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The privileging of ‘new’ fairs in the late medieval Holy Roman Empire: coordination of fairs by means of privileges

Summary: The Holy Roman Empire experienced a trade fair boom in the Late Middle Ages. Numerous ‘new’ fairs were granted by either the king or emperor, or regional rulers. This encompassed not only fairs that were actually new, but also fairs with a long-standing tradition of only being privileged for the first time, and discontinued older fairs being re-established. The existing network of fairs not only grew in terms of numbers of markets, but also expanded geographically and became more specialised. Through the rulers’ granting of privileges, it also developed a more or less persistent spatiotemporal structure. The focus here is on the role of privileges in coordinating the annual sequence of fairs, especially with regard to the competition of towns over fair dates that became more intense due to the increased number of fairs. By means of an explorative analysis using a game-theoretical approach and cases of imperial privileging of ‘new’ fairs, the following can be shown: privileges were effective for managing the towns’ competition concerning the organisation of fairs, as the ruler’s granting of privileges proved to be necessary to create a coordinated network of markets with a legitimised spatiotemporal structure, which would not have emerged without third-party enforcement; different market terms like *meß*, *jarmarckt*, or *marckt* were used as synonyms and thus played only a minor role in privileging. On the other hand, the coordination of fairs by means of privileges was inefficient for three reasons: due to privileges, the spatiotemporal structure of fairs had become quasi-irreversible, which in turn narrowed the margin to find an appropriate date for a new fair and thus restricted further growth; due to the imperial chancellery’s limited overview of granted privileges, disputes over dates could not be settled properly; economic interests of the grantors of privileges in particular fairs enabled certain towns to influence the emperor—who was the most important grantor at the time—to their own benefit, but to the detriment of other fairs.

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1 Introduction: the late medieval trade fair boom

Quite obviously, trade fairs and annual markets were a pivotal element of the medieval economy in Europe. All across the continent, such periodic markets emerged in great numbers in towns, villages, and monasteries. A particular boom of market expansion can be observed throughout the thirteenth, fourteenth, and fifteenth centuries, at first in parallel to the rise of the famous Champagne Fairs, but also continuing after their decline.¹ Periodic markets were held once or twice, rarely more than four times a year, and were commonly privileged by rulers—that is, counts, dukes, and kings. Such markets then flourished particularly well into the sixteenth century.² The economic development in many regions of the Holy Roman Empire was completely in line with this general upward continental European trend. In the late fourteenth and fifteenth centuries,³ the German-speaking lands of the Holy Roman Empire experienced a veritable increase in ‘new’ fairs, and a complex hierarchical network of supra-regional trade fairs and

1 See Stephan R. Epstein. Regional Fairs, Institutional Innovation, and Economic Growth in Late Medieval Europe. *Economic History Review* 47:3 (1994): 459–482, 459–462; Michel Pauly. Les marchés annuels en Europe aux XIV^e–XVI^e siècles. Études régionales et essai de classification. In *Fiere e mercati nella integrazione delle economie europee, secc. XIII–XVIII. Atti della “Trentaduesima Settimana di Studi” 8–12 maggio 2000*, Simonetta Cavaciocchi (ed.). Florence: Le Monnier Università, 2001, 669–683; Michael Rothmann. Überall ist Jahrmarkt. Entwicklungstendenzen der Institution des periodischen Marktes in Zentraleuropa vom 14. bis zum 17. Jahrhundert. In *Fiere e mercati*, Cavaciocchi (ed.), 91–108; Erik Aerts. Fairs: European Fairs. In *The Oxford Encyclopedia of Economic History*, vol. 2, Joel Mokyr (ed.). Oxford: Oxford University Press, 2003, 253–256; Michel Pauly. Jahrmärkte in Europa vom 14. bis zum 16. Jahrhundert. Regionale Untersuchungen und der Versuch einer Typologie. In *Messen, Jahrmärkte und Stadtentwicklung in Europa*, Franz Irsigler, Michel Pauly (eds.). Trier: Porta Alba, 2007, 25–40; Michel Pauly. Vom regionalen Messe-system zum internationalen Netz von Messestädten. In *Netzwerke im europäischen Handel des Mittelalters*, Gerhard Fouquet, Hans-Jörg Gilomen (eds.). Ostfildern: Jan Thorbecke, 2010, 49–100.

2 With reference to the tremendous increase in the number of fairs in the Late Middle Ages, only England was an exception. Before the Black Death, fairs had been more numerous in relative terms in England than on the continent, but thereafter their numbers actually declined, contrary to the continental European trend. This was because only few new fairs were granted and many of the older ones simply disappeared after 1350. See Epstein, *Regional Fairs*, 467. For an overview of the development of English fairs in the Middle Ages and in the early modern period, see Philipp Robinson Rössner. *Messen und Jahrmärkte in England im Spiegel der gesamtwirtschaftlichen Entwicklung und der beginnenden europäischen Wirtschaft, ca. 1000–1800 n. Chr. In Europäische Messegeschichte 9.–19. Jahrhundert*, Markus A. Denzel (ed.). Cologne: Böhlau, 2018, 83–114.

3 These were the reigns of Emperor Charles VI (1347–78), King Wenceslaus (1376–1400), King Rupert (1400–10), King Sigismund (1411–37), Emperor Frederick III (1440–93), and Emperor Maximilian I (1486–1519).

regional and local annual markets took shape.⁴ These 'new' fairs naturally comprised the ones that were newly established or at least re-established at the time, but also those with a long-standing tradition for which privileges were only being granted for the first time by either the king or the emperor. Among the newly established fairs were also those that were held in towns that had been granted a fair before, for instance, the Trinity Sunday Fair of Erfurt or the Winter Fair of Nördlingen. Finally, even prosperous free imperial cities which had not previously organised trade fairs inside their walls, such as Nuremberg or Ulm, tried to establish their own fairs at the time.⁵

For the Holy Roman Empire, there is indication of over 5,000 periodic markets in roughly 1,500 places in the period up to around 1500, with geographical density and frequency of such markets having been the highest in southern Germany.⁶ As annual markets and fairs in southern Germany were embedded into a wide-ranging network of towns,⁷ this area was already highly integrated in economic terms at the time. Such an economic boom, however, cannot only be observed in southern Germany. In northern Germany, where trade was dominated by the merchants from the Hanseatic towns with their partly informal, network-based trading pattern,⁸ both geographical density and frequency of periodic markets were presumably lower than in southern Germany. Large supra-regional

4 See Hans Conrad Peyer. Die Märkte der Schweiz in Mittelalter und Neuzeit. In *Gewässer, Grenzen und Märkte in der Schweizergeschichte*, Hans-Conrad Peyer (ed.). Zurich: Schulthess, 1979, 19–38; Franz Irsigler. Jahrmärkte und Messesysteme im westlichen Reichsgebiet bis ca. 1250. In *Europäische Messen und Märktesysteme in Mittelalter und Neuzeit*, Peter Johaneck, Heinz Stoob (eds.). Cologne, Weimar, Vienna: Böhlau, 1996, 1–33; Michael Rothmann. Marktkonzepte im mittelalterlichen Europa unter besonderer Berücksichtigung des Heiligen Römischen Reiches. In *Europäische Messegeschichte*, Denzel (ed.), 181–202.

5 See Michael Rothmann. Marktnetze und Netzwerke im spätmittelalterlichen oberdeutschen Wirtschaftsraum. In *Netzwerke im europäischen Handel*, Fouquet, Gilomen (eds.), 135–188, 151.

6 See Rothmann, Marktnetze, 149.

7 See Rothmann, Marktnetze, 151–155; Michael Rothmann. Messezeit: Handelsrhythmen und Jahreszeit. In *Taktungen und Rhythmen. Raumzeitliche Perspektiven interdisziplinär*, Sabine Schmolinsky, Diana Hitzke, Heiner Stahl (eds.). Berlin, Boston: De Gruyter Oldenbourg, 2019, 25–39, 27–30.

8 See Stephan Selzer, Ulf Christian Ewert. Verhandeln und Verkaufen, Vernetzen und Vertrauen. Über die Netzwerkstruktur des hansischen Handels. *Hansische Geschichtsblätter* 119 (2001): 135–161; Ulf Christian Ewert, Stephan Selzer. Social Networks. In *A Companion to the Hanseatic League*, Donald J. Harreld (ed.). Leiden, Boston: Brill, 2015, 162–193; Ulf Christian Ewert, Stephan Selzer. *Institutions of Hanseatic Trade: Studies on the Political Economy of a Medieval Network Organisation*. Frankfurt am Main: Peter Lang, 2016, 29–98; Ulf Christian Ewert. Limited Use of Money in Late-medieval Commerce: Economic Considerations on the Viability of Hanseatic Reciprocal Trade. In *Monetisation and Commercialisation in the Baltic Sea, 1050–1450*, Dariusz Adamczyk, Beata Możejko (eds.). London, New York: Routledge, 2021, 77–97; Stephan Selzer, Ulf Christian Ewert. Nord- und Ostseeraum, 500–1600. In *Handbuch globale Handelsräume und Handelsrouten*.

fairs had not emerged in the north either.⁹ Nevertheless, trade there was neither less intensive, nor was economic development belated.¹⁰ Of course, there has also been commercial exchange at fairs on a regular basis between the northern regions and Upper Germany. This came about through the export of northern goods such as dried cod, herring, wood, ash, pitch, tar, wax, beer, and linen to southern Germany, and the import of southern commodities like wine or cloth to northern Germany and the Baltic Sea area via the fairs of Leipzig and Frankfurt.¹¹ Prominent Hanseatic merchants, such as Hildebrand Veckinchusen (of Bruges), his brother Sivert (of Cologne), or Hinrik Slyper (also of Cologne) who were visiting the Frankfurt fairs, operated this trade.¹²

Von der Antike bis zur Gegenwart, Mark Häberlein, Markus A. Denzel (eds.). Berlin: De Gruyter Oldenbourg, 2024, 261–303, 276–284.

9 The only fair with a supra-regional scope that emerged in the Baltic rim in the Middle Ages—indeed, outside the Holy Roman Empire—was the Scania market in the neighbouring small towns of Skanör and Falsterbo at the southern mouth of Öresund, the south-westernmost tip of what today is Sweden. This fair was usually held from late August until early October and was the centre of exchange for herring and west-European goods bound for Scandinavia. See Carsten Jahnke. Die schonischen Messen. Eine freie Marktwirtschaft in einem angeblich rigiden System. In *Märkte, Messen und Waren im hansischen Handel*, Rudolf Holbach, Jürgen Sarnowsky (eds.). Wismar: callidus. Verlag wissenschaftlicher Publikationen, 2021, 33–66.

10 See Volker Henn. Über Jahrmärkte in den östlichen Niederlanden im späten Mittelalter. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 67–96; Niels Petersen. Raum und Zeit im Landverkehr um 1500. Die Viabundus-Karte des vormodernen Verkehrs in Norddeutschland. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 229–252; Niels Petersen, Bart Holtermann, Angela Huang. Digitale Werkzeuge zur Analyse von Straßen und Wasserwegen als Rückgrat eines vormodernen Märktenetzwerks in Zentral- und Ostmitteleuropa. *Zeitschrift für Ostmitteleuropaforschung/Journal of East Central European Studies* 70:3 (2021): 325–356, 347–350; Bart Holtermann, Angela Huang. Geospatial Methods and the Premodern Economy: Mapping the Institutional Landscapes of Northern Europe, 1350–1650. *Jahrbuch für Wirtschaftsgeschichte* 64:1 (2023): 179–212, 196–203.

