

# VIRTUS

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## Finding safety in feuding

### Nobles' responses to Nuremberg's rural security policy in the mid-fifteenth century

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Images of resentment and revenge dominate our understanding of the rural nobility's response to the security policies which were pursued by many towns in the German countryside of the late Middle Ages. These policies were themselves a response to various forms of violence in the rural space, much of which was perpetrated by nobles. Towns such as Nuremberg sought to control strategic fortifications and to define rural spaces in their interest; they also organized regular patrols of the countryside and occasionally undertook major expeditions against fortified houses in which 'robbers' and other malefactors were allegedly housed. Sometimes these operations led to the arrest of the accused, and their removal to the city for trial and punishment. In some cases, this punishment was death. Such dramatic incidents have naturally attracted the lion's share of attention from later generations; undoubtedly, they fascinated and moved many contemporary observers too, but we know little about how late medieval nobles reacted to the towns' security policies as a whole.

From at least the early sixteenth century onwards song lyrics circulated which thematized the capture and tragic end of nobles at the hands of urban authorities.<sup>1</sup> The songs featured real nobles who were in fact executed by towns during the fourteenth and fifteenth centuries, although many of the additional details are of course impos-

1 For a discussion of the motifs of these songs in the context of the related tradition of the Lindenschmidt-songs (concerning a nobleman captured and executed by the margrave of Baden), see W. Zink, 'Die Lindenschmidtlieder. Ein historisches Ereignis und seine Interpretationsmöglichkeiten durch das Volkslied', *Jahrbuch für Volksliedforschung*, XXI (1976) 41-86.

sible to verify, and the first known printing or transcription of the text often dates from the later sixteenth or even the seventeenth century. Thus the song of Eppelein von Gailingen – Nuremberg’s ‘declared enemy’, who was executed by the city in 1381 – features his horse’s supernatural ability to carry Eppelein away from seventy pursuing Nurembergers by leaping into the river Main from atop a high rock.<sup>2</sup> The song of Fritsche Grad – executed in 1430, and described in the lyrics as a highway robber – introduces a comic element: at the moment of his capture by the forces of the city of Görlitz, Fritsche’s only thoughts are for his boots, spurs and ‘boon companions’ (*gute Gesellen*), at which his captors mock him for forgetting his wife and children.<sup>3</sup> The earliest recorded song in this genre (c.1520) concerns Hamann von Reischach, executed by the city of Ulm in 1465 or 1466. It closes with bitter and threatening words spoken by Hamann’s sister:

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The child lying in the cradle,  
Not yet able to speak,  
Must avenge its father!<sup>4</sup>

These lines allowed Gustav Freytag’s popular *Bilder aus der deutschen Vergangenheit* (*Scenes from the German Past*, first edition 1859) to paint a colourful picture of the harsh judicial ‘revenge’ which the towns took against violent nobles, whose children were raised from the cradle to seek vengeance in turn.<sup>5</sup> Freytag’s vision is clearly a product of nineteenth-century Romanticism, but a modern historian has arrived by a different route at the same conclusion: Klaus Graf argues that nobles’ feuds against towns were often acts of revenge for the ‘political’ and ‘summary’ justice which the towns administered, and that songs such as that of Hamann von Reischach preserved oral traditions which circulated amongst the nobility.<sup>6</sup>

The image of the child that must avenge its father has remained unchallenged as a depiction of late medieval nobles’ reaction to towns’ rural security policies. Feuding by German nobles has received a great deal of attention from historians, and the measures taken by towns against noble violence have also been studied.<sup>7</sup> But nobles’

2 R. von Liliencron, ed., *Die historischen Volkslieder der Deutschen vom 13. bis 16. Jahrhundert* (5 vols; Leipzig, 1865-1869), I, 92-96. For the historical figure behind the later legend, see G. Pfeiffer, ed., *Nürnberg – Geschichte einer europäischen Stadt* (Munich, 1971) 77.

3 Liliencron, *Die historischen Volkslieder*, I, 326-327.

4 K. Steiff and G. Mehring, eds, *Geschichtliche Lieder und Sprüche Württembergs* (Stuttgart, 1912) 50: ‘das kindlein in der wiegen leit, / das noch kein wort kan sprechen, / seinen vater den müß es rechen!’ See also Liliencron, *Die historischen Volkslieder*, I, 545. On the date of the first printing, see Steiff and Mehring, *Lieder und Sprüche*, 51.

5 G. Freytag, *Bilder aus der deutschen Vergangenheit. Vom Mittelalter zur Neuzeit* (sixth edition; Leipzig, 1871) 309-311.

6 K. Graf, “Der adel dem purger tretg haß.” Feindbilder und Konflikte zwischen städtischem Bürgertum und landsässigem Adel im späten Mittelalter’, in: W. Rösener, ed., *Adelige und bürgerliche Erinnerungskulturen des Spätmittelalters und der Frühen Neuzeit* (Göttingen, 2000) 201-202.

7 See, in particular, U. Andermann, *Ritterliche Gewalt und bürgerliche Selbstbehauptung. Untersuchungen*



Later versions of Epplein von Gailingen's legend include his escape from execution in Nuremberg by leaping on his horse from the city walls. This scene is depicted (left) in a drawing by Bernhard Wenig in G.P. Lücke, *Des Stegreifhelden Eppelin von Gailing Leben und Taten* (Konstanz, c. 1924), between pages 108 and 109; and (right) in a mural by Jakob Dietz (1889-1960) at Obere Söldnergasse 1, near to the site of the supposed escape (photo by author, 2013)

responses to these measures are rarely glimpsed in the sources, and thus rarely debated today. In this article, I will analyse material from the fifteenth-century administrative records of the imperial city of Nuremberg – with a particular focus on sources

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zur Kriminalisierung und Bekämpfung des spätmittelalterlichen Raubrittertums am Beispiel norddeutscher Hansestädte (Frankfurt am Main, 1991).

from the 1440s – which reveals nobles’ responses to the town’s security operations in a new light.<sup>8</sup>

Correspondence between the town council and the nobility of the surrounding countryside will be at the heart of the study. Some nobles’ letters to Nuremberg and other recipients are preserved in special files which the civic chancery kept on individual feuds, but much further material can be found in the town’s registers of outgoing correspondence (the *Briefbücher*), which constitute an almost day-by-day record of Nuremberg’s written communication with the rural nobility. Letters of all types and levels of significance were registered as drafts and edited within the *Briefbücher*.<sup>9</sup> Nuremberg’s replies summarized the points in the original letter to which the town council wished to respond, helping us to recover at least some of the content of nobles’ letters to Nuremberg on the subject of its rural security operations.

14 This partially compensates for the lack of surviving noble archives with material relevant to issues of rural security, whilst the focus on a relatively short period of time enables us to make best use of this dense archival material – for instance, allowing nobles’ responses to the town’s policies to be understood in their individual contexts, rather than treating the nobility as an undifferentiated group. The particular characteristics of the 1440s must also be given their due, especially the growing tensions between south German towns and many territorial princes which marked the decade. However, the rural insecurity which appears in the Nuremberg sources before the outbreak of open hostilities between leagues of princes and towns in 1449 (the so-called Second South German Towns’ War) is far from specific to this period. As we will see, most of the feuding activity which impacted on Nuremberg’s security was generated by conflicts between nobles and princes, some of which extended over multiple decades.

At first sight, our new sources appear to confirm the traditional picture of nobles’ anger and resentment towards the towns. Yet a closer inspection shows that much of the emotion which nobles displayed was part of a calculated strategy to gain a measure of protection from the town’s relentless pursuit of its own security interests.<sup>10</sup> In order to understand this situation, we must first clarify the particular ways in which both townspeople and rural nobles posed a threat to one another in the late medieval German countryside.

8 Staatsarchiv Nürnberg, Reichsstadt Nürnberg (StAN). Letter books, civic accounts, and feud files dating from between January 1440 and March 1448 (inclusive) have been analysed systematically, but I also draw on selected material from beyond this time frame.

