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# The Black Raven and His Gang: Politics in Augsburg in Times of Crisis (1450–1480)

*Dominique Adrian\**

Hear now of the black raven,  
How he knew the way to snap so many treasures.  
When he had built his nest,  
He gathered many little birds in it,  
Like magpies, ravens, vultures and kites  
Whose greed makes them shout all the time.  
Their screams were so diverse,  
Nobody could avoid their violence  
With their cunning and wicked beaks,  
They intended to force the good birds,  
So that they could throw by their bites  
Eagle, pelican, ostrich out of the house.<sup>1</sup>

A swarm of wicked birds against birds of better breeds: in an anonymous poem of the time, this animal metaphor exemplifies the desolate state of political life in Augsburg, one of the main southern German imperial cities, just after the execution of the mayor Ulrich Schwarz in 1478, who is the black raven of the text. We know the real names of many of the ‘birds’ around him, ‘middle-class’ craft masters who, during Schwarz’s short time as the political leader of the city, reached political positions most often reserved for merchants, patricians and other wealthy citizens (although exceptions were always possible—Schwarz himself was one). As with most other cities of the region, the political system in Augsburg, since 1368, had been based on representation of the citizens through guild masters (*Zunftmeister*) and other guild representatives, who served on the town council together with privileged members of the

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\* I use the following abbreviation: Augsburg, Stadtarchiv = StAA.

1 Rochus von Liliencron, *Volkslieder der Deutschen vom 13. bis 16. Jahrhundert*, vol. 2 (Leipzig, 1866), 133: “Nun höret von dem schwarzen rappen,/ wie er so manichen schatz tet schnappen!/ Als er sein netz gemachet het,/ darein vil voglin versamlet tet/ von alster krauen geiern und weien,/ Die allweg nach dem geiz schreien./ Ir geschrai was gar manigfalt,/ schier niemant kund für iren gewalt;/ mit iren listen und bösen schnebel/ mainten zû nöten die güten vögel,/ daß s’ adler, pelican und strauß/ heten gebißen ab dem haus”. *Strauß* (ostrich) is certainly a wordplay on the name of Jörg Strauß, one of Schwarz’s main enemies.

‘old lineages’ (*Geschlechter*, *Herren*, ‘patricians’). In cities like Constance and Memmingen,<sup>2</sup> the antagonism between guild members and *Geschlechter* remained a vivid fault line with a few more or less violent episodes; in Augsburg, the common interests of the rich guild merchants and the *Geschlechter* led to a generally peaceful coexistence, helped by a relative absence of economic dynamism and the demographic decline of the *Geschlechter*.

However, civil peace was not left untroubled in late medieval Augsburg. The main episodes followed the two *Städtekrige* (Town Wars of 1387–1389 and 1449–1450), between an alliance of most southern German towns on the one hand and local lords and princes on the other. In both cases, the discontent in the city was triggered not by disagreements over issues related to the war itself, but by the fiscal load imposed by the wars’ expenses: in addition to the traditional and widely-accepted *Steuer* (wealth tax), the municipality was forced to increase the rate of the *Ungeld* (sales tax on wine, wheat, etc.). With respect to the first Town War, chronicles testify to the discontent of “a part of the crafts and many poor people” following on a tax raised to finance the repair of the town walls in anticipation of the war;<sup>3</sup> ten years later, the authority of the town council was challenged by a strong movement of public opinion in favour of abolishing the tax, even though it was still much needed to assist with paying back the war debt.<sup>4</sup> Events in 1387 seem to have been limited to fierce debates in the council; the conflict was styled by the chronicler Hector Müllich around 1470 as a confrontation between “the council” and “the common”, the latter of which asked and obtained just recompense in exchange for their acceptance of the new tax—in Müllich’s words at least, basic civic unity remained untouched.<sup>5</sup>

The opponents of the tax in 1397 are described in another earlier chronicle as “secretly assembled with their banners in their sleeves”;<sup>6</sup> they seem to have been organized even before the council discovered their intent. The major role

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2 Constance: see the introduction by Konrad Beyerle in Otto Feger, *Das Rote Buch*, (Konstanz, 1949) (Konstanzer Geschichts- und Rechtsquellen 1), \*1–\*28; Memmingen: Dominique Adrian, ‘La chronique de Memmingen’, to be published in *The medieval Chronicle*, no 11 (2017). The chroniclers only show these two parties as coherent entities, without mentioning the name of their leaders.

3 Chronicles are cited under the names of their authors or under the conventional name given by the editors of the *Chroniken der deutschen Städte* series (Karl Hegel, ed., *Die Chroniken der deutschen Städte vom 14. bis ins 16. Jahrhundert*, 36 vol., (Leipzig, 1864–1968), cited as CDS). 1387: “ain tail der hantwerk und darzû vil armer lüt”, *Chronik von 1368 bis 1406 (1447)* (CDS 4, 79); see there, on the *Ungeld*, the annex, 157–65.

4 *Ibid.*, 109–110.

5 CDS 22, 29.

6 *Chronik von der Gründung der Stadt Augsburg bis 1469*, CDS 4, 316: “gesamelt mit iren panern in den örmelen haimlich”. See Burkhard Zink, CDS 5, 52–53; Hector Müllich, CDS 22, 47:

here was played by five of the seventeen guilds, craft guilds as opposed to the wealthier trade guilds, with socially homogeneous memberships. This group could be identified as a “faction” —an alliance of citizens (certainly including councillors) focussed on common goals and acting in a coordinated manner—and they met with at least temporary success: the *Ungeld* was abolished over a period of a few months, before the hard realities of the town’s finances became clear. What we do not see here is any hint of the identity of the opposition leaders: we know only that the leading guilds operated as a clearly delimited group, in their official capacity, far from being a small conspiratorial group, probably with the guild masters acting as spokesmen. They saw their action as a defence of the common interest, not of their own profit.

