

Making Peace and War in the 'City State' of Worms, 1235–1273*

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The German Empire during the high middle ages was composed of three old and very distinct *regna*, the kingdoms of Germany, Italy, and Burgundy. With regard to the kingdom of Italy modern scholars frequently focus their attention in the high and late middle ages on great cities such as Florence, Milan and Siena. These often are characterized as 'city states'.¹ By contrast, the great cities of the German Rhineland such as Cologne, Mainz, Speyer, and Worms, have not been treated as city states by German historians before about 1300.² The exclusion of these large

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¹ Although certainly dated, W. Warde Fowler, *The City-State of the Greeks and Romans* (London, 1926, first printed 1893); and William Reginald Halliday, *The Growth of the City State: Lectures on Greek and Roman History* (Chicago, 1967), still provide a useful overview of the nature of the city state as contrasted to broad-based territorial states. For a brief overview of the city state in both geographical and historical comparison, see Peter Burke, 'City States', in John A. Hall (ed.), *States in History* (Oxford, 1986), pp. 137–53. The most recent effort to develop a typology of states with a focus on the city state is Geoffrey Parker, *Sovereign City: The City-State through History* (London, 2004). With respect to the development of city states in northern and central Italy generally during the eleventh to fourteenth centuries, see A.I. Pini, 'Dal commune città-stato al comune ente amministrativo,' in *Storia d'Italia*, vol. 4, pp. 451–587 (Turin, 1981); Daniel Waley, *The Italian City-Republics* (3rd edn, New York, 1988); Giorgio Chittolini, 'Cities, "City-States", and Regional States in North-Central Italy,' *Theory and Society* 18 (1989), pp. 689–706; Philip Jones, *The Italian City-State: From Commune to Signoria* (Oxford, 1997); and S.R. Epstein, 'The Rise and Fall of Italian City-States,' in Mogens Herman Hansen (ed.), *A Comparative Study of Thirty City-State Cultures* (Copenhagen, 2000), pp. 277–93. Concerning the relationship between the fully developed Italian city states and the declining imperial power of Germany, see the still crucial William Bowsky, *Henry VII in Italy: The Conflict of Empire and City-State, 1310–1313* (Lincoln, 1960). Paul Arthur, *Naples, From Roman Town to City-State: An Archaeological Perspective* (Rome, 2002), provides valuable insights into the changing topography of the major southern Italian city as it developed into a city state over the course of the middle ages.

² Some German scholars have identified the autonomous undertakings of German cities, particularly during the period of the Rhenish league. In an intriguing preliminary investigation, Christian Müller, 'Lübeck und der Rheinische Städtebund 1254–1256: Formen und Möglichkeiten städtischer Politik an der Wende zum Spätmittelalter', *Zeitschrift des Vereins für lübeckische Geschichte und altertumskunde*, 80 (2000), pp. 165–84, considers some of the efforts made by the city of Lübeck to secure its own financial and trading interests against local secular lords who were seeking to establish their own territorial states. However, Müller does not evaluate Lübeck within the context of the city state model.

and powerful German cities in the thirteenth century from the ranks of medieval city states is curious for two reasons. First, as is stressed in this article, several of the cities of the German Rhineland, including Worms, possessed the characteristics that have led scholars to denote Italian cities as city states. Second, there is the tendency by specialists in German history to emphasize the autonomy, and even the independence of German cities in the fourteenth and fifteenth centuries, while overlooking these same characteristics in cities of the thirteenth century.³

In an earlier study, Johannes Fried, 'Ladenburg am Neckar und der Rheinische Bund von 1254/56', *Zeitschrift für die Geschichte des Oberrheins*, 120 (1972), pp. 457–67, here p. 465, distinguishes between those cities, such as Worms, Cologne, and Mainz, which were able to make an independent decision to join the league, and cities such as Ladenburg, which joined the league because they were required to do so by their lord bishops, in this case of Worms. Here again, however, Fried does not consider the participation of cities, including Worms, in the Rhenish league within the context of city state behaviour.

³ Typical in this regard is Björn Forsén, 'Was there a South-West German City-State Culture?' in *A Comparative Study of Six City-State Cultures*, pp. 91–106, who notes the pre-history of urban leagues in the mid-thirteenth century, but does not consider the development of a 'city state culture' until the fourteenth century. Indeed, the major focus of specialists in medieval German history concerning the autonomy, and even independence of German cities, has been on the imperial cities (*Reichsstädte*) of the fourteenth and fifteenth centuries. Similarly, Eberhard Isenmann, *Die deutsche Stadt im Spätmittelalter 1250–1500: Stadtgestalt, Recht, Stadregiment, Kirche, Gesellschaft, Wirtschaft* (Stuttgart, 1988), p. 238, concludes that although some German cities did attempt to control their hinterland, 'Die Stadt und ihr ländliches Territorium bildeten keinen gemeinsamen Stadtstaat.' He also argues (p. 237) that episcopal cities (such as Worms) did not gain control over their hinterland because the territories and rights associated with these areas were held firmly by the bishops, or otherwise disposed of by these prelates. In aggregate, the literature in this area is vast. For an overview of the military activities of the imperial cities, see for example Detlef Harms, 'Städtisches Militärwesen im späten Mittelalter,' *Militärsgeschichte*, 29 (1990), pp. 441–48. With respect to the military undertakings of individual German imperial cities, see Elsbet Orth, *Die Fehden der Reichsstadt Frankfurt am Main im Spätmittelalter: Fehderecht und Fehdepraxis im 14. und 15. Jahrhundert* (Wiesbaden, 1973); Beate Sauerbrey, *Die Wehrwesen der Stadt Braunschweig im Spätmittelalter* (Braunschweig, 1989); Uta Lindner, 'Kölnner Fehden als Problem der Verwaltung und Verfassung (1370–1400)', *Jahrbuch des kölnischen Geschichtsvereins*, 54 (1983), pp. 1–134; Brigitte Maria Wübbeke, *Das Militärwesen der Stadt Köln im 15. Jahrhundert* (Stuttgart, 1990); and Alexander Schubert, *Der Stadt Nutz oder Notdurft? Die Reichsstadt Nürnberg und der Städtekrieg von 1388/89*, in *Historische Studien*, 476 (Husum, 2003). With regard to the logistics of city warfare, see Harald Kleinschmidt, 'Logistik um städtischen Militärwesen des späten Mittelalters. Dargestellt an Beispielen aus süddeutschen Städten im Vergleich mit dem Ordensland Preußen', *Mediaevalia historica Bohemica*, 5 (1995), pp. 233–63.

The political and diplomatic efforts of German cities in the fourteenth and fifteenth centuries to control the territory surrounding their walls and to make peace with neighbouring lords have also attracted considerable attention. See, for example, Elsbet Orth, 'Grundbesitz von Frankfurter Bürgern im Umland und die reichsstädtischen Maßnahmen zu seiner Absicherung', in Hans Kurt Schulze (ed.), *Städtisches Um- und Hinterland in vorindustrieller Zeit* (Cologne, 1985), pp. 99–156; Inge Albrecht, *Die Beziehungen Ludwigs IV. Des Bayern zur Reichsstadt Nürnberg* (Erlangen-Nürnberg, 1998); Pierre Monnet, "'Wan es stet uel in disin landen mit grossem kriege ...': Die Außenbeziehungen der Reichsstadt Frankfurt am Main im Spätmittelalter', in Horst Brunner (ed.), *Die Wahrnehmung und Darstellung von Kriegen im Mittelalter und in der frühen Neuzeit* (Wiesbaden, 2000), pp. 199–222; Regina Schäfer, 'Machtgleichgewicht und Freundschaft: Das Verhältnis zwischen der Reichsstadt Frankfurt und den Herren von Eppstein im 15. Jahrhundert', *Archiv für Frankfurts Geschichte und Kunst*, 66 (2000), pp. 200–27; and Joachim Kemper, 'Das Testament des Speyerer Bürgers Jakob von Nürnberg und Kaiser Friedrich III. (1440–1493): Bemerkungen zu einem Streitfall zwischen dem Speyerer Rat und Graf Kraft V. von Hohenlohe', *Mitteilungen des historischen Vereins der Pfalz*, 100 (2002), pp. 191–216. Of course, the *Hanse* has benefited from extensive interest by scholars, but this study is concerned with the actions of individual cities acting autonomously in the manner of city states rather than with the actions undertaken by leagues of autonomous cities, such as the *Hanse*, or the Rhenish league of 1254–1256.

