

The Swabian League and the German Peasants' War

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A.B. (State University of Iowa) 1964

M.A. (University of California) 1966

DISSERTATION

Submitted in partial satisfaction of the requirements for the degree of

DOCTOR OF PHILOSOPHY

in

History

in the

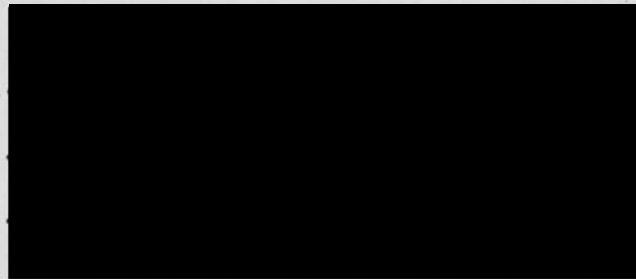
GRADUATE DIVISION

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DEGREE CONFERRED JUNE 15, 1974

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Abstract

Thomas F. Sea

This study seeks to clarify the responses of the ruling elite groups in 16th-century German society to the Peasants' War of 1525. Since the structure of effective political authority in the areas affected by the rebellion was diverse in terms of the groups and individuals who exercised such authority, the suppression of the revolt presented a multitude of problems for the petty political rulers who had to face it. Besides the obvious strategic and logistic problems of dealing with an amorphous, rapidly-spreading rebellion which lacked well-defined goals and a central geographic focus, pre-existing tensions among the political rulers of the area made a uniform response difficult. Nevertheless, an institutionalized framework for such a response was provided by the Swabian League, a powerful peacekeeping alliance to which a significant proportion of the petty political rulers of southern and central German lands belonged.

The Swabian League was formed in 1488 as an alli-

ance between members of various levels of the Imperial nobility, most of the Imperial cities of Swabia, and a few territorial princes. As the League proved to be a reasonably effective means of resolving conflict among these rulers and protecting their political rights, privileges, and interests, membership increased, particularly among the territorial princes of the area. A centralized administrative apparatus, including a court and Council, was developed, along with increased military effectiveness. By the time of the Peasants' War, the Swabian League was the most powerful political and military force in southern and central German lands.

However, traditional patterns of enmity and antagonism still existed among the members of the Swabian League. A crisis situation such as that presented by the rebellion brought these tensions sharply into focus. The initial stages of the Swabian League's involvement in the revolt were characterized by jockeying for advantages among the membership and wrangling over the best means of meeting the rebellion. There was no common impulse toward suppression, no uniform demand that the revolt be crushed immediately. Even after the intentions of the rebels had become relatively clear, some members of the League--particularly the Imperial cities--continued

to support a negotiated settlement for reasons of their own. This further intensified the internal disunity of the League, as did the attempts of some League members to exploit the situation for their own political advantage.

Plagued by inadequate financial resources, the uncertain loyalty of its troops, and the rising level of distrust among League members, the League Council managed nevertheless to raise an army which moved against the rebels in early April, 1525. Despite the successes of League forces in the field, League members became increasingly dissatisfied with the League effort. As the revolt spread, more and more League members found their own resources inadequate and called in vain for the League aid to which they felt themselves entitled. This, coupled with the failure of League members to help each other, contributed to the tensions among the membership and created the impression that the League campaign--even though ultimately successful--had not been conducted in the interests of all League members.

Thus, in the aftermath of the rebellion, when the League Council asserted its exclusive right to determine conditions of surrender and punishment, set up patrols to comb the territories of League members for signs of re-

newed rebellion, and developed a unified system of reparations collection, many members of the League reacted by resenting the alleged intrusions upon their exclusive jurisdictions. Disputes among League members over questions of guilt, punishment, and compensation for participation in the revolt could often not be effectively resolved by the League. Animosity aroused by actions during the rebellion contributed to the decline of the Swabian League as an effective political force.

Thus, the true significance of the Peasants' War lies at least as much in the weaknesses which it revealed in the structure of political authority and the effects which it had upon the interrelationships among the ruling elite groups of 16th-century German society, as in the influences operating among the insurgents.

"Who would have believed it possible that the peasants, poor and inexperienced in war, ... should have conquered so many strong castles and places without the aid of artillery, unless we see in it God's will in action."

THE SWABIAN LEAGUE

AND

THE GERMAN PEASANTS' WAR

by

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Chancellor Leonard

"Who would have believed it possible that the peasants, poor and inexperienced in war, ... should have conquered so many strong castles and places without benefit of artillery, unless we see in it God's will in action."

_____ Nuremberg City Council

"At first we just sat and looked on. We enjoyed seeing the priests and monks overrun, and we didn't realize that the misfortune was approaching us as well. Also, no one wanted to help others; the nobility all stayed in their houses in order to protect and preserve their own property."

_____ Graf Wilhelm von Henneberg

"It appears to me that this affair is no different than when your next-door neighbor's house burns; if you won't help put out the fire, you are not secure yourself."

_____ Bavarian Chancellor Leonhard von Eck

CONTENTS

	Introduction	v
I.	The Swabian League: Origins & Development	1
II.	The Swabian League on the Eve of the Peasants' War: Structure & Operation	44
III.	The Swabian League on the Eve of the Peasants' War: Internal Tensions & Conflict	94
IV.	Prelude to Suppression	278
V.	The Debate Over Collective Policies	304
VI.	Resources & Reaction: The Administration of Suppression	425
VII.	Individual Responses of League Members to the Rebellion	502
VIII.	Struggles for Political Advantage Among League Members During the Peasants' War	591
IX.	Pacification	616
X.	Punishment	662
XI.	The Decline of the Swabian League	747
	Conclusion	790
	Notes	799
	Appendices	963
	Bibliography	997

Introduction

Many attempts have been made to interpret the German Peasants' War of 1525 by examining the development and release of political, social, economic, and religious tensions and pressures within the German peasantry. While this approach is vital to our understanding of the Peasants' War, it should not be pursued to the exclusion of all others. Recent interpretations of revolution have stressed the importance of the performance of a society's elite in creating a revolutionary situation and in dealing with that situation once the potential for revolt has been realized. The degree to which an elite is successful in coping with the ever-present tensions in a society is crucial in determining whether change in that society will be peaceful or violent. If violence becomes the principal means of achieving or preventing change in a society, the presumption is created that the elite had somehow failed to cope with existing tensions, or even exacerbated them by following inappropriate policies.¹

Perhaps, therefore, a closer examination should be made of the collective and individual responses of the governing elite groups, or Herrschaftsstände, of the German social order in the early 16th century to the

peasant revolt. It was upon these groups, entrusted by virtue of their privileged legal, social, economic, and political positions with the exercise of effective political authority, that the major burden of suppressing the rebellion fell. The effectiveness of their performance in meeting the peasant challenge, thus, was crucial to the course of the Peasants' War and to its lasting effects upon the political and social structure of Germany.

There are several indications that the response of the Herrschaftsstände to the revolt was neither as uniform nor as effective as has often been assumed. Peasant unrest was not uncommon in southwestern parts of the Empire; a long string of revolts and rebellions stretches throughout the 15th century and into the 16th, capped by the series of peasant conspiracies known as the Bundschuh movement in the early 16th century.² The elite groups which exercised political rulership functions in the area were accustomed to dealing with such rebellions, and usually succeeded in quelling them rapidly, before they could spread beyond a local level. In the years immediately prior to the Peasants' War, the Herrschaftsstände were aware of the conditions of growing unrest among the peasantry. Yet they did little

or nothing to counteract this unrest, either in the form of preventive measures or actions to alleviate some of the causes of the tension. Even in the early stages of the Peasants' War itself, their reaction can best be described as lethargic. Open revolt broke out in May, 1524, flickering sporadically and gaining in strength until it reached large-scale proportions in December, 1524, and January, 1525. No decisive military action was taken against the rebels until the beginning of April, 1525.

Furthermore, as many researchers have convincingly demonstrated, the failure of the peasants' movement was due at least as much to their own weaknesses as to the strength of the opposition they encountered. The insurgents lacked uniform goals. They did not have the foresight to co-operate beyond regional boundaries. Their military and political leadership was inadequate. They received only scattered support from most other groups in the political and social structure.

In view of the manifold weaknesses of the rebel movement and the apparent slowness of the response of the Herrschaftsstände, it would seem that the explanation of why the peasants got as far as they did is as important as the explanation of why they failed. One goal

of this study, therefore, is to clarify the former problem through an examination of the tensions and antagonisms within, between, and among the Herrschaftsstände which might have affected their collective and individual responses to the peasants' uprisings.

In making such an examination, it is important to remember that political rulership functions in early 16th century Germany were not exercised by a uniform group. Princes, bishops, minor prelates, various levels of the Imperial nobility, Imperial City Councils--all could enjoy some or all of the regalian rights of government, legal privileges, and immunities which allowed them to exercise effective political and economic authority. The members of the elite groups which occupied the top positions in the corporatively-structured, hierarchical German social order were frequently at odds with each other. The relationships among the princes, prelates Imperial nobility, and Imperial City Councils who exercised effective political authority were characterized by mutual hatred, distrust, rivalry, and suspicion. Each such individual or group was constantly seeking either to expand jurisdictional rights and privileges or to defend them against the encroachments of others. In the absence of effective superior authority, the

chaotic competition which resulted resembled barely-controlled anarchy, limited only by traditional restraints and the effective power which the competitors could bring to bear.

In addition, the different types of political, legal, and economic jurisdiction over a particular area or person were not necessarily in the hands of the same individual or group. The principal jurisdictions--high justice (Hochgerichtsbarkeit), low justice (Niedergerichtsbarkeit), Grundherrschaft (economic rights over land which entitled the holder to income from its production, plus a certain degree of legal control over the people who worked the land), and Leibherrschaft (rights over the person, conferring upon the holder certain economic claims, such as death dues, and legal control, such as limitations upon the marriage choices of persons subject to Leibherrschaft)--could be held by individuals or groups of different social ranks and different degrees of effective political power. The exact limitations of these different jurisdictions were nebulous. There was little or no inclination on the part of different holders of jurisdictional rights toward co-operation for mutual benefit. Obviously, the possibilities for conflict in such a situation are multi-dimensional.

Thus, in designating the ruling elite groups of early 16th-century Germany as Herrschaftsstände, one must beware of attributing uniformity of either attitudes or interests to the highly-diversified and stratified membership of such a general category.

However, it is also possible to argue that the Herrschaftsstände possessed a common interest in preserving their positions of authority within the legal, political, economic, and social orders. They occupied interlocking elite positions in each of these areas. Exercise of effective authority in any single area depended upon the strongly symbiotic relationship between these elite positions. The over-all dominance thus assured was subsumed under the 16th century term Oberkeit, meaning both the principle behind the exercise of authority and the individuals or groups which exercised it.³ For the Herrschaftsstände, preservation of their position as, and right to exercise, Oberkeit was a cardinal presupposition of the continued existence of the German social order.

The multi-faceted nature of the elite positions occupied, and the authority exercised, by the Herrschaftsstände made it impossible to challenge their dominance in only one sphere of society. A challenge to their right

to exercise political authority was also a challenge to their elite positions in the legal, social, and economic spheres. A revolt against an individual or group which exercised Oberkeit was also a revolt against the exercise of Oberkeit itself, and thus a challenge to the basis of the social order.

Therefore, the Peasants' War provides a unique opportunity to study the degree of cohesion among the Herrschaftsstände upon this principle. It is a useless exercise to argue that the principal goals of the insurgents were political, national, economic or social. Regardless of their protests that they had no intention of withdrawing their obedience to their rightful Oberkeit, the rebels had no choice. To revolt against a part of the elite position of the Herrschaftsstände was to revolt against the entire position. To revolt against an individual or group which exercised Oberkeit was to threaten the principle of Oberkeit and thereby the positions of all the Herrschaftsstände. Realization of any of the insurgents' goals would have meant a restructuring of the social order as a whole.

The insurgents, perhaps, failed to recognize this essential fact. The degree to which the members of the Herrschaftsstände grasped it would determine the effective-

ness and unity of their response to the rebellion.

In order to effectively study this response, it is necessary to examine three aspects of the position of the Herrschaftsstände in relation to the rebellion.

First, the conditions and interrelationships within and among the Herrschaftsstände prior to the Peasants' War must be studied. Secondly, a close look must be taken at the actual collective and individual responses of the members of the Herrschaftsstände during the actual rebellion. Finally, an examination of the changes in the interrelationships within and among the Herrschaftsstände which can be traced to the experience of meeting the peasant challenge must be undertaken, together with an assessment of the effects of these changes upon the entire German social order.

Since it is obviously impossible to examine these three aspects of the position of every member of the ruling elite groups of southern and central German lands, this study will be limited to the members of the Swabian League, the alliance among members of the Herrschaftsstände which assumed the leading role in the suppression of the Peasants' War. While this limitation introduces an additional complication in the form of the influence of the institutional structure and traditional modes of

operation of the League upon the responses of its members, it also allows a more centralized and unified viewpoint upon this important question of the response to the rebellion.

In accordance with the plan of study set out above, Section I (Chapters 1-3) deals with the development, structure and operation, and membership of the Swabian League prior to the Peasants' War, laying particular emphasis upon the degree of effective co-operation achieved among League members and the tensions and stresses which hampered such co-operation. An effort is made to delineate the principal sources of such tension and stress, and to sketch the interests of the major groups and subgroups of the Herrschaftsstände which made up the Swabian League.

Section II (Chapters 4-8) examines the actual considerations which determined the collective and individual responses of members of the Swabian League to the Peasants' War, stressing the debates over policy, the practical difficulties experienced by the League's administrative institutions in co-ordinating the campaign of suppression, and the wide variation in positions and individual responses among members of the Swabian League.

Section III (Chapters 9-11) attempts to assess the effects of the experiences of the Peasants' War upon the Swabian League and its membership. Particular attention is paid to the problems arising from the after-effects of the revolt, such as pacification, punishment, and compensation payments, and the role which disputes over such problems played in the rapid decline of the Swabian League as an effective alliance after 1525.

Hopefully, a more comprehensive and less monolithic picture of the response of the Herrschaftsstände to the Peasants' War will emerge, together with a clearer understanding of the significance of this great social convulsion to German history and the history of the 16th century.

CHAPTER I

The Swabian League:

Origins and Development

The development of the Swabian League can be divided into three major stages. In the first stage of its development, from its foundation in 1488 to the major constitutional revision of 1500, the Swabian League remained a powerful but fairly typical example of the loose regional peacekeeping alliances formed among members of those corporate political estates which exercised political rulership functions in the late medieval Empire as the power of the Emperor declined. In the second stage of its development, from 1500 to approximately 1526, the legal, constitutional, administrative, and military organization of the League was increasingly institutionalized and centralized. The resulting growth in its power and influence made the Swabian League a dominant factor in the political power structure of southern and central German lands. The culmination of this second period of development came with the crisis presented by the Peasants' War of 1524-26, in the suppression of which the Swabian League played the major role. In the final stage of the League's history, from 1526 to its dissolution in 1534, internal tensions and conflicts of interest

among the members of the League, which had long been present but were first clearly revealed, intensified, and made insurmountable by the experiences of the Peasants' War and its aftermath, gradually destroyed the League's effectiveness. While this study focuses primarily upon the crucial individual and collective confrontations between and among members of the Swabian League and the rebels during the period 1524-26, and upon the disruptive tensions-revealed or created by these confrontations-which tore the League apart in the last years of its existence, such developments cannot be separated from the earlier history of the League.

Because of the lack of a really dominant territorial prince in Swabia during the late medieval period, the area had long been a breeding ground for various types of leagues and alliances among the petty local Swabian political rulers. Since the beginning of the fifteenth century, many members of the various ranks of lower Imperial nobility in Swabia and some of the lesser Swabian prelates had been organized into the Society of St. Georges's Shield, an alliance designed to reconcile disputes between its members and to protect the legal, political, and economic rights and privileges associated with each member's position as a reasonably independent

petty political ruler. Despite the wide variations in political and military power, wealth, and social rank which existed among the members of the Society of St. George's Shield, the alliance had become an important factor in the political structure of Swabia by the latter part of the fifteenth century.¹

The Imperial cities of the area, who also possessed and exercised through their Councils the regalian rights and privileges of reasonably independent political rule, had formed leagues from time to time during the fifteenth century, although none of these city alliances had proved as long-lived as the Society of St. George's Shield. After the defeat of the great Swabian City League in 1449 by neighboring territorial princes, the Imperial cities of Swabia had grown increasingly wary of involvement in any formal league alliances.²

Such alliances among members of a single political estate, while often effective in protecting the interests of their members, met considerable opposition from members of other political estates in Swabia. Thus, occasionally efforts were made to unite members of the Imperial nobility and some of the Swabian Imperial cities in an alliance which would impartially protect the political interests of its members and undertake the

task of preserving peace throughout Swabia. Prior to the foundation of the Swabian League in 1488, these efforts to form a broad peacekeeping alliance which included members of more than one political estate had foundered upon the strong mutual hatreds, suspicions, and rivalries which existed between many members of the lower Imperial nobility and the Imperial cities.³

By the latter part of the fifteenth century, however, the political situation in the southern part of the Empire had changed sufficiently to overcome many of the objections to an alliance which included both Imperial cities and members of the lower Imperial nobility. The aggressive policies of the Dukes of Bavaria, directed toward the acquisition of additional legal and political rights and privileges in the areas of Swabia bordering the Bavarian duchy, threatened the political position of many of the petty local rulers in Swabia, both Imperial cities and Imperial nobility.⁴ Primarily in response to this Bavarian threat, the Swabian League was founded on February 14, 1488.⁵

The Swabian League was a peace-keeping alliance formed among members of the ruling political estates of Swabia, ostensibly in response to mandates from Emperor Friedrich III commanding the formation of a league to

support the Imperial Peace proclaimed at the Frankfurt Diet in 1486.⁶ At its inception, the League included the Society of St. George's Shield (which encompassed in 1488 thirteen abbots and other lesser prelates and 272 members of the lower Imperial nobility in Swabia, varying widely in their social rank and practical political power), twenty-two Imperial cities (also highly differentiated in terms of political power and wealth), and the two major territorial princes whose legitimate political interests and privileges bound them to the Swabian area, Count Eberhard of Württemberg and Archduke Sigmund of the Tyrol.⁷

In its original form, the Constitution of the Swabian League closely resembled that of the Society of St. George's Shield.⁸ The declared purpose of the League was to secure the Imperial Peace through the protection of the freedoms, rights, and privileges of the members of the League.⁹ This purpose was to be achieved through definite provisions for maintaining peace within the League by a mandatory procedure of settling intra-League disputes, and for moral, legal, and--if necessary--military support for League members in disputes with outsiders.

The major organ of the Swabian League was a twenty-member Council consisting of nine Councillors and

a "captain" (Hauptmann) from the Society of St. George's Shield and a like number of Councillors and a Hauptmann from the Imperial cities.¹⁰ The Council met irregularly at the behest of the two Hauptleute to consider questions and policies to be acted upon by the League. It had the sole power to determine the granting of military aid to League members and to handle the relationships of the League with external powers. It decided upon the "justice" of a member's cause (the League did not owe support in a cause declared "unjust") and deliberated upon the appropriate League response, which could range from a simple letter admonishing the offending party to the calling out of the entire military forces of all League members. When the regular methods of settling disputes failed, the council often acted as an arbitration court. The council could also admit new members, so long as they were not territorial princes or other "major powers".

The Hauptleute handled the legal and administrative details of the League's operation. They conducted the League's correspondence, called Council assemblies (either at their own discretion or by the request of a League member), and acted as a clearing house for complaints and appeals directed to the League Council from the members of the group which had chosen them. Technically,

they had no power over the League's military forces without special authorization.

Theoretically, the League Councillors were chosen or elected by the Society of St. George's Shield and the Imperial cities to deliberate in the interests of the entire League. In practice, League Councillors usually supported their own political interests or those of the member whom they represented. In a more general sense, they also supported the interests of the political estate to which they or the member whom they represented belonged.

League Councillors were continually on call, not only for assemblies of the League Council as a whole, but also for meetings with other Councillors of their political estate to decide upon common policies. In addition, the Councillors played a major role in the administration of the Swabian League's court system.¹¹

This court system was set forth in extraordinary detail in the 1488 Constitution, providing for the settlement of all possible kinds of disputes which might arise between League members. Its essential feature was that a plaintiff must always initiate litigation before a court presided over by a Councillor from the defendant's estate. A noble League member wishing to bring a complaint

against a city League member had to choose the judge/ arbitrator from among the nine Councillors--or the Hauptmann--of the League cities, and vice versa.¹² This applied only to disputes between members, and was intended in no way to infringe upon League members' exercise of their own civil and criminal jurisdictions, which were explicitly exempted from the League's jurisdiction (although with the qualification that an appeal to the League might be made if "justice" was not to be obtained in the courts of a League member).¹³

Members could appeal the decisions of the League's court by providing adequate security and swearing that the appeal was for the purposes of obtaining justice, not to delay execution of the judgment.¹⁴

In return for their pledge to respect this exclusive jurisdiction in disputes among themselves, League members were promised full support against summons before "foreign" courts,¹⁵ and assured that no other League member would appear against them in proceedings for the purpose of mediation or legal decision in disputes with non-League members.¹⁶ No League member was allowed to espouse a cause to which he would not normally be attached (i.e., through family ties, a service relationship, or other compelling connection) against another League

member.¹⁷

The principal purpose behind these detailed jurisdictional and legal procedures was to eliminate the need to use force to obtain justice.¹⁸ However, should force become necessary, the Swabian League set forth two types of military response for its members' benefit. The first was the duty of all members to institute immediate pursuit to apprehend and bring to justice the perpetrators of any peace-breach or other act of violence directed against a fellow member, upon the request of that member.¹⁹ If such a pursuit did not occur, or was not successful, the injured party could refer the matter to his League Hauptmann, who was empowered to summon the attacker to accept arbitration and/or legal decision, on behalf of the entire League. If the attacker did not respond to this summons, the Hauptmann could summon an assembly of the League Council to decide upon further steps to be taken.²⁰

After all possibility of a peaceful settlement had been exhausted, the second level of the League's military response was called into play. This military aid could be anywhere from a small patrol to help members' protect their territories to the full power of the League for waging full-scale warfare or sieges.²¹

The exact size of the military forces at the League's disposal during its early years is difficult to determine, since the Council could theoretically call upon the entire forces of all League members in cases of extreme need. The force initially projected as a normal, full League "help" was 12,000 foot and 1200 horse, with a second call set at 6000 additional foot and 700 additional horse. The duty to provide one-half of these total forces was divided equally between the two princes allied to the League, i.e., the Count of Württemberg and the Archduke of the Tyrol.²² The forces to be provided by other members of the League were determined according to a formula based upon yearly income, which was agreed upon after much dispute between the Imperial cities and the Society of St. George's Shield.²³ In practice, the numbers required for a full "help" functioned mainly as a guide for apportioning the contributions of League members to whatever force the League Council decided upon.²⁴ The actual resources at the League's disposal were at least substantial enough to give pause to princes as powerful as the Bavarian Dukes.

The Society of St. George's Shield maintained its organization within the Swabian League, acting in a sense as a "sub-alliance" of the League as a whole. The

Society was divided into four cantons of unequal strength ("Hegau-Bodensee", "am Kocher", "an der Donau", and "am Neckar"),²⁵ each presided over by a Hauptmann and four Councillors, from whom the nine Councillors who served in the general League Council were selected. In the early stages of the League's existence, it is clear that the League was considered an alliance between the Imperial cities and the Society of St. George's Shield as a group, rather than as individual nobles,²⁶ though this did not affect the obligations of noble members to the Swabian League.

The two princes originally participating in the Swabian League did not so much join the League as ally themselves with it. The League, composed of the Imperial cities and the lower Imperial nobility, entered into a formal agreement with each of the princes, providing for jurisdiction over intra-League disputes and the duty to render military aid in articles along the same general lines as the League Constitution, with a few differences.²⁷ Each prince appointed a Hauptmann and nine Councillors to represent him at the meetings of the League Council, but instead of actively participating in the deliberations, as did the Councillors of other League members, the representatives of the two League princes retained the

character of ambassadors to the League Council.²⁸ The princes could also make separate alliances with other powers, whereas no other individual members of the League were allowed to. Because of the great importance of the princes' forces to the Swabian League's military effort, it can be assumed that they exercised a proportionately large voice in determining the League's policies.

The formation of the Swabian League upset the political and military balance of power in southern and central German lands. The members of the League were determined to spread the financial and military burdens of League membership as broadly as possible, and to secure wide support for their opposition to Bavarian policies. The Dukes of Bavaria, no longer facing a multitude of insignificant political rulers in Swabia, also sought allies against the League. The result of the growing antagonism between the Wittelsbachs and the Swabian League was a scramble among the territorial princes and other political rulers to re-align themselves in accord with the new power factors.

Thus, the Swabian League acquired several important new members early in its existence. Before the end of 1488, four more Imperial cities (Augsburg, Heilbronn, Wimpfen, and Donau["]wörth) had entered the League.²⁹

Additional members of the lower Imperial nobility also joined the League, some not entirely willingly.³⁰

However, it was the adherence of additional territorial princes to the Swabian League which constituted the most important single factor in this first stage of its development. The first territorial princes to achieve League membership after its formation were the Hohenzollern Margraves of Brandenburg (Ansbach), in a diplomatic master-stroke which both secured them against the Bavarian threat and neutralized the Imperial cities of the League, who had hitherto supported their fellow city, Nuremberg, in its perennial quarrels with Brandenburg.³¹ Also in 1488, the Bishop of Augsburg joined the League, together with his cathedral chapter.³² In 1489 the Margrave of Baden and the Archbishop of Mainz entered the League, the latter only after overcoming the opposition of the Emperor, who felt the Swabian League was overextending its commitments.³³ In addition to these new full-fledged princely members, the Archbishop of Trier formed a limited military alliance with the Swabian League which did not require him to submit to the legal jurisdiction of the League.³⁴

Entry of new princely members created several problems for the League. Perhaps the most difficult,

initially, was that of gaining the approval of those princes already in the League for the new members. This was usually solved by the member-prince's issuance of explicit certification that the new entries did not change his obligation to the League.³⁵ Frequently the princes would conclude an alliance with each other including their mutual obligations to the League.³⁶ Another solution was that of making explicit "exceptions" to the League obligations of the entering princes, so that they would not be bound to render aid to or against other princes--a policy also followed with regard to existing outside alliances of the princes.³⁷

The influx of new members meant that the Swabian League had grown within two years of its foundation into a formidable alliance of six major territorial princes, twenty-six Imperial cities of various sizes, and the Society of St. George's Shield, which included many members of the lower Imperial nobility in Swabia and a number of the area's lesser prelates (abbots, priors, officials of the Teutonic Order). By means of their institutionalized concerted action, the political rulers who were members of the League had created a viable power base for the defense of their political position in the face of the threat from the Bavarian Wittelsbachs. The existence of

the Swabian League presented a problem to the Bavarian Dukes, who felt themselves threatened in turn by the obviously anti-Bavarian feeling within the League, and to Emperor Friedrich III, who feared that the alliance which he had hoped to use as an instrument of Imperial policy and Habsburg Hausmacht was rapidly getting out of hand. The triangular relationship between the Swabian League, the Dukes of Bavaria, and the Habsburg Emperor was a predominant influence upon the policies of the Swabian League in its early years.

The Dukes of Bavaria, in an attempt to neutralize the League's effectiveness, appealed to the Emperor to mediate their differences with members of the League. This the Emperor was not unwilling to do, since it would assert his authority over both the Swabian League and the Wittelsbachs.³⁸

Meanwhile, the League, under the active leadership of the Brandenburg Margraves, attempted to reach an understanding with the Swiss cantons bordering the territories of its members in the event of war with Bavaria. Eventually, preparations were begun for full military mobilization of the members of the League against Bavaria.³⁹ War was narrowly averted through a compromise mediated by Maximilian, the Emperor's son, in June, 1489.⁴⁰

Tensions between members of the League and the Bavarian Dukes continued to run high, however. A series of confrontations between the Swabian League and the Wittelsbachs occurred in the three-year period from 1489 to 1492--confrontations marked by the frequent vacillations of Emperor Friedrich and his son between the antagonists.⁴¹

At length the League, in conjunction with Imperial forces, took the field against Duke Albrecht of Bavaria-München in the spring of 1492, over the issue of the illegally-mediatized Imperial City of Regensburg.⁴²

The resolute position of the League forced Bavaria to accept a settlement, mediated once again by Maximilian, which was less than favorable to the Wittelsbach interests.⁴³

The relationship between Bavaria and the members of the League continued to be a bit uneasy after this showdown, but by no means reached the level of constant hostility which had existed. Duke Albrecht even attempted to join the League at one point,⁴⁴ though his attempt was thwarted by the resistance of the Margraves of Brandenburg.⁴⁵

The successful outcome of the League's confrontation with Bavaria, while it removed the initial reason for the League's existence, did not lead to the dissolution of the Swabian League. Instead, it proved to the members of the League the benefits to be gained from

League membership. A gradual realization among League members of certain common political interests other than simply the opposition to Bavaria became evident during the struggle. This realization is expressed most clearly in the Swabian League's assertion of its virtual independence from Imperial control during this period. Determined to support the political interests of its members who were involved in disputes with the Bavarian Dukes, and fearing that the Bavarian intrigues at the Imperial Court might even lead to an Imperial decree dissolving the League, League members affirmed their solidarity and determination to remain in alliance for the duration of the ten-year Imperial Peace, even in the face of an Imperial mandate to the contrary.⁴⁶ This determination placed the future Emperor Maximilian, when he joined the League in 1490 after succeeding to the Tyrolean holdings of Archduke Sigmund, in the difficult position of pledging to uphold the interests of League members against his own father, should an occasion arise.⁴⁷ The League's assertion of its independence from Imperial decrees on this occasion also raised for the first time the crucial problem of the exact relationship between the Swabian League and the Emperor. This problem, involving both political interests and levels of authority, became increasingly acute in the

later years of the League's existence, after the Emperor had become a member of the League. A satisfactory solution was never found, and the problem continued to influence League policies until its demise.

Further evidence of the continued value of the Swabian League to its members is provided by the extension of the League for three years beyond its scheduled date of expiration in 1496.⁴⁸ Major support for the renewal of the alliance came from its princely members, especially the Duke of Württemberg and the Archbishop of Mainz, who had replaced the Margraves of Brandenburg as the nominal leaders of the League princes.⁴⁹ Emperor Maximilian also supported the renewal of the League.⁵⁰ However, many members of the Society of St. George's Shield and some Imperial cities were considerably less enthusiastic about the extension of the Swabian League, perhaps because of the growing influence of the princes within the League and the increasingly heavy financial burdens imposed by League membership.

Despite such possible sources of discontent, the members of the extended League issued a joint declaration of their view that the renewal of the Swabian League offered the best means of dealing with worsening conditions in the Empire, since its value in ensuring peace had been

proven in the past. The declaration emphasized that protection of members' political rights and privileges was the League's principal method of--and reason for--maintaining peace. Finally, a bid for the further extension of the League's power and influence was made by inviting other "great powers" of the Empire to consider membership.⁵¹

One major change in the League Constitution was made. Instead of the previous method of settling intra-League disputes through an arbitration proceeding presided over by a judge/arbitrator chosen from among the Hauptmann and Councillors of the defendant's political estate, a standing office of judge/arbitrator was set up, with jurisdiction over all intra-League litigation. Chosen by the princes of the League, this League judge was to be assisted in his deliberations by a panel (Zusatz) composed of equal numbers from each of the political estates of the League members involved. He received power to grant immediate relief to injured parties, pending a hearing. The judge also had the duty to implement his decisions with dispatch, reporting to the League Council cases of protracted disobedience. To further institutionalize the proceedings, a court scribe was appointed, charged with keeping an official record of all litigation.⁵²

Another change, not in the League's Constitution but in the nature of its membership, was that Maximilian, who had originally entered the League as Archduke of Austria, now also exercised the power of the Emperorship. Henceforth, the effort to exploit the resources of the League in the interests of Habsburg Hausmacht would become increasingly hard for the members of the League to resist.

Had the Swabian League been allowed to continue in the form established by the Constitutions of 1488 and 1496, it would probably have remained an important but largely localized alliance, dominated by the territorial princes with which it was affiliated and confined in its functions to the settlement of disputes between members (plus an occasional military or financial subsidy to the Emperor). However, the discontent generated by the negotiations over the extension of the League in 1496, coupled with the growing threat of war with the Swiss cantons, led to immediate efforts to reconstitute the League on the basis of a twelve-year alliance. Maximilian was particularly concerned with these efforts, in order to ensure the support of the League in his difficulties with the Swiss cantons.⁵³

Provisional agreement over League extension was reached among the League's affiliated princes on 3 July, 1498, on the basis of its retaining the same form as that of 1496.⁵⁴ Mandates were then issued to the members of the lower Imperial nobility, the lesser prelates, and the Imperial cities, commanding re-entry into the twelve-year League.⁵⁵ This procedure was largely a formality, since most members of these groups were well aware of the possibility of war with the Swiss cantons bordering their territories, and of the need for concerted action to meet this threat.

Before the renewed alliance could be formally signed and sealed, open hostilities between the Habsburgs and the Swiss cantons broke out in early 1499. The Swabian League bore the brunt of the attack upon Habsburg lands, as required by its duty to support all members against outside attack. In the bitter fighting that followed, the weaknesses of the League's military and administrative organization were made manifest.

At least partially as a result of experiences during the "Swabian War" with the Swiss cantons, the Swabian League was completely reorganized in 1500, creating a strongly-centralized institutional structure which was to make the League into the dominant power in southern

and central German lands. The new Constitution of 1500 initiated the second major stage in the Swabian League's development.

The reconstitution of the League involved recognition of the equal status in League affairs of each of the three major political groups to which its members belonged (i.e., princes, "prelates, counts, and nobility,"⁵⁶ and Imperial cities). Thus, the princes of the League, instead of being accorded a special position as affiliated members, were incorporated into the League, participating as full-fledged members in all decisions and obligations.

The League Council was reorganized into a 21-member body composed of equal seven-member "panels" (Banke) from each of the three groups of League members, with each Councillor possessing one vote. Each group also chose a Hauptmann.

The seven League princes (Archduke Maximilian of Austria, Archbishop Berthold of Mainz, Bishop Friedrich of Augsburg, Duke Ulrich of Württemberg, Margrave Friedrich of Brandenburg, Margrave Christoph of Baden, and a new member whose future influence upon the League's development was to be considerable--Duke Albrecht of Bavaria--"München")⁵⁷ received one vote apiece in the League Council. If further princes were admitted to the League, they also

would receive one vote, provided that each of the other two Bänke also received an additional vote in order to maintain the tripartite parity. In the event of a tie, the three Hauptleute were entitled to vote. Otherwise, simple majority rule prevailed, and the decisions of a majority of those Councillors present at a League Council meeting were binding upon absent Councillors and unrepresented League members.⁵⁸

The Hauptleute and Councillors were sworn to deliberate impartially in the interests of all League members. If a Councillor, or the League member he represented, was directly involved in the matter before the Council, he was required to leave the Council after presenting his case, so that free discussion and decision could take place. In this event, his vote was assigned to another member of his Bank.⁵⁹

The League Council was given complete control of the League's military obligations. Meeting at the call of the Hauptleute, the League Council decided whether a League member was entitled to military aid from the League, and, if so, in what form that help would be rendered. It controlled the size of the League forces on the basis of an agreed-upon reference force (the Bundeshilf). It could divide the help among members if it felt this was

necessary. During times of war, the Council was required to meet continuously in order to direct the League war effort. It had the power to make a truce but could not conclude a final peace until the injured party upon whose behalf the League had gone to war received adequate compensation. Besides these military powers, the League Council handled all external relations of the League, enforced the decisions of the League Court when necessary, acted as a court of appeals upon occasion, and attempted to arbitrate differences between League members which were too important or too difficult to be settled in the League's courts. The Council could also admit new members to the League, but only after consulting with all League members.⁶⁰

The structure of the League's court system was also completely revamped in 1500 to conform to the new principle of organization around the three groups of League members. Three League judges, one from each Bank, were chosen. They were freed of all obligations to any one other than the League, and sworn to render impartial justice. Complaints between League members of different political estates had to be brought before the judge of the defendant's estate. The two other judges could sit as a Zusatz on the case, at the discretion of the defendant.

To save time and energy, the procedure of bringing a complaint before the League's judges involved a prior exchange of written arguments and rebuttals, after which the judge would deliver an oral verdict. However, in the event that one of the parties to a dispute resorted to one of the popular violent forms of asserting the justice of his cause⁶¹ (although League members were pledged not to do so), the League judges could circumvent this procedure to provide immediate remedy by levying fines against the offending party to compel restitution, after first attempting to get voluntary compliance with their orders. They could also, upon request of the injured party, proceed to try the case summarily, without notifying the defendant. After a decision was rendered, the judges were required to use all means at their disposal to ensure that the verdict was carried out. They had the right to call in the League Council, and, if necessary, to recommend the use of military force to enforce their edicts.⁶²

The jurisdiction of the League judges was confirmed by Maximilian, and carefully restricted to prevent incursions upon the privileged jurisdictions and immunities of League members. Important exceptions to the jurisdiction of the League's courts were complaints against councilors or other servants of princes, against the cathedral

chapters of the ecclesiastical princes or the members thereof, and against the subjects of League members. Disputes involving property or an offense which was traditionally under the jurisdiction of the courts of a League member had to be litigated before those courts unless it was this jurisdictional status itself which was in dispute. (I.e., a dispute over a fief in which both sides agreed that it was a fief would be heard before the feudal lord; if, however, one side held that the property in question was a fief and the other side that it was "aigen", the League Court claimed jurisdiction.) All matters involving honour or serious crimes were exempted from League jurisdiction.⁶³

The military forces and procedures of the League were regulated down to the smallest detail, with particular attention being paid to the division of costs for League campaigns and disposal of conquered territory. (This was due to sad experiences during the campaign against the Swiss cantons.) The reference force upon which League members' obligations were based was set at 1,250 horse⁶⁴ and 9,000 foot, with the princely members of the League providing approximately 68% of the total force, the Imperial cities 23%, and the "prelates, counts, and nobility" combined about 9%.⁶⁵

hopeful The supremacy of the Swabian League and its obligations over all other alliances of its members was strongly asserted. Although members were allowed to conclude other agreements, they were required to "except" the League from duties thereby incurred, so that no member would find himself bound to render aid against the League as a result of such an outside alliance. No member was permitted to withdraw from the League for any reason. Heirs of a League member who died during the League's existence were considered bound by the word of their predecessor to remain League members. Should an ecclesiastical League member die, the ecclesiastical community charged with the selection of his successor was pledged to elect only a man who would maintain League membership. (In return, the League guaranteed freedom of election in such cases.)⁶⁶

politic Thus, the purpose and function of the Swabian League remained the same after 1500--protection of its members' political position, rights, and privileges through a guarantee of relative peace among members and a promise to support members' interests against all outside challenges. But the structure and the machinery provided by the Constitution of 1500 for the accomplishment of these tasks was much more centralized and,

hopefully, more efficient than what had been envisioned by the original members of the alliance. No longer was the Swabian League a simple political alliance of weaker political rulers to meet the threat of an aggressive neighbor. The Constitution of 1500 represented an attempt by the members of the League to reconcile the League's avowed duty to protect the inherently centrifugal interests of its members with the need to selectively subordinate some of those interests in order to achieve a collective position of effective, centralized political and military power.

While the initiative behind this transformation of the Swabian League's constitutional structure is often interpreted as coming from the princely members of the League,⁶⁷ it is far more likely that the 1500 Constitution represents a compromise settlement which reflects the political interests of the other two major groups of League members as much as it does those of the League princes. For example, the voting structure of the League Council provides a considerable amount of leverage for the Imperial cities and the members of the Bank of prelates, counts, and Imperial nobility in the determination of League policies. The princes of Bavaria, Württemberg, and Brandenburg, each of whom supplied about 12% of the

total military forces of the League, had only one vote each in the Council. The prelates, counts, and Imperial nobility, who contributed a combined total of about 9% of the League's forces, had seven votes. The Imperial cities, whose combined League military obligations amounted to a third of those assumed by the League princes, still enjoyed the same number of votes as the princes. This imbalance between practical obligations to the League and voting power in the League Council was an increasing source of annoyance to the princely members of the League in the later years of its existence.

Furthermore, the carefully-defined legal jurisdiction of the League was probably more beneficial to the less-powerful political rulers in their disputes with princes than vice versa. The League's court system guaranteed a hearing to all members, no matter how great the disparity in power and prestige between the disputants.

Thus, although the princely members of the League may have encouraged the changes in the League's Constitution which were made in 1500, the final product was almost certainly a compromise which was not entirely to the princes' benefit. Since the Constitution of 1500 determined the Swabian League's basic structure for the remainder of its 46-year existence, these apparent

imbalances became important in shaping the course of the League's development.

Certainly the increasing desirability of membership in the Swabian League was apparent to the members of the two lesser political estates in the League. While the objections of some of the Imperial cities and various members of the lower Imperial nobility to renewal of the League had occupied a prominent place in the 1496 negotiations, such opposition was substantially reduced in 1500, and in the subsequent renewals of the League in 1512 and 1522, the objections of various princes were the most serious. Furthermore, the changes in the League's structure and in the balance of power with regard to League policies apparently induced two of the most powerful Imperial cities in the League's sphere of influence to finally enter the League. Nuremberg and Strassburg both joined the Swabian League shortly after its renewal in 1500.⁶⁸

During the period 1500-1512, the League Council steadily expanded its authority. Besides rather frequent special meetings called by the Hauptleute to deal with attacks, breaches of the peace, and other disputes between League members, provision was made for at least one regular Council meeting per year, in June.⁶⁹ The Council acquired the power to summon League members (below the

rank of prince) accused of attacking another League member before it to purge themselves of guilt by formal oath. The League Council was also enabled to levy severe fines against League members who had refused military aid to other members without due cause.⁷⁰

The League's court also functioned with growing efficiency during this period. The tendency was more and more toward the selection of trained jurists as League judges, reversing the earlier inclination to make of the judge little more than a skilled arbitrator.⁷¹

To suppress the prevalent evils of highway robbery and Raubrittertum, the League Council developed the tactic of raising a patrol force (strafende Rot), paid by general subscription of the League members, which was granted to members particularly plagued by this type of attack.⁷² While the League patrol forces were intended primarily as a temporary expedient and the co-ordination of the League effort left much to be desired,⁷³ the method shows the growing institutionalization of the alliance.

The only major military campaign waged by the League during this period was in support of Duke Albrecht of Bavaria in the brief but bloody war of succession between the Munich and Palatinate lines of the Wittelsbach family (1504). While Albrecht received valuable aid from

individual members of the League (notably Nuremberg and Württemberg), the collective military effort of the League was hampered by exemptions granted to various members, hope for a peaceful settlement, and general reluctance of many members of the League to get involved. At this stage in its development, the Swabian League had not yet reached the level of military efficiency which marked its later years.⁷⁴

In 1512 the Swabian League came up for renewal. Problems were created by the refusal of the princes of Württemberg and Baden to re-join the League. Among the Imperial cities, only Strassburg left the alliance. These losses were partially compensated for by the entry of the Bishops of Bamberg and Eichstätt, extending the League's influence deeply into Franconia, and the Bishop of Constance. The number of League members in the prelates, Counts, and Imperial nobility apparently also increased slightly.⁷⁵

Little change was made in the League's constitution in 1512, with one important exception. The League received the right to enforce the Imperial Peace against non-members. This right, granted by the Emperor only after long hesitation and careful negotiation,⁷⁶ entitled the League Council to require suspected peace-breakers who were not in the League to appear before it to purge

themselves of suspicion by oath. Those who did not appear, or who refused to take the oath in the form demanded by the League Council, were presumed guilty of a breach of the peace and immediately became subject to League action. Princes and others holding regalian rights directly from the Emperor were theoretically exempted from this procedure. In practice, the distinction became somewhat blurred. Thus, this privilege represented not only a tremendous extension of the League's power, but also a potential source of conflict, as princes and others came to fear the infringement of their liberties by the League.⁷⁷

Because of the importance of this power, the exact status of the Swabian League's right to enforce the Imperial peace against non-members remained uncertain for several years after 1512. To be sure, the League Council acted as if it had the power in 1513-14, when it forced those princes allegedly responsible for the depredations of the famous robber knight, Götz von Berlichingen, to pay compensation to the Imperial city of Nuremberg for the damage Götz had inflicted.⁷⁸ But full confirmation of this right came only in 1516, in response to Götz' continued marauding, the desire of many members of the League to mount a campaign against him, and the need of

Maximilian for money to use in Italy.⁷⁹ Thus, the Swabian League considerably enhanced its degree of independence from the Emperor,⁸⁰ and acquired through the selective exercise of the right to enforce the Imperial Peace a powerful weapon against non-members.

Between 1512 and its next renewal in 1522, the tendency toward increased centralization of the Swabian League's administrative and legal powers proceeded apace. Protests from members of the League, especially princes, that their rights and jurisdictions were being infringed by the League's activities occur with increasing frequency during this period. In its relations with political rulers in southern and central German lands who were not members of the League, the League Council tended to interpret its power to enforce the Imperial Peace rather broadly. Since the right of enforcement was backed up by the considerable collective military strength of the members of the League, no ruler could afford to ignore the policies of the League. Suspicion and resentment of the Swabian League's predominant position in the political affairs of this area generated a great deal of hostility among non-members.

Both of these major tendencies in the development of the Swabian League are well illustrated by the League's

confrontation with the Duke of Württemberg, which occupied a major role in the League's policies between 1512 and 1519. The temperamental Duke Ulrich of Württemberg had taken himself out of the League in 1512, charging that continued League membership was incompatible with his prerogatives as a territorial prince.⁸¹ Thereafter, Ulrich adopted a policy of definite hostility toward the League, forming a counter-League with the Count Palatine, the Bishop of Würzburg, and the Margrave of Baden which explicitly challenged the political position of the Swabian League.⁸²

In the years that followed, mutual economic sanctions and other types of harassment between members of the League and the Duke of Württemberg served to heighten the tension.⁸³ Imperial cities and Imperial nobility who were League members and whose territories bordered upon or were surrounded by the Duke's lands were particularly affected by this virtual state of cold war.⁸⁴

Relations between Württemberg and the Swabian League were made still worse by the Duke's marital difficulties, which led eventually to Ulrich's being placed under the Bann of the Empire (he had murdered a noble in a fit of rage), and earned him the enmity of the Dukes of Bavaria (Ulrich's wife was their sister).⁸⁵

The final straw came when Duke Ulrich attempted to exploit the uncertainty caused in the Empire by Maximilian's death in 1519 by illegally mediatizing the Imperial city of Reutlingen.⁸⁶ This flagrant attack upon a League member could not be allowed to pass unpunished. The Swabian League mobilized its entire military force to drive Ulrich out of his Duchy in the spring of 1519. His attempt to regain it in the summer of that year was easily defeated.⁸⁷ The Duchy of Württemberg was then turned over to the Habsburgs in return for a sizeable payment to cover the costs of the League's campaign.⁸⁸

Besides this use of their collective military might to eject a major territorial prince from his domains, the members of the Swabian League also became increasingly involved in an effort to deal with the evils of Raubrittertum in southern and central German lands. Attacks upon travellers, primarily city merchants, by various nobles who claimed to be exercising their legitimate right to feud had made the roads of the Empire unsafe in many areas. Against such nobles, the power of the League Council to summon suspected peace-breakers before it to purge themselves of suspicion by oath, plus the threat of the League's acquired right to use force to enforce the Imperial Peace, could be used to advantage.

In general, the League Council relied upon the patrols sent out by the members of the League, its own temporary patrol forces, and the duty of League members to institute immediate pursuit when informed of an attack in their vicinity as its chief means of dealing with marauding nobles. During the latter part of the period from 1512 to 1522, a proposal to improve the effectiveness of these countermeasures by dividing the territories controlled by League members into five administrative units was defeated by the opposition of the majority of the princes of the League, who feared infringement of their prerogatives.⁸⁹

However, when these active measures failed to apprehend the attacker, the League Council could, through its power to enforce the Imperial Peace, bring considerable pressure to bear upon the noble(s) involved and their supporters. Restitution and sometimes even the payment of punitive compensation was often the result. If the League Council chose to make a particular issue of the activities of a noble, even powerful princely patrons could not save him.⁹⁰

Because of the high costs of siege warfare, the Swabian League seldom undertook a full-scale campaign against the strongholds which served as refuges for the

marauding nobles. (An exception was the fortress of Hohenkrähen, which was destroyed by the forces of the League in 1512.)⁹¹ However, by the early 1520s the patience of many members of the League with the continued boldness of Raubritter attacks was exhausted. When an ambush by the Franconian Imperial Knight Hans Thomas von Absberg in 1520 resulted in the death of Count Joachim von Öttingen, a League Councillor and member of one of the most powerful families among the Imperial Counts, the League Council decided to act.⁹² Although it took three years to transform this decision into action because of the prolonged negotiations over the renewal of the League in 1522, League forces eventually destroyed 23 castles and other strongholds belonging to the nobility of Franconia in a brief campaign in June, 1523.⁹³ While the League's action did not end Raubrittertum, the 1523 campaign illustrated the growing ability of League members to take collective action upon problems affecting them all.

The extension of the Swabian League's sphere of influence and its position of active dominance of the political affairs of southern and central German lands made the conditions of the League's renewal in 1522 a matter of the utmost concern for the political rulers--large and small--of the area. More and more League members

feared that the continued existence of the League might eventually limit their freedom of action and effective political independence. Thus, the negotiations for the renewal of the League in 1522 saw many attempts on the part of League members of all ranks to remain out of the renewed League altogether or to extort the greatest possible concessions from their fellow members in return for their re-entry.

This tendency was most marked among the princely members of the League. At the inception of negotiations for the League's renewal, only the Archduke of Austria and the Dukes of Bavaria were definitely committed to rejoining the League.⁹⁴ By careful arguments and persuasion, making limited concessions upon such matters as the number of troops an individual prince would be required to supply to League campaigns, Duke Wilhelm of Bavaria, as Imperial Commissioner for extension of the League, managed to induce a majority of the princely members back into the League. At the formal signing of the Constitution of the League on the 17th of March, 1522, the princely members of the Swabian League were Charles V (as Archduke of Austria), Dukes Wilhelm and Ludwig of Bavaria, Landgrave Philip of Hesse,⁹⁵ the Archbishop of Mainz, the Bishop of Würzburg,⁹⁶ the Bishop

of Eichstätt,["] and the Bishop of Augsburg.⁹⁷

Once these princes had committed themselves to the extension of the League, the political position of the remaining hold-outs became increasingly difficult. One by one they also rejoined the League--the Bishop of Constance almost immediately in June, 1522, the Bishop of Bamberg in March, 1523, and Margrave Casimir of Brandenburg in April, 1524.⁹⁸ In addition to these princes who had already been members, the Swabian League also acquired important new princely members when the Elector Palatine, his brother (Duke Friedrich of Palatine-Amberg), and nephews (Dukes Ott-Heinrich and Phillipp of the Upper Palatinate),⁹⁹ joined the League in 1523. Thus, despite the early difficulties, the number of princes in the League in the final crucial period of its existence was larger than ever before.

Uncertainty over the intentions of the princes with regard to renewal of the League created difficulties with members of the other two corporate political estates in the League, who feared that their obligations to the League might be increased to make up for any decline in princely membership. Resistance to rejoining the League among the Imperial cities was centered among a group of middlesized and smaller Imperial cities in Upper Swabia,

led by Überlingen and Memmingen. Such resistance crumbled before the combination of fear of Imperial displeasure, internal dissension among the city group over the value of the League's continued existence to them, and judicious concessions upon their League obligations.¹⁰⁰

Opposition among the members of the prelates, Counts, and Imperial nobility of the League was quashed by an Imperial promise to pay any difference between rejoining members' obligations to the League and the total obligation of their Bank, in case all former members of this Bank did not rejoin the League.¹⁰¹ A small group of important Imperial Counts and Freiherren, led by Jörg Truchsess, Freiherr von Waldburg, attempted to form an alliance among themselves which would supplant the Swabian League in the protection of their interests, but the alliance failed to gather sufficient support, and its members re-entered the League in November, 1524.¹⁰²

Additional members of the Imperial nobility in Swabia, impressed by the League's campaign against the strongholds of Raubrittertum in Franconia, entered the League during the period between the end of that campaign and the beginning of the Peasants' War.¹⁰³

No major changes were made in the Swabian League's Constitution at the 1522 renewal, except that the appor-

tionment of votes in the League Council was changed by giving Charles V two votes, since he was a member of the League both as Archduke of Austria and as Duke of Württemberg. This gave the princely Bank eight votes to the seven allowed each of the other two Banke.¹⁰⁴ The same proportions were maintained when the Count Palatine was given a vote upon his entry into the League--making a total of nine votes for the Princes of the League, eight each for the Banke of the Imperial cities and the members of the prelates, Counts, and Imperial nobility.¹⁰⁵ Those princes who had been reluctant to rejoin the League immediately paid for their hesitation by losing their votes in the League Council.

Thus, the Swabian League on the eve of the Peasants' War stood in many ways at the height of its power. It included twelve major principalities, twenty-eight Imperial cities, and a large number of the highly-differentiated lower Imperial nobility of Swabia and Franconia (including many of the lesser prelates of these areas).¹⁰⁶ Its collective political influence was such that no political ruler of the area could afford to ignore the League's policies. Most major territorial princes had found it expedient to join the League because of this political predominance. The military capabilities

of the Swabian League, proven in the campaigns against Ulrich of Württemberg and the Franconian Raubritter, surpassed those of any single political ruler in southern and central German lands. The courts of the League had proved at least partially effective in preserving relative peace among its members, while its right to enforce the Imperial Peace against non-members gave the Swabian League an increasingly important role in the legal structure of the Empire as a whole. By the end of this second major stage in its historical development, the Swabian League had developed into a reasonably effective basis for collective political, military, and legal action among its members, despite the highly diverse nature of their political interests, military power, and social status.