11 See Franz Irsigler. Messehandel—Hansehandel. *Hansische Geschichtsblätter* 120 (2002): 33–50; Rudolf Holbach. Märkte, Messen und Waren als Thema der hansischen Geschichte. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 1–32; Stephan Selzer. Als Hansehistoriker an sächsischen Geleitstellen: Wagen, Waren und Fuhrleute im Landverkehr zwischen Nord und Süd um 1500. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 129–156; Angela Huang. Von Grautuch und Leinwand: Die Stellung der Produktionslandschaften des Hanseraums im spätmittelalterlichen und frühneuzeitlichen Textilhandel. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 157–186; Cezary Kardasz. Der Export von Holz und Waldwaren aus dem südlichen Ostseeraum im Spätmittelalter. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 203–228; Jürgen Sarnowsky. Südwaren auf den Märkten im südlichen Ostseeraum. In *Märkte, Messen und Waren*, Holbach, Sarnowsky (eds.), 187–202.

12 See Michael Rothmann. “Gab gott gnad und gros gluk, gwin.” Ein Beitrag über den deutschen Kaufmann im Spätmittelalter. In *Brücke zwischen den Völkern—Zur Geschichte der Frankfurter*

However, the European-wide establishment of a large number of local and regional periodic markets has long been largely overlooked by economic history because research focused on long-distance trade and large international trade fairs.¹³ However, it was Stephan R. Epstein who, in his 1994 article on “Regional Fairs, Institutional Innovation, and Economic Growth in Late Medieval Europe,” refocused economic history on this late medieval boom of periodic markets.¹⁴ Epstein pointed to the fact that geographical density and frequency of such markets allow conclusions to be drawn about the level of economic development as well as about the degree of economic integration of a certain region. Michel Pauly has shown that periodic markets have made a significant contribution to supra-regional economic integration.¹⁵ The topic of trade fairs and annual markets is therefore—directly, or at least indirectly—linked to other important topics in economic history, such as the premodern urban economy,¹⁶ the emergence of a market

Messe, vol. 2: Beiträge zur Geschichte der Frankfurter Messe, Patricia Stahl (ed.). Frankfurt am Main: Union-Druckerei- und Verlagsanstalt, 1991, 253–262; Otfried Krafft. Eine Fehde, ein Reichsachtverfahren und das Ende zweier Grafschaften. Die Kaufleute Veckinchusen im Streit mit den letzten Grafen von Ziegenhain. *Zeitschrift des Vereins für hessische Geschichte* 111 (2006): 31–62.

13 A misinterpretation of the term ‘eternal fair’, coined by Max Weber, contributed to this non-observance of smaller periodic markets. In contrast to Weber, who only wanted to conceptualise the increasing importance of stock exchanges, many economic historians understood ‘eternal fair’ to mean urban markets in general. Based on this misunderstanding, a thesis was therefore able to prevail according to which, due to economic modernisation in the Late Middle Ages, supra-regional fairs (such as the Champagne Fairs) had been replaced by permanent urban markets and commercial exchange had concentrated on towns. See Epstein, *Regional Fairs*, 459–460. In contrast, Weber saw this sort of ‘eternal fair’ primarily as being realised in the stock exchanges that emerged at large trading centres such as Antwerp, Amsterdam, London, and Leipzig between the sixteenth and eighteenth centuries. See Max Weber. *Wirtschaftsgeschichte: Abriss der universalen Sozial- und Wirtschafts-Geschichte*, Sigmund Hellmann, Melchior Palyi (eds.). Munich, Leipzig: Duncker & Humblot, 1923, 252–253. However, a generalisation of the argument that economic modernisation in the Late Middle Ages determined the decline of periodic fairs can be found, for instance, in the very influential work of Robert S. Lopez. *The Commercial Revolution of the Middle Ages, 950–1350*. Englewood Cliffs (NJ): Prentice Hall, 1971, 87–89.

14 See Epstein, *Regional Fairs*, 459–482. See also Stephan R. Epstein. Fairs, Towns, and States in Renaissance Europe. In *Fiere e mercati*, Cavaciocchi (ed.), 71–90.

15 See Michel Pauly. Der Beitrag der Messen und Märkte zur mittelalterlichen Integration Europas. In *Messen, Jahrmärkte und Stadtentwicklung*, Irsigler, Pauly (eds.), 285–314.

16 See Michael Mitterauer. Jahrmärktekontinuität und Stadtentstehung. In *Markt und Stadt im Mittelalter. Beiträge zur historischen Zentralitätsforschung*, Michael Mitterauer (ed.). Stuttgart: Anton Hiersemann, 1980, 154–191; Edith Ennen. *Die europäische Stadt des Mittelalters*. 4th ed. Göttingen: Vandenhoeck & Ruprecht, 1987, 80–84; Hartmut Boockmann. *Die Stadt im späten Mittelalter*. 3rd ed. Munich: Verlag C.H. Beck, 1994, 94–124; Franz Irsigler. Messen, Jahrmärkte und Stadtentwicklung in Europa. Mittelalter und Frühe Neuzeit. In *Messen, Jahrmärkte und Stadtentwicklung*, Irsigler, Pauly (eds.), 1–24.

society¹⁷ (not only in towns, but also in rural areas), or the so-called Consumer Revolution.¹⁸ Hence, by using the case of the granting of privileges for ‘new’ fairs in the late medieval Holy Roman Empire, this paper focuses on the contribution of institutions to economic development and growth. In particular, the effect of the growing number of periodic markets will be examined, which was an increasing competition among towns that organised or planned to organise supra-regional fairs for market dates. This competition needed to be managed in order to foster continuing economic growth. More precisely, coordination of the network of fairs was an issue at the time. Were privileges functional in managing this competition and were they also an efficient means to coordinate supra-regional fairs? Could privileges be used to shape the spatiotemporal structure of fairs? These aspects, that have received little attention in research so far, shall be examined in more detail by means of an explorative analysis and by using a game-theoretical approach.

The paper is structured as follows: in section 2, the meaning of the various terms for periodic markets that were used in privileges will be shortly described. In section 3, a brief sketch of the economic effects of trade fair privileges will be given, together with an overview of the hypotheses discussed in economic history research about possible reasons for the granting of fairs. A game theoretical model is also presented, which is subsequently used (in sections 4, 5, and 6) as the framework for an exploratory analysis of various effects of privileges on the shape of the spatiotemporal structure of late medieval trade fairs. This analysis is based on cases of the emperor’s privileging of ‘new’ fairs in the fifteenth and early sixteenth centuries. Finally, the effectiveness and efficiency of the coordination of fairs by means of privileges will be discussed in section 7.

¹⁷ See Epstein, *Regional Fairs*, 461–462.

¹⁸ It would, of course, be a rather promising attempt to systematically apply the concept of the ‘Consumer Revolution’ that has been developed to explain the specific economic development of England in the eighteenth century to the consumption patterns that can be observed in late medieval towns. For the Consumer Revolution, see Neil McKendrick, *The Consumer Revolution of Eighteenth-Century England*. In *The Birth of a Consumer Society: The Commercialization of Eighteenth-Century England*, Neil McKendrick, John Brewer, John Harold Plumb (eds.). London: Europa Publications, 1982, 9–33; for its potential application to medieval urban consumption, see Thomas Ertl, *Bauern und Banker. Wirtschaft im Mittelalter*. Darmstadt: WBG Theiss, 2021, 199–226.

2 *Meß, Jarmarckt, Marckt*: terms in German for periodic markets

In Early New High German—the written language in the central and southern regions of Germany between c. 1350 and c. 1650—periodic markets were referred to differently in written sources. Commonly, the terms *meß/messe* (*Messe*, ‘fair’), *jarmarckt* (*Jahrmarkt*, ‘annual market’) and *marckt* (*Markt*, ‘market’) were in use. *Markt* (in modern German) goes back to the Latin *mercatus*, which refers to places where goods are exchanged.¹⁹ Whereas in other European languages the designation for trade fairs has its origins in the Latin *feriae* (French: *foire*; Italian: *fiera*; English: *fair*), in German, *Messe* became the established form. It derives from the Latin *missa*, the Mass as a religious service.²⁰ This recalls that trade fairs and annual markets originally took place either on Sundays, on the occasion of a church feast, or on saints’ days, always after the Mass.²¹

These terms give the impression that they precisely capture the difference between trade fairs—as being far-reaching supra-regional periodic markets with a longer duration—, annual markets—as being smaller, only regional periodic markets with a shorter duration—, and the more or less permanent urban daily or weekly markets. However, such connotations are recent, having arisen from historical research in Germany since the late nineteenth century. Moreover, unlike the various French, Italian, and English terms for trade fairs, the modern German terminology of annual and weekly markets—that has also been adopted by historians of other languages since the early 1950s for their definitions of medieval and early modern periodic markets²²—implies a hierarchy of the different market forms with respect to a market’s economic importance and spatial scope. In line with this earlier research, Franz Irsigler, Michel Pauly, and Michael Rothmann distinguish between different types of periodic markets—namely, those which were only of regional importance and are thus termed as ‘markets’ or ‘an-

¹⁹ See Anne-Marie Dubler. Märkte. *Historisches Lexikon der Schweiz*. 27 October 2009. <https://hls-dhs-dss.ch/de/articles/013739/2009-10-27/> (29 May 2024).

²⁰ See Jan Albert van Houtte. Messe (Handelsmesse), I. Westlicher Bereich. *Lexikon des Mittelalters*, vol. 6. Munich, Zurich: Artemis & Winkler, 1993, cols. 558–560; Anne Radeff. Foires. *Dictionnaire historique de la Suisse*. 9 June 2008. <https://hls-dhs-dss.ch/fr/articles/013740/2008-06-09/> (29 May 2024).

²¹ See Rothmann, *Marktnetze*, 153.

²² See Radeff, Foires. The collected volume entitled “La Foire” that appeared in 1953 and especially its concluding article were highly influential in this regard. See John Gilissen. La notion de la foire à la lumière comparative. In *La foire*, John Gilissen (ed.). Brussels: Librairie Encyclopédique, 1953, 323–333.

nual markets' in historical research nowadays, and those which were part of a wide network of periodic markets, therefore considered highly important for supra-regional trade and termed as 'fair' ('Messe').²³ In contrast, in other languages, the distinction that different terms originally captured is based solely on the periodicity of the market. In French, for instance, periodic markets with only a few repetitions per year were already called *foire* in the Middle Ages and in the early modern period, no matter how big they were and how long they lasted. In contrast to this, the rural and urban markets, which took place weekly or even daily, were known as *marché*.²⁴ Large fairs such as those in Frankfurt or Leipzig,²⁵ which were termed *jarmarckt* or simply *marckt* in German, were called *foire* in French—for example, in French-language fair calendars of the late sixteenth century.²⁶

In contrast to this clear-cut system of terms for periodic markets used in modern historical research, in written German sources of the Late Middle Ages, the wording was not that clear at all. In many cases, the wording implied no differences, neither with respect to periodicity and duration, nor with respect to the geographical scope of a market. The terms *meß* and *jahrmarckt* were often used as equivalents. This may be due to the fact that until the end of the eleventh century, the term *mercatum* was used almost exclusively for (periodic) markets in charters written in Latin, and since then the term *forum* as well as the ancient term *nundinae* only gradually found their way into the texts.²⁷ From this, older

23 See Franz Irsigler. Zur Hierarchie der Jahrmärkte. In *Ausstellungskatalog "Spätmittelalter am Oberrhein. Große Landesausstellung Baden-Württemberg"*, Staatliche Kunsthalle Karlsruhe, 29. September 2001–3. Februar 2002, vol. 2, Sönke Lorenz, Markus Dekiert (eds.). Stuttgart: Jan Thorbecke, 2001, 89–99; Pauly, Jahrmärkte in Europa, 25–40; Holger Kruse. Pariser Messen des Mittelalters. In *Netzwerke im europäischen Handel*, Fouquet, Gilomen (eds.), 101–134, 102–103; Rothmann, Marktnetze, 150–157.