The identification of thirteenth-century Italian cities and fourteenth- or fifteenth-century German cities as city states, or as 'behaving' in a city-state-like manner is motivated by analogy with various of the *poleis* and *civitates* of the Greco-Roman world. Perhaps the most famous reference, from the German perspective, regarding Italian city states is the passage in Bishop Otto of Freising's *Gesta Frederici*, in which the prelate emphasized that mid-twelfth-century Italy was divided almost completely among a number of cities which enjoyed autonomy from a prince, control over their hinterland, the possession of independently controlled military forces, and the ability to go to war without the permission of the emperor.⁴ Otto, whose nephew Emperor Frederick I (1152–1190) was attempting to bring greater central control to these Italian cities, was not pleased by the situation in northern Italy and gives the impression that German cities of this time (c. 1153) did not enjoy an equivalent type of independence. Echoing many of the observations made by Otto of Freising, Peter Burke, in a valuable discussion of the basic characteristics of city states, identifies several crucial elements, including the autonomy of the city from the 'real' or 'meaningful' control by a prince, bishop, or other lord, the city's control over its rural hinterland (*contado*), the city's competition with its neighbours in economic, political and military affairs, the city's possession of military forces, and the city's power to raise taxes.⁵ One must add to this list that a city state has a government capable of making legally binding decisions, and especially the obvious point that they had the capacity, in legal terms, to go to war and to negotiate peace.⁶

These criteria, of course, are applicable to cities, such those noted above, in the Italian part of the German Empire.⁷ However, with but a few exceptions,

⁴ Otto of Freising, *Episcopi Frisingensis et Rahewini Gesta Frederici: seu rectius, Cronica*, ed. Franz-Josef Schmale on the basis of the edition done by Georg Waitz and Bernhard Simson (2nd edn, Darmstadt, 1974), Bk. 2, Ch. 13.

⁵ Burke, 'City States', pp. 140–41.

⁶ The basic concept that a state holds a monopoly on the legitimate use of force was developed by Max Weber. See his *Gesammelte politische Schriften*, ed. J. Winckelmann (Tübingen, 1958), p. 494. Susan Reynolds, 'The Historiography of the Medieval State', in Michael Bentley (ed.), *Companion to Historiography* (London, 1997), pp. 117–38, here p. 118, usefully modifies Weber's definition of the state to be 'an organization of human society within which the ruler or governing body more or less successfully controls the legitimate use of physical force.'

⁷ Regarding, for example, the mobilization of military forces by Italian cities during the twelfth and thirteenth centuries both for wars against German emperors and for inter-city conflicts, see William M. Bowsky, *A Medieval Italian Commune: Siena under the Nine 1287–1355* (Berkeley, 1981), pp. 128–50; Daniel Waley *The Italian City-Republics* (3rd edn, New York, 1988), esp. p. 53; and Daniel Waley, *Siena and the Sienese in the Thirteenth Century* (Cambridge, 1991), *passim*. For an overview of military organization in the Italian city states of the twelfth and thirteenth centuries as these impacted German imperial rule, see Hans Delbrück, *Medieval Warfare: History of the Art of War III* (trans. W.J. Renfroe, Lincoln, 1982), pp. 365–75 (originally published under the title *Geschichte der Kriegskunst im Rahmen der politischen Geschichte*, 2nd edn. Berlin, 1923, pp. 331–63). In addition to the great land-based city states of northern Italy, the maritime power of the city state of Venice also deserves attention. See, for example, Frederick Lane, *Venice: A Maritime Republic* (Baltimore, 1973), especially pp. 31–67; and Lawrence V. Mott, 'Venice, Genoa, and the Control of the Seas in the 13th and 14th Centuries', in John B. Hattendorf and Richard W. Hunger (eds), *War at Sea in the Middle Ages and the Renaissance* (Woodbridge, 2003), pp. 119–35.

notably the brief period during which the league of Rhenish cities flourished (1254–1256), modern scholars generally ignore the likelihood that there were autonomous cities, much less city states, in the German kingdom during the high middle ages, up until the accession of King Rudolf I of Habsburg in 1273.⁸ In this study, an effort is made to suggest, with a special focus on the important criteria of the capacity legally to make war and to negotiate peace, that Worms, during the period from about 1235 to about 1273, should be considered as a ‘city state’ and, in this regard, an analogue of some of the cities which flourished within the Italian kingdom of the German Empire during the twelfth and thirteenth centuries, as well as of many of the German cities of the fourteenth and fifteenth centuries.⁹

I: City Government of Worms

The city of Worms, as was true of many other cities during the eleventh and twelfth centuries, sought to establish its political autonomy at the expense of its bishop, who had been delegated royal rights and administrative responsibilities at the end of the tenth century.¹⁰ Probably from the mid-twelfth century, at the latest, going back to a charter issued by Emperor Frederick I in 1156, the city had its own governing council of forty members.¹¹ No later than 1198, when Philip of Swabia took power in Germany, the city council of Worms began

⁸ See Müller, ‘Lübeck und der Rheinische Städtebund’, and Fried, ‘Ladenburg am Neckar’. Arno Buschmann, ‘Der Rheinische Bund von 1254–1257: Landfriede, Städte, Fürsten und Reichsverfassung im 13. Jahrhundert,’ in Helmut Maurer (ed.), *Kommunale Bündnisse Oberitaliens und Oberdeutschlands im Vergleich* (Sigmaringen, 1987), pp. 167–212, provides a thorough overview of the literature dealing with the Rhenish league, going back to the mid-nineteenth century. Before Buschmann’s study, very little scholarship had been done on the league since the 1880s. Thus, for example, the study of the original texts dealing with the Rhenish league, done by Julius Weizsäcker, *Der Rheinische Bund 1254* (Tübingen, 1879), remains the basic work today. Buschmann’s contribution to the scholarly debate concerning the origin, purpose, and importance of the Rhenish league is the suggestion (pp. 192–98) that the Mainz *Landfrieden* of 1235 and the breakdown of law and order in the late 1240s made the city league possible and necessary. Buschmann adds the further suggestion (pp. 198–212), that the city league served as a surrogate for imperial power to maintain the imperial constitution established by Frederick II at Mainz in 1235. The most recent survey of the literature for the Rhenish league is Martin Kaufhold, *Deutsches Interregnum und europäische Politik: Konfliktlösungen und Entscheidungsstrukturen 1230–1280* (Hanover, 2000).

⁹ The dates 1235 and 1273 refer, respectively, to the first evidence for Worms undertaking major independent military action in the thirteenth century, and the accession of King Rudolf I of Habsburg.

¹⁰ For a general overview of this process and the role of the king in suppressing the efforts of cities to gain autonomy from their bishops, see Ekkehard Rotter, ‘Das königliche Hofgericht zwischen bischöflicher Stadtherrschaft und Coniuratio Communiae (11.–13. Jahrhundert),’ in Friedrich Battenberg and Filippo Ranieri (eds), *Geschichte der Zentraljustiz in Mitteleuropa: Festschrift für Bernhard Diestelkamp zum 65. Geburtstag* (Weimar, 1994), pp. 39–59. Regarding the early political development of the city of Worms, see Heinrich Büttner, ‘Zur Stadtentwicklung von Worms im Früh- und Hochmittelalter’, in *Aus Geschichte und Landeskunde: Forschungen und Darstellungen. Franz Steinbach zum 65. Geburtstag gewidmet von seinen Freunden und Schülern* (Bonn, 1960), pp. 389–407.

