jesu Christo pacis auctore per quem totius boni exordium est et via, propter culturam pacis et iusticie observationem convenimus unanimiter in hanc formam…*"

[30] For the history of Strasbourg in the first half of 13th century see Kammerer 1995.

[31] UB Strassburg 1 no 471.

[32] UB Strassburg 1 no 475.

[33] 29th September with Neuenburg, UB Strassburg 1 no 476; 1st October with Colmar, UB Strassburg 1 no 478; 6th November with Basel, UB Strassburg 1 no 480.

[34] UB Strassburg 1 no 475: "*… wider den bischof Walthern von Strazburg und sinen vatter den von Geroltsecke und dez kint und wider menglichen …*".

[35] See for example UB Strassburg 1 no 475: "*… disen eyt und dise sicherheit nieman abetriben noch werben sol von dem babeste noch geistlichem noch von weltlichem gerichte.*"

[36] Armistice in March see UB Strassburg 1 no 486; peace treaty in July see UB Strassburg 1 no 493.

[37] First league with Eberhard of Andlau and Konrad, Gunther, Werner and Walther of Landisperg, UB Strassburg 1 no 496. Second with Sigebrecht of Werd, UB Strassburg 1 no 497. On July 29th a league with Rudolf of Uttenheim and Eberhard of Erstein, UB Strassburg 1 no 498. Two leagues on August 24th, the first with Philipp of Reichenberg, UB Strassburg 1 no 504, the second with Rudolf of Thierstein.

[38] See Weiler 1998.

[39] UB Frankfurt 1 no 312.

[40] MGH Const. 2 no 428/9.

[41] UB Frankfurt 1 no 313.