"A Difficult and Dangerous Thing": Religious Reform in Late Medieval Ulm, 1434-1532

Jamie McCandless

Follow this and additional works at: https://scholarworks.wmich.edu/dissertations

Part of the European History Commons, and the History of Religion Commons

Recommended Citation
McCandless, Jamie, ""A Difficult and Dangerous Thing": Religious Reform in Late Medieval Ulm, 1434-1532" (2015). Dissertations. 1184. https://scholarworks.wmich.edu/dissertations/1184

This Dissertation-Open Access is brought to you for free and open access by the Graduate College at ScholarWorks at WMU. It has been accepted for inclusion in Dissertations by an authorized administrator of ScholarWorks at WMU. For more information, please contact wmu-scholarworks@wmich.edu.
“A DIFFICULT AND DANGEROUS THING”: RELIGIOUS REFORM IN LATE MEDIEVAL ULM, 1434-1532

by

Jamie McCandless

A dissertation submitted to the Graduate College
In partial fulfillment of the requirements
for the degree of Doctor of Philosophy
History
Western Michigan University
December 2015

Dissertation Committee:

Robert F. Berkhofer, III, Ph.D., Chair
James R. Palmitessa, Ph.D.
E. Rozanne Elder, Ph.D.
Kevin J. Wanner, Ph.D.
“A DIFFICULT AND DANGEROUS THING”: RELIGIOUS REFORM IN LATE MEDIEVAL ULM, 1434-1532

Jamie McCandless, Ph.D.

Western Michigan University, 2015

This work examines the relationship between mendicant Orders and the city council of Ulm in the period of religious reforms from the fifteenth century to the early Reformation in the sixteenth century. It challenges the view that the Observant reforms were unsuccessful because they failed to reform substantially their Orders, that their reforms were too conservative to respond to current trends in religion, or that they failed to prevent, in some way, the development of the antifraternal or anticlerical policies of the Reformation. This work also considers that nature of the Observant reforms themselves, the problems that religious Order’s had in maintaining discipline, and the social unrest within the city of Ulm that influenced the council’s decision to support the reforms as well as informed their expectations of the how they hoped to benefit from supporting the reforms. Using reform tracts, the administrative records of the mendicant Orders and their convents in Ulm, official correspondence of the city council of Ulm, chronicles, broadside literature, and polemical literature from the early Reformation, the dissertation shows that the religious reforms at Ulm were successful, responded to contemporary concerns, and sustained good relationships with the city council and the population of Ulm through the end of the fifteenth century. The process involved in reforming the mendicant communities, however, ensured that the city council could cast
itself as a religious authority in its own right. This religious authority was fully realized to
the disadvantage of the mendicant communities when the city became Protestant in 1531.

The main body of this dissertation is divided into five chapters. They survey the
problems within the mendicants Orders with regard to internal discipline and the
problems involved in the implementation of reforms, the legal developments within the
city of Ulm that were intended to neutralize internal conflicts and social dissent, the
conditions of the mendicant communities before the Observant reforms, the process of
those reforms, and the culminations of religious reforms in the early Reformation period.
ACKNOWLEDGEMENTS

This dissertation has taken a long time to complete and the list of persons who are deserving of my thanks is equally lengthy. I would like to thank the members of my committee: Dr. Robert F. Berkhofer, III, Dr. James Palmitessa, Dr. E. Rozanne Elder, and Dr. Kevin J. Wanner. They have all been supportive of my research, engaging as instructors and mentors, and patient as I worked my way through German archives and then required them to work their way through my very Germanic writing style. Whatever is of scholarly value in this dissertation is owed solely to their assistance, while the mistakes that might remain are my own.

I received a short-term research grant from the Deutscher Akademischer Austauschdienst in order to conduct research in Ulm in 2011. I am indebted and grateful to the assistance of Dr. Michael Wettengel, Dr. Gudrun Litz, and Frau Fackelmann and the staff of the City Archive of Ulm. Dr. Wettengel and Dr. Litz supported my DAAD application and answered my questions about documents, and the Middle High German terms found in those document. I am particularly grateful for their assistance in helping me navigate certain aspects of my grant from the DAAD. I owe a particular debt of gratitude to Frau B. Schmied, whose unexpected kindness and warmth made the trip in 2011 possible. I am most profoundly grateful!

I am also indebted to the Graduate College of Western Michigan University for a Gwen Frostic Fellowship, which supported research in Germany in 2009. I wish to thank the staff of the Hauptstaatsarchiv Stuttgart, the Staatsarchiv Ludwigsburg, and the Landesarchiv Sigmaringen, for all their assistance and patience in helping me with
research and navigating the German archival system. Finally, I wish to offer my gratitude to Dr. Marion Gray and Dr. Jose Brandao, both chairs of the Department of History, and Dr. Julie Nemire, formerly of the Graduate College of Western Michigan University, who provided support for travel and research grants that supported research in 2008 and 2009. Their support for my research, and assistance in filling out applications had been critical in the production of this dissertation.

I am grateful to a number of scholars and colleagues who helped me think through my ideas and offered their assistance with writing. I’d like to thank Dr. Marvin Döbler, Dr. Ilinca Tanaseanu-Döbler, and Dr. Christoph Auffarth and the Faculty of Religion at the University of Bremen, who invited me to give an presentation of my research in 2011. I was also graciously invited by Dr. Dingel give a presentation at the Institute for European History in Mainz, and wish to offer my gratitude especially to Dr. Irene Dingel and Dr. Denise Katzmeier for the opportunity, and Dr. Vera von der Osten-Sacken, who hosted me in Mainz and recommended the Johannes Gutenberg Museum to me. I would also like to thank the organizers and participants in the German Historical Institute’s 2009 Transatlantic Seminar, who provided valuable comments on my research. David DiTucci, James Ryan Gregory, Thomas Christopher Lawrence, and Christine Kozikowski all read drafts of the dissertation and offered their feedback. Mrs. Terri Jenkins-Suggs, M.A. kindly edited early drafts of several dissertation chapters. Finally, I would like to thank Dr. Larry Simon and the students of his “Mendicants in the Medieval World”
course in 2012, especially Jack Goodman, who challenged my assumptions about the mendicants and their role in medieval society. I have made a number of friends while in graduate school who have also been important in keeping me sane and grounded. I won’t name you here, though, as I am sure I would forget someone. My most sincere thanks to you all.

In the end, my parents, Robert and Rosemary McCandless, and my wife, Amanda DesLauriers, have been the sources of strength and support throughout my graduate career and while writing this dissertation. They have listened to me rave about German friars, emperors, and medieval social systems for years with undue patience and understanding. My parents sacrificed their time and resources to help me complete this work. Amanda, also a medievalist, has been an invaluable companion in this process who contributed directly to this work as an ersatz copy-editor and idea-hearer. I can never properly thank you, but my one small token is that this work is dedicated to you: may you be remembered wherever it is read.

Jamie McCandless
TABLE OF CONTENTS

ACKNOWLEDGEMENTS ................................................................................. ii

ABBREVIATIONS .......................................................................................... viii

CHAPTER

I. INTRODUCTION

Reform at Ulm ................................................................................................. 1

Historiography ............................................................................................... 5

Approach ......................................................................................................... 11

Structure of the Arguments .......................................................................... 17

II. MENDICANTS AND REFORM IN THE LATE MEDIEVAL PERIOD

Poverty and Conflict within the Mendicant Orders ......................... 22

The Franciscans to the Fourteenth Century .................................. 24

The Dominicans to the Fourteenth Century ...................................... 35

The Origins of the Observant Reforms ................................................ 39

The Observant Reforms in General ...................................................... 39

The Observant Reforms in Germany ..................................................... 58

The Uses of Reform ..................................................................................... 65

The Territorial Lords .................................................................................... 66

The Cities ....................................................................................................... 76

Conclusion ................................................................................................... 81
Table of Contents—Continued

CHAPTER

III. THE CITY OF ULM AND STRUCTURES OF POWER

| Introduction                                                                 | 83  |
| The Early History of the City                                                | 86  |
| The Kunzelmann Coup                                                         | 91  |
| Strategies of Control in the 14th Century                                    | 99  |
| Religious Authority and the Parish of Ulm                                    | 114 |
| Conclusion                                                                  | 120 |

IV. THE MENDICANT COMMUNITIES OF ULM

| Introduction                                                                 | 122 |
| The Mendicant Communities of Ulm to c. 1400                                  | 129 |
| The Order of Friars Minor                                                    | 129 |
| The Order of St. Clare                                                      | 142 |
| The Sammlung “am Frauenstraße”                                               | 150 |
| The Order of Preachers                                                       | 154 |
| Conclusion                                                                  | 165 |

V. THE OBSERVANT REFORMS AT ULM

| Introduction                                                                 | 170 |
| The Reforms of the Mendicant Communities                                   | 172 |
| Early Calls for Reform: Söflingen                                           | 172 |
| The Dominicans                                                             | 175 |
Table of Contents—Continued

CHAPTER

The Clarissans and the Franciscans ........................................190

The Sammlung ........................................................................222

Conclusion ............................................................................225

VI. REFORMED MENDICANTS AND THE PROTESTANT REFORMATION

Introduction ...........................................................................229

The Situation of the Reformed Convents .................................235

Successes of the Reformed Convents in Ulm .........................235

Problems and Disputes in the Sammlung .................................245

The Reformation at Ulm ..........................................................252

The Beginning of the Reformation ..........................................252

Johann Eberlin von Günzburg .................................................255

The Pulpit War ......................................................................265

The Importance of the Pulpit War ..........................................274

The Reformed Convents to 1530 ............................................278

The Reformed Convents to 1531 ............................................285

Conclusion ............................................................................292

VII. CONCLUSION .....................................................................295

BIBLIOGRAPHY ....................................................................308
ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFH</td>
<td>Archivum Franciscancum Historicum. Quaracchi: College of Saint Bonaventure, 1908-.</td>
</tr>
<tr>
<td>AFP</td>
<td>Archivum Fratrum Praedicatorum. Rome: Institutum historicum Fratrum Praedicatorum ad S. Sabinae, 1930-</td>
</tr>
<tr>
<td>ALKG</td>
<td>Archiv für Literatur- und Kirchengeschichte des Mittelalters</td>
</tr>
<tr>
<td>BWKG</td>
<td>Blätter für württembergische Kirchengeschichte</td>
</tr>
<tr>
<td>FDA</td>
<td>Freiburger Diözesan-Archiv</td>
</tr>
<tr>
<td>HStAS</td>
<td>Hauptstaatsarchiv Stuttgart</td>
</tr>
<tr>
<td>HZ</td>
<td>Historische Zeitschrift</td>
</tr>
<tr>
<td>MGH</td>
<td>Monumenta Germaniae Historica. Hannover: Impensis Bibliopoli Hahniani [et al.], 1836-</td>
</tr>
<tr>
<td>Abbreviations—Continued</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>MGH SSRG</strong></td>
<td>Monumenta Germaniae Historica Scriptores Rerum Germanicarum in usum scholarum separatim editi</td>
</tr>
<tr>
<td><strong>MGH SSRM</strong></td>
<td>Monumenta Germaniae Historica Rerum Merovingicarum</td>
</tr>
<tr>
<td><strong>RB</strong></td>
<td>Carl Mollwo, ed. <em>Das rot Buch der Stadt Ulm</em>. Stuttgart: W. Kohlhammer, 1905.</td>
</tr>
<tr>
<td><strong>RJKG</strong></td>
<td><em>Rottenburger Jahrbuch für Kirchengeschichte</em></td>
</tr>
<tr>
<td><strong>StadtA Ulm</strong></td>
<td>Stadtarchiv Ulm</td>
</tr>
<tr>
<td><strong>StAL</strong></td>
<td>Staatsarchiv Ludwigsburg</td>
</tr>
<tr>
<td><strong>StAS</strong></td>
<td>Staatsarchiv Sigmaringen</td>
</tr>
<tr>
<td><strong>UO</strong></td>
<td><em>Ulm und Oberschwaben</em>. Verein für Kunst und Altertums in Ulm und Oberschwaben.</td>
</tr>
</tbody>
</table>
Abbreviations—Continued

**UUB I**

**UUB II.1, II.2**

**VSWG**
Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte

**WUB**

**WVLG**
Württembergische Vierteljahrsheft für Landesgeschichte

**ZGO**
Zeitschrift für die Geschichte des Oberrheins

**ZKG**
Zeitschrift für Kirchengeschichte

**ZWLG**
Zeitschrift für Württembergische Landesgeschichte
CHAPTER I

INTRODUCTION

Reform at Ulm

In his history of the Dominican community of nuns at Schönensteinbach, part of a larger work about the reform of the Dominican Order, Johannes Meyer recorded a narrative meant to show the differences in the quality of life exemplified by two sisters, one living and one dead. In this narrative, an unnamed sister was given the cell of a recently deceased nun named Elsbeth Meringerin, a woman worthy of much praise in Meyer’s estimation for her holy life, learning, and her embrace of an ascetic lifestyle. In her devotion, the new sister built an altar with holy images and the sundry things she had with her. Elsbeth Meringerin’s spirit returned, though, and scolded the new occupant of the place saying “I adorned this cell with great poverty and you have raised up such a thing here with this trumpery.” The angry spirit then grabbed the nun by the arm so fiercely that her fingers left their impression in the flesh and, with her other hand, Elsbeth scattered the altar about, making a great clutter. Meyer concluded his account of the

---

2 "Nach irem tod do ward ain ander swöster an ir bestat gelait; die selb swöster machet ain hochs elterlin mit haligen bildin und allerlay, dazsy by ir bestat hatt; do kam ir für disse selig swöster Elsbeth Meringerin und sprach: "Dise bestat hatt ich geziert mit grosser armůt und du hast an söllich gebüw mit klüter hie uff gericht." Und mit den worten nom sy die swöster by ainem arm und zoch sy uff so hertenklich, daz sy die zaichen der finger lang an irem arm hatt, und graff mit der andren hand an daz elterlin und warff es alles her ab, daz an gross gerümpel da ward. Also waz sy nach irem tod bweisen, daz gaistlich personen die hailgen armůt in eren haben sòltent, daz sy in irem leben so lieb hatt.” Meyer, Buch der Reformacio, II.5, 65.
scene by admonishing his living readers to have a love of “holy poverty” \((\text{heiligen armût})\)
in emulation of Sister Elsbeth Meringerin.

Meyer’s concern for poverty, for its proper performance, even in the private cell of a Dominican nun, was rooted in his participation in a reform movement within the Order of Friars Preachers known generally as the Observant reforms. The name “Observant” is derived from the reformers’ belief that their religious orders were in decline and the most direct means of confronting this decline was to insist on the strict observance of the original rule, with mediation by privileges or indulgences. This work addresses these reforms as a process of negotiation in which different, sometimes competing, groups cooperated to produce reforms among the mendicant Orders. Understanding the processes by which the reforms were produced serves as a basis to analyze the motivation that different parties had in supporting the Observant reforms and how those motivations shaped the relationship between the convents and the secular authorities. At the same time, the factors that motivated any particular group will not be viewed as necessarily typical for other reform efforts. In particular, this dissertation attempts to understand the factors that made reform desirable to urban magistrates, despite the expensive, difficult, and drawn-out nature such efforts often required, even when there was no immediate or apparent material benefit to them. It will also address how, once successful, the reforms changed the relationship between religious orders and urban authorities into the period of the Reformation.

---

3 For an overview of reform movements within different religious orders, see Kaspar Elm, ed., Reformbemühungen und Observanzbestrebungen im spätmittelalterlichen Ordenswesen (Berlin: Duncker and Humbolt, 1989). Hereafter cited as Elm, Reformbemühungen.

The focus of this dissertation is the social function of religious life and religious reform in the late medieval and early modern period. As organizations, all religious Orders experience problems in managing growth and retaining a common sense of identity as the members of the organization live and work removed from each other. The members of these Orders continually attempted to reevaluate and address organizational needs in periodic meetings in which they attempted both to enforce rules, strengthen common practices and identities, respond to organizational needs and demands made on members of the Order. These ongoing evaluations are particularly evident in the late medieval period, when the definitions of “religious life” were changing dramatically, due in part to the developing participating of the laity (who were not members of, or associated with, religious Orders) in discussions about reform, church policy, and Christian morality.⁵ The social and cultural context that had sustained the mendicants, especially the cultural value of voluntary poverty, experienced a broad reevaluation within the fifteenth century.⁶ The Observant reforms were a response to these reevaluations of the religious life, broadly conceived, and they developed within the context of a number of “reform” efforts that took place across most institutions, secular as well as religious, within Europe at the same time.⁷ Responding to both internal and external criticisms, the mendicant reformers attacked what they saw as the complacency of their co-religionists by emphasizing obedience the Rule of their Orders, often the “original Rule,” disciplining individual members who violated canonical statutes, and

---

grafting their own sense of identity onto other communities as they came under Observant control.8

The reforms were not popular among the religious for various reasons but in general it was difficult to convince a group of religious to accept strict (or perhaps stricter) regulation of personal and communal behavior.9 In some cases, religious communities believed that they were living according to their Rule and considered their reform programs as a novel intrusion. For this reason, the reformers often found it necessary to enlist the help of authorities from outside the Order, either ecclesiastical lords like powerful abbots and bishops, or secular authorities like city councils and aristocrats. Popes and emperors were not distant figures in such local disputes, and although their intervention was sometimes decisive in the matter of the institution of a reform action, gaining their support could be costly and often the processes involved moved slowly. Such authorities naturally had their own agendas when it came to these reforms, and while they might support reformers, the negotiations about how reform in an individual religious community would be carried out were often shaped by local concerns.10

This dissertation seeks to understand the reform of the religious life in late medieval Germany, particularly the ways in which competing authorities (even often hostile competitors) cooperated to support reforms even when there appeared to be no

---

immediate, material benefits to them. While it is clear that some aristocrats and urban authorities derived material benefits from reforming cloisters that lay within their territorial jurisdiction, others promoted reform without such benefits materializing. Consequently, I argue that one of the important results of the Observant reforms was the acquisition of religious authority by urban magistrates, a development that endowed secular government with quasi-sacral authority and became important for the development of the early modern state. This symbolic power was not the explicit goal of either the city council or the mendicants but was produced by the intersection of their interests. The city wanted the religious to be “examples” for the laity, especially examples of obedience. Meanwhile, mendicant reformers wanted their houses to conform to their interpretive and regulatory programs. Both could agree that the scandals involving the religious could potentially threaten the authority of the council and harm the value of the religious communities. The results, however, reoriented the relationship between the council and the religious communities in unexpected ways that resulted in conflict between the two in the period of the Reformation. To demonstrate these interpretations, this dissertation will examine the reforms of the mendicant communities in the Free and Imperial City of Ulm, in order to analyze the complicated relationship between cultural symbols, social power, and religious authority in late medieval Germany.

Historiography

This dissertation provides a reexamination of two chief historiographic concerns about the Observant reforms. The first concern is about how the Observant reforms are
viewed with regard to political developments within the Holy Roman Empire. The second is how the Observant reforms have been viewed in terms of late medieval “decline.” Considerable scholarly attention has been paid recently to ways in which the Observant reforms intersected with the political interests of secular rulers, particularly the aristocracy. In Germany, Dieter Stieverman and Bernhard Neidiger have argued that the reforms provided real material benefits to counts of Württemberg and also became symbols of their increasingly centralized authority.\(^{11}\) In both understandings, the aristocracy used the reforms to undercut the power of bishops within their territory, to strengthen the effectiveness of their own university-trained agents, and to compete with the church as a source of culture. Although these works are important for analyzing the political power relations that helped shape the reform of religious orders, they are also somewhat reductive in that the reforms are largely given meaning by how they contributed to the power of the centralizing princes and the emerging territorial state: cities and religious Orders are viewed rather passively.\(^{12}\) One of the contributions that this study will make to the current field is its focus on the reasons why urban governments were involved with the Observant reforms and what benefits, especially non-material benefits, the urban authorities hoped to receive from supporting reformers

---


\(^{12}\) Stieverman wrote that he was interested in the relationship of the religious communities to the territorial lord, and not to religious authorities: “Eine ordern- oder kirchengeschichtliche Darstellung im engeren Sinne ist also nicht beabsichtigt.” Stievermann, *Landherrschaft und Klosterwesen*, 9. Although Neidiger is concerned with the cultural value of particular religious orders, his argument are made in the context of how intellectual debates made certain religious orders more or less desirable to potential aristocratic patrons. Neidiger, *Das Dominikanerkloster Stuttgart*, 239-68.
and the way in which the reforms were a result of negotiations between orders and urban magistrates.\textsuperscript{13}

Earlier twentieth-century historians, such as Gerhard Metzger and Albrecht Schäfer, have traced the histories of religious reforms produced largely by the medieval reformers who bemoaned the condition of their Orders in particular and the church in general.\textsuperscript{14} Taking these reformist-narratives at face value, Metzger and Schäfer argued that the “decline” of religious life was the natural result of relaxed standards following the demographic crisis of the Black Death, in the wake of which religious orders attempted to retain benefices and attract members by permitting a relaxation of disciplinary standards. As a result, in the fifteenth century, the religious orders vainly tried to preserve the crumbling edifice of medieval religious life against both internal symptoms of decline and external pressure from (meta-)historical forces that pushed European societies toward modernity. In some ways these “decline” narrative has persisted in the works of more recent scholars, such as Steven Ozment, whose \textit{The Age of Reform 1250-1550} mentions neither the Observant reform movement by name nor major reformers like Johannes Nider and Bernardino of Siena. Ozment argues that civil magistrates were. Ozment’s work, which presents a more nuanced understanding of the late medieval church, still insists that urban governments were “Impelled by the corruption, inefficiency, and bold interference of local church authorities” to attack

\textsuperscript{13} Ulrike Denne’s work on the communities of religious women in Freiburg-im-Breisgau is an important contribution to the analysis of religious reform within cities that is sensitive to the spiritual aims and sociological structures while also transcending order-based narratives; see Ulrike Denne, \textit{Die Frauenkölster im Spätmittelalterlichen Freiburg im Breisgau: Ihre Einbindung in den Orden und in die städtische Kommunität} (Freiburg and Munich: Verlag Karl Alber, 1999).

clerical privileges and limit their independence. In Ozment’s argument, the only real late medieval reform movements were those who shared the “conviction that traditional church authority and piety no longer served the religious needs of large numbers of people.” Medieval religious life was carried forward by its own inertia only to be dashed apart, in one way or another, by the arrival of post-medieval forms of religion and cultural values.

Three criticisms of this narrative of decline frame this study. First, since the 1970s, the German scholar Kaspar Elm and his students, especially Bernhard Neidiger, criticized historians for accepting uncritically the narratives that were, by and large, produced by the reformers themselves in order to justify the reforms and dominate the discourse on religious life. As James Mixson has recently argued, concerns about the licit acquisition and use of property had been a persistent concern for most religious orders and did not necessarily arise out wide-spread abuse following the demographic catastrophe of the Black Death. What the Observant reforms did, in Mixon’s argument, was to consolidate the techniques for repeated scrutiny and accountability within the religious Orders. In this line of argument, important for this study, religious Orders were interested in reforming individual communities whether or not they exhibited specific symptoms of “decline” and regardless of the state of their discipline. In addition, the Observant reforms also helped to formulate and consolidate a sense of order-identity,

---

in which communities of the same order strengthened ties with each other, exhibited a renewed veneration for the Order’s founder, and helped foster this identity production by supporting and disseminating the strict observance.

A second criticism concerning the “narrative of decline” is related to what Steven Vanderputten calls the “event of reform,” that is, a focus on the date that a “reform” was instituted in a specific religious community without a clear understanding of the competitive nature of reform and “reform” as a result of a process.19 The religious Orders hardly worked alone to reform their communities and the cooperation of various aristocratic and urban authorities is indicative of the value that religious life still had in fifteenth-century Europe. The correspondence between these groups cuts across binary categories such as lay and religious or aristocratic and common and reveals the expectations that each group had about the purposes of the reforms and how religious should behave. This process did not end with the formal introduction of a reform and often could continue long after “the event” of reform as part of an ongoing struggle to define the community. This dissertation will contribute to a better understanding of what these negotiations looked like and how different parties communicated their expectations for how friars and nuns were to behave.

Finally, Bernhard Neidiger has shown that in certain cases in Switzerland the reformed cloisters of the Dominicans enjoyed a favorable reputation among the laity and good relations with the city council in Basel into the period of the Reformation.20 The

narrative of “decline” does not fit with the experience of all mendicant communities. Other historians have looked at the reforms from other perspectives that, intentionally or not, have also challenged the claim that the religious Orders were unsuccessful in their efforts to stay culturally relevant and competitive in the late medieval period. Werner Williams-Krapp has argued that literacy and book production were central to several reform centers.\textsuperscript{21} Literacy and literary production have remained an important avenue of investigation of the reformed monasteries, one which has been pursued more recently by Constance Proksch in her studies concerning the relationship between reform movements and the renewed interest in historical writing.\textsuperscript{22} Paul Nyhus has even pointed to the ways in which the literary services of the mendicant Orders led to a “secularization” of mendicant activity in the late Middle Ages when they began to perform various literary, legal, and cultural services at the request of civil magistrates.\textsuperscript{23} In other words, while late medieval religious Orders were vulnerable to criticisms, it is not at all the case that the religious Orders suffered a universal loss of credibility within lay society in the late medieval period or that those criticisms were universally shared. Some communities remained popular and on good terms with the secular authorities well into the period of the Reformation. Nonetheless, one should not to ignore clear failings on the part of the mendicants or to apologize for behavior. As Guy Geltner and Michael Vargas have recently reminded us, some religious were guilty of violating the rules and statutes of their orders and some communities were incapable of dealing with disciplinary issues on


\textsuperscript{22} Constance Proksch, \textit{Klosterreform und Geschichtsschreibung im Spätmittelalter} (Köln/Weimer/Berlin: Böhlau Verlag, 1994).

\textsuperscript{23} Nyhus, “Franciscans in South Germany, 1400-1530,” 5-10.
their own. My purpose, however, is to understand the motivation of secular authorities in supporting religious reform, the processes by which religious reforms were instituted in the mendicant convents of Ulm, and the consequences those reforms had for mendicant communities after the institution of the Observant reforms.

Approach

This study views religious reform as part of a negotiated process in which various groups attempted to support their own interests, while at the same time acknowledging the need for other partners to achieve the goal of instituting reforms within a convent. I will argue for a combination of political and religious motivation connected through the exchanges made between religious Orders (for the reform of their communities) and the city councils (to assuage their anxiety about social disorder). Their mutual efforts to reform religious communities were framed by a similar discourse about order and disorder, although they understood the function of a post-reform community in different ways. While previous studies have viewed the issue of reform from the perspective of a single religious Order or a single community within that broader religious Order, the research presented here is based on case studies from multiple mendicant houses within the city of Ulm, both of men and women, and involves looking at the attempts of the religious orders and the council to reform those mendicant communities throughout the fifteenth century.

Ulm is well suited to this study for several reasons. First, while the city councils of important centers like Augsburg or Strasbourg made some efforts at religious reform,

---

such efforts were not persistent, with the result that while some communities were reformed, others were not, either because of a lack of interest on the part of the council in helping to reform a community or because of unexpectedly fierce resistance on the part of the religious community. By contrast, the members of Ulm’s city council consistently promoted the reform of all of its religious communities, either by members of the religious Orders or by conciliar fiat. In the case of Ulm, the city council’s actions were consistent in fostering reform. Second, even before the late medieval reform movements, Ulm had sought to exert control over ecclesiastical foundations: it had purchased parochial rights over its parish from the abbey of Reichenau in the fourteenth century and wrested concessions from the bishops of Constance or, when the bishops were unwilling, from the papacy concerning the administration or promotion of the parish churches. Finally, the archival records for all of Ulm’s mendicant cloisters are generally good. This condition of the sources stands in contrast to that in other cities like Schwäbisch Gmünd or Wimpfen, where the records for one convent might have survived and cover the period of reform but the surviving sources for others, even of the same Order, are less complete.

The document base used for this study is comprised of a variety of sources, including cartularies, correspondence, chronicles, theological works, and legal instruments from such various authorities as councils, popes, and emperors. These various sources are used to examine the way in which the religious conceived of their actions, both in the abstract and in implementation, as well as the ways in which the city council of Ulm conceived its role or authority in the reform of the religious

25 Ulm only had one parish, although this parish was responsible for many secular religious institutions that lay within Ulm’s legal jurisdiction. See Hermann Tüchle, “Die mittelalterliche Pfarrei,” in Kirchen und Klöster in Ulm, eds. Hans Eugen Specker and Herman Tüchle, 12-28 (Ulm: Süddeutche Verlagsgesellschaft Ulm, 1979).
establishments and their communication of those roles to religious authorities, whether members of the religious Orders, bishops, or even the papal court. The sources are typically written in either Middle High German or Latin, so the transcriptions or translations, except where noted, are my own.

The theoretical viewpoint of this study is based in part on sociology of Pierre Bourdieu. Bourdieu’s methods are useful because his attempt to create a language of analysis breaks down the binary discourse inherent in the academy, for example, conflict between objectivity and subjectivity. To achieve this resolution of objectivity and subjectivity, he proposed a sociology of action that largely focused on the way in which individuals are orientated towards a field of action or competition (“religion,” “politics,” “economics,” “art,” that is, spaces structured by different resources). In turn, an individual’s orientation is shaped by a set of dispositions called a habitus that is reflective of the environment in which a person has been socialized. The habitus is durable, transposing behaviors between different fields of competition, so that one’s approach towards business, for instance, would also manifest itself in similar patterns of choices in academics. The key, though, is that agents undertaking action in one field must believe that the stakes in that field are valuable, even if their goal is to leverage capital from one field to another (e.g., cash [from economics] used to obtain a college degree [academics], which is considered a proof of knowledge or expertise.) Habitus, however, will also dictate that certain agents are inclined to act in ways that help reproduce normative

---

27 As with most of his terms, habitus is a more complex and nuanced theory than is presented here. Bourdieu calls the habitus “structured structures predisposed to function as structuring structures, that is, as principles of the generation and structuring of practices and representations…” Pierre Bourdieu, Outline of a Theory of Practice, trans Richard Nice (Cambridge: Cambridge University Press, 1977).
systems of power (e.g., agents from different social background will view the efficacy of education to enhance their social position in different ways, ways that largely perpetuate the social dispositions found among people with similar social backgrounds.) At the macro-sociological level, Bourdieu was keenly interested in the way in which agents had arranged certain fields within modern society, especially the domination of modern society by the bureaucratic field manifested in the “certifying” state that validates innumerable actions, and whose validity is largely uncontested because of the assumption of the state’s objectivity and impartiality as well as the ubiquity of state power.\textsuperscript{28}

How these theoretical considerations inflect the reading of the historical evidence is best shown by how the actions of the city council and of reformers may be perceived as both altruistic and self-serving. Members of religious Orders competed in the field of religion to create rare, and therefore valuable, intellectual and social commodities. This competition took place among members of the same Order and with other religious competitors outside of the Order. For instance, members of medieval society often responded to voluntary poverty with material support, even support so generous that it threatened to undermine the basis on which it was acquired. Thus, the greater the degree of poverty embraced by a religious Order, the more valuable that Order might becomes to a society which associated voluntary poverty with sanctity.\textsuperscript{29} Competitors in this field were forced to walk a fine line between voluntary poverty and the types of support they could solicit or receive, for, as we will see, appearing poor was an important aspect of popularity in many medieval societies, and monks who appeared well-fed, well-clothed,

\textsuperscript{28} Pierre Bourdieu, Loïc J.D. Wacquant, and Samar Farage, “Rethinking the State: The Genesis and Structure of the Bureaucratic Field,” \textit{Sociological Theory} 12 (1994), 1-18
\textsuperscript{29} This view, in different terms, is expressed by Kenneth Baxter Wolf in his recent monograph on Francis of Assisi. See Kenneth Baxter Wolf, \textit{The Poverty of Riches: St. Francis of Assisi Reconsidered} (Oxford: Oxford University Press, 2003).
and well-propertied might appear less legitimately poor. As a result of failing to be appropriately poor, such communities suffer waning popularity and a reduction of their competitiveness in the field of religion against agents for material support, prestige, and organizational expansion. Thus, a great deal of time and attention was given by reformers to discussing the nature of personal and communal property and arguing that the good of every community was divestment from resources deemed to be excessive.

On the other hand, it is clear that in some cases a city council might be motivated to embrace “holy reform” as a self-serving means of divesting a community of some of its wealth or property under the guise of reform, a move which would likely be confirmed by the community’s reformist superiors but decried by the community itself. In such cases, the motivation can clearly be seen in the wealth gained by the city and the prestige gained by the Order. In other instances, however, such as in the case of Ulm, the council does not appear to have divested most of their religious communities of goods or property, with the exception of the Franciscan friary. Members of the city council were motivated, therefore, by symbolic benefits that could be gained from reforming religious communities. I will argue that the city council necessarily enhanced its regulatory control over the semi-autonomous communities, which they hoped would reduce the occasion for scandal, especially in periods of tense social relations when anything that breached a sense of normative routine might threaten the stability of local political power. In terms of Bourdieu’s sociology, the agents of the city council, working through documents circulated among similar agents in other institutions, used rhetorical terms of disinterest in order to market the reform and obtain the legal authority necessary to institute the

---

programs the council members found favorable to their own interests. Members of the
city council could and did expect that reformed communities would behave in certain
ways: in a religiously worthy manner that would enhance its prestige, to be sure, but also
contribute to other, valuable, cultural enterprises, such as improved preaching, catechesis,
and perhaps a sense of connection to broader intellectual trends, and so provide more
satisfying public activity than the communities had perhaps offered before the reforms. In
this way, Bourdieu’s sociology helps to connect the motives of the council and the
religious reformers, both of whom justified the reforms based on a belief in their value to
the religious life. Both the religious reformers and the city council approached reforms
from their own fields of expertise. This meant that they had to find a common ground,
expressed by a common terminology, on which to stake their cooperation and support for
the institution of the strict observance.

In this study, the term “example” (Latin: exemplum, German: Vorbild) serves
such a purpose because both reformers and councilmen, in congruent but not identical
ways, wanted the religious to be “examples” to the laity. As a result, the Observant
reforms are understood in terms of religious motivation, which the members of both the
city councils and the religious Orders acknowledged, but which functioned differently
within each organization, and which would ultimately make them competitors for
religious authority in Ulm. This competition was revealed when the religious landscape
changed in the early Reformation period and the stability of the city required a
rearrangement of religious institutions within the city.
Structure of the Arguments

This dissertation will make several arguments concerning the religious reforms of the late medieval period. First, some members of the religious Orders came to believe that their communities had “declined” and that this decline was directly linked to such manifestations of evil in the world as heresy, ecclesiastical schism, and witchcraft. While in reality the mendicant Orders operated symbolically in the suppression of religious dissent, their ability to prevent or suppress religious dissent was fairly limited, but claiming that they operated in that fashion was important both for their sense of purpose and their role in the medieval church. The reformers believed that only though a return to the strict observance of the original Rule and adherence to the Constitutions could the challenges to, and vulnerabilities of, the institutional church be effectively addressed. This belief was complicated by the fact that the most mendicant Rules were the result of several generations of conflict, debate, and compromise. This was particularly true of the Franciscans, who struggled over the proper interpretation of the Rule written by St. Francis, but even the Dominicans, whose constitution enshrined regular processes of its own amendment, sought to implement an understanding of organizational document that removed confusion and variation. Even then, the organizational needs of the religious Orders, especially as a result of expansion, often forced the leadership at different levels to make difficult decisions regarding key elements of group practices, which in turn affected their communal identity.

Second, I will highlight similar problems which faced the city of Ulm. Prior to the reforms, a series of bloody internal conflicts threatened to destroy the city or to cause it to lose its status as a Free and Imperial City. In order to resolve these conflicts, different

31 See Chapter 2, 34-38.
social groups agreed to form a sworn association of all citizens whose rights and obligations were spelled out in their own constitutional document. This association was represented by the city council, which was composed of patricians and guildsmen. Although the council’s power was based in the sworn association of all citizens, its authority was rooted in symbolic actions, such as the punishment of criminals and the resolution of disputes among citizens. All citizens had to agree to obey the council, which passed laws that regulated the behavior of citizens and non-citizens alike and persisted in legally maintaining a hierarchical culture of deference among different social groups. In order to maintain the stability of the city, it was important that the city avoid public scandal and enforce common discipline. The program that the Observants had outlined for their members, including the promotion of habits of obedience, usefulness, and social harmony appealed to the members of the city council.

When it came to the reform of religious communities in Ulm, the interests of the Observants and the interests of the members of the city council intersected. The city council wanted the local religious communities to be reformed because they believed that the behavior of the religious was a potential source of scandal and because they hoped that the reforms would invigorate the communities, supply better preachers, enhance the prestige of the city, and create religious who would be “good examples” (a phrase that is often repeated in the sources) to the laity. The reformers also found it prudent to cooperate with the city council because the reform of religious communities often required the assistance of secular authorities, whose political connections and ability to acquire supportive legal instruments could overcome earlier immunities held by religious communities. The cooperation of the city council of Ulm was important to the reformers
because of the relatively few reformed houses in the region around Ulm. The city council had to navigate the field of competing interests within the ecclesiastical establishment.

Thirdly, I will consider the consequences of reform for the city of Ulm and the mendicant communities. The processes involved in reforming the religious communities at Ulm helped to enhance the disciplinary power of the city council, its regional and international contacts, its competence in ecclesiastical matters, and even the sense that the city council was a religious authority. While the fundamental issue was the reform of religious houses, the resistance of the Franciscan convents made it necessary for the city council to present itself as a the spiritual custodian of the inhabitants of Ulm, who were threatened by the stubbornness of unreformed religious. In this light, the council could not help but aggregate a sense of sacral authority in order to reform the semi-autonomous convents. The reform of the Dominican convent, on the other hand, helped to highlight the city’s role as a center of reform in the region, especially under the direction of the Dominican prior, Ludwig Fuchs.

The Observant reforms were successful in that all of the mendicant communities at Ulm underwent some type of reform, including the community of Franciscan tertiaries called “the Sammlung.” The Dominicans and the Poor Clares of Söflingen became promoters of the Observance in neighboring convents, engaged in book production, even publishing, rebuilt or expanded their convents, and strengthened their ties to the city council. The city council was successful in asking the Observants to send preachers whom they considered prominent to the city; among these was the writer and preacher Felix Fabri, who wrote the first history of the city.
Finally, while the reforms had been successful, they did not make the mendicants immune to long-standing criticisms and not all communities became models of order and communal harmony. The city of Ulm became a center of art production and publishing, and benefitted from efforts by Ulm’s patrician-priests to improve the education of the clergy and the quality of preaching, and its increased political influence, while the Observant mendicants participated in the cultural life of the city. The sustained criticism of the papacy and the practices of the medieval church sharply effected the religious field in Germany, however, and put the religious, especially the friars, on the defensive. Exercising its rights as a religious authority, the city council increasingly made demands on the Observants that they found difficult to fulfill; this process culminated in the members of the city council agitating for the expulsion of the friars from the city and the institution of new ecclesiastical order within the city.

In order to demonstrate these arguments, the chapters will proceed in the following fashion. Chapter 2 will discuss the nature of the Observant reforms, largely by using published primary sources, in order to show, in their own words, the goals of the reformers, their understanding of the situation within their Orders, and the methods they used in expanding their association of communities. Chapter 3 will present the historical development of Ulm particularly in terms of the social conflict between the patricians and the guilds, the coup that brought this conflict to a head, and the resulting compromise between the two parties by whom the city was governed until the mid-sixteenth century. Their conflict is particularly important in shaping their own concerns about religious reform and is related to the benefits they hoped to achieve in supporting the strict observance. Chapter 4 will introduce the four religious communities that form the basis
of this study in and near the city of Ulm and their relationships to various social groups within the city and amongst the local aristocracy. It will also show how the religious Orders and the city council sometimes cooperated. For instance, most houses already cooperated with the city council in monitoring property donations in order to avoid alienating properties from the city’s tax base. Chapter 5 presents the processes by which the reforms were negotiated and carried out in the fifteenth century between various authorities, all of whom sought to maximize their role in the field of religion. While the nuns of Söflingen had critics long before the reforms, the other mendicant communities do not appear to have suffered from rumors or scandals, or at least any that are particularly verifiable before the reforms. Although the criticisms of the nuns suggest a gender bias in the development of the reforms at Ulm, by and large the mendicant communities had good relations with the elite members of Ulm and non-elite citizens and inhabitants. The city council and the reformers both agreed that the mendicant communities needed reform in large part because they were a bad example for the laity. Chapter 6 will examine the results of the fifteenth-century reform efforts and how the various communities responded to changes in their house culture, and their relationship with the city council and the citizens of Ulm. Chapter 6 will further develop themes from Chapter 5, especially regarding the expectations that lay society and the urban authorities had of the mendicants and how those expectations changed during the period when the friars were expelled from the city and its citizens embraced the Protestant Reformation in the sixteenth century.
CHAPTER II

MENDICANTS AND REFORM IN THE LATE MEDIEVAL PERIOD

Poverty and Conflict within the Mendicant Orders

Mendicant concerns about the moral status of their Orders were not new in the fifteenth century. Real disciplinary issues existed within every religious organization at all times, and this was not unexpected, given that most religious communities devoted considerable time establishing and refining the mechanisms for addressing the discipline of their members. As historian Michael Vargas has recently argued, although each Order had its own constitutions and statutes, individual members and individual communities often created their own interpretations of how informal traditions or formal regulations might be enforced, interpreted, or ignored.¹ In one sense, the mendicant reformers of the late Middle Ages attempted to create throughout their respective Orders a common culture that had not necessarily existed before, and that would be based on a specific understanding of how the statutory prescriptions were to be enforced, which also may not have existed before.² Often, these reforms were resisted because the reformers’ concept of appropriate behavior and group identity clashed with the particular experiences of individual communities and the identities that they had fashioned. Though the reformers

¹ Michael Vargas, Taming a Brood of Vipers: Conflict and Change in Fourteenth-Century Dominican Convents (Leiden and Boston, Brill: 2011), 61-71.
² See, for example, the admonition of the Dominican General Chapter of 1304: “Cum ex ingorancia actorum tam generalium quam provincialium capitulorum defectus multi proveniant. mandamus districe. quod socii priorum provincialium et diffinitorum pro tempore portent acta capitulu generalis ad suas provincias integra...” in Benedict Maria Reichert, ed., Acta capitulorum generalium ordinis praedicatorum, vol. 2 (Rome/Stuttgart: In domo generalita, 1899), 4.
who populate this study might be cast as uncompromising, or even fanatical, more often than not their efforts were tempered by the cumulative experiences they had had in creating reformed communities. The result of these cumulative experiences made them flexible in how they approached the institution of reform measures, and they often (but clearly not always) responded to local challenges by planning reforms in collaboration with local secular authorities.

The purpose of this chapter is to offer both an overview of the Observant reforms in terms of how they progressed, some of the views about reform movement according to those who supported it, and the specific developments within the major mendicant Orders in the Holy Roman Empire. The material in this chapter provides context necessary to understand the reforms that took place in Ulm and frames how those reforms would be instituted based on the collective experience of earlier reformers. First, this chapter will review the development of the original mendicant Rules, highlighting some of the statutory language related to the issue of voluntary poverty. The relationship between competing ideas about poverty as expressed by these Rules, drafted in the early thirteenth century, is important to understand because the Observants placed a particular emphasis on the observation of the original Rules for their Orders. The mendicant reformers insisted on a strict interpretation of these documents, despite the fact that the statutory language had been contested since their production. Further, as they expanded into multi-national organization, it became difficult to enforce a single understanding or

3 The Rule of St. Francis and the Rule of St. Clare were the document by which the Observant justified their view of how their Orders should operate. In contrast, the Dominicans adopted the Rule of St. Augustine, which did not provide much structure, and so their chief method of organizing themselves is found in their Constitutions. To avoid an awkward repetition of “the Rule, the Rule, and the Rule and Constitutions” to indicate the chief organizational documents of each Orders, I will adopt the shorthand “the Rule and the Constitutions” throughout this dissertation.

4 Please see below, 25-38.
practice of voluntary poverty because of the relative autonomy of mendicant communities and because of the difficulty in ensuring proper communication and enforcement of changes made to the constitutions of an Order in all convents.

Then, secondly, the study will proceed to review and analyze the development of the Observant reforms in the fourteenth century. As a matter of convenience, this section is separated into two parts. The first part will examine the development of the Observant reforms in the fourteenth century as an extension of those conflicts concerning poverty that had animated the social and legislative processes during the development of the mendicant Orders and which had, in some ways, never been resolved. This point is important because in some ways the issues addressed by the Observants as “failings” had actually been fostered by their own organizational growth and were an indication of their successful competition in the field of the religious life. The second part provides an institutional overview which highlights the particular nature of the reforms within the German-speaking lands by comparison with other regions, especially northern Italy and presents the immediate context for the Observant reforms at Ulm. Third, this chapter will analyze the uses reform had for various social groups, such as urban magistrates, aristocrats, and ecclesiastical lords. While the justification for reforms were almost always framed in terms of the failing of the religious, it is clear that in some cases the support for reform could also be a pretext for seizing land or cash, or as means of expanding, strengthening, or symbolizing judicial authority. The various uses that religious reform could have is a necessary context to establish in this study because, the city council of Ulm seems, although it consistently supported religious reforms throughout the fifteenth-century, did not enjoy immediate material or legal benefits as a
result of reforming religious communities. This context is also important in establishing why the reform movements were valuable to varying social groups in fifteenth-century Germany, a theme that will be taken up in Chapter 4 and Chapter 5. While some of the information used in this chapter is a synthesis of existing scholarship, it is presented here in an attempt to understand fully both the secular social function the reforms played as well as to understand the religious and intellectual discourses that framed them. The conclusion of this chapter will summarize some of the chief analytical points drawn from the information in this chapter which will be important for understanding the Observant reforms, their appeal, and function in fifteenth century.

The Franciscans to the Fourteenth Century

Concepts of reform or renewal have been persistent in all periods of Christian church history and these associated terms have served as source of inspiration, controversy, and power. Gerhart Ladner argued in his seminal 1959 study that the monastic use of the term *reformatio* had shifted from principally theological ideas rooted in the Pauline notion of the renewal of individual believers (and their reformation to their image of God, in which they had been, according to the reformers, created) to the renewal of ecclesiastical organizations that seemed best suited to facilitate those theological and mystical processes. According to Ladner, the Cistercians were the first to develop the historical point of view in which the goal was to restore or revive an earlier institutional form that had declined. Further, it was the Cistercians who developed the more formal

---

concept of a religious Order, understood as an interconnected group of religious houses
governed by internal ties. This development stood in contrast to earlier monastic
practices in which religious communities might create a mixed rule (*regula mixta*) from
existing rules or in which they used the rule attributed to St. Benedict, along with
individual house customaries that dealt with matters not explicitly covered in that rule.
The Cistercians were among the first religious to claim that their vision of the monastic
life was rooted in an attempt to reach “backwards” to a pristine reading of a specific rule
that had, over time, become diluted in practice, though many monastic writers of the
twelfth century offered their own criticism of the state of monasticism in their day. This
Cistercian view of reform had a considerable impact on the reformers of the fifteenth
century, and many of the reformers in the mendicant Orders were influenced by the
works of Bernard of Clairvaux. Bernard’s influence is easy to understand in that he
criticized the practices of contemporary monks, as did the Observants their own Orders.

To cite one example, Bernard wrote in his *Apologia ad Guillelimum abbatem*

It is said, and believed truly, that the holy fathers had instituted that life and, so
that many would be saved through it, they tempered the rigor of the rule in many
respects for the weak but they not did not demolish it. God forbid that I believe
that they allowed or instructed others in the foolishness and excesses that I see in
many monasteries. I am amazed indeed and would like to know how such
indulgences in food and drink, in clothing and furnishings, equestrian activities,
and the amassing of buildings were able to grow up among the monks. It is those
places where such things go on with eagerness, with delight and lavishness, where
it is said order is held better, where it is thought the religious life is greater.
Bernard was critical of what he perceived as Cluniac modifications of the Rule of St. Benedict: they displayed distracting artwork in their churches, either ate more during meals or had more meals than were prescribed, dressed in fashionable clothes, and were concerned with the care of their bodies in a way that Bernard believed was detrimental to an authentic spirit of monastic practice.\textsuperscript{13} Food and clothing, as well as any other material objects that might be used in the daily routine of the religious, were a source of anxiety for the Observant reformers. Such resources were often necessary but, at the same time, it was difficult to prescribe exact policies the possession or use of such resources that allowed for their use but also prevented the sensuous enjoyment of those things, or helped an individual avoid the temptation to such enjoyment. In some cases, religious communities may well have become lax with regard to discipline and some certainly had fallen on difficult times with regard to their ability to sustain their members’ physical needs or the upkeep and repair of convent buildings.\textsuperscript{14} In other cases, though, houses may well have been following their Rule and Constitutions as they understood them in light of

\textsuperscript{13} It should be noted that Bernard was equally critical of those monks who embraced the letter of the rules while ruining their sense. He notes that abstaining from meat is no virtue, if one gorges on legumes to the point of hearty belching: Repleti deinde ventrem faba, mentem superbia, cibos damnumus saginatos, quasi non melius sit exiguo sagimine ad usum vesci, quam ventoso legumine usque ad ructum exsaturari, praecipue cum et Esau non de carne, sed de lente sit reprehensus, et de ligno Adam, non de carne damnatus, et Ionathas ex gustu mellis, non carnis…” Bernard of Clairvaux, “Apologia ad Guillelum abbatem,” in \textit{Sancti Bernardi opera}, vol. 3., ed. J. Leclercq and H.M. Rochais, 81-108 (Rome: Editiones Cisterciensis, 1963/Brepols: \url{http://clt.brepolis.net.libproxy.library.wmich.edu/LLTA/pages/TextSearch.aspx?key=MBECLAPO}\_accessed March 10th, 2015 by Jamie McCandless); here VIII: 16, 94.

\textsuperscript{14} Mixson, \textit{Poverty’s Proprietors}, 30-40.
privileges and dispensations that had enabled them to survive.\textsuperscript{15} Other houses may well have been living according to their Rule and Constitutions as they understood them until reformers or local secular authorities decided that the program of reform was more desirable or beneficial than the current practices within the convent.\textsuperscript{16} The actual situation of individual houses gives caution to narratives of cyclical “decline” within entire religious Orders.\textsuperscript{17} Nevertheless, criticisms of existing communities often carried with them the idea that modifications of foundational documents threatened to de-legitimate the entire organization.

At the same time the Cistercians were developing their own sense of community, the concept of the religious life was changing dramatically, and this change was manifested in a variety of experiments involving not only the clergy and the traditional religious, but the laity as well. The persistence of poverty as a characteristic feature of these movements prompted Herbert Grundmann to classify them together as “the religious poverty movement.”\textsuperscript{18} These experiments in voluntary poverty arose more or less formally, sometimes without direct ecclesiastical oversight, a situation which created anxiety on the part of some ecclesiastical authorities about the nature or practices of such groups. It was difficult for members of the church hierarchy to fully incorporate these groups into acceptable ecclesiastical forms, although they believed that such integration

\textsuperscript{15} See for example Ludo Milis, “Reformatory Attempts within the Ordo Canonicus in the Late Middle Ages,” in Reformbemühungen und Observanzbestrebungen im spätmittelalterlichen Ordenswesen, ed. Kapsar Elm, 61-69 (Berlin: Duncker und Humblot, 1989), but especially 62-63, hereafter cited as Elm, Reformbemühungen.
\textsuperscript{18} Herbert Grundmann, \textit{Religious Movements in the Middle Ages}, trans. Steven Rowan. (South Bend: University of Notre Dame Press, 1995), 24-33.
was desirable or at least necessary. Several attempts to create or approve a community
dedicated to evangelical poverty within the framework of the institutional church failed
or floundered until the development of the mendicant organizations shortly before the
Fourth Lateran Council in 1215. In some sense these religious communities answered
an apparent demand for evangelization that was strongly associated with apostolic
poverty and, in another sense, their creation was meant to end the experiments with in-
the-world lay/religious communities, a clerical reaction reflected in the council’s attempt
to insist that all new religious or monastic organizations follow a traditionally approved
Rule from that time forward. In reality, as indicated by both the Franciscans and
Dominicans, such prohibitions hardly prevented new religious Orders from adopting
approved Rules and then reshaping them to suit organizational prerogatives, as in the case
of the Order of Friars Preachers. Most mendicant Orders that formed after the Fourth
Lateran Council typically adopted rule for the monastic life attributed to St. Augustine,
which was an approved Rule but which could be modified through an Order’s
Constitutions. In order to understand some of the criticisms that the Observant
reformers made against their co-religionists in the fifteenth century, it is necessary to
examine the legislative processes that shaped their Rules and continued to influence the
interpretation and enforcement of those Rules.

19 Grundmann, Religious Movements in the Middle Ages, 41-52.
20 For the decree of the council see Canon 13 of the Fourth Lateran Council in Norman Tanner, ed.
University Press, 1990 ), 242.
21 Grundmann, Religious Movements, 41-64.
22 See C.H. Lawrence, The Friars: The Impact of the Early Mendicant Movement on Western Society
The Franciscan friars followed their own rule, initially written by Francis and amended twice by popes Innocent III and Honorius III. The Franciscan “second Order,” associated with Clare of Assisi, also underwent a number of changes in their form of life and rule in the thirteenth century, especially between Honorius III and Gregory IX. Initially, Francis intended that his small band of *fratres minores* should work for their needs and live in personal and communal poverty. Their female colleagues would either beg or work along with the friars, or permit the *fratres* to procure resources for the women. These arrangements kept the Franciscan’s unified and kept the communities of women at a distance from episcopal oversight, a situation that was inevitable when women religious owned or accepted property. These informal arrangements were relatively workable among Francis and the initial band of friends who shared his ideas, but they became increasingly problematic as the early group of friends and followers developed into different institutional organizations over which Francis always exerted influence but not necessarily authority.

The processes that shaped the Franciscan and Clarissan Rules revolved around two problems. First, the expansion from small, personal communities into widespread, multilevel organizations made communal poverty difficult to maintain. This is true not only because the demands of poverty did not suit the emerging clerical nature of the Franciscan Order but also because the clericalization of the Franciscans altered the

---

26 This situation for women’s communitise differed from that of the friars, who received general exemptions from episcopal oversight. Mueller, *The Privilege of Poverty*, 20-25.
cooperative relationship the early friars had with the religious women with whom they were associated. Anxiety expressed by bishops and popes about the propriety of women begging publicly for alms, and the hierarchical church’s preference that the friars’ time and efforts be used for pastoral duties, and not begging, also shaped the relationship between Franciscan friars and Franciscan nuns.\(^{28}\) Second, the church hierarchy was particularly sensitive to the claims made by some Franciscans about the absolute poverty of Christ in light of the institutional church’s wealth: allowing the Franciscans the use of property while allowing others to maintain formal ownership of that property, blunted criticisms about the wealth of bishops and abbots.\(^{29}\) The issue of poverty, of *real* poverty that was indicated both by one’s lack of material goods and one’s willing (even joyful) embrace of poverty, of the poor person’s *experience* of poverty, would remain a central tenant of the mendicant orders as well as a cause of endless controversy and constituted one of the important points of contention between Observant Franciscans and their fellow religious.

For the Franciscan friars, the *Regula non bullata*, of 1221, a proposed-but-unapproved version of the order’s constitution based on the initial rule approved by Innocent III in 1210, insisted that the friars could not own anything themselves and they could only receive any gifts themselves but rather that such gifts or donations had to be received by their Ministers.\(^{30}\) Although this rule stipulated that the friars were to work or


\(^{29}\) Grundmann, *Religious Movements*, 17-19, though as Grundmann notes, such criticisms against the material wealth of the clergy or monks did not essentially make “poverty movement” a form of social protest.

\(^{30}\) “Caveant autem sibi fratres et ministri fratum, quod de negotiis suis nullo modo se intromittant neque accipient aliquam pecuniam, neque per se neque per interpositam personam ; si tamen indigerent, alia necessaria corporis praeter pecuniam recipere possint fratres causa necessitatis, sicut alii pauperes.” “Regula I,” in *Bibliotheca franciscana ascetica medii aevi* vol. 1, ed. by the Brothers of the College of St. Bonaventure (Quarrachi: College of St. Bonaventure, 1904), 26.
beg for their needs, they could receive other gifts, with the exception of money *(pecunia).*³¹ Even resources that might be necessary for some members of the Order, books, for instance, the friars were neither supposed to own nor accept anything unless they had been approved by Ministers or unless they were for the immediate needs of their ill brothers.³² The *Regula non bullata* also insisted on radical equality among the friars to the extent that if any friar observed a Minister violating the common rules of the friars “then that friar is not held to obey him, because there is no obedience when a crime or sin is committed.”³³ For Francis, the lack of wealth was an important sign of humility and service, an ideal in which the friars should always assume a position of subordination; even when dealing with thieves and robbers (*fur vel latro*), the friars were to accept the loss of their goods humbly.³⁴ The abjuration of personal poverty was important but it was never the sole practice espoused by the mendicants, a point that should be kept in mind when considering both the social service and the particular forms of exhortation produced by the Observant reforms in the fifteenth century, as will be considered later in this chapter.

The *Regula non bullata* was not the final rule for the Franciscan friars, however, and much of Francis’ later life was spent trying to work out a viable form of organization

---

³¹ “Et frates, qui sciunt laborare, laborent et eandem artem exerceant, quam noverint, si non fuerit contra salutem animae suae et honeste poterint operari…. Et possint pro labore accipere omnia necessaria praeter pecuniam. Et, cum necesse fuerit, vadant pro eleemosynis sicut alii frates.” From “Regula I,” 33.
³² “Unde nullus fratrum, ubicumque sit et quocumque vadit, aliquo modo tollat nec recipi faciat pecuniam aut denarios, nec occasione vestimentorum nec librorum nec pro pretio alcuicis laboris, immo nulla occasione, nisi propter manifestam necessitatem infirorum fratrum ; quia non debemus maiorem habere utilitatem et reputare in pecunia et denariis quam in lapidibus.” From “Regula I,” 35.
³³ “Si quis autem ministrorum aliqui fratum aliqui contra vitam nostram praeceperit vel contra animam suam, frater non teneatur ei obedire ; quia illa obedientia non est, in qua delictum vel peccatum committitur.” From “Regula I,” 33.
³⁴ “Caveant sibi frates, ubicumque fuerint, in eremis vel aliis locis, quod nullum locum sibi approprient nec alcuicis defendant. Et quicumque ad eos venerit amicus vel adversarius, fur vel latro, benignae recipiatur. Et ubicumque sunt frates et in quocumque loco se invenerint, spiritualiter et diligenter debeat so revereri et honorare ad invicem sine murmuralione.” From “Regula I,” 34.
that might preserve the quest for personal redemption, especially Francis', within an Order that seemed ever more difficult to manage and whose organization mitigated the role of poverty in that search.\textsuperscript{35} The approved Rule, the \textit{Regula bullata}, promulgated in 1223 in the bull \textit{Solet Annuere}, stated that the friars should own nothing personally and never accept money, either directly or through intermediaries.\textsuperscript{36} In the chapter on the correction of the friars, however, the circumstances under which a friar might elect to disobey a superior was removed and obedience to the Ministers or Custodians (superiors with authority over several convents but also subject to the Ministers Provincial) was emphasized.\textsuperscript{37} Other statutes suggest that Francis still envisioned a variety of labor that the friars might use to support themselves, with one chapter devoted to preaching. Afraid that later generations might seek to mitigate the terms of the \textit{Regula bullata}, Francis included in his \textit{Testamentum} statements meant to articulate as clearly as possible his ideals for the Order of Friars Minor. For instance, he forbade the friars from owning “churches or poor dwellings,” or applying to the Roman curia, directly or through intermediaries, for permission to possess such buildings, even under the pretext of having a place to preach.\textsuperscript{38} This group of friars, then, was not viewed by their nominal founder as a group of preachers or clerics, even if priests were permitted to join the Order.

Famously, Francis insisted that his \textit{Testamentum} could not be glossed and was binding on all Guardians (the superior of an individual convent) and Ministers of the Order. Thus, he

\begin{flushright}
\textsuperscript{36} It became a chapter on its own (Chapter IV), see “Regula II” in \textit{Bibliotheca franciscana ascetica medi\aevi} vol. 1, ed. by the Brothers of the College of St. Bonaventure (Quaracchi: College of St. Bonaventure, 1904), 67-68.
\textsuperscript{37} Chapter X in “Regula II,” 71-73. The chapter still opens with the admonition that the friars correct each other in charity but any statement concerning a release from obedience is missing.
\textsuperscript{38} Lambert, \textit{Franciscan Poverty}, 21-30.
\end{flushright}
really did intend the *Regula bullata* to be a final and immutable rule, but, true to his suspicions, the authority of Francis’ *Testamentum* concerning the practices of the friars was contested almost as soon as he was dead.\(^{39}\)

If we might say that Francis did not originally intend to create a religious order of friars, it is certainly true that he had rather little to do with the communities of women associated with Clare of Assisi and her community at San Damiano.\(^{40}\) Even the name “Order of San Damiano” had little to do with the practices of Clare’s community at San Damiano and Clare famously received papal exemptions from practices outlined in its rule.\(^ {41}\) Eventually, close to death, Clare had a *forma vitae* approved by Innocent IV in 1253, though only for the community at San Damiano.\(^ {42}\) In it, Clare emphasized the role of absolute poverty in the life of the nuns, closely following the introduction to the Rule of St. Francis by stating that the nuns were to live “without property” but adding clearly that any woman who wished to join the Order she must “go and sell everything she has and make certain that the money is distributed to the poor.”\(^ {43}\) At the end of the second chapter on the reception of novices, she exhorts the nuns “out of love for the most holy and beloved baby boy wrapped in poor rags and laid in a manger, and for the love of his Most Holy Mother, I admonish, beg, and exhort my sisters always to wear clothing of

---

41 Alberzoni, *Clare of Assisi and the Poor Sisters*, 44-45. The “Order of San Damiano” was the name for the form of life given to a number of communities of Franciscan women as developed by then Cardinal Hugolino, and confirmed by Innocent IV in the bull *Cum omnis vera religio* in 1247.
43 From “Clare’s *Forma Vitae,*” in Mueller, *Companion to Clare of Assisi*, II.7, 276.
little worth." These admonitions are made throughout the chapters, often in very direct statements that make it clear that the community was founded on ideal poverty. The *forma vitae* creates fairly strict enclosure, insisting that the sisters not delay outside of the cloister except for an obvious reason, that while outside of the cloister they should “zealously avoid having suspicious meetings or dealings with others,” avoid talking with people outside the cloister, or receiving anything from outside the cloister that is not approved by the abbess. In 1263, Urban IV issued a final Rule of Saint Clare in the bull *Beata Clara*, which nullified the early forms or Rules, formally changed the name of the organization to the Order of St. Clare and permitted the convents of this Order to accept property and donations. While the Clarissan communities were able to accept property to support their enclosed lifestyle, this insistence on a spirit of poverty and humility, the demand that the nuns be above public reproach for their behavior, especially with regard to their behavior outside the convent, would come to frame criticisms leveled against the Clarissans from the Observant reformers as well as the secular magistrates of Ulm.

The Franciscan friars and Clarissan nuns were inevitably shaped by the demands of the church hierarchy for institutionalization as well as the demands made on individual communities within their local contexts. In general, the ordained friars became members of the clergy, including the church hierarchy, and served the church as preachers, confessors, inquisitors and in other capacities. These efforts made begging impractical.

---

44 “Clare’s *Forma Vitae*,” II.24, 277.
45 “Clare’s *Forma Vitae*,” X:11-16, 283.
47 Although there were a number of communities of female religious either incorporated within the Dominican Order or associated with it as tertiaries in the German southwest, and the Observant reforms certainly affected them, however, because there were no such communities at Ulm, I have decided to omit the development of their constitutions.
for friars engaged in administration, pastoral care, or study, and begging and medial tasks were passed on to lay brothers. As the friars’ eschewed manual labor and begging for alms, they were also no longer able to maintain the relationship with the “Poor Sisters” as they had done as San Damiano earlier in the thirteenth century. As a result, the Clarissans were organized in a monastic fashion, as nuns, capable of accepting and managing property, despite Clare’s insistence on poverty and humility among Franciscan “sisters.”

While in some sense the processes at work in the expansion and canonical incorporation of such religious organizations might be inevitable, among the Franciscans there was never a point when the Order as a whole would be satisfied with the results of those processes. This discomfort would lead to a number of intense, sometimes violent, disputes about poverty, which served as precursors to the Observant reforms of the fifteenth century and eventually the development of wholly distinct Franciscan Orders.

The Dominicans to the Fourteenth Century

While all mendicant orders embraced an ideal of personal humility and communal poverty, the Dominicans generally viewed personal deprivation as a means to an end, and less an end in itself until the Observant reforms of the fifteenth century. Like the Franciscans, the Dominicans were founded in the early thirteenth century as a response to the religious poverty movement. The Dominicans appear to have had few of the internal conflicts, at least early on, about the meaning of poverty or the proper interpretation of their Rule. The Dominicans adopted the Rule of Augustine and, initially, attempted to

---


organize themselves by adapting the constitutions of the Premonstratensians, which framed their organization in terms of property-possessing canons rather than begging itinerants.\textsuperscript{51} In fact, the term for the fully professed was only changed from *canonicus* to *clericus* by 1249 at the General Chapter of Trier.\textsuperscript{52} By 1250, however, this combination no longer worked for an organization of itinerant preachers and the mixture of organizational traditions became the source of internal criticisms.\textsuperscript{53}

One response to these criticisms was to create an entirely new Rule that would finally settle the organization and liturgy of the friars, a project given papal approval despite the prohibition of new canonical rules by the Fourth Lateran Council. The creation of a wholly new Rule was never realized, however, and instead Humbert of Romans worked to clarify the function of the existing Rule, arguing that points of contention could be amended through the constitutions and the legislative organs of the General Chapter.\textsuperscript{54} This constitutional flexibility helped the Dominicans work out their form of organization and common practices without having to abandon an approved religious rule. For this reason, the Dominican as a religious Order appear to have been, at


\textsuperscript{52} Denifle, “Die Constitutionen des Prediger-Ordens,” 170-171.