CHAPTER II

The Swabian League on the Eve of the Peasants' War:
Structure and Operation

The formal structure of the Swabian League was established by the Constitutions of 1488, 1496, 1500, 1512, and 1522. As so often happens with formal institutional structures, the provisions of the League's Constitutions often served primarily as a point of departure, from which the League's actual practices differed considerably. Thus, in order to understand the actual collective resources which the League could bring to bear in the suppression of the Peasants' War, it is necessary to examine the inner workings of the League in the years immediately preceding the rebellion somewhat more closely. Such an examination can be conveniently focalized around the four major areas of the League's activity--the League Council, the League courts, the financial structure of the League, and its military organization.

The basis of all the operations of the Swabian League was the meeting of the League Council, known as the "Common Assembly" (Gemeine Versammlung). This assembly was entrusted with the responsibility for final decisions on all League affairs.

While it has been argued that the early centralizing tendencies of the League Council were effectively countered by the entry of the princes' representatives in 1500,¹ closer examination suggests that precisely the opposite occurred. Starting with the powers given it by the Constitution of 1500, the League Council gradually consolidated its effective control of the policies of the League. This process of consolidation contributed to the growing effectiveness of the League during the second stage of its development and made it possible for the League Council to assume virtually independent control of the suppression of the insurgents during the Peasants' War.

In the early years of the League, the Council Assembly met on a rather haphazard basis, according to the needs of League members. The procedure for calling a Council meeting required the member who had suffered an infringement of his rights or become involved in a dispute to write the Hauptmann of his Bank, requesting that he call a Bundestag and stating as fully as possible the grounds for his request. The Hauptmann then sent copies of this original request, together with a covering letter setting a date and place for the Council to assemble to consider it, to the Hauptleute of the other

two Banke. All three Hauptleute would then write all the members of their respective Banke, including: a copy of the original request for a meeting (plus any additional information available on the matter), a copy of the letter from the initiating Hauptmann, and a further covering letter requesting that the member addressed either appear personally on the date set or send a fully-empowered representative to discuss possible courses of action on the matter.²

Although this procedure appears cumbersome, it was designed to allow relatively prompt action upon a member's complaint. Theoretically, when the method worked properly, League Council representatives would arrive upon the appointed day fully informed on the matter to be discussed and able to reach a quick decision.

Unfortunately, the system was seldom that well-co-ordinated. There appears to have been little co-operation among the three Hauptleute in the early stages of the League's existence. It was perfectly possible for the Hauptleute to call full meetings of the Council independently of each other, or for one Hauptmann to postpone or move up a meeting without consulting the others.³

In addition, strict adherence to the schedule set up by the convening Hauptmann could seldom be achieved.

Problems in opening a League Council assembly were caused by the differing distances between League members and the place of assembly, and by the frequent need to await the arrival of the representatives of particularly important League members. Too-frequent League Council meetings imposed a heavy financial burden upon League members--especially the smaller ones--because of the considerable expense of sending a representative to the assembly and maintaining him during the sometimes-lengthy deliberations. Given these difficulties, it is not surprising that achieving full attendance at League Council assemblies was a major problem in the League's early years.⁴

Partly for this reason, and partly in order to handle its increasing volume of business, the League Council began to set regular meetings some time in advance, usually at the end of each assembly. By 1524, it was common for the Council to assemble two or three times a year--in early spring, mid-summer, and late fall.

The task of the Hauptleute became not so much to call meetings of the Council (though they still had the power to call emergency meetings at their discretion), as to make sure that Council members were adequately informed about all business to be transacted at these regularly-scheduled assemblies. League members' complaints

were no longer sent out immediately, unless they were urgent. Instead, such complaints were referred to an upcoming Council meeting. The Hauptleute collected and copied all complaints and other items of business into a single large agenda which was sent to each League member shortly before the scheduled meeting of the League Council.⁵ The completeness and accuracy of this advance agenda were extremely important to the League Council's effectiveness, for unless a Councillor had been specifically empowered to act on a particular question, he would often claim insufficient authority and demand that he be allowed to consult the League member he represented (hintersichbringen). The delays occasioned by this tactic often severely hampered the League's ability to respond swiftly, though the technique was also sometimes used on purpose by the League Council when it wished to postpone a decision on a matter.

Full Council meetings were often preceded by assemblies of the members of each Bank to discuss the matters on the agenda for the upcoming Bundestag and, if possible, to arrive at a common policy regarding them. Such pre-assembly meetings became routine for the representatives of the Imperial cities of the League, who used them to settle accounts for each city's share of

their Bank's League expenses, to elect a city Hauptmann and the League Councillors for their Bank, and to hash out the often considerable differences between and among the city members of the League. The relative solidarity achieved among the city representatives at these pre-Bundestag meetings enabled them to present a reasonably united front in the League Council, and thus greatly increased the collective influence of the city Bank over common League policies.⁶

The Society of St. George's Shield originally also held such pre-assembly meetings of its members, but as the Society ceased to provide a viable basis for the participation of its members in the larger Swabian League, these meetings became more and more erratic.⁷ By 1524-25, although regional meetings of the members of the Bank of prelates, Imperial Counts, and Imperial nobility in the League continued to be held, determination of a common policy to be followed at League Council meetings was apparently handled more through personal correspondence and contacts with the members of this Bank who attended League Council meetings.

The Councillors of the League princes apparently did not meet regularly before a general League Council assembly. Their practice was to meet toward the end of

a League Council meeting, primarily to determine the financial obligations of each prince toward the expenses incurred by the princely Bank. There was little discussion of common policies, and attendance was evidently not considered particularly important, as all the princes' representatives were seldom present.

However, upon occasion, the princely members of the League would arrange for closer co-operation among their representatives with respect to certain important issues.⁸ Since the 1522 renewal of the Swabian League, the practice of holding regular formal meetings for the determination of policy in the League Council gained ground among the princes and their representatives.⁹ Of course, it was common for princes to solicit each other's support in the League Council for their complaints and demands, and to instruct their councillors to feel out the opinions of the other princes' representatives before deciding upon an issue.¹⁰

Since the actual protocols of the meetings of the League Council itself were kept strictly secret, it is difficult to determine the exact procedures followed. Particularly in the years since 1522, the League Council developed the technique of using ultra-secret subcommittees to perform much of its work, a procedure which caused much

discontent among members of the League.

However, judging by the evidence available from the correspondence of League Councillors,¹¹ the early stages of a Bundestag were taken up with informal consultations among the League Councillors while they waited for all to arrive. Formal sessions of the League Council consisted of presentations by the representatives of those members involved in disputes or desiring League aid, and the in camera deliberations of the League Council over action to be taken on the presentations and the reports of the secret committees.

The two principal areas in which presentations were made to the Council for decision were in disputes between League members which were too serious to be brought before the League court--or which had failed to be settled there--and in determination of the League's collective "foreign policy", (i.e., the decision as to whether the League owed help to a member against non-members). A third major category of the Council's business--the hearing of formal oaths of purgation from those suspected of violating the Imperial Peace--was added after the League won that privilege from the Emperor.

In settling disputes between League members, the League Council seldom resorted to a formal legal decision,

though it had the power to do so if necessary. Such a rechtliche decision carried with it the risk of outright opposition from the member against whom the decision was rendered, since a Rechtspruch was usually considered final and left no other alternative. If opposition was encountered, the League Council would then be called upon to enforce its authority--by military force, if need be--with much consequent trouble and expense for all members of the League.

Therefore, the League Council usually preferred to seek a gütliche (mediated) solution to such disputes, which could be accepted by both sides. Mediation could be undertaken by the League Council as a whole in particularly important cases.¹² More often the task would be delegated to a committee of League Councillors, one from each Bank, or to the three Hauptleute. These representatives from the League Council would hold one, or several, meetings with the disputants in an attempt to reach a settlement agreeable to both sides. They reported back to the Council their success, or lack of it. If the delegated Councillors failed to bring about a satisfactory settlement, the League Council could either hear the dispute itself or order renewed attempts through delegates.

The effectiveness of the League Council's process of mediation is open to various interpretations. It is true that many disputes between members of the League appear again and again in the Abschiede (summaries of business transacted at a League Council meeting, issued to members of the League) of the League Council, without any indication of settlement. Members were only morally obligated to comply with the terms of a mediated settlement. Complete repudiation of such an agreement, or renewed dispute over whether the terms had been complied with, was not uncommon. The League Council attempted, unsuccessfully, to deal with this problem in 1518 by asserting the final validity of its negotiated settlements, once both sides had accepted the terms.¹³

Despite these problems, the effectiveness of the League Council in this respect should not be discounted. Mediation was the most common method of settling disputes in the chaotic legal conditions of southern German lands at this time, since the Imperial Courts were slow and ineffective and the petty political rulers of the area were "immune" to other secular jurisdictions by virtue of their "immediacy" to the Emperor. In comparison with mediation attempts by individual rulers, the League Council had certain definite advantages.

By submitting a dispute to the League Council, the litigants could be reasonably sure of obtaining impartial arbitrators, since members of three different corporate political estates were represented in the Council or its delegation. This was particularly important when the dispute was between members of different corporate political estates, since failure to find an arbitrator acceptable to both sides often meant that the quarrel degenerated into violence.

The Swabian League's assertion of its own independence from all authority except that of the Emperor, coupled with its political and military predominance in southern and central parts of the Empire, increased the prestige of the League Council's mediation attempts. Strong moral pressure for the fulfillment of League-Council-mediated settlements could thus be exerted.

The League Council also had available the veiled threat of a legal decision and subsequent military action to enforce it in the event of non-compliance. This gave it a significant advantage over ordinary mediation proceedings and also over such formal administrative institutions as the Reichsregiment, which lacked an effective executive arm to make its settlements and decisions stick.

Finally, the constant flow of disputes into the League Council meant that the League Councillors and Hauptleute gained considerable experience in the mediation process. Their skillfull arbitration often produced results where a less-experienced mediator might have failed.

However, the real value of the League Council's handling of intra-League disputes was often independent of its ability to mediate a successful solution to the dispute. In many of the petty quarrels which developed between League members, the major objective was simply to prevent violence, with its attendant complications. This the League Council was able to do, within limitations, by postponing a definite decision until the argument dissolved into ambiguity. While such a "solution" was never very satisfying to the League members involved, the knowledge that a resort to violence during the League Council's consideration of a dispute would place them in a very bad light with other League members was often sufficient to cool tempers. Thus, the League Council often achieved as much by not acting as by decisive intervention. Unfortunately, this technique only worked well with relatively small and unimportant matters. Continued postponement of a decision upon larger issues--

particularly when important members of the League were involved--frequently indicated the Council's fear of alienating one side or the other. Carried to extremes, such delays reflected a tendency on the part of the League Council to overcaution in involving the League in major military efforts.

Inaction as a means of keeping a dispute in limbo until it resolved itself, and of avoiding unnecessary or inconvenient use of the League's military power, is also evident in the League Council's second major area of activity. In its handling of the external policies of the League, the League Council was primarily concerned with the exercise of its power to recognize the League's duty to render military aid to a League member in defense of his rights and privileges against "outside" attacks.

In matters of this sort, League members would immediately request the military help to which they were allegedly entitled under the articles of the League Constitution. It was then up to the League Council to determine if the situation was actually as the League member described it, and if the League was obligated to help the member. The League Council's usual tactic was to postpone action while it wrote or sent representatives to the opposing party to arrange a mediated settlement,

asserting that if this failed, the League would fulfill its obligation to the member appealing for help. Thus, members of the League sometimes appealed for help at the Bundestag after Bundestag, only to be put off with the answer that the Council would once again write the opposing party or attempt another mediated settlement, and grant military aid "next time".¹⁴

However, such dilatory policies on the Council's part could not always be counted upon. Part of the League's influence came from its unpredictability. No one inside or outside the League, knew for sure if the League Council would decide to act or not. No one doubted that the League had the military power to enforce its positive decisions, particularly after the Württemberg and Franconian campaigns. Therefore, no one could safely ignore the possibility of positive League Council action on a particular dispute.

A further important factor in the League Council's concentration of power into its hands was the growing "professionalization" of the League Councillors, which becomes evident during the second stage of the League's development. In order to function effectively in the relatively specialized media of League affairs, a Councillor had to be thoroughly familiar with the Council's

methods of doing business. This familiarity could only be acquired by repeated attendance at the assemblies of the League Council. Recognizing this, members of the League tended increasingly to send the same man to all League Council meetings.

The Imperial cities in the League were perhaps the first to adopt this policy. The representatives on the city Bank in the League Council were often the same men over long periods of time. It was not at all unusual for a League Councillor from one of the major Imperial cities to accumulate 10-15 years of continuous experience in League affairs.¹⁵ Although the League Councillors of the Imperial city Bank were elected from among the representatives of all the Imperial Cities who were members of the League, the continuous membership of some men was made possible by the custom of always electing the representatives of the larger cities to these positions. Ulm, Augsburg, and Nuremberg were always represented during the years that they were League members. Memmingen, Esslingen, and Überlingen were almost always sure of having their representative chosen to sit in the League Council. Thus, the Councillors of the Imperial City Bank formed a hard core of experienced men, at home in the Council chambers of the League, who looked after the

interests of their city with a considerable degree of skill.

The personnel of the Bank of prelates, Imperial Counts, and Imperial nobility in the League Council is less easy to determine. As the organization of the Society of St. George's Shield declined, the attendance of nobles, prelates and counts at the meetings of the League Council tended to fall off, placing this Bank at a disadvantage in relation to the other two "Banke".¹⁶ The position of League Councillor for this Bank devolved after 1512 largely upon those willing and financially able to attend the Council assemblies, either because their personal interests demanded it, or from a desire to exercise proven administrative and oratorical abilities. The situation encouraged the semi-permanent participation of the members of certain prominent noble families--such as the Counts of Öttingen or the vom Steins--thereby paralleling the development of a reasonably constant League Council representation among the Imperial Cities. There is at least some indication that the position of League Councillor for the Bank of prelates, Counts and Imperial nobility was considered virtually a lifetime post.¹⁷

Princes' policies with regard to their League representatives varied widely. In the early years of the princes' active participation in the League, it was

not unusual for princes to attend League Council meetings in person. Archbishop Berthold of Mainz appears to have dominated Council meetings by this tactic in the years immediately after 1500.¹⁸ However, as the administrative scope of the Council widened and the tasks of the Councilors became more varied, the princes began to send trusted advisors, although it was still possible for them to attend personally.¹⁹ When the advisor involved was not familiar with League Council practices, problems were created. The princes of the League were several times admonished by the League Council to send only advisors acquainted with the procedures which it followed.²⁰ As the Swabian League's influence expanded and its affairs became crucial to the princes, the tendency to entrust a single advisor with all League business became more common. Still, the representatives of the princes' Bank in the League Council were noticeably less permanent than those of either of the other two Bänke.

The three Hauptleute of the League Council also enjoyed a semi-permanent status. Of the three men who filled these positions during the Peasants' War, the shortest tenure in office was that of the Hauptmann of the Bank of prelates, Counts, and Imperial nobility, Walther von Hirnheim, who had served since 1513.²¹

Ulrich Artzt of Augsburg, Hauptmann of the Imperial City Bank, had served in the League Council since 1506-7,²² and as Hauptmann since 1513.²³ The Hauptmann of the princely Bank in the League, Wilhelm Guss von Güssenberg, had filled the office since at least 1505.²⁴

Each of these three men maintained a sizeable chancery to deal with the tremendous volume of correspondence associated with his position. Besides expenses, each received a yearly honorarium of 200 gulden, paid by the members of the Bank he represented.²⁵ Duties of the three Hauptleute included not only the co-ordination of the League Council meetings through the process of forming an agenda, as already described, but also the handling of the finances of the respective Bänke, serving as mediators in important disputes before the League Council, and to some extent organizing and supervising the policies of their respective Bänke. In effect, the three Hauptleute served as an executive co-ordinating committee for the League Council, although their powers of independent action were extremely limited.²⁶

The influence of each of the three Hauptleute within the League Council depended partly upon personal ability and social status, and partly upon the degree of organization and solidarity of the Bank he represented. Ulrich

Artzt, the city Hauptmann in 1525, was a member of one of the most respected patrician families in Augsburg. He had a long record of public service in that city, reaching the office of Burgermeister in 1505, shortly before he became a League Councillor. Ulrich's father had been highly-regarded by the Emperor. Through his brother, Bernhard, who was a member of the cathedral chapters of Eichstätt and Constance and also held important benefices within Augsburg itself,²⁷ Artzt could call upon connections with the Church and with the members of the nobility who dominated these cathedral chapters. Ulrich's brother, Wilhelm, headed the still-important Artzt family firm in Augsburg, and Ulrich's niece, Sibylle, was the wife of Jakob Fugger. Besides these familial connections, Ulrich Artzt himself was a man of considerable administrative ability. Because of his long experience in League Council affairs and his diligence in performing his duties as Hauptmann, Artzt was often entrusted with the task of drafting resolutions and correspondence for the entire League Council. In his threefold capacity as Hauptmann of the Imperial City Bank, elected League Councillor, and representative of the city of Augsburg, Ulrich Artzt was in a position to understand and influence most of the League Council's affairs.²⁸

The other two Hauptleute in 1525 were also able men, though their positions were somewhat different from that of Artzt. Walther von Hirnheim zu Hochhaltingen was an Imperial Knight whose family holdings were north of the Danube near the territories of the Margraves of Brandenburg.²⁹ The v. Hirnheim family had been members of the Swabian League since its inception in 1488. Von Hirnheim was himself an experienced administrator, having spent time in the service of the Imperial city of Ulm as Pfleger (a position combining legal and administrative duties) of various outlying territorial holdings of that city. By the 1520s, v. Hirnheim was Pfleger of the Grafschaft Kirchberg, controlled by Jakob Fugger.³⁰

The princes' Hauptmann in the League Council, Wilhelm Guss von Gussenberg zu Glott, was also an Imperial noble of good family and a member of the prelates, counts, and Imperial nobility Bank of the League in his own right. Very little information is available upon Guss' family connections and experience before he became Hauptmann in 1505. However, he did occasionally style himself "Hofmarschalk", though I have been unable to discover where he held this position and whether it was honorary or active.³¹ Guss and von Hirnheim were close friends and apparently related, since they used the

familiar form in their correspondence with each other and addressed each other as "lieber Schwager".³²

Neither of these two men wielded quite the same amount of influence in the League Council as did Ulrich Artzt. This was partly because the Bänke which they served were not as solidly united as the Imperial City Bank appeared to be, and partly because the League Councillors of the princely Bank and the Bank of prelates, Counts, and Imperial nobility were powerful men in their own right, many of whom exerted as much influence upon the policies of the League Council as did their Hauptmann.³³ Of course, the ability of Guss and v. Hirnheim to control the agenda of League Council meetings (in consultation with Artzt) and their role in summoning emergency meetings, plus their experience, made them men to be reckoned with anyway.

Besides the Hauptmann, each Bank in the League Council could chose one or more spokesmen (Sprechern) to present their viewpoint in formal debates. In practice, spokesmen were chosen only from the representatives of the Imperial cities and the representatives of the Bank of prelates, Counts, and Imperial nobility. The representatives of the princes of the League invariably spoke for themselves. Selection as spokesman was an indication

both of the ability of the man selected and of the importance of the League member he represented (in the case of the city spokesmen). In 1525, the spokesmen for the city Bank in the League Council were Christoph Kress of Nuremberg and Ulrich Neithart of Ulm. The spokesmen for the Bank of prelates, Counts, and Imperial nobility were Hans von Königseck and Jörg von Frundsberg, although von Frundsberg was in Italy for most of the Peasants' War and his place was taken by Count Karl of Öttingen or the Abbot of Weingarten.³⁴

Other permanent officials of the League Council included League secretaries Martin Oswald and Jakob Maler, whose duties included preparation of the official Abschiede recording League Council decisions at the end of each meeting and a wide variety of other secretarial tasks.³⁵ Until the appointment of Leonhard Strauss as Pfennigmeister during the Peasants' War, the League Council had no permanent financial official.³⁶

The men who served as League Councillors and officials of the League Council were almost without exception among the most experienced diplomats and negotiators in southern and central German lands. The League Councillors of the Imperial Cities were usually current or former Bürgermeister of the major cities, with all the

administrative experience and social status that such posts imply. The Councillors of the prelates, Counts, and Imperial nobility were drawn from the most respected families of the Swabian and Franconian Imperial nobility and from among the abbots of the larger monasteries. Princes' League Councillors were usually also noble, selected from among the highest and most able of the prince's officials. Frequently, the prince's Chancellor attended the League Council meetings on his prince's behalf, so that the prince could be sure that his League representative was fully informed on all the ramifications in foreign and domestic policy which might be affected by League decisions.

Most of these men were completely at home in the rough-and-tumble world of inter-territorial diplomacy which prevailed in sixteenth-century Germany. Many had formal legal training. All were chiefly interested in advantages to be gained for themselves and/or the League member whom they represented. A secondary interest was the advantages to be gained for the Bank of the League Council upon which they sat. While some League Councillors were definitely more influential than others, it is a mistake to assume that any single League Councillor, such as Leonhard von Eck of Bavaria or any of the men

who represented the House of Habsburg's interests, dominated the League Council.³⁷ Had this been the case, the League Council could hardly have been allowed by the other League members to reach the position of effective executive leadership which it enjoyed by 1525.³⁸

The second major institution of the Swabian League, the League Court, was designed to prevent friction between members of the League by providing swift, efficient legal hearings in disputes. The three League judges, one appointed by each Bank of the League Council, were continuously available to League members, both for regular hearings and for the more controversial granting of emergency legal relief in urgent cases when a member claimed his rights had been violated. The League judges could also hear cases involving non-members if the non-member agreed to submit to their jurisdiction. This was not uncommon, since the League Council had decided in 1512 not to grant military help to a League member if the non-member he was opposing requested a decision from the League's Court.³⁹

The power of each of the League judges to grant immediate relief in cases of minor violence between League members was the cause of much dissension among them, because the urgency of the proceedings often led

to alleged infringements of jurisdiction or privilege by the judges. Since this power of the League judges was called upon both in the early stages of the Peasants' War, when it seemed as if the peasants in some areas (notably the subjects of the Abbot of Kempten⁴⁰) would agree to submit their complaints to the League judges, and in the aftermath of the revolt, when the League judges frequently had to deal with the bitter squabbling which broke out between League members over questions of punishment and compensation for damages, the effectiveness of this power should be examined.

The power to grant immediate relief was basically that of the modern preliminary injunction. Members of the League were pledged not to retaliate to dispossession, distraint, the taking of prisoners, or any of the other often-abused forms of "legal" violence, when the perpetrator was another League member. Unless the promise of immediate remedy through legal channels existed, it is doubtful that this provision of the League Constitution would have been very effective. A primary function of the Swabian League--maintenance of relative peace among its members--would have thus fallen by the wayside.

Since cases which called for immediate relief usually involved the seizure of property or persons by

the defendant because of the plaintiff's alleged infringement of the defendant's rights, the League judges were empowered to command the return of the property or captives, pending a hearing. If necessary, such a command could be backed up by a sizeable fine. In especially recalcitrant cases, the judges could call upon the League Hauptleute to assemble the League Council to take steps to bring about reinstatement.

Whether reinstatement occurred immediately or not, the judge's duty was to hold an immediate hearing upon the merits of the action. If defendant's seizure was declared justified, the distrained goods or hostages (which had theoretically been returned to their original owner or to freedom) reverted to the defendant. If not, matters remained as they were before the action had occurred. Both sides retained the right to begin regular litigation upon the matter before the League judge after the forcible action in question had been settled.⁴¹ The entire process was to occur within eight days.

The actual procedure followed by the League judges came fairly close to these prescribed methods, although the time limit was seldom met and the effectiveness of the remedy was often in doubt. For example, in a post-Peasants' War dispute between the princes of

Palatine-Neuburg and the Imperial City of Ulm over Ulm's allegedly illegal seizure of a princely official, Palatine-Neuburg filed an appeal for immediate relief with the judge of the League cities, Dr. Wolfgang Rem, on 11 September 1525. Rem immediately wrote Ulm and received on September 20th the reply that the city considered itself completely within its rights, but would put the prisoner in question into the League's custody pending settlement of the issue. The League judge forwarded this answer on September 21 to Palatine-Neuburg. The princes replied on September 24th, insisting that Ulm had violated the articles of the League, and demanding that Rem issue a öonalmandate levying a fine for non-compliance. The mandate, providing for a fine of 50 gulden, was sent to Ulm on the 28th, and the city replied on the 2nd of October, once again protesting that they had in no way violated Palatine-Neuburg's Obrigkeit, and offering to deliver their hostage to the League for safe-keeping. The fine was ignored. Rem forwarded a copy of Ulm's answer to Palatine-Neuburg on the 4th of October. Palatine-Neuburg replied on the 5th, arguing that they were not required to agree to litigation before they had received immediate remedy for the seizure, as Ulm's proceeding was openly against League rules. Rem was

requested to set a time limit for compliance with his mandate, as required by the League Constitution. Rem agreed, somewhat wearily, on the same day--but a week later he granted Ulm a 4-5 day extension of the deadline. On October 11, Ulm decided to reject both the extension and the original mandate.

Palatine-Neuburg notified Rem on the 31st of October that they were turning the matter over to the Hauptmann of the princes' Bank, since the League Court had failed to provide a remedy. Wilhelm Guss included this dispute, together with copies of all the above correspondence, in his advance agenda for the regularly-scheduled Bundestag which began on 11 November 1525.⁴²

The matter was duly considered by the League Council, which suggested "more than one solution" without reaching a definite settlement, whereupon further deliberation was postponed until the next Council meeting.⁴³ Presumably the dispute was settled in the meantime, either by League Council mediation or mutual agreement, since it disappears from League records thereafter.⁴⁴

It is obvious that in a real emergency situation such as that presented in early 1525 by the growing unrest among the peasants, the suggested use of the League Court would not have satisfied either side. Its procedure

was too slow and too uncertain. But it should be noted that, in cases like the above between Ulm and the Upper Palatinate, further serious violence between the two parties was prevented by Rem's actions. In this respect, the League Court was perhaps fulfilling its function.

Regular litigation before the Court of the League was not particularly unusual. Written complaints, defenses, and rebuttals were exchanged through the judges at three-week intervals, after which the three judges would summon the litigants for oral argument and render a decision, also orally. Appeals were allowed according to a standard form. Judging by the continual concern of the League Council with the regulation and limitation of the League Court, the Court must have carried on an extraordinary volume of business. Unfortunately, no central record of its decisions was kept.

The other important area of the League Court's activity for our purposes, however, was in the gradual expansion of its jurisdiction in the years immediately preceding and following the Peasants' War. The League judges enjoyed an extended tenure in office.⁴⁵ In the later years of the League's existence, they were all trained jurists, and the influence of Roman law upon their proceedings was strong.⁴⁶ Thus, the League judges

were the source of much innovation within the League. They sought constantly to expand and clarify their jurisdiction, and in the process stepped on a good many toes. In the extremely sensitive area of possible conflicts between the League's legal jurisdiction and that of its members, the League's Court was a constant source of friction.⁴⁷ In the aftermath of the Peasant's War, when questions of jurisdiction were at the root of many of the problems of punishment for League members, the continued attempt of the League judges to expand their own jurisdiction on such questions became a crucial issue.⁴⁸

Judges. The financial structure of the Swabian League was complex and ever-changing. It was one of the League's weakest points, since financial problems caused more dissatisfaction with the League's performance than any other single area of complaint before 1525. However, the natural secretiveness of League members concerning their incomes and financial resources makes the finances of the Swabian League one of the most difficult segments of its operation to interpret.

The regular expenses involved in League membership were of three types: the yearly expenses of the operation of the Swabian League's legal and administrative machinery; periodic levies for support of common League

projects (such as the establishment of temporary patrol forces or the sending of an embassy to the Emperor); and the expense of active participation in the League's deliberations (e.g., the sending of a representative to League Council Assemblies). In addition to these regular expenditures, League members were liable at any time for extraordinary expenses for the League's military campaigns, or for similar special major expenses.

Running expenses of the League's operation included the payment of the honoraria to the League Council Hauptleute and of the salaries of the League Judges, secretaries, and court scribes. Costs of carrying on the League's voluminous correspondence, plus the expenses of the various officials were also included under this heading.

For such expenses, disbursements were handled by the Hauptmann of each Bank, with the approval of the League Councillors of that Bank. Accounts were usually settled once a year.

For the Bank of the Imperial Cities and the Bank of prelates, Counts, and Imperial nobility, each member's share of these expenses was determined on the basis of the number of troops he was required to supply to a full League military force (Bundeshilf). This number, in turn,

was based upon the League member's secret declaration of his total income, either to his Hauptmann or to a special committee appointed for the purpose. Income was reckoned according to formulas which were almost always in dispute.

The formula for the Bank of prelates, Counts, and Imperial nobility provided for the inclusion of all types of regular income, both in cash and in kind, derived from the possession of property held as security (Pfandbesitz), fiefs (Lehenbesitz), tithes (Zehnten), fishing rights (Fischwasser), "eternal rents" (Ewiggeld), rights over persons (Leibgeding), and property owned free and clear (Eigengüter). Income received in kind was evaluated according to the reduced rate used in reckoning its value to the lord to which it was paid (Herrengült) rather than current market value. Interest on debts and other regular liabilities could be deducted. Variable and non-recurring income (fines and other income from the exercise of legal jurisdiction, death-dues from bondmen, income from service to a prince) was excluded from the declaration.⁴⁹ Taking these exemptions and reductions into account, the League "tax rate" for the members of the Bank of prelates, Counts, and Imperial nobility appears to have varied between 3 and 6% in the early years of the League's existence.⁵⁰ By 1520, the

prelates of Upper Swabia who were members of the League were paying at a rate of approximately 4%, so the percentages hadn't changed much in later years.⁵¹

The larger cities of the League resisted income declarations as long as possible, fearing that any disclosure of their financial resources, even indirectly, would work to their political disadvantage.⁵² Pressure from the smaller Imperial cities eventually led the city Bank to adopt this method, however. The formula for reckoning the income of the city League members underwent several changes, until by 1522 their individual declarations were required to include all types of income, not excluding that of the City's Spital. The income value of liquid assets was to be included at a fixed rate of three percent, though this was strongly opposed by trading cities like Augsburg, which kept large amounts of cash on hand. The only concession made in this respect was that those cities declaring liquid assets were allowed to deduct an amount equal to the cost of supporting their contingent in the League's military forces for five months. Amounts paid for interest and annuities were also deductible.⁵³ If a city refused to make such a declaration, the committee handling the assessments was authorized to make a "reasonable estimate" of that

city's income and levy shares accordingly. In practice this system was adhered to mainly by the smaller cities. The larger cities, such as Nuremberg, Ulm, and Augsburg, arrived at their assessments more by negotiation.⁵⁴

The exact tax rate of the city League members is difficult to determine because of the secrecy which shrouded their financial proceedings. It would seem that, in the 1520s, they paid a little over one gulden for every footsoldier which they were required to contribute to the League's forces.⁵⁵ However, this does not allow the calculation of a percentage tax rate.

The princes of the League, for whom the most complete records are available, simply divided the expenses of their share of the League's operations among themselves according to the number of troops each sent to the League. In 1524, the expenses of the princes' Bank amounted to six kreutzer per footman or one gulden per ten footsoldiers.⁵⁶ This rate, of course, had nothing to do with each prince's total income.

Interpolation from these rates to the total collective regular costs of League membership for each Bank presents an interesting contrast. If the figure of 1.2 gulden per footsoldier is accepted as a basis for reckoning the expenses of the League cities in 1526

(a year for which relatively complete data is available), then the theoretical running costs of League membership for all the Imperial cities in the League combined were in the neighborhood of 4200 gulden (1.2 gulden X 3500 troops which the cities were required to provide). The actual costs of the princely Bank for the same period were 1158 gulden, 16 kreutzer.⁵⁷ If Müller's analysis of the tax load imposed upon members of the Bank of prelates, Counts, and Imperial nobility by League membership in the League's early years is correct, the expenses of League membership for the members of this Bank were even heavier than for the Imperial cities,⁵⁸ though it must be remembered that they were supporting the bureaucratic structure of both the Swabian League and the Society of St. George's Shield at that time. As the number of members of this Bank declined in the League's later years, the financial burden per member must have increased still further, although exact information on this question is lacking. A clue to the financial obligations of the prelates, Counts, and Imperial nobility to the League is the running subsidy of 4000 gulden granted to this Bank by the Emperor since 1516 as an inducement to stay in the League.⁵⁹ While further research upon the League's tax structure is needed to substantiate these figures,

it may be tentatively concluded that the regular expenses of League membership were far heavier, both absolutely and relatively, for the members of the Imperial city Bank and for the Bank of prelates, Counts, and Imperial nobility than they were for the League princes.

Besides these regular expenses, special levies for the expenses of the League Council's envoys and patrols, for gifts and special honoraria, and for extraordinary aids granted the Emperor, were frequent. These expenses were also apportioned among the members of the League according to troop contingents.

The costs of sending a suitably-equipped representative to the League Council meetings and assemblies of the individual Banke, and of supporting him for the 4-5 week duration of a normal session were also considerable. For example, the expenses of Bavarian Chancellor Leonhard von Eck while attending the League Council Assembly in Augsburg in June and July, 1529, were 175 fl. (This included Eck's retinue of six horse for the five-week session.)⁶⁰ While none of the lesser members of the other two Banke would have been expected to match the retinue of a League Councillor of Eck's status, the League Councillors of most of the other princes and those of the larger Imperial cities travelled with similar

corteges.

Since the expense of sending a representative to League Council Assemblies could, by the 1520s, be expected to recur two or three times yearly, the cost constituted a severe additional strain upon the financial resources of the smaller Imperial cities and many of the lesser Imperial nobles.⁶¹ For this reason, the smaller cities often preferred to send only a written delegation of power along with the League Councillors of the larger cities, unless the meeting were particularly crucial. Such delegations allowed the Councillor holding them to exercise one or more additional votes besides his own in the assemblies of the League city representatives.⁶²

That these three types of regular and semi-regular expenses represented a burden, real or imagined, upon many League members is not to be doubted, judging by the frequent complaints and difficulties in collection experienced by the League Council and Hauptleute. League members of the city Bank and the Bank of prelates, Counts, and Imperial nobility often cited the discontent caused by the heavy taxes they were forced to levy upon their subjects to support the costs of League membership, especially when compared to the taxes borne by subjects of neighboring non-League members.⁶³ Also, despite the

evidence adduced by Müller of citations before the Hofgericht at Rotweil for non-payment of League obligations in the early years of the League,⁶⁴ the League Council had no really effective means of enforcing collection of these amounts, even against lesser members of the League. The Council could only appeal to duty and conscience, with vague threats of actions to be taken against delinquents which were never carried out. (An attempt to establish a fine for slow or non-payment in 1513 was never carried through.)⁶⁵

The Imperial nobility in the League were particular offenders in this area of delinquency in League financial obligations. The League Council had to repeatedly admonish the League Councillors of the Bank of prelates, Counts, and Imperial nobility to see that outstanding amounts were brought in.⁶⁶ Certain princes, notably Brandenburg, Mainz, and Hesse, were also chronically behindhand in their League payments.⁶⁷

As a result of its campaigns against Duke Ulrich of Württemberg in 1519, and the subsequent sale of the Duchy to the House of Austria, the Swabian League acquired a source of income which became increasingly important to it, even as the Habsburgs found it harder and harder to deliver the agreed-upon installment payments.⁶⁸ Most

of the money received from the Habsburgs was distributed among the members of the League who had participated in the campaigns against "Württemberg as compensation for their military expenses, but at least some of the funds were used to meet current expenses and liabilities by the League Council.⁶⁹ The campaign against the Franconian Raubritter in 1523 also yielded small amounts of additional income for the League Council. Some of the confiscated property was sold; some was administered in the name of the League Council by the Bishop of Eichstätt and others.⁷⁰

Despite these and other expedients, the League Council found itself in near-chronic financial straits. Withholding of League obligations due became a favorite method of expressing discontent with the Council's policies, since the lack of adequate collection apparatus meant that this could be done with relative impunity. Furthermore, the payment of financial obligations even by obedient members of the League was painfully slow. The League Council could not depend upon League members to raise money even in an emergency. To overcome this important weakness and achieve sufficient financial flexibility in an emergency, the League Council relied upon the financial resources of the major Imperial cities of the League--Ulm, Augsburg, and Nuremberg. Ulm and

Augsburg frequently co-ordinated the handling of the League Council's finances by acting as "bankers" for the revenue from League members. To finance major military campaigns, the League Council fell back upon substantial loans from all three cities.⁷¹

Ultimately, the power and influence of the Swabian League depended upon the military forces that its members could collectively place in the field. In its early campaigns, the League was not particularly effective in this respect. As its military regulations were repeatedly revised and the League Council gained experience in co-ordinating the League's military effort, the effectiveness of the League's armed forces increased markedly. By 1525, however, there were still some definite problems in this area of the Swabian League's activities.

The Swabian League's military forces in the 1520s were composed of individual contingents of horse and foot from each of its members, operating under a common commander appointed by the Emperor, but controlled to some extent by the League Council through a special committee of War Councillors (Kriegsräte) representing each of the three League Council Bänke.⁷²

Each League member was responsible for raising, equipping, and supporting his own troops, although the

League Council attempted to ensure maximum uniformity by setting careful standards for the quality and equipment of these troops.⁷³ Most members relied upon professional military men whom they commissioned to raise troops to be sent to the League.⁷⁴ Thus, the loyalty of the troops fighting nominally under the banner of the League was often more to their commander and/or to the League member who paid their salaries than to the League Council or the League as a whole. This caused definite problems of co-ordination and control which cost the League some of its military effectiveness. Despite the League Council's efforts to assure itself of complete control over League forces through continuous sessions while a campaign was being conducted and the above-mentioned appointment of war Councillors to act as liason with the army, the relationship between the League's administrative apparatus and its military forces was often rather tenuous, depending largely upon the diplomatic skill of the Supreme Field Commander and the regularity of salary payments.

The size of one full League "help", in proportion to which all military levies of the League Council had to be made, was 1792 horse and 10,885 foot in 1524.⁷⁵ Of this force, the League princes supplied approximately

71.5% (1542 horse; 6985 foot); the League cities 21.5% (200 horse; 2900 foot); and the Bank of prelates, Counts, and Imperial nobility 7% (50 horse; 1000 foot).

Perhaps the most difficult problem for the League Council lay in making certain that each member sent the full number of troops required. This was important, not only because of the obvious effects of under-strength units upon the total fighting ability of League forces, but also in order that each of the three Bänke might rest assured that the other two were contributing their full share to the League effort. In this area, as in the collection of financial obligations, the League was almost totally dependent upon the good will of its members. Provision was usually made for penalties--amounting to monetary support for twice the required number of troops--for tardy or under-strength contingents, but in practice such penalties were seldom levied for fear of alienating the League member involved and thereby losing all his troops.⁷⁶

In the 1520s, the League Council attempted fairly successfully to exploit the existence of distrust between the members of the different Bänke with respect to troop supply by appointing Musterherren (inspection masters) from among the League Councillors of each of the

three Bänke. These men were sent to muster the contingents of the Bänke to which they did not belong, so that each Musterherr would have no reason to overlook deficiencies in the quantity or quality of the troops under his supervision. Though their task was rendered difficult by a tendency of individual troop commanders to permit troops under them to leave the League force without consulting the League commanders, the Musterherren checked major discrepancies between the forces a member owed and the forces he actually sent.⁷⁷

Because of the recruiting practices common in the early sixteenth century, the initial expenses of mobilizing the League's forces tended to be quite high, especially for those members, like the cities, who could not rely upon regular military obligations owed them by their nobles, as could the princes. Hired Landsknechte demanded a minimum of 1-2 weeks pay in advance, plus travel allowance to the place of muster. Thus, League members had to lay out considerable sums in advance when called upon to fulfill their military obligations to the League.

This situation created a certain inflexibility in the League's military responses. Because of the expenses involved, the League Council was extremely reluctant

to call up a full military force, except as a last resort. Even when the decision to mobilize was made, questions of speed and expediency made it likely that mobilization would be in partial units--one-third or one-fourth of the total force at a time--instead of the entire League force immediately. This lessened the burden on those League members who lacked a source of dependable troops and/or sufficient liquid funds to hire mercenaries.

Furthermore, mobilization of the entire League force not only imposed sudden, severe financial burdens upon League members, but also created definite logistical problems in assembling the troops, since the forces of some League members had to travel much greater distances than others, and most commanders were instructed not to march until the troops of all other League members arrived.

The League Council, aware of the problems caused by slow mobilization, sought to remedy them after the Württemberg campaigns by establishing a special committee, composed of the three Hauptleute and six League Councilors (two from each Bank), which was granted the power to call up an emergency force to meet a possible attack upon League members from the exiled Duke Ulrich. Upon the request of the attacked member, the Hauptmann of his Bank would proceed to summon together the other two

Hauptleute and the six Councillors, who could assemble with much greater dispatch than a full League Council. The committee would hear the presentation from the member who had requested the meeting and decide if the request warranted the mobilization of a pre-determined emergency force which amounted to either 1/3 or 1/4 of the total League force, at the discretion of the committee. If a majority of the committee decided that emergency action was necessary, each League member, when notified of the decision, was required to rush his share of the force to the indicated point of assembly for immediate action against the enemy. At the same time a full League Assembly would be called to deliberate upon further steps to be taken.⁷⁸

Although this committee was originally designed specifically to meet possible threats from the exiled Duke of Württemberg, it became a standing committee of the League Council whose discretionary powers were gradually broadened.⁷⁹ In cases where a clear and present danger existed, it could greatly decrease the time it took for the League to mobilize. Yet the members of the committee often proved reluctant to issue the order for immediate emergency mobilization without the back-up authority of the full League Council, especially in cases

where the League's liability to render military aid was not clear.⁸⁰ Thus, this attempt to streamline the League's procedures for military mobilization remained only partially effective. Mobilization of the Swabian League's forces was still a ponderous and unwieldy operation by 1525.

However, once the League had mobilized, at considerable expense and trouble, it was extraordinarily difficult for it to maintain its forces without taking action--or to demobilize without accomplishing anything. League members could not be brought to bear the expense of raising troops for nothing. This made the decision by the League Council to mobilize the League's forces equivalent to a definite commitment to military action. This aspect of the League's military response should be borne in mind when interpreting the early stages of its action against the peasants in 1525.

Although their principal strength lay in their strong mounted forces,⁸¹ the League's armies also marched with a strong artillery train, the costs of which were theoretically to be borne by the member for the benefit of whom the campaign was being waged. If the member in question was a member of the Bank of prelates, Counts, and Imperial nobility, many of whom would obviously be unable to bear the costs of a full complement of artillery

for a major campaign, the costs were divided among the three Bänke--1/2 to the princes and 1/4 to each of the two Bänke. The same arrangement was followed for campaigns in the common interest.⁸²

In practice, the artillery was usually provided by those League members best-equipped in this respect, and division of the costs was handled later. For example, in the 1523 campaign against the Franconian Raubritter, in which artillery was very important because of the siege warfare expected, all the artillery was supplied by Nuremberg.⁸³ The Imperial city members of the League had a standing agreement among themselves that they would all contribute artillery to a campaign waged on behalf of one of their number. In 1523-24 the League princes were moving toward a similar arrangement.⁸⁴

Other practices of the League's armed forces, such as common control of booty, conquered territory, and prisoners, were designed to minimize the chances of conflict between League members over the division of the spoils. Nevertheless, such disputes frequently marred the aftermath of League campaigns, sometimes lasting for many years.⁸⁵

Another major area of the League's military activities was the attempt, made repeatedly, to establish

some sort of small standing force which could be used to patrol the territories of League members and put down the worst of the Raubritter. Prior to 1525, these attempts were largely unsuccessful.

The most serious effort to form a permanent League patrol force was made shortly after the renewal of the League in 1500.⁸⁶ This force was totally ineffective and the cause of much dissension among League members because of its alleged favouritism.⁸⁷ Thus, it was abolished in 1502.⁸⁸

The League Council tried again in 1512, this time dividing members' territories into five areas to be patrolled jointly. This plan remained largely a dead letter. The primary cause for its failure would seem to have been the resentment of League princes at the need to patrol others' territories.⁸⁹

Thus, the League Council fell back on the policy of granting small temporary patrol forces to individual members of the League, to be used to meet a specific threat. Only after the experiences of the Peasants' War did the League Council finally succeed in establishing an effective, semi-permanent patrol force.

Despite the difficulties and inefficiencies noted in the Swabian League's administrative, legal, financial,

and military structure, the Swabian League in the early 1520s possessed a not-unimpressive record of accomplishment. It had asserted its political and military predominance in southern and central German lands in the campaigns against Ulrich of Würtemberg and the Franconian Raubritter; it had successfully fought the attempt of the Reichsregiment to intervene in the latter campaign;⁹⁰ it had acquired the right to enforce the Imperial Peace in the territories of its members. Membership in the Swabian League had become politically indispensable to most of the major political rulers of southern and central Germany, and to many of the petty political rulers as well. Thus, the problems in various aspects of the League's operations were not severe enough to outweigh the advantages of League membership for most of its members. Indeed, given the careful concern of the members of the League for their rights and privileges, a more effective League might have been much less satisfactory, since it would have presented more of a threat to these rights and privileges. Moreover, the structural and functional difficulties of the Swabian League assume greater importance when one recognizes that they were mostly the result of internal tension and conflict between members of the

League. When the League Council or the League Court sought compromise, or chose inaction instead of solution, it was often because the members of the Council found the problem insoluble without alienating one side or the other. The threat of a split within the League was too great, so the Council procrastinated. When the League Council floundered in financial difficulties, it was often because dissatisfied members were withholding payment of their League obligations. This in turn created discontent among those members of the League who met their obligations scrupulously. If the armed forces of the League were hard to raise and difficult to control, intense rivalries among League members and disagreements about the need for and management of the military effort played a role.

In ordinary times, the Swabian League could absorb these tensions and conflicts. In times of crisis, they were likely to emerge as far more than simple inefficiencies in the League's operation. They could, in fact, threaten the continued existence of the Swabian League.

CHAPTER III

The Swabian League on the Eve of the Peasants' War:
Internal Tensions and Conflict

The primary purpose of the Swabian League was to provide an institutionalized means of dealing with friction and conflict among the political rulers of southern and central German lands. If necessary, the solutions reached through the use of these institutionalized means provided by the League could be enforced by the combined military power of the members of the League.

However, as the preceding two chapters have made clear, the Swabian League seldom functioned in this straightforward a fashion. The slim basis for co-operation among the highly-diversified membership of the League which the "institutionalized means" of the League provided was always tenuous. Consensus among League members on policy was rare. Total agreement was virtually impossible. The achievement of the League's institutional structure was thus not so much in its ability to find and impose solutions to conflict and friction among members as in its capacity to direct such conflict and friction into non-violent channels. The effectiveness of this achievement depended upon the intensity of the conflict and the degree to which the varied interests of League members

were involved in its resolution.

The balance of interests among the members of the groups and subgroups of political rulers which made up the Swabian League was constantly changing. In order to understand the influence of these shifting interests upon the policies of the League, the composition and attitudes of the principal groups and subgroups within the Swabian League, and the principal sources of discontent, disagreement, friction and conflict between and among them must be more closely examined.

I. Groups and subgroups within the League

a. "Prelates, Counts, and Nobility"

A glance at Appendix 4 will show that the membership of the Bank of prelates, counts and nobility within the League in the early 1520s was highly-stratified and diversified in terms of political power, wealth, and social status. This Bank included many of the abbots and abbesses of the cloisters of Swabia which were subject only to the Emperor, as well as the administrators of the houses of the powerful Teutonic Order. The secular members of this Bank included many of the Counts and Freiherren of Swabia and Franconia, plus a broad selection of the lower-ranking Imperial Knights and Herren from these areas, all of whom claimed the status of "immediacy" to the Emperor

(although the status of some was in dispute).¹

The range of practical power and influence within this Bank stretched from the near-princely resources of such members as the Prince-Abbot of Kempten or the Counts of Öttingen to the petty localized holdings of a simple Herr or Imperial Knight. The military strength and economic power of the most important members of the Bank of prelates, counts, and nobility approached that of the least-powerful princes of the League quite closely. Their influence over the policies of their Bank and of the League was in direct proportion to their practical power. Lesser members of this Bank, on the other hand, sometimes found it a strain upon their limited resources to raise even the small contributions to the League's military and financial needs which were required of them.

Inevitably, the high degree of stratification within the membership of this Bank of the League was reflected in the formation of various subgroups and in the diversification in the interests represented and policies pursued by these subgroups in relation to their League membership.

Initially, the membership of the Bank of prelates, counts and nobility was determined by simultaneous membership in the Society of St. George's Shield. The

Society was structured into four regionally-organized cantons with unequal numbers of members and differing economic strength. The most powerful canton, Hegau-Bodensee, included 76 members of the varying ranks of lower Imperial nobility and 7 lesser prelates. The members of the Hegau-Bodensee canton paid about 40% of the total League obligations of the Bank of prelates, Counts, and nobility in the early years of the League's existence. The most influential ecclesiastical members of this canton, besides the "Landkomtur" of the Teutonic Order, were the Abbots of Weingarten (Benedictine) and Salmansweiler (mod.: Salem-Cistercian). The most powerful secular members of this canton were the Counts of Werdenberg, F^urstenberg, Montfort-Rothenfels, and Sonnenberg, plus the Freiherren von Waldburg (Truchsess), von Alendorf (K^onigsegg), and von Zimmern.²

The canton on the Danube (an der Donau) consisted of 59 members of the secular Imperial nobility and 5 lesser prelates. The Danube canton paid about 37% of the total League obligations of the Bank of prelates, counts and nobility. The Abbots of the two Benedictine cloisters of Kempten and Ochsenhausen wielded much influence among the members of this canton, while the noble families of the Freiherren von Gundelfingen, the

von Rechbergs, von Stadions, von Frundsbergs, von Pappenheims, and von Steins zu Ronsburg were also important.²

The canton on the Kocher included 63 secular nobles, plus the powerful Prior of Ellwangen. Twelve percent of the total League obligations of their Bank was paid by the members of this canton. The Schenks zu Limburg, Counts of Helfenstein, and von Rechbergs were among the leaders of this canton.²

The fourth canton, am Neckar, had 74 members, all from the secular nobility. Its members paid 11% of the total obligations of the Bank of prelates, counts, and nobility. The Counts of Zollern and the families of von Ehingen, von Sachsenheim, and von Bubenhofen were prominent in this canton.³

These regional groupings of the members of the Bank of prelates, counts, and nobility remained important for the participation of this Bank in the Swabian League. However, as the importance of the Society of St. George's Shield in the organization of the Swabian League declined after 1500, and the number and collective influence of the members of the Bank of prelates, counts, and nobility also began to decline, the cantonal organization was gradually supplanted by other subgroups among the members who remained.

The reasons behind the decline in numbers and influence of the members of the Bank of prelates, counts, and nobility in the League are complex. Apparently, many of the lesser members of this Bank found the financial and military burdens imposed by League membership too heavy. These members simply dropped out of the League at one of the renewals. Since the financial and military obligations of the Bank were not significantly reduced after 1500, the loss of these members meant that the load had to fall more heavily upon those remaining. Thus, the effects of the decline in membership of this Bank of the League were cumulative. Only those prelates, Counts, and Imperial nobles who possessed adequate financial and military resources, or whose threatened political position required the protection of the League and made the burdens it imposed worthwhile, could afford to remain League members.

A comparison of the total declared incomes of the noble and ecclesiastical members of this Bank in 1501 and 1523 illustrates graphically the extent of the decline in membership and the effect produced upon the financial resources available to meet League obligations. K.O. Müller, in his study of the financial resources of the members of the Neckar canton of the Society of St. George's

Shield and the Swabian League, estimates their total declared income for the purposes of meeting League obligations in 1501 at 11,215 fl.⁴ (a decline of almost 14,000 fl. from declared income in 1488).⁵ Müller also estimates that this canton accounted for about 11% of the total declared income of the total membership of the Society of St. George's Shield and the Bank of prelates, Counts, and nobility of the Swabian League, based upon the division of the expenses of this Bank incurred during the 1499 war against the Swiss cantons.⁶ If these estimates are correct, the Bank of prelates, Counts, and nobility as a whole had declared income--for the purpose of determining League obligations--of about 102,000 fl. in 1501.

In 1523, the members of the Bank of prelates, Counts, and nobility were required to provide troops for the Swabian League's campaign against the Franconian Raubritter at the rate of two men per 100 fl. of declared income.⁷ Since the total military contingent of this Bank was set at 1150 men, the total declared income of the members of the Bank in 1523 must have been 57,500 fl., or about half of what it had been in 1501. This does not reflect a decline in the individual incomes of the members of this Bank, but rather a decline in the number of members in the period between 1501 and 1523.

The financial weakness of some of the members of the Bank of prelates, Counts, and nobility was evident in the first years of the League's existence. In the Society of St. George's Shield during the years before the formation of the Swabian League, the tax rate upon declared income had been in the neighborhood of 1 to 2 1/2%.⁸ Immediately after the formation of the League, this rate jumped to 3%, and in 1501 to 6%.⁹ Faced with these increases, some members of the Bank began to object to continued membership in the League. One of the major problems in the provisional extension of the League in 1496 was the possibility that only a few of the previous members of the Bank of prelates, Counts, and nobility would rejoin the League.¹⁰ The substantial decline in membership of the Neckar canton shown by Müller's income lists for 1496 indicates that this was not an idle fear.¹¹

Further evidence of the financial problems which membership in the Swabian League entailed for some members of the Bank of prelates, Counts, and nobility is provided by the Beibriefen concluded between the League and its allied princes in the early years of the League's existence. These Beibriefen declared that, in the event of military aid being rendered to the princes by the members of the League, the expenses of the members of

the Bank of prelates, counts, and nobility would be borne by the aided prince.¹² (The Imperial cities of the League, however, were expected to bear their own expenses.) It was also recognized that the members of this Bank could not be expected to provide their own artillery.¹³ These provisions for helping the members of the Bank fulfill their military obligations to the League were retained through the 1522 Constitution, the princes of the League being compensated by receiving any booty or other profit from a military campaign which would ordinarily have gone to the members of the Bank of prelates, counts, and nobility.¹⁴

Members of this Bank attempted to solve their financial dilemma in a number of ways. Loans from the more affluent members of this Bank were sometimes used to cover its running expenses.¹⁵ Shortly before the 1500 renewal of the Swabian League, a general tax upon the subjects of all League members for the support of the League was proposed, but since this would have fallen heavily upon the more populous Imperial cities and princely territories, the proposal failed.¹⁶ In the end, the "solution" was the simple process of attrition reflected in the declining membership of the Bank of prelates, Counts, and nobility. The decline affected the collective

influence of this Bank over League policies and, as a result, the relationship between the other two Bänke of the League.