¹¹ Burkard Keilmann, *Der Kampf um die Stadtherrschaft in Worms während des 13. Jahrhunderts* (Darmstadt, 1985), p. 12.

to issue charters, establish economic regulations, and make some political decisions in its own right, without the interference of the bishop.¹² The city council (*concilium*) worked in conjunction with a secular magistrate, called a *scultetus*, elected yearly by those in the city who held the franchise.¹³ The office of *scultetus* was superseded during the early thirteenth century by the office of the *magister civium*, attested in numerous charters issued by the city of Worms. The city council of Worms had the power to levy taxes on the citizens of the city as well as tolls on the goods being transported into the city or along the Rhine.¹⁴ Traditionally, the right to levy tolls on river traffic was a regalian right that had to be granted by the king. Emperor Frederick I did in fact confirm the city's legal right to levy these tolls, as well as other taxes, on 31 May 1182.¹⁵

Although Emperor Frederick II (1212–1250) briefly attempted to limit the autonomy of the city of Worms in 1232, as part of a general policy initiated on 20 January 1231 in favour of Germany's secular and ecclesiastical magnates, this effort ultimately failed.¹⁶ Frederick ordered that the forty-strong city council be disbanded and replaced by a new council of fifteen chosen in a new fashion. Bishop Henry of Worms (1218–1234), on whose behalf the emperor had abolished the old city council, was to appoint nine *consules* from among the citizens. These nine men were then to choose six *milites* to serve with them.¹⁷ At first glance, this new constitutional arrangement seems to strip considerable power from the citizens of Worms. However, as part of the negotiation between the city and Bishop Henry following the emperor's abolition of the old council, Henry had to swear to rule with, rather than over the city council, and that 'he

¹² Barbarossa's grant, and whether he made the grant at all, have been the subject of considerable scholarly debate. See Keilmann, *Der Kampf um die Stadtherrschaft*, pp. 12–17. There is a general consensus that by the death of King Henry VI in 1198, the city council of Worms did function independently of the bishop, issuing charters, establishing economic regulations, and making political decisions.

¹³ Keilmann, *Der Kampf um die Stadtherrschaft*, pp. 24–25.

¹⁴ Concerning the specific success of Worms, and other cities of the middle Rhineland, including Speyer and Mainz, in gaining a degree of control over some forms of taxation and legal cases, see Carl Koehne, *Der Ursprung der Stadtverfassung in Worms, Speyer, und Mainz* (Breslau, 1890), pp. 339–57; Bernhard Töpfer, 'Stellung und Aktivitäten der Bürgerschaft von Bischofsstädten während des staufisch-welfischen Thronstreits,' in Bernhard Töpfer (ed.), *Stadt und Städtebürgertum in der deutschen Geschichte des 13. Jahrhunderts* (Berlin, 1976), pp. 13–62; Thomas Michael Martin, *Die Städtepolitik Rudolfs von Habsburg* (Göttingen, 1976), pp. 11–21; and Keilmann, *Der Kampf um die Stadtherrschaft, passim*.

¹⁵ Heinrich Boos, *Quellen zur Geschichte der Stadt Worm I: Urkundenbuch 627–1300* (Berlin, 1886), pp. 72–73, no. 89. On this point, also see Keilmann, *Der Kampf um die Stadtherrschaft*, p. 26. The only limitation Frederick placed on the city's legal right to collect taxes was to issue an immunity for the cathedral and its personnel.

¹⁶ The effort by the emperor to limit the autonomy of the city of Worms in 1232 is described in detail by the author of the city chronicle, the *Annales*, edited by Heinrich Boos, *Quellen zur Geschichte der Stadt Worms III: Annalen und Chroniken* (Berlin, 1893), pp. 143–62, here pp. 145–46. On this point, also see Keilmann, *Der Kampf um die Stadtherrschaft*, p. 28.

¹⁷ This matter is discussed in the episcopal chronicle for the city of Worms, the *Chronicon*, edited by Heinrich Boos, *Quellen III*, pp. 163–99, here p. 172.

will be faithful to the city and the citizens, shall protect and improve their rights in all matters.’¹⁸

Continuity in the city’s control over its own affairs, despite the emperor’s efforts, is demonstrated by the fact that the same men from the same families served on the council both before and after 1232, albeit in smaller numbers.¹⁹ As a consequence, the city council continued to make decisions on behalf of the city, to raise taxes, and to regulate commerce as it had done before. Finally, and critically in the present context, the city council continued to control the military resources of the city, to the exclusion of the bishop.²⁰ In addition, the city of Worms established a second representative body of sixteen men, four drawn from each of the major parish districts of the city, who participated in the collection of urban taxes and their expenditure on the needs of the city, including the maintenance of the walls, and payments for military expeditions.²¹ It should be emphasized that the bishop had no control over the selection of these men.

II: Military Resources of Worms

In order for a city to act autonomously, and especially in matters of peace and war, it is *prima facie* necessary for it to have both self-government and military forces for this government to deploy. In the period from 1235 to 1273, the city government of Worms had quite extensive military resources available to it when the *consules* and the *magister civium*, their chief administrative officer, made decisions regarding military matters.²² From a defensive perspective, the city of Worms was protected by a massive stone wall, some 5300 metres in circumference, studded with dozens of towers and four fortified gates.²³ This wall, originally of Roman construction, was maintained throughout the early middle ages and into the thirteenth century. During the period between 1235 and 1273, a vast expansion of the wall, that may have more than doubled its extent, as well as repairs and maintenance of the city wall, were funded by a tax (*ungelt*) on the grain and wine sold wholesale in the city, and it was collected by agents of the city council (*concilium*), and kept in strong boxes stored in the government council house.²⁴

¹⁸ Boos, *Chronicon*, p. 172; and Keilmann, *Der Kampf um die Stadtherrschaft*, p. 71.

¹⁹ On this point, see Keilmann, *Der Kampf um die Stadtherrschaft*, pp. 71–77.

²⁰ Keilmann, *Der Kampf um die Stadtherrschaft*, pp. 86–95.

²¹ Keilmann, *Der Kampf um die Stadtherrschaft*, p. 72; and Boos, *Chronicon*, p. 190.

²² The basic study dealing with Worms’ military resources is Heribert Isele, *Das Wehrwesen der Stadt Worms von den Anfängen bis zum Ende des 18. Jahrhunderts* (dissertation published at Mannheim, 1950).

²³ See Carlrichard Brühl, *Palatium und Civitas: Studien zur Profanotopographie spätantiker Civitates vom 3. bis 13. Jahrhundert*, 2 vols. (Cologne, 1975, repr. 1990), vol. 2, pp. 113–32, esp. pp. 120 and 126.

²⁴ Boos, *Annales*, p. 156. On this point, also see Isele, *Wehrwesen der Stadt Worms*, p. 11; and Töpfer, *Stadt und Städtebürgertum*, p. 70.