\textsuperscript{53} John Van Engen, “From Canons to Preachers: A Revolution in Medieval Governance,” in *Domenico di Caleruega e la nascita dell’ordine dei Frati Predicatori, Atti del XLI Convegno storico internazionale* (Spoleto : Fondazione Centro italiano di studi sull’alto Medioevo, 2005), 261-95, here, 270-272.

\textsuperscript{54} Van Engen, “From Canons to Preachers,” 274-275. The process by which the constitutions could be amended is actually stated at the end of Raymond of Peñafort’s redaction of 1256/1258: Et ut multitudo constitutionum viteretur, prohibemus ne decetero aliquid statuatur, nisis per duo capitula continua fuerit approbatum, et tunc in tertio capitulo immediate sequente, poterit confirmari vel deleri, sive per priores provinciales sive per alios diffinientes, ubicumque illud tertium capitulum celebretur.” Heinrich Denifle, “Die Constitutionen des Predigerordens in der redaction Raimunds von Peñafort,” *ALKG*, vol. 5, ed. Heinrich Denifle and Franz Ehrle, 530-564 (Freiburg-im-Breisgau: Herder’sche Verlagshandlung/Görres-Gesellschaft, 1889 ) here 534. This version was based on the 1241 constitutions, also drafted by Raymond, see R. Creytens, “Les constitutiones des Frères-Prêcheurs dans la rédaction de saint Raymond de Penafort,” in *Archivum Fratrum Praedicatorum* 18 (1945): 5-68.
least initially, less concerned with following the letter an immutable document, or the intentions of a saintly founder than the Franciscans were. With the approval of the Order’s constitutions, which placed study and preaching above either personal or communal poverty, the Dominicans were able to pursue their studies and engage in preaching without the divisions that troubled the Franciscans.55

It was the facilitation of this mission which presented numerous occasion for conflict between how the Dominican understood their institutional regulations and how they viewed individual behavior. A rejection of personal poverty was important to the Dominicans because, in theory, it facilitated the study and prayer that were necessary for their preaching mission.56 In practice the prohibitions and admonitions of the Rule were also intended to promote common practices among the members of the Order. The Rule required the friars, novices as well as professed members, to fast during certain parts of the year, observe strict silence in most parts of the cloister compound, and for all members of the community to dress alike in habits made of rough wool.57 Specific prohibitions against owning personal property, however, and regulating the use of communal property were included only by later General Chapter meetings of the Order,

55 “Creative tension between rule and ongoing legislative power was transformed into a matter of abiding principle. As from the beginning, now also in their constitutions and constitution making, the mission would define their lives, not a sacred rule. To advance that mission, priors could dispense from the constitutions, diffinitors could over-rule priors and depose master generals and general chapters could make all necessary laws, further interpreting the rule, though only after three years of deliberation.” Van Engen, 295. See also Vargas, Taming a Brood of Vipers, 61-65.
especially after 1228.\textsuperscript{58} Even within the first generation of friars, personal poverty does not seem to have been widely embraced or even highly regarded by all, despite its prominent role in Dominic’s hagiography. As John van Engen notes, the \textit{acta} of the General Chapter meeting of 1240 suggest that postulants were being turned away for their shabby state of clothing and some friars held onto personal property, claiming that those resources were to be used to buy books.\textsuperscript{59} While these issues read like correctable nuisances from the early period or Order, personal and communal poverty would become critical to (re-)defining the Dominicans in the fifteenth century, when some Observants would attempt to embrace a view of personal and communal poverty more in line with Francis of Assisi’s \textit{Testamentum} than their own original Rule or Constitutions.

The mendicants embraced poverty as an ethical disposition integral to the social function of their organizations. For the Franciscans and Clarissans, poverty was a means to imitate Christ and his apostles in their lack of material resources as well as their humility and simplicity. For the Dominicans, poverty was intended to remove distractions from study and a dedication to preaching and catechesis. For many people within European society who witnessed the economic and social transformation of the eleventh and twelfth centuries, voluntary poverty was an important indication of personal holiness or even spiritual authority, even to the point where regular ascetic practices were embraced by members of the laity, even if they were not affiliated with a religious

\textsuperscript{58} Tugwell, \textit{Early Dominicans}, 456.
Various contests about the nature of poverty and obedience framed the legislative processes that eventually produced the approved Rules for the various mendicant Orders, but the existence of approved rules did not necessarily end the contested meaning of voluntary poverty. Because “true poverty” was considered a valuable trait, it made sense that the mendicants, like the Franciscans, would contest its meaning fiercely, as losing the contest would mean a loss of legitimacy, and therefore organizational influence. These contests continued or were renewed in the fourteenth century by the Observant reformers, and were important in (re-)defining those communities.

The Origins of Observant Reforms

The Observant Reforms in General

Given the early and persistent disputes about poverty among the early Franciscans, the independent nature of individual religious and convents among the early Dominicans, it is somewhat difficult to discern when the Observant movements began in either Order. For the Observant reformers of the fourteenth and fifteenth century, however, the cause of reform was linked to a shared sense that, at some point in the recent past, most members of the Order had ceased to live according to the letter or the intent of the original Rule and the Constitutions of the Order. Part of the work of reform was therefore the development of a new understanding of their own institutional history, one which situated the causes of decline and the need for reform into a providential

---

framework in which God’s grace could be seen at work in all periods of an Order’s history. Part of the Observant reforms, then, was the use of theological and historical writings to (re-)define the community in terms complementary to the Observant agenda.

To prove that reforms were necessary, Observant writers needed to offer some sense of when and why their Order first began to go astray. This historical project was often framed in terms of the administrative response to perceived breeches of the Rule and Constitutions. For example, the fifteenth-century Dominican chronicler Johannes Meyer pointed to the administration of Elias of Toulouse (r. 1367-1379) as the period in which resistance to abuses failed and disregard of the Rule and Constitutions became widespread. According to Meyer, Elias did not wish to confront the problems within the Order and thus “the old, holy observance was destroyed,” despite the persistence of “good spiritual members,” who were too few in number to do anything against the majority who embraced “evil traditions.”

Elias’s term is not a good point to place the benchmark moment when the efforts of the administration to promote regular observance of the Constitutions collapsed. Even in the early 1360s, under his predecessor Simon de Langres (r. 1352 – 1366), the General Chapter meetings issued condemnations applicable to all Provincial and Conventual

---

61 “Dier ob genamter maister des ordens reygiert den orden in den ziten do man zailt von der geburt unsers heren MCCCLXX jar, aber mocht nit wol die personen des ordens gehalten, daz sy yr leben weren weren richten nach des ordens recht, wonn die bösen gewunhaiten waren zů vast ingebrochen und hattent uber hand genommen, joch och vor lang, eher selb maister des ordens worden waz, daz die halig alt observantz verstötet was, unf layder der brüder und swöstern waren vil, die da gar vast nach fryhait yrs sins lebent, und wenig mer der gaistlichait und selgen laten yr vor varden warennt achtent…der da wenig gegen den andrenn zů rechen…” Meyer, *Das Buch der Reformacio*, IV:2,3. In other works, like his *Chronica Brevis*, Meyer only suggests that “Cum illo tempore [the election of Raymond of Capua in 1380, specifically but within the period of the Western Schism generally] regularis observantia et fervor deovtionis et laudabilis institutio beati Dominici iam pene in multis locis et personis ordinis exsiccata fuisset, non sine amaritudine cordis magistri et quorundam aliorum fratrur servorum dei, dictus magister ordinis, quis regularis observantiae erat ardentissimus amator et fidelissimus aemulator….” Johannes Meyer, *Johannes Meyer O.P.: Chronica brevis Ordinis Praedicatorum*, ed. Heribert Scheeben (Vechta/Leipzig: Albertus-Magnus-Verlag/Otto Harrassowitz, 1933), 71.
Priors (administrators responsible for enforcing observance among their respective charges) concerning their response to of how the constitutions were being followed. In 1368, Elias also attempted to issue a sweeping retraction of all privileges or dispensations that had modified the Rule or the Constitutions. Subsequent General Chapters held during Elias’ administration also continued to strengthen the position of the Master General by insisting on his prerogative to confirm all other officers of the Order down to the level of the Conventual Priors, as well as his ability to approve the sale of properties worth more than ten florins. There is good reason to suspect that Meyer chose Elias’ because his generalate coincided with the Great Schism, which hampered efforts at reform. Further, Elias’s successor was Raymond of Capua, whom Meyer viewed as one of the most important supporters of the Observance; this made it necessary for the chronicler to show that a level of decline had been reached before Raymond became Master General.

While Meyer was willing to point to a specific time at which the decline of the Order reached a critical point, he avoided overt accusations of friars who had actively sought the mitigation of the Dominican Constitutions. Instead, he laid blame on Elias’ inaction and permissiveness rather than suggest a pro-active collusion with what Meyer

63 Vargas, Taming a Brood of Vipers, 328. There was another general revocation of exemptions in 1378, in addition to mandates that friars could not disobey their superiors or Acta capitulorum generalium, vol.2, 443-444. The general chapter of 1378 also noted Elias visitation to England “ad reformacionem religionis et observanciarum regularium ac honestatem nostri ordinis salubriter conservandum…,” though his efforts did not seem to have had a lasting effect.
64 Acta capitulorum generalium, vol 2, 412-413.
would have viewed as “disobedience.” Meyer argued that Elias had been passive in dealing with friars who embraced laxity during his administration, although they are not typified by Meyer as any type of faction or sub-organization within the Order. In Meyer’s view, neither the Rule nor the Constitutions, nor the organization they established, were objects of blame. The “decline” of the Order came about because of a general widespread laxity that had not been properly met by the disciplinary force of the Order’s hierarchy. In one sense, this attitude condemned what we might consider the independent nature of local Dominican activity that had been a factor in the production of the Order’s Constitutions, as noted by John Van Engen.65 On the other hand, the view is also conciliatory in that it did not suggest that the Order was divided over how to understand either the Rule or the Constitutions of the Order of Preachers. In Meyer’s view, the only thing necessary to restore proper discipline among the Dominicans was for the authorities to enforce rigorously the letter of the Rule and the Constitutions. While the Franciscans Observants created a similar narrative of decline, their histories are complicated by the lengthy and ongoing debate about poverty.

For the Franciscan Observant, Johannes Glassberger, also writing at the end of the fifteenth century, the issue of decline or laxity in observance was more complex than it was for Meyer, and the Franciscan’s chronicle was equally concerned with reform, the political history of the Holy Roman Empire, and broader European events. In a tradition that was rooted in the historical writing of Angelo of Clareno (1247-1337), Glassberger presented the thirteenth-century Minister General Elias of Cortona (r. 1230-1239) as representative of Friars Minor who sought to accommodate property within the Order and

65 Van Engen, “From Canons to Friars,” 277-278.
in so doing mitigate the Franciscan devotion to poverty. Glassberger pointed to specific instances when the practices of the Order, as defined by the Rule, were changed, among them the papal permission in 1337 that allowed the friars to eat meat and to eat in their own rooms rather than in common. The history of the Order soon became a history of conflict over issues related to dispensations, obedience, and true poverty. In 1352, Glassberger recorded the controversy surrounding a lay brother, Gentile da Spoletto, who created Franciscan hermitages through a papal privilege whose aim was “to observe to the letter the Rule in its earlier purity, as it had been handed down by St. Francis, without any gloss.” While Glassberger was sympathetic to Gentile’s cause, he acknowledges that his actions were a cause of scandal and division, especially at the General Chapter of 1354. Gentile had obtained his privileges directly from the papacy without working through local Franciscan authorities, which all but forced the General Chapter to condemn his actions. Eventually Gentile died at Brugliano, the location where other Franciscans would learn from his mistakes when seeking to expand their own version of...
Franciscan poverty later. Glassberger also recounted the less controversial efforts of the theologian and Provincial Minister, Albert von Marbach, who exhorted his fellow German friars, “one and all to grow strong again exemplarily in regular observances.”

By the fourteenth century, then, some Franciscans pushed for greater devotion to personal poverty in accordance with the Rule and Francis’ Testamentum, while others were afraid that such rigorists would be a source of scandal and factionalism within the Order. In Glassberger’s narrative, though, there is no particular point when the discipline within the Order appeared to wither away entirely.

Glassberger’s narrative, unlike Meyer’s, does not settle on a particular time when the Friars Minor had largely ceased to live according to the Rule, but offers a narrative that highlights the ongoing conflict among the Friars Minor over the interpretation of the Rule, the intervention of the papacy, and the spirit of the Order. Gentile’s founding of hermitages in 1352 does mark a point of departure, which Glassberger recognizes as the beginning of the Observant movement, which was immediately followed by the litigation of other Friars Minor against them. Glassberger did not avoid the issue that Gentile’s actions were poorly executed, even if his intentions were commendable. Given the longer, and more complex history that the Franciscan Observance had, Glassberger did not shy away from the reality of conflict that surrounded the issue of internal reforms.

Meyer’s history is a straightforward account of the Order intended to describe and explain the successes of the Observant reforms and to highlight the sanctity of certain figures, especially Dominic and Raymond. By contract, Glassberger’s chronicle covered a longer period of time than Meyer’s and included secular politics and a universal history

of the Order of Friars Minor in addition to a narrative of constant conflict among the Franciscans about the observance of the Rule. While both chroniclers were concerned with the politics of reform within their own Orders, other reformers also considered the spiritual causes of disobedience and sin within religious communities, also, which was an important part in how they viewed the role of reform within the Christian church and Christian society. Looking beyond their own houses, many Observants believed that their goal was not just the reform of their particular Order or religious communities in general, but that the entire ecclesiastical establishment and society were also in need of reform.72

Johannes Nider, an influential theologian who addressed a wide-range of issues related to the late medieval church in his writings, directed the contentious reform of the Basel friary and was active at the Council of Basel.73 While he spent a considerable amount of time discussing the theological and spiritual causes of disobedience within the Order of Preachers, Nider also paid attention to the material challenges and administrative failings that had created cultures of laxity within the cloister. In his De reformatione religiosorum, Nider presented a number of reasons, offered by both the religious and the secular clergy, about why they opposed “reform.” Nider prefaced his list by noting that their reasons could be understood only as excuses and so placed the religious who opposed the Observance into the camp of sinners because they “add iniquities upon iniquities, not reaching the justice of God, creating excuses for sins with

72 As Eugen von Hillenbrand notes in the introduction to his article on the Observant reforms, both Johannes Nider and Johannes Meyer saw Hussite victories as a sign that Christian society was in need of reform: Eugen von Hillenbrand, “Die Observantenbewegung in der deutschen Ordensprovinz der Dominikaner,” in Reformbemühungen und Observanzbestrebungen im spätmittelalterlichen Ordenswesen, ed. Kaspar Elm, 219-271 (Berlin, Duncker and Humbolt, 1989), here 219-220.
73 For Nider’s biography, see Michael D. Bailey, Battling Demons: Witchcraft, Heresy, and Reform in the Middle Ages (University Park, PA: Pennsylvania State University, 2003), 12-28.
themselves and others, forging and weaving the slyest arguments against the reforms.”

Nider presented a brief summary of these reasons before dealing with each in turn:

Indeed, some flee the holy reformation and they say this is on account of the weakness of human nature; others because of ingrained habits; others say on account of the ill-will of prelates; others on account of the envious who call the reform a novelty and self-willed; others say they are waiting for a general reform; others say they are concerned about the factionalism and confusion of the Orders; others because of the authority of previous fathers [of their Orders]; others on account of their superiors who are seen to be able to give dispensations; others on account of unavoidable problems in acquiring food and clothing; others because of nobility or the dignity of their social rank; others on account of a scarcity of persons who follow God’s responsibility; others on account of the disruption of peace, as it is feared; others because of their reluctance fear swearing a false oath; others on account of easily procurement of things necessary for religious life; other because the reformers proceed in a disorderly fashion. These are the unjust lies they tell, but they are not the law of God; on account of these, they do no cease to conform themselves to this world.

In many ways, these reasons for avoiding strict observance were part of the development of mendicant Orders. The reasons here are exactly those problems that occurred when the organizations were new, specific problems were difficult to resolve, and material needs could determine the success of failure of a foundation. All of this suggests that Nider related some of the actual objections being given against accepting the Observant reforms, perhaps objections he had heard himself and some of which to be

---


75 “Quidam enim in se fieri sanctam reformationem refigiunt, et dicunt, propter humanae naturae modo fragilitatem; alii propter vitae repertae consuetudinem; alii propter Praelatorum, vt dicunt, malam voluntatem; alii propter ei inuisae novitatem seu singularitatem; alii dicunt eam differendam usque ad generalem reformationem; alii propter cauendam Ordinum confessionem et multiplicitatem; alii propter praecedentium Patrum auctoritatem; alii propter Superiorum, quae fieri posse videtur, dispensacionem.; alii propter necessariaurum victus et amictus defectionem; alii propter nobilitatis vel status personae dignitatem; alii propter personarum, quae in Dei sequetur officio, paucitatem; alii propter pacis, quae timetur, turbationem; alii propter inuitorum, ne seuatrum, periurationem; alii propter procurandarum rerum religioni necessariarum faciorem subventionem; alii propter Reformatorum in modo procedendi inordinationem. Hae sunt fabulationes, quas narrant iniqui, sed non ut lex Dei; propter quas se huic saeculo conformare non desinunt.” Nider, De reformatione I:4, 31-32.
encountered in the religious communities of Ulm. Some of these reasons may have had precedence in the historical developments of individual communities, as mentioned earlier, whose exemptions may even have been approved by their religious superiors.\textsuperscript{76} Nider implies with this list an acknowledgement of the problems communities might have faced historically in their development. While the Constitutions of the Dominican Order forbade friars from appealing beyond or outside the Order, they also permitted Conventual Priors to grant dispensations which did not count as a “sin against the rule” for which a friar or nun might face serious consequences. Nider recognized that requests for dispensations or exemptions from the Rule or Constitutions may not have been rooted in attempts to avoid the rigors of the religious life. To resolve this issue, he referred to Augustine of Hippo’s opinion about customs that did not originate with, and were not approved by, scriptural or ecclesiastical authority but were nevertheless found everywhere. Augustine had advised that so long as some practice did not violate a clear principle and was not disruptive, it was permissible.\textsuperscript{77} While agreeing with Augustine in some respects, Nider made fairly few exceptions:

Thus I say, a custom that transgresses against the vows of chastity, poverty and obedience and others which fall under the statutes can never be made a law and [such a custom] cannot excuse sin but rather increases offence. …Just as a custom does not trump a vow, neither does it prevail against


religious discipline: for this reason it is not dispensation but dissipation…78

One example of a custom that ignored the statutes was the consumption of meat, which the Constitutions prohibited (except for the ill or with the permission of a prior) and which reformers therefore sought to eliminate.79 While Nider did not contradict the Dominican Constitutions in the matter of the dispensatory authority of the Conventual and Provincial Priors, he was particularly harsh with religious who sought dispensations. The issue of dispensations was so important for the work of reform that he devoted an entire chapter of his De reformatione religiosorum to it.80 The review of house customs and dispensations was a critical part of how the Observants instituted their reforms.

Concerned about the connection between external signs and interior states, many reformers sought to avoid anything that might satisfy more than necessity dictated.

Johannes Mynner, in his 1429 Regelbuch for the Dominican nuns at Esslingen, instructed the women that “no one should eat meat.”81 The reformed friars at Stuttgart petitioned their superior, Jacob Sprenger, to rule on whether it was possible to avoid scandal by allowing terminally ill friars to eat meat, despite a prohibition against anyone eating meat

80 Nider, De reformatione, I, 11, 71-83. Nider gives a point-by-point explanation that a valid dispensation is one that is for the greater good of the community, based in necessity, and concerns only those matters not expressly dealt with by the constitutions. For him, the existence of so many dispensations related to clothing, bedding, or study was proof that the common conception of the term had changed: “Apud multos igitur veritatem obtinent ista vulgaris definitio, Diepsnsare, est cum licentia ad infernum intrare.” De reformatione I,11, 75.
81 Johannsen Mynner, Regelbuch, 1429: Württembergische Landesbibliothek Cod hist Cod hist 20 230 (German).
in the cloister, man or woman, cleric or layperson. Mealtimes were to be strictly regulated as well, as stated in Johannes Meyer’s *Amterbuch*: the Dominican reformer stipulated that in houses of women, beyond the kitchen superintendent (*Kuchmeisterin*), rectorian (*Rektorin*), and a reader (*Tischlehrerin*) there was also to be a *correctrix mensae* whose job it was to improve the etiquette of the sisters. The reformers had a complex understanding of the relationship between food and virtue and between virtue and sanctity. Nider offered a clearer picture of the issues surrounding observance and inobservance than either Meyer of Glassberger. He also acknowledges some of the mundane causes of “inobservance,” as indicated in his list of reasons given above, even if he did not accept them as valid. The attempt by the Observants to eliminate variations in practice, even variations that had had official approval, was part of the effort to (re-)create a sense of their Order’s identity, rooted in common practices, which individual members and communities were responsible for maintaining. Within this context, even communities that may not have fallen into disobedience or inobservance would have to be “reformed” along with those that could be accused of violations to the Rule and Constitutions. This type of reorienting a religious community to universal norms, and adjusting those norms to address contemporary criticisms of the religious, was an important part of the Observant reforms and played a critical role in the reforms at Ulm.

Johannes Meyer and Johannes Glassberger both argued that the origin of the Observant reforms developed as a response to an erosion of the common practices

---


outlined in their organizational statutes. At some point, for different reasons, the
disciplinary organs of each Order failed to prevent this erosion, with the result that the
Orders fell into “decline.” While Johannes Nider did not offer a specific historical
narrative of decline and reform, his understanding of why practices differed was based in
the historical development of individual communities in addition to a lack of moral
courage in dealing with organizational challenges. Given the institutional development of
the mendicants outlined above, it is difficult to state when complaints about observance
or disciplinary issues would have constituted the type of decline decried by Meyer and
Glassberger, the reaction to which would have been the cause of the Observant reforms.
This problem is best outlined by long-standing contests among the Friars Minor to realize
fully Francis’ vision for the Order.

For the Friars Minor, the papal bulls *Quo elongati*, issued in 1230 (which allowed
intermediaries to control property on behalf of the friars and ruled that Francis
*Testamentum* was not binding) and *Ordinem vestrum* in 1245 (by which the curia
assumed ownership of the Order’s properties) helped to normalize property management
by the Order, even if personal and communal property was still technically prohibited.⁸⁵
These constitutional developments intensified debate among the Franciscans from the
1260s until the end of the medieval period. One notably intense attempt to reconcile the
“use” of property with the sense of poverty was the “poor usage,” or *usus pauper*,
controversy associated with the theologian Petrus Iohannis Olivi. Given that technical
ownership of Franciscan property was held by the Church or other parties, Olivi
attempted to explicate an understanding of the type of use the Franciscans should have of

---
that property. His answer was that Franciscans should enjoy only such properties or resources “as a poor person’s usage,” a standard which he believed was based in the Rule and binding on all members of the Order. This interpretation was condemned by Franciscan masters at Paris in 1283 and by the Council of Vienne in the bull *Exivi de paradiso*. The result was the condemnation of Olivi’s writings, the execution in 1317 of several Franciscans for heresy, who were condemned to death by their fellow Franciscans, and an ongoing persecution of the Franciscan tertiaries of Languedoc for their devotion to Olivi’s writings. The condemnation of Olivi’s writings did not end the attempt to impose a rigorous poverty on the Order, but it clearly highlighted how serious the Franciscans took the issue and how the call to a more austere lifestyle could lead to division, violence, and death. For members of the mendicant Orders, the stakes regarding observance of the Rule could be quite high.

By the fourteenth century, however, it is clear that those groups who would describe themselves as “Observants” emerged among mendicants. Although the scholar Duncan Nimmo has argued that “[c]onventualism was the characteristic state of affairs of the fourteenth century,” dissatisfaction with “conventualism” appears to have been widespread enough to develop concurrent, but unrelated, reform movements in Italy,

---

86 Some propositions drawn from the works of Olivi were condemned in a different bull by the same council, David Burr, *Spiritual Franciscans*, 35-42, 90-92, 100-106, 191-197; Rosalind Brooke, *Early Franciscan Government*, 215-223. Malcolm Lambert’s study calls the “Spiritual Franciscans” the beginnings of the Observance: Malcom Lambert, *Franciscan Poverty: The Doctrine of the Absolute Poverty of Christ and the Apostles in the Franciscan Order, 1210-1323* (London: S.P.C.K, 1961), 69-70 though the term seems premature and while the advocacy of a pure type of poverty was attributed to Olivi and those associated with him, they are separate from later groups more commonly referred to at the Observants. See Burr, *Spiritual Franciscans*, vii-x.

France and Spain. In Italy, John de Valle, a disciple of Angelo of Clarenno, established a foundation for Franciscan hermits at Brugliano in 1334, which was the same community to which Gentile de Spoleto belonged. The goal of this small group was to live in abject poverty without disturbing the larger Order of Friars Minor over the issue. By obtaining approval from Franciscan superiors and the papacy, the group became renowned for its austerity and eventually Paul was named a special vicar for the communities that followed a strict observance of the Rule. The creation of a special vicar put de Valle’s hermits at odds with the Provincial Ministers, to whom the members of the province were supposed to be obedient. While the Brugliano group remained obedient to the Minister General, its members behaved like an Order-within-an-Order under their own vicars. Their popularity among the laity and their numbers grew thanks to charismatic preachers like Bernardino of Siena and John of Capistrano. This group is generally considered to be the chief type of “Observant” reformers among others, and members of this group helped to spread the Observance beyond Italy.

In the 1370s, in the Spanish province of the Order, a similar grassroots movement among Franciscans dedicated to austerity emerged. Friars in both Aragon and Castile were frustrated with the local superiors, who would not permit them to live as hermits; they sought permission to live in their own communities with other like-minded

---

89 In 1350, Pope Clement VI issued a bull that effectively allowed the Observants to follow the Rule in its simplicity and forbade any interference on the part of the Order. John de Valle’s group, however, was later accused of consorting with heretics and forced to disband for a period of time. A later group of Franciscan hermits was established at the same place by Paul (Paoluccio) d’Trinci in 1368, and is considered by historians to bear some continuity with the earlier group. Duncan Nimmo, Reform and Division, 382-388, 394-411. Nimmo points out that Paoluccio’s family connections and his ability to gain support from the Minister General helped the new communities to flourish in ways the earlier community had not.
90 Moorman, A History of the Franciscan Order, 369-373
Franciscans. In Castile, Peter de Villacreces founded such a reformist community at La Aguilera, which received papal approval from Benedict XIII in 1396. Villacreces and the Castilian friar Lopez de Salazar y Salinas petitioned the Council of Constance for greater autonomy from what the Observants would call the “Conventual” Franciscans. Although the council did not grant Salazar y Salinas’ request, the Observant and Conventual Franciscans, came were clearly developing into mutually exclusive parties that were hostile each other. While the Italian Observants were supervised by their own vicars, rather than by the Conventual ministers, the Spanish group was directed by neither and maintained self-direction. In both cases, the successful creation of a reform group was based on the accumulation of privileges and the acquisition of legitimacy through negotiation.

Movements dedicated to a strict interpretations of the Rule of St. Francis, which were also promoted a rigorous understanding of communal and personal poverty, also developed in France at the same time. There, several convents devoted to communal poverty, including communities of friars and communities of nuns, were founded independently of each other in the late fourteenth and early fifteenth century. The most notable was the network of reformed houses founded or promoted by Colette of Corbie, whose associated communities were technically obedient to the Minister General but in effect were wholly independent. Colette herself was given considerable authority over

---

96 Nimmo, Reform and Division, 436-451.
the affiliated religious communities, even over friars and secular chaplains. In addition to Collette’s reforms, the semi-autonomous communities associated with the friary of Mirebeau became influential in the early fifteenth century. The history of the Colettine congregations illustrates part of the complexity surrounding the issue of reform: by and large she was in competition with the Observants based in Italy and had to maintain the autonomy of her network and her role in leading it, against the attempts of John of Capistrano, who wanted to place her houses under Observant vicars (in this case, Observants associated with the Italian Observants) vicars. An attempt to unify all of the reformist/Observant communities was made when the Great Schism ended in 1417. The result was a series of reform measures known as the “Martinian Constitutions,” drawn up by John of Capistrano and supported by Pope Martin IV as a means of unifying the Order. Among other requirements, the “Martinian Constitutions” stipulated that the convents could no longer directly own any property and all financial matters should be placed in the hands of secular proctors, although the terms related to the divestment of existing property were moderated. However, the reform was to be carried out in obedience to the Provincial Ministers and would still permit the convents to retain sources of regular income and property, as long as that property was formally owned by the Holy See. These were compromises that the Observants would not tolerate. The Colette was no less dedicated to the ideal of total poverty, which she applied to both men and women despite the fact that the Rule of St. Clare permitted the sisters to own communal property.

---

99 Nimmo, Reform and Division, 477- 495. Nimmo covers the developments in the regions of Italy, Spain and France but offers significantly less information for the rest of Europe.
101 The terms of the proposed compromise for reform were drawn up by John of Capistrano, as a commentary on the Rule, and approved by the General Chapter of 1430, see Luke Wadding, Annales Minorum... vol. X (Rome: typis Rochi Bernabò, 1734), 150-161. See Brigitte Degler-Spengler, “Observanten außerhalb der Observanz. Die Franziskanischen reformen “sub ministris,” in ZKG 89 (1978), 20-23.
plan did not work, as ministers and guardians applied for exemptions from certain provisions regarding property almost as soon as they had agreed to implement them, but it was a type of reform that some Conventual Franciscans were willing to support. This general outline of the Franciscan reforms is intended to highlight the competitive nature of the reform movements that were, to some degree, aimed at a similar type of reform but whose proponents found it difficult to cooperate with each, a point that will be brought up again in the reforms at Ulm.

The Dominican Observant reform appears to have been considerably more straightforward in some regards than the Franciscan movement. For the Dominicans, the Observant reform can be linked specifically to the General Chapter Vienna in 1388. There, according to the chronicler Johannes Meyer, a friar named Conrad of Preußen stood up at the customary opening of the chapter, during which the representatives were expected to confess their sins. Wearing a rope around his neck, Conrad demanded to be punished for not strictly observing the Rule as he was obligated to do by his Dominican vows. The result of Conrad’s performance, if the chronicler Johannes Meyer is to be believed, was that the Master General, Raymond of Capua, promoted legislation which ensured that at least one house in each province would be made available for those who wished to practice a strict form of poverty and discipline. Raymond, the confessor of

---

Catherine of Siena and a proponent of reform, then made good on this legislation by ensuring that each Provincial Prior either followed through by dedicating one community to the strict observance or by removing uncooperative officers from their positions.\textsuperscript{104}

In contrast to the Franciscan reform, the Dominican was largely a top-down development, as the actions Raymond of Capua indicate. Raymond worked to ensure that every province had a house dedicated to a strict observance of the Rule and Constitutions and he sent “special vicars” to France, Germany, Bohemia, England and Spain, with the result that they largely regulated the reformed congregations apart from the regular provincial administration.\textsuperscript{105} Raymond also went in person to Nuremberg to establish a beachhead of sorts for the Observants in southern Germany. The Nuremberg friary was successfully reformed but the fierce resistance offered by the nuns of St. Katherine’s in Nuremberg earned them a temporary reprieve.\textsuperscript{106} Clearly, stiff resistance was possible among both Dominican nuns and friars, as Conrad of Prussia described in a letter to Johannes Müllich.\textsuperscript{107} Raymond of Capua died in Nuremberg in 1399 and was buried in the friary church there. After his death the reform movement faltered for several reasons, including the lack of support from the next Master General of the Dominican Order,

\textsuperscript{104} Meyer, \textit{Buch der Reformacio}, IV:III, 9-10.
\textsuperscript{106} According to Meyer, the nuns used several tactics, including physically resisting attempts to be manhandled and, a typical tactic of resistance, yelling so that the reading of a papal bull could not be made intelligent. Meyer, \textit{Buch der Reformacio}, Book V: 6, 12-16. See also Johannes Kist, “Klosterreform im spätmittelalterlichen Nürnberg,” \textit{Zeitschrift für bayerische Kirchengeschichte} 32 (1963): 31-45; Anne Winston-Allen, \textit{Convent Chronicles}, 145-146.
\textsuperscript{107} Conrad of Prussia, Letter to Johannes Mühlch December 9th, 1401 in Gabriel Lohr, ed. \textit{Die Teutonia im 15. Jahrhundert} (Leipzig: Otto Harrassowitz, 1924), #3, 47. “…quod patres et fratres huius provincie eterné sue salutis immemores ac dei timore postposito contra iam dictam sanctam reformacionem velut contra inimicum suum crudelém et capitalem non solum se ferciter opponunt...”
Thomas of Firmo (r.1399-1414). When Thomas was succeeded by the cautiously supportive Leonardus Dati in 1414, the reform efforts had to face the complication of divided obediences during the Great Schism. The division of the church hierarchy also meant division among religious and monastic congregations into different obediences. This complicated cooperation among reform movements, isolating the few reformed cloisters. Finally, with Dati’s successor, Bartholomäus Texerius (1426-1449) and the end of the Great Schism, the Observants experienced a second surge in reform, which built on their methods of the previous decades and led to a moderated approach to reform that relied on populations of reformed friars and nuns that had increased in the intervening half-century.

To conclude, the Dominican reform effort, like its Franciscan counterpart, developed in an interregional and intraregional fashion, with individual concerns shaping the type of reform that was embraced. Unlike the Franciscans, the Dominican Observants pursued an administrative strategy that enabled the Order to remain largely unified despite what one might call fringe elements, such as Savonarola in Florence. Influential mendicant preachers travelled through southern Germany on preaching tours meant to inculcate a greater sense of zeal for the sacraments and public morality, both of which were supported by civil authorities throughout Europe. The fame of the preachers helped

108 Raymond of Capua had used special vicars to minister and promote the reforms but, at the request of Thomas of Firmo, Pope Boniface IX prohibited the special vicars and insisted that the reformed cloisters be regulated through the normal provincial organs. See Eugen Hillenbrand, “Die Observantenbewegung in der deutschen Ordensprovinz der Dominikaner,” in Elm, Reformbemühungen, 219-271; here 221-222, 225-233.


to promote the reform of the religious Orders as well as a general sense that all Christians played a role in enforcing moral conduct in their own communities.\footnote{John. Van Engen, “Multiple Options: The World of the Fifteenth-Century Church,” \textit{Church History} 77 (2008): 257–284, here 276-277; Rusconi, “Public Purity and discipline,” 465-467.}

As with other religious agents, these preachers both responded to the “market” of religious expectations and also helped to shape it by influencing public opinion. Religious reform, the enforcement of moral conduct, and association with famous cultural agents were all reasons why secular authorities might support the Observant reforms, a subject this chapter will consider briefly after covering some general aspects of how the Observant reforms progressed within the German-speaking lands, and how this establishes the immediate institutional context that framed the attempts to reform the mendicant communities of Ulm.

The Observant Reforms in Germany

Mendicant reform movements were largely transplanted to Germany from other regions of Europe, especially from Italy, as had been indicated in the efforts of the Dominican Master General, Raymond of Capua. Among the Dominicans, the effort to reform their communities in southern Germany proceeded, according to current historiography, in three stages that roughly correspond to 1388-1418, 1418-1475, and 1480-1519. In the first stage, some of the early Dominican Observants were fairly uncompromising in their approach to reform and are viewed by historians as “radical.” Reformers like Conrad of Prussia demanded obedience from “unreformed” religious and were often met with stiff resistance by members of such communities as the nuns of St. Katherine’s in Nuremberg and the friars of Würzburg. On eof Conrad’s supporters,
Johannes Mühlberg, was appointed as Prior to the unreformed friary at Würzburg, although the resistance to his appointment by the friars at Würzburg was so great that he was released from his position and left the convent, which remained unreformed.\textsuperscript{112} In Basel in 1398 and Cologne in 1399 there were other unsuccessful attempts and setbacks. The lack of success in this first period may have been due to the Great Schism, as the Observants were solid Roman partisans, while many cities, like Basel and Strasburg, belonged to the Avignon obedience and were uninterested in helping out the Observants while the ecclesiastical schism continued.\textsuperscript{113} That there was also considerable difficulty on the part of the reformers in persuading their confreres to support or join their cause, which can be attributed to several factors, including the caustic rhetoric of some of the early reformers, uncertainty on the part of the religious and secular authorities about what reform might entail, and lack of available personnel to fill the positions that might be made vacant by those unwilling to serve in a newly reformed house. The early Dominican Observants were keenly aware of their numerical inferiority.\textsuperscript{114}

Although Conrad of Prussia succeeded in establishing some of the first Observant houses of both friars and nuns within the Empire, he and his aide Johannes Mühlberg entangled themselves in an attack on the canonical status of all tertiaries (associated with

\textsuperscript{112} Sabine von Heusinger, Johannes Mulberg OP (d. 1414): Ein Leben im Spannungsfeld von Dominikanerobservanz und Beginenstreit (Berlin: Akademie Verlag, 2001), 24-25. Johannes Meyer does not mention this episode in his history of the reform and often omits failed attempts at reform.

\textsuperscript{113} Neidiger, “Selbstverständnis,” 73-74.

\textsuperscript{114} For instance, Konrad of Prussia expressed his frustration in a letter that he believed many of the friars, on account of their resistance to the reforms, were disobedient to even God: “…quod patres et fratres huius provincie eternae et salutis inmemores ac de timore postposito contra iam dictam danctam refolucionem velut contra inimicum suum cruelem et capitalem non solum se frociter opponunt, verum eciam in contemptum dei et sedis apostolice vilipendum oniumque fratrum deo servire et suum ordinem observare volencium in non modicum preicudium et gravamen…” Gabriel Lohr, ed., Die Teutonia im 15. Jahrhundert (Leipzig: Otto Harrassowitz, 1924), #3, 47. In Meyer’s chronicle, the Observants were a persecuted minority which he compared to the Maccabees (\textit{Buch der Reformacio}, Book IV:3, 10-11) and often the cause of resistance or of trouble in monasteries is on account of Devil, under various euphemisms (Meyer, \textit{Buch Der Reformacio}, Book IV:5, 12-14.)
any religious Order, even Dominican tertiaries) in Basel that cost time and effort and effectively stymied his efforts at reform in the city. They insisted that only those who professed perpetual vows in canonically recognized religious Orders were able to live from alms, and demanded that the beguines and tertiaries, be driven from the city. Mühlberg was successful in having some communities expelled from Basel but it made him widely unpopular with other religious and their lay supporters. Rivalries among reformers of the same religious Order and between reformers of different Orders were not uncommon. The fifteenth-century Augustinian reformer Johannes Busch recorded a number of anecdotes in which mendicants caused problems by questioning the legitimacy of other forms of religious life, thus setting a bad example for the laity, or by preaching sermons that Busch viewed as so flawed that he found it necessary to stir up public condemnation of their preaching. While it is true that many reforms of various backgrounds found affinity with each other’s work, the first generation of Dominican reformers were heavily invested in voluntary poverty as a signifier unique to the mendicants, and they hoped to enhance their distinctive status by accusing other religious and monastics of falsely claiming the right to beg for alms or in any other way be defined


116 For Mühlberg’s tract against the beguines see von Heusinger, Johannes Mühlberg OP, 135-172.

by poverty in a sense that seemed to infringe on the mendicant monopoly. The provocation of tertiaries and members of other reforming groups did not help the first generation of Observant Dominicans in the work of religious reform and in some cases it harmed their reputation and disrupted centuries-old relationships with other religious communities.

Dominican reformers active after 1430 worked within a different set of circumstances. In the first place, the great reforming council that had been held to deal with the Great Schism brought together a number of reformers from all over Europe. The resolution of the schism helped to advance the cause of reform within the religious Orders both by removing the divisive issue of obediences as well as by passing legislation in favor of reformist groups, as we noted above in the case of the Spanish Observants. Second, secular authorities who had participated in the Council of Constance were also motivated to continue supporting reform efforts within their own territories. Third, the Dominican reformers moderated their view of the Observance and, in particular, they began to work in close cooperation with secular authorities, especially urban magistrates. Finally, the Hussite conflict in Bohemia both opened up an international forum in which the criticisms of the clergy could not simply be swept away through military actions and also caused a new crisis of authority within the

118 As Christopher Bellitto has shown in a different context, some reformers viewed the embrace of adversity as a necessary process that helped to strengthen the reformers and was taken as a sign of divine favor, Christopher Bellitto, “The Spirituality of Reform in the Late Medieval Church: The Example of Nicolas de Clamanges,” *Church History* 68 (1999): 1-13.
119 Van Engen, “Multiple Options,” 262-263.
institutional church. As a result, the religious were keen to answer the challenges posed by the Hussites by reforming the church in order as to remove those practices that seemed to validate anti-clerical heresies, like the Hussites and the Lollards in England. Some of the leading figures of this generation, exemplified by Johannes Nider, reversed the views expounded by Johannes Mühlberg regarding a more active spiritual life and encouraged the laity to embrace a more rigorous lifestyle, including joining tertiary orders, but also embracing a “religious” lifestyle in their daily lives by adopting spiritual exercises, prayer, and physical mortifications.

The greatest success that the Observant Dominicans were to enjoy came in this second period. The moderation of reformist demands and the generally careful planning of reforms ensured that by 1475 all but a handful of communities had undergone some reform process. In the same year, Johannes von Stubach, an Observant, was elected as Provincial Prior of the south German province of Teutonia, thus signaling the triumph of the Observants in southern Germany. Von Stubach’s election did not mean the end of reforming efforts or unification into a homogenous Order. Dominican communities continued to be reformed and outlying radicals like Savonarola in Florence were still capable of capitalizing on their reformist credentials to push for greater austerity among the Dominicans and in society in general. Yet, in many ways the reforms had invigorated the Dominicans, helped to consolidate their identity and pushed them towards a renewed engagement with society that emphasized a deep, personal spirituality which

could be guided by handbooks, expressed in new devotions, and remain supportive of the institutional church.\textsuperscript{126}

The Franciscan reformers in Germany in the fifteenth century proceeded more intermittently than the Dominican. The Franciscan reformers did not establish a foundation within the Holy Roman Empire until 1426, when Observant friars were solicited from France by Louis III, Elector Palatine, who had been at the Council of Constance as the agent of Emperor Sigismund.\textsuperscript{127} He was encouraged to support them by his wife, Matilda of Piedmont, who, “dissatisfied with the life the conventual Franciscans were living,” called the Observants from France to Heidelberg.\textsuperscript{128} Observant efforts proceeded slowly within Germany and to a certain extent not as successful, in terms of number of convents reformed, as those of the Dominican movement. In some cases Franciscan reform efforts were hampered by the confusion among civil authorities over which reform movement to support. This was apparently the case at the friary at Schwäbisch Hall at the end of the fifteenth century.\textsuperscript{129} Several provincials from the German province of Strasbourg were willing to enact some type of reform and condemn

\begin{footnotes}
\footnotetext{127}{“…de quo videlicet Ludovico praedictum est, quod in concilio Constantiens, absente domino Sigismundo, rege Romanorum, vices eius gerebat…” Glassberger, “Chronica Ordinis Minorum Observantium,” 282.}
\footnotetext{129}{Albrecht Schäfer. “Akten zur Observanzbewegung des fünfzehnten Jahrhunderts in Württemberg.” \textit{BLKW} 26 (1922): 61-75, 129-159 The confusion was that the provincial minister, Dr. Georg Summer, was willing to allow the Observants to reform the cloister but only if it remained under the authority of the provincial, and the ensuing attempt to find support among the cardinals for that complex situation was difficult.}
\end{footnotes}
lax enforcement of the Rule and Constitutions without necessarily insisting that a convent embrace the Observance. In 1421 Jodocus de Langenberg, the Provincial Minister of the Strasbourg province, issued directives aimed at curbing breaches of religious enclosure by friars and ending ostentatious habits of dress, such as the dying of habits wholly black or dark blue. Konrad Bömlin, active in the mid-fifteenth century, reformed some Franciscan friaries and numerous Clarissan houses. At the General Chapter of 1447, Bömlin was successful in promulgating statutes designed to lead the Franciscans of the entire Strasbourg province into the moderate observance, and, according to Glassberger, he successfully petitioned Pope Eugenius IV to support this moderate reform.

Unlike the Dominican, the Franciscans Observants never became a majority in any province of the Order but that does not mean that their efforts were wholly without success in establishing the Observance in Germany. By the sixteenth century the “regular” Observants could count nineteen reformed houses and nine new foundations in the Province of Strasbour, covering most of the southwestern region of the Holy Roman Empire. These twenty-eight houses stood in contrast to forty-one Conventual cloisters in the same region. The divisions among the various Franciscan groups, and the conflicts over the relationship between forms of poverty and Franciscan identity, were more acrimonious than those in the Dominican reform. As a result, the Observant Franciscans

130 “Item, quod nullus frater de celero audeat portare pro exteriori habitu pannum totaliter nigrum aut de colore, blaveo aut tendentem ad blavedinem, et hoc sub poena privationis huiusmodi habitus, sed vestiat se, panno humili in colore et valore. Item, nullus frater vadat de conventu ad conventum, aut per terras sine expressa licentia mea, aut sui Custodis; et si quis, quod absit, oppositum fecerit, apostata censeatur et ut talis per Custodem aut Guardianum suum puniatur. Et idem judicium habeatur de quolibet fratre, qui sine alio fratre socio alicubi ire presumpserit; ipso facto a suis officiis sint absolvi et reinstitui non valeant nisi per Ministrum. Item, accessus illicentiatius ad monasteria sororum Ordinis sanctae Clarae sub poena statutorum simpliciter evitetur.” Glassberger, *Chronica*, 262.
found it difficult to gain the support of secular authorities, whose role was often critical in determining the success of a reform effort.\textsuperscript{133}

The Uses of Reform

The foregoing information has set out the institutional and chronological information about the processes that shaped the on-going formation of the Orders and the institutional and historical context in which the Observant reforms developed. While the Observant chroniclers lamented the loss of the original unity and common identity which they believed had characterized their communities at the time of their founding, the reality is that those organizational processes, including conflicts about voluntary and communal poverty, continued into the fourteenth and fifteenth centuries. In some ways, they are persistent aspects of the growth and change inherent in all complex organizations. While the next chapter will attempt to present the social and political context of Ulm, this chapter will conclude with examples of the value that these reforms had to those who were not members of the religious communities, particularly highlighting some of the reasons why the Observant reforms were embraced by various political and religious elites, as well as the reasons why some attempts at reform failed. This information will serve as a later reference point, for the ways in which the reforms at Ulm were similar to other reform efforts and the ways in which the reforms at Ulm were unique. While I adopt a comparative approach, I recognize that the views presented here are not exhaustive but are meant only to indicate some of the complex social networks that the mendicants developed as well as the complex foundations on which those networks were based.

\textsuperscript{133} Neidiger, “Die Observanzbewegung,” 175-176.
Territorial Lords

Observant reformers engaged primarily with two types of secular authorities, whether supporters or opponents: territorial lords and city councils. The nobility’s engagement with monastic and religious reform movements was not new in the fifteenth century. What was relatively new in the fifteenth century was the level at which secular authorities took up reform as a process that could be applied to all religious houses within their jurisdictions and the persistence of non-noble laymen in the reforms, whether town magistrates or ordinary commoners, as they took action against members of a religious Order. By the middle of the fifteenth century, the Observant movement had representatives in nearly every part of Christian Europe and when proposed reforms were not popular among the members of their respective religious Orders, reformers often appealed to secular rulers. The reformers were patronized by the major political figures of the period in all parts of Europe. A significant number of aristocrats across Europe, whatever other political or economic concerns they faced, supported reform in the mendicant Orders in significant numbers. This included the critical support of John V, Duke of Brittany, for the canonization of Vincent Ferrer, or that of John the Fearless, Duke of Burgundy, for Colette of Corbie, King Charles VI of France for the Mirebeau friars, the aforementioned Louis, Count Palatine of the Rhine, and Duke Albert V of Austria (as well as King of Croatia and Hungary and uncrowned King of the Romans).

Nancy Bradley Warren, following Pierre Bourdieu, has argued that reform spirituality was appealing because the reformers were able to leverage their rigorous asceticism as a

---

135 Smoller, The Saint and the Chopped-Up Baby, 17-29, Warren, Women of Arms and God, 12-14, Nimmo, Reform and Division, 478-479, Mixson, Poverty’s Proprietors, 141-146.
rarified cultural enterprise. In this case, material austerity carried with it a high cultural value. For political rulers, the reforms were a source of symbolic capital and served as a resource for the political and cultural bases of their power.\textsuperscript{136}

The actions of the Württemberg dynasty illustrate the various purposes towards which religious reforms might be put. The most important figures among the Württembergers of the late fifteenth century were Count Ulrich V of Stuttgart and his nephew, Eberhard V the Bearded of Urach. They engaged practices typical of territorializing aristocrats of the fifteenth century, including a bellicose attitude towards imperial politics that pitted them against some neighboring rivals, and they operated in fluid political arrangements with other dynasties, such as the Habsburgs.\textsuperscript{137} Like other late medieval aristocrats, the Württemberg counts strove to distinguish themselves from their competitors, whether territorial aristocrats, lower nobles, knights or burghers, the formation of the social group known as the “nobility,” and the processes of state-formation were both important developments that contributed to differentiation.\textsuperscript{138} They employed a variety of strategies to secure their position, and support for religious reforms figured prominently among them.

Both Ulrich and Eberhard supported religious reforms within their dynastic territory, most of which lay between the Danube and Neckar rivers and which had been divided


between them in 1442. Ulrich supported the Dominican Observants in particular, calling them to establish a new cloister in Stuttgart in 1473, under specific conditions meant to avoid conflict with the secular clergy of the city and to ensure a strict understanding of the Dominican Rule and Constitutions. In 1446, he had supported the reform of the Franciscan cloister at Tübingen, where Eberhard would later support a house of Brethren of the Common Life. Ulrich also fostered the introduction of the Bursfeld Congregation in his territory through the reform of several Benedictine monasteries, especially Hirsau. Eberhard promoted reform among all the religious communities within his territory from the Carthusian house of Güterstein to the aforementioned community of Brethren of the Common Life in Tübingen. In 1464, these two counts issued a call to the neighboring Free and Imperial Cities, asking them to reform their respective mendicant houses, because the counts no longer wished the unreformed mendicants to be able to collect alms in the area. It is fair to say that they were influential in the development of reformed communities in the German southwest.

There are several reasons why aristocrats like the Württembergers might take an interest in religious reforms. First, the counts were often able to shore up their own authority as advocates (Vögte), by supporting reforms of cloisters that were not in their territory. These actions also served a symbolic function by establishing their comital presence in places where their territorial power had been or was likely to be contested, as

---

at did the Dominican convent of Gnadenzell in Offenhausen, just outside the Free and Imperial City of Reutlingen, one of the largest cities in the area.\textsuperscript{145} Several attempts had been made to reform the cloister, but its connections to local nobility and the support of the city council of Reutlingen had helped the nuns resist.\textsuperscript{146} Eberhard made Offenhausen the first community to be reformed by means of a general reform bull issued by Pius II to Eberhard in 1464, although the reform would not be completed until 1480, when the Dominicans introduced reformed nuns from other communities into Offenhausen.\textsuperscript{147} The reform of a community naturally affected its observances and discipline and therefore its relationship with other communities of the same religious Order. These reforms signaled not only a shift in the religious identities of these communities but also emphasized the decline of the aristocratic rivals of the counts of Württemberg and helped consolidate the counts’ influence over religious communities. This point was not lost on the members of these communities, who often became invigorated and more active in the life of their respective Order but also retained a sense of their own history.

A brief narrative produced by an anonymous sister in the community of Dominican nuns at Maria-Reuthin near Wildberg highlights this aspect of the political/religious shifts that accompanied reforms. The community had had close associations with the Hohenberg family, their founders, whose lay members were buried in the convent church while living members professed at Maria-Reuthin, as well as by

\textsuperscript{146} Much like Maria-Reuthin or other mendicant cloisters, Gnadenzell housed its fair share of women of noble origins. Stievermann, “Offenhausen,” 157-162.
other aristocratic women in the area, offered prayers for the deceased. Reuthin was reformed in 1478 at the insistence of Count Eberhard V. In the anonymous account, clearly written by a member of the community, the author noted that the reform had been carried out through the efforts “of the worthy, well learned and spiritually excellent, Master Jacob von Stubach, doctor of Holy Scripture and Provincial Prior in the German lands.” She also noted the presence of Count Eberhard V during the reform (though not whether he had entered the convent) and his imperially sanctioned position, the abbot of Hirsau and “many leading nobles.” This passage constitutes the whole and only report about the Observant reform, which is not mentioned again in the document. The terms of address for Jacob von Stubach were fairly standard for late medieval correspondence and are unremarkable.

This description of reformers differs from the praise given to the founders and early patrons of the cloister, the Hohenbergs. Throughout the work members of this family were praised as the worthy founders, patrons and supporters of the convent and the author recorded that several Hohenberg counts and countesses had rewarded with burial either in the cloister church or within the cloister precincts. The author may just have been providing basic information about the community, but her treatment of the founding family contrasts with her treatment of the newer patrons. The reform was a major event in her history of the convent: it forced the inhabitants of the cloister to make commitments to a new program of life, abandon old habits and identities, even if the

---

148 HStAS A 517 U1 “Foundation Document,” 3r-4v contains a list of nuns, apparently those living in the cloister shortly after 1500. The foundation, as many mendicant cloisters of women, likely existed earlier as a Frauensammlung. See Friedrich Gand, Maria-Reuthin: Dominikanerinnenkloster und Hohenberger Grablege (Göppingen: Kümmerle, 1973): 7-10
150 “vil fur nems adels” HStAS A 517 Kloster Reutin, U1: 2r. 10-18.
reform did not involve the transfer of property or rights over property to comital agents.

If nothing else, her mention of the presence of the worthies who witnessed or participated in the institution of reforms indicated an “event” meant to communicate the importance of the reform as much as the participants. Nevertheless, the author records the whole reform in terms of persons, and says nothing about how the reform affected the practices within the house. She says nothing of property or legal rights or any of the other details that historians might consider important. Consider, in context, the passage describing the death of Count Sigmund von Hohenberg only a few years after the reform:

In the year of the lord 1484 on the feast day of St. Thomas the Holy Apostle, the well-born and noble lord, Count Sigmund of Hohenberg, of worthy memory, was brought into our cloister and buried in our choir near the high altar with his shield and helmet in the grace of God and all faithful souls. He was the last lord and had great love for the convent in which also [is buried] his wife who was called lady Ursula von Ritzinse or Rozinß.¹⁵¹

The anonymous author’s description of Sigismund’s death and burial, with its attention to specific actions and persons, stands in contrast to the laconic description of the reform, of which little beyond the basic information was recorded. The importance of the cloister had come from its connection to the aristocratic families, families that had founded, funded, and inhabited the cloister. This relationship had been confirmed by aristocratic founders and patrons who sought burial within its walls. When that family declined another aristocratic family did not simply take its place, but a new advocate or patron has arrived who insisted on reforms. The arrival of the Württemberger as patron, reformer,

¹⁵¹ “Anno d(omi)ni m.iiii. Lxxxvi uff Sant Thomas/ deß heiligen zwelffbotten tag/ ward in unser/ closter gebracht der Edel wolgeboren herre/ Graue Sigmund von hohen berg selig lob/ lichter gedachtmutnus / und in unserm chor/ nebend dem fron altar mit schilt und helm/ begraben dem Got gnedig sy und allen/ glaubigen selen, er waß der letst herre/ und hett große liebe zu dem conuent / waß in auch ganz praintlich/ Sun gemahel hat geheißen frowe Ursula/ uo Ritzinse oder Rozinß.” Fundacion Document, HStASt A 517 Kloster Reutin, U1
and advocate signaled change not just in the life of the cloister (on account of his institution of reforms), but also in the political authority and territorial landscape, a fact that was lost on neither the anonymous sister of Maria-Reuthin nor the Württemberg counts, especially not Eberhard V.  

Religious reforms, then, operated on various levels and helped to provide the aristocracy with material resources, influence at the local level through the cloisters, and symbolic capital (that, non material resources or entitlements) for members of the aristocracy by fostering reforms in their territory. The Württemberg counts projected their authority through a variety of positions and powers (advocate, count, founder, reformer, intermediary) as regulators of religious life and, by extension, mediators of universal order, or least under divine guidance, mediators for their part of the universe. The reforms helped shape the counts’ interregional connections, for example, with their agents in Rome, who procured necessary bulls of reform, as well as the support of the equally well-connected abbots of Hirsau and Maulbronn, who regularly acted as the agents in charge of enforcing reform decrees obtained by the counts. The support for the Observant reforms helped to consolidate territorial authority yet another way. As Bernhard Neidiger had argued, Eberhard supported the Observant Dominicans until he and Ulrich had legally established the course of comital succession that would reunify the

---

152 Maria-Reuthin’s advocate, like Offenhausen’s, had been linked with shifts in the lordship of Wildberg, and so was affected by purchases by the Pfalzgraf Ruprecht I in 1363, through whom it became associated with the counts of Württemberg until 1440, when Ulrich V absorbed the position of advocate and protector. Gand, Maria-Reutin, 15-16.

153 Symbolic power is not simply the symbolism of power, but, at its most basic, is the ability of a person to have other obey without resorting to overt violence, although violence of some type is implied. Non-material resources might include things like legal jurisdiction, in which an agent exercises authority over other behavior or resources with authority that is assumed to be legitimate. See Pierre Bourdieu, Language and Symbolic Power, ed. John B. Thompson and trans. Gino Raymond and Matthew Adamson (Cambridge, Mass.: Harvard University Press. 1991). 32-48.
county under Eberhard’s sole rule.\textsuperscript{154} Thereafter, Eberhard had little to do with the
Dominicans, Observant or otherwise, even though he continued to pursue religious and
cultural policies that ensured his support for other, more \textit{en vogue} religious communities,
such as the Brethren of the Common Life.

The counts of Württemberg specifically, and aristocrats generally, made use of a
variety of agents in achieving their goals. The counts of Württemberg often
commissioned the Benedictine abbots of Maulbronn and Hirsau as reform specialists to
institute or enforce policies even when the religious communities they visited were not
Benedictine or Cistercian and, if occasionally, they acted without the mandate or
approval of a bishop or the papacy. One of the most important means by which Eberhard
exercised control over religious institutions was by negotiating with the papal curia for
broad powers, acquired through the efforts of Veit Meller, who acted as a standing
diplomat to the Holy See.\textsuperscript{155} Meller procured twice, first in 1459 and then in 1464, papal
bulls commissioning the count to reform monasteries and convents in his territory.\textsuperscript{156}
From the point of view of the pope, these bulls may have been a practical matter as the
Württemberger’s territorial possessions were located across several different dioceses,
making an episcopally-led effort to reform monasteries unlikely, even in those cases in
which bishops advocated for reform and religious houses did not resist by claiming

\textsuperscript{154} Neidiger, \textit{Das Dominikanerkloster Stuttgart}, 74-78.
\textsuperscript{155} Meller is described in the sources as a doctor of laws and “Provost of St. Vitus in Freiburg,” though to
date there is no secondary work about his career as one of the most prominent agents of both religious
reform (despite his reputation as something of a scoundrel) and as an effective agent for the counts of
Württemberg at the ecclesiastical courts of Europe.
\textsuperscript{156} Eberhard was remarkably well connected to the papal curia, both through his marriage to Barbara
Gonzaga and his promotion of relatives of important clerics to positions of authority, especially within his
jurisdictional immunity from episcopal oversight. Eberhard continued to reform religious houses until his death, though after 1480, with the death of his uncle Ulrich, he ceased patronizing the Dominicans and focused on more modish religious movements. Neidiger argues his failing support for the Dominicans may have been tied to their conservative theological views, which stood in contrast to other major theologians of the period, especially Gabriel Biel, who was active in Eberhard’s religious and cultural projects, including the introduction of the Brethren of the Common Life into Swabia and the development of the University of Tübingen.

Not every aristocrat did, or could, support reforms in as vigorous a manner as the counts of Württemberg. The Hohenzollern, a powerful family whose hereditary lands in Swabia bordered the southern limit of Württemberger holdings, appears to have had only a passing interest in religious reform. Fairly wealthy and independent communities, like the community of Dominican women at Habsthal near Sigmaringen, were untroubled by reform efforts from either the Dominicans or the territorial lord who possessed judicial, advocacy and patronal rights. Habsthal remained a conventual community until the sixteenth century, when Bishop Hugo of Constance issued a set of statutes for the community that aimed mostly at regulating enclosure and the relationship between the prioress and her lay agents, but these reforms look nothing like Observant reforms

---

157 Württemberg possessions lay within the archdiocese of Mainz and the dioceses of Strasbourg, Constance, Würzburg, Augsburg, and Speyer.
159 The community was initially founded and supported by dukes of Tübingen but the patronage and advocacy rights changed hands several times. In the mid-fourteenth century, the duchy was sold to the count of Württemberg, however, the advocacy rights over Habsthal were pawned to the counts of Werdenberg in 1399, where they remained until the line was extinguished in the sixteenth century, but the counts of Sigmaringen were the immediate executor of protective rights over the community. See Doris Muth and Sr. Kornelia Kreidler, “Das Kloster Habsthal,” in *Klöster im Landkreis Sigmaringen in Geschichte und Gegenwart*, ed. Edwin E Weber, 120-165 (Lindenberg: Josef Fink, 2005), here 122-125.
centered on personal property or communal wealth.\textsuperscript{160} The counts of Hohenzollern agitated for a reform in a neighboring convent, Gnadental in Hechingen, and the plan was confirmed by the Master General of the Order.\textsuperscript{161} The attempt appears to have had only moderate success in the early sixteenth century when Hugo of Constance again intervened and, much as in the case with Habsthal, worked to secure stronger enclosure. Although some members of the Habsburg family were keen on religious reform within Inner Austria, they do not appear ever to have attempted a reform of the community of Dominican women of Löwental near Ravensburg. On the contrary, when Habsburg agents took over the territory, administratively within “Further Austria,” Löwental remained a wealthy, propertied religious establishment, although the number of nuns remained quite small in the medieval period.\textsuperscript{162} Although tenaciously holding onto their much-divided property, the Swabian branch of the Hohenzollern family was troubled in the fifteenth century by a lack of finances, internal divisions over inheritance, and concerns that the family line might die out. These conditions were unfavorable to the pursuit of potentially costly and drawn-out reforming efforts.\textsuperscript{163}

\textsuperscript{160} For the statutes see Hugo of Constance, Statues for the Cloister of Habsthal, 1479, StAS FAS DS 78, 190.
\textsuperscript{161} Mansuetis appointed Ludwig Fuchs of the Ulm cloister to reform Stetting-bei-Hechingen in 1480. See document #522a in Franz Haug and Johann Adam Kraus, ed. Urkunden des Dominikanerinnenklosters Stetten im Gnadental bei Hechingen, 1261-1802. (Hechingen: Beilage zum Hohenzollerischen Jahresheft. 1955), 150. The sisters, however, apparently had contacts in Rome who advocated on their behalf for their privileges in the same year, Document #552b in Haug and Kraus, eds., Dominikanerinnenklosters Stetten im Gnadental, 152.
\textsuperscript{162} Raimund Waibel and Georg Wieland, 750 Jahre Kloster Löwental: Dominikanerinnen in Löwental 1250-1806 (Friedrichshafen: Stadtarchiv Friedrichshafen, 2000), 4 and 16 [unpaginated]
\textsuperscript{163} See Katrin Bourrée, Dynastie als Herrschaftspraxis. Strategien fürstlicher Selbstbehauptung im 15. Jahrhundert. Das Beispiel der Hohenzollern (Münster: Universität Münster, 2010).
The Cities

The cities, in particular the Free and Imperial Cities, through their city councils also engaged in religious reform, often for the same reasons as the aristocracy. The ability to institute reforms, especially in the semi-independent, urban mendicant Orders, was a means to cultivate real regulatory power by being able to direct the daily routines of the religious and establish precedents for judging the spiritual state of religious communities. Unlike most nobles, however, the councilmen also had to live in fairly close proximity to the religious houses, which put them in closer contact with the daily life and routines of the religious. The result was they had more frequent contact with the religious Orders than the aristocrats did. Councilmen were more responsible for supplying stewards and custodians who dealt with the finances of the communities, collected taxes from them, and were in a host of other ways more intimately engaged with their various members than aristocrats generally were. And of course, when an institution of social importance like a monastery or mendicant convent did become an object of scandal, it was difficult for the city council to ignore it because anything that might stir the various inhabitants of a medieval city to criticize these institutions and circulate such criticism, to say nothing of taking action on their own against members of religious Orders or the secular clergy, which was a source of anxiety for the councilmen.164

There were motives within the council-backed reforms that, in contrast to aristocratic actions, indicate the different type of power the two held. For instance, in

---

164 See “Introduction” in David Sabean, *Power in the Blood: Popular discourse and village in early modern Germany* (Cambridge: Cambridge University Press, 1984), 1-36 but in particular 20-27 on the construction of “Herrschaft.” While Sabean’s focus is on communal life under a territorial state, his study of rumor and its consequences are applicable in this sense, especially Sabean’s comment “One such way [in which we see how the dominated express their desires] lies in the reaction to a local event- the momentary popularity of a local hero, the notoriety of some particular occasion. It is hard to stop people from rushing to have a look at whatever is going on. They threaten established authority by posing or suspending belief, by throwing normal categories into question.” Sabean, *Power in the Blood*, 27.
case of Gotteszell in Schwäbisch Gmünd, north of Ulm and east of Stuttgart, Bernhard Theil demonstrated that the convent of Gotteszell, like other such communities of the voluntary poor, had accrued gifts over time, typically from family and supporters of the sisters, until such gifts created a cloister of some means. In the 1470s the city council accused the sisters of living a dissipated life without discipline, arguing that “in all of Germany there were none who lived in such dissolution,” and began to communicate with Leonardus Mansuetis, Master General of the Order, to urge reforms in the cloister. In 1476, the nuns hoped to transfer the role of protector to the counts of Württemberg, on the basis of their right, given in a 1470 declaration, freely to elect their custodian, and so deprive the city of the position that it had held for nearly two-hundred years. The counts of Württemberg were particularly interested in acquiring legal authority over this cloister, something the city council would naturally oppose. To complicate matters, in late 1476, both the Observant Dominicans and the non-observant Dominicans made a bid for regulatory supervision of the cloister. In this instance, the two leading figures in this bid were Jacob von Stubach, the first Observant elected as Provincial Prior, and the man who lost the election to von Stubach, Heinrich von Wesmael.