Another major effect of the decline in membership of the Bank of prelates, Counts, and nobility was the emergence of three principal subgroups among its members by 1525. Although regional ties were still important, the subgroups were based upon social distinctions among the members of the Bank. The League Constitution of 1522 recognized the existence of these subgroups by providing that, of the seven votes in the League Council allotted to this Bank, "some" should go to the prelates, "some" to the Counts and (Frei)herren, and "some" to the knights and squires (Ritter und Knechte).¹⁷

It is noteworthy that, while the membership of the Bank of prelates, Counts, and nobility as a whole declined, the number of Abbots and other lesser prelates who were League members increased between 1500 and 1525. Eighteen abbots and abbesses, the priors of Ellwangen and the cathedral chapter of Constance, and the various officials of the Teutonic Order in Germany were members of the Swabian League in 1525. They were represented in the League Council of 1525 by Abbot Gerwig of Weingarten and Abbot Konrad of Kaisheim.¹⁸

Membership in the Swabian League was probably quite advantageous for these lesser prelates. Most were able to bear the costs of League membership without great hardship, being relatively wealthy in relation to many of the other members of their Bank.¹⁹ Many were also quite litigious, preferring court procedures and mediation to feuds as a means of settling the innumerable disputes in which they became involved. Although the prelates had at first been dubious about submitting to the secular jurisdiction of the Swabian League's Court and the League Council,²⁰ the frequent use which they made of the dispute-settling facilities of the League in later years indicates the value of League membership to them. The League Council's ability to bring the threat of military action to bear to enforce its decisions was an important support to many of the prelates in the event that they did become involved in a feud, since many did not maintain a military capacity of their own. Those prelates who were threatened with mediatization by powerful neighboring princes (e.g., Weingarten and Ochsenhausen, over whom the Archdukes of Austria claimed authority as Landesherr)²¹ received valuable support from their membership in the League.

Thus, the subgroup of prelates within the Bank of prelates, Counts and nobility seldom made difficulties

about the burdens imposed by League membership. They constituted a firm kernel of support for the League which could be counted upon when the League came up for renewal. By 1525 their financial and military obligations to the League were handled as a unit within their Bank,²² and their representatives on the League Council were among the most influential.

The second major subgroup within the Bank of prelates, Counts, and nobility--that of the Counts and Freiherren--was considerably less well-disposed toward continued membership in the Swabian League. Counts and Freiherren, as landed magnates of higher social, and presumably, economic status, constituted an upper bracket of the Imperial nobility. The distinctions of social rank and practical power which separated them from the simple Imperial Knight were jealously guarded. Thus, members of this subgroup would naturally regard participation in the Swabian League on a more or less equal basis with their social inferiors suspiciously.

Tensions between Counts and Freiherren and lesser nobles in the League emerged quite early in the League's existence. While the Counts and Freiherren had dominated the Society of St. George's Shield through their greater economic and military resources and their positions of

leadership within each of the four cantons, the participation of members of other corporate political estates in the Swabian League and the strict procedural rules of the League's legal and administrative apparatus lessened their influence considerably. Some Counts and Freiherren began to feel that membership in the League unduly limited their freedom of action, infringed upon their legal privileges, and imposed inequitable military burdens upon them.

All of these feelings are reflected in the typical list of complaints drawn up by the powerful Counts of Montfort-Rothenfels and Sonnenberg in support of their refusal to rejoin the League in its proposed new form, shortly before 1500. The Counts complained that nobles and townsmen who were subject to their own courts now turned to the Court of the League instead, which constituted an infringement of their exclusive legal jurisdiction. The League Constitution's prohibition of retaliation against forceful attacks deprived them of one of their most important methods of preserving their rights and privileges, since the attacker had only a legal process to fear ("also zügt man uns unser claiden ab, und büt uns denn darby recht"). This had the additional effect of diminishing their control over their own

subjects ("denn ain jeder pur, so in unser oberkaiten und gerichtten handelt, frefelt, oder anders tut, das strafbar ist, sagt, ich bin dir kainer oberkait oder gerichtts gestendig, darmit wirt das übel gefürdert, und das unrechts nit gestrafft."). The Counts further protested that the League Constitution allowed no appeals from the decisions of the League judges in cases of forcible dispossession (immediate relief provision), which could lead to a miscarriage of justice if the League judge was not in full possession of the facts. Nor could the Counts forego their right to serve the prince of their choice, a privilege which they felt had been placed in question by the allegiance which League membership required. The Counts also complained that they were forced into litigation over their rights and privileges with lesser nobles, which was socially demeaning and contrary to their position. Finally, they noted that in military campaigns they were called upon to provide more than their share of troops, since they customarily maintained some forces on hand, while others who did not were only required to provide supplies. Thus, the Counts concluded, they would be willing to re-enter the Swabian League only as members of a separate Bank of Imperial Counts, and not as members of the Bank of prelates, Counts,

and nobility combined.²³ Both of these Counts did remain out of the renewed Swabian League, although the successor of the Count of Montfort-Rothenfels had rejoined by 1525.

Continued suspicion of League membership on the part of the Counts and Freiherren of Swabia and Franconia is reflected in their growing reluctance to remain League members. Those who, like the Counts of Montfort-Rothenfels and Sonnenberg, elected to remain out of the League in 1500 were joined at the 1512 renewal by the majority of the Counts and Freiherren of Upper Swabia. Counts Hans and Christoph von Werdenberg, Count Wilhelm von Fürstenberg, the five Counts of the various lines of the Montfort family, the three Counts von Zollern, the two Counts of Lüpfen, the Freiherren von Zimmern, and Jörg Truchsess, Freiherr von Waldburg all resisted Imperial attempts to persuade them to rejoin the Swabian League.²⁴ This left only the Counts of Öttingen, the Freiherren zu Limpurg, Hans von Königsegg, Freiherr zu Königseggerberg, and Wilhelm Truchsess, Freiherr zu Waldburg as members of this subgroup within the Bank of prelates, Counts, and nobility of the League.

At the renewal of the League in 1522 it seemed as if the situation might get worse. Under the leadership of Jörg Truchsess, Freiherr von Waldburg, and Count

Johann von Montfort-Rothenfels, the Counts and Freiherren of Upper Swabia had formed a defensive alliance among themselves in 1520, at least partly in order to avoid being forced to join the Swabian League. Some of the Imperial cities and lesser Imperial nobility of the area, influenced by the example of their powerful neighbors, also resisted rejoining the League. For a time, it seemed as if the Counts and Freiherren might actually cause a serious rift in the membership of the League. Their position was crucial to those who wished to see the Swabian League renewed.²⁵

The feared defections of League members to the alliance of the Counts and Freiherren did not occur. However, the Counts and Freiherren themselves held out against strong Imperial pressure to join the League, even resisting the issuance of Imperial mandates against their leader, Jörg Truchsess.²⁶ Only after the four-year alliance had expired did Truchsess and the Counts of Werdenberg, Fürstenberg, Helfenstein, and Montfort, and the Freiherren of Gundelfingen and Zimmern request to be admitted to the Swabian League, bowing finally to the pressure. They were formally admitted on the 21st of November, 1524.²⁷

The exact goals of this group of Counts and Freiherren in their resistance to League membership are unclear. Presumably they were influenced by some of the same complaints as those voiced twenty years earlier by the Counts of Montfort-Rothenfels and Sonnenberg.

There was also a definite feeling that the Swabian League had spread itself too thin--that a more localized alliance would serve their interests better (especially when they would not have to compete with princes for control of it).

However, the entry of the Upper Swabian Counts and Freiherren on the eve of the Peasants' War revitalized this subgroup of the Bank of prelates, Counts, and nobility. It also may have created still further internal tensions within the subgroup itself, for the votes of the "Counts" in the League Council in 1525 were exercised by two members of this subgroup who had not joined the dissidents, Hans von Königsegg, Freiherr zu Alendorf, and Count Karl of Öttingen.

The third major subgroup of the Bank of prelates, Counts and nobility, the Imperial Knights (Ritter und Knechte), had many members who were quite powerful in their own right. Collectively, the influence of this group matched that of the Counts and Freiherren or the prelates, and perhaps even surpassed them, since the

League Council in 1525 contained three representatives of this subgroup, compared with two for each of the others. The League Councillors of the "nobility", Hans Marquart vom Stein, Adam vom Stein, and Burkhardt von Ellerbach, are typical of the representatives of powerful family interests which dominated this third subgroup.

The principal change which occurred in the membership of the subgroup of the lesser Imperial nobility in the League was the shift from the extensive participation of many petty Imperial Knights to a more selective group of important noble families and individual nobles. A comparison of the membership of the Bank of prelates, Counts and nobility in 1488 and in 1525 shows that the multitude of minor nobles present at the earlier date had disappeared by 1525. Virtually all of the members of this subgroup in 1525 were men of some importance in terms of their territorial holdings and political and economic influence. In most cases, they are men from the families which had been most influential in the cantons of the Society of St. George's Shield, who had remained League members after their less-powerful compatriots from that Society had dropped out. Certain families--the von Pappenheims, von Freybergs, vom Steins--were particularly well-represented.

Many of the members of this subgroup were threatened with mediatization by princes, and found in the Swabian League a support against possible encroachments upon their rulership rights and relative political independence. Membership in the League offered a means of defending their interests through litigation against their powerful opponents, instead of resorting to the feud. The same advantage applied to their frequent disputes with other members of their own group.

Besides the opportunities for peaceful settlement of disagreements with other members of the League, League membership also provided the Imperial Knights with prestigious support in squabbles with non-members. While a non-member might easily disregard the complaint of a single noble, it was less easy to do so when the complaint was backed, potentially or actually, by the might of the Swabian League. Of course, if the matter did develop into a feud, the Imperial Knight could call upon military resources far superior to his own through his membership in the League.

To secure the utmost advantages from their membership in the League, the Imperial Knights insisted upon its extension to as many of their fellows as possible.²⁸ This would ensure both the broadest-possible division

of the burdens imposed by League membership and a wide jurisdiction for the League Courts and Council in disputes between members. They also were concerned about maintaining the League's military capabilities at a high level, resisting strongly the attempts made by the princes of the League to limit their obligations to the League in this respect.²⁹ Individually, the relationship between the members of this subgroup and the rest of the League was somewhat freer than that of either the prelates or the Counts and Freiherren. Seldom were the other members of the League concerned enough about the membership of a single Imperial Knight to make an issue of it as they had of the membership of the Upper Swabian Counts and Freiherren. Only in isolated instances, when a single noble was considered particularly influential (e.g. Jörg von Frundsberg), would pressure be exerted upon him to remain in the League.³⁰ Thus, most of the members of this subgroup felt that they could leave the League at one of its renewals without much difficulty. The membership of the group fluctuated continually because of this.

The members of each of the three major subgroups within the Bank of prelates, Counts, and nobility, therefore, had a different attitude toward League membership. The prelates tended to support the Swabian League, making

constant use of its facilities for settling disputes and shouldering the burdens of League membership with a minimum of complaint. The majority of the Counts and Freiherren who were members of the League in 1525 had joined virtually under duress, after an unsuccessful attempt to found an alternative alliance in which their power and status would receive more recognition. A smaller group of Counts and Freiherren who had remained members of the League throughout its existence had apparently done so because they felt more threatened by the aggressive policies of neighboring princes. (The territories of the Counts of Öttingen, for example, were intermingled with those of the highly-aggressive Margraves of Brandenburg-Ansbach, whose officials were constantly challenging the Counts' authority and rights.) The members of the subgroup of Imperial Knights must be fitted somewhere in between the prelates and the Counts and Freiherren in considering their attitudes toward League membership. They did not attach as much importance to the alliance as the prelates appeared to, but neither were they as assertive and jealous of their independence as the Counts and Freiherren. The constantly-fluctuating membership of this subgroup makes accurate generalization impossible, although the traditional membership in the

League of certain noble families would indicate that they found its resources valuable.

Although participation of the members of the Bank of prelates, Counts, and nobility in the Swabian League was organized around these three major subgroupings by 1525, and the interests of the members of these subgroups were not identical, this did not preclude a considerable amount of co-operation between the members of different subgroups with regard to League policies. When it came to matters such as the size of the military obligation of the Bank of prelates, Counts, and nobility, there was general agreement among the members of all three subgroups that it should be kept as low as possible in proportion to that of the other two Banke. Using their "poverty" and inability to support League membership as an excuse for resisting re-entry in 1522, the members of this Bank managed to extort additional subsidies from the Emperor to support their continued membership in the League.³¹ In this single aspect of their League membership, the Bank of prelates, Counts, and nobility were probably more united, and more successful, than either of the other two Banke.

Various other key issues could unite the Bank as well. The threat of mediatization to one of their

number, whether prelate, Count, or Imperial Knight, was one such issue. Thus, the continued attempts of the administrators of the Habsburg Landvogtei of Swabia to assert their authority over several members of this Bank by summoning them to attend the Landtäge of the Landvogtei were fiercely resisted by the entire Bank of prelates, Counts, and nobility. The matter became a constant concern of the League Council in the 1520s.³²

Members of the Bank of prelates, Counts, and nobility were also influential in an individual capacity through their activities as officials, commanders, and mediators for the Swabian League. As mentioned, both the Hauptmann of the princely Bank, Wilhelm Guss von Gussenberg zu Glott, and the Hauptmann of the Bank of prelates, Counts, and nobility, Walther von Hirnheim zu Hochaltingen, were also members of this Bank in their own right. In military campaigns of the League which were considered to be less than full-scale warfare, the League Constitution of 1522 provided that the commander of League forces had to be an experienced League member who was not a prince, meaning, in effect, a member of the Bank of prelates, Counts, and nobility.³³

Thus, the League forces during the suppression of the Peasants' War were commanded by Jörg Truchsess, Freiherr

von Waldberg.³⁴ Members of this Bank also participated actively in the patrol force set up by the League Council to maintain order after the Peasants' War, and were frequently called upon as mediators in disputes between members of the League before, during, and after the revolt.

b. "Imperial Cities"

Although all the Imperial cities who were members of the Swabian League had been granted, as corporations, various legal and jurisdictional immunities and regalian rights of government which rendered them "immediate" to the Emperor, vast differences in power and resources existed among them. The Bank of Imperial cities in the League included such powerful urban centers as Nuremberg and Ulm, with their broad "contadas" of territory controlled outside the city walls. But this Bank also included such dwarf towns as Alen, Bopfingen, and Buchhorn, which were in reality little more than large villages. These differences were quite naturally reflected in disagreements and friction within the Bank of Imperial cities.

Since the military obligations of the city members of the League were determined by a combination of income declarations and mutual agreement among the

political leaders of the cities, these obligations provide a convenient means of assessing the different power strata within the Imperial city Bank of the League as the city leaders themselves saw them.³⁵ In 1525, the three major cities of Augsburg, Ulm, Nuremberg, bore by far the largest portion of the military obligations of the Imperial city Bank. Together, they supplied about 64% of the military forces of their Bank (almost 14% of the total League forces). Individually, the contingent of Nuremberg and her small satellite city, Windsheim, was the largest, amounting to an adjusted total of 810 troops.³⁶ Augsburg followed with an adjusted total contingent of 750 troops, while Ulm provided 672 troops. A difference of 540 troops separates the contingent of Ulm from that of the next city in line, "Überlingen, illustrating the degree of stratification between these major cities and the rest of the membership of the city Bank.

Differences among the remaining cities are much less striking, but levels of power are still discernible. Three cities, "Überlingen, (Schwabisch-)Hall, and Memmingen, provided 132, 115, and 112 troops in their adjusted troop contingents, respectively. Six cities, "Esslingen, "Nördlingen, Biberach, Ravensburg, Heilbronn, and "Dinkelsbühl supplied between 75-100 troops. The

contingents of Reutlingen, (Schwabisch-)Gmünd, Kaufbeuren, (Donau-)Wörth, and Isny ranged from a high of 62 troops (Schwabisch-Gmünd) to a low of 35 troops (Kaufbeuren). None of the remaining eleven Imperial cities supplied more than 20 troops apiece, with the weakest, Bopfingen and Buchhorn, providing only 6 and 5 footsoldiers, respectively.

As one might expect, the leadership of Ulm, Augsburg, and Nuremberg was taken for granted within the Bank of Imperial cities of the League. Their greater economic and military resources, political influence, and, to some extent, more experienced leadership gave them a natural position of pre-eminence. The position of city Hauptmann was always held by the representative of either Ulm or Augsburg, (a customary arrangement from which Nuremberg was excluded because it had not joined the Swabian League until 1500). At least one of the Sprecher for the Imperial city Bank in the League Council was usually a representative from one of these three major cities. In the separate, preliminary meetings of the members of the city Bank, the representatives of Ulm, Augsburg, and Nuremberg often determined policy simply by declaring their position, since the representatives of the smaller Imperial cities were often

instructed to wait to see what position would be adopted by the larger cities before declaring themselves.³⁷

Upon occasion, the representatives of one of the major cities were even given the power to exercise the votes of smaller cities who did not wish to incur the trouble and expense of sending representatives of their own to League Council meetings.

In the economic affairs of the Imperial city Bank the three major cities provided continuity and efficient handling of the monies paid into League coffers. Officials of the city Council of either Ulm or Augsburg, together with the city Hauptmann, acted as a central clearing house for determining the financial obligations of the members of the city Bank (and often for the League as a whole) and for collecting the payments. Frequently, the city Council of one of these cities would simply pay the entire annual obligation of the city Bank to the League when it was due, allowing individual members of the Bank to settle with them later. Loans from the Council of one of the major cities to help the Council of a smaller city meet its League obligations were not infrequent, nor was it unusual for the League Council to turn to these major cities for loans in times of stress.³⁸

Militarily, the role of the three cities was also predominant. The troop contingents of the smaller cities usually marched with those of the large cities, under the command of the large-city commanders (thus saving them the expense of hiring a commander of their own). Salaries and equipment were also handled by the officials of the large cities, sometimes on credit, but more often simply because the smaller cities saw this as a more efficient way of disbursing their money. Artillery was almost always supplied by the larger cities.³⁹

Co-operation among the three major cities in the leadership of the city Bank was particularly close. Rare minor disputes were easily ironed out, and the three city Councils remained in close touch with each other regarding policies to be pursued at League Council meetings. Of the three, Ulm had perhaps the greatest influence over the majority of smaller cities, both because of its traditional position of leadership of the Swabian Imperial cities and because the city had been a member of the League since its inception in 1488. The political leadership of Augsburg was somewhat less committed to the support of the League than was that of Ulm. In the early years of the League, Augsburg's representatives were frequently to be found leading small groups of

"hold-outs" within the Bank of Imperial cities when the Swabian League came up for renewal, demanding changes in the League's military and financial structure and legal apparatus.⁴⁰ However, Augsburg's influence over the other Swabian Imperial cities was lessened by the resentment felt at the obvious under-assessment of the city's League obligations, which Augsburg representatives successfully defended until 1522. Nuremberg exerted strong influence over the Imperial cities close to it (Windsheim, Weissenberg, Dinkelsbühl) but most of the Imperial cities of the League were Swabian. Also, Nuremberg maintained a certain aloofness at times, insisting upon a separate reckoning of its League obligations (although this did not prevent the Nuremberg Council from concerning itself very closely with the interests of the city Bank in the League).

Relationships between the lesser city members of the League and the three major cities, while generally good, were occasionally subject to strains caused by the feeling that the larger cities should bear an even larger portion of the financial burdens of League membership, since they derived greater benefits from the League's activities. Such arguments were most often advanced by the representatives of cities at the middle power levels

"Überlingen, Memmingen, Esslingen) although the small cities sometimes joined in the protest.

Thus, despite its fierce resistance, Augsburg in 1523 was forced to accept a 26% increase in its troop contingent and financial assessment for League membership, due to the pressure from the smaller cities. Augsburg was also forced to accept the inclusion of liquid assets in the income declarations of the members of the city Bank.⁴¹ Nuremberg, trying for a reduction of its troop contingent, was also rejected on the issue. However, the required contingents of the smaller cities who had led the effort to increase Augsburg's assessment (mostly those of Upper Swabia) were substantially reduced.⁴²

Regional subgroupings of Imperial cities in the League formed the most effective means of resisting the leadership of the three major cities and, occasionally, of influencing the policies of the entire League. The Imperial cities of Upper Swabia and the Lake Constance area ("Überlingen, Memmingen, Biberach, Ravensburg, Kaufbeuren, Kempten, Isny, Pfullendorf, Wangen, Leutkirch, Bopfingen, and Biberach) who were members of the League frequently attempted to act collectively to defend their common interests in the meetings of the city Bank and in the League Council. At the renewal of the

Swabian League in 1522, leaders from this group of cities resisted rejoining the League, using arguments which illustrate some of the tensions which existed within the city Bank.

Discontent among this group of cities with the policies of the League apparently originated with the often-repeated but never fulfilled promise of the League Council to help the cities of Augsburg, Ulm, Ravensburg, Kempten, Isny, and Leutkirch gain redress for an attack upon the goods of several of their citizens, carried out in 1517 by Franz von Sickingen. Since the goods had been included in a commercial expedition which had been granted a safe-conduct and escort by the Elector Palatine, the leadership of the cities involved considered the Elector responsible and sought League action against him. However, since the Elector was not yet a member of the League and the increasingly tense situation with regard to the Duke of Württemberg demanded the neutrality of the Palatinate if the League should decide to act, the League Council was extremely reluctant to grant the request of the city representatives. Furthermore, Emperor Maximilian intervened to forbid action against the Elector Palatine on the grounds that an Imperial Elector could only be summoned before Imperial courts.⁴³

For the large cities, the matter was apparently forgotten for more important affairs. For the smaller cities, however, the League Council's failure to act in the matter continued to rankle. For example, the representative of the city of Memmingen to a meeting of the representatives of the Imperial city League members of the Lake Constance area in May, 1519, was instructed to press for action on this issue:

for the smaller cities and their citizens don't have as much to lose as the great cities and other League members--a smaller injury is more damaging to them, and less to be permitted, than a greater injury to others.⁴⁴

At a similar meeting in April, 1520, the Memmingen city Council attempted to summarize its discontent with the Swabian League in its instructions to its representative:

The cities are more heavily burdened than the other estates of the League--they are seldom helped. Therefore, the common man derives no advantages from the League. It is useful only to the great lords, the large merchants, the prelates, and those in the country--they further their own interests while the common fellows in the city are oppressed in their trade. Also, all trade, craft production, and manufacturing is drawn out of the cities to the country; the cities thus become deserted and doomed to destruction.⁴⁵

Despite this somewhat melodramatic description of the alleged plight of the smaller cities in the League, the Memmingen Council remained relatively favorable to re-

entry in 1522.

Further evidence of discontent with the policies of the Swabian League in relation to the smaller cities is provided by the formation in 1519 of an alliance of six of the Upper Swabian Imperial city League members ("Überlingen, Ravensburg, Pfullendorf, Wangen, Isny, and Buchhorn) with two Imperial cities of the same area who were not members of the League, Lindau and Constance.⁴⁶

In the negotiations for the renewal of the Swabian League in 1522, which began as early as 1520; the Upper Swabian Imperial cities stubbornly withheld their consent to re-entry. The Councils of these cities, stressing the need to present a united front against all attempts to threaten or persuade them into rejoining, refused collectively to do anything with regard to their membership in the proposed renewal of the League until Emperor Charles V arrived in German lands and they could present their complaints to him in person.⁴⁷ In the meantime, they were approached by some members of the alliance of Counts and Freiherren in the same area with a proposal for a possible league between the two groups.⁴⁸

With the issuance in August, 1520, of an Imperial mandate declaring the desire of the Emperor that the Swabian League be renewed,⁴⁹ the representatives of the

dissident Upper Swabian cities changed their tactics, arguing that membership in the Swabian League offered them no benefits because most of the Counts, Freiherren, and Imperial Knights whose territories surrounded most of the Imperial cities were not League members. Thus, not only would the inhabitants of the cities continue to have to pay the heavy financial burdens of League membership (which would affect them unfavourably in comparison with the inhabitants of the surrounding areas) but also the Imperial city Councils would not have available the mediation facilities of the League for settling the innumerable disputes which arose between them and the rulers of the territories surrounding their cities.⁵⁰

However, the united front among the cities had begun to come apart with the Imperial mandate. Although most of the city Councils continued to resist the demands of the Imperial commissioners that they consent to rejoin the League at once, Memmingen, Wangen, Kaufbeuren, and sometimes Ravensburg and Kempten favoured re-entry on the best possible terms they could get. A hard-line group led by ["]Überlingen, and including the Councils of Isny, Leutkirch, and Buchhorn, opposed re-entry on any terms. The Council of the city of Biberach refused to follow the lead of either group, electing to deal with

the Imperial Commissioners on its own account.⁵¹

Under the prodding of Überlingen's representatives, the dissident cities broadened their defense of their refusal into a general criticism of the format of the League, arguing that the members of the League were now spread so widely across southern and central German lands that it was difficult or impossible for them to effectively aid each other without going to considerable expense.⁵² Their complaints were taken quite seriously by the Imperial Commissioners, who even suggested at one point that the situation might be helped if the Emperor agreed to compensate Isny and Leutkirch with 2000 gulden for the damages they had suffered earlier.⁵³

However, the split in the ranks of the hold-out cities gradually sapped the confidence of the resisting Councils. At length, all but the Überlingen Council grudgingly agreed to re-enter the renewed Swabian League, upon condition that their complaints be promptly dealt with.⁵⁴ The Überlingen Council, undisturbed by its isolation, presented cogent arguments for remaining out of the renewed League:

They do not need the League at all. For the House of Austria's territories enclose them on all sides. Also the neighboring cities of Constance and Lindau, although they are engaged in commerce and production for trade, are

nevertheless not members of the League, and thus are free of the burdens imposed by League membership. Since (Überlingen) has no such business, but must support itself through its own labor and that of the inhabitants of its surrounding territories, it cannot afford to support the burdens of League membership. Also (Überlingen) has been assessed too highly for its League obligations in comparison with other, more commercial, cities. In addition, some of their wealthiest citizens have left the city to go to other cities which are not in the League, with the intent of escaping the burdens imposed by the League.⁵⁵

For its stubbornness, Überlingen was rewarded by the promise of the Imperial Commissioners that 1/2 of its League obligations would be paid if it agreed to rejoin the League. To support this concession to the city (which was kept secret) the Imperial Commissioners suggested that Augsburg, Ulm, and Nuremberg be approached to make up the difference by secret payments through the Emperor, or (in jest) that Lindau be asked to pay the sum in return for the privilege of staying out of the Swabian League.⁵⁶ The Emperor refused, saying that the other cities would have nothing to do with this and he didn't intend to have the entire financial burden passed off on him.⁵⁷ However, the Council of Überlingen wisely continued to refuse to seal the League Constitution until definite confirmation was received.⁵⁸ The Emperor eventually agreed to pay half of Überlingen's costs for

League membership out of the receipts of the Innsbruck treasury.⁵⁹

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Once Überlingen and the other Upper Swabian cities had agreed to rejoin the renewed League, their representatives proceeded to create further difficulties over the form of the renewal. They attempted successfully to force full income declarations upon all members of the Imperial city Bank, a move directed primarily against the large cities which resulted in the increase in Augsburg's assessment despite that city's resistance. Imperial representatives described this dispute within the city Bank, in which the Upper Swabian cities were joined by other smaller cities, as concerning the desire of the large cities to preserve the secrecy of their financial affairs:

As the common cities, who had already agreed upon the means of reckoning their obligations through declarations of property, (began), a misunderstanding arose among the representatives of the Upper (Swabian) cities. They argued that the other cities should include the cash and supplies of gold and silver in the common treasury (of the city), as well as income and annual reserves. This the other cities, and in particular the wealthiest, would not agree to, for such had never before been the practice in the League. Also, only a few members of the inner Council in each city had such knowledge. It would not be possible or advisable to do this, for to make public

the state of a city's common treasury and reserve supplies would lead to ruin or great disadvantages. One had always been content with declarations on oath before this.⁶⁰

Having carried this point, the representatives of the smaller cities then turned to the question of the limitations upon the obligations of the princes of the League created by allowing them to "except" other princes with whom they had valid alliances from their duty to render military aid to members of the League. Although they were joined in their objections to this practice by some members of the Bank of prelates, Counts, and nobility, and by the representatives of the larger cities, the representatives of the smaller cities were not able to carry the point, and princely exceptions continued to be a source of friction in the Swabian League.⁶¹

Other members of the Bank of Imperial cities also conducted individual hold-out campaigns during the negotiations for renewal of the League in 1522. The two most stubborn, Esslingen and Schwäbisch-Hall, were rewarded with slight reductions in their League obligations. But neither of these cities wielded the collective influence of the combined Upper Swabian Imperial cities, and thus they were easily dealt with by the Imperial commissioners.⁶²

The effort of the Upper Swabian Imperial city representatives between 1520 and 1522 may have been mounted partially because of the practical advantages which they eventually won. However, there is considerable evidence to support the conclusion that their objections to the Swabian League were sincere. Their arguments were not solely rhetorical, but were directed towards rectification of a definite tendency on the part of the League Council to ignore the requests and problems of the smaller members of the League. They were expressing their resentment at the domination of the Imperial city Bank by Augsburg, Ulm, and Nuremberg, an assumption supported by the fact that the original leaders of the resistance, "Überlingen, Memmingen, and Ravensburg, were all cities of what might be called a second level of power within the Imperial city Bank. Esslingen and Schwäbisch-Hall also belonged to this group. The Councils of these "second-level" cities, aware of the inferiority of their resources in comparison to those of the three major cities, but accustomed to participation in League Council debates and conscious that they could exert considerable influence if they acted in unison, were demanding more consideration in the policies of the League in return for their continued membership.

Lindau. The three major cities, together with the remaining members of the city Bank of the League, looked upon this effort of the Upper Swabian cities with great suspicion. While the same cities had attempted to stay out of the League in previous extensions, notably in 1512,^{62a} this appeared much more serious. The dissidents were warned that they were endangering the unity of the Bank and that the Emperor might decide to leave the cities out of the alliance altogether, admitting only the princes.⁶³ The Councils of some of the Upper Swabian cities themselves, particularly the conciliatory group headed by Memmingen, fretted constantly about the possibility of bringing general displeasure down upon themselves and upon the Imperial cities in their Bank as a whole.⁶⁴ Curiously enough, the cities which had already agreed to re-enter the League felt compelled to defend the actions of the dissidents to some extent, even though they disapproved of their actions privately.⁶⁵

Courts. The situation highlights the rather peculiar position of the Bank of Imperial cities within the League. Throughout the prior existence of the Swabian League, the membership in this Bank had been far more constant than that of either of the other two Banke.["] Of the 26 Imperial cities who entered the League in 1488, only one,

Lindau, was not still a member in 1525. Of the four cities who joined the League after 1488 (Nuremberg, Strassburg, Buchhorn, and Weissenberg im Nordgau) only one, Strassburg, was not still a member in 1525. The members of the Imperial city Bank had always exhibited a high degree of loyalty to the League, and an intense concern with the preservation of the solidarity of their Bank vis à vis the members of the other two Banke in the League.

These characteristics of the relationship between the Imperial cities and the Swabian League can be partially explained by remembering the ambiguous relationship which existed between the Imperial cities and the other political rulers of the Empire in the late fifteenth and early sixteenth centuries. With regard to their relative independence and "immediacy" to the Emperor, the Imperial cities held political power equal to that of any Landesherr. However, the princes, prelates, Counts, Freiherren, Imperial nobles, and other rulers who exercised similar rights and immunities of Landesherrschaft (though often on a petty local scale) as immediate vassals of the Emperor refused to recognize the political rank of the Imperial cities. Although individual members of groups from these other corporate political estates

formed political alliances with the Imperial cities individually, the general attitudes which prevailed between them can only be described as hostile.

The hostility was caused by a multitude of economic, social, legal, and political factors. What is important here, however, is that one result of this hostility was the refusal of the other political rulers, in particular the territorial princes, to recognize the right of the representatives of the Imperial cities to participate in collective deliberations on an equal basis. The clearest example of this refusal was the vacillating participation of the Imperial cities in the Imperial Diet, to which they had all been summoned since 1489, but without being granted a real voice in the proceedings.⁶⁶

In the growing political struggle with the territorial princes in the 15th century, participation in such collective deliberative bodies of political rulers was an important element in the Imperial cities' weakening ability to defend their individual political positions. Thus, the question of their admission became crucial.

The basis for the refusal of the princes and other political rulers to recognize the right of the Imperial cities to participate was the feeling that the

authority of the city Councils was defective. The regalian rights of government and jurisdictional immunities which an Imperial city Council exercised had been granted to the city community as a legal corporation, rather than to the city Council itself. The governing political authority which the Council exercised, therefore, was not vested in the Council as a body or in any of the individual Council members. In performing the functions of government the members of the city Council were acting by delegation, overt or tacit, of the entire city community. Their exercise of political power was not personal, as in the case of a territorial prince, Imperial Count, or even an Imperial Knight. Thus, in the eyes of princes, Imperial Counts, Imperial nobility, and other corporate political estates who claimed immediacy to the Emperor, the exercise of political authority by the members of a city Council was not as responsible or reliable as their own exercise of similar authority. A city Council, according to this argument, was not truly Obrigkeit in the same sense as an individual political ruler. Its members' exercise of authority depended upon the continued approval of the city community. Thus, a city Council was not always in a position to command obedience from the rest of the community, and could not

be relied upon to control that community. Nor was the word of a city Council, much less of an individual Councillor, as binding upon the Imperial city community as the word of an individual political ruler.

These highly theoretical distinctions between the nature of the authority exercised by the Councils of the Imperial cities and the nature of the authority exercised by an individual political ruler appear unfounded when one examines the actual structure of government in many of the Imperial cities in the early sixteenth century. The Councils of most Imperial cities already tended to consider themselves as Obrigkeit, set apart from the rest of the city community as a ruling oligarchic body and independent administrative authority which was to be obeyed by the citizens of the city.⁶⁷ They wielded a wide variety of powers, sometimes including control of broad territories outside the city walls.⁶⁸ To claim that the authority of the city Councils was insufficient or defective was to ignore the oligarchic or even autocratic tendencies which many of them displayed during this period.

Yet the argument was not totally without foundation. The extension and consolidation of its control over the city community had not yet been completed

by the Council in many Imperial cities in the early sixteenth century. Disorders and uprisings within the cities, frequent in the first decades of the century,⁶⁹ often left the city councils powerless to enforce their will upon their communities, since the military resources of the cities rested principally with the citizenry. Besides the inability to control their communities, city leaders were suspected by the increasingly autocratically-minded territorial princes because of the supposedly "democratizing tendencies"--weak and superficial as they were--of the guild Constitutions (Zunftverfassungen) established in many Imperial cities by uprisings of the craft guilds in the late 14th and early 15th centuries. Other aspects of the city form of government, such as the personnel changes within the city Councils, which brought different representatives from the cities to high-level political deliberations and threatened disclosure of political secrets to an ever-widening circle of city burghers, also bothered the members of the other corporate estates which exercised political rulership functions.

The reaction of the political leadership of the Imperial cities to this suspicion of the adequacy of their authority, as Naujoks has argued,⁷⁰ was to set out

to prove that the city Councils were Obrigkeit. This could be accomplished internally by still further extension and consolidation of the Council's control over the city community.⁷¹ Externally, recognition of the Council's position as Obrigkeit entailed winning the right to participate on an equal basis with other political rulers in such bodies as the Imperial Diet. These two aspects of the policies of the leaders of the Imperial cities were interlocking. To convince other political rulers that the admission of Imperial city representatives to high-level collective political deliberations on an equal basis was justified, the Councils of the Imperial cities needed practical evidence of their ability to control their communities, which they found in the continued extension of their legal, administrative, and police powers over the citizenry. Participation in such high-level deliberations, on the other hand, imposed economic and sometimes military burdens which required the imposition of further control measures by the Council. Thus, the theoretical charges of defective authority levelled against the Imperial city Councils by other political rulers had definite practical effects upon both the internal and the external policies of Imperial city Councils in the late fifteenth and early sixteenth

centuries.⁷²

Given this background, the significance of membership in the Swabian League to the members of the Imperial city Councils is obvious. In contrast to their treatment at the Imperial Diets, the city representatives in the League Council participated fully in all aspects of the League's operation, playing an important role in the deliberations and debates of the Council and in the financial administration of the League. In the League's military campaigns, the contingents of the Imperial cities also played a significant part. Through collective action, the representatives of the Imperial cities were able to exert considerable influence over the policies of the League.

Membership in the Swabian League was not without some drawbacks for the individual Imperial cities. Definite financial burdens were imposed, even upon the relatively wealthy cities. The costs of League membership had to be raised by additional taxes on the citizenry, which was bound to make it unpopular and perhaps even to cause unrest in the city communities. The secrecy of the League Council's proceedings and the frequent absences of Bürgermeister or other leading members of the Council on business connected with the League also aroused

suspicion.⁷³

However, membership in the Swabian League was valuable to the political leadership of the Imperial cities, and they felt themselves obliged to take special measures to ensure fulfillment of their obligations to the League--measures which in the process also furthered their control of their community.⁷⁴ In particular, the political leaders of the cities apparently felt that they had to prove that they could be successfully admitted to the deliberations of the other political rulers who composed the other Banke of the League by being super-obedient to the duties and demands imposed by League membership. Any deviation from the policies decided upon by a majority of the League Council, particularly in matters involving the defense and preservation of Obrig-keit (such as dealing with an uprising), would bring down upon the leaders of the Imperial cities the renewed and fortified suspicion of the other corporate political estates who exercised the functions of political rulership--or so many of the city representatives seemed to feel.⁷⁵

This did not mean that the members of the Bank of Imperial cities in the League never opposed the policies decided upon by the League Council. The representatives

of the Imperial cities in the League Council were fully capable of defending their interests with a vehemence equal to, or even surpassing, that of the representatives of the other Banke. However, individual Imperial city Councillors were seldom confident enough to mount such opposition without the assurance of support from the other city members of the League (although the representatives of the three major cities occasionally did so upon the assumption that the other city League Councillors would support them). Great importance was placed upon solidarity among the cities of the League. Their representatives feared to reveal their differences to the Councillors of the other Banke; such open disagreements in the ranks of the representatives of the League cities as that over the method of reckoning assessments in 1522 are almost unique, and the outright defiance of Überlingen and the other Upper Swabian cities caused consternation among the remaining city members of the League. Only by carefully preserving a united front in the League Council could the political leaders of the cities in the League exert an effective collective influence over the common policies of the League and maintain the "reputation" of the Imperial cities against the suspicion of their capabilities and authority. This was the reason behind the

meetings of city representatives prior to League Council meetings. Differences were to be resolved here, not in front of the other Councillors, who might interpret them as signs of weakness.

In their emphasis upon solidarity, the Councils of the city members of the League and their representatives in the League Council were surprisingly effective. The lines of policy supported by the city Bank in the League Council are more coherent than those of either of the other two Banke. The knowledge that all the city representatives were behind a given proposition or supported a certain solution to a dispute was an important consideration in the League Council's handling of the issue. Furthermore, it cannot be denied that most of the campaigns waged by the League redounded as much to the benefit of the Imperial cities of the League as to members of either of the other two Banke. This is particularly true of the two campaigns which preceded the suppression of the Peasants' War--the expulsion of Duke Ulrich of Württemberg, which occurred at least partly because of his attempt to mediatize the Imperial city of Reutlingen, and the campaign against the Franconian Raubritter, which rid the roads at least temporarily of some of the worst enemies of city merchants.

But although the representatives of the cities of the League could influence League policies through their collective pressure, they could not direct them. The political leaders of the Imperial cities were aware of the advantages which League membership offered them, and they were often handicapped in their pressure tactics by their feeling that they had to meet all League obligations if they were to continue to enjoy those advantages. Thus, the truly revealing arguments which come out of the resistance of the Upper Swabian Imperial cities to re-joining the League in 1522 are not those which the Councils of these cities used to justify their recalcitrance--important as these are for determining undercurrents of friction and discontent within the city Bank--but the arguments in support of continued League membership developed by the Memmingen city Council at the height of the debate:

For how many and sundry were the attacks, calamities, outrages, expenses, and damages which the cities were forced to suffer before the League existed. The Princes hated and persecuted the cities; they supported and instigated those of lesser rank, so that they could oppress and coerce the cities. The cities had to live in constant anxiety, in a state of constant watchfulness. They were burdened with great and heavy mobilizations, and forced to conclude many agreements and engage in many legal processes, or even

to purchase them at great cost, for the sake of peace and quiet. And yet all this helped but little, for it only gave other opponents the courage to act in the same way. Now, if one compares the costs which the cities incur through their contributions to the League with those which they bore earlier through their continuous mobilization, one must concede that expenses are lower than before. Earlier, foreign trade involved great risk; many citizens were attacked and suffered great damages. And if the cities during the existence of the League have also undertaken many serious military campaigns which have caused them just as great expenses, yet it is true that they have saved in other ways because of the peace which has generally prevailed. Also, the old city Leagues led to nothing, and if the cities were not now in the Swabian League, they would surely be much more heavily burdened. Indeed, some of them would surely be already suppressed and ruined. A further result of this would have been an increase in costs, for the fewer the free cities in the Land, the greater the load which those remaining must assume for their own preservation.⁷⁶

In their own minds, it seems, the city leaders felt that they needed the Swabian League more than it needed them.

c. "Princes"

The members of the princely Bank in the Swabian League defy any simple classification into subgroups. Levels of power existed among them, ranging from the mighty Archdukes of Austria or Dukes of Bavaria to the Bishops of Eichstätt, Augsburg, and Constance. Regional or dynastic interests sometimes led to co-operation among

some princes upon certain issues. A division between secular and ecclesiastical princes was occasionally present, again upon certain types of issues. But none of these alignments was really permanent. Each prince was interested in using the Swabian League to further his own territorial expansion and/or to protect him from the encroachments of others. Each was perfectly willing to co-operate with members of his Bank when such a policy offered definite advantages. On the whole, however, the individual political goals of the princely members of the League were as diverse as were their individual characters and territories. Their shifting alliances and attitudes towards the League meant that their representatives in the League Council were often working at cross-purposes. Thus, the only way to get an accurate picture of the composition and influence of the princely members and their Bank is to look briefly at the position of each prince.

The principal competitors for primacy within the princely Bank of the League in 1525 were the Habsburgs and the Bavarian Wittelsbachs, who continued their long-standing territorial rivalry in their attempts to use the Swabian League in their own interests.

The Austrian Archdukes had a dual relationship with the Swabian League. As Emperor, the Archduke of Austria was the overlord of the League, sanctioning its existence and confirming the jurisdictions of its Court and Council. As Archduke of Austria, the Archdukes were members of the Swabian League on the same basis as any of the other territorial princes. The combination of Imperial power and territorial Hausmacht which governed Habsburg policy in the League could never be clearly separated, particularly when one member of the Habsburg family wore both hats, as in the reign of Maximilian I and the early years of Karl V's reign. Even after Karl V's brother Ferdinand became the legitimate ruler of Austrian principalities in 1521 he continued to try to use his position as Imperial Statthalter to influence the policies of the League.

The result of this intermingling of Imperial and territorial interests on the part of the Habsburgs was to create a certain ambiguity in the relationship between the Habsburgs and the League. The Habsburgs had been members of the Swabian League since its inception through the branch line of the family which ruled the Tyrol in 1488. When Maximilian took over the government of the Tyrol from Archduke Sigismund in 1490, he became a member

of the League, but only for those territories for which Sigismund had been a member. There was no question of accepting the Archduke of Austria as a League member on behalf of all his territories.

This decision to limit the mutual obligations between the Habsburgs and the League to matters involving the original territories controlled by the Archdukes of the Tyrol was important for the later relationship of the Habsburgs to the League. The Habsburgs had other territories in Swabia and the Upper Rhineland which they wished to place under the protection of the League. Thus, they tended to interpret the obligations of the League with regard to their territories as broadly as possible.

The League Council, on the other hand, insisted upon the limitation of the League's obligation to the lands of the Archduke of Austria in Swabia (which consisted in 1525 of the margraviate of Burgau, County of Hohenberg, Landvogtei of Swabia, Landgraviate of Nellenburg, and scattered cities and cloisters).⁷⁷ A restricted obligation to render aid to the Archduke if he should be attacked in the Tyrol was also recognized, though only in specific instances.⁷⁸ The status of the "vorder-österreichische" Lands of Alsace, Sundgau, Breisgau, and the Black Forest was uncertain. The League Council refused

to recognize an obligation to protect these areas militarily, but would sometimes undertake mediation in disputes. With the acquisition of the Duchy of Württemberg["] by the Habsburgs in 1520, the relationship between these Habsburg territories and the Swabian League became even less certain.

The situation was complicated even further by the practice of the League Council of granting special monetary or military aid to the Emperor for specific purposes. These aids were often used for the protection of Habsburg lands for which the League did not owe help. Thus, they were usually granted only with the stipulation that no precedent was being created which would bind the League to help in later cases.⁷⁹ This practice became less and less frequent in later years because the Habsburgs tended to treat the aids as precedents despite the stipulation.

In the early years of the League's existence, the correlation between Habsburg/Imperial policies and those of the Swabian League was fairly close, though they were never identical to the point where the League could have been considered a "tool" of Habsburg policy. Nonetheless, the members of the League provided important support for the Habsburgs against the Duke of Bavaria, in the Swiss War of 1499, in the Bavarian War of Succession,

against Duke Ulrich of Württemberg, and on numerous other occasions. However, as more and more territorial princes joined the Swabian League in the later years of its existence, the Habsburg attempts to dominate the League became less and less successful. The League Council began to insist upon important concessions from the Emperor in return for recognition of the League's duty to help defend his Austrian possessions.⁸⁰

The last major success of the Habsburgs in the League was the acquisition of the Duchy of Württemberg. While the expulsion of Duke Ulrich was a response to the interests of many other League members besides the Habsburgs, the subsequent purchase of the Duchy from the victorious League and the diplomatic master-stroke of persuading the League to re-admit Württemberg as a League member, thereby recognizing a duty to defend the Duchy against a possible attempt from Ulrich to regain his territory, greatly advanced Habsburg power in Swabia. However, the Habsburg success also created much ill-will among the other members of the League, straining the relations between the Habsburgs and the League throughout the 1520s and making Württemberg into a major divisive issue among League members.⁸¹

Other issues also strained the relationship between the Habsburgs and the League. The continued attempts of the Habsburgs' Landvogt of Swabia to assert Landesherrschaft over various members of the Bank of prelates, Counts, and Imperial nobility whose territories bordered upon or were encompassed by the Landvogtei was a running issue throughout much of the League's existence.⁸² The League Council was particularly irked by the Habsburgs' complete failure to do anything about this problem.

Despite these problems, the Habsburgs occupied a powerful position within the League. Their two votes in the League Council (one as Archdukes of Austria, one as Duke of Württemberg) were more than any other prince possessed.⁸³ The Habsburgs also had the right to name the League's military commanders.⁸⁴ The military assessment of Austria and Württemberg combined recognized that the Habsburgs had to be considered the most powerful princes in the League.

In addition, the symbiotic relationship between Habsburg territorial power and Habsburg Imperial power gave them an added lever for manipulating the members of the non-princely Bänke in the League which the other territorial princes lacked. The Habsburgs could often hope to gain their ends by playing off one Bank against

another, or to divert territorial princes into policies favorable to Habsburg interests, either within the League or by using the League's influence against non-member princes.

These advantages meant that the Habsburgs had always been one of the principal supporters of the Swabian League, a policy which continued throughout the 1520s. Imperial Commissioners conducted the negotiations which surrounded each renewal of the League, and Imperial mandates could occasionally be used against recalcitrant former members to force them to rejoin. The Habsburg policy of making concessions, with the approval of other members of the League, in order to bring as many of the political rulers of southern and central German lands as possible into the League indicates the importance which the League assumed in the overall Habsburg goals.

This importance was reflected in the care which the Habsburgs took in presenting their requests to the League Council. Habsburg representatives to the League Council were always men of talent and experience, and on matters of particular importance or urgency, Archduke Ferdinand sent his most trusted and prestigious advisors. Whether the League Council acted upon Habsburg requests or not, the Austrian presentation was always a high point

of a League Council meeting.

Many interpreters of the Swabian League's role in the early sixteenth century have seen, in the interest and care with which the Habsburgs treated the Swabian League, evidence of Habsburg control of the League. In reality they are evidence of contrary tendencies. The attention which the Habsburgs devoted to the affairs of the League increased in direct proportion to their uncertainty of achieving their ends. In the early days of the League the Austrian representatives would present the Emperor's demands to the League with little attempt to solicit support or explain the reasons behind them. By the 1520s, the representatives of Archduke Ferdinand requested support from the League on the same basis as any other prince, and Ferdinand himself sometimes wrote other princes in the League asking for the support of their representatives in the League Council. Thus, Habsburg influence within the Swabian League, although still very strong, seemed to be on the decline in the 1520s.

A principal reason for this decline was the increase in the number of princely rivals to the Habsburgs for influence within the Swabian League. Chief among these were the Wittelsbach Dukes of Bavaria. After the

initial years of hostility between the members of the League and the Dukes, the Munich branch of the Wittelsbachs became League members in 1500. With the union of all Bavarian lands under one line of the family as a result of the 1503-5 War of Bavarian Succession between the Bavarian and Palatinate Wittelsbachs, all of the Duchy was included in the League.

The Dukes of Bavaria in the early sixteenth century were undergoing what might be called a period of consolidation in the internal and external policies of their Duchy. The aggressively anti-Habsburg territorial policies of Dukes Ludwig and Georg of Bavaria-Landshut and Duke Albrecht IV of Bavaria-München in the late fifteenth century had been thwarted, at least partly by the actions of the Swabian League. The War of Bavarian Succession had left the successful Bavaria-München Dukes economically exhausted. The open competition with the Habsburgs, whose territories bounded Bavaria on the south and east (and, after Ferdinand's acquisition of the Crown of Bohemia in 1526, on the northeast), who competed with the Wittelsbachs for control of the crucial Archbishopric of Salzburg, and whose influence was also strong in the territories along the Lech river on Bavaria's western frontier, had to be temporarily suspended. Establishment

of Habsburg control in the Duchy of Württemberg made this all the more necessary.

Given this political position, the Dukes of Bavaria apparently saw in the Swabian League an important bolster against Habsburg interests. By becoming a member of the League, the Dukes secured the support of the alliance which had been strong enough to check Bavarian aggression and removed the possibility that the Habsburgs would be able to use the League against them. For this reason alone one would expect the Dukes of Bavaria to be strong supporters of the League. They were always among the first to declare their willingness to rejoin the League when it came up for renewal (at least until the League's demise in 1534, when it had long since proved its loss of capacity and usefulness), and in 1522, Duke Wilhelm of Bavaria even acted as Imperial Commissioner for the renewal of the League.⁸⁵

Support in dynastic and territorial rivalries with the Habsburgs was not the only advantage which the Dukes of Bavaria saw in League membership. Even when relations between the Wittelsbachs and Habsburgs had reached a state of temporary, uneasy co-operation in the early 1520s, Bavaria regarded the Swabian League as a means of resisting any attempt to change the political

structure of the Empire to the detriment of the privileges of the territorial princes. Duke Wilhelm of Bavaria, writing from the Imperial Diet at Wörm^s in 1521, explained his reasons for strongly supporting the extension of the Swabian League thusly:

If the intentions and practices of certain Electors are to arrogate to themselves all powers of government in the Empire of the German nation, and to do with us and other princes and Reichsstände as they please (which might cause more disorder than good), this could not well be done if the Swabian League were extended.⁸⁶

In this particular case, the Duke was referring to the efforts of the Elector Palatine (who was not yet a member of the Swabian League) to establish himself as Reichsvicar in 1521.

The Swabian League also provided an opportunity for settling peacefully disputes between the Dukes of Bavaria and the princes and other members of the League whose territories bordered upon Bavaria. Although Bavaria's Dukes, with their relatively consolidated territory and strong central administration, did not become involved in as many minor disputes over rights and jurisdictions as did those princes whose lands were more splintered and exposed, litigation over such questions in the areas where Bavarian rights were still nebulous (such as the

western border along the Lech river, where the territories of the Dukes of Bavaria intermingled with those of the Bishop and city of Augsburg) was important to the Ducal interests. Thus, while the Dukes' representatives did not appear before the League Council or League Court as often as did those of some of the more litigious princes (e.g., the Margraves of Brandenburg-Ansbach), the opportunity to make occasional use of the League's dispute-settling facilities was not unappreciated.

The Wittelsbachs, like the Habsburgs, received important military aid from the Swabian League at crucial points in their history. The members of the League fought on the Bavarian side during the War of Bavarian Succession, and the campaign against Duke Ulrich of Wurtemberg was also waged at least partly in support of Wittelsbach interests, although the aftermath of that campaign turned out somewhat differently than the Dukes of Bavaria had expected.

