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The Penmen of the Hanse. Functions and agency of the urban secretaries at the Hanse diets (c. 1360–c. 1450)¹

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From the fourteenth century until modern times, the Hanse brought together cities scattered across the Low-German linguistic area, from present-day Estonia to the Netherlands, including cities of Prussia, Saxony and Westphalia. Although the “maritime cities” (gathered around Lübeck, Hamburg, Rostock, and Stralsund), which most often took the initiative for joint action, made repeated efforts to ensure that the decisions adopted by the assembly of the cities would be binding, each of them was ultimately free not to implement them.²

¹ This paper is a slightly updated translation of an article first published in French in the “Revue historique”, 2023/2, vol. 706.

² A number of recent surveys on the Hanse are available in German and English. See for example: R. Hammel-Kiesow, *Die Hanse*, München 2008 (“C.H. Beck Wissen”, vol. 2131); S. Selzer, *Die mittelalterliche Hanse*, Darmstadt 2010 (“Geschichte Kompakt”); C. Jahnke, *Die Hanse*, Stuttgart 2014; D.J. Harreld, *A Companion to the Hanseatic League*, Leiden/Boston 2015 (“Brill’s Companions to European History”, vol. 8). On its formation, see T. Boestad, *Pour le profit du commun marchand. La genèse de la Hanse (xiie–milieu du xive siècle)*, Genève 2022 (“Hautes études médiévales et modernes”, vol. 116). The group of the “maritime cities” (*stede by der zee* ou *zeestede*), also known as “Wendish cities”, refers to the coastal cities of Holstein, Mecklenburg, and Pomerania: Lübeck, Wismar, Rostock, Stralsund, Greifswald, to which Hamburg is sometimes added. This term therefore does not include other coastal towns such as Danzig or Riga. See on this question T. Geelhaar, *Wendische Städte oder civitates maritimae? Sondierungen zum Sprachgebrauch in den Hanserezessen von 1256–1370*, in: „Das ungeheure Wellen-Reich”:

When, in the 1360s, the Hanse cities began to regularly summon diets (*Tagfahrte*) – deliberative assemblies intended to decide on their joint political and diplomatic action – one of their first decisions was to allow only emissaries chosen from their municipal councils: burgomasters and consuls (*Ratmänner*).³ This decision was explicitly aimed at the municipal notaries (*Stadtschreiber*),⁴ to whom the cities entrusted, among other things, the management of their chancellery and some of their legal affairs.⁵ Although these officers were allowed to accompany consular delegates (*radesendebode*) – who were the only emissaries fully entitled to attend the Diet – no notary had theoretically the right to sit there alone

Bedeutungen, Wahrnehmungen und Projektionen des Meeres in der Geschichte, hrsg. v. R. Holbach, D. von Reeken, Oldenbourg 2014 (“Oldenburger Schriften zur Geschichtswissenschaft”, Bd. 15), pp. 57–70; T. Boestad, *Ein erster ‘hansischer’ Moment. Lübeck, die ‘Seestädte’ und die Frühformen der hansischen Konsensbildung im späten 13. Jahrhundert*, “Hansische Geschichtsblätter” 2022, Jg. 140, pp. 36–39.

³ HR I, Bd. 1, no. 307 § 7.

⁴ The municipal notary refers to the Middle Low German *stadesscriver* (*Stadtschreiber* in modern German). In Latin sources, this term is translated either as *prothonotarius*, *notarius civitatis* or, increasingly from the fifteenth century onwards, *secretarius*.

⁵ On the role of the *Stadtschreiber* and the literary staff in the Hanse cities, we may refer in particular to an article by Klaus Wriedt, which discusses both their social origins and the functions reserved for them within the Hanse: K. Wriedt, *Das gelehrte Personal in der Verwaltung und Diplomatie der Hansestädte*, “Hansische Geschichtsblätter” 1978, Jg. 96, pp. 15–37. The author excludes from his study – as I will too – the variety of activities that these notaries and their teams carried out within their city. On this topic, see W. Stein, *Deutsche Stadtschreiber im Mittelalter*, in: *Beiträge zur Geschichte vornehmlich Kölns und der Rheinlande*, Köln 1895, pp. 27–70; E. Isenmann, *Funktionen und Leistungen gelehrter Juristen für deutsche Städte im Spätmittelalter*, in: *Pratiques sociales et politiques judiciaires dans les villes de l’Occident à la fin du Moyen Âge*, red. J. Chiffolleau, C. Gauvard et A. Zorzi, Rome 2007 (“Collection de l’Ecole française de Rome”, vol. 385), pp. 243–322. See also J. Tandeci, *Die Stadtschreiber und ihre Rolle bei der Vereinheitlichung der Arbeitsformen der städtischen Kanzleien in Preußen*, in: *Die Rolle der Stadtgemeinden und bürgerlichen Genossenschaften im Hanse-raum in der Entwicklung und Vermittlung des gesellschaftlichen und kulturellen Gedankengutes im späteren Mittelalter*, ed. *idem*, Toruń 2000, pp. 117–131. The concrete aspects of the municipal notaries’ activities in the urban chancelleries have been the subject of recent renewals, see especially: T. Salminen, *Obscure Hands – Trusted Men. Textualization, the Office of the City Scribe and the Written Management of Information and Communication of the Council of Reval (Tallinn) before 1460*, Ph.D. thesis, University of Tampere 2016. On the role of the Lübeck notaries in their city’s diplomacy, see also: C. Neustadt, *Kommunikation im Konflikt. König Erich VII. von Dänemark und die Städte im südlichen Ostseeraum (1423–1435)*, Berlin/Boston 2018 (“Europa im Mittelalter”, Bd. 32), especially pp. 89–93, 404–409.