9 StAN Rep. 61a, Briefbücher des inneren Rats (BB). *Briefbuch* volumes survive from 1404 onwards, excluding the periods Nov. 1412-June 1414, April 1416-April 1419, April 1445-July 1446, and Dec. 1460-August 1462.

10 The political purposes of emotional displays have been observed in both the earlier and later Middle Ages: S.D. White, ‘The politics of anger’, in: B.H. Rosenwein, ed., *Anger’s past. The social uses of an emotion in the Middle Ages* (Ithaca, 1998) 127-152 (146: ‘Anger was incorporated into political postures and processes; it was part of an entire discourse of feuding’); D. Smail, ‘Hatred as a social institution in late-medieval society’, *Speculum*, LXXVI (2001) 90-126.

## The nobility and feuding

Noble violence in the late Middle Ages is inextricably linked to the institution of the feud. This custom of legal self-help has fascinated later observers, especially those whose response has been shaped by the Enlightenment. During the eighteenth and nineteenth centuries attitudes towards late medieval feuding aligned with powerful political and cultural interests: the bourgeois-liberal attack on 'feudalism' co-opted the feuding nobleman as the example *par excellence* of the arbitrary and corrupt exercise of power, whilst the same noblemen became exemplars for a Romantic critique of contemporary society as stifled by anaemic bourgeois conventions.<sup>11</sup> In this context, the image of the 'robber knight' (*Raubritter*) came to dominate perceptions of the late medieval nobility.<sup>12</sup>

It was assumed that most feuds were products of an economic and moral decline of the nobility. Gustav Freytag consequently described nobles' 'hatred and envy' of the wealth of the towns, and their pursuit of feuds as an instrument of power, a source of income, and even the 'wild poetry' which gave meaning to their lives. Feuds were fought against towns to punish the burghers for their pretensions, but also as an adventure which could lead to huge financial gain from the plunder of merchants' convoys.<sup>13</sup> This *Raubritter*-thesis was sustained long after the erosion of the cultural landscape in which it had originated by the theory that the late medieval nobility was facing an economic crisis ultimately caused by population decline.<sup>14</sup> The consequent fall in the value of agricultural produce and rise in the cost of labour created a 'price scissors' which, combined with the devaluation of fixed-rate rents, turned many rural nobles into 'desperados' forced to make ends meet by robbing the prosperous towns.<sup>15</sup>

The historiographical tides have now turned against this theory of crisis. It has been shown that nobles often received rents in kind and were thus immune from inflation,<sup>16</sup> and that many of them were capital-rich creditors, lending (collectively and

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11 See E. Schubert, *Einführung in die deutsche Geschichte im Spätmittelalter* (Darmstadt, 1998) 112; K. Graf, 'Feindbild und Vorbild. Bemerkungen zur städtischen Wahrnehmung des Adels', *Zeitschrift für die Geschichte des Oberrheins*, CXL (1993) 139-143; P. Johaneck, 'Mittelalterliche Stadt und bürgerliches Geschichtsbild im 19. Jahrhundert', in: G. Althoff, ed., *Die Deutschen und ihr Mittelalter* (Darmstadt, 1992) 84-85; U. Peters, *Literatur in der Stadt. Studien zu den sozialen Voraussetzungen und kulturellen Organisationsformen städtischer Literatur im 13. und 14. Jahrhundert* (Tübingen, 1983) 10-11, 35.

12 See Graf, 'Feindbilder und Konflikte', 203-204.

13 Freytag, *Bilder aus der deutschen Vergangenheit*, 294-299.

14 Discussed by Andermann, *Ritterliche Gewalt*, 70-72; R. Sablonier, 'Zur wirtschaftlichen Situation des Adels im Spätmittelalter', in: *Adelige Sachkultur des Spätmittelalters* (Vienna, 1982) 9-34. Rejected by H. Zmora, 'Princely state-making and the "crisis of the aristocracy" in late medieval Germany', *Past & Present*, CLIII (1996) 53.

15 For the term 'desperados', see H. Helbig, 'Die brandenburgischen Städte des 15. Jahrhunderts zwischen Landesherrschaft und adligen Ständen', in: W. Rausch, ed., *Die Stadt am Ausgang des Mittelalters* (Linz, 1974) 239.

16 K. Andermann, 'Zu den Einkommensverhältnissen des Kraichgauer Adels an der Wende vom Mittelalter zur Neuzeit', in: S. Rhein, ed., *Die Kraichgauer Ritterschaft in der frühen Neuzeit* (Sigmaringen, 1993)

individually) huge sums to other nobles, to princes, and sometimes also to townspeople.<sup>17</sup> Nobles were able to invest heavily in acquiring mortgaged (or ‘pledged’) properties and titles from territorial princes from which they could draw a further income.<sup>18</sup> Why some nobles had such enormous capital whilst others struggled so badly remains unclear, but it seems that those who were able to use their resources for political gain entered a virtuous circle, whilst political reverses – rather than underlying economic structures – brought about the ruin of others.<sup>19</sup> Further studies have shown that feuding was not generally a profitable enterprise, given the costs and risks associated with the deliberate exercise of violence.<sup>20</sup> Indeed, most nobles who undertook feuds were already the wealthiest members of their class.<sup>21</sup>

Whilst we can never rule out the possibility that some feuds were simply a cover for robbery, the interest of historians has shifted away from the economic to the social and political functions of feuding. Research by Hillay Zmora in particular has developed new ways of reading nobles’ feuding behaviour. Zmora sees feuding as both a means by which nobles built up political capital with the territorial princes who could decisively influence their fortunes, and a way in which nobles communicated to princes and fellow nobles their capacity to defend their rights and interests, and thus their ability to meet their obligations to others and to function as useful allies and supporters.<sup>22</sup> In other words, feuding was essential to the maintenance of noble status. These models have been developed largely from Franconian evidence and remain to be tested in other regions, but they offer a powerful explanation for the prevalence of feuds which were carried out with seemingly little chance of success or on transparently spurious grounds. These feuders were not ‘desperados’, but they were caught in a tight net of obligations whilst facing stiff competition for power and prestige.

Nonetheless, ‘robbery’ – the violent seizure of property without a specific legal sanction – was frequently practised by feuding nobles, and townspeople were often their victims. Plunder was simply the most effective way of putting pressure on an opponent without fatally compromising that opponent’s ability to meet the feuder’s

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76-86. See also H. Zmora, *State and nobility in early modern Germany. The knightly feud in Franconia, 1440-1567* (Cambridge, 1997) 53-55.

17 Zmora, ‘Princely state-making’, 39-41; Andermann, ‘Zu den Einkommensverhältnissen’, 103-108; M. Bittmann, *Kreditwirtschaft und Finanzierungsmethoden. Studien zu den wirtschaftlichen Verhältnissen des Adels im westlichen Bodenseeraum 1300-1500* (Stuttgart, 1991) 165, 172, 217.

18 Zmora, ‘Princely state-making’, 42-47; Bittmann, *Kreditwirtschaft*, 121, 143, 148-149.

19 Andermann, ‘Zu den Einkommensverhältnissen’, 109-111; Bittmann, *Kreditwirtschaft*, 222, 268.

20 Bittmann, *Kreditwirtschaft*, 102-110; C. Reinle, ‘Einleitung’, in: J. Eulenstein, C. Reinle and M. Rothmann, eds, *Fehdeführung im spätmittelalterlichen Reich. Zwischen adeliger Handlungslogik und territorialer Verdichtung* (Affalterbach, 2013) 23; N. Konzen, *Aller Welt Feind. Fehdenetzwerke um Hans von Rechenberg (†1464) im Kontext der südwestdeutschen Territorienbildung* (Stuttgart, 2014) 402.