More so than with the Habsburgs, however, the Bavarian Dukes took pains to develop a special relationship with the other members of the League, in particular those of the two non-princely Bänke. While Austria always seemed to be demanding something from the League, Bavaria could often be counted upon to help the League through

difficult negotiations. Appeals to Innsbruck for action upon a problem that concerned the League Council often went unanswered, or a solution was promised and then forgotten. Appeals to Munich usually brought prompt acknowledgement, if not always action.⁸⁷ The Dukes scrupulously fulfilled their financial and military obligations to the League, something which could not be said for the Habsburgs. In the early 1520s, the good relationship was

The already-strong influence of the Dukes of Bavaria within the Swabian League was further increased in the second and third decades of the sixteenth century by the energetic activities of Leonhard von Eck, Bavarian Chancellor and League Councillor since at least 1513.⁸⁸ Eck, one of the shrewdest statesmen and diplomats produced in the early sixteenth century Empire, managed by the 1520s to establish himself as one of the most influential men in the League Council. Under his guidance, Bavarian interests with regard to the League prospered.

Thus, in the early 1520s, the relationship between the Dukes of Bavaria and the majority of the non-princely members of the League was quite good. Duke Wilhelm recognized this when he suggested to Eck in 1521 that he was the only prince who would be acceptable to most members of the League for the job of conducting the

negotiations for the League's renewal.⁸⁹ While dynastic and territorial rivalries with the other princely members of the League existed, the power of the Bavarian Dukes--second in their League military obligations only to the Habsburgs--earned them the respect of these members as well. As the temporary state of friendly co-operation between Habsburgs and Wittelsbachs began to show signs of strain in the early 1520s, the good relationship between Bavaria and the other members of the League became increasingly important to the Dukes.

Only slightly less influential than his cousins of Bavaria was the Elector Palatine, who did not enter the Swabian League until 1523. The importance attached to the membership of the Elector by the other members of the League is shown by the expansion of the number of votes in the League Council specifically to allow him a vote.⁹⁰ His entry culminated years of effort by the members of the League to bring the Palatinate into the League.

The resistance of the Count Palatine to joining the Swabian League stemmed originally from the defeat suffered by the Palatinate at the hands of Duke Albrecht of Bavaria--München and the members of the Swabian League in the War of Bavarian Succession. The bitterness en-

gendered by this defeat, and the territorial concessions which the Elector was forced to make as a result, was compounded in the years that followed by frequent disputes with members of the Swabian League, in particular the Archbishop of Mainz and those members of the League who had acquired territory from the Palatinate as a result of the war.⁹¹

The continued hostility between members of the League and the Count Palatine contributed to the formation of a counter-alliance between the Elector and the dissident Duke Ulrich of Württemberg, after the latter had left the Swabian League in 1512. The Margrave of Baden, a former member of the Swabian League, and the Bishop of Würzburg also joined this counter-alliance, causing great concern among the membership of the Swabian League.⁹²

The Swabian League's acquisition of the right to enforce the Imperial Peace against non-members led to a direct confrontation with the members of the counter-alliance, when the Elector Palatine, Duke of Württemberg, Bishop of Würzburg, and the Commander of the Teutonic Order at Mergentheim were forced to accept an arbitrated settlement which called for them to pay 14,000 fl. to various members of the Swabian League as compensation for their support of the marauding of Götz von Berlichingen.⁹³

In order to avoid such confrontations in the future, members of the Swabian League urged the Emperor to persuade the Count Palatine and other members of the counter-alliance to enter the League.⁹⁴

Nevertheless, disputes between members of the League and the Count Palatine continued throughout the second decade of the century. As mentioned, he was blamed for attacks committed upon citizens of several of the League cities in 1517,⁹⁵ and there was fear that the Count would actively support the Duke of Württemberg against the League's attack in 1519.⁹⁶

The Count Palatine and members of his family were actively engaged in an attempt to persuade members of the princely Bank of the League not to rejoin in 1522. A representative of the princes of the Upper Palatinate reported to the Elector in late 1519 that he had met secretly with the League Councillors of the Bishop of Bamberg and the Margraves of Brandenburg, arguing:

...what disadvantages, oppression, and harm results from the (Swabian) League, not only to those princes who are not members, but also to those who are, and that these things would continue if not prevented. That also the prelates and cities will continue to arrogantly work their will against the princes to the extent that the princes will eventually be forced not to permit it any longer. This will finally lead to an alliance of the princes to counter such practices.⁹⁷

Similar secret proposals to an official of the Dukes of Bavaria were also made.⁹⁸ The Elector Palatine himself instructed his representative to remind the Imperial Commissioners that the Palatinate's hereditary alliance with the House of Austria forbade either party to enter into any further alliances or extensions.⁹⁹ Apparently, Elector Ludwig hoped to form another counter-alliance with the Margraves of Brandenburg, the Bishops of Bamberg and Würzburg, and any other League princes which he could lure away from the League.¹⁰⁰ Although these plans came to nothing, both Brandenburg and Bamberg did not rejoin the Swabian League immediately.

This long record of hostility between the Elector Palatine and the Swabian League was suddenly reversed when the Elector, his brother Duke Friedrich, and his nephews, Dukes Ott-Heinrich and Philipp of the Upper Palatinate (Neuburg) joined the Swabian League on 5 June, 1523.¹⁰¹ The decision of the Count Palatine to enter the League apparently resulted both from the overtures of League members to him and his own desire for co-operation with the Swabian League in the Sickingen feud and the League's subsequent campaign against the Franconian Raub-ritter.¹⁰² The favorable terms upon which the Elector was allowed to purchase the confiscated lordship of

Boxberg from the League was undoubtedly part of the agreement.¹⁰³

Once he was a member of the League, the Count Palatine continued his efforts to induce closer co-operation among the princes of the League with regard to their policies in League affairs.¹⁰⁴ Other issues in which members of the Palatinate-Wittelsbachs became involved included disputes with the Archbishop of Mainz over possession of certain villages allegedly belonging to the lordship of Boxberg which the Archbishop had occupied (in which the League Council decided for the Elector Palatine),¹⁰⁵ and the concern of the princes of the Upper Palatinate with marauding nobles in their territories who took refuge across the border in Bohemia.¹⁰⁶

Thus, although the Palatinate princes had been members of the Swabian League for only two years by the beginning of the Peasants' War, they were already active and influential members. However, because of the short period of their membership, there remained a definite uncertainty about their position on some issues. League members remembered the Elector Palatine's original support for Duke Ulrich of Württemberg and wondered what his reaction would be if the League were forced to take the field against the Duke again, even though the articles

of the Elector's entry into the League specifically excluded him from any duty to the League in issues arising before his entry. Memories of other past antagonisms between members of the League were also still strong. The influence of the Elector and the other three Palatinate princes in the League, therefore, stemmed at least partly from their unpredictability. They had not been League members long enough, by 1525, to establish any kind of interest pattern, and they were feared because of this.

Another powerful secular prince who was a League member in 1525 was in somewhat the same position. The Landgrave of Hesse applied for membership in the Swabian League at the League Council meeting which began in February, 1519 and was accepted immediately at the next Council meeting (July, 1519).¹⁰⁷ A condition of his entry was that he allow the League Council to mediate several disputes between himself and the Archbishop of Mainz.¹⁰⁸ Aside from the negotiations surrounding the settlement of these disputes, the Landgrave appears seldom in the records of complaints before the League Council. Part of the reason for this is no doubt simply the physical distance which separated Hesse from the main areas of the League's activity. One of the arguments of the dissident Upper Swabian cities had been that

the Landgrave and a few other princes of the League were too far away from them for either to be of much help to the other.¹⁰⁹

Yet the Landgrave's military contribution to the League show him to have been surpassed only by the Habsburgs, Bavaria, and the Palatinate. His influence was recognized at the 1522 renewal of the League by granting him a vote in the League Council.¹¹⁰ Landgrave Philipp also attempted at this renewal to "except" the Count Palatine from his obligation to the League (i.e., in the event of a dispute in which the League Council decided to take military action against the Count Palatine, the Landgrave would not owe his usual help to the League forces, and vice versa) on the grounds that he held fiefs from the Count. The Imperial Commissioners denied the request on the grounds that it would set a dangerous precedent.¹¹¹ Nevertheless, the Landgrave later forced through not only this exception, but also additional ones for Saxony and Brandenburg.¹¹²

Thus, the Landgrave of Hesse was still a virtually unknown quantity in the Swabian League by 1525, although his attempts to except the Elector Palatine and the Margraves of Brandenburg would indicate some preference for the positions those princes represented. Only after the

Peasants' War did the Landgrave become a really influential figure in the princely Bank of the League.

The Margraves of Brandenburg, on the other hand, were anything but an unknown quantity. Members of the League since almost its beginning, the Margraves had been a source of leadership for the League in the early years of its existence, but were soon eclipsed by other, less pugnacious, princes. Throughout their membership in the Swabian League, the Margraves of Brandenburg were constantly involved in disputes before the League Court and League Council with the various Imperial cities, members of the Bank of prelates, Counts, and Imperial nobility, and princes whose territories were intermingled with their own.

The most consistent opponent of the Margraves in the disputes which they brought before the League Council was the Imperial city of Nuremberg. The Margraves had originally joined the League at least partially in order to neutralize the support of the Imperial city members of the League for Nuremberg in that city's challenge to the legal jurisdiction of the Margraves.¹¹³ When Nuremberg also joined the League in 1500, Margrave Friedrich insisted that he would not be in the League with the city, but did nothing.¹¹⁴ At the 1512 renewal of the League, the

Margrave attempted to make it a condition of his rejoining that Nuremberg and he should not owe help to each other as a result of their membership in the League, nor was the League to owe help to either against the other.¹¹⁵

His demand was partially rejected, though he joined the League. His successor, Margrave Casimir, proceeded to act as if the requirement had been met, refusing to honor any connection with Nuremberg through League membership.¹¹⁶

Besides Nuremberg, the Margraves of Brandenburg were also frequently engaged in disputes with the Bishops of Bamberg and Würzburg, with the Counts of Ottingen, and with various Imperial nobles.¹¹⁷ The belligerence of the Brandenburg Margraves led to increasingly strained relations with other members of the League, in particular those of the city Bank and the Bank of prelates, Counts, and Imperial nobility. This was reflected in the refusal of Margrave Casimir to accept the command of the League's army against Ulrich of Württemberg and in his reluctance to rejoin the League in 1522.¹¹⁸

The ostensible reasons cited by Margrave Casimir for staying out of the Swabian League in 1522 were the old issue of being in a League with Nuremberg and the desire to have his military obligation to the League reduced.¹¹⁹ Actually, Casimir had become involved with

the Count Palatine in plans for opposition to the League, along with the Bishop of Bamberg.¹²⁰ In addition, he apparently had some sympathy for the Franconian nobility whom the League intended to attack in 1523, although he gave them no active support.¹²¹

Margrave Casimir's position led to opposition on the part of other members of the League to his rejoining, even after Casimir had changed his mind in view of his increasing isolation. Leonhard von Eck reported as early as 1521 that if the Landgrave of Hesse, the Archbishop of Mainz, and the Bishop of Würzburg entered the 1522 renewal, Brandenburg and Bamberg would be forced to sue for admission, "although the common estates (of the League) and especially the two (lesser) Bänke would much rather see that these two princes remain out".¹²² Eck's prediction was borne out. The Bishop of Bamberg entered the League in March, 1523,¹²³ and the Count Palatine in June, 1523 (in violation of an agreement with Margrave Casimir that neither would enter the League unless they both did).¹²⁴ Casimir also applied for re-entry in the spring of 1523, but met strong opposition from the representatives of the Bishops of Würzburg and Eichstätt, as well as the entire membership of the Imperial city Bank.¹²⁵ Only after long negotiations, in which the

League Council insisted that the Margrave must agree to submit to League obligations with regard to Nuremberg and that he could not be given a vote in the League Council, did Casimir rejoin the Swabian League in April, 1524.¹²⁶

Of the ecclesiastical princes who were members of the Swabian League, the Archbishop of Mainz took precedence because of his electoral status, although the military obligation of the Bishop of Würzburg was greater. The Archbishop was another prince whose relationship to the Swabian League had changed drastically since the League's early years. Members of the League since 1489, the Archbishops of Mainz had virtually dominated League policies in the 1490s and early 1500s. Archbishop Berthold von Henneberg, in particular, sought to use the Swabian League in support of his program for political reforms of the Empire.¹²⁷ After von Henneberg's death in 1504, however, the influence of the Archbishops within the League declined rapidly.

By 1525, with the entry of Mainz' two principal territorial rivals, the Count Palatine and the Landgrave of Hesse, into the League, the influence of the Archbishop was largely counter-balanced. A turning-point in the relationship between the Archbishop and the League

came with Mainz' failure to participate in the campaign against Duke Ulrich of Württemberg, which alienated many of the other members of the League. A penalty of 30,950 gulden (representing the costs which the Archbishop would have incurred) was imposed, of which the Archbishop was able to pay less than half.¹²⁸

The Archbishop used this debt to the League as a principal bargaining point in the negotiations for the 1522 renewal of the League, arguing that he could not afford to remain in the League unless he received a substantial reduction in his military obligation. Most of the other members of the League, however, insisted upon payment of the Archbishop's debt and no reduction in his obligation. Mediating between the two sides, the Imperial Commissioners for League extension managed to persuade the members of the League to agree to a system of installment payments on Mainz' debt, granted as a special favour in recognition of Mainz' long membership in the League. At the same time, they apparently realized that the Archbishop really couldn't support a military obligation as large as his had been. Thus, the Archbishop was secretly promised a reduction, whereupon he accepted. The reduction was kept from the other members of the League until after the renewal of the

alliance had been signed and sealed.¹²⁹

The influence of the Archbishop of Mainz within the Swabian League by 1525, therefore, had greatly decreased from earlier levels, reflecting the decline in the power of the Archbishop as a territorial prince which had taken place since the mid-fifteenth century. His prestige as first among the Electors of the Empire was, of course, still great.

The Bishop of Würzburg had been a member of the counter-alliance with Württemberg, the Palatinate, and Baden in the second decade of the century. With the death of the Bishop who had followed this policy, Lorenz von Bibra, his successor, Konrad von Thüngen, made overtures to the Swabian League. The Bishop became a member of the League in 1521,¹³⁰ and rejoined in 1522, receiving a vote in the League Council at that renewal.

Major barriers to the membership of the Bishop in the League were removed through the League Council's mediation of long-standing disputes with the Archbishop of Mainz and the Bishop's agreement to postpone discussion of what he felt were definite defects in the League's Constitution.¹³¹ Nevertheless, the Bishop's stubborn insistence that he be allowed to "except" certain other princes from his obligation to the League created a

major issue in the negotiations for renewal in 1522 when other princes demanded similar exceptions and the members of two other Banke opposed the practice.¹³²

Like the Count Palatine and the Landgrave of Hesse, the Bishop of Würzburg had been a member of the League for too short a time by 1525 to have established a definite pattern in the policies he followed with regard to the League. He fulfilled with difficulty his obligation to the League in the campaign against the Franconian Raubritter in 1523, indicating that League membership was important enough to him to justify the risk of trouble with the nobility of his territory.¹³³ The Bishop's principal territorial rivals, the Archbishop of Mainz, the Bishop of Bamberg, and the Margraves of Brandenburg, were all members of the League as well by 1525, creating the possibility of a regional interest group within the princely Bank (which, however, did not emerge until the latter stages of the campaign against the insurgents in 1525, and was quickly destroyed by the religious differences between the Margraves of Brandenburg and the ecclesiastical princes). Only after the Peasants' War did the Bishop of Würzburg lead the effort of the ecclesiastical princes in the League to use the League Council to regain their ecclesiastical jurisdiction,

thereby becoming one of the most influential ecclesiastical princes in the League.

The Bishop of Bamberg joined the Swabian League in 1512, but became disillusioned with the League by 1519 and combined with Brandenburg to sow dissension within the princely Bank through obstructionist tactics and refusal to rejoin the 1522 renewal. Both Brandenburg and Bamberg had not paid all of their financial obligations during the campaign against Ulrich of Württemberg and thus entered the 1520s in debt to the other members of the League.¹³⁴ Efforts on the part of the League Council to collect the amounts owing proved largely fruitless.¹³⁵

Like the Margrave of Brandenburg, the Bishop of Bamberg attempted to have his military obligation to the League reduced at the 1522 renewal, and also refused to enter the League with Nuremberg. When consideration of these demands was refused, the representatives of Bamberg walked out.¹³⁶ Bamberg and Brandenburg then entered into an alliance with each other, but when the Count Palatine failed to enter as well and appeared to be drawing closer to the Swabian League, the two recalcitrant princes were forced to backtrack from their position of opposition to the League. The Bishop of

Bamberg rejoined the League in March, 1523, on the same basis as if he had agreed to the renewal in 1522, except that he was deprived of a vote in the League Council.¹³⁷

By 1525, there was clearly still some feeling of hostility between these two princes and the other members of the League. Bamberg and Brandenburg resented the loss of their votes in the League Council, while many of the other members of the League felt that these two princes were unreliable.

The Bishop of Augsburg had joined the Swabian League in December, 1488,¹³⁸ shortly after its formation, and been a member ever since. Each successive bishop recognized the advantages of League membership for defending his scattered territorial possessions between the Iller and Lech rivers against neighbors such as the Dukes of Bavaria on the east and the Habsburgs on the south. Continual wrangling with the Imperial city of Augsburg also brought the representatives of the Bishop before the League Council frequently. The Bishops of Augsburg seldom objected to re-entry into the League.

In 1522, however, the Bishop of Augsburg put forward an argument similar to that used by the Archbishop of Mainz, namely, that he could no longer afford to support a military obligation to the League as high as

his present one. He also demanded to be exempted from the obligation to provide his own artillery in League campaigns, as were the members of the prelates, Counts, and Imperial nobility Bank. After long negotiations, the other members of the princely Bank agreed to bear the Bishop's artillery costs under certain restricted conditions. The Bishop then dropped his other demands and rejoined the League.¹³⁹

The position of the Bishop of Eichstätt with regard to the League in 1525 was quite similar to that of the Bishop of Augsburg. With his territorial possessions sandwiched in between those of the Dukes of Bavaria and the princes of the Upper Palatinate, Bishop Gabriel von Eyb found his League membership since 1512 valuable in disputes with his powerful neighbors.

In 1522, the Bishop himself was quite willing to rejoin the Swabian League upon the old terms, but the members of his cathedral chapter were not. In view of their outright refusal to support the Bishop if he was called upon to render military aid to the League, the Bishop was forced to ask the League Council to mediate between him and his cathedral chapter members, which eventually led to a settlement which allowed Eichstätt to re-enter the League.¹⁴⁰

The Bishop of Constance became a member of the Swabian League in 1512, but only for his territories on this side of the Rhine and Lake Constance, which accounts for his low military obligation to the League. The Bishop did not possess a vote in the League Council and apparently seldom bothered to send a representative to League Council meetings unless he had a complaint to present. He agreed to re-enter the League in 1522 after a brief attempt to get his already small military obligation reduced still further.¹⁴¹

Obviously, it would be a highly doubtful proceeding to attempt to group these princes into definite groups. However, it is possible to point to some general trends within the princely Bank which were evident by 1525.

For one thing, it should be obvious that there was a higher degree of dissatisfaction with the League in the princely Bank than in either of the other two "Banke". In their effort to wrest the best possible terms from their League membership, the members of this Bank did not hesitate to express their discontent and to attempt to force changes to their advantage. Thus, the princely members of the Swabian League must be regarded as the most important source of changes within the alliance.

Of the fourteen princes who were members of the League in 1525, at least seven (the Bishops of Würzburg and Bamberg, the Margraves of Brandenburg-Ansbach, and the four Counts Palatine) had recently expressed objections to the League's Constitution.¹⁴² Almost all of the princely members of the League had at one time or another been involved in attempts to remedy what they saw as defects in the League's administrative and legal structure, even if their efforts were no more than simple exclusions from, or restrictions upon, the jurisdiction of the League Court or Council.

Three of the princes of the League (the Archbishop of Mainz, the Bishop of Bamberg, and the Margraves of Brandenburg) either still owed or had recently paid substantial arrears upon their financial obligations to the League. The Habsburgs also owed money to the members of the League because of their purchase of the Duchy of Württemberg.

The Landgrave of Hesse, the Bishop of Würzburg, and the Counts Palatine were relatively recent members of the League. The latter five princes had engaged in political and diplomatic activity opposing the League prior to their joining. Two princely members of longer standing, the Bishop of Bamberg and the Margrave of

Brandenburg, had also been involved in such activity, creating an atmosphere of distrust and hostility between themselves and the other members of the League.

All of these factors could serve as motivation for discontent with the League. Furthermore, the individual princes, because of their power and importance to the League, could create a great deal more disruption through their expressions of discontent than could most individual members of the other two Banke. More often than not, however, the conflicting interests of the princes led their representatives to work at cross-purposes to each other in the League Council, thereby depriving their protests of much of their force. Seldom did the members of the princely Bank collectively support the objections of one of their number. The policies of an individual prince were often directed as much against the other members of his Bank as against the members of the other two Banke.

Thus, to say that the territorial princes "determined" the policies of the League is a gross oversimplification.¹⁴³ It is true that the League could not embark upon any major projects without the approval of a majority of its princely members ("majority" being interpreted broadly in terms of power and influence,

since the opinion of a Duke of Bavaria would obviously weigh far more heavily with the other members of the League than that of the Bishop of Constance). It is also true that the members of the princely Bank most often initiated changes in the League's structure and operation. But because of the conflicts of interest within the princely Bank, the influence of the princes was often dependent upon the support of members of the other two Bänke. Indeed, it could be argued that, although individually the power and influence of the members of the two lesser Bänke were generally far below that of most princes, the collective influence of these relatively-united Bänke gave them the balance of power upon many questions of League policy.

II. Discontent with the Structure and Operation of the Swabian League

The dominant position which the Swabian League had achieved in the political and military structure of southern and central German lands by the early 1520s meant that its financial, legal, military, and administrative procedures were of vital concern to the political rulers of these areas, both those who were members of the League and those who were not. For those who were not members, the League's policies and procedures sometimes

brought direct confrontations which affected their political position and even their relative independence.

Disagreement with the League's customary modes of procedure often kept such rulers out of the League. For those who were members of the League, concern with the structure and operation of the League meant both the effort to ensure that the League functioned in accord with the interests of the members involved and the attempt to wrest the greatest possible individual advantage out of League membership--twin goals which were often impossible to reconcile. In extreme cases, disagreement with the League's customary procedures could even lead to a member's departure from the League.

The financial and fiscal policies of the Swabian League were perhaps the most frequent source of discontent among its members. Expressions of discontent in this area took two basic forms: 1) complaints by members over the height of their military obligation to the League, upon which all financial obligations were based; and 2) disagreements over the collective allocation of shares in common League expenses (i.e., the share of each Bank in expenses which the League Council had agreed to assume for the entire League).

Each Bank of the League handled the division of expenses among its members according to declared income or agreed-upon troop contingents. However, it was common for members to feel that they had been over-assessed, and to appeal to the League Council as a whole for redress. This was most conveniently done at the negotiations for the League's renewal, when the member could present his demand for a reduction of his obligation as a condition for rejoining. Such timing also allowed the member to play off the Imperial representatives (who were always present to direct negotiations for extension of the League, and who were usually interested in achieving as wide a membership as possible), against the other members of the League, who were also interested in broad membership, but resented any reduction in obligations unless they also received one, on the grounds that otherwise the effectiveness of the League would be decreased and their own burdens increased.

Disputes over reductions or increases in military obligations caused much bitterness within the League. However, they also provide a convenient means of measuring the importance of League membership to various individual members, and, conversely, of individual members to the League. Reductions in military obligations were often

granted if it became clear that the member involved was serious in his objections to the point that he would actually stay out of the League if they were not granted-- and if the rest of the League members considered that member important enough to the League to warrant such a concession as a last resort to keep him in. If a member would accept an increase in his obligation, despite grumbling, this is an indication of the importance of League membership to that member.

Thus, in 1512, the obligations of the Archduke of Austria, the Duke of Bavaria, the Archbishop of Mainz, and the city of Nuremberg were increased substantially over their bitter protests, but none of these members ever thought seriously of leaving the League. Duke Wilhelm of Bavaria, pained at the peremptory manner in which the League Council had raised his obligation,¹⁴⁴ mounted a vigorous campaign to get the increase rescinded.¹⁴⁵ However, his threat to leave the League was ignored.¹⁴⁶ The League Council offered firm resistance, drafting a sharply accusatory letter to the Emperor about Bavaria's alleged attempt to escape its duties to the League.¹⁴⁷ At length, the Duke of Bavaria was persuaded to give up his objections to the increase by the Emperor's personal intervention.¹⁴⁸

On the other hand, the obligations of the Margrave of Brandenburg and the Bishop of Augsburg were reduced in order to keep these princes in the League. A similar reduction was offered to Duke Ulrich of Württemberg in an effort to forestall his projected departure from the League, but he elected not to rejoin anyway, because of other objections.¹⁴⁹

In 1522, as we noted, the fierce resistance of the Upper Swabian cities resulted in reductions in military obligations for many of them. Überlingen, in particular, won not only a reduction in its obligation, but also the promise from the Habsburgs to pay half the cost of supporting Überlingen's troop contingent whenever the League undertook a major military campaign.¹⁵⁰ The city of Esslingen, which conducted a similar campaign for reduction of its military obligation and for compensation for costs incurred on the League's behalf during the campaigns against Duke Ulrich of Württemberg, achieved only a tiny reduction in its troop contingent and was forced to re-enter the League under pain of the Emperor's severe displeasure.¹⁵¹ The other members of the League knew that Esslingen was particularly exposed to possible counterattacks from Duke Ulrich, and thus could not afford to forego the League's support.

The second type of discontent over financial matters within the League--over the division of common League expenses among the three Bänke collectively--had been present from the very beginning of the League.¹⁵² Disagreements in this area of the League's activities were usually caused by the provision in the League's Constitution that the member on whose behalf the League's military forces were mobilized must bear the expenses for artillery and other incidentals of the campaign. In practice, this often meant that the Bank to which the member belonged divided the costs among its members. It also meant that when a major campaign was being planned, the attempt was usually made to have it declared a campaign in the general interests of the League. Otherwise, disputes arose in the aftermath of a campaign concerning which Bank had benefitted from the campaign and thus should bear the extra expenses.¹⁵³ Complications of this nature meant that the members of more than one Bank usually had to agree that military action was necessary, or that the membership of a single Bank had to declare itself willing in advance to assume the added expenses of a League campaign.

Discontent over financial obligations to the League was also caused by the inability of the League

Council to collect money owing. Since there was no effective collection apparatus, recalcitrant members could postpone payment of their League obligations almost indefinitely. This greatly distressed those members of the League who paid on time, and resulted in much ill-feeling against delinquent members when the amounts owed were sizeable.¹⁵⁴

Closely connected to the size and division of military obligations as a source of discontent among League members was the question of "exceptions" granted to the princes of the League. "Exceptions" had been a part of the requirements surrounding membership of territorial princes in the Swabian League since the League's inception.¹⁵⁵ Basically, an "exception" was a device which allowed a prince to choose those against whom he would not be bound to render aid, should the Swabian League become involved militarily with the "excepted" power. Similarly, the League would not be required to help the excepting prince if he was attacked by the power in question. The rationale behind the "exception" was that most of the princes who were League members also had various other alliances and agreements with non-members of the League. To require them to repudiate these alliances would have meant that many

would not have joined the League. As the complement of princely members of the League increased, the problem of their "exceptions" became an increasingly important issue between the princes and the members of the lesser Banke, who felt that allowing the princes this privilege weakened the League's ability to respond equally to all threats to its members and that "exceptions" increased their own military burdens unnecessarily. (It should also be noted, however, that this division on the question of "exceptions" was not a cut-and-dried one, since some of the major cities were also allowed "exceptions".)¹⁵⁶

The problem of "exceptions" did not become acute until the negotiations for the extension of the League in 1512. It was brought to a head by the departure of Duke Ulrich of Württemberg from the League. When it became obvious that the irascible Duke did not intend to rejoin the League, Emperor Maximilian, Duke Wilhelm of Bavaria, Margrave Friedrich of Brandenburg, and Archbishop Ulrich of Mainz all demanded to be allowed to except the Duke of Württemberg from their military obligation to the League.¹⁵⁷ (Ironically, one of Duke Ulrich's complaints had been over the League's strict attitude towards exceptions.)¹⁵⁸

Limited exceptions had been allowed, or at least discussed, at the negotiations for renewal before the problem of Württemberg's failure to re-enter the League was raised. The Duke of Bavaria attempted unsuccessfully to get the League Council to grant him the right to except Saxony and the Count Palatine in certain restricted circumstances.¹⁵⁹ Margrave Friedrich demanded exceptions for Saxony, Hesse, and Brandenburg (Elector).¹⁶⁰ The Bishop of Bamberg asked that he be allowed to except the Bishop of Würzburg as a condition for joining the League.¹⁶¹ At one point the confusion became so great that Duke Wilhelm of Bavaria suggested that the best answer would be an Imperial mandate simply dissolving all existing alliances for League members.¹⁶²

However, in the case of the desired exceptions of the Duke of Württemberg the issue became crucial. Most of the exceptions which had been allowed to the princes of the League previously had been of other princes whose territories were quite distant from the main areas of the League's activities, against whom it would be unlikely that the League would become involved. The territories of the Duke of Württemberg, however, surrounded, intermingled with, and bordered upon the territories of a large number of League members, particularly the members

of the two lesser Bänke. If the princes of the League were allowed to except Duke Ulrich, the military support of the League for these members would have been greatly reduced. Thus, the League Council adamantly opposed any exceptions of Württemberg, and the policy was implicitly extended to all exceptions.

As the scope of the League's activities expanded and the number of princes in the League increased, the matter of exceptions became vital to the princes of the League, who feared they were being dragged into too many military expeditions by their League membership. In the negotiations for the extension of the League in 1522, exceptions were a primary issue, upon which neither the princes of the League nor the members of the other two Bänke could afford to give in.

Since Württemberg was now in the hands of the Habsburgs and a member of the League, exceptions for that principality were no longer necessary. However, the Bishop of Würzburg, in negotiations prior to joining the League, insisted upon his right to except the Count Palatine, the Bishop of Bamberg, and the Elector of

163
Saxony. The Imperial city Bank and the Bank of prelates, Counts, and Imperial nobility decided, after much hesitation, that they would be willing to allow the

Bishop and other princes of the League to except those non-member princes with whom they had hereditary alliances.¹⁶⁴

This tentative concession opened the floodgates to exceptions for all the princes of the League. The extent of the concession was not clearly recognized at first, although the princes of the League were quick to grasp the opportunity to limit their military obligations to the League which had been handed them. Landgrave Philip of Hesse, for example, requested to be allowed to except the Count Palatine because he held several fiefs from him. The Imperial Commissioners refused the request on the grounds that many members of the Bank of prelates, Counts, and Imperial nobility also held fiefs, and they were not allowed to except those from whom they held them. Only hereditary alliances could be excepted, the Commissioners informed Philip. The Landgrave replied immediately that he also had an hereditary alliance with the Count Palatine which he "didn't mention" earlier.¹⁶⁵

The Bishop of Würzburg demanded to be allowed to except the Bishop of Bamberg, all four Counts Palatine, both the Elector and the Duke of Saxony, and the Landgrave of Hesse.¹⁶⁶ The Bishop of Augsburg asked to except the princes of the Upper Palatinate.¹⁶⁷ The Archduke of

Austria included the Elector Palatine and the princes of

the Upper Palatinate in his exceptions, while the Archbishop of Mainz wanted to except the House of Austria, the King of Bohemia, the Electors of Cologne, Trier, and the Palatinate, the Count of Veldenz, and the two Ganerbenschlösser (fortified strongholds in which more than one noble had rights) of Reiffenburg and Lindheim.¹⁶⁸

The members of the two lesser Banke of the League Council, appalled at the rush to gain exceptions, objected that their approval had been intended only for true hereditary agreements, and then only until they expired.¹⁶⁹

Ulm, Augsburg, and Nuremberg considered the problem serious enough to call a special meeting of their representatives to consider ways of counteracting or restricting exceptions.¹⁷⁰ The Upper Swabian cities, seizing upon this new issue to express their discontent with the League once again (especially since the exceptions involved the Count Palatine), insisted in March, 1522, that the matter demanded further consideration by League members before the League Constitution could be signed and sealed.¹⁷¹

After long arguments from both sides, the members of the two non-princely Banke accepted the position of the Imperial Commissioners (one of whom was the Duke of Bavaria) that the princes were forced to make these

exceptions because they had pledged their word and honour in the alliances which were concerned. If they were forced to violate their word of honour, they might prefer to leave the League. Thus, it would be better to grant the exceptions than to risk dissolution of the League.¹⁷²

Each prince was therefore allowed several exceptions, of which many availed themselves.¹⁷³ In 1534, exceptions were one of the four major issues upon which the attempt to renew the Swabian League foundered.¹⁷⁴

The voting structure in the League Council was another source of discontent, primarily for the League princes. Because of the restrictions placed upon the number of votes in the Council allotted to each Bank in an effort to maintain parity, only nine of the fourteen territorial princes in the League in 1525 were formally represented in the League Council. Margrave Casimir of Brandenburg, Bishop Weigandt of Bamberg, and the three lesser Counts Palatine (Duke Friedrich of Palatine-Amberg, Dukes Ott-Heinrich and Philipp of Palatine-Neuburg) could send representatives to League Council meetings, but their representatives could not vote. Thus, the princes of Bamberg and Brandenburg, for example, whose troop contingents combined were greater than that of the entire Bank of prelates, Counts, and nobility,

and equal to about one-third of the total forces supplied by the cities of the League, had no formal voice in the League Council at all. This they bitterly resented.

The anomaly of the voting structure in the League Council becomes even clearer when one considers that a powerful prince like the Duke of Bavaria or the Elector Palatine, who alone supplied almost as large a force to the League as the Imperial cities combined, and a larger force than that of the Bank of prelates, Counts, and Imperial nobility, had only one vote in the League Council. The two lesser Banke had eight votes apiece.

Since the League Council possessed the power to commit the military forces of all League members, it was only natural that some princes should begin to object to the disparity between their voting power in the Council and their military power in the League's armed forces. Duke Ulrich of Württemberg pointed out the inequality in the articles which he handed over to the League Council in 1512 as requirements which must be met before he would agree to re-enter the League.¹⁷⁵ The Margrave of Brandenburg and Bishop of Bamberg suggested in 1521 that it would be only just to give each prince the same number of votes as each of the lesser Banke.¹⁷⁶ Neither of these protests had any effect.

The princes of the League felt they were being treated unfairly in other ways as well. For example, in 1516 three League princes--the Duke of Bavaria, the Margrave of Brandenburg, and the Bishop of Bamberg--began a major campaign to persuade the League Council to rectify a definite inequality in the protection extended to certain princely subjects. The three princes pointed out that the Council regularly granted help to members on behalf of their citizens, merchants or peasants who were captured or otherwise harmed. Yet the terms of the League Constitution forbade the recognition of a duty to help if it were the fief-holder of a League prince who was involved. If princes were required to participate in aid for the benefit of merchants, who were related to their cities in much the same way as these nobles were related to their princes, then the other League members should in all fairness be required to aid in cases involving the noble fief-holders of the princes.¹⁷⁷ Nor should the other members of the League be able to deny their obligation to help if an advisor or Diener (a person, usually noble, related to a prince by a formal service agreement, performing military, administrative, or legal functions) of a prince was harmed, since an injury to such a person was also an injury to his prince.

If the League Council refused to recognize its duty to treat them equally in this respect, the three princes implied that they might feel themselves obliged not to help merchants or other citizens of cities, or peasants of other League members, if they applied to the League Council for help.

This appeal of the three League princes is interesting in two respects. First, it attempted to get the League to take over a traditional duty of the territorial princes, the protection of those who held land from them or served them in other ways. Secondly, the princes did not threaten to leave the League over the issue, but merely talked of selective, passive, reprisals. Both of these aspects of the princes' protest illustrate how important League membership was to even its most powerful members. Not only were the princes willing to give up a prerogative by requesting League help for their vassals, but they were also not willing to make the issue one of their membership or non-membership in the League, despite the obviously strong feelings of social antipathy which crop up in their references to the incongruity of the League's helping merchants and peasants, but not their nobles.

Recognition of the justice of the princes' claims would have greatly widened the League's responsibilities. Thus, the League Council sought to put the princes off with delaying tactics and vague promises.¹⁷⁸ But the princes refused to accept this answer and the question became a recurrent issue at League Council meetings in the years 1516-18. In 1518, the three princes who were trying to get the League to defend their vassals implemented their threat to retaliate by not recognizing the request of other League members for aid. Working together, they succeeded in blocking the grant of aid to the cities of Upper Swabia, whose merchants had been attacked in the territories of the Count Palatine. This, in turn, led the Imperial cities of Upper Swabia to feel discriminated against, and resulted in their campaign to stay out of the League in 1522.¹⁷⁹

More general discontent over the functioning of the League Council concerned the slowness with which it operated. The practice of hintersichbringen (postponement of a final decision by a member of the League Council while he referred the matter to his governing authority) was widely used by the League Councillors of all three Bänke as a means of purposely delaying action which they felt might be prejudicial to their interests. This

meant that a major decision might take years. The Counts of Öttingen, for example, were promised military aid against the Raubritter who had attacked and killed Count Joachim of Öttingen in 1520.¹⁸⁰ They requested realization of this help at virtually every League Council meeting thereafter, but were put off with small grants of money and troops for patrol purposes.¹⁸¹ Not until mid-1523 did the League Council finally mobilize the League's military forces to fulfill its promise to the Counts. Similar examples are frequent.

Disputes over precedence in the League Council, bickering over votes and the requirement that a Councilor involved in the matter before the Council step down during the debates, resentment between individual League Councillors, growing concern over the use of secret subcommittees for much of the Council's business-- these were all mentioned by members of the League occasionally as problems which should be remedied. However, few members were willing to take action to remove these factors in their discontent with the League Council, for fear that if more efficient procedures were adopted, they might be used against them.

One of the most frequent sources of discontent and disagreement with the structure and operation of the

Swabian League was the jurisdiction of the League judges. Before the re-organization of the League in 1500, most of the complaints directed against the League's courts had come from the members of the Imperial City Bank and the Bank of prelates, Counts, and Imperial nobility. Since the League Court prior to 1500 was primarily a formal mediation proceeding, these complaints dealt with the need to adequately protect the interests of all parties who were appearing before the League judges.¹⁸²

However, after 1500 the most frequent complainants over the expanding jurisdiction of the League judges were the princes of the League. Opportunities for complaint were presented by the practice of the League judges of presenting cases in which their jurisdiction was uncertain to the League Council, which would decide through debate whether the League judges could handle such cases or not. Frequently the League judges, more sensitive to legal nuances because of their training, presented hypothetical cases in which a favorable decision by the League Council would broaden their jurisdiction considerably. This process of gradual expansion of cases within the purview of the League judges alarmed the princes of the League.

Thus, a strong protest was registered by the Emperor and other princes in 1511, when a committee of the League judges and several League Councillors recommended that the jurisdiction of the League's courts should be expanded to include disputes over territory held as fiefs and in Pfandherrschaft (territorial rights pledged as reimbursement for a loan). Particular concern was voiced over the open-endedness of the recommendation, which provided that the League judges should be empowered to hear cases concerning not only the status of such territories, but also dues and usages and "similar matters" which pertained to them.¹⁸³ Emperor Maximilian objected that only the lord of the enfiefed or pledged territory could exercise such jurisdiction, but the League Council rejected this argument on the grounds that in cases like these the lord could not be impartial.¹⁸⁴

Similarly, Duke Ulrich of Württemberg took exception to the decision of the League Council in 1512 to deny military aid to members of the League against non-members when the non-member agreed to accept the jurisdiction of the League Courts. This, he argued, unduly limited his own legal freedom and widened the jurisdiction of the League judges unnecessarily.¹⁸⁵ Ulrich used this as one of his reasons for refusing to

rejoin the League.

Recommendations of a similar committee for the improvement of the League Courts, set up in 1514, were somewhat more acceptable to the princes of the League, in that the committee recognized the superior claim of the ruler holding Gerichtsherrschaft over all other types of rights in cases of imprisonment.¹⁸⁶ Since the holder of the highest level of this type of legal jurisdiction in cases of divided jurisdictional rights was often a territorial prince (though not in all cases), the recommendation was interpreted as favorable to princely jurisdiction. However, the issue was not clearly settled at this time, and the League judges asked the League Council on several other occasions if they had the right to intervene between a Gerichtsherr who has exercised legal rights of imprisonment and others who had powers of other jurisdictions over the prisoner.¹⁸⁷ In the aftermath of the Peasants' War, when disputes between the holders of different types of rights and legal jurisdictions over punishment and confiscated weapons became frequent, the jurisdiction of the League judges in such cases was once again questioned.

The problems caused by the Peasants' War were used by the League judges in an attempt to expand their

jurisdiction still further to disputes involving the cities of princes and between rulers and subjects. This attempt, which called forth virtually universal opposition from the princes of the League, was eventually rejected after much heated debate.¹⁸⁸

Nevertheless, the activism of the legally-trained League judges was an important factor in convincing many of the League princes that the League Court was infringing upon their legal privileges.

Discontent with the military performance of the League's forces was expressed both with regard to the few full-scale campaigns in which the League engaged and in relation to the attempts of the League Council to set up a permanent patrol system.

In almost every major campaign waged by the League, disagreements among the members arose as to precedence, performance, and the degree to which each was fulfilling his obligation to the League. In the Swiss War of 1499, the mounted troops of the Bank of prelates, Counts, and Imperial nobility (most of whom were led in person by the members of this Bank) became so disgusted with the confusion and cowardice prevalent among the hired troops sent by the Imperial cities of the League that they virtually refused to fight alongside

them. The result was to effectively paralyze the League's military effort, to the dismay of most League members.¹⁸⁹

Duke Albrecht of Bavaria-München complained during the War of Bavarian Succession that the forces of the League had been insufficient because the League Council had granted too many members of the League permission to keep their forces at home. Furthermore, the force which the League had sent had deserted him at a crucial juncture.¹⁹⁰

Although the complaints of members tended to decrease in the later years of the League, as the League Council gained greater experience in the handling of the League's forces, minor disagreements and discontent continued to hamper the League's military efforts.¹⁹¹

Objections to the patrol policies of the League Council included complaints of favouritism and unequal activity among the territories of League members, resentment at being asked to patrol the territories of other League members, and rejection of the right of League patrols to enter the territories of some League members.

For example, the Imperial cities of Strassburg and Weissenberg complained in 1502 that they had been forced to quarter the League patrols, although they hadn't requested them and they weren't active in the areas around these cities.¹⁹² Internal resistance to

establishing a patrol force was evident in the abortive attempt of the League Council to set up a permanent patrol system in 1512. The mandate providing for regional patrols mentioned that no nobles--League members or non-members--would be appointed to the patrol forces unless they agreed to abide by all the provisions of the patrol system.¹⁹³ Several of the princes of the League protested the additional burden, since they already patrolled their own territories.¹⁹⁴ The ubiquitous Duke Ulrich of Württemberg seized upon this patrol system to further justify his refusal to re-enter the League, arguing that he couldn't allow forces not under his control to patrol his territories and take prisoners without his knowledge and consent. Such policies, Ulrich pointed out, were likely to lead to enmity among League members because of the infringements of liberties which they entailed.¹⁹⁵ In 1520, when the League Council asked for permission for League patrols to take captives in the jurisdiction of League members for examination before League Courts, several League members returned answers similar to that of Ulrich.¹⁹⁶

Thus, there were many sources of discontent for members of the League with regard to the customary structure and operation of the League. Such discontent

became more dangerous to the League's continued existence, however, when it was focussed by definite issues which concerned all members of the League.

III. Divisive Issues

a. "Safety of the Roads and Highways"

A principal part of the Swabian League's duty to support the Imperial Peace was the attempt to prevent the frequent robberies and extortions practiced upon merchants and other travellers by various marauding nobles. However, the vast differences in the degree of risks to which the subjects of League members were exposed and in the resources possessed by individual League members for acting against the offenders made the League's activity in maintaining peace on the roads and highways of League members a frequent source of controversy.

The citizens of the Imperial cities of the League, travelling for purposes of commerce, were the most frequent victims of such attacks. Thus, the members of the Imperial city Bank in the League Council pressed for effective measures against the offending nobles. Since such attacks were usually made under the guise of conducting a legitimate feud against the city whose citizens had been attacked, the princes of the League and the members of the Bank of prelates, Counts, and Imperial

nobility were extremely reluctant to take any action which might be construed as limiting the right to feud in defense of one's privileges and honours. Their representatives usually insisted that a thorough investigation must be made of all circumstances surrounding an alleged attack upon city merchants before the bann of the League was issued against the attackers and they were summoned to purge themselves of guilt before the League Council. The representatives of the Imperial cities in the League Council argued that this careful procedure allowed most of the perpetrators of such attacks and their allies to escape the League's justice. Furthermore, the men likely to commit such attacks would not shrink at perjuring themselves before the League Council by taking a false oath of innocence that allowed them to get off scot-free.¹⁹⁷ However, since the League's Constitution and procedures involved the guarantee that no noble would be prevented from waging a "just feud" and the marauders often operated with the clandestine support or tacit consent of powerful princes who enjoyed the humiliation of the rich Imperial city merchants,¹⁹⁸ the Imperial cities of the League were never able to carry their demand for more effective procedures against such attacks.

The basic disagreement between the members of the Imperial city Bank and the members of the other two Banke did not mean that the League was totally ineffective in preserving peace in this respect, however. Although the princes of the League often opposed military action in support of a complaint from a city member of the League against a noble attacker, they could sometimes be persuaded to exert their influence to bring about a mediated settlement favorable to the city.¹⁹⁹ If the alleged attack occurred while the merchant was travelling under a safe-conduct or escort granted by a member of one of the other two Banke of the League, it became a matter of honour for that member, and a more favorable attitude toward League action could be expected. Occasionally, an attack was perpetrated upon subjects or members of the other two Banke, as in the slaying of Count Joachim of Ottingen in 1520 or the capture of the League Councilors of the Archbishop of Mainz by Götz von Berlichingen in 1515.²⁰⁰ Circumstances like these meant that the requests of the cities of the League for aid could not be entirely ignored by the other League members, who might need such help themselves upon occasion. Thus, the League mounted punitive military expeditions from time to time against some of the more notorious centers of

Raubrittertum.

Although such campaigns were by no means frequent enough to satisfy the Imperial city representatives, they were too frequent to suit the taste of the secular princes of the League, who felt that they were being used by other members of the League because of their predominant role in the League's military efforts. This resentment appeared particularly in times of strained relations between the individual princes and the rest of the League, such as during the negotiations for renewal of the League.

Thus, in 1512-13, when Duke Wilhelm of Bavaria was attempting to get the increase in his military obligation which had been imposed by the League Council at the renewal of the League rescinded, the recent campaign of the League against the stronghold of Höhenkrähen because of the depredations committed by its inhabitants was used as an example of the way in which the princes were being exploited by the other members of the League. Duke Wilhelm's resentment of the way in which he was being treated was heightened by the example of the counter-alliance being master-minded by the Duke of Württemberg, which included only princes. Speaking of this counter-alliance, the Bavarian League Councillor wrote the Duke in December, 1512, that the counter-

against Götze von Berlichingen.²⁰⁵ Apparently, part of the reason behind Bavaria's intransigent position on these campaigns was that the Duke felt that he could not afford to support his League contingent, but feared that if he didn't fulfill his military obligation, some members of the League might seize upon this as an excuse to attack him.²⁰⁶ While this fear was rather far-fetched, the Duke had incurred the enmity of the Hauptleute of both the princely Bank and the Bank of prelates, Counts, and Imperial nobility, who had used their influence to raise Bavaria's military obligation.²⁰⁷ Thus, his discontent with his position in the League, expressed through these attacks on the need to help the Imperial cities continuously, may also have been partly designed to reconsolidate his relationship with these influential officials of the League.

In the debates which eventually led to the campaign of the Swabian League against the strongholds of various nobles in Franconia in 1523, the positions of the Bänke in the League Council were somewhat reversed. Since the occasion for League action in this case was the attack of the notorious marauder Hans Thomas von Absburg upon the noble League Councillor Count Joachim von Öttingen, the representatives of the Imperial cities

in the League Council seized the opportunity at first to hold back upon the granting of aid. This is the attitude displayed by the representatives of the cities of Upper Swabia, who were disgruntled by the League's failure to aid them against the Count Palatine.²⁰⁸

Gradually, however, as it became clear that the projected campaign of the League would be directed not only against von Absberg, but also against several other strongholds in Franconia which had been suspected of harboring attackers of League members, the resistance of the city members of the League melted away. Pressure from Nuremberg and other cities who had suffered at the hands of von Absburg was undoubtedly instrumental in bringing about this change.

The June, 1523, campaign of the armed forces of the Swabian League in Franconia resulted in the destruction of twenty-three fortresses held by the area's nobility.²⁰⁹ Freely-held territory was confiscated by the League; fiefs were returned to the lord who had granted them, with the provision that he could not re-enfief the noble who had just been turned out and that the revenue from the fief should go to the League Council until the League's expenses for the campaign had been covered.²¹⁰

The success of the campaign against the Franconian nobility illustrates the way in which the discontent with the operation of the League and differing interests among League members could sometimes be overcome to produce action on the League's part. Thus, although the campaign was definitely a divisive issue in terms of the conflicts which it aroused among members of the League, the cooperation among members of the League which it produced, however temporary, was also important.

The position of the Imperial city Bank with regard to the projected campaign, after the initial opposition already described, was favorable. Although the more remote cities of Upper Swabia may have continued to resent the need to undertake a campaign so far away, the principle of asserting the League's right to maintain the peace effectively against such men as von Absberg appeared more important. Since the larger cities were already strongly in favour of the campaign for the same reasons, it can be assumed that the Imperial cities of the League preserved their solidarity on this issue.

The Upper Swabian cities and the members of the Bank of prelates, Counts, and Imperial nobility were also influenced by the position of the dissident group of Counts and Freiherren described above.²¹¹ This group

was still vehemently resisting membership in the League as the projected campaign against the Franconian Raubritter came under consideration. Some connections had been formed between the dissident Counts and Freiherren and the nobility of Franconia.²¹² The Upper Swabian cities and the members of the Bank of prelates, Counts, and nobility desired very much to bring these Counts and Freiherren into the League. Therefore, it is highly likely that one of the reasons for the support of the campaign against the Franconian nobility on the part of these groups of League members was the wish to force the hold-out noble magnates into the League by depriving them of the possibility of a wider noble alliance with the nobility of Franconia and by demonstrating graphically the consequences of opposing the Swabian League. In this, the campaign proved quite successful, as large numbers of nobles of all ranks applied for membership in the League after the 1523 campaign.²¹³

The princes of the League favoured the campaign for still other reasons. For them, it was a question of quelling the type of noble uprising represented by von Sickingen and his abortive rebellion, since it was feared for a time that the noble alliances of Franconia would support von Sickingen. Still more important was the

opportunity presented of bringing the Palatinate princes into the League. This was possible because of the Elector Palatine's desire for co-operation with the League in the aftermath of his leading role, along with the Elector of Trier and the Landgrave of Hesse, in the suppression of Sickingen. With the Elector and the other princes of the Palatinate Wittelsbachs in the Swabian League, an important addition to the League's military forces was achieved and the possibility of a confrontation with the Elector over such issues as the League's seizure of the Duchy of Württemberg was lessened.

If these disparate reasons for supporting the Franconian campaign among the different groups and sub-groups which made up the League were not enough, the challenge to the jurisdiction of the Swabian League presented by the attempt of the resuscitated Reichsregiment (Imperial Chamber) to intervene was the final argument.

Tension between these two supra-territorial bodies had existed ever since the Reichsregiment was revived in 1521 as the administrative organ of the Empire during the absence of the Emperor. A clash was probably inevitable. Neither the Swabian League nor the Reichsregiment had a clearly defined sphere of authority, and both busied themselves with attempts to enforce the

Imperial Peace.²¹⁴ Both claimed responsibility only to the Emperor, and neither would recognize the mandates or jurisdiction of the other. It was common for those in trouble with either the Swabian League or the Reichsregiment to appeal to the other for aid and support.

Hans Thomas von Absberg and his supporters, after first taking a belligerent position with regard to the League's support of the Counts of Öttingen,²¹⁵ became alarmed when the League's intention to proceed against them in full force was made clear. They appealed to the Reichsregiment, offering to submit the dispute to its decision.²¹⁶ The nobility of Franconia as a whole also presented complaints against the Swabian League to the Reichsregiment in late 1522, alleging that the League Council summoned nobles to appear before it without due cause or adequate jurisdiction, merely on the unsupported complaint of a League member; that it supported its commanders in unjust acts; that it executed its verdicts unequally, without allowing appeals, that it refused to recognize the jurisdiction of either the Reichsregiment or the Reichskammergericht; and that the League planned an unjustified campaign into Franconian territory.²¹⁷

Armed with these appeals and complaints, the Reichsregiment intervened in the matter, requesting the

League Council to forego its plans for a campaign against the nobles involved. The League Council refused because of its duty to protect the rights and privileges of its membership, which had been severely damaged by the depredations of von Absberg and others of the Franconian nobility.