To this confusion of personalities and jurisdictions, Mansuetis, at the request of von Stubach, created a new visitation commission composed of van Wesmael (who remained the vicar for the non-Observant Dominicans) and Prior Ludwig Fuchs from the

---

166 “…quomodo in monasterio sororum celle Dei prope Gamundiam…multis annis sorores dissolutissime usque ad presens vicerunt ac hodie sine regulari disciplina vivant…ymmo omnes circumsedentas…de earum lasciviss et notorius malis scandalisati sint…quod in tota Alemannia non reperiantur tales sic dissolutissime viventes.” StAL B 185, Bü G 2 as in Theil, “Klosters Gottetzell,” 17, ft. 36.
reformed cloister of Ulm. Their instructions were jointly to reform the convent. The convent was eventually reformed with the Observants accepting responsibility for the spiritual care of the community under the Provincial Prior, von Stubach, and the city council remained the legal advocate of the convent. More importantly, the city council was able, as the custodian for Gottezell, to tax the convent, collecting some 20 florins annually, and was able to exploit the cloister’s extramural holdings, effectively augmenting its own territory. If the inhabitants of the city, through their gifts, had been the cause of the moral decline of the cloister, then the council’s acquisitive hopes played a part in the reform of the cloister and supported its voluntary poverty.

The case of Gotteszell highlights several important aspects of religious reform in southwestern German cities. Reform in the cities often involved overlapping jurisdictions that could be exploited by the various parties. As Christopher Ocker has pointed out, the Augustinians of Nuremberg were forced to accept a reform bull of Pope Pius II, only to appeal the bull to the same pope, who then suspended his own bull. The Dominicans of Esslingen, having learned of an Observant attempt to obtain a bull of reform from the papacy in the 1470s, sent their own counter-delegation to Rome to maintain their legal privileges and immunities, but they were ultimately cowed by the influence of the counts of Württemberg. Many communities of female religious also pointed to legal exemptions and privileges, often granted by popes and confirmed by emperors and bishops, that guaranteed them independence from outside interference in their internal

---

169 Theil, “Kloster Gotteszell,” 32-34.
regulation, as the case of Gotteszell. These legal documents often proved to be less reliable and authoritative than new legal instruments obtained either by the Observants or secular authorities, but they could cause considerable delay and even compromise in the institution of Observant reforms. Further, as the aforementioned case of St. Katherine’s in Nuremberg illustrates, a city council and reformed friars might not be able to break stiff physical resistance to reform.\textsuperscript{172} A common tactic attributed to nuns who hoped to avoid the implementation of a reform was for the nuns to make noise by yelling or in some other way prohibiting the reading of bulls of reform, as will be the case with the Clarissans of Söflingen in Chapter 5. In fact, the tactic was so common that Iris Holzwarth-Schäfer has viewed it as part of a “ritualization” of reform that was inaugurated after with a display of stiff resistance.\textsuperscript{173}

In order to implement reforms successfully, the cities required their own authority and the cooperation of the religious superiors to some degree, but it was always beneficial to have the legal authority of the current pope, whose authority in current matters was viewed as being more authoritative than bulls or immunities granted by his predecessors. By the same token, however, the conflicting jurisdictions could also be exploited by those who resisted in other ways. The cloister of Sirnau near Esslingen, when threatened with reform in 1508, apparently left the Dominican Order for the Carmelites.\textsuperscript{174} When Johannes Nider attempted to reform the Dominican sisters of


\textsuperscript{173} Holzwarth-Schäfer, “Die Esslinger Mendikanten,” 75.

\textsuperscript{174} A lack of more complete evidence makes the outcome of this maneuver uncertain. There exists a letter from the provincial of the Carmelites, Johannes Stares, who discusses the incorporation of Sirnau, although he addresses the letter to “…agness[en] bolotzhoffering priorin, und allen swesterin, der versamlung und co[n]juent ze Sironaw prediger ordens…” so if the result of these efforts it now known. SfAL B 175 Kloster Sirnau U 99: Letter of Johannes Stares, September 15th, 1508; Robert Uhland, “Die Esslinger Klöster im Mittelalter,” \textit{Esslinger Studien} 8 (1961): 7-42, here 19-20.
Klingental in Basel in the 1420s, the abbess kept the seal of the cloister and enabled the community to continue their resistance by drawing on their rents and the support of wealthy patricians. When the conflict with the Dominican reformers was over, the sisters left the Dominican Order and placed themselves under the protection of the bishop of Constance. Such stunning shifts in jurisdiction were rare but indicate the lengths to which some religious would go to retain their independence from Observant reformers. In other cases, the cities either came slowly to reform or avoided reform unless it was congruent with a real and present need. The city council of Mainz was slow to support the reform of its Franciscan cloister until it seemed likely that the archbishop of Mainz would intervene and take control of the cloister and its properties, a situation that the council hoped to avoid. Even then, the long period of waiting for the appropriate settlement between the various reform parties blunted the effect of the reform.

Therefore, reform within German cities, as among the secular aristocracy, involved both a material cost/benefit analysis that included such factors as the time needed to complete a reform, the personnel necessary to carry through the reforms (both at home and in Rome) and the potential for conflict within the city. The potential benefits of a successful undertaking included the spiritual value of having zealous religious capable of setting a good example of religious behavior for the laity, and having well-trained preachers who offered more edifying sermons than had the previous, unreformed religious. Involvement with the reform of religious houses also meant closer relations between the council and the semi-autonomous religious communities, and even enhanced its regulatory control over religious communities. No one of these concerns necessarily

175 Winston-Allen, *Convent Chronicles*, 149-150.
176 Christopher Ocker, “Reform and Cohesion,” 78.
dominated, and all must be placed against the consideration that the councilmen, as sincere Christians, also desired to improve the morals and behavior of the religious in their cities. Reformed religious, especially those who were responsible for preaching or affiliated with educational institutions, were helpful in disseminating oral discourses of command/obedience to those who needed reminding but also supplying edifying sermons and advocating new devotional practices for those for whom older devotions seemed simplistic or crude. The often complex attempt of both city councils and aristocrats to reform religious houses involved numerous parties, took a long time to effect, and did not always yield the hoped-for results.

Conclusion

The process of instituting religious reforms in fifteenth century, therefore, was fairly complex and often involved enhancing or creating of political contacts, the exchange of rights and privileges among all involved parties, and adjustments in the relationship between secular and religious authorities as they attempted to define and exploit the meaning of voluntary religious poverty and the discipline of reform. While the Observants claimed that they were attempting to restore a sense of unity, manifested in common practices of the community and the behavior of its members, this chapter has shown that the politics of identity that had caused controversies in the early periods of organizational development were actually part of an ongoing processes that continued to spark debate and disciplinary conflicts down to the period of the Observant reforms. In

addition to these ongoing issues, “being reformed” became an important part of communal identities on its own, indicated by the ability of one party (Order, city council, or aristocrat) to promote the reform of other religious or even all religious Orders. Secular authorities, represented by the aristocracy and the city councils, recognized the potential of the reforms to foster their own social and political goals as well as to strengthen the religious discipline of religious and laity within their jurisdiction. The relationship between the reformers and the secular authorities can be viewed in terms of an intersection of interests, in which the goal of reforming a convent was achieved when both the religious and the secular authorities found that it was in their interest to support each other in reforming a convent, whose reform was viewed by both parties as beneficial and achievable. As we will see in the reforms of the mendicant communities of Ulm, the city council had some clear expectations of how the reforms would influence the behavior of the individuals within the religious communities, and some expectations became manifest in discussions and requests only after the institution of reforms, which requires that we view the reforms as part of a process and not simply in terms of the “event” of reform itself. One result of this process is that the expectations of how the religious would behave came under the scrutiny of the laity in formalized processes, even as the religious Orders attempted to maintain their distinctive roles in society.\(^{178}\)

The religious reforms of the fifteenth century were inevitably a part of both secular and ecclesial politics, an internal conflict that involved outsiders, and an attempt to define the present through the representation of the past. In order to understand more fully the value of voluntary poverty to secular communities and the nuances and

\(^{178}\) See for example, the development of “communal ethics” by which church practices were judged in the early Reformation in Peter Blickle, *Communal Reformation: The Quest for Salvation in Sixteenth-Century Germany*, trans. Thomas Dunlap (New Jersey and London: Humanities Press, 1992), 39-46.
complexities of religious reform, we will now turn to the consideration of a single case of reform efforts in the city of Ulm, beginning with the social and political background of city in Chapter 3.
CHAPTER III

THE CITY OF ULM AND STRUCTURES OF POWER

Introduction

In the last quarter of the fifteenth century, the Dominican writer Felix Fabri marveled at the growth of the Free and Imperial City of Ulm over what seemed to be a short period of time. He wrote:

There were not formerly, even seventy years ago, a third of the people and business reported in Ulm as there is now. Seventy years ago there were scarcely two millers where now there are twenty; two goldsmiths where now there are twenty; two barbers where now there are ten, one inn where now there are twenty, two tailors where now there are twenty; one physician, where now there are thirty; one priest, where now there are ten. Before the many universities, there were as many foreign young students, as now there are supposed to be in other universities, and a great school and name is Ulm’s school.¹

Ulm underwent considerable demographic and economic growth during the fourteenth and fifteenth centuries, and its civic institutions developed from the rudimentary and basic to the sophisticated, connecting the city to a continent-wide system of information exchange. Many factors contributed to this growth, including Ulm’s cultivation of its textile industry, its position along major trade routes, and its role in the city leagues and

¹ “Unde plures adhuc in humanis sunt de antiquis, qui recordantur in Ulma fuisse non teriam partem homunum et artificiorum quae nunc est. nam ante 70 annos vix errant duo pistores ubi iam sunt 20; non duo aurifabri, ubi iam sunt 20; duo barbitonsores, ubi iam sunt 10; unus hospes ubi iam sunt 20; duo panni tonsores, ubi iam sunt 20, unus medicus, ubi iam sunt 30; unus sacerdos, ubi iam sunt 10. Et antem utiplicationem universitatum tot errant alieni invenes scholars, quot iam sunt suppositi in aliqua universitate, et grandis bachantria ac nominare erat Ulmae.” Fratris Felices Fabri Tractatus de Civitate Ulmensi....ed. Gustav Veesenemeyer. (Tübingen: Litterarischen Verein in Stuttgart, 1889), 145. Hereafter cited as Fabri, Tractatus.
their wars. Perhaps most importantly, from about 1345 on, for nearly two-hundred years, Ulm’s political and social administration was structured by a series of power-sharing agreements between the guilds and the patrician elite (Geschlecht). These power-sharing arrangements ensured that the guilds had the majority representation on the city council (the Rat) and as a consequence, most aspects of the city administration and urban culture were directed from the hierarchical cooperation of guilds and patricians.

As with the expansion of any social organization, conflicts arose within the city over the distribution of power, the control of economic production, social mobility, and communal identity. Chapter 2 demonstrated that members of the religious Orders were conflicted over the proper understanding of their Rule and Constitutions, the proper exercise of institutional authority, especially as it related to behavioral discipline, the Order’s identity, and finally how the behavior of the religious was related to the mission of the Order. The goal of this chapter is to describe the complicated political and social processes at work in the Free and Imperial City of Ulm, in order to show how conflicts about those processes created an environment that was conducive to support for the Observant reforms. Much like the religious Orders, the citizens and inhabitants of Ulm were concerned with the proper understanding of their constitutional documents, the proper exercise of institutional authority, common identity, and how individual behavior was related to the maintenance of the independence of the city, and its place within the Holy Roman Empire.

2 The term “patrician” only slowly came into common usage in the sources in the fifteenth century and the group that was indicated by this term was not static, with some families dying out or moving to other cities. The customary and symbolic measures that distinguished this group from other citizens were not consolidated until the late fourteenth century. Despite this fact, the families that came to constitute the patriciate were clearly in power before the policies that regulated its membership were in place, so I will employ the term to mean that group of social and political elite who were neither guildsmen nor members of the aristocracy. See Stefan Lang, Die Patrizier der Reichsstadt Ulm (Ulm: Stadtarchiv Ulm/Süddeutsche Verlagsgeselleschaft/ Jan Thorbecke, 2011), 8-16.
The most important civic institution was the city council, whose power rested with the sworn association of citizens, who were bound together by a public oath-taking every year.\(^3\) Within this social system, individuals were expected to assist in the enforcement of laws and policies created by the city council, a body that symbolically represented all of the citizens, even those who disagreed with those policies or found that the council’s laws ran counter to their own interests.\(^4\) Individual citizens participated in this regulation by associating with groups, such as guilds, which were responsible for disciplining their own members.

Towards the end of the medieval period, then, the non-citizens, and the non-grouped, came under increasing scrutiny as outsiders who benefited from the peace and prosperity of Ulm but whose disciplinary position was either unclear or not wholly within Ulm’s legal jurisdiction and social system. This chapter will show that the anxiety about the position such non-citizens or non-citizen-groups was rooted in a common fear of political violence and social unrest. The city council’s need to neutralize social unrest was, therefore, directly related to the city council’s support for the Observant reforms. The information that is presented in this chapter is thus directly related to the analytical themes described at the conclusion of Chapter 2 and directly linked to understanding the role that the Observant reforms played in late medieval society, discussed in Chapter 5 and Chapter 6.


The Early History of the City

When Ulm acquired the status of a “Free and Imperial City,” is unclear but it had acquired the right to mint coins, a grant that indicates it was a settlement of some importance. The early period in the city’s history ended, however, when Ulm was devastated in the conflict between the Hohenstaufen dynasty and the Salian dynasty over the succession rights to both the Salian private lands and the royal lands gained by Henry IV and V. In 1131 the extramural lands of Ulm were burned and in 1134 the entire city was destroyed, except the parish church referred to as ennet feldes, or “in the fields.”

According to the Annales Magdaburgenses, the citizens were scattered, members of the leading families were taken as hostages, and the entire region was given to Lothair and devastated. The destruction of Ulm was worthy of mention in several later chronicles and the memory of the event endured to Fabri’s time, for he summarized the event with a sharp phrase: “the republic of Ulm was reduced to nothing.”

The city was rebuilt soon afterwards and, according to Fabri, the citizens decided to build it as a new city (novam urbem) rather than as the “thin, small settlement” that it had been. The effort to rebuild and expand the city was supported by the Hohenstaufen

---

5 For the early history of the city see Max Ernst, “Zur ältere Geschichte Ulms,” UO 30 (1937): 1-11 and Walter Schlesinger, “Pfalz und Stadt Ulm bis zur Stauferzeit,” UO 38 (1967): 9-30. There is some speculation that the city was elevated to the status of “Free and Imperial” by Frederick Barbarosa in 1181, see Specker, Stadtgeschichte, 33.


7 Specker, Stadtgeschichte, 38.


10 “Videntes autem Ulmenses multitudinem, favorem et forte adiutorium, animati sunt, et non antiquum oppidum exile et parvum, sed novam urbem aedificare decreverunt.” Fabri, Tractatus, 31. In particular,
dynasty, particularly under Conrad III, whose family members used the city as a place to hold court. Other powerful lords, such as Ottokar of Styria, extended rights to the merchants of Ulm in the twelfth century, fostering the commercial development of the city in the expanding economy of twelfth-century Europe.\textsuperscript{11} Non-aristocratic citizens of Ulm begin to appear in the sources from this period as witnesses in the affairs of such other cities as Esslingen, suggesting the development of political and social contacts within the region which were especially important for the growth of civic institutions and for Ulm’s constitutional development.\textsuperscript{12} There is little early documentary evidence concerning the growth of the textile industry until well after it had been established, although it is clear that the development of fustian cloth began in this period.\textsuperscript{13}

Ulm was located in a favorable position between the important trading centers of northern Italy and the fairs at Champagne. This meant that it could capitalize on traveling merchants as a host city and participate in the growth of textile production that had, by the twelfth century, linked the markets of northern and southern Europe to each other, as well as those of Mediterranean Europe in global trade and exchange.\textsuperscript{14} From this expansion of manufacturing and trade, and following common practices of medieval

\begin{footnotes}
\item[11] See the grant of market privileges by Duke Ottokar IV of Styria at Enns to merchants from various cities in 1191 in \textit{UUB I}, 29-31. Fabri also attributes the revival of Ulm to the support of nobles and other cities, Fabri, \textit{Tractatus} 31.
\item[12] \textit{UUB I}, 52-53, 55 and also 65 in which Emperor Conrad IV directs his \textit{Schultheiss} to protect the monastery of Salem in 1240, along with the \textit{Schultheissen} of several other cities, including Esslingen and Rottweil, although he does not mention a specific name. This is one of the earliest mentions of this officer being in Ulm, separate from the \textit{Amman}.
\end{footnotes}
social organization, various craft and merchant guilds developed in Ulm.\(^{15}\) Several guilds dealt with textiles: a general weavers’ guild that worked with non-woolen materials, the linen weaver’s guild, the wool weavers’ guild, the “gray cloth” handlers and the “dyed cloth” handlers, in addition to those who prepared raw wool or linen materials for weaving. Although technically all guilds monopolized a specific form of trade or craft production, it was recognized that certain guilds had more prestige and authority than others. There was a distinction between the merchant’s guild that dealt in luxury items (Kaufleuten/Mercator) and vendors such as grocers (Kramer) or gardeners who dealt in more quotidian goods, for example. This stratification of guilds did not prevent guild members from identifying with each other as a common group but, much as in the relationships between the patricians and the rural aristocracy, wealthier members of prestigious guilds (for the most part this meant only the wealthy merchants) aspired to marry intro the patriciate and to emulate their lifestyle.\(^{16}\) On the other hand, the guilds leveraged their position in city government against their competitors, especially rural craftsmen, by establishing protectionist policies for key industries, like weaving, and by ensuring that any attempt to acquire citizenship required the support of guild members.\(^{17}\) Guild culture was a part of the hierarchical society of Ulm, in which members of one stratum attempted to be maintain the system from which they derived benefits while at the same time attempting to advance into a more prestigious social group, especially by marriage.

\(^{15}\) The first mention of the guilds in the UUB comes from a source in 1292, in which the major guild masters appear as witnesses confirming the transfer of real estate to the abbey of Bebenhausen, see UUB I: 202-203.

\(^{16}\) Specker, Stadtgeschichte, 56-60.

Ulm was a “Free and Imperial City” with no overlord except the king or emperor. This meant that the administration of Ulm was initially carried out by royal agents, who occupied positions of authority within the city itself. More often than not, until the fourteenth century, aristocrats favorable to the interests of the reigning king were appointed to these positions. Two positions in particular were the source of considerable political and legal power in the city: the minister or Amman (sometimes Ammann), a royal judge or magistrate authorized to judge matters of high justice within the city and designated as a type of chief executive for the city, and the Vogt, or advocate, who was given particular authority over a region (in this case the advocate is known as a Landvogt, or district governor) or a specific institution like a city or ecclesiastical foundation.

The fact that these positions were royal appointments meant that they were often filled by aristocrats with whom the burghers had a complex relationship. On the one hand, the city competed with aristocrats for land and legal benefits and the military threat the aristocracy presented was not lost on a city that had been “totally destroyed.” The citizens of Ulm were quite justifiably concerned that royal appointees might exploit their administrative positions to enhance their own personal power and influence at the expense of citizen’s rights and privileges. The paramount concern was that somehow, the city would lose its status as “Free and Imperial.” This status of “free” not only carried rights and privileges that other communities did not have, but it was also a mark of distinction in that the citizens of Ulm were not subjects and did not owe servile feudal

---

service. The loss of the status of “free” would have damaged the social prestige and pretentions of the citizen body. On the other hand, the aristocratic administration of the city had always been carried out with the support of the patricians. Some elite families in Ulm were descended from the ministerial families (families of unfree knights), or had otherwise been associated with the neighboring aristocracy, and some families continued to serve or be associated with them. For instance, the Roth and Laidolf families, some of the earliest burgher names that occur in the sources from the middle of the thirteenth century, were vassals or managed properties for the rural aristocracy.21 These families, in turn, emphasized their status as leading citizens of the city (meliores) not laborers or members of the guilds. Writing in the fifteenth century, offering a clearly idealized view of social groups, Fabri wrote that:

No matter how much nobility, wealth, or prudence [a person may have], they admit no one from the guilds into the third rank…I believe that even if the emperor ennobled someone from the guilds of Ulm and made him a count, and decreed him to be a member of that third rank of the city, they would not admit him however much he might be with them.22

While Fabri wrote at the end of the fifteenth century, we can see a complex set of political and social relationships emerging as early as the thirteenth century that would largely come to shape much of the Ulm’s history down to the fifteenth century and the period of the Observant reforms.

The development of trade and trade associations in the thirteenth century, as well as the presence of imperial agents and ministerial families, illustrates the early

---

22 “….ita quod nullum zunftalem quantum cunque nobilem, prudentem, divitem admittunt in tertiorum ordinem….Credo enim quod si imperator aliquem zunftalem Ulmensem nobilitarent et comitem faceret et civem esse iullius tertii ordinis praeciperet, non eum admitterent quantum in eis esset.” Fabri, Tractatus, IV.3, 59.
development of social stratification within the city. In particular, families that could associate themselves in some way with the neighboring aristocracy would use these associations to stake their own claim to noble status. Members of the guilds, however, were not content with their lack of access to political resources, and their organization in representative and regulatory associations provided a basis for them to operate with a common voice (though perhaps not solidarity) and to register their dissent. Once they had reached a level of political representation and power, their associations were largely used to suppress dissent.\(^\text{23}\) However, the dread of dissent and violence was an important factor both in supporting the Observant reforms as a means of increasing the city council’s disciplinary power and in the types of discursive cultural activity that the council hoped the Observant reformers would provide. One particular episode can be used to highlight the way in which these social divisions, and the discontent they fostered, could threaten the citizens of the city. This episode is the coup staged by members of the Kunzelmann family in the early fourteenth century.

The Kunzelmann Coup

The Kunzelmann coup of 1323 was not the only urban conspiracy in the history of German cities, and it was not the only coup to occur in Ulm.\(^\text{24}\) Anxiety about political conspiracies was common throughout medieval German society. The Golden Bull of 1356, for example, specifically banned “illicit agreements, gatherings, or bands in the

\(^{23}\) Tom Scott has aptly summarized this situation: “However prevalent and powerful notions of the commonweal or the ‘household good’ might be, they were embedded in a fabric of social relations woven from corporate interests and liberties, which was grounded in privilege and oligarchy, exclusion and discrimination.” Tom Scott, *Society and Economy in Germany: 1300-1600* (New York: Palgrave, 2002), 55.

\(^{24}\) Around 1311 or 1313 chronicle sources describe the murder of several guildmasters on the Weinhof, an act historians which have understood as part of a failed coup. See Konrad Hannesschläger, “Ulms Verfassung bis zum Schwörbrief von 1397,” *UO* 35 (1958): 7-98; here 58-71.
cities or between cities or between individual or individual and persons….”25 The Golden Bull was a conservative, even retroactive, document that attempted to curb the power of the cities and the expansion of sworn associations. The Golden Bull gave considerable legal privileges to the aristocracy, especially the electors, and the bull’s statutes described a program to limit competition from non-aristocratic sources, especially from the cities but also from sworn associations. Sworn associations were, in Gerhard Oexle’s view, voluntary, “inorganic” forms of social organization that contrasted with “natural” institutions like the monarchy, and for this reason the aristocracy tried to curb or eliminate such a powerful source of competition.26 Yet, even in the cities, sworn associations were also a cause for concern, especially if they were formed in a way that was not witnessed or acknowledged by the urban authorities. The Kunzelmann coup of 1323 is indicative of the connection between social order, political power, and the threat that disputes could pose to the inhabitants of the city. Such threats were not limited to the physical violence that occurred in factional strife, but also the in way in which such violence was repressed by imperial agents at the risk of urban freedoms.

In the late thirteenth century, cities like Ulm were developing ever more complex forms of administration under the influence of both the desire of urban elites to control public institutions and of the need royal claimants had for cash, often prompting them to sell rights to offices and revenues. For instance in 1296, King Adolph accepted the

monastery of Bebenhausen and its property into the citizenship of Ulm. This act both promoted the institution of “out-burgher-ship” that would be so contentious for the rest of the medieval period but also clearly symbolized the growing respectability of Ulm’s political institutions and ruling groups. In the same year, Ulm received its first written city code, derived from the city code of Esslingen, which stipulated that sixty-three of the leading citizens (meliores) were to select the royal judge in a secret, sworn process. The code established the judge’s duties as well as the duties of an additional twelve sworn judges and their obligations and rights. High justice was still relegated to the “king or his minister,” but other legal cases were dealt with by the twelve-man tribunal. While these developments generally favored the authority of the patricians over the guilds, the concentration of legal power within the city also ensured conflict among patricians for control of the executive positions, especially for the post of Bürgermeister (the chief executive or mayor, first mentioned in sources of this period). The authority of these non-guild elites provoked animosity on the part of the guild members and an internal conflict shaped by imperial politics.

In 1315 Duke Frederick of Hapsburg, in competition with Louis of Bavaria for supporters for his election as king, confirmed the rights and freedom of the Ulm. In the

---

27 UUB I, 235.
28 Scott, Society and Economy in Germany, 32-33.
29 The code is found in UUB I, 230-235, here 231. King Albert imparted all of the rights that the city of Esslingen had in 1298, memorialized in UUB I, 254-255.
30 Henirch Strölin was first listed as “capitaneus” in a source from 1292, a term synonymous with the later German equivalent of “Bürgermeister,” UUB I, 202. This document is also important on account of the decision made, or at least rendered with the approval of the guild masters or Zunftmeisters. See Theodor Victor Brodek, “Society and Politics of Late Medieval Ulm: 1250-1550,” (PhD diss.: Columbia University, 1972), 29-36 and Karl Rabus, “Der Ulmer Bürgermeister bis 1548,” (PhD diss.: Eberhard-Karls-Universität, 1952), 32-34. For the development of “copied” city law codes and governments in the region see also Eberhard Naujoks, “Obrigkeit und Zunftverfassung in den südwestdeutschen Reichsständen,” ZWLG 33 (1974): 53-93.
31 UUB II.1. 1-2. There is a clear sense in which Frederick is confirming in a written form a position that the city claimed already existed: “omnia privilegia, gratias, concessiones, libertates, immunitates et jura a
conflict between Louis and Frederick, leading Swabian cities, including Ulm and Augsburg, formed an alliance with several powerful nobles to support their mutual claimant, highlighting the fluid relationship between the cities and aristocracy. Louis was eventually victorious in the conflict, and in 1323 the citizens of Ulm had to swear loyalty to him. In return Louis confirmed the previous freedoms of the city but, barely a year later, in 1323 he also pawned the rights to the Jewish tax in the city to the counts of Öttingen to settle a debt of 1000 pounds. This was not the last urban privilege Louis would leverage to pay for political support but, more importantly, this episode in imperial politics coincided with, and partially helped manifest, deep divisions within the ruling elite of Ulm.

During the conflict between Frederick and Louis, Ulm officially supported Frederick, but the urban elite were in fact divided in their support for imperial candidates. On one side stood the patricians who largely supported the preservation of their monopoly over the political institutions within the city, and who were led by the Roth family. On the other side were members of the Kunzelmann family, patricians whose power was based in support from the guilds. As early as 1316 there had been a pro-Bavarian raid on the city that, although unsuccessful, was allegedly supported from within by its own citizens and inhabitants, specifically the patrician, Conrad Kunzelmann,

dives imperatoribus et Romanorum regibus ipsis civibus rite et rationabiliter traditas et concessus prout in eorundem litteris continetur…”

32 UUB II.1, 38.
33 UUB II.1, 46 and 54. The pledging of the Jewish tax came in 1324, and, in the same year, Louis pledged various taxes and properties to Heinrich Rot for substantial amounts of cash, the town of Gundelfingen and the position of Amman for six years, UUB II.1, 55. In general, many of the sources from the period of the late teens and early twenties of the thirteenth century appear to be Louis paying off war debts or trying to raise cash.
34 Specker, Stadtgeschichte, 45-46.
with help from members of the Jewish community, a curious pairing of unlikely allies.\textsuperscript{35} After Louis defeated Frederick, the conflict among patrician parties again erupted, with the victorious guild-backed faction taking power. Ulrich Kunzelmann, who appears in the sources around 1328 as mayor (\textit{Bürgermeister}), installed his brother Rudolph in the position of \textit{Amman}. Ulrich secured his position in two ways. First, he legitimated the political authority of the guilds and associated his authority with theirs. In a document from August 1328, the guilds were signatories of an alliance with the \textit{Pfalzgraf} Rudolph. Their collective name appears after that of the mayor but before the customary reference to the council.\textsuperscript{36} Second, as the treaty suggests, Ulrich sought the support of aristocrats, and paid for armed soldiers quartered at Ulm from count Heinrich von Werdenberg for the sum of 600 pounds.\textsuperscript{37} The point of the Kunzelmann-Werdenberg alliance was made clear by June 1329, when the leading patricians of Ulm swore to hold Heinrich von Werdenberg blameless and not to slander him on account of their apparent expulsion from Ulm.\textsuperscript{38} Several written documents from the Kunzelmann period were issued in the name of the mayor and the guilds of Ulm, clearly showing the guilds’ support for the

\textsuperscript{35} There is a record of a memorial mass established to commemorate those who died fighting the Bavarian partisans in 1316 in \textit{UUB} II.1, 4. The identity of the raiders is not mentioned in the document itself, which might be telling, though the editors called it “der bekannte vielgesprochene bayerische Ueberfall.” Apparently the unnamed assailants were aided with the help of Jews and defeated with the help of counts Ulrich von Schalking and Burkhard von Ellerbach. A source from the same year also issues a stern penalty for any citizen of Ulm who behaves improperly while away from the city, \textit{UUB} II.1, 7-8. The sixteenth century chronicler Sebastian Fischer supplies the name of “Konrad Kuntzelman” by whom Ulm was “zweimal veraten worden.” Fischer also relates the roles of the Jewish support and aristocratic characters that resisted the plot. See Sebastian Fischers \textit{Chronik}, ed. Gustav Veessenmeyer \textit{UO} 5-8 (1896), 44-45.

\textsuperscript{36} \textit{UUB} II.1, 77.

\textsuperscript{37} Heinrich had replaced Ulrich von Württemberg as \textit{Landvogt} or regional governor for Lower Swabia and served as the advocate of Ulm though, given the nature of the agreement, it seems he had little influence in the city. \textit{UUB} II.1, 75-76, 77-82. Specker, \textit{Stadtgeschichte}, 45.

\textsuperscript{38} \textit{UUB} II.1, 87-88. The patricians are listed as “Ott der Rott, Ulrich der Rott, Craft der Schreiber und Peter Strölin.”
The Kunzelmanns also attempted to gain further aristocratic support by appealing to the *Hauptmann* of western Bavaria, Count Berthold of Graisbach, one of Louis of Bavaria’s most important agents in the region. Social conflict, therefore, led not only to a physical assault on the city, but also to assault against the entrenched power of the patricians. This conflict, though, did not end here.

There are few details about the period of Kunzelmann rule. In a source dated May 13th, 1331, Count Heinrich von Werdenberg declared a truce or expiation between the “inner and outer citizens of Ulm,” suggesting that the expelled patricians had not lost their influence and were agitating against the Kunzelmann family. By the 29th of May, the emperor issued a notice to the “mayor, imperial magistrate, council and community of Ulm” that all the laws passed under the Kunzelmanns were to be held “powerless and without effect,” unless they had been issued with the consent of the “common council of the citizens.” A day later, on May 30th, 1331, Louis, in a document addressed only to the imperial magistrate of Ulm, reported that the Kunzelmanns had been imprisoned in Munich and that all costs of the “war” were to be paid by both parties. He did not provide any details about the imprisonment or the names of those imprisoned. From the emperor’s directive it is apparent that the “war” had not been bloodless and had involved damage to the city. The next two documents from the city authorities in May of 1333

---

39 See the documents in *UUB* II.1, 79, 81 and 98.
41 “…chaiser ludwig von rom ….ein lutter und ein ewig sűn erdaht und gemacht zwischen der uzzern und der indern Burger ze Ulme…” Heinrich also stated that he will and has forgotten all wrongs done to him, his servants and property at Ulm, which suggests that such harm was done. *UUB* II.1, 107-108.
42 “wan Chuenzelman in der stet ze Ulme gewaltig was, die weil und er gewaltig was, alle di brief, di dann gegeben sind under der stat insigel, wellen wir, daz di kraftlos sin und kein kraft haben, mit disem brief, ez wer dann, daz si mit gemeinem rat der burger von irem heizze und umb redlich sache gegeben wern.” *UUB* II.1, 109.
43 *UUB* II.1, 111-112. It is possible that Rudolph Kunzelmann later entered into religious life at Ulm in St. Michael’s Wengen, see *UUB* II.1, 180.
were issued in the name of the imperial magistrate, judge and advisors (ratgeber) of Ulm; the guilds and the council are not mentioned.\textsuperscript{44} The patricians were back in power, but the antagonism between them and the guilds hardly abated.

In February of 1331, at the same time Ulm was dealing with the Kunzelmann coup, Louis pawned the city to the Count Berthold von Graisbach for 10,000 pounds Heller.\textsuperscript{45} Pawning a city might be as simple as a redirection of its revenues or the sale of confiscated property, as when Louis, in a separate document, transferred a property called the “Jew House” of Ulm, previously owned by Ulrich Kunzelmann, to Berthold of Graisbach.\textsuperscript{46} In practice, however, it meant giving the city a lord other than the emperor (something the cities always saw as a threat to their rights and privileges), even if in theory they were still “free and imperial” cities. In this case, Berthold was given unquestioned authority over the city, “its people, property…with all beneficial laws and customs.”\textsuperscript{47} He was granted the right to try capital offenses and the use of the imperial taxes while he was in the city.\textsuperscript{48} Berthold had become a lord of the city in all but name. Given that emperors were often strapped for cash, their pawning of urban rights or revenues became one of the principal points of conflict between the ruling elite and the emperors. Like other aristocrats, emperors had come to see the potential of the cities to

\textsuperscript{44} UUB II.1, 130, 131.
\textsuperscript{45} For the pawning of Ulm see UUB II.1, 102-103 and for the Jew-tax see UUB II.1, 104. “Heller” indicates a coin of small value, perhaps half a penny. The name is derived from the coin struck at Swäbisch Hall. See Peter Spufford, Money and Its Uses in Medieval Europe (Cambridge: Cambridge University Press, 1988), 126-127.
\textsuperscript{46} Eventually all of Ulrich Kunzelmann’s property was forfeited to Berthold, UUB II.1, 148-149.
\textsuperscript{47} “…und für die selben zehn tusend phunde haller versetzen wir im und allen sinen erben unser und de/ riches stat ze Ulme mit lüte mit gut mit allen nützen rechten und gewonheiten…” UUB II.1, 102.
\textsuperscript{48} UUB II.1, 122. Louis formed a league of cities in the southwest and several powerful aristocratic supporters that was to last for his lifetime plus two years. Meeting of the league were to meet either at Augsburg for regular business and at Ulm in the case of war, UUB II.1, 115-116.
supply cash and personnel but, also like other aristocrats, they viewed the cities not as equals worthy of respect but rather as tools to be used or traded to his advantage.

The citizens of Ulm balked at this turn of events and resisted the imposition of a city-lord. In a document dated May 8th 1333, which uses the patrician formula of “imperial magistrate, judge, and councilor,” Ulm capitulated to the terms offered by Louis, namely, the abolition of the guilds, a residence for the advocate or steward, the recognition of his legal powers over the citizens, and the surrender to Berthold of “all keys to all the towers in the city.” In 1334, Berthold was also given a yearly sum of 750 pounds Heller from the common tax. Yet, the word “council” continued to appear in the documents. For instance, in one document from October 1333, five brothers swore obedience to the city council of Ulm and were taken back into the grace of the emperor and Berthold von Graisbach. This decision, rendered by the patrician judicial panel, indicates that the patrician party dominated the civic offices during Berthold’s administration of the city, especially the important judicial bench. According to Specker, Berthold’s administration of the city continued peacefully until his death in 1342, at which time conflict between the patricians and the guilds that had been responsible for violence within the city, the loss of patrician power, and the imposition of a city lord, simply resumed.

---

49 “…der kayser umhe die zunft, die wir under uns ge machet und gesetzet heten, daz diu gamtzlich abe si, und furbas da niht werde danne mit sinem willen und gunst….ein purch buwen und vesten mach, swelhen enden oder orten er in der stat wil, und auch ain tor oder zawai vesten mag an der stat,….. das der von Nyffen, oder swer an siner stat unser phleger ist, alle schlüzzel zu allen toren an der stat in haben und behalten sol…” UUB II.1, 131-133.

50 UUB II.1, 136. From a source dated about a month later resolving a dispute between neighbors, the decision is introduced with “Wir der amman und der rat aller der purger ze Vlme…” and records that the decision was given by Ulm patricians, especially Otto Roth the Elder, Ulrich Roth, Conrad von Halle, and Otto Krafft. UUB II.1, 142.

51 Specker, Stadtgeschichte, 46; For Conrad von Gaisbach, see UUB II.1, 214.
This conflict between elite families maneuvering through the discontented ranks of guild members led to physical violence and threatened the autonomy of the city, allowing members of the aristocracy considerable power and influence over the internal order of the city. While the conflict between the patrician clique and the guilds was not over, the Kunzelmann coup demonstrate the threats that scandal and dissent could pose to the city’s order, especially when joined with the discontent of the politically disenfranchised. This conflict is important in understanding why citizens, even common citizens, would be concerned about religious reform later on. In order to understand the specific ways in which the elite attempted to ameliorate the situation through the period of religious reforms in the fifteenth century, it is necessary to look at the use of the urban constitutions in the fourteenth century as a means by which social discontent was controlled through inclusion rather than exclusion.

Strategies of Control in the Fourteenth Century

Several major developments shaped Ulm’s political development in the mid-fourteenth century. First, the city underwent an internal struggle that resulted in the first agreement between the guilds and the patricians. Second, with the death of Louis of Bavaria, Charles IV granted to Ulm numerous privileges that legally secured its independence and expanded its jurisdiction. With its independence legally secured, the urban government began to wield its authority and refine relationships between itself, religious institutions, and neighboring communities. While the information that follows is indirectly only related to the issue of the Observant reforms, it does offer information about the composition the city council and the ways in which it attempted to regulate
behavior, and the types of behavior it felt that it could regulate. This information bears on our subject because it illuminates the role that the council was to play in the Observant reforms.

With the death of Berthold of Graisbach in 1345, the patricians were divided over two candidates, both patricians from Ulm, for the position of the imperial magistrate. Before this patrician split could result in another round of violent civil strife, however, the guilds forced on the patricians a settlement that altered the make-up of the council and also established a peace among the patricians. The changes to the city council were memorialized in a constitutional agreement known by the name *Kleine Schwörbrief*, or the “lesser constitution.” Though its provisions were rudimentary, it nevertheless marked a fundamental shift in political power within the city. The most important change made in the agreement was the makeup of the council, whose membership was set at fourteen patricians and seventeen guild masters. Though the patricians did not lose power *per se*, the power of the council was now bound to a more cooperative model that necessarily included the guilds. All citizens swore to obey the decisions of the new guild-council, and the guild masters, in their new position, swore to protect the citizens. This constitution created a city council made up of guild-masters and patricians whose chief

53 *UUB II.1*, 280-282; Brodek, “Society and Politics,” 68-71; the reconciliation document is in *UUB II.1*, 179-182 and is dated July 31st, 1345. Curiously, fines were imposed on both parties in terms of bricks (*murstein*).
54 The development of a guild-backed constitutions was a common occurrence among the Free and Imperial Cities in the southwest. See Naujoks “Obrigkeit und Zunftverfassung,” 56-58.
55 The document opens with the typical “Wir der burgermaister, der rat und alle burger ermainlich rich und arm ze Ulm…” but the social divisions are made clear in later passages, ensuring that the people would obey the customs and laws written by the “zunftmaister und sinem antwek und allen sinen undertanen ze Ulm” and this was to include the guilds but also “wir die burger, die nit der antwek sint…” and in addition the guildmasters promise to “alle burger ze Ulm, die nit der zunft noch der antwerk sint und alle ir nachkomen trulich friden und schirm und in zů legen und beholfen sin aller rechter und redlicher sache…” suggesting not only long standing grievances dissatisfaction with the patrician judicial bench but also the attempt to head off further unrest against the new-found power of the guild regime. *RB*, 108-109.
goal was to preserve the peace of the city. Subsequently, the social and political order of the city was further modified and clarified through other pronouncements in the period 1345-47. For instance, in 1347 Emperor Charles IV sold the right to elect the Amman to the city for 100 pounds heller along with the right of both parties to review the sale after six years. The purchase of electoral rights over the position of the imperial magistrate gave the city a degree of insulation from aristocratic interference.

Besides the creation of a new city council and the establishment of the legal powers of that council, the new constitution also symbolized the social change in the city in which patricians and guilds now legally cooperated in governing the city. This new cooperative association benefitted from the support of the guilds because the behavioral-regulatory reach of the council was extended through the guilds to the general population. Each year half of the council members rotated off, that is, seven patricians and eight or nine guild masters as well as the mayor left their positions. To curb the power of the executive, no mayor could serve consecutive terms or be re-elected within a space of three years. Every year on St. George’s Day (April 23rd), all citizens swore to uphold the constitution. On that day, all seventeen guildmasters and the remaining seven

---

56 It derives its name from the common oath (Eid) that all citizens swore to uphold its provisions and abide by the government it established, including the members of the city government. Part of it is preserved in RB, 108-111, though the document is undated, see Specker, Stadtgeschichte, 47-48. For the development of guild regimes at the same time in the region, see Erich Maschke, “Verfassung und soziale Kräfte in der deutschen Stadt des späten Mittelalters, vornehmlich in Oberdeutschland,” VSWG 46 (1959): 289-349, 433-476.

57 UUB II.1, 304-305, dated December 1347.


59 Brodek argues that article 192 at RB 108-111 could not have been part of the original agreement, as the number of councilmen seemed to have already changed by 1370 to 36 - though the guilds kept their two vote majority over the patricians and later the electors of the Amman are given as 73-. Brodek, “Society and Politics,” 78-82. See Konrad Hannesschläger, “Ulms Verfassung biz zum Schwörbrief vom 1397,” UO 35 (1958): 7-93, especially 71-74.
patricians were to elect the new mayor, who, whether he was already a council member or not, retained all the rights of the imperial magistrate.  

Other privileges and rights granted by Emperor Charles IV in the mid-fourteenth century expanded the judicial institutions of the city. Ulm acquired the right to try capital offenses, pronounce sentence over the guilty, try and punish criminals within the region of the city, and Ulm’s citizens and subjects were exempted from appearing before another court outside Ulm. These freedoms, too, were now more closely associated with written documents. For example, Ulm was granted the right to possess an Achtbuch, or a “book or punishments,” which elevated Ulm’s court to the level of an imperial court, authorized to carry out the highest justice. It is during this period, then, that the council began to issue formal ordinances (Ordnungen), which established rules for various activities within and around the city. The ordinances addressed specific problems but were general in scope, often reactionary rather than proactive, and their enforcement was left either in the hands the guilds or to the direct action of the council, but there were few formal officers charged with the enforcement of laws.

The city council extended and strengthened its relationship to the religious communities in ways that indicate a common, urban religious spirit as well as the first attempts on the part of the council to coordinate the functions of religious institutions of the city. For example, the Dominicans agreed to a four-man stewardship committee staffed by patrician members of the community (as well as the nobleman Conrad of

---

60 As part of the oath he swore at his election “Wir haben ouch dem amman ampt ze Ulm alliu siniu recht behalten und usgenommen und herdan gesetzt.” RB, 110.
61 UUB II.1, 312.
62 UUB II.1, 289-292 (Achtbuch) and 516-517.
63 For the process by which city laws developed, see Isenmann, Die deutsche Stadt, 78-82, 161-169.
Weissenhorn), to monitor the property transactions of the community.\textsuperscript{64} The Teutonic Knights, one of the oldest religious foundations in the city, were granted citizenship by the council.\textsuperscript{65} The Teutonic Knights also pledged that they would no longer buy assessable land in the city or around it, and thus render it tax-free, and that if such land were donated to them, they would sell it within the year.\textsuperscript{66} Thus, the government of Ulm by the mid-fourteenth century was re-shaping the relationship between itself and the city’s religious establishments.

The new council also began to shape policies that pursued an active political agenda within the Holy Roman Empire. Partly because of the vagaries of imperial elections and partly as a counter-weight to aristocratic power, from the mid-fourteenth century on Ulm became a leading city in the creation of city-leagues. The creation of leagues was as much an expression of developing political sophistication as it was a step toward the creation of a shared urban identity; the burghers and patricians struggled to compete with the aristocracy for political power and social prestige. Members of the lower nobility who found themselves squeezed between the emerging territorial princes and the economic power of the cities proved themselves willing to support the leagues and provide military service.\textsuperscript{67} Although the leagues were never wholly successful at negotiating their place in the empire through violence, these urban alliances became a permanent feature in Swabia until the end of the medieval period. Their value lay in their communicative and cooperative functions, in pledges of defense against common

\textsuperscript{64} Kopialbuch des Predigerklosters, c.1480 StadtA Ulm A[7172]: 27v-29v.
\textsuperscript{65} UUB II.1, 253-254. The Teutonic Knights at Ulm enjoyed a period of success under Heinrich von Zipplingen, who was from a noble family and well connected to Louis of Bavaria.
\textsuperscript{66} “…daz wir noch kain unser nachkom fuerbax nit kaufen kain gut, daz in der stat ze Vlm liget und in der march ir stiur, das in stiur und dient ..” UUB II.1, 239-240.
\textsuperscript{67} See the settlement between several cities and aristocrats led by count Heinrich von Freiburg at UUB II.2, 719-722.
enemies (or at least the suspicion that there was a common enemy), and in the
development of representative institutions in which urban grievances were taken
seriously.\textsuperscript{68}

Yet the city-leagues were willing to engage in military conflict, or use the threat
of military force, to achieve their ends. This first league went to war in 1372 against
Eberhard of Württemberg, but its army was defeated by Eberhard and his son Ulrich, a
conflict that ended with the defeat of the league at the Battle of Altheim, a few miles
north of Ulm.\textsuperscript{69} Three years later, in order to secure the election of his son Wenzel as
King of the Romans, Charles pawned the cities of Nördlingen, Dinkelsbühl, Donauwörth,
and Bößingen.\textsuperscript{70} Promoted by Ulm, a new league of fourteen cities was founded on July
4\textsuperscript{th}, 1376 and the league army, again led by Ulm, defeated a Württemberg-led army in the
Battle of Reutlingen. The conclusion to the 1376 conflict was the Heidelberg Armistice.\textsuperscript{71}
The initial conflicts between the nobles and the city leagues seemed to signal a change in
the political power-dynamics of the empire. The cities’ military power was capable of
competing with the aristocracy, with the result that the cities were able to create binding
agreements with groups of aristocrats without the mediation of the emperor. The
Heidelberg Armistice, for instance, marked the first time that a group of nobles had to
recognize the legitimacy of the city-leagues.\textsuperscript{72} Later leagues were more-or-less successful
in fighting against particular aristocrats and helped to advance the political role of the

\textsuperscript{68} Wilhlem Vischer, “Geschichte des Schwäbischen Städtebundes der Jahre 1376-1389,” \textit{Forschungen zur
\textsuperscript{69} Specker, \textit{Stadtgeschichte}, 50-51.
\textsuperscript{70} In point of fact a new league of Swabian cities was established only a few days after Wenzel’s
coronation. See Johannes Schildhauer, “Der Swäbischen Städtbund: Ausdruck der Kraftenfaltung des
\textsuperscript{71} See \textit{UUB} II.1, 1035-44, 1047 for the original members of the league and 1060 for the 27 cities that joined
the league and confirmed it for ten years in 1385. \textit{UUB} II.1, 918, 835-842, 854-860.
\textsuperscript{72} Schildhauer, “Der Swäbischen Städtbund ,” 202-203.
cities within the constitutional framework of the empire, shape a sense of burgher solidarity, enhanced the position of individual cities and league networks throughout the German southwest. In the fifteenth century, Ulm exploited these networks to resolve internal issues, including methods by which religious communities could be reformed.

“City wars” did not halt the economic and demographic growth of cities like Ulm, whose population had reached nearly 10,000 by the end of the fourteenth century. The manifestation of urban power represented in the city-leagues, the expansion of Ulm’s commerce, and the city’s demographic growth were useful for patricians seeking to move up into the world of the aristocracy. A well-populated, wealthy, and politically influential city brought the patricians prestige and interregional social connections. Similarly, the guildsmen both envied the social distinction of the patricians and chaffed under their domination. Points of contention varied, included the separate social life of the patricians, their exclusive drinking establishments, and marriage alliances outside of the city. More vexing were the taxation policies of the city, the burden of which often fell on the guildsmen in the form of excise taxes on trade items. The patricians of Ulm preferred these taxes because their own wealth was secured in real estate and they had only indirect participation in mercantile activities. Moreover, the council regulated internal guild affairs, specifically prohibiting “switching” guilds and creating other restrictions on social mobility in the midst of a general demographic and economic upswing for the

---

74 Specker, *Stadtgeschichte*, 53-54.
77 Brodek, *op. cit.*
craftsmen and merchants of the city, led to considerable dissatisfaction with the council as it operated under the agreement of 1345.78

The political advantage exercised by the patricians through the city council excited guild resistance and animosity which resulted in a second constitutional revolution in 1397, when the city government underwent further changes.79 Prohibitions against members of one guild joining another prompted the weavers guild to riot, because members of allied guilds, the marners (wool weavers) guild in particular, had suffered from the declining price of woolen cloth and the monopoly on other types of weaving by the weaver’s guild.80 The members of guilds working with wool had hoped to work in the production of linen or other textiles which were legally reserved to other guilds or to non-citizens (non-guild workers called Landarbeiter), though the guilds disliked such competition.81 The loss of work harmed the social wellbeing and mobility of the wool weavers in a city where the textile industry was of considerable importance. The council specifically forbade the transfer of a person from one guild to another in 1395, which again prompted a riot among various weavers.82 The guilds’ frustration finally manifested itself in an attempt by five unnamed members of the guild to overthrow the city government in a coup in July, 1396.83 Although the attempt was unsuccessful, the violence and unrest that continued in the city led to council to declare a general peace and issue a new constitution.

78 The city council even exercised the right to certify new guilds and define who could belong to existing guilds, Naujoks, Obrigkeitsgedanken, Zunftverfassung und Reformation, 23-28.
79 The 1397 constitution is preserved in RB in Appendix VII, 258-265.
80 Nübling, Die Reichsstadt Ulm, 49-51 and Brodek, “Society and Politics,” 141-147. It is an interesting comparison between these two historians for Nübling sees it as a manifestation of the power of the guilds while Brodek argues it is indicative of their ineffectiveness in the regular operations of the government.
81 For the depression in wool weaving industry see Maureen Mazzaoui, The Italian Cotton Industry in the Late Middle Ages, 1100-1600 (Cambridge: Cambridge University Press, 1981), 138-143.
82 Nübling, Die Reichsstadt Ulm, 56-57.
83 Specker, Stadtgeschichte, 54.
The *Kleine Schwörbrief* of 1345, though it resulted in a change in the city’s government, was an unsatisfying compromise that kept considerable power in the hands of the patricians. Dissatisfaction led to new agreements memorialized in the constitution of 1397, called the *Großen Schwörbrief* or “great constitution.” The constitution of 1397 outlined the new organization of city government in which economic preeminence was manifested in political power, and which granted the guildsmen majority representation on the councils. It began by acknowledging the piety and value of the guilds and enjoined all citizens to obey the guild masters, protect the patricians, remain obedient to the urban authorities, and not to engage in any unlawful violence. Like other settlements achieved in other cities across the German southwest, the constitution of 1397 called for a ruling council composed of two sub-councils, the “small” and the “large,” the members of which were elected yearly from among the guilds and the patricians. The distribution of seats among the guilds was not equal: the grocers’, merchants’, wool-weavers’, bakers’, smiths’, and shoemakers’ guilds elected three men each: the butchers’, weavers’, tanners’ and the *Bauleute* (or farmers’ and gardeners’ guilds) elected two each, and the fishers’, drapers’, tailors’, and smaller merchants’ guilds elected only one person each to the Large Council. These guild representatives sat alongside ten patricians and six

---

85 “…als vor vil vergangen ziten und jaren unser vorfarenden von solichs bsunders gosses butze, fromen und ere weren, die si an gerechten zunften erkenenet und verstanden hand, ain zunft hie ze Ulme geordnot und gesetz hand…..daz die ainen ieeglichen zunftmaister under sinem antweke und allen sinen undertanen und allen iren nachkomen …gute gewohnhaiten, die sie vorher braht hand….und alliu diu gemainde der antwerke hie ze Ulme uf die aide, die si gesworn hand…getriulich friden und schirmen sullen und in zulegen und beholfen sin aller rechter und redlicher sache und och nieman verhengen noch gestatten, daz kain unluste noch unrechter gewaltean in besche…” RB, 258-259.
“burghers” not from the guilds for a total of forty-six members.\textsuperscript{86} The composition of the Small Council followed the agreement of 1345.

The office of mayor was retained, though his powers were subject to consular oversight through the development of a privy council called The Five (\textit{Fünf Geheimer}), which was later expanded to include nine members (though still called The Five). The mayor (\textit{Bürgermeister}) still faced election every year and no mayor could serve consecutive terms, though in practice certain persons often rotated their time as mayor with other selected individuals, a practice which helped to establish continuity in policy-making. Most of the mayors were members of the patriciate, and the majority belonged to one of three patrician families.\textsuperscript{87} The council oversaw appointments to such key urban institutions like the personnel who oversaw taxation and the regulation of weights and measures in the grain market. They also oversaw the selection of consular stewards for the religious institutions under their control, especially the hospices.

The political power vested in the council had clearly changed, as had the nature of urban government in Ulm. The American scholar Victor Brodek opined that the result of this constitutional process was a clear realignment of political power based solely on wealth rather than on status as a patrician. The assessment of Hans Eugen Specker seems more apt: the power dynamic shifted from a paradigm of “patricians versus guilds” to one of “authorities and subjects.”\textsuperscript{88} The new council maintained the earlier prohibitions against switching guilds, which had led to continuing unrest amongst the guilds and

\textsuperscript{86} \textit{RB}, 260, Specker, \textit{Stadtgeschichte}, 55.
\textsuperscript{87} Rabus, “Der Bürgermeister,” 202-228.
unrepresented laborers. The key to the maintenance of order was the creation of a system of domination in which the dominated were invested, and so the the elite offered symbolic actions such as the punishment of criminals, the ostracism of marginal groups, or the association of the rulers with sacral or universal power. These actions were meant to indicate that the power of the city council operated in the common interest of all of the citizens of the city and therefore imbued the council’s actions with legitimacy. The inclusion of guildsmen on the city councils symbolized, though it did not necessarily realize, broader representation of the population under the council’s authority, as did an increase in the representation of the less influential guilds and guildmembers who were subject to the authority of the guildmasters. The provision of civic services was part of the process of translation through which the dominated come to support their own subjugation and come to view the actions of council as legitimate. The new constitution helped the council to expand its competency into the daily practice of business, trade, politics and religion.

Records from Red Book of the City of Ulm indicate that the city council used its punitive powers to supervise citizens and secure the physical space and security of the city. This was true of laws and regulations pertaining to criminal issues, such as theft or violence, but also extended to moral behavior and dress. In fact, the first article of law presented in the Red Book is a sumptuary law from 1398 whose stated purpose was “to lessen, reduce and strike out the great pride that has been at Ulm for a time and to

---

89 See RB, 146, a law from 1403 prohibiting moving from one guild to another. Other laws of the early fifteenth century also prohibited the acceptance of “foreign persons” (i.e., non-citizens of Ulm) into the guilds.

increase humility and to love and honor God." The statutes were wide-ranging, covering clothing (and restricting the materials used, their relative value or display), meals, mass donations (restricting the number of private masses that could be purchased and the times that they could be said), and restrictions on the right of citizens to wear swords. Neither citizens nor inhabitants could visit drinking establishments during Holy Week. We see in these laws the manifestation of distinctions between citizen-burghers and craftspeople, Jews and Christians, religious and lay. Each group had its own space, defined by the legislation of the council, as were the times when such spaces could be legitimately occupied or were restricted; for instance, the Jews were prohibited from venturing beyond “their homes and streets” during Lent and Easter.

The cumulative effect of the new laws was the creation of a legal framework that subjected all inhabitants of the city, citizens or not, to the authority of the council. The use of documents to extend and represent the authority of the council was so integral to the social order of the city that the Red Book preserved extensive rules for wills and testaments which together make up one of the longest and most elaborate series of regulations in the Red Book. For example, testaments had to be confirmed by at least three witnesses and two of the twelve judges who witnessed the document had to do so “with their own eyes.” Testaments were so important that they were to be made on the death bed if the person had made no prior provision, though, again, this had to be done in

---

91 RB, 19.
92 RB, 19-23. See Gerhard Jaritz, “Ira Dei, Material Culture, and Behavior in the Late Middle Ages: Evidence from German Speaking Europe,” Essays in Medieval Studies 18 (2001): 53-66. This ordinance was expanded, apparently in 1425, through another ordinance that regulated veil wearing, illicit (ungeordnet) dancing, and general disorder, see RB, 176-177.
93 RB, 115.
94 RB, 39-44.
95 “Also, doch, daz solich gemachte zù dem minsten all wegen mit zwain richtern besetzt werden sullen, die under ougen bi ainander sein, bu gesunden lüt en alz bi siechen und sic huff ir aide erkennen…” RB, 40.
the company of two of the sworn judges of the city. Disputes between widows or widowers and their children, especially over goods stipulated as part of a marriage contract in contrast to testaments (or a lack thereof) were to be resolved through the tribunal. Thus, everyday attempts by families to identify family structures and transmit goods across generations or within kinship groups were now adjudicated by the city through written law and proscribed ritual and reinforced by the annual public swearing of the “oath” administered to citizens and magistrates alike.

The city’s laws were written to be as inclusive as possible, using such standardizing phrases, such as “young or old, burgher or crafts folk, man or woman, rich or poor” which were meant to imply the universal applicability of specific regulations and the competency of the council over people who transgressed that regulation. All persons, whether citizen or inhabitant, had to appear before the council when they were summoned at any time for any cause. Citizens were not allowed to leave the city without the knowledge of the council and could not engage in any activity that might cause embarrassment to the council or the city. Any person who was disobedient to “the majority of the council” in any matter could be forced into compliance “by all sworn citizens,” although what this entailed is not clear. The threat of conspiracy was so great that a woman was not permitted to have more than three visitors of either gender at a time during her Kindbett, the period of time when a new mother was confined to bed after

---

96 *RB*, 41.
97 *RB*, 42.
98 As Oexle points out, the inclusion of citizens within a sworn association was supposed to create fraternal bonds between all the sworn members, and in order to ensure these bonds, increased the regulation of any physical behavior that might seem threatening, catty, or even idiosyncratic. Oexle, “Peace Through Conspiracy,” 296-298. Kertzer, *Ritual, Politics, and Power*, 88-101.
99 *RB*, 35.
100 *RB*, 45-48.
101 “…so sol der rat und aliu gemaind uff die aid, die wir gesworn haben, den ungehorsamen da zu noten, zwingen, untz er dem rat gehorsam wirt.” *RB*, 36.
giving birth. The punishments were harsher and the fines heavier for non-citizens than for citizens. These types of laws, which restrict the movement of people, their gathering in groups of more than three, their dress and religious practices, were all rooted in the perceived need to preserve peace, secure the city against conspiracies, and guard against those who might cause harm to the city or its reputation. Such concerns could also serve as the justification for legal intervention in the daily operations of religious communities that were, or appeared to be, a source of scandal or disruption. Regulations such as these, established by the council under the *Großen Schwörbrief*, provide an insight into the collective mentality of the city council during the period of the Observant reforms.

All these laws and regulations give the impression of a very powerful city council, and certainly it became a powerful institution, but two qualifiers should be kept in mind. First, medieval governments, to say nothing of states, were not absolute and one of the most persistent problems for such governments was the enforcement of existing laws. Consider the insistence that if persons disobedient to the council were to be forced to comply by all sworn citizens. The theory was clear but the method of enforcement was nowhere described, resting as it did on the assumption that all citizens would be both willing and able to compel one person’s obedience to the council. It is no wonder in such a society, in which almost all behavior was subject to some type of agentless oversight, that rumor and gossip were considered crimes serious enough to warrant their own regulation.102 A great deal of enforcement machinery is missing from this picture, a lack

which complicated and, to a degree, blunted the effect of these regulations, despite the fact that disagreement and personal disputes were clearly a source of anxiety to those charged with ensuring the peace and stability of Ulm’s society.\footnote{For a take on the problem of law enforcement, see Oliver Volckart, “The Economics of Feuding in Late Medieval Germany,” \textit{Explorations in Economic History} 41 (2004): 282-299. Naturally this machinery was refined and reinforced as time went on.}

Secondly, the new laws regulating citizens and inhabitants also regulated members of the council. Councilmen could not advocate on behalf of religious houses or members of the aristocracy before the council.\footnote{RB, 30.} Council members were not permitted to “agitrate” on council business in public or to air council business before non-members.\footnote{RB, 32.} In 1512, when a member of the Besserer family attempted to use a loan on city assets to found a trading company in Stuttgart, the protest from the guilds was so great that it nearly brought the entire government down. Three men, Hans Besserer, Caspar Rembold, and Matthaus Neithardt, had to flee for their lives, renounce their citizenship and later appear before a committee investigating the attempted loan.\footnote{Heinrich Walther, “Bernhard Besserer: die Politik der Reichsstadt Ulm während der Reformationszeit,” \textit{UO} 27 (1930): 1-69, here 8-10.} Part of the scandal was the illegal loan on public assets but the other part was the attempt by members of the ruling elite to circumvent Ulm’s prohibition against a citizen of Ulm participating in joint-stock or trading companies with non-citizens.\footnote{RB, 23.} The laws passed by the city council, therefore, also regulated members of the ruling elite, although their punishments were not necessarily the same as those they inflicted on those they ruled. This mutual regulation was part of the council’s attempt to concretize what they viewed as a moral and well-ordered society, a society in which disobedience and scandal were viewed as direct threats to the good of the community.
Religious Authority and the Parish of Ulm

By the late fourteenth century, the involvement of individual citizens and the council in cultural enterprises had also grown. By the end of the fourteenth century the city had a Latin school with its own rector which had developed out of the parish school.\(^{108}\) There appear to have been no cloister schools in the city, as there were in other cities, especially those with a mendicant house.\(^{109}\) According to Gottfried Geiger, by 1400 there is evidence of matriculation of Ulm students at neighboring universities, especially the university of Vienna and, later, Tübingen.\(^{110}\) The educational trend was to continue when wealthier citizens of Ulm founding an unofficial private school (Winkelschule) later in the fifteenth century.\(^{111}\) As the quotation at the beginning of this chapter indicates, the school at Ulm enjoyed a high reputation and which fit in well with the city’s growing reputation and the services it offered.\(^{112}\)

At the same time, the city council began to claim competency in regulating certain aspects of religious institutions. For example, a law written in 1381 and recorded in the Red Book made the terms of the agreement with the Teutonic Knights concerning donations made from properties within Ulm’s tax base applicable to other religious institutions.\(^{113}\) The regulation began with the council’s intent to redeem at certain adjustable rates land that had been alienated from the city by citizens, though it exempted all “monasteries, endowed altars, services and non-citizens, over whom we have no

\(^{108}\) Geiger, Die Reichsstadt Ulm, 47.
\(^{109}\) See Marian Michele Mulchahey, “First the Bow is Bent in Study”: Dominican Education before 1350 (Toronto: The Pontifical Institute of Medieval Studies, 1998), 79-85, 132-134.
\(^{110}\) Geiger, Die Reichsstadt Ulm, 49.
\(^{111}\) Geiger, Die Reichsstadt Ulm, 48.
\(^{112}\) See the quote from Felix Fabri, Tractatus, 145, and footnote 1 in this chapter.
\(^{113}\) RB, 102-104.
authority.\textsuperscript{114} The council forbade anyone in the future from donating land in and around the city to a religious institution.\textsuperscript{115} Such a law clearly reflects a growing concern about Ulm’s tax base and control of property in and around the city.