In the middle of the next century, the troubles triggered by the second Town War, troubles which lasted from 1450 to 1478, are well-documented by a wide range of documentary evidence, including many sources authored by the main actors of the successive episodes, both from the popular movement and the conservative party. During those three decades, the personal and thematic continuity of these opposing groups, as well as their capacity to pursue their goals effectively, was a dominant feature of political life in Augsburg. This article focuses on the men who supported these opposing agendas: accusations of forming an organized faction in support of specific ideas were common weapons in the political debate, since factions were seen as opposing the “common interest” every politician claimed to have in mind. Even though many leading politicians are described in the sources as isolated actors reigning through their personal charisma, these sources also allow us to analyse their interactions with other sectors of the political sphere. Three of them in succession shone as major personalities in the political debates of those few decades.

### 1      **Three Popular Leaders: Peter von Argon, Heinrich Erlbach, Ulrich Schwarz**

Peter von Argon (1414–1452)<sup>7</sup> is somehow an older type of popular leader, a man from the upper class leading the guilds, similar to Ulrich Kunzelmann

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“bei ainander bewapnet zû den parfûssen mit iren panern” (“assembled together at the Franciscan church [in an area where many artisans lived], armed, with their banners”).

7 On his political career, see Hartmut Boockmann, ‘Spätmittelalterliche deutsche Stadt-Tyrannen’, *Blätter für deutsche Landesgeschichte* 119 (1983), 73–91, as well as the documentary evidence in CDS 5, 395–420. Two manuscripts written by Argon with a list of his extensive possessions both in and outside the town remain virtually unexplored (StAA, Schätze 147 and 148).

in Ulm around 1325 or Rudolf Brun in Zurich from 1336.<sup>8</sup> His family was very likely one of the ‘old lineages’ who chose in 1368 to favour their economic interests over their social status and entered the merchants’ guild. Peter von Argon himself was, during most of his life, the richest man in Augsburg, and he held the highest political offices of the city from an early age. The chronicler Burkhard Zink, who worked for him, draws a very critical portrait of his former master, describing him as a shameless demagogue: he “was extremely friendly to the poor people”, which paved the way for him to gain a dominant position in the council, and he “was more powerful than anybody ever in this town”. But it wasn’t enough for him, as Zink wrote: to secure even more power, he left the city in 1444, confident that his supporters among the guild masters would make it possible to have him recalled to his previous positions of power, and so it happened in the following year—in fact, “he could be so friendly to the guild masters that they were all eager to do whatever he wanted from them.”<sup>9</sup>

It may seem incorrect to identify such personal power as indicative of a “faction”. It would be more accurate to speak of a patron and his clients—even though Zink describes something that is more akin to seduction than to tangible benefits for Argon’s clients, and it is difficult indeed to discover precise political goals in his followers’ actions, other than the consolidation of Argon’s personal power. Why, then, include Peter von Argon and his followers/clients in this study? Because in the events surrounding his voluntary exile and consequent downfall, we have a first hint of an embryonic ‘popular party’ within Augsburg’s civic institutions. These events took place at the dawn of a period of thirty years of political instability in the city, even before (or perhaps at the same time as) this emerging discontent was inflamed by the huge increase in the city’s debt during the second Town War. So even though the guild masters may have been dependent on Peter von Argon, their coherent action in his service may have been a significant factor in structuring the popular opposition in subsequent decades.

In late 1450, though, Argon’s renewed ambitions for greater personal power were thwarted and he was exiled. In the same year, the city’s officials appointed

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Peter von Argon’s original name was Peter Egen. He was inspired to change his name by the ancient Greek legend.

8 Christian Keitel, ‘Städtische Bevölkerung und Stadtreigiment bis 1397’, in Hans-Eugen Specker, ed., *Die Ulmer Bürgerschaft auf dem Weg zur Demokratie* (Ulm, 1997), 96–103 (overstating the often understated importance of the political context of the Empire); Anton Largiadèr, *Bürgermeister Rudolf Brun und die Zürcher Revolution von 1336* (Zurich, 1936) (*Neujahrsblatt der Antiquarischen Gesellschaft in Zürich* 100).

9 Zink, CDS 5, 197–99: he “was gar grausam freuntlich gegen armen leuten”, “was so gewaltig als kainer nie in diser stat was”; “er kund es so freuntlich mit den zunftmaistern, daß sie im all willig waren, wes er von in begert”.

a new town clerk (*Stadtschreiber*), Heinrich Erlbach,<sup>10</sup> whose background remains unknown to us.<sup>11</sup> The position was at this time mainly a technical one with few political responsibilities, but the oath he took when assuming the office<sup>12</sup> stated that he was required to advise the council to the best of his abilities. This clause was sufficiently vague to allow anyone with the skills to exploit the majority's opposition to the heavy tax load an opportunity to resist the council's traditional tax policy. The policy he advocated apparently found a wide range of supporters among the guild representatives, but engendered aggressive hostility from many traditional political leaders. Their opposition to Erlbach was unsuccessful until 1459, when he was dismissed from the office.

In his justificatory writings after his forced departure, Erlbach readily testified that his purpose was indeed to bring a new political orientation to the city; the council books of the years he was the town clerk provide evidence supporting this assertion and show that he enjoyed broad support in the council. One of his major achievements was the appointment of a special commission in 1456 to investigate the financial situation of the city and to propose reforms which would alleviate the tax burden: this commission, composed mainly of powerful and experienced politicians, prepared a long report with many proposals for better management of municipal finances. This report was widely disseminated, especially in guild circles, which saw it as proof of their ability to influence important decisions in the general interest of guild members as well as for the common good of whole city.