The city government of Worms organized the local defences so that the walls were defended by the city militia, as happened in 1235.²⁵ The author of the *Annales Wormatienses*, a clerk working for the city council of Worms in late thirteenth century who had access to all the financial records and other documents stored in the city archives, makes clear that the city militia was divided into four units, based on the four major parish churches of the city (St Peter, St Andreas, St Rupert, and St Lambert).²⁶ Moreover, each of these parish-based militia units was capable both of defending the city and of deploying for offensive expeditions. According to the author of the *Annales*, who, it must be stressed, was working from actual administrative documents that referred to matters such as the feeding of these soldiers, each parish-based militia unit was capable of deploying 1000 well-equipped men for offensive duty for extended periods.²⁷ Thus it must be concluded that to defend the walls an even larger number of men could be mobilized both from within the *urbs* and from the *contado*. In addition to these militia units, the city council of Worms also deployed professional fighting men, some of whom certainly were mercenaries (*stipendarii*), and some of whom may have been citizens of Worms who had chosen a military career in service to the city.²⁸ There were also, it should be noted, *milites* and other wealthy *cives* of the city who had their own military households.²⁹

The city council of Worms also deployed substantial auxiliary military forces in support of its militia troops and mercenaries. Of particular importance in mid-thirteenth-century Germany, where almost all major military operations focused on sieges of fortress cities and lesser strongholds, were Worms' siege weapons (*ingenia*), which probably included both spear-firing *balistae* and stone-throwing *mongonelli*, two of the most common, simple to operate, and inexpensive siege weapons during this period.³⁰ The city's artillery was stored

²⁵ Boos, *Annales*, p. 147; Boos, *Chronicon*, p. 174; and Brühl, *Palatium und Civitas*, vol. 2, p. 126.

²⁶ Boos, *Annales*, pp. 153 and 161. The city originally was divided into four parishes by Bishop Burchard of Worms (1000–1025). See Büttner, 'Zur Stadtentwicklung von Worms', p. 400. The author and text of the *Annales* will be dealt with in greater depth below.

²⁷ Boos, *Annales*, pp. 149, 150, 153, 154, 156–57, and 161. Concerning the use of actual documents by the author of the *Annales* to record the costs of each of the city's military expeditions, see Fried, 'Ladenburg am Neckar', pp. 466.

²⁸ Boos, *Annales*, p. 154; and Boos, *Quellen I*, pp. 177–78, no. 266.

²⁹ The author of the *Chronicon Wormatiensis* notes several important citizens of Worms who maintained substantial military households, including Jacob of Stein, who was able to deploy dozens of well-equipped crossbowmen and mounted troops on his own behalf. See, for example, Boos, *Chronicon*, p. 192.

³⁰ With respect to the arsenal at Worms, see the property agreement drawn up between the city and bishop, in Boos, *Quellen I*, pp. 219–20, no. 335, which describes the stone building in which the city of Worms stored its *balistae*, *scuta*, and other *res bellice*. The author of the *Annales* (p. 157) refers to the *ingenia* and the battle wagon (*currus*), also called a *Stanthart*, that the city of Worms brought to war against the town of Alzey in 1260. Just the previous year, according to the author of the *Chronicon* (p. 166), the city of Worms had suffered a major fire in which the arsenal burned, with the loss of the city's battle wagon (*currus*, or *Stanthart*), as well as the *machinae* stored there. This is significant because it shows that in the space of a year the city was able to replace these very expensive weapons in order to deploy them for the 1260 campaign.

in an arsenal controlled by the city council.³¹ Worms also deployed substantial riverine naval assets. These included not only ships and barges necessary for the transportation of the supplies required by the city's troops, but also warships equipped with fighting tops, called *propugnacula* in Latin.³²

III: Going to War

III.1: Sources of Information

As stated above, going to war and making peace legally are two of the most important characteristics of a city state. Thus, it is very important that the contemporary and near contemporary narrative and documentary sources for this period are very rich and consistently show Worms both going to war and making peace. The sources of information for Worms in the second half of the thirteenth century include two Latin chronicles written in the city, as well as many hundreds of surviving documents from the same period.³³ Both the *Annales Wormatienses* and the *Chronicon Wormatiensis* were composed during the late thirteenth century in Worms itself.³⁴ The authors of these works are unknown. However, the *Annales* author, who as we have seen worked in the city council, may have been the man who headed the city writing office (*protonotarius*).³⁵ The *Chronicon* was probably written by a cleric working for the bishop of Worms.³⁶ Neither work survives in its original form, and both were reconstructed in the later nineteenth century by Heinrich Boos from *fragmenta* recorded in a wide variety of medieval and early modern narrative works.³⁷

These two narrative texts were composed independently of each other and reflect strikingly different agendas. The author of the *Annales* consistently lauds the body of citizens (*communitas*) of Worms, who are the central figures, the collective protagonists, in his narrative. In this account, the citizens regularly play a heroic role in conflicts, particularly on behalf of King Frederick II and

With respect to the types of artillery most commonly deployed in the period 1235–1273 in England, and probably in Germany as well, see David S. Bachrach, 'English Artillery 1189–1307: The Implications of Terminology', *English Historical Review* (forthcoming, 2006), and Bachrach, 'The Military Administration of England (1216–1272): The Royal Artillery', *Journal of Military History*, 68 (2004), pp. 1083–104.

³¹ See Boos, *Chronicon*, p. 166.

³² Boos, *Annales*, 149, 150, 151.

³³ Boos in *Quellen III*, pp. 143–62 and 163–99; and Boos, *Quellen I*.

³⁴ I rely on the editions of the text published by Boos in *Quellen zur Geschichte der Stadt Worms*. These are greatly to be preferred over the edition by G.H. Pertz, *Annales Wormatienses* in MG SS 17 (Hanover, 1861), pp. 34–73. Pertz did not recognize, in his edition, that he was dealing with two separate narrative sources: an episcopal chronicle and a city chronicle. For a detailed discussion of both works, see Albert Köster, *Die Wormser Annalen: Eine Quellenuntersuchung* (Leipzig, 1887), pp. 32–102; and Boos, *Quellen III*, pp. xxviii–xxxii.

³⁵ Boos, *Quellen III*, pp. xxix–xxx.

³⁶ *Ibid.*

³⁷ *Ibid.*

King Conrad IV (1242–1254), of their own volition and free decision. The author of the *Chronicon* also displays a generally favourable attitude toward the citizens of Worms. However, the author of the *Chronicon* is clearly a partisan of the bishops of Worms, and tends to focus on their activities.

Of particular importance in the present context are the sources of information used by the two authors to compose their narratives. Neither author ever claims to have observed the events described in his text. In addition, neither author ever refers to information received from oral reports.³⁸ Instead, both authors appear to have relied entirely on information gleaned from documents to write their accounts. This is significant because these two authors would seem to have had access to a much larger collection of contemporary and near-contemporary documents than survive today, many of which dealt with the military affairs of the city.

In their discussion of the military actions taken by Worms, the two authors generally present the city government as taking decisions to preserve the city's own political and economic interests. In the most obvious cases, the city or its interests, both direct and indirect, are depicted as having been attacked and the citizens of Worms, therefore, having to defend themselves.³⁹ However, the chroniclers both make clear that the city council of Worms also deployed its military forces, on its own initiative, and even preemptively, that is when the city did not face immediate threats. In this latter context, the city of Worms undertook major military operations to defend its allies from attacks by third parties. Second, the authors of both of the thirteenth-century histories also present the city of Worms taking military action against its neighbours, including towns, cities, religious institutions, and secular nobles, in order to remove either demonstrated or potential threats to the security of Worms, its citizens, and its *contado*.

III.2: *Defence of Allies*

According to the author of the *Annales*, as part of his rebellion against King Conrad IV, Archbishop Siegfried III of Mainz (1230–1249) launched an assault

³⁸ The lack of references to oral testimony is striking given the exceptionally important role generally accorded to reliable eye-witness testimony in medieval narrative sources. In this regard, see D. H. Green, *Medieval Listening and Reading: The Primary Reception of German Literature 800–1300* (Cambridge, 1994), pp. 238, 247; Gabrielle M. Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography* (Baltimore, 1997), p. 101; and Hans-Werner Goetz, Wilfried Hartmann, Peter Segl and Helmut G. Walter (eds), *Geschichtsschreibung und Geschichtsbewußtsein im hohen Mittelalter* (Berlin, 1999), p. 108. Some scholars have identified an increasing interest among medieval authors over the course of the twelfth century to use written rather than oral sources in an effort to boost the credibility of their truth claims. In this regard, see Leah Shopkow, *History and Community: Norman Historical Writing in the Eleventh and Twelfth Centuries* (Washington, D.C., 1997), esp. pp. 119–26.