24 See Radeff, Foires.

25 See Nils Brübach. *Die Reichsmessen von Frankfurt am Main, Leipzig und Braunschweig (14.–18. Jahrhundert)*. Stuttgart: Franz Steiner, 1994; Michael Rothmann. *Die Frankfurter Messen im Mittelalter*. Stuttgart: Franz Steiner, 1998.

26 See Olivier Fordrin. *Almanach pour l'an M.D.LXXIII. Avec la pronostication vraye infallible à jamais. A Geneve. Par Olivier Fordrin. M. D. LXXIII*. In Bibliothèque de Genève, Su 4165. <https://dx.doi.org/10.3931/e-rara-6259> (29 May 2024). The entries of this fair calendar are available online. See Ulf Christian Ewert. Bibliothèque de Genève, Su 4165 (Olivier Fordrin—Almanach pour l'an M. D. LXXIII) (COL0026). In *Configurations of European Fairs: Merchants, Objects, Routes (ca. 1350–1600)*, Jean-Louis Gaulin, Susanne Rau (eds.). <https://fairs-in-history.huma-num.fr/collection/COL0026>. (29 May 2024).

27 See Jürgen Sarnowsky, Meike Möller. Märkte, Marktprivilegien und Marktrecht. Unpublished manuscript, Hamburg. <https://www.spaetmittelalter.uni-hamburg.de/spaetmittelalter/Lehre/Ergebnisse/Hamburg/themen/MaerkteMarktprivilegienUndMarktrecht.html> (29 May 2024).

historical research has already attempted to construct a conceptual difference between ordinary fairs with a short duration and a regionally limited circle of visitors (*forum annuale*), and privileged trade fairs with a longer duration which attracted merchants from far away (*nundinae*).²⁸ Although this difference in meaning between the terms seems straightforward, it can often not be proved in historical practice. For example, in the 1356 privilege of Emperor Charles IV permitting a fair in Hamburg, to be commenced two weeks before Pentecost and lasting until eight days after Pentecost, the two terms are given equal rights in the text which reads as follows: “[. . .] an annual fair that also is called annual market [. . .].”²⁹ To cope with this problem of terminology, Manfred Straube and Markus A. Denzel propose to call the trade-fair-like annual markets with a supra-regional scope in the Holy Roman Empire ‘Große Jahrmärkte’ (‘great annual markets’).³⁰

The equivalent use of the two terms continued even after the late fourteenth century when trade fair privileges were no longer written exclusively in Latin but also in German. In the text of such charters, the pair of terms *meß* and *marckt* can still be found again and again—as, for instance, in the privilege of 1429 for the fair of Ulm.³¹ Such practice also had repercussions for the usage of market terms in other texts well into the sixteenth century. Fair calendars written in German—like the one printed in the arithmetic book of Adam Ries in 1586, for instance—use both *Messe* and *Markt*, but the latter term is also attributed to the large supra-regional fairs in Antwerp and Bolzano. On the other hand, the Whit-sun Fair of Nördlingen was still termed *Messe*,³² even though in the middle of the

²⁸ See Heinrich Reincke. Die Hamburger Messe und die Weltverkehrspläne Karls IV. *Zeitschrift des Vereins für Hamburgische Geschichte* 23 (1912): 85–88, 85.

²⁹ “[. . .] *nundinae annuales, quae alias annuale forum vocantur* [. . .].” Werner Spieß. *Das Marktprivileg. Die Entwicklung von Marktprivileg und Marktrecht insbesondere auf Grund der Kaiserurkunden*. Heidelberg: Winter, 1916, 343, cited from Sarnowsky, Möller, Märkte, Marktprivilegien und Marktrecht.

³⁰ See Manfred Straube. Die Leipziger Messen zur Zeit der Privilegierungen als Mittler nach Ostmitteleuropa. In *Leipzigs Messen 1497–1997. Gestaltwandel—Umbrüche—Neubeginn*, vol. 1: 1497–1914, Hartmut Zwahr, Thomas Topfstedt, Günter Bentele (eds.). Cologne: Böhlau, 1999, 121–132; Markus A. Denzel. Das System der Messen in Europa—Rückgrat des Handels, des Zahlungsverkehrs und der Kommunikation (9. bis 19. Jahrhundert). In *Europäische Messegeschichte*, Denzel (ed.), 369–431.

³¹ See Privileg König Sigismunds für Ulm zur Einrichtung eines Jahrmarkts, Preßburg, 9. August 1429 (‘Privilege of King Sigismund granted to Ulm to set up an annual market, Bratislava, 9 August 1429’). In Haus der Stadtgeschichte—Stadtarchiv Ulm, A Urk. 1406; CoMOR online exposition ‘Faires, villes et marchands (1350–1600)/Messen, Städte und Kaufleute (1350–1600).’ https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_1?object=privilege_ulm (29 May 2024).

³² See Adam Ries. *Rechenbüchlein auff der Linien vnd Federn/den angehen=den Rechnern/vnd allen Kaufhaⁿd=lern zu gut vnd nutz mit vielen schoⁿen Exempeln/auff allerley Handthie= rung*

sixteenth century it had already lost its once far-reaching supra-regional importance and had become a regional annual market only. Finally, the term *marckt* can be found even in private documents, which probably shows the contemporary use of the various terms for periodic markets most clearly. In a tavern invoice issued by an unknown Frankfurt innkeeper for the Erfurt merchant David Nacke about his stay at the Frankfurt fair in Lent (c. 1590), the fair is referred to as the *Ostermarckt* ('Easter market') and not as *Messe*.³³ Hence, even if the modern distinction between *Messe* ('fair') and *Jahrmarkt* ('annual market') is extremely fruitful for historical research as it enables the classification of periodic markets and also the distinction of the degree of importance of such markets in quantitative terms, it is quite obvious that modern terminology only partially reflects the meaning of those market terms that were used by contemporaries.³⁴

gemacht durch Adam Riesen. [. . .] M. D. LXXXVI. Frankfurt am Main: Bassae, 1586. In Staats- und Universitätsbibliothek—Sächsische Landesbibliothek Dresden, 1.A.5915, fols. 93 r–94 r. <https://digital.slub-dresden.de/id276477103> (29 May 2024). The entries of this fair calendar are stored in the FAIRS-IN-HISTORY database and are available online. See Ulf Christian Ewert. Staats- und Universitätsbibliothek—Sächsische Landesbibliothek, Adam Ries, Rechenbüchlein auff der Linien und Federn (COL0020). In *Configurations of European Fairs*, Gaulin, Rau (eds.). <https://fairs-in-history.huma-num.fr/collection/COL020> (29 May 2024). In the headline of the famous 'Allegory of trade and merchants' of Jost Amman, printed in 1585, both terms—*Märckt* and *Messen*—can be found together as well, again without any distinction in meaning. See Jost Amman. *Eigentliche Abbildung deß ganzen Gewerks der löblichen Kaufmannschaft/Samt etlich der nahmhaftt und fürnehmsten Handelstädt Signatur und Wappen zum Theil fürnehmlich die Märckt und Messen begriffen seyn/so deß Jahr über in jedem Monath einfallen/auch hin und wider in Europa zu unterschiedlichen Zeiten gehalten [. . .]* ('Allegory of trade and merchants'), woodcut, printed on paper. Nuremberg: Jost Amman (draft), Augsburg: Hans Schultes (print), Wilhelm Peter Zimmermann (publisher), 1585. In Museum Plantin-Moretus, Antwerp, PK.OP.21317. <https://museumplantinmoretus.be/de/seite/allegorie-des-handels> (29 May 2024). The entries of the fair calendar included in this print are available online. See Ulf Christian Ewert, Noémie Lacroix. Museum Plantin-Moretus, PK.OP.21317 (Jost Amman's allegory/fair calendar) (COL0104). In *Configurations of European Fairs*, Gaulin, Rau (eds.). <https://fairs-in-history.huma-num.fr/collection/COL0104> (29 May 2024).

³³ See Wirtshausrechnung des Erfurter Kaufmanns David Nacke auf der Frankfurter Fastenmesse, um 1590 ('Tavern invoice of the Erfurt merchant David Nacke at the Frankfurt fair in Lent, c. 1590'). In Stadtarchiv Erfurt, 0–1/8- 208 (7). CoMOR online exposition 'Faires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_4?object=facture_tav (29 May 2024).

³⁴ See Kruse, *Pariser Messen*, 102–103.

3 The economic effect of privileges: different hypotheses and a game-theoretical model

What are privileges for and why were rulers probably necessary for the coordination of fairs? In his seminal paper of 1994, Epstein, taking an economic viewpoint, discusses two hypotheses that can be used to explain the new rise of fairs in many European regions since the second half of the fourteenth century. Thereby, Epstein distinguishes between two sorts of explanation: an economic explanation on the one hand and an institutional explanation on the other hand. The economic explanation of the proliferation of periodic markets emphasises the effect of a growing demand of both producers and consumers for such markets (what he terms the 'demand-driven rise of fairs').³⁵ This is plausible, because the largely evolved regional specialisation in the economic boom of the High Middle Ages called for a denser and more sophisticated market infrastructure for commercial exchange. But why did this expansion of periodic markets continue and even gain momentum in the Late Middle Ages, after the Black Death? Interestingly enough, the sharp demographic and economic downturn in the wake of the Black Death in the middle of the fourteenth century inhibited trade only for a rather short time, having little impact on the development of a dense European-wide market infrastructure in the long run.³⁶ Moreover, since wages rose tremendously in many regions of Europe in the decades after the Black Death and inequality of both wealth and income declined significantly,³⁷ causing increasing demand for non-essential foodstuffs and craft goods, there is good reason to believe that the Black Death indirectly contributed to the continued flourishing of trade fairs and annual markets in the Late Middle Ages. So, following this economic explanation, the late medieval boom of fairs was due to the fact that periodic markets, by reducing transaction costs, were a very efficacious and also effi-

³⁵ See Epstein, *Regional Fairs*, 462–467.