The continued confrontation with the Reichsregiment in the early months of 1523 created much concern within the League. It was feared that the Reichsregiment might attempt to curtail the League Council's privilege of citing alleged peacebreakers before it and executing its judgments against them. If this happened, it was felt that the dissolution of the League might result, which nobody wanted at this point.²¹⁸ There was surprising unanimity among the members of the League in the insistence that the Reichsregiment must be resisted, and that the League must proceed with its intended campaign.²¹⁹

The League Council also decided that "appropriate action" would be taken in the event of mandates being issued by the Reichsregiment against it or any individual League members because of their participation in the campaign.²²⁰

Last-minute appeals to the Reichsregiment from the Franconian nobility led to further acrimonious interchanges between that body and the League Council, but the

Reichsregiment stopped short of issuing mandates expressly forbidding the League Council to proceed, on pain of the Imperial Bann (which it technically had the power to do.)²²¹

Upon successful completion of its campaign in Franconia, the League Council decided to carry its dispute with the Reichsregiment before the Nuremberg Imperial Diet of 1524.²²² In doing so, it produced a ringing affirmation of solidarity among the members of the League:

After the departure of his Imperial majesty from German lands, the Common Estates (of the League) have been greatly troubled in their just proceedings and alliance by the (newly-) sanctioned Regiment, and especially during recent times by a few persons who have undertaken the administrative duties of the Regiment. They have presumed to hinder the (League) Estates in the punishment of wicked deeds and in the fulfillment of their prescribed and sworn alliance. Nor have they stopped there, but also undertaken to infringe upon, diminish, revoke, and disturb the electoral and princely regalian rights, Obrigkaiten, jurisdictions, freedoms and traditions of the electors, princes, and other Estates.²²³

Thus, the League Council declared itself forced to request that Archduke Ferdinand, as Statthalter of the Empire, see to it that the members of the Reichsregiment be commanded:

...now and henceforth to cease interfering with matters that the League Estates undertake by virtue of their alliance; also by no means to support or grant safe-

conduct against the Common Estates to those whom the Common Estates have recently justly punished, or who will be punished; and thirdly to leave the Common Estates of the League, individually and collectively, untroubled by mandates or in any other way in this or any other matter, and to allow them the peaceful and undisturbed exercise of their regalian rights, Obrigkaiten, jurisdictions, freedoms, and traditions. For should this not be done by Your Highness, the injuries inflicted will be insupportable to the Estates of the League, and (they) will be forced to seek ways and means of settling the matter and maintaining themselves in their alliance and the Emperor's confirmation thereof.²²⁴

Thus, an almost accidental combination of interest, plus the presence of an outside threat, had transformed an issue which was usually the cause of internal cleavage in the Swabian League into an occasion for unity. Although conditions returned to normal in later incidents in which the League had to deal with the problem of maintaining the peace against attacks by nobles like von Absberg, this campaign illustrates the unpredictability of the Swabian League and the ever-shifting complex of conflicting interests which determined its policy at any given moment. (Ironically, members of the League continued to be troubled by the consequence of the 1523 campaign even after the League itself had been dissolved, when a member of the von Rosenberg family declared feud against former members of the League for the League's

confiscation of his family's stronghold in that campaign.)²²⁵

b. "Württemberg"

The successful campaign of the Swabian League against Duke Ulrich of Württemberg in April and May, 1519, created a problem which was to plague the members of the League until the League's demise in 1534. Since Ulrich had been driven out of his Duchy, some means of disposing of the territory which would be satisfactory to all members of the League had to be found. The League Constitution provided that conquered and confiscated territory should be divided among League members in proportion to their military obligations.²²⁶ However, Württemberg had been declared an indivisible territory by Imperial mandate in 1495, and division among the widely scattered members of the League seemed hardly practical. Thus, the League Council could continue to administer the principality itself, extending the interim arrangement of governing through a League Statthalter and executive committee.²²⁷ Or the Duchy could be turned over to Duke Ulrich's son under the Regency of his mother in return for the payment of a large sum for compensation. Either way offered the chance to recoup some of the expenses incurred by League members in the campaign.

The possibility of administering the territory itself was rejected by the League Council on the grounds of costs and expediency. The enormous task of defending and administering a land the size of Württemberg was felt to be beyond the scope of the League Council, especially when the inhabitants might be hostile.

The second alternative had strong support among the members of the League, especially from the Dukes of Bavaria, whose sister Sabina would become regent if the Duchy were returned to the four-year-old Cristoph. Negotiations about compensation and other conditions had been opened in the summer of 1519 when Duke Ulrich suddenly invaded Württemberg with a new army. The League was forced to expel him from his territories once again.

The second campaign brought home to the members of the League their dilemma. Everyone knew that Ulrich would probably try again. Thus, it was necessary that the Duchy be placed in the hands of a prince who would be able to defend it. Since a regency government for a minor prince did not seem likely to be able to fulfill this condition, the members of the League became receptive to the proposals of the Habsburg representatives that the Duchy of Württemberg should be turned over to the House of Austria.

The Habsburg proposal appeared to fulfill most of the requirements of League members. Bickering over the expenses of the campaign had already begun.²²⁸ The Habsburg promise to pay 220,000 gulden in a series of installments over the next several years, to be distributed among members of the League as compensation for their expenses, satisfied most. Furthermore, by surrendering the Duchy to the Habsburgs, many League members felt that they had solved the problem of defending the area against a possible renewed attack from Ulrich. However, Habsburg policy, which recognized the importance of Württemberg as a means of consolidating the family territorial holdings and political position in Swabia, had no intention of assuming the full burden of defending the Duchy. Instead, Habsburg representatives demanded that the territory be accepted into the Swabian League as a condition of the agreement for Habsburg control of Württemberg. The members of the League saw no other alternative, since to retain control of the Duchy themselves meant not only the loss of compensation, but also the heightened possibility of Ulrich's successful return. At length, even the Dukes of Bavaria were forced to recognize the necessity for complying with the Habsburg conditions, and the territory was formally turned over

to the Habsburgs and accepted into the League.²²⁹

By accepting Württemberg into the League, the members of the League recognized their duty to help defend the territory if Ulrich attacked it. A special committee was set up at the request of the Habsburgs to facilitate League military aid to the Duchy in such

case.²³⁰ In view of Duke Ulrich's relations with the King of France and with some of the Swiss cantons, the League Council had to regard Württemberg as a primary possible trouble area henceforth.

In the years that followed, Württemberg justified this expectation. Although Ulrich did not mount a counter-attack, he regained control of the County of Mompelgard (Montbeliard-SE of Sundgau) and acquired in 1521 full rights to the mountain stronghold of Hohentwiel, giving him a virtually impregnable base in the Upper Black Forest from which to foment trouble in his former domain.²³¹ This latter development particularly alarmed Habsburg officials, who were constantly thereafter reporting new rumors of Duke Ulrich's doings and demanding that patrols be sent into the area around Hohentwiel by the League Council.²³² A fifty-horse force was eventually established to keep an eye on Hohentwiel.²³³

Besides his Swiss and French allies, Duke Ulrich could also count upon the support of his former subjects. Many of the common people of Württemberg had flocked to the Duke's forces during his first attempt to regain his Duchy in the summer of 1519. Heavily punished for this by the officials of the Swabian League and alienated by the heavy tax burdens introduced by the Habsburgs, the peasants of Württemberg tended to idealize Ulrich as the poor man's friend, forgetting his ruthless suppression of the "Poor Konrad" revolt in 1514. Encouraged by Ulrich and his friends, this image of the Duke spread beyond the boundaries of Württemberg until his name became associated with most instances of peasant unrest in the area. The connection between Duke Ulrich, the possibility of peasant revolt in his support and the League's obligation to defend Württemberg made both the Habsburg officials in Württemberg and the members of the League extremely uneasy in the years immediately preceding the Peasants' War.²³⁴

Furthermore, it seemed quite likely that, if the League were called upon to repel an invasion by Ulrich, serious internal cleavages might result in the League. The Habsburgs, of course, would support action against Ulrich. The interests of some other League members also

demanded that Ulrich be prevented from regaining his Duchy. The Dukes of Bavaria and others who had been prominent in the campaign against the exiled Duke feared his retaliation.²³⁵ Many of the Imperial city League members felt particularly exposed to the Duke's hatred because of their role in his expulsion. Ulm and several other city League members had acquired territory formerly belonging to Württemberg.²³⁶ Most League members hoped for a share in the compensation payments which the Habsburgs had promised.

However, the position of the princes who had entered the Swabian League since 1519 was less certain. Technically, the princes of Hesse, Würzburg, and the Palatinate were not bound to support a League military campaign to repel an invasion of Württemberg by Duke Ulrich, since they had become members of the League after the original problem had arisen. All these princes were known to have been friendly to Ulrich, and the Elector Palatine had even made some attempt to prevent the League's first campaign against him. In addition, the Margrave of Brandenburg and the Bishop of Bamberg had originally favoured Ulrich's cause, and Margrave Casimir in particular felt the expulsion of a prince of the Empire and the disposal of his territories without regard

to hereditary claims had set a dangerous precedent.

(This point had originally bothered most of the League princes, as Ulrich had made it clear that he regarded himself as defending princely prerogatives, and that if the princes of the League allowed the League to expel him from his territories, it could happen to any of them as well.)²³⁷ If all of these princes refused to support the League effort, almost one-third of the total forces of the League would be missing.

Furthermore, the failure of the Habsburgs to deliver the agreed-upon installment payments for Württemberg had alienated many of the other members of the League, creating a tension between the Habsburgs and the League which was important throughout the 1520s. In all, the Habsburgs only paid about one-third of the total sum which they had pledged.²³⁸ Thus, the support of these increasingly disgruntled members for the League's defense of Württemberg was called into question.

The problem of the League's commitment to defend Württemberg, and of the possible internal divisions over the question, was never resolved. The coincidence between the beginning of the Peasants' War and the re-invasion of Württemberg by Duke Ulrich profoundly influenced the response of the members of the League to

that crisis, and the issue of the rights to the Duchy was one of those upon which the League foundered in 1533-4.

c. "Religion"

By 1525, the religious issue created by the adherents of Martin Luther and Ulrich Zwingli was a relatively new but extremely important problem for the members of the Swabian League. What was occurring within the League in the years immediately prior to the Peasants' War was a gradual polarization between those members who wished the League to become an active instrument for the maintenance of the religious status quo and those members who opposed such a development. This polarization, which had not yet been completed by the time of the Peasants' War, involved both political and religious issues.

Prior to 1524, most members of the League had dealt with the question of religious reform raised by the teachings of Luther and Zwingli on an individual basis. Preachers of a reformed bent could be heard in many of the Imperial cities of the League after 1520, without any action being taken against them by the city Councils. The Dukes of Bavaria had issued a mandate against Lutheran teachings in their territories in March, 1522, but without making a real effort to enforce

it immediately.²³⁹ Margrave Casimir of Brandenburg, whose personal position with regard to the new religious ideas was ambiguous, had nevertheless taken measures to control inflammatory preaching in his lands.²⁴⁰ Archduke Ferdinand had issued strict orders against the promulgation of Lutheran literature in Württemberg in November, 1522, and had appeared personally at the Nuremberg Imperial Diet in January, 1523, to urge the suppression of Lutheranism.²⁴¹

None of these members, however, had brought the issue to the attention of the League. The sole such matter to come before the League Council in this period was an appeal of Bishop Christoph of Augsburg, who had become involved in a feud because he had punished a priest for Lutheran tendencies. Although the priest had been lightly punished, his cause had been adopted by a quasi-noble highwayman named Simon Bayer, who used the resulting feud as an excuse for plundering the Bishop's territories. The three League Hauptleute took an extremely serious view of the appeal, admonishing League members that, unless effective action were taken against Bayer, other rulers, secular as well as ecclesiastical, could expect similar challenges to their authority from their subjects in the future.²⁴²

The case of Simon Bayer and the Bishop of Augsburg set the tone for later League policy on the religious issue. The League chose to treat the problem as a matter concerning the preservation of political authority. An important part of the political authority of many League members--not just the ecclesiastical princes and prelates--was their control of, and influence upon, the affairs of the Church within their territories. If this control and influence was threatened by dissenting subjects through acts of outright disobedience, it was damaging to the "Oberkait" of League members. Thus, such cases, when they came before the League, involved political authority rather than belief.

In April, 1524, Emperor Charles V issued a formal mandate to the members of the Swabian League, exhorting them to carry out the Edict of Worms["] by stamping out Luther's books and teachings in their territories.²⁴³ At the League Council meeting which began on 10 April of that year, the League Council had dealt with the first of many disputes over ecclesiastical jurisdiction, appointing a three-man mediation committee to arbitrate complaints brought by the Bishop of Augsburg against the Imperial cities of Ulm and Memmingen for allowing Lutheran preachers in territories which they controlled.²⁴⁴

only six Shortly thereafter, in July, 1524, the Archduke of Austria and the Dukes of Bavaria, along with several south German bishops (of which only the Bishops of Augsburg, Bamberg and Constance were League members), signed the Regensburg Convention, an agreement which pledged its signers to work for more effective means of combatting Lutheranism.²⁴⁵ The three Franconian Bishops of Würzburg, Bamberg, and Eichstätt signed a similar agreement among themselves at about the same time. The Bishops of Constance and Augsburg also reached an agreement in July, 1524, with the Abbot of Kempten, Count Wolfgang zu Montfort and Rothenfels, Wilhelm and Jörg Truchsess, Freiherren von Waldburg, Jörg von Frundsberg, Jörg von Bannzau (all members of the Bank of prelates, Counts, and nobility in the League, or shortly to become members) and representatives of the Imperial cities of Wangen and Isny, providing that all signatories would do their best to carry out the Imperial mandate against Lutheranism in their territories.²⁴⁶

Assuming that participation in these agreements can be taken as evidence of the religious-political inclinations of those League members who signed them, the emergence of a strong faction in support of Papal Catholic beliefs within the League is evident. While

only six of the fourteen princes in the League were ecclesiastical princes, four of them had votes in the League Council. When these four votes (Archbishop of Mainz, Bishops of Würzburg, Augsburg, and Eichstätt) were combined with the two exercised by Archduke Ferdinand and that of the Dukes of Bavaria, the opponents of Lutheranism had a majority of seven out of the nine votes in the princely Bank. In addition, two of the votes of the Bank of prelates, Counts, and nobility were assigned to prelates, and other powerful members of this Bank (Freiherren von Waldburg, Count of Montfort-Rothenfels) had also expressed their support of the Imperial mandate against Luther. The presence of representatives of Wangen and Isny at the signing of the Upper Swabian agreement in support of the Imperial mandate indicates that some city Councils had also made up their minds to take definite action against the spread of Lutheran beliefs.

With such strong support for an anti-Lutheran policy among many of its members, the League Council understandably took collective action in October, 1524. In response to an Imperial message complaining about the non-fulfillment of mandates against Lutheran books and preaching, the League Council declared:

...the Oberkhaiten daily and manifestly see that no use or fruit (may be expected), but only a decrease in all Erber- and Oberkhait and all which follows, which serves (to bring) scorn and disrespect upon the well-established customs of the Christian beliefs.²⁴⁷

The Council decided to send a copy of the Imperial message to each League member, trusting that all would recognize the danger and act to prevent the spread of Lutheran doctrines for the sake of their own authority.

The position of the League Council dismayed the Councils of many of the Imperial cities of the League. Few, if any, were definitely committed on the religious question as yet. But in order to prevent rebellion in the city communities, many of the city Councils had made concessions to their local citizenry on the religious issue. While they were able to hold the line for some time after the issuance of the Edict of Worms against Lutheran teachings, growing pressure from the city populace and the conviction that the Emperor would accept no compromise led the city Councils of many cities to adopt the position that the Edict of Worms was unfulfillable--to attempt to enforce it would lead to uprisings in their communities. This position was supported by actual disorders in some cities.²⁴⁸

The League Council's ringing affirmation of the Imperial mandates against Lutheran books and preaching put these city Councils into an almost impossible position. Their concessions to their citizenry upon religious issues had already come to the attention of the League Council through the alleged infringements upon ecclesiastical jurisdiction which resulted, as claimed by some of the ecclesiastical princes of the League against the city Councils. Now the League Council was recommending a reversal of these concessions and an active anti-Lutheran policy by all League members.

The city Councils, who had already had more trouble with the new religious doctrines in their own jurisdictions than had many of the other League members, feared that too heavy-handed an attempt to suppress the innovations would destroy their control. Thus, the city League Councillors prepared a supplication to the League Council as a whole, stating the position of the Imperial city

Bank members:

Concerning disputed matters which contradict the words and teachings of God, the honorable cities would prefer that these be removed by honorable, knowledgeable people, and that the ill-will, uprising, and rebellion (which would otherwise result) be stilled, the requisite obedience of subjects to their Oberkait fittingly preserved, and peace, tranquillity, and unity be encouraged and extended with all

estates related to the League. Also in all matters in which it is proposed to take action, to carefully consider the possibility of this being done conveniently and without considerable disadvantage and damages. Also, when a matter concerns, not one body, but several, action should be prevented, quite apart from the avoidance of the grievances which would result. Manifestly, it has come to pass that uprisings and rebellion have arisen over these matters, not only in the cities, but also in principalities and other lands, the increase of which is not a little to be feared.²⁴⁹

This supplication was intended for presentation to the League Council Assembly in February, 1525, when the warning about possible rebellion was somewhat late.

Nevertheless, the majority of the Imperial city Councils who were members of the League continued their efforts to prevent the League Council from taking action in ecclesiastical affairs after the Peasants' War. Their position on this matter had already begun to cost them much of their hard-won credibility with the members of the other two Bänke in the League before the Peasants' War began, since these members interpreted the problem as one of maintaining political authority, which the city Councils seemed to be saying they couldn't--or wouldn't--do. Thus, although the position of some of the other members of the League was also not certain before the outbreak of the Peasants' War (Landgrave

Philipp of Hesse and Margrave Casimir of Brandenburg, for example), the main thrust of the issue in creating internal cleavage in the Swabian League was directed toward the Imperial city members. The suspicion created by their position on this issue was, in the eyes of many other League members, simply confirmed by the ambiguous position of many of the city Councils during the Peasants' War.

For the Imperial city League members themselves, the religious issue led to a problem of unity, since some of the smaller and medium-sized cities remained devoutly Catholic and did not support the policy of the city Bank entirely. Eventually, this group of hard-line Catholic cities, led by Überlingen, broke with the common policy of the city Bank entirely over the so-called Pack affair in 1528.

At any rate, the resistance of the cities and, after the Peasants' War, of other members of the League with Lutheran inclinations, had little influence upon League policies. The experiences of the Peasants' War fixed in the minds of most League members a connection between religious innovation and rebellion. Furthermore, the obvious infringements of ecclesiastical jurisdiction which resulted from the reforms introduced by some members

of the League constituted an attack upon the Obrigkeit of the League's ecclesiastical princes and prelates, which the League Council felt called upon to redress. Influenced by these attitudes, the Swabian League became a bulwark for the forces of Roman Catholicism in the Empire. The most which the dissenting members of the League could accomplish was to block any really effective action on the part of the League until it came up for renewal in 1534, when the religious issue helped to destroy it.

d. "Peasant Uprisings"

Before 1524-25, the Swabian League never had to deal with a large-scale uprising in the territories of any of its members. The peasant conspiracies known as the Bundschuh occurred mostly in the Upper Rhine region in territories of rulers who were not members of the League.²⁵⁰ The "Poor Conrad" rebellion in the Duchy of Württemberg took place in 1514, two years after Duke Ulrich had taken his principality out of the League. The fierce peasant uprisings in the Austrian territories of Carniola and Styria in 1515 were not in lands which the League was pledged to protect, although the Archduke of Austria was a League member.

Those cases of open resistance which did come before the League Council were local affairs, confined to disagreements between a League member and his peasants which, for one reason or another, had gone beyond the ability of the member to quell on his own. Yet these small uprisings are crucial to an understanding of the League's policy during the Peasants' War, as they reveal several aspects of the League's ability to deal with disobedience in violent form, as well as some surprising inconsistencies in members' attitudes toward desirable procedures to be followed in such cases.

For one thing, the Swabian League was often called in by both sides when a disagreement between a League member and his peasants had gotten out of hand. The League member, of course, was usually interested in the military support of the League for forcing his subjects back to obedience. The motives of the peasant disputants in appealing to the League Council in such instances are less clear.

Secondly, despite their relatively narrow scope, the uprisings dealt with by the League caused much dissension among League members, ranking near the top as a source of internal conflict during the League's existence. In fact, in the two instances prior to 1524-25

in which the League had to resort to a show of force to settle uprisings, the action appears to have been mounted by only a portion of the League members, with the other members either passive, ignorant of the proceedings, or even actively opposed to the policy.

Finally, the official attitude of the League toward subjects' disobedience, as expressed in its Constitution and official pronouncements, underwent a certain hardening in the course of the League's 46-year career, probably as a result of the League's experiences with the dissension in its ranks caused by such cases. It was as if the League Council sought to ensure that all members realized what was expected of them by taking a harder line.

Peasants who became involved in a dispute with their rulers were placed in a difficult position. The relationship between a peasant and the holders of any of the various types of rulership rights over him (e.g., high justice, low justice, Grundherrschaft, Leibherrschaft) involved the right of the holder to command and the duty of the peasant to obey, within certain customary legal limits which differed according to the type of rulership rights exercised. The definition of these "customary legal limits" was often established by the verbal pledge

taken by the peasant when a rulership right or rights changed hands. Thus, when a dispute arose concerning the exact obligations arising out of the exercise of rulership rights, it was often difficult to reconcile the differing versions of what these obligations were.

Furthermore, in the splintered political structure which prevailed in Swabia, it was perfectly possible for a peasant to be subject to more than one holder of rulership rights, since the types of rulership rights were not necessarily dependent upon each other. A peasant could be subject to the "high justice" jurisdiction of one lord, take "low justice" and pay his feudal dues for his land to a Grundherr, and be bound to still another person by the rights over person and personal property conferred by the Leibherrschaft bond. Combinations of these various types of rulership rights were possible, as was the unification of all these rights and jurisdictions in the hands of a single holder. However, since the interrelationships between the different kinds of rulership rights were complex and not always clearly defined, conflicts between the holders of different types of rights over the same peasants were not infrequent.

In any event, the confused jurisdictional situation often functioned to the disadvantage of the peasants.

If all rulership rights over them were united in the hands of a single holder, disputes over the peasants' obligations usually had to be submitted to the courts of that holder for decision, since an appeal to a "foreign" jurisdiction could be construed as a violation of the immunity of the ruler. If different rulership rights were in the hands of separate holders, jurisdiction over disputes between a peasant and one of these holders of rulership rights over him was seldom certain. Jealousy and competition among rulers often resulted in exploitation of cases like this, and settlements to which all parties agreed were difficult to come by.

To many peasants, the Swabian League may have seemed to offer an answer to this problem in disputes with the holders of rulership rights over them. There is little doubt that they were aware of the League's existence. Every member of the League was required to have prayers said for the success and continued existence of the League in every parish under his control, regularly every Wednesday evening.²⁵¹ Many members of the League scrupulously attempted to carry out this provision.²⁵² In addition, the members of the Bank of prelates, Counts, and Imperial nobility, and at least some of the Imperial cities of the League, made no secret of their need to

raise extra revenue to support their membership in the League, transferring the burden directly to their subjects by levying increased taxes for regular League expenses and a special Reisststeuer whenever the League Council called out the military forces of the League. If a holder of rulership rights was a member of the Swabian League, his peasants, hearing the League extolled in church as the protector of the peace and preserver of traditional freedoms, may have regarded the League Council as a natural mediator and/or court of appeals in disputes with their lord(s). The problem was to get the League Council to recognize its jurisdiction in such matters, since this could mean infringement upon the freedoms of the member involved unless special circumstances justified interference by the Council.

Unfortunately, in order to effectively bring a dispute before the League Council, a peasant or peasants were often forced to resort to tactics which virtually destroyed chances of obtaining a fair hearing. An appeal to a "foreign" jurisdiction against a holder of rulership rights was an extremely serious step. Seldom was an individual peasant determined and courageous enough to make such an appeal on his own. Thus, most of the peasant appeals directed to the League Court or League

Council came from groups of peasants who felt their rights had been violated by the holders of rulership rights over them.

To plan such an appeal, the peasants involved had to assemble. To bolster their determination to proceed, they often pledged their mutual faith and support of the common project by oath. The assembly of the peasants, by this point, had often taken place in open defiance of prohibitions of the League member concerned. The establishment of mutual allegiance to each other and the peasant community was held to conflict with the relationship established by the peasants' pledge to the lord(s) with whom they were in dispute. Therefore, peasant appeals to the League Court or Council often came from peasants who were already in a de jure state of disobedience, whether overt violence had occurred or not.

The importance of this consideration is shown by the almost standard description of such instances among the peasants as occurring "in disregard of oath and duty" ("inn vergessen der glubt, aydt und pflicht"). League Councillors and judges interpreted their first task in dealing with such a disturbance as the restoration of the conditions which prevailed before the appeal was made. This meant abrogation of the peasants' mutual

oath, renewal of their oath(s) to the League member who held the disputed rulership rights over them, and assurance of return to the required obedience, before any complaints would be even considered by League officials or representatives.

However, this was only one aspect of the problem. Accepted legal procedures of the time provided for several types of appeals against opponents in disputes over legal rights, privileges, and obligations. The nature of the appeals directed by aggrieved peasants to the institutions of the Swabian League was often strong enough to make a summary procedure to restore obedience difficult.

In the confused and splintered jurisdictional situation which prevailed in Swabia, it was accepted practice to summon a legal opponent to a "day" before any one of a number of named mediators, who would then attempt to reach a settlement satisfactory to both parties. Failure to accept such an invitation created the legal presumption that the defaulting party was in the wrong, though this presumption had no practical consequences and such invitations were often declined or ignored on various grounds without prejudice to the case of the refusing party. Theoretically, however, a litigant who

had summoned his opponent to a "day" and been refused was justified in declaring a feud in order to obtain or defend his rights (though the right to feud was limited to nobles and city communes--not individual citizens or peasants or groups of peasants).²⁵³

There were basically two types of settlement which could be reached at an invitational "day" between disputants. The most common was a gütliche, or mediated, settlement, reached by mutual agreement to the proposals of the mediator(s). Such a settlement was not binding, depending primarily upon the good will of the parties involved for its fulfillment, though the mediator (who was often in a position of power with regard to both litigants) was usually interested in seeing that the result of his mediation was carried out. The second and less common type of settlement was the rechtliche, or legal, settlement. In this type of settlement, the participating parties agreed to accept the legal decision of the mediator. Such a decision was binding, in theory at least. The mediator often considered himself bound to exert strong pressures for the fulfillment of his decision, since it now involved his personal prestige.

For these reasons, a rechtliche decision in a legal dispute was often regarded as a last resort. In

an invitation or challenge to attend a "day" for settlement of a dispute, it was often provided that gütliche settlement would be attempted first. Only when all such attempts at a mediated settlement had failed would a rechtliche decision be rendered. Indeed, parties often refused to go beyond the mediation stage because of the binding character of the rechtliche decision. Thus, a bid to submit to a binding legal decision on the merits of the case was perhaps the strongest assertion of the justice of the cause of the bidder that could be made. The peasants who submitted their disputes with League members to the League Council or Court, convinced of the righteousness of their reliance upon their conception of "traditional" obligations and customs, almost invariably offered to submit to a rechtliche decision of the League mediators.

In this complex procedure of reaching a settlement, "public opinion" also played a role. If a party to a dispute had publicly offered to accept a peaceful gütliche or rechtliche settlement before an agreed-upon mediator, it was difficult to justify the use of force against him. This was particularly true of the Swabian League, which almost always preferred a peaceful solution to the problems which came before its Council,

both because of the pledge to maintain the peace which was its justification for existence and because of the difficulty and expense of mobilizing all the members of the League.

Therefore, despite the presumption of disobedience created by prohibited assemblies of aggrieved peasants and their alleged violations of their oaths to the holders of rulership rights over them, the handling of a dispute between a League member and his peasants by the League Council was not a cut-and-dried procedure. If, as seldom happened, the member would agree to allow the League Council or League Court to decide the dispute, a mediated settlement would be attempted, and, if necessary, a legal decision would be rendered. If the member demanded the League's help in returning his peasants to obedience, there was still a strong possibility that internal tensions and antagonisms would lead some League members to insist that force should not be used against the peasants over their offer to accept a legal decision--either because the members so insisting hoped to gain political advantages by so doing, or because they wished to embarrass the member who had requested help against his own subjects. It was a question for the League Council of measuring the desire to maintain obedience

among the peasantry against the desire (and sometimes the necessity) to reach peaceful settlements, which did not involve the League in expensive and troublesome military adventures. Even in those cases where the League Council eventually decided to use force, all members of the League were seldom satisfied, and the unity of the League was often severely shaken by the recriminations and suspicion which arose out of such decisions.

These aspects of the League's response to disputes between League members and their peasants are well-illustrated by the ill-fated revolt of the peasants of the Abbot of Kempten, which occurred shortly after the League's formation in 1492.

The Abbots of Kempten had attempted throughout the fifteenth century to consolidate the territories and people over which they exercised rulership rights. This task was made difficult by the peculiar legal customs of the Allgäu area, which provided that high and low justice rights over a peasant did not change according to the area in which the peasant lived. Rather he remained subject to the same powers of legal jurisdiction whenever he moved.

To combat this custom, the Abbots of Kempten exploited every possibility of limiting the freedom of

movement of their peasants. This involved forced reductions in social and legal status for the peasants of the Abbey. Free peasants were forced to become Zinser (personally free, but heavily dependent upon the Abbot and usually residing upon "unfree" land). Zinser were forced to become bondmen. Marriage with peasants from other jurisdictions, which could result in the Abbot's loss of jurisdiction over the children of the marriage, was heavily punished, and "foreign" women who married Kempten peasants were forced to submit to the legal and personal jurisdiction of the Abbots, contrary to local custom. Traditional hereditary rights were sharply curtailed or even ignored. Resistance to these extraordinary measures of the Abbots was punished through the use of ecclesiastical jurisdiction, against which the peasants of the Abbot had little recourse.²⁵⁴

Relations between the Abbots and the peasants of the See of Kempten had been stormy throughout the fifteenth century because of the ruthless proceedings of the Abbots. Late in 1491, the peasants of the See assembled once again to demand their rights, drawing up a list of complaints and swearing to remain together until they received a legal decision on their validity. They appealed simultaneously to the Abbot and to the

Council of the Swabian League.

The League Council found itself in a difficult position with regard to this appeal. The citizens of the city of Kempten had previously supported the Abbot's peasants in their resistance to his harsh measures. Since both the city of Kempten and the Abbot were members of the Swabian League, the issue of action against the aggrieved peasants was somewhat complicated, and would become more so if the city of Kempten chose to oppose a decision to act against the peasants and the other Imperial city League members supported that position. Furthermore, the appeal of the Abbot's peasants came at a time when the League Council was heavily preoccupied with the League's effort against the Dukes of Bavaria.

Thus, the League Council decided to accept the appeal, sending a delegation consisting of one representative from each Bank to hear the peasants' complaints and attempt to reach a solution. The representative of the Bank of prelates, Counts, and nobility, Hans von Frundsberg, appears to have indulged in wild and irresponsible threats instead of mediation, warning the peasants that he would bring them to obedience with his sword and make widows and orphans of their wives and children. Despite the hostile tone of the negotiations,

an agreement of sorts was reached, and the Abbot's peasants disbanded their assembly.²⁵⁵

However, after von Frundsberg and the other League representatives had left, the peasants of the Abbot re-assembled and once again demanded a hearing, despite messages from the League Council reminding them of the agreement reached. At length, it was decided to allow the angry peasants to present their case to the League Council Assembly to be held at Esslingen in January, 1492--provided that they agree to abide by the Council's decision.²⁵⁶

Peasant representatives appeared before the Council and a decision was reached. It was sent to the Kempten peasants, who refused to accept it despite their earlier promise. The exact state of feelings within the League Council at this point is unclear. Hans von Frundsberg, incensed at the peasants' disregard of his mediated settlement, appears to have already been raising troops for use against them at the Esslingen Assembly. The representatives of the Imperial cities of the League, however, firmly insisted that they would not participate in such an enterprise.²⁵⁷

The peasants of the Abbot, as a last resort, appealed to Emperor Friedrich, who eventually agreed to

hear the case. ²⁵⁸ Meanwhile, members of the League Council who desired an immediate forcible solution were attempting to persuade the representatives of the League cities and the cities' Councils that it was their duty as Oberkeiten to aid in the suppression of disobedience among the subjects of other rulers in order to maintain the basic principles of political authority.

Perhaps the best evidence of the struggle that went on inside the League over this issue is the letter written by the Hauptmann of the Society of St. George's Shield, Count Hug von Werdenberg, to the Burgermeister and Council of the city of Ulm on the 8th of February, bidding them send troops to aid in putting down the Kempten rising. Using the common formula that the peasants of Kempten had risen against the Abbot as their rightful lord "in vergessen irer eeren und aiden", the Count pointed out that they had ignored both the original mediated agreement and the decision of the League Council, and that the peasants had persisted in their disobedience despite all other efforts at a peaceful solution to the dispute. Declaring the entire matter a "base, wicked affair", von Werdenberg argued that:

If the poor (peasants) are allowed to do this, it will go hard with all Oberkait and will, in the future, bring all sorts

of insurmountable disadvantages, breaches,
and damages...²⁵⁹

He implied that it was the city Council's absolute duty to aid a fellow League member against his subjects, if they wanted to continue to participate in the League.

As a recent researcher has remarked, von Werdenberg delivered a virtual lecture upon the attributes of Oberkeit in this letter, setting forth an authoritarian interpretation of rulership rights in general and distinguishing them from limited local jurisdictions as a vital presupposition for the preservation of the estate structure of the political and social system.²⁶⁰

But the Councils of the League cities, despite their desire to be accepted on a par with the members of the other corporate political estates who exercised rulership rights, were not convinced. On 17 February, the cities' Hauptmann (Wilhelm Besserer of Ulm) explained to the city League members that it had been decided to take forcible measures against the peasants of the Abbot, should they refuse once again to accept the decision of the League Council. He himself had committed the League cities to supply a detachment of 150 foot, without informing them of the decision, "for due causes" upon which Besserer did not elaborate.²⁶¹ The cities of the

League refused to acquiesce. On the 28th of February, an inside informant of the Dukes of Bavaria (who were not yet League members) reported that tension between the noble members of the League and the Imperial city representatives had risen to a new high because of the cities' disinclination to use force against the peasants:

The cities in the League do not want to move against the peasants of (the Abbot of) Kempten, but have said that they will not attack them over their (legal) appeal. This has created immense annoyance with the Imperial cities among the nobility (of the League), though in the meantime an Imperial command arrived reserving the jurisdiction in the matter to the Emperor.²⁶²

The arrival of the Emperor's letter was perhaps fortunate for the League's unity. In addition, the attention of League members was diverted from the Kempten problem by the League's confrontation with Bavaria, which occurred in the late spring and early summer of 1492.

In September of that year, however, the problem arose again, as the two League Hauptleute attempted once more to get the peasants of the Abbot to agree to accept the Esslingen decision of the League Council. The majority in the League Council interpreted the peasants' continued refusal, and their sending to the Emperor for support, as the last straw. Although the Emperor had actually issued a mandate forbidding the League to take action against

the Kempten peasants, the League Council decided that further postponement of "just punishment" of the peasants' stubbornness would undermine the position of all Oberkeit.²⁶³

Late in 1492, troops of the Swabian League overran the Kempten peasantry, burning and plundering their villages. There was no resistance from the peasants.

It is unclear whether troops from the League cities actually participated in this attack. They did provide some financial support, which was the source of much disagreement after the brief campaign. The League representative of the Margraves of Brandenburg reported that there was a lot of "vexation and murmuring" among League members over the expenses incurred by the League forces.²⁶⁴

At the final reckoning of common expenses for 1492, the members of the Society of St. George's Shield offered to take all the expenses involved in the suppression of the Kempten uprising upon themselves-- perhaps in gratitude for the cities' final acquiescence.²⁶⁵

Nevertheless, the question of how to deal with the peasants of the Abbot of Kempten had created deep and bitter rifts in the relations between League members. Should such an occasion again arise, it would be natural for suspicion to fall upon the position of the League cities with regard to suppression of uprisings.

Continued uncertainty over the policy to be followed by the League with regard to disobedient subjects of League members is reflected in the Constitution of 1500. Previous Constitutions had not mentioned this question. In 1500, a specific article was inserted which is surprisingly lenient:

The communes and subjects affiliated with us, the members of the League, shall not withdraw from their lord his Oberkait and obedience, but shall at all times preserve them as they are pledged to do, according to past tradition. If, however, they allege that they are being treated unjustly, contrary to past tradition and their acknowledged duties, they shall not rise against their lord or become in any way disobedient, but bring (the dispute) before the Common Assembly of the League, which shall hear both sides against each other immediately and summarily, and shall exert itself to arrive at a fair, mediated solution. If a mediated solution cannot be reached, we shall support both or either of the parties in holding to the final decision of the League Assembly in their difficulties and disputes, without error or contradiction.²⁶⁶

Although the wording of this article leaves much practical leeway, it is noteworthy that the League Council is now asserting its jurisdiction in disputes between members of the League and their subjects, and guaranteeing the peasants at least a hearing, so long as they do not openly disobey their lord in the meantime.

The actual working of this new article is shown by the uprising of the peasants of the Abbot of Ochsen-

hausen, a League member, which began almost immediately after the League had been renewed in 1500. Like the Abbots of Kempten, the Abbots of Ochsenhausen had a long history of disputes with their peasants. Two of the principal complaints of the Ochsenhausen peasants would seem to have been the attacks of the Abbot upon their traditional inheritance rights and the attempt to increase required services (caused partly by the cloister's ambitious building projects in the late fifteenth century). Such things as the imposition of multiple fines for a single offense indicated that the Abbot was trying to wring the maximum amount of revenue from his peasants.²⁶⁷ Interestingly enough, the dispute, which came before the League Council in June, 1500, appears to have been brought to a head over a Reisststeuer levied by the Abbot in order to fulfill his obligations to the League.

The initial complaint was brought by the Abbot, who alleged that the peasants subject to him had not only refused to pay the above-mentioned Reisststeuer, but also been generally disobedient in other ways. As in the Kempten rising, an Imperial city League member was also involved--this time the city of Ulm, which had some claim to the protectorship of the entire Abbey, and had previously undertaken mediation between the

Abbot and his subjects without success.²⁶⁸ The affair seemed to have all the markings of another Kempten debacle for the League.

However, the League Council adopted a conciliatory policy, appointing an embassy to the Ochsenhausen peasants which was to urge them not to indulge in open disobedience or any refusal of dues and services to the Abbot. If they felt they had been unjustly treated, they could bring their complaints before the next session of the League Council.²⁶⁹

Apparently, the Ochsenhausen peasants decided instead to bring their charges of unjust treatment before the League Court. Various attempts at mediation by the League judges and other League Council appointees occupied most of 1501, but the peasants refused all proposals for settlement.²⁷⁰

In April, 1502, the peasants of the Abbot of Ochsenhausen sent representatives to the League Assembly at Nördlingen. The League Council, undoubtedly influenced by the discovery of the Bundschuh of Untergrombach in the Bishopric of Speyer which had occurred shortly before this meeting, responded with a sharply-worded denunciation of peasant gatherings directed at denying their lords their rightful Oberkeit. All members of

the League were urged to keep a sharp eye out for such gatherings and to take prompt action to see that these disputes were "settled" to prevent further disorders which might arise therefrom. Otherwise, the League Council would take the matter under advisement and act "as necessity requires".²⁷¹

The peasants, undeterred by this reception, continued obstinate. In August, 1502, the Abbot of Ochsenhausen tried to resolve matters by a show of force. The attempt failed, and the Abbot was driven from his monastery by the peasants. The Abbot then appealed for help, not to the League Council as a whole, but to the Hauptmann of the Bank of prelates, Counts, and nobility (Jörg von Freyberg), who used the article of the Nördlingen assembly to selectively raise troops from League members in the vicinity of Ochsenhausen. Even at this juncture, von Freyberg did not attack immediately, but first attempted to persuade the peasants to return to obedience.²⁷²

When von Freyberg did decide to move, he justified his decision to those League members whom he asked for troops by referring to the peasants' repeated refusal to accept any kind of a mediated settlement. They had broken their oaths, assembled in force to carry out their plans, and moved those of the Abbot's peasants who

had been disposed to remain in obedience to join them by force. Such proceedings, he argued, come perilously close to those of the infamous Bundschuh, and must be nipped in the bud if proper Oberkeit is to be preserved. Any other course of action would run the risk of allowing rebellion to spread.²⁷³

As in the Kempten rebellion, most of von Freyberg's support seems to have come from the League princes and the members of the Bank of prelates, Counts, and nobility. Although he appealed to several of the city League members in the area for aid against the Ochsenhausen rebels, they completely refused to co-operate in his plans for using force, preferring to work for a peaceful solution.²⁷⁴ Indeed, as von Freyberg moved on Ochsenhausen with the troops he had collected from the members of two other Bänke in the League, representatives from the cities of Ulm and Memmingen intervened to arrange a mediated solution before hostilities could begin. Informed that the peasants had accepted the agreement and pledged themselves to abide by the League Council's decision as to their proper punishment, von Freyberg declared himself satisfied.²⁷⁵

The provisional agreement upon the basis of which peace was established with the Ochsenhausen peasants is

worthy of closer examination, as it indicates clearly the points considered most important by the Oberkeit and the League representatives. There is no mention of the specific grievances of the peasants. The entire thrust of this agreement is toward returning the peasants to obedience and impressing upon them the seriousness of what they had done. They are required to appear before the Abbot barefooted and headed, and unarmed, to beg his pardon for their disobedience and request that he once again become their lord. They must render a new oath of homage and specifically pledge to perform all the dues and services which they had previously performed, until freed from same by legal decisions, though none of them are to be forced to go to law. The question of costs and fines is to be left to the decision of the League Council. Finally, the peasants had to repudiate their sworn brotherhood and to take an oath never again to enter any such alliance or conspiracy against the Abbot. An added article assured the Abbot of the right to punish any future disobedience at his discretion, promising the League's help if necessary. The last part of this article, which was suggested by the Abbot, specifically pledged the cities of the League not to intervene if such action became necessary:

Also the cities affiliated with the League shall not support (the Abbot's people) in such matters nor allow them to take refuge within (the cities), but shall, in the event that they are approached, drive them out or imprison them or take other measures against them, as (the cities) are required to do by virtue of their membership in the League, so that they are brought to obedience and (the Abbot) and his cloister are in no way deprived of their legal rights.²⁷⁶

In contrast to this agreement, which emphasizes the injustice of the peasants' disobedience and imposes severe humiliation upon them, the final agreement mediated by the League Council between the peasants and the Abbot in September, 1502, can only be described as a signal victory for the peasants. They not only received confirmation of the hereditary tenure of their properties-- which had been the principal point at issue--but also several other significant concessions. Above all, they now had a document in which their obligations were written down and secured. Furthermore, the League Council imposed only a sum of 300 gulden for compensation, reserving the right to levy punishment at a later date, but declaring that it would first see how well the peasants observed the terms of the agreement.²⁷⁷

Thus, the principle of obedience was paramount in all the League Council's proceedings. Individual grievances between lord and peasants were not. In order

to maintain peace and prevent the spread of rebellion, the League Council was willing at this stage in its career to sacrifice to some extent the inflated claims of an individual League member in the interests of preserving Oberkeit as a general principle.

Yet the League's initial response to the Ochsenhausen rebellion revealed once again the deep splits which such cases caused in the League's ranks. Only a part of the League had responded to the Abbot's call for help. Undoubtedly the cities' resistance in this respect had acted as an important moderating influence. But the distrust and resentment of the members of the other two "Banke toward the cities must also have been increased.

In any such dispute between a League member and his peasants where the possibility of League action existed, the position of the League cities would henceforth be in doubt.

In the years that followed the Ochsenhausen rising, the League continued to provide facilities for the peaceful settlement of disputes between its members and their peasants. This did not mean that the League Council was in any way favourable to the peasants who brought their complaints before it or the League Court. In fact, the complicated legal procedures and slow methods

of the League's legal and administrative machinery often presented a formidable obstacle to peasants wishing to litigate against a League member.²⁷⁸ Nevertheless, the opportunity was there, representing perhaps the League Council's considered opinion that, distasteful as it may have been to enter into litigation with peasants, it was better to do so than to jeopardize the very basis of society by leaving aggrieved peasants no outlet other than rebellion. It is also possible that the League members may have been reluctant to submit their unity to another such test as those of the Kempen and Ochsenhausen uprisings.

The uncertainty of the League Council in dealing with instances of internal difficulties and rebellion is shown by the fact that the League Council felt it necessary in 1512 to request from the Emperor a specific mandate empowering it to keep a close watch for signs of unrest, intervene where necessary, and punish those responsible in order to prevent the spread of rebellion. Significantly, unrest in the cities of the League was to be included in this authorization.²⁷⁹ This reflects the increasingly turbulent conditions in the Imperial cities during this period, at least some of which directly affected the League.²⁸⁰

This request for Imperial authorization to proceed against internal disorders in the territories of League members must be considered not only an attempt to secure the League's unity in the face of such problems, but also perhaps a certain hardening in the League's collective attitudes toward rebellion of any kind. Although the primary concern was still with the preservation of obedience and the prevention of the spread of rebellion, the emphasis had shifted from mediation of the dispute to punishment of the principal rebels. Confronted with growing problems of maintaining order in their own communities, the city Councils were coming to realize that the League could be useful to them in this respect.

This did not mean, however, that the League Council would automatically spring to the aid of a member who claimed that his subjects had been rebellious and demanded the League's aid against them. In 1514, a particularly litigious noble League member, Conrad von Rietheim the elder, became involved in a complicated dispute with his peasants and his son, in the course of which the peasants refused to render all dues and services to the elder von Rietheim.²⁸¹ The League Council appointed a commission to attempt to reach a mediated settlement. The commissioners decreed that the peasants

of von Rietheim should return to obedience to him while the case was being decided in the League Court. At the same time, the elder von Rietheim was warned not to try to punish his peasants or otherwise force them to perform his version of their obligations, on pain of a 600 gulden fine every time he violated this provision.²⁸²

Dissatisfied with this interim settlement, the elder von Rietheim turned to the Emperor, obtaining an Imperial commission freeing him from its provisions. The League Council refused to recognize this commission, arguing that it must have been issued in ignorance of the true facts. It wrote the Emperor urging that the commission be rescinded, and in the meantime decided to hold von Rietheim to the original settlement.²⁸³

Further disagreements between the peasants and von Rietheim led the League Council in August, 1515, to set up a six-member committee which was empowered to reach a final decision in the matter.²⁸⁴ The agreement which they drafted provided for the imprisonment or other suitable punishment of several of the peasant ringleaders, at the discretion of the League Hauptleute. But the League Council also decided to investigate further von Rietheim's continued claims that his peasants were not performing their required services.²⁸⁵

Eventually, the affair seems to have ended up in a similar fashion to that of the Ochsenhausen peasants. The von Rietheim peasants were required to pay compensation, but in return received definite confirmation of their obligations which they could henceforth use to counter attempts by their lord to increase their dues and services. While von Rietheim seems to have had much difficulty in getting the peasants to pay the agreed compensation, the case disappears from League records after 1519.²⁸⁶

Although the League Council continued to handle such cases as the von Rietheim dispute with relative restraint, the atmosphere with regard to peasant unrest was becoming increasingly tense. The "Poor Conrad" rebellion in the Duchy of Württemberg, uprisings in Austrian territories, the discovery of Bundschuh conspiracies in the Upper Rhine region in 1513 and 1517--all this evidence of deepening discontent among the peasantry combined to put the ruling political estates in general and the members of the Swabian League in particular on edge. Coupled with this was the growing restlessness of such Imperial Knights as Franz von Sickingen and the League's increasing difficulties with Duke Ulrich of Württemberg.

Under these conditions, it was perhaps natural that the official, collective policy of the League toward disobedience and uprisings, as expressed in its Constitution of 1522, should change in the direction of a still harder line.

The article regarding disagreements between subjects and their lord(s) which had been entered in the League Constitution in 1500 had been retained with little change at the 1512 renewal. However, in 1521, just before the formal renewal of the League, the Bishop of Würzburg raised the strongest objections to this article in negotiations designed to bring him into the League. To guarantee disobedient subjects a hearing against their Oberkeit before the League Council was to encourage them in their disobedience, he argued. Every prince and ruler is bound not to burden his subjects against past tradition, but he is also pledged to punish disobedience and restore order among them. It should therefore be the duty of the League Council to help members of the League in this latter task, but not to interfere in what was essentially a private dispute between a League member and his subjects unless asked to do so by the member. ²⁸⁷

At least partially in response to the Bishop's challenge to this article, the League Constitution of

1522 was changed to read in striking contrast to the article of 1500 concerning obedience:

The communes and subjects belonging to us, the members of the League, shall in no way withdraw from their lords their Oberkait and obedience, but shall render them at all times according to their obligations and past tradition. If it should happen that said communes or subjects rise against their Oberkeit or withdraw their obedience, and the Oberkait brings a complaint before the League in the matter, the communes or subjects shall be formally summoned, and if they are found to be in the wrong, after hearing their complaints, the Oberkait shall be helped. If, however, the proceedings of the Oberkait are found to be unjustified, the Common Assembly of the League shall have the power to negotiate with it in the interests of a just solution.²⁸⁸

Thus, while the possibility of a hearing before the League Council still existed, the initiative could no longer come from anyone but the Oberkait. Furthermore, the presumption of guilt created by disobedience or open resistance is definitely implied. Note also that if the subjects are found to be in the wrong, active aid is promised to the Oberkait. In the reverse case, the League Council promises only negotiations. If the chances of peasants who brought their complaints before the League Council had been slim before, they were now virtually extinguished, at least in theory.

Fear of a popular uprising, fed by Franz von Sickingen's machinations among the Imperial nobility,

by rumors of the persistence of the Bundschuh, and by the brooding presence of Duke Ulrich in the castle of Hohentwiel near the Swiss border, increased steadily among the members of the League in the early 1520s. Some of the more skittish members began to discover a Bundschuh behind every peasant marriage party.²⁸⁹ The city of Überlingen spread the word that the Swiss were planning to stir up an uprising in conjunction with Ulrich.²⁸⁰

Somewhere in the background lurked the almost-legendary figure of Joss Fritz, Bundschuh-leader extraordinaire since 1502, who had miraculously escaped capture in all the abortive plots in which he had been involved. Dark astrological predictions of impending catastrophe influenced even so hard-headed a figure as Bavarian Chancellor Leonhard von Eck.²⁹¹

Particularly disturbing to many of the members of the League were the growing inroads of what passed for Lutheranism among the "common man". Many felt that the inflammatory preaching and attacks upon ecclesiastical rule associated with the ideas of Luther and Zwingli would serve as the spark which would set off the long-brewing rebellion. Leonhard von Eck remarked in a letter to his Duke:

A violent Bunschuh or uprising against

the princes has been at hand for many years, and now is the time.²⁹²

Similarly, Wilhelm Truchsess von Waldburg, Habsburg Statthalter for Württemberg argued in 1522:

In several places it has been remarked with regard to the common man that, according to all appearances, we must fear that a Bundschuh, or rich and poor Conrad together, is at hand, and Luther's actions are not the least cause.²⁹³

Arguments like these combined the two divisive issues of religion and peasant uprisings within the membership of the League, since members of the League who were inclined toward Lutheranism or Zwinglianism could not countenance the charges that the new religious practices spawned disorder.

The continued presence of divisions within the League Council and the membership of the League with regard to disobedient subjects made it extremely difficult for the League Council to develop a coherent policy on such matters, even though the new article in the 1522 Constitution seemed to point toward greater strictness. This uncertainty is illustrated graphically by the dual-sided policies followed in 1524. On the one hand, the League Council was preparing measures which would allow it to intervene rapidly to crush rebellion among the subjects of League members.²⁹⁴ On the other, the League

Council refused military aid to the Abbot of Marchtal, who had become involved with his peasants of the village of Aleshausen over his annexation of part of their common meadowlands and over his right to impose a Reisststeuer upon them. Instead, the League Council followed its traditional policy of appointing a mediating committee to hear the claims of both sides, admonishing the peasants in the meantime to perform all traditional dues and services.²⁹⁵ The League Council persisted in its attempts to find a peaceful settlement in this case even after the first efforts of the mediators had been rejected.²⁹⁶ At length, the peasants of Aleshausen were referred to the League judges for a legal decision of the Reisststeuer issue and further representatives of the League Council were sent to examine the purchase agreements which the Abbot claimed to have for the meadowland.²⁹⁷ While the final disposition of the dispute was swallowed by the Peasants' War, the persistence of the mediation efforts of the League Council may well have encouraged other aggrieved peasants to hope for similar consideration on the eve of the Peasants' War. Thus, even while the League Council was seeking a peaceful solution to the Marchtal dispute, the ambiguity of its policy and actions with regard to the rebellious subjects of League members

may have inadvertently increased the chances of a major revolt. That it could not evolve a more decisive policy illustrates the extent to which the issue of peasant revolts reflected the tensions and conflict within the precariously shifting collective interest structure of League members.

IV. Conclusions

It has become obvious that the Swabian League was anything but a united body in 1525--discounting such rare instances as the unified opposition to the Reichsregiment. Almost any aspect of the League's collective policy could serve to focus discontent and cause internal cleavage and conflict among the groups and subgroups which made up the League. However, there were three crucial areas of concern from which internal disunity most frequently stemmed. These were: the fear that the League might become so powerful as to represent a threat to its members' rights and privileges--reflected most clearly in the concern of the League princes over inroads on their prerogatives; the need to maintain fairness and efficiency in the treatment of all members of the League; and the distrust, suspicion, and social antagonism which existed between the members of the three different corporate political estates which composed the League.

While it is difficult to separate these three major areas of concern on any given issue, a brief discussion of the role which they played in increasing tension among League members is in order.

The fear that the League might become strong enough to threaten the privileges of its members may seem far-fetched in view of the weaknesses in the structure and operation of the League which have been described. True, it was militarily stronger than any individual member, except possibly the Habsburgs. But the members of the League were extremely reluctant to use this force, even against non-members--let alone to set the dangerous precedent of using it against members. The League had no standing military force, and was dependent upon the good will of its members for everything that it accomplished militarily. Only if the League somehow acquired an independent, standing military capacity, or if an overwhelming preponderance of its members became involved in opposition to a single member or group of members, could the League constitute a military threat to its members' independence.

Similarly, the League was dependent upon its members' good will for its financial resources. Only if it acquired an independent source of income and its

own financial apparatus could it free itself of this reliance.

In its court jurisdiction, the possibility of the League infringing upon its members' immunities was more ambiguous. The League's court certainly could and did attack the jurisdictions of League members in several usually sacrosanct areas, such as the determination of the status of a disputed property. However, without some broader claim to jurisdiction than it had prior to 1525, and more reliable financial and military support to back it up, it was unlikely that the Court could make serious inroads upon members' legal prerogatives.