³⁹ In 1235, for example, the citizens of Worms defended their walls against an assault organized by Henry [VII] during his revolt against his father Frederick II. On this point, see Boos, *Annales*, pp. 147–48; and *Chronicon*, p. 174.

in the summer of 1242 on the royal *civitas* of Kastel, located on the right bank of the Rhine opposite Mainz.⁴⁰ The defence of Kastel, at this time, was led by Marquard, the *scultetus* of Oppenheim, who had proved his friendship personally to Worms in the previous year.⁴¹ As soon as the citizens of Worms received word that the archbishop had begun his siege of Kastel, they mobilized a fleet of well-equipped (*bene munitae*) warships (*naves bellicae*), and sailed the sixty kilometres down river to Mainz.⁴² Once the warships from Worms arrived, the archbishop immediately broke off his siege of Kastel and burned his siege engines so that they would not be captured.⁴³

It should be emphasized that the city of Worms acted independently and spent 400 marks for the campaign itself, and a further 60 marks to place a garrison of archers (*sagitarii*) in Kastel to help defend the *civitas* in the future.⁴⁴ Indeed, the relief and subsequent garrisoning of Kastel by Worms is contrasted by the author of the *Annales* with the second campaign in which the city of Worms participated in 1242, later in the summer. On this latter occasion, the chronicler stresses, King Conrad came in person to the region and requested (*petere*) aid (*auxilium*) from the city. What is important here is that the king did not order the city of Worms to mobilize but rather requested the city's aid. In response, the city council authorized the deployment of its warships and sent 200 well equipped fighting men (*armati*) for a period of six weeks. The total cost to the city for this expedition was 300 marks, as recorded in the city records and reported by the author of the *Annales*.⁴⁵

In his description of the two campaigns, the author of the *Annales* makes it clear that Worms acted autonomously in the first instance, and at the request of the king in the second. However, it should also be noted that Conrad IV is represented as asking (*petere*) rather than commanding (*mandare, iubare*) support. Furthermore, Conrad is presented as seeking military aid (*auxilium*) rather than owed service (*servitium debitum*). The language used by the chronicler here is important because it indicates his desire, and presumably the *parti pris* of his sources of information to have the city of Worms appear as an ally rather than as a subject of the king, demonstrating thereby a fundamental sense of its own autonomy.

Perhaps the best known of instances of Worms providing both military and economic aid to its allies took place during the period of the Rhenish league (1254–1256). In February 1254, the citizens of Worms and the citizens of Mainz entered into an alliance.⁴⁶ The making of military alliances is, of course, a

⁴⁰ Boos, *Annales*, p. 149.

⁴¹ Marquard had helped to negotiate a peace settlement in 1241 between Worms and the town of Osthofen, located 6.5 kilometres northwest of Worms. See Boos, *Annales*, p. 148.

⁴² Boos, *Annales*, p. 149.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ Boos, *Annales*, p. 149.

⁴⁶ Boos, *Quellen I*, pp. 170–71, no. 253; and Boos, *Annales*, p. 153.

key element in the behaviour of city states as contrasted with mere cities, such as those in England that were subject to royal control. This initial alliance, joined soon after by Oppenheim, was the core of the subsequent Rhenish league.⁴⁷ In September 1254, the members of the league, led by the citizens of Mainz, launched an expedition against Werner of Bolanden, a major territorial lord, at his fortress of Ingelheim. The author of the *Annales* does not state that troops from Worms took part in this expedition—meaning that they probably were not present—but he does note that the city subsidized the expedition with a grant of 1000 marks.⁴⁸ Similarly, in October 1256, the citizens of Mainz undertook a siege of Count Dieter of Katzenelnbogen's fortress at Rheinfels in response to his attacks against them. Again, the city of Worms supported this expedition by its ally with a large monetary subsidy of 200 marks.⁴⁹ But, it should be emphasized, the city of Worms aided its allies in the league not only with money, but with troops as well. In May 1257, for example, the city council sent troops to aid in the siege of Markgraf Rudolf of Baden at Selzen, forty-eight kilometres to the north of Worms.⁵⁰

III.3: *Creation and Defence of the Contado*

One of the characteristics that differentiates a city state from a subject city is the effort by the city's government to gain political, military, and economic control over its surrounding territory, and to protect this *contado* from encroachments by other powers. The government of Worms expended considerable military and economic resources in an effort to control the region beyond the walls of the city. Moreover, these actions are presented by the author of the city chronicle, the *Annales*, as the deliberate and considered policy of the city council. In some cases, the city took preemptive military action in order to forestall future dangers. For example, the author of the *Annales* reports that in 1258 the citizens of Worms marched to the village of Maudach (now a *Stadtteil* of Ludwigshafen), located about 18 kilometres south of Worms along the Rhine river.⁵¹ Here, they destroyed (*fregere*) a fortification (*castellum*) built by the *miles* Henry of Ruppertsberg, the lord of the village located about nineteen kilometres to the south-west of Maudach.

The destruction of the fortification at Maudach was exceptionally important to the citizens of Worms, because its presence there had posed a major danger both to the city's business interests, and ultimately to its security. As the author of the *Annales* makes clear, the *castellum* built by the *miles* Henry was located directly along the path of the major south road along the Rhine

⁴⁷ On this point, see Buschmann, 'Der Rheinische Bund von 1254–1257', *passim*.

⁴⁸ Boos, *Annales*, p. 154.

⁴⁹ Boos, *Annales*, p. 154–55.

⁵⁰ Boos, *Annales*, p. 155.

⁵¹ Boos, *Annales*, p. 156.

toward Speyer.⁵² If the citizens of Worms had permitted the *castellum* to stand, Henry of Ruppertsberg would have been in a position to demand tolls—illegal from the point of view of Worms—from all the merchants heading south from Worms, and all the merchants heading north towards the city. Furthermore, in time of war, this *castellum* posed a severe threat to the lines of communication between Worms and its closest ally, the city of Speyer.⁵³ As a consequence, the fortification simply could not be allowed to stand.

At Maudach, the city government took action in order to preempt any danger that Henry of Ruppertsberg might present in the future to merchants from Worms, and to communications between Worms and Speyer. In other cases, however, the government of Worms took action in response to threats that had already manifested themselves. For example, the author of the *Annales* records that in 1241 several citizens of Worms were attacked by some men from Osthofen, a small town located six and a half kilometres north-west of Worms on a Rhine tributary, the Seebach. The citizens of Worms, according to the *Annales*, could not tolerate these injuries without punishing the perpetrators.⁵⁴ Although he does not say so explicitly, the chronicler leaves the impression that Worms could not afford, in a political sense, to be seen by its neighbours to be passive in the face of such provocation. Thus, on 16 October 1241, the citizens (*cives*) marched to Osthofen in order to exact punishment (*vindicare*) for the damages that their fellow Wörmser had suffered.⁵⁵

The author of the *Annales* makes clear in his report of this event that the military action was taken with the sanction of the city government. It was the *cives*, as a body, rather than some subset of them, or only those who had been injured, who took part in this expedition. Moreover, lending further legitimacy to this military action, the author of the *Annales* stresses that the bishop of Worms, Landolf (1234–1247), accompanied the city force.⁵⁶ In this way, Landolf provided religious legitimacy to a secular action, while also demonstrating his acceptance of the city's legal authority to take military action to control its own hinterland.

The end result of this conflict with Osthofen was that the city of Worms gained effective political control over the town and subjugated it to the city's authority. According to the terms of the agreement drawn up between Osthofen and Worms, the town had to destroy its fortifications and could not rebuild them without the permission of the city government of Worms. The people of Osthofen had to make good all of the losses (*dampna*) they had inflicted on

⁵² *Ibid.*

⁵³ As early as 1235, Speyer was the only city willing to stand by the citizens of Worms when they refused to recognize Henry [VIII]'s right to rule in Germany and opposed Henry's rebellion against Frederick II.