Implementation of reform measures quelled popular discontent for a time, but did not address the city's debt problem. Exactly ten years after the work of the first commission, a new commission was formed, with the same goals, but with a completely different composition.<sup>13</sup> This time, the commission consisted of only one patrician with 17 representatives of the guilds, one from each guild. Established politicians such as Jörg Strauß and Andreas Frickingner were confronted by a majority of delegates from the craft guilds, so that they were

10 On Erlbach, see my article 'La face cachée de la politique. Le chancelier au cœur des tensions politiques à Augsbourg au XV<sup>e</sup> siècle', *Journal des savants* (janvier-juin 2008), 107–21. A large number of sources were copied in the mid-16th century by Paul Hector Mair, a servant of the council, in his *Memoribuch*, StAA, Schätze 119, fol. 336r–472v.

11 The only information we have on his previous career comes from his Augsburg enemies (letter from 1467 to the Duke of Bavaria): Erlbach held other positions before he came to Augsburg, and when he left the city his departure "left very few regrets and complaints". (*Ibid.*, fol. 433r).

12 StAA, Urkunden, 14 March 1450. See citation in Adrian, *Augsbourg à la fin du Moyen Âge: la politique et l'espace* (Ostfildern, 2013) 236.

13 StAA, Ratsbuch 7, 61–62.

forced to make compromises in order to reach acceptable decisions. The representative of the carpenters was Ulrich Schwarz,<sup>14</sup> a relatively new name in Augsburg politics: he was elected to the council for the first time by his peers in 1459, directly as a guild master, but had not yet reached a higher position in the city's government. Years later, the Benedictine monk Wilhelm Wittwer wrote a short but valuable remark on Schwarz's beginnings as a politician: Hans Vittel and Andreas Frickinger, wrote Wittwer, "helped him in many ways and promoted him in his youth, because he was Frickinger's servant and behaved laudably. This way, many people liked him, and thus, after some time, he was promoted to [guild] master, i.e. *zunftmaister*."<sup>15</sup>

In the following years, Schwarz rose quickly to power: he was elected as one of the three *Baumeister* (responsible for public finances) in 1467, certainly as a reward for his role in the 1466 commission; he then rose to become one of the two mayors for the first time in 1469. He was re-elected in 1471 and 1473, having respected the obligatory gap between each one-year term; from 1475 to 1478, however, he remained in office continuously for four years, "which was unheard-of in this imperial city,"<sup>16</sup> as Wittwer wrote. This infringement should be seen both as a mark of his continued popular support and as the result of Schwarz's efforts to secure his power over the long term. Contrary to many older and more modern views of Schwarz, his comparatively long tenure was accompanied by a real political program, explained by Schwarz to an emissary from the Freiburg council in 1476,<sup>17</sup> and observable in the legislative activity of the council as reflected in the council's books. Schwarz was a reformer in

14 The only thorough biography of Schwarz is the 1913 thesis by Georg Panzer, *Ulrich Schwarz, der Zunftbürgermeister von Augsburg 1422–1478*, Munich, 1913, with edited sources pp. 86–109. Some important sources edited in CDS 22, 415–43. The only modern, as well as stimulating, account of Schwarz's political career is Jörg Rogge, *Für den gemeinen Nutzen. Politisches Handeln und Politikverständnis von Rat und Bürgerschaft in Augsburg im Spätmittelalter* (*Studia Augustana* 6), Tübingen 1996, mainly 48–98.

15 Wilhelm Wittwer, 'Catalogus Abbatum monasterii ss. Udalrici et Aefrae Augustensis', ed. Anton von Steichele, *Archiv für die Geschichte des Bisthums Augsburg* 3 (1860), 10–437, here 295: "Multa bona fecerunt ac promouerunt eum in iuventute, quia famulus ipsius Frickinger fuit et laudabiliter se habuit, ut eciam placeret multis, ita ut successu temporis promotus fuit in magistrum id est zunftmayster". This is the only allusion to civic politics in the *Catalogus*; the source of this is very likely Frickinger himself, who sought refuge from Schwarz at St. Ulrich in 1477 and died there the following year.

16 *Ibid.*, 295: "quod inauditum fuit in hac regali civitate".

17 Tom Scott, *Die Freiburger Enquete von 1476. Quellen zur Wirtschafts- und Verwaltungsgeschichte der Stadt Freiburg im Breisgau im fünfzehnten Jahrhundert* (Freiburg im Breisgau, 1986) (*Veröffentlichungen aus dem Archiv der Stadt Freiburg im Breisgau* 20), 21–26.

the most classic sense: his goal was a broad overhaul of the city's government through a restoration of the idealized situation of 1368, the year which gave birth to the guild system. This meant primarily re-establishing equality between the guilds, which had been destroyed by a usurpation of power by the richest (merchant) guilds allied to the patricians; Schwarz's program provided that the latter should be given no more power than any other guild. Predictably, this policy won him many enemies, and they succeeded in having him arrested and eventually executed in the spring of 1478, at which point this decades-long era of successful popular politics in Augsburg came to an end.

## 2 Factions in a Troubled Time

Only for the Schwarz era do we have both the names of the partisans and the adversaries of these men; these are mentioned in many documents. The list of all the actors who disappeared from the political stage during the Schwarz era is impressive—some exited the stage via execution, including both enemies during his reign and partisans after his downfall, some were exiled, and some others were merely expelled from the council. From the Erlbach years, we only have the identities of his adversaries; he named them himself in letters he wrote to defend himself after his dismissal:<sup>18</sup> “Heinrich Langenmantel, Andreas Frickinger, Leonhard Radauer, and some others”—Thomas Ehem, Jörg Strauß and Hans Vittel are named later in the same text.<sup>19</sup> All six were experienced politicians; two (Langenmantel, Radauer) were patricians, the others were not, but they all belonged to the council, and all but Ehem and Vittel had served as mayor in the pre-Erlbach period. A somewhat exceptional document shows them acting as a faction, in full conspiracy mode: a protocol of interrogation at the secret courts of Westphalia presents the intriguing testimony of a secret agent for the city, Gebhard Kepler.<sup>20</sup> Kepler narrates how, after a few routine missions, his patrons gave him a most unusual and difficult assignment: on the promise of a large financial compensation, the task he reluctantly accepted was nothing less than the assassination of the town clerk himself. In his statement, Kepler named a few names: he was recruited by Radauer, Strauß, Thomas Ehem, an unknown “Gessler the guild master”, and Hans Vittel; the murder was ordered in Ehem's house, in the presence of Leonhard Radauer. All those names appear in Erlbach's justificatory writings, with the exception