The council’s concerns about city finances, the autonomy of religious institutions, and their competitiveness with neighboring aristocracy came together in one of the outstanding efforts of Ulm’s council: the purchase of the administration of the parish of Ulm from the abbey of Reichenau.\textsuperscript{116} By 1377, the city council razed the old parish church, in agreement with the abbey of Reichenau, and began to use some of its stone to build a new church within the city walls.\textsuperscript{117} The new church was to be dedicated to \textit{unsere liebe frau}, the Virgin Mary, although it was commonly called the Münster.\textsuperscript{118} On June 30\textsuperscript{th}, 1377, the parish church was re-founded when the patrician Ludwig Krafft, acting in the role of founder (\textit{fundator}), laid the foundation stone of the new building.

Since 1358 the city council had appointed a steward (\textit{pfleger}), though jurisdiction over the parish, including the control of the tithe, was still divided between the abbey of Reichenau on Lake Constance and the bishop of Constance.\textsuperscript{119} The abbey had fallen on hard financial times in the thirteenth century. A series of reforming abbots had been faced

\footnotesize
\begin{itemize}
  \item \textsuperscript{114} “…also das wir ain ablösung umbe alle die zinse hie ze Ulme in der stat und och in dem zehenden gelegen, gesetzt haben, daz man die ewiklichen umbe alle unser ingesessen burger und der wir gewaltig sien widerkofen und ablosen….. Doch setzen wir dar inne gentzlich uss alliu gotzhuser, altarzins und selgerat und och usslute, der wir niht gewaltig sien.” \textit{RB}, 103.
  \item \textsuperscript{115} “So haben wir mer daruff gesetzt, daz nieman nu furbaz mer weder gotzhusen, altaren noch ze seelbrate nichtzit schaffen, ordnen noch geben sol, user dehainerlai guten noch dehainerlai gut, diu in der stat oder in dem zehenden gelegen sind, darumb daz dem rich und der stat ir stiure und dienst icht undergangen…” \textit{RB}, 104.
  \item \textsuperscript{116} There was only one parish in Ulm, which covered the entire city and its immediate territory, despite the fact that there were a number of religious foundations, including private chapels, within the city itself. The Münster was the parish church and central ecclesiastical building of the parish.
  \item \textsuperscript{117} \textit{UUB II.2}, 812;\textsuperscript{Tüchle, “Die mittelalterliche Pfarrei,” in Specker, \textit{Kirchen und Klöster}, 19-20.}
  \item \textsuperscript{118} The old parish church referred to as \textit{ennet feldes} was now referred to as the “old our lady’s church” and “the old parish,” in distinction to the new one. See Hugo Bazing and Georg Veesenmeyer, eds. \textit{Urkunden zur Geschichte der Pfarrkirche in Ulm aus Anlaß des Münsterfestes} (Ulm: Commissions-Verlag von Ludwig Frey’s Hofbuchhandlung/Gebrüder Nübling, 1890), iii-iv.
  \item \textsuperscript{119} \textsuperscript{Tüchle, “Die Mittelalterliche, Pfarrei,” 16.}
\end{itemize}
with the task of invigorating the life of the monks and the renovating dilapidated buildings. Those attentive and reforming abbots’ work was soon frustrated by less capable or less scrupulous abbots and led to financial difficulties. Having chafed under the authority of secular lords, the ruling elite of the city disliked what it saw as interference by a religious lord, especially when the monks collected nearly sixty marks of silver yearly from the parish tithe. From the mid fourteenth century and through the early fifteenth century, the members of the city council worked to assume oversight and regulatory authority over the parish church.

Legally, the abbey of Reichenau had been in control of the Ulm parish since Carolingian times. When the monks needed money, parts of the tithe could be pawned or granted in jointure to individual persons or to corporate entities in exchange for the management of the tithe or any tithe-yielding properties. For example, in 1383, the abbey agreed to sell to the city the “small tithe,” the advowson, or right of presentation of the priest and the school rector, to the city. This placed considerable authority over the running of the parish in the hands of the city council. In 1356 Abbot Eberhard of Reichenau gave a third of the “great” tithe from the chapel at Grimmelfingen to Johannes Ehinger von Mailand, a member of a patrician family of Ulm, after the death of the priest of Hüningen, who had bought a quarter of the tithe. The grant gave Ehinger von Mailand certain privileges in the use of the chapel and the appointment of its priest. The jointure was given as a lipgeding or “lifelong” pledge that, in this case, was to be

---

121 Quarthal, *op. cite*.
122 Tüchle, “Die Mittelalterliche Pfarrei,” 15. See also *UUB* I, 12.
123 Hugo Bazing and Georg Veessenmeyer, eds. *Urkunden zur Geschichte der Pfarrkirche in Ulm* (Ulm: Kommissions-Verlag von Ludwig Frey’s Hiftbuchhandlung/Gebrüder Nübling, 1890), 14
124 *UUB* II.2, 442-444.
transferred to Ehinger von Mailand’s “eldest son or the eldest living son…but not daughters.”\textsuperscript{125} Such jointures could, manifestly, become hereditary. On the other hand, especially after the parish church had been moved within the city walls, funds that went to the church, especially those for memorial masses, were used by the church and controlled by the city council, a reality that probably provoked the abbots of Reichenau to pursue legal action against its jointers and fief holders.\textsuperscript{126}

Just what problems arose between Reichenau and the citizens of Ulm, either in terms of the council of the fief-holders, is not clear; by 1434, however, Abbot Frederick of Reichenau complained to the Council of Basel about the illegal alienation of its rights within the city and called for an investigation into how many of its rights, money, goods and properties had been improperly managed or illegally alienated.\textsuperscript{127} A commission was formed two years later, in May 1436, to investigate all matters that pertained to the tithe at Ulm.\textsuperscript{128} In December of the same year, when the persons who had purchased Reichenau’s property had not appeared to testify, they were excommunicated by the commission.\textsuperscript{129} Excommunication apparently had little effect because in June 1437 a second mandate was issued which required that the initial judgment against the named persons be read aloud in Ulm.\textsuperscript{130} On July 8\textsuperscript{th} a second commission issued a letter of judgment against those same persons, among them Walter Ehinger, then mayor, because

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{125} “…daze r oder ye elst sin sun, ob er enwer, oder anderer siner kinde eltsten sun liberben…und nicht töchtn, die von in koment…” \textit{UUB} II.2, 443.
\item \textsuperscript{126} Tüchle, “Die mittelalterliche Pfarrei,” 21-22.
\item \textsuperscript{128} Bazing and Vessenmeyer, \textit{Pfarrkirche}, Nr. 140, 56.
\item \textsuperscript{129} Bazing and Vessenmeyer, \textit{Pfarrkirche} Nr. 141, 56.
\item \textsuperscript{130} Bazing and Vessenmeyer, \textit{Pfarrkirche}, Nr. 143, 57.
\end{itemize}
\end{footnotesize}
of their failure to appear and be deposed about Reichenau’s property.\textsuperscript{131} This judgment also seems to have been without much effect as a copy was issued several months later with the same request that it be read in Ulm. Abbot Frederick of Reichenau also had a letter of judgment read in the parish church at Memmingen in October 1437. The abbot and the commissioners had apparently had no cooperation from Ulm’s city council.\textsuperscript{132}

The third and final pronunciation of excommunication over was issued in March 1439.\textsuperscript{133} It seems to have been as ineffective as the earlier two because in January 1442 a special commissioner, named Immanuel de Gualbis from Vincennes, requested that the provost of St. Michael’s Wengen assemble all of the written evidence regarding Reichenau’s tithe in Ulm.\textsuperscript{134} In June the same commissioner ordered the provost to reinstate the ban, which apparently the provost did.\textsuperscript{135} In March 1445, however, the sentence of excommunication was lifted and the bishop of Constance allowed a confirmation of the absolution to be published.\textsuperscript{136} Negotiations were probably already underway between the city and Reichenau, because a year later, in March 1446, Pope Eugenius IV confirmed an agreement of exchange between the monastery and Ulm, which by June of the same year was also confirmed by the commission of the council and the bishop of Constance. The agreement was finalized on June 20\textsuperscript{th}, 1446: for the sum of twenty-five thousand gulden, the city council of Ulm purchased the great and small tithes of Ulm’s parish, the great and small tithes of Pfuhl, the rights to the hospitals, the

\textsuperscript{131} Op. cite. Nr. 144, 57-58. At the same time, Heinrich Neithardt, the Pfarrer of Ulm endowed two eternal masses, requesting that they include sermons, paid for with money from the tithe at “Thyssen” and half of the tithe from a placed called “Billenfingen.” Nr. 145, 58-59.

\textsuperscript{132} As Specker notes, the actual judicial material has not survived, leaving important aspects of this case unclear. Specker, Stadtgeschichte, 67.

\textsuperscript{133} Bazing and Vessenmeyer, Pfarrkirche, Nr. 155, 64.

\textsuperscript{134} Bazing and Vessenmeyer, Pfarrkirche, Nr. 161, 67.

\textsuperscript{135} Bazing and Vessenmeyer, Pfarrkirche, Nr. 163, 68.

\textsuperscript{136} Bazing and Vessenmeyer, Pfarrkirche, Nr. 166-168, 71-71.
buildings, the advowson of the priest, and the ability to enfeoff or jointure these properties as the council saw fit. Ulm had purchased the parochial rights to their parish church from Reichenau, and although the city council could not invest a priest with sacramental authority, which remained with the bishop of Constance or his local vicar (the provost of St. Michael’s Wengen), almost every other aspect of organization and regulation of the parish fell under the control of the city council. The sale of these administrative rights was the final act in a decades-long action by the council.

The purchase had enormous significance for the city and the citizens of Ulm. The right to regulate the parish church meant that it was a church of the Ulmer, not of Reichenau or of the bishop. The citizens could be proud of the arrangement because although the situation was not unique in German speaking lands, it was rare. The patricians and the wealthy citizens of Ulm later sought and received patronage rights over outlaying chapels and parishes, thus capitalizing on the decline of Reichenau. Shortly thereafter, in 1437, the parish priest (designated as either Pfarrer or Pleban), Heinrich Neithardt the Elder established a foundation to hire a professional preacher (Predigerstiftung), thus initiating a trend on the part of the energetic parish priests to enhance the training and competence of the secular clergy under their supervision. Ulm was fortunate to have gifted men, mostly from the patrician families of Neithardt and Krafft, who actively campaigned for the rights and privileges of the parish and who often took it upon themselves to improve the intellectual culture of the city. The first library

139 Tüchle, “Die mittelalterliche Pfarrei,” 22.
was created by a grant from the aforementioned Heinrich Neithardt the Elder, who not only established the fund for hiring a preacher, but also left in his will some three-hundred books that became the basis of the city library.\textsuperscript{142} The Neithardt and Krafft priests also began to use the power of the council to expand their regulatory authority over the religious houses directly, as will be related in the next chapter, but beyond the local religious, the city also broke down resistance to its oversight of the \textit{Heilig-Geist-Spital}, the double-monastery that served the sick within the city.\textsuperscript{143} Those churches or villages that had been property of the \textit{Spital} or of the parish church were now a part of Ulm’s territory.\textsuperscript{144} The city council of Ulm was becoming as involved in ecclesiastical affairs as it was in secular affairs.

Conclusion

The political institutions of Ulm were shaped by external and internal conflicts, particularly conflicts between different social groups over access to political representation. The conclusion to this conflict was a consolidation between the traditional elite and representatives of the commercial power of the city. The attempt to resolve internal conflicts, or at least neutralize their ability to destabilize the urban regime, resulted in a city council that technically represented a broader spectrum of the citizen body than before the fourteenth century. At the same time, the laws issued by the city council, especially those from the late fourteenth century, suggest that council members remained deeply concerned about the causes of instability within the city and associated them with the moral behavior of citizens and non-citizens. The result was that urban

\textsuperscript{142} Geiger, \textit{Die Reichsstadt Ulm}, 52.
\textsuperscript{143} See Heinrich Greiner, “Geschichte des Ulmer Spitals im Mittelalter,” \textit{WVLG} N.F. 16 (1907): 78-156.
\textsuperscript{144} Tüchle, “Die mittelalterliche Pfarrei,” 30.
liberties were shaped by a social and legal system rooted in the exclusion of some groups by other groups, who were themselves dominated, ultimately by the patrician elite. This hierarchy was not simply unequal, it required that the ruled be supportive and invested of the regime that ruled them. At the same time, the members of the council had to institute and support policies that had the appearance of working for the common good, limited the power of the executive offices, and enforce the rules of social order equally among citizens.

By the mid-fifteenth century, the regulatory powers of the city council had also begun to exercise either direct or indirect control over the parish, its economic resources, and the relationship between citizens and religious institutions. Knowing this is an important step to understanding the processes at work in the Observant reforms and the way in which the interests of the city council intersected with the interests of the reformers, which will be discussed in Chapter 5 and Chapter 6. It is first necessary, however, to evaluate the mendicant communities of Ulm, to establish their social and economic conditions, and analyze their relationship with Ulm’s city council in the period before the reforms. This information and analysis is presented in Chapter 4.
CHAPTER IV

THE MENDICANT COMMUNITIES OF ULM

Introduction

The information presented in Chapter 2 and Chapter 3 has shown that by the fifteenth century both religious reformers and the city council of Ulm had a vested interest in promoting and enforcing behavioral norms among the members of their respective organizations. These norms were based on written prescriptions from statutory documents that were considered authoritative for each organization. Supporting the enforcement statutory prescriptions were viewed by the reformers and the councilmen as both good in their own right as a type of organizational morality and necessary to avoid conflicts that harmed the organization, and also necessary for the proper functioning of each organization. There were differences between the two, of course, but what is important here is that their mutual interest in the effective discipline of their own members intersected in the Observant reforms. The goal of this chapter, then, is to present information about the mendicant communities of Ulm to the period of the Observant reforms. On the one hand, this information about the mendicant communities of Ulm is necessary to understand conditions within the communities before the reforms, in order to validate the view presented in Chapter 2 that some communities do not appear to have been in violation of their respective Rule or Constitutions. This chapter will also consider the relationship between the religious communities, individual citizens and
families as patrons of the convents, and the city council. This information will provide points of comparison for information presented in Chapters 5 and 6. On the other hand, this chapter will also show that even before the period of the Observant reforms, the city council of Ulm had already had a hand in regulating some of the public business of the mendicant convents without their moral status being an issue. This chapter offers both background information about Ulm’s mendicant communities as well as an analytical view of their role and function in the context of a late medieval German city.

This chapter is divided into four sections, one for each of the four chief mendicant communities at Ulm: the Franciscan friary; the Clarissan community at Söflingen; the major community of women known as the Sammlung an der Frauenstraße, commonly called just “the Sammlung;” and the Dominican friary. The narratives for each house will be based on the traditional dates of their founding, although such dates are not easy to establish firmly. Each section will provide information about the relationship between the community, its patrons and supporters, and the city council. Most of the information presented in this chapter concerns the material resources of the mendicant convents, and the social connections between cloister and community implied in those resources. This information will allow us to evaluate the claims made by the Observants that material possessions were a symptom of decline.

The main argument of this chapter is that the communities of women in Ulm were relatively wealthy, but this wealth was not only acceptable to the citizens of Ulm and the patrons of the communities, it was also often expected that religious women would hold properties. The Franciscan community appears to have been well off, and, before the reforms, the Dominican friary does not appear to have had substantial materials holdings.

1 See the discussion of this subject in Chapter 2, 30-32.
This chapter will also make the secondary argument that the earliest, critical supporters of mendicant communities were members of the aristocracy and patrician families whose donations made possible the founding of the convents. The mendicant communities certainly received support from persons of other, technically lower, social standing, than the patricians, and this support was important for the daily operations of the communities, but critical support was initially rendered by the social elite. This awareness is important in evaluating some of the historiographic arguments made about the social function of the mendicant communities, particularly those of the friars.

There were more religious communities in medieval Ulm than will be analyzed in detail in this study. Some religious communities that did not belong to a mendicant religious Order have been mentioned in previous chapters. Although there were several monastic establishments, such as the Benedictine monasteries of Blaubeuren and Elchingen, that had strong political and economic connections to the city of Ulm, I have chosen to omit them from the primary study because they maintained a relative independence from the city council and because the focus of this dissertation is the reform movement among the mendicants Orders. When it serves to clarify or emphasize a point, information about the other religious communities will be mentioned but in general, this dissertation is directed at analyzing the Observant reforms among the

---

2 The Württembergisches Klosterbuch list twelve entries for religious communities in or around Ulm: the beguinage am Wörth, the Brothers and Sisters of the Holy Ghost Hospital, the Augustinian canons of St. Michael’s “zu den Wengen,” the Benedictine abbey at Wiblingen, the Commandery of Teutonic Knights, the convent of the Order of Friars Preachers, the convent of the Order of Friars Minor, the Franciscan tertiaries beim Hirschbad, the Franciscan tertiaries an der Frausenstraße, the Clarissan convent of St. Clare auf dem Gries, the Clarissan convent of St. Clare at Söflingen, and the beguinage auf der Eich. See Hans Eugen Specker, Ilse Schulz, et al., Württembergisches Klosterbuch, ed. Wolfgang Zimmerman and Nicole Persching, 460-512 ff. (Sigmaringen: Thorbecke, 2003).

mendicants. I have also chosen to omit several establishments of mendicant tertiaries or other lay religious, including the Brothers and Sisters of the Holy Ghost, who ran the local Heilig-Geist-Spital or city hospice, and several beguinages founded in the 14th century that were later associated with the Franciscans as tertiary communities. In many ways their inclusion would be reasonable, given that such organization fit with the themes of voluntary poverty and active social service that define the mendicant orders and were key terms of debate and reflection throughout the Observant reforms. Although the relationship between the Holy Ghost community and the city council is congruent with the argument about the increase in regulatory authority made in this study, the Holy Ghost community does not wholly fit with the historiography of the mendicants because hospice communities were generally not associated with a mendicant Order and, as part of an urban institution concerned with public health, the community came fell under the regulation of city councils almost as soon as they were founded.

The two beguinages, am Wörth and auf der Eich, and the Franciscan tertiaries beim Hirschbad would have made a good addition to this study alongside the Sammlung. However, the auf der Eich community, initially founded by pious women in the mid-fourteenth century, lasted only until the late fourteenth century when it was absorbed

---

4 There were a number of other spiritual foundations in the city that might have also been integrated into a study on constructions of poverty and social order, such as the Hospice of the Rich Sick, the Hospice of the Poor Sick, and the city orphanage, for instance. They have not been considered in this study, however, in order to keep the focus limited to religious orders and their reforming movements. Specker, Stadtgeschichte, 100-104.
into the *beim Hirschbad* community.\textsuperscript{8} There are very few surviving records for these three communities and so they do not form a basis of comparison with the other mendicant communities, although they continued to operate up to and well beyond the introduction of Protestantism into the city, often because they were largely independent of the oversight of bishops and provided services to the inhabitants of the city.\textsuperscript{9} Many tertiary communities were not established with episcopal oversight, which bishops attempts to establish in the later Middle Ages and which will play an important role in the reform of the *Sammlung* later in Chapter 5 and Chapter 6. While these communities of women are not part of the focus of this dissertation, as with other communities, they will also be referenced when they help to clarify or emphasize a point about those religious Orders that are its major focus.

There are two final qualifying statements about the selection of the houses for this study. First, complex evidentiary chain are available for these religious establishment because many of the existing sources were produced after the period of religious reform in the late fifteenth century, even though they record events or transactions from an earlier period.\textsuperscript{10} The issue of documentary accuracy is not unique to the study of religious houses, but because this study analyzes reforms, caution is warranted with regard to statements about the rights, privileges, or descriptions of those houses and their connection to secular institutions and lay supporters. Furthermore, most of the surviving

---


\textsuperscript{9} Gatz, “Ulm: Terziarinnen beim Hirschbad,” 46-47.

\textsuperscript{10} Isnard Frank points out that in general the early history of mendicant houses are difficult to reconstruct because of the fragmentary nature of the sources collections (where they survive) that might often lack concrete evidence for the date of foundation and be selective about what gifts were recorded. See Isnard Frank, “Franziskaner und Dominikaner im vorreformatischen Ulm,” in Specker, *Kirchen und Klöster*, 101-162; here 105-107. He notes that the practice of writing house histories was not common until after the Reformation.
sources are legal or economic in nature, despite the cultural foundations of these institutions. The lack of information about the interior life of the religious allows only careful guesswork based on slender evidence. A case in point is a spiritual poem written by a member of the Sammlung community, which was found only by accident from the expansion of the cloister walls in the sixteenth century. This poem is a striking testament to the self-expression of an inhabitant of the cloister from the early fifteenth century, but it lacks any context. In contrast, though, the Salbuch (a register used to record real estate transactions, including purchases, sales, or rents) was in regular use from the period of the reforms to the Reformation. Most of its information is also economic or legal in nature in part because the surviving cartularies or income books were produced as part of the Observant reforms or used by the communities afterwards. The correction and annotation of these books testifies to their utility and the care with which they were created. Nevertheless, the image we get from these sources of those houses is shaped by their post-reform narratives.

Second, members of monastic and religious communities behaved in many ways like other city-dwellers, although they viewed themselves as distinct from the laity. Although this distinction was codified in secular and ecclesiastical laws and privileges, the identities of the religious were not simply shaped by their respective Order, but also by other identities that overlapped with it, a situation that was fairly typical in medieval

---

11 Ein geistliches Gedicht, als das Stift in der Sammlung vermehrt wurde, c. 1703: StadtA Ulm, U 3163
12 Another important source of conflict was the privileges that the friars received from the pope that allowed them to hear confessions, preach, and say mass while canon law stipulated that the laity had to engage the secular clergy for confession and the reception of the Eucharist. The obligation was stated in canon 21 of the Fourth Lateran Council, Omnis utriusque sexus. See Norman Tanner, ed. Decrees of the Ecumenical Councils, vol. 1 (London and Washington, D.C.: Sheed and Ward, Georgetown University Press, 1990 ), 245. The secular clergy and the mendicants came into conflict over the validity of these privileges and the material resources that went with providing the sacraments to the laity.
society. For instance, aristocrats could be both independent and also citizens of a city in which they were not resident, a point already made in the Chapter 3. The same was true for rural communes, religious and monastic communities, and even bishops. One could not be a citizen of Ulm, however, without belonging to a guild, and each guild had its own signs and symbols, and even its own agenda in civic life. Burghers, the members of rural communities, and aristocrats may not have had similar political and social dispositions but their interactions were shaped by common assumptions about how their society worked or at least should have worked. While in some sense guilds, patricians, and religious communities viewed themselves as distinct from each other, and certainly distinct from peasants and rural laborers, they were bound together by social dispositions and habits that were familiar to each other even if not identical. Whatever distinction in cultural attitudes the following discussion may seem to attribute to the members of religious Orders, the profession of vows or the sacrament of holy orders did not remove them from sharing the habits, anxieties, and cultural dispositions of the society of which they were full participants.

---


14 Müller, “Das Bürgerrecht,”178-183. Several attempts by aristocrats to ban this practice led up to the clauses in the Golden Bull of 1356, as discussed in Chapter 3, 6-8.

15 Even within the guilds there were associations, such as the fraternity of the marners (wool weavers) within the marners guild, responsible for charitable activities of its members.

The Mendicant Communities of Ulm to c. 1400

The Order of Friars Minor

In 1229 the first Franciscan friars arrived in Ulm from Schwäbisch Gmünd, a city some sixty kilometers to the north, to establish a mission or a house. Although the date seems fairly early, neither place was mentioned by Jordanus a Giano, a member of the early Franciscan mission to Germany who also wrote a chronicle about the development of the Franciscans in Germany to about 1240; it is possible that at the time of its composition the Franciscan convents in either city were not viewed as permanent. A source listing the tithe-contributions from the churches of Ulm for a crusade in 1277, however, does not mention the Franciscan establishment at all, whatever its status. Humble origins, indeed!

From other sources we know that the Franciscan house at Ulm was incorporated into the Custody of Swabia, the Franciscan administrative region for the area extending from Augsburg to the Black Forest, which had altogether some ten friaries at the end of the medieval period. There is only sparse information about the founding of the Ulm...

---


18 Jordanus’ chronicle runs to 1237 and although it provides information for the Franciscan missions in important cities or ecclesiastical centers such as Cologne, Metz and Magdeburg he does not reference any presence in Swabia except at Augsburg. Jordanus a Giano “Chronica fratris,” ed. Brothers of the College of St. Bonaventure, Analecta Franciscana 2 (Quaracchi: College of St. Bonaventure, 1885), 1-19.

19 UUB 1, 151-153. The list includes exempt establishments within the city, such as the house of Teutonic Order as well as exempt houses outside of the city, such as Söflingen.

20 See Konrad Euel, Geschichte der Oberdeutschen (Straßburger) Minoriten-Provinz (Würzburg: F.X. Verlag, 1886), 11-12.
Franciscan house and not much more about its first century of existence. Felix Fabri provided a brief narrative of its foundation, stating that the friars came from Schwäbisch Gmünd to establish a house in 1229. In his description, the cloister was built near the old city walls, next to a gate called the “Lion’s Gate.” This has become the accepted story. The eighteenth-century Franciscan chroniclers Berard Müller and Victor Tschan, however, recorded that the friars came from Schwäbisch Gmünd in 1210 and operated from a residence (domicilium) near the parish church, which the friars and their supporters occupied for twenty years before beginning the construction of the cloister in 1229 near the Lion’s Gate. As Isnard Frank noted, there are no other reports about the early years of the Franciscans.

Müller’s narrative is believable in that a temporary house was most likely used as a base of operations before the construction of the permanent cloister and church; it is unlikely that the friars would have easily acquired the space and the money to begin

---

21 The first reference to the Franciscans in the Ulmisches Urkundenbuch comes from a source concerning Söflingen from 1239, UUB I, 60. This documents refers to a request by a Franciscan friar “magister Albertus de Ulma, ordinis Minorum fratrum, vir venerabilis et discretus, supplicavit nostre celsit hu militer et devote, ut, quia ad feminei sexus religionem e dificare cepit monasterium apiud Ulmam, in quo sub ordine sancti Damiani quasadam dei famnlas iam inclusit…” The source suggesting at least that he was from Ulm, though not necessarily that there was a community of friars at Ulm. Other “brothers” (frater or fratres) are mentioned infrequently in other documents pertaining to Söflingen thereafter but it is not until a document from 1258 lists a “frater Walterius gardianus Ulmensis” that the existence of the friary is firmly established: UUB I, 102. Eubel, Geschichte der Oberdeutschen, 203-204.
22 “Deinde anno Domini 1229 venerunt Ulmam fratres Minores de Gamundia, petentes sibi assignari locum pro monasterio construendo…” Fabri, Tractatus, 33.
23 Fabri, Tractatus, 33. The convent stood for centuries after the Franciscans left the city in 1531. It was dismantled at the completion of the Münster in the nineteenth century and currently the Stadthaus Ulm.
24 Berard Müller and Victor Tschan. Chronica, ed. Johannes Gatz, in Alemania Franciscana Antiqua 12 (Ulm: Kommissionsverlag August Späth, 1964), 220. Jordanus a Giano’s chronicle supports this method of expansion in other places in which friars rented or lived outside of the walls for a time before either leaving the place or acquiring enough resources to build a cloister and church or occupy another building repurposed for their use. See the examples of Nordhausen and Mulhausen in Jorandus a Giano, “Chronica fratis,” I, 44 and I, 45.
25 Frank, “Franziskaner und Dominikaner,” 129.
building right away, or the permission from their Order to do so.\textsuperscript{26} Such a rapid ascent as suggested by Müller makes for good communal hagiography, but does not conform to the ways in which the mendicants established their permanent houses. Müller wrote that it was civil magistracy (\textit{magistratui}) who gave the land outside of the city walls by the Lion’s Gate to the Franciscans in 1229 at the request of the friars for more space.\textsuperscript{27} If true, this would be the first occasion on which the city gave land to a religious community as a corporate donation. Unfortunately, there is no corroborating evidence for the claim. Fabri noted that the space was given by “citizens” (\textit{cives}) and did not specify administrators.\textsuperscript{28} While the details from later histories leave many unanswered questions, the basic narrative about the Franciscan community at Ulm is that the Friars Minor collected resources for their mission and had the good fortune to obtain the spot just outside of the ancient walls of Ulm on which to build their cloister, which was at any rate where the cloister eventually stood.

With regard to the older religious establishments, Fabri argued that although the houses of the Augustinian canons of St. Michael’s Wengen and the Teutonic Knights may have been founded earlier, but they moved their convents closer to the city in the late thirteenth century. These migrations put a strain on the resources of the secular parish, which was at the time associated with the extramural church called All Saints by Fabri. According to him, then, on account of “disturbances” (\textit{inquieta}) in the region, people were willing to support the mendicant churches because they were closer to the

\begin{footnotes}
\item[26] Isnard Frank “Franziskaner und Dominikaner,” 108-9. Frank will make the same argument concerning the Dominican house, below.
\item[27] “…facta magistratui supplicatione obtinuerunt frates amplissimumm locum, sibi a magistratu pro monasterio novo construendo designatum…” Müller and Tschan, \textit{Chronica}, 220.
\item[28] Fabri calls the city council \textit{consul} or \textit{domini} and city officials \textit{magistros}; he uses the term \textit{cives} to mean “citizens” or “population” more generally.
\end{footnotes}
city, and there was less chance of the parishioners being “surprised” and seized outside of the walls.29

Fabri’s account does not provide details about what particular troubles contributed to the populace’s fear of being “seized,” although the persistent conflict that existed between the city and the regional aristocracy makes this claim plausible. It is also possible that Fabri offered this narrative as a means of explaining disputes between the secular clergy and the mendicants over pastoral care and competition for resources, which, although less relevant for the thirteenth century, had certainly developed by Fabri’s time.30 Obviously, if people were forced by a third party to support the mendicants, because their churches were less risky to attend, then neither the mendicants nor the secular priests were to blame and Fabri’s narrative probably aimed to ameliorate contestations that, at Ulm at least, continued into the fifteenth century.31

Neither Müller and Tschan nor Fabri provided detailed information about the early supporters of the Franciscan cloister, though Müller and Fabri noted that the Franciscans gathered their resources as alms. The historian Gottfried Geiger argued that they were supported by the population at large and by the laboring guilds, in particular the mariners’ and the merchants’ guilds, though his evidence was taken from a later

---

29 “…cogitarum cives Ulmenses etiam parochialiem suam ecclesiam, quae erat extra ad omnes sanctos, transferre in urbem propter timores et pericula. Timebant enim, quod populo existente extra in ecclesia possent un dierum priditiones et tradimenta civitatis fieri et civitas capi et populus foris periclitari, quia erant tunc tempora satis iniquieta.” Fabri, Tractatus, 36.

30 See Geiger, Die Reichsstadt Ulm, 81-82. For the disputes about papal privileges that gave the mendicants the right to hear confessions and expemptions from episcopal oversight, see Guy Geltner, “Antifraternal polemics: from literature to social realities,” in Frate Francesco E I Minori Nello Specchio Dell’Europa: Atti del XLII Convegno internazionale, Assisi, 17-19 ottobre 2014, 313-331 (Spoleto: Fondazione Centro Italiano di Studi Sull’Alto Medioevo, 2015), especially 322-323.

31 It was to counter the influence of the mendicants that the patrician priest Heinrich Neithardt the Elder founded the city library (in order to improve the education and preaching efficacy of the secular clergy.) Neithardt also tried to improve the preaching ability of the secular clergy, a sign that there was still competition between the mendicants and the secular clergy. See Geiger, Die Reichsstadt Ulm, 53, 150-151.
period of the house’s history, especially the early sixteenth century. The early supporters of the Franciscan house were more than just the laboring social groups. While we lack extensive records for the Ulm community, some information can be derived from extant donation records and the Salbuch, a book concerning properties and annual payments owed to the friars and compiled by them.

The patrician families of Ulm, especially the Roth family, were the earliest substantial patrons of the Order of Friars Minor to be recorded in the Franciscan property register. Other powerful families such as the Krafft and Ehinger also endowed altars within the cloister church, established memorial masses for their families, and buried family members in the cloister cemetery. The register lists revenues or resources, donated in perpetuity, owed to the cloister from various properties in and around the city. The introductory statement to the register, written sometime in 1482, states that the book was compiled by the guardian and lector of the friary with the help of Hans Neithardt, mayor at the time, and of Joss Wirtemberg, a judge. The register was meant to list all of the property held by the friars within the jurisdiction of Ulm, and divided properties within the city from those beyond the city, to ensure that their annuities were in keeping with the city’s property laws established in the late fourteenth century, as was

---

32 Geiger, Die Reichsstadt Ulm, 82.
33 Brodek, “Society and Politics,” 515-517 and Geiger, Die Reichsstadt Ulm, 80-82. Brodek associates the patronage of certain monasteries with political factions within the city and struggle for overt political power.
34 Salbuch des Barfussenkloster, c. 1480. StadtA Ulm A [7176]: see the introduction, f. 23r-v. Hereafter, cited as Salbuch des Barfussenkloster.
35a hab ich Brüder Michael von Marbach Gardian zu den selben zyten mitsampt brüder Johan/nes gunser lessmaister dez gotzhuses unnd… Der ersamen unnd wesen Hansen/Nythartz zu den selben zyten/ Burgermaister unnd Josen wir-/ten bergs Richter unnd burger zü Ulme zu den selben zyten/ baihe pfleger dez obgenan[ten]n gotzhuss. Haben ernuwert und/ uss gezogen unnsrer unsers gotzhuses zinsbūch Rodel/ unnd alle umiser gut mit stucken unnd gūten die uns/ dann järlichen gelten zinsent unnd zü geben schuldig sind.” Salbuch des Barfussenkloster, f. 23r. The date is given as 1483, but Neithardt was only Burgermeister, twice, in 1478/9 and 1481/2. .
explained in Chapter 3. The fact that it lists only monies derived from properties within Ulm’s legal jurisdiction suggests that it was not a complete list of properties or revenues held by or owed to the cloister. The manuscript does not offer details on all revenues, such as how they came to be owed to the friars (as donations or commercial transactions), nor do they reveal whether certain religious services were required of the friars for all incomes. Some entries do mention religious rituals such as masses, prayers, or lighted candles, which were to be performed in exchange for land or resources, or were part of earlier donations. Further, a lack of prosopographical data makes rigorous statistical analysis of the social rank of the donors impractical at this time. There are other difficulties in interpreting the property register but it does provide some solid numbers, indicating at a minimum what the friars were to receive annually, as well as some insight into who the supporters of the cloister were.

There are one-hundred and twenty-six individual entries listed in the property register. Of these, only four appear to have been “lost”: either the funds were moved to a different house or, in one case, the donation apparently violate city law and, another, the entry is struck through. Assuming that these losses occurred after the book was

---

36 These are the “dead hand” regulations discussed in Chapter 3, 29-30.
37 For instance, see the Roth anniversary, “Das ist ainer iarzyt So wir schuldig sind zü gegan lärlichen.” Salbuch des Barfussenkloster, f. 32r
38 The incomes and properties of the convents at Ulm presented here are based on only a partial survey of the sources, particularly those sources created before the end of the 15th century and mostly related to properties in and around Ulm. The city council undertook several inquiries into the holdings of the Dominican convent, for example, on more than one occasion after the friars left the city in 1531, as recorded in Frank, “Franziskaner und Dominikaner im vorreformatischen Ulm,” 141, ft. 154. The arguments made on the basis of the material that was analyzed must be considered preliminary to a more thorough examination done in preparation for the publication of this dissertation at a later date.
39 This number is derived from individual listings and does not follow the count given in Latin numerals, which, especially with monies associated with the Sammlung and Söflingen, often list several annuities or donations under one numerical heading, for example at 40v for “LXXXVI.” Further, in some cases the Latin numerals are not given for an entry or repeat, see the listing at 39r where the Sammlung entry should be LXXXVI but is skipped without explanation. Unless my notes are inaccurate, the Latin numerals become repetitive between 41v and 44r.
compiled in 1483 and that the book does not list the annuities or properties alienated from the house through the Observant reforms, we can make some estimate of the annual income of the community. The cash due to the friars, or at least accounted for in terms of cash value, comes out to 141 pounds, 572 schillings, 203 heller (the coin), 96.5 gulden, and 17 pennies. An approximate conversion of the currency, given the wide variability of exchange rates, yields a total of 300 pounds Heller in regular cash income.\(^{40}\) Only twice in this register is tax liability mentioned explicitly, at a total of 4 pounds 30 schillings.\(^{41}\)

To complicate this matter, this Salbuch was composed in 1482, before the institution of the Observant reforms. Hans Greiner, however, in his study of the Heilig-Geist-Spital, provides numbers in terms of cash and agricultural goods owed to the Franciscans that were transferred to the Spital after the institution of the Observant reforms.\(^{42}\) Without reckoning the number of in-kind payments, Greiner’s figures amount to a sum of 97 florins and 1,341 kreutzer, enumerated under the title “The Interest [Zins] of the Franciscans, which were delivered to the Spital.”\(^{43}\) This amount converts to about 145 pounds Heller, although it is not clear if these resources were derived from the properties listed in the Salbuch.\(^{44}\) For instance, both the Spital’s Salbuch and the Franciscan Salbuch

---

\(^{40}\) The basis for conversion comes from Appendix D: “Money and Measures in Sixteenth-Century Württemberg,” in Brian Tolley, Pastors and Parishioners in Württemberg during the Late Reformation 1581-1621 (Stanford, CA: Stanford University Press, 1995), 132. 1 pfund = 20 schillings = 240 pennies or 376 Haller, 1 florin (gulden) = 1.5 pfund or 30 schillings. For an understanding of the purchasing power in the late medieval period see Jan L. Van Zanden, “Wages and the standard of living in Europe, 1500-1800,” The European Review of Economic History 2 (1999): 175-197.

\(^{41}\) See “Census in civitate Ulm I,” 24r and entry “LXXXV,” 38v. It is not clear if this is the total tax liability of the cloister.

\(^{42}\) Hans Greiner, “Geschichte des Ulmer Spitals,” WVLG N.F. 16 (1907): 78-156.

\(^{43}\) Hans Greiner, “Geschichte des Ulmer Spitals,” 141-142.

\(^{44}\) These figures have been totaled using the exchange rates as in ft. 40. However, Greiner’s exchange rates are not congruent with those found in the index to Tolley’s work. Most significantly, Greiner reckons a florin to be worth about a third of a pound Haller. If that were accurate, the amount would only be about 30 pounds Haller. Frustratingly, Greiner uses the abbreviation of “kr” but he does not indicate what coin in meant. I assume Greiner meant “Kreutzer,” although this denomination does not appear in the article in any other way. I have chosen to use the exchange rates in the index to Tolley’s work, as it generally accords
list a property of “one yard (hof)” in Altheim, but it is not clear if the same property is meant. It is not clear how the friars arrived at their list, which may not have included properties outside of Ulm’s jurisdiction, which may have been contained in the Spital’s account. More research into Greiner’s list, from the archival sources, is needed.

Monies are a good measure of wealth but wealth was also measured in terms of grains, like wheat and spelt, as well as eggs, cheese, poultry, and wax. Further, Söflingen was to provide twenty-five loaves of bread weekly to the friars and an additional twenty-five loaves on each of the four major feast days (Easter, Pentecost, All Saints, and Christmas); the sisters of Söflingen were also expected to provide milled grains “according to our need.” This information provides some minimums for the economic conditions of the friars. Even if this information does represent the majority of the annuities and properties owned by the community, the convent seems to have had good financial support from the community. The Franciscans do not appear to have been as wealthy as the nuns of Söflingen, though, but few mendicant houses were.

The Franciscan property register does identify the persons responsible for executing the transactions and the amounts to be collected by the friars, and aristocratic names occur frequently in it. For instance, from Friedrich von Westerstetten, listed as the


45 Salbuch des Barfussenkloster, 49r, Greiner, “Geschichte des Ulmer Spitals,” 141.

46 “conuent frowen zu Soflingen alle iar iarlichen und/ ain yedes iars allain unnd besunderln unnsr/ kuchin zu geben Müßmel Gersten [Bersten], Kern, unnd des/ genüg nach unnsr notturfft.” Salbuch des Barfussenkloster, 43r. The next several pages list other food stuffs (cheese and vegetables) and resources (such as wax) owed by Söflingen to the friars.

47 As later indicated, the count for the Dominican house is about 100 pounds Haller. The wealth of the Franciscan house is a point that appears to be in dispute. In Albrecht Schäfer’s study on the order in Baden-Württemberg, he claims that the Ulm Franciscans were the wealthiest house in the province but also notes the historians have varied widely on the property holding of the Ulm Franciscans, some claiming it had substantial property (Keim) and other claiming that their holdings were quite meager (Greiner). See Schäfter, “Die Orden des hl. Franz,” (1919) 26-28. Unfortunately, Keim relied on hostile sources for the Franciscan house: *Die Reformation der Reichsstadt Ulm* (Stuttgart: Chr. Besser’schen Buchhandlung, 1851), 70-75.
city warden (Stötreckner) of Ulm, the Franciscans received a pound heller yearly from a property at Hasslach, and from Henrich von Westersteten, they were owed two pounds yearly from a property at Westerstetten.\(^48\) Adelheid [Adelhait] von Hornigen appears a page later in a list of four sealed letters regarding a house and property within the city from which the friars earned 1 pound 4 schillings and 8 heller yearly.\(^49\) Evidence of support from aristocratic sources remains slender, but aristocratic names are not absent from the register. Members of the city patriciate are more frequently listed. In the one-hundred twenty-six entries of the *Salbuch*, members of the Roth family (given as Rot, Roten and Rott) are listed twelve separate times as a source of revenue. The Ulmer, Strölin, Krafft and Gossolt families are listed four separate times each and the von Halle three times, making patricians the source of nearly twenty-four percent of the funds listed. The property register also confirms donations or exchanges by artisans and other non-elite members of society such as Peter Kuch the marner (16 schillings), Diepolt Tostler the smith (13 schillings 4 heller on St. Sebastian’s Day) and one Joss Rorer the weaver.\(^50\) Some exchanges were clearly donations given for religious purposes, such as the anniversary masses established by Diepold Roth and Heinrich Krafft.\(^51\) However, the transactional origin of the funds is not given for most entries, so it is difficult to estimate which were monies given in support of the Franciscans, and which were exchanges of property for annuities or other arrangements. There are some twenty-nine explicit mentions or strong implications of gifts given to the Franciscans, which would be about

---

\(^{48}\) Salbuch des Barfussenkloster, 24r, 47v.
\(^{49}\) Salbuch des Barfussenkloster, 25v.
\(^{50}\) Salbuch des Barfussenkloster, 28v, 31v and 37r respectively.
\(^{51}\) Salbuch des Barfussenkloster, 32r and 38r respectively.
twenty-three percent of revenues, though this is an imprecise estimate based on the non-standardized formulas used in the register.\footnote{52}

It is difficult to draw firm conclusions about the social composition of the early urban supporters of the Franciscans or the general course of property ownership from the records in the property register, given its geographic and chronological limitations. Certainly, other undocumented donations may have been indispensible for the quotidian needs of the community.\footnote{53} Further, a lack of prosopographical information makes it difficult to correlate patterns of donation to social status. It is possible to say, however, that the support for the Franciscans came not just from the poorer inhabitants or artisan groups of the city, because patrician members of society were frequent, generous donors to the community and there is evidence of aristocratic support. This is an important observation, given the ongoing debate among historians, who either argue that the friars expressed solidarity with the poor and laboring classes or who view the friars as being operationally close to, and ideologically supportive of, those classes most engaged with the emerging market economy.\footnote{54} The specific religious Orders aside, the social function

\footnote{52} I have made the assumption that most gifts of money from either of the associated female communities counts as a donation, though I did not tabulate the aforementioned claims of grain or bread from Söflingen, focusing on gifts accounted in terms of cash values.

\footnote{53} For some speculation about documented and undocumented donations see Clive Burgess, “‘By Quick and by Dead:’ wills and pious provision in late medieval Bristol,” The English Historical Review 405 (October, 1987): 837-858.

\footnote{54} Lester K. Little, Religious Poverty and the Profit Economy (Ithaca, New York: Cornell University Press, 1978), 33-41. Some aspects of Little’s thesis have been criticized elsewhere: see David D’Avray, The Preaching of the Friars: Sermons Diffused from Paris before 1300 (Oxford. Clarendon Press, 1985) and, to a certain extent, Daniel Lesnick, Preaching in Medieval Florence: The Social World of Franciscan and Dominican Spirituality (Athens and London: University of Georgia Press, 1989). Lesnick actually attempts to bolster Little’s argument against D’Avray but he does makes the observation that members of the Dominican order were drawn from the Florentine popolo grasso at a greater rate than their Franciscan counterparts, who recruited from the popolo which should lead one to the conclusion that the wealthy and powerful appropriated one order and not the other but Lesnick’s arguments at 100-129 seem to contradict this statement, arguing that it was the Dominicans who were most responsible for creating an ideology for a political system based on merchant-capitalist values. As a result, Lesnick states somewhat confusingly the cause-effect relationship between the mendicants and secular values. See also Rodney Stark, “Upper Class Asceticism: Social Origins of Ascetic Movements and Medieval Saints,” Review of Religious Research, 45
of the friars appears to have been flexible and individual friars probably exhibited 
solidarity either with those social groups into which they had been born or with those 
groups that they believed exhibited characteristics marked as desirable by their social 
context, such as favoring the aristocracy in the belief that members of elite social groups 
exhibited greater religious sentimentality.

Poorer and market-engaged groups may have embraced the mendicants for 
reasons other than an inversion of social values or the alleviation of guilt associated with 
commercial wealth, as Lester Little has argued. The land-rich patricians and the at least 
some aristocrats clearly saw value in supporting the Franciscan mission, either despite the 
urban and charitable nature of the friars or because of it. If support for the friars 
alleviated guilt associated with market practices and wealth, as Little argues, such 
alleviation is indicated here only in terms of donations, for there is little evidence to 
suggest that native sons of the patriciate joined the Franciscans at Ulm.55 Their support 
appears to have been largely monetary. Even if donations from the social elite do not 
entirely define the social ties of the mendicants in medieval German society, it does 
suggest the friars served the needs of the urban patriciate in a way analogous to ways in 
which older monastic communities had served the aristocracy: donations served as a 
display of beneficent wealth in a socially-acceptable manner, an expression of their piety, 
and a place where family members could be buried and commemorated. The function of 
such houses was memorialization and commemoration, at least in the first century of their 
history in Ulm. This does not mean that the support from other “lower” social groups was 
unimportant. The mendicant convents could be used in ways that subverted the

(2003): 5-19, though Stark seems unfamiliar with Little’s thesis and so his article stops short of explaining 
the social dispositions that encouraged nobles to become ascetics.

55 The census from 1530 recorded that one Franciscan friar was from a patrician family.
preeminence of the urban elite. For instance, the convents served a semi-public function as a hostel for travels and as a meeting place for confraternities or other groups, a space which offered a type of spatial privacy not directly regulated in the laws of the “Red Book.”

The point to this brief digression is that the popularity and support for the mendicants should not be viewed as a “from below” or even “from the middle” movement, but as an appreciation of a religious foundation that offered different resources and opportunities to different social groups, and which in turn relied on different groups for different forms of support or resources. The friars in particular responded as competitors in medieval religion by attempting to offer services, particularly those based in the sacramental system of the medieval church, to different social groups in order to maintain prestige, ensure material support, and foster the mission of their Order. As we will see in the next chapter on the Observant reforms, the call to ensure the moral behavior of the religious, especially the strict enclosure of the female religious, would not be incongruent with the attempt to regulate previously unregulated spaces within the convents on the part of the city council.

Beyond the information provided by property registers and donation lists, there are only hints about the Franciscans in other surviving sources, and so a full picture is difficult to create. Müller and Tschan noted that in 1348 a great fire damaged the cloister but did not entirely destroy it and that by 1350, with the assistance of alms, the damaged

56 Frank, “Franziskaner und Dominikaner im vorreformatischen Ulm,” 140.
57 Frank, “Franziskaner und Dominikaner im vorreformatischen Ulm,” 142-144. Frank notes that the mendicant convents could also function as banking and financial institutions, a situation that made them popular but which contradicted their claims to poverty.
parts of the convent were rebuilt.\textsuperscript{58} There is not another entry in Müller’s chronicle for the Franciscan house until the Observant reform, however. Isnard Frank was at pains to locate members of the house who had matriculated at neighboring universites, and concluded that we simply do not know enough about the personnel to make any statements about the friars: they remain largely anonymous.\textsuperscript{59} Nicholas Glassberger lists the Ulm cloister as the host of six Provincial Chapters before 1500 and mentions that in 1410 one “Richard de Kirchberg,” a member of a noble family, professed his vows at Ulm.\textsuperscript{60} The convent must have been fairly large, as the Emperor Sigismund stayed there for several months in 1434.\textsuperscript{61} A 1390 agreement between the city, the two friaries at Ulm, and the parish priest concerning the from gives us the names and positions of “fratres Joannes gardianus, Nicolus lector.”\textsuperscript{62} A charter of Conrad IV, in which the emperor extended his protection to Söflingen, mentions “our Master Albert of Ulm, Order of the Friars Minor, a sage and worthy man” at whose request Conrad issued the charter of protection and hinted at cordial realtions between the friars and the nuns at Söflingen.\textsuperscript{63}

Despite the economic stability supplied by the aristocrats, patricians, and non-patricians of the city, there seem to have been few inhabitants of the city who joined the Order at Ulm. The most detailed piece of information we have about the personnel is a census conducted by the city council as it prepared to institute evangelical reforms in

\begin{itemize}
\item \textsuperscript{58} Müller and Tschan, \textit{Chronica}, 220.
\item \textsuperscript{59} Frank, “Franziskaner und Dominikaner im vorreformatischen Ulm,” 121-124.
\item \textsuperscript{60} Nicholas Glassberger, “Chronica Ordinis Minorum Observantium,” 233. The dates of the chapter meetings are 1283, 1310, 1323, 1325, 1357, 1364 and 1410. The Ulm house was kept in the rotation of chapter meetings throughout the province.
\item \textsuperscript{61} Johannes Gatz, “Ulm: Franziskaner-Observantenkloster,” \textit{Alemania Franciscana antiqua} 2 (1958): 5-40; here 10.
\item \textsuperscript{62} Concordia minorum et predicatortum conuentus contra p[a]storem Vdalricum Gessler, January 26\textsuperscript{th}, 1380: StadtA Ulm: H Schmid 21, 144.
\item \textsuperscript{63} \textit{UUB} I, 61.
\end{itemize}
Of the twenty-four names listed, only five had entered the Order at Ulm and only three gave Ulm as their birthplace. Notably, though, the Guardian at the time, Johannes Erhardt, was one of the three natives. If the convent at Ulm attracted novices, they do not seem to have been housed at Ulm at the time of the census. It is improper from this sixteenth-century census to generalize too much about earlier times, however, and so the medieval membership of the Franciscan cloister must remain largely unknown.

By the fifteenth century the Friars Minor had been successful in gaining enough support to build its cloister and church and continue its ministry to the burghers Ulm and the surrounding area. Although Franciscans were supposed to eschew the acquisition of wealth and status, this convent appears to have had fair support and resources up to the end of the fifteenth century. The surviving sources do not, however, present the picture of a convent that would necessarily have been an object of concern to the Observant Franciscans.

The Order of St. Clare

The Clarissan cloister of Söflingen was the next institution in order of foundation, having been established just outside Ulm between 1235 and 1237 at the latest. It is the best documented of all of the mendicant establishments at Ulm, and its ample source collection is one of the reasons why it has received significant scholarly attention.

---

64 Census of the Franciscans and Dominicans, October, 1526, StadtA Ulm A[8991], 56r-62v.
66 A brief account would list Max Miller, “Dis Söflinger Briefe und das Klarissenkloster Söflingen bei Ulm a.D. im Spätmittelalter,” (Unpublished Diss:Tübingen, 1940); Max Miller,”Der Streit um die Reform des Barfüßerklosters in Ulm und des Klarissenklosters in Söflingen und seine Beilegung 1484-1487,” in Aus Archiv und Bibliothek: Studien aus Ulm und Oberschwaben, ed. Alice Rössler, 175-193 (Ulm: Anton H. Konrad Verlag, 1969); Karl Suso Frank, ”Das Klarissenkloster Söflingen bis zur Aufhebung 1803,” in
Several reasons might account for the more substantial records of Söflingen. First, the Söflingen community was not closed until the nineteenth century, and for this reason its records remained relatively intact during the religious and political upheavals of the early modern period. A second reason is that the cloister was elevated to the status of an imperial cloister in the seventeenth century, which made the house not simply independent from Ulm’s legal jurisdiction but a self-governing territory in its own right, complete with the right to do “high justice.” Finally, the twentieth century historian Max Miller conducted extensive research on the cloister and also collated various important legal documents into the collection known as Söflingen Regesten, housed at the Staatsarchiv Ludwigsburg. Miller’s collection not only preserved legal instruments and correspondence but also helped organize and centralize the sources of Söflingen’s history. Söflingen achieved legal dominion over its properties, and the successful management of those properties made it a model of communal lordship for the period. It became one of the wealthiest Clarissan convents in the region, and the women of the community defended its independence with such vigor that the Observant reforms took nearly fifty years to complete and the Protestants of Ulm were unable to dislodge the community.

Like the Franciscan friary, some of the wealthiest and most powerful families of the region supported the community of women, initially known as “the sisters of St.

---


67 In general, the archival sources for Ulm and its religious houses are divided roughly in half between the Staatsarchiv Ludwigsburg and the Stadtarchiv Ulm. For the Söflingen Regesten, see Staatsarchiv Ludwigsburg: B 509.
Elizabeth,” in the early thirteenth century.\textsuperscript{68} Many of the earliest sources record the donations of aristocrats. A donation made in 1239 by Ulrich, “the nobleman from Freiburg,” a donation from the count of Marstetten in the same year.\textsuperscript{69} For the first fifty years of Söflingen’s existence, one might well call it an aristocratic cloister because of its strong association with the regional nobility: nobles founded and supported it and the majority of the first generation of women who joined the community came from aristocratic families.\textsuperscript{70} This situation appears to have changed in the thirteenth century, when the names of non-aristocratic women, particularly from patrician families of Ulm, begin to appear in the sources.

The identity of this community, initially established as a site called \textit{am Gries} or “on the bank,” changed several times over the course of the thirteenth century due to the evolution of Order of St. Clare outlined in Chapter 2.\textsuperscript{71} In 1237, the community was called “of the sisters of St. Elizabeth,” as related above, but two years later several sources offer the appellation “women of the Order of St. Damian,” though the older nomenclature may also have persisted.\textsuperscript{72} In 1247, Pope Innocent IV, in a letter that confirmed the incorporation of the house into the Franciscan regional administration, called it the “convent of St. Elizabeth of the Order of St. Damian at Ulm.”\textsuperscript{73} It was first

\textsuperscript{68} Frank, \textit{Die Klarissenkloster Söflingen}, 24-26.
\textsuperscript{69} Sources in the \textit{Ulmischer Urkundenbuch} list different names for the community, such as “the women of St. Elizabeth” in and slightly later sources record their name as “the sisters of St. Damian” in 1239, \textit{UUB I}, 55-57.
\textsuperscript{70} Frank, \textit{Die Klarissenkloster Söflingen} 31-32
\textsuperscript{71} Chapter 2, 32-25.
\textsuperscript{72} \textit{UUB I}, 56-57, 60-61. Significantly, in three letters from the abbot of Reichenau from before 1245 concerning property exchange, he only notes that the properties are for the “church of St. Elizabeth am Gries,” and for use “by the sisters” and thus avoid naming the community specifically: \textit{UUB I}, 61-62, 62-63 and Art. LVII, 74-75. It seems unlikely that there would be another church dedicated to St. Elizabeth “am Gries” that was not affiliated with the community but in these letters the women are mentioned only once in the first letter (making an apparent connection between the church and the community) but not at all in the second or third, although there is reference to a “monastery” in the second and third letters.
\textsuperscript{73} \textit{UUB I}, 78-80.
called a community of the “Order of St. Clare” by a citizen of Ulm in a record dated 1253, whereas in the same year, the abbot of Reichenau referred to the women as “the sisters of St. Elizabeth of the Order of St. Francis.” In 1258 and again in 1259, the community was referred to as “the garden of the Blessed Virgin of the Order of St. Damian.” More than simply a matter of trivia, the change in names were a part of the attempts to define the community by the Franciscans and the church hierarchy. The final creation of a name and the provision of a Rule, though, did not prevent others from using the change in name and location against the community when it came to conflicts over material resources and, as we have already indicated, Söflingen would acquire considerable land holdings in the region around Ulm over the course of the next two centuries.

Eventually the location “on the bank” proved inadequate for the growing community, and, through aristocratic support, extensive properties in the village of Söflingen, just west of Ulm, were donated to the sisters. At some point before 1253, the community moved to the village whose name thereafter became synonymous with the community. The nuns received considerable funding from various supporters around the region, eventually possessing patronage rights over several parish churches and other properties, including a vineyard near Esslingen. By the mid-thirteenth century the nuns

74 Otto “dictus Rufus” or “der Rot” gave the name of the community as “ortho beate virginis ordo sancte Clare,” UUB I, 83 and Abbot Burkhard “sororum…sancte Elizabeth ordinis sancti Francisci” in UUB I, 83-84.
75 Alexander IV used the title in an instrument that confirmed all the rights and privileges that the old “am Gries” community had were fully transferred to the new community, “monasterii de orto sancte Marie in Sevlingen, ordinis sancte Damiani,” UUB I, 106-107. The other is a memorial of legal privileges and monastery benefits conferred by Count Hugo of Tübingen from 1259, “claustri, quod dicitur hortus beate virginis ordinis sancti Damiani in Sevilingen apud Ulmam,” UUB I, 111-112.
76 Frank, Die Klarissenkloster Söflingen, 30-32.
77 StAL: B 509: U748, U815-U835 are related to the early 16th century conflicts between Söflingen and a Benedictine monastery near Nuremberg concerning the patronage rights (especially the selection and
had received from several popes legal instruments of protection and tax exemption as well as the extension of imperial protection from the Emperor Charles IV. Such considerable property holdings, including patronage rights over ecclesiastical foundations located in some of the villages they held, brought the nuns into conflict with other religious authorities over the tithes due from churches and chapels under its patronage, such as those at Pfrauenstetten and Harthausen, and conflict with laymen from various social backgrounds and municipalities. Dr. Jörg Summer, the Franciscan Provincial Minister at the time of the Observant reforms, reckoned the value of the properties owned by the community was nearly 100,000 florins. Miller, in an attempt to give a brief picture of this wealth, listed the properties as follows

To the cloister belonged the entire village of Söflingen (with 570 acres of fields and meadows, 500 acres of wood, 6 large and 25 small rented farms, 2 mills, an inn, fisheries, agricultural levies, 100 pounds heller in cash annuities, the greater and smaller tithes, most of the village of Burlafingen, Neu-Ulm (with 96 acres of farmed fields, 9 large and 12 small rented farms, among others, the hamlets of Harthausen and Schaffelkingen …with 3 large farms, 8 farms among others at Pfuhl, 5 farms at Pfrauenstetten; 4 farms each at Egginen and Tomerdingen, 3 farms each among others at Jungingen, Mährinen and Scharenstetten; 2 each at Böttingen and Dellmensingen, 1 each at [seventeen places are named] as well as rented properties…

installation of the priest) over the parish of Harthausen. The result, (U834-845) was the payment of monies to Söflingen but the retention of rights over Harthausen by the Benedictines, to whom patronage had been given by Pope Leo X in 1515 though conflicts over it go back to 1500 (U748.) The community had obtained rights over Harthausen from Count Eberhard I of Württemberg, along with other properties and concessions in 1281. See UUB I, 165-169.

78 UUB I, 85-86, 96-97, 99-101, 106-107 (the confirmation by Alexander VI that the new community would have the same rights and privileges as the earlier “am Gries” community) and see also the letter of protection given by Charles IV in UUB II.2, 506-507. See also Febert, Between the Law and the World, 168-177; Frank, Klarissenkloster Söflingen, 40-45.


By any measure the cloister was land rich and cash rich, and its properties ringed the city of Ulm on all sides. By 1281 they were already able to purchase the castle and lordship of Ehrenstein from the counts of Württemberg for 240 marks of silver. This wealth did not necessarily blunt the community’s sense of mission or support for other communities of Poor Clares, however. Söflingen helped found other Clarissan communities, sending professed women to staff new foundations at Pfüllingen and Nuremberg, as well as the unusual Franciscan double-cloister at Königsfelden in the Aargau, founded at the request of Elizabeth of Carinthia.

By the fourteenth century the community of Söflingen was successful in acquiring and maintaining extensive estates. At the same time, the nuns were compelled, by the acquisition of property and patronage rights, to engage in legal disputes over those possessions and privileges. The most serious challenge faced by the community came in the early thirteenth century, when the abbot of Reichenau challenged the right of the nuns to collect tithes in areas under Reichenau’s jurisdiction. In part, the advocate for Reichenau claimed that Söflingen had never been properly joined with the Friars Minor and that the property and wealth that had been accumulated by the community nullified rights and privileges applicable to a community of “poor” women. The advocate argued that those papal and imperial privileges which had given the Poor Clares of Söflingen

Teil des Dorfes Burlafingen BA. Neu-Ulm (mit 96 Tagw. Eigengebauten Wiesen, 9 großen und 12 kleinen Lehenhöfen, u.a.), die Weiler Harthausen und Schaffelkingen (Gde. Ermingen) mit je 3 großen Höfen, 8 Höfen u.a. zu Pfuhl (BA. Neu-Ulm); 5 Höfe zu Pfrauenstetten (Gde. Niederhofen); je 4 Höfe u.a. zu Eggingen und zu Tomerdingen; je 3 Höfe u.a. zu Jungingen, Mähringen und Scharenstetten; je 2 Höfe zu Böttingen (Gde. Bollingen) und Dellmensingen;…"

82 Frank, Klarissenkloster Söflingen, 63.
84 Febert, “Between the Law and the World,” 61-63, 82-85.
rights to local tithes had, in fact, never been given to any community at Söflingen or any community called “the Order of St. Clare,” but rather to the community of “St. Damian am Gries.” Those earlier variations of the nature and name of the communities of women associated in the thirteenth century with the Franciscans created new challenges in the fourteenth. Although the women had received papal bulls which transferred the rights of the am Gries community to the one at Söflingen, the abbot and advocate of Reichenau were able to argue that the Poor Clares of Söflingen had never been properly incorporated into the Franciscan Order, based in part on their wealthy, which was not in keeping with the Franciscan spirit. Because the nuns of Söflingen were not poor, and had not been at the time they received their papal privileges, their possession of any privileges given to that earlier community of poor women had consequently been nullified by the lack of historical continuity and an improper association with the Order of Friars Minor. The relationship between poverty, identity, and community, which had caused the various conflicts that had required the changes of name and Rule for the Poor Clares, was still very much at play in the legal dispute between Reichenau and the nuns of Söflingen. The same conflict between poverty, property, community, and identity would surface again, in a different manner, during the Observant reforms.

Reichenau’s line of argument about property, identity, and control of resources convinced judges at the trial in Zürich in 1312; the nuns then appealed the case to the

---

85 Papal confirmation of the rights of the community was not rare, either, as late as 1280, Pope Nicholas III confirmed the freedoms and privileges of the community “…a predecessoris nostris Romanis pontificibus per privilegia seu alias indulgentias vobis et monasterio vestro concessas nec non libertates et exemptions secularium exactionem a regibus et principibus…” UUB I, 160. Granted, the language is vague but wholly inclusive. For Söflingen’s papal privileges, see Febert, “Between the Law and the World,” 77-81.

86 Febert, “Between the Law and the World,” 83-86.
Apostolic See. In 1313, both sides, worn down by legal fees, agreed to a settlement by which Reichenau acknowledged Söflingen’s legal entitlement to the disputed tithes and confirmed the donation of the tithes from Reichenau to Söflingen, while the nuns agreed to pay 100 marks of silver to cover Reichenau’s legal costs. The lawsuit raised serious questions relevant to this study. As Heidi Febert has asked, when is a community part of a religious order? How does that relationship shape the identity and relationships of that community? These questions constituted a considerable problem for medieval monastic and religious orders in general but especially for those that were influenced by the Observant reforms.

This narrative of economic success should not suggest that Söflingen did not have periods of difficulty. In the late fourteenth century the cloister fell into debt and was forced to pawn some of its properties to wealthy Ulm burghers. In 1376 they pawned their properties at the hamlet of Dellmensingen to the Ungelter family, patricians of Ulm. In some cases, the community itself requested funds from individual nuns, relying on their family connections; this often resulted in loans that yielded interest to the members of the community. As Miller has noted, the access to private resources by individual nuns was beneficial because such resources could be used to assist the community or even, in some cases, be transferred to the community as bequests or purchased. Given that within a hundred years of its founding Söflingen was already known for its extensive wealth and property, however, it is no surprise that fifteenth-

---

88 Ibid., 101-103. See also UUB II.1, 9-15 for the letter of confirmation of the settlement from the Bishop of Chur.
90 Miller, “Die Söflinger Briefe,” 18-19. Miller uses an example where a considerable property was donated to the cloister by a Helfenstein count to his relative in the cloister named Anna, which then was willed to the cloister upon her death.
century reforms rooted in the relationship between voluntary poverty and spiritual authority might first target the Clarissan community at Söflingen.