³⁶ See Lars Börner, Battista Severgnini. *Epidemic Trade*. *Diskussionsbeiträge, No. 2011/12, Freie Universität Berlin, Fachbereich Wirtschaftswissenschaft*. Berlin 2011; Lars Börner, Battista Severgnini. *Measuring and Comparing Economic Interaction Based on the Paths and Speed of Infections: The Case Study of the Spread of the Justinianic Plague and Black Death*. In *Complexity Economics: Building a New Approach to Ancient Economic History*, Koenraad Verboven (ed.). London: Palgrave Macmillan, 2021, 327–356.

³⁷ For a general overview, see Guido Alfani, Thomas E. Murphy. *Plague and Lethal Epidemics in the Pre-industrial World*. *Journal of Economic History* 77:1 (2017): 314–343; Guido Alfani. *Epidemics, Inequality, and Poverty in Preindustrial and Early Industrial Times*. *Journal of Economic Literature* 60:1 (2022): 3–40, 5–16. For Germany, in particular, see Guido Alfani, Victoria Gierok, Felix Schaff. *Economic Inequality in Preindustrial Germany, ca. 1300–1850*. *Journal of Economic History* 82:1 (2022): 88–125.

cient way of meeting the increased consumer demand within a growing economy, which at the same time became further specialised, including geographically.³⁸

In addition to that, the institutional explanation underlines the importance of privileges in this process (what Epstein describes as the ‘supply-driven rise of fairs’).³⁹ Both explanations are therefore not mutually exclusive.

Privileges granted for trade fairs defined the rights and regulatory measures deployed by towns while holding a fair. Usually, such institutional arrangements were supplied by rulers, that is, by counts, dukes, and kings. In economic terms, trade fair privileges are monopolies, limited in space and time. They are limited in space because a particular town is granted the right to hold a periodic market within its walls, and they are limited in time in terms of the date or duration of this market. To derive the economic incentives of both the rulers (as the agents who granted privileges for fairs) and towns (as the agents who obtained such privileges) more clearly, it seems useful to distinguish within the institutional explanation between a supply-side argument and a demand-side argument. On the one hand, the supply-side argument emphasises the rulers’ vested interests in granting privileges, mainly to create revenues from the fees that towns had to pay to be granted a fair, to attract trade to their own realm, and to gain access to financial capital provided by the merchants visiting a fair. Thus, rulers granted fairs because they were paid for them and because they hoped to take advantage of the medium- and long-term financial opportunities fairs typically provided in the Late Middle Ages. The demand-side argument, on the other hand, would explain the fact that rulers granted privileges to towns as a reaction of the towns’ aim of obtaining for themselves a ‘fair’ share of the aggregated trade volume. However, this common interpretation seems too simple because it would only make sense in a stable, non-growing economy. Economic growth, as can be observed in terms of a growing and even more specialising commerce in the Late Middle Ages, was not a zero-sum game—that is, the rise of a particular trade fair would not automatically imply the decline of others.⁴⁰

There is also a second reason why the demand-side argument of the institutional explanation for the late medieval rise of periodic markets seems too simple. With such an interpretation, privileges are solely understood as being the

38 See Epstein, *Regional Fairs*, 460–462; John H. Munro. The ‘New Institutional Economics’ and the Changing Fortunes of Fairs in Medieval and Early Modern Europe: The Textile Trades, Warfare, and Transaction Costs. *Vierteljahrschrift für Sozial und Wirtschaftsgeschichte* 88:1 (2001): 1–47; Jeremy Edwards, Sheilagh C. Ogilvie. What Lessons for Economic Development Can We Draw from the Champagne Fairs? *Explorations in Economic History* 49:2 (2012): 131–148.

39 See Epstein, *Regional Fairs*, 467–470.

40 See Epstein, *Regional Fairs*, 460–461.

cause of economic development and boom, not as a reaction to it. Receiving a monopoly was a strong economic incentive for towns to aim for trade fair privileges, and towns aimed at being granted a fair because by organising one, they wanted to participate in this economic growth. This, in turn, was an investment for towns and this investment could be hedged by paying a fee for a privilege. Such an investment yielded higher returns, of course, if it could be capitalised as a monopoly. Hence, it would be straightforward to conclude that the number of granted periodic markets rose in the Late Middle Ages because it was profitable for towns to organise such markets and because the supply of an appropriate institution—that is, the privileges for these markets—provided strong economic incentives for rulers.

The proliferation of fairs in the Late Middle Ages was thus characterised by the interaction between rulers and towns as well as by the interaction between the many towns that organised or aimed at organising a fair. In particular, the towns competed for organising a fair and for economically attractive trade fair dates. In this context, privileges were not only an institutional solution supplied by the rulers to cope with the rapid economic growth at the time, but also instruments used to control the competition among towns. This latter argument, however, gives rise to a discussion of the overall economic impact of granting fairs. A well-coordinated network of fairs produced positive externalities for both merchants and rulers. In such a network, merchants could rely on the fact that fairs took place on specific dates and, even more importantly, that the dates of important fairs did not overlap so that they were able to visit several fairs in a year. However, if merchants could trade at several fairs within a year, the overall trade volume also grew and, as a consequence, those who granted privileges also benefited from this, for example, through the revenue of taxes on goods and for escort.

However, creating and maintaining such a well-coordinated system of trade fairs was not self-evident. In principle, towns should have had a strong interest in both the formation and maintenance of a well-coordinated network of fairs because of the economic benefits such a network provided to them. They would especially benefit from a coordination of market dates because merchants wouldn't have to choose between fairs and would be able to visit several within a year, which in turn would increase the likelihood of one's own fair being attended for all towns. Therefore, the towns' willingness to contribute actively to the coordination of trade fair dates is a necessary but non-sufficient condition for effective cooperation. However, due to the positive externalities coming from coordination, a free-riding of towns was very likely—that is, towns were taking the eco-

conomic benefits provided by a well-coordinated network of fairs for free and did not pay for the coordination of such a network.⁴¹

This can be shown with a non-cooperative game: the so-called n -player prisoner's dilemma game.⁴² All n players (towns) choose, simultaneously and independently of each other, whether they would like to cooperate with the other towns with respect to trade fair dates or whether they want to defect—that is, trying to put through the most favourable date for one's own economic interests. Depending upon the outcome, each player will receive different payoffs: the full return r can be realised by insisting on the preferred date vis-à-vis the other players who choose cooperation; $r-r_c$ if all players compromise about fair dates, with r_c representing the individual costs of compromising; $r-r_d$ if all players insist on their preferred date, where r_d are the individual losses due to failure of coordination; and finally, $r-r_c-r'_d$ by compromising while other players insist on their preferred dates. Here, r'_d refers to the losses due to failure of coordination produced by defecting players. Concerning the magnitude of payoffs the following applies: $r > r-r_c > r-r_d > r-r_c-r'_d \geq 0$. According to this condition, the incentive for non-cooperative behaviour is higher than that for cooperative behaviour, and all players together receive a lower total payoff if all defect rather than if all cooperate. This model is a non-cooperative game because it is assumed that players cannot communicate and thereby agree upfront on strategy choice. Players thus behave strategically—that is, they choose their own strategy according to what they expect the other players to choose.⁴³

In a one-shot game (a game played for only a single round) and under common behavioural assumptions, players seek to maximise personal utility and want to avoid any risk. Indeed, without third-party enforcement available, rational players will always choose defection. The outcome will be an equilibrium solution to the game (the so-called Nash-equilibrium⁴⁴) that is sub-optimal in both

41 Due to the positive externalities provided to users (both merchants and towns), problems in establishing and maintaining a coordinated network of fairs are very similar to those of public goods. On this point in general, see Ulf Christian Ewert. *Collective Goods in the Middle Ages. In Methods in Premodern Economic History: Case Studies from the Holy Roman Empire, c. 1300–c. 1600*, Ulla Kypta, Julia Bruch, Tanja Skambraks (eds.). London: Palgrave Macmillan, 2019, 64–67.

42 See Miklos N. Szilagyi. An Investigation of N -person Prisoners' Dilemmas. *Complex Systems* 14:2 (2003): 155–174.

43 For non-cooperative games in general, see David M. Kreps. *Game Theory and Economic Modeling*. Oxford: Clarendon Press, 1990, 9–36.

44 By definition, a Nash-equilibrium is characterised by mutual best answers of all players to the strategy choices of all other players—that is, there is no incentive for anyone to change one's own choice. See Kreps, *Game Theory*, 28–36.

individual and common returns. Despite the fact that for each of them, the individual net benefit of cooperation is greater than zero and also the fact that the aggregate return of all players would be greater in case of cooperation than in case of defection, from an individual perspective, such a decision is nonetheless rational. Players try to avoid the risk of bearing the due costs of coordination alone—that is, forgoing parts of the possible benefit on account of compromising with regard to fair dates—whereas all others enjoy the positive externalities from a coordinated network of fairs without bearing any share of the coordination costs.

However, since economic incentives for towns to organise a fair were high, a network of fairs, even though uncoordinated, will emerge anyway. But if each town would organise its fair on the date preferred, fairs would not be coordinated, and the extra benefit provided by such a network could not be realised. Thus, the difficulty here is obviously to enhance the towns' cooperation in terms of coordination of fairs. In this respect, third-party enforcement is a potential solution, by which free-riding becomes unattractive so that its detrimental effects could be avoided. In the Middle Ages, such enforcement was commonly provided by rulers by means of privileges in which dates and duration of fairs were defined bindingly. However, only if the privileges granted were exactly aligned to each other, the resulting network of fairs would finally be a Pareto-efficient equilibrium.⁴⁵ This equilibrium not only provides a higher aggregated benefit to all towns involved as compared to an uncoordinated network, but also makes it impossible for any town to improve individual returns without cutting other towns' returns.

Even though the assumptions made in this simple model about the towns' rationale are very strict and, in a sense, unrealistic, it nevertheless provides a possible explanation for why the emperor—or even regional rulers—were increasingly petitioned by towns to grant trade fair privileges. The patently unrealistic assumption of a lacking coordinating authority makes it possible to show that rulers were apparently necessary for the coordination of fairs. Implications of further assumptions of the model like the one-shot character of the game or the simultaneity of strategy choices, will be elaborated in more detail in the subsequent sections of the article by using cases of the emperor's privileging of 'new' fairs.

⁴⁵ In a Pareto-efficient equilibrium, no player can improve on his own return without reducing the returns of other players. This concept was originally developed in welfare economics by Vilfredo Pareto (1848–1923). See Hugh Gravelle, Ray Rees. *Microeconomics*, 3rd ed. Harlow: Pearson Education, 2004, 289–299.

4 ‘New’ privileges for ‘old’ fairs: the towns’ effort for the legitimacy of their fairs

As mentioned above, the growing network of fairs in the Holy Roman Empire also became more structured in the Late Middle Ages. To be among those towns at the top level, organising a fair with a supra-regional scope was, of course, most profitable. One of these supra-regional fairs was the Whitsun Fair of Nördlingen which had a long-standing tradition.⁴⁶ Until the beginning of the sixteenth century, it was the most important fair in southern Germany. Many traders came there every year, including merchants from Geneva, the Rhineland, Flanders, and Italy. For merchants from the leading cities in Upper Germany such as Nuremberg, Augsburg, and Ulm, the fair had established itself as an important date for payments.⁴⁷ Nevertheless, this fair was newly privileged at the time. Even though it was first mentioned in a charter of Emperor Frederick II (1212–50) in 1219, King Wenceslaus (in 1398) and Emperor Sigismund (in 1434) were the first to officially grant privileges to the free imperial city (*urbs imperialis libera*) of Nördlingen. In both privileges, escort rights and the sovereignty of the fair court were either granted or confirmed, and in 1418, Sigismund also established an imperial mint in Nördlingen that existed until 1571. In the latter privilege, in particular, the long tradition of the Whitsun Fair is stressed, and the terms *Jahrmarkt* and *Messe* are

⁴⁶ On the Nördlingen Whitsun Fair, see Josef Spieß. *Die Nördlinger Messen im Mittelalter*. PhD diss., University of Munich, 1923; Heinrich Steinmeyer. *Die Entstehung und Entwicklung der Nördlinger Pfingstmesse im Spätmittelalter mit einem Ausblick ins 19. Jahrhundert*. Nördlingen: Georg Wagner, 1960; Dietmar-Henning Voges. *Werden und Wirken der Pfingstmesse*. In *Die Reichsstadt Nördlingen. 12 Kapitel aus ihrer Geschichte*, Dietmar-Henning Voges (ed.). Munich: C. H. Beck, 1988, 47–69; Rolf Kießling. *Die Nördlinger Pfingstmesse im 15./16. Jahrhundert. Aufstieg und Strukturwandel eines süddeutschen Wirtschaftszentrums. Jahrbuch des Historischen Vereins für Nördlingen und das Ries* 29 (1999): 69–95; Marco Veronesi. *Wessen Freiheit. Messeprivileg, Freihandel und städtische Gerichtsbarkeit im späten Mittelalter am Beispiel Nördlingens. Annales Mercatorum* 3 (2017): 23–49; Marco Veronesi. “Bös gelt und liderlich volck”: die Stadt, der Rat und die lieben Gäste. In *800 Jahre Nördlinger Mess. Von der internationalen Fernhandelsmesse zum größten Volksfest Nordschwabens*, Stadtarchiv Nördlingen (ed.). Olching: WIKOMmedia Verlag für kommunale- und Wirtschaftsmedien, 2019, 12–25.

⁴⁷ For example, Thomas Dost, citizen of Nuremberg, confirms with a handwritten certificate of indebtedness to the Nuremberg merchant Konrad Imhoff and his company a debt to the amount of 315 (Rhenish) guilders, 7 shillings, and 9 hellers for 4 sacks of pepper and 1 sack of cloves, payable at the next Whitsun Fair in Nördlingen. See *Schuldverschreibung des Thomas Dost an Konrad Imhoff*, 20. Januar 1482 (‘Certificate of indebtedness of Thomas Dost vis-à-vis Konrad Imhoff, 20 January 1482’). In *Germanisches Nationalmuseum Nürnberg*, IA 19, Nr. 22b. CoMOR online exposition ‘Foires, villes et marchands.’ https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_4?object=titre_creance (29 May 2024).

mentioned two times together, on one occasion connected by 'and' and on the other occasion connected by 'or.'⁴⁸ However, neighbouring towns like Augsburg, for instance, commonly used the words *Jahrmarkt* or simply *Markt* to denote the Whitsun Fair in their letters to the council of Nördlingen.⁴⁹

Why were the Whitsun Fair privileges only granted to Nördlingen in 1398 and 1434, respectively, although it had existed for a very long time without such a privilege? Variation of the one-shot character of the model helps to answer this question. First of all, the fact that towns refrained from participating in the coordination of fairs and instead tried to enforce their preferred date would also occur if their cooperation with regard to fair dates was modelled in a more realistic setting—that is, with an infinite game in which towns repeatedly cooperate with each other without knowing in each round of the game when this cooperation would end. Yet, in this sort of game, a Pareto-efficient equilibrium can not only be reached by third-party enforcement, but also through mutual trust of players. This is possible because players would have the opportunity to acquire reputation and to build up mutual trust over time. Reputation and trust are both instrumental to enhance cooperation, especially given that in the long run, the cooperation strategy can be successful, even if it might lead to short-term losses of utility.⁵⁰ A decisive factor here is the number of players. In a game with many players, it is not only difficult to build up mutual trust, but players might also think that their personal contribution to cooperation is more or less dispensable (in the sense that cooperation will be effective to a sufficient degree even without their participation), and therefore might decide to defect.⁵¹

In principle, this reflects the historical situation of the coordination of fairs quite accurately. Especially towns of the rather densely populated and highly developed regions in the south and the south-west of Germany cooperated with regard to political and economic issues within different networks of towns.⁵² Coordination of fairs could thus certainly be achieved without being enhanced by

48 See Veronesi, "Bös gelt und liderlich volck", 13.

49 See Hektor Ammann. Die Nördlinger Messe im Mittelalter. In *Aus Verfassungs- und Landesgeschichte. Festschrift zum 70. Geburtstag von Theodor Mayer, dargebracht von seinen Schülern und Freunden*, vol. 2, Heinrich Büttner, Otto Feger, Bruno Meyer (eds.). Lindau, Constance: Jan Thorbecke, 1955, 283–315.

50 See Ewert, Selzer, Institutions of Hanseatic Trade, 51–53; Ulf Christian Ewert. Zusammenfassung: Vertrauen in vormodernen ökonomischen Tauschbeziehungen—eine Zwischenbilanz. In *Ökonomisch bestimmtes Handeln in der Vormoderne—eine Frage des Vertrauens?*, Jan Hirschbiegel, Stefanie von Welser, Angelika Westermann (eds.). Husum: Matthiesen, 2021, 299–311, 304–307.

51 See Rothmann Marktnetze, 141.

52 See Rothmann, Marktnetze, 141–143.

rulers. Due to the increase in the number of fairs, however, competition among towns for the most favourable fair dates became more intense, which is probably why cooperation based on mutual trust was no longer possible. For towns that had long been organising supra-regional fairs, it was now evidently necessary to protect themselves legally within the increasing rivalry for trade fair dates. Thus, it was certainly a consistent strategy that the free imperial city of Nördlingen sought legitimacy to strengthen its traditional fair. With the imperial privileges, Nördlingen was able to assure the ancestral position of the Whitsun Fair within the network of supra-regional fairs.

In this case, to request such a privilege from the emperor was consistent because the emperor was the official sovereign of the free imperial city of Nördlingen. For other towns like Erfurt, Halle, and Leipzig, that were not free imperial cities, but also successfully requested trade fair privileges from the emperor, this was not at all straightforward. There were actually several agents available at the time who could enhance the coordination of fairs through privileges. These not only included the king or the emperor, but also regional sovereigns, such as the Prince-Electors. In the course of the ongoing territorialisation within the Holy Roman Empire, regional sovereigns, in particular, had a great interest in promoting trade in their territory by granting privileges because this helped strengthen their sovereign rights vis-à-vis the emperor. As a result, towns already holding a fair were eager to obtain the best possible privileges in order to formally secure their customary rights. However, in the end, only the king or emperor could grant such privileges with the highest legal validity.

This notwithstanding, imperial privileges were not always entirely advantageous for the towns. Sigismund had granted far-reaching rights to Nördlingen, similar to those granted to Frankfurt and Nuremberg. In particular, in this type of privilege, the escort right (*conductus*) lacked the right to also allow banished merchants or merchants from towns under an imperial ban from trading at the fair, the reason being that the emperor wanted to oblige the free imperial cities to legally prosecute banished persons. Even though this particular sort of escort right—together with the fact that the fair was termed *Messe*—underlined both the prestigious status of a free imperial city and the supra-regional scope of the Whitsun Fair, it was in fact a very costly duty for Nördlingen, just as it was for Frankfurt and Nuremberg. Both Frankfurt and Nuremberg repeatedly tried to convince the emperor to change their privileges in such a way that they would be released from the burdensome obligation of suing banished merchants. Whereas Frankfurt was partly successful with its request, the failure of Nuremberg's request contributed to the fair never really developing into a supra-regional fair. Like-

wise, this special form of privilege may also have partly accounted for the decline of the Whitsun Fair of Nördlingen since the early sixteenth century.⁵³

5 Privileges for newly established fairs: path-dependence and sequential choice of dates

With the number of granted privileges increasing, the network of fairs developed a fixed spatiotemporal structure.⁵⁴ Any further change in the temporal sequence of fairs was path-dependent, though. The spatiotemporal structure of fairs showed all characteristics typical of path dependency:⁵⁵ first, the structure was determined by decisions that had been made in the past, since the origin of some fairs dated back to the High Middle Ages, like for instance, the date of the Nördlingen Whitsun Fair; second, as dates of the established trade fairs had become more coordinated over time, there was a network effect from which all organising towns benefited, for example, through mutual visits by merchants or through the common practice of having the dates of their own fairs announced at other fairs; third, because of the network effect, any change of dates would have caused high costs and considerable economic damage, not only for the organising town,

53 See Veronesi, "Bös gelt und liderlich volck", 20–23.

54 Written evidence of the perception of this spatiotemporal structure can be found in the initially handwritten fair calendars which, from the middle of the sixteenth century, were printed in merchant manuals, postal route directories, travel books, and almanacs. See Ulf Christian Ewert, Susanne Rau, Leif Scheuermann. Räumliche Konfigurationen des Messehandels im frühneuzeitlichen Europa: Gedruckte Messekalender des 16. und 17. Jahrhunderts und ihre computergestützte Analyse. *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 110:4 (2023): 494–541.

55 The concept of path dependence was developed in economics to explain why technical standards prevail and under what conditions they are often not replaced after having turned inefficient. This idea can be applied to the institutional change as well. On path dependence in general see Paul A. David. Clio and the Economics of QWERTY. *American Economic Review* 75:2 (1985): 332–337; W. Brian Arthur. Competing Technologies, Increasing Returns, and Lock-in by Historical Events. *Economic Journal* 99 (1989): 116–131; Paul A. David. Why are Institutions the 'Carriers of History'? Path Dependence and the Evolution of Conventions, Organizations and Institutions. *Structural Change and Economic Dynamics* 5:2 (1994): 205–220; Jörg Sydow, Georg Schreyögg, Jochen Koch. Organizational Path Dependence: Opening the Black Box. *Academy of Management Review* 34:4 (2009): 689–709.

but also for the other towns. Thus, the existing spatiotemporal structure of the trade fair network, now secured by privileges, had become quasi-irreversible.⁵⁶

Within the already tight annual calendar of fairs, towns that wanted to set up a new fair had to find a suitable date. This makes it particularly clear that assuming simultaneous choice of dates by all towns is, of course, unrealistic. Instead, a sequential model in which actors take their decisions one after the other would be more appropriate. Newcomers had to base their own choices on the dates of the established and already privileged fairs with which they wanted to avoid an overlap. Therefore, they were limited in their choice by the quasi-irreversibility of the temporal structure of fairs. What impact this had in practice will be shown using the following cases.

In the Holy Roman Empire, several types of new fairs with an intended supra-regional scope can be observed in the late fourteenth and early fifteenth centuries. First, there were those fairs organised by towns that already held another fair. Erfurt is a typical case, as in 1473 Emperor Frederick III had granted the town a second three-week fair, to be commenced on Trinity Sunday in 1473, in addition to the Misericordia Sunday Fair that had been granted by Emperor Louis IV of Bavaria (1328–1347) in 1331.⁵⁷ In the privilege for this new fair, it is explicitly mentioned that the grant is made to help the town to recover from the devastating fire of 1472.⁵⁸ Second, there were existing annual markets which were sought to be upgraded to genuine supra-regional fairs on the same scale as Frankfurt, Nördlingen, or Zurzach. Strasbourg, Zurich, Basle, and Nuremberg aimed at widening the scope of their annual markets, but none of these initiatives

56 The long-lasting legacy of this quasi-irreversible spatiotemporal structure of fairs can be seen in the printed fair calendars of the sixteenth and seventeenth centuries in which fairs are listed that had been abandoned in the meantime, for example the Winter Fair in Nördlingen that was only held from 1522 until 1541, initially in autumn and, since 1529, in January. See Voges, Werden und Wirken, 66. In the fair calendar published in the 1586 edition of Ries' famous arithmetic book, this fair is still listed with its date in January. See Ries, *Rechenbüchlein*, fols. 93 v–94 r.

57 See Kaiser Ludwigs IV. Messeprivileg für die Stadt Erfurt, Frankfurt am Main, 13. Dezember 1331 ('Privilege of Emperor Louis IV of Bavaria granted to the city of Erfurt, Frankfurt am Main, 13 December 1331'). In Stadtarchiv Erfurt, 0–0/A 36- 2. The fair was to last from Misericordia Sunday up to and including Ascension Day, a duration of nearly a month. Misericordia Sunday is the third Sunday of Easter—that is, the second Sunday after Easter—and is also known as Good Shepherd Sunday.

58 See Kaiser Friedrichs III. Privileg für die Stadt Erfurt, wegen eines neuen, nach Trinitatis zu haltenden Jahrmarktes, Augsburg, 14. Mai 1473 ('Privilege of Emperor Frederick III granted to Erfurt to set up a new annual market that was to be held after Trinity Sunday, Augsburg, 14 May 1473'). In Stadtarchiv Erfurt, 0–0/A 36–8. CoMOR online exposition 'Faires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_1?object=privilege_erfurt (29 May 2024).

really succeeded.⁵⁹ In the case of Strasbourg, an old annual market was re-established, transferred from late October to mid-June and restricted in tenure from a whole month to a fortnight.⁶⁰ Finally, there were also attempts to set up new supra-regional fairs, as was the case in Ulm.

In contrast to Nördlingen with its traditional Whitsun Fair, Ulm, another free imperial city, only tried to establish its own trade fair in the early fifteenth century.⁶¹ One of the reasons was to facilitate the marketing of crafted goods produced in Ulm and thereby to sponsor the city's craftsmen. In 1429, King Sigismund (he was crowned Holy Roman Emperor only in 1433) authorised the city of Ulm to hold an annual market in the city by means of a charter issued in Bratislava on 9 August. Sigismund first referred in detail to the manifold services that Ulm had provided to him, the king and to the empire in the past—a common wording in such documents. He then stated that Ulm would always be loyal to him in the future and therefore was granted the imperial 'grace' to hold a fair: "[. . .] and graciously allow for all times an annual market and a fair each year [. . .]."⁶² Again, the text mentions both *Messe* and *Jahrmarkt*, connected with 'and.'

Establishment as well as the success or failure of the Ulm fair in its early days can be traced with the help of various surviving documents. This tradition is remarkable because even though numerous trade fairs were granted in the Holy Roman Empire throughout the fifteenth century, the process of granting of privileges can be reconstructed in detail for only a few cases. How one received such a privilege is very clear here: although King Sigismund granted his permission to the Ulm fair, this was not on his own initiative. Rather, a few weeks earlier, the mayor and burghers of Ulm had sent an envoy to the imperial court in Bratislava with a letter in which Ulm requested imperial permission to establish a fair that would have all rights, freedoms and 'graces.' This was asked against payment of a

59 See Hektor Ammann. Die deutschen und die schweizerischen Messen des Mittelalters. In *La foire*, Glissen (ed.), 149–173, 171; Friedrich Lütge. Der Untergang der Nürnberger Heiltumsmesse. *Jahrbücher für Nationalökonomie und Statistik* 178 (1965): 133–157; Friedrich Lütge. Die Nürnberger Heiltumsmesse (erw. Fassung). In *Friedrich Lütge. Beiträge zur Sozial- und Wirtschaftsgeschichte. Gesammelte Abhandlungen*, Eckhart Schremmer (ed.). Stuttgart: Gustav Fischer, 1970, 193–215.

60 See Tom Scott. *Regional Identity and Economic Change: The Upper Rhine, 1450–1600*. Oxford: Clarendon Press, 1997, 83.

61 See Heinrich Steinmeyer. Die Entwicklung der Ulmer Sommermesse (des späteren Veitsmarktes) und ihre Einordnung in das süddeutsche Handelssystem bis zum Ende der Reichsstadtzeit. *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 77:3 (1990): 323–349.

62 The Early New High German text reads as follows: "[. . .] vnd gnediglich erlobet ewiglich alle Jahre eynen Jarmerck vnd messe in derselben stat [. . .]." See Privileg König Sigismunds für Ulm.

sum of money of between 300 and 1,000 guilders in return, staggered according to the extent of the privileges actually granted.⁶³ Since Ulm was a free imperial city, it was straightforward to make this request to its sovereign, the king (and designated emperor).

The choice of date for the fifteen-day trade fair, which was to begin eight days before Ascension Day and end eight days after this feast, was also proposed by Ulm in this letter. Exactly this period was then prescribed in the privilege. Nonetheless, a different date was also expressly permitted by the emperor, provided that Ulm ensured that date and duration once chosen would not overlap with the dates of other imperially privileged fairs in the wider area surrounding Ulm.⁶⁴ This sort of restrictive clause provides insight into both the effectiveness and efficiency of the coordination of fairs by means of privileges. As stated above, a coordinated network of fairs would only be a Pareto-efficient equilibrium if the privileges granted were aligned to each other, at least to a sufficient degree. However, in the fifteenth century, the granting and renewal of numerous trade fair privileges by the emperor must have overwhelmed the imperial chancellery, especially because privileges were granted on the request of the organising towns and the charters issued usually remained with them. Thus, given its administrative capacities and procedures, it can be doubted whether the imperial chancellery really had an overview of the privileges that had been granted. In addition, the king's or emperor's proper economic interests in a certain respect often precluded a precise coordination of individual privileges. Since he was always eager to grant privileges for fairs, mainly because of the fees that towns had to pay in return for a grant, the imperial chancellery could not guarantee that the dates of fairs set in these privileges were inter-operable. By including such a restrictive clause, the risk of an eventual dispute resulting from an actual overlap in dates with another fair was passed on to the town that had made the request. Even if the granting of privileges was, in principle, useful to ensure the coordination of fairs, its practical handling was therefore inappropriate and inefficient because it could lead to disputes between the towns over dates. This, to a certain degree, inhibited further growth of fairs, as new fairs could not be integrated into the existing network and would likely fail in the long run, simply because it was impossible to find an appropriate date for them that was economically attractive for the organising town as well as it was undisputed by other towns.

Exactly this happened in Ulm's initiative of establishing a new supra-regional fair. Despite the city's geographical location being favourable to transport and de-

⁶³ See Steinmeyer, *Ulmer Sommermesse*, 324.

⁶⁴ See Steinmeyer, *Ulmer Sommermesse*, 325–326.

spite its integration into a large and dense network of towns in southern Germany, the fair never developed the originally intended supra-regional significance alongside the fairs of Frankfurt, Nördlingen, and Zuzach. Ulm's aspirations with regard to the economic success and geographical reach of the new fair were high. This can be seen from a surviving letter of invitation to the fair of 1441, dated 29 December 1440, that was sent out to other towns to announce the fair⁶⁵ and from a surviving list of towns that had been the recipients of a similar letter the year before.⁶⁶ The planned supporting programme of the fair included a highly remunerated horse race, similar to the famous *Scharlach* race which was held during the Whitsun Fair in Nördlingen.⁶⁷ The list of recipients of the letter of invitation to the fair of 1440, dated 23 December 1439, reveals Ulm's fairly clear idea of how far the economic impact of the new fair would extend into the late medieval Holy Roman Empire. Hektor Ammann has mapped the towns addressed, of which the majority are located in the late medieval Upper German economic area, which included Franconia, Swabia, the Swiss Confederation, the Upper Rhine area, and Alsace, as well as towns along the trade routes down the Danube and the Rhine. Further down the Rhine, important places in Flanders and Brabant are mentioned, such as Bruges, Antwerp, and Bergen-op-Zoom. Numerous places are also mentioned along the trade route—the *Via Regia*⁶⁸—from Frankfurt to Bohemia and Silesia as far as

65 See Brief des Rates der Stadt Ulm an die Städte über die Errichtung einer Messe und eines vierzehntägigen Marktes in Ulm ab dem dritten Sonntag nach Fronleichnam 1441, 29. Dezember 1440 ('Letter of the council of Ulm to other cities to announce a fair and a two-week-market in Ulm which will begin on the third Sunday after Corpus Christi 1441, 29 December 1440'). In Haus der Stadtgeschichte—Stadtarchiv Ulm, A Urk. 1587. CoMOR online exposition 'Faires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_3?object=lettre_ulm (29 May 2024).

66 See Steinmeyer, Ulmer Sommermesse, 328; Rothmann, Marktnetze, 142–144.

67 See Steinmeyer, Ulmer Sommermesse, 327. On the *Scharlach* races in Upper Germany, see Christian Jaser. Urban Palio and Scharlach Races in Fifteenth- and Early Sixteenth-Century Italy and Germany. *International Journal of the History of Sport* 37:3–4 (2020): 272–287.

68 For the *Via Regia*, see Gustav Hildebrand, Ludwig Kramarczyk. *Des Reiches Straße. Alte Frankfurt-Leipziger Handelsstraße*. Würzburg: Weidlich Flehsig, 1990; Ludwig Steinfeld. *Chronik einer Straße. Die alte Straße von Frankfurt nach Leipzig: Geschichte, Ereignisse, Reiseberichte*. Horb am Neckar: Geiger, 1994; Kamen Pawlow. *Via Regia, Königsstrasse oder Hohe Strasse. Thüringer Impressionen. Begleitheft zur Wanderausstellung Erfurt—Bonn—Eisenach—Gotha*. Erfurt: Europäisches Kultur- und Informationszentrum, 1998; Winfried Müller, Swen Steinberg (eds.). *Menschen unterwegs. Die via regia und ihre Akteure. Essayband zur 3. Sächsischen Landesausstellung "via regia—800 Jahre Bewegung und Begegnung", Görlitz, 21. Mai bis 31. Oktober 2011*. Dresden: Sandstein, 2011; Pierre Fütterer. Die Via regia—Kritische Bemerkungen zu einem "Mythos" oder: Auf der Suche nach der "Königlichen Straße." In *WegBegleiter. Interdisziplinäre Beiträge zur Altwege- und Burgenforschung. Festschrift für Bernd W. Bahn zu seinem 80. Geburtstag*, Martin Freudenreich, Pierre Fütterer, Anna Schwieder (eds.). Langenweißbach: Beier & Beran—

Wrocław, including Erfurt, Leipzig, and Halle, and then of course Geneva, Bolzano, Trento, and Venice as links to northern Italy and the Mediterranean.⁶⁹ Finally, some of the places mentioned belonged to the Hanseatic area—for example, Dortmund, Münster, Soest, Brunswick, Magdeburg, and Lübeck.⁷⁰ Following Ammann, this is strong evidence of the knowledge that people in Ulm had about trade and trading centres in the Holy Roman Empire.⁷¹ In this respect, the area spanned by the addressed cities could also be understood as a kind of imagined trading area, demonstrating the supra-regional significance that Ulm had hoped its newly established fair would have. In fact, the free imperial city of Ulm was part of a large and dense network of towns, and Ulm merchants were therefore integrated into a widespread trading network that extended primarily across southern and southwest Germany, present-day Switzerland, and the eastern Alpine region. Rothmann, on the other hand, emphasises Ulm's political networking with other towns and the economic networking of its merchants and craftsmen with those of other towns which, in his opinion, can be seen in the compilation of this list of places.⁷²

However, the new fair had only moderate success and developed regional importance at best. This was not only because the fair was controversial due to fact that various groups in the city of Ulm had different interest in relation to it. In 1445, for example, the craftsmen complained in a letter of the guilds of Ulm to the city council above all that out-of-town traders were given preferential treatment, and that the economic benefits provided to them by the fair were therefore very limited.⁷³ Also the period requested by Ulm for the fair around Ascension Day, which King Sigismund had approved, turned out to be ultimately unfavourable.

Archäologische Fachliteratur, 2019, 169–195. On the great importance of trading routes in premodern Europe to link markets, see Petersen, Holtermann, Huang, *Digitale Werkzeuge*, 326–329.

69 See Markus A. Denzel. Märkte und Messen im vorindustriellen Alpenraum. Ihre Bedeutung für den trans- und inneralpinen Handelsverkehr. In *Transits—Transit. Infrastructures et société de l'Antiquité à nos jours/Infrastrukturen und Gesellschaft von der Antike bis heute*, Anne-Lise Head-König, Luigi Lorenzetti, Andrea Bonoldi (eds.). Zurich: Chronos, 2016, 43–62.

70 See Hektor Ammann. Einladungen zur Ulmer Messe, 1439, Karte 1955 (Map of 1955: 'Invitations to the Ulm fair, 1439'). In Institut für vergleichende Städtegeschichte Münster, Nachlass Hektor Ammann, Rolle/Mappe 1, Nr. 166. CoMOR online exposition 'Faires, villes et marchands', https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_3?object=carte_lettre_ulm (29 May 2024). This map is printed in Rothmann, *Marktnetze*, 143. A brief overview of the late medieval Upper German economic area can also be found in this article (141–144).

71 See Hektor Ammann. Vom geographischen Wissen einer deutschen Handelsstadt des Spätmittelalters. *Ulm und Oberschwaben* 34 (1955): 39–65.

72 See Rothmann, *Marktnetze*, 142.

73 See Steinmeyer, *Ulmer Sommermesse*, 329.

Even if the first eight days before Ascension Day did not directly overlap with the two important Whitsun Fairs in Nördlingen and Zuzach, the Ulm fair nevertheless clashed with them in the sense that the two Whitsun Fairs had become accepted payment dates (such as for bills of exchange) for merchants in Upper Germany. A visit to both the Ulm fair and after that the fairs in either Nördlingen or Zuzach therefore was hardly possible because the time gap between them was too short.⁷⁴ This also interfered with Ulm merchants’ business, many of whom traditionally visited the Nördlingen Whitsun Fair on a regular basis.⁷⁵ Consequently, Ulm set a later date—the third Sunday after Corpus Christi—after a few years, which was allowed by the imperial privilege of 1429.⁷⁶ Thus, even if an imperial privilege was necessary to give the new fair the greatest possible legitimacy right from the start, it did not help much in finding a proper date for the fair. Thus, the practice of granting privileges was not suitable for bindingly coordinating fair dates in every case because the emperor’s actual coordinating impact was fairly restricted. In addition, the path-dependent character of the already established spatiotemporal structure of the network of fairs made the choice of date and integration into this network difficult. Even Ulm’s willingness to compromise regarding the date finally did not succeed. On the contrary, the city’s cooperative behaviour on this point contributed to the fact that due to the rescheduling in its early days, the new fair could not find the right time slot to prosper and to achieve the intended supra-regional significance.

6 Privileges prohibiting ‘new’ fairs: prospects of non-cooperative behaviour

The increase in the number of trade fair privileges granted by the emperor not only narrowed the scope for cities wishing to set up a new or additional trade fair, but also led to an increasing number of overlaps between existing fairs. This was due to the fact that the ability of the imperial chancellery to control the com-

⁷⁴ See Steinmeyer, *Ulmer Sommermesse*, 326–327.

⁷⁵ See Rothmann, *Marktnetze*, 173–177; Ulf Christian Ewert, *Handelsräume der vormodernen Stadt: Raumzeitliche Aspekte des Messehandels am Beispiel der Nördlinger Pfingstmesse. Moderne Stadtgeschichte* 54:2 (2023): 147–172, 165–170.

⁷⁶ This is proven by the previously mentioned letter of invitation to the fair of 1441. However, the date was subsequently rearranged several times—on Saint Ulrich’s Day (4 July), on Roodmas (Finding of the True Cross, 3 May), and finally, on Saint Vitus Day (15 June). See Steinmeyer, *Ulmer Sommermesse*, 329.

patibility of the granted privileges was rather limited. In addition, some towns had privileges for their fairs granted by grantors other than the emperor, for example regional sovereigns. Of course, the imperial chancellery had no overview of these privileges either. Due to conflicting privileges for different cities, the very thing that the granting of privileges by the king, the emperor, or any other sovereign was supposed to prevent occurred. Conflicting privileges stimulated the competition among towns even more instead of guaranteeing their cooperation with respect to dates. Hence, disputes between cities over trade fair dates were inevitable, and if all parties to the dispute insisted on their desired dates, an amicable and therefore efficient solution—that is, a well-coordinated network of fairs—could not be achieved. This follows from the mechanism of the game theoretical model described above. Using the example of the rise of the Leipzig fairs in the fifteenth and early sixteenth centuries, this section will show that under certain conditions, non-cooperative behaviour on the part of the towns involved in a dispute over dates succeeded and thus would change the temporal structure of the trade fair network.

In 1497, Maximilian I, Roman-German king and, since 1508, also Holy Roman Emperor, granted a privilege for all three Leipzig fairs—the New Year’s Market, Easter Market, and Michaelmas Market.⁷⁷ This was a vital step in raising the Leipzig fairs to the same level as those of the free imperial cities privileged by the emperor, like the Frankfurt fairs. In this way, the Leipzig fairs were elevated in a sense to imperial fairs, whose prestige was now greater than it has been with only privileges granted by the Saxon Prince-Elector. The far-reaching privilege for the Leipzig fairs was accompanied by the imperial ban on the institution of any new fair in the bishoprics of Magdeburg, Halberstadt, Meißen, Merseburg, and Naumburg. This was certainly a reaction to Magdeburg’s initiative to establish another fair, but above all it shows that Leipzig’s strategy was to use its proper sovereign—the Prince-Elector of Saxony—to influence the emperor in such a way that other regional sovereigns were delegitimised as grantors of trade fair privileges.⁷⁸

77 See *Keyserlich Privilegium Der Stadt Leipzig Jahrmärkte*, Worms, 20. Juli 1497 (‘Privilege of Maximilian I for the fairs of Leipzig, Worms, 20 July 1497’), single-sheet print, Leipzig. In *Stadtgeschichtliches Museum Leipzig*, I D 590. <https://www.stadtmuseum.leipzig.de/document/literatur/00023724> (29 May 2024). CoMOR online exposition ‘Foires, villes et marchands.’ https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_1?object=privilege_leipzig (29 May 2024).

78 See Pauly, *Messesystem*, 78–79. On the Leipzig fairs in the Middle Ages, see Markus A. Denzel. *Die Leipziger Märkte vom 12. Jahrhundert bis zu den Privilegierungen von 1497, 1507 und 1514*. In *Geschichte der Stadt Leipzig, vol. 1: Von den Anfängen bis zur Reformation*, Enno Bünz (ed.). Leipzig: Leipziger Universitätsverlag, 2015, 322–340.

However, before this happened, Leipzig had already taken very strict action against trade fair dates in other cities on several occasions in the previous decades. When in 1448 Magdeburg aimed at organising an additional fair shortly before the Leipzig Michaelmas Market, the Council of Leipzig was able to obtain a charter from Prince-Elector Frederick II, the Gentle (1428–64) in which he forbade the residents of the Electorate of Saxony from visiting the Magdeburg fair. In 1458, the Leipzig New Year's Market was privileged by Frederick II and thus overlapped with the older New Year's Market in Halle. Both Halle (1464) and Leipzig (1466) received privileges from Emperor Frederick III for their New Year's Markets. The dispute between the two cities arose because Leipzig then banned merchants from attending the New Year's Market in Halle. Halle successfully complained about this to the emperor, who immediately revoked his privilege for the Leipzig New Year's Market. The emperor justified this by saying that Leipzig had not informed him about the New Year's Market in Halle when it requested the privilege,⁷⁹ a statement which clearly proves how little overview the imperial chancellery had over the granting of imperial trade fair privileges. However, Leipzig did not give in and again sought help from its sovereign, Prince-Elector Ernest of Saxony (1464–86) who, being a relative of the emperor,⁸⁰ was in fact able to persuade the emperor not only to grant a new privilege for the Leipzig New Year's Market, but at the same time also revoke his privilege for the New Year's Market in Halle, thereby banning this much older fair. Neither the Magdeburg fair nor the New Year's Market in Halle gained supra-regional importance, even though both of them continued to be held.⁸¹

The next improvement of rights granted to Leipzig for its fairs came with an imperial privilege in 1507.⁸² This was again the result of a dispute over dates of fairs in a quite distant, but nonetheless rivalling town—Erfurt in this case. Erfurt

⁷⁹ See Pauly, *Messesystem*, 78; Elfie-Marita Eibl. Kaiser Friedrich III. (1440–1493) und die Wettiner. Aspekte des Verhältnisses Zentralgewalt—Fürsten in einer königsfernen Landschaft. *Neues Archiv für Sächsische Geschichte* 71 (2000): 27–51, 42–45.

⁸⁰ Ernest of Saxony was the nephew of Emperor Frederick III, as his mother Margret of Austria (c. 1416–86), was the sister of Emperor Frederick III.

⁸¹ For the New Year's Market in Halle, the start date was rearranged to a date after the New Year's Market in Leipzig had closed. See Pauly, *Messesystem*, 78–79.

⁸² See *Keyserlich Privilegium Der Stadt Leipzig Jahrmärkte Stapell vnd Niederlage*, Konstanz, 23. Juni 1507 ('Privilege of Maximilian I for the fairs of Leipzig, Constance, 23 June 1507'), single-sheet print, Leipzig. In *Stadtgeschichtliches Museum Leipzig*, I D 561. <https://www.stadtmuseum.leipzig.de/document/literatur/00007614> (29 May 2024). CoMOR online exposition 'Faires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_3?object=conflit_naumburg_leipzig (29 May 2024).

was also on the *Via Regia* and, like Leipzig,⁸³ it benefited from the west-east trade that was carried out along this road⁸⁴—a fact certainly contributing to the rivalry between the two cities. In response to Erfurt's aim of advancing its Misericordia Sunday Fair to Easter, which would have overlapped with the Leipzig Easter Market, the emperor not only confirmed the rights granted to Leipzig in 1497, but also extended the privilege to the extent that towns within a radius of 15 German miles (approximately 136 km) were henceforth prohibited from instituting new trade fairs. Furthermore, commodities transported within this radius were now subject to the Leipzig staple law—that is, they had to be brought to Leipzig and weighed, cleared through customs, and offered for sale there for three days. The emperor had a particular interest in the Leipzig trade fairs because Leipzig had developed into a hub for the west-east trade and an important financial centre.⁸⁵ Once again, Leipzig had behaved uncooperatively and was able to assert its own economic interests with the backing of the Saxon Prince-Elector, and by influencing the grantor of privileges.⁸⁶

After Emperor Maximilian I had granted his second privilege for the Leipzig fairs in 1507, Naumburg, whose fairs were much older than those of Leipzig, endeavoured to move its fair from Maundy Thursday to the Sunday before Estomihi⁸⁷ so that it did not coincide with the Easter Market in Leipzig. In return for the payment of 70 guilders, Naumburg received the requested imperial permission. Even though Naumburg was very cooperative in avoiding any overlap with the Leipzig fairs, Leipzig continued to hold on to its uncooperative strategy. Because the privilege granted to Leipzig stipulated that no 'new' fair was allowed to be set up within a radius of 15 miles around the city, Leipzig regarded the change of date of the

83 See Susanne Schötz. Leipzig im Schnittpunkt von *via regia* und *via imperia*. Über Bedeutung und Akteure des Messehandels. In *via regia—800 Jahre Bewegung und Begegnung. Katalog zur 3. Sächsischen Landesausstellung, Görlitz, 21. Mai bis 31. Oktober 2011*, Roland Enke, Bettina Probst (eds.). Dresden: Sandstein, 2011, 86–90.

84 See Manfred Straube. *Geleitswesen und Warenverkehr im thüringisch-sächsischen Raum zu Beginn der Frühen Neuzeit*. Cologne, Weimar, Vienna: Böhlau, 2014.

85 See Herbert Eiden. The Fairs of Leipzig and the Eastern European Economies, 15th–18th centuries. In *Fiere e mercati*, Cavaciocchi (ed.), 723–739; Manfred Straube. *Wirtschaftliche Frequenzen der Leipziger Großen Märkte/Messen. Statistische Zeugnisse aus den Leipziger Stadtrechnungen 1471/72 bis 1814/15*. Leipzig: Leipziger Universitätsverlag, 2015; Uwe Schirmer. *Der Finanz- und Messeplatz Leipzig vom 13. bis zur Mitte des 17. Jahrhunderts. Geldwesen—Waren- und Zahlungsverkehr—Rentengeschäfte*. Stuttgart, Leipzig: S. Hirzel, 2021.

86 See Pauly, Messesystem, 79–80.

87 Estomihi is the last Sunday in the pre-Passion period, the Sunday before Ash Wednesday. Since the duration from Estomihi up to and including Easter is fifty days, another name for it is Quinquagesima.

Naumburg fair as a new foundation and protested against it to the emperor. With the tried and tested approach of exerting influence on the emperor through the Saxon Prince-Elector, Leipzig at first was again able to persuade the emperor to revoke the privilege granted to Naumburg, which he did in autumn of the same year. However, Leipzig's resistance to the shift of the Naumburg fair provoked a long and bitter dispute between the two towns.⁸⁸ This is evidenced by a letter, for instance, which the Naumburg town council sent to the town's sovereign, Bishop Philip of Freising, asking him for help in the dispute with George the Bearded, Duke of Saxony, and Leipzig, which was sustained by the duke.⁸⁹

After the death of Maximilian I in January 1519, Naumburg tried again—once more without success—to obtain permission from the new emperor, Charles V to advance the date of the Maundy Thursday Market. Simon Düringe, treasurer of the town, and Johan Hochen travelled to Worms, where the emperor was holding the imperial diet, to discuss the matter. The expenses for their mission were recorded in the town's account of 1520 on "Friday after Saint Dorothea" (9 February).⁹⁰ In a charter issued on 25 May 1521, Emperor Charles V (1519–56) finally granted the citizens of Naumburg permission to hold a market on the day of Saints Peter and Paul (29 June).⁹¹ This meant that there was no longer any overlap with one of the Leipzig fairs. The charter itself has not survived, but the text can be found in Naumburg's municipal register of documents and letters.⁹² Again, there are no differences in the meaning of the words *Messe* and *Jahrmarkt*. Even

88 See Pauly, *Messesystem*, 80; Wieland Held. *Der Messeplatz Naumburg und sein Verhältnis zur Leipziger Messe am Anfang des 16. Jahrhunderts*. In *Leipzigs Messen 1497–1997*, Zwahr, Topfstedt, Bentele (eds.), 75–86.

89 See Brief an den Stadtherren Naumburgs, Bischof Philipp von Freising, 23. Januar 1521 ('Letter to the sovereign of the city of Naumburg, Bishop Philip of Freising, 23 January 1521'). In *Stadtarchiv Naumburg (Saale)*, MS 57, fol. 395r. CoMOR online exposition 'Foires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_3?object=conflit_naumburg_leipzig (29 May 2024); For the support provided by the dukes of Saxony (of the Albertine Branch of the House of Wettin) for the Leipzig fairs, see Karlheinz Blaschke. *Die Kurfürsten von Sachsen als Förderer der Leipziger Messe. Von der landesgeschichtlichen Grundlegung zur kontinentalen Wirkung*. In *Leipzigs Messen 1497–1997*, Zwahr, Topfstedt, Bentele (eds.), 61–73.

90 See Naumburger Ratsrechnung 1520 ('Account of the council of Naumburg, 1520'). In *Stadtarchiv Naumburg (Saale)*, MS 138, fol. 79v. CoMOR online exposition 'Foires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_3?object=conflit_naumburg_leipzig (29 May 2024).

91 See Fritz Heydenreich. *Die Geschichte der Naumburger Peter-Pauls-Messe*. PhD diss., University of Halle (Saale), 1927.

92 See *Keiser Karls Bestetigung voer denn Jarmarkt [. . .]*, 25. Mai 1521 (Kopie im Kopiaibuch Naumburgs) ('Confirmation of the fair privilege by Emperor Charles IV, 25 May 1521', extract from the copy book of Naumburg, Saale). In *Stadtarchiv Naumburg (Saale)*, MS 40, fols. 148r–151v.

though the Naumburg fair, which was of far-reaching economic significance at the time, had a long tradition, it was called *Jahrmarkt*. Likewise, although Leipzig sought to gain such a far-reaching economic significance for its three annual markets, they were still referred to as *Jahrmarkt* in the two imperial privileges of 1497 and 1507.

The rise of the Leipzig fairs shows clearly that it was possible to assert one's own interests with regard to trade fair dates against the resistance of other towns and to overcome the quasi-irreversibility of the trade fair network, provided that one succeeded in influencing the grantor of privileges to grant one a spatial and temporal fair monopoly that excluded competitors. By repeatedly playing a non-cooperative strategy, Leipzig demonstrated its lack of willingness to compromise to rivals, which in turn prompted them to either change their own strategy or withdraw. For Leipzig, this meant economic success, but this regional sustained change of the spatiotemporal structure of the network of fairs came at the expense of the rivalling towns, which had been forced to compromise on this issue.

7 Concluding remarks: effectiveness and efficiency of granting privileges

The analysis so far can be summarised with a few concluding remarks: during the trade fair boom of the Late Middle Ages, the rulers of the Holy Roman Empire granted numerous privileges for either the institution of new fairs or the confirmation of established fairs. Since the determination of date and duration of a fair was an essential part of such privileges, they may have made it possible to coordinate the timing of the rapidly growing and increasingly differentiating trade fair network, at least at its highest level—the supra-regional fairs. Game-theoretical analysis cannot fully falsify this hypothesis. Trade fair privileges were certainly useful for the coordination of fairs, as it can be shown that the rulers' enhancement of cooperation of towns with regard to dates of fairs was necessary. In this respect, privileges were certainly an effective means to enable coordination.

As far as the intended geographic reach and economic significance of fairs are concerned, wording and the various market terms apparently only played a secondary role. It is all too obvious that although in German different words for a trade fair were in use at the time (such as *Messe*, *Jahrmarkt*, and *Markt*), in privileges they were mostly used as synonyms. Without further clarification, these

CoMOR online exposition 'Foires, villes et marchands.' https://fairs-in-history.huma-num.fr/expo/online/theme_lyon_3?object=conflit_naumburg_leipzig (29 May 2024).

terms *per se* did not imply any hierarchy with respect to the degree of regulation of a privilege or the economic impact of a fair. Even around 1500, the term *Messe* was not deliberately used to give certain towns an advantage over others, as the cases of the imperial privileges for the Leipzig fairs in 1497 and 1507 show, in which the fairs are still named as annual markets (*Jahrmärkte*).

If trade fair privileges were an effective means to enable the coordination of fairs, have they also been efficient? Given the way privileges were granted, their efficiency must be doubted. The emperor had his own economic interest in the granting of privileges because of the revenues generated through the fees paid by the towns for their requests. Hence, this was an important incentive for the ruler to assume the role of a third party to enhance cooperation of towns. But this had a rather negative effect on the efficiency of coordination of fairs by privileges because the ruler's objectives did not always concur with those of towns that requested privileges and confirmation of favourable dates. In addition, by granting legally binding privileges, he fostered the quasi-irreversibility of the spatiotemporal structure of the trade fair network. The further development of the network became path-dependent because this imperial legitimisation of fair dates narrowed the margin for new fairs to be established. Meanwhile, the imperial chancellery had only limited opportunities to keep track of the exact 'fair calendar' that had evolved from all the privileges, issued either by the emperor or regional sovereigns. Therefore, the emperor was only too happy to grant a desired date to the town making the request. At the same time, by including a restrictive clause concerning the date, he passed on to this town the responsibility to avoid any overlap with other fairs and eventual conflict over dates, as can be seen in the case of Ulm. Strictly speaking, the ruler's interest in avoiding a dispute between towns was rather low, since in such an event both parties involved would again incur fees for the re-issuance of charters, which once again generated revenues. Finally, in the event of a dispute between towns, the emperor also did not prove to be independent. His economic interest (as was the case in the dispute between Leipzig and Naumburg) or his dynastic interest (as can be seen in the dispute between Leipzig and Halle) in a particular fair could well tip the balance in favour of the town that played a non-cooperative strategy and credibly insisted upon the desired fair date. Thus, in the long run, privileges proved not to be a viable solution to handle the increasing competition among towns to organise fairs and for attractive trade fair dates, as the way in which they were granted restricted the further growth of fairs. However, the extent to which the granting of privileges was inefficient and what impact this had on economic growth in the German-speaking lands of the Holy Roman Empire in the fifteenth and sixteenth centuries will be the subject of further research.

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