⁵⁴ Boos, *Annales*, p. 148.

⁵⁵ *Ibid.*

⁵⁶ Boos, *Annales*, p. 148.

the citizens of Worms. Of exceptional importance in the present context, the men of Osthofen, including both the *militēs* and the *rustici*, had to swear that they would always be subjects (*subditi*) of the citizens of Worms. Finally, and of equal importance, the people of Osthofen had to swear that they would always be prepared for whatever duties (*quelibet servitia*) they were called upon to perform by the citizens of Worms.⁵⁷ In this context, it should be noted that Worms' successful effort to alter the political geography of the region was carried out without first obtaining royal consent.⁵⁸

The series of events that led ultimately to the incorporation of Osthofen into the Worms *contado* is presented by the author of the *Annales* as the result of legitimate military and political actions taken by the city government of Worms. This is crucial to understanding that the author of the *Annales*, and presumably the documents upon which he based his history, wished to present Worms acting legally when it undertook independent military action to pursue the goals of the city. Indeed, the author's emphasis on the legitimate deployment of Worms' military forces in this case is highlighted even more when it is contrasted with his discussion of the illegitimate use of force by citizens who acted without the city government's permission or sanction.

The author of the *Annales* records, for example, that in February 1264 several leading citizens of Worms, including a *miles* named Henry and the city chamberlain (*camerarius*) Emmerich, attacked the village of Pfeddersheim (now a *Stadtteil* of Worms) because of personal grievances that they had against the villagers.⁵⁹ However, unlike the expedition to Osthofen in 1241, the author of the *Annales* emphasizes that the actions of these citizens, which included theft and arson (*incendium*), were undertaken against the will of the city officials (*consules*) and the other leading men (*meliores*) of Worms, in other words that they were illegal acts.⁶⁰

In response to this assault on Pfeddersheim, members of the noble Hohenfels *familia*, who probably had political control over this village as its secular defender (*advocatus*), launched a series of attacks against properties belonging to the citizens of Worms, including both homes and grain storehouses (*horrea*).⁶¹ It seems clear from their actions that the Hohenfels believed or acted as if they believed that the citizens of Worms, as a body, were responsible for the violent acts committed by their fellow citizens and should therefore be persuaded, in this case by violent measures, to take responsibility for the attack on Pfeddersheim. The city government of Worms, according to the

⁵⁷ *Ibid.*

⁵⁸ The town of Osthofen originally had been subject to two nearby secular lords named Wirich of Daun and Conrad of Wartenburg. Worms usurped their powers at Osthofen, and then had this usurpation confirmed by King Conrad IV. On this point, see Boos, *Annales*, p. 148.

⁵⁹ Boos, *Annales*, p. 159.

⁶⁰ *Ibid.*

⁶¹ Boos, *Annales*, p. 159.

author of the *Annales*, agreed to accept legal responsibility for the actions of its rogue citizens and came to a peace agreement with the lords of Hohenfels, paying them 1150 Halle pounds.⁶² In effect, the lords of Hohenfels ascribed to the city government of Worms responsibility for the actions of all of Worms' citizens. By accepting this responsibility and paying this enormous sum of money, the city government, for its part, would appear to have asserted its claim to a monopoly on the authority to authorize the use of force.⁶³ It also seems likely, although the chronicler does not state this explicitly, that the city council of Worms punished the men who had attacked Pfeddersheim.

IV: Making Peace

IV.1: Sources of Information

As noted above, the legal authority to make peace, like going to war, is a crucial element when distinguishing between city states and subject cities. In the roughly four decades under consideration in this study, the city of Worms concluded more than a score of peace treaties with neighbouring cities and with secular and ecclesiastical lords. Between them, the authors of the *Annales* and the *Chronicon* refer to nineteen separate peace treaties made by the city of Worms in the period between 1235 and 1273, the great majority of which are not attested in other surviving written sources of information.⁶⁴ Six other documents survive from this period that deal with peace treaties of Worms, five of which are not mentioned in either of the two narrative texts.⁶⁵ This comes to a total of twenty-four separate peace agreements. It should be emphasized that *fragmenta* and *perdita* of peace treaties embedded within both the *Annales* and the *Chronicon* reflect, without any reasonable doubt, actual events and documents. In every single instance, numbering in the scores, in which the authors of the narrative works quote or refer to still extant documents, they do so accurately, with respect to content, date, and frequently to wording as well.

IV.2: Peace Treaties

As noted earlier, one of the hallmarks of a city state, as contrasted with a subject city, is its government's ability to make major decisions, usually reserved

⁶² *Ibid.* According to the author of the *Annales* (p. 153), 1 mark of pure silver was valued at 2 pounds and 7 solidi of Halle. There are 20 solidi in a pound, so that the total sum owed by Worms amounted to just under 490 marks.

⁶³ On this point, see Reynolds, 'The Historiography of the Medieval State', p. 118.

⁶⁴ For the fifteen peace agreements identified by the author of the *Annales*, see Boos, *Annales*, pp. 147–48, 148 (2), 150, 151–52, 155, 156, 156–57, 157 (2), 157–58, 159 (2), 160, and 161–62. For the four peace agreements identified by the author of the *Chronicon*, see Boos, *Chronicon*, pp. 186, 194–95, 195, and 197–98.

⁶⁵ Boos, *Quellen I*, pp. 142–43, no. 203; 148–50, no. 216; 176–77, no. 265; and 192–93, no. 289. 200–201, no. 298; and 214–14, no. 325.

to a king or prince, on its own behalf and in its own interest. Worms clearly deployed military forces over the period in consideration here in a manner consistent with the behaviour of an autonomous political entity. An analysis of the peace agreements made by Worms during the mid-thirteenth century indicates that here too, the city was able to act on its own initiative and in its own interests. Moreover, Worms was recognized by outside powers, up to and including the king, as an autonomous power as well.

The first point that must be emphasized is that peace agreements reached by Worms were not imposed on the city by outside political authorities, but rather were negotiated between Worms and its adversaries. In the great majority of these peace agreements—eighteen of the twenty-two in which the context of negotiations can be ascertained—the two sides came together and accepted mediation.⁶⁶ In 1245, for example, the lord Simon of Schowenberg agreed to peace terms with the city of Worms after being advised to do so (*secundum consilium*) by five regional magnates, including Count Frederick of Leiningen.⁶⁷ The next year, in 1246, King Conrad IV mediated a *pactum* between his *fideles*, the citizens of Worms, and Philip of Hohenfels, who was the royal *camerarius*.⁶⁸ The friendly negotiations (*amicabilis tractatus*) between the two sides were conducted at the royal court. Moreover, the two sides reached their *pactum pacis* in the royal presence (*in presentia nostra*).⁶⁹ A *reconciliatio* between Worms and the *miles* Henry of Ruppertsberg, noted earlier, was reached, according to the author of the *Annales*, through the mediation (*medians*) of Bishop Eberhard of Worms in 1258.⁷⁰ In 1260, Richard, the king of Germany (1257–1272), acted as a mediator between the city of Worms and its enemies, Simon of Gundheim and Jacob of Stein.⁷¹ According to the surviving document dealing with this peace agreement, issued to the representatives of Worms and kept by them in the city archive, both sides in the dispute agreed to accept whatever judgment (*arbitrium*) the king reached.⁷²

The very fact that high-ranking ecclesiastical and secular *principes* agreed to serve as mediators between Worms and its enemies indicates the city was recognized as having the legal authority negotiate on its own behalf. If Worms were seen by contemporaries to be acting illegally, it is highly unlikely that so many high-ranking secular and ecclesiastical office holders would have

⁶⁶ In the remaining three peace agreements, the two sides agreed to a common set of arbitrators and swore to accept the judgment rendered by them. See Boos, *Chronicon*, pp. 197–98; Boos, *Annales*, p. 160; and Boos, *Quellen I*, pp. 214–15, no. 325. Concerning the use of this type of arbitration during the interregnum period in Germany, see Kaufhold, *Deutsches Interregnum*, pp. 136–67.