21 Zmora, *State and nobility*, 79-86.

22 See, in particular, Zmora, *State and nobility*, and idem, *The feud in early modern Germany* (Cambridge, 2011).

demands. And although feuds against princes and fellow nobles were generally more important to rural nobles than their feuds against towns, burghers and their property routinely sustained damage through all forms of rural violence. An analysis of high-way 'robberies' carried out by nobles between January 1440 and March 1448 which impacted on citizens of Nuremberg shows that at least half of the attacks – and most probably three-quarters of them – were not part of feuds against Nuremberg directly. In the majority of these cases it is also possible to locate the attack in the context of a feud against a third party, mostly a territorial prince or another noble. There is clear evidence that townspeople were targeted as a means to put pressure on a noble's real opponent, or that they and their property were caught in ambushes which had other intended targets, or that they were victims of mistaken identity.<sup>23</sup>

As a consequence, towns such as Nuremberg faced a continuous and omnipresent threat from many feuds over which the town council could hardly gain an overview, let alone exert any control. This was in addition to the threat posed by nobles who declared feuds against the town itself, and could thus be combatted directly. The threat from general rural insecurity demanded a different response, and the town set out its position in repeated letters to feuding nobles admonishing them to make their attacks 'where one ought to strike one's enemies'.<sup>24</sup> Practically speaking, this meant that violent acts should be carried out away from the main highways which carried Nuremberg's vital long-distance trade.<sup>25</sup> Nuremberg declared all violence which it could not tolerate to be outside the laws of feuding and thus criminal and punishable.<sup>26</sup> But it was not sufficient simply to declare roads and merchants off limits for feuding; more proactive measures had to be taken.

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### Towns and rural security

The towns' answer to the threat posed by nobles' violence in the countryside was to take the maintenance of rural security partly into their own hands. This is not to say that towns did not also rely on the safe conduct provided by princes and nobles, though this was rarely very effective. Towns also sought alliances with princes and

<sup>23</sup> B. Pope, *Relations between townspeople and rural nobles in late medieval Germany. A study of Nuremberg in the 1440s* (Durham University PhD thesis, 2016) 151-173.

<sup>24</sup> For example, BB 9, fol. 259r-v (17 June 1432): 'da man veynd besuchen sölt'.

<sup>25</sup> There is no evidence that Nuremberg attempted to suppress feuding *per se*. See H. Zmora, 'Ruf, Vertrauen, Kommunikation. Fehde und adlige Identität in Franken im Spätmittelalter', in: J. Schneider and S. Reichert, eds, *Kommunikationsnetze des Niederadels im Reich um 1500* (Stuttgart, 2012) 147-148; E. Orth, *Die Fehden der Reichsstadt Frankfurt am Main im Spätmittelalter. Fehderecht und Fehdepraxis im 14. und 15. Jahrhundert* (Wiesbaden, 1973) 140. See also T. Vogel, *Fehderecht und Fehdepraxis im Spätmittelalter am Beispiel der Reichsstadt Nürnberg (1404-1438)* (Frankfurt am Main, 1998) 165.

<sup>26</sup> See R. Sprandel, 'Das Raubrittertum und die Entstehung des öffentlichen Strafrechts', *Saeculum*, LVII (2006) 69, on the towns' subjective view of feuding as robbery.



groups of nobles as a measure against robbery,<sup>27</sup> but these alliances were in tension with the importance of feuding within princes' and nobles' wider strategies. The emperor's ideal function as a protector of travellers was often invoked,<sup>28</sup> but hardly ever realized. From our perspective the towns appear to have had little option but to take unilateral action, although rural nobles may have seen things differently.

A broad spectrum of urban society was affected by rural insecurity, and in a city with well-developed long-distance trade (such as Nuremberg), the urban elite were no less vulnerable than their non-elite fellow citizens. The wealthy members of the town council had much in common with the rural nobility: they expressed themselves through chivalric culture, owned extensive rural estates, and formed an oligarchy which ruled the city by hereditary right.<sup>29</sup> But the connections between the council families and rural nobles were limited, and the urban elite of the mid-fifteenth century certainly understood themselves to be distinct from the rural nobility.<sup>30</sup> There was very little intermarriage between Nuremberg's elite and the various regional groups of interrelated noble families,<sup>31</sup> and the number of nobles in Nuremberg's service was never very substantial. Most significantly in this context, the frequency of noble attacks on urban commercial interests shows that economic ties between town and country, whilst embracing a considerable exchange of raw materials and manufactured goods, did not include significant investment by nobles in the urban commercial system on which Nuremberg's elite depended. The town's opportunities to improve rural security by forming closer relationships with rural nobles were thus limited.

What security solutions remained available to Nuremberg? It was impossible to control the problematic nobles themselves, as there was no neat distinction between the rapacious and the virtuous nobility. The strategy therefore was to control the spaces in which nobles and townspeople might come into conflict. This could be achieved through mobile responses such as patrols; through the partial closing-off of particular spaces with linear earthworks; and through the tighter control of fixed strategic points with castles. The benefits of these actions had to be weighed against their costs, both economic and political: numerous towns throughout Germany at various times expressed reluctance to take on the custody of costly and politically

27 For example, a proposed league between the count of Württemberg, the Swabian League of towns, and the nobles of the Society of St George's Shield in 1428: H. Mau, *Die Rittergesellschaften mit St. Jörgenschild in Schwaben* (Stuttgart, 1941) 75.

28 See T. Brady, *Turning Swiss. Cities and Empire 1450-1550* (Cambridge, 1985) 22-23; also L. Scales, *The shaping of German identity. Authority and crisis 1245-1414* (Cambridge, 2012) 104.

29 For a detailed overview, see P. Fleischmann, *Rat und Patriziat in Nürnberg* (3 vols; Neustadt an der Aisch, 2008).

30 For instance, the Nuremberg councillor Erhard Schürstab defined the two parties in the Second Towns' War as: 'die herren und aller adel (...) wider die stat Nürnberg und wider all reichstet' (K. von Hegel, ed., *Die Chroniken der fränkischen Städte: Nürnberg* (5 vols; Leipzig, 1862-1874) II, 137.

31 Although incomplete, the genealogical tables in Fleischmann, *Rat und Patriziat*, give a good sense of the largely endogamous marriage customs of Nuremberg's elite families.

sensitive castles,<sup>32</sup> and in January 1447 Nuremberg politely declined an anonymous nobleman's offer of a castle for sale.<sup>33</sup> Powerful neighbouring princes (especially the Hohenzollern dynasty) were probably the main restraint on Nuremberg, which in the fifteenth century – in contrast to its dramatic territorial expansion in the early sixteenth century – maintained few defences outside of the city's immediate environs.<sup>34</sup> Beyond this area, the city relied mostly on regular patrols of the countryside.

Nobles *per se* were not the target of these patrols, which were for the most part led by minor nobles in Nuremberg's employment.<sup>35</sup> The ostensible quarry were general malefactors and peace-breakers, those often labelled by contemporaries as 'harmful people' (*schädliche Leute*).<sup>36</sup> Nuremberg possessed an imperial privilege dating from 1320 which empowered its forces to capture *schädliche Leute* beyond the walls and bring them back to the town for punishment; this was confirmed by Emperor Sigismund at his coronation in Rome in 1433 and extended by Frederick III shortly after his accession in 1440 to the effect that Nuremberg could proceed as it saw fit against all those who had harmed its citizens.<sup>37</sup> Other towns throughout the German-speaking Empire obtained similar privileges during the late Middle Ages,<sup>38</sup> but were simultaneously aware that these documents could only ever form part of the constant effort required to assert their right to patrol the countryside. Nuremberg therefore repeatedly stated that it was not only permitted to arrest robbers, but was positively obliged to do so for the sake of the Empire, justice, and the common good.<sup>39</sup> All towns were acutely conscious of the need to defend this right: when the nobleman Georg von Bebenburg declared a feud against Schwäbisch Hall over a rural *mêlée* in which

32 For examples from Ulm and Schwäbisch Hall, see G. Wunder, 'Reichsstädte als Landesherrn', in: E. Meynen, ed., *Zentralität als Problem der mittelalterlichen Stadtgeschichtsforschung* (Cologne-Vienna, 1979) 82. Compare with Braunschweig, where the city's bankruptcy in 1374 was blamed on the number of castles which it had taken on as pledges: Andermann, *Ritterliche Gewalt*, 210.