18 Most texts copied by Paul Hector Mair in Augsburg, StAA, Schätze 119.

19 Ibid., fol. 346r.

20 Ibid., fol. 357r–359r and fol. 402r–408r (two versions of the same text, the first one only partial); see my article cited in note 10.



of the unidentified guild master Gessler. As Erlbach put it, it was impossible for him “to satisfy everyone in the council, since they were on bad terms with each other”. Was Kepler’s recruitment motivated from the start by hostility toward Erlbach? In any event, both Kepler’s and Erlbach’s testimonies give the impression of a compact faction of experienced politicians from the social elite of the city. Whether their alliance was the product of long-term opposition inside the political system or of a momentary reaction against Erlbach and his backers remains unclear.

Most importantly, the names of Erlbach’s enemies are at least partially the same as Schwarz’s enemies. During the Schwarz era, Frickinger fled possible prosecution for the immunity of St. Ulrich monastery (and died there); Hans Vittel was executed in 1477 with his brother Leonhard on charges of betraying the city’s interests after complaining against Schwarz to the Emperor during an official mission; Jörg Strauß was one of the main architects of Schwarz’s downfall and of the rebuilding a more autocratic style of government afterwards. Schwarz himself was not present on the political stage at the time of Erlbach’s dismissal, and the sources do not address whether one or more politicians took on Erlbach’s political goals or transmitted them to the Schwarz generation, but the common political program, the common enemies, and the events of 1466 all support a conclusion that a more or less organized party supporting popular politics continued to exist after Erlbach’s tenure.

The use of the avian metaphor in the poem set forth in the introduction was prompted by the name of one of Schwarz’s main opponents, Jörg Strauß: Strauß means ostrich; Frickinger’s crest of arms depicted an eagle wing, and the arms of many other patrician families also depicted birds;<sup>21</sup> other direct allusions may be hidden to us by the scarcity of sources. In any case, their common enemy was the raven, the superlative black (*schwarz*) bird.

The sources’ precise information about the political background in the short period around 1478 strongly indicate that these texts were written in the immediate aftermath of Schwarz’s execution, even though most of the manuscripts available to us date from the 16th century.<sup>22</sup> The enemies, Schwarz’s “jüngern” (disciples) as one source calls them, are known mostly—but very partially—

21 See the coats of arms hanging in the patrician meeting hall (*Herrenstube*) in Hector Müllich’s copy of the Meisterlin chronicle, Staats- und Stadtbibliothek Augsburg, 2° Cod. H 1, fol. 117v–121r, reproduced in Dieter Weber, *Geschichtsschreibung in Augsburg. Hektor Müllich und die reichsstädtische Chronistik des Spätmittelalters* (Augsburg, 1984: *Archiv für die Geschichte der Stadt Augsburg* 30), no. 97–104.

22 See note 1; the exception is the poem by Hans Schneider, preserved in Munich, Bayerische Staatsbibliothek, cgm 379 (added to the end of a 1454 songbook) and its copy in Salzburg, St. Peter, cod. b IV 3 (end of the 15th century).

from records of the repressive measures taken after their patron's death and from another anti-Schwarz poem.<sup>23</sup> Unsurprisingly, the fiscal records show how much the wealth of Schwarz's disciples was inferior to their enemies.<sup>24</sup> The fiscal records also show that his disciples were far from being destitute, but it would be wrong to infer from this fact that Schwarz's reformatory policy was directed only towards those wealthier guild members—we only have information about the identities of the minority of guild representatives whose involvement with Schwarz was judged serious enough to justify punishment. We do not know the identities of all of Schwarz's supporters inside the council, and we know even less about the guild members who voted for Schwarz's supporters.<sup>25</sup>

Two lists of council members from the time of the Vittel brothers' death sentences appear to prove that their condemnation resulted from a broad consensus in the council. The first list of 44 names is followed by the somewhat cryptic phrase "Summa 44 Personen, darunder vier geurtailt ain zum tod 2 nit weis und ainer allain h vittel disen nit",<sup>26</sup> meaning approximately: "Total forty-four persons, of whom four judged [differently?]: [only?] one to death, two didn't know, one only H[ans] Vittel, but not to death [?]" ; this appears to be the list of all persons who were present at the council when the death sentence against the Vittels was rendered. The second list contains 65 names after those of the two mayors: it is a fairly precise list of all the members of the Little council and the Council of Elders, a supplementary body to the Little council.<sup>27</sup>

23 See Liliencron, *Volkslieder der Deutschen*, 140 (Neumüller, Glatz, Hacker, Taglang, "Bartholme Schneider cramer", "der Schmidel underkeufel", Herzl "zunftmaister under den schüster", Hans Mezger).

24 See Rogge, *Für den gemeinen Nutzen*, 60 (with imprecise source indication, mostly from CDS 22, 374–375 [here the word "jüngern"] and StAA, Ratsbuch 8, fol. 100r–v). A 16th century chronicle (Staats- und Stadtbibliothek Augsburg, 2<sup>o</sup> Cod. Aug. 69, fol. 20v–22r) offers not only a list of the council members for 1478 and of those who were arrested with Schwarz, but also another list under the title "Dise nachgeschribne seind diser Zeit nit in dem Rath gewesen" ("The following were not in the council at this time"), with 22 names, among whom two "send austretten alß fraundt" ("had got away as friends", i.e. as his relatives). Those 22 names are not exclusively of well-known supporters of Schwarz, but the sense is quite clearly that most of them were not welcome at this session, in order to secure Schwarz's downfall. Erlbach described the same practice of a partial meeting of the council used by his enemies in 1459 (StAA Schätze 119, fol. 350r).