The *Sammlung “am Frauenstraße”*

The women whose association became known as the *Sammlung* arrived at Ulm sometime in the early thirteenth century. Initially they were called the “Beuren” *Sammlung*, suggesting that the women had come from the lands of, or were perhaps associated with, a neighboring Benedictine monastery (possibly Wiblingen or Blaubeuren), but evidence for the early period is lacking.\(^91\) Although the women are assumed to have been supporters of the early Franciscan mission, the first documentary evidence for their existence only comes in 1284 with a letter of protection from Pope Martin IV which identified the community as one of Franciscans tertiaries.\(^92\) Like other such communities of pious women in medieval Europe, their exact canonical position became more complicated as the rules that structured their community were approved and modified by the city council: Franciscan friars do not appear in the earliest sources regarding the organization of the community. In fact, the agreements that shaped the relationship between the sisters and the friars in 1313, 1344, 1415, and 1471 was approved by the city council and not the Franciscan friars.\(^93\)

To be clear, the first article of the agreements drawn up by city officials in both the 1313 and 1344 sources states that sisters were to be “in obedience and under the

---


\(^92\) They are addressed as “…filiae…ordinis penitentiae beati Francisci …” Both the *Sammlung* and the Franciscan house only have secure documentation after 1280.

\(^93\) Greiner, “Sammlung in Ulm,” 82.
authority of the holy and noble Order of Brothers Minor… and our community shall be perpetually bound in total obedience.”

Four specific cases of disobedience or impropriety involving a member of the community and the friars (with some oversight on the part of the Sammlung leadership) were stipulated, and the violation of any of them would result in an automatic fine of one-hundred pounds Heller to be given to the friars.

The sisters certainly expressed in the strongest terms that they were bound to the friars and identified with their Order. These agreements were not rules, however, and later documents concerning the community did not reference the rule for Franciscans tertiaries, a version of which had been in existence since the time of Francis and formally approved by Nicholas IV in 1289.

The agreement of 1344 is nearly identical in terms of the relationship between the women and the friars to the one from 1313. The women of the Sammlung again pledged themselves in perpetual obedience to the Franciscans and thus placed themselves wholly under the authority of the friars. The penalty for disobeying the friars in the same four cases as in the 1313 agreement remained at 100 pounds Heller with only minor alterations, such as the disobedience by any sister to the bothers or, as in the 1344 agreement.

---

94 Under the title “Neue Ordnung der Sammlungsschwestern in Ulm” in UUB I, 318: “so geben wir uns in die gehorsam und in die maisterschaft und unter die richtegunge des heiligen und des erberen ordens der Minnenr Brüder und verbinden uns und verstrichen uns hinder ir rihtunge und hinder ir gehorsam und ir maisterschaft und wellen, daz unser Same nunge dem vorgenanten orden mit ewiger gehorsam ewiclichen gebunden sie.”

95 UUB, I, 319.

96 Nicholas approved of the formal order in the bull Supra Montem (see Bullarum Diplomatum et Privilegiorum Sanctorum Romanorum Pontificum, vol. 4, ed. Francesco Gaude (Taurinensis Editio, 1859), 90-95. Nicholas was unwilling to approve the statues for Dominican tertiaries promulgated by the Master General Munio de Zamora, whom Nicholas eventually forced out of office on account on accusations of simony and lechery, see Maiju Lehmijoki-Gardner, *Worldly Saints: Social Interaction of Dominican Penitent Women in Italy, 1200-1500* (Helsinki, Suomen Historiallinen Seura, 1999), 35-38.

97 UUB II.1, 254-257 under the title “Neue Ordnung der Sammlumsschwestern in Ulm,” “so geben wir uns in die gehorsamni und in die maisterschaft und unter die rihtunge dez heiligen und dez geistlichen ordens der Minderen bruder und verbinden uns und verstrichen uns mit disem brieff hinder ir rihtunge und hinder ir gehorsamni und hinder ir maisterschaft, und wellen und meinen, daz unser samnunge dem vorgenanten orden mit ewiger gehorsamni ewiclichen gebunden sie...”
agreement, to the *Meisterin*, and disobedience of either “a long or a short time” (*lang oder kurz*). The women agreed that they would keep their number to twelve and would not admit anyone under the age of twelve as a sister.\(^98\) Though they considered themselves in a “vowed way” (*eides wise*), there was never any mention of a specific rule and, as the historian Hans Greiner also pointed out, the women do not seem to have taken the formal vows of poverty, chastity, and obedience. They did have a ceremony in which a novice pledged to obey the rules of the *Sammlung* and received a ring as a token of her pledge, after which the community held a *Hochzeit*, or wedding feast, for the newly professed sister.\(^99\) The Franciscan friars were connected with this ceremony only in the sense that it was conducted in the Franciscan choir, with the guardian and lector present, and involved a payment to the friars for their services.

Despite the unspecific institutional relationship to the friars, it is clear that the members of the *Sammlung* had other connections with the Franciscans. First, their community had initially been located right next to the Franciscan cloister and church in the Hafengasse.\(^100\) Second, the beguinage was also tied to the Franciscans through mutual donations, like one made by Anna von Burgow and recorded in the Franciscan

---

\(^98\) “...wir haunouch gesetzet uf daz gelübde, daz wir in eides wise getan haben, daz wir die zal zweliff unser swestran nimmer gemeren süllen noch mügen, und ouch daz wir chain under zweliff iaren an dem alter niht süllen noch mügen empfahen...” *UUB* I.1, 236

\(^99\) Greiner, 85-86. This claim is supported by a late source from a record from 1471, in which the process by which a novice is accepted into the community is outlined, especially the fees to be paid to the community fund and to the Franciscans who oversaw the ceremony but which does not mention any vows. “Item und uff den selben tag so man das kind in tůn wil und so gät dem die maiterin und all Ir fröwer In das huß da das kind inn das man den in avil tůn und da fuert man das kind uß zū den Barfüssen In den Kor da laÿt man es an und man sol im vortragen ain wandell kertzen und sol dar an henckenn ainen gulden Ring und den lost man mit zwain schilling hlr. Und die lait man uff den altar und wen das ampt volsprechacht wirt so fürt man sy dem das kind haim In unser samnung und hat de main mal nach gewonhait ainer hochzeit...” to which the lector and guardian of the Franciscans was invited, “*ACTA* StadtA Ulm A[7112]: 68v.

\(^100\) Greiner, 78-79.
Occasionally, when donations were made to the *Sammlung* community, they were directed to have a Franciscan celebrate masses or offer prayers with the women serving as a choir. Likewise, the Franciscan *Salbuch* indicates that the friars received monies from the *Sammlung* for performing these services for donors, and in some cases the women of the *Sammlung* were the executors of those donations so that, if the friars failed in the responsibilities, the monies would go to other religious communities.

When the city walls were extended and the new parish church planned at its present site, the *Sammlung* community had to move. Initially they lived for several years at the *auf der Eich* beguinage before leasing a different site. Consistent with the *ad hoc* nature of the *Sammlung*, enclosure does not appear to have been strictly enforced, and the women appear to have engaged in a number of activities that brought them into contact with the laity. The women operated ovens that provided hosts for the masses in the city churches, for example. The women were also permitted to leave the convent grounds to perform works of corporal mercy, such as care of the sick at the *Heilig-Geist-Spital* and the other charitable institutions of the city. The sisters were also known to educate the young girls of the city. Finally, strict stability does not seem to have been required of the women, since some of them left the *Sammlung* to get married.

Although associated with the Franciscans, the sisters do not seem to have embraced voluntary poverty. By the fourteenth century, the community itself had

---

101 *Salbuch* des Barfüsserklosters, 39v.
102 The convoluted history of the property is rendered by Greiner, 85-86. The last leaseholder before the *Sammlung* was, in fact, Jewish.
103 To the Bürgermaister “ein lebzeltten von ainer mäβ hunigs” and to “undern pflegern ÿeglichen es sy ainer oder zwen öch ain lebelzetlen von ainer mäβ and öch vier hennan…” though to the *Stadtschreiber* “…zwo groß lebelzetlen von zwain mäßen ..und ain lot muscattnuß andethabl lot päffers völleklich.” After these specific gifts there are numerous cakes distributed to children. *Salbuch*: StadtA Ulm A[7112]: 71r-71v.
104 Geiger, *Die Reichsstadt Ulm*, 84.
acquired property, including annuities claimed for religious observances, a mill, and eventually the village of Ersingen.\textsuperscript{105} We know the names of the \textit{Meisterinnen} of the community and it should not come as a surprise that women from patrician families most often held positions of authority within the community. Of the sixteen women who occupied the position between 1313 and 1508, eight appear to have come from a patrician background, particularly from the Strölin, Huntfüss, Krafft, Roth, and Ehinger families.\textsuperscript{106} By the early fifteenth century, the women of the \textit{Sammlung} served several functions in Ulm, and the community was, on account of the dowries of its members that were transferred to the community, a wealthy one dominated by the daughters of the urban elite. Their community was shaped by the city council of Ulm as much as it was by their association with the Franciscans, a point that was to make the city council’s attempt to reform the community unique among its various attempts at reform in the fifteenth century.

The Order of Friars Preachers

According to Felix Fabri, the Friars Preachers arrived in Ulm in 1281, and were given a garden and other resources by a “pious servant of Christ” named Mechthild Hunraerin and by a member of the Krafft family, an imperial notary whose first name Fabri does not record.\textsuperscript{107} Isnard Frank argued that although this account is probably trustworthy, it does not reflect the careful process that the Dominicans followed in developing their cloisters in stages based on support received from the laity and approval

\begin{flushright}
\textsuperscript{105} Greiner, “Aus der 600jährigen Vergangenheit der \textit{Sammlung} in Ulm,” 92-95.
\textsuperscript{106} Greiner, “Aus der 600jährigen Vergangenheit der \textit{Sammlung} in Ulm,” 96-97.
\textsuperscript{107} “…quibus contulit quaedem devota Christi famula dicta Mechtildis Hinraerin hortum suum juxta hospitale, et insignis vir dictus antiquus Kraft, actus scriba domini Imperatoris, fundatorem se exhibens frates ut filios carissimos fovebat…” Fabri, \textit{Tractatus}: III:1, 34.
\end{flushright}
give by the provincial authorities of the Order. Frank uses the Augsburg Dominican house as an example of these stages of development, showing that although the Dominicans had been in Augsburg since 1225, they founded their cloister only in 1245 at the earliest, when support for the mission was deemed sufficient. The friars were generally cautious about giving their full support to houses that seemed unable to support themselves, or which seemed ill-suited to the needs of the Order. It is possible the Dominicans had been working in or around Ulm for a while. For instance, a donation to the Dominican nuns at Medingen in 1275 is witnessed by one “Brother Heinrich of Ulm,” which suggests at least that the Dominicans were attracting members from the city.

The bishop of Eichstätt also granted an indulgence for the improvement of the Dominican church at Ulm in 1281, but referred to the consecration as though it had not happened yet, though the bishop may simply have left out the exact date. Frank concludes that Fabri’s date probably marked the actual establishment of the cloister and church buildings, and not the original colonization, which Mechthild and Krafft’s gifts expanded rather than founded. Unlike in the case of the Franciscans, we are somewhat better informed about the Dominican community on account of an extent cartulary (Kopialbuch) that provides

109 ibid. As a solution to the distinction between the founding of a branch and an actual cloister, Frank uses the roll-call lists for the Provincial Chapters that placed the houses in the chronological order of their founding. His conclusion is that the Ulm community was recognized by 1283. Further, an agreement between several Dominican houses of the region yields both the mention of the house by the Eichstätt bishop and a seal for the Ulm house.
110 UUB I, 159.
111 “…ut ecclesia vestra dignis honoribus frequentetur, omnibus vero penitentiones et confessis, ad consecrationem ecclesiae [sic] ipsius per triginta dies a die consecrationis sue continuos, deinde per singulos menses per circulum eiusdem anni et in anniversario dedicationis sue die hac usque ad octo dies sequentes convenientibus reverenter…” UUB I, 170-171.
112 In a source from 1281, one “Craft Scriba” is named as the fundator of the church. Endriß also concluded that 1281 was the date for the beginning of the church based on the indulgences it received. See Julius Endriß “Neues zur alten Predigerkirche in Ulm,” WVLG N.F. 22 (1913): 103-111; Specker, Stadtgeschichte, 92-93.
information about its economic successes as well as its rights and privileges. Like the Franciscan house, it received support from members of the lower nobility and the patrician classes. One of the first records in the cartulary came from Adelheid von Greifingen, whose daughter is named as “Gute die Truchsessin,” a member of the lower aristocracy in the service of other aristocrats. Adelheid’s brother is given as “Diether der Brediger,” suggesting that he was a member of the house at Ulm, and this relationship may explain Adelheid’s motivation to bequeath a house there to the community in exchange for religious services, such as masses and prayers. Another source from 1311, from one “sister Irmengart die Negelerin,” also split the yearly income from a house in Ulm between the community and her brother, “Bruder Walter,” who was to receive monies from the house until he died, at which point the total revenues were to be donated to the Dominican convent. Although the term “brother” in these two documents is meant to indicate some type of religious, it suggests that the Dominican friary attracted members from the local population, at least more so than what records Franciscan house indicate. Another source, a donation given by the Schultheiss of Reutlingen in 1346, provides more names, among them “Konrad von Kempten” and “Hannsen von Ehingen, subprior of the Dominican house at Ulm.”

113 “Urkundenkopialbuch des Predigerklosters in Ulm” StadtA Ulm: A[7172]. Hereafter, referred to in the footnotes as “Kopialbuch.”
114 Truchsess means “steward” and was a title associated with several south German families from the lower aristocracy, see Kopialbuch, 3r-4r. Söflingen was also patronized by another “Truchsessin,” named Anna von Geislingen. UUB I, 227.
115 “Bruder Dietheren mynen bruder den vorgenanted bredigern” ibid.
116 Kopialbuch, 8v-9r.
117 “wir mit bruder Conrat von Kempten und mit bruder hanssen von ehingen dem supprior des gottzhuss der prediger zu Ulm und mit allen Iren bruder heplich mit ain ander...” Kopialbuch, 9r.
since one “Brother Konrad” was listed as the prior in 1336, this is a possibility.\textsuperscript{118}

Ehingen is a town on the Danube just southwest of Ulm, and is the place from which the patrician family of the Ehinger derived their name, though it is more likely that Hannsen’s name simply indicates his place of origin. In 1297, the Dominicans bought a garden for five pounds heller in Ehingen, so the cloister was not without an early connection to that town.\textsuperscript{119} In any event, the Ulm friary appears to have had in it friars who were from the area around Ulm at a relatively early date.

Like the Franciscans and the Poor Clares of Söflingen, the Dominican friars were patronized by leading patrician families, such as the families of Ehinger, Priolin, and von Halle, and often their donations were made in connection with the provision of liturgical services, such as masses and prayers, by the friars. In general, these early gifts offered annuities to the friars while the donor was alive, and after his death the properties fell to the Dominicans. In 1350, the women of the Sammlung granted to the Dominicans, from a fund established by the Roth family, a yearly total of five-thousand large communion hosts.\textsuperscript{120} In addition to such material support, also numerous episcopal letters granted indulgences to visitors of the Dominican church from neighboring German bishops, especially the bishop of Augsburg, as well as the bishop of Orvieto. In 1298, Bishop Wolfhard of Augsburg issued a notice that confirmed the right of Dominicans to distribute communion.\textsuperscript{121} The Dominicans recorded the early negotiations that established the boundaries of the preaching circuit between themselves and other houses, an

\textsuperscript{118} Kopialbuch, 10r, a list of various donations given to the house. There was no Dominican friary at Kempten itself.

\textsuperscript{119} UUB I, 236.

\textsuperscript{120} “…zegeben den predigern ze Ulme funff tusent grasser obblaten von dem selgereitt das Johans der Rott dez ottend Rotten seligen sun…” Kopialbuch, 14r.

\textsuperscript{121} UUB I, 256. A year later the operational boundaries between the Dominicans of Augsburg and Ulm were established at the chapter meeting in Augsburg, UUB I: 262.
indication of the rural aspects of the Dominicans’ preaching mission. The community also served as a center for Bavarian exiles during the conflict between Pope John XXII and King Louis of Bavaria, and hosted the mystic and theologian Heinrich Seuse, who died and was buried in the church of the Ulm convent.\textsuperscript{122}

Isnard Frank’s detailed work gives us a good outline of the institutional history of the Ulm convent. It does not seem to have attracted the same attention from the regional nobility as did the Franciscan convent, but given the late date of its founding the aristocrats may have been more stinting with grants of land. Frank noted on the basis of provincial records, which are unfortunately fragmentary, that the cloister, in addition to its general pastoral duties, probably also served as a house of special studies.\textsuperscript{123} The Ulm convent was listed as one of the houses possessing a “master of students” by 1400, which means the cloister may have been elevated to a \textit{studium particulare}, or a school that educated local students.\textsuperscript{124} The convent hosted several Provincial Chapters shortly after its founding. As with the Franciscan convent, we do not have enough information about the personnel to provide an adequate picture of the interior life of the cloister until the time of the reforms. However, Frank tracked down references to some of the friars from the Ulm convent, including the administrative offices they held, in the necrologies of other Dominican houses. From his studies we know that some of the Ulm friars, such as the reformer Ludwig Fuchs and his nephew Heinrich, matriculated at regional universities.\textsuperscript{125}

\begin{footnotesize}
\textsuperscript{122} Albrecht Rieber, “Auf der Suche nach dem Grab Heinrich Seuses,” in Heinrich Seuse, \textit{Studien zum 600. Todestag 1366-1966}, ed. Ephrem Filthaut, 457-477 (Cologne: Albertus Magnus Verlag, 1966). Seuse appears to have had little to do with the teaching or preaching within Ulm and likely spent most of his time editing his works.
\textsuperscript{123} Frank, “Franziskaner und Dominikaner,” 120-121.
\textsuperscript{124} Frank, “Franziskaner und Dominikaner,” 124; Specker, \textit{Stadtgeschichte}, 93-94.
\textsuperscript{125} Frank, “Franziskaner und Dominikaner,” 124.
\end{footnotesize}
Patrician families were among some of the most important donors to the Dominican cloister, especially the Roth, Krafft, Ehinger, von Giengen, and Priölin families. These families endowed altars in the Dominican church and used the convent as their burial places.\footnote{Frank, “Franziskaner und Dominikaner,” 139.} For instance, in 1336 Johannes Ehinger von Mailand left monies from properties around Ulm to the cloister in exchange for prayers for himself and his family, including 2 pounds 3 shillings yearly for a candle on the family altar in the Dominican cloister.\footnote{Kopialbuch, 22r-23r.} Another testament from the same year also involves a “brother Heinrich von Ehinger, of our Order and convent,” and which records Heinrich’s gift of sixteen pounds heller for an anniversary mass for himself and his parents.\footnote{StadtA Ulm, H. Schmid 21, #136, 21st Sept., 1336.} Later in 1346 a Heinrich von Ehinger is listed as the subprior, providing strong evidence that a member of that patrician family had joined the Dominicans.\footnote{Kopialbuch, 9r-v.}

1366 was a peak year for the Dominican cloister, as it was one in which numerous donations made by patricians, burghers, and religious substantially increased the friars’ regular income.\footnote{Kopialbuch, 10r-v. They also appear to have purchased a new graveyard, 10v.} This influx of wealth was likely the reason for the creation of a four-man stewardship committee, created in 1368 by the city council and staffed with members of the elite, including Conrad von Weißenhorn, son of the old Amman, count Berthold von Graisbach, and several patricians.\footnote{Kopialbuch, 27v-29v. The terms begin with a significant donation to the cloister of some 250 pounds haller “von maister Johannessen de ysenloche.” The original four man stewardship commission was composed of Conrad von Weißenhon, Hans Ehinger von Mailand, and Craft of the Kraffts.} The commission was supposed to account for all sums received by and all expenditures and to tender an account to the
Provincial Chapter yearly. The letter establishing the commission was to be read aloud every year by the prior or the subprior, in order that the terms and powers remained clear (and presumably enforced). As with other religious Orders of the time, this commission would also have enforced the laws regarding the donation of assessable properties. By this time, about 1370, a rough estimate from the Dominican cartulary suggests that the regular annual income of the friary was well over 130 pounds heller, with nearly ten houses acquired in the fourteenth century and, most importantly, one-time donations approximating 460 pounds Heller. This estimate puts the wealth of the cloister at a significantly lower level than the yearly total for the Franciscans, though the study of the source material requires a more thorough review than is offered in this dissertation. In some cases, much like the records from the Franciscan Salbuch, the reasons for some donations or transactions are unclear. For instance, the Augustinian canons of St. Michael’s Wengen donated 16 schillings and 2 Christmas geese annually without requesting (in writing) any services in return, though they stressed that their successors were not to nullify this arrangement.

By the end of the fourteenth century, however, many donations came with specific requests for religious services, such as masses or prayers, or temporal goods. The friars recorded the institution of an eternal sung mass for Heinrich Krafft and

---

132 This follows the general trend of the council in the 14th century of taking control of the administration of foundations. By 1400, no one could endow an altar or create a foundation within any church who was not known to the council or a known fief-holder of the city. Herman Tüchle estimates that by the end of the medieval period, half of all the endowments in the city (90 in all) were administered by the city council. Tüchle, “Mittelalterliche Pfarrei,” 21-22.

133 Kopialbuch, 27v-29v. As I noted for the Franciscan convent, this estimate is based on only a survey of properties and donations from Ulm itself and the amounts listed, and any arguments based on them, should be considered preliminary to a more exhaustive study.

134 Kopialbuch, 56v-57r.
Adelheid von Sulmetingen, his wife, for a yearly gift of 15 pounds heller. One must be cautious about how to interpret these contractual sources, though, for donations to a cloister do not clearly translate into an endorsement of their cultural programs or social value. After all, spiritual benefits were derived from the thing done (ex opere operato), so a mass or prayer should be as efficacious whether it was performed by members of one Order or another, or even by secular clergy. However, certain charismatic features of the Friars Preachers may well have elicited support. Early on, the Dominicans appear to have earned a reputation in Ulm for being good at preaching. In 1313, only thirty years after the founding of their cloister, the bishop of Constance authorized the Dominicans to preach and minister to pious women in Ulm, specifically naming the “the beguines near you,” although this responsibility was normally undertaken by the Franciscans. The Dominicans may have been better preachers or pastors than the Franciscans, or perhaps the latter were simply overburdened by caring for the several communities of pious women at Ulm. In any event, the Dominicans appear to have encroached on relationships that were once securely Franciscan, a fact which may reflect the cachet they were developing in the city. Even if these privileges were indicative of the growing reputation of the Dominicans, the friars were not above suspicion. Some donors wanted to ensure that the prayers or liturgies they requested in exchange for endowments were being performed, stipulating that if the Dominican friars failed to fulfill their obligations, then

135 Kopialbuch, 63r-64v.
136 “…etiam prohibemus declarando districte, ne aliquis vestrum biginis, que iuxta mandatum nostrum habitum mandaverunt fieri alius mulieribus, quocunque nomine censeantur, que tunicam aut vestem laneam ad carnem portare voluerint…” UUB II.1, 23. The term “biginis” seems to allude to the beguines and fits in the context.
the endowment would go to another religious house, which would also receive a copy of
the record of donation.\textsuperscript{137} The religious in Ulm helped to monitor one another

Nevertheless, the number of donations, including donations without a specific
request for spiritual services like masses and memorial liturgies, remained healthy for the
period 1360-1420. So the friars seemed to enjoy a good reputation among the patriciate,
the other clergy in the city, the city councilmen, and the non-patriciate families of Ulm
and those in Ulm’s territory. If we can suppose that Heinrich von Ehinger and Leo von
Giengen were really patrician members of the cloister, then the Dominicans were also
successful in recruiting from the patriciate.\textsuperscript{138} Beyond the patriciate, the cartulary
mentions several other brothers whose families were citizens of Ulm or nearby cities.

Isnard Frank argues that the Ulm house was likely poor, but not the poorest according to
a list of annual contributions made by individual houses to Dominican province. The
wealthiest houses, like Strasbourg, paid nine gulden.\textsuperscript{139} Most, accounted the poorest, gave
only two gulden. Ulm and Esslingen paid four, and may be considered middling. The
review of donations from the cartulary suggest that at least by the third quarter of the
fourteenth century, the Dominicans had achieved a stable base of yearly income capable
of supporting their mission in Ulm and the region.

The Dominicans also produced a \textit{Salbuch} that is dated to 1461, though some of
the information in it comes from earlier censuses that were copied when the \textit{Salbuch} was
compiled by Prior Ludwig Fuchs. The \textit{Salbuch} shows clear signs of use by the friars,
more than do the Franciscans’, with entries crossed out with the notation \textit{redempti sunt

\textsuperscript{137} Several of these occur in the Kopialbuch. See the notice concerning a Roth foundation in the Spital of
1347, 13r-v.

\textsuperscript{138} For Heinrich von Ehinger, see above, ft. 129, 130; for Leo von Giengen see two entries in Kopialbuch,
19r-v and 20v, there are numerous entries that reference Leo.

appearing occasionally, indicating that properties or goods were no longer owned by (or no longer owed to) the Dominicans. There are censuses with dates of 1440, 1460, 1467, 1489 and 1523, though they do not appear to deal with the same properties and the basis for some of the divisions is not clear. For instance, the first census, dated 1461, lists the properties and dues that were held outright “sine [con]diti diccione.” The second census in the Salbuch, possibly made the same year as the first, was apparently a list of what was donated within the city to the convent; it was arranged by the street or city section from which the monies were derived. The third census, which does not list a date separate from that of the previous census, was listed as simply Cens[us] ioh[an]is baptiste, the name of the Dominican church. Thereafter, different hands attempted to provide census information that seems random. Nevertheless, the Salbuch does offer some solid numbers for the cloister. For instance, the total of the first census of properties owned outright (26r-30r) gives the totals of 17 pounds, 340 schillings, 11 heller, 41 gulden. The total cash converts to about 80 pounds Heller. The second census of sums owed from within the city, presumably from the same year, gives a total of 52 pounds and a date of 1440. It can reasonably be said that the Dominican’s yearly income was at least 150 pounds in addition to considerable agricultural resources (grain, eggs, poultry, for instance). Robert Uhland, in his study on the cloisters of Esslingen, suggests on the basis of a book of receipts (Zinsrdel) a yearly income from rents for the Esslingen Dominican convent at 250 pound heller in 1459. A comparison would

---

140 Salbuch des Predigerklosters, 1461-: StadtA Ulm A[7172/5]
142 The summary gives a total in cash of 67 pounds.
143 For example, the first census indicates the Dominicans were owed 90 chickens, 158 measures of wheat, 70 of rye, 92 of oats, 5000 eggs, and 220 cheeses.
suggest that while the Ulm house was not deemed wealthy or well-propertied, it was not considered the poorest of the Dominican houses in the Province of Teutonia, but a more thorough study of the source is needed.

Fewer donations are listed in the cartulary after 1420. The records contain more confirmations (vidimus) of earlier donations rather than records of new income. This lack of new monies might reflect the later date at which the cartulary was composed or the absence of new revenues might be because donations were not forthcoming in the numbers that they once had been.\textsuperscript{145} It is also possible that later gifts were recorded in different instruments than the cartulary. A decline in donations may also have occurred because significant gifts were being diverted to the newly refounded Münster, which attracted a number of gifts from the patricians, who established private chapels and altars, and other citizens. The situation is not entirely clear and, as with the Franciscan cloister, we cannot overlook quotidian donations that were not memorialized and on which the community likely relied for its own general needs. In any event, some of the agreements between the cloister and the city indicate a willingness to cooperate with the council concerning the accountant of yearly funds, but there is no indication that either the cloister or the council thought the amount or type of resources the cloister was collecting damaged its spiritual mission. In fact, the spiritual mission is rarely mentioned in these sources, though several donation entries use the appellation of “spiritual men” to refer to members of the community. The cartulary records for the period 1360-1420 also suggest

\textsuperscript{145} It is possible that the cartulary was compiled during the period of the observant reform under Ulrich Kölln, see Herman Tüchle, “Beiträge zur Geschichte des Ulmer Dominikanerklosters: Das Regelbuch der Observanz,” in \textit{Aus Archiv und Bibliothek: Studien aus Ulm und Oberschwaben}, ed. Alice Rössler, 194-201 (Ulm: Anton H. Konrad Verlag, 1969); here 1. One of the latest entries dates from 1530 and records a donation by Ulrich Kölln, last prior of the community. See Kopialbuch , 189r-190r.
that the cloister was on good terms with burghers who were members neither of the patriciate nor of other ecclesiastical establishments.

Felix Fabri does not mention the development of the four-man financial oversight committee in his history of the city. The existence of this committee suggests that the council was concerned with the acquisition of property by religious, and the development of the committee was agreed to by the friars more than a century before the Observant reforms. The city council and the Dominicans had come to a mutual agreement to regulate the accrual of income and properties by the convent. There is no sense that the city council considered that such a development in any way impugned or detracted from the religious or cultural contributions of the friars to the city. How could they, when the men who populated the highest positions of authority, both religious and secular, were the same who contributed to the cloister for the health of their souls and those of their families? Conditions within the cloister could change over time, of course, but regulatory institutions associated with the good order of the city and the proper use of material resources by religious Orders existed well before the period of Observant reforms.

Conclusion

Although the financial situation of the mendicant convents at Ulm requires a more detailed study than has been provided here, it is possible to argue that members of the aristocracy and the burghers of Ulm gave quite generously to religious institutions, even though the Dominican convent does not appear to have become particularly wealthy. As the fifteenth century approached, none of the religious houses appears to have been impoverished and the convents of both the Friars Minor and the Poor Clares of Söflingen
could be considered “wealthy.” Neither of the friaries seem to have been particularly important or influential within their Orders, even though the Dominicans recruited some members to their Order from the local social elite and operated a *studium particulare*. Both Söflingen and the *Sammlung* were populated by the daughters of the local nobility and the local social elite, a factor that probably goes some way towards explaining the property holdings of those institutions.

The information in this chapter is meant to cover two issues that will be critical in understanding the importance of the Observant reforms in late medieval society. The first issue is the social value of voluntary poverty to medieval society and the second is the relationship of religious Orders to urban society. As Lester Little has argued, the voluntary poverty of the mendicants was important to urban society in the emerging market economies of the High Middle Ages because it helped to justify and “cleanse” those aspects of the profit economy which older church institutions and monastic theologies could not address because they were not conversant with the culture produced by the profit economy.\(^{146}\) The mendicant ministry to urban groups included propagation of a new form of confession, the distribution of the sacraments, and the creation, through the scholastic method, of new theologies that addressed the new economic and social setting and helped to justify their foundation in the profit economy.\(^{147}\) Chiefly, though, it was the voluntary poverty, as an inversion of social values according the Little, that made the mendicants valuable to urban societies.

While Little’s argument is powerful in its simplicity, it was meant to explain the mendicants in terms of broad, even general, social phenomena. Specific cases, like the

---


\(^{147}\) Little, *Religious Poverty*, 196-201.
development of the mendicant communities of Ulm, provide an opportunity to consider briefly other reasons why some medieval people supported the mendicants. The information in this chapter has shown that aristocrats and patricians were the most important supporters of the early communities. The relationship of these elite groups to the mendicant communities does not appear to be rooted in spiritual crises but to reflect individual attempts to imitate the actions of the aristocracy by associating a patrician family with a religious community, including the endowment of altars and the burial of family members within the convent church or grounds. The ability to be a “founder” of a community, as the Krafft family claimed to be of the Dominican convent, would have conferred considerable prestige and served as a mark of distinction. For the patricians, we might conjecture that their motivation stemmed more from the attempt to compete culturally with aristocracy, and to distinguish themselves from other social groups, than from a sense of guilt over the social stresses brought about by the new market economy. Voluntary poverty does not appear to have had a high value when it came to communities of religious women in Ulm, into which the daughters of the patricians were sent. That does not mean that voluntary poverty had no value or would not come to play a more important role in shaping the relationships between the mendicants, especially the friars, and the members of the city council, but its value was fluid and depended on what the parties involved wanted from each other, and how those desires were shaped by societal expectations. Patricians and aristocrats generally did not want their daughters to live in indigence, a condition of living which seemed to conflict with their social status, but the possession of too much wealth or comfort could also be used against a mendicant

community, as happened in the conflict between the Poor Clares of Söflingen and the Abbey of Reichenau. Voluntary poverty was an important element for the mendicants precisely because it elicited material support from donors, but when the mendicants used voluntary poverty in this manner, as a tool of competition, the had to navigate between a type of poverty in the sense of “poor management” that might ruin a convent and a perception that their successful competition had eroded their dedication to poverty.\textsuperscript{149} The competitiveness of individuals complicates how we understand the social value of voluntary poverty in medieval society. The attempts of religious communities to embrace appropriate forms of poverty and maintain their relationship with members of the social elite were critical aspects of the Observant reforms.

This focus on the response of the aristocrats and patricians to the voluntary poverty of the mendicants does not occlude the reality that the mendicants had relationships with members of other social groups whose material support would also have been important to maintaining their communities. The non-patrician burghers of Ulm, citizens and non-citizens alike, also had expectations of how the mendicants should behave, although they were less able to influence the convents directly than the patricians. As we will see in the next chapter, however, it was possible for the city council to use members of the guilds to enforce behavioral standards on the religious even as they hoped the religious would help promote behavioral standards among the laity to whom the mendicants ministered. The social field of religion was further complicated by the city council’s control over the parish, and the continuing efforts of patricians to increase the training and education of the secular clergy, who could then compete in shaping social discourse through preaching

and publication as well as by engaging in legal disputes with the mendicants when they infringed, or seemed to infringe, on the prerogatives of the secular clergy.

In conclusion, the mendicant communities of Ulm had varying degrees of success in Ulm but all had competed successfully to maintain their physical presence within the city and associate with the elite as well as the non-elite members of society. As I have shown in Chapter 3, one of the chief concerns of the members of the city council was the maintenance of civil order and the domination of the city’s chief institutions by patrician families. At the same time, as this chapter has shown, these dominant families were also interested in associating themselves, as patrons and donors, with the mendicant communities and through patronage and donations, they established a number of ties with each convent. The poverty of the mendicants does not seem to have played a significant role in what the dominant families expected from these communities, several of which became wealthy through donations, even controlling whole villages in the neighborhood of the city. The acquisition of properties did concern the council, which was concerned about the loss of tax-assessable land to the “dead hand” of religious institutions. Even before the Observant reforms, the city council and the mendicants agreed to cooperate to ensure that the religious did not violate laws regarding the amount or type of property they could accept from within Ulm’s jurisdiction. Such agreements suggest a good working relationship between the religious communities and the city council up to the fifteenth century. Chapter 5 will highlight how these relationships operated in the period of the Observant reforms and how those discourses of poverty affected the mendicant communities.
CHAPTER V

THE OBSERVANT REFORMS AT ULM

Introduction

By the fifteenth century, the mendicant communities at Ulm had created connections to various social groups whose donations helped the religious to maintain their buildings and sustain their personnel. These connections were often predicated on fluid power-relations with the members of those groups. The most important of these groups was the social elite comprised of aristocrats, patricians, and the guild masters who governed the city through the city council. Members of the elite often gave generously early in each community’s history and remained closely associated with the mendicants as patrons and supporters. As I have shown in Chapter 3, the members of city council were committed to maintaining a conservative social order through laws and the social pressure that were inherent in the culture of the “sworn association.” Even those citizens who benefitted least from this system were similarly vested in supporting the social order as a natural or common good, despite the fact that periods of economic or social crises often directly threatened this unequal system if the crises was not properly managed by the city council. The issue of reform was, in many ways, an attempt to bring the semi-autonomous religious communities under the disciplinary jurisdiction of the city council although this went hand-in-hand with a sincerely held belief that reforming the religious communities was spiritually beneficial to the communities themselves and to the city as a whole.
By the mid-fifteenth century, most religious Orders had experienced some attempt at internal reform that, although vigorously pursued by a minority of members, was often successful only with the help of powerful external authorities. The relationships between secular and ecclesiastical lords and religious reform were complex. Support or opposition to reform movements was not necessarily motivated by the acquisition of material benefits even if in some cases the control of a convent’s material resources might have dominated specific discussions. The different processes arose both from the expectations that the city council had for the results of the reform and the ability of the city council to engage successfully with imperial and papal bureaucracy. These result of these experiences ultimately made the council more competitive in the field of religion because of their familiarity with obtaining privileges from the papacy and because of the influence they had exerted through the reform processes over the local religious. While the members of the council and the council’s agents seem to exhibit real concern for the spiritual integrity of the religious communities, engaging in religious reform also expanded the authority of the council to discipline these communities in a way that had not existed earlier. The goal of this chapter is to analyze the options that the religious communities and the council had as they negotiated the field of reform, and to analyze the expectations that the council had of its religious communities as these are revealed in the processes of reform.

First, this chapter will describe the earliest attempt at reform on the part of the city council, specifically the effort to reform Söflingen, which was not associated with the Observant reforms. Although this reform was supported by the Council of Basel, the nuns of Söflingen were successful in resisting its imposition. Second, this chapter will
analyze the processes by which the members of the city council sought out the assistance of the religious Orders in the work of reforming the communities at Ulm. No one method worked for each community and, in the end, resistance and compromise were still options for the religious. This was true for the community, but religious reform also offered options to individuals whose success or failure in responding to expectations that could make or break their careers. Finally, this chapter will consider some of the benefits that the council might have received from supporting the reforms by examining the themes that emerge from the city council’s correspondence and the responses of the council to conflicts that arose over the issue of reform.

The Reforms of the Mendicant Communities

Early Calls for Reform: Söflingen

The imposition of religious reforms did not occur quickly at Ulm and, as in the neighboring cities of Esslingen and Augsburg, the council engaged in reforming activities without necessarily involving the Observant reformers, or any reformers from within the relative Order, or even having embraced the terms of reform set out the by Observants.¹ For instance, the first attempt to reform a religious house in Ulm occurred in October 1434, when the synod Council of Basel assigned Provost Ulrich of St. Michael’s Wengen to act as a visitor to the convent of Söflingen because of reports that certain Friars Minor had, under the pretext of visitation, frequently visited Söflingen and had stayed overnight at Söflingen with other “young men.”² Although Provost Ulrich was entrusted with the

---

² “es wurde berichtet, daß einige Minoriten unter dem vorwand der visitation sehr häufig das kloster Söflingen dey Ulm besuchen und mit einer großen anzahl junger männer daselbst ländere zeit verweilen,
task of visitation, according to the brief description of his report in the register of the bishop of Constance, he took nearly two years to act and when he finally attempted to read a bull of reform in 1436, the sisters made loud noises (Lärm, according to the German transcription) and fled from him. Frustrated, Ulrich must have reported his problem to the civil authorities in Ulm because in August 1436, representatives of the city council, including the notary public, entered the choir and tried to read the bull in the German language, only to have the sisters again make noise and drown out the representatives. Having had little success among the Poor Clares, Ulrich reported that the Franciscans friars would also not grant him an audience. The provost returned to his own community of St. Michael’s Wengen and the city council seemed to drop the matter.

Although accusations about friars and nuns violating the rules of strict enclosure are found frequently in reform literature of the period, there is good reason to believe that the Poor Clares of Söflingen may not have observed enclosure. Max Miller referred to a now lost decree of 1401 from the Cardinal Protector, Francis Carbonari, ordering the nuns to obey the visitors under pain of excommunication, suggesting that even before the formal attempts at reform, the Poor Clares of Söflingen had a reputation for disobedience. The contents of the letter have not survived and cannot be analyzed, unfortunately, although Miller also pointed to a decree sent by Carbonari’s successor, Cardinal Protector Jordan Orsini, addressed generally to the Franciscans in the provinces.
of Metz, Besançon, and Salzburg, which admonished them to maintain strict enclosure and prevent laymen from entering the convents and causing all manner of problems from theft to rape.\footnote{Miller is citing Glassberger, “…interiors clausuras monasteriorum dictarum sororum contra canonicas sanctiones et contra statute et regulam Ordinis et sororum intrare, quidam etiam in eisdem insolentias, furta et rapinas, spolia aliaque impedimenta atque damna ipsis monasteriis et sororibus inferred praesumpserunt et praesumat…” Nikolaus Glassberger, “Chronica Ordinis Minorum Observantium,” 231-232.} In his history concerning the reform of the Franciscans, Nicholas Glassberger reported that on the fifth Sunday after Pentecost in 1434, two bishops submitted reports to the Council of Basel which decried the state of the all mendicant Orders.\footnote{Glassberger, “Chronica Ordinis Minorum Observantium,” 292-293.} Glassberger made no mention of the Söflingen commission but he did relate that earlier, in 1416, the general chapter of the province had condemned friars who illicitly entered the enclosures of Franciscan nuns and tertiaries, condemnations that were aimed at both laymen and Franciscan friars.\footnote{“Item, accessus illicitentiatus ad monasteria sororum Ordinis sanctae Clarae sub poena statutorum simpliciter evitetur.” Glassberger, “Chronica Ordinis Minorum Observantium,” 262.} The lack of strict enclosure was also the chief charge that Fabri made against the nuns, arguing that along with a decline in the religious life of the friars, the sisters “were many times beyond the walls [of the cloister] against the observance of their holy Rule amid much dissolution, and many scandals were committed and laymen frequently incur the threat of papal excommunication by walking among the women.”\footnote{Fabri, Tractatus, 203-204. “…et sororum extra muros multo tempore absque observantia suae sanctae regulae stetit sub multa dissolutione, et plurima committebantur scandala, incidebantque seculares per ingressum ad moniales pericula excommunicationum papalium frequenter.”} Fabri’s note would tend to corroborate other reports about the decline of strict enclosure, and this claim would be one of the most frequently made justifications for instituting a reform at Söflingen.\footnote{Hermann Tüchle suggests that strict enclosure was a persistent problem for the mendicant Orders. Tüchle, Hermann Tüchle, Kirchengeschichte Schwabens: Die Kirche Gottes im Lebensraum des schwäbisch-alamannischen Stammes, vol. 2 (Stuttgart: Schwabenverlag: 1980), 103-108.} Although we lack information about what led up to the request for reform at Söflingen, what seems clear from Ulrich’s report (the only source of information) was that the resistance on the part of the nuns was
exacerbated by that of the friars, and perhaps encouraged by them. The matter of reform
was not approached again in Ulm for nearly twenty years.

The Dominicans

The frustrated attempt at reform in Söflingen is notable for the refusal of the
Franciscans to participate and the lack of support from the provincial administrators, who
seem neither to have supported the reform nor to have been consulted about it. This does
not mean that the reformers were not acting strenuously to make their case to the council
and citizens of Ulm about reform generally or that the Observant parties in the mendicant
Orders were inactive. Neither does it mean that the religious houses in Ulm were unaware
of the broader developments within their Order or lost in unassailable provincialism. In
1433, for instance, the prior of the Ulm Dominicans, Johannes Gladiatoris, served as a
witness to a settlement between non-Observant and Observant friars at the Provincial
Chapter meeting in Rottweil.  

12 Several Observants, including Johannes Nider and
Ludwig Fuchs, attended the Council of Basel and there made contact with other
reformers.  

13 In 1454, the famous Franciscan preacher John of Capistrano preached in the
city of Ulm, encouraging the reform of religious life and an embrace of the strict
observance, though he seems to have had little impact on the Franciscans.  

14 According to
the contemporary chronicler Christian Löschenbrand, John preached in front of the
Münster all day long and the citizens brought their board games (brettspiel) to be burned

---

13 Isnard Frank, “Reform und Reformation bei den Ulmer Dominikaner,” Rottenburger Jahrbuch für
14 Frank, Klarissankloster Söflingen, 81.
in a bonfire as vanities. The religious reformers were certainly active, but they appear to have played no part in the city’s first attempt to regulate the interior life of a cloister. Further, whatever the conditions on the ground or ferment in the air, the mendicant communities continued to receive donations and gifts. In 1460 Jörg Ehingerschen and Margareth Huter established different memorial masses in the Franciscan convent. In 1459, the patrician Wilhelm Ehinger established a memorial fund at the Dominican convent. This evidence indicates that the actual situation was more complex than the correspondence of reformers might suggest and if the people of Ulm believed that the mendicant communities needed to be reformed, they still found personal value in donating to their convents.

The Council of Basel gave new life to various reform movements. The second effort at reform of a religious house of Ulm appears to have begun as a collaborative effort between the city council and the Dominican Order, or at least the earliest evidence we have in the form of a letter from Bishop Burkhard of Constance to the Dominican Provincial Vicar, Peter Wellen, suggests that the city and the provincial administrators believed the convent should be reformed. The letter, dated 1460, stated that reports from the city council of Ulm and, if this is not hyperbole, “from all over” had reached the bishop concerning the Dominican house and its “irreligious evils and style of living that are shameful to write about.” The letter provides no details, but seems to verify complaints about the cloister, stating that “no one of that place, neither the council nor
the people of Ulm, is able to tolerate the recent way of life.” 19 The bishop, however, noted that he could not directly intervene because such an act would violate the canonical independence of a mendicant house. 20 Apparently the motive of his letter was to respond to such a request. The bishop suggested that the reform be initiated with help from the reformed Dominicans at Nuremberg.

The bishop provided no information in this letter to Wellen about the nature of the complaints that the city council (and apparently numerous others) had made about the Dominican community at Ulm, so the conditions within the Ulm convent are not clear. If Wellen was trying to enlist the help of a bishop, we can guess, at the very least, that some type of conflict was already underway within the convent regarding the Observant reform. It is also unclear if the city council and Wellen had sought the assistance of the bishop at the same time, in coordination with each other, or successively. Given that as early as 1453 the zealous reformer Ludwig Fuchs had become the prior of the Ulm community, the situation suggests that the cloister may have become factionalized over attempts to impose the Observant reforms. 21 Fabri supports this view in writing that, in contrast to Söflingen,

Now while the friars preachers had been reformed in Ulm, they began to complain against their fellow unreformed friars and remove the danger and to proclaim automatic excommunication against the guests of the monastery of St. Clare; they sent complaints to the pope and as there were many such accounts

19 “Et honestior[em] vite statum reducantur, nequaqueam eum neq[ue] co[n]sulum neq[ue] plebor[em] loci p[re]dicti hunc priscum aliquot viuendi modu[m] tolle[r]andi mens existat.” Burkhard of Constance, Letter to Peter Wellen, 1460. Burkhard von Randegg’s episcopacy lasted from 1462 to 1466, so it is possible the date of the letter is inaccurate or that he was writing in his capacity as vicar during the episcopate of Heinrich von Hewen, although this correspondence does not appear in the Regesta episcoporum Constantiensium
21 Frank, “Reform and Reformation,” 264.
the eyes of the councilmen and many laypersons in Ulm were opened, and they began to dread and fear such dangers, seeking in what way they might be able to make an end in peace and tranquility to so great an evil. 22

It is difficult to know if Fabri was exaggerating a widespread concern for the religious houses of Ulm, but a division within the Dominican convent seems clear. It also seems apparent that, whatever the actual conditions of the unreformed friars, the pro-observance friars made their conflict as public as they could, undertaking a campaign of scandal-mongering that seems to have stirred people, including ordinary citizens, against those within their cloister and the other religious houses of Ulm who resisted reform. If the non-reformed friars also tried to gain public support for their cause, that information does not survive. From the years 1460 and 1465, we have little information about this internal conflict within the Dominican convent except that there was conflict and, as Fabri pointed out, the reformed Dominicans were willing to tarnish the reputation of their co-religious in order to prove that their platform was necessary: it was a ritual shaming to inaugurate the reform process. An attempt to appeal to the general population about the necessity of reform was an important choice for the reformers, one that might have elicited only antipathy from a population that saw nothing wrong with the mendicant communities. This method of trying to enlist the support of the laity was an attempt to popularize the reform agenda, but may have had the unintended consequence of cementing views that the religious were both undisciplined and stubborn, an opinion that surfaced in popular anti-religious sentiment of the late medieval period. There is a lack of

22 “Dum autem iam fratres praedicatorum reformati essent in Ulma, coeperunt eorum praedicatorum contra non reformatos clamare et pericula detegere et excommunicationes latas contra ingredients monasterium sanitae Clarae promulgare, et sibi confitentes ad papam remittere, et ex multis talibus aperti sunt oculi dominorum consulum et militorum secularium in Ulm, et ad tanta pericula coeperunt horrescere et timere, quaertentes qua via cum pace et tranquillitate tantis malis finis impono posset.” Fabri, Tractatus, 204.
information, unfortunately, for about five years for the Dominican convent, by which
time the movement for reform had gained considerable momentum.

In 1463, the Master General of the Dominican Order, Conrad von Asti, organized
the Observant friars in Teutonia, providing them with three vicars of their own and
assigning the friary in Basel as their house of studies.23 Whether this organization
affected the Ulm convent is not known. The next information we have about the Ulm
convent comes from a letter dated simply 1465, but clearly written before concrete plans
between the Observants and the city council had been made. Peter Wellen, still the
Provincial, wrote to the city council of Ulm to relate that he was “now in consultation
with our chapter at Basel,” and was seeking the advice of the prior of the Nuremberg
convent and “other well-disposed persons.”24 Wellen’s tone suggests that the city council
might still need some convincing, as he stated his belief that with the help of the council,
the reform could be made permanent despite current resistance.25 So it would seem that
some attempt had been made to introduce the observance in the Dominican friary
between 1460 and 1465, though it had apparently met with little success or great
resistance. In the next letter, from February 1465, the city council wrote to Peter Wellen
to report a “disobedient to the order and unruly” friar named Stephen Nuw, who was
under arrest in the city. We are not given any indication of Stephen’s crimes except his

23 Letter of Conrad von Asti to the Reformed Cloisters of Teutonia, May 11th, 1463 in Löhr, Die Teutonia
im 15. Jahrhundert, 91-93.
and died in 1469. He was buried in a monastery of sisters which he called Vallis but the identity of which is disputed. Johannes Meyer, Chronica brevis ordinis praedicatorum, ed. Heribert Scheeben (Vechta/Leipzig:
Albertus Magnus Verlag/otto Harrassowitz, 1933), 58.
25 “Prepositum in hac re dii[m]est in quo de termina[li]s sta[bi][li]s p[er]mane indubie
“disobedience,” and the council wanted Wellen’s opinion on what to do with the friar.26

From the correspondence about the reform is it not clear what happened to Stephan but the documentation that followed his arrest gives us some insight into the process of reform.

By April 1465, the council’s correspondence was fairly open about their opinion of the cloister. A letter to Peter Wellen they opened with the declaration that:

We have, because of the disorderly and disreputable life and nature with which the brothers of your order in the cloister by us have lived and been, obtained the papal bull of reform from the most worthy lord, our gracious lord, Lord Burkhart, Bishop of Constance, as our spiritual ordinary….so that you will bring the aforementioned brothers to order or to the life and character of the holy reformation…27

Bishop Burkhard of Constance already had approval to enforce a papal reform bull and had communicated with the city council of Nuremberg and the prior of the Dominican house there. Similar to the friary at Basel, the Dominican convent in Nuremberg had become a center of the reform, producing friars loyal to the Observance, and capable of overcoming any resistance offered by the unreformed friars. The city council of Ulm sent a representative (unser diener) named Ulrich Lochner to Wellen to discuss what was to happen and to report back to the council concerning the plans with the Nuremberg cloister. The letter is clear that the council desired that the Dominicans “love and honor

---

Almighty God and live according to the spiritual state and the Rules." The council hoped that the success of the Observants would be “to the praise of almighty God and to increase the honor of your worthy Order, to present a good example and also to extinguish and destroy offense in the common people.” The council reiterates its view that the function of the religious was to serve as a “good example” (vorbild) to the people, without necessarily indicating in what way. Such phrases combine both an appeal to altruism, that the city council hopes the reforms will also be to be mutual benefit of the Dominicans, while also suggesting in acceptable terms that it hoped the reformed religious would provide a “good example,” a term that implied a common understanding that the religious were important in shaping the behavior of the laity in some way. The Dominican friars would probably not have disagreed in the assessment that they should have a positive effect on the people to whom they preached and offered the sacraments.

A letter from May 1st, 1465, confirms the discussions between Wellen and Lochner about the institution of the reform. As Peter Wellen wrote in a letter dated May 5th, 1465, Wellen had had meetings in Basel with the Observants there in order to work out a plan to reform the Ulm convent, as the council had requested. Wellen planned that “with God’s help, I will arrive secretly eight days before or after the feast of Corpus Christi with worthy brothers who are fit for the work of the holy observance.” He

30 StadtA Ulm A[1294], Document #6: Letter of the Mayor and City Council of Ulm to Peter Wellen, May 1st, 1465.
32 “d[al]z ich mit gottes hilf wil komen uffl/ unsers heren fronlichnam tag ungnauerlich acht
continues that “with God’s help and your trustworthy protective aid” the issue would be settled. The contemporary Dominican chronicler Johannes Meyer pointed to the critical role played by Observant friars from the Nuremberg convent in the reform of other convents, as at Basel in 1429 and Vienna in 1434, both of which in turn became important centers of reform. The introduction of reformed religious into a convent had come to be a more efficient method of introducing reforms than trying to force an unwilling community into strict observance, as happened at the Dominican friary of Würzburg and at Söflingen. Typically, the conventual religious would be permitted to choose whether to stay and conform or leave for a different cloister.

The city council replied to Wellen in a letter dated May 19th, 1465. In this letter, the city council refers to Wellen’s plan to arrive with friars in Ulm secretly (touglich), either eight days before or after the feast of Corpus Christi, with friars to institute or support the introduction of the “holy observance.” They let him know that they would not divulge the plan and had not let anyone read the content of his letters, so the execution of the plan was based in part on secrecy and surprise. There is an air of conspiracy about the undertaking. The council also requested (and here again one gets a sense of caution on the part of the council) that Wellen should meet again with a
representative of the council and send another letter so that the plan could be better developed.  

It is not clear what other details in this plan may have been executed and most available sources are laconic in describing the actual process within the Dominican house, but by all accounts the institution of the reform was accomplished quickly in May of 1465. Johannes Meyer attributed the success at Ulm to cooperation between the city council, the Provincial Peter Wellen and a group of reformed friars from Basel, not Nuremberg.  

Meyer reports that through Ludwig Fuchs’ efforts “this great, good, useful, and holy work was particularly well supported and was worked out with serious diligence.” Despite Prior Fuchs’ clear support for the reform, two of the Basel friars, Heinrich Schretz and Heinrich Riss, were installed as prior and subprior respectively, presumably for the introduction of the reform. It is unclear if Fuchs lost his position, stepped down, or was a co-prior with Schretz. If he was no longer prior in some capacity during the reform, his absence did not last long because he remained the prior of the Ulm

---


37 “…in dem mayen durch unsern wittigen vatter provincial, maister Peter Wellen, der personlich von Basel mit ylen gen Ulm für, als im umb sölich die statt von Ulm mit ir aygen botschaft ernstlich schraib, und reformiert den selben convent brüder von Basel…” Meyer, Buch der Reformacio, V: Ch. 83, 158. Ulm was one of the last entries in a book that Meyer concluded in 1468 with some references to later developments.

38 “Dis gross, güt, nützlich, hailgen wreck hat besunder ser und vast getriben und sich mit flisigem ernst dar in gearbaitet und kainer widersachen nit geachtet noch ansers komers, der dar in viel, der erwürdig maister brüder Ludwig Fuchs…” Meyer, Buch der Reformacio, Books IV and V, Ch. 83, 158.

39 Meyer, Buch der Reformacio, ibid. Schretz was the prior in Basel in 1464 during which he reformed the Dominican nuns of Schlettstadt. He would go on to be prior of Basel again and was the first reformed prior of the Cologne house. Frank, “Reform und Reformation,” 263-4, ft. 9.
convent with only a few interruptions until his death in 1499, and his credentials as a reformer are confirmed by Meyer’s description of him.40

Fabri wrote nothing directly on the reform of the Dominican house, although he referred to it in a few lines in the context of attempts to reform Söflingen. According to Fabri the city council with Fuchs’ “advice and actions reformed the convent of the preachers with much harmony.”41 Neither property nor money seem to have been alienated from the cloister and if any of the Dominicans opposed to the reform remained at Ulm, their removal or discipline is similarly unrecorded. According to Johannes Meyer, the reform began in 1458 and took seven years, through his reason for selecting that date is unclear, and it predates the surviving evidence. Although reform was completed in May 1465, the city council continued to express anxiety about the stability of the Observance based on the persistence of problems within the cloister, the exact nature of which is not indicated in the sources. At least in its initial phase, the reform of the Dominican cloister seems to have achieved the goals the council set for it.

Some of the changes made in the convent can be glimpsed in a customary found by the German scholar Julius Endriß, published in 1912-1913. The manuscript, entitled Conswetudines [sic] Conventus Ulmensis, is a customary written in 1488 that outlined the liturgical practices of the cloister for both mass services as well as the regulation of the canonical hours. The customary lists some changes, for instance that the first hebdomadary (the friar assigned weekly to lead the canonical hours) of the year should be selected from the right-hand side choir (in choro dextro) even if that meant the final two

40 Frank, “Reform und Reformation,” 263-264.
41 “In his autem domini Ulmenses consultum habebant expertum virum et venerabilem patrem sacrae theologiae professorum magistrum Ludovicum Fuchs, priorem tunc praedicatorum in Ulma, cuius consilio et pera prius reformverant conventum praedicatorum cum multa pace.” Fabri, Tractatus, 204.
hebdomadaries that year should be from the left-hand side of the choir.\textsuperscript{42} According to the text this had been the rule established by the General Chapter of 1410 but not enforced until 1485 on account of some disparity of practice between the Franciscans and themselves which had since been resolved. Bringing the liturgical practices of individual convents into conformity with the ongoing legislative processes of the Order was a persistent issue that the Observant reformers hoped to correct. In addition, beginning in the year 1489, the community was to celebrate the dedication of their church on the Thursday after Easter, apparently moving it from the octave of Easter, when it had formerly been.

In one sense, the Observance established new dates when communally important celebrations were to take place and in doing so fostered a liturgical uniformity among the convents that apparently had not existed before. The customary also provides information that throws light on the social connections of the Dominican in the later fifteenth century. For instance, the goldsmiths’ guild celebrated the feast day of their patron, St. Eligius, in the Dominican church.\textsuperscript{43} A similar celebration was held on Sts. Crispin and Crispinian’s day for the cobblers’ guild. These celebrations suggest good relations between the Friars Preachers and city craftsmen.

As far as the extent sources relate, however, the Dominicans do not appear to have lost any property as a result of the reform and there is no mention of the opponents


\textsuperscript{43} “Item ordinatum est per patres conventus et conclusum feria 4ta pasche anno domini 1489, quod deinceps [observari] in perpetuum observari debet, quod in festo dedicaciones ecclesie nostre in medio 6te de mane fiat pulsus ad primam et post primam cantetur missa de octave pasche, ut in rubric ord. notatum est, in altari sanctorum innocentum et depost hora consueta missa de festo dedicaions, quia missa de octave pasche transferri non potest, et sic ante annos multos observatum est.” Endriß, “Die Gewohnheiten,” 7-8.

\textsuperscript{44} Endriß, “Die Gewohnheiten,” 16 (1912), 3-4.
of the Observance being forced to leave the community or causing any more problems. The success of the reform did not mean an end to old problems or the development of new ones. Hermann Tüchle noted that the Dominican cartulary contained directives issued by the Master General in 1474 for the Ulm convent concerning searching the cells of friars for private property. Whatever complaints the council had concerning the Dominicans, it attempted to build on the momentum of the Dominican reform and requested ecclesiastical support for further reform efforts. A letter of 1466 from the bishop of Constance to the pope indicates that the council of Ulm was still complaining about “many” religious houses not observing their Rules and, as with the earlier complaints, asserted that their dissolute life was a “perverse and sinister example for the laity.” The issue of the example being set by the religious for the laity is a persistent theme in the correspondence from Ulm. The city council may well have been recycling arguments that had led to the successful reform of the Dominican convent, or possibly borrowing the rhetoric from other reform movements in an attempt to respond to the concerns about scandal and religious turpitude, a means of “marketing” the need for reform. We must also consider the possibility that the council’s embrace of these rhetorical markers was not based in the behavior of the religious themselves, behavior viewed as improper or immoral by the religious reformers or even by the city council, but

---

45 This may not be such an unusual case, so long as new donations that established regular incomes were prohibited. See Bernhard Neidiger, Neidiger, Berhard. “Der Armutsbegriff der Dominikanerobservanten. Zur Diskussion in den Konventen der Provinz Teutonia (1389-1513).” ZGO 145 (1997): 117-158, especially 127-128.


48 What Bourdieu calls “price formation” of linguistic exchanges in which agents respond to the market in a given field: Bourdieu, Language and Symbolic Power, 66-76.
rather in their resistance to the council’s demand for reform. \(^{49}\) In this way, we might consider that obedience was the example the council hoped the religious would set, in addition to a serious investment in the moral and spiritual formation of the city’s inhabitants. The issue of exemplarity so frequently arises in the sources that it must be considered an important aspect of the councilmen’s view of the religious communities and their function in Ulmer society. Yet, enhanced regulatory control, and the resulting “good example,” was not the only benefit the city council may have considered, as later developments with the reformed communities will show.

The reform of the Dominican house had been a real victory for the city council and for the observant Dominicans. Although Fabri’s account and subsequent correspondence with Peter Wellen all indicate that the reform was finished, some of the city council’s later correspondence suggest that problems still lingered in the cloister and that these problems, in the opinion of the magistrates, threatened the reform itself. For instance, the city council made several inquiries to various Dominicans, including Peter Wellen, about the way to strengthen the reform in the Dominican cloister, as though the reform was not as secure or settled as Fabri made it out to be in his chronicle. Many letters were sent to Wellen requesting his personal support up to 1469, the year of his death. \(^{50}\) When Peter Wellen became ill and retired from his position as Provincial, the council of Ulm began to write to other provincial superiors with similar inquiries. \(^{51}\) The city council sent a letter in 1468 to an unnamed Provincial Vicar, informing him that

\(^{49}\) As Geltner argues on the basis of the correspondence of Raymond of Capua, transgressions of the rule appear to have been common and even if they were not, minor infractions had a tendency to resonate in medieval society. Geltner, “Bretheren Behaving Badly,” 59-63.

\(^{50}\) Paulus von Löe, *Statisches über die Ordenzprovinz Teutonia* (Leipzig: Otto Harrassowitz, 1907), 39.

\(^{51}\) See for instance the letter sent by the city council only a few months after the reform: Mayor and Council of Ulm, Letter to Peter Wellen, August 27\(^{th}\), 1465: StadtA Ulm A[1294] #18 and Mayor and Council of Ulm, Letter to an unnamed provincial vicar of the Dominican Order, August 6\(^{th}\), 1468, A[1294] #20, Wellen died in 1469.
“good reinforcement and protection is necessary” for the “newly” reformed cloister.⁵² A different, vaguely described conflict within the convent in 1478 provided the council with a reason to request that Felix Fabri be assigned to the Ulm convent as lector.⁵³ Where problems with individual friars might predictably have continued after the reform, the council often seemed to suggest that the reform was in danger of failing, even a decade after its institutions, if preachers and theologians were not sent to support it. Beyond these concerns, though, the councilmen also expressed their wish for the types of friars they would like to see inhabit the local Dominican friary.

Before the arrival of Fabri in Ulm, the city council had sent a letter on July 21st, 1466 to Heinrich Schretz, then vicar (statthalter) at Weißenberg, to express their concern about his decision to reassign Heinrich Riss, appointed subprior at the time of the reform, and in this letter he was named as lecturer (leßmeister) in Ulm.⁵⁴ The city council inquired if Schretz intended to send another brother to fill the position. They considered the position necessary (Nottdurft) to keeping the observance strong. Moreover, not only was Riss (or the lector) useful in strengthening the reform, but, they also claimed, Riss “by his life and teaching had done much good for the common man.”⁵⁵ Considering that, at the same time, the patrician clergy of Ulm were attempting to elevate the intellectual

---


⁵³ As with most correspondence, Heinrich Neithardt wrote to the vicar of the bishop of Constance about a “ein Böss erschrockenlich geschicht begeb[en]” for which Fabri sought help. Heinrich Neithardt, Letter to Georg Weterstetten, March 30th, 1478: Stadt A Ulm A[1294/1].


discourse at Ulm, it would seem that investing in an Observant reform was also considered a means of attracting intellectuals whose services (teaching, either as lectures or by preaching, exporting reform) were held to be desirable.\(^{56}\) Although the response of Wellen is unknown, by 1478, Felix Fabri had become the lector in the Dominican convent and his prolific writing contributed both to our knowledge of the history of the city and region, and to the expanding pilgrimage literature of the late medieval period.\(^{57}\) The council’s desire to improve the quality of the religious discourse in the city is reflected in such other developments as the Neithardt family’s creation of a fund for preachers, who were to give sermons at the early mass on specified holy days. More broadly we might see this desire for better educated preachers as part of the growing sophistication of Ulm’s population. From the mid-fifteenth century on, the city council almost exclusively promoted to the position of parish priest men who held doctorates.\(^{58}\) In addition, some of the earliest reformed cloisters became centers of manuscript production and collection, important steps in the growing cultural activity of the population of Ulm, and the Dominicans were patrons of, and collaborators with some of the earliest printers in the city, especially Johannes Zainer.\(^{59}\) The literary legacy of the

\(^{56}\) In general, education, book-production, and an intellectual profile are considered by historians often to be consequences of the institution of reforms that are beneficial to the religious community, Tüchle, *Kirchengeschichte Schwabens*, vol. 2, 201-209.