33 BB 18, fol. 144v (17 Jan. 1447).

34 For a survey of the varied policies adopted by south German cities in order to control their environs, see Tom Scott, *The City-State in Europe, 1000-1600. Hinterland – Territory – Region* (Oxford, 2012) 148-164.

35 P. Sander, *Die Reichsstädtische Haushaltung Nürnbergs. Dargestellt auf Grund ihres Zustandes von 1431 bis 1440* (Leipzig, 1902) 490-498.

36 See W. Sellert, 'Landschädliche Leute', *Handwörterbuch zur deutschen Rechtsgeschichte*, III (2014) cc. 578-581.

37 W. Leiser, 'Das Landgebiet der Reichsstadt Nürnberg', in: R. Endres, ed., *Nürnberg und Bern. Zwei Reichsstädte und ihre Landgebiete* (Erlangen, 1990) 231; C.H. von Lang et al., eds, *Regesta sive rerum boicarum autographa* (13 vols; Munich, 1822) XIII, 261; Regesta Imperii Online 13.14, no. 16 (17 May 1440) [http://www.regesta-imperii.de/id/1440-05-17\\_6\\_0\\_13\\_14\\_0\\_16\\_16](http://www.regesta-imperii.de/id/1440-05-17_6_0_13_14_0_16_16), accessed 30 Jan. 2015. See also J. Müllner, *Die Annalen der Reichsstadt Nürnberg von 1623*, ed. G. Hirschmann (2 vols; Nuremberg, 1972) II, 343.

38 For examples, see Andermann, *Ritterliche Gewalt*, 159-160; R. Kießling, *Die Stadt und ihr Land. Umlandpolitik, Bürgerbesitz und Wirtschaftsgefüge in Ostschwaben vom 14. bis 16. Jahrhundert* (Cologne-Vienna, 1989) 35; Helbig, 'Die brandenburgischen Städte', 231.

39 For example, BB 15, fols 80v (9 Aug. 1441), 86v (16 Aug. 1441); BB 16, fols 87r (9 July 1443), 107v (14 Aug. 1443). For argument from custom, see BB 7, fol. 118r (26 Nov. 1426): 'als unsere eltern auf uns bracht haben'.

21 of his men had been taken prisoner and subsequently executed by the town, the city council of Ulm described the matter to the other leading towns of Upper Germany as an important precedent for the right of imperial cities to judge malefactors.<sup>40</sup>

The patrols themselves protected travellers at particular places and times, gathered information, and acted as a deterrent. Those setting out from Nuremberg could easily operate around thirty kilometres from the city, and specific tasks such as the protection of wine being transported from the Main valley could see them deployed at least fifty kilometres beyond the walls.<sup>41</sup> A large contingent might comprise eighteen mounted men,<sup>42</sup> but in general their strength ranged between seven and twelve,<sup>43</sup> and they could be in the field for up to four days.<sup>44</sup> With between 63 and 108 men available at any one time,<sup>45</sup> Nuremberg had the capacity to mount several such patrols simultaneously. The patrols were supported by a powerful institutional memory in the form of documents or volumes listing various enemies and suspects.<sup>46</sup> In August 20 1441 the outgoing mayors of Nuremberg reminded their successors to order patrols against those denounced by Weinmar von Muggenthal, a nobleman recently executed for robbery.<sup>47</sup>

More substantial military undertakings were part of the same security operation, and expeditions periodically set out to 'break' the castles of 'robbers'. Until the reign of Rupert of the Palatinate (1400-1410) these were sometimes demonstrative acts by kings and emperors in cooperation with cities. But the Swabian League of towns also undertook such expeditions on its own initiative, as did Nuremberg independently: for instance, an expedition in 1444 against Hans and Fritz von Waldenfels which destroyed the castle of Wartenfels and unsuccessfully besieged Lichtenberg.<sup>48</sup> Both patrols and larger expeditions could result in the arrest of nobles, who could then be tried in the town.

Arrests, prosecutions, and shows of strength by towns brought further trouble in their wake. There might be a suspicion of duplicity, as in February 1441 when Georg von Riedheim, governor of Höchstädt, was executed by Augsburg following an am-

40 H. Blezinger, *Der schwäbische Städtebund in den Jahren 1438-1445* (Stuttgart, 1954) 87 (26 May 1442).

41 Sander, *Die Reichsstädtische Haushaltung Nürnbergs*, 491-492.

42 StAN Rep. 54 12, fol. 68r.

43 Sander, *Die Reichsstädtische Haushaltung Nürnbergs*, 491-493.

44 StAN Rep. 54 12, fol. 68r.

45 G. Fouquet, 'Die Finanzierung von Krieg und Verteidigung in oberdeutschen Städten des späten Mittelalters', in: B. Kirchgässner and G. Scholz, eds, *Stadt und Krieg. 25. Arbeitstagung des Südwestdeutschen Arbeitskreises für Stadtgeschichtsforschung in Böblingen 1986* (Sigmaringen, 1989) 62.

46 The surviving registers from Nuremberg have been published: W. Schultheiß, ed., *Die Acht-, Verbots- und Fehdebücher Nürnbergs von 1285-1400* (Nuremberg, 1960). See Andermann, *Ritterliche Gewalt*, 178, 234-237. Zmora, *State and nobility*, 76 describes writing as 'another weapon townsfolk were good at plying'.

47 StAN Rep. 60b, Ratsbücher 1b, fol. 15r.

48 Hegel, ed., *Die Chroniken der fränkischen Städte*, II, 57-68.

bush outside Donauwörth, where he had been staying under safe conduct.<sup>49</sup> Later in 1441 Nuremberg's troops broke into the residence of Weinmar von Muggenthal in order to capture and execute him, leading to years of dispute with surviving members of the Muggenthal family over property taken during this event.<sup>50</sup> Towns might also act very hastily in order to preclude any awkward requests for clemency: in 1441, Nuremberg was pushing for the town of Rothenburg to punish their prisoner Wilhelm von Elm, who had attacked the dependents of a Nuremberg councillor, but it was feared that a forthcoming diet at Mergentheim would make this politically impossible. When Rothenburg finally sent news of Elm's execution, the Nuremberg council tipped the messenger with a pound of new 'Haller' coinage.<sup>51</sup>

This concentration of executions in 1441 is by no means typical; such events were in general relatively uncommon.<sup>52</sup> But it is clear that a town such as Nuremberg could be relentless, inventive and perhaps – from an unfavourable perspective – unscrupulous in its pursuit of nobles who were felt to be deserving of punishment. When all else failed, bounties were placed on the heads of noblemen: for instance, Nuremberg's offer of 2,000 Gulden for Hans and Fritz von Waldenfels alive, and 1,000 Gulden for the pair dead.<sup>53</sup> Backed by such vigorous measures, the rural patrols in themselves became a serious threat to nobles, as can be seen from nobles' equally energetic response.

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### Nobles' responses: security through feuding

Nuremberg's patrols were just one of the threats to rural nobles generated by feuding in the countryside. In 1518 Ulrich von Hutten complained to his fellow humanist Willibald Pirckheimer that he could not leave his castle unless clad in iron for fear that he would be ambushed and captured by an enemy of his prince.<sup>54</sup> Hutten is a highly atypical witness, but fears of assault in the countryside appear in more prosaic sources too. In 1429 Albrecht von Egloffstein complained that Nuremberg's men had chased him on horseback; the city's servitor Peter Heidenaber replied that he and his companions had been stationed in a village when some unknown mounted men appeared, then

<sup>49</sup> Blezinger, *Der schwäbische Städtebund*, 69-70.

<sup>50</sup> BB 15, fol. 113r-v (4 Oct. 1441); BB 17, fol. 192v (19 Jan. 1445).

<sup>51</sup> BB 15, fols 124r (25 Oct. 1441), 125r (26 Oct. 1441), 126v-127r (30 Oct. 1441), 138r (17 Nov. 1441), 147r (2 Dec. 1441).

<sup>52</sup> Regina Görner found no evidence for the execution of nobles in Westphalia: R. Görner, *Raubritter. Untersuchungen zur Lage des spätmittelalterlichen Niederadels, besonders im südlichen Westfalen* (Münster, 1987) 251-258; and Orth, *Die Fehden*, 33, argues that knights were rarely put to death at Frankfurt.

<sup>53</sup> Müllner, *Die Annalen*, II, 370. See also Lang et al., *Regesta Boica*, XII, 244 (11 April 1416) and G. v. Egloffstein, *Chronik der vormaligen Reichsherrn jetzt Grafen und Freiherren von und zu Egloffstein* (Aschaffenburg, 1894) 123.

<sup>54</sup> W. Trillitzsch, 'Der Brief Ulrichs von Hutten an Willibald Pirckheimer', in: P. Laub, ed., *Ulrich von Hutten: Ritter, Humanist, Publizist 1488-1523. Katalog zur Ausstellung des Landes Hessen anlässlich des 500. Geburtstages* (Kassel, 1988) 218.

immediately fled. Nuremberg's men gave chase, and only in the next village could the two groups ascertain each other's identity.<sup>55</sup> In 1447 Paul von Streitberg made a similar complaint, and Nuremberg's men replied that they had tried to discover the identity of four riders near Bamberg who had made off at speed but could only lay hands on a boy, who refused to say who the riders were.<sup>56</sup> These incidents illustrate the fear and suspicion which could surround any group of mounted and armed men in the countryside, even (or especially) when identities were unclear. But they also form part of a series of complaints by nobles about Nuremberg's rural patrols in particular.

Nobles frequently wrote to Nuremberg's council to express a suspicion that Nuremberg was targeting them personally with its rural security operation. These allegations differed in their specificity: at the most general level, nobles claimed to suspect that Nuremberg was itself suspicious of them.<sup>57</sup> This was almost always denied by the council, which also denied having any enmity towards many nobles.<sup>58</sup> This denial was often coupled with or replaced by a positive assurance of good relations.<sup>59</sup> Further nobles alleged that certain named individuals were Nuremberg's 'secret servants' (*heimlicher Knechte*), which was also – inevitably – publicly denied by the council.<sup>60</sup> Nobles also made specific allegations about the rural patrols themselves, accusing Nuremberg of having them personally followed or watched, or even of planning to attack and capture them.<sup>61</sup> In 1443, for instance, Sigmund von Seckendorff

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55 BB 8, fols 209v-210r (19 Dec. 1429).

56 BB 18, fol. 365r (16 Oct. 1447).

57 For instance, at least 28 nobles between 1440 and March 1448: BB 14, fols 160v (9 April 1440), 164v (18 April 1440), 174v (16 May 1440), 250v-251r (7 Oct. 1440), 301v-302r (4 Jan. 1441), 329r (10 March 1441); BB 15, fols 79r (8 Aug. 1441), 137v (16 Nov. 1441), 351v (24 Nov. 1442); BB 16, fols 54r (4 May 1443), 63r (15 May 1443), 178r (13 Dec. 1443); BB 17, fols 13v-14r (4 May 1444), 18v (12 May 1444), 22v (13 May 1444), 24v-25v (16 May 1444), 59r-v (3 July 1444), 94v (12 Aug. 1444), 112v (4 Oct. 1444), 148r-v (12 Nov. 1444), 219r (19 Feb. 1444); BB 18, fols 2v-3r (18 July 1446), 72v-73r (8 Oct. 1446), 178r (28 Feb. 1447), 279v (27 June 1447), 317v (11 Aug. 1447), 350r (22 Sep. 1447), 365r (16 Oct. 1447), 376v (27 Oct. 1447).

58 For example, BB 14, fols 187r-188r (11 June 1440), 239v-240v (17 Sept. 1440); BB 15, fols 1 (21 April 1441), 96v (30 Aug. 1441), 190r-v (16 Feb. 1442), 238r (4 May 1442); BB 17, fols 74v (15 July 1444), 100r-101r (1 Sep. 1444), 148v (12 Nov. 1444), 206v-207r (3 Feb. 1445); BB 18, fols 72v-73r (8 Oct. 1446).

59 For example, BB 17, fols 183r-v (29 Dec. 1444), 206v-207r (3 Feb. 1445).

60 Nineteen nobles between 1440 and March 1448: BB 14, fols 211r (26 July 1440), 216v-217r (8 Aug. 1440); BB 15, fols 31d (5 June 1441), 40v (12 June 1441), 84v (14 Aug. 1441), 119v (16 Oct. 1441), 221v (23 March 1442), 323v-324r (11 Oct. 1443); BB 16, fols 175v (11 Dec. 1443), 192r (8 Jan. 1444); BB 17, fols 8v (20 April 1444), 10v (24 April 1444), 19r (12 May 1444), 108v (19 Sept. 1444); BB 18, fols 57r-v (24 Sept. 1446), 447v (3 Feb. 1448); BB 19, fol. 1v (28 March 1448); StAN Rep. 54 11, fol. 67v.

61 Eighteen nobles between 1440 and March 1448: BB 14, fol. 351v (8 April 1441); BB 15, fols 6r-v (28 April 1441), 17r (18 May 1441), 29v (31 May 1441), 96r (30 Aug. 1441), 307r, 308v (11 Sept. 1442); BB 16, fols 56r (7 May 1443), 59v-60r, 61r (11 May 1443), 64r (15 May 1443), 65r, 67r-v (20 May 1443), 84v (28 June 1443), 93v (19 July 1443), 107v (14 Aug. 1443), 129v-130r (19 Sept. 1443), 262v (31 March 1444), 265v-266r (3 April 1444); BB 17, fols 25v (16 May 1444), 143v (4 Nov. 1444), 219r (19 Feb. 1445), 245v (27 March 1445); BB 18, fols 348r (20 Sep. 1447), 365r (16 Oct. 1447), 376v (27 Oct. 1447), 452v-453r (10 Feb. 1448); StAN Rep. 2a 948 (2 Dec. 1443). A further five complained on behalf of others allegedly followed or captured by Nuremberg: BB 16, fols 114v-115r (28 Aug. 1443); BB 17, fols 14v-15r (4 May 1444); BB 18, fols 1r-v (14 July 1446), 3r-v (18 July 1446), 117r (7 Dec. 1446), 188v-189r (13 March 1447).

claimed that Nuremberg had stationed men in order to ambush him, and that these men had shot his horse and chased after him.<sup>62</sup> The council usually replied that its patrols were simply protecting the roads in general, and that any such incidents were accidental. But nobles knew that the city had the administrative tools to support attacks on specific individuals. In 1427 Reinhard von Hartheim, governor of Wertheim on the river Main, wrote to Nuremberg to clarify a rumour that his name had been entered into a book of *schädliche Leute* kept by the town; Nuremberg denied that this had happened.<sup>63</sup>

Rumour is the hallmark of these allegations. Nobles generally wrote that they had heard it rumoured – often as a matter of local hearsay (*lantmansweise*) – or had been told ‘secretly’ that Nuremberg was suspicious of them or was having them followed. These vague suggestions of rumour and confidential discussions allowed nobles to raise the possibility that Nuremberg might be suspicious of them without openly admitting to any behaviour towards which the city might be ill-disposed. In fact, we know from contextual sources that many of these nobles were engaged in feuding activity, and were therefore potentially implicated in rural violence and robbery on the roads.<sup>64</sup> Around the time at which he accused Nuremberg of trying to ambush him, Sigmund von Seckendorff was waging a protracted feud against the bishop of Bamberg, probably over Sigmund’s father’s outstanding loans to the bishopric, which Sigmund was still trying to recover in 1454.<sup>65</sup> Christoph Notthafft zum Weißenstein accused Nuremberg of ordering its servitor Nicholas Gieß to tail him,<sup>66</sup> when Notthafft and Gieß were already engaged in a feud entirely on their own account.<sup>67</sup> Not every noble who suspected that Nuremberg was hostile towards him is known to have been active in a feud at the same time, but many of the most active feuders in the region did ask about the council’s intentions towards them.<sup>68</sup> In contrast to the deliberate ambiguity of their language, nobles had a very clear purpose in raising these issues with the council.

Nobles who had already carried out an attack which impacted on Nuremberg might ask whether they were ‘secure’ (*sicher*) against future reprisals or punishments.<sup>69</sup> As-

62 BB 16, fols 129v-130r (19 Sept. 1443).

63 BB 7, fol. 172v (12 May 1427).

64 Specific attacks: BB 14, fols 301v-302r (4 Jan. 1441); BB 15, fols 79r (8 Aug. 1441), 137v (16 Nov. 1441); BB 18, fols 2v-3r (18 July 1446), 178r (28 Feb. 1447), 317v (11 Aug. 1447). General attacks on roads: BB 14, fol. 329r (10 March 1441); BB 17, fol. 22v (13 May 1444). Feuds: BB 16, fol. 178r (13 Dec. 1443); BB 17, fols 13v-14r (4 May 1444).

65 J. Looshorn, *Die Geschichte des Bisthums Bamberg* (7 vols; Munich-Bamberg, 1886-1910), IV, 273-274.

66 BB 16, fol. 84v (28 June 1443).

67 BB 15, fol. 7v (29 April 1441).

68 Paul von Streitberg is a good example. See above for his encounter with Nuremberg’s patrols near Bamberg, and for his feuding see D. Zöberlein, ‘Vom Rittergut zum markgräflichen Amt Streitberg’, *Archiv für Geschichte von Oberfranken*, LXXXV (2005) 48.

69 For example, Hans von Rechberg (BB 15, fol. 36r-v, 28 March 1443); Burkhard and Hans Münch von Landskron, Melchior von Blumeneck, and Pentelin von Heimenhofen (BB 17, fol. 74v, 15 July 1444).

surances of security and general amicability were a standard component of letters of reconciliation which formally ended disputes following the taking of property or prisoners,<sup>70</sup> but it is easy to see why nobles sought such an assurance at the earliest possible opportunity. They wished to oblige Nuremberg to restrict its own freedom of action by issuing a public declaration that it did not harbour certain intentions or would not undertake certain actions.<sup>71</sup> This was obviously far from an absolute guarantee of safety, but it did make subsequent action against that noble harder to justify, especially in the face of feuding conventions which decreed that all enmities must be openly declared.

Qualifications or ambiguities in such statements were inevitably a very sensitive matter, as the case of Eberhard von Dottenheim clearly shows. In 1434 Dottenheim attacked a convoy of merchants near Uffenheim (62 km west of Nuremberg), targeting (so he later claimed) citizens of Straubing, but also taking a large amount of cloth which was claimed by burghers of Nuremberg.<sup>72</sup> Dottenheim accused Nuremberg of entering his castle at Schüpf (101 km west of Nuremberg) and forcibly removing cloth stored there,<sup>73</sup> but the council outwardly hoped for an amicable solution and informed Dottenheim that it knew of nothing other than good relations with him at that time (*wir wissen sust zu disen zeiten mit ewch nicht zuschicken haben denn guts*).<sup>74</sup> Dottenheim replied sarcastically that much time passes in one day (*daz gar vil zeit in dem tag hingeeet*), and demanded that Nuremberg give him an assurance that it would not attack him without fourteen days' notice, warning that otherwise he would be forced to take measures he would rather avoid.<sup>75</sup> Shortly afterwards Dottenheim declared a feud on the grounds that Nuremberg's response to his request for security contained 'hidden words' (*verdeckte worte*).<sup>76</sup> But this feud was not the end of Dottenheim's efforts to obtain a guarantee of his peace with Nuremberg, merely a tactical escalation of the situation. It allowed him to involve powerful third parties in his cause. Count Johann of Wertheim now took on the role of mediator, and suggested that Nuremberg observe a month's truce with Dottenheim.<sup>77</sup> When this approach failed, Wertheim simply repeated Dottenheim's demand for security from Nuremberg.<sup>78</sup> Despite this backing, Dottenheim never gained a satisfactory assurance of se-

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70 For example, BB 14, fols 273v (14 Nov. 1440, for Konrad von Brandenstein), 310v (31 Jan. 1441, for Konrad and Lienhard von Gumpfenberg); BB 15, fol. 10r (7 April 1441, for Hans von Streitberg); BB 16, fols 102v-103r (6 Aug. 1443, for Hans von Rechberg); BB 17, fol. 28r-v (20 May 1444, for Georg von Eberstein).

71 Some examples: BB 17, fols 28r-v (20 May 1444), 41v (8 June 1444), 241r (19 March 1445).

72 StAN Rep. 2c 23, especially fols 2r-v (30 Oct. 1434), 3r-v (4 Dec. 1434), 4r (31 Jan. 1435), 84r (4 Oct. 1434).

73 StAN Rep. 2c 23, fol. 4r (31 Jan. 1435).

74 StAN Rep. 2c 23, fols 5v-6r (16 Feb. 1435).

75 StAN Rep. 2c 23, fol. 6r (19 Feb. 1435).

76 StAN Rep. 2c 23, fol. 6v (7 March 1435).

77 StAN Rep. 2c 23, fols 8v (22 March 1435), 9r (2 April 1435), 45r (9 April 1435).

78 StAN Rep. 2c 23, fol. 46r (14 April 1435).

curity from the council, although the long stalemate which ensued probably did little harm to Dottenheim's sense of (in)security against the town and at least managed to unsettle Nuremberg in turn.<sup>79</sup>

Nobles entering or threatening feuds against Nuremberg over issues of rural security took care from the outset to score points in the court of regional public opinion which would eventually – usually through arbitration by local potentates – decide the outcome of the feud, if there was to be one at all. Hence Dottenheim accused Nuremberg of duplicity, of employing 'hidden words'. The same allegation was made in 1446 by Heinz Röder, a nobleman from the Vogtland (the region between Franconia and Saxony) who in 1444 had claimed that he had 'often' heard that he was insecure in relation to Nuremberg.<sup>80</sup> Nearly two years later, after he had attacked some pilgrims from the town, Röder declared a feud against Nuremberg with the claim that the council had used 'hidden words' in its response to this letter.<sup>81</sup> Indeed, all of the allegations that Nuremberg was targeting particular nobles with its rural patrols contained the implicit accusation that the city's behaviour was secretive and underhand. Sometimes these charges were made explicit: Hilpolt von Fraunberg accused Nuremberg of tailing him 'in body and property (...) more by night than by day' and of breaking an agreed peace by stationing men outside his castle;<sup>82</sup> Georg von Schaumberg suggested that Nuremberg planned to ambush him and treat him roughly;<sup>83</sup> Hans von Rabenstein accused the city of plotting against his 'body and honour';<sup>84</sup> Hans von *Crossenawe* complained that he had left Nuremberg in a state of friendship with the city, but the council had still posted men 'on every road, pass and way' to tail him.<sup>85</sup> Nuremberg twice denied having secret plans to capture Hans von Rabenstein,<sup>86</sup> and the town's feud opponents Fritz von Egloffstein and Fritz von Waldenfels alleged that Nuremberg was plotting their deaths.<sup>87</sup>

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Whatever the truth of these allegations, they too were strategic. They were intended not only to discredit Nuremberg, but also to intensify the pressure on the council to make an adequate assurance of security by giving the impression that the nobleman believed himself to be already so imperilled by Nuremberg's activities that he had little to lose by escalating the situation if his demands were not met.

79 In 1437 Nuremberg listed Dottenheim amongst their opponents who posed a threat to merchants travelling to the lenten fair at Frankfurt: BB 12, fol. 345v (2 March 1437).