⁶⁷ Boos, *Annales*, p. 150.

⁶⁸ Boos, *Quellen I*, pp. 148–49, no. 216.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, p. 156.

⁷¹ Boos, *Quellen I*, pp. 192–93, no. 280.

⁷² *Ibid.*

participated in these negotiations, either as interlocutors or as mediators. Moreover, the high rank of the mediators involved in these negotiations, including two kings of Germany, also indicates that Worms was recognized by the mightiest powers in the kingdom as a powerful city, deserving considerable respect. The recognition accorded to Worms as an autonomous power is also reflected in the terms of the peace agreements that the city negotiated.

As noted above, in 1264 the lords of Hohenfels held the city of Worms responsible for the actions of some of its citizens, thereby recognizing the ultimate authority of the city government, rather than the bishop of Worms or the king, for all violent acts committed by the *cives*, as a presumed collectivity (*universitas*), outside their walls.⁷³ Another particularly clear example of Worms' autonomous status can be seen in the *pactum concordiae* negotiated between Worms and Lord Philip of Hohenfels in 1246, noted above.⁷⁴ According to one clause of the treaty, which was mediated and confirmed by King Conrad, if Philip failed to live up to his obligations to Worms, the city was to have absolute freedom (*liberum arbitrium*) to seek satisfaction (*satisfactio*) from Philip in any way it chose. That the king, the city, and Philip of Hohenfels all understood that satisfaction would take the form of military action is indicated by a further clause, sworn to by Philip's friends and allies, that if the lord of Hohenfels violated his oath and failed to keep this *pactum*, they would exclude him from their *consortium* and *amicitia*, and not provide him with any aid (*auxilium*) against the citizens of Worms as the latter sought satisfaction.

V: Conclusion

Specialists in medieval Italian and late medieval German history long have recognized the successful efforts of cities to develop autonomy and finally to establish themselves as *de facto* city states within the *de jure* boundaries of the German empire. The capacity of these cities to gain autonomy was quite closely related to the failures of the kings of Germany to exercise their power either consistently or effectively. The growing challenges to the power of the Staufen dynasty in the period 1235 to 1254, and the subsequent wrangling over the German crown during the two decades before the election of Rudolf of Habsburg in 1273, made it possible for thirteenth-century German cities to follow the example provided by their southern imperial contemporaries, and to set an example for their successors in fourteenth- and fifteenth-century Germany by securing governmental autonomy, raising an army, collecting taxes, ruling the *contado*, and relegating the bishop to the status of an 'employee' of the city. The city of Worms, the focus of this study, used the opportunity provided

⁷³ Boos, *Annales*, p. 159.

⁷⁴ Boos, *Quellen I*, p. 148, no. 216.

by the weakening of the German monarchy to wage war and make peace on its own behalf. In its waging of war and making of peace, Worms showed clearly that it was successful in its effort to act in the manner of a 'city state', at least during the four decades under consideration here. Moreover, the participation of a wide range of office holders, including bishops, secular nobles, and indeed the kings of Germany in these wars, and particularly in Worms' peace agreements, is *prima facie* evidence that they recognized the ability and the legal standing of Worms to wage war, negotiate, and make peace on its own behalf.

Appendix: Catalogue of Peace Agreements

Several peace agreements reached by Worms in the period 1235–1273 are discussed in the text above. However, given the importance of the legal authority to make peace in distinguishing between city states and subject cities, I have compiled the following catalogue of peace agreements reached by Worms in order to show that this was a regular rather than an unusual activity for the city. The following catalogue lists the twenty-four peace agreements reached by the city of Worms in the period between 1235 and 1273. Each entry lists, if known, the date of the agreement, the place where it was reached, the participants to the agreement, the source in which it appears, and term or terms, if any, that were used to denote the agreement.⁷⁵

⁷⁵ The surviving accounts of the peace agreements reached by the city of Worms use a limited range of six terms to denote these arrangements: *compositio*, *pax*, *concordia*, *amicitia*, *pactum*, and *fedus*. A seventh term, *treuga*, was used by the authors of the *Annales* and the *Chronicon* to denote short-term cessations of hostilities. All the terms noted here, aside from *compositio* and *treuga*, were used by the late twelfth-century Italian scholar Rufinus of Sorrento in his treatise on making peace titled *De bono pacis* (c. 1180). For a detailed discussion of this treatise, and Rufinus' views concerning the reaching of peace agreements between secular powers, see Otto Gerhard Oexle, 'Pax und Pactum: Rufinus von Sorrent und sein Traktat über den Frieden', in Hagen Keller, Werner Paravicini and Wolfgang Schieder (eds.), *Italia und Germania. Liber Amicorum Arnold Esch* (Tübingen, 2001), pp. 539–55.

Concerning the relationship between *pax* and *pactum* in the context of eleventh- and twelfth-century French and Italian communes, see Oexle, 'Friede durch Verschwörung', in Johannes Fried (ed.), *Träger und Instrumentarien des Friedens im hohen und späten Mittelalter* (Sigmaringen, 1996), pp. 115–50, here pp. 121–22. In the same study (p. 124), Oexle notes that making peace frequently rested on making promises of mutual aid, described in the sources variously as *adiutorium*, and *mutuum consilium et auxilium*. On the same point, see Oexle, 'Formen des Friedens in den religiösen Bewegungen des Hochmittelalters (1000–1300)', in Wilfried Hartmann (ed.), *Mittelalter: Annäherungen an eine fremde Zeit* (Regensburg, 1993), pp. 87–109, here pp. 88–91.

Approaching the question of the terminology for peace agreements from the perspective of canon law, Rainer Muraier, 'Zwei Formen der gütlichen Streitbelegung im 12. und 13. Jahrhundert: *transactio* und *amicabilis compositio*', in Gustav Pfeifer (ed.), *Handschriften, Historiographie und Recht: Winfried Selzer zum 60. Geburtstag* (Munich, 2002), pp. 38–63, draws several important conclusions regarding the use of these terms. First, canon law documents from the twelfth and thirteenth century draw a distinction between *transactiones*, which are concerned with secular matters, and the *amicabilis compositio*, which is intended to refer to *res sacra*. Second, these canon law texts treat the terms *transactio* and *pactio* as synonyms. Third, legal texts up through the mid-thirteenth century frequently blur the distinction between the terms and do not keep the strict division envisioned in contemporary canon law texts.

1. In April–May 1235, the city of Worms made a peace agreement (*componere*) with several unnamed counts (*comites*) and nobles (*nobiles*). This agreement is discussed in the *Annales Wormatienses* (147–48).
2. In late 1241, sometime after 16 October, the city of Worms made a peace agreement (*compositio*) with the town of Osthofen. This peace agreement was mediated by Marquard, the magistrate (*scultetus*) of Oppenheim, and confirmed by King Conrad IV. This agreement is discussed in the *Annales Wormatienses* (148).
3. In late 1241, sometime after 16 October, the city of Worms made a peace agreement (*factus est amicus*) with the lords Wirich of Daun and Conrad of Wartenberg. This agreement was reached through the mediation and in the presence of Bishop Landolf of Worms and King Conrad IV. This agreement is discussed in the *Annales Wormatienses* (148).
4. On 18 June 1242, the city of Worms made a peace agreement at Neuhausen with the church of St Cyriacus. The agreement was reached through the mediation of King Conrad IV, Bishop Landolf of Worms, and Conrad de Ulma, a canon of the church of Neuhausen and a notarius of the imperial court. The original copy of this agreement belonging to the church of Neuhausen is printed in Boos, *Quellen I*, 142–43, nr. 203.
5. In 1245, the city of Worms made a peace agreement (*componere*) with Simon of Schowenberg. The agreement was reached through mediation by Count Frederick of Leiningen, Lord Philip of Hohenfels, Lord Philip of Falkenstein, Lord Conrad the Raugraf, and the magistrate (*scultetus*) of Oppenheim. This agreement is discussed in the *Annales Wormatienses* (150).
6. On 23 January 1246, the city of Worms reached a peace agreement (*pactum, concordia, pactum concordiae*) with Lord Philip of Hohenfels at the city of Speyer in the presence and through the mediation of King Conrad IV. The original copy of this agreement belonging to the city of Worms and preserved in the city archive of Worms is printed in Boos, *Quellen I*, 148–150, nr. 216.
7. On 18 August 1249, the city of Worms reached a peace agreement (*reconciliatus*) with Otto II, count palatine of the Rhine and duke of Bavaria, at Worms. This agreement was mediated by a large group of nobles, including King Conrad IV, Count Frederick of Leiningen, his brother lord