25 Council members from the guilds were elected by the general assembly of the guild; it is certain that the elites of every guild were able to exercise influence over those elections, but it is also clear that shifts in public opinion were reflected in the electoral results.

26 StAA Schätze 123, fol. 313v–315v (copy by Paul Hector Mair).

27 The Council of Elders was composed of politicians not serving on the Little council (either because they did not wish to serve or because they failed to be elected) who were occasionally summoned to sit with the Little council.

Of the 12 patricians cited in the second list, only four were present at the fateful council meeting, and there is no indication that any of these four cast a vote for clemency; the four councillors from the merchant guild were absent, as well as three of the four councillors from the *Krämer* guild, of which the Vittels were members. One other guild, the salt and wine sellers' guild, was represented by only one councillor, but that representative was not the guild's leader for the previous thirty years, Andreas Frickinger, who in 1477 was elected only to the council of Elders, certainly a bitter defeat for him; his colleague who appeared at the meeting and voted for the Vittels' death sentence was probably one of his political opponents. Of the five other councillors missing from the execution vote list, one was a wealthy merchant and a proficient adversary of any kind of popular politics, Jörg Strauß—there are no clues in the sources that would allow us determine whether he, Frickinger and the patricians were absent because Schwarz excluded them from the session or because they decided to refrain from taking part in a session with such an agenda. The four other absentees came from four different guilds and were probably genuine artisans; their absence may be explained by the low level of political involvement by the poorer guild representatives, but the identity of the three named opponents to the death sentence—a furrier, a brewer, and a loden weaver—contradicts the picture of supposedly sheepish obedience on the part of the poorer guild representatives.

The impression Schwarz intended to give is that his leadership of the urban community was based on a broadly shared conception of the common good. To show the broad support he enjoyed in the council, Schwarz twice reported results of ballots in the council, an extremely rare proceeding in Augsburg. In every election for the mayoral office beginning in 1475, he wrote, he received the same number of votes (29 out of 42 members of the council).<sup>28</sup> In 1475, a debate arose in the council about a peasant captured by the patrician Hans Vetter, maybe one of Vetter's serfs. Vetter probably wanted to have him condemned by the council, but Schwarz questioned the legality of this seizure and obtained the peasant's release. "28 men followed me on this verdict; Bartholome Welser, Lucas and Peter Herwart wanted to condemn him to death": those three patricians, Schwarz implied, defended the interest of their peer, while the vast majority of loyal citizens followed the common good as embodied by himself; and as always, the "faction" was the opposing party.

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28 Panzer 93 (from the dossier on Schwarz by Clemens Jäger, Staatsarchiv Augsburg, Reichsstadt Augsburg MüB Literalien 105 [cited hereafter 'Jäger'], fol. 228v): "Der ortal volgent mir 28 man; aber Bartholme Welser, Lucas und Peter die Herwart, erkanten in zu dem tod".

### 3 Factions in Political Argumentation

#### 3.1 *Chronicles*

Polemical writings were produced around both Erlbach and Schwarz: Erlbach was very active in justifying his actions after his dismissal in 1459, and the city answered at least partially—and rather reluctantly—his accusations;<sup>29</sup> Schwarz wrote a short justificatory text<sup>30</sup> (often called a “chronicle”, rather inappropriately), and immediately became the anti-hero of five poems.<sup>31</sup> This body of opposing texts offers a wide range of opportunities to analyse the political arguments that circulated and how they were used, in addition to opportunities provided by narratives contained in some chronicles.<sup>32</sup> In most of the chronicles, however, no mention is made of “factions”: Hector Müllich remarked that Erlbach made “a great discord here” and would have made even more if he could,<sup>33</sup> but neither with respect to Erlbach nor Schwarz does he

29 See note 17.

30 Jäger, fol. 228r–235v (16th century copy), edited by Panzer, 92–107.

31 The four anonymous poems are edited by Liliencron, *Volkslieder der Deutschen*, 126–42; Hans Schneider's work is edited by Konrad Hofmann, ‘Hans Schneiders historisches Gedicht auf die Hinrichtung des Augsburger Bürgermeisters Schwarz’, in *Sitzungsberichte der Königl. Bayerischen Akademie der Wissenschaften zu München*, 1870/1 (München, 1870), 500–511. See Isolde Neugart, ‘Ulrich Schwarz’, and Frieder Schanze, ‘Schneider, Hans’, in *Die deutsche Literatur des Mittelalters. Verfasserlexikon*, respectively vol. 10, 17–21 and vol. 8, 786–97 (no. 2).

32 Many other polemical texts were produced around 1548, when Emperor Charles v imposed a new political regime dominated by the *Geschlechter*. These texts were produced before this date to praise the old regime and after it to justify the new course, both mainly by Clemens Jäger. The best-known of these texts is certainly the so-called *Vorbereitung aines erbern Rats der Stat Augspurg wider die nichtig auch ongegründet und grob Anklag des Österreichers Anno 1555 Ultimo Decembris* (“Preparation of the honourable council of the City of Augsburg against the void, unfounded and gross accusation by Österreicher”, December 31, 1555) in which Schwarz is a key target of the anti-guild rhetoric (StAA, Reichsstadt Augsburg MüB Literalien 97 and StAA, Schätze 55; the entire text is still unedited, but some excerpts on Ulrich Schwarz are printed in CDS 22, 416–431; see Pius Dirr, ‘Clemens Jäger und seine Augsburger Ehrenbücher und Zunftchroniken. Zur Kenntniss der Historiographie des 16. Jahrhunderts’, *Zeitschrift des Historischen Vereins von Schwaben* 36 (1910), 1–32, here 19–23); for Jäger's perspective on Schwarz, see Gregor Rohmann, ‘Eines Ehrbaren Rathes gehorsamer Amptman’. *Clemens Jäger und die Geschichtsschreibung des 16. Jahrhunderts (Studien zur Geschichte des Bayerischen Schwaben 28)* (Augsburg, 2001), 301–7 (note the intensive use of the bird metaphor in direct imitation of the poems from around 1480).

33 Müllich, CDS 22, 153–54: “groß zwieträchtigkeit hie”.

mention the building of coherent parties following or opposing those leaders. With respect to Schwarz, Müllich's remark that "he could reach everything he wanted" is nearly identical to Zink's words about Peter von Argon. Müllich himself, a longstanding member of the council and one of the city's richest citizens, does not appear to have belonged to any of the opposing factions: when Schwarz sent the brothers Vittel to the gallows, Müllich recorded the facts with a negative assessment of the brothers' temperaments, and when Schwarz was himself handed over to the executioner, he remarked on his excessive use of power. Müllich neither pitied the martyrs of a tyrant as the satirical poems do, nor repeated the allegations of corrupt practices contained in the poems, in Schwarz's *Urgicht* ('protocol of interrogation'), a widely diffused text which is either completely apocryphal or obtained by torture, and in the *Beruff*, the text of the proclamation announcing Schwarz's death sentence.<sup>34</sup>

Along with *sonderung* (separation, separate group) and *partey* (party), *Zwietrachtigkeit* (discord) was a common word for the chroniclers, showing their views on the political life of their times: their chief concern was civic unity, and civic division their cardinal fear. The creation of factions centred around a leader has little place in their political vision, perhaps because of the poor image the existence of factions would lend to the city. Schwarz's rise to power, however, was described by one unconventional chronicler as the product of factional action. Wilhelm Rem (c. 1462-c. 1529) described a group of guild masters as

mediocre craftsmen, who had no wisdom, with bad body and bad fortune. Under them there was one called Ulrich Schwarz, from the carpenters' guild; he was a mediocre man too, but he was the most distinguished among that pack; he brought them together, and they aspired to the guild master offices in the guilds, they made one another powerful in the city and in the council, so that their voice predominated, and they were all so supportive that they made Schwarz a mayor, one became a director of the civic finances, another a tax collector, a third a customs officer; so they distributed all the city offices, to themselves and to one another, every year, because their power kept growing. And they spent time everyday

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34 Both edited by Panzer, 87–90. Most of what Schwarz "confesses" are crimes he committed alone, in his private life (assassinating his wife's first husband, mixing perry with wine...) as well as *ex officio* (making secret keys of the city gates...), but "sein anhang"/"seine gesellen" took part in some of his misdeeds (no names are provided).

together, they ate and drank together (...). The votes of the other councillors were worthless, and it annoyed many honourable citizens, patricians and others, that their vote was not taken into consideration, so that they came even less often to the sessions, and that was only favourable for the others.<sup>35</sup>

Rem was only a youth when Schwarz died, but certainly had many occasions to speak with his elders about these events. His personal views were marked by two peculiarities: his family left the patrician group in 1368, but in his chronicle he consistently championed the development of a strong elitist identity through all means of social distinction; and since 1462 his family had been excluded from the council after the misdeeds of one of its members, so that he had no direct experience of the municipal government. On themes such as the Schwarz story, what he finds in the Müllich chronicle is unsatisfactory to him. Rem's narration does not rely on earlier chronicles; it is much livelier than Müllich's chronicle because, unlike Müllich who was bound by his oath as a councillor, Rem enjoyed an outsider's freedom.

Rem's text is marked by its political bias, but describes quite clearly how a faction operated. Politics were only a part of its activity: the group was constituted even before any of them rose to power—Rem uses the word *rott*, comparing them to a criminal gang—and the group's solidarity was strengthened by common meals. Rem does not mention a political programme: what counts for him is the positions of power they conquered gradually, their strength residing in their unwavering solidarity. Rem's argumentation follows well-known patterns: his method of stressing the self-seeking interests of the other party without mentioning its political ideology is a classical way to discredit a political adversary, and the other chronicles, including Zink, used that same method of argumentation many times. The distinctive aspect of the Rem chronicle is

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35 CDS 22, 371 (also ed. by Liliencron, *Volkslieder der Deutschen*, 133): "schlecht handwerchsleutt, die on weishait, leib und guet schlecht waren. Under denen was ainer, hies Ûlrich Schwartz, aus der zimerleutt zunft, der was auch ain schlecht man, doch was er der furnembst in diser rott; er hueb die andern zesamen, sy stallten auch vast nach dem zunftmaisteramt in den zünften, sy machten ainander gewalltig inn der statt und im ratt, das ir stim fürtraff, das sy so ainhellig waren, also das sy machten den Schwartzen zum burgermaister, ainen zum paumaister, den andern zû steurmaister, den dritten zum ungelter; und also verliehen sy der statt ämpter, sy inen selbs und aninander, alle jar, wann ir gewallt meret sich. und giengen alle tag zûsamen und assen und truncken mit ainander. (...) der ander herrn rett stim galt nichtz, wann es etlich frum erber leutt von burgeren auch andern verdroß, das ir stim nichtz solt sein, das sy dest minder in ratt giengen, das was den andern nun lieb."

the coherence of its anti-guild vision: the way he used the Schwarz episode to show the inherent frailties of the guild system led directly to the authoritarian offensive of the subsequent decades, up until the abolition of the guild system by Charles v.