80 BB 17, fol. 148v (12 Nov. 1444).

81 BB 18, fols 72v-73v (8 Oct. 1446).

82 StAN Rep. 2c 16, fols 5r (28 Feb. 1413: 'nach meinen leib und gut stellt mer bey nacht dann bey tag'), 39r.

83 BB 16, fol. 262v (31 March 1444): 'wir bestellt haben sullen, Wa euch die unsern überreiten, euch unfruntlichs zubeweisen'.

84 BB 15, fol. 17r (18 May 1441): 'nach ewerm leib und eren'.

85 BB 17, fol. 25v (16 May 1444): 'nachdem und ir in guten freuntschafft von uns geschiden seit, alle strasse, steig und wege verlegen und auf euch halten haben lassen'.

86 BB 15, fol. 29v (31 May 1441). BB 17, fol. 219r (19 Feb. 1445).

87 Egloffstein, *Chronik*, 121. BB 18, fol. 348r (20 Sept. 1447).



At first sight the declaration of a feud in order to obtain a guarantee of security appears paradoxical, but in a situation in which a noble felt that he was already being targeted by Nuremberg – as in the case of Eberhard von Dottenheim – the risks of opening a feud may have seemed preferable to those of failing through passivity to gain an assurance of security. Certainly other nobles tried the same approach.<sup>88</sup> These ‘security feuds’ were the most extreme manifestation of a broader strategy to intimidate the city into restricting the freedom of its patrols to act against the noble in question. They also served to bolster a nobleman’s sociopolitical status by demonstrating his willingness and ability to face down threats. As a common strategy, the ‘security feud’ could potentially have been used as cover for feuds with other motives, but clear-cut cases of this manipulation are hard to identify. Even Heinz Röder – who only complained of Nuremberg’s ‘hidden words’ after a long delay, and had connections to the town’s long-term feud opponents Hans and Fritz von Waldenfels<sup>89</sup> – declared his feud precisely at the point at which his region was unsettled by the outbreak of war between dukes Friedrich and Wilhelm of Saxony. His capture of pilgrims from Nuremberg may not have been an act of aggression against the town itself, and his feud may only have pre-empted Nuremberg’s anticipated aggressive response.

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By threats both explicit and implicit nobles obliged Nuremberg’s council to give some form of reassurance – and thus a certain degree of protection from its rural security operation – if it did not wish to risk all-out hostilities with the noble in question. Thus the council denied any suspicion and all undertakings against nobles in all but a very few cases.<sup>90</sup> Naturally the council tried to minimize its self-imposed limitations, and nobles rarely achieved the level of specificity which they sought. But they had to some extent redressed the balance between themselves and the town’s powerful security operation. In cases which had not escalated as quickly as that of Eberhard von Dottenheim, this limited guarantee was usually sufficient to maintain a precarious peace. Beneath the bellicose and emotive language nobles were steering towards a clear-headed security objective of their own.

### Resentment and revenge?

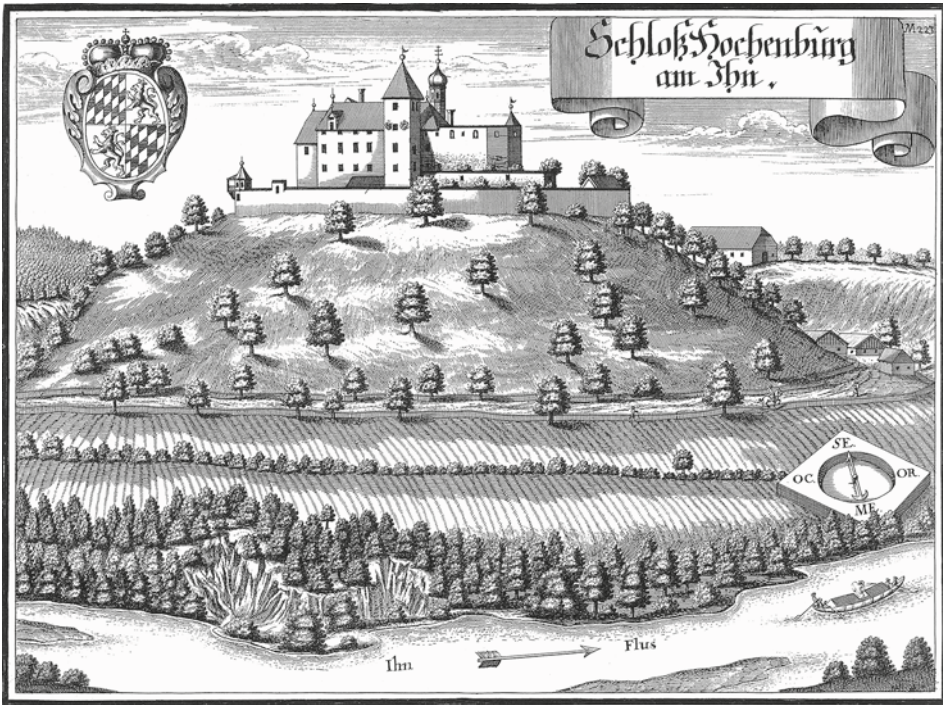
This recognition does not mean that we have to entirely abandon our picture of a resentful, even vengeful rural nobility. Displays of anger were used strategically, but this does not necessarily mean that they had no psychological reality.<sup>91</sup> Where one

<sup>88</sup> For example, Hans von Rechberg (Müllner, *Die Annalen*, II, 350-351); Bernhard von Stein zu Steinegg and Hans von Urbach (Vogel, *Fehderecht*, 144-145, 300).

<sup>89</sup> BB 18, fols 124v-126r (20 Dec. 1446).

<sup>90</sup> In the period 1440 to March 1448, in two interrelated cases concerning Hans and Georg von Egloffstein: BB 17, fols 65r (10 July 1444), 67r-v (13 July 1444); Müllner, *Die Annalen*, II, 369.

<sup>91</sup> Also recognized by White, ‘The politics of anger’, 151.



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Hohenburg am Inn (engraving, Michael Wening (1645-1718); courtesy Bayerische Vermessungsverwaltung 2016)

ends and the other begins can never be known, but we can catch a glimpse of a similar emotional display in a different context, and serving different objectives.

In December 1434 Nuremberg's town clerk, Johannes Dumm, was sent to Hohenburg castle on the river Inn (172 km south of Nuremberg) to negotiate with its lord Georg von Fraunberg concerning a burgher – Jakob Auer – who was accused by another noble, Hans von Villenbach, of murder. Fraunberg's bailiff informed Dumm that he could see no way that Auer could be found guilty unless, as he feared would happen, Villenbach could produce six other men prepared to swear to Auer's guilt. According to a common legal practice, the resulting seven oaths would be enough to convict him.<sup>92</sup> 'My God,' responded Dumm, 'We hope that it is not the law of this court that one stranger may convict another with seven oaths'. The bailiff replied: 'But you

92 J. Regge, "Übersieben landschädlicher Leute" und "Verfahren auf Leumund" als besondere Prozeßformen gegenüber Fremden?, in: I. Erfen and K.-H. Spieß, eds, *Fremdheit und Reisen im Mittelalter* (Stuttgart, 1997) 289-298.

in Nuremberg convict men with your knives.’ Dumm informed the bailiff that his masters in Nuremberg did not execute anyone who was not guilty.<sup>93</sup> The bailiff – not himself a noble, but a nobleman’s right-hand man – was clearly accusing Nuremberg of practising summary justice, and he probably had summary justice against nobles in mind. Nuremberg had in fact executed the nobleman Peter von Leonrod just a few months earlier,<sup>94</sup> though the bailiff made no explicit reference to this event.

This veiled accusation, fortuitously preserved, is a rare reference to noble resentment of the towns’ security practices in general in the mid-fifteenth century. Pro-noble and anti-town discourses otherwise made no direct mention of the subject. When Margrave Albrecht Achilles of Brandenburg-Ansbach wished to stir up the nobility of Franconia against Nuremberg in the 1440s he used a strong but unspecific rhetoric of the towns’ supposed ‘oppression’ of the nobility, and of the burghers’ arrogance and presumption.<sup>95</sup> An anonymous text dating probably from the third quarter of the fifteenth century which imagines a court case between the ‘natural lordship of the nobility’ and the ‘haughty burghers’ focuses on townspeople’s supposed acquisition of castles and improper exercise of princely lordship in the countryside, without specifically mentioning measures against feuding and robbery.<sup>96</sup>

By the early sixteenth century, nobles’ responses to the towns’ security policies were outwardly very different. In the years around 1500 Nuremberg’s most dangerous feud opponents – men such as Götz von Berlichingen – habitually referred to Nuremberg’s retainers as ‘hunting dogs’ (*hetzrüden*) and ‘bloodhounds’, whilst Christoph von Giech described himself as a ‘poor, hunted nobleman’.<sup>97</sup> This heightened rhetoric signalled a shift in strategy towards a broader confrontation with urban authorities. Noble voices – such as an anonymous Franconian pamphlet dating from 1523 – now labelled the towns as ‘schedlich leüt’, and accused them of plotting to suppress the nobility before turning on the princes and seizing control of Germany.<sup>98</sup> This lurid allegation crowned the pamphleteer’s efforts to justify noble opposition

93 StAN Rep. 2c 22, fol. 3r-v: ‘do iah ich wir hoffen zu got, das es der Schranken Recht hie nicht seÿ das kein gast, den andern über sybenden müg, do sprach er nu über sibent doch Ir die leute mit ewern messern do iah ich mein herren Rechtfertigen nyemande Er hab dann merliche schulde auf Im’.

94 Sander, *Die Reichsstädtische Haushaltung Nürnbergs*, 504; BB 11, fol. 167v (20 Dec. 1434). Müllner, *Die Annalen*, II, 315.

95 See, for example, Liliencron, *Die historischen Volkslieder*, I, 417-418; K. Scheel, ‘Die Städtekriege in der politischen Lyrik des späten Mittelalters’, *Leuvense Bijdragen*, LXXXIII (1996) 325; E. Schubert, ‘Albrecht Achilles, Markgraf und Kurfürst von Brandenburg 1414-1486’, in: G. Pfeiffer and A. Wendehorst, eds, *Fränkische Lebensbilder*, IV (Würzburg, 1971) 140; J.C. Lünig, ed., *Das teutsche Reichs-Archiv* (24 vols; Leipzig, 1710-1722), XVI, 65.

96 Bayerische Staatsbibliothek ms. Cgm 4930, fols 20r-23v.

97 Zmora, *State and nobility*, 27; R. Seyboth, ‘“Raubritter” und Landesherrn. Zum Problematik territorialer Friedenswahrung im späten Mittelalter am Beispiel der Markgrafen von Ansbach-Kulmbach’, in: K. Andermann, ed., ‘“Raubritter” oder “rechtschaffene vom Adel”? Aspekte von Politik, Friede und Recht im späten Mittelalter (Sigmaringen, 1997) 123-124; H. Ulmschneider, *Götz von Berlichingen. Ein adeliges Leben der deutschen Renaissance* (Sigmaringen, 1974) 74.

98 K. Schottenloher, ed., *Flugschriften zur Ritterschaftsbewegung des Jahres 1523* (Münster, 1929) 105.

to a recent expedition by the Swabian League of towns and princes which had broken the castles of many noble ‘robbers’, whilst simultaneously arguing that nobles had just as much reason as anyone else to oppose robbery, which rendered them insecure in their own castles and villages (an echo of Ulrich von Hutten’s complaints from five years earlier).<sup>99</sup> As this convoluted argument shows, it was very difficult for nobles to condemn measures against ‘robbery’ in general without appearing to condone illicit violence, as distinct from ‘honourable’ feuding. Each individual could answer for his own honour, and nobles did so vigorously; but what of other nobles’ violence which might be illegitimate, or (more to the point) might be successfully labelled as illegitimate by those whom it adversely affected?

The growing willingness to openly criticize the towns’ security policies, despite the inherent risk of doing so, was part of an escalation of the pro-noble and anti-town discourse which centred on the allegation that the towns intended to ‘oppress’ the nobility. In the 1440s this was the agenda of particular groups and individuals, chiefly Margrave Albrecht Achilles and a group of nobles in Swabia known to the towns of that region as the ‘towns’ enemies’ (*Städtefeinde*).<sup>100</sup> By 1500 this discourse appears to have had a wider resonance, and it certainly informed the songs which soon began to appear in print about nobles captured and put to death by towns, such as the ballad of Hamann von Reischach.<sup>101</sup> The reciprocal relationship between resentment towards towns’ rural security policies and the discourse of ‘oppression’ must be investigated further, but the evidence presented here suggests that resentment did exist before it became embroiled in the wider discourse, although for the most part it was expressed only in self-defence. The new character which this resentment assumed towards the end of the fifteenth century should not colour our reading of sources created fifty years earlier, but it should encourage us to use these sources to better understand the imagined dichotomy of town and nobility which is so marked in the early sixteenth century.

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## Conclusion

Nobles in the mid-fifteenth century thus gained an *ad hoc* ‘security’ of their own against Nuremberg’s imposition of its model of security onto the countryside. This compromised Nuremberg’s interests to some extent, producing a shifting but ultimately relatively stable equilibrium between two modes of rural security. Rural

<sup>99</sup> Schottenloher, *Flugschriften*, 107.

<sup>100</sup> On the *Städtefeinde* group see: Konzen, *Aller Welt Feind*. For their use of the discourse of oppression see H. Herre, ed., *Deutsche Reichstagsakten, ältere Reihe*, XV (Gotha, 1914) 377 (7 May 1440).

<sup>101</sup> Joseph Morsel has outlined a fifteenth-century ‘discursive formation’ of noble identity driven in part by the construction of enmity between ‘town’ and ‘nobility’. See his ‘Die Erfindung des Adels. Zur Soziogenese des Adels am Ende des Mittelalters – das Beispiel Frankens’, in: O.G. Oexle and W. Paravicini, eds, *Nobilitas. Funktion und Repräsentation des Adels in Alteuropa* (Göttingen, 1997) 312-375.

nobles were not reduced to impotent rage and threats that infant sons would one day avenge their fathers, and their feuds against towns were far more likely to be pre-emptive measures than reactive revenge. Feuding could be made to serve security interests just as much as it endangered security, and apparent eruptions of anger and aggression can be seen as fundamentally strategic and defensive.

This new picture of nobles' responses to Nuremberg's security policies certainly underlines the threat that nobles saw in these policies, and it should not distract from an appreciation of resentment and anger as psychological responses by nobles to all aspects of the town's rural security operation, from the regular patrols to the exemplary punishments. But it also disentangles nobles' responses to these activities from an imagined dichotomy between town and nobility, between 'robber knights' and industrious merchants and between the economic advance of the towns and a crisis-ridden nobility. The conflict of interests between townspeople and nobles over questions of rural security was very real, but in the mid-fifteenth century we must not mistake even the most bellicose language for evidence of a wider clash of cultures or identities. Both sides could to some extent achieve their differing security goals because these goals were far less ideologically loaded than we have long imagined. Nonetheless, this conflict was of enormous significance for the future of 'town' and 'nobility' as a dialectic at the heart of German society.

**Ben Pope**

## Finding safety in feuding

### Nobles' responses to Nuremberg's rural security policy in the mid-fifteenth century

In recent years, historians have radically shifted our understanding of feuding and 'robbery' by nobles in late medieval Germany away from the model of impoverished 'robber knights' who plundered wealthy townspeople towards an appreciation of the social and political imperatives which lay behind feuding behaviour. However, there has been no equivalent updating of our understanding of nobles' responses to the security policies which towns developed in order to combat rural violence. This article shows that, far from being 'desperados' bent on revenge (as they have been depicted), nobles who reacted to Nuremberg's rural security policy in the mid-fifteenth century were pursuing a clear (if aggressive) strategy in order to achieve a 'security' of their own in relation to the town's rural patrols. Disputes between town and nobility over rural security were conflicts of interest rather than a clash of cultures, although the discourse surrounding these disputes was increasingly antagonistic.

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