on behalf of his city. This rule was regularly reiterated thereafter, and there is every reason to believe that it was scrupulously implemented.⁶ Although it was most often recalled during inter-regional Hanse diets, it was also discussed at some assemblies summoned at provincial level by the cities of Westphalia, Saxony, Prussia and Livonia.⁷

This often-repeated principle has long discouraged any in-depth study of the role of municipal notaries at the diets. Of course, it has long been known that these officers were regularly called upon to take part in diplomatic missions, whether to the kings of England and the dukes of Burgundy or to the assemblies of the Hanse.⁸ Their presence was part of a general trend towards a stronger role for law and professional jurists in diplomacy, which was perceptible throughout the West at the end of the Middle Ages.⁹ However, despite the power and esteem that the municipal notaries enjoyed within their city, it has been considered that their role within the Hanse was limited to carrying out the orders of their council and that they did not have the capacity for truly autonomous

⁶ HR I, Bd. 6, no. 556 § 17 (1418); HR II, Bd. 2, no. 439 § 3 (1441); Bd. 3, no. 288 § 49 (1447); Bd. 6, nos. 185 § 7 (1469), 301, 356 § 44 (1470); Bd. 7, no. 389 § 10 (1476); HR III, Bd. 3, no. 353 § 7 (1494); Bd. 4, no. 150 §§ 11, 42 (1499). In a recent article on the notaries of the Hanse towns in the early sixteenth century, Christian Manger observes that even at that time, their participation in the diets as the sole emissary of their towns remained exceptional: C. Manger, *Behind the scenes: Urban secretaries as managers of legal and diplomatic conflicts in the Baltic region, c. 1470–1540*, “Journal of Medieval History” 2022, Bd. 48/4, p. 584.

⁷ See for example HR I, Bd. 8, no. 156 § 2 (1427); HR II, Bd. 6, no. 493 § 1 (1472). On regional distinctions within the Hanse and the interactions between cities from different provinces, see in particular V. Henn, *Städtebünde und regionale Identitäten im hansischen Raum*, in: *Regionale Identität und soziale Gruppen im deutschen Mittelalter*, hrsg. v. P. Moraw, Berlin 1992 (“Zeitschrift für historische Forschung: Beiheft”, Bd. 14), pp. 41–64; V. Henn, *Hansische Tagfahrten in der zweiten Hälfte des 14. Jahrhunderts*, in: *Die hansischen Tagfahrten zwischen Anspruch und Wirklichkeit*, hrsg. v. V. Henn, Trier 2001 (“Hansische Studien”, Bd. 11), p. 3.

⁸ K. Wriedt, *Das gelehrte Personal...*, pp. 35–36; A. Reitemeier, *Diplomatischer Alltag im Spätmittelalter: Gesandte in den englischen Beziehungen zu Frankreich und zur Hanse*, in: *Gesandtschafts- und Botenwesen im spätmittelalterlichen Europa*, hrsg. v. R.C. Schwinges, K. Wriedt, Ostfildern 2003 (“Vorträge und Forschungen”, Bd. 60), pp. 135–167.

⁹ See for example I. Lazzarini, *Records, Politics and Diplomacy: Secretaries and Chanceries in Renaissance Italy (1350–1520)*, in: *Secretaries and Statecraft in the Early Modern World*, ed. P.M. Dover, Edinburgh 2016, pp. 16–36; J.-M. Moeglin, S. Péquignot, *Diplomatie et “relations internationales” au Moyen Âge (ixe–xve siècle)*, Paris 2017 (“Nouvelle Clio”), pp. 404–405.

action.¹⁰ This view is only now beginning to be challenged, as the latest research into the history of diplomacy emphasises the role of unofficial agents and actors in international relations.¹¹ While Tapio Salminen's works emphasise the role of municