

# Urban Elections and Decision-Making in Early Modern Europe, 1500-1800



Urban Elections and Decision-Making  
in Early Modern Europe, 1500-1800

Edited by

Rudolf Schlögl

with the assistance of

Patrick Oelze, Jan Marco Sawilla,  
and Alexander Schlaak

**CAMBRIDGE  
SCHOLARS**

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P U B L I S H I N G

Urban Elections and Decision-Making in Early Modern Europe, 1500-1800,  
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# INTRODUCTION

# POWER AND POLITICS IN THE EARLY MODERN EUROPEAN CITY: ELECTIONS AND DECISION-MAKING

RUDOLF SCHLÖGL

There is no real lack of investigation into the history of cities in the early modern period. The validity of this statement also holds true for the European scope. The judicial position of these cities within the structure of the pre-modern political state has been well researched; we have at our disposal a lot of information regarding the social history of the people living in these cities and cultural history has discovered many aspects of every day life there. We have realised the contribution European urbanisation brought to the development of a global capitalistic world economy with Europe at its centre. We also have a command of differentiated knowledge in reference to the spectrum of variations in political and social institutions in the European cities of early modern times.

However, we know less about political life itself in these cities. This has to do with the fact, among others, that the pre-modern city in the “heroic phase” of European sociology was an object whose treatment spurred the development of concepts and methods of socio-economic thinking. The historic school of economic science in Germany is prominent in this respect. Likewise, the city plays an important role in Max Weber’s historical sociology. This interest in the pre-modern city in social sciences has bequeathed a legacy which obstructs rather than clears the view towards them. For a long time, this led to the circumstance that research into the history of cities was oriented on a concept of politics which had been developed by the European societies of the 19<sup>th</sup> century as a description of themselves. This conceptual modernisation resulted in loss of consciousness of the historical peculiarity and otherness of the early modern city. The contributions collected in this volume attempt to correct this by pursuing the two determining phenomena for the political culture of the pre-modern city in a micrological perspective: elections granting

political offices as well as procedures and processes through which political decisions concerning common obligation were made.

The framework within which I want to set these individual studies in order to be able to relate the results with one another is a particular concept of the formation of social and political structures (*Vergesellschaftung*) in early modern Europe which has been developed in several research projects.<sup>1</sup> Sociality and the formation of social structure in the European society of early modern times was characterised by face-to-face communication—communication between those who were present (*Anwesenheitskommunikation*). Due to its effectiveness as well as its specific constraints, face-to-face communication gives the social units and also the structures and institutions distinguishing them an individual form of their own.<sup>2</sup> In the case of the European early modern period in general as well as that of early modern cities, it is even more complicated in so far as the

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<sup>1</sup> The projects dealt with the political culture of the early modern city, on the one hand, and the concept of crisis as a form of social introspection, on the other. They were carried out in the Collaborative Research Centre 485 at the University Konstanz. For editorial work and suggestions regarding this introduction, I would like to express my thanks to Christopher Möllmann, Marcus Sandl and Jan Marco Sawilla. For editorial work and translations, I would like to thank Nancy Kuehler (Munich), and express my thanks to the student helpers Marion Beck, Florian Ernst and Oliver Hellwig for their active involvement and commitment.

<sup>2</sup> The author has presented a series of studies on this theme to which reference is made again and again but which are only listed one time here as follows: Rudolf Schlögl, “Vergesellschaftung durch Sonderung: Zur politischen und sozialen Ordnungsleistung der Gilden und Innungen. Sächsischen Hansestädte vom 13. bis zum 16. Jahrhundert”, in: Matthias Puhle (ed.), *Hanse—Städte—Bünde. Die sächsischen Städte zwischen Elbe und Weser um 1500. Ausstellung Kulturhistorisches Museum Magdeburg 28. Mai bis 25. August 1996. Braunschweigisches Landesmuseum, Ausstellungszentrum Hinter Aegiden 17. September bis 1. Dezember 1996*, vol. 1, *Aufsätze*, Magdeburg 1996, 200-220; Rudolf Schlögl, “Vergesellschaftung unter Anwesenden. Zur kommunikativen Form des Politischen in der vormodernen Stadt”, in: Rudolf Schlögl (ed.), *Interaktion und Herrschaft. Die Politik der frühneuzeitlichen Stadt*, Konstanz 2004, 9-60; Rudolf Schlögl, “Der frühneuzeitliche Hof als Kommunikationsraum. Interaktionstheoretische Perspektiven auf die Forschung”, in: Frank Becker (ed.), *Geschichte und Systemtheorie. Exemplarische Fallstudien*, Frankfurt/M. 2004, 185-225; Rudolf Schlögl, “Kommunikation und Vergesellschaftung unter Anwesenden. Formen des Sozialen und ihre Transformation in der Frühen Neuzeit”, in: *Geschichte und Gesellschaft*, 34, 2008, 155-224; Rudolf Schlögl, “Politik beobachten. Öffentlichkeit und Medien in der Frühen Neuzeit”, in: *Zeitschrift für Historische Forschung*, 35, 2008, 581-616. References to the contributions collected in this volume are indicated by designation of the author’s name in the text.

fact that the use of written text and print prevailed quickly and comprehensively from the beginning of the 16<sup>th</sup> century on. This poses the question of where and to what extent this caused a change in social processes and patterns of social structure. Clarification of precisely this point in the political culture of the early modern city is an important concern of this volume. For this reason, the studies comprise the time from the 15<sup>th</sup> to the 18<sup>th</sup> century.

The volume has its origin in a session presented at the Eighth International Conference on Urban History with the theme “Elections and Decisions”, which took place in Stockholm in 2006. We have supplemented those presentations with a number of studies on the history of cities in various regions of Europe so that, based on a broad foundation of previously unpublished research, a picture has been painted which extends from the Hungarian and Czech edge of the Habsburg Empire in the east to France and Spain in the west and from the Adriatic Sea north to Edinburgh. The goal was not a sort of handbook with a complete overview but rather the compilation of a spectrum of possibilities. Despite the variety of cities they deal with, the studies have produced information in regard to elections and decision-making which is similar in many aspects and thus comparable. This result justifies the presumption that an ideal type of political culture was a characteristic of the early modern city in Europe. The last contribution, a comparison of the European cities with those of Asia (Chr. R. Friedrichs), emphasises this vigorously.

The contributions in this volume are set in a logical order according to the content of the theme: the first block concerns the micro-dynamics in communication processes during elections and decision-making and describes the performative dimension of these procedures. The second block of texts observes elections and decision-making from the perspective of the interests of specific groups in order to demonstrate the tensions confronting the search for a well-regulated municipal authority during elections and decision-making in the cities. At the same time, an accent is set on how the media moulded the political process. A comparison with Asia is found in the last chapter.

An ideal type of political culture must presume that, in several regards, the pre-modern city represented an exclave in the social order of early modern Europe. For this reason, demarcating the boundaries of the enclave and self-assertion of the enclave determined more than just the identity of the municipal community. The first section thus concerns itself with the position of the city in the feudal order of pre-modern society (I). The second deals with the establishment of political power through elections (II). An analysis of the processes of political decision-making in the cities

follows (III). The fourth section looks into the changes due to the use of written texts and print (IV), whereas the final section attempts to define the historical position of the early modern city (V).

## **I Boundaries and interaction: the city in the feudal order**

In European urbanisation, a large number of communities had arisen since the 12<sup>th</sup> century. They turned into foreign bodies, socially as well as politically, in the feudal world of the Middle Ages and represented a constant challenge on every level for the noble lord. For the nobility, the cities were useful because, amidst a natural agrarian economy organised under sovereign dominion, they allowed access to professional production of goods and assurance of the flow of goods and valuables in markets as well as financially-based commerce. In exchange, the feudal lords were prepared, although often unwillingly, to grant privileges guaranteeing the citizens of the community self-determination in graduated form, ranging up to complete freedom, even from seigniorial jurisdiction. For these communities, sovereigns and nobles accepted the accordance of political office through periodical elections, i. e. through an explicit obligation to those governed. By taking on a principle of ecclesiastical organisation, which had been effected in the vacuum of sovereign authority in communities in Italy during the late classic period (Chr. R. Friedrichs), the cities integrated themselves to become autocephalous legal communities in which politics, i. e. making decisions concerning themselves and acting upon them, was bound to participation by those concerned.

This constellation had consequences in several respects. On the one hand, it led to an ambivalent affiliation between cities and noble or princely lords since the cities related their political, social and economic order, positively as well as negatively, to a world moulded by nobles and princes. The imperial cities of the Holy Roman Empire of the German Nation knew that their liberties were founded on royal privileges and searched for a position among the estates of the Empire which would make political participation possible. The free cities, emancipated from dominion by the bishop, also placed themselves under the protection of the Empire. Even the imperial cities of the Swiss Confederation did not relinquish royal confirmation of their privileges by king and emperor until 1648. From the European perspective, the free as well as the imperial cities thus represented a special type of city because they had been able to achieve jurisdiction over themselves but, nevertheless, remained politically dependent on a sovereign, albeit loosely. Lubeck, in northern Germany and far away from the Emperor, may have compared itself to city-

republics, but it was never able to achieve the political sovereignty of a municipality like Venice. A different political quality was experienced and expressed in the Doge's "elected principality" (R. Schilling).

In the "normal case", the European city had to come to terms with a noble or ecclesiastical lord of the city. This meant that either the election of political officials had to be confirmed by the lord of the city or that, from a given list, he simply selected the candidates most acceptable to him. Another possibility was the attempt by commissioners representing lords of the city at elections to influence the outcome of an election (J. Hrdlička; I. H. Németh). These interventions rarely concentrated on members of municipal councils but rather on offices connected with judicial or other decision-making authority. The Tudors considered mayors, aldermen and provosts to be representatives of royal power although these offices were accorded through elections in which the will of the urban community was expressed. In the United Kingdom, too, none of this had changed (J. Lee; L. A. M. Stewart). In the Habsburg regions of the Czech Republic and Hungary, royal and noble city lords also had their power represented by judges and mayors (J. Hrdlička; I. H. Németh). The case of Edinburgh, which had become a city of the Stuart monarchy in the 16<sup>th</sup> century, accentuates especially that, despite a provost, despite a royal court and despite a Privy Council, the municipal community's own political life did not necessarily have to succumb. Edinburgh continued to maintain its independence from the royal lord of the city, even to the point of open opposition (L. A. M. Stewart). In the city of Trient, the capital of a princely bishopric, the lord of the city did not retract his legal claims, but, notwithstanding, settlements that were acceptable for the interests of both sides were reached in complicated situations (C. Nubola). Nevertheless, increased pressure applied on the cities by holders of sovereign power desiring dominion is apparent everywhere in Europe starting at the middle of the 17<sup>th</sup> century. Following the example of the rest of the nobility, the Habsburgs degraded their royal Hungarian cities to vassal cities in the royal domain (I. H. Németh). This leads to the other side of municipality-nobility dualism. The princely or noble lords of the city seemed to recognise the need for political independence and autocephaly in the medieval and early modern communities. Complete strangulation and incorporation into the apparatus of seigniorial-bureaucratic administration never came about, not even in the strongly controlled cities of lordly residence, as can be observed in the Habsburg capital cities. This did not happen out of consideration for the cities, of course; in the entire Asian region, cities with comparable functionality were always in the strong grip of the lord of the city (Chr. R. Friedrichs).

Behind this consideration was the knowledge of the basic distinction between two different foundations of political power and the self-organisation which had been at the disposal of the political culture in Europe since the formation of the city as an urban community in the late classic period. The noble autocracy, which was based on a capacity for use of force and which built up a social order on corresponding disparities in the availability of forceful means of keeping and retaining power, was confronted with the model of a community based on membership, in which the formation of hierarchy with competency to assert power was organised according to functional aspects and in which at least the head of the hierarchy was determined by election. The city was not the only place in feudal society to experiment with this. For the historical development of the model and its spread, an important role had been played by the fact that Roman hierarchy had connected the feudal and the communal models with each other since the late classic period. The imposing institutional structure of the Roman Catholic Church was, in the beginning, a representation of its own social “architecture” as a part of the nobility. In broad areas, its hierarchy was fashioned according to the autocratic model. Nevertheless, accordance of power was usually based on functionality and dependent upon evidence of competency. In many cases, assignment to a position was based on election. This combination gave the church a clear advantage in organisational ability which, for a long while, was more than able to make up for its relative lack of military power in its rivalry with worldly powers.

The second social area in which the functional model of the foundation of political power was realised was the (municipal) community. Nicolas Rolin encountered this point when he began his experiment with a Hôtel-Dieu in the 1430s. When the Duke of Burgundy’s energetic chancellor, who was not at all prudish in his choice of political means, established a hospital in Beaune in 1443 in order to achieve a sufficient counterbalance to his sins through good deeds, he first organised it as an institution which functioned according to the principles of autocratically based power with delegated competencies of authority. Rolin learned quickly that the institution he had created could not be sealed off from the grip of the ecclesiastical and feudal world surrounding it and that it was unable to fulfil the duties in the care for the needy and sick intended for it since the community, constituted like a cloister, was corroded with corruption and mismanagement. Rolin founded his Hôtel-Dieu a second time, this time establishing it as a convent of lay nurses who determined their superiors as well as father confessors through elections. The Burgundian chancellor had thus created an institution which was to set the standards for care of

the poor and sick and, moreover, proved to be extraordinarily stable. Until into the 18<sup>th</sup> century, the right of self-determination experienced by the nurses from the Hôtel-Dieu in Beaune and all the other cities in which they had, with the encouragement of the council's ruling body, founded subsidiary institutions, gave these nurses the self-confidence that enabled them to oppose successfully any attempts by the bishops and the nobility to curtail the autonomy of their self-administration and force them under the dominion of the ecclesiastical hierarchy or seigniorial authority (K. C. Robbins). In this altercation, representatives of the aristocratic principle alluded to God's order for the world, whereas the congregation of nurses at the Hôtel-Dieu based their claim for autonomy on the exigencies of common weal. Thus, function as well as transcendence illustrated the reasons at the base of the arguments of two completely different political cultures: one, communal society and the other, autocratic hierarchy.

Nevertheless, a common social framework of reference was recognizable on both sides. It was only the principle of participation that had enabled the hierarchal aristocratic society founded on autocratic positions of power to accommodate itself to a sort of political order. Consultation demarcated the border between legitimate monarchical rule and tyranny. Throughout Europe, this had been concretised in assemblies of estates where princes and monarchs had assured themselves of the material support of the nobility obligated to them through homage and oaths of allegiance. In the 17<sup>th</sup> century, Spanish citizens perceived in this a constellation comparable to the relationship between the council and the community of citizens and deduced from this an emphatic obligation to speak out in public affairs by means of written memoranda (*memoriales*) (L. R. Corteguera). Perception may have been somewhat blurred in the reasoning behind this intervention, but, at the same time, one of the osmotic zones between otherwise opposing political cultures was clearly apparent.

This was also shown tangibly in another point. In the cities, political rights of groups as well as of individuals were also based on an argumentation with diffused logic. The very beginning of political rights can be traced back to the granting of privileges by autocratic city lords. In late medieval disputes, these then took on the firm form of compromises set down contractually in "letters of obligatory agreement" or other documents. However, in the conflicts of the early modern period, these stipulated rights were again interpreted, on the contrary, as "privileges" (A. Würgler). Although these civil rights were granted upon application and payment in one case or the other (C. Nubola), internal city discourse outlined the institutional structure of the political order, at least until into



the 17<sup>th</sup> century, as an order of privileges, i. e. as a system of rights and liberties accorded autocratically. This analogy to the world of the nobility and princes seemed so obvious and unproblematic that, in 1612, the citizens of the imperial city of Frankfurt took the election of the emperor Matthias and the usual negotiations for electoral capitulation accompanying such an election as an occasion for demanding from the city council the right to view the documents designating liberties and privileges accorded to them (A. Würbler).

Analogously, by practicing legal and seigniorial rights and controlling power, by exercising authority over farmers, demanding dues from them and curtailing their personal liberties, the cities themselves acted effortlessly as feudal lords in the Middle Ages and throughout the entire early modern period, without those affected perceiving a difference to the nobility. Zurich is just one example, albeit one of particular interest since its case also clearly illuminates the structure of compromise which, since the late Middle Ages, had bonded the regions in the Swiss Confederation, despite all their conflicting interests, into one network through usually bilateral pacts. The Swiss republic had a thoroughly feudal core. Its regions were aware of the fragility of their relationship to one another, and the fact that city and country cantons equalised their opposing interests at the cost of the farmers under their common dominion was also clear to them. For this reason, they did not hesitate to send commissars to negotiate in the conflict between the city of Zurich and its farmers in the 1420s (M. Jucker). The conflict was settled, but this constellation was retained and, in the early modern period, the Swiss Confederation continued, in a remarkable manner, to acquire the principles of communal order through self-evident exercise of feudal control in the regions and in the relationship between them. It is difficult to judge the extent of influence this manifestation of fundamental, juristic, seigniorial and territorial dominion had on the internal formation of municipal regimentation. It very probably upheld tendencies towards oligarchy, but a fundamental difference in the institutional regulation of such cities cannot be ascertained.

Thus the city remained recognisable in many spheres as a part of a society in which social differentiation and patterns of social order were effectuated in a mixture of two structural principles: segmental aggregation of structurally identical units, on the one hand, and hierarchical gradation, on the other. Municipal communities had originally grown together from different groupings—be it particular crafts or ecclesiastical parishes, thus actually villages—and this could still be observed in the organisational structure of the sections and the manifold corporative units,

as mirrored in the guilds and craft organisations. Since the Middle Ages, these partitions had integrated to a community governed by law and based on oath-swearing which was, however, not only strongly hierarchical in regard to its social order and status positions but also in regard to political rights. The most important differentiation in this respect was between citizens and non-citizens, and the latter were, in turn, usually divided into residents and foreigners (C. Nubola; L. A. M. Stewart). Notwithstanding, the oath-swearing was far from being a base for the same political rights for everyone. The possibilities for participation in the rights derived from the oath depended essentially on which corporative group the individual fully enfranchised citizen belonged to. While the possibilities for participation in the regimentation of the city were usually clearly set in contrary tracks for mercantile guilds and handicraft guilds, within the guilds themselves there were usually also those with, without or with lesser rights of political participation (C. Nubola; J. Hrdlička; I. H. Németh).

Despite such an overlap between a world of autocratic hierarchy and one of membership in a self-organised community, there was a sharp demarcation between each in regard to the foundation of political power. While autocratic power, on the one hand, was based on evidence of the capacity for using force, demonstrating that the basis for this order seemed to be an external point of reference, political power as well as the institutional structures connected with it were, in the second case, an apparent result of the actions and decisions made by a community in reference to itself. Defining itself as a political unit and acting as such thus always meant keeping in mind that and how this social order had generated itself and had to guarantee its existence continuously through the replication of itself. When the question is raised, as by Bodin, of the difference between a band of robbers and a state, the paradox of power in the first case was in the differentiation between legal and illegal force for productive use in the structure of the social order, whereas the paradox in the second case was in the differentiation between (functional) essential and non-essential force, thus establishing the social and discursive treatment of the paradox in reference to common benefit.

This divergence in the codification of power was, however, also diffused, which then led to a blurred structure of differentiation. In the case of the autocratic model, part of the acceptance of structurally fortified positions of power demanded ad hoc was obviously derived from the specific capability of force available in regard to the individual situation. On the other hand, power resulting from self-organisation based on decision-making, as practiced by members of municipal councils, was founded formally on the attribution of functions through elections.

Wherever those exercising an official function did not appear as the direct representatives of autocratic power (J. Lee), however, it was apparent that here, too, it was a question of domination—and not of political power. Such functions were taken over only by those possessing sufficient means of power in the form of material and social resources to make their “influence” felt. Their policies were continuously imbued with the necessity to retain their own social position. In regard to power, the logic at the base of the appointment of many lesser office-holders and civic officials, all the way down to constables and church wardens, had the same kind of blend. These officials were usually appointed by councils or elected officials, but never against the will or without participation of the community (J. Lee). These lesser officials acted as an extended arm of domination in municipal regimentation while, at the same time, their individual interpretation of the office offered further possibilities for participation in municipal regimentation and an active formation of it.

The next section will refer back to the treatment of this tension between the divergent codes of power. At this time, however, the main point of discussion is a comprehension of the improbabilities in an order that had to create itself and be replicated through decision-making in a self-generating political society. This was the particular challenge for formation of social order in the early modern European city. What it had in common with its autocratic environment was, however, that this formation of order took place mainly through face-to-face communication. Social order had to be formed and conditioned correspondingly in order to ensure the probability and likelihood of specific communication processes which, in time, consolidated themselves into structures, institutions and calculable chains of action. For this reason, the creation and replication of the political as well as the social order in the late medieval and early modern city was consummated as a performative event. It was only through a ritual and symbolic framework that situations could be elevated out of the flow of daily communication and accentuated clearly enough to enable formation of the internal structure through further conditioning of communication. Nearly every communicative process in this constellation was provided with a symbolic or discursive excess to visualise the point in question. The community constituted itself through assembly; the relationship between community and council was moulded through the holding of elections.

In this way, institutional as well as systemic order remained closely coupled to each ongoing event. The necessity for symbolic and discursive stabilisation proved to be correspondingly great. Elections—though a process requiring making a decision between several alternatives and thus,

at its core, not a ritual—were saturated with ritual elements in order to lead the participants through the procedure (U. Goppold). When, in the 17<sup>th</sup> century, the city councillors in Lubeck got the idea of abolishing the magistrates' procession following council elections because they had discovered it as an expression of Catholic piety, they quickly noticed that a political process based on the logic of interactive communication did not permit this. The magistrates' procession was then reinstated since this was the only means of not only representing but also of establishing the unanimity of the city councillors among one another and that of the council with the community (R. Schilling). In other cases, the performance of the ritual was combined with sermons and speeches in order to emphasise the importance of the procedure and thus make its rejection inadmissible (D. Estier; C. Nubola; J. Hrdlička; I. H. Németh). Through the reality created by symbols, rituals and discourse, these chains of communication fashioned as a performance spectacle became independent and took on an institutional life of their own in relation to the individuals acting within them (R. Schilling). Strong means were used to achieve this. Upon installation into office in an Upper-Hungarian city, a ceremony which took place at a cemetery, the judge would be confronted with a wagon full of firewood and told that this was the pile of wood on which he would be burned to death if he did not fulfil his office without self-interest (I. H. Németh).

The question of whether the early modern city, in its need for symbolic, ritual and discursive stabilisation of patterns of social order, was clearly different from autocratically founded political formations is not a theme for elucidation in this work. At this time, it seems more important to ascertain that the European city in the early modern period was characterised in many ways by circumstances in the environment from which it had arisen. Reciprocal action which bound both sides to each another took place along the border between these two worlds. One of the reasons for this interchange was that the demarcation of the border occurred in a manner of communication which was also predominant on the other side of the border. The world of the nobility was also the result of a variety of the face-to-face society. At the same time, the city, however, created a space for itself in which its own kind of logic for a social frame could be realised. Within its borders, face-to-face communication took on other forms.

## **II A fragile foundation for power: elections**

In the political structure of the early modern city in Europe, the assignment of offices in city councils and in other areas of decision-making displayed a broad spectrum of forms and individual elements which could be, and were, combined with one another in different ways. For this reason, it is hardly possible to distil one or more ideal types of municipal election procedures. Some basic characteristics of the structure are, however, easily recognisable.

The performative dimension of the political process has already been mentioned. The elections, too, were not presented simply as processes or procedures but rather as meticulously staged rituals which were thereby able to deliver their own interpretation as well as transmit a codification of the power on which they were based. It was only in appearance that the temporal limit on office-holding was one of its most important characteristics. Since the annual repetition of elections was usually of little importance for the councillors' actual period of office, the reason for the regularity and compact sequence of these elaborate procedures must be sought in a different area. It is quite obvious that elections must be understood as a part of the self-reassurance with which the municipal communities clarified the principles of the political order for themselves, thus helping these principles to become reality.

Another important characteristic was the combination of certain elements, usually several at a time, to form a complex event which left hardly any possibility open to distinguish exercise of influence by individual groups, families or networks. In this way, the social foundations of power were concealed or at least kept latent. This served to preserve the stability of social order determined through presence and performance and in which every event could thus have a direct effect on structures. It was only in exceptional cases that voters and those to be elected confronted one another directly and also only in exceptional cases that the council added supplementary members to itself in open co-optation for the entire world to see. Electoral boards composed of men selected from within the guilds or city sections, the Great Council or one of the electoral communities were established. A register of candidates was compiled from which, in turn, the future office-bearers were frequently elected in a succession of convoluted selection processes. Even the election processes themselves exhibited great differences: there was election according to a majority vote for each individual candidate as well as the leadership of a particular authoritative person or group of persons at the beginning to assure that subsequent voting was by acclamation. On occasion, ballots

were cast with the candidates “selected” from a previously defined circle, thus turning the election into a canalised lottery. Finally, co-optation also took place often, but then usually behind closed doors. Subsequently, the newly elected officials were then presented, usually not individually but rather as a group.

However the processes of selecting a candidate and the election itself were combined, it was obvious that the mechanism of selection was not set on open contingency and aggregation of individual votes generated by chance but rather that obscurity was used in favour of the guiding influence of the council members. Either in the selection of candidates or subsequently in the election process itself, certain mechanisms were structured into the election procedure in order to assure decisive influence on the outcome of the election for council members, despite the broadest participation of voters from other groups within the municipal population. The election procedures thus united opposing processes of opening and closing. First, the election process was opened by extending the circle of participants and also that of candidates, in part almost to the point of obscurity. The elections were then closed or narrowed in the actual election processes by directing the selection through open voting or direct co-optation in such a way that necessitated the replication of positions of social power in the city. Whenever there was a deviation from this, this basic pattern held true even more clearly. When, at the beginning of the 17<sup>th</sup> century, the citizens of Frankfurt installed new council members in an ad hoc process during the “Fettmilch uprising”, thus breaking through the usual mechanisms of co-optation, they made the old council swear to accept the election and the new members (A. Würgler). Legitimation of elections thus did not result from the procedural structure of elections alone but was also founded by a process leading to a result which one of the actors had found appropriate beforehand.

Social climbers in such a constellation probably had a difficult time in all ages, even when they acted with more adroitness than the unfortunate mayor of Zurich, Hans Waldmann, at the end of the 15<sup>th</sup> century (M. Jucker). Normality in the annual renewal of the city council in Lubeck provided for a ritual through which newly elected members of the council were welcomed by those remaining in office and thereby accepted in their midst according to the regular order (R. Schilling). Staging the co-optation in this way made it clear that renewal of the council was usually limited to only half of its members, while the other half was necessary for assurance that the institution would be kept in vivo, in the truest sense of the word, and a guarantee of its permanence.

The statement that, in one respect, the structure of election processes had no actual decisive influence on the outcome of elections hits the mark (Chr. R. Friedrichs). Elections did not prevent city councils from becoming an oligarchy, a form which, excluding some exceptions, (I. H. Németh), is known to have increased in the course of the early modern period and which, in several cities, had become narrowed down to so few families by the beginning of the 18<sup>th</sup> century that it became difficult for these to provide a sufficient number of men as councillors and for other official positions.

Upon closer inspection, the councillor positions to be filled through municipal election procedures proved to be institutionalised functions only in a limited sense. They were too closely connected with the persons who had been appointed, just as the city council presented itself formally as a stable form of institution but, nevertheless, did not clearly differentiate itself, in fact, from a group of families which was usually rather exactly defined. All the more remarkable were the attempts undertaken in the staging of election processes to place a symbolic distance between the candidates as well as those elected and their families in order to accentuate independence from the political power of those in positions of social status and from any other entanglement (R. Schilling). Noteworthy is also the trust in the constituting role of the council as a group, as expressed in their demonstrations of self-representation, sermons and pictures. It was only in the common group of council members that the individual defined himself as a councillor, and membership in the group ensured that disputes with other councillors would not be settled openly (R. Schilling). It was only as a group of colleagues that the institution gained reality and independence, also in respect to individuals holding office, and it was only in the community of colleagues that, on the other hand, the role of the office became tangible.

These difficulties in differentiating between roles by means of conditioned forms of communication and substantiating these in regard to other areas in society are characteristic of face-to-face communication: it is obvious that, in the accomplishment of interaction, allusions to the actual point of reference in communicative functions are overlaid with a personal dimension and that the temporal option in regard to the future is disregarded in favour of the material presence of communication at the present time. In the shaping of election processes as a performance, an attempt was made to cushion the continuous embedment of controlled political power in the overall social context of the municipal community by the use of intensive symbolic and discursive interpretation which emphasised the unanimity of the electoral decision and the unity of the

elected council, on the one side, as well as the accord between the council and the community, on the other (D. Estier; C. Nubola). In Czech cities, for example, well-prepared staging of public inquiry of the community by the commissioners in command was chosen as a means of demonstrating the realisation of this unanimity through performance (J. Hrdlička).

Such demonstrative staging of unanimity and unity bears inherent reference to the perils and dangers of this event. Elections often led to dispute; they were repeatedly the starting point for unrest and a danger to the existence of the municipal order (A. Würgler). In elections, the vulnerability of the shaping of a society based on presence (*Anwesenheits-gesellschaft*) during the formation of the municipal structure was revealed. Nevertheless, this danger was also symptomatic for the fact that council elections and the affiliated renewal of the council represented liminal procedures during which the political order of the city was led back to the point of its origin in order to arise from there once again. Without political discourse ever having made this a theme for the city, the elections marked a periodical “state of nature” in which power disappeared and from which it was then renewed through its assignment to persons. Power was thus inseparable from persons, but persons alone did not guarantee permanence of order. The critical and perilous moment which elections represented for municipal society could only be mastered through the scrupulous care of rituals and structure. These were indispensable because, otherwise, the municipal community would not have been able to bring forth political power in a non-autocratic form while creating itself as a political unit. Accordingly, the intensive religious framework of the elections, which based its starting point in a transcendental relation, was not grounded only in an aspiration for divine legitimisation of the order. This religious framework was also used by ruling Protestant councillors who, for their part, left no doubt that they regarded the religious order as a function of the political system (R. Schilling). Transcendence was an additional further force called upon to guarantee banishment of the power of elections to rupture society. Transcendence could be disregarded in cases where the development of the institutionalisation of politics had been furthered sufficiently and where an autocratic secondary codification of municipal power had been agreed upon. This situation could be observed in Venice (R. Schilling).

For this reason, elections continued to be paradoxical events in the cities of the early modern period. The coherence of the city as a communal unity of citizens was accomplished in elections. At the same time, the open acclamation in every election procedure made dissent a tangible possibility and unanimity a contingent constellation. There was nothing which the



shaping of a society based on presence was less capable of dealing with than open dissension or the building of factions.

### **III The political process: decision-making in the city**

The early modern city in Europe was characterised by a political culture of oral participation. This culture could be preserved until into the 18<sup>th</sup> century so that, even then, the city was still characterised by decentralisation of political power. There were certainly efforts to concentrate this power on some officials in the city hall, such as mayors, judges or barristers, but such attempts, introduced into the cities by royal (or princely) city sovereigns starting at the beginning of the 18<sup>th</sup> century, for example, in Hungarian cities, only had a chance for success when pursued with purposeful tenacity by the city sovereigns and their commissioners on site (I. H. Németh). Such changes were not brought about by special commissions sent by the Emperor, Imperial Chamber Court (*Reichskammergericht*) and Imperial Aulic Council (*Reichshofrat*) of the Holy Roman Empire with a mandate limited in time to arbitrate in acute cases of internal city conflicts or finance crises.

Elections to office or to the city council were also only one possibility for the generation of political power capable of producing decisions with a general obligation. The second way was through membership in one of the corporations or communities of fellowship which united the city—beginning with sworn citizenship entitling political rights, continuing with the guilds and craft unions and extending to the city sections, quarters, parishes and also conventicles of the denominations in Protestant cities, as far as they were able to play a political role (L. A. M. Stewart). Measured solely on the amount of communication, it seems that more policies were made here and that more power circulated here than in the city hall, for the large number of assemblies during which policies were discussed, opinions formed and, in part, decisions made connected far more people with one and concerned more objects of general interest and common weal that were included in the politics of the city hall.

This had consequences in two respects. First, it caused the spontaneous assembly of people in the city to become a dangerous event. At such gatherings, power originated out of thin air, so to speak, and these assemblies were regarded correspondingly with fear and distrust. Wherever police supervision and the administrative apparatus were already sufficiently developed, attempts were made to control public places—especially inns—and corporations were also usually forbidden to meet spontaneously without the consent or the request of the council. Such

unapproved gatherings were considered “bad counsel” and, if they took place in a public area, they were regarded as formation of a mob and a preliminary step to rioting (J. Lee; M. Jucker; P. Oelze). In the city of the early modern period, many attempts were made to control this emergence of power, not only through restriction but also through productive use of the development of institutions. The ways guild assemblies were used to enlarge the basis on which a council could act could already be observed in the 15<sup>th</sup> century. Guild meetings were usually called not to allow for participation in decision-making or to put decisions of the council to a vote but rather in order for the council to make proclamations, to inform itself of the spectrum of current opinions and to create “unity” (P. Oelze). On the other hand, the city lords who dissented with the council tried to exploit the guilds correspondingly. The Major Councils, in which the artisans, who were usually excluded from consultation, were represented, illustrated further attempts, in addition to assemblies of communities or city sections (C. Nubola; U. Goppold), to incorporate assembly as the origin of power into the political process in a controlled and calculable way. None of this changed anything about the fact that spontaneous assembly remained a constitutive component of the political process in the city until the end of the Ancien Régime and that the history of the early modern city in Europe became one of unrest and tumult. These gatherings did not represent anomic outbursts of violence but rather an important form which the political process could, under certain circumstances, accept.

The other consequence of this mixture between centralisation and decentralisation of power in the municipal shaping of a society based on presence was the very slight difference in power between council regimentation and the sum of the other areas in the city in which, purely through assembly, power could arise and policies could be made. Councillors or mayors who did not take this into consideration could quickly find themselves in a precarious situation, even in the 17<sup>th</sup> century, while, on the other hand, councils used the same severity against those who could be identified as initiators of such “bad counsel” and disorder. Nevertheless, such actions only occurred in extreme cases. For daily political life in the city, this constellation meant that political action was always carried out in a broad spectrum of forms of communication but, at the same time, was only able to react to problems when they were channelled into a certain form and theme.

At least in larger cities, the councils met several times weekly and, beginning in the 16<sup>th</sup> century, there were complaints that the amount of business could not be mastered. This had to do with the increasing size and

complexity of municipal society, which resulted in great and greater need for decision-making, on the one hand, and in problems of organising face-to-face communication among those present to enable procedural decision-making, on the other. The ritualised framework necessary for creating a council meeting out of an assembly was only a first step in the process of this formation. Another condition was the inclusion of the participants in this process. For this reason, decisions were rarely reached by means of voting but instead usually through time-consuming inquiries (U. Gopold).

The intention of procedural decision-making is to bind the participants in the process to an outcome which may be contrary to their own interests and intentions. As long as procedures have been sufficiently institutionalised and especially when the roles in the process have been clearly differentiated from other social roles played by the participants, this outcome can be achieved through majority decisions. Otherwise, exhausting palaver leading to unity is the order of the day. In the decision-making processes of the councils considered in this volume, the prerequisites for majority decisions existed only to a limited degree. Roles were not simply cast off or changed. Councillors usually remained members of the council for life and, if the mayor of the city was to be criminalised and considered a sinner fit to be put to death, a long rite of passage progressing through several stations was necessary, as in Zurich at the end of the 15<sup>th</sup> century (M. Jucker). Even the constitution of power through elections seems to have effected only a fragile separation of roles which could be breached in council assemblies so that, under certain circumstances, it was then the entire social persona that had to be dealt with. Consensus or agreement described the normal state in decision-making; unanimity had to be accomplished through an explicit statement, such as inquiry, for example, and, correspondingly, dissent was marked by leaving a session (D. Estier). Whenever such dissent could not be prevented, an attempt was made, nevertheless, to give the outward appearance of a unified group of colleagues. The procedures involved were time-consuming; they were sluggish and probably also prevented the council itself from developing political initiatives on a larger scale.

The other political processes in the early modern city also demanded a stronger framework as well as articulation through rituals. Guild assemblies should be pictured as being similar to what we have learned about council sessions. Decision-making was hardly any different there. The most remarkable phenomenon, however, was the successful formation of this open, agonal political process originating in spontaneous assembly and the power emerging from it as well as the creation of an entity of

municipal politics with institutional forms of order. This is also impressive evidence of the enormous effectiveness which face-to-face communication can achieve through ritual and symbolic form. Tumults and spontaneous unrest did not take place without plan; they were the result of a calculable pattern and plan of action familiar to both sides. In addition to speech and the circulation of printed or written texts, symbols comprehensible to both sides were used either to provoke or to promote a reconciliation of interests (M. Jucker; P. Oelze; L. A. M. Stewart; D. Estier). Violence and the threat of violence played a decisive role in this and also referred to the other code of power involved. It was for this reason and because accord, in many cases, had to be paid for by sentences to death or other sacrifices to violence that idealisation is not appropriate but, nevertheless, the historical importance of ritualised violence can be recognised in a comparison. Descriptions from cities in Asia give the impression that, although controlled formation of opinion by the municipal government also belonged to the political process there, ritualised conflict and unrest was not a constitutional element of it (Chr. R. Friedrichs). Unrest presented an extreme situation and a dangerous test of endurance for the European municipal community. Accordingly, unity of the municipal community was also treated as a precious commodity to be protected with severity and vigour against any attempt to spread dissent, to play off groups against one another or to create opposing groups and opposition by dramatisation of debatable religious points (L. A. M. Stewart). Municipal policy-making was accomplished with a horizon of values articulated in a many-faceted discourse of assent (U. Goppold; D. Estier).

This discourse of assent was realised, among other ways, in the actions of the many lesser municipal officials and public servants who, as constables, bailiffs or wardens, were concerned with the discharge of the ruling body's orders and assurance of "beloved peace" in daily municipal life. Through their actions, government was made tangible, which also meant that they interpreted the elected regime's decisions in direct confrontation with the residents and citizens of the city, thus exposing the elected body to a process of compromise. Their official actions became negotiations along the diffused border between official arbitrariness, partiality and corruptibility. For this reason, they were also termed as "community brokers", persons who negotiated between elite civic office-holders and the community. At the same time, they helped to determine the contents of political substance by supplying information which could be used as a reason for making further decisions (J. Lee).

It can be concluded that this connection between centralism and decentralism of power and the intensity of the forming of face-to-face

communication in the political process turned political action as an attempt at formation into a difficult and risky enterprise. Individual actors wanting to take political action had to have mastery of the system of signs, symbolic actions and rhythmic tempo. They had to know how to create solidarity and call upon it at the decisive moment. Anyone not mastering this key-board of communication but desirous of pursuing ambitious goals failed, even if he was acting from a momentarily assured position of power (M. Jucker). In general, this made it difficult for those wanting to climb upwards, as other cases demonstrate. However, this also put politics of unrest at a fairly great risk since it is clear that, despite all rituals to fend off the unforeseeable and despite the complexity involved, much greater leeway was inherent than in a decision-making procedure.

In the municipal councils, this complexity and the risks of political action led to a very particular style of policy-making. One could speak of politics upon occasion. Councillors usually reacted instead of ruling proactively. In the council sessions, it was primarily the series of actual cases that were handled, ranging from complaints and petitions to correspondence from within the city and outside it. Especially matters of supplication became a generator of municipal policy-making starting in the 16<sup>th</sup> century (C. Nubola). The city was obviously very far removed from the political objective of shaping policies that, starting in the 17<sup>th</sup> century, was characteristic of territorial princes, monarchs or royal states. Beginning in the 17<sup>th</sup> century, German territorial lords held increasing and more intensive power in the cities under their authority and thus, in part, did not want to recognise the policy-making of councils at all.

There is, however, a tangible horizon of values in reference to the functional necessities of economical or social replication of municipal communities, a perspective which gives their situation a framework and from which indications for policy-making in respect to the future can be derived. Preservation of domestic peace and common weal were two terms used to circumscribe such general areas of political action. From the 15<sup>th</sup> century on, these were increasingly put in place in German cities through policy regulations. Here, too, action according to occasion could be experienced continuously in the political process because regulation followed upon regulation and mandate upon mandate dependent upon the occasion. Efforts to bring about systematisation of policy-making are recognisable in the second half of the 17<sup>th</sup> century—but only in individual cases.

Accordingly, juridification of municipal politics took place just as rarely, a situation that barristers and syndici in the cities in the 18<sup>th</sup> century complained about over and over again. Similarly, scientification of

municipal policy-making, not only in Germany, did not take place (J. Lee). Cameralism, which formulated a political programme for the territorial state starting in the 17<sup>th</sup> century, investigated the city only with side-glances, and it was in the science of the state and policies in the 18<sup>th</sup> century that the city finally appeared as an environment within the state, i. e. as a reason for and object of state politics. Althusius was the only one to attempt to imagine a state formation in which decentralised power originated in elections. Nevertheless, his rough draft remained very abstract in reference to developing the code of power into a political programme. It was only in regard to setting forth the aim of regulatory policy that Althusius agreed with the factual policies of the cities. Essentially, these were supposed to check and regulate the social dynamics and social differentiation which arose from the expanding professional economy and commerce. For this reason, a theory of municipal politics cannot be found, except perhaps in beginnings and in disparate discourses, as made tangible in Spanish project-making (L. R. Corteguera) or in texts in which councils or their deputies educated in juristic matters attempted to protect the scope of action of municipal communities from attempts of municipal authorities at strangulation (C. Nubola). In the 18<sup>th</sup> century, critical observers then noticed that this constellation promoted the tendency of municipal councillors towards absurd foolish actionism from which the community could hardly be protected.

## **IV The transformation of politics through written text and print**

Constitution of power through elections and also the political process in the city itself were characterised to a great extent by the visibility of their accomplishment and by the connection between communicative operations and their simultaneous interpretation in terms of symbolic meaning. Sustained influence on the formation of political communication resulted from the increasing use of written text and print in the European society of the early modern period. The political process in the early modern city has thus come to us in abundant written files, although it is difficult to make assertions in regard to the various types of written text at the present state of research.<sup>3</sup> For this reason, it is especially important to distinguish scrupulously between two functions of written and printed media. The most obvious way to handle written text and print in the shaping of a

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<sup>3</sup> For this, see henceforth: Patrick Oelze (ed.), *Herrschaft und ihre Medien in der europäischen Stadt der Vormoderne* (in preparation, ca. 2010).