### 3.2 *Poems on Schwarz*

“Ulrich Schwarz und sein anhang” (Ulrich Schwarz and his *anhang*): the word *anhang*, probably the most precise equivalent in the contemporary texts to “faction”, appears in the title given by chronicler Wilhelm Rem around 1500 to his copy of one of the five known poems about Schwarz, and the poem itself illustrates some of the implications of the word: Schwarz arranged

that some wise, worthy and pious persons  
 had to leave the council,  
 and so made place to some guilds  
 to have all the more followers.  
 He was cunning enough,  
 by his tricks and inventions,  
 to get to be elected mayor  
 so that they could be at ease [?].  
 He prepared all that with Taglang,  
 to get such a faction with him  
 of all who wanted to quench their thirst  
 where they wouldn't have to pay the bill.  
 When he brought his faction together,  
 whatever he had dreamt up with them,  
 Cünlin could directly write it off,  
 It would remain so in the morning.<sup>36</sup>

36 CDS 25, 357–59: Schwarz arranged “das etlich weis, erber und frummen/ da muestend aus dem ratte komen,/ und meret etlich zunft hinein,/ das seiner volg dester mer möcht sein./ Er khundt gar listigklich zuerichten/ mit seinem trachten und gedichten,/ das man in zû burgermaister machet,/ damit sy waren unversachtet./ das berayt er mit dem Taglange/ im zû ainem söllichen anhang/ alle die gern waren volle,/ wo man der zech nit zallen solle./ wenn er sein anhang zûsamen bracht,/ was er sich denn mit in erdacht,/ das kündt der Cünlin anschreiben,/ des morgens solt es also beleiben.” Taglang, guild master of the bakers, was one of Schwarz's main followers; Cünlin (Cunrad Fludeysen) was the assistant town clerk (he was tried after Schwarz's death and lost his office, see his protocol of interrogation in StAA, Schätze 41, fol. 5r–7v, 1479). The town clerk in office, Valentin Eber, hired in 1454 to undermine Erlbach's position, was kept in Vienna on official business, quite clearly to keep a potential adversary of Schwarz off the political stage, see Eber's letter

The entire poem insinuates that Schwarz and his faction were only after money: corruption and the use of inside information for personal profit are among the most common accusations against a political foe. In this late medieval, urban context, the absence of salaries for holders of political positions made such allegations a weapon of choice against those coming from outside the social elites: it seemed only too natural that politicians without a fortune should try to improve their condition at the expense of the civic finances. It seemed so natural indeed that modern historians have no way to distinguish the calumny from the real crimes, although it is always suspected that many such allegations are simply false—the way the supposed crimes are rehashed from text to text, from poem to “confession” and from chronicle to poem, shows a rather unique policy of setting an example. Other powerful men in Augsburg endured a sensational downfall, including Peter von Argon, Ulrich Dendrich, and Ulrich Arzt. The chronicles recorded the misdeeds of these men, and they clearly approved of the punishments, but in none of those cases was there such a vicious communication campaign designed to shape a diabolic image of a politician. What strikes us in the poems is the homogeneity of the way they deal with the Schwarz story: there is little doubt that the authors had preliminary, at least half-official texts, such as the *Beruff* or the *Urgicht*, in hand when they wrote. The avian metaphor found in two of the poems may pertain to satirical themes diffused widely outside official circles.

One of the poems describes in more detail how the *anhang* worked, who were its members and what acts justified their punishment. Fear, self-interest, and wickedness were the main levers inducing its members, each in his own way, to cooperate with Schwarz; three circles inside the *anhang* are described, one made up of those who simply attempted to avoid conflict with their leader, one of people who sought to foster their own interests, and a third following him simply out of wickedness, against the common good.<sup>37</sup> Unlike Rem’s chronicle, however, the poems are mainly interested in the singular figure of Schwarz. That he had an *anhang* around him is obviously pointed out too, but rather as the product of his schemes to attain power and/or as a weapon at his disposal to sustain his power after being elected a mayor. Rather than depicting Schwarz’s *anhang* as an indeterminate and menacing group, the poets singled out a few names, mainly that of the bakers’ guild master Jos Taglang, portrayed as Schwarz’s henchman: the obvious goal was both to justify the

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from November 27, 1476, in Jäger, fol. 259r–v). The end of the text implies that municipal decisions were prepared in the evenings at a cabaret (or a guild’s *Stube*?), then presented the next morning in the council.

37 Liliencron, *Volkslieder der Deutschen*, 140–42.



measures taken against these individuals and to closely delimit the criminal group from the mere fellow travellers. The instigators of this campaign saw themselves as attempting to restore civic unity, and presenting caricatured enemies to Augsburg's citizens meant at the same time offering reconciliation to Schwarz's more tepid partisans. This explains why their perspective coincided neither with the neutral narration by Müllich nor with the later uses of the Schwarz story by 16th century writers aiming to discredit the guild regime as a whole. The black legend of Schwarz, as it developed from this beginning, has shown how successful the campaign was.

### 3.3 *Erlbach's and Schwarz's Argumentation*

The word *anhang* was also used by Schwarz himself, not to refer to his own supporters, but in his interpretation of the Erlbach case, in reference to Erlbach's opponents, but with the same negative meaning. Erlbach, he wrote in his justificatory "chronicle", was excluded from the council by "the patricians and their faction" because "he sided with the common people".<sup>38</sup> The continuity between Erlbach and Schwarz is hence not only an historian's reconstruction: the Erlbach case was for Schwarz proof that the patricians allied to the richest guild members followed their own particular interests. The patricians, he implied, driven by their hatred of Erlbach, were responsible for the high costs resulting from the private war between Erlbach and the city. Schwarz did not provide any further description of the group around the *Herren*, but the outline of this group is quite clear: his targets were those citizens who benefitted from a statutorily privileged condition, i.e., the patricians and their relatives through marriage which together formed the *Herrenstube*,<sup>39</sup> what Schwarz allegedly called "die grossen Mayr auff der altten Stuben" (the word "Mayr" is not clear in this context: "the big pundits [?] of the old club"?)—one of the poems about Schwarz evokes his hostility to the *Herren*.<sup>40</sup> In Schwarz's view,

38 Jäger, fol. 232v, ed. Panzer, 100: "die von herren und ir anhang"; "der hett es mit der gemain".

39 On this quasi-public institution, see Adrian, *Augsbourg à la fin du Moyen Âge*, 284–92: the *Herrenstube* is the meeting hall (*Stube*) of the patricians, but throughout most of the 15th century its social importance seems to have been rather weak, in any event weaker than in many other German towns.