Despite these problems with the League's organization, the theme of infringement, real or imaginary, upon members' freedoms is a constant one. We have seen it in the complaints of many of the Counts and Freiherren, who saw the League as enough of a threat to their privileges to strongly resist League membership. We have seen at least one prince, Ulrich of Württemberg, withdraw from the League partly because of the feeling that membership hampered his prerogatives. Most of the other princes of the League uttered similar complaints from time to time, and the example of the expulsion of Ulrich from his territories cannot have been a very pleasing one for

them to contemplate. The acquisition by the League Council of the right to summon before it suspected violators of the Imperial Peace brought with it increasing complaints of the Council's arrogance and abuse of the privilege, while the campaign against the Franconian Raubritter in 1523 convinced many of the Imperial nobility that the League's power had grown to the point where it was more of a threat to their independence to stay outside the League than to join it. All of these developments in the power and effectiveness of the League's institutional and military structure, slight though they may have been, aroused the suspicions of a membership jealous of even a hint of challenge to their cherished privileges. When, as a result of the Peasants' War, the League Council acquired a standing patrol force, set up a collection system for bringing in compensation payments from the defeated peasants, and allowed debate on the expansion of the jurisdiction of the League judges, members who feared encroachment on their privileges were given even more food for thought.

The question of the fairness and efficiency of the League's procedures was an equally important one in terms of the amount of internal dissension it caused. At least a semblance of fair treatment for all members

of the League had to be maintained at all times in order to keep them in the League. This meant that the complaint of a litigious minor noble would receive, in theory at least, the same consideration from the League Council as a complaint from the Dukes of Bavaria. While such ideal equality was never achieved, the League Council came close enough to satisfy members at both extremes of the power spectrum much of the time.

In other areas of its activity, the question of fairness and efficiency for the League was a more difficult one. The Imperial cities of the League demanded action against the attackers of their citizens and merchants. The princes of the League felt that they were being used to bail the cities out of their eternal difficulties, and demanded that the protection of the League be extended to their Diener and Lehensmänner. If the policy that is adopted favours that of either side, the other would feel that the Council was being unfair. If the Council sought a middle ground, chances were that both sides would feel that they were being unfairly treated. This was, in fact, what often happened.

Some questions of fairness could not be solved without a complete restructuring of the League. The inadequate voting system in the League Council, for example,

needed to be revamped to provide the princes with votes more in keeping with their military contribution to the League. Inequality in financial burdens and in the way in which military obligations were determined were other frequent sources of complaint. When, during the Peasants' War, the League Council was faced with almost simultaneous requests for aid from League members in widely separated areas, the question of fairness became a burning issue for those members who didn't get it. When the Catholic faction in the League pressed for support of the League's bishops in their attempt to win back their usurped ecclesiastical jurisdiction, Lutheran and Zwinglian League members raised the cry of unequal treatment. In reality, the ideal of fair and equal treatment for all members of the League was never anything more than an ideal, but this did not prevent the concept from causing disagreements and conflict.

The final source of internal cleavage--political and social antagonism, distrust, and rivalry among the members of the League--permeated every aspect of League policy and operation. Strong political and dynastic rivalries existed among the princely members of the League. Imperial nobles, prelates, and cities felt themselves threatened with mediatization by powerful

neighboring princes, even though the princes were also League members. Counts and Freiherren resented being lumped together with simple Imperial Knights. Smaller cities sometimes resented the dominance of the three great Imperial cities of Ulm, Augsburg, and Nuremberg.

One of the strongest barriers of antagonism and distrust was that which existed between the members of the princely Bank and the Bank of prelates, Counts, and nobility, and the members of the Bank of Imperial cities. This basic tension crops up again and again in every crisis the League had to face. In such cases, the scorn and suspicion directed at the cities of the League by the members of the other two Banke knew no bounds.

For example, the poor performance of the city troops during the Swiss War created the presumption that the cities were pro-Swiss. Thereafter, reports of allegedly pro-Swiss sentiments among the League cities circulated sporadically among the members of the other Banke.²⁹⁸

In the first frightened reactions of the League cities after Duke Ulrich's seizure of Reutlingen, the members of the other Banke saw still another proof of the unreliability of their allies. They heaped scorn upon the cities, alleging that Reutlingen had given up without

a struggle because of lack of backbone (which was, it seems, at least partially true).²⁹⁹ Bavarian Chancellor Eck even thought that all the Imperial cities within and near Würtemberg, including Ulm, would have fallen easily had Ulrich continued his campaign.³⁰⁰ Therefore, if they were to be counted upon at all against Ulrich, Eck argued that it would be necessary to assure them immediately of Bavaria's support.³⁰¹

By far the clearest proof of the unreliability of the League cities in the eyes of their allies was, as we have seen, the behaviour of the cities in cases of disobedience or rebellion on the part of subjects of League members.

Thus, the Swabian League faced the growing unrest among the lower orders of society at the beginning of 1525 in a far-from-unified condition. Wracked by internal tensions, hampered by slow and inefficient procedures, uncertain of the loyalty and reliability of all its members, the League was nevertheless the only organization powerful enough to cope with a largescale uprising. Despite the distrust of the cities harbored by the members of the two other Banke, the dynastic rivalries of the territorial princes, the newly-important religious issue, and the strivings of the city councils

to prove themselves worthy of participating in the League on an equal basis with other rulers, the Swabian League had attained a position which forced its members to rely upon it for support against so blatant a threat to their political, social, and legal authority as that presented by the Peasants' War. The degree to which the members of the League were able to overcome these internal tensions would determine the effectiveness of their collective and individual responses to the peasant challenge, the future of the League itself, and, in a more remote sense, the future of the concept of Oberkeit and its practical exercise on the basis of a corporatively-structured hierarchical social and political system.

CHAPTER IV

Prelude to Suppression

The involvement of the Swabian League in the suppression of the Peasants' War, which has often been assumed to have been virtually automatic, was in fact the result of a long period of careful consideration during which the procedures of the League varied little from their normal course. Most historians of the Peasants' War, in their unfamiliarity with the League's usual modes of action, have misunderstood the way in which the uprisings in various areas were brought before the League Council, and have consequently misinterpreted the League's position in the crucial period from the first disturbances in the southern Black Forest area in May and June, 1524, to the outbreak of open hostilities between the forces of the League and the rebels in early April, 1525. Thus, before analyzing the deep tensions and conflicts which influenced the policies and actions of the League Council in this period and during the actual campaign against the rebels, it will be necessary to briefly discuss the steps by which the Swabian League became involved in the suppression of the rebellion.

In late May and June, 1524, the peasants of the

Abbey of St. Blasien and of the Landgraviate of Stühlingen in the southern Black Forest region rose against their lords in what is generally considered to be the beginning of the Peasants' War.¹ Both the Abbot of St. Blasien and Count Sigmund von Lupfen, the holder of the Landgraviate, were under the protection of the Habsburgs as overlords of the entire area. Thus, Archduke Ferdinand, as a League member, could have brought the matter to the attention of the League Council immediately. This he did not do, preferring to rely upon his own resources to deal with the seemingly insignificant difficulties.² The fact that the exact status of the Habsburg Black Forest territories with regard to the Archduke's League membership was uncertain may have played a role in the decision.³

Therefore, the League Council, holding its regularly scheduled assembly in August, 1524, knew of the peasant rising in Habsburg territories in an unofficial manner,⁴ but had no reason to become directly concerned. Despite this, the League Council took cognizance of increasing disorder in the territories of League members by proposing that the members consider a procedure for granting immediate aid to a member faced with an uprising of his subjects. Declaring that such matters should concern all League members, the Council asked that all

Councillors consult their superiors and be prepared to discuss ways and means of implementing a rapid mobilization policy at the next League Council Assembly.⁵

However, these preparations were not necessarily directed towards a grant of aid to the Habsburgs. The apparently simple question of dealing with an uprising in Habsburg lands was complicated by the intrusion of two further issues which made the possibility of League action in support of the Habsburgs much more difficult to predict.

In the Habsburg lands of the southern Black Forest, where the most serious disorders were occurring, the spectre of the exiled Duke Ulrich of Württemberg began to loom ever larger upon the horizon. It was feared that Ulrich, with French financing and the help of the Swiss cantons favourable to his cause, might attempt to exploit the unsettled situation to regain his lands by a sudden stroke, possibly even in alliance with the rebellious peasants.⁶

Furthermore, the small city of Waldshut, subject to the House of Austria, persisted in its refusal to comply with the commands of Habsburg officials to rescind the innovations in religious practices introduced by the preacher Balthasar Hubmaier. It was feared that

Waldshut, too, would form connections with the peasants of the area, to the detriment of the Archduke's authority.⁷

Both of these problems concerned the members of the League, and they presented issues quite different from those of the peasant disorders. The League, as the principal force in expelling Ulrich, had also bound itself, by various agreements and by accepting Württemberg as a League member, to defend the territory. Should Ulrich attack, the Habsburgs would naturally call upon the League to honour its commitments, quite apart from any question of suppressing the peasant rising. This would involve definite military action, and the prospect tended to divert the attention of League members from the peasant question, although not immediately.

The city of Waldshut, on the other hand, protested that it was willing to obey the Archduke's commands in all things except those concerning conscience. It is clear that, although the rebellious peasants and the recalcitrant city may have been ready to use each other to support their own ends, the motivation of each was different. While Waldshut was concerned only with the right to make the religious changes it wanted without interference from the Habsburg authorities, the peasants of the Black Forest put forward legal, social, and

economic demands based upon traditional customs and law.⁸ Thus, the League Council, with its strong complement of city representatives who were already dismayed by the rise of the religious issue as a concern for the League, might have been expected to take a somewhat different attitude toward Waldshut's position than toward that of the peasants.

Both of these complicating factors must have been in the minds of Habsburg officials as they debated the question of calling upon the League for aid in the summer and early autumn of 1524. Despite the obvious financial weakness of the Habsburg regime, which hampered its ability to take forceful action against either Waldshut or the peasants on its own,⁹ the willingness of both the peasants and the city to submit their disputes to peaceful arbitration probably made an appeal to the League Council during this period seem unnecessary with regard to these two problems.

The machinations of Duke Ulrich, however, were another matter. In the eyes of those officials entrusted with the administration of Habsburg territories in and around Württemberg, the activities of the exiled Duke constituted a serious threat to the interests of the Archduke--a threat which could only be successfully

countered with the help of the Swabian League.

In late September, the Austrian Council at Innsbruck instructed its representative at the League Council to meet with the three League Hauptleute to consider preventive measures against Ulrich and to arrange for the appropriate defensive action from the League in case of attack.¹⁰ On October 1, the Habsburg regents in Württemberg itself demanded in the name of Archduke Ferdinand that the League Hauptleute call a special assembly of the League Council to deal with the threat from Ulrich, citing especially his connections with the rebellious peasants in the Hegau, Stühlingen, and Black Forest areas, and suggesting that he would receive the support of many of his former subjects in Württemberg should he attack.¹¹ The policy of the Habsburg officials seems to have been to exaggerate the threat in order to assure a favorable decision from the League Council.¹²

On the strength of this call for aid, the Hauptmann of the League princes, Wilhelm Guss von Gussenberg, moved the scheduled League Council Assembly for two weeks, from the 11th of November to the 28th of October, 1524.¹³

The course to be followed by the representatives of Archduke Ferdinand at this League Council Assembly was

to exert all efforts to get the League Council to commit itself to a definite plan of action in case the Duchy of Württemberg was attacked. If possible they were also to get the League Council to recognize an obligation to defend other Habsburg lands in this area.¹⁴ To this end, they were instructed to cite the threat from Ulrich, from the rebellious peasants, and from the example of disobedience set by Waldshut.¹⁵

However, in a last-minute change of policy, the Habsburg representatives presented to the League Council only a demand for aid against the city of Waldshut. They argued that the stubborn persistence of the city leadership in defence of its alleged privileges and the inability of the Habsburg administration to settle the dispute, either by a mediated agreement or by force, had created a dangerous precedent for other cities who might be inclined to introduce religious changes in defiance of their overlords. Furthermore, Waldshut had sought support from the rebellious peasants, and from the Swiss city of Zürich, which had sent a volunteer contingent to stay in the city to aid in its defense.¹⁶ In sum, the Habsburg representatives accused Waldshut of outright disobedience against the commands of the Archduke, who was the city's Landesherr.¹⁷

The Habsburg case against Waldshut seemed somewhat weak to the rest of the League Council.¹⁸ Not only was the Council, with its preference for peaceful settlements, bound to try mediation first, but also the position of Waldshut as a German city with definite rights and privileges could be expected to earn the support of the League cities for a peaceful settlement. Rivalries among the princely members of the League--in particular, resentment of the Habsburgs' continual demands for help--also came into play to defeat the Habsburg hopes for immediate military aid against Waldshut.¹⁹

The League Council refused to grant any active military support, and decided instead to send a three-man delegation to the city to attempt to reach a mediated settlement.²⁰ The Habsburg effort to involve the League directly in the suppression of Waldshut was a failure, and the confusion between this issue and that of acting against the peasant rebels hampered later action.

The reason for the last-minute changes in the Habsburg presentation to the League Council in the autumn session, 1524, was that the Council acted on its own to set up emergency aid procedures to help members threatened with rebellion from their subjects. The decision of the League Council was that:

Whenever the subjects of a League member rebel against or cast off their Oberkait, or withdraw from that Oberkait previously performed services and obedience, or attempt to force their Oberkait to conform to their (the subjects') will and pleasure, or in similar fashion to force practices upon their Oberkait, or if in any other unjustified way open rebellion shall obviously threaten a League member, and that member, to save himself, shall request immediate emergency League aid then the League member so threatened shall contact the Hauptmann of his estate. The contacted Hauptmann shall then, with the utmost possible dispatch, summon the other two Hauptleute together with two Councillors appointed from each estate of the League, who will not be themselves concerned in the affair, either personally or on behalf of their Oberkaiten.²¹

The duty of this nine-member committee, composed of the three Hauptleute (Princes: Wilhelm Guss; Prelates, Counts, and Nobility: Walther von Hirnheim; Cities: Ulrich Artzt) and the six appointed Councillors (Princes: Johann Schad of Austria, Leonhard von Eck of Bavaria; Prelates, Counts and Nobility: Johann von Königsegg, Freiherr zu Alendorff, Jörg von Frundsberg zu Mindelheim; Cities: Christoff Kress of Nuremberg, Ulrich Neithart of Ulm) was to determine if the League's aid was required, and to assess the amount of aid if the decision was favorable. In making the decision, the committee was empowered to accept the presentation of the League member concerned, or, if this seemed insufficient or misleading, to gather information on its own. If it decided that help was

justified, the committee could call up immediately and without reference to the League Council as much as 1/3 of the total League military forces (614 horse; 3665 foot). If more help proved necessary, the committee could call up additional forces as needed. If more than one League member required help at the same time, the committee had the power to apportion available forces among the members needing it.²²

This resolution created, in effect, an executive committee to guide the policy of the League in cases of rebellion. The broad definition of the types of cases in which it could be invoked seems to have been purposely designed to allow the League committee to act rapidly in even very minor cases in order to prevent them from getting out of hand. The procedure promised a considerable improvement in the time lag between the first presentation of a request for aid and the final decision of the League Council to act, since it was no longer necessary to go through the cumbersome procedure of calling a full Assembly of the League Council. Furthermore, the member requesting help might hope that it would be somewhat easier to convince nine men of his need for aid than to persuade the entire Council. By creating such an expedited procedure, then, the League Council made it

almost inevitable that the League would be called in to deal with the peasants' risings.

Habsburg officials immediately interpreted this article on emergency aid procedures as applicable to a possible attack on Württemberg from Duke Ulrich as well as to peasant uprisings, but they were also careful to make clear Ulrich's connections with the peasant rebels of the Black Forest and Hegau regions in their communications to the League Hauptleute.²⁴ By associating the two through implications that Duke Ulrich was really the force behind the peasant disorders, the Habsburg governing authorities hoped to support their claim to League aid on a double basis. The importance which they attached to securing League aid is obvious from their correspondence with the men who had to deal directly with the uprisings, urging them to keep the League informed of all developments in the negotiations with the peasants and to forward all news of Duke Ulrich's movements to the League Hauptleute.²⁵

On December 17, 1524, Habsburg officials decided to attempt to gain League aid once more--this time against the increasingly restive peasants--by utilizing the new procedures for emergency help against uprisings. The Habsburg representative to the League Council was in-

structed to present a formal request for a meeting of the emergency committee.²⁶ Archduke Ferdinand even suggested that matters had gotten so far out of hand that a direct request might be made to the Hauptleute to grant a small emergency aid before consulting with the committee.²⁷

The three League Hauptleute met on the 22nd of December to consider the request of the Habsburg administration, but found the justification for aid on the whole dubious. Although they agreed to call a meeting of the emergency committee for 6 January, the Hauptleute warned:

If reports other than those which we have already received and considered do not appear by the day of the (committee) meeting to provide adequate proof, it will be very difficult in our opinion to justify taking any action. For in the information so far received the rebellions are of subjects (of Herrschaften) in no way related to the League, on whose behalf the League does not owe help.²⁸

Thus, while the Habsburgs had been promised further consideration from the League officials, the League as a whole had not yet been committed to help the Habsburgs.

Given this opening, however, the Innsbruck government went to great lengths to provide evidence of the seriousness of the uprisings, even to the extent of concealing evidence of agreements reached with the peasants, for fear the League officials or Council might

decide that the Archduke should abide by such compromises.²⁹ In their presentation to the nine-member committee at the 6 January meeting, the Habsburg representatives stressed that the peasants of the Landgraviate of Nellenburg, the Hegau, the Black Forest, the Abbot of St. Blasien, and the city of Villingen--all of which were under the protection of the Habsburgs--were refusing to perform customary services or to render traditional dues. As the overlord of these areas, the Archduke was bound to bring the peasants back into obedience, and, as a League member, he was duly requesting League aid in so doing, according to the procedures established at the last League Council Assembly.³⁰

The emergency committee proved unwilling to take the action for which it had been created. Although it issued a declaration that the uprisings and disobedience in the areas cited were serious matters which concerned all League members and which should be acted against as soon as possible, the committee refused to grant the aid required itself, citing the inclement weather and the possibility that recruiting of troops by the members of the League might draw men away from the Imperial armies in Italy.³¹ This reluctance to act may have been the result of disagreements within the committee as to the

desirability of committing the League once again to the aid of the Habsburgs, since, if the situation was really as serious as the first sections of the committee's statement imply, the excuses given for not granting immediate military aid appear hardly adequate.³² That the committee did agree to move forward the next scheduled League Council assembly from 12 March to 5 February must have been small consolation to the increasingly hard-pressed Habsburg officials.

However, the question of dealing with subjects' uprisings was fast expanding beyond a matter of simply going to the aid of the Habsburgs. More and more League members were becoming involved, either through difficulties with their own subjects or through attempts to mediate between other League members and their peasants. The first direct appeal to institutions of the League came in early January, 1525, when the peasants of the Abbot of Kempten decided to present their long-standing complaints against the Abbot to the League Council or League Court. The city of Kempten became involved through participation of its citizens as mediators and legal advisors to the peasants.³³ The League Council, appealed to by both sides, had to become involved.

By the end of January, League representatives were active in attempting to mediate a settlement between the city of Waldshut and its Habsburg overlord, persuading the city to relinquish its volunteer garrison from Zurich, but failing in their effort to get the townsmen to deliver their preacher, Hubmaier, into Habsburg hands and to give up most of the changes in their religious practices which Hubmaier had introduced.³⁴ In the same area, the attention of the officials of the Habsburg government was once again being diverted by rumors that Duke Ulrich was preparing to supply the still-restive peasants with artillery in return for their help in reconquering his Duchy--rumors which they immediately transmitted to the League Hauptleute.³⁵ While they were being careful not to give the League any excuse for refusing to help, some at least were beginning to feel that military aid from the League, if it did come, would be too little and too late.³⁶

Nevertheless, the Habsburg representatives to the League Council assembly scheduled for 5 February were instructed to press for the granting of emergency aid on two grounds: to be used against still-recalcitrant Waldshut, and to counter the supposedly-combined plans of Ulrich and the rebels. Significantly, while

the Archduke declared himself willing to accept further mediation with Waldshut--if the League Council proved absolutely unwilling to do anything else--he was not ready to do so with regard to the peasants. In his instructions to his delegation to the League Council Assembly, Ferdinand argued that any further delay in action against the peasants must have serious consequences. For not only had they attacked those under the Archduke's protection and violated the agreements which had been reached, but also:

...been disobedient in many other ways, by which they intend, with the help and co-operation of the Duke of Württemberg, who is a prime cause of this uprising and is daily mobilizing in their support and has constantly his own ambassadors with the peasants, to bring other obedient peasants, especially in the land of Württemberg, to disobedience, or else to overrun them.³⁷

Not content with this statement of the evil intentions of the rebels, the Archduke also emphasized that his representatives were to argue that, once the rebels had received the promised help from Ulrich, they would overrun the entire area, conquering or destroying all Oberk³⁸
kait, along with their castles, cities, and markets.

Meanwhile, as the League Councillors began to assemble at Ulm in the first days of February, the disturbances at Kempten had spread throughout the Upper

Swabian region, encompassing the subjects of many of the members of the Bank of prelates, Counts, and nobility in the League, and those of at least one prince, the Bishop of Augsburg.

Faced with the possibility that its own place of meeting would be menaced by the spreading uprisings, the League Council immediately took preliminary action for mobilization of one-third of the League military forces.³⁹ The formal order for mobilization was sent out to the princely members of the League and to the prelates, Counts, and nobility on the 11th of February.⁴⁰ The order to the city League members went out February 13th.⁴¹ Members' troops were to report at Ulm within fourteen days (except for those of several of the more distant members, which were ordered instead to Stuttgart). If all members sent their full complement, the League Council could expect to have a force of almost 1000 horse and over 2000 foot.⁴²

At the same time, however, the League Council was engaged in attempts to settle the peasants' complaints by peaceful means: It had already sent representatives to the peasants of the Abbot of Kempten to make arrangements for submission of their dispute with the Abbot to the League judges.⁴³ On the first formal day of the League

Council Assembly, the Council wrote to the Reichsregiment that there was a good possibility that the peasants of the Allgäu area could be persuaded to accept a peaceful settlement of their differences with their Herren.⁴⁴

On the 4th of February, representatives of the League Council had been sent to the peasants assembling around the market town of Baltringen to ascertain the purpose of their assembly and suggest means for settling their complaints against their lords.⁴⁵ This meeting resulted

in an agreement that the peasants should draw up a formal presentation of their complaints which the League Council could present to the League members involved.⁴⁶

In addition, the League Council issued mandates to the peasants of some of the areas concerned, urging them not to allow themselves to be persuaded to join those in open disobedience, and promising protection against the threats of the rebels and action on their complaints.⁴⁷

Habsburg officials, gratified that the League Council had finally decided upon some sort of action, nevertheless feared that the forces raised by the League would be used first against the rebels in the immediate area of Ulm and Upper Swabia, rather than sent to aid the Habsburg administrators who were trying to quell the uprisings in their own territories.⁴⁸ Indeed, the League

Council explicitly informed the Archduke on the fifteenth of February that it was not willing to act against Waldshut, since this might start two wars at once--more than even the League could handle.⁴⁹ To counteract this possibility, the Habsburg representatives re-emphasized the danger from Duke Ulrich and implied that he might intend to attack other members of the League as well as Austrian possessions.⁵⁰

In response to this argument, the League Council decided to call up a second one-third of the League's military forces, the formal order for which was issued to the princes, prelates, counts, and nobility on the 18th of February,⁵¹ and to the League cities on the 19th.⁵² While taking these steps, the Council continued negotiating with the peasants, accepting their written complaints as agreed upon and promising to deliver the answers of the Herrschaften upon the 27th of February.⁵³ League Council mediators also persuaded the peasants of the Abbot of Kempten to recall their delegation which had gone to Tübingen to seek legal advice on their case from the celebrated legal scholar, Dr. Henninger, and to submit instead to the decision of the League judges.⁵⁴

Before either peaceful or military means could be used against the peasants, however, the long-bruited

rumors about the intentions of Duke Ulrich became fact, as he launched an invasion of Württemberg on the 21st of February, supported by a poorly-equipped force of volunteers from the Swiss cantons and several contingents of peasants.⁵⁵ The League Council, apparently somewhat nonplussed at the need to meet two threats at once, wrote all members of the League to support the Austrian commander, Jörg Truchsess von Waldburg,⁵⁶ and began to recruit mercenaries into the League's service.⁵⁷ To finance these forces, the Council levied a special sum totalling 24,776 gulden on all League members.⁵⁸ A stern warning was sent to the delegates of the Swiss cantons supposedly supporting Ulrich⁵⁹ and to the people of Württemberg⁶⁰ stating that there was no truth to the rumor that the League did not intend to take the field against Ulrich.

Henceforth, the dual priorities faced by the League Council in dealing with both the peasants and with Ulrich constituted a major problem in formulating policy. Obviously, both could not be handled simultaneously, and since Ulrich's invasion appeared to present the more immediate military threat, it became necessary either to find some other way of settling the peasant problem or to postpone military action against the rebels until

Ulrich had been thwarted. This crucial period of the League's role in the suppression of the peasant rebellion extended from the 21st of February till the end of March.

The immediate decision of the League Council was to work for a truce with the rebels in order to be able to devote full attention to the effort against Ulrich.⁶¹

The peasants of the Baltringen area were notified on the 27th of February that the League judges would undertake mediation of their complaints within two weeks.⁶² Since

the armed forces of the League were not yet ready to move against either Ulrich or the rebels,⁶³ the League

Council adopted a policy of individual negotiations with the various groups of peasants and requested individual

League members to do their best to settle the problems

in their own areas, both on their own behalf and for other League members.⁶⁴ Simultaneously, the Council

called up a third 1/3 help, on the 7th of March, to be delivered in money instead of men in order to lessen

the time required for mobilization.⁶⁵

In the face of the League's inability to act against the peasants, the possibility of a peaceful mediated settlement appeared more and more attractive to the

League Council and to individual members of the League.

While the Council persisted in its refusal to enter

negotiations with the Christian Brotherhood, formed by the union of three major peasant groups in Upper Swabia,⁶⁶ other League members were less reticent, as even Archduke Ferdinand returned a conciliatory answer offering his services as mediator to the Christian Brotherhood on the 10th of March.⁶⁷ At this point, even many members of the League Council were not entirely sure what League policy was to be.⁶⁸

By mid-March it was fairly clear that Duke Ulrich's campaign was a failure, not so much because of the League's counteraction, but because the Swiss cantons, reacting to the defeat of Francis I at Pavia, recalled the Swiss volunteers serving with Ulrich.⁶⁹ Besides making arrangements for the punishment of those Württemberg subjects who had joined Ulrich, the League Council now had to decide if its troops were to be used against the rebels in Upper Swabia.

On the 16th of March, the League Council issued a mandate to all League members, ordering them to cease all support of any kind to rebellious subjects, on pain of being treated as rebels themselves.⁷⁰ On the same date it issued another mandate addressed to those peasants who might be with the rebels under duress, urging them to return to their homes immediately to escape the measures

intended by the Council.⁷¹

At the same time, however, the Council continued to send negotiators to the three main peasant Haufen. For a while, it seemed as though the offer of Archduke Ferdinand to mediate a settlement between the peasants and their Herrschaften might be acceptable to both sides.⁷² But the returning negotiators reported that, although there were many among the rebels who would be glad to accept a peaceful settlement, the three Haufen which formed the Christian Brotherhood would not agree to separate from each other, which the League Council considered to be one of the principal conditions for successful mediation. Instead, the peasants proposed a list of mediators whose decision they would be willing to accept. The League's negotiators, unwilling to accept such a proposal upon their own authority, persuaded the peasants to appoint a delegation to come to Ulm to address the League Council Assembly.⁷³

On March 24, the peasant delegation appeared before the Council. The Council rejected their proposals as too indefinite to lead to a speedy settlement, and proposed instead a procedure for individual mediation between each lord and his peasants, under the general supervision of the League Council. Both sides agreed

to a period of consideration which was to last eight days, during which neither was to take any action against the other.⁷⁴

In the period that followed, each side accused the other of breaking the 8-day truce.⁷⁵ On the 30th of March the League Council called up the fourth 1/3 of the League's military forces.⁷⁶

One more attempt to mediate the dispute was made before open hostilities broke out. It is significant that there was no longer any thought of the League Council acting as a mediator itself. By the end of March it seems to have regarded itself--and to have been regarded by the peasants--as a party to the dispute. Thus, the final attempt was made by representatives of the Imperial cities in the areas concerned and by two special envoys from the Reichsregiment who appeared before the League Council on the 31st of March and the 1st of April.⁷⁷ The League Council, although it agreed to the attempt, refused to accept a truce while negotiations were going on, thereby dooming this last-ditch effort.⁷⁸ It ordered the League's armed forces under Jörg Truchsess to march on the small town of Leipheim near Ulm, which had allied itself to the peasants.⁷⁹ While the mediators were still trying desperately for some sort of settlement,

the forces of the League and the peasants met for the first time on April 4 before Leipheim, resulting in the total defeat of the peasants.⁸⁰

This did not end the attempts to reach a peaceful settlement. The Reichsregiment envoys and the representatives of the cities of Upper Swabia continued to communicate with the remaining peasant Haufen until mid-April,⁸¹ when the League Council decided that the attempt must be considered a failure.⁸² On the 14th of April, it had a printed list of the proposals and counter-proposals involved during the long negotiations circulated to justify its decision to take further military action against the rebels, on the grounds that they had not been willing to accept any kind of mediated settlement.⁸³

Other agreements between the League Council or the League military commanders, and various groups of rebels were reached during the course of the campaign of the League's forces to restore obedience and tranquillity in the lands of League members, the most successful of which was the Weingarten Agreement of 22 April with the peasant Haufen of Allgau and Lake Constance.⁸⁴ But by the beginning of April it had become reasonably clear that the principal means by which the League Council hoped to end the uprisings was through the use of force.

This, then, was the surface process by which the Swabian League became involved in the Peasants' War. The vacillation and slowness in League policy throughout 1524 and the early months of 1525 with regard to the request of Archduke Ferdinand for aid against Waldshut, Duke Ulrich, and the peasants, and with regard to negotiations with the rebels indicate that the process of involvement was by no means a smooth one. Indeed, closer examination provides evidence that there was little agreement among the members of the League as to the best way to deal with these problems. The League Council's efforts to develop a coherent policy were hindered at every step of the way by clashes of interest among League members and by defects and difficulties in the League's military, financial, and administrative structure revealed by the crisis situation. Furthermore, these hinderances did not suddenly cease with the commencement of hostilities between the rebels and the League, but continued to hamper League efforts throughout its campaign against the peasants, and even persisted long beyond the conclusion of the Peasants' War. It is to an examination of these difficulties and disputes that we must now turn.

CHAPTER V

The Debate over Collective Policies

As we have seen, the policy of the Swabian League upon any given matter was usually the result of a complex combination of interests and antagonisms which expressed the attempts of League members to wring the greatest possible advantages for themselves from League membership. The reaction of the members of the League as a group to the first indication of unrest among members' peasants, thus, was neither automatic nor uniform. Some immediately recognized the danger; some rejoiced in the discomfiture of their opponents whose peasants were restive; others sought peaceful solutions, attempting to mediate between the rebels and their overlords; a very few may even have sympathized with the peasants' goals.

From such a welter of conflicting opinions and desires a coherent policy could emerge only gradually, if at all. In fact, it would appear that many of the conflicts engendered by the debate over methods of dealing with the rebellion persisted throughout the period when the armed forces of the League were actually in the field against the rebels, hampering the League's military effort and making a final settlement difficult to achieve. That the Swabian League did manage to field

an army for the suppression of the rebellion should not, therefore, be allowed to camouflage the existence of very real differences among the members of the League with regard to suppression of the rebellion--differences which were sharpened and intensified by the experience of the Peasants' War and which greatly exacerbated internal League relationships for a considerable period following those experiences.

It has long been recognized that negotiations and mediation attempts preceded the resort to force in 1525, but the sincerity of both sides has often been questioned. While some scholars are willing to concede that some individual Herrschaften may have been sincere in their desire to reach a peaceful settlement with their peasants,¹ very few will argue that the League Council as a whole was serious in its participation in negotiations with the peasants. The usual explanation is that the alleged efforts at a mediated settlement were merely a delaying tactic on the part of the League Council, deluding the peasants into believing that their complaints would be seriously dealt with while League members gained valuable time to complete the mobilization of their forces, to deal with the invasion of Württemberg by Duke Ulrich, and to suppress revolt in

other areas.²

In reality, the development of the League's collective policy toward the rebels was considerably more complex. For some members of the League, the explanation of the negotiations as a delaying tactic is an accurate appraisal of their motivation. However, serious support for a peaceful, negotiated settlement with the rebels came from several quarters within the League, and was strong enough to require even the most ardent advocates of a campaign against the peasants to recognize its importance. This is not to say that those League members who favoured an attempt to reach a peaceful solution to the rebellion formed a uniform or organized faction, or that they all acted for the same reasons. Nevertheless, an understanding of their motives is crucial to the assessment of League policies during this period.

a. Initial Issues

The basic question facing the League Council and the members of the League in late 1524 and early 1525 was whether to take immediate military action against the rebels or to seek some other solution to the spreading rebellion. However, in assessing the reactions of League members, it is well to remember that the problem did not come before the League Council initially as a clear-cut

question of acting to suppress a rebellion. Instead, Archduke Ferdinand, who was the first League member to appeal for League help against disorders among his subjects, presented three matters upon which he desired League aid--against the supposed threat of invasion from Duke Ulrich, against the recalcitrant city of Waldshut, and against the rebellious peasants of the southern Black Forest region.

The threefold demand for aid from the Habsburgs was an undoubted tactical error on their part, for it allowed League members who might have been willing to grant aid against the rebels to dodge such an obligation through objections to other parts of the Habsburg policy, if they were so inclined. The attempt to support a demand for help on three different grounds at different times blunted Habsburg arguments and gave rise to many technical objections from League members, who were aware that the Habsburgs were already in arrears on payments for the acquisition of the Duchy of Württemberg, and often behindhand in the performance of other League obligations. Such a state of affairs was bound to create confusion and delay any decision on a common course of action for the members of the League.

Thus, many of the League members who opposed immediate action during the initial stages of the League Council's concern with the uprisings did so, not from any hesitation in acting against the peasants, but rather because of technical objections to the Habsburg demands, or out of resentment. Once the issue of rebellion had become really clear--for example, when the rebels had intruded upon their territories--most of these protesting members lost no time in supporting action to suppress the rebels. Nevertheless, the uncertainty created within the League Council by these early objections gained valuable time for others who were more sincere in their desire to prevent a military confrontation.

The clash of interests which occurred over the actions to be taken by the League in the event of an invasion of ["]Württemberg by Duke Ulrich illustrates most clearly this "technical" type of opposition to the Habsburg demand for help. While the League had theoretically committed itself to the defence of the Duchy by accepting it into the League, the slowness of the League's military mobilization and its tendency to postpone definite action created doubts in the minds of Habsburg officials as to the effectiveness of this commitment. This explains the Habsburg pressure in the fall of 1524

for the establishment of definite procedures for the granting of immediate aid, which was successful in part.³

However, since the provisions for emergency aid were couched in terms of a rising against a League member, Habsburg representatives began more and more to associate the danger from Ulrich with the threat from the rebellious peasants, hoping to kill two birds with one stone. This transition in the grounds for the Habsburg appeal to the League Council did not pass unnoticed among some other League members. The suspicion arose that the Habsburgs were creating a mythical peasant threat in order to gain their real end of action against Ulrich.

It was feared that certain League members, the most prominent being the princes of the Palatinate, Hesse, and Würzburg, would refuse to recognize any obligation to defend Württemberg, on the grounds that they had not been involved in the expulsion of Ulrich. (All of these princes were known to be friendly to the exiled Duke.) To circumvent these possible objections and to assure that the League's forces would not be deprived of the support of these princes (whose combined contributions to the League's military effort amounted to almost 1/4 of the League's total force), the initial mobilization orders issued by the League Council on the 11th and 18th

of February cited only the need for action against the peasants, even though Habsburg officials were by this time openly counting upon the League's aid against Ulrich.⁴ The language of the money levy, issued on 25 February, was ambiguous.⁵ Even the March 7th call-up of the third 1/3 of League forces insisted that the League's effort was directed primarily against the peasants:

Things are daily growing worse with (the peasants). They are assembling everywhere and have an understanding among themselves, and some have reinforced Duke Ulrich, and the said Duke and they also have an understanding, through which the Duke has moved out and with their aid taken several places and cities in Württemberg.⁶

Despite such precautions to ensure a response from all League members, there was much uncertainty about the position of the princes mentioned. The Bavarian representative in the League Council, Leonhard von Eck, advised Duke Wilhelm to approach the Palatinate princes outside League channels to make sure of their position in the event of an attack by Ulrich upon Bavaria.⁷ He also induced the League Council to write directly to the Landgrave of Hesse and the Elector Palatine to warn them against allowing any support for Ulrich to be raised in their lands, and reported with evident relief that troops from both of these princes had definitely responded to the League Council's first mobilization order by the

22nd of February.⁸ The Bishop of Constance refused to send any troops to the League forces because of the fear that the Palatinate and Hesse would support Ulrich,⁹ and the city of Überlingen requested and was granted the privilege of keeping its troop contingent at home for some of the same reasons.¹⁰

These rumors of support for Ulrich from within the League membership proved to be largely without foundation, although the princes involved were certainly aware of the ambiguities in the reasons cited for the League's mobilization. Duke Friedrich, brother of the Elector Palatine, declared in a letter to his brother on the 14th of March that:

Our League Councillor Andreas Hiltner has informed us that the Duke of Württemberg has been in the territory (of Württemberg) for some time, that he has taken several market-towns, and that part of the Württemberg population has joined him, but that he has received little support worthy of the name from the peasantry, although the League order indicates that the peasantry are gathering everywhere, and that some have reinforced Duke Ulrich, and that the Duke and they are supposed to have an understanding with one another. These reports from our Councillor and from the League (Council) contradict each other. And it is our opinion that the League Assembly has formulated its report in this manner so that we and others who would not owe help against the (Duke) of Württemberg, if the help was not specifically granted against the peasants, will be brought in.¹¹

But all of the Palatinate princes, as well as the Landgrave of Hesse, apparently decided that the matter before the League Council was important enough to warrant their full support, and they hastened to assure both Bavaria and the Habsburgs that they were sending their required troop contingents.¹²

Nevertheless, the formulation of the early mobilization orders created further delays and uncertainty among the League membership when their troops, allegedly recruited against the peasants, were suddenly diverted to meet Ulrich's invasion. The representative of the Landgrave of Hesse in the League Council registered a strong protest against this.¹³ The troop commander of the Bishop of Würzburg, having been told that he was to march against rebellious peasants, flatly refused to march against Ulrich, and was only persuaded to join the League forces with great difficulty.¹⁴ Some members of the Bank of prelates, Counts, and nobility sent troops on the condition that they be used only against the peasants.¹⁵ Similar reactions from other League members created the impression that the League would not oppose Ulrich.¹⁶

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The second issue upon which the Habsburg officials appealed to the League Council for aid--that of the dis-

obedience of the small city of Waldshut--was somewhat more closely connected with the peasants' rebellion, but it also created confusion and disagreement among League members which affected their response to the peasant uprisings.

In its fight to be allowed to make whatever religious changes it wished, Waldshut had sought support from all quarters. Although the city leadership had at first participated in the attempts to mediate between the peasants of the Landgraviate of Stühlingen and their lords, the nobility of the area soon rejected such a role for Waldshut on the grounds that the city was partisan. This was confirmed by the formation of a loose defensive alliance between the city and the peasants in early September, 1524.¹⁷ After further attempts to mediate a settlement proved fruitless, this resulted in the matter being brought before the League Council in October, 1524.

The position of Waldshut with regard to both the Habsburgs and the Swabian League in late 1524 and early 1525 has been discussed in detail elsewhere, most recently in T. Bergsten's excellent biography of Waldshut's innovating preacher, Balthasar Hubmaier.¹⁸ However, while Bergsten's command of the sources from the viewpoint of Waldshut is unimpeachable, his interpretation of the

position of the members of the Swabian League and of the League Council is open to question.

Bergsten recognizes that the League was torn by dissension of various kinds in the years preceding the Peasants' War. He also argues that the peacekeeping duties and tendencies of the League would constitute a possible source of support for Waldshut, in that the League Council would oppose precipitate use of force by Habsburg officials against the city. Thus, within the League Council the traditional policies of keeping the peace and seeking mediated solutions may well have conflicted with the stated religious policy of the Council, which asked League members to prevent further religious innovation in their territories.¹⁹ Furthermore, according to Bergsten, upon such an issue Waldshut could count upon the support of the city members of the League.²⁰

As far as it goes, this is not a bad explanation of the internal state of affairs in the League Council when the question of Waldshut was brought before it. But Bergsten, in treating the actual disposition of the case by the League, fails to realize the extent and importance of the split which developed in the League Council over the treatment of Waldshut. Indeed, he even contradicts himself in attempting to explain the League's

failure to take action against Waldshut. At one point Bergsten states that the beginnings of the Peasants' War and Waldshut's close connections with the peasants (broken off and then resumed in January, 1525), deprived the city of any support which it might have expected from the League.²¹ Yet, says Bergsten, the League Council postponed the question of taking action against Waldshut and recommended further peaceful negotiations because it made a "clear distinction" between Waldshut and the peasant rebels, the former being a matter which involved definite questions of city freedoms and religio-political interests, the latter being involved in outright rebellion.²²

Actually, the supplication of the Habsburgs for aid against Waldshut--like the "Württemberg issue"--also aroused the suspicions of many League members as to Habsburg motivation. Despite the attempt of the Habsburg representatives to present the Waldshut problem to the League Council solely as one of political obedience, for which the religious issue served only as a cover-up, it must have been obvious to most League members that the question of religious changes was at the root of the matter.²³ Should the League Council authorize action in such a case, a precedent would be set for similar actions in the territories of other League members who were having

problems with religious innovation. Not only might this lead to the "uprising and rebellion" foreseen by the representatives of the League cities in their supplication on religious matters to be presented to the League Council in February, 1525,²⁴ but the possibility of League infringement upon the privileges and prerogatives of members under the guise of restoring obedience was created.

Given these thorny problems, plus pressure from the representatives of the cities of the League, the League Council backed off from the problem of helping Archduke Ferdinand against Waldshut. In the end, the Council refused categorically to help conquer Waldshut, rejecting Habsburg pleas for help even after the campaign against the peasants was over.²⁵

But the implications of the internal divisions in the League Council over the Waldshut question run far beyond those of the episode itself. Just as in the "Württemberg issue, the problem of Waldshut illustrated to members of the League that they were not united upon the question of mobilization and aid to the Habsburgs. If the League was to take effective action upon any of these issues, including that of the rebellious peasants, unity was essential. The possibility that disagreements

over action against Duke Ulrich and action against Waldshut would carry over into the question of action against the rebels had always to be considered. Nor was this a vain fear, for from the confusion and antagonism surrounding the League Council's policies with regard to these three closely-intertwined problems arose the main elements of "peace sentiment" among League members and the complications which this created in the League's efforts to restore order in the lands of its members.

b. Support Among League Members for a
Negotiated Settlement

It would appear that there were two sources of opposition to immediate military action against the rebels among League members, besides the side issues already discussed. Some League members feared that such action might have unpleasant consequences in their own territories, either because their lands were in the immediate area of the uprising and they could not expect support from the League in time, or because they had reason to suspect that their support of action against the peasants might cause repercussions among their subjects. Other League members who supported a negotiated peace sincerely felt that a peaceful settlement would be best for all concerned. There was no clear line of demarcation between the two

types of motivation. They are often to be found intermingled.

According to Bavarian Chancellor Eck, the principal advocate of immediate military action, one of the first groups of League members which showed signs of timidity and a disinclination to act was the group composed of members of the Bank of prelates, Counts, and nobility from Upper Swabia and the Lake Constance area. This group had brought one of the initial complaints about peasant disobedience before the League, but rejected all suggestions that they act on their own against the rebels, preferring that the League Council take up the matter. This position Eck rejected as cowardly and totally unjustified in view of the situation.²⁶ He argued that such inaction was contrary to their duty as League members and would only strengthen the peasants' cause and cast dishonour upon authority:

Those of the nobility to whom the peasants belong are old wives and dead before they're killed. They fear for their houses and none of them will do anything until the troops are assembled, which will be some time. And I fear that the peasants may act because of the great faintness of heart of their superiors.²⁷

It is clear from the context of these charges flung by Eck--early in the rebellion, before any decision upon League action had been taken--that many of the nobility

and prelates in the areas involved had been frightened into inaction by the prospect of a widespread peasants' revolt.²⁸ It was hardly to be expected that such an attitude would last, particularly if they could count upon League support.

Only a few of the members of the Bank of prelates, Counts, and nobility were sincere in their support of a negotiated settlement with the rebels. Some of these men obviously felt that such a settlement was the best way of preserving their lands and subjects intact, and that a few minor concessions were all that was needed-- Count Hug von Montfort zu Rothenfels is perhaps the best representative of this position.²⁹ The Abbots of Weissenau and Minderau were of the same opinion, though they did nothing but request League Council aid in mediating their disputes with their peasants.³⁰

Other members of this Bank found themselves named as mediators between their neighbors and their neighbors' peasants, or as League representatives to negotiations with the rebels. This in itself does not necessarily indicate a peaceful inclination on the part of the noble thus named, but the diligence with which some of these men pursued the task of reaching an agreement in such cases is evidence of the seriousness with which they

treated the assignment. For example, Joachim Marshall von Pappenheim, a member of one of the most respected noble families in Upper Swabia, was named in early January to represent the peasants of the Abbot of Kempten in their dispute with the Abbot. Although there was little prospect of a settlement, due to the extreme stubbornness of both parties to the dispute, von Pappenheim agreed somewhat later to undertake the post of sole mediator, and was still hard at work over the complicated negotiations late in February, long after the League Council had issued its first mobilization orders.³¹

These men, however, are exceptions. The vast majority of the prelates, Counts, and nobility of the League were merely temporarily immobilized. Most are to be found firmly on the side of action against the peasantry in the later stages of the revolt.

While the major motivation of the members of the Bank of prelates, Counts, and nobility who opposed immediate military action against the rebels was fear, some of the princely members of the League were concerned with the difficulty and expense of suppressing a determined and widespread rebellion, both in terms of financing the military effort against the rebels and in the damage to lives and property which would result from a major cam-

paign. Feelings like these led some of the League princes to support an attempt to reach a negotiated settlement with the rebels, particularly when the rebellion had not yet reached their territories.

Foremost among these princes were the members of the Palatinate branch of the Wittelsbach family--the Elector Ludwig, his brother Duke Friedrich, and the two young princes of the Upper Palatinate, Ott-Heinrich and Phillip. As early as the 19th of January, upon being notified of the advancement of the regularly-scheduled League Council meeting to consider the problem of dealing with the peasants, the Elector wrote to his relatives concerning the desirability of negotiations between the League and the rebels:

We consider that, since the peasant assemblies are for the most part supposed to have occurred because they have been too often painfully restricted and too seriously punished for Lutheranism*, it would not be entirely well to take immediate severe action against them. It would be much better that such an uprising be settled through negotiation and that unnecessary costs of (League) help be saved. Above all things the League should send to the peasants so that their plans may be heard and one may act with fuller knowledge and consider the best course of action in this affair.³²

Ludwig mentioned also that he had instructed his League representatives to keep these objectives in mind when

*"lutherey"--perhaps "lüttereï"? (minor matters)

deliberating in the Council meetings, and urged that Duke Friedrich and his young nephews do the same.

Shortly thereafter, on February 2nd, the other Palatinate princes concurred in this opinion, adding that it might not even be necessary for the League Council to involve itself in direct negotiations:

We wish to inform you that we know of no way to better His Grace's opinion, which also pleases us--namely, that before taking any severe action, the estates of the League send to the peasants, that their plans be heard, and that all efforts be made to settle this uprising by negotiations. And since we, Duke Friedrich, have received the information from the Imperial Regiment that said Regiment is currently involved in negotiations with the Herrschaften of the above-mentioned peasants, and with the peasants themselves, to still or to reach a mediated settlement of this uprising. Thus, it might be useful for the estates of the League, before sending their own embassy, to find out how things stand with the Regiment's negotiations, so that the League representatives may orient themselves accordingly and negotiate more fruitfully.

At least one of the Palatinate princes, Duke Friedrich, maintained this support of a pacific settlement through negotiations until quite late in March, writing to his brother on March 14:

We are further informed by our (League) Councillor that Archduke Ferdinand, who is most concerned in the affair and upon whose

behalf the help had been granted, is not supplied with troops, money, or artillery, other than what he cannot avoid. Thus, he is making do with the League help and furthers the matter from Innsbruck with new information and great offers. We understand that the peasantry are massing more and more daily, so that the Estates of the League, if they wish to undertake anything against them, would incur considerable expenses. And the League help would be raised. Therefore, we consider it necessary, as we have informed our League Councillor, to make proposals to the Estates of the League to the effect that a just investigation be made, so that the ...* unbearable burdens of the peasantry, even though (imposed?) by ancient ...(custom?)* mildened and changed to an endurable and decent ...(level?)* Also that their Herrschaften be seriously dissuaded from their objectionable practices, so that the Estates of the League are not committed to further useless expenses which might be avoided by the removal of complaints.³⁴

The position of princes as powerful and respected as the Elector Palatine and his relations must have influenced lesser members of the League, particularly when they spoke of the costs of suppressing a rebellion.

Other princes also opposed immediate action against the rebels by the League. The representative of the Landgrave of Hesse spoke out in the League Council against mobilization.³⁵ Bishop Christoph of Augsburg adopted an

*This document is badly worn along its folds and has several large chunks missing from its edges. Ellipses represent indecipherable or missing words.

openly conciliatory attitude toward the rebels in the early stages of the revolt.³⁶ Conrad von Thungen, Bishop of Würzburg, also held back from action, though it is unclear whether he maintained this position in the League Council.³⁷

However, the question of costs and of justice for the peasants became irrelevant for many of these princes when the rebellion threatened their own territory. Willing to sit back and enjoy the discomfiture of their rivals, most moved immediately against the threat of rebellion among their own subjects. The Elector Palatine, for example, had by late March accepted fully the League Council's version of the peasants' intentions and warned his neighbors to keep alert in case the rebellion should spread.³⁸ The young princes of the Upper Palatinate were among the first to actually mobilize against the possibility of peasant disorders in their own lands.³⁹ Duke Friedrich, though he persisted in his belief in the efficacy of negotiations to the extent that he offered to treat with the peasants before attacking them, nevertheless did not hesitate to disperse the rebel assembly in his lands immediately, and later became one of the foremost accusers of League members charged with collaboration with the rebels.⁴⁰

Thus, though the fear of some of the nobility, counts, and prelates of the League, and the recalcitrance of various princes, undoubtedly helped to confuse the issue of action against the rebels, the burden of effectively supporting a movement for a peaceful settlement had to fall upon the cities of the League. This role the city leaderships reluctantly accepted, though they were not unanimous in the decision.

Common elements behind the advocacy of a peaceful settlement of the peasants' risings by the political leaders of some League cities are difficult to discern because of variations in their situations and changes in their position which occurred during the rebellion. In the beginning, some city leaders may have been influenced by the question of costs, as were the Palatinate princes. The problem of the city of Waldshut and the desire to prevent the League from becoming a general "enforcer" of the status quo in matters of religion was another important factor in their thinking. Furthermore, since the rebels, in the later stage of their movement, claimed to be acting in support of the free and clear preaching of the Word of God, those city Councils who were already beginning to claim similar privileges vis a vis their ecclesiastical overlords must

have been hesitant to involve themselves in an action aimed at suppressing such a claim, however nebulous it may have been.

However, it is clear almost from the start that the principal motivation behind the actions of the city leaders who supported a negotiated settlement of the rebellion was the fear that they would not be able to control the lower orders in their cities in the event of a campaign against the peasants. Such a campaign, argued the city leaders, would touch off the increasingly uneasy religious situation among these lower orders and be used as an excuse by the more unruly to seize effective control of the city and perhaps to take it over to the side of the rebels. The effect of such fears upon the city leaderships was to virtually hamstring any attempt upon their part to support League military action, since they believed that to do so would be to deprive them of their position of power within the city and perhaps even to endanger their lives. In this perilous position, caught between their desire to fulfill the duties which League membership imposed upon them and the fear that they were sowing the seeds of their own destruction by so doing, the city leaders turned to the role of mediator as the only way out.⁴¹

The situation was perhaps most acute in those cities which found themselves in the middle of the revolt--initially, those of the Upper Swabian region, but also those cities in Franconia who found themselves besieged or threatened with attack by the rebels in the later stages of the rebellion. The leaders of these cities had the most to lose from a campaign against the peasants by the League, and the most to fear from the lower orders within their walls, since the peasant example could be expected to work most powerfully from short range. Thus, it is the leaders of the Upper Swabian cities--Memmingen, Ravensburg, Kempten, Biberach, Kaufbeuren, Isny, Wangen, and Leutkirch (all League members), together with non-members Constance and Lindau--who are to be found in the forefront of the effort to reach a negotiated settlement between the rebels and their Herrschaften. Even the staunchly Catholic and heavily-fortified city of "Überlingen, whose policy with regard to the peasants must be generally described as hostile throughout the rebellion, found it expedient to play the role of mediator in the early stages of the revolt, until its position was clarified.⁴²

The restricted freedom which the leaders of these cities had to maneuver was apparent from the start of the

difficulties with the peasants. When the League Council's mobilization orders went out in early February the city Councils were faced with the necessity of raising troops for a purpose which they knew--or feared--would not be supported by many members of their community. Since recruiting activities would be extremely difficult to conceal, the Councils attempted to deal with this problem by placing restrictions upon the uses to which their troops could be put and by exploring the possibility of simply sending money to the League Council to fulfill their obligation. The decision of the Memmingen Council is typical of these efforts:

It is decided that we will send our required number of horse and foot to the League, but with the provision that they do not act against anyone without right. Schulthaiss (Memmingen's representative on the League Council) should be written... to take care that the troops be used in places which would not be opposed by our community, (Gemeinde), for we fear that otherwise the troops cannot be raised in our city; also (he is to ask) if it would be acceptable, for these and other reasons, to send money instead.⁴³

As the situation worsened, the city Councils of this area found that the peasants were appealing to them to present the rebels' case in the best light before the League Council.⁴⁴ Requests of this sort were especially difficult to refuse in view of the known tendencies of

some parts of the city populace to support the peasant demands. Some city leaders responded almost immediately by attempting to mediate the demands on their own. Gradually, however, the question of the position to be adopted within the League Council became paramount. How could the leaders of these cities maintain their reputation with the other members of the League without taking actions which would alienate the majority of their fellow citizens?