Finally, it should be emphasized in this context that the sources dealt with here do not provide any information that would tend to support the assertions made by Gerd Althoff, ‘Compositio: Wiederherstellung verletzter Ehre im Rahmen gütlicher Konfliktbeendigung’, in Klaus Schreiner and Gerd Schwerhoff (eds), *Verletzte Ehre. Ehrkonflikte in Gesellschaften des Mittelalters und der frühen Neuzeit* (Cologne, 1995), pp. 63–76, either that ‘During the centuries of the Middle Ages, a person’s honour marked everything that played a role in the position of this person in the various parts of life, his nobility, offices, possessions, personal abilities, and his ties’ (p. 63), or that a *compositio* was intended to repair damaged honour (pp. 68–90).

Emicho, Lord Eberhard of Eberstein, Lord Eberhard his son, the count of Sayn, Lord Otto of Eberstein, the count of Zweibrücken, Henry the Raugraf, Count John of Spannheim and his brothers, Lord Philip of Hohenfels and Lord Wirich of Daun. This agreement is discussed in the *Annales Wormatienses* (151–52).

8. In 1254, King William made a peace agreement (*pax*) with the city of Worms at Worms. This agreement is discussed in the *Chronicon Wormatiensis* (186).
9. In 1254, Worms entered into a peace agreement (*pax, pacis fedus*) with over 70 other cities, as well as numerous bishops, and secular lords. This peace agreement was the legal foundation of the Rhenish league. The original document does not survive. However, the peace agreement was confirmed on 10 November 1255 by King William at Oppenheim. Worms' copy of the royal confirmation of the agreement is preserved in the city archive and is printed in Boos, *Quellen I*, 176–77, nr. 265.
10. In late May 1257, the city of Worms made a peace agreement (*compositio*) with Markgraf Rudolf of Baden at Strassburg. The peace agreement was mediated by the city of Strassburg. This agreement is discussed in the *Annales Wormatienses* (155).
11. In 1258, the citizens of Worms made a peace agreement (*reconciliatio*) with Henry of Ruppertsberg through the mediation of Bishop Eberhard of Worms. This agreement is discussed in the *Annales Wormatienses* (156).
12. On 1 December 1258, the city of Worms made a peace agreement with Conrad Sulgeloch at Worms. This agreement was mediated by Count Emicho of Leiningen and the friends (*amici*) of Conrad Sulgeloch. This agreement is discussed in the *Chronicon Wormatiensis* (195).
13. In December 1258–January 1259, the citizens of Worms made a peace agreement (*reconciliati*) with the miles Jacob of Stein. This agreement was mediated by Bishop Eberhard of Worms. This agreement is discussed in the *Chronicon Wormatiensis* (194–95).
14. On 12 July 1260, the city of Worms and its allies made a peace agreement at Alzey with the city of Alzey and Lord Philip of Hohenfels. This agreement was mediated by Archbishop Werner of Mainz (1259–1284). This agreement is discussed in the *Annales Wormatienses* (156–57).
15. On 16 September 1260, the city of Worms reached a peace agreement with the *milites* Jacob of Stein and Simon of Gundheim at Worms. This agreement was mediated by King Richard. This agreement is discussed in the *Annales Wormatienses* (157). The original copy of this agreement belonging to the city of Worms and preserved in the city archive of Worms is printed in Boos, *Quellen I*, 192–93, nr. 289.
16. On 29 November 1260, the city of Worms reached a peace agreement (*concordata*) with the city of Oppenheim through the mediation of King Richard. This agreement is discussed in the *Annales Wormatienses* (157).

17. On 26 June 1261, the city of Worms reached a peace agreement (*pax, concordia*) at Worms with nine men, including seven *milites* named Eberhard son of Gerhard Magnus, Henry, Gerhard, and Emercho (the brothers of the royal Chamberlain), John of Watthenheim, William of Friesenheim, and Gerhard of Wachenheim, as well as Ulrich, the brother of Eberhard and his son Conrad. This agreement was mediated by Bishop Eberhard of Worms, Bishop Henry of Speyer, and Count Emicho of Leiningen. The original copy of this agreement belonging to the city of Worms and preserved in the city archive of Worms is printed in Boos, *Quellen I*, 200, nr. 298.
18. On 7 July 1261, the city of Worms made a peace agreement with Jacob of Stein and Simon of Gundheim. This agreement was mediated by Bishop Eberhard of Worms. The agreement was intended to follow upon the agreement made in 1260 between the two sides that was mediated by King Richard (item 15 above). This agreement is discussed in the *Annales Wormatienses* (157–58).
19. In 1261, the city of Worms reached a peace agreement with Count Henry of Zweibrücken and his son Eberhard at Worms. The two sides agreed to accept the judgment reached by a board of twelve arbitrators. The agreement was concluded in the presence of Bishop Eberhard of Worms. The agreement is discussed in the *Chronicon Wormatiensis* (197–98).
20. In 1262, the city of Worms reached a peace agreement (*explanata sunt omnia inter eos*) with Lord Philip of Hohenfels and his sons. This agreement is discussed in the *Annales Wormatienses* (159).
21. In February 1264, the city of Worms concluded a peace agreement with Lord Philip of Hohenfels and his sons. This agreement was reached through the mediation of the bishops Eberhard Worms and Henry of Speyer and Count Frederick of Leiningen. This agreement is discussed in the *Annales Wormatienses* (159).
22. On 13 August 1265, the city of Worms reached a peace agreement with the city of Oppenheim at Oppenheim. The original copy of this agreement belonging to the city of Worms and preserved in the city archive of Worms is printed in Boos, *Quellen I*, 214–15, nr. 325.
23. In 1266, the city of Worms made a peace agreement (*plena complanatio*) with Lord Conrad of Stralenberg. Both sides agreed to accept the judgment of three arbitrators chosen jointly by the two sides. The three arbitrators were Philip of Hohenfels, John of Bechtoldesheim, and Franco of Lammersheim. This agreement is discussed in the *Annales Wormatienses* (160).
24. In 1271, the city of Worms made a peace agreement with several canons from the cathedral church of Worms and their ally the lord of Lewenstein at the village of Heppenheim. This agreement was mediated by Count Emicho of Leiningen and Rupert the Raugraf. This agreement is discussed in the *Annales Wormatienses* (161–62).

Abstract

Specialists working on the western medieval empire have long identified the cities of Northern Italy as politically precocious in comparison with contemporary cities in the German kingdom. In particular, scholars have emphasized the development of *de facto*, if not *de jure*, sovereignty in the cities of Lombardy and Tuscany, including Florence, Sienna, and particularly Milan, based on their ability to make peace and wage war on their own behalf without the interference of secular or ecclesiastical princes. The present study examines the development of the capacity by the German Rhineland city of Worms to make peace and wage war on its own behalf during the mid-thirteenth century, long before German cities are thought to have had these attributes of sovereignty. Although focusing on Worms, this study calls into question the broader chronology of urban political development in the German kingdom and northern Italy during the later middle ages.

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