\(^{58}\) For the Neithardt fund see Geiger, *Die Reichstadt Ulm*, 150-151 and Hugo Bazing and Gustav Veesenmeyer, eds. *Urkunden zur Geschichte der Pfarrkirche in Ulm aus Anlass des Münsterfestes…* (Ulm: Commisions-Verlag von Ludwig Frey’s Hofbuchhandlung/Gebrüder Nübling, 1890), Nr. 145, 58-60.

\(^{59}\) For the manuscript production of reformed houses see Werner Williams-Krapp, “Observanzbewegung, monastische Spiritualität und geistliche Literatur im 15. Jahrhundert,” *Internationales Archiv für Sozialgeschichte der deutschen Literatur* 20 (1995): 1-15; for the history of Ulm’s early printers see Peter Amelung, *Johann Zainer, the Elder & Younger*, trans. Ruth Schwab-Rosenthal (Los Angeles: Kenneth Karmiole, 1985). Amelung also notes that one of the first printing presses in the region was established at Blaubeuren near Ulm after it joined the Melk Reform movement under Abbot Ulrich Kündig sometimes before the 1470s.
Dominicans will be discussed in Chapter 6 but it certainly grew in the period after the Observant reforms.

The Clarissans and the Franciscans

The city council tried to capitalize on the Dominican success immediately. A letter survives from February 1466, apparently from Duke Louis IX of Bavaria to Pope Paul II on behalf of the city council at Ulm, to ask that “the apostolic authority compel [the unreformed religious in the city]…to adopt a well-ordered life [and] return to right conduct under their Rule” because the religious would not hear of any reform and they therefore set a bad example for the people. Letters were sent in the fall of 1466 to the Venetian Doge, Christopher Moro, (written in Latin) as well as an imperial representative in Venice named “Wilhelm Oten,” in both cases the writers were hoping to get advice or persuade representatives to the papal court to support their cause. Several letters were sent again in January of 1467. One was sent to Innocent Ringelhammer, vicar of the reformed Dominicans in southern Germany, requesting the assistance of the Dominicans, as directed by Ludwig Fuchs, in reforming the other religious houses in Ulm. The council sent very similar letters in January of 1467 to Rüdolph von Rüdisheim, bishop of

---


61 Mayor and Council of Ulm, Letter to Cristoforo Moro, September 20th, 1466: StadtA Ulm A[1294] #15 and Mayor and Council of Ulm, Letter to Wilhelm Oten at Venice [undated], Stadt A Ulm A[1294] #16. Presumably the two letters were composed at the same time as #16 references letters to the herzog[e]n von venedigs.

Lavant (in Austria) and to Emperor Frederick III. While the city council knew it needed ecclesiastical approval, their lack of contact with other reform parties seemed to hamper their efforts.

Two undated letters written by the city council to the pope suggest that the councilmen were frustrated with the slow process of gaining support for reforms, at least to judge by the heightened rhetoric of the letters. The author stated in one that he wrote “not without great bitterness of heart” on account of the Franciscans who “have thoroughly fallen away from regular observance, the institutions of St. Francis and monastic discipline.” The same was alleged concerning the sisters of Söflingen and the author requested that abbots from neighboring monasteries be authorized to institute the reforms so that the “tares may be plucked and more fruitful trees take their place” and that the “grasping wolves who consume nothing but Christian sheep” be ejected. The second letter is equally vehement though repetitive of the first, deriding those residing in unreformed houses as guilty of “faults or negligence or still greater evils,” and whose only cure was reform. In fact, at the same time that the council attempted to acquire proper legal authority to institute reforms, the un-reformed religious were also trying to obtain bulls or legal instruments of civil immunity or ecclesiastical exemption from the

---


strict observance. In 1467 the nuns of Söflingen obtained an imperial mandate that specifically exempted Söflingen from interference by the city council of Ulm, and in 1470 they obtained a visimis of a 1417 imperial confirmation of their rights and privileges from the count of Kirchberg and the abbot at nearby Wiblingen. The legal maneuvering and resistance on the part of the both Franciscan friars and the Poor Clares suggested that the reform of the Franciscans at Ulm necessitated a different approach than the reform of the Dominican convent had, an approach that would require the city council to ensure that reform had complete legal authorization from the highest possible authorities and help from the Franciscan authorities because there was no local pro-Observance party, as there had been during the Dominican reform. The fact that the councilmen thought it was worthwhile expending resources to affect the reform of the religious at Ulm suggests that they took the formal issues of religious reform serious: the religious should follow their Rules, not cause scandals, and be a good example for the people. The resistance of the religious simply forced them to operate at a hortatory level, embracing a rhetoric of guarding the local community of Christians. By using this rhetoric, though, in pursuit of reforms that it argued were necessary based on the council’s evaluation of the religious life in the mendicant communities, helped realize the council’s position as a spiritual authority and legitimated its intervention in affairs of local convents.

Miller, “Die Söflinger Briefe,” 122, ft. 3 and 35. Briefe 1, 2, and 3 in Miller’s appendix concern the endeavor of the Franciscan Provincial Minister named P. Valentin, who obtained the letter but could not raise the 60 gulden to purchase a copy.
In 1465 the city council had written to the city councils of Speyer and Heilbronn, asking for information about how they had reformed their Franciscan friaries. The city council of Speyer replied that the pope wanted the Franciscan convent to be reformed by the strict Observants, but that the convent had adopted the Martinian Constitutions, a moderate type of reform eventually adopted by the conventuals of the province but firmly rejected by the Observants. The council of Heilbronn offered more details about the reform of religious communities in its response than Speyer. They informed Ulm that they had approached the papal curia through their agents in Rome, named Albrecht Koch and a German abbot named Eberhard of Munchberg, who had obtained a papal bull authorizing the city to institute a reform. This style of advocacy was more efficient than negotiation with local religious but it was also expensive. The councilmen of Heilbronn related that the two agents had worked through a cardinal named as “Licenus von Bayrchen,” who was not reform-minded, who required “many gifts,” and who then passed on the request to a bishop named “Cartensis” who procured the bull at a cost of “nineteen ducats, six Venetian gulden, and six pennies.” Worse still, when they

---


69 Mayor and Council of Speyer, Letter to the Mayor and Council of Ulm, October 12th, 1465: StadtA Ulm U5284, Document #29. See also the Konrad Eubel, Geschicht der oberdeutschen (Strasburger) Provinz (Würzburg: F.X. Bucher, 1886), 59-60. For the Martinian Constitutions, see Chapter 2, 30-31.

70 Mayor and Council of Heilbronn, Letter to the Mayor and Council of Ulm, December 27th, 1466: StadtA Ulm U5284, #30.

71 “dann daz er den Cardinal heisset / Licenus von bayrchen der da wider die Reformacion ist ser schichet dann er bedarff sin, der selbe Cardinal hat ein bischoff / gena[nt] cartensis der wer darzu geneygtx on man ym sche[r]mes bet als unser schulmeist[er] und der bevacht, So gestet die / bull p[ro] taxa und zuschecnen und allem ußgeben da für xix ducate sechs vinisch[er] gulden und vi groß…” Mayor and Council of Heilbronn, Letter to the Mayor and Council of Ulm, December 27th, 1466: StadtA Ulm U5284, #30. The name “Licenus von Bayrchen,” which does not appear in Konrad Eubel’s study of the fifteenth century hierarchy but it may either be a rendering of Latius de Ursinis, if they have translated the last name into a German equivalent, or perhaps a rendering of “Borja,” see Conrad Eubel, Hierarchia catholica medii aevi, vol. 2 (Monasterii: Sumptibus et Typis Librarieae Regensbergianae, 1901), 11.
presented the Franciscans with the bull, the friars staunchly resisted and appealed to the bishop of Würzburg. According to the council of Heilbronn, during the ensuing deposition, the friars “destroyed the truth and lied” (die warheit gespart und / lug furgeben) about their status as unreformed friars. Eventually, the case was decided by the abbots of Maulbronn and Hirsau, with the backing of Count Eberhard of Württemberg and Count Rudolph of the Rhine-Palatinate, who attempted to force the friars at Heilbronn to accept the Observant reforms, though only three friars did so. According to the letter, reformed friars from Heidelberg and Pforzheim were sent to Heilbronn and by taking control of the major positions within the cloister affected a moderate reform there.\(^2\) We can see from this report that while legal instruments were necessary to legitimate reforming action, sometimes force, even physical force, perhaps even violence, was necessary.\(^3\)

The responses from the city councils of Speyer and Heilbronn may not have offered the most encouraging examples of reform, but they did outline important methods in securing the imposition of a reform, including the acquisition of necessary, authoritative legal instruments (papal bulls and/or imperial mandates) that would enable the city to facilitate the introduction of the Observant reform against previous immunities the Franciscan communities might already have, as a means of crippling resistance to the

---

\(^2\) “…da welche bruder der r[e]formacion in gen wolt[e]n der mit dann / dry geweszt sind uffgenomen und die andern de nit intretten wolten mit Ir habe was ur gewessen ist / hinweg gutlich und von uns gewiszen das clost[er] also mit erb[e]n bruder von heidelberg und pfortzen beppert gardion p[re]diger pert[m] et alls ampt.” StadtA Ulm U2584, Document #30. See also Müller and Tschan, *Chronica*, 85. Note that Müller and Tschan’s narrative often moves from the observant reforms to the expulsion of the friars by Lutherans, an oblique criticism of the reformers. See also Glassberger, “Chronica Ordinis Minorum Observantium,” 284.

\(^3\) Physical violence was a response to several attempts to enforce a reform of women’s communities, see Anne Winston-Allen, *Convent-Chronicles: Women Writing About Reform in the Late Middle Ages* (University Park: Pennsylvania State University Press, 2005), 129-131. Aristocratic violence was difficult to resist or obtain any type of justice for violence, as Hermann Tüchle relates, *Kirchengeischte Schwabens*, vol. 2, 99.
reforms. In the same year, Jacob Ehinger, patrician and sometimes mayor of Ulm, drew up a brief for the imperial court, sketching out the method by which the city council hoped to affect the reform of the Franciscan communities. The report presents a plan by which the city council of Ulm hoped to acquire both papal and imperial sanctions for the reform, promising to take the communities into their protection as a means of showing that the councilmen were motivated by a real concern for the communities. Whether this brief was influenced by advice from other cities is unclear but, it indicates that by 1465, the city council was developing clear strategies through which they hoped to bring about the reform of the religious houses in Ulm, especially by securing legal instruments that would authorize the reform against prior immunities the Franciscan communities may have held, or claimed to hold. This option would have naturally appealed to the members of a city council that was also responsible for writing regulatory laws and policies that shaped the behavior of subordinates. The correspondence from Heilbronn had pointed out potential allies in this work, among them Count Eberhard of Württemberg. That Eberhard had become an influential figure in the Observant reforms was due in part to his personal ties to the powerful Gonzaga family, and he became a key figure in his own right in authorizing and supporting religious reforms throughout the German southwest.

74 Zum anndern. Das sein kaiserlich gnad ain besonnd[er]/ mandat an unn Burgermaister und Raute zu Ulme / ußgeen laß. darInn sein kaiserlich maiestat. Unns / by ainer peen gebiett, Baide obgenannte Gotzhuser by / der Reformac[i]jon hannyaht zuhelfen [und] auch in not- / turftiger form[en] wie sich gepurtt / Zum dritten. Das deßglich sin kaisterlich maiestat in aine[n] sonndern brief unns auch baide Gotzhuser in uns[er] / schutz und shirm befelh …”Jacob Ehinger, Report to the Imperial Court, 1465: StadtA Ulm U5286, 1v. The source itself is undated and the date of 1465 comes from the archival guide in the Stadtarchiv Ulm. Given the mention of Eberhard of Württemberg as a potential ally, it is possible that the document comes from a later date, perhaps after 1473 when he became the nephew-in-law of Cardinal Gonzaga.

75 Eberhard married Barbara Gonzaga, daughter of Ludovico III of Mantua in 1474. Eberhard im Bart cultivated associations with respected clergy and reformers. According to von Stälin, he was accompanied
vicar, Johannes Alphart, began in 1481 to correspond with Eberhard about the procurement of a papal bull of reform.\textsuperscript{76}

Despite a long period of planning, improved contacts, and experience in reforming religious communities, the council’s reform of the Franciscan communities was still complicated by the resistance of religious and the sectarianism among the Franciscan reformers in southwest Germany. Typically, like-minded convents formed, with institutional approval of some type, their own internal associations called “congregations” that were obedient to their own congregational vicars and often had their own houses of study apart from the rest of the Order. Unlike the Dominican reform, in which the various parties had existed within the same institutional structures for a longer period of time, the Franciscan divisions were better established, with the Observant and Conventuals dividing the earlier administrative districts, called a custody, into congregations of reformed or conventual houses.\textsuperscript{77} In many cases, one of the first on a pilgrimage to Jerusalem in 1468 by Gabriel Biel, reformer of the Augustinian canons and, at the time, provost of St. Mark’s in Urach as well as the young Johannes Reuchlin: Christoph Friedrich von Stälin, Wirtembergische Geschichte, pt. 3 (Stuttgart: J.G. Cotta’scher Verlag, 1856), 591-592. Eberhard frequently used the abbots of important monastic centers as his ecclesiastical agents. For the period of the reform of the Franciscan communities at Ulm, these were the abbots of Maulbronn, Hirsau, and Blaubeuren. In the early 1480s, the abbot of the Cistercian abbey of Maulbronn was Johann V (r. 1476-1488): Karl Klunzinger, Urgendliche Geschichte der normalen Cisterzienser-Abtei Maulbronn (Stuttgart: C.A. Sonnewald’schen Buchhandlung, 1854), 55-58 and the abbots of the Benedictine monastery of Hirsau during this period were Bernhard (r. 1460-1482), Georg (Maiser von Berg?) (r. 1482-1484), and Blasius Scheltrup (r. 1484-1503). See Klaus Schreiner, “Hirsau,” in Die Benediktinerkloster in Baden-Württemberg, ed. Franz Quarthal et al., 281-303 (Augsburg: Kommissionsverlag Winfried Werk, 1975), here 296.

\textsuperscript{76} See the correspondence between the various parties, in particular Eberhard’s agent in Rome, Veit Meller in StAL B509 Bü 4.

\textsuperscript{77} The Observant and Conventual Dominicans did form their own congregations, although apparently quite late, in the south German province of Teutonia. The conventual friars decline after the creation of their own congregation, and by 1518 the Master General of the Order, Cardinal Cajetan, dissolved the congregation, thereby avoiding the actual split in the Order that the Franciscans would experience. See Klaus-Bernward Springer, Die deutschen Dominikanern in Widerstand und Anpassung (Berlin: Akademie Verlag, 1999), 11-16. For the development of the Franciscan congregations in southern Germany, see the letters from Heinrich Karrer in Eubel, Geschichte der oberdeutschen (strasburger) Minoriten-Provinz, 386 -387; Paul L. Nyhus, “Franciscans in South Germany, 1400-1530: Reform and Revolution,” Transactions of the American Philosophical Society, N.S., vol. 65, No. 8 (1975): 1-47.
requests made by Observant Friars Minor was to be independent from Conventual authorities and placed under the authority of Observant vicars, who were answerable only to the Minister General and the papacy. While the Dominican community at Ulm at least had a reform-minded prior on hand, and supportive provincial administrators who could draw on nearby convents for Observant religious, the same cannot be said for the Franciscan house.

Whatever other factors may have inhibited the progress of the Observance in the 1470s at Ulm, in 1482 the Franciscan Observants in southern Germany were encouraged by the successful reform of the Franciscans and Clarissans in Munich which had been achieved under mandate by Duke Albert IV against strenuous and longstanding resistance. As Konrad Eubel’s brief treatment of events indicates, a push for the reforms had gained ground in southern Germany in the 1460s and 1470s, chiefly through secular princes but also ecclesiastical lords like Archbishop Adolf II of Mainz, who had insisted on the reform of all Franciscan houses within his diocese. In the Swabian region, the first Observant house was established in Heidelberg by invitation of Pfalzgraf Ludwig and his wife Mechthild in 1426. The next Observant convents were founded in that same year at Tübingen and Pforzheim. In 1464, the Provincial Minister, Dr. Heinrich Karrer, insisted that all houses of the Strasbourg province be reformed according to the Martinian

78 John Moorman, *A History of the Franciscan Order: from its origins to the year 1517* (Chicago: Franciscan Herald Press, 1988), 374-375. Moorman also notes that the Franciscans appear to be reformed “from the bottom up” unlike the Dominicans who were reformed from the “top down.”

79 The Observant vicar, Johannes Alphart, specifically mentioned the reform of the Munich cloister to Eberhard in their initial correspondence seeking a bull of reform for the Nuremberg Franciscans; Johannes Alphart, Letter to Eberhard of Württemberg, April 30th, 1481 in B509 Büt.


81 Glassberger, *Chronica Fratris*, 283-284. The Franciscan house at Tübingen was instrumental in the creation of the University of Tübingen later under Eberhard im Bart.
Constitutions. This would cause conflict between the reforming Conventuals and the Observant Franciscans, but reform of one type or another was gaining ground in the German southwest.

Although the process of reform, shortly to be narrated, was bitterly contested by the Poor Clares and violently introduced in the Franciscan convent, it should be noted that the relationship between the city council and these religious communities, especially with Söflingen, seemed fairly good. Miller notes that the nuns had received eight beneficial rulings from the city council in property disputes in the fifteenth century and that as late as 1465, Abbess Elizabeth von Züllenhard had asked the city council to allow them to retain their current steward because the abbess and the steward worked well together. In 1465 she asked the city for tax relief on behalf of Söflingen’s war-weary tenants after a conflict between the city and the duke of Bavaria had devastated their properties.

There were signs of trouble within the Söflingen community leading up to the reform but even in these cases the abbess and the city council were cooperative partners in disciplining the nuns. In 1444, Abbess Agatha Rüßlin asked the city for help in punishing a disobedient sister named Anna Stainerin, who was forced out of the community and made to swear that she would not attempt to enter another religious house near Ulm. Max Miller relates that in 1463 Abbess Elizabeth von Züllenhard expelled from Söflingen a lay-sister named Margrethe Baderin, who was punished by the city council and relegated to the Heilig-Geist-Spital to serve as a lay sister there. We do not know much about the details regarding the discipline of either Anne or Margrethe

---

83 Miller, “Die Söflinger Briefe,” 27.
84 Miller, “Die Söflinger Briefe,” 27.
because the sources refer to such matters in vague terms. Perhaps most importantly, as a case that would come up in depositions taken after the reform, in 1473 the mayor and the city secretary composed a letter to the Franciscan Provincial Minister concerning two sisters named Margaretha and Agatha Rüßlin (probably nieces of the aforementioned abbess) who had apparently become notorious for their disobedience and their disorderly life; the description of their behavior as “bawdy” (unzucht), and their apparent involvement with secular persons, also implies a violation of strict enclosure, a charge that had also been made against the Poor Clares in the 1430s. The result of the council’s letter was that Margaretha and Agatha were expelled from the cloister and prohibited from returning to Söflingen.85

The options of the abbesses in these disciplinary cases shed some light on both social expectations and the complex nature of discipline within religious communities. Poor Clares were expected to be cut off from the world, and, with the exception of the highest officers of the convent, speak to outsiders only through a veiled grille, on rare occasions, and in the presence of an older nun. For nuns to behave otherwise, even to be seen in public, or to receive visitors often, generated rumors of illicit motivations on the part of the nun. The only defense against rumors was a more rigorous form of behavioral control, which, given the cases of the Rüßlin sisters, does not appear to have been universally enforced at Söflingen. Nevertheless, the nuns had resisted several attempts to be disciplined for what seem to have been persistent rumors about violations of the strict enclosure and improper or immoral associations (a sexual aspect to these associations was always implied) with men, even their own friar-confessors. The abbesses turned to the city council to help them enforce discipline by expelling or punishing nuns when they

85 Miller, “Die Söflinger Briefe,” 33-34.
were disobedient, despite the fact that the exposure of such cases could only confirm the suspicion that something was fundamentally wrong in the community, which was in need of the reform that the nuns staunchly resisted. Although the abbesses may have considered other options, the reliance on the city council for support ensured that disobedience among the nuns would be punished but also made it likely that the city council felt authorized to discipline the Poor Clares of Söflingen.

The Franciscan communities of Ulm were brought into the Observance by the city council through its initiatives, but a few years before those reforms took place, the Master General of the Order of Friars Minor, Zanetto da Udine, visited the city in 1470, apparently without reference to the council’s requests for support. Zanetto commended the people of Ulm on their devotion to St. Francis and took the parish priest and his entire household, including servants, into spiritual fellowship with the Franciscans. He also approved some of the privileges held by the nuns of Söflingen which allowed them to retain private property and enabled them to receive absolution six times a year for violations of their Rule. Zanetto did try to reinforce rules of conduct for Söflingen, especially stricter regulation of enclosure and limiting the reasons men could legitimately enter the enclosure. He went so far as to insist that even the secular administrators should speak to the abbess only through the screened grill in summer months, and, in winter months, should only meet with the abbess inside the cloister in the great parlor and in the presence of the sisters’ confessor. As mild as the restrictions might have been, Zanetto felt compelled to address the issue of enclosure, a subject of rumor about the moral behavior of the nuns which the city council of Ulm had been trying to address in some

---

86 Miller, “Die Söflinger Briefe,” 32.
88 Miller, “Die Söflinger Briefe,” 32-33.
fashion in 1434. The expulsion of the Rüßlin sisters from the community two years after da Udine’s visit suggests, however, that the terms he had set were neither wholly observed by the sisters nor easily enforced by the abbess.

In addition to Zanetto’s mild ministrations, the Franciscan friary received new leadership under Jodocus Wind, who at least helped the convent achieve a better financial position. Wind, an academic who had held the position of lector in various convents throughout his career, became guardian of the Ulm house in 1477. He was able to put the finances of the house in order and liquidate its debt, leaving a surplus of 310 florins and 101 Heller. When his home convent at Ingolstadt became Observant, he was integrated permanently into the Ulm community. As a Conventual, however, he opposed the Observant reform and this stance likely strengthened his connection to the nuns of Söflingen, which faced increased scrutiny from the provincial administration.

The Provincial Minister, Dr. Heinrich Karrer, and several other Franciscan officials made a visitation of the Ulm convents in 1482, which generated the report cited above by Dr. Georg Summer concerning Söflingen’s wealth. It is likely that their goal was to bring the Franciscan communities in Ulm into conformity with the terms of the Martinian Constitutions, though a thorough reform of the convents did not take place at this time. Although Conventuals, both Karrer and Summer were proponents of moderate reform (reform carried out “under the Ministers”) and, according to Max Miller, they authorized changes in the friary’s personnel, reassigning the guardian and the

89 Miller, “Die Söflinger Briefe,” 95.
90 Miller, “Die Söflinger Briefe,” 95.
92 Tüchle, Kirchengeschichte Schwabens, 228-203 and Miller, “Die Söflinger Briefe,” 30-32.
lector, and probably removing Jodocus Wind later in the year, though he is not mentioned. Wind’s position seems to have deteriorated in 1482 as the likelihood of reform increased. His mentioned the intervention of Count Eberhard in a letter of June 1482 to Sister Magdalena von Suntheim, stating that “he of Urach [Eberhard] has courtiers residing at Rome who speak harshly and broadly against us and you.”

Though Wind held out hope that the Conventual authorities would be able to retard the actions of the count and the Observants in Rome and in the Strasburg province, he seems to have fallen out of favor with Karrer. Wind suggested that this was because Karrer’s vicar, Conrad von Bondorf, apparently nursed a grudge against Wind. Wind wrote a letter to Suntheim in mid-August of 1482, in which he relates that he had not able to meet with the Heinrich Karrer about Söflingen’s case because he had been stonewalled by von Bondorf. Another letter sent to Suntheim at about the same time, suggests that the situation had worsened quickly. According to Wind, Conrad von Bondorf had suggested that Wind be expelled from the Ulm convent, a suggestion that had come after nearly two years of scolding in the Provincial Chapter by von Bondorf. Worse than his personal conflict with another friar, Wind reported, he had been denounced to Karrer by a “false nun” concerning his meetings with Suntheim, forcing him to write “if it were not the case that I couldn’t leave you, I would wish to stay elsewhere for what this false nun has done.

---

93 Miller, “Der Streit um die Reform,” 177.
95 Von Bondorf succeeded Georg Summer as Provincial Minister, serving in that capacity from 1498-1510, Müller and Tschan, Chronica, 289.
This correspondence highlights another aspect of reform: the personality conflicts that shaped the local atmosphere of a religious Order. Whatever the matter was between Wind and von Bondorf, their hatred for each other does not appear to have been based on differing opinion about the Rule or its interpretation, but on the desire of two members of the same religious Order to use the administrative tools of that organization to attack each other. Von Bondorf’s ability to leverage his role as an agent of reform in the provincial administration to disparage Wind’s character, despite Wind’s successful career as an academic and local administrator. The difference was that the suspicion of Wind’s relationship with the Poor Clares of Söflingen was improper made him vulnerable to disciplinary action.

By late August of 1482, it appears that Wind had been removed from his position as guardian of the Ulm convent and sent to be a lector in Würzburg. Sister Magdalena von Suntheim wrote to Karrer’s socius in Strasbourg in early September complaining that Wind had been unfairly treated and pushed from his position. She also gave an account of Wind’s oversight in which noted that the Franciscan friary had been brought into good financial order by Wind, and blamed his poor reputation on the Ulm priest Neithardt and “evil” nuns. She also wrote at the same time to the new Provincial Minister, Georg Summer, complaining about Wind’s removal and arguing that Karrer was himself guilty

100 Miller, “Die Söflinger Briefe,” 189, ft. 9.
102 “Und doch kain mensch im arges nit vergichtet, wann er das goczhuß erlichen gehalten hat in zitlichen und gaistlichen sachen: in zitlichen, das er fas goczchus ussgenommen hat in 200 ln(h)eller) schuld und in verlassen hat 310 gulden und 101 lb h. zü dem, das er verbwen hat 316 fl. <und>194 lb h. Und aber allain zu gefallen dem Nythart und den bosen nunnen etlichen hynnen, so ist er also gesmecht.” “Brief 36,” 189.
of hanging around in the cloister on a daily basis, replacing Wind with a tyrant of a guardian who had been a gambler and worse.\textsuperscript{103} While von Suntheim was not alone in writing letters to support Wind, her output in 1482 was considerable and she used a variety of literary devices to impress upon the reader the value of Wind and the unjust and unruly nature of her opponents. She was aggressive in pursuing her goals and, although Wind never returned to Ulm, it is clear that she felt confident enough in her position within her own convent that she was willing to compete against men in attempts to control the practices of the nuns of Söflingen and maintain their social connections.\textsuperscript{104}

Furthermore, she and Wind were partners in the work of preventing the Observants from taking control of their cloisters. The exchange of letters between the two is indicative of the type of relationship that could exist between religious and could also be misconstrued and lend itself to rumors. It is also clear from the letters that civic representatives of Ulm were building their own influence within the Franciscan administration in the fall of 1482.

In 1483, both the Conventuals and the Observants and their supporters acquired bulls preventing the institution of the reforms (in July) and then, in September, permitting the reforms to be carried out under the agency of Count Eberhard and the abbots of Hirsau and Blaubeuren.\textsuperscript{105} In fall of the same year, Georg Summer was elected as

\textsuperscript{103} “Er is aber teglichen hynn gewest, da hat man undermal mit solchem iubiliren und grössen froden gehebt und hoff gehalten in siner stulswester balast und stuben, als ob es altag vaßnacht wer und wir gancz und gar nye sorgen weren gewest oder noch were, darinnen wir doch layder sind. Und uber das alles so erkennt er selbs und hat es och geredt in siner stuben, er sech und erkenn, das der Spyeß den Michel gardian machl und mocht er in zü einem fursten machen…..Der was ub ainem jar als ein hürer und spilbüb…”

\textsuperscript{104} Wind held out hope that he might return if the new guardian died “Briefe 42: Jodocus Wind an Magdalene von Suntheim, November 5\textsuperscript{th}, 1383,” in Miller, “Die Söflinger Briefe,” 210-210.

\textsuperscript{105} George Summer is named as the petitioner in the first bull that prohibited the Observants from harassing the two houses in Ulm in particular: Bull of Sixtus IV, July 7\textsuperscript{th}, 1483, StAL B509: U656. The bull favoring the reform was granted two months later: Bull of Sixtus IV, September 14\textsuperscript{th}, 1483 StAL B509: U657.
provincial and he instituted some moderate corrections within the two Ulm houses, admonishing the women to wear “decent” clothes and not to cause scandal but falling short of strictly enforcing enclosure, taking issue with the regular life of the nuns, or their property.\footnote{Miller, “Die Söflinger Briefe,” 48-49.} These changes did not impress the city council, though, and it continued to agitate for more serious reform. In one sense, the legal complication posed by the two conflicting bulls was resolved by Count Eberhard’s arrangement to enforce the bull in both houses at the same time without waiting for clarification from Rome.\footnote{Miller, “Der Streit um die Reform,” 178-179.} Eberhard invited Abbot John V of Hirsau, Abbot Heinrich Fabri of Blaubeuren (a staunch supporter of religious reform), and representatives of Ulm to Stuttgart in early January of 1483, to create a plan of action for implementing the bull of reform.\footnote{Eberhard had been in contact with the city council as early as 1481 with regards to the reform. See Eberhard of Württemberg, Letter to Wilhelm Besserer and Hans Ehinger von Pfaffenhofen, May 6th, 1481, in StAL B509: Bü 3.}

The plan was to be executed quickly, on January 3rd, 1484, and like the reform of the Dominican convent, part of the plan relied in part of secrecy. Observant friars and nuns were to be brought from reformed convents and wait while the religious compounds were secured (or seized, as the case may be) and the bulls of reform read aloud to the inhabitants assembled in some common space. The old administrators were to be removed and Observants appointed in their place. The friars and nuns would be given two weeks to decide if they were going to stay under the Observance or leave for other religious communities. The institution of the reforms followed this plan fairly closely. Fairly quickly after the January 3rd meeting, Observant religious were brought into the neighborhood but not into Ulm itself.\footnote{Miller, “Der Streit um die Reform,” 179.} Max Miller provided a transcription of the city
council’s instructions given on January 7th to members of the councilmen and guildsmen who were to help enforce the reforms. The authorities feared that friars and nuns would attempt to flee from the convents while the reforms were under way, and so appointed men to be positioned at the city gates, supported by men from the guilds (who were provided with weapons if they had none of their own) in order to prevent any religious from fleeing.\textsuperscript{110} No religious were to leave the city and no one from Söflingen was to enter the city except those monks and nuns who were not subject to its authority.\textsuperscript{111} The reform party approached Söflingen first and with great care on January 8\textsuperscript{th}, probably because the council assumed that the risk of flight was greatest there.\textsuperscript{112} A prestigious group of officials accompanied the mayor of Ulm to Söflingen, including “the parish priest, Prior Fuchs from the Dominicans, Master Ulrich Lochner, the Amman, and the city secretary.”\textsuperscript{113} According to Fabri, once the convent was secured, the group proceeded into the cloister with the Observant sisters, who were brought to Söflingen in carts (\textit{in curribus}). Upon entering the cloister they deposed the current abbess, Christina Strölin, and all other current office holders in order to “elect” their replacements from among the Observant nuns. The abbess and other office holders were forced to surrender the keys to the convent and, apparently, endured a search of their rooms, where a series of letters between the nuns and their friar-correspondents was found. According to Fabri, the Conventual nuns put up a considerable row: “in all of these things those women were

\textsuperscript{110} Miller provided several primary sources that dealt with the reform. The instruction are the first document: Miller, “Der Streit um die Reform,” 185-186.
\textsuperscript{111} “…munch oder nunnen, den sol die state nicht vorgehalten werden.” Miller, “Der Streit um die Reform,” 186.
\textsuperscript{112} The instructions note “Und nach dem zu besorgen ist, daz in der reformierung des genanten closters Seflingen ain groß geloff werden mocht....” Miller, “Die Streit um die Reform,” 185.
\textsuperscript{113} “Es sollen auch uff die stund vorm neven thor im vorwerk sin der pfarrer, der fuchs prior zu brediger, maister ulrich lochner, der statamman und der statschreiber und daselbs auch ains burgermaisters entschaid warten.” From the instructions in Miller, “Die Streit um die Reform,” 186.
arrogant, wailing, bellowing and weeping, cursing, blaspheming and making invocations of evil against the mayor, crying shame to the council….in a way that cannot be described.”

Fabri probably exaggerated the level of abuse heaped on the officials by the sisters and this scene is somewhat reminiscent of the earlier attempt by the provost of St Michael at Wengen to read a bull of reform. On this point all sources agree: the deposed abbess, Christina, and the other nuns of Söflingen who did not wish to embrace the Observance did not go quietly and, as Fabri noted, “nearly all of them followed the lady Christina Strölin” into exile. They refused to accept the deposition of Strölin or to acknowledge the authority of the newly-elected abbess. They left Söflingen and proceeded into Ulm with their baggage, as had been approved by the authorities. The exiled nuns spent a few days in the Sammlung and then settled in a residence owned by Söflingen at Günzburg, some twenty miles east of Ulm. Fabri insisted that the sisters were dissolute, exclaiming that their resistance brought on divisions in the city and, among the Franciscans, expenses, scandals and dangers. Whatever the situation of the cloister before the reform, the Poor Clares appear to have been largely united in resisting the reform and, at least to this point, loyal to their abbess, and Abbess Christina intended to fight the loss of her position and the expulsion of the nuns. Once again, the community of Clarissan nuns moved their community from one location to another, and maintained that the geographic displacement did not alter their identity or nullify their rights.

114 “Quantae autem in his ombibus fuerint monialium illarum insolentiae, clamores, eiulatus, rugitus et fletus, maledictiones, blasphemiae, imprecationes malorum in consulatum, improperia in magistros civium, despectiones doctorum, contumeliae et minae, non potest enarri.” Fabri, Tractatus, 205.
115 Above, 171-172.
116 Fabri, Tractatus, 206.
A day after the reform of Söflingen, on January 9th, a similar assembly of men began under similar circumstances the reform of the Franciscan friary. They were joined by Johann Philipp, the Vicar General of the Observants north of the Alps, Johann Alphart, the Observant Provincial Vicar, and the abbots of Blaubeuren and Hirsau, who acted as “the judges and executors” of the papal bull of reform. According to Fabri the Dominicans also played a role in the drama leading up to the reform by working with the council

to attract all of the community so that the lord doctor and the parish priest Heinrich Neithardt, the priest, the religious, the guild masters and all citizens and guildsmen and on this account they summoned the reformed Franciscans and handed over the cloister in the city to them and the other, unreformed, friars were expelled from the cloister and the city.

Müller and Tschan described the reform of the Ulm Franciscans in terms of an “invasion” led by the Abbot Johann Fabri of Blaubeuren, who “took away all goods, mobile and immobile, and all was delivered to the clerics and the foundations.” Glassberger, an Observant Franciscan, did not add more to this information. Max Miller, however, provided an edition of a notarial instrument concerning the reform that was drawn up on

---

117 Miller, “Der Streit um die Reform,” 181.
118 “Accepto autem consilio [referencing Ludwig Fuchs] et obtenta a papa bulla reformationis amborum monasteriorum anno domini 1484 opus aggressi sunt domini Ulmensis cum multa sagacitate. Studebant enim ante operis inchoationem totam sibi attrahere communitatem, ut dominum et doctorem magistrum Heinricum Nithart plebanum, et clerum ac religiosos et magistros et omnes cives ac zunftales, et hoc facto advocaverunt frates minores reformatos, eisque conventum in civitate tradiderunt, et alios non reformatos penitus estra conventum et civitatem expulerunt.” Fabri, Tractatus, 204.
119 “die 2. Februarrii monasterium hoc nostrum invaserunt frates Observantini … cum adiutorio et assistentia domini eberhardi ducis Würtenberg et Mimpelgarta ac domini abbatis de Blaubeuren Henrici Fabri, quia praedicto duci Observantes resignarunt omnia bona mobilia et immobilia omnesque ecclesiasticos atque fundationes.” Müller and Tschan, Chronica, 220-221.
120 “Anno Domini1484, in mense Ianuario, refomatus est conventus noster Ulmensis et deinde monasterium in Sefflingen, Ordinis sanctae Clarae auctoritate domini Sixti Papae IV, exsequentibus Bullas reformationis dominis Abbatis in Hirsavia et in Blaubura, Ordinis sancti Benedicti, Spirensis et Constantiensis dioecesis, ad instantiam et preces illustris viri Eberhardi senioris comitis de Württemberga et montis Pelgardi ac oppidanorum ipsius oppidi Ulmae Constantiensis dioecesis et in festo Purificationis Mariae eisdem anni facta est ibidem convocatio et mutatio multonum Fratrum per Provinciam,” Glassberger, “Chronica Ordinis Minorum Observantium,” 489. Consequently, he says nothing else about Söflingen except that it was reformed.
January 27th of 1484 which suggests a less dramatic series of events. According to this document, the two Benedictine abbots carried with them a papal bull of reform, witnessed by the Franciscan guardian of the Constance cloister. The bull dictated that the guardian and the friars of the Ulm cloister had to obey the bull and its executors or suffer the penalty of censure (sub sentiis censuris). The two abbots and a public notary commanded the guardian, Johannes Blatinan, to sound the bell and assemble the inhabitants of the cloister in their chapter room, as if for a chapter meeting. When this was done and the friars were assembled, the abbots explained that they were in the cloister on a visitation to reform it according to a special mandate given by the apostolic see. They presented the papal bull and the notary read it “in a loud and clear voice” and warned the friars that if they refused to obey, they would suffer penalties and censure.”

Guardian Johannes and the lector, Peter of Worms, announced that they did not wish to incur the penalties but asked exactly how the visitation and reform were going to proceed. The abbots replied that the visitation would be conducted “over the rule of St. Francis the Confessor and equally the Clementine declaration Exivi de paradiso…,” the bull promulgated by Clement V in 1312 as a compromise between Franciscan factions arguing over the proper understanding of their commitments to poverty.

121 The notarial instrument is the second document in Miller’s “Der Streit um die Reform des Barfüßerklosters,” 186-189.
122 “Qui quidem frater Johannes guardianus statim et in continenti uti obedientie filius censuras predictas evitare volens per sonum campanelle dicte domus ad hoc deputate capitulum fecit et ipsos fratres capitulum dicte domus representes capitulariter congregavit.” From the notarial instrument in Miller, “Der Streit um die Reform,” 187.
123 “Quas litteras eisdem fratribus sic ut prefertur capitulariter congreatis per notarium publicum infrascriptum publicae, alta et intelligibili voce legi gecimus et mandavimus et eisdem litteris sic ut prefertur de mandato nostro lectis et publicatis Johannem guardianum et alios fratres conventuales predictos, ut visitatione et reformationi se submitterent et apostolice sedis mandatis pararent et obiedirent, sub similibus sententis, censurus et penis in vim earundem preinsertarum litterarum apostolicae monere et requisivimus.” From the notarial instrument in Miller, “Der Streit um de Reform.” 187.
124 “…quod visitandi essent super rgula sancti Francisci confessoris et iuxta declaratium clementinam Exivi de paradiso…” op. cit.
The friars protested that they were living according to the Rule as they understood it and as it had been approved by the provincial authorities, though the abbots were clear that the mode of living to which they had been accustomed was now to be brought into conformity with the program of the Observance, which meant in particular divesting themselves of personal property and of communal property that was considered excessive, and the enforcement of rules regarding enclosure. As at Söflingen, key officers of the community, the guardian and lector, were removed from their positions and Observant friars were appointed in their place. Eventually the abbots of Blaubeuren and Hirsau, in consultation with the Franciscan Provincial Johannes Alphart, selected Johann of Cologne, a professor of theology from the Cologne studium, as the new guardian and an unnamed observant friar as the lector. On January 27th, the two abbots concluded the reform of the convent, having given the friars time to consider whether or not to stay in the convent now that it followed the Observance, or to go to a Conventual house.

Although Müller and Tschan’s statement that all properties were taken from the friars was clearly exaggerated, the evidence does suggest that some property was removed from the Franciscans and transferred to the Heilig-Geist-Spital (perhaps as much as one-third of the properties, rents, and annuities owned by the Franciscans.) It is possible that the city council members took seriously a rigorous notion of Franciscan poverty (it would be congruent with da Udine’s commendation of the people of Ulm’s devotion to St. Francis) and therefore removed property to help promote that vision. It is also possible that the divestment of property was meant punitively, though no such loss

125 Miller, “Der Streit um Reform,” 188.
of property had happened in the case of the Poor Clares at Söflingen. In the wake of the reforms, there does not seem to have been the type of correspondence between the city council and the Franciscan provincial superiors with requests for preachers and lecturers, as there had been following the reform of the Dominican convent. It is possible that the Friars Minor and the Poor Clares did not have the rapport with the city council that the Dominicans seem to have had, given that the mendicant communities in Ulm were now reformed. Some correspondence does survive. For example, a letter sent by the city council to the Strasbourg cloister seeking its support the reform, though there were no reports of either the good example set by the friars or the influence that Franciscan preaching had on the populace.

The reform of the Franciscan friary left the uncooperative nuns of Söflingen in Günzburg. The suggestive rumors about the immoral behavior of the nuns seemed to be confirmed by the acquisition of the letters and gifts exchanged between the nuns and their associated friars, typically the father confessor, who often occupied a position that would naturally make him an object of suspicion. Yet practically anyplace where men of any station in life met with the sisters was an anxiously monitored threshold. The real point here is that the letters themselves were viewed as containing inappropriate expressions and not, or not only, as evidence of sexual activity between friars and nuns. For instance, Brief 19, a letter from “N.E.” to Martha Ehinger contains the following passage:

I wish you now and always health and honor and happiness and everything good, I do not forget your goodness. If I were to know something, which you are able to tell me, so I would ask after you and your health and whether you are well. I write

---

127 The Rule for the Poor Clares permitted communal property and eventually a nun could retain private property so long as it was bequested to the convent upon her death, Miller, “Die Söflinger Briefe,” 16-19 and Frank, Die Klarissenkloster Söflingen, 77-83.
128 Mayor and Council of Ulm, Letter to the Mayor and Council of Strasbourg, March 20th, 1487: StadtA Ulm U5287.
reluctantly and so I write of lesser things. I will make good of these lesser things, which by you who are delight and love and goodness to me. For a greeting I send to your goodness this small chest. My friend, I let you die a hundred thousand times. If I were with your goodness, I would bring you my troth and love, that [because] you have my heart’s love, then you have me. I recommend you in all that is good, which is God. N.E.129

The author wrote about the sister possessing his “heart’s love” and refers to a gift sent as a token of affection. Really nothing he wrote is romantically explicit, but there is a sense in which his trope of begrudging writing and in the offering of a small gift suggest a relationship that went beyond the strictly pastoral, at least to a reader who was interested in reforming the cloister.

Other letters show a similar discourse of friendship and familiarity expressed in redolent of a language of romance or emotional intimacy. In one of the letters written by Jodocus Wind after his relocation, he confided to Margrethe von Suntheim feelings of doubt or depression about his place in the world as his Conventual cloister in Würzburg was dwindling. Wind here exposes a deeply personal relationship with Margrethe that extended well after he had left Ulm.130 As Miller noted there is nothing overtly sexual in these letters. Declarations of affection, of sacrifice, and suffering between a friar and a nun, however, were viewed with suspicion by citizens of Ulm who were already concerned about the ease of access that men appeared to have to the compound, the convent, and the nuns of Söflingen.

While nothing in these letters attests to any improper relationship, such implications were taken up by later authors, such as J. Ch. Schmid, who declared the reform party had found most of the nuns pregnant. As Max Miller pointed out, such claims were based on a poor, inattentive, or prejudiced reading of the source material in the nineteenth century. It seems unlikely that Jodocus Wind and Magdalena von Suntheim were physically involved with each other, as Magdalena was close to seventy years old at the time of the reform while Wind was perhaps in his mid-thirties. Not impossible but not likely. Jodocus appears to have been more concentrated on promoting studies in the province, especially at neighboring convents in Villingen and Ravensburg. His career and reputation as a Franciscan, before and after Ulm, were tied to his academic work. Nevertheless, the gifts and the letters from the friars were viewed as confirmation of the need for reform by those who had “invaded” Söflingen to accomplish that very reform. Despite the discovery of personal letters and a catalog of various and costly items found in some of the nuns’ cells, which may have been seen as evidence that the nun’s had not lived according to their Rule, the Conventuals began litigation against the Observants and the city council in October of 1484.

In general, the conflict between the Observants and Conventual nuns of Söflingen revolved around two issues. First, whether the Observants and the city council had authority to remove the nuns and friars from their positions and force the Observance on

---

131 Miller’s treatment of the matter is highly persuasive; see “Die Söflinger Briefe,” 39-42. The issue surrounds the phrase fere praegnantes omnes, though the German translations of the same document by the same scribes use the German alle sehr hochmütig and in an additional copy, the problematic translation was rendered as schier all widerwertig with the final term, meaning “burdensome” crossed out and replaced with “hochmütig.” Further, the omnes is linked to the members of both houses, not just the nuns. Nevertheless, the fact that these errors, as assumptions, were made and had to be corrected suggests again that rumor had a particular force of its own.

132 StAL B509:Bü 1 #5-9: Are letters from 1468-1472 about Wind’s promotion in academic rank and his assignment as lector in Reutlingen. He was twice promoted by Heinrich Karrer.

133 Tüchle, Kirchengeschichte Schwabens, 232-233.
them. Second, if there had been moral grounds for the reform in the first place. Much of the arguments between the two sides revolved around the latter. The process was arranged by the papal curia of Innocent VIII and delegated to Johannes, the abbot of the Cistercian monastery of Salem, in early 1485. Innocent suspended all legal action for six months while a papal commissioner investigated the matter; the first tribunal was held in July 1485 in Pfullendorf, a city close to Lake Constance some sixty miles south-west of Ulm. For the nuns, the most serious accusations pertained to their mode of living and Christina Strölerin was more at pains to defend their reputation than argue about the legal matter of their imperially and papally sanctioned privileges and immunities. That was probably just as well, as Emperor Frederick III, who had granted a renewal of those freedoms specifically against the institution of the Observance, appears simply to have changed his mind about supporting the nuns. Although the emperor frequently advocated for the nuns’ return to Söflingen, his various letters to different agents clearly indicated that his support for their return was predicated on their acceptance of the Observance. He issued a letter in May 1485 to Abbot Johannes of Salem, insisting that he not tolerate the attempts by Georg Summer to hinder the reform on account of alleged legal violations. Frederick reiterated this statement in a letter to the pope, who in September of 1485 argued that the nuns of Söflingen who had left did so “to be able to serve worldly vanity more than God” and to live “against the institutes and canonical sanctions.” They were

134 Pope Innocent VIII, Bull addressed to Abbot Johannes of Salem, February 1485, StAL B509: U665.
not to be allowed to institute new proceedings or allowed back into the cloister lest they “scheme from within against this reformation.”

While the depositions were underway in Pfullendorf, the Provincial Minister, Georg Summer, petitioned the bishop of Strasbourg to review the case in 1485. In response, the new abbess of Söflingen, Elisabeth Reichnerin, delegated the matter to the mayor of Ulm, Dr. Matheus Neithardt, in order to contest the legal challenge there by demonstrating the full support of the city for reform. Neithardt sub-delegated representation to the Amman, Konrad Locher, who had been active in securing the papal bull of reform in 1484, and now prepared materials for the Strasbourg process. In other words, the city put itself in a position to offer as much support to the reformed cloister as it had to the old cloister up to the point of the reform, which it now vehemently defended. Locher made the view of the city council clear in a deposition before the episcopal court at Strasbourg, recorded in a report made for the papal curia, that the removal of the non-reformed nuns had taken place according to papal instructions and that the women were free to go somewhere “where they might find a better reception,” while Observant nuns “who led an honest life and kept the Rule,” and gave “the best example to many people of both sexes” should remain in the convent in Söflingen. By contrast, of course, the other

---


138 This may have been the impetus for Jacob Ehinger’s account of the reform process noted earlier.


140 “Ideo iuxta continetiam literarum sanctitatis vestra amoverunt hiuismodi sorores, dantes eis licentiam se / transferendi ad alia monasteria eiusdem ordinis / ubi benivolas inveniret receptatrices ac intro-/ duxerunt alias moniales de observantia, quae / vitam dicunt honestam ac regula conveniensem / ad quas confluxerant octo persona de antiquo con-/ventu ...” Reformation des Klosters Söflingen, 1484/1485: StadtA Ulm U5953
nuns “in disgrace and to the shame of the Order and Jesus Christ our redeemer,” had
taken up in a “secular residence,” suggesting that their brief residence in the Sammlung or
in Günzburg still indicated a willful and impious spirit. With regard to the friars, there
was less effort to expel them because they “spontaneously desired to leave the
place….detesting justice and good habits, [proving the house] needed to be renovated.”

As was the case with the rhetoric used in the attempts to solicit support for the reform of
the Franciscan convents presented earlier, we can see in Locher own rhetoric the attempt
to depict the actions of the Conventual nuns in negative light, especially with regard to
their moral character, which he hoped would resonate with the tribunal in Strasbourg and
with the papal curia. Lochner’s description of how the friars left their convent was not
accurate. The method used to reform the friary was for the abbots to interview the friars
individually, a different process than had occurred in Söflingen. In either event, the city
argued that the Conventual case should be dismissed because it was a cause of scandal to
the people but “in all things, especially in vows or promises, they are not open to
persuasion.”

A brief list of ten “articles” accompanied the other document prepared for the
adjudication in Strasbourg by another agent of Ulm named Ulrich Lochner. These
articles outline specific transgressions of the nuns of Söflingen and the Franciscan friars

141 “…et alia de antiquo conventu laxatis ha-/benis ac monachali modestia seusq[ue] vercundia in seculari
habitaculo habitant in opporobrium ac scandalum ordinis ac Jesu Christi Redemptoris/ nostri, cui suam
integritatem voluteate spontanea revoverunt, gravem offensam…” Reformation des Klosters Söflingen,
1484/1485: StadtA Ulm U5953
142 “Non est opus / exarare cum spontanea cesserint loco / et si quod absit neq[ue] cor hominis
dubita[t]o / huiusmodi vana / occupat, prior vita jure ac / moribus bonis detestanda, renovari debet…”
Reformation des Klosters Söflingen, 1484/1485: StadtA Ulm U5953
143 “timeo profecto quod, haec res in magnum / periculum ac scandalum praesertim laicorum cederet, qui in
omnib[us], praesertim votis seu permissionibus, non sunt persuadibiles.” StadtA Ulm U5953
144 Miller states that the list (apparently the same document from the same archival collection) was prepared
by Konrad Locher, “Die Söflinger Briefe,” 44. See Ulrich Lochner, Regesten über den Prozess um die
Reformation vor der Strassburger Kurie, 1485: StAL B509: U669a and U669b.
without any particular order and reiterate, if in a more emphatic way, Ulm’s claims that Söflingen was a dissolute community. The list begins with the claim that “the old women, in particular, have had their own property. They continue to have it.” The list continues with accusations of inappropriately furnished cells, of women having children in the cloister (kinder gehabt haben—though the phrase getrug[en] und is crossed out), of friars bathing at Söflingen, and people having been known to dance inside the cloister and celebrate Mardi Gras with various changes of clothes. In addition, it charged that the nuns pawned books to the Jews, that both priests and laymen had eaten with the nuns in the cloister, and that at night they had climbed over the walls and entered the cloister.

Most of the charges echo earlier claims, but this brief list, compiled for use in the judicial process between the city and the convent again emphasizes either how concerned the members of the city council were about the moral reputation of the convent or the author’s belief that these types of arguments would have a positive effect in defending the need to intervene within the cloister, or perhaps both. As Miller has stated, though, it seemed the further away from Ulm one went, the bolder and more exaggerated the rumors became. The implication that the women had traffic with the Jews of the city added an additional boundary that the women has crossed, not to mention the implication of sexual impropriety within the convent grounds with both lay and religious men, for whose actions the nuns of Söflingen bore responsibility.

147 “Man kann sich des eindrucks nicht erwehren, daß die Anklagen gegen die Söflinger Klarissen desto umfangreicher und massiver waren, je weiter weg von Ulm und Söflingen und von den beklagten Frauen sie vorgebracht wurden.” Miller, “Die Söflinger Briefe,” 47.
At the first meeting in Pfullendorf, the representative of Ulm did not relent on the point that the nuns of Söflingen had been living licentiously, generally if not in specific cases, and that they were unwilling to conform to their Rule. Abbess Christina Strölerin and the nuns of Söflingen at Günzburg argued that they had been living according to the Rule as they understood it, and that they had been living orderly and honorable lives.\textsuperscript{148} As Miller related, Christina argued that she had repeatedly asked the authorities in Ulm if anything in the cloister could be improved, to which the city council’s answer was always “no.”\textsuperscript{149} Further, she had requested the assistance of the city in the case of the two Rüßlin sisters, which the city had granted. She believed this at least offered a token of her sincerity that the community lives an orderly life. With regard to property, she claimed that she lived under the Rule of St. Clare, which permitted property and not the Rule of St. Francis, which technically did not. As Miller noted, this was not accurate for either Rule but it did not matter: the representatives of the city insisted on strict enclosure and the prohibition against private property among the nuns as a means to correct what they saw as a lack of discipline and a propensity to scandal within the religious community and which, they insisted yet again, was in turn a cause of scandal among the laity for whom, of course, the nuns set a poor example.\textsuperscript{150}

The parties were deposed at Pfullendorf in July 1484, at St. Gall on the 26\textsuperscript{th} of July 1486 and August 27\textsuperscript{th}, 1486. There was little new information to add at the conferences in 1486 and it became apparent that both sides wished to conclude the

\textsuperscript{148} Miller, “Die Söflinger Briefe,” 43-44.

\textsuperscript{149} Miller, “Die Söflinger Briefe,” 48.

\textsuperscript{150} Miller, “Die Söflinger Briefe,” 49.
lengthy process. In September 1486, Frederick III issued to Bishop Johannes of Augsburg a mandate that permitted the nuns at Günzberg to be allowed back into the convent at Söflingen on the condition that they uphold the Observance. The nuns set out from Günzburg on November 16th, 1485 only to find the gates locked and, despite reading the emperor’s mandate, representatives of the city council refused to admit them, demanding the mandate be confirmed in triplicate. The nuns returned to Günzburg. Finally, aware that the situation appeared to have stalled, perhaps from the unproductive meetings in St. Gall and Lindau in December of 1486, Innocent VIII instructed Johannes of Augsburg to bring the matter to a close through a compromise between the two sides.

The compromise that was drawn up on October 27th, 1486 contained fifteen points of agreement between the two parties. Many of the points stressed the need to reunify the community and put the conflict behind them. Point eight granted that “the women who return to Söflingen shall neither be attacked nor shamed, either with words or evil deeds, for past and bygone matters and issues have been done…so that in all things an honorable peace and unity may increase and vileness and disunity will be restrained.” The same point also ensured that all the nuns were eligible to hold offices in the cloister and participate equally in chapter meetings. Some concessions were made to the returning nuns in point seven, specifically that Christina Strölerin, “Mother Els” von Züllenhart and

151 For the records of the depositions and the testament of the Günzburg party see Notarial Instrument of Nicolaus Vögli, July 8th, 1485, StAL B509: U668 and Notarial Instrument of Johannes Wölffin, October 20th, 1485, StAL B509: U71.
153 Bishop Johannes of Augsburg, Konrad Frölich among others, Report, November 16th, 1485: StAL B509: U676. It would appear the walls of the convent were finally able to keep people from entering.
154 “so sollen die frawen, so in das closter Seiflingen wider komen…verganger und beschechner ding und sachen halben eder mit worten noch mit wercken gevarlich nicht angezogen noch beschuldigt werden. …damit in allen dingen dester eer frid und ainikait gemeret und widerwärktikait und un ainikait nidergetrikit werd alles ane geveder.” Heinrich von Züllenhard and Hans Ehinger von Pfaffenhofen, Settlement between the Ulm Conventuals and…October 27th, 1486 in Miller,“Die Streit um die Reform,” 191-2.
Magdalen von Westerstetten were allowed to keep the parlor (called the “Strölerin parlor”) and a lay-sister as a servant, apparently on account of their age and their need for assistance.\textsuperscript{155} Finally, points thirteen and fifteen reiterate the offer that if any of the Conventual nuns wanted to leave for another cloister, they would be compensated with a payment of 100 gulden and a yearly stipend of ten gulden. Point five allowed the nuns to speak with their friends and visitors through the conventual grill.

The agreement stressed that the cloister was now under the administration of the Observant Poor Clares and whatever concessions or compromises would be granted had already been given. The agreements stated in several points that the Observance was to be adhered to by all and could not be undermined by any of the nuns. In particular, the nuns were to obey their superiors in all things such as “the eating of meat, with regular fasts, lying in bed, wearing linen, breaking periods of silence and in other good ordinances.”\textsuperscript{156} The inhabitants of the cloister were prohibited from leaving unless it was to enter another cloister (for which they needed a papal dispensation) or to help found a new Clarissan community. Further, the Conventuals were responsible for a payment calculated at 5,300 gulden for legal expenses, and Christina Strölerin had to attest before two public notaries about the property and income of the convent; anything viewed as

\textsuperscript{155} “…mutter Els von Züllnhart und Magdalen von Westerstetten in fsd obgemelt closter Seeilings komen wurden, so sol den selben uß gnaden ingelassen und ingegeb werden das gemach order die stub genant der Strölerin stub und dartzu ain servicial oder layen swöster, died der benanted frow Cristinen und den andern alten frowen dien und zuwarte nach haischung irer notturft.” Züllenhard and Ehinger, Settlement in Miller, “Die Streit,” 191. One cannot overlook that the three named women come from influential families.\textsuperscript{156} “…so sollen alle frawen und ain yeglich bseonder, so in das closter Seeilings kommen und ingan gehalten werden wäterlichen unf fruntlichen in allen dingen, darin ir obrer oder ain abtissin zu Seeilings zu dispensieren haben, das it mit flaisch essen , mit vasten inhalt der regel, uff betten zu ligen, linis zu tragen , swigen zu brechen und in andern gueten ordingen der gestalt…” Züllenhard and Ehinger in Miller, “Die Streit um die Reform,” 191.
being excessive was to be forfeited to the Heilig-Geist-Spital. While the agreement offered some concessions to the Conventuals, the standard list of complaints made against them throughout the process was clearly reflected in the final settlement.

Some of the Conventuals chose to go to other houses, and Miller notes that Magdalena von Suntheim and a relative named Helena entered the Dominican convent in Constance. Three other sisters went to different Clarissan houses, including Elisabeth von Züllenhard, mentioned in reference to the parlor. The others, roughly twenty nuns including the former abbess, Christina Strölerin, stayed in Söflingen. The October agreement was confirmed by members of both parties in November and the Provincial Minister George Summer and the former Conventual party issued a quitclaim on the same day. By January of 1487, the Innocent VIII had approved the settlement, offering his apostolic greetings “to those through whom your peace and quiet is minded and scandal is averted willingly.” The resolution of legal proceedings regarding the Conventual Franciscans lasted for roughly three years and marks the most dramatic efforts of the city of Ulm to reform its religious houses. It also highlights the complex intersection between place and identity, in that for three years the “nuns of Söflingen” had actually lived in Günzburg.

157 Points 2, 10, 12 and 14 in Züllenhard and Ehinger in Miller, “Die Streit um die Reform,” 191-192. Miller notes that the final sum for the reform itself was 9,839 ½ florins. Miller, “Die Söflinger Briefe,” 57.
158 Miller, “Die Söflinger Briefe,” 58.
159 Notarial Instrument of Bartholomens Locher and Gallus Balneatoris, November 7th, 1486, StAL B509 668 and 669.
The *Sammlung*

There was not a reform movement *per se* of tertiary communities and the *Sammlung*’s formal existence was framed by its obedience to the Franciscans but largely without specific reference to any Rule. The city council had confirmed the statutes and agreements of the community throughout its existence. However, the disruption of the religious communities in the city and the changes in their administration provided the context for confirmation of the *Sammlung*’s statutes. In May of 1487, a few months after the settlement of the Franciscan reforms, the *Sammlung* sisters drafted a request to have their statutes confirmed by the Bishop Hugo von Hohenlandenberg of Constance.\(^\text{161}\) The women stated that their community was ordered according to the “Rule of Francis” (*Regula Francisci*), and listed the statutes that had been traditionally enforced in the community. The number of professed in the community was to remain at twelve women who were at least ten years old. They insisted that they were enclosed, or as they had it, acting as a “a perpetual keep and goal,” perhaps taking a lesson from the complaints against the Poor Clares of Söflingen.\(^\text{162}\) Under the confirmed statutes, the community was still headed by a prioress (*Meisterin*) elected by the women from among themselves. Some things did change, however: no person, spiritual or secular, could name a sister of the community as a beneficiary, a break with the tradition of the community.\(^\text{163}\)

When the struggle between the Conventual and Observant Franciscans broke out, the Conventuals relinquished control of the *Sammlung* and the regulation of that

---

\(^{161}\) Der Sammlung confirmata Statuta und Ordnung beten, StadtA Ulm U3266. This document is a later copy of an original document.

\(^{162}\)“In smtlicher Annnehmung der Regul Francisci Aufrichtung ewigen Keerkers und Gefängnüß, um ihre Articul und Sachen zu handhaben.” Der Sammlung confirmata Statuta und Ordnung beten, StadtA Ulm U3266

\(^{163}\)“Soller die Zeit betten und anders, darum ein brieff vorhanden; daß weder geist[liche] noch weltliche personen kain Convent-Schwester erben…” Der Sammlung confirmata Statuta und Ordnung beten, StadtA Ulm U3266
community passed into the hands of the bishop of Constance, who delegated that exercise to the parish priest of Ulm. The transfer of the Sammlung to the care of the bishop of Constance was formally recognized by the Franciscan Provincial, George Summer, and confirmed by a papal bull in 1488. The process must have stung Summer, as the notice of transfer indicates that it occurred because, although the house was confirmed as a house de tertia Regula sancti francisci, Summer and his successors “freely and of his own will, conceded all supervision and rights which you had [over the Sammlung to the bishop of Constance].” The transfer of the Sammlung into the care of the bishop of Constance marked the end of the presence of Conventual Franciscans in Ulm.

A document from 1515, likely written by Ulrich Krafft to the city council of Ulm records regulations that he, in his capacity as the local vicar of the bishop, established or wished to see enforced. The articles aimed at restricting the women’s movement outside the cloister for any reason without the knowledge and permission of the parish priest or his representative and specified the places in the convent where the sisters could speak with visitors, especially men. The consequence for violation of these rules was...
excommunication, which the priest or his representative alone could lift. The Franciscan friars are not mentioned and it is unclear what association they continued to have with the women in the *Sammlung*, if any. Their daily life was increasingly integrated within the parish of Ulm, which was directed by the city council.

With the transfer of jurisdiction over the *Sammlung* to the bishop of Constance, the effort to reform the mendicant communities of Ulm was brought to its conclusion, although it does not necessarily mark the end of a “reforming” period, as the city council continued to be involved in disputes about religious reform. In the early sixteenth century, the city council of Ulm was called on to settle a dispute between the provost of Roggenburg, an independent Premonstratensian abbey southeast of Ulm, and his community. In the settlement, the council included the authoritative qualification that “The council should be to you…as your Order’s superiors and other prelates,” and later, “the mayor and council of the city of Ulm are concerned with those things which relate to the monastery of the Roggenburg, both spiritual and worldly.”

In this case then, the mayor and council of Ulm claimed not simply the usual privileges of patronage and protection as justification for their authority to decide between the abbot and the convent, but claimed that authority equal, if not superior, to that of a prelate. The confidence of the members of the city council to decide matters within religious communities had come a long way from their first efforts to reform the Poor Clares of Söflingen in 1434.

168 “Rat sollte sy...als Ir obern and ander pralaten” .... “Burgermeister und Rat der statt Ulm als in gäislichen und weltichen state des gotzhawss Rogenburg Obern aug metcklichin ursachen.” The Negotiations of Ulm with Cloister Roggenburg in the Turmoil between the Abbot and the Community and Request of a Reform, 1503-1504: Stadt A Ulm A1997
Conclusion

The city council of Ulm had pursued religious reform of one type or another in the city’s mendicant communities for more than fifty years from 1434 to 1488. The value of reformed communities must have been high because successive generations of council members continued to engage in religious reform. Eventually, the city council had considerable success in the sense that most of the mendicant communities underwent some type of reform. Even though there was no “reform moment” for the Sammlung, the terms of its statutes, renewed in the period of reform, suggested that the sisters were sensitive to the city council’s expectations of communities of religious women. This chapter has shown that the city council was initially less adept at negotiating the field of religious reform than it had been in dealing with aristocrats and other cities as discussed in Chapter 3, but the council could draw upon those earlier political experiences to help realize its goals. In the face of resistance to, or a lack of understanding about, the politics of reform within each Order, the city the council expanded its contacts in Rome and made allies who could also secure legal instruments that would nullify previous privileges and exemptions. The members of the city council or its agents, in their correspondence, also began to market the reform using rhetorical language meant to emphasize the spiritual dangers that the unreformed religious posed not just to their own communities, but to the Christian community of Ulm. For them to allow the communities to remain unreformed was to invite disobedience, scandal, and disaster: situations that threatened the council as much as it threatened the religious Orders. Each step it took to reform the mendicant communities, though, increased the council’s own competence in the field of religion and emphasized the ability of the councilmen to discipline the religious who lived within the
council’s jurisdiction. The more they operated within this field, the more the members of the city council began to arrogate aspects of religious authority, beginning with the purchase of the administrative rights to the parish, which happened at exactly the same time that they agitated to reform the convent at Söflingen. The members of the council wanted the religious to be “good examples” for the people of Ulm, both in terms of how the religious behaved and how they obeyed their superiors. Both these cases of exemplarity were of equal importance to the city council. The use of armed guildsmen in instituting the reforms echoes the laws of Ulm that required all citizens to help persuade persons to obedience to the council.