Naturally enough, the city leaders were reluctant to reveal their plight to members of the other Bänke of the League, because of the loss of face which would result. To the Councillors of the other cities of the League, however, they could appeal with some confidence. Thus, on the 25th of February, representatives of the Councils of the Upper Swabian cities of Memmingen, Kaufbeuren, Isny, Leutkirch, and Wangen appeared before the League Councillors of the city Bank and declared formally that it was impossible for them to raise troops for use against the peasants because of the possibility of rebellion among their communities. Mindful of the doubts which this declaration might raise in the minds of other League members over the loyalty of the entire city Bank, the city League Councillors advised the Upper Swabian repre-

sentatives simply to request to be allowed to deposit money to cover their League obligations instead of troops, without mentioning the problems with the lower orders in their cities. This the Upper Swabian city League members did, and permission was granted.⁴⁵

In early March, the position of many of the Upper Swabian cities appeared even more precarious. The city Council of Memmingen, during this period, found itself forced to allow the representatives of the three major peasant Haufen of Baltringen, Allgäu, and Lake Constance to assemble in their city to deliberate upon measures to be taken in support of the peasant cause--a meeting which resulted in the formation of the "Christian Brotherhood" (Christliche Vereinigung) uniting these three peasant groups.⁴⁶ The formation of this alliance, which was highly discomfitting to the members of the League who desired immediate action against the peasants, brought down upon the city of Memmingen the displeasure of the League Council, expressed in two sharply-worded letters which indicated the Council's surprise that the city, as a League member, would allow such a meeting to occur within its walls and charged that the evangelical preacher of Memmingen, Schappeler, was consorting with the peasants and giving them improper advice.⁴⁷ To these charges the

city Council could only reply that Schappeler's teachings had undoubtedly been misunderstood or misinterpreted by his enemies, and that he had promised (somewhat evasively) to restrict his contacts with the peasants "as far as possible".⁴⁸

In late March, as it was becoming increasingly clear that the negotiations between the League Council and the three peasant Haufen would be fruitless, the city Council of Memmingen called together all the cities of Upper Swabia to consider a common policy for avoiding such an outcome. The arguments set forth in support of the cities' policy are a good summary of the cities' dilemma:

It is to be feared that, if the common Estates (of the League) attack the peasantry, it could lead to ill-will and disorders between Council and citizenry in some of the honorable cities. In addition, if the common Estates establish garrisons of horse or foot in some cities, as we hear is their intention, the citizenry would be against this, and it might cause the honorable cities once again to be regarded by the common Estates as disobedient, with resulting displeasure and diminution of reputation. Since the peasantry are massed and mobilized in the vicinity of our city and other cities, and the citizenry in some cities are fractious and closely in league with the peasants, you may well consider that it is a question of the body, life, honour, property, and more, indeed, than anyone can imagine, for the honorable cities. So that if someone can succeed in stilling this uprising through peaceful mediations, necessity demands that

the honorable cities, as good neighbors, no longer sit and look on, but undertake negotiations, insofar as possible, which the common Estates would undoubtedly not oppose. And it is necessary that the cities assemble as soon as possible to speak of these matters, so that they know what they may expect of each other in these times, and also so that no city shall be forced by anyone to act against the sealed League articles of alliance, which should be commended and lived up to in all ways by all cities as they are required to do as obedient League members.⁴⁹

The statement of the assembled cities simply reiterates Memmingen's arguments.⁵⁰

The immediate result of this meeting was the sending of a delegation to the League Council from the cities of Upper Swabia (minus representatives from Ravensburg, "Überlingen, and Pfullendorf). The representatives of these cities explained once again that they could not send troops if they were to be used against the peasants, as their citizenry would not allow it. The League Council advised the city leaders to borrow the money necessary to meet their obligations to the League from Ulm.⁵¹

The importance of these cities to the position of the Imperial city Bank and the League Council as a whole should not be underestimated. Cities like Memmingen, Ravensburg, and Biberach were among the more powerful of the League cities, after Ulm, Augsburg, and Nuremberg. Furthermore, there was the possibility that the other

members of the city Bank would support their position in the interests of city solidarity.

This possibility was heightened by the participation of many other cities of the League as mediators with the peasants. In the area north of the Danube between the Bishopric of Eichstätt in the east and the Palatinate in the west (usually known as the "Riess"), the representatives of the cities of Nördlingen, Augsburg, Dinkelsbühl, and Donauwörth were hard at work in early April to arrange a truce and a proposal for a settlement between the peasants of the area and the major Landesherrn, the Counts of Ottingen.⁵² (The proposed agreement was rejected by the Counts, to the great displeasure of the mediating cities.)⁵³ The tiny town of Kaufbeuren, the Council of which had by mid-March survived two serious disorders among its citizenry, was active in mediating between the Abbot of Kempten and his peasants, at the League Council's request.⁵⁴ The city Councils of Nördlingen, Dinkelsbühl, Donauwörth, Heilbronn, Schwäbisch-Hall, Aalen, Giengen, Bopfingen, Esslingen, Reutlingen, Weil, Schwäbisch-Gmünd, and Wimpfen had all sent delegations to observe the progress of the negotiations at first hand in the League Council--evidence of extraordinary interest, in view of the expenses involved--and at least

some of these cities had apparently delayed sending part or all of their required contributions to the League's military forces and treasury, pending the outcome of the mediation attempts.⁵⁵

Except for the participation of representatives of Augsburg in the Öttingen negotiations, the three largest and most influential cities of the League are conspicuously absent. If the smaller cities wished to carry their policy of negotiation with the League Council, the support of the three large cities was crucial.

Because of the survival of a large part of the correspondence between the city Hauptmann, Ulrich Artzt, and his city Council in Augsburg, it is easiest to trace the development of opinion within the Augsburg Council on the question of negotiations with the peasants. The apparent role of Artzt as one of the leaders of the group within the League Council which supported a negotiated settlement with the rebels could hardly have been carried on so openly without at least the tacit approval of the Augsburg Council.

However, the Augsburg Council members, in their letters to Artzt, gave considerably more than tacit consent to his activities. Both Artzt and the Augsburg Council appeared at first taken aback by the peasant

demands. Artzt openly stated in the early period of the League's mobilization that he regarded the peasant demands as unacceptable, and that the negotiations which the League Council had begun would only serve to delay action until the League's forces had fully mobilized.⁵⁶

While many students of the Peasants' War have noted Artzt's opinion in this respect, they have all too often neglected to follow the definite changes in his viewpoint as the League Council became more deeply involved in the negotiations through the medium of the representatives of the Upper Swabian cities and other sincere negotiators. Part of this change, perhaps, can be traced to a response to the opinions of the Augsburg Council.

On the 11th of March, the Council wrote to Artzt that it feared that secret contacts were being established between the peasants and the Augsburg weavers, who were thought to favour the peasants' cause. After asking Artzt's advice upon the position to be taken if they should have to communicate with the peasants, the Council concluded its letter with the suggestion that:

In our opinion it would not be unfruitful in these difficult times if the Estates of the League follow a middle way and not act too harshly in the matter, so that the peasants will be calmed and separated. This should rightly have happened long ago, so that the unjust burdens upon the peasants would have been remedied and affairs would not have gotten out of hand.⁵⁷

Late in the month of March, the Augsburg Inner Council debated the question of what position to take. Noting that there were signs of unrest among the Augsburg citizenry, the Inner Council went on to say that, although some of the peasants' grievances were undoubtedly well-founded, their manner of protesting was such that the League might be bound to take action against them, if the difficulties were not settled by agreement. Furthermore, the Inner Council argued that:

If anyone from the cities now encourages the peasantry further, and shows himself to be their adherent to a greater extent than is warranted, it is to be feared that the League or other Herrschaften might in time be ill-disposed toward the cities and seek to recover the damages they have suffered from them.⁵⁸

Despite such fears, the Inner Council affirmed its strong support of the negotiations currently in progress before the League Council as the only practical way of settling the uprising. In a letter to Artzt the next day, the Council expressed great regret that the negotiations had apparently failed.⁵⁹

The Augsburg Inner Council would have little reason to conceal its true opinions from Artzt, who was not only its League representative but also a former "Bürgermeister and a trusted member of the inner circle of men who governed Augsburg. Thus, its expressions of

support for negotiations were probably sincere. But it should also be noted that the Inner Council had no intention of relaxing its guard against possible disorders among its citizenry. The Council asserted that its support for a negotiated solution would not be allowed to affect its decision to introduce such security measures as were necessary to the maintenance of its position as Obrigkeit. In this, it argued, the Council was doing no more than any ruler who wished to rule with care and forethought in these troubled times.⁶⁰

By early April, the Augsburg Council had persuaded itself that further negotiations were useless because of the peasants' stubbornness. Arguing that, although some of the complaints might still be justifiable, the Bible also commanded obedience to the duly constituted authorities, the Augsburg Inner Council concluded:

Inasmuch as the Common Assembly of the League and also the Inner Council have exerted all possible efforts through letters and embassies in support (of patience and obedience), and are still active in attempts to reach a mediated solution to the affair, it has come about that the peasant representatives who were at Ulm were offered peaceful, honourable, acceptable, and fair terms...

From these proposed terms it may be easily understood that the complaints of the peasantry, where they are grounded and justified, would be considered and dealt with in seemly fashion, and such defection from the Oberkaiten, as well as

uprising and rebellion would be justly avoided. Such terms, although they provide an acceptable and proper way of reaching peace and unity, were not only not accepted by the peasants, but they also violated the agreed-upon truce period. Therefore, it is to be feared that, if anyone furthers or supports the peasants in this, great disadvantages may be visited upon him from the League or other Herrschaften.⁶¹

Thus, the basic position of the Augsburg Council is support of negotiations, but not at the cost of alienating the other members of the League to the point where the cities or other mediators might be blamed for the uprising.

The city Council of Nuremberg took a similar position. While urging its League Councillors, Christoph Kress and Clemens Volkhamer, to further the cause of peaceful negotiations wherever possible, the Nuremberg Council had taken steps to ensure the continued loyalty of its citizens and of the peasants in the territory controlled by the city, assuring them of its concern for their welfare and removing potentially dangerous individuals.⁶²

In its support of a negotiated settlement of the uprising, one of the chief concerns of the Nuremberg Council was the probability that the new religious doctrines, which had won much support in Nuremberg, would

be blamed for the rebellion.⁶³ To counter this argument, the Council was prepared to concede that some of the demands of the peasants might be justified, and that the revolt might have been brought on by the tyranny of the Herrschaften in imposing undue burdens and attempting to suppress the new religious teachings:

The affair of the rebellious peasants appears to us to take on additional dimensions. We think also of the many grievances which might result if it is proposed to attack the peasants. For although it is certainly true that these people cannot act with any propriety, one must still consider the improper manner in which they were brought to rebellion, and the insufferable burdens with which they have been greatly oppressed in more than one way. So their printed manifesto, some copies of which have arrived in our city, will undoubtedly command attention among the common man in the cities and in the country. We certainly do not intend to offer them any support in their affair. But one must take into account the appeal of their offer in the printed manifesto and the obviousness of the grievances which have been imposed upon them previously, both of which cannot be denied. It is indeed easy to say that the Evangelium and those who preach it cause this uprising. However, this is used to hide and account for the previous excessive tyranny and burdens imposed by the Herrschaften, in that they have persecuted the Word of God by force, harassed the preachers of same, and punished the listeners to the Evangelium,--although they valued only money and used this to camouflage their improper actions. One impropriety brings another in its train.

Thus we consider that it would be much better to accept an appropriate settlement with the peasants than to undertake to

attack them, for in our opinion the matter will not be ended by the use of force. Nor do we know whether all the peasants will be stilled and separated or whether a war will be begun thereby. We present this viewpoint to you, not because we are pleased by the peasants' actions or because we intend to render them any kind of support, but because the proceedings of the ecclesiastical estates and others in the League who, from an incomparable suspicion of the Word of God and an especially hateful (desire for) revenge, as well as the preservation of their own interests, only want to plunge headlong into the matter, appear to us not exactly the best way.⁶⁴

With admirable consistency, the Nuremberg Council returned to these arguments again and again, arguing that the members of the League could not be sure of the successful outcome of military action, and that, even if such an action was successful, the members would only be damaging their own people and property. Furthermore, the Council repeated, it was far more likely that an attack will spread rather than quell the uprising. Thus, it would be better to accept an agreement, even if the terms were not wholly to the liking of the League Council.⁶⁵

And yet, although the Nuremberg Council continued to bemoan the necessity for the shedding of so much Christian blood, it adopted a rather fatalistic attitude toward the League Council decision to act against the peasants. The decision was regrettable, but the Council could not presume to judge.⁶⁶ This attitude allowed the

Nuremberg Council to look on with pious disapproval at the initial stages of the League campaign and to continue to urge the possibility of negotiations in its letters to its Councillors, but freed it from the need to take an active role in dealing with the situation. Nevertheless, to most of the other League members, it must have seemed as though Nuremberg's leadership was supporting the negotiations with the peasants. Councils of some of the

smaller The Council of Ulm had considerably less freedom to maneuver on the question of action against the peasants. The League Council was meeting in Ulm, and under its stern eye little deviation from League policy could be expected from the Ulm Council. Even the letters from the Council of Ulm to the peasants were censored and reworded by the League Council.⁶⁷ Complaints to the Ulm Council from the League Council about alleged unrest among the Ulm citizenry were frequent. Furthermore, Ulm had a large contada, in which most of the peasants were in revolt. Serious support from the Ulm Council for negotiations with the peasants could hardly be expected, although the Council did suggest upon one occasion to League Council representatives that the Council should consider cases in which the peasants were "tyrannically oppressed." Also, on a local scale, the Ulm Council

attempted to assume the position of mediator between Herrschaften who were in some way related to the city and their peasants.⁶⁸

The position of the Councils of the three largest cities in the League, therefore, was one of qualified support for a negotiated settlement. None of these city leaders was in the position of being forced to negotiate with the rebels, as were the Councils of some of the smaller cities. Nor were they willing to risk the ill-will of the other members of the League if the final decision of the League Council was for military action. Nevertheless, from the viewpoint of the other members of the League, the position of the larger cities was at best ambiguous. At worst, they might support the smaller cities in their attempts at mediation and refusal to acquiesce in military action. Without definite knowledge on this crucial point, the decision to take action against the rebels would be hampered.

Thus, in the early stages of the League Council's involvement with the problem of the peasant uprisings, support for a negotiated settlement can be found from various League members. Their motivation was by no means the same, nor was their support constant, but it was a factor which had to be taken into account in deciding

how to deal with the rebels. Was this division reflected in the membership of the League Council?

c. Factions in the League Council

The existence of support within the League Council for a peaceful settlement with the rebellious peasants has occasionally been recognized but seldom taken seriously.⁶⁹ Yet the strength of this support was such that the principal proponent of immediate military action against the peasants, Bavarian Councillor Leonhard von Eck, complained continually in his letters to the Dukes of the opposition he was meeting in the Council. Eck, an advocate of forceful action to squelch the peasant risings before they gathered strength, found little support for his plans in the early stages of the February League Council meeting. When he advised the League Council to send a small force of mounted troops to capture and imprison the peasant leaders in early February, Eck met only complaints and excuses from the other League Councillors.⁷⁰ Not very many of the Councillors were happy about the additional mobilization of troops in late February, according to Eck,⁷¹ and the initially favourable response of the Swabian rebels to the League Council's offer to undertake mediation between the peasants and their Herrschaften had led many of the

Councillors to feel that the raising of a large League force to deal with the peasants was unnecessary.⁷² In fact, although Eck continued to work with all his might in support of League military action against the peasants as soon as the threat from Ulrich of Württemberg was disposed of, he found it expedient to confine his efforts to a relatively small group within the League Council to prevent premature disclosure of his plans and the inevitable opposition which such a leak would call forth:

As soon as we are through with the Duke, we will deal with the peasants, but in what manner no more than five of us in the entire Council know. The matter must be handled quietly and in strict secrecy.⁷³

Eck was also well aware of the primary source of opposition to his plans:

I am all for war, but my dear guild masters are either up to villainy among themselves or they have a rabbit in their bosoms, although they are now all right.⁷⁴

Even after Duke Ulrich's attempt to regain his Duchy had been successfully repulsed, and the League troops were available to suppress the rebellion, a majority in the League Council supported the policy of making and upholding a truce with the peasants in late March, although only after long debate.⁷⁵ Significantly, this latter action occurred during the absence of

Leonhard von Eck from League Council debates.

Besides Eck's complaints, other League members also remarked upon the delay and the apparent unwillingness of the League Council to move against the peasants. Archduke Ferdinand, in a letter to the Dukes of Bavaria, declared:

We are more and more aware of the damages, drawbacks, and ill-will which result from the slowness of the League (Council's) negotiations with the peasants. Namely, that during such negotiations considerable expenses for the support of the sizeable number of troops already assembled are incurred by League members without results. Secondly, that the peasants are thereby strengthened, not only in their outrageous attitudes and proceedings, but also in terms of practical power, since they do not decrease but increase from day to day, so that it is not to be expected that anything useful can be achieved either with or against them.⁷⁶

Ferdinand had instructed his League representative to work with the utmost dispatch for immediate action against the peasants, and urged that the Dukes do likewise. The possibility of a meeting of princes to discuss measures for meeting the rebellion independently of the League was also raised.⁷⁷

Further evidence of the existence of internal dissension in the League Council can be derived from the uncertainty about the League's actions which persisted among many members and even among some League Councillors.

Had opinions been uniform, there would have been no such uncertainty, and no need for the secrecy which League Councillors preserved even among themselves in talking about the possibility of punishing the peasants.⁷⁸

Unfortunately, since the protocols of League Council debates have not survived, any reconstruction of the divisions of opinion within the League Council, and of the manner in which the differences of opinions were resolved, must rely upon secondhand accounts and circumstantial evidence. Nevertheless, the attempt is of considerable value in interpreting the League Council's response to the peasant challenge.

The personnel of the League Council which met in early 1525 to consider the problem of the peasant rebellions was as follows:

Princes' Bank: Wilhelm Guss von Gussenberg, Hauptmann

Voting Councillors:

Archduke of Austria: Johan Schad, Dr. Jakob Frankfurter⁷⁹

Dukes of Bavaria: Dr. Leonhard von Eck, Johann Weissenfelder⁸⁰

Archbishop of Mainz: Dr. Jakob Frolinkind⁸¹

Counts Palatine: Andreas Hiltner, Bernhard Goler, Tristan Zennger (?)⁸²

Landgrave of Hesse: Eberhard von Rodenhausen⁸³

Bishop of Augsburg: Wilhelm von Knorringen⁸⁴

Bishop of Eichstätt: Hans von Leonrodt (?)⁸⁵

Bishop of Würzburg: Dr. Nicholas Geys⁸⁶

Non-Voting Councillors:

Bishop of Bamberg: Johann Scharpf (?)⁸⁷

Margrave of Brandenburg: (?)⁸⁸

Württemberg Regency: Jakob Reminger⁸⁹

Bank of Prelates, Counts, and Nobility:⁹⁰ Walther von
Hirnheim, Hauptmann

All Voting Councillors:

Count Karl zu Öttingen

Abbot Konrad of Kaisheim

Abbot Gerwig of Weingarten

Hans von Königsegg (Freiherr zu Alendorf)

Hans Marquart von Stein

Adam vom Stein

Burkhardt von Ellerbach

Imperial City Bank:⁹¹ Ulrich Artzt, Hauptmann and re-
presentative of the city of Augs-
burg

All Voting Councillors

Nuremberg: Cristoph Kress⁹²

Ulm: Ulrich Neithardt

"Nördlingen: Nicholas Vessner

"Überlingen: Hans Freiburger

Schwäbisch-Gmünd: Wilhelm Egen

Memmingen: Hans Schultheiss

Ravensburg: Heinrich Besserer

Kempton: Gordian Seuter

In assessing the positions of these men upon the issues confronting them in the early stages of the Peasants' War, it is necessary to consider, insofar as possible, both the positions of the League members whom they represented and their personal inclinations. For some, the task is relatively easy. To place Leonhard von Eck and the Habsburg representatives in any faction other than that supporting a campaign against the peasants would be impossible. But for most it is only possible to make an educated guess about their position.

Among the representatives of the princes of the League, one must concede to Eck the position of leadership, both because of the strength of his personality and reputation for thoroughness and industry, and because the Habsburg representatives could not play a full role in the Council debates in the initial stages of the Council's consideration of the problem of action against the peasants, since Archduke Ferdinand was one of the members requesting help. Eck's stout espousal of the cause of suppression is not to be doubted, although he was not above making sure that the Habsburgs fully appreciated the support they were getting from him by

keeping them in suspense.⁹³

Of the other Council representatives of princely League members, one might expect that princes whose territories were immediately involved in the early uprisings would also support League action. However, the only prince besides Archduke Ferdinand who falls into this category is the Bishop of Augsburg. The See of Augsburg was held in 1525 by the soft-spoken and mild-mannered bishop, Christoph von Stadion. His first response to disorders among his peasantry in February had been to attempt to meet personally with them to settle their grievances.⁹⁴ Until the outcome of these negotiations was definite, one might expect the Bishop's representatives to adopt a waiting policy or even to press for a delay in League action.

Furthermore, even after the League troops had attacked the rebels, the Bishop refused to take any special action to punish his peasants despite the pressure of his cathedral chapter, which had argued that the peasants might obtain terms which were too lenient from the League Council. The Bishop replied that he would be content with the League Council's decision and that he would await the outcome of negotiations for a peaceful settlement which were still going on.⁹⁵

The only indication of von Knorringen's own opinion on the matter is the support which he gave to the policy of the League Council after the initial attack upon the rebels and his characterization of the last of the peasant mediation proposals as "too vague".⁹⁶ Nevertheless, given the position of the Bishop, it is highly likely that von Knorringen leaned toward support for negotiations in the early stages of the League Council's deliberations.

The representatives of several other princes whose territories were not immediately affected by the rebellion can be placed in the same category. The position of the Palatinate princes has already been made clear, and Bernhard Goler, one of the three representatives of the princes, recalled five years after the rebellion that he had supported a peaceful settlement as late as mid-April.⁹⁷ Both the Bishops of Bamberg and Würzburg attempted to seek a negotiated settlement with their own peasants at first, and there is reason to believe that they might not have been inclined to an expensive military action on the part of the League to subdue the peasants of others until this solution had been tried.⁹⁸ Even though Landgrave Philip of Hesse was one of the first princes to firmly quell rebellion

in his own territories, his representative in the League Council opposed the initial mobilization of the League.⁹⁹

Thus, of the nine voting princely representatives in the League Council, at least four must be treated as uncertain on the question of action against the peasants by the League. Their positions must not, however, be construed as sympathy or support for the peasants' cause. Rather their concerns and those of the princes whom they represented were largely selfish. They questioned the utility of incurring the expenses of a full-scale campaign when a peaceful settlement was possible--especially when the peaceful settlement involved concessions by other rulers to their peasants. They resented the need to rescue Habsburg interests once more. And as it became more likely that the rebellion might spread to their own territories, the princes questioned the wisdom of sending troops to the League forces which might be better used at home, and instructed their representatives to present this viewpoint.¹⁰⁰ It is likely, therefore, that the princely Bank in the League Council was far from unified in the debates over measures to be taken against the peasants.

Among the representatives of the Bank of prelates, Counts, and nobility of the League, each of whom was

acting for himself, the possibility of a conflict between the opinion of the League Councillor and that of the League member which he was representing does not arise. Still the amount of speculation involved in attempting to fix their positions on this issue is greater than one might wish.

First of all, it should be noted that the Bank of prelates, Counts, and nobility was under-represented at the spring League Council meeting, a condition which was not unusual, but which may have diminished their effectiveness as a group in relation to the members of the other two Bänke.

Of the seven representatives of this Bank, the position of Abbot Gerwig of Weingarten is perhaps easiest to establish. Despite the fact that his cloister was located directly in the middle of the worst of the early uprisings, Abbot Gerwig resisted the panic-stricken pleas of his monks to prevail upon the League Council to negotiate a peaceful settlement with the peasants.¹⁰¹

He expressed the hope that not only would a truce be made to settle the immediate danger but that "earnest resistance" would soon be forthcoming.¹⁰² Later, perhaps influenced by his own unsuccessful attempts to reach agreement with the peasants as a representative of the

League Council,¹⁰³ Gerwig forbade his monks to reach any kind of agreement with the peasants on their own, as this would be a stain upon his honour and could not be borne.¹⁰⁴ During the actual suppression campaign, the Abbot acted as a sort of informal co-ordinator of the fulfillment of League obligations by the other prelates, sparing no effort to support the League forces. Thus, Abbot Gerwig can with safety be placed among those who supported action against the peasants immediately.

The positions of Abbot Konrad of Kaisheim, Hans von Königsegg, Hans Marquart von Stein, Adam vom Stein, and Burckhardt von Ellerbach are extremely difficult to determine from the available evidence. All were later active in the effort to mobilize and supply the troops of the Bank of prelates, Counts, and nobility.¹⁰⁵ Burckhardt von Ellerbach was among the first of the League members who lost castles to the rebels.¹⁰⁶

On the other hand, both Adam vom Stein and Hans von Königsegg participated in negotiations with the peasants on the League Council's behalf. This is insufficient evidence to show that they were in favour of a negotiated settlement--von Königsegg was the spokesman for the Bank of prelates, Counts, and nobility in the League Council and therefore served on almost all delega-

tions which it appointed--but their participation might be taken to show that they were willing to try for such a solution if no other means of acting was possible.

Except for their participation in the general efforts to maintain the contribution of their Bank to the League's armed forces, the positions of the Abbot of Kaisheim and Hans Marquart von Stein are impossible to ascertain from the evidence available, although the bitter enmity which existed between Abbot Konrad and the princes of the Upper Palatinate may have influenced his position.¹⁰⁷

Count Karl of Öttingen was the only one of the four Counts of Öttingen who was willing to accept the proposed agreement with the peasants of the Riess area worked out by the mediation of the representatives of several cities.¹⁰⁸ While this is not enough to place him definitely with those in the League Council who supported a negotiated peace, (especially since the Riess agreement received the support of both Leonhard von Eck and Ulrich Artzt, the presumed leaders of the war and peace factions, respectively),¹⁰⁹ it may at least indicate that Count Karl, as a member of the League Council, was not unwilling to support an acceptable compromise.

Thus, of the seven representatives of the Bank of prelates, Counts, and nobility, it is probable that only one, Count Karl, was possibly inclined toward negotiation as a means of settling the peasant uprisings. Some uncertainty existed about the positions of two more, Hans von Königsegg and Adam vom Stein. The rest must be counted among the supporters of military action immediately.

It is among the Council representatives of the Imperial cities of the League that one might expect to find the most serious evidence of support for negotiations with the peasants, given the difficult position of many of the city Councils and the pacific opinions of most of the rest. Yet even here the positions of many of the city League Councillors are ambiguous, because of the possibility of conflict between the views of the League Councillors and the city Councils which they represented. The city League Councillors during the Peasants' War were almost without exception wily and experienced members of the highest circles in the governments of their cities. With striking consistency, they were also members of the most "conservative" factions in those governments. Therefore, that a League Councillor from one of those cities whose leaders were supporting negotiations should, from his safe vantage point in Ulm,

disagree with the policies of the Council he represented is not surprising.

Cristoph Kress, the principal League Councillor representing the city of Nuremberg, occupied a position of considerable influence in the League Council because of the economic power of his city. As a war Councillor who marched with the forces of the League during the campaign against the peasants, Kress exerted his influence to moderate the penalties exacted from the defeated rebels and to support the peaceful inclinations of his city Council in other ways.¹¹⁰ Clemens Volckhamer, replacing Kress in the League Council while he served with the League forces, also apparently followed the policy line set down in the letters of the Nuremberg Council, along with Kress.¹¹¹

But Kress was also a close associate of Leonhard von Eck, who praised his opposition to Lutheranism,¹¹² and of Abbot Gerwig of Weingarten.¹¹³ Both of these men were strong supporters of military action against the rebels. With feelings running as high as they did within the League Council in the early stages of the deliberations on the problem of meeting the peasant threat, it is unlikely that Eck and Abbot Gerwig would have continued to speak as highly of Kress as they did

unless they were convinced that he was personally in favor of their position. Thus, the position of Nuremberg's chief representative on the League Council, like that of the Nuremberg Council itself, must have been somewhat ambiguous. Kress definitely did play an important role in modifying the extreme punishment policies advocated by some members of the League, and his support of negotiations in the League Council, along with the representatives of the other League cities, was undoubtedly important. One wonders, however, if his efforts were not mitigated somewhat by his personal inclinations.

Ulrich Neithardt of Ulm was also a member of the most conservative faction of his city Council. As one of the three men who rotated in the position of Bürgermeister of Ulm between 1523 and 1526, Neithardt found himself in particular opposition to his reform-minded colleague, Bernhard Besserer. Neithardt appears to have used his position on the League Council to prevent the discussion of religious changes in the Ulm Council by indicating the possible displeasure of the League which might result. Among some members of the Ulm Council, Neithardt was suspected of having sided with the League Council against the interests of his city.

Furthermore, Neithardt, in his frequent missions to the peasants as a representative of the League Council, displayed a totally unsympathetic attitude to the rebel proposals, mocking the peasants with threats of what would happen when the Herren came.¹¹⁵ Among the League Councillors of the city Bank, Neithardt was probably one of those most strongly opposed to any accommodation with the rebels. Even had the Ulm city Council come out strongly in favour of a negotiated peace, which it did not, it is unlikely that Neithardt would have wholeheartedly supported such a position. Whether he was willing to go along with other city representatives in the interests of city solidarity is problematic.

In the Imperial city of Nördlingen in 1525, the inner council was badly divided over the question of Church and political reform. While the reform-minded minority was steadily growing in strength, the conservative majority still held power. The nucleus of this majority was the ultra-conservative faction known as the "Grauen Bund", whose members steadfastly opposed all change. The Grauen Bund was led by Nicholas Vessner, who was not only the largest single taxpayer in the city, but also Nördlingen's representative to the League Council in 1525.¹¹⁶

When Nördlingen was shaken by an internal rising in early April, 1525, which brought to power a principal opponent of the Grauen Bund and seemed for a time to be headed toward an alliance with the rebellious peasants, Vessner maintained from Ulm a secret correspondence with his colleagues in the Grauen Bund within the Nördlingen Council. It is unclear whether he followed the dictates of the new leaders of the city at all, since his interests must have demanded a return to the original membership in the Nördlingen Council. In fact, Vessner himself was not entirely sure of the reception he would receive upon returning to the city, since he took the precaution of writing in advance to demand a safe-conduct, which the Council assured him was unnecessary.¹¹⁷ Under these circumstances, it is highly unlikely that Vessner could have worked for a negotiated settlement simply because his city Council supported one. However, he may well have bowed to the demands of city solidarity in the League Council.

Wilhelm Egen, former Bürgermeister of Schwäbisch-Gmünd, found himself in a similar position with regard to his city Council, although in Gmünd the conservative members of the city Council did not lose control to the extent that they did in Nördlingen. Through Egen's

efforts, the Gmünd Council received crucial military support from the League Council which enabled it ultimately to maintain itself and to restore the members who had been expelled from the Council to make room for members of the reform faction in Gmünd.¹¹⁸ Despite this, Egen was later to be found in the forefront of those who wished to establish a compromise settlement between supporters of Lutheranism and supporters of the status quo within the Gmünd Council. It is possible that he may not have been unwilling to see some sort of compromise reached with the peasantry.

Still another city League Councillor who found himself in an ambiguous position because of events in his city and the position assumed by the city Council was Hans Schultheiss of Memmingen. Memmingen, of course, may be considered one of the leading cities in the effort to reach a compromise with the peasants, and there is no doubt that Schultheiss supported the efforts of his Council. However, it must have gone sorely against the grain for the devoutly-Catholic past-Bürgermeister. As the only one of the three principal leaders of the Memmingen city Council who remained firmly opposed to Lutheran teachings (Schultheiss eventually left Memmingen rather than give up his beliefs), Schultheiss must

have seen the widely-accepted association between the peasants' rising and Lutheranism as a good argument for not supporting an accommodation with the rebels. Yet he bore the suspicions cast upon his Council by other members of the League because of its role in seeking a negotiated settlement without flinching.¹¹⁹

Among the cities of the Upper Swabian and Lake Constance area who were represented on the League Council, the city Council of Überlingen is unique in its determination to resist the demands of the peasants to the utmost of its ability. Although the Überlingen Council had, in the early stages of the peasant disorders in the Landgraviate of Stühlingen, offered its services as a mediator, the eventual failure of these negotiations and the rapid spread of the risings had convinced the city Council that further involvement in such efforts was impractical.¹²⁰

However, Überlingen's representative, Hans Freiburger, was a hard-headed and experienced negotiator who found his services much in demand during the early months of 1525. Not only did he participate in the early mediation attempts of Überlingen and in the League Council's attempt to settle the problem of the city of Waldshut by mediation, but he also seems to have felt

that he could, by occupying a middle position in the League Council between those who demanded immediate military action against the rebels and those who declared that the only practical solution was a peaceful settlement, best contribute to the attempt to find a compromise.¹²¹ Freiburger expressed himself in his letters to the Überlingen Council as not unhopeful over the prospects for a compromise between the League Council and the peasants.¹²² After the negotiations had definitely failed in mid-April, Freiburger noted that both the League Council and the peasants had refused to accept the proposals brought forward by the mediators, and declared his sorrow at their stubbornness.¹²³

In the remaining representatives of the city Bank of the League Council--Artzt of Augsburg, Besserer of Ravensburg, and Seuter of Kempten--we have the most active supporters of a negotiated settlement, judging by their own efforts to arrange terms acceptable to both sides. Of these three men, Ulrich Artzt is generally considered to have been the leader, largely because of his position of prominence as Hauptmann of the city Bank and because of his unparalleled length of experience in League affairs.¹²⁴ Supported by the favorable opinions within the Augsburg city Council concerning negotiations

with the rebels, and privy, through his position as Hauptmann, to all the League Council's correspondence and to the innermost deliberations of the Council, Artzt was in an ideal position to co-ordinate the efforts of a "peace faction".

Unfortunately, his heart was not in the struggle.

However much Artzt may have desired to avoid bloodshed and needless devastation of the countryside, the ingrained beliefs and social attitudes of a member of one of Augsburg's oldest patrician families were deeply shaken by the peasants' challenge to accepted authority. What Artzt wanted was simply that normalcy be re-established, if feasible with as little loss of life as possible. His support of a negotiated settlement was strongest when it became evident that the rebels were determined to resist, that the revolt was spreading rapidly, and that the League members were ill-prepared to undertake a major campaign. For Artzt the prospect of a negotiated settlement was an expedient, a political ploy, a last resort to prevent a major war. Like so many of the other city representatives, his support for mediation arose from fear of the rebels rather than any deep commitment to their cause.

As a result, Artzt's position of nominal leader-

ship of the city Bank and the supporters of negotiation within the League Council was never truly effective. The vacillation of Artzt's opinions in his letters to the Augsburg Council showed clearly the dilemma in which he found himself. In the early stages of the revolt, when the risings seemed localized and easy to deal with, Artzt was sure that there was little chance for compromise.¹²⁵ By mid-March, in response to the Augsburg Council's suggestion that a negotiated settlement seemed the best way out of the current difficulties, Artzt replied:

In truth, the Common Assembly had spared no effort, but the peasants rely upon divine law, and yet they do not want to say how one may try an issue upon such a basis. We have proposed both mediation and a legal decision to them many times. But they have up till now been unwilling to accept either. However, we understand that if we propose those who are conversant with divine law (as judges), they might be willing to accept. We also understand, though no formal proposal has been made, that (their preference is) for the preachers of Ulm, Memmingen, and Biberach, etc., who are nothing but the rogues and villains who have caused this disorder--all their proceedings are villainy. In sum, their demands are that they will give nothing to anyone, as you will see from the enclosed copy... The Common Assembly would gladly find ways and means to achieve a settlement, so far as humanly possible, but has been unable to find success with the peasants. We must see if we can bring it about by force. In my opinion we will still raise around 9000 foot and 1500-2000 horse.¹²⁶

Thus, Artzt combined frustration at the peasants' alleged stubbornness with an inability to understand the reasons behind the uprisings. However, he also grew more and more concerned with the failure to reach an agreement as he became convinced that this was the only practical way for the League and its members to emerge from the rebellion relatively unscathed.¹²⁷ The fluctuation of his feelings and opinions must have made it difficult for him to provide the leadership which an effective effort to achieve a negotiated settlement required.

In addition, despite his experience and ability, Ulrich Artzt was not able to resist the pressure of a domineering personality like that of Leonhard von Eck, whose influence over the city Hauptmann extended to the point where Artzt occasionally allowed Eck to correct official League correspondence which he had drawn up.¹²⁸

If Artzt as a leader of the "peace faction" left much to be desired, the efforts of Gordian Seuter of Kempten and Heinrich Besserer of Ravensburg must have at least partially compensated for his deficiencies. These two city representatives were active in the field from the beginning of the disorders among the peasants, continually carrying proposals and counter-proposals between the League Council and the peasants. The posi-

tion of trust which they attained with both the rebels and the League Council was shown by the League Council's willingness to consider compromise proposals brought in by Seuter and Besserer on their own authority, and by their selection as judges acceptable to the peasants.¹²⁹

Seuter of Kempten had been concerned in negotiations with the peasants from the earliest stages of the uprisings. Along with his brother, the legal scholar Petrus Seuter, Gordian Seuter had taken part in the January attempt to settle the disputes between the Abbot of Kempten and his peasants--Gordian acting on the Abbot's side, Petrus on that of the peasants.¹³⁰ With the failure of this attempt and the decision of the Kempten peasants to present their complaints against the Abbot to the League Court or Council, Gordian Seuter was sent to them once again to determine if they were serious in their appeal to the League Council.¹³¹ In the series of negotiations which followed, Seuter was always concerned with reaching the best settlement possible--always urging one more try upon both the League Council and the peasants. In late March it was his proposal, in conjunction with his fellow mediator Besserer, which brought together the peasants of the Christian Brotherhood and the League Council in a final attempt to prevent the outbreak of

hostilities.¹³² The proposal was made despite the fact that the League Council had not given Seuter and Besserer any official sanction in their negotiations, and thus it proceeded solely from the desire of these two men to achieve a mediated settlement. The real backbone of the support for peace among the representatives of the League Council would seem to have come from these two men, rather than from Artzt.

Despite the obvious differences which we have seen between the positions of the Councillors of the city Bank in the League Council, the city representatives apparently supported almost unanimously the early attempts to reach a compromise with the peasants. The old tradition of tension between the city Bank and the members of the other two Bänke, plus the desire to preserve the unity of the city Bank, was strong enough initially to overcome the personal opinions of the city League Councillors. Disagreements between city Councillors would not have easily penetrated the secrecy which surrounded the meetings of the individual Bänke of the League Council. To the other League Councillors, it must have seemed as if the city Councillors were far more united in their desire to negotiate first than they actually were.

Analysis of the probable positions of members of the League Council in the period prior to the outbreak of hostilities between the forces of the League and the peasants yields the following results. Supporting an attempt at negotiations with the peasants were all the members of the city Bank, with the possible exception of Neithardt of Ulm. Joining them in this position in the early stages of the debate were Bernhard Goler as the representative of the Palatinate and, possibly, Wilhelm von Knorringen, representing the Bishop of Augsburg. Classed as uncertain, with possible leanings toward a negotiated settlement, must be the representatives of the princes of Hesse, Würzburg, and Bamberg, along with Count Karl of Öttingen. Classed as uncertain because of simple lack of information must be the representatives of the princes of Mainz, Eichstätt, and Brandenburg, although the latter in all probability reflected the militant position of Margrave Casimir. Joining them in this category, but with probable inclinations toward military action, were the Abbot of Kaisheim, Hans von Königsegg, Hans Marquart von Stein, Adam vom Stein, and Burckhardt von Ellerbach. The core of the faction which supported immediate military action against the peasants, then, was formed by Eck of Bavaria, Abbot Gerwig of

Weingarten, the Habsburg representatives, and the representatives of the "Württemberg Regency. It is probable that the Hauptleute of the princely and prelates-Counts-nobility Bänke, Guss and von Hirnheim, also supported military action, in view of their close connections with Bavaria and Austria.

Even if all those League Councillors classed as uncertain in their attitudes were actually supporters of immediate action, it can be seen that the opposition to this position within the League Council was strong enough to justify Eck's complaints. Furthermore, the general atmosphere of uncertainty and confusion surrounding the early deliberations over the problem of dealing with the rebellion probably induced many League Councillors to adopt a more-or-less neutral or waiting attitude until the situation became more definite. This was particularly true of those Councillors who represented rulers whose territories had not been affected by the rebellion in its early stages.

The shades of opinion within the League Council were by no means constant. As news filtered in from the centers of revolt about peasant depredations, the success or failure of negotiation attempts, and the true nature of the rebels' intentions, and as new instructions from

the members of the League reached their representatives in Ulm, hopes and opinions must have changed daily.

Some of this fluctuation is reflected in Artzt's letters.

But as the situation became more and more serious, a gradual shift in the opinions of many League Councilors occurred. More of them became willing to listen to the arguments of Leonhard von Eck and the other members of his faction. An increasingly jaundiced attitude toward the possibility of successful negotiations began to prevail, although the League Council was still capable of hope in this area until the last minute.

To understand this slow shift of opinion within the League Council which eventually brought a majority of the League Councilors to actively support a military solution to the peasants' rising, it is necessary to examine the process of negotiations more closely. In particular, an effort should be made to determine not only the reasons for the failure of the Councilors who supported a peaceful settlement to bring the rest of the Council to their way of thinking, but also the reasons why they were able to continue their effort over such a long period of time when the threat from the rebels was getting stronger and harder to suppress by the minute.

highly confused

d. Negotiations

Therefore, the first task of the League Council

The effects of the peace proposals brought in by the various negotiators upon the League Council, and the ways in which the League Councillors who favoured a negotiated settlement attempted to exploit them, can best be followed from the correspondence between Artzt and the Augsburg Council. Artzt, in his typically thorough fashion, included in his letters both the results of the negotiations (and the hopes of himself and his compatriots for a successful outcome) and explanations and justifications for the League Council's rejection of the terms proposed. A sense for both sides of the arguments which must have occurred in the League Council can, therefore, be obtained from Artzt's correspondence. The accounts of Eck and his fellow Bavarian Councillor, along with those of some of the intermediaries, help to balance the picture.

The first task of the League Council upon assembling in early February was to find out exactly what the intentions of the peasants were, since they had only rumors and the presentation of the Habsburg representatives to go on. As reports and complaints from both peasants and Herrschaften began to pour into the League Council headquarters in Ulm, the situation must have been

highly confusing.

Therefore, the first missions sent by the League Council to the assembled peasants of Upper Swabia were in the nature of fact-finding expeditions, rather than embassies empowered to make specific proposals. Until the Council knew what the peasants planned, attempts at negotiations would have been premature.

The first mission to the Baltringen peasants, composed of Wilhelm von Knorringen from the princely Bank, Johann von Königsegg from the Bank of prelates, Counts, and nobility, and Ulrich Neithardt from the city Bank, met with the peasants on the 9th of February.¹³³ Upon hearing that the peasants desired to present complaints against their Herrschaften, the League Council delegation advised the peasant assembly that the complaints should be presented to each Herrschaft individually, and if no agreement could be reached, the League Council would attempt mediation. An eight-day period was set for the process.¹³⁴ After an acrimonious warning speech by Ulrich Neithardt (which must have required considerable courage to deliver before a hostile audience),¹³⁵ the League Council delegation returned to Ulm, promising to return in eight days to hear the peasants' answer.

The same delegation returned after the designated period to find the peasant assembly much larger than it had been previously. The formal complaints of the individual peasant villages and areas (and occasionally of individual peasants) were turned over to the three League Councillors for transmission to the Herrschaften concerned.^{135a} In the meantime, the first mobilization order to League members had been sent out.

Opinion in the League Council at this point (mid-February) was still as much concerned with the problems of Waldshut and Duke Ulrich as with the peasants. It was generally felt that the peasant assemblies could be easily dispersed by a show of force, if necessary. Thus, since the peasants seemed disposed to negotiate over their complaints, the League Council had little to lose by agreeing, even though many of the peasant articles were unacceptable. If an acceptable compromise could be reached, fine. If not, the first one-third was being mobilized.¹³⁶

It is fairly clear that a majority of the League Council did not take the peasant threat seriously yet. Eck, an exception, wrote Duke Wilhelm on the 15th of February:

This affair has been undertaken to suppress

the princes and nobility. And its origins are in the Lutheran teachings, for the majority of the peasants base their complaints upon God's Word, the Evangelium, and brotherly love.¹³⁷

However, Eck also provided evidence in the same letter that the possibility of an agreement was present:

The peasants are so blind, false, and worthless; if today they promise their lords not to take up the matter, yet an hour later they are changed and worse than before. I hope to God that they won't accept an agreement, but will be well punished.¹³⁸

The beginning of a feeling among League Councillors that a negotiated settlement was not only possible but desirable must be placed around the time of the second mobilization order (18 February), which was apparently opposed by some League Councillors on the grounds that the peasants had shown themselves ready to accept the League Council's mediation.¹³⁹

A further meeting between a delegation from the League Council and the Baltringen peasants took place on 27 February, when the League Councillors informed the assembled peasants that the League Council's advice was to seek a legal solution to their problems in the Courts. The peasant leaders argued that they were unable to obtain a remedy that way, and that they proposed a solution based upon divine law. Somewhat taken aback, the three League Councillors asked mockingly if God was ready to

descend from heaven to hold a trial. The peasants in reply promised to provide the League Council with a list of learned judges whose decisions they would be willing to accept in matters of divine law. The League Council delegation agreed.¹⁴⁰

With the change in the basis of the peasants' complaints from local, traditional customs to divine law, it is usually assumed that the possibility of a negotiated settlement disappeared, and that the League Council sought only delays in subsequent negotiations so that the League's forces could deal with the invasion by Duke Ulrich before turning on the peasants.¹⁴¹ However, it must be remembered that shortly before the 27 February meeting, the delegation from the Upper Swabian cities of Memmingen, Isny, Leutkirch, and Wangen had appeared before the representatives of the Imperial city Bank to declare their inability to fulfill their military obligations to the League for fear of uprising among their citizenry. Nicholas Vessner of Nördlingen, who was present at this meeting, explicitly mentioned the desire of the members of the city Bank to keep this problem hidden from the members of the other two Bänke because of the scorn and derision which might result.¹⁴² It was also about this time that Leonhard von Eck specifi-

cally directed his criticism at the city representatives in the League Council for not supporting immediate action against the peasants.¹⁴³ It is possible that the city representatives, already disposed toward a negotiated settlement to avoid the expenses and bloodshed of a major campaign, were now also supporting such a settlement in the interests of preserving the unity, solidarity, and reputation of the city Bank, since a peaceful solution would be the easiest way out for those city Councils in difficulty with their citizenry over their League obligation.

The agreement reached with the Baltringen peasants on 27 February called for submission of the case to the League judges in 8-14 days, but this provision was never carried out.¹⁴⁴ The League Council had to turn its full attention to the invasion of Württemberg by Duke Ulrich, against which the League forces had moved in early March. The three major peasant Haufen of Upper Swabia used this interval of the League Council's preoccupation to unite in the Christian Brotherhood on 7 March, forming a much more formidable opponent for the forces of the League than they had individually.

In such a situation, even the most ardent supporters of military action against the peasants had

to agree that it would be prudent for a time to continue pacific contacts with the rebels. A curious interlude occurred in which the League Council, aware of its own inability to do anything while the League troops were in Württemberg, apparently encouraged individual League members to attempt to deal with the increasing reports of peasant disorders on a local level. The city of Überlingen, for example, was approached by the League Council with a request to mediate between the Abbot of Weingarten and his peasants,¹⁴⁵ and the city Council of Ulm was allowed to send out a conciliatory (although censored) letter to the Baltringen Haufen on the 5th of March arguing that the Bible prescribed obedience to duly constituted authority and praising the good intentions of the League Council.¹⁴⁶

However, it is still evident that a split existed within the League Council between those Councillors who regarded negotiations as a temporary expedient only and those who were sincere in their pursuit of a peaceful settlement, if only for purposes of self-preservation. Eck reported to Duke Wilhelm on the 7th of March that he had "serious doubts" about several cities, and warned the Duke to keep that information secret.¹⁴⁷ Many of the communications from League members supporting a

negotiated settlement with the peasants reached the League Councillors first in mid-March.¹⁴⁸ Even Archduke Ferdinand responded somewhat favourably to a supplication from the Allgäu peasants, offering on 10 March to act as a mediator.¹⁴⁹

The League Council adopted a delaying policy with regard to the Christian Brotherhood, insisting that negotiations were in progress with each of the three Haufen individually.¹⁵⁰ With the collapse of Ulrich's invasion of Württemberg on the 12th and 13th of March, those Councillors who advocated military action against the peasants must have felt they had a free hand. This explains the two belligerent manifestoes against the peasants issued on the 16th of March.¹⁵¹ However, almost immediately after the issuance of these mandates, the League Council reopened negotiations with the peasants.

This reversal in the policy of the League Council can only be adequately explained by the absence of Leonhard von Eck, who was appointed to a delegation of war Councillors (along with von Rodenhausen of Hesse, von Knörringen of Augsburg, Kress of Nuremberg, Neithardt of Ulm, Freiburger of Überlingen, and Count Karl of Öttingen)¹⁵² which was to go to Württemberg to supervise the punishment of peasants and cities who had gone over

to Duke Ulrich. During Eck's absence, the members of the "peace faction" in the League Council seized the opportunity to mount a new campaign for a negotiated settlement.¹⁵³

On the 21st of March, shortly after Eck and his fellow war Councillors had left for Württemberg, Ulrich Artzt (who had written the Augsburg Council two days earlier that the League Council had tried all peaceful alternatives and must now turn to a forceful solution) reported to Augsburg's Stadtschreiber, Conrad Peutinger, that the peasant matter looked bad and that a good mediator would be welcome, though he personally could not understand what had gotten into the peasants.¹⁵⁴

On the 22nd Artzt revealed that Gordian Seuter and Heinrich Besserer, in an unofficial capacity, had been negotiating with the leaders of the three peasant Haufen of the Christian Brotherhood at Memmingen since the 19th. They had been sent by the League Council to see if the peasants of Kempten and Allgäu could be persuaded to abide by their earlier decision to submit their complaints against their Herrschaften to the League judges for settlement. Once they had arrived, the city Council of Memmingen had persuaded them to undertake negotiations with all three Haufen, even though they lacked the authority

of the League Council to do so.¹⁵⁵

The two city League Councillors, careful to preserve the notion that they were negotiating solely on their own and not as League representatives, operated through the Memmingen city Council, which relayed proposals between the two parties. The peasant leaders presented a plan for unbinding mediation between the parties to the dispute (the League Council and the rebels) to be carried out by a group of men--mostly members of the governments of Upper Swabian cities and clergymen--acceptable to the peasants.¹⁵⁶ Seuter and Besserer, after persuading the peasants to delete the names of all clergymen from the list of mediators, declared that they did not have sufficient power to endorse the proposal on behalf of the League Council. They suggested instead that the rebels appoint a delegation to go to Ulm to present the proposal.¹⁵⁷ The two city representatives then returned to Ulm to explain what had happened to the rest of the League Council, putting things in the best possible light.¹⁵⁸

Exactly what the two men hoped to accomplish by bringing forward such a proposal is unclear. Seuter in particular appeared confident that he had attained a position of trust with the peasant leaders, and that he

could persuade them to return to obedience to their Herrschaften. He seemed to feel that many of the rebels now regretted what they had done and sought only a convenient way to save face.¹⁵⁹ The proposal to have a peasant delegation appear before the League Council may have seemed to him a way to achieve this.

Furthermore, the new possibility of a settlement threw opinion in the League Council into a turmoil once again. While the remaining supporters of military action could still interpret the mission as an attempt to divide the peasants so that they could be more easily dealt with,¹⁶⁰ the supporters of a peaceful settlement could hope for more wide-ranging developments. Johann Weissenfelder, replacing Leonhard von Eck as Bavarian representative in the League Council during Eck's absence in Württemberg, described the situation as little changed:

I can as yet report no final information, as the troops have not yet arrived here from Württemberg. Thus, although it has long been time to act against the peasants, we have not been prepared. As it now stands, I have no doubt that, so soon as the troops arrive here (which should happen almost immediately), we will yet proceed against the peasants, for they are so entirely stubborn that if we do not act against them, they will undertake something themselves. Thus, it cannot last much longer.¹⁶¹

Ulrich Artzt, in a letter to the Augsburg Council, explained the difficulties which the supporters of a

negotiated settlement had to face:

Now, it is difficult for the Common Assembly to enter into negotiations of this sort, and especially, if it is not settled by mediation, one must have a binding legal decision, for negotiations require considerable time, especially with such people. It is difficult for the Common Assembly to maintain the troops for so long. For if a negotiated settlement is not reached, and if one is to first speak of a legal agreement, the Common Assembly must maintain the troops forever and ever, which is not suitable to the Common Estates. And if one lets the troops go and the affair is not settled by negotiation, the Common Assembly must do as they (the rebels) wish.¹⁶²

Despite such difficulties, the negotiations were allowed to continue.