40 StAA, Schätze 55 ("Vorbereitung"), 116v (ed. CDS 22, 434: what 'Mayr' means in this context is unclear, but it addresses the arrogance of the members of the *Stube*; see Liliencron, *Volkslieder der Deutschen*, 132: Schwarz wanted to "der burger freihait auch vernichten,/ es solt sein ainem als dem andern alten,/ trinkstuben und tantzhaus verwalten" ("annihilate the burghers' [=patricians'] liberty,/ one had to have the same rights as the other [from the] old [families], [he wanted] to manage the *Trinkstube* and the dance house", i.e. the two strongholds of patrician identity).

his enemies did not form a conspiracy ad hoc: it was through their common origins and social network that they came together, more than through conscious, intentional organizational effort. What Schwarz describes here is less a faction than a class, although, as we saw above, some members of the social group he opposed were indeed either among his active enemies or neutral in the conflict.

Although Erlbach's writings do not identify any factions, what he described mirrored quite precisely what the anti-Schwarz polemical texts alleged: a clique of leading politicians taking control of the government to their own advantage.<sup>41</sup> But there are differences too: Erlbach noted that his main enemy Heinrich Langenmantel attempted to have him expelled from the council by threatening to boycott the council as long as Erlbach was present, but the two mayors did not yield to this blackmail—one of the mayors was Jörg Strauß, himself an enemy of Erlbach.<sup>42</sup> In this way, Erlbach drew a sharp contrast between him and his factious enemies—he was merely a disinterested servant of the common good, holding himself above the conflicting parties within the political elite. This supposed neutrality contrasts with the more charged statements of Schwarz, which is understandable since Erlbach was a city employee, not an elected politician like Schwarz. Even in this indirect way, Erlbach's writings confirm the importance of the concept of faction as one of the main political arguments employed all during this decades-long political crisis; from the brutal accusations in the poems to the subtler analysis in the chronicles and also in Schwarz's and Erlbach's writings, allegations of "faction" were an effective way to end the possibility of any theoretical discussion of civic politics. This kind of *reductio ad hominem* is one of the oldest techniques of political argumentation, but one of the most striking features of the texts discussed here is that they show clearly that the political conflicts were not merely personal antagonisms, but were firmly rooted in divergent theoretical positions concerning the best way to govern the city.

#### 4 Conclusion

What happened to Schwarz's faction when it lost its leader? The aggressive communications campaign conducted by his adversaries certainly helped to cover up any potential dissent, and the policy of the victorious party to impose the authority of the council instead of employing a more collegial approach,

<sup>41</sup> StAA, Schätze 119, fol. 346r.

<sup>42</sup> Ibid., fol. 348v.

was certainly successful. Anyway, many leading figures of the Schwarz party were exiled, sentenced to death or banned from the council. But we have a small piece of evidence of an underground persistence of popular views on politics twenty years after Schwarz's death. In 1498, an enduring rumour reached the ears of the council: according to the rumour, the carpenters were about to elect Marx Neumüller as one of their representatives. This was absolutely unacceptable to the council, which prohibited the election from taking place.<sup>43</sup> Marx Neumüller was an old man at the time—he was elected to the Large council as early as 1466 and served many times as a guild master—but his association with the Schwarz party had earned him a lifelong exclusion from the council. His fellow guild members certainly knew that and were aware of the potential conflict Neumüller's election would cause, but the shift of opinion within the guild was strong enough to take the risk.

Circumstances at the end of the 15th century left little space for the expression of political dissent, even less to a structured movement in favour of more popular public policies. The politicians who took power after Schwarz's death did not find a miraculous way of squelching political discontent, despite their authoritarian conception of politics: conflicts arose inside the guilds—in the weavers' and shoemakers' guilds for instance.<sup>44</sup> What failed to materialize, however, was a confluence of popular movements forming a community of interest, having the goal of achieving comprehensive change in civic politics.

How much the latent, long-restrained popular opposition to this elitist policy contributed to the success of the Reformation, seen as an anti-institutional movement, among some social groups is beyond the scope of this paper.<sup>45</sup> What political life in Augsburg from 1450 to 1480 reveals is significant enough: whatever the motivations and interests of the individual actors may have been, there was a clear structural continuity in the political life of the city, with a "popular" party opposed to an "elitist" group, with a clear delineation between the groups, both in the substance of their programs and their

43 StAA, Ratsbuch 12bis, fol. 66.

44 On both, see Rogge, 107–24. Another even less structured opposition to the political elites of the city is exemplified by the chronicle of the painter Jörg Breu the Elder (edited by Friedrich Roth, CDS 29, Leipzig 1906, 18–83).

45 The short revival of the guild system in 1552 (abolished by Charles v in 1548) might possibly have been in continuity with what we saw in the preceding century, but the episode has not been evaluated to date. Clemens Jäger's *Vorbereitung*, which used the Schwarz episode as one of the cardinal arguments against the guild system, was relied on as an authority in response to a leader of the 1552 uprising, Georg Österreicher, who had certainly cited the Schwarz episode himself. On the events of 1548–1552, see Friedrich Roth, *Augsburgs Reformationsgeschichte* 4: 1547–1555 (Munich, 1911), 413–52.

personal compositions. From Erlbach to Schwarz, the popular party backed a relatively stable and structured body of concrete demands, without idealistic or millenarian tendencies, and it had real opportunities to change city policy according to its proponents' agenda. The other side were certainly not extremists either: their political horizon did not go beyond stronger control over the 1368 institutions by the political elite to a complete elimination of the political influence of the guilds. Factions were very present in the political language of actors and observers, mainly as a means of disqualifying opposing parties, but to what extent did the various leading groups function as factions? From what we have seen, it seems clear that actions were prepared and taken on both sides by a small group of men meeting outside the official decision-making bodies, whose power was thus effectively compromised—although maybe not more than by parties in modern representative systems.