The institution of reforms was not simply a display of power on the council’s part, however, and as we have seen in this chapter, the reformers within religious Orders both wanted to cooperate with the council to affect reforms and the council needed the cooperation of the religious Orders. From its own correspondence after the reform of the Dominican convent, it appears that the councilmen were unclear of what the Rules of different Orders required of their members or how to force the religious to fulfill those requirements. Without the help of the Orders, the city council could not have secured reformed personnel to supplant the unreformed religious, a critical aspect in breaking down resistance to the reforms. The position of the Observant reformers was similar to the position of the members of the council. On the one hand, many of them were motivated by a sincere belief that their Order needed to be reformed and had to be reformed for the good of the Christian social order. On the other hand, as indicated by the roles that Jodocus Wind, Heinrich Riss, or Christina Strölerin played in the narrative of reform, each religious could shape their career by supporting or opposing the reforms,
which helped shape local conditions. In order for the Observants, those religious who believed they operated in the best interests of the Order, to overcome local resistance, it was necessary for them in many cases to cooperate with powerful authorities outside their Orders and this cooperation necessarily meant a potential change in the Orders’ relations with those authorities.

From the correspondence between the members of the council and the Dominicans, it becomes apparent that the council also hoped for other benefits from the reforms: better preachers, a connection to intellectuals, the promotion of university-trained men to positions of importance, a city of religious houses that had been brought into a rigorous and popular movement supported by the aristocracy and urban authorities throughout Europe. The processes by which the religious communities were reformed often meant that the event of reform often took place in public, in that the population of Ulm, especially the guildsmen, appeared to know and be involved in the reforms. Ludwig Fuchs appears to have counted on public opinion to persuade the Franciscans to accept the reform and the city council used citizens to help institute the reforms among the Franciscan friar and at Söflingen. They were also public in the sense that some of the benefits were conceived of in terms of the spiritual benefits to the people of the city. This was not altruism, however, because the public nature of the reforms also communicated the council’s power to adjust society to fit more precisely within an urban vision of unity and obedience that supposedly fostered security and salvation.

The reforms operated through an intersection of interests between the Observants and the city council, therefore, and the result was the successful reform of the mendicant communities in Ulm. The reforms were an investment in the spiritual well-being of the
city on the part of both the councilmembers and the reformers. However, as the reformers hoped to increase the responsiveness of the religious to organization regulations, the city council also hoped that the reform of the religious would have a beneficial impact on the population of Ulm, both in spiritual terms as well as in how the religious served as “good examples” of obedience. This was particularly true of the role the friars played as preachers and agents of catechesis. If the preaching of the friars was no longer viewed as beneficial, or the religious were no longer viewed by the council as “good examples,” then the authority of the council could certainly be brought to bear against them in another round of reform, with less resistance, given the confidence the council had gained in acting in religious matter. In order to support this view, the next chapter will analyze the unexpected results of the Observant reforms in the post-reform and Reformation periods in the sixteenth century.
CHAPTER VI

REFORMED MENDICANTS AND THE PROTESTANT REFORMATION

Introduction

Chapter 2 showed that the Observant reformers had become aware of the difficulties of trying to force reforms on convents of unwilling religious and as a result had begun to cooperate with secular authorities to institute the desired reforms. Many of the Observants saw their actions as connected both to the renewal of the individual religious and to a renewed piety within a society they considered threatened by such physical manifestations of evil as heresies and witchcraft. Their goal was to revive their Orders by enforcing the strict observance of the original Rule and the Constitutions, especially though the elimination of exemptions, and thereby create communities of virtue that served as an example of sanctity for the laity to emulate. It was their hope that in practicing the strict observance that individual religious would develop a type of behavioral constancy (hexis) marked by obedience to the Rule and the Constitutions, and to their superiors, fraternal behavior towards their fellow religious, and the respectful, or even cheerful, undertaking of all socially useful tasks. The goal of this regimen was to neutralize the perceived causes of decline. Chapter 3 showed the tensions that existed with a medieval German commune and the methods employed to mitigate the worst

---

1 See Johannes Meyer’s “brotherly, trustworthy rebuke” at the conclusion to the second book in this Buch der Reformacio Prediger Ordens, II.25, 52-54. Among other points, he admonishes them to “not be unloving, argumentative, and divided with each other” (daz wir nit under an drent zyten unminsam, krigig und gezwayet..) and that they keep themselves away from idleness (müssig), Buch der Reformacio, II.25, 53.
aspects of social inequality by means of a political settlement that created a sworn association of citizens and a subsequent rigid and conservative culture of hierarchy and deference. The city council regularly passed laws that governed the moral and social conduct of citizens and non-citizens; even the wealthy patricians had to obey the laws that they passed, although the patricians continued to enjoy the legal sanction of exclusionary practices that symbolized their domination of Ulmer society, such as exclusive meeting or dining establishments, their association with the aristocracy, and sumptuary privileges.\(^2\) Periods of economic and social distress threatened the cooperation between the different social groups and scandals threatened the stability of the political settlement just as it threatened the city council, which was supposed to represent the mutually beneficial nature of that settlement. Chapter 5 brought together these two groups in their attempts to benefit from the reform of the mendicant communities of Ulm, an effort in which the interests of the reformers and the members of the city council intersected.

In addition to granting themselves a more direct role in the affairs of the religious communities, council members also hoped to acquire better preachers through the reforms, a desirable outcome congruent with the private and public investment in religious and cultural projects within the city, above all the building and decoration of the Münster. This chapter builds on this information to analyze the results of the reforms and the relationship of the mendicant communities to the city council and the population of Ulm in the sixteenth century, to connect the history of the Observant reforms with the history of the mendicant communities during the period of the Protestant Reformation.

---

and, finally, to show how the institution of reforms in the fifteenth century established expectations on the part of the city council about how the mendicant communities would function in Ulm’s society. The mendicants did not necessarily share these expectations, and they proved incapable of meeting them, despite an earnest attempt to compete against Protestant challengers. As a particular time of social unrest, the council found it necessary to respond to social pressures “from below” by asserting its religious authority in new ways while trying to limit the potential for conflict with other political authorities within the Holy Roman Empire.

By the end of the fifteenth century, the mendicant reformers could point to considerable successes in their efforts. There were still divisions and holdouts in every Order, and although the non-reformed houses generally outnumbered the reformed in most Orders, many Observant communities energetically engaged in a variety of activities, both secular and spiritual, that earned them the respect of their contemporaries. Furthermore, their effort to instill greater spiritual depth among the members of religious Orders and to improve catechetical and devotional instruction to the laity expanded in the fifteenth century and included even traditionally ascetic and reclusive religious communities like the Carthusians. Some of the religious contributed to the development of devotional practices that coalesced into the rosary in the fifteenth century, which mixed monastic meditations on the life of Christ with well-known Christian prayers, a devotion that was congruent with Johannes Nider’s belief that the

---

3 As an example, for the Order of Friars Preachers, only Teutonia, the province that comprised southern Germany, did the Observant friaries comprise a majority. Klaus-Bernward Springer, *Die Deutschen Dominikaner in Widerstand und Anpassung während der Reformationszeit* (Berlin: Akademie Verlag, 1999), 11-17.

laity could follow a daily routine of simple prayer that imitated the religious’ practice of reading the Divine Office, but suited to life outside the convent.\textsuperscript{5} In Italy, Bernardino of Siena promoted devotion to the Holy Name of Jesus (signified by the monogram “YHS”) in an attempt to curb factional urban violence.\textsuperscript{6} While the goal of reformers was to strengthen and invigorate religious Orders, they were also engaged in a variety of cultural conversations with the laity about devotional practices.\textsuperscript{7} As John Van Engen has recently argued in analyzing historiographic trends on the fifteenth-century, this century was its own epoch, a period of time that cannot be easily reduced to narratives of “decline” or even “harvest.”\textsuperscript{8}

The Observant reforms were a sign of energy and activity within the religious Orders but the late fifteenth and early sixteenth centuries also posed challenges for the religious. While the Dominican Master General Thomas de Vio Cajetan had successfully urged Leo X to dissolve the Conventual Congregation in Teutonia in 1518, effectively restoring unity to the Friars Preachers in southern Germany, the division among the Friars Minor had reach such a state by 1517 that the Order of Friars Minor was formally divided into two separate Orders: the Friars Minor Observant and the Friars Minor Conventual.\textsuperscript{9}

The reformers had also produced a body of literature that, although meant to be critical of

\textsuperscript{9} After 1475, the number of Observant friars comprised the majority in the province of Teutonia, upon which the non-Observant friars formed their own administrative congregation with permission from the then Master General. Spinger, \textit{Die Deutschen Dominikaner}, 15-17; Moorman, \textit{A History of the Franciscan Order}, 582-584. The division between the Conventual and Observant Franciscans had become increasingly permanent, despite the attempt of Ministers General and popes to reunify the friars. Moorman, 567-575. In 1525, a group of strict Observants broke away and formed the Order of Friars Minor Capuchin.
the unreformed, often seem to confirm the hypocrisy, worldliness, of the mendicants, and the ineffectiveness of the friars in their preaching. Criticisms of the friars for their inappropriate wealth or turgid intellectual life, also a part of the polemic between Observants and their opponents, percolated in late medieval literature and found their way into the satires written by such leading literary figures as Erasmus of Rotterdam and Sebastian Brandt. In a case similar to the controversy involving Johannes Mühlberg in the 1410s, some Dominican friars attacked the Brethren of the Common Life, arguing that they should not be able to collect alms and that their form of life was illegitimate. Humanist scholars challenged the mendicant monopoly of university education. This was especially true in German-speaking regions of Europe, where the study of classical texts lent itself to an emerging, if never well-defined, sense of “nation” that, in the minds of some humanists, distinguished Germans from foreigners, particularly Italians. Much criticism was also levelled against the church and religious Orders by clergy and religious, who still pursued reform programs in various ways. The willingness of the guilds to “assault” the convents at Ulm during the Observant reforms, at the request of

10 For instance see the episode related by Johannes Busch about the Franciscans, already noted in Chapter 2, Johannes Busch, Chronicon Windeshemense und Liber de Reformation monasteriorum, ed. Karl Grube. (Halle: Druck und Verlag Otto Handel, 1886), IV.2, 729; see also Konrad Pellikan’s narrative about Franciscans handling money raised from the sale of indulgences, Das Chronikon des Konrad Pellikan (Basel, 1877), 59
the city council, however, suggests that the privileged status of the friars had become vulnerable by the fifteenth century and could be challenged by the city council, even in religious matters. Ulmer society had placed high expectations on the Observant religious, but those demands were a sign of the reformer’s success and indicate the changing spiritual landscape that they had helped to create.

In the early sixteenth century, the field of religion shifted rapidly and the value of religious discourses and practices that had sustained the religious Orders for centuries were challenged by aggressive competitors who either demanded that the religious conform to new expectations or even that the concept of the sacramental system should be abolished along with the clergy and religious who, in Bourdieu’s terms, distributed its goods.16 The goal of this chapter is to understand the processes by which the mendicant communities lost their support in Ulm as the city moved towards Protestantism. It began with the friar’s ostracism from Ulmer society, and culminated with the expulsion of the friars in 1531. In order to achieve this, a large part of this chapter is dedicated to analyzing the conflict between the religious, particularly the friars, and their evangelical detractors, especially those who had themselves once been members of the Observant convents at Ulm. The chapter will start with an examination of the reformed mendicant houses in Ulm after the reforms, in order to establish their status after the Observant reforms and their relationship with the city. It will then outline how the friars, engaged in an ongoing series of debates with early evangelical preachers and pamphleteers. Their criticisms about the functions of the mendicants in German society, and the subsequent conflict over preaching in the city, helped to shape public opinion about the mendicants.

especially the friars. Finally, the chapter will conclude with a brief narrative about the post-Reformation fate of the Observant communities of Ulm in the years after 1531 and the city’s publication of a church ordinance that established Protestantism and governed the religious practices and ecclesiastical establishments of Ulm.

The Situation of the Reformed Convents

The Success of the Reformed Convents

For three of the religious houses in this study, the late fifteenth and early sixteenth centuries were a time when the Observant reforms brought real vitality and new activity to their communities, and this in turn contributed to the apparent renewal of their Orders within the region. The Dominican and Clarissan houses were responsible for spreading the Observant reforms by providing personnel to other reformed communities and these communities were also responsible for an increased manuscript production of liturgical and spiritual texts, and hosted several important theologians. Ludwig Fuchs, a native of Ulm, is mentioned in the sources as prior of the Ulm convent as early as 1453, and after the reform became a reforming specialist and important figure in the provincial administration. In 1474 he was tasked with the care of the Alsatian convents and in the same year participated in the reform of the Frankfurt friary. Later he was responsible for the reform of Dominican communities of both friars and nuns in Swäbisch Gmünd as

---

well as being the Provincial Vicar for the Swabian circle of Dominican communities. As prior of the Ulm friary, Fuchs likely helped foster book production at the Dominican house. The historian Hermann Tüchle notes that the few surviving manuscripts from the Dominican convent of Ulm that have are generally associated with Fuchs’s time as prior, with several manuscripts coming from his own hand. A customary published by Julius Endriß was probably produced by Fuchs himself. The tasks of compiling the cartulary of the house as well as the financial register also date from the post-reform period and were most likely works begun under Fuchs.

In addition to Fuchs’ wide-ranging efforts on behalf of the Observance outside of Ulm, new chapels were built within the Ulm convent, including one dedicated to St. Dominic, an indication that the reforms were important in asserting a specifically Dominican identity. Felix Fabri also established a rosary confraternity, spreading the devotion in Ulm. From having hosted only a few provincial chapter meetings before the institution of the Observant reforms, the Ulm cloister began to host these annual meetings more frequently. More importantly, the Ulm house was acquiring a reputation both within the Order and within Germany through the reputation of some of its members who had been recognized by their contemporaries for their intellectual achievements. The oft-cited Fabri is one example. Having produced both the first history of the city of Ulm as

23 He recorded the form of his rosary in his Evagatorium in Terrae sanctae, Arabiae et Egypti peregrinatnem, as in Frank, “Franziskaner und Dominikaner in vorreformatischen Ulm,” 135.
well as the more famous Evagatorium relating his three pilgrimages to the Holy Land, Fabri also worked with early printers by producing indexes for the printer Johannes Zainer the Elder. Other notable members associated with the Ulm convent include Ludwig Fuchs’ nephew, Heinrich Fuchs, who travelled to Italy to earn his baccalaureate degree at the famed Florentine house of Santa Maria sopra Minerva, where he likely met Savonarola. The Ulm cloister also became associated with both Ulrich and Konrad Köllin, who, as natives of the city of Ulm, entered the Dominican Order there in 1492. The convent was also the home convent of Petrus Siber, who, in 1501 became the first friar from the Ulm convent to be elected as Provincial Prior. Ludwig Fuch’s energy and commitment to the Observant reform invigorated the Dominican convent of Ulm in remarkable ways.

The archival records give us some indication of the types of literature that entered the Dominican convent after the reform period. The library of the Dominican house underwent several divisions after the dispersal of the friars from Ulm in the Reformation, and this makes reconstructing its late medieval contents difficult. However, the archival record preserves two lists that provide some indication of what the library contained at the time when the Dominicans were expelled from Ulm. The lists are found in Stadtarchiv Ulm A[8991], a multi-volume compilation of Reformation sources. The sources appear to be lists of books borrowed from the library and later returned,

25 The Dominicans were the chief supporters of Zainer after his initial patron, the humanist physician Heinrich Steinhöwel died. See Peter Amelung, Johannes Zainer der Ältere und der Jüngere, trans. Ruth Schwab-Rosenthal (Los Angeles : Kenneth Karmiole, 1985), 7-9.
27 Nikolaus Paulus, Die Deutschen Dominikaner in Kampfe mit Luther, 1518-1536 (Freiburg-im-Breisgau: Herdersche Verlagshandlung, 1903), 111-134.
28 Frank, “Reform and Reformation,” 267.
29 Book lists from the Former Dominican Library, StadtA Ulm A[8991] 208r-217r.
apparently under the supervision of the schoolmaster and his aides. The first, dated 1537, lists fifty titles borrowed by Wilhelm Krafft. The second list dates from 1548 and contains forty titles borrowed by Johannes Piscatorius, a former Dominican friar and later Protestant preacher; compiled by various hands including those of Leonhard Soer (the parish preacher), Gall Spenlin (the schoolmaster) and Johannes Ul (the assistant schoolmaster), who noted that the books were not returned in good condition.  

The first list, from 1537, contains titles from classical authors, including Josephus, Priscian, Ptolemy, Plato, Lactantius, and several works by Cicero, the most frequently listed being his *De Officiis*. This list also includes titles from medieval theologians and historians, the *De animalibus* of Albertus Magnus and the works of Vincent of Beauvais, including the *Speculum moralis* and the *Speculum historiale*. The reading of the Ulm friars seems to have been grounded in classics and the works of other Dominicans but several titles are indicative of new acquisitions and even a certain sensitivity to cultural trends after the institution of the Observant reforms and for that reason warrant some examination. For instance, the list includes the *Tractatus de malificiis*, written by the Italian jurist Angelo Gambiglioni and published in 1472 in Italy. Other contemporary Italian titles and authors included a *Tractatus variis poetarium* by Lorenzo Valla and the *Cornucopia of Niccolo Perotti* (a critical work on the poetry of Martial), which was published in 1478.  

---

was the *Margarita Philosophica* of Gregor Reisch, first published in Freiburg-im-Breisgau in 1503. Reisch, a Swabian Carthusian, professor at Freiburg, and humanist, wrote the *Margarita Philosophica* as an encyclopedia with chapters covering various fields of study; it became famous, however, for its novel representations of the human body.\(^{32}\) Given the dates of publication, these works were clearly post-reform acquisitions.

The second list was compiled in 1547 or perhaps 1550, depending on whether there was an initial list to which later annotations were added or whether it was drawn up in 1547 at the time the books were borrowed.\(^{33}\) There are considerable differences between the 1538 and 1547 list, which may be explained by the borrower, Wilhelm Krafft, a politician, and perhaps more interested in classics, history, and political science than Johannes Piscatorius.\(^{34}\) The second list of books includes titles that are decidedly more theological, and includes especially patristic sources by Origen, Augustine of Hippo, Jerome, Hilary of Arles, and John Chrysostom. Gregory the Great’s *Moralia in Job* is listed as are two of Bede’s biblical commentaries. Among medieval religious writers, Albertus Magnus is listed as the author of three titles, all biblical commentaries, as is Nicholas of Lyra and his *Postilliae* of the New Testament, one of the most popular and widely used biblical commentaries of its time.\(^{35}\) The focus of this second list is

\(^{32}\) See the introduction by Andrew Cunningham and Sachiko Kusukawa in *Natural Philosophy Epitomized: Books 8-11 of Gregor Reisch’s Philosophical Pearl (1503)*, trans. and ed. by Andrew Cunningham and Sachiko Kusukawa (Aldershot: Ashgate, 2010).

\(^{33}\) The archival source had one version of the list which skips some twenty titles and then repeats with the same introduction but then lists the complete forty titles, so it is not clear if the first list was a draft from 1548 that was incomplete or if the archival records were simply copied incorrectly.

\(^{34}\) The name Wilhelm Krafft may refer to either the Elder or the Young (father and son respectively) both of whom were council members in the period of the Reformation.

\(^{35}\) For Nicholas of Lyra’s influence, see Deeana Klepper’s introduction to *The Insight of Unbelievers: Nicholas of Lyra and Christian Reading of Jewish Text in the Later Middle Ages* (Philadelphia: University of Pennsylvania Press, 2008).
decidedly biblical and contains a considerably different selection of titles than the first list does.

We know that one of the hallmarks of the Observant reforms was increased manuscript production (often of liturgical rather than theological materials) and book collection, as indicated by the study of Werner Williams-Krapp. It is clear that at least some of the titles could have come into the cloister only after the reform and, given his long tenure, most likely under the leadership of Fuchs. The newer titles in the library at Ulm suggest some awareness of the development of humanism, the Dominican friar and humanist Wilhelm Hammer was a lector in Ulm shortly before religious debate broke out in the city in the 1520s, but it is unclear how these books were used in the Dominican convent or why they were acquired in the first place. Although the Dominican were generally considered to be conservative, the Observants did emphasize education (especially university education) and friars from the Ulm convent are known to have been sent to study at Tübingen and Vienna, places with an established studia humanitatis by the 1470s. It would appear, at the very least, that some members of the Ulm convent were conversant with humanist trends in Italy and German-speaking regions.

The Dominicans and Franciscans seemed to have enjoyed good relations with members of the city guilds in the period after the reforms. The Dominicans became

---

37 Paulus, Die Deutschen Dominikaner, 181-186.
38 See James Overfield, Humanism and Scholasticism in Late Medieval Germany (Princeton, NJ: Princeton University Press, 1984), 110-112. The apparent interest in humanistic learning should also be coupled with the fairly conservative nature of German universities, especially the University of Vienna. The Dominicans reformers were particularly interesting in promoting a neo-Thomist realism, which may have made them less popular with some aristocrats, than those religious Orders who were associated with nominalism or humanism, see Bernhard Neidiger, Das Dominikanerkloster Stuttgart, die Kanoniker von gemeinsamen Leben in Urach und die gründung der Universität Tübingen (Stuttgart: Klett-Cotta, 1993), 39-45.
affiliated with both the weavers’ and the wool weavers’ “Brotherhood of St. Sebastian.”\(^{39}\)

The Dominicans celebrated masses for the associated guildsmen on their saints’ feast day and the fraternity met in their convent. The Franciscans were affiliated with a Confraternity of St. Francis, founded by the city council in 1517, apparently at the request of the citizens of Ulm, which celebrated the feast of their patron saint with sung services for three weeks after his feast day.\(^ {40}\) Although the reforms may have limited the type or amount of property the Dominicans were able to accept from their patrons, they nevertheless continued to receive such gifts and even to engage in new forms of patronage, especially the reservation of pews by the laity in the church. Although the sources indicate that three such transactions took place in the late fifteenth century, the sale of seats in a mendicant chapel is still indicative of the popularity and influence that the friars had within the city. As far as one can tell, the reforms of the Dominican house were a success and led to a renewal of support, or at least new types of donations. Once the reform of the Ulm house was a more or less settled fact, Fuchs continued to promote the Observance by overseeing the reform of the Frankfurt friary and several Dominican nunneries in the region.\(^ {41}\) His activities, serving his own interests would certainly have been associated with the city of Ulm, as would the later works of Felix Fabri.

Another sign of the efficacy of the reforms within was the 1507 annuity of 1,100 gulden to the city of Esslingen for annual payments of 44 gulden.\(^ {42}\) The annuity was to be collected in the city of Esslingen, which suggests that the Ulm Dominicans either planned

\(^{39}\) Kopialbuch des Predigerklosters, StadtA Ulm A[7172]: 188v-189r and 191v-192v.

\(^{40}\) City Council of Ulm, Vom Brief eines Ersamen Rathes zu Ulm bestattiget der Bruderschaft Sanct Franciscus, 1517: Ulm: Stadtarchiv Ulm, A[1324/1].

\(^{41}\) Geiger, *Die Reichsstadt Ulm*, 61.

\(^{42}\) Mayor and City Council of Esslingen, Kaufbrief, November 27\(^ \text{th} \), 1507.; StadtA Ulm A Urk Ve. 1507 November 27\(^ \text{th} \).
to travel yearly to collect this sum or could afford to employ agents to conduct its affairs, such as the local Dominican convent in Esslingen. It is not clear what the cloister wanted with the money, but the ability of the friars to raise 1,100 gulden and to purchase this type of financial instrument indicates again that even if the finances of the friary did not rival those of Söflingen, it is nevertheless difficult to say that theirs was a “poor” house in the same sense that it had been before the reforms.43

Söflingen can also be considered a successful community for the Observant movement. Although the nuns had resisted attempts at reform for more than eighty years, once the institutional and personnel issues had been settled, the house engaged in activities typical of reformed houses. They aided in the reform of at least two other Clarissan communities by introducing the customs from the influential convent of Pfullingen, a house that the Poor Clares of Söflingen had helped to found nearly two centuries earlier.44 Söflingen also hosted the Capuchin friars in the sixteenth century while that group of strict Franciscans attempted to establish a house in Ulm.45 Although nothing came of those plans, the Clarissan house still served as a staging area from which the Capuchins ministered to the Catholics of the area in the later sixteenth century, indicating that even though the unity of the Order of Friars Minor has dissolved under pressure of the Observant reforms, the Poor Clares appear to have been on good terms with different groups of Franciscans. That nuns of Söflingen helped to foster the strict

43 There is continuing documentation of new donations or augmented anniversaries for both the Franciscans and the Dominicans in this period. For the Dominicans see Wilhalm Ehinger and Christoph Ehinger, Ain Jahrtag Stiftung, 1497: StadtA Ulm A[7172/1].
Observance in the region and supported the mission of the friars, is indicative of the growing “orderliness” of the medieval religious communities.

The Poor Clares of the Söflingen also began to put their considerable wealth to use by renovating or rebuilding some of the central buildings within its compound. Beginning shortly after the reforms, the abbess commissioned the complete rebuilding of the physical convent, and the sisters were compelled to live in their own guesthouse for several years while the construction of a new dormitory and refectory were underway. In some sense this is also typical of late medieval cloisters and conforms to a pattern of “physical” renewal of older buildings and the consolidation of cloister properties. The nuns of Söflingen in 1499 also rebuilt a house near Esslingen that had been destroyed in one of the conflicts between that city and the counts of Württemberg. The funds were raised through a forced loan levied on the sisters, totaling 586 pounds heller, from which they each received 27 pounds yearly derived from properties along the Danube.\textsuperscript{46} Both the Poor Clares and the Dominicans appear to have used loans to generate regular incomes, a fact that is surprising given the place that poverty played in the thought of the Observants. The Poor Clares were expected to hold property, but these loans yielded to the nuns cash, the use of which is unclear at this point. The Dominicans were also less concerned with strict poverty than the Franciscans, but the sum raised for the agreement with Esslingen was substantial and, on the surface, at least appears to be the type of wealth from which the mendicants had hoped to distance themselves, though perhaps that was the purpose of the sale.

The post-reform activities of the Dominican friars and the Poor Clares largely support a view that the reforms in Ulm were successful in that the religious helped spread

\textsuperscript{46} Frank, \textit{Die Klarissenkloster Söfligen}, 77-79.
the Observance, and raised their profiles among their own religious Order and in the city, for they appear to have had good relations with the population and the city council.

Earlier assessments that suggest the Observant reforms were failures because they did not prevent the anticlericalism and anti-fraternalism of the Reformation must take into account this generation of post-reform activity. Of course, the measure by which one gauges “successes” and “failures” will determine the final evaluation, but in the case of late-medieval and pre-Reformation Ulm there seems to have been a considerable renewal of interest in the religious and broad civic support for them. The Dominican friars and the Poor Clares appear more active in the life of their Orders than they had before, the religious were reading more, producing and collecting books, having stronger ties to other houses in the their Orders, and engaging in the promotion of the religious life within the city and the region.

While it appears that the Franciscans were forced to divest itself of some properties, they appear to have been in good financial condition and there are some indications that they enjoyed good relations with the population of Ulm and within their Orders. Even the unreformed Augustinian convent of St. Michael’s Wengen exhibited vitality that has been associated with reformed cloisters. Although the attempts at a specific reform seem to have been ineffectual, the house did enjoy the leadership of two strong provosts, Vitus Tösel (1489-97) and Johannes Mann (1497-1507). The canons of St. Michael’s flourished and engaged in a sustained expansion of their manuscript

---

47 Despite complaints by the city council about the Franciscan house, donations were made up to the time of the reform, including the fund established by the physician and humanist Heinrich Steinhöwel at late as 1478. See The Fund of Dr. Steinheil in the Franciscan House, 1478-1714: StadtA Ulm A[3755]. Established in 1478, it was administered by the Krafft family in the sixteenth century, who directed its resources to supporting education, particularly the rector of the Latin school, Martin Balticus, see A[3755], Bü 8 and Bü 12.
production and holdings.\textsuperscript{48} Enjoying, like Söflingen, considerable wealth from their properties and the energetic actions of its bibliophilic leaders, the canons expanded the compound, building a new residence for the prior, improving the convent church and compound, and compiling sources for the history of the community, an enterprise that is reminiscent of Fabri’s historical writing.\textsuperscript{49} Partly stimulated by the reform efforts supported by city council and partly as a result of the wealth and influence of Ulm, the religious were a part of a dramatic increase in cultural production at Ulm that included printers, painters, architects, writers, physicians, politicians, and a host of international visitors, all of whom helped to make the city that city Felix Fabri celebrated in his \textit{Tractatus} and he is himself indicative of many of these overlapping trends and the council’s ability to foster their existence in Ulm.

Problems and Disputes in the \textit{Sammlung}

The most contentious religious community in the period after the reforms was the \textit{Sammlung}. Although the \textit{Sammlung} had been largely under the authority of the city council since its founding, the religious women were formally associated with the Franciscans and under the friars’ spiritual care until the period of the reforms. When the position of the Conventual Franciscans was threatened in 1484 by the Observants, the conventuals transferred jurisdiction over their tertiaries to the bishop of Constance.\textsuperscript{50} Beginning in 1488, after the conventual Franciscans had transferred the pastoral care of the community to the bishop of Constance, the parish priest of Ulm, Heinrich Neithardt

\textsuperscript{49} Ernst, “Wengenkloster,” 103-104.
the Elder, began to make regular visits to the community on behalf of the bishop. Yet almost the same time that its regulation was transferred to the bishop conflict ensued between the parish priest and the bishop over the relative authority of each to regulate the community and intervene in internal disputes. The most significant dispute occurred in the late 1490s and involved a contested election for the admission of a new member of the community.

In 1497, Kunigunde Krafft, a member of the Krafft family, asked to join the Sammlung when a vacancy occurred in the community. Her candidacy was supported by Prioress Cäcelia Ehinger and five other members of the community. Five other sisters, however, voted to accept a different candidate named Felicitas Löwen. This electoral division appears to have caused conflict within the community because Heinrich Neithardt, at the time priest of the parish, became involved and “after he thoroughly examined the election he dismissed and invalidated the one [Felicitas Löwen, presumably] and so the sister [Kunigunde Krafftin] was rightly elected and permitted to make her profession.” Neithardt’s action, however, apparently did not satisfy the other sisters and they began to flaunt the authority of the prioress. By her own account the prioress recorded that the five sisters became disobedient, leaving the cloister without her

51 Gatz, “Ulm: Sammlung am Frauenstraße,” 166; Geiger, Die Reichsstadt Ulm, 94-95.
53 All the women that have been named so far were members of patrician families.
54 “als Er [Neithardt] die Walen fleissigklich verhör / hatt. Er die ain wal vernicht und abgethan und die / annder krefftiget und bestatiget und die Swester so / Rechtlich erwalt. der wal Er bestatigt und Sy zu der / hailgen profession lassen.” Francis Brenius, Citation to the Bishop of Constance, October 15th, 1497: StadtA Ulm A[7112] Bü 2, Doc. #5.
55 Acts concerning the Complaints of Dr. Heinrich Neithardt, c. 1500: StadtA A Ulmensien 366 / former U5387.
knowledge or permission and speaking “disgusting” words to her.⁵⁶ According to the documents created for the final arbitration at the episcopal court, the disobedient sisters were summoned by the prioress to appear before the chapter, but they failed to attend and, instead, later that night, left the cloister without the knowledge or approval of the prioress.⁵⁷ They spent the next day wandering around the city, apparently travelling to neighboring Günzberg, or wherever they wished, and becoming a source of scandal for the community.⁵⁸

After the sisters had returned to the cloister, Neithardt took it upon himself to punish them by prohibiting them from eating in the refectory. In response the disobedient sisters appealed to the bishop of Constance, Hugo von Hohenlandenberg.⁵⁹ The bishop ruled against Neithardt’s punishment and his decision about permitting Kunigunde Krafftin’s election, at which point Neithardt appealed to Rome, but he died before he could make his case. The final decision from Rome allowed both Felicitas Löwen and Kunigunde Krafftin to make profession at the same time, putting the number of professed women at thirteen this one time. The community had to pay the cost of the appeal, 1,560 gulden. The Bishop Hugo asserted his right to regulate the community at the conclusion of this dispute, although he affirmed that the priest of Ulm should undertake the regular visitation of the community.⁶⁰

⁵⁷ Statement of the Sammlung Prioress, 1499: StadtA Ulm A[7112/1].
⁶⁰ Hugo von Hohenlandenberg, Letter to Konrad Krafft concerning the Visitation of Sammlung, April 22nd, 1516: StadtA Ulm A Urk 1516.
Kunigunde Krafft seems to have been involved in a second dispute with a later prioress, Juliana Stambler, in 1524. An agreement between the two women, recorded by the city council in 1424 (but apparently reached through the mediation of the abbot of Blaubeuren) does not give specific details about the conflict, though the sense is that it involved disobedience and acts contrary to the statutes of the community. While both women were admonished in the document to put enmity behind them, its author addressed Kunigunde specifically, asking that she “should not exert herself in indignation and unkindness to any but rather conduct herself in each and every thing with all obedience.” 61 The episodes involving Kunigunde Krafft were not the only problems that the Sammlung had and the transfer of regulatory authority to the the bishop seemed to have made it possible for the cloister sisters to complain quite frequently about internal disputes which do not appear to have been typical in the period before the reforms (though that may be only a matter of improved record keeping on the part of the city council at the turn of the 15th century). As Jodi Bilinkoff has argued regarding post-Tridentine religion, if increased male regulation of women’s houses was a clear move against women’s independence and agency, it also forced men to spend more time with women and all but required women to write more about their own experiences. 62 The same is true of the Sammlung sisters as the amount of correspondence between the Sammlung and the city council grew in the later fifteenth century, and included the bills of the community, and records of elections, and disputes among the sisters. While the city

61 “…soll sych fraw / Kunigůnd Crefftlin geg[en] meiner frawen / Maistern unnd dem Conůent annd[er]s / unwillen unnd unfreuntschaft [auch] nit / ainemen +[gpreuchen] Sonnder derselb[en] +[+allen sunst und sonnd[er]] In aller gehorsams.”
council had been successful in reforming the Franciscan convents of the city, the transfer of oversight from the friars to the bishop meant that disputes that had to be resolved in Constance at great expense, as the conflicts involving Kunigunde Krafft show.

Conflicts also occurred between other religious communities and the citizens or subjects of Ulm or the city authorities, though in some cases the disputes were part of the normal course of any property-owning entity. Apparently concerned that the nuns of Söflingen would elect an abbess who would allow the convent to return to a less strict lifestyle, Pope Alexander VI directed the Observant vicar in 1495 to prohibit, even against the will of the nuns, the election of Conventual nuns to a position of authority.63 The nuns of Söflingen also came into conflict over the right to appoint the priest to parish churches within their territory or under their patronage, especially at the parish church of St. George in Ehrenstettin.64 In one sense these conflicts are unremarkable: property breeds lawsuits and lawsuits generate animosity but these examples do not necessarily indicate a persistent ill-will between the civil authorities and the reformed cloisters or between the cloisters and the laity amongst whom they lived and worked. We can see in these examples that the mendicant communities of Ulm had been largely strengthened in the period following the reform that their relationships with most members of the community were good.

As I argued in the previous chapter, the city council’s oversight in religious institutions had increased because of the Observant reforms and their role in the parish

63 Pope Alexander VI, Letter to the Provincial Vicar of the Observant Dominicans, 1495 Nov. 17th; StAL B509, U722.
64 Conflicts with the enfeigned pastor of Harthausen over his failure to pay tithes owed to Söflingen provoked Abbess Cordula von Raischach to excommunicate him. Bishop Hugo of Constance, Agreement between Andreas Hoffmann and Abbess Cordula Raischach, 1517 Aug. 29th; StAL B509 U827.
also increased with the purchase of the rights to manage the Ulmer parish.\textsuperscript{65} This role brought the council into closer proximity to the day to day problems of the religious communities as well as of the secular clergy. For instance, the historian Gottfried Geiger lists several cases in which the city council undertook the discipline of secular clergy in the late fifteenth century. The council heard complaints against a priest, known only as “Rebenschneider” (Root-cutter), who sold roots he had collected in order to make ends meet, a task deemed unfitting for a member of the clergy.\textsuperscript{66} There were also more serious problems: one priest was accused of having killed a man in a street fight and another was assaulted in the sacristy of the Münster.\textsuperscript{67} The council simultaneously began to exercise more influence over public morality. The council issued a \textit{Zechverbot}, a prohibition against letting certain persons drink within the city, particularly those who had a reputation for public drunkenness. In 1520 the council issued a decree against certain forms of swearing, which they considered to be blasphemy, by prohibiting the use of words in an oath or curse that were associated with Christian veneration, such as Eucharist, blood, sweat, body, or any other physical attribute of Jesus.\textsuperscript{68} High ranking members of the city council also participated in the punishment of clergy. A case from 1496 indicates that the abbot of Wiblingen acted on behalf of the bishop of Constance in punishing a priest named Peter Erhart, who was guilty of “misdeeds” and being held in custody until sentence was passed against him.\textsuperscript{69} Members of the city council and the council itself regularly acted in a paternalistic fashion to preserve the moral order of the city and for the spiritual health of the inhabitants of the city.

\textsuperscript{65} Chapter 5, 223-224.
\textsuperscript{66} Geiger, \textit{Die Reichsstadt Ulm}, 111-112.
\textsuperscript{67} Geiger, \textit{Die Reichsstadt Ulm}, 175-176.
\textsuperscript{68} City Council of Ulm, Vorhalt des Rats wegen Gotteslästerei, 1520: StadtA Ulm A Ulmensien 444.
\textsuperscript{69} Acta: Der priester bestraffung allhier zu Ulm (1496): StadtA Ulm A[1310].
This attempt to maintain the spiritual benefits that the religious and the clergy brought while also regulating their behavior is analogous to other attempts made by city councils to regulate and define appropriate behavior within the city among the population at large. In this same period, the council issued ordinances that dealt with the “inhabitants” of the city, prohibiting people from staying within the city at night unless a citizen vouched for their behavior, and so bringing the presence of non-citizens within the city under increasing regulation. Increased authority was given to the Bettelherrn, the committee composed of councilmen and citizens to oversee the poor, to intervene in cases that had traditionally been the province of ecclesiastical authorities.

As happened in many other German cities that faced an increase of the poor and destitute in the second quarter of the sixteenth century, Ulm’s police ordinances became more critical of public behavior, anxious about civic welfare, and generally distrustful of beggars within the city who were not citizens, affiliated with a citizen, or a resident of the Spital. This does not mean that the city council no longer provided for the poor or starving, they did, but poverty, once a potential hallmark of individual sanctity and a God-given opportunity to practice mercy and charity, had become colored by the need to

---

70 “Das furohin niemant kaynen frembden/beywoner oder beywonerin/allain oder selbs ander/ on wyssend unnd willen der bettel herin/So yeder zeytting ampt sein werden/ über zwen tag/nitt herbergen/ Der gelichen/soll auch niemant/kaynem beywonder unnd beywonerin/kain gemach/oder behaußuns/on sonnder wyssen/willen unnd zülasse/n/ier der Bettelherrn/verleichen.” The City Council of Ulm, Ordnung der Beiwohner, 1527: StadtA Ulm A 3785, 1v.

71 Civic welfare in Ulm, as in other cities, was distributed through religious, ecclesiastical, and civic institutions, especially the Spital. The situation at Ulm, in which the council increased oversight and book-keeping associated with social welfare was probably influenced by conditions after the Peasants’ War. See Philip L. Kintner, “Welfare, Reformation, and Dearth at Memmingen,” in Reformation of Charity: The Secular and the Religious in Early Modern Poor Relief, ed. Thomas Max Safley, 63-75 (Boston and Leiden: Brill Academic Publishers, 2003). For the trend that moved jurisdictional oversight from the ecclesiastical courts to secular courts in the cities, see Joel F. Harrington, Reordering Marriage and Society (Cambridge: Cambridge University Press, 1995), 139-142.

distinguish the truly needy from the less deserving, both defined in terms set by the city council.

The Reformation at Ulm

The Beginning of the Reformation

It is difficult to know when the first evangelical preachers became active near Ulm, because they appear to have preached outside of the city “in open fields” and also because it is unclear from which direction they came, from Zwingli’s Switzerland or Luther’s Saxony, if indeed their ideas came from any particular theological background. We can speak of “hinge” figures who may presaged some of the ideas later espoused by Protestants but who must be considered in their own context without projecting their values back to Luther or Zwingli. The nineteenth-century historian Carl Keim listed the first members of the Reformation as the parish priest Ulrich Krafft (1500-1516) and his successor and cousin Konrad Krafft (1516-1519). Keim reached this conclusion in part because Ulrich Krafft was a critic of contemporary church conditions and disapproved of, but did not oppose, the city council’s request for an indulgence for the Münster in 1514. In other ways the two Kraffts attempted to rectify problems within the parish and exert greater control over its priests and policies. Ulrich established the first rectory and, being concerned about the educational climate of the city, bequeathed his own personal library to the city. It formed the basis of the city library that has lasted to the present day.

73 See Carl Keim, Die Reformation der Reichsstadt Ulm: Ein Beitrag zur schwäbischen und deutschen Reformationsgeschichte (Stuttgart: Druck und Verlag der Chr. Blifer’schen Buchhandlung, 1851), 27-30 and Geiger, Die Reichsstadt Ulm, 137-140. Keim is careful about how he presents this information, claiming that Krafft, whose sermons contained “katholischen Anklagen, auf deren nähere Ausführung wir verzichten, leicht doch aus diesen Predigten ein ächt evangelischer Geist heraus,” 28. Opposition to indulgences in terms that would resonate in Luther’s writing prevalent in the late fifteenth century. See Kaufmann, Die Reformation, 63-65, 79-84.
74 Geiger, Die Reichsstadt Ulm, 141.
also true that Konrad Krafft came into conflict with the religious over the canonical obligation of parishioners to attend mass regularly in their own parish, which was not a new conflict between the mendicant Orders and the secular clergy, even in Ulm.\textsuperscript{75}

Given that Keim associated the religious orders with papal authority, it is not surprising that he saw in the two priests the escalation of sentiments that would be fully manifested in the Reformation. However, the Kraffts were more representative of late medieval Catholic piety than harbingers of the Reformation, cusp figures who worked diligently to improve the conditions of the parish, and whose thought was also indicative of the council’s concerns over public morality. These tendencies are best represented in Ulrich Krafft’s tract \textit{Das ist der geistlich streit}, published in 1517, but based on sermons delivered during the first weeks of Lent in 1513.\textsuperscript{76} In this tract, Krafft encouraged his listeners to engage the disciplines of Lent by considering Jesus as a military figure, whom the listener or reader (or both) follows into the wilderness to struggle against the enemy and his temptations. Particularly during Lent, the Christian struggles against the three cardinal sins of anger, gluttony, and pride, which can be overcome by dutifully following the example of Jesus, their chief (\textit{Hauptmann}).\textsuperscript{77} One might call the work scholastic because of its constant schematic method of presentation but there also is a persistent call to heed the Gospel and to struggle against sin, confident of God’s grace- a discourse that would have had some resonance with the early Protestants. At the same time, Krafft endorsed the sacraments, especially confession and the Eucharist, as necessary “weapons” that served, along with faith and earnest prayer, to defeat temptation and


\textsuperscript{76} Ulrich Krafft, \textit{Das ist der geistlich streit}, 1517: Ulm Stadtbibliothek 24648; here 1-2.

\textsuperscript{77} Ulrich Krafft, \textit{Das ist der geistlich streit}, 3-5.
enable the faithful to imitate Christ. The genre of the handbook whose model was Christian knight, was fairly common in late medieval German lands, and represented most notably by the *Enchiridion* of Erasmus and the equally popular *Il combattimento spirituale* of Lorenzo Scupoli, published in Venice in 1530. Krafft’s book, though earlier than either Erasmus’s or Scupoli’s, was considerably less popular. This theme would persist in later Protestant writings, particularly in the writing of Heinrich Kettenbach, who thought of the knightly motif as a metaphor but who was particularly fond of early Protestant knights like Franz von Sickingen and Ulrich von Hutten.

Whenever evangelical writings or preachers first appeared in Ulm, both had little impact on church life, and the city council generally met them with hostility, although members of the humanist circle of Ulm warmed to Luther as soon as his writings became available. In an oft-quoted statement, Wolfgang Rychard called Luther “another Elias” who spoke as one having authority. Jacob Boehme, the humanist prior of the Deutschorden house at Ulm appears to have been likewise supportive of Luther’s early writings. The council of Ulm, on the other hand, although confident of its authority with regard to traditional religious institutions, was more cautious about the early Protestants. Thus, the evangelical preachers that are mentioned in sources were those who were punished by the council. In 1522, the city council punished the first Lutheran sympathizers, which only exacerbated debates within the community over religious issues. Fittingly for this study, the first explicitly Lutheran sympathizers of whom we know were three members the Observant Franciscan convent in Ulm. They were Heinrich

---

Kettenbach, Johann Eberlin von Günzburg, and Johannes Rot-Locher. Of these three, it is Eberlin von Günzburg and Heinrich Kettenbach who exemplify continuities with the earlier Observants, discussing the failings within their Orders with regard to preaching and obedience to the Rule but they also exhibited a clear break with the medieval church in their views about religious Orders and the organization of the church.

Johann Eberlin von Günzburg

Of the three Franciscans, Johann Eberlin von Günzburg was perhaps the most prolific and best known writer, though all three wrote polemical tracts that helped to spread the early Lutheran movement. He was born near Günzburg to the east of Ulm between 1460 and 1470, though the exact date is uncertain. He wrote later that he had been encouraged to join the Observant Franciscans by Johan Körner von Scherdüng and he seems to have done so around 1501, making his profession in Observant convent at Heilbronn. By 1521 he was appointed as the preacher at Ulm, where he likely met Heinrich Kettenbach for the first time. By the time he arrived in Ulm, he appears to have already been familiar with Luther’s works. Early on, he thought that Luther’s calls for reform, the general thrust of south-German humanism, and Observant spirituality were ultimately compatible. His support for Luther quickly brought him in conflict within his convent. According to a later broadside entitled *Die ander trew vermahung*, Eberlin

---
80 These are those Franciscans that are associated with the Ulm cloister, though, as Dipple has pointed out, the phenomenon of Franciscans-turned-anti-Franciscans was not unique to the Ulm cloisters; Dipple, 1-5. See also Paul Kalkoff, “Die Prädikanten Rot-Locher, Eberlin und Kettenbach,” *Archiv für Reformationsgeschichte* 25 (1928): 128-150.
81 Dipple, *Antifraternalism*, 41.
suggested that his fellow Franciscans sought to expel him from the convent several times, and that he was saved only by the intervention of the city council. Whatever the case may be, the Franciscans did expel him from the Franciscan Order in 1522 and from Ulm a year later. Heinrich Kettenbach appears to have remained in the convent at Ulm after Eberlin von Günzburg’s expulsion. Having been expelled by the Franciscans, Eberlin became a committed enemy of the Franciscans and composed his first series of pamphlets, eventually assembled into a loosely unified collection called the Der 15 Bundsgenossen. Eberlin went to Wittenberg where he studied at the university and met Martin Luther, though he does not appear to have been on close terms with him. While Eberlin’s writing from his early Wittenberg period show a retreat from his earlier attacks on the clergy, by 1523 Luther encouraged Eberlin and others to write against the mendicant orders specifically.

Eberlin, like other former religious, took up the written conflict with zeal, mixing personal experience as a former member of a religious Order with the emerging clerical (and anticlerical) theology of Luther. He became a popular pamphleteer and his broadsides, along with those of Kettenbach, constitute the basis for Keim’s study of pre-Reformation religion, and remain important for understanding the transition from “medieval” religious reform to the more sweeping Reformation. Eberlin frequently

84 “…Do durch ich von eüch getriben wurd/wider dreyfältig gebet eines gantze[n] erben rat zu Ulm/ welche ernstlich (wie sy dann inn gemeinem volck solliche begird auch erfunde[n]t) an meiner oberkeit werb[e]n liessen/mich zûbehalten.” Johannes Eberlin von Günzburg, Die ander getrew vermahnung, 1524: Stadbibliothek Ulm 24 563, 1v. As Geiger has indicated, there is no mention of these interventions in the extent council documents. Geiger, “Die reformatischen Initia Johann Eberlins von Günzburg,” 187. It seems difficult to believe that Eberlin would invent such interventions, given that the pamphlet was specifically addressed to the city council but what he meant is unclear. Further, Eberlin writes that his letter is sent “wider ewern willen und gebet” and so he attempts to correct his former errors not orally (mündlich) as he wants but rather in a written form (schriftlich.) Such a statement suggests that he may not have been welcome in Ulm, though he expresses considerable devotion to the city and its inhabitants.

85 Dipple, Antifraternalism, 34-35.
attacked the mendicants and accused them in his tracts of exhibiting some of the worst failings of all the clergy. Many of his broadsides were dedicated or addressed to the people or the city council of Ulm, to which he tried to return and preach as a supporter of Luther. He dedicated an entire broadside entitled *Wider die falshen Geistlichen, gennant die Barfuser und Franziskaner*, published in 1524, to criticizing almost everything about the Franciscans. The method he employed in this tract was to work his way through each successive chapter of the Rule of St. Francis to prove that it was, in its essence, contrary to sacred scriptures, common sense, and reason.  

Like an Observant friar might, he began by pointing out that the Franciscans were not living up to the Rule of the Order or the example of Francis. He presented the reader with a depiction of the ideal Franciscan friar: someone who wears poor clothing, sleeps on the floor, never seeks fame through academic work, and is fully obedient and humble. The sense of poverty is entirely in keeping with the Observant view of the Franciscan idealization of poverty, even if it is an exaggeration that no Franciscan could uphold. Next, and perhaps indicative of the changes in Eberlin’s thought, this Franciscan went about with the Gospel “in his mouth,” preaching it to everyone he met and living it himself, as Francis had done. In this sense, the “Gospel” appears to be both the literal scriptures as well as their ethical and salvific prescriptions (the way in which believers

---


87 Eberlin von Günzburg. *Wider die falshen Geistlichen*, 45. “Zaigt an allen menschen, das sy auch aygens leyb / not kait oder klaine acht haben. Einseltigkait der klaiderund geschmicks, und grosse gehorsam, kayn titell auff / den hohen schulen nemen, ob sy auch etwann geleert seynd, auch / selent farend noch reytent kostlych, zaigt, das sy kayner / eer noch geprangks begrig seyend. Das sy weder inn gmayn noch in sonderhay nycht aygens habendt.” His praise of the order is half sincere, even going so far as to note the preacher in Heilbronn that prompted him to join the order. At the end of the section of false praise, Eberlin asks why the order should be so popular and yet it members fail to keep even their own rules, and proceeds with his more negative view of the order.

were saved and how they were to behave).\textsuperscript{89} As Miriam Chrisman has noted, however, such terms had fluid meanings in the early days of the Reformation, and their meaning was formalized by different groups only at a later date.\textsuperscript{90} This double-sided complaint colored his thought about the religious: they do not live up to their own profession and they do not live up to the mission of evangelization as Eberlin understood it. In frustration, a frustration shared by Observant reformers, he pointed to the “countless changing and renewing of the statues,” and the various “sects” within the Order, meaning the groups that developed in the course of the medieval period over differences in the interpretation of the Rule and life.\textsuperscript{91} Their division and legalism, he believed, contradicted their preaching mission and, however popular they were (he gave contemporary examples of kings and nobles supporting the Order), their way of life was not supported by Scripture. When presenting his own ideal preacher, however, Eberlin von Günzburg still included the familiar reform idea that the preacher should be a “good example for the people.”\textsuperscript{92}

The rest of \textit{Wider die falschen Geistlichen} is dedicated to going through each chapter of the Rule of St. Francis to show that it is ultimately incompatible with Scripture. So, on the one hand the religious do not follow their own Rule, an accusation


\textsuperscript{91} “Meer stattuten sy haben dan die Juden gesetzlin. Mer sected im orden seynd dann tag im iar, Conventuales, Martinianai, Obseruantini, De stricta obseruancia… Wer kan die würm und das geschwürm alles ertzelen,” Eberlin von Günzburg, \textit{Wider die falschen Geistlichen}, 48.

that suggests both disobedience and lack of personal dedication. On the other, even if they did obey their Rule, and were wholly dedicated to carrying out its prescriptions, they did so in preference to obeying the Gospel, setting the Rule above scripture because the religious life does not fulfill a Christian mission for the salvation of souls. While he persistently focused on the Franciscans, he also directed criticisms at all of the religious in Ulm in a different tract titled Die ander getrew vermahnung, dedicated to the citizens of Ulm, and published in 1523, during the height of the Evangelical assault on the friars.93 Eberlin begins Die ander getrew vermahnung by stating that he was writing both as a preacher to the city as well as a citizen “variously bound” to the council.94 He cast himself as a new St. Paul come to the Athens of Ulm to relieve them of their “error (though I will not say foolishness),” an error that was chiefly spread by the religious (Munch) in Swabia.95 He then spent several pages demonstrating how the religious orders had become persecutors of real Christian teaching. He asked rhetorically from whom the city council had learned Christian law, stating that they could not have learned it from the professed in the Spital, who are “villainous knaves and liars,” supposed to help the poor but instead have robbed them.96 They learned nothing better from the mendicants, whose deeds were all joined to “the throne of the antichrist.”97


97 „Die bettel Munch mochten euch auch minder guts leren, dan all yhr sach ist gerichet auff bevestigung des Antichrsits stul.” “Die andere getreu Vermahnung,” 5.
Eberlin criticized the Franciscans in a manner reminiscent of Observant arguments, asking “How should the Franciscans teach you about the Gospel, which they do not understand, and, indeed, they cannot even hold to their own Rule…even their historians say so.”\(^{98}\) While Eberlin von Günzburg’s rhetoric departs from Observant rhetoric in meaningful ways, in arguing that the Rule was incompatible with scriptures and reason, it still carries with it a still-powerful memory of Observants movement and the bitter debates about the proper interpretation of the Rule of St. Francis. This rhetoric was certainly meant to resonate with the people of Ulm, for whom the reform of the Franciscan convents was still within living memory.

Within his writing, Eberlin von Günzburg revisited debates about the relationship of poverty to the Franciscan life. He even alleged that the Franciscans used forged letters from St. Francis to allow them to collect cash, despite the fact that this contradicted their own Rule. Not that the Rule itself was any good, of course, for Eberlin it is “nothing other than an antichristian order, decked out with the title and the name of the Gospel of Our Lord Jesus Christ. Its regulations and laws are aimed against the word of Christ.”\(^{99}\) Eberlin made sure to comment on all of the religious communities in Ulm. He pitied the women of the *Sammlung*, a community he calls nothing more than an “old woman’s retreat, as everyone knows.” The same is true for the nuns of Söflingen, and he lamented that he once “spent a whole hour preaching nothing other than about the third rule of Franciscans. I should have also admonished the good children of Söflingen earnestly

\(^{98}\) “Wie solten die Barfusser euch das Evangelion leren, das sye nit wißtendt, ya auch yr eigne regul nit hielten, dar auff sy so hart droten. Ihr historien halt also.” “Die andere getreue Vermahnung,” 5-6.

about their foolish Rule, and discussed the Rule of Christ, which is written in the Gospel, but I did not do that." 100 And what on earth should he say about the Dominicans? He simply implored the people of Ulm to consult the old among them and their own histories, to see if even once in a hundred years the Dominicans had brought anything but shame to the city. 101 He not only condemned the Dominicans as unspiritual, but also dismissed them as an religious order of nonsense, but he did not accuse them of being either too concerned with their Rule and Constitutions or with breaking them. 102 Although his criticisms about the religious Orders in Ulm were intended to place in the poor light, in one sense they suggest that the Observant reforms had had the desired effect of ensuring that the religious were responsive to their Rules and Constitutions.

Eberlin then criticized all the religious and the priests in Ulm for similar, fairly generalized, failings: their cloisters were all rich, they did not teach anything good (or true) to the people of Ulm, they led honest Christians into foolish beliefs tied up in rules and regulations which served the pope and came from the devil. 103 Eberlin added some specific examples: the mendicants had apparently failed to cooperate with civic authorities in caring for the sick during an outbreak of illness in the city and the privileges obtained by the mendicants during episcopal or papal schisms allowed them wider latitude in religious services that the secular clergy. 104 Their jockeying for position

100 "...so yr offt von mir gehoert habt, die regulen Fancisci zuloben, sonderlich das ich ein mal ein gantze stundt predigt nicht dan die drit regul Francisci. Ich solt auch ernstlich abgemanet haben die guten kynd zu Selfingen von yr narrischen regul, und sie gewisen auff die regul Christi, ins evanglion verfaßt, das hab ich, und dorfts nich thunn." "Die andere getreue Vermahnung," 7.
101 "Man höre, die alten dey euch, und ersuch die historien, ob die predier bey euch in hundert yaren und lenger etwas furgenommen haben, das nit zu sonderem schaden, auch zeitlich, ewr stat und volgk diene, und zu yhrem eignen nutz." "Die andere getreue Vermahnung," 7.
102 "Der Prediger (nit allein ungotseligkeyt, sonder auch) unsynnickeyt hatt die welt yetz lang zeit erkant und befunden." "Die andere getreue Vermahnung," 8.
103 Eberlin offers a satirical example of mendicant preaching, "Bundesgenoss IV," 58-59.
104 "Die andere getreue Vermahnung," 9-11.
against each other and against the parish clergy exemplified that the religious offered nothing to the people of the city and had no obedience to the city council. He wondered boldly how Ulm could ever be a peaceful city while the mendicants still resided within it.

He accused the religious of failing to live up to their Rules (which were bad anyway), and also because they were supposed to be the ones responsible for proper Christian instructions, (which he argues they also did not provide) so caught up were they in their own pointless debates and conflicts with each other.

While Eberlin’s theological views derived from a different context than those of the Observants of the fifteenth century, his rhetoric echoes some of the concerns that framed the Observant reforms about the stubbornness of the religious, their disobedience, and their poor showing in service to the Christian community.

In his writings, Eberlin used both traditional complaints against the mendicants, complaints that were not unlike those used by the Observants, as well as new arguments meant to prove the illegitimacy of the mendicant Orders. Eberlin was not a system-builder like Luther or Calvin, and although his view of the mendicants was fairly damning, he seemed more interested in reform oriented towards the common good rather than engagement in theological controversies, and he never calls for the religious to be

---

105 “Und wie mogen yhr von Ulm ein fridlich stat haben, so lang die Bettelmuch bey euch seint?” “Die andere getreue Vermahnung.” 9

106 Accusing the members of religious Orders of being more concerned with their Rules, or their conflicts with each other, in preference to the Gospel was a theme used by other Protestants. In his sermon on 1 Peter, Martin Luther argued “Daher ist es kommen, daß man so uneins ist unterinander worden, Mönche wider Pfaffen, ein Orden wider den andern….Da sind sie zugefallen und haven sich auf die Orden begeben, un meinen, der Orden sei besser weder jener; da ist der Augustiner wider den Prediger, der Carthäuser wider die Barfüßer, daß es alles zertrennt ist worden, und nirgend keine größe Uneinigkeit ist, denn unter den Orden.” Johannes Georg Walch, ed. Dr. Martin Luthers Sämmtliche Schriften vol. 10 (St. Louis: Concordia Publishing House, 1904), 1057.

107 Philip L. Kintner has argued that the city council of neighboring Memmingen took control of the charitable institutions of the city in the fourteenth century in part because the religious were not meeting the needs of the people. The value of the religious in social relief would have carried more rhetorical weight in the period after 1525. Kintner, “Welfare, Reformation, and Dearth at Memmingen,” 68-69.
dissolved. His concern for the common good of the city ran parallel to his concern for the “German Nation.” The broadsides written between 1521 and 1523 and collectively known as Die 15 Bundgenossen were dedicated to the emperor, and Eberlin asked Charles V to be the head of the “confederacy” and “establish a God-friendly regiment.”

“Bundgenoss 1” emphasizes German identity as a basis for reform, stressing the lack of utility, loyalty and friendship of the religious Orders specifically to the German nation and emperor. He pleaded with the emperor to see Luther and Ulrich von Hutten as his friends and the mendicants as the real trouble makers in German, who steal from the German lands, causing economic hardship for the German people. Eberlin recounted how the Observant Franciscans had taken more than “two times a hundred thousand” gulden from the Germans and that the four mendicant orders in total have taken seven-hundred thousand gulden, so it is “[n]ot for nothing that the mendicants strive against Hutten!” The reformed friars, far from being praised for their efforts at a zealous dedication to religion, were instead associated with a foreign power and that power’s interests, which, for Germany, was to steal its wealth in exchange for spiritual slavery and knavery (bubary). This motif of “the foreign” is persistent in the Die 15 Bundgenossen, and the mendicants are cast as the agents from “Italy and Rome” whose mission is to spread “all false, dishonest guile so that truth and faith might be broken.”

---

109 “...also das alle wysen und fürsichtigen urtheilen ein got gesellig regiment soll under die erston...” Johannes Eberling von Günzburg, “Bundgenoss 1”, 2.
110 “Aber die battel münch und Curtisanen sűchen dein und deines reichs schaden und verderbnüß, und iren aygnen nutz, ee ir ainer den tauseted thail von dinet wegen little als Hut und Luter..” “Bundgenoss 1,” 7.
111 “Bundgenoss 1,” 7.
112 “Darumb schickt der romisch pabst so offt in alle land botschaft, fürsten, und herren uneins zu machen und das noch grosser ist, die Curtisan und battel münch bringen auß frembden landen, besunder uß Italia
cautious admonition about religion in general and he did not call of the destruction of the religious Orders, and even in one “Confederate” he calls on all Christian to pity the religious in the convents because their lives are made almost unbearable by the “prelates,” who enforce the statutes of the convent harshly, in order to “lord it over” the other religious. For Eberlin, the “prelates” abuse of obedience created a culture of servility (knechtlich) within the convents and stifled the desire of pious religious to do useful religious work serving.

The arguments in some of the Bundgenossen, therefore, connect with the arguments from Die ander getrew vemahnung in trying to discredit the mendicants, especially the friars, on the basis of their lack of social value. Their place in society had been intended to serve other Christians, and from that service they derived benefits meant to facilitate that service. If they did not actually fulfill their obligations, either by preaching, teaching, or care for the needy, then their social privileges were unwarranted and their role in society was truly dubious.

Eberlin’s criticisms about legal immunities and social utility echoed the discursive markers that had been mentioned in the processes by which the city council had effected the reform of the cloisters in the fifteenth century. Although Eberlin von Günzburg and

---

113 “Aber sich, lieber fründ, den grossen falsch, lüge und tyrany der klöster prelaten, sie selbs wellen fry von allen iren statuten, wollen herren sein, und sagen, der prelat sy über den Couent, dar zů lassen sie iren scheichlern alles das nach, so lang sie minder zucht und ordnung halten dann gemein frumm leyen usserhalb der klöster.” “Bundgenoss IX,”
114 “Darumb dunckt die frommen münch güt sein nach got, das sie wollen ire kutten con in thûn, und wollen sich shamen irer fawlheit, fürhin wollen sie sich nere aintweds mit priesterlichen wercken, als predifen, pfarrer sein, oder der pfarrer mithalffer, wolten nich darvon begeren dann allein blosse not, welche aber solichs nit konne, die wollen arbeiten, dienen, und wie su mogen nach got ir narung gewinnen.” “Bundgenoss IX,” 101.
115 The critical study on the idea of the “common good” in this context is Peter Blickle, Communal Reformation: The Quest for Salvation in Sixteenth-Century Germany, trans. by Thomas Dunlap (New Jersey and London: Humanities Press, 1992).
Heinrich Kettenbach had expelled from the Ulm convent and the Order of Friars Minor by 1522, the criticism of the mendicant communities in Ulm was reaching a climax in the 1520s. The mendicants were increasingly unable to strengthen their position in Ulm, either with the city council or with the majority of the population. The largely public conflict about preaching, called the *Kanzelkrieg* or “Pulpit War,” signified the shift of the religious field in Ulm. The traditional homiletic rhetoric of the mendicants came under scrutiny by new religious agents, who valued a direct engagement with scriptural material in preaching and a clear exposition of the Christian view of salvation. The emphasis on the rhetoric of preaching put the mendicants, and their traditional preaching material, on the defensive, especially as they became the representatives of what was being called “the old faith.” In terms borrowed from Bourdieu’s sociology, the struggle to control preaching was important as a means of marketing new values, and new religious rhetoric, which served to devalue the social function of the religious Orders. Claiming to preach only “from the Bible,” was to embrace a rhetoric of disinterest whose discursive contents already favored the cultural ascent of Protestant preachers. The “Pulpit War,” served as an important step in marking the friars as illegitimate preachers without a purpose in the city and transforming the relationship between the mendicants and the city council into open hostility as councilmen began to ostracize the religious Orders, exercising the religious regulatory authority they had generated over the course of the fifteenth century.

The Pulpit War

As the writings of Johannes Eberlin von Günzburg and Heinrich Kettenbach illustrate, by 1523, the early Protestant cause had gained adherents and sympathizers in
Ulm, even if this movement’s own theological and social beliefs were still fluid and lacked intellectual or institutional coherence. By 1522, some members of the secular clergy in Ulm began openly to criticize the friars, particularly the Dominican Peter Hutz, sometimes called “Nestler,” as representatives of what was being called “the old beliefs” in distinction to the “new teaching.” In 1522, the city council arrested a priest named Martin Idelhauser, a participant in the conflict with Hutz, and sent him to the episcopal court at Constance to await trial. Under pressure from the secular clergy, however, the councilmen changed their opinion about Idelhauser, and asked the bishop of Constance to release him. By the end of the year, Idelhauser had returned to Ulm.

Two years later, in 1524, the city council arrested another popular preacher named Jost Höflich and likewise sent him to Constance. In response, members of the community, this time guild members, petitioned the city council to permit the early Protestants to preach and to silence the supporters of “old beliefs” until a general church council could be called to settle theological issues. While the city council did not create specific legislation concerning preaching at this time, in May they appointed Conrad Sam, a committed supporter of Zwingli and opponent of Hutz, as the preacher for the parish church, when the parish priest, Dr. Christoph Löschenbrand, died in 1525. The council appointed Conrad Sam as *predicanten*, preacher, and not *pleban*, parish

---

116 Hutz is called “Nestler” in the first complaint about his preaching, and in his own writings, he often acknowledges the name. See Jörg Krafft accuses Peter Hutz gen. Nestler, 3rd July 1524: StadtA Ulm A[8991] 27r. For the appellations “old” and “new,” see the responses of the clergy to the council’s proposed articles of faith, see Untitled List of Clergy’s Responses, 1531, StadtA Ulm A[8985], 1r-29v.


priest, which means that with Löschenbrand’s death, the position of parish priest in the traditional sense had come to an end.\textsuperscript{120} Sam’s appointment was peculiar not only because he was appointed as a preacher, and not the parish priest, but also because six of the previous five parish priests had been credentialed as doctors from regional universities. Sam was not so distinguished, although he had earned his license in law at Tübingen and had served as a priest in the village of Brackenheim since 1520.\textsuperscript{121} Sam’s appointment, as clerical appointments had generally been, was entirely made by the city council, but Sam was not presented to the bishop of Constance, or his representative, for investment. Sam was a fierce opponent of Hutz and he kept in regular contact with leading theologians in Switzerland, such as Ambrosius Blarer.\textsuperscript{122} Although Sam’s appointment might suggest considerable sympathy for the early Protestant cause in Ulm, the city council hoped to continue to strike a moderate path between the demands of imperial religious politics and the clear popularity of the “new teaching” among the burghers.

In a meeting of various associated cities (a Städtetag) held at Ulm in December of 1524, delegates from the leading cities of the region voted unanimously to ignore the Edict of Worms, which had banned the teaching or dissemination of Luther’s writings.\textsuperscript{123} Again, attempting to maintain a neutral position, Bernhard Besserer promoted in Ulm legislation, already enacted at Nuremburg, which insisted that all preachers in Ulm

\begin{itemize}
\item \textsuperscript{120} Geiger, \textit{Die Reichtstadt Ulm}, 179-182.
\item \textsuperscript{121} Specker, \textit{Stadtgeschichte}, 108.
\item \textsuperscript{123} Martin Brecht, “Ulm und die deutsche Reformation,” \textit{UO} 42/43 (1978): 96-119; here 100-103.
\end{itemize}
preach “according to the Word of God.” Though such language might seem vague to us, it signalled a proto-Protestant view and potentially covered everything from congruence with the “old faith” to the preaching of Anabaptists like Caspar Schwenckfeld (considered a dangerous fringe group even by pro-Protestants in the early stages of the Reformation). This stipulation was taken up by the evangelically-minded as a means to undermine the position of the religious Orders in Ulm. This understanding of the preaching prohibition was particularly exemplified in the bitter conflict that was carried on for several years between the mendicants, especially the Dominican Peter Hutz, and various Ulm Protestants who found in the preaching of the friars ample fuel for theological complaint. The conflict over mendicant preaching at Ulm coincided with the concentrated attack in 1523 on the role of the religious promoted by Luther from Wittenberg, and engaged in by many former religious against their Orders. The council temporized and permitted the debates, although when they asked Sam to moderate his preaching, he responded that he could not “be obedient to you and be disobedient to God” and that “God has now earnestly asked me and all preachers to preach his word, loudly and clearly.”

From about 1522 on, Peter Hutz and his critics were engaged in fierce debates about preaching which were based on written complaints submitted to the council. The debates also became the occasion for the publication of several broadsides by early Protestant supporters, among whom Eberlin von Günzburg and Heinrich Kettenbach

125 “E.W. hat durch die ersamen und weysen burgermayster…and mich begert, das ich meine bredigen ain zeytland mesige…..ich ye nit glaub, das E.W. mainung sey und beger, euch gehorsam und gott ungehorsam zu sein, die weyl ….nun hat gott mier und allen bredigern ernstlich gebotten, sein wort lutter und klat zu predigen…” From Sebastian Fischers Chronik, 5.
were numbered. As soon as the declaration restricting preaching to “only what was in the Gospel” was publicized, complaints against the mendicants began to appear at the city chancery, with the intent that the council should decide whether the contant could be considered based in “the Word of God,” or not. As in the Observant reforms, the idea that the city council would rule on important theological matters does not seem to have been their goal because at that time there was no leading theological figure to help guide the council in those decisions, but given the value of preaching in shaping public discourse, they could not ignore the conflicts that arose between preachers.

One of the first written complaints that appears in the sources was written on July 3rd, 1524, concerned a sermon of Peter Hutz. The complaint stated that Hutz made some of the following statements on “unnser frowen tag” and on the Sunday following, and clearly implied that these statements were not based in Scripture. The author wrote that Hutz preached “how Mary is a mediatrix, a mediatrix between God and man” and that “we should call on her as an advocate for poor sinners before God.” Most of the complaints in this list, and in many other such lists, dealt specifically with the issue of the intercession of the saints on behalf of sinners. At the conclusion of the July 3rd list, the author wrote that Hutz had “proven” these statements by quoting or referencing (the statement is not clear) Ambrose of Milan, and the traditional beliefs of the “Christian church.” The implication was that Hutz had not based his preaching on Scripture, violating the city’s prohibition about such preaching, and that such sermons were unscriptural, illegitimate, and preached in violation of the council’s decree.

127 Jörg Krafft accuses Peter Hutz gen. Nestler, 3rd July 1524: StadtA Ulm A[8991], 27r-28r.
128 “1. Er hatt gesagt wir das Maria ain mitilerin sey, ain mitilerinn zwischen gott unnd den menschen. 2. Wo hatt er gesagt, das sy sey ain fursprecherin dem armen sunder vot gott und wir sollen sy anrüffen.” Jörg Krafft accuses Peter Hutz, 27r.
At some point, the list was shown to Hutz, who then wrote a lengthy reply, article by article, to each of the alleged quotations that were the cause of suspicion. In response to the first article, for example, regarding the mediation of the saints, Hutz offered a passage from the Gospel of Luke: “when the voice of your greeting was done, that is, it was heard in my ear, (so says Elizabeth to Mary) the child in my womb rejoiced.” Hutz went on to explain the basis for the theory of saintly mediation in terms of how the voice-carried-grace of Mary’s greeting affected the child (John the Baptist) in Elizabeth’s womb. Despite his provision of a biblical text as the basis for saintly intercession, Hutz spent some time pointing out that this belief in mediation was a time-honored one within the church and had been for over a thousand-years, and was supported by Ambrose of Milan, as the complaint had admitted. In some cases, as in his response to the third article, he did not provide a biblical basis for his belief, but only demonstrated that it was not against the gospel. He did point out that the belief in mediation did not mean that they “pray to Mary and the saints as to God but as dear friends and servants of God.”

Different lists of were submitted against different preachers, including a list criticizing an unnamed Franciscan, possibly the new guardian of the Ulm cloister, Johannes Winzeler, who had already been involved in conflicts with Evangelicals in Nuremberg and Ingolstadt. Like the list for Hutz, this anti-Franciscan list offered alleged statements from the friar’s sermons that did not appear to the writer to have a basis in scripture. For instance, the friar apparently preached that St. Peter was the first

---

129 “Lucas am esten ca: schreibt also uss dem alß die stim deines grüosß ist geschehn das ist gehört werd in meinen oren (sagt Elizabeth zu Maria) hat sich erfrowdt daß kind in meinem leib.” Peter Hutz, Response to his accuser, 1524: StadtA Ulm A[8991], 30r. Based on Luke 1:44.

130 “So wir nun anruoffend Maria und die hayligen nit als got sonder alß lieb fründ und diener gottes daß sy got fur uns bittendt ist das nit wider den obgemelth spruch der bibil.” Peter Hutz, 30v.

Franciscan because he arrived in Rome without any shoes, a play on the common German name for the Franciscans, i.e., Barfüsser.\textsuperscript{132} The list included inflammatory statements that the pope had more power than the emperor, that the saints (in particular Mary) acted as intermediaries between God and humans, and that God was a “helper,” and one must still do one’s part in the process of salvation.\textsuperscript{133} More importantly, the undated list records the friar’s response to specific theological points of controversy. One article states “You say, if I have God, why do I need Mary? The devil gave you this thought!” and “You say that one doesn’t need to do anything in terms of penance, but belief by itself is sufficient. This is an evil and devilish idea!”\textsuperscript{134} Perhaps more damning were the statements that apparently claimed that reading scriptures was dangerous and that the gospels were believable because of the church’s authority.

Such statements served as fodder for those polemicists, like Eberlin von Günzberg, who claimed that the friars failed to preach, or even to understand, the scriptures. The notion that St. Peter was a Franciscan would have been seen as absurd, non-biblical, and entirely unedifying. Both Hutz’s willingness to respond vigorously to his critics, and this Franciscan’s inclusion of specific arguments concerning church doctrine, indicate a growing awareness, on the part of both the laity and the religious, of the key issues of Reformation theology as shaped by Luther, especially about the economy of salvation. Such exchanges also suggest an active engagement on the part of the religious with these criticisms.

\textsuperscript{132} Die nachuolgenden widerchristenlich[\textdagger]n und unwarhafftig[\textdagger]n artikel, [1524?], StadtA Ulm A[8991], 15fr.
The Franciscan prior responded to the accusations of unbiblical preaching in at least one written defense that has survived, but the real polemicist among the religious orders was Peter Hutz. He responded to criticisms of his preaching submitted to the city magistrates with lengthy responses that offered biblical proof-texts for his ideas. His responses were then given their own critiques by Conrad Sam and Martin Frecht, Sam’s ally and eventual successor as preacher in Ulm. In this way, the city council was able to hold a kind of debate about religious issues without a disputation, which might force their hand. The dispute was apparently made known outside Ulm, as Heinrich Kettenbach had published in 1523 a broadside against Hutz titled *Eyn Sermon Wider des Bapts Kuchen prediger zu Ulm*, which referenced Peter Hutz by name and proceeded to argue against ten points apparently made by Hutz that touched on similar themes of religious authority and mediation.\(^{135}\) Kettenbach began by stating that the Gospel is eternal and cannot pass away. He then used this understanding of the scriptures to counter Hutz’s apparent assertions that any changes from biblical prescriptions are warranted by tradition or the authority of the church. Here we see a fundamental division between the ways in which scripture was read as groups of like-minded readers began to develop interpretive communities as well as textual ones, in the terminology developed by Brian Stock.\(^{136}\) For Kettenbach, as for Luther, the sacred writings of the Bible were to be read as though fixed in their literal meaning, and historicization or glossing were viewed with suspicion as attempts to pervert the message of salvation found within them.

\(^{135}\) Heinrich Kettenbach, *Eyn sermon wider den bapts kuchen prediger zu Ulm*, 1523: Stadtbibliothek Ulm, 42 935, 2. It’s publication date suggests that the conflict between Evangelicals and the mendicants in Ulm developed before the 1524 prohibition against non-biblical preaching.

Hutz appears to have been the most prolific polemicist in Ulm for the “old faith.” In response to his written defense, six laymen, members of several guilds but mostly the goldsmiths’ guild, composed a reply that attempted to refute Hutz’s arguments. It is not clear how they heard about Hutz’s response but the major focus, again, was the issue of saintly intercession. They argued against Hutz’s use of the episode of Mary’s greeting to Elizabeth, saying that “John the Baptist rejoiced by the Holy Spirit as the angel of God had declared to Zachariah. He was filled with the Holy Spirit in his mother’s womb.” They insisted throughout that Hutz was not preaching the Gospel and that he had violated the council’s decree on biblical preaching. The situation escalated when the evangelically-minded clergy in the city, Conrad Sam and Martin Frecht, also issued a response to Hutz that utilized extensive biblical citations to prove that Hutz was wrong and his teaching non-biblical. In an attempt to resolve the escalating conflict, the city council expelled Hutz from the city in 1525. In 1526 Hutz, exiled but still agitating against his opponents in Ulm, sent the main question in the debate over the intercession of the saints for evaluation to the theological faculties at several universities. The faculties at Cologne, Tübingen and Ingolstadt returned verdicts favorable to Hutz. Indeed, the Cologne deposition suggested that the opponent should be hung by his neck until dead or until judgment day. As far as the universities could tell, Hutz was not a heretic though his opponent might well be. On the other side, the cities of Strasbourg and

137 Ulrich Ruff et al., Plea against the Response of Peter Nestler (1524), Stadt A Ulm A[8991] 34r-37r.
138 “Darauf sagen wir das solchs auß disem spruch nitt volgen mag dan Johannes hab sich gefreut auß dem hailigen geist als der Engel gottes vor Zacharie verkundiget hett. We wurd un mutter leib erfult werden mit dem hailigen geist.” Ulrich Ruff et al., Plea against the Response of Peter Nestler (1524), A[8991] 34r.
139 Conrad Sam and Martin Frecht, Plea to the City Council (1524), Stadtarchiv Ulm A[8991] 40r-47v.
140 Cologne’s response, Reformationsakten StadtA Ulm A[8991], ff. 67-71 (responses from Ingolstadt and Tübingen – f77.)
Nuremberg advised caution to the city council regarding taking action against Hutz’s opponents.  

The Importance of the Pulpit War

This preaching conflict, which lasted from 1524 to 1526, is revealing of the social and cultural changes at work in Ulm, in several ways. First, the absence of any leading theological authority in Ulm, either “papal” or “Protestant,” the “Pulpit War” can be viewed as a means by which the members of the city council could participate in shaping the religious “market” at Ulm, by punishing some preachers and allowing others to continue preaching, while at the same time shaping that market by seeing which religious discourses seemed to be more valuable to the population. By allowing the debates to run their course, the city council was able to postpone making a firm decision on religious questions, condemning neither side and creating a standard (preaching only what was based on Scripture) that both sides could theoretically agree on in this early period. The need to find safe compromises among the citizens to whom they were responsible (and the people they dominated) was balanced with the need to ensure that their choice of action did not harm Ulm’s position politically or elicit violent factionalism within the city.

Second, the source material that this debate produced offers us the ability to observe how people attempted both to shape and respond to the religious market. The

---

142 The city council had hoped, as other cities had, for some type of moderating policy that would relieve them of the impossible and unpopular policy of banning Luther’s writings. With the failure of the Speyer Reichstag to achieve such a policy, the Ulm’s council, let by Bernhard Besserer began to militate against the sacramental system. See Martin. Brecht, “Ulm und die deutsche Reformation,” 99-101.
chief issue in these debates often revolved around questions about the mediation of grace in the economy of salvation; what was at stake, however, was the license to preach. The mendicants taught that grace was mediated by the Trinity, through the church, the saints, and the sacraments to believers. Analogously, their preaching could also be called “mediated,” in the sense that the friars did not rely on Scripture alone but rather on the whole corpus of Christian literature in order to justify doctrines not explicitly supported by biblical texts. For the early Protestants, this method was dubious and, in the opinion of Johann Eberlin von Günzburg, had led to foolish or useless doctrines dispersed by equally foolish and useless preachers. The “unmediated” reading of the Gospel proposed by early Protestants, encapsulated in the term sola scriptura, could be marketed as being more directly related to personal salvation not only because, as Eberlin von Günzburg presented it in his own writing, it was “uncluttered” by foolish ideas about the bare feet of St. Peter, but also because preaching could be unhinged from the religious.

Finally, the debates in the “Pulpit War” are reflective of issues raised during the Observant reforms. Both the mendicants and the members of the city council had long been invested in the idea that a link existed between the proper formation of religion, especially in how the religious adhered to their Rules and Constitutions, on the one hand, and the efficacy of their apostolic activities among the laity on the other. If the religious were improperly formed, zeal for holiness declined and heresy (illicit dissent) followed. In its wake came was social unrest, violence, and the upsetting of the natural order. Both the Observant reformers and the city council had been motivated by this idea for different

144 For the late medieval theological views on the mediated nature of grace, see David Zachariah Flanagin, “Extra ecclesiam salus non est – sed quae ecclesiae?: Ecclesiology and Authority in the Later Middle Ages” in A Compassion to the Western Schism (1378-1411), eds. Joëlle Rollo-Koster and Thomas M. Izbicki, 333-373 (Boston and Leiden: Brill, 2009).
reasons, each seeking to further their own interests while sincerely concerned for the spiritual well-being of the people of Ulm. While the council and the reformers had been successful in implementing reforms, the effort required to produce the reforms had also revealed religious who were unwilling to embrace reform, which then required the action of the guilds to coerce the religious to be obedience and to act as “good examples” for the laity. The fact that the institution of reforms had involved such a struggle continued to offer the potential for a negative evaluation of the religious communities. The early supporters of Luther already in Ulm took this view, and eagerly participating in the attacks on the friars, reviving tropes and criticisms from late medieval antifraternal discourse, some of which the Observants themselves had used a half-century earlier. Eberlin von Günzburg, Heinrich Kettenbach, and others attacked the Observants, and they particularly, as new Pharisees who were more interested in their own internal debates and the letter of their Rules than in preaching the Gospel or working for the common good. The image of the Observants in the public’s memory was sharply contested through the polemic that surrounded the “Pulpit War.”

To tie all these important themes together, we might consider some of the problems in Peter Hutz’s response to challenges in the debates at Ulm over preaching, and contrast it to the statements made by Bernhard Besserer on the nature of religious authority. Peter Hutz was accused of preaching non-scriptural doctrines or ideas by his Protestant opponents and he seems to have been familiar enough with the text of the Bible to engage in this type of debate. He certainly offered proof-texts for his views about the mediation of grace in the economy of salvation. Hutz’s own habits of thought, however, still assumed that religious authorities were incontestable and so, when it

seemed fitting, he would cite from patristic or scholastic theologians as authorities to support his arguments, a fact which only confirmed the suspicion that his opinions were not based on “the Word of God” alone. His ability to reference Scripture to support his views may not have mattered, given his assumption that church authorities had the same importance for others as they had for him. Hutz’s attempt to gain support for his position by appealing to the theological faculties of several universities backfired, not because they sided against Hutz, they did not, but because the city council disliked having the debates aired in other parts of Germany and because they were unconvinced by the opinions of theological faculties. The members of the city council valued university education and wanted degree men to serve in the clergy but they did not want them to dictate religious policy to the city council. No matter how many biblical texts Hutz cited, his loss of legitimacy had much to do with the perception of his identity as a bearer of the “old beliefs”: the old method of interpreting Scripture, the old institutions that mediated grace, and the old institutions whose need for, and resistance to, reform had been such a nuisance. We may even say that the basis of political legitimacy established through an oath-bound corporation of citizens, cooperative alliances, and mediated power within the empire was already giving way to a new view of authority, one enunciated by Bernhard Besserer, and directly linked to his emerging Protestant views.

In an opinion written in 1527, Besserer stated “I say first of all that all authority comes from God,” that included the authority of the emperor, whose power was limited to secular, not spiritual, matters.147 Because this was so, the emperor could not lawfully command people to violate their own consciences or force civil authorities to ignore real

threats to their subjects and citizens. Thus, they could not ignore the spiritual damage done to the city by the mendicant Orders, especially in acting against the city as Hutz had done by soliciting the opinion of university theologians to condemn preachers in Ulm.\textsuperscript{148} Because the council received its authority from God, and not from an association of sworn-citizens, and because the mendicant friars were opposed of that authority, Besserer could conclude that “the council is wholly above the preaching monks.”\textsuperscript{149} The nature of spiritual authority and the interpretive dynamic of Ulm’s society were shifting away from earlier models that had validated the mendicants and towards new forms from which they were excluded. The “Pulpit War” was important in shaping opinions about preaching, spiritual authority, and the legacy of the Observant reforms.

The Reformed Convents to 1530

At a meeting of the major regional cities in Ulm in December 1524, the councilmen, feeling themselves secure among its traditional urban allies, called for an end to the priesthood, the sacraments, and the embrace by the cities of free preaching of the Gospel.\textsuperscript{150} After 1524, the council’s action became antipathetic to the religious Orders, especially the mendicants. The Catholic chronicler Nicolaus Thoman of Weißenhorn took particular note of the rise in Lutheran propaganda within the city in 1524, symbolized (for him) by requests to receive the Eucharist in both species, bread and wine.\textsuperscript{151} The council attempted to ban Peter Hutz from preaching, and when he failed

\textsuperscript{148} “It[em] sein mist man zemen kluben [zusammensuche], was sey wider ain rat gehanndallt haben, erst mit der urtell zu kellen…” “Gutachten,” in Walter, “Bernhard Besserer, 60.
\textsuperscript{149} “It[em] den brediger minch, so ain rat gantz iherlege,” “Gutachten,” in Walther, “Bernhard Besserer,” 60.
\textsuperscript{150} Brecht, “Ulm und die deutsche Reformation,” 100.
\textsuperscript{151} “In disem Jahr nams lutterish weesen zu Ulm fast zu, mit mehr anhangenden articklen darm am ersten, angesehen das haßlig Sacrament etlichin bayderlaý gestalt wollen.” Nicolaus Thoman, \textit{Weissenhornische
to comply, he was forced out of the city in 1525, though the Dominicans assigned him to work in nearby Dillingen.\textsuperscript{152} His departure from the city did not end his efforts to defend the old faith and condemn the Protestants, however. He wrote petitions to the theological faculties, as we discussed above, and enlisted the help of Johannes Eck.\textsuperscript{153} Assuming Hutz was, as Keim depicted him, the leading light among the Catholics, his relocation to Dillingen might be seen as entailing a loss of credibility with the people of Ulm or at least with the council.\textsuperscript{154} His departure from the city was an inversion of the council’s earlier requests for Dominican preachers, like Heinrich Riss and Felix Fabri, to stay in the city. Preaching was an important and influential tool in pre-modern Europe, and the case of the “Pulpit War” marked the point of departure between the Observant friars and the city council.

There were certainly intellectuals left among the mendicants who would continue to protest actions taken by the city council against them but the conflict between the friars and their Protestant opponents should be seen as the episode that cemented a sense of “victory” for the Protestants, especially their sympathizers on the council. After the departure of Hutz, the decisions of the council were increasingly difficult for the mendicants to accept. No course was set at this point, however. The city council of Ulm was still posturing, calculating its response to the politics of reform and hoping for a national council to institute general reforms in the church.\textsuperscript{155}

\textit{Chronic, zusammengetragen von P.F. Nicolao Thomanno, Capellen zu sanct Leonhard allda 1536, ” StadtA Ulm G1 1536.}
\textsuperscript{153} Walther, “Bernhard Besserer,” 40-42; Keim, \textit{Die Reformation der Reichsstadt Ulm}, 92.
\textsuperscript{154} Preserved in StadtA Ulm A[8991] in several documents, some of which Hutz calls “recently” written or sent to the council. See 30r to 47r for the period from 1524-5.
\textsuperscript{155} Brecht, “Ulm in die deutsche Reformation,” 107-108.
A year later, in 1526, the council insisted that the number of religious should be reduced to no more than thirteen persons within each of the religious communities under its jurisdiction, and, in the same year, it forced the Franciscan Guardian Winzeler out of the city. He was replaced by Johann Ulrich Kaiserberg, who participated in the conflicts about preaching and who had wanted to debate Conrad Sam on theological topics, although he was reluctant to allow the city council, composed as it was of laymen, to judge such a debate. Later in the same year, the city council issued new rules for the friars which stipulated that the friars could no longer beg within the city and no longer bury anyone in their cemetery, and reiterated that they should restrict their number at no more than thirteen persons. They were no longer to accept property or alms, were not to accept any new members, or leave the city, or allow anyone to stay within their cloister without the permission of the council. As with the Observant reforms, the city council asserted its right to dictate how the internal organization of the religious communities would be arranged and their organization limited the types of contact the friars could have with members of the community, their resources, and their presence within the city.

Both the Dominicans and the Franciscans wrote replies to the council’s demands. Ulrich Köllin wrote a response for the Dominicans, and in it he noted that, as with the case of Roggenburg, the council wanted to be considered their superiors, though in this case, they themselves, and no others, were to be the superiors of the convent. Köllin wrote “we wish to be obedient, in small and large matters, to you, noble and worthy

---

156 Betz, “Eine Flugschrift Heinrichs von Kettenbach,” 42-44.
council, while we are answerable to God, the law, and our authority."\textsuperscript{160} His wanted to mitigate the most serious meaning of the terms, offering the friars obedience but also, later in the later, attempting to ensure that grain from the mill in Söflingen would still be due to them and that the prohibition against burial did not apply to their own members. The guardian of the Franciscans wrote a lengthier reply than Köllin's. He opened with a reminder that “Not so long ago, the worthy, prudent, and wise council of Ulm, at great cost, through great effort and work, reformed our cloister and our forebearers accepted and introduced [the Observance] and we have been obedient to you.”\textsuperscript{161} The religious had not forgotten the role the council played in the implementation of the Observant reforms. The author asked to know if someone had said something against them, or made some complaint, and asked reasons why the council had made such demands of the cloister. He continued that, of course, as Franciscans they had no right to ask for anything “for the support of our poor, dear lives, in either food or clothing.”\textsuperscript{162} In their way of life, then, they had always been supported by the council, so they would obey the council. However, the author, speaking for the entire cloister, argued that they had to communicate this demand to the provincial minister, to whom they had already sworn obedience.\textsuperscript{163} The author also noted that they could not reduce their numbers without

\textsuperscript{160} “wir wol willig were E.E.H. in sollichem, merem, ind mindrem, zů wilten, wo wir sollichs, gegen gott, dem Rechs und unser oberkait verantwurten könden.” Response of the Dominicans, A[8991], 49r.


sending some of their younger members away. This might cause other problems because there were a number of older, apparently indigent friars who could not be moved and wished to end their days in Ulm. It is unclear whether the council responded, but the council’s request to be treated as the only authority with which the friars should concern themselves can be seen as an extension of their role in the Observant reforms. The religious had been obedient then in the matter of religious discipline, and they should continue to be so in this new situation, even when the intent of the council seemed to run counter to their interests. The memory of the Observant reforms, and even their rhetoric, still had some potency in a period of deteriorating relations between the friars and the council.

The women religious faced similar changes but their situation was somewhat different, as they were not preachers, and their relationship with the city council was less antagonistic than that of the friars. Söflingen was technically independent from the legal jurisdiction of Ulm, and since the Observant reforms had obtained numerous confirmations of its rights and privileges from emperors and bishops, so it was not easy to bring pressure to bear against them.164 Only after the plebiscite of 1530, when it became clear that the convent and the council no longer shared the same faith did problems arise, with the council attempting to force the women to listen to Protestant sermons or to hand over their spiritual guidance to evangelical preachers. Naturally, the uninvited men who entered Söflingen’s compound and violated the restrictions of enclosure had typified the irregularities of which the women had been accused and that had led to the forceful

164 Frank, *Das Klarissenkloster Söflingen*, 117-118. In a similar way, the city council does not seem to have tried to expel the Teutonic Knights. They did not have a public mission that would antagonize the city council and, as an order, they had been granted imperial immediacy.
introduction of the Observance. Now such violations were viewed as an important “counter-ritual,” a means of desacralizing the cloister enclosure. There does not appear to have been the same forcible eviction that had marked other attempts to remove religious women from their communities, or at least no successful attempt. On the other hand, other communities of women, such as in the Franciscan convent of St. Clara in Esslingen, willingly voted to disband the community; some women accepted proposals of marriage while others received an annual pension. The women of Söflingen, under their long-lived abbess Cordula von Reischach, waited.

The Sammlung appears to have faced less pressure to leave their community. A census was conducted of its properties in 1523, but there is no information in the register about why it was conducted. After 1531, the Sammlung was transformed into a Protestant convent, which was confirmed in statutes prepared by the council in 1536. Many of the rules remained the same: the number of the sisters was kept at 12 with age restrictions for the women who could reside in the cloister and could make profession. Rather than recite the divine office the women were to hear a sermon daily in the morning and instructed to spend time reading from the Bible and praying privately. According to Johannes Gatz, the women were not forced to convert and Catholics were

---

165 Frank, Das Klarrisenkloster Söflingen, 115.
168 Friedrich Fezer, “Die Konvente von Sankt Klara und Sirnau: Ein Beitrag zur Sozial- und Standesgeschichte der Esslinger Frauenklöster,” Esslinger Studien 23 (1984): 45-100, here 66-80. St. Clara’s history is a fairly lachrymose one, having been sacked several times by both the city and the counts of Württemberg. It was sacked again in the Peasant’s Rebellion, perhaps making the decision to disband easier.
169 Zinsen und Gülten in die Sambnung zu Ulm, StadtA Ulm A[7110/1].
170 Vertrag zwischen Buergermeister und Rat zu Ulm und der Sammlung über die neue Ordnung (1536), StadtA Ulm U5303 from A[8989]
present in the community as late as the 1570s. Other communities that had followed the Rule of Franciscans tertiarys, were closed, particularly the Hirschbad community.

Bernhard Besserer, as the representative of Ulm, participated in the Reichstag of Speyer in 1529. While the urban delegates to the Reichstag found the Edict of Worms impossible to enforce, their protest sharpened religious divisions within the Holy Roman Empire. Desperate to avoid facing the anger of the emperor on their own, Ulm’s delegates hoped to garner the support of other leading cities for a new, explicitly religious, alliance that would unite city governments with territorial princes in a military league against the power of Charles V. Such a grand alliance of states never materialized, though, because of the differences among Protestant groups: Lutheran princes were unwilling to ally themselves with the theologically diverse regions of the German southwest and the Rhineland. By 1527, in fact, Bernhard Besserer could complain that the two most consistent defenders of “Christian Freedom,” Ulm and Strasbourg, had been left out of the major German Protestant leagues. German territories were no longer divided into Catholic and Protestant camps alone, but also into Lutheran and non-Lutheran camps. Ulm itself was heavily influenced by the Swiss reformers, and eventually would call on the reformers Martin Bucer and Ambrosius Blarer to help create a Protestant church ordinance for Ulm. In the meantime, Ulm was

174 Kaufmann, Die Reformation, 370-372.
175 This effort had been underway for several years, since 1527 and directed by Bernhard Besserer on Ulm’s behalf, Walther, “Bernhard Besserer,” 14-25.
busy making a concerted effort to revive a league among the Swabian cities and met with some success with such traditional allies as the cities of Esslingen and Memmingen.\textsuperscript{177}

Ulm was unable to convince other major cities to join in a defensive league as they had been able to do throughout the medieval period. In order to avoid the worst possible scenario by enforcing a policy that would alienate the council from the citizens as well as their regional urban allies, the city council, directed by Bernhard Besserer, put the question of the reform to a plebiscite vote in November 1530.\textsuperscript{178} Such a vote meant that citizens voted in the guilds to which they belonged or in other blocs, and so the final vote registered only a portion of the population.\textsuperscript{179} The result was an overwhelming majority: nearly 87\% of the vote supported the institution of a reform of the church.\textsuperscript{180} In none of the voting bodies was there even a simple majority for the old faith, and only the bakers’ guild vote of 42 to 29 (58\%) even approached that type of balance. The city council began to prepare the city and its territories to embrace the new religious order.

The Reformed Convents after 1531

In order to institute the reform of the church, the city council called on Rhenish reformers to help draft a basic statement of faith and a church ordinance by which Ulm’s parish, and the subordinate ecclesiastical foundations within its territory, were to be regulated. The city council wrote to several theologians, including Johannes Oecolampadius, Ambrosius Blarer and Martin Bucer; though most of this task fell to Martin Bucer, who drafted an eighteen point statement of faith that stressed general

\textsuperscript{177} Keim, \textit{Die Reformation der Reichsstadt Ulm}, 173-176.
\textsuperscript{178} Julius Endrrix, \textit{Die Abstimmung der Ulmer Bürgerschaft im November 1530} (Ulm: Karl Höhn, 1930), 8-22.
\textsuperscript{179} Endrrix, \textit{Die Abstimmung der Ulmer Bürgerschaft im November 1530}, 22-23.
\textsuperscript{180} Endrrix, \textit{Die Abstimmung der Ulmer Bürgerschaft im November 1530}, 44-45.
Protestant teaching.\footnote{181} The first article stated that “All humans are by nature children of wrath (Eph. 2) and desire to understand nothing holy according to their will...thus it is madness to think that humans in themselves and of their free will do any good thing or can struggle to do any good thing.”\footnote{182} The third article stated that “all holiness, forgiveness of sins, knowledge and love of God, and all good things come through our lord Jesus Christ, true God and true man, alone,” this argued both for the ineffectiveness of works as well as the impossibility of any other mediator between human beings and God.\footnote{183} The list dealt with the economy of salvation, approved baptism, and insisted on the symbolic nature of the Lord’s Supper, rejected the institutional church as necessary for salvation or even as authoritative, and made other points that were clearly meant to proscribe the daily and annual rituals and rites of medieval religion, such as mandatory fasting. In article 12, the monastic life was described, in its insistence on works, as “antichristian,” and entirely rejected. In April of 1531, the council banned religious pictures and “idols” and directed the churches and monasteries to remove all such items.\footnote{184}

In addition, the city council undertook a census and examination of all religious and parish clergy in the early summer of 1531. A commission made up Martin Bucer, Ambrosius Blarer and Johannes Oecolampadius visited each parish under Ulm’s

\footnote{181} Von der Leere (1531), StadtA Ulm A[8983/I]193r-200r; Specker, \textit{Stadtgeschichte}, 118-119.  
\footnote{184} Litz, \textit{Die reformatorische Bilderfrage}, 103-108.
jurisdiction and presented Bucer’s articles personally to the clergymen. They were asked to examine Bucer’s articles and to say whether or not they could abide by the statement of faith. In total the commission examined 146 individuals, including the twelve women of the Sammlung. In general, many of the clergy either rejected the articles or waffled, saying either that they did not understand the articles, that the theology behind the statements was too difficult to understand, or that they would simply accept whatever the city council determined. The priest Jörg Wierich answered that “the matter is too difficult for him and the articles that he heard, he repudiated- he wishes to be with the Christian church as he has known it and remain with the old faith.” Another priest, Hanns Weglin, replied that “the articles were too difficult for him, and that as he could give no answer, he wished to remain with his opinion.” Laüp Stocken said he had nothing against the articles, but he also wished to remain with the old faith.

Most of the secular clergy gave a similar response, with many respondents hoping both to stay with the old faith and to offer their obedience to the city council. Very few gave substantial answers, with only two exceptions: the Dominican Ulrich Köllin and the parish priest of Geislingen-an-Steige, Dr. Georg Oßwald. Köllin rejected the articles for himself and on behalf of the Dominicans and the Franciscans. Oßwald not only refused to accept the articles, he also wrote a seventy-two page denunciation of them which he

---

185 Specker, Stadtgeschichte, 118-120.
186 Specker, Stadtgeschichte, 119.
187 Untitled List of Clergy’s Response, 1531, StadtA Ulm A[8985], 1r-29v.
188 “Jörg Wierich Die sach sei im schwer, werd der Artikel / die er gehört, dhenen verwerffen, wlt bey / der Christenlichen kirchen, wie es an In komen sei, und bei dem allt[en] weg pleib[en].” Untitled List of Clergy Responses, StadtA Ulm A[8985], 2r-2v
190 For the friars see Untitled List of Clergy’s Responses (1531) Stadt A Ulm A[8985]8r-15v
sent to the city council.\textsuperscript{191} For an awkward period in 1527, the Ulm city council had the Catholic Oßwald and a Tübingen-trained Protestant both serving in the city at the same time (Oßwald in the city church and Paulus Beck as \textit{Prädikant} in the \textit{Spitalkirche}).\textsuperscript{192} After the plebiscite of 1530, Oßwald was removed from his office while at the same time, Martin Bucer gave the first Protestant sermon in the city.\textsuperscript{193}

The case of Dr. Oßwald suggests that either because of the lack of clerical training of the priests in the Ulm parish, or because of a politic sense of self-preservation, most of the secular clergy hoped to retain their positions by complying with the city council, and this trumped their commitment to the “old faith.” The religious were not immune from this type of investigation on the part of the city council, though both the Franciscans and the Dominicans preferred to answer as a group rather than as individuals, as is indicated in their responses to the council’s demands that they have no other superior but the council. By June 1531 the examination of the clergy had concluded and the institution of the church ordinance began on June 15\textsuperscript{th} with the suppression of the mass in the secular churches within Ulm’s parish.\textsuperscript{194} On August 6\textsuperscript{th}, the secular clergy took their first oaths to the new ordinance. The ordinance confirmed that all authority comes from God, including the council’s and maintained the rejection of monastic and religious life.\textsuperscript{195}

\begin{footnotes}
\item[192] Schuhholz, “Dr. Georg Oßwald,” 207.
\item[194] The “Church Ordinance” included the articles of faith as drawn up by Bucer. \textit{Kirchenordnung} (1531): \textit{Stadtbibliothek Ulm 27 488}.\textit{Kirchenordnung}, 1531
\item[195] \textit{Kirchenordnung}, 7r-7v.
\end{footnotes}
Rejecting the demands of the city council for the suppression of the mass, and the attempt by the canons to hand over the convent and its properties to the city council, Ambrosius Kaut, the provost of St. Michael Wengen, fled the city in November 1531 and went to the Benedictine monastery of Blaubeuren, leaving behind several canons. The Teutonic Knights, having enjoyed considerable independence throughout their whole existence, remained in relative seclusion, but did not leave. The city had hopes of buying up all the properties, rents and foundations held by the mendicant Orders, though this was specifically rejected for a time by the provincial authorities. The Dominicans quickly appealed to the emperor to confirm their freedoms and prevent further injury to the convent. The council placed the Dominicans under house arrest in July until such time as they surrendered the keys to the convent. Bernhard Besserer went several times to the Dominican convent to demand the keys, and George Diener, the subprior, refused each time. Paulus Hug, the Prior Provincial, protested this action, noting that the Dominicans had imperially and papally confirmed rights and privileges, and that they had flourished in the city with the protection of the council. To revoke their rights without just cause was an unjust action. Nevertheless, provisions were made to remove the friars and on September 12th, 1531, the Dominicans left the city. The majority went to Rottweil, where they joined the Observant Dominican house there, though they would continue to elect their own officers until 1614. With less resistance, and having written a letter that
expressed their sorrow over leaving the city, the Franciscans left a month later on October 3rd. Their properties were directed by the council to be developed into a new Latin school in the city.201

With the mass suppressed within the city, the Catholic minority were now forced to go to Söflingen to hear mass on Sundays. The city council tried to isolate the minority by having agents examine those leaving the city’s western gates headed for Söflingen, and also passed an edict prohibiting the citizens of Ulm from using the grain mills of the sisters. After the Battle of Mühlberg in 1547, Charles V took Söflingen under his specific and direct control. There were no further attempts to evict the sisters or to convert them.202 The great success of the Observant reforms was in strengthening an institution that would continue to serve the Catholics of Ulm just outside the walls of the city.

The Dominican and Franciscan authorities continued for a time to have monies sent to them from their properties in Ulm. In 1534, several letters were written by Prior George Diener, who became the first prior-in-exile, requesting that monies be sent to the Order from specific properties, for instance, 30 gulden from properties in Schaffhausen.203 An agreement was eventually reached between the “exiled” community and the city council whereby the properties were used as a pension for the friars who had lived in the Ulm community and with the death of the last pensioner, the obligations of the city to that community ended.204 In 1538, the properties of the Dominican community were sold to the city. In the same year, the prior in exile, George Diener, agreed to a cash settlement with the city council for the cloister and all of its

201 Specker, Stadtgeschichte, 124.
204 Frank, “Reform und Reformation bei den Ulmer Dominikaner,” 286.
properties. A similar settlement was made with the Franciscans, who were pensioned until the last member of the Ulm convent had died but, unlike the Dominicans, their property was never formally sold to the city.

Many things changed for Ulm after the Battle of Mühlberg in 1547, when Charles V defeated the Protestant Schmalkaldic League. Charles ordered that all religious houses that had been abandoned, or whose members had been forced to abandon, during the implementation of the Protestant reform be returned to the Orders and that members of religious Orders be allowed to minister to Catholics who still lived in Protestant areas. After Charles’ visit to the city in 1547, Catholic services were held in the former Dominican church, and the council had to re-appropriate monies to pay for a Catholic priest and permit him to preach in the city. The provost of St. Michael’s Wengen came to an agreement with the city council which allowed the canon to return to their convent. Attempts by the Dominicans and the Franciscans to return to their former cloisters were without success. When the Protestant preacher in the Ulm Münster commemorated the centenary of Ulm’s Reformation, and mentioned the hasty exit of the friars, the Franciscan’s began a legal process to reclaim the house, although they were ultimately unable to claim the property. However, with the Peace of Augsburg in 1555, much of the reinstated presence of Catholicism was removed from the city, except for the chapel in the Teutonic Knights’ commandery, the church in St. Michael Wengen and the church of Söflingen. One other significant result of the Battle of Mühlberg was Charles

---

205 Kauffbrief umb daß Prediger Closter zu Ulm sampt deßelben Einkomen, January 13th, 1538. StadtA Ulm A[7172/2]
206 Specker, Stadtgeschichte, 145.
207 Specker, Stadtgeschichte, 146.
208 Klage der Franzikaner gegen die Stadt Ulm beim Reichshofrat wegen Rückgabe des Barfüsserklosters, 1628-1630, StadtA Ulm A[1636]
V’s insistence on constitutional changes in most of the Free and Imperial Cities. In the belief that the guilds had been responsible for the war, in 1548 Charles abolished the guild constitution and placed the government of the city of Ulm fully in the hands of the patricians, who now had their direct authority over the population confirmed by the emperor.209

Conclusion

The Observant reforms had been successful from a number of perspectives. The Dominican friars became especially zealous promoters of the Observance in southern Germany and participated in the early production of books in Ulm. The works of Felix Fabri also enhanced the conventual reputation within the city. The Dominican friars and the Poor Clares of Söflingen helped to promote the Observance in their Orders by sending reformed religious to other communities in the process of being reformed. Both of them engaged in building or renovation projects. While the Franciscans do not appear to have enjoyed the level of prestige as the Dominicans, their relationship with the population of Ulm and the city council appeared to have been good, based judging by new donations given to the convent and the creation of a fraternal organization associated with the Franciscans. While there was not an Observant reform in the Sammlung, that community became more closely associated with the city’s regulation than it had been before the reforms. While the Observant movement was not embraced by all mendicant communities in the German southwest, it would be difficult to say that it had not been successful in Ulm and that at least one result was stronger ties between the convents and the community. The other important result, of course, was belief that the city council

209 Specker, Stadtgeschichte, 130-138.
had the right and duty to discipline members of religious Orders. Coupled with the
council’s control of the parish administration, the Observant reforms helped to
consolidate the religious authority of an early modern state.

The expulsion of the mendicants was not a foregone conclusion with the arrival of
Lutheran sympathizers in the city. Some of the earliest supporters of Luther, like Johann
Eberlin von Günzburg and Heinrich Kettenbach, while sharply critical of the mendicant
Orders, never explicitly argued for their dissolution; that was a move that the council
seems to have found necessary only after the plebiscite of 1530 made it clear that the
majority of the population favored the institution of the Protestant religion, which had no
place for religious Orders.

When both the Franciscans and Dominicans left the city in 1531, both appear to
have expressed remorse that they could not stay, rather than bitter animosity towards the
city council with whom they had worked to reform their communities only fifty years
earlier. Their expulsion was made necessary not only because the theology that underlay
the new church ordinance was hostile to the sacramental status of the clergy and
religious, but also, because the Observant reforms had been a success, the city council
could not permit competent anti-Protestant preachers to stir up controversy and cause
scandal and dissent in the city, any more than they had permitted the violations of
enclosure that had been so critical in their decision to reform the mendicant communities
in the fifteenth century. The eradication of sources of dissent was brought to completion
when the guild constitution was revoked by Charles V and all authority over the city was
placed into the hands of the patricians. In many ways, these moves were analogous to
each other, an attempt to create an unencumbered social unit in which religious and political authority rested without qualification in the hands of the social elite.
CHAPTER VII

CONCLUSION

This dissertation has been built around the actions of two groups of people. On the one hand there are the religious reformers, members of religious Orders like the Dominicans and Franciscans friars, who wanted to reform their Orders. On the other hand, there are the members of the city council of Ulm, a Free and Imperial City in the German southwest. These two groups had considerable interest in reforming the mendicant communities within the city of Ulm. Although the institution of a reform was easier in some convents than in others, the city council pursued these religious reforms for nearly thirty years, and did so without necessarily receiving material benefits for its efforts. The goal of this dissertation is to understand why the council was so invested in these reforms, and why, only a generation or so after they were instituted, the city council sided against the reformed communities during the early phases of the Protestant Reformation. I argue that city council and the reformers both wanted to enhance their disciplinary effectiveness: they both needed people to respond to their authority in specific ways. The reformers hoped that better disciplined friars and nuns would help them combat internal threats, such as heretics and witches, and strengthen Christianity against what appeared to be manifest threats like the Hussites in Bohemia and the Ottoman Empire. The members of the city council hoped that better disciplined religious
would help curb urban dissent that had led to violence in the city’s history, and a type of violence that threatened to deprive the city of its independence.

Throughout the fifteenth century, some members of the mendicant Orders attempted to enforce a series of policies designed to correct what they saw as the decline of their organizations. These policies were frequently derived from the belief that individuals and convents had strayed, or in some cases sprinted, away from the strict institution of essential organizational mandates established in their rules and constitutions. Their policies became known as the “Observant reforms” because the reformers believed that a strict observance of the rules was the most effective way to restore their organizations to a more desirable condition. Reform programs varied from Order to Order, but, in general, historians can point out several key aspects of these reforms such as: the demand that convents sell off property holdings considered to be excessive, an enforcement of ascetic practices, closer regulation of communal prayer and meals, and the nullification of privileges deemed unnecessary or detrimental to the spirit of community. For different reasons, then, these reforms were not popular with the members of the religious Orders, which made them difficult to introduce or maintain in uncooperative convents. This difficulty meant that the reformers often sought for assistance from secular authorities, like the city council of Ulm, which approached the reforms in terms of their own interests.

Ulm was a Free and Imperial City of the Holy Roman Empire, a designation which meant that they had no overlord except the German king or emperor. The cities were expected to support the king or emperor with material and social resources and, in exchange, the emperor supported the independence of these cities. The political reality
meant that the cities had to compete with the neighboring aristocracy, which often viewed the independent cities with disdain and jealousy. Often, this antipathy resulted in violence that threatened the safety and independence the communes. The cities, however, were not internally cohesive, and in the thirteenth century, the disenfranchised guilds often came into conflict with the patrician elite, who held political authority. In 1323, two members of a patrician family, the Kunzelmanns, staged a coup in Ulm in which they took control of the major executive offices with the support of the a neighboring aristocrat. The Kunzelmann coup was only resolved by the intervention of the emperor, who appointed an executive deputy, another aristocrat, who was given liberal powers over the city, its finances, and people. Although peace was restored and the Kunzelmanns were forced to flee the city to an unknown fate, the aristocratic control of the city was too close to a loss of independence. When later political and social unrest threatened to erupt in renewed violence and again threaten the stability of the city, a series of power sharing agreements were made with the guilds, who gained representation on the new city council. These guilds were expected to support the council’s decisions by disciplining their own members. Much like the religious reformers, therefore, the city council of Ulm was concerned with issues of discipline and the effective exercise of power, sometimes upon restive subjects. The nature of the medieval urban commune, the culture of uniformity that it embraced, operated in such a way that any scandal, and break with routine, was viewed as an opportunity for dissent against the civil magistrates and had to be repressed. Rumors that the Poor Clare nuns held parties in the cloister, or sold books to Jewish pawnbrokers, or that there were brawls, or even murders, within the friaries, were exactly
the type of issues that the council felt it had to address, and to do so, they turned to the reformers.

Four religious communities, all mendicants, are addressed in this dissertation: The Franciscan friars, the Dominican friars, the Poor Clares or Söflingen, and the community of Franciscan tertiary women called the Sammlung. While some historians have criticized the Observant reforms for being ineffective, in the case of Ulm, the reforms were successful. The Dominican convent was an outstanding example of renewal, becoming a center of reform in the region. While the convent was reformed in 1465, for nearly a decade after, the city council insisted that the convent be staffed with friars with reputations as good preachers in order to preserve the reform. This finally led to the assignment of Brother Felix Fabri to the Ulm convent. Felix wrote the first history of Ulm, in which he gave pride of place to the patricians and structured the city’s history to naturalize their view of social order. A prolific writer, Felix was also a proponent of novel devotional practices such as “mental pilgrimage,” for which he translated his actual pilgrimage experiences into a meditation, as well as the rosary, for which he founded a confraternity at Ulm. The nuns of Söflingen, a community that was one of the wealthiest communities of Poor Clares in Southern Germany, helped to support and spread the Franciscan Observance throughout southern Germany, and the institution of the Observance led to a literal renovation of the community when it rebuilt its cloister in the late fifteenth century. While the post-reform activities of the Franciscan friars and the women of the Sammlung might be less lustrous, the reforms were achieved and the ties between the reformed religious and the people and council of Ulm was unquestionably

strengthened. While some historians have criticized the Observant reforms for failing to reform their entire Orders or perhaps the entire medieval church, the city council of Ulm and the reformers had no reason to view the situation in the convents of Ulm as anything but a success.

That success had not been achieved without some conflict however. There was a local group of Dominican who supported the reform, and so the whole process took only about five years of negotiation between council and reformers. This was not the case with any of the Franciscan communities. Between 1465 and 1484, the city council had to market the reform of the Franciscans in a process where it, or its agents, increasingly invested in language that suggested that the council was responsible for the spiritual well-being of both its citizens and the local religious. That being the case, they were also in a position to insist that the local Franciscans were not just in “decline,” but that they served as “bad examples” to the laity. The adoption of postures of assessment over the lifestyle of the religious, and therefore their purpose, shifted the relationship between the convents and the council in favor of the disciplinary power of the council. In the terms laid out in the sociology of Pierre Bourdieu, the council used appeals to common morality, or a rhetoric of disinterest, in order to promote its own interests in enforcing reforms on uncooperative friars and nuns.2 This experience of resistance, of having to market the reforms to other secular and ecclesiastical authorities, and the clear frustration with these processes, resulted in the city council appropriating religious authority as a matter of course. By 1505, when the council was called on to intervene in a conflict at a nearby monastery, one not under Ulm’s jurisdiction, the council could claim that when it dictated

---

terms for both religious and secular matters in this monastery, the monks should respond as though the council was a superior member of their religious Order. The Observant reforms, therefore, were important because they helped foster the sacral nature of the early modern state. The authority of the council had been called on to help institute the reforms, but the increasing competence of the council in religious matters would have a profound impact on the mendicant communities during the Protestant Reformation.

In 1530, under pressure from the Habsburg emperor to punish early Protestant sympathizers and, largely abandoned by German territorial princes who disdained theologies associated with Swiss and Rhenish theologians, the city council put the question of religious. The guilds and patricians voted overwhelmingly to embrace Protestantism, which later resulted in a church ordinance drawn up by the Rhenish theologians Martin Bucer and Ambrosius Blarer. The council alone was responsible for its enforcement. In 1531, after a series of increasing restrictions on their activities, which resulted in virtual incarceration within their own convents, the friars left the city of Ulm. The Sammlung was transformed into a Protestant convent. Only Söflingen remained of the mendicants as a now Roman Catholic institution.

The expulsion of the friars was not a foregone conclusion, however, and some of the earliest supporters of Luther, like the former Observant Franciscans Johannn Eberlin von Günzburg and Heinrich Kettenbach, although sharply critical of the mendicant Orders, never explicitly argued for their dissolution. Even then, the council never fully expelled all of the religious Orders from the city, just the preaching friars. The willingness of the Observant friars to debate the biblical nature of religious doctrine was

---

a source of dissent and controversy, which culminated in a conflict with early Protestants in an episode called the “Pulpit War.” The city council, led by the patrician Bernhard Besserer, allowed this conflict to persist for several years in the mid 1520s. Ultimately, through, just as the council could not tolerate the scandals (and rumors of scandals) that had prompted them to support Observant reforms in the fifteenth century, they could not tolerate the controversy and dissent that grew up over preaching. The plebiscite of 1530 indicated how the population of Ulm wanted the issue settled. When both the Franciscans and Dominicans left the city in 1531, however, both appear to have expressed remorse that they could not stay, rather than bitter animosity towards the city council, with whom they had worked to reform their communities only fifty years earlier. Their expulsion was made necessary not only because the theology that underlay the new church ordinance was hostile to ritually distinct clergy and religious, but also, because the Observant reforms had been a success. The preachers which the city had requested had been better preachers than those we know of before the reforms, even if it is generally the case that there was little difference between reformed and unreformed preaching among the mendicant friars. The Observants had become influential by engaging in book production, the promotion of education, the creation of rosary confraternities, and association with the spiritual aspects of guild life. By almost any account, the Observants had been successful in Ulm, as I’ve said, but in the period of uncertainty that faced the council in the early Reformation, unity was a precious resource to which the mendicants did not contribute. The eradication of sources of dissent, or we might say the manufacture of unity, was brought to completion when the guild constitution was revoked by Charles V in 1548 and all authority over the city was placed into the hands of the patricians, many
of whom were granted patents of nobility. In many ways, these moves were analogous to each other, an attempt to create an integrated social unit whose religious and political authorities were combined without qualification in the hands of select members of the social elite.

The Observant reforms were important to the city council on their own terms. The members of the council wanted better disciplined religious who could serve as an example for the population. Given that the nature of the reforms was targeted at behavior, one understanding of this term is that the reformed religious were to serve as examples of obedience. The reformed religious, especially the Dominicans, appear to have also embraced and disseminated views about order that the council found beneficial. The result of the process of reform, however, helped to create a new relationship between the mendicants and the city council, in which the council began to behave as its own religious authority, culminating in its creation of a Protestant church ordinance that made the religious institutions undesirable. The Observant reformers had relied on the power of the council to affect their reform program, and the result was the council exercising the authority it gained through the Observants reforms to force the friars out of the city. The Observant reformers were, therefore, important for the development of the regulatory and disciplinary powers of the early modern state. In much broader terms, cultural institutions were valued as a means to support unequal systems of domination, even as they were a resource to increase competitiveness within those systems.4

The Observant reforms mirrored other developments within the Holy Roman Empire in the fifteenth century, also called “reform.” Often, the advocates for one type of

---

reform were the same agents who advocated for the other, such as Nicholas of Cusa and Berthold von Hennenberg, the Prince-Elector and Archbishop of Mainz. As Peter Blickle has argued, the congruence of religious and secular reforms was also reflected by communal programs, which sought to place religious institutions more firmly under the control of, and at the disposal, the people they were supposed to serve. Imperial reform was only marginally successful because the territorial princes wanted to avoid granting the emperors any more authority than he already had. The Observant reforms, however, generally thrived because of the decentralized and competitive nature of the Holy Roman Empire. For example, while the Observant reforms were supported by a distinguished list of aristocratic magnates throughout Europe, the Dominican province of Teutonia, an administrative designation for most of southern Germany, became the only province anywhere to have a majority of Observant convents. Reform was an ubiquitous concept in late medieval Germany and it was difficult to separate its religious from its political aspects. For this reason, the success of the Observant reforms should be seen as a valuable resource which secular authorities, even ones we might consider brutal or realistic, found it to their advantage to support as a means of enhancing their personal status but also, if less well understood, as a means of acquiring important symbols of religious authority that were influential in the establishment of church-regimes in the post-Reformation period. In their own period, however, they can be viewed as part of the general upswing of “common man” movements that Peter Blickle has viewed as a grassroots form of democracy which attempted to subject authority to communal interests.

The Observant reforms also can be viewed as a link the between the medieval and the early modern periods but they also complicate those chronological designations. The Observant reforms were medieval in the sense that religious reformers were invested heavily in the notion of voluntary poverty as a sign of religious authenticity, an understanding that would certainly be challenged by Protestant notions of secular asceticism and personal self-sufficiency. The Observant reforms can also be called medieval for the way in which they operated through, and therefore supported, mediated forms of power in terms of their own organization and also the Christian economy of salvation. The existence of mediated forms of authority are not exclusive to the European Middle Ages, however, but they are indicative of medieval forms of thought and organization. By contrast, according to Max Weber, one of the hallmarks of modern industrial societies is the triumph of the rationalization and bureaucratization of political institutions to which the medieval and early modern forms gave way.\(^7\) As we have seen, the mediated system of political and ecclesiastical organization in the Middle Ages made the process of reform slow, and we might even say inefficient, but generally tending towards the cause of reform.

In another sense, though, the Observant reforms can be viewed as cooperating fully in social and cultural movements that we would associate with the modern period: they were an attempt to centralize administration, to increase and regularize disciplinary power of the centralized administrations, and, to a certain extent, responded to the development of humanism and the demand for popular religious devotions. Some of these devotional exercises, such as the rosary, passion plays, or the devotional practices

---

associated with a Kempis’ Imitation of Christ, would persist and be influential in later periods, even in some cases among Protestants. We can also view the development of the composite image of the witch, in which reformers like Johannes Springer and Heinrich Kramer, played no small part, as part of a modern worldview. In some ways, then the Observant reforms were medieval, but in others way they are more a product of the fifteenth century which, as John van Engen has recently argued, defies easy categorization as “medieval” or “early modern.”

This does not mean that the Observant reformers themselves were necessarily anticipatory of early modern social and political institutions. In many ways, they saw themselves as attempted to return to an idealized past. For this reason, the works of reformers like Johannes Nider were full of quotes from earlier monastic reformers like Bernard of Clairvaux. Although the ideal of religious poverty played less of a role among German mendicants than they did elsewhere, the attempt by the Observants to realize a program of poverty, simplicity, and industriousness resulted in a conception of their communities that looked more monastic than mendicant. One vulnerability to this research is a lack of sources that convey which version of the Rules these communities possessed, beyond some of the statutory language for the Sammlung. Without the house customaries or copies of constitutional information, it is difficult to know if these convents were actually current with what the Order’s administration believed to be the valid regulations for their communities and how these communities responded to those regulations. This is particularly true for the Poor Clares of Söflingen, whose organization changed names a number of times in the thirteenth century, and which each change was

---

followed by attempts to redefine who and what this community was as well as their relationship to the Franciscans. A further vulnerability is a lack of sermon material from Ulm, except for the period of the “Pulpit War.” This study could have been supplemented with other studies on preaching in Germany, including published source collections, but were not, a point I hope to correct in preparation for publication.

Finally, I realize my use of Boudieu may appear somewhat artificial. In fact, Bourdieu may not even seem like a good candidate to engage in a dissertation that covers change in the medieval period, given that Bourdieu has been criticized for being more associated with the replication of systems, rather than their change, and for chiefly focused with the habits of the middle and upper classes in modern societies. While I cannot claim to have mastered his thought, I find his interpretive concepts useful for explaining both group and individual actions, even in the medieval period. The support for religious reforms by the counts of Württemberg, and the city council of Ulm’s willingness to cooperate with them, are given a new and more satisfying explanation in Bourdieu’s study of action than other attempts that rest of generalizations about aristocratic culture, although other aristocrats did not value reform or violence in the way that the counts of Württemberg did. Their actions are dictated by a socialized point of view that attempts to realize self-interest by responding to system of cultural exchange. As I have indicated in the dissertation, this study of practice is also more helpful in understanding the role of voluntary poverty in medieval society and compliments, but also challenges in important ways, Lester Little’s view about the development and function of the mendicant Orders. The materials generated by Pulpit War, the book titles within the former library of the Dominican convent, and the function of voluntary
poverty, I think, help show how the Observants understood the field of religion in their own time and offers a chance for historians to see how they responded to that field and the results of their attempt to enforce religious reforms on reluctant members of the religious communities supported by the power of a competitive and anxious city government.
BIBLIOGRAPHY

I: Archival Sources

Note: The unpublished material is listed by collection when possible, arranged in ascending numerical order. When materials were not located in a collection, especially for the Stadtarchiv Ulm, a more complete reference is given in ascending order of reference number. An attempt has been made use the titles as they are found in the finding aids, but failing that, an English approximation has been used.

Landesarchiv Baden-Württemberg: Hauptstaatsarchiv Stuttgart

A517: Reutin

A526: Steinheim-an-den-Murr

A602: Württembergische Regesten

Landesarchiv Baden-Württemberg: Staatsarchiv Ludwigsburg

B175: Esslingen, Reichsstadt: Kloster Simau

B207: Ulm, Reichsstadt

B509: Klarissenkloster Söflingen

Landesarchiv Baden-Württemberg: Staatsarchiv Sigmaringen

FAS DS 1 T 1-5 78, 190: Habsthal: Gebote und Verbote für das Kloster Habsthal, 1479

FAS DS 1 T 1-5 78,191: Habsthal: Statuten und Ordnungen für die Priorin und den Konvent des Klosters Habsthal, 1521
Stadtarchiv Ulm

A[336] / A Ulmensien 322 /alte U 5387: Acts concerning the Complaints of Dr. Heinrich Neithardt (c. 1500)

A[1294]: Verhandlungen wegen der Reformation des Predigerklosters

A[1294/1]: Heinrich Neithardt to Georg Weterstetten, March 30th, 1478

A[1310]: Acta: Der priester bestraffung allhier zu Ulm (1496)

A[1324/1]: Vom Brief eines Ersamen Rathes zu Ulm bestattiget der Bruderschafft Sanct Franciscus (1517)

A[1636]: Klage der Franzikaner gegen die Stadt Ulm beim Reichshofrat wegen Rückgabe des Barfüsserklosters, (1628-1630)

A1977 The Negotiations of Ulm with Cloister Roggenburg in the Turmoil between the Abbot and the Community and Request of a Reform (1503-1504)

A 3785: Ordnung der beywohner halben (1527)

A[7110/1]: Zinsen und Gülten in die Sambnung zu Ulm

A[7112]: Urkundenabschriften (1403-1524)

A[7172]: Urkundenkopialbuch des Predigerklosters in Ulm (1514)

A[7172/1]: Wilhalm Ehinger and Christoph Ehinger, Ain Jahrtag Stiftung (1497)

A[7172/11]: Consuetudines Conventus Ulmensis (1488)

A[7176]: Salbuch des Barfüssenkloster (c. 1480)

A[8983]: Reformation Teil I (1523-1531)

A[8983/I]: Reformation Teil I (1523-1531)

A[8985]: Reformation Teil III (1531, 1537, 1544)

A[8991]: Reformation Teil V (1524 – 1580)

A[8993]: Reformation Teil VI (1554 – 1568)

A[9000]: Reformation Teil VIII (1522 – 1544)
A Ulmensien 444: Vorhalt des Rats wegen Gotteslästerei (1520)

A Urkunden Reichsstadt Ulm

A Urkunden Veesenmeyerische

H Schmid #21, Nächsale H Schmid

U3266: Der Sammlung confirmata Statuta und Ordnung beten (1487)

U3267: Ratsdekret über due Irrungen zwischen dem Rat und den Sammlungsfrauen, April 19th, 1514

U5280: Die Sammlungsfrauen begeben sich unter den Gehorsam des Bischofs von Konstanz, May 3rd, 1488


U5284: Materials for the Reform of the Franciscon Cloister

U5286: Jacob Ehinger, Fertigung an den Kaiserlich[e]n hof (1461)

U5287: Schreiben von Bürgermeister und Rat zu Ulm an Strassburg wegen der Reformation des Klarissenklosters Söflingen und des Barfüssklosters, March 16th, 1484

U5297: Provinzial Johannes Haug und Barfüßer verzichten auf die Gerechtigkeit über die Sammlungsschwestern, December 3rd, 1488

U5307: Punkte, die den Frauen der Sammlung vom Rat vorzuhalten sind und wie es hernach soll gehalten werden (1530)

U5953: Reformation des Klosters Söflingen (1484/1485)

G1 Weißenhorn Chronic (1536)

Stadtbibliothek Ulm

24 563: Johannes Eberlin von Günzburg, Die ander getrew vermahnung (1523)

24 648: Ulrich Krafft, Das ist der geistlich streit (1517)

27 488 Kirchenordnung (1531)
Württembergische Landesbibliothek- Stuttgart

Cod hist 20 230: Johanssen Mynner, Regelbuch (1429)

II: Published Sources


III: Secondary Works


Burgess, Clive. “‘By Quick and by Dead:’ wills and pious provision in late medieval Bristol.” *The English Historical Review* 405 (October, 1987): 837-858.


Clark, James G. The Benedictines in the Middle Ages. Suffolk: Boydell and Brewer, 2011.


von Löe, Paulus *Statisches über die Ordensprovinz Teutonia*. Quellen und Forschungen zur Geschichte des Dominikanerordens in Deutschland, 1. Leipzig: Otto Harrassowitz, 1907.