On the 24th of March, six representatives of the three peasant Haufen of Allgäu, Baltringen, and Lake Constance appeared before the League Council with their proposal for unbinding mediation of the peasants' grievances. After they withdrew, the Council discussed the proposals at length, but came to no decision. Ulrich Artzt, Gordian Seuter, and Heinrich Besserer were sent to the peasant representatives to ask if they had any further proposals to present. The peasant representatives replied only that they had received instructions to exert all efforts for a peaceful negotiated settlement, which they were sure could be achieved by people of good will on both sides, although there were some in their camp who did not favour a peaceful solution. After

communicating this answer to the League Council, Artzt was sent back to tell the peasants that the Council wanted to await the return of the Councillors who were still in "Wurttemberg before beginning formal negotiations."¹⁶³

Despite the fact that the missing Councillors did not return that day as expected, Besserer and Seuter began verbal negotiations with the peasant representatives. Since the League Council had rejected the peasants' initial proposal as too vague, Besserer and Seuter presented a plan for individual negotiations between each Obrigkeit and its peasants, carried out by a mediation committee composed of two secular persons appointed by each side. If a compromise settlement could not be agreed upon by this committee, a judge or "Obmann" would be selected by agreement, by lot from selected candidates, or through the League Council (if both sides agreed). The decision of this augmented committee was to be legally binding on both sides to the dispute. If the League Council and the peasants both accepted this procedure, the peasants of the three Haufen were to disband their alliance, return to their homes, and refrain from any further uprising or assembly. During the mediation procedure, they were to render all dues and services as before, until such dues and services were explicitly declared unjustified

by the mediation committees. The mediation procedure was to take place during the half-year following ratification of the agreement, or whatever other period should be mutually satisfactory to the parties concerned.

Every Herrschaft and Obrigkeit would in return let drop all displeasure and all active measures which might be taken against the peasants for participation in the rebellion. Each side would provide appropriate guarantees and sworn statements for the fulfillment of their side of the agreement. The peasants were to appoint a fully-empowered committee to come to Ulm for the formal acceptance of the compromise. Both sides were to have eight days for consideration of the proposal, during which no hostile actions were to be undertaken.¹⁶⁴

This proposal is hardly favourable to the peasants. The negotiators wanted only to get the rebels out of the field. Whether they sincerely believed that the procedure for mediation could be successfully carried out is problematic. Had the procedure been abrogated by the League or by individual Herrschaften, the mediators would have been obliged to protest such an action as an affront to their honour, and, if necessary, to take action in support of the agreement.¹⁶⁵ Furthermore, the League Council had in the past demonstrated that it placed

some value upon such negotiated solutions as a means of preventing further uprisings. Thus, it is likely that the mediators felt that they could count upon at least a semblance of the procedure provided for in the proposed agreement being carried out with the support of the League Council. Besides, Besserer and Seuter undoubtedly felt that by avoiding punishment for the rebels they had done them a great service which warranted acceptance of the agreement. That the peasants did not share their attitude is understandable.

Nevertheless, the six peasant representatives at Ulm agreed to present the proposal to their compatriots during the eight-day truce period, probably because they were a bit overwhelmed by their situation in Ulm and by the astute diplomacy of the two city representatives. Upon their return to the peasant assembly, the leaders who had agreed to such a compromise found themselves totally discredited with their followers. The proposal was rejected by the bulk of the peasants,¹⁶⁶ although the members of the League Council had no way of knowing this immediately.

On the 26th of March, Eck and the other War Councillors returned from Würtemberg and were told of the negotiations underway with the peasants. Eck, in

a rage at the apparent thwarting of his earlier plans, declared that he would have given thousands of gulden if this had not happened. The other War Councillors, fresh from the League's victory over Ulrich, and confident of the strength of the League forces against mere peasants, shared Eck's opinion.¹⁶⁷

Ulrich Artzt, although he felt that the peasants would probably not abide by the truce, argued that the effort to achieve a peaceful settlement was nevertheless worthwhile, providing a succinct statement of the principles which guided the "peace faction":

(the policy of attack) is to me totally erroneous. If we can achieve something by negotiations, it would be much more acceptable to us than if we achieve anything by the sword. This would not only be acceptable to us all but would prevent the devastation of land and people and the shedding of much blood, all of which will happen if it is not avoided.¹⁶⁸

Despite the influence of Eck, the League Council had obviously gone too far to back out of the negotiations without a good excuse, and in the days that followed Eck's return, the seesaw battle between hopes for peace and desires for war continued. On the 26th, after long debate, a majority of the League Council had voted to respect the truce in the hope of gaining an agreement.¹⁶⁹ On the 27th, the League Council wrote to the princes of

the Upper Palatinate, refusing them the requested return of their troops, but holding forth the definite possibility of a peaceful settlement.¹⁷⁰

As late as the 31st of March, Hans Freiburger appeared to feel that there was still a good chance for a peaceful agreement.¹⁷¹

The 31st was also the day in which the Upper Swabian city representatives presented their inability to fulfill their League obligations to the rest of the League Council.

Finding in the alleged breaches of the truce by the peasants the excuse it needed, the majority in the League Council opted for military action, pointing out that the troops were at hand, and that further negotiations might be more successful if an example of forceful action were laid before the peasants. Furthermore, argued the opponents of any concessions to the peasants, it was useless to enter into any more truces with the peasants, as it was too difficult to gain the consent of all the far-flung peasants: Haufen to the agreement.¹⁷²

However, support for negotiations still existed within the League Council. On the 31st of March and the 1st of April, two representatives from the Reichsregiment, Simon Pistoris and Jakob Sturm, appeared before the League Council, offering to mediate with the peasants. The representatives of the Upper Swabian cities

also requested to be allowed to make a final attempt at negotiations. The League Council returned an ambiguous answer arguing that it had been forced to take action by the peasants' violation of the truce and thus was within its rights in refusing all further negotiations. It agreed to let the representatives make the attempt, but refused a truce in the meantime.¹⁷³ Ulrich Artzt and other city representatives, meeting secretly with the two doctors of law sent by the Reichsregiment, asked them to take a message to Memmingen begging the city negotiators to persist a while longer. A caution was added to keep this mission strictly secret, because "some powerful men would be displeased that we do this".¹⁷⁴

Artzt apparently still hoped to gain some acceptable terms from the peasants with which he could go to the League Council. Increasingly, the city Hauptmann appears to have functioned as a go-between in the internal relations between the discredited, but still determined, city Councils of the Upper Swabian cities and the rest of the League Council, even though Artzt himself was losing faith in the validity of the negotiation effort. In the ambiguous terms in which he reported to the Augsburg Council, it is difficult to tell if Artzt was still interested in achieving a peaceful settlement of

the rebellion or more concerned with convincing the mediators that the League Council was still ready to accept a negotiated agreement.¹⁷⁵

At this point, the League army had already attacked and destroyed a sizeable force of peasants belonging to the Baltringen Haufen in the battle of Leipheim (April 4). The possibility arose that the remaining two Haufen (Allgäu and Lake Constance) of the Christian Brotherhood might be persuaded to accept a settlement in order to escape the fate of their compatriots. This caused another flurry of activity among the advocates of negotiations.

The Upper Swabian city representatives and the two representatives of the Reichsregiment, meeting with the leaders of the rebels, worked out a renewed proposal for a truce and agreement. The League Council, after long deliberation, presented a counter-proposal which provided for a truce if the peasants of Allgäu and Lake Constance would renounce their alliance with the defeated Baltringen Haufen.¹⁷⁶

Once again Ulrich Artzt and a few others within the League Council undertook to bring the proposals of the mediators before the Council in the most favorable light.¹⁷⁷ Acting upon private information provided him by Gordian Seuter and the Kempten City Council, as well

as other informants, Artzt declared that if the League Council would agree to grant to the remainder of the Baltringen Haufen honourable surrender terms, the entire matter might be settled without further bloodshed.¹⁷⁸

A proposal was drawn up by the League Council which, if the peasants surrendered and agreed to return to their homes, provided for a mediation process presided over by a committee composed of one prince and three city representatives selected by each side, with Archduke Ferdinand to decide cases in which no agreement was reached. Negotiations over the question of compensation for damages was also foreseen.¹⁷⁹

As Artzt noted, part of the reason behind the counter-proposal of the League Council, which had no real need to enter into negotiations now that its troops were in the field against the peasants, was to convince the members of the peace faction within the Council and the other mediators that the Council was still seeking a peaceful settlement. In this, the proposal succeeded, as the negotiators declared themselves convinced of the League Council's sincerity and support of their efforts.¹⁸⁰

However, the mediators also asked that, if the peasants proved still recalcitrant in accepting the League Council proposal, they be allowed to dangle still

further bait before the peasant leaders. Fearing that the leaders of the remaining peasant Haufen would be reluctant to agree to terms in view of the treatment which had been meted out to the leaders of the Leipheim Haufen (who had been summarily executed) it was proposed that in such case the mediators be empowered to promise the leaders security of life and limb if they accepted the terms of the League proposal, and that if they were tried for their part in the rebellion, torture would not be applied. After much debate, the League Council agreed to this if a settlement could not be reached on any other terms, describing the concession as a "favor" to the mediators, who then left for the peasant camp.¹⁸¹

The effect of this new proposal and the hopes for peace which it aroused in the League Council should not be underestimated. Even the Bavarian representatives informed the Duke that a settlement might be forthcoming:

(The peasants), as we are informed, would prefer grace to war. They are hungry and divided among themselves. Two from the Regiment and some representatives of the Upper (Swabian) cities have been appointed to undertake negotiations to arrange an agreement and peace between them and the League. What is decided upon shall not be withheld from your Grace.¹⁸²

Artzt and the other members of the League Council who favoured a peaceful settlement, having done all they

could to provide the negotiators with a strong hand, could do little more than sit back and hope for the best. The realization that the only alternative to the proposed settlement was a protracted war lent tension to the waiting.¹⁸³

To the disappointment of the mediators, the leaders of the peasant Haufen of Allgäu and Lake Constance objected to the terms of the League Council proposal, refusing to renounce their alliance with the defeated Baltringers. In addition, they were suspicious of the Council's promise of security of life and limb for the rebel leaders, and they demanded that the performance of all services be suspended until final decision under the terms of the agreement.¹⁸⁴

In the confusion that followed the peasants' apparent rejection of the League Council's surrender terms, several conflicting versions of what the peasants were demanding evidently reached the members of the Council. Artzt reported to the Augsburg city Council that the peasants wanted to be assured of property as well as life and limb, and that they were demanding that all displeasure of their Herren against them which might lead to legal proceedings or attacks be dropped. Furthermore, they wanted the remainder of the Baltringen

Haufen included in any agreement reached.¹⁸⁵ Wilhelm von Knörringen wrote the Bishop of Augsburg that the peasants wanted security of life, limb, and property, and a promise that they would not be punished by exile. In addition they declared that they would perform no services during the period of the truce other than required work in the forests and fields.¹⁸⁶ The League Councillor of the Elector Palatine, Bernhard Goler, recalled five years after the revolt that agreement was very close upon all but two articles:

Upon these two articles--suspension of services and punishment of the Baltringen Haufen--the League (Council) allowed the negotiations to lapse, although this was not my own opinion nor that of others. I consider that this decision proceeded from the fact that there were many in the League Council who had suffered damages, and they were in the majority on these articles. It appeared to me unwise that one should wage this whole great war for the sake of these two points. Also, I considered that the League was not prepared to conduct such a war.¹⁸⁷

Hans Freiburger, in a letter to the belligerent Überlingen Council, stated that both the League and the peasants had refused to accept the terms proposed by the mediators from the Upper Swabian cities and the Imperial Regiment.¹⁸⁸ Judging from the letters of the mediators themselves, it is likely that the peasant leaders also were not entirely clear as to the terms being offered them by the

League Council and the counter-demands which they were making.¹⁸⁹

The League Council, acting immediately upon the return of the negotiators, issued an official proclamation to all city League members declaring that the negotiations had failed and that they were now required to send their full complement of troops to the League's military forces.¹⁹⁰ And yet Ulrich Artzt, grasping at straws, could not forego one final desperate effort to bring the two parties together.

Artzt was approached in the aftermath of the failure of the negotiations by an unnamed "Bürgermeister of Wangen", who informed him that the real crux of the peasants' objections to the League Council surrender terms was the fear of the peasant leaders that the Council, while promising them security of life and limb, would imprison them for life. If this further assurance against life imprisonment could be given them, implied Artzt's informant, who had been among the negotiators, the peasants might be persuaded to accept the League Council terms. Armed with this information, the city Hauptmann went immediately to the councillors of the princes' and city Bänke, requesting to be allowed to approach the mediators "unofficially" with the suggestion

that he might be able to wring this one further concession from the League Council if they thought it might help. Assured of the probable support of a majority of the League Council on this point, Artzt met with the representatives of the Upper Swabian cities and the Reichsregiment with his proposal. The mediators, however, replied that they had received no indication of the fear of life imprisonment among the peasant leaders, and that they doubted that a concession on this point would warrant a special messenger to the peasants, as Artzt suggested. Instead, they proposed that the leaders be given security against exile (the point mentioned by von Knörringen). Artzt, emphasizing that he was acting only for himself and not on behalf of the League Council, told the mediators that, if the peasants would agree to surrender on those conditions, he would exert himself to see that they were fulfilled. Thus, without promising anything formally (a fact that Artzt carefully noted in his report to the Augsburg Council), the city Hauptmann persuaded the discouraged mediators to re-establish contact with the rebels.¹⁹¹

Two days later, after the news of the defeat of the peasants at Wurzach by the forces of the League had reached Ulm, even Artzt was convinced that further

attempts were useless:

So it had to come. They would not accept terms, as I wrote you. I had hoped that the All-Mighty would lend me grace, so that an agreement would result from the terms I proposed to them, but it was not to be.¹⁹²

Thus, the major effort to reach a peaceful settlement of the rebellion appeared to have failed. The League Council was wholly committed to a policy of force as the chief means of settling the uprising, although continued efforts to negotiate an agreement in other areas were made, sometimes with the League Council's blessing. The "peace faction" within the League Council was forced to accept this decision, although they continued their support for negotiations in other areas and attempted to moderate the League Council's policies toward the defeated rebels.

Yet what the "peace faction" had failed to achieve by diplomacy was accomplished by military necessity. Jörg Truchsess, the commander of the League's military forces, concluded on the 17th of April the so-called "Weingarten Agreement" with the Lake Constance and Allgauer Haufen, because he felt they were too strong to attack. The agreement, negotiated by Count Hug zu Montfort-Rothenfels, Wolf Gremlich, and representatives of the city of Ravensburg, was identical in its first six

articles to the terms which Artzt and others had striven so hard for 5-6 days earlier. The provisions for mediation on the peasant complaints were similar.¹⁹³ Thus, while some members of the League were highly displeased with the agreement and charged that Jö"rg had exceeded his authority,¹⁹⁴ the city representatives must have welcomed the agreement. Unfortunately, it brought only a temporary end to the rebellion in Upper Swabia.

e. Significance of the Split among League Members over Negotiations

On the 14th of April, shortly after the failure of the League Council's involvement in negotiations with the rebels, the League Council issued a formal mandate describing the progress of negotiations and calling upon all to witness that the League had no further alternative but to use force to return the rebels to their due obedience. In describing its motives for issuing such a document, the Council claimed that it was necessary to defend itself against charges from the peasants that the League was acting to suppress the true preaching of the Word of God, and that the peasants were being attacked illegally, despite their willingness to submit to a legal decision of their case. In reality, the mandate stated, this was far from the truth. During the truces

established for consideration of the mediation proposals, the peasants had used the opportunity to extend their alliance and to force many who desired only to remain peacefully at home to join them. While the League Council was ready to accept the proposal of Besserer and Seuter, the peasants had rejected it. Even after this had happened, the Council was still willing to listen to further proposals from the rebels, and had taken steps to implement one of these later suggestions for a compromise to be negotiated before Archduke Ferdinand, only to find that the rebels had rejected their own proposal. From such behavior, the mandate declared, the League Council was forced to conclude that:

Council has (the peasants') true intentions and desires are to suppress their superiors and rulers--ecclesiastical and secular, noble and urban, individually and collectively--and to free themselves to make their own order and set their own laws, and to be subject to no one.¹⁹⁵

After recounting the long negotiations over terms of surrender which had just been unsuccessfully concluded, the mandate ended by assuming the traditional form of an "erbieten zu recht" (assertion of the justice of one's cause) by declaring that any unprejudiced observer could see the justice of the League's resort to force against the peasants and asking for the support of all.¹⁹⁶

This mandate served a multitude of purposes for the League Council. It was, as it stated, a justification of the Swabian League's policy before the eyes of the rest of the world--an important consideration for the honour of League members. It was also, in all probability, an attempt to sow dissension in the ranks of the rebels by portraying the "concessions" offered to them in the best possible light and implying that their leaders had betrayed them. Above all, however, the mandate served to demonstrate to all members of the League that the League Council had in fact exhausted all avenues of approach in its search for a peaceful solution to the rebellion. By so doing, the League Council hoped to alleviate the distrust and suspicion among League members caused by the split over the question of dealing with the revolt. It also hoped to assure itself of the full support of all League members in the campaign to suppress the rebels.

That the League Council should have felt such a gesture necessary is indicative of the depth and seriousness of the division in the ranks of League members. An understanding of how the split developed is essential to the interpretation of League policy toward the rebellion.

As we have implied, very few of the League members who supported a peaceful settlement of the rebellion were really committed to an agreement which would satisfy both sides. The city Councils who supported negotiations did so because they feared loss of their control over the citizenry if the League acted against the peasantry. Those Councils lucky enough not to have such problems were nevertheless concerned about the religious questions apparently involved in the rebellion and about the preservation of the unity and reputation of the city Bank in the League. Vaguely humanitarian concerns about stopping needless bloodshed, devastation, and (last but not least) expenses involved in a major campaign against the rebels also undoubtedly played a role in the city leaders' support of a negotiated settlement, though hardly a major one. Furthermore, the city League members who supported peace were often hampered by the ambiguous position of their League Council representatives, who frequently must have disapproved of the policies advocated by their home Councils.

Individual members of the other two Banke who worked for or supported a mediated settlement at various stages of the debate usually had selfish motives as well. For those, like the Palatinate princes, whose lands were

not involved in the early stages of the rebellion, the expenses of a prolonged campaign to rescue the lands and authority of other rulers must have seemed superfluous if the matter could be settled by a few minor concessions made by someone else. For others, like the Bishop of Augsburg, a campaign by the forces of the League against one's own rebellious peasants, with its resulting devastation and loss of life and revenue, might have appeared a greater evil than an agreement gained by the concession of some minor dues and services.

Given this kind of motivation behind the support for negotiations among League members, the principal thrust of the mediation proposals was simply to get an agreement which would satisfy the rebels enough to get them out of the field. This would have relieved the League Council from the necessity of taking major action against them, and once dispersed, the peasants would no longer have constituted a threat to be reckoned with and could have been punished at leisure. That such an agreement also meant that the peasants would be deprived of any guarantee, other than the word of the League Council, that their demands and complaints would be attended to seems not to have occurred to the mediators. To persuade the rebels to disperse--this was the first and

only goal of the mediators, and it answered the needs, not of the rebels, but of the negotiators and the League members whom they represented. Small wonder that the peasant leaders were distrustful of the proposals presented to them on behalf of the League Council. Given the lack of understanding for the reasons behind the peasants' rising among the members of the League and the insincere and selfish motives which underlay most of the support for a negotiated settlement, the failure of the mediation effort was inevitable.

However, the sincerity or insincerity of the support for peace within the League and the League Council is irrelevant in assessing its impact upon the League's response to the rebellion. Existing animosity and distrust made it difficult for League members to determine each other's true position. Traditional practices of secrecy contributed to the difficulty. Thus, members of the League who supported military action against the rebels could only assume that those who supported a peaceful settlement were sincere in their support. From this assumption, buttressed by long-standing antagonism and rivalry (particularly between the princes and nobility on the one hand and the Imperial cities' leadership on the other), it was only a step

to the conclusion that the supporters of negotiations sympathized with and supported the rebel cause as well. The possibility of a deep rift in the ranks of League members was created in the minds of those who reasoned in this manner. There was even the possibility that some League members, particularly the cities, might actively support the peasants against the League's forces. That these conclusions were probably erroneous matters not one whit, if enough League members and League Councillors believed them. Were such opinions widely held?

In discussing the feelings of members of the League with regard to the possibility of the defection of some of their number to the peasants, it must be remembered that this was no ordinary disagreement. Most League members felt that the correct attitude for political rulers was to oppose any attack upon the principle of Obrigkeit--to crush any disobedience immediately. Otherwise, the destruction of the principle was likely. Disorder, devastation, and the overturning of the traditional social structure would result. Furthermore, the Herrschaftsstände must stick together in this effort. To allow a neighbor's house to burn without attempting to quench the fire was to risk the spread of the conflagration to one's own domicile.

Thus, those members of the Swabian League who favoured a peaceful settlement laid themselves open to charges of undermining the concept of Obrigkeit itself-- the cornerstone of the German social order. So deeply ingrained was this attitude that the members of the League who supported negotiations seemed to have a similar view of their own activities. None was particularly happy about the role which he had to play in the negotiations, and all were particularly concerned about the effect that such actions would have upon their "image" with the rest of the League and with their fellow political rulers in general.

Furthermore, one must also remember the past difficulties of the Swabian League in dealing with peasant unrest. The reliability of the city members of the League had been called into question on many of these earlier occasions, often with reason. The allegedly radical tendencies within the lower orders of the city population, coupled with the demonstrated inability of the city Councils to control them, created doubt of the cities' ability to fulfill League obligations in times of stress, despite the dedicated devotion of city leaders to League duties in the last three decades. When the city representatives in the League Council emerged as

the principal supporters of negotiations with the rebels, many members of the other two Bänke saw these fears being realized, and acted accordingly.

Thus, the representatives of the cities, taking the role of mediators reluctantly and without real enthusiasm, found that, with the help of the animosity and suspicion already extant between them and the other Bänke of the League, their actions were interpreted as support for the peasant cause. Indeed, many of the other members of the League thought that the best they could hope for from the cities was neutrality, and the possibility of the cities actually taking the side of the peasants was discussed in secret.

The Imperial cities were an important part of the League's power, both financially and militarily. Without their support for the League effort, it is unlikely that the League's forces could have been effectively mobilized against the peasants. Therefore, before the League Council could proceed with plans to attack the rebels, it was necessary for the members who supported such action to assure themselves of the cities' intention to fulfill their obligations to the League. Since the position of the Imperial cities was also crucial to the insurgents, a sort of spurious competition developed for

the support of the cities between the other members of the League and the rebels. That the question had already been decided by the proclivities of the city leaders was not realized by either side immediately.

The development of the fear that the cities of the League might refuse to support action against the peasants began almost as soon as the question came up. The city representatives in the League Council had focused attention upon themselves through their opposition to the League Council's proposed policy of enforcing the status quo in religious matters. By their prepared declaration for presentation to the League Council at the beginning of February, in which the city leaders cited the possibility of rebellion if the League attempted to interfere in internal religious affairs,¹⁹⁸ the representatives of the Imperial cities may well have created the foundation for suspicion of their position, while they also gave strong support for the already widespread conviction that the ideas of Martin Luther and other religious reformers were responsible for the spread of the rebellion.

Whatever the initial cause, rumors concerning the uncertain position of the cities of the League spread rapidly in the early stages of the League Council's con-

sideration of policy to be adopted against the rebels.

Doubts about the loyalty of the city League members were freely expressed by members of the other two Bänke.

Leonhard von Eck wrote the Duke of Bavaria on the 11th of February that, in his opinion, many of the leaders of the League cities would have been glad to see the rebellion happen, had they not been afraid for their property.¹⁹⁹ Long conversations with Christoph Kress of Nuremberg, in which Kress explained that it was now too late for the leaders of the Nuremberg Council to do anything about the continued spread of Lutheranism in their city and expressed his own distaste for the new religious ideas,²⁰⁰ gave Eck some insight into the dilemma faced by many of the city leaders. He described their plight succinctly to his Duke on March 2nd:

There is great division in the cities. The Lutherans who are poor side with the peasants. Those who are not Lutheran, and the Lutherans who are rich, side against the peasants.²⁰¹

Eck admitted that the situation appeared serious because of the doubtful position of the cities.²⁰²

As the support for negotiations among the city members of the League became clearer, such rumors, doubts, and suspicions spread and gained strength, not only among the members of the Council itself, but among the League

members of the other two Banke, who would have the final say in determining League policy. Among a series of notes jotted down by Duke Wilhelm of Bavaria in the early stages of mobilization against the revolt is the interesting observation:

Not to attack the peasants at this time as the Imperial cities might fall to them.²⁰³

Further along in these notes the Duke again observed:

It is to be feared that Nuremberg has an understanding with the peasants.²⁰⁴

The Duke also took care to inform neighboring Imperial cities that his mobilization was directed solely against the peasants, so that they would not be misled by other representations of his intentions.²⁰⁵

By late February and early March, the suspicions directed against the cities were no longer based solely on rumors. Many of the cities, perhaps not realizing the seriousness of the situation, had made their usual difficulties about the number of troops they were to send and had delayed to the last possible moment.²⁰⁶

News of the appearance of representatives of the Upper Swabian cities before the other members of the city Bank on February 25th to protest their inability to raise troops had leaked out, despite the secrecy which the city League Councillors were enjoined to maintain.²⁰⁷

The city Council of Überlingen flatly refused to send troops, for legitimate reasons which the League Council initially misinterpreted.²⁰⁸ The Memmingen Council had

incurred the severe displeasure of many members of the League Council by allowing the peasant leaders to meet in Memmingen.²⁰⁹ Representatives of the city Council of

Biberach had appeared before the League Council to ask what response they should make if they were approached by the peasants.²¹⁰ All of these events seemed to indicate that the Imperial cities of the League not only supported peace efforts diplomatically in the League Council, but were unreliable and perhaps even ready to side with the peasants if it came to a military showdown.

Thus, the remainder of the League Council gradually became convinced that it would be necessary to persuade the city leaders that their true interests lay with the policy of suppression. That this was possible was proven by the example of the city of Kempten:

Since...differences existed between the city (of Kempten) and the Abbot (of Kempten), Adam vom Stein and the Bürgermeister of Kempten were commanded to mediate a solution. Thereupon vom Stein succeeded in reaching a satisfactory compromise between the two parties. As soon as that happened, the Council and citizenry of the city had agreed to give no support to the peasants, but to place their lives and property with the League (cause).²¹¹

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The position of the city of Ulm, as the meeting-place of the League Council and the ruler of a wide area involved in the revolt, appeared most crucial. The concern of the League Council was evident from the beginning of its assembly in the city. On the 17th of February, the League Council sent a delegation to the Ulm Council to protest alleged instances of wild talk among the Ulm citizenry in support of the peasants. The Ulm city leaders replied that they doubted that this had really occurred, but promised to "warn" any citizen who spoke in such a manner in the presence of members of the city Council.²¹² It was noted that Ulm sent less than the required number of troops to the initial League mobilization, awakening the anger of the representatives of some of the other cities.²¹³ The Ulm Council also refused to supply more than a minimum number of artillery pieces for the League forces, or to allow more than 400 of the League's horsemen into the city at one time, claiming the need to see to its own defenses and supplies.²¹⁴

The concern over the loyalties of the citizenry of Ulm exerted considerable influence upon the planning of the members of the League Council who supported military action. Without Ulm to serve as a base of

operations against the Swabian peasants, the League's campaign of suppression would have been severely handicapped. Eck himself expressed the hope that the League would be able to deal with the peasants, depending upon the position of certain cities, especially Ulm.²¹⁵ If Ulm could be secured, the other cities would be reassured.

Thus, plans were made for opening the League's campaign against the rebels in the vicinity of Ulm, necessitating the return of the League's military forces all the way from Württemberg and contributing substantially to the delay in the opening of hostilities. There is no doubt that this was done specifically to reassure the jittery Council members of Ulm of the League's ability to protect them from both the peasants and their own community, if necessary. Eck, in a long letter to the commander of the League's forces in the field, Jörg Truchsess, explained the policy:

The most weighty and important consideration in this matter is that (if Truchsess advanced in another area, as he had planned) a murmur will once again arise among the citizenry here that we want to protect others and abandon them, that we plunder and burn only in their properties and spare or pass over those of others who are not League members. Much more importance is assigned to Ulm than to Mundrichingen, and most of this kind of talk is going around among the common man in Ulm. Consider it for yourself--the common man would greatly exploit the fact that one is not secure right here before

the gates and must hourly expect attack, plunder, and damages, and similar evil talk. From which can only come injury for the common estates and mockery and disadvantage for yourself. For, as you know well, we have, with great effort, exerted ourselves to see that Ulm holds itself well with regard to the estates in this affair. If we should incur the ill-will of Ulm and lose (the opportunity) to end the war, and all the cities desert us, it cannot be denied that such disorder would result as could not be easily ended without much devastation and bloodshed.... Thus, we ask with the utmost seriousness that you take our message and information in earnest and direct your march toward Leipheim as you were commanded, in order to keep the good will of Ulm and quell such talk as we cited. If it seems disadvantageous, you must remember that the Estates of the League lay more importance in this war upon Ulm than upon any other matter. It might even be of use to lose a battle and some troops (in order to secure this position?), for from this camp all mockery, disadvantages, and injuries may be once again made good.²¹⁶

Other members of the League, affected by the concern of the League Council, also went out of their way to assure Ulm of their support against the peasants.²¹⁷ The scribe of Jörg Truchsess asserts categorically that fear over the loyalty of Ulm was the major reason for beginning the League campaign near that city:

The citizenry of Ulm were so wholly on the peasants' side that those of the League and also of the city Council were horrified. They feared that the citizenry would turn on them and throw them all out over the walls, for there was a great mutiny among them. They had heard that the League had halted before the peasants, and dared not bite them.²¹⁸

Thus, the alleged position of just one city Council and its community had a profound effect upon the formulation of the League Council's policy against the peasants.

But as the possibility of a negotiated settlement became stronger and the peace faction developed within the League Council, it became obvious that the position of the entire city Bank was going to be crucial. The other two Bänke of the League Council were in no position to force the League cities to accept a policy of suppression, even if the members of these other Bänke had been united among themselves, which they were not. The persistent efforts of the representatives of the Upper Swabian cities to arrange a negotiated peace, coupled with their repeated protests that they were unable to raise troops against the peasants, tended to focus attention upon them as well as Ulm, but the concern of all the League cities with maintaining a solid front made differences in the position of the individual cities difficult to ascertain. It must have seemed as if the entire city Bank was as solidly behind a negotiated settlement as the Councils of the Upper Swabian cities apparently were.

This impression was heightened by the behaviour of the troops of the city contingents in the League forces

upon their return from the brief campaign against Duke Ulrich. Despite the efforts of the commanders of the Landsknechte in the League armies, many refused to fight against the peasants.²¹⁹ The attrition was greatest among the troops hired by the cities of the League. The entire force sent by the city of Memmingen simply walked out of the League camp.²²⁰ Nördlingen's contingent was reduced to two or three men.²²¹ Of Nuremberg's men only a little over one hundred remained,²²² while Augsburg's commander could find only seven Landsknechte who would return to the camp with him, according to one source.²²³

The reluctance of the city troops to serve against the rebels sparked new rumors of the cities' intentions. Many among the city representatives themselves became convinced that some of their number would actively oppose the League if it attacked the peasants. Hans Rott, representing Heilbronn as an observer at Ulm, wrote his fellow Heilbronn council members:

As I understand it, if an agreement is not reached, a serious war will break out with the peasants and with the cities and with other people.²²⁴

Ulrich Artzt himself declared that if the League attacked, the Upper Swabian cities would all go over to the peasants.²²⁵

Faced with what they believed was a real danger, the members of the princely Bank and of the Bank of prelates, Counts, and nobility asked Leonhard von Eck in late March if the Dukes of Bavaria could be persuaded to use their own forces in an attack upon the peasants in conjunction with the League forces. Such a combined attack, it was hoped, might have the effect of bringing over the wavering cities.²²⁶ Duke Wilhelm, advised by another of his Councillors with inside information that the city of Memmingen was already virtually allied with the peasants because the city Council had lost control,²²⁷ and mindful of the need to protect his own territories, refused the request.

Besides the rumors about Memmingen's alliance with the peasants, which were widespread,²²⁸ and the March 27 declaration of the meeting of the Upper Swabian cities that the present course of League policy promised only rebellion and dishonour for them,²²⁹ the League Council also received the news in early April of the difficulties experienced by the Councils of Windsheim,²³⁰ Schwäbisch-Gmünd,²³¹ and Nördlingen²³² with their citizenry. Among towns which were not League members, it was rumored that the communes of Rothenburg am Tauber, Neuenstadt, and Ottingen had also taken control of their

cities away from the city Councils.²³³ Everything appeared to point to a complete loss of control by the Councils of many cities in the face of the alleged peasant sympathies of the lower orders in their communities. The prediction of massive internecine warfare among the members of the League if the League attacked the rebels (which came from all sides),²³⁴ seemed uncomfortably close to realization.

By early April some members of the League were even considering the possibility of action without the cities, or concealing from the city representatives their plans. Margrave Casimir of Brandenburg, discussing what had happened in the Imperial cities of Rothenburg and Windsheim, declared his belief that the cities were mostly responsible for the peasants' uprising.²³⁵ Casimir also moved to prevent discussion of the lack of foot soldiers before the city representatives in the League Council, in order to avoid revealing the weakness of the League in this respect to potential enemies.²³⁶ Count Ludwig of Öttingen bypassed the city representatives in the League Council entirely, negotiating in secret with the members of the other two "Banke" to get the League Council to change its favourable attitude toward the proposed settlement between the Counts of Öttingen and their

peasants.²³⁷ The idea that the cities were responsible for the rebellion was becoming firmly ingrained in the minds of many members of the League.

And yet, although the suspicion of the League cities played the major role in the shaping of the League Council's policy toward the revolt and continued during and after the campaign against the rebels, none of the dire predictions of mass defections among the cities of the League came true.

It is possible to argue that the cities were gradually "persuaded" that their interests lay on the side of the defenders of the principle of Obrigkeit against the peasants, as do some Marxist historians.²³⁸ In reality, however, no such "persuasion" was necessary. The city leaders who supported a negotiated settlement within the League Council were never entirely comfortable in that position. Nor were the city Councils which they represented seriously concerned with doing anything more to alleviate the peasants' grievances than the bare modicum necessary to placate their citizenry. These men were aware from the start that their position could look compromising from the standpoint of other League members, and they acted solely from necessity. When it became obvious that the gravest suspicions were being

directed at them and that their position of influence within the League Council was being endangered, the city leaders eventually persuaded themselves that their ambiguous position was untenable. Even those who were forced to co-operate with the rebels held their co-operation to the absolute minimum.

Development of the sentiment among the city leaders themselves that the position of some of their number was dishonourable and damaging to the reputation of the Imperial cities as a whole appears clearly in the letters of Ulrich Artzt, who, in his position as city Hauptmann, was daily exposed to the suspicions and distrust of other League members. As early as 9 March he was warned to write Memmingen that that city's connections with the peasants were not such as would do them or the other cities of the League any good with the League Council.²³⁹

Shortly thereafter, Artzt developed his own opinions as to the causes of the rebellion:

I am concerned because we of the cities are responsible for these uprisings and rebellions. And many a pious citizen in the cities would have gladly diverted the others from such a course before it was taken, but was not able to. And if we had repudiated the preachers and allowed their superiors, to whom they are rightly subject, to punish them, we would now be

agreed and spared these things.... The guilt can be assigned to no one other than us, and it is to be feared that the matter will in the end visit itself upon the honourable cities, from which nothing other than discord will follow.... For the proceedings have been the same in all the cities--when their superiors demanded to be allowed to punish them, we would not permit it.²⁴⁰

Although he recognized and supported the need for negotiations in order to preserve the authority and control of some of the city Councils over their citizenry, Artzt became increasingly concerned that their authority and reputation was being irreparably damaged in another way through the appearance of support for the rebellion which was being imputed to the cities. On the 26th of March, at the height of the negotiation efforts, he warned Augsburg Stadtschreiber Conrad Peutingen:

We cities are making for ourselves in this war a reputation that will cling to us for a long time. Little trust and credence will be placed in us. It will be said of us with justification that we lived up to the pledge and oath given the League as did the peasants to their Herrschaften. While I can readily understand that the Council would gladly do their best, and that the citizenry are more responsible than the Council for this, still, Memmingen's position is quite dangerous, and is causing this ill-will against the Upper (Swabian) cities.²⁴¹

The attrition in the troops of the League cities after the campaign against Ulrich led Artzt to repeat his

warning to the cities at large, declaring that the muster had revealed the worst gaps in the troop contingents of the cities, compared with those of the other League members. This had brought down upon him much scorn and mockery. Therefore, it was necessary that these gaps be remedied immediately, either with experienced troops or the money to pay them:

For although the Common Estates and myself personally were quite well-disposed towards ending this uprising and ill-will between Obrigkeiten and Untertanen by peaceful compromise, and had spared no effort or industry in the attempt, yet we could find no ways or means. But they (the rebels) persisted in their own wanton proceedings, choosing always the way of action. Therefore necessity demands that we be forearmed and obedient, so that we cities are not daily "gestupfft" (shoved or pushed around?), attacked, and found negligent.²⁴²

What Artzt was trying to do was to draw a line between the desire for a peaceful settlement of the rebellion, which he and many of the other city representatives shared, and the actual support for the rebellion which was being imputed to them by the other League members. This was a line which could not be safely crossed, if the cities' leadership wanted to maintain their power and reputation, as well as the slim amount of trust vested in them by the other Herrschaftsstände. Should some of the cities cross it, as Memmingen seemed about

to do, Artzt was implying that city solidarity could no longer be maintained. It might become necessary for the city leaders who could still fulfill their League obligations to repudiate their erring brethren.

Artzt's position as city Hauptmann and his long experience in League affairs lent his opinions much weight with the other city Councils, many of which had been coming to the same conclusions on their own. By the end of March the Councils of both Augsburg and Nuremberg were expressing similar opinions about the danger of the rumors circulating about the Imperial cities.²⁴³

The Council of Schwäbisch-Hall had begun to sound out the other cities of the League concerning the possibility of holding a city Assembly to discuss countermeasures to deal with the charges against the cities.²⁴⁴ The Council of the city of Nördlingen went to great lengths to make sure that the League Council understood its predicament and did not assume that they were supporting the rebels.²⁴⁵ Even the city Councils of Upper Swabia eventually sent a delegation to appear formally before the League Council to explain that they had lost control of the situation and to ask the Council's advice.²⁴⁶

Despite these attempts by the city leaders in the League Council to clarify their position, the

supporters of a negotiated solution remained compromised in the eyes of many of the other League members. To them, the possibility that at least some of the cities would openly espouse the rebel cause was still a real one. The sense of definite relief with which members of the other Bänke reported evidence of support for the League Council's policies is too obvious to allow any other interpretation. Leonhard von Eck, for example, reported the change of direction which occurred in Memmingen in mid-April:

Those of Memmingen, who have previously been accused of being on the side of the peasants, are supposed to have turned about and recruited 300 troops under the command of the Council, and the Lutherans must stay in their houses and lay low. And although the Common Estates had earnestly written and spoken with them, in my opinion the major cause is that their peasants revolted on Monday (10 April) and that the peasants in these past few days have wanted to take the city for reasons unknown. (take into the city unmentioned articles?)²⁴⁷

Examples like this, however, failed to still the suspicions in the minds of other League members, as cities elsewhere in the area of the Peasants' War provided further evidence of their apparent untrustworthiness by surrendering to the rebels without a fight.

Thus, the support for negotiations within the League Council, born in the confusion of the early stages of the Council's attempt to deal with the rebellion and nurtured by the need of the leadership of the League cities to find a way to retain control of their citizenry without violating their duties as members of the League, foundered upon the suspicion within the Herrschaftsstände, which led the members of the two other Bänke of the League to read far more into the peace efforts than was actually there. While the military, financial, and administrative importance of the League cities made it impossible to proceed without them and allowed them for a short time to exert tremendous influence upon the policies of the League Council, the conviction of the city leaders that they were, in effect, violating their obligation to the League doomed their efforts from the start and forced the city leadership to acquiesce in the policies of repression advocated by Leonhard von Eck's war faction. Tragically, this not only meant the savage suppression of the peasants, but also failed to quell in the least the distrust of the cities which the half-hearted efforts of their leaders to support negotiations had engendered among the other members of the League. Throughout the campaign of the League forces against the peasants, the

atmosphere of fear and hatred which prevailed between the cities and the members of the other Banke hindered the League's efforts and made any solution other than complete suppression impossible. In the aftermath of the rebellion, the attitude of the city leadership in the early stages of the war and the faulty performance--real or alleged--of some of their number during the campaign would return to haunt the cities as a group when the question of punishment and reparations came up. By their actions in support of a humane settlement of the rebellion--whatever the real motivations behind them--the leaders of the League cities had destroyed the long-sought-after and fiercely defended position of trust and influence in the Swabian League which had been their major concern. In the minds of many of their fellow political rulers--and even in their own, to some extent--the city leaders remained "responsible" for the Peasants' War.

CHAPTER VI

Resources and Reaction:

The Administration of Suppression

a. Financing of the League Campaign

Besides the suspicion and distrust among members of the League created by the debate over the collective policy to be followed by the League, the League Council also struggled with a host of other difficulties engendered by the unique nature of the widespread revolt. Each of these problem areas was in turn aggravated by the existing tension and hostility among League members. Nowhere does this show more clearly than in the almost continuous financial stringency from which the League Council suffered.

As we saw in Chapter II,¹ the expenses of the League's military campaigns were met individually by its members. Each member equipped and paid his own troops for the duration of the campaign as part of his obligation to the League. Additional levies were made to cover common expenses, and the members paid these in proportion to the number of troops they were required to supply to the League effort.

While this system was slow and subject to individual caprice on the part of League members, it

worked well enough in ordinary times. Thus, the League Council adhered to normal procedure in its early mobilization orders to League members in mid-February. Besides the support for the $2/3$ military obligation called up by these two orders, each member of the League was also required to pay his share of a common levy of 2,197g.²

However, as the need for more rapid mobilization became apparent, the League Council decided that it would be faster to hire troops itself rather than wait for the forces of League members to assemble. This created additional financial demands upon League members.

On 27 February, the League Council levied a total sum of 24,766 $1/2$ gulden upon the members of the League "for daily expenses".³ Most of this money went to pay Landsknechte recruited by mercenary commanders directly in service to the League Council. On 10 March, the League Council called up a third $1/3$ help from League members. Citing the need to employ "foreign" troops, the Council asked that this obligation be delivered in money instead of men.⁴ Sums from this levy were also used to support the forces directly recruited for the League Council. On 30 March, just prior to the outbreak of open hostilities between the forces of the League and the rebels, the League Council called up a fourth $1/3$

help, giving members the option of delivering men or money to meet their obligation.⁵ Finally, on 19 April, the League Council assessed members of the League an additional two gulden per foot soldier as a special levy, amounting to a total of 33,000g.⁶

By the end of April, therefore, each League member was theoretically maintaining one and one-third times his required contribution to League forces in the field, either through direct payments in support of troops which he had raised himself or through money paid to the League Council for the purpose of hiring additional mercenary troops. In addition, each League member had theoretically paid into the common coffer a sum equal to 3 1/2 gulden per man, based upon the number of troops the members were required to provide for one full League help. These special levies, which should have amounted to 57,788 1/2 gulden, were designed to provide the League Council with a war chest from which to pay the additional Landsknechte which it had hired directly and to meet other expenses of the campaign. This was the extent of the regular, formal financial obligations levied upon League members during the campaign.

It was upon the basis of these theoretical payments that the League Council kept track of amounts owed

by members. Since the usual compensation for a simple Landsknecht without special skills or experience was one gulden per week, the theoretical expense of maintaining the League military effort at its height was over 20,000 gulden per week,⁷ not counting the special levies.

Unfortunately, this theoretical system of reckoning the obligations of League members broke down almost from the start. Some League members were granted the privilege of rendering all their obligations in money. Others were allowed or asked to change the ratio of horse and foot which they supplied. Not all of the money paid by League members was used by the League Council for hiring more troops. Accounting periods and procedures varied from troop contingent to troop contingent. Almost from the first mobilization order, the situation degenerated into utter chaos.

Furthermore, the campaign against the peasants was not an ordinary campaign, from the standpoint of the ability of League members to meet their financial and military obligations. Many members of the League--especially those of the Bank of prelates, Counts, and nobility and of the princes' Bank--depended upon a special levy, or Reisststeuer, upon their subjects to raise the money and troops to fulfill their obligations to the League.⁸

As the rebellion spread, their revenue from such sources was virtually cut off. As a result, members of these two panels increasingly defaulted upon their required payments to the League Council for the continued support of their troops. The cities of the League, whose leadership usually met their League obligations from regular revenue, should have been in a somewhat better position, provided they were willing to pay the League levies.

That these defaults were not entirely forced is shown by the fact that they began almost immediately with the mobilization of League forces in February. Accounts of the League Council drawn up in mid-May show that six of the League princes still owed at least part of their shares of the 2197g. levied in conjunction with the initial mobilization order. The members of the Bank of prelates, counts, and nobility also still owed their entire share of this sum.⁹

The six defaulting princes--the Counts Palatine, the Bishops of Bamberg, Würzburg, Augsburg, and Constance, and the Landgrave of Hesse--were also in arrears with regard to the 24,766g. levy of 27 February, as were the prelates, counts, and nobility en masse. But they were joined in defaulting on this required sum by almost every other member of the League, including the cities.

In fact, by mid-May the total amount of this special levy, which was to have been paid in full by 8 March, was carried on the League Council accounts as still outstanding!¹⁰

The May accounts also reveal that some members of the League had not even paid for the support of the troops which they had sent for the first mobilization, the Bishop of Bamberg being the primary offender. Additionally, defaults upon the third 1/3 help, levied in money, were also virtually unanimous.¹¹

All in all, the May accounts of the League Council show that League members owed over 50,000g. in unpaid League levies for the support of the troops in the field.¹² Breaking the sums owed down by Bank, the princes of the League owed 35,588g., or about 71% of the total. The members of the Imperial city Bank owed 11,199g., or a little over 22% of the total and the members of the Bank of prelates, Counts, and nobility owed 3410g., or about 7%. Comparing these percentages with the percentages of troops theoretically supplied to the League by the members of each Bank, it can be seen that the three Bänke were approximately equal in the performance of their obligations to the League, though of course the defaults of the princes would be far more damaging to the League's

over-all financial position than those of the members of the other Bänke.

The cause of the increasing incidence of defaults is clear. League members, as they gradually became aware of the danger of the revolt spreading to their own territories, found themselves increasingly short of the money needed to raise and supply troops for their own defense. Since they were also aware that the forces of the League could not be expected to help them all at once, League members tended to place payment of League obligations lower and lower among their financial priorities, until most had stopped payment altogether by the latter stages of the campaign.

This is not to say that League members did not make some effort to continue to meet their obligations to the League. Many attempted to borrow the money with which to pay their League levies. The House of Austria's financial payments to the League in the early stages of the campaign were supposed to be met through credit extended by the Fugger and Welser trading companies in Augsburg.¹³ Later in the revolt, both the Dukes of Bavaria¹⁴ and the entire Bank of prelates, Counts, and nobility¹⁵ also requested loans from Jakob Fugger, with little success. The Bishop of Augsburg, who had had to

pay his League obligations from the beginning without the benefit of revenue from his subjects (who had been among the first to rebel), apparently virtually exhausted his credit from all sources in an attempt to meet the necessary payments to the League Council, and still he fell behind.¹⁶ Among the membership of the city Bank, requests from the leaders of the smaller cities for short-term loans from the larger cities' Councils (especially that of Ulm) were common.¹⁷

Other League members, such as the princes of Bavaria and of the Upper Palatinate, resorted to extraordinary levies upon the ecclesiastical property within their territories, allegedly in an attempt to raise the needed money for their forces with the League.¹⁸ The city Council of Augsburg also explored the possibility of such a levy.¹⁹

However, not all members of the League were this conscientious. Many responded to the repeated requests of the League Council for money owed with pleas for indulgence on the grounds that their territories had been devastated and their treasuries depleted.²⁰ Formal requests for remission or postponement of required payments were sometimes made, but seldom granted.²¹ Some members simply ignored all the League Council's requests for money.²²

The League Council had various means of attempting to deal with members' defaults. In the midst of the effort to put down the revolt, the invocation of the double penalty provision for non-payment in the League Constitution was useless. As a substitute, the League Council relied upon a combination of blandishments and threats in its requests for money, which varied according to the importance of the League member being dunned. The formula adopted for most such requests was to initially emphasize the danger of the peasants' rising, exaggerating their intentions into a desire to destroy all social inequality and authority. The probability of the uprising spreading into other areas was usually cited, together with the League Council's desire to prevent this. In an attempt to anticipate the usual objections, the League Council argued that, although it was aware that the member being addressed was burdened with heavy costs of his own, other League members (largely fictitious, judging by the actual accounts) whose lands had been almost totally ravaged were still meeting their obligations to the League. The League Council request would then point out that it was to the member's own advantage to meet his financial obligations, for if he didn't, and the League's cause was thereby harmed, he

would have to consider how willing the other League members would be to help him in case of need.²³

If this formula did not work, the League Council would, in its follow-up reminders, cite the rising possibility that the League's forces would be forced to withdraw from the field if their expenses were not met, with all the dire consequences that would bring to the League and its members.²⁴ The potential ill-will of other League members who had exerted themselves to pay their obligations was another factor brought to the attention of members in arrears.²⁵

In the case of hardened offenders, the League Council had no recourse other than to continue to send such exhortations. Only rarely was it given the opportunity to exert real pressure upon League princes, as in the case of the Bishop of Würzburg. As the League's forces moved into Franconia late in the campaign against the rebels, Bishop Conrad sent still another of his many requests to the League Council for help against his rebellious subjects. The Council replied that the League would be glad to help the Bishop, provided that he also brought his own forces to bear, and, above all, that he paid all his outstanding League obligations immediately. This not-so-subtle blackmail brought payment of over half

of the Bishop's debt at once, with definite arrangements for settling the remainder.²⁶

Such cases were the exception rather than the rule, however. In the majority of defaults, the League Council had no real recourse.

Besides the problem of defaults, the League Council's financial problems were made worse by the unsettled conditions, which made it impossible for those members who did have the money and were willing to pay to get their payments to Ulm. This forced many to rely upon credit from the Ulm city Council (which helps to explain the extraordinary importance attached to the position of Ulm by the League Council). Even the Nuremberg Council attempted to borrow 2000 gulden from Ulm at one point in order to meet its obligations to the League,²⁷ and many similar requests were turned down as the Ulm Council found its resources strained to the breaking point. Some League members, of course, merely used transport problems as an excuse for their failure to pay.²⁸

These financial difficulties had two important consequences for the League military effort against the rebels. First of all, the number of troops fielded by the League against the peasants was far below what it was supposed to be. One and 1/3 League "helps" amounts

to over 22,000 troops on an adjusted basis (one horseman equalling three foot soldiers). The actual size of the League forces was about half that. Although there was considerable variation from day to day, both Eck and Artzt estimated the size of the League army at 1500 horse and 8000 foot.²⁹ The scribe of Jörg Truchsess lists contingents of cavalry totalling 1767 horse.³⁰ It is likely that these estimates, made at the beginning of the campaign, were on the high side.

Of the total forces in the field, about half were troops from League members, including most of the cavalry and 1-2000 foot. These troops were supported directly by the League members who had sent them. The majority of the foot soldiers of the League, however, were Landsknechte hired directly by the recruiters of the League Council and paid from the special levies supposedly coming in from League members. In mid-May, the biweekly salary payment for these forces was over 10,000fl., which would indicate a total force of between 4 and 5 thousand men.³¹ Since the strong cavalry of the League could not always be used in the difficult terrain where much of the campaign was fought, the continued maintenance of the foot was absolutely crucial to the League effort.

impact of the reparations payments was not felt until

This created the second major problem for the League Council. Because of the defaults by League members on the special levies for the support of these hired troops, the Council was chronically short of funds for paying its forces. Although it could divert some of the money coming in from the few League members (mostly Imperial cities) who were still meeting their payments, alternative means of financing the campaign were obviously necessary. Thus, a two-part program was developed to enable the League Council to remain financially solvent during the campaign. The program consisted of:

- a). Attempts to obtain short-term loans from members and non-members of the League in order to cover immediate expenses, and
- b). A long-term plan to collect reparations payments from the areas involved in the rebellion in order to pay off the loans and compensate members for their expenses in contributing to the suppression of the rebellion.

While the second part of this program was implemented in the later stages of the campaign and helped the League Council to meet its expenses in June and July, the major impact of the reparations payments was not felt until

after the actual campaign was over. Thus, discussion of this aspect of the financial structure of the campaign of suppression is best postponed.³² However, in the frantic attempts of the League Council to raise money through loans, and in the measures which it used to attempt to persuade reluctant lenders, the seriousness of the Council's financial problems can be easily discerned.

Obviously the larger cities of the League played a major role in large-scale borrowing by the League Council. These cities were widely supposed by the other members of the League to have large supplies of cash on hand. They could also be charged with disloyalty to the League if they resisted the requests of the League Council too vehemently, a charge which they were particularly anxious to avoid in view of the suspicion already being cast upon the city leaders for their role in support of negotiations. Nevertheless, the large cities were considerably less than enthusiastic about loans to the League Council.

Of the Councils of the three largest cities in the League, the Council of Augsburg proved most willing to extend money to the League Council. As early as the 2nd of March, the Augsburg Council had agreed to lend the League Council 5000fl. to meet interim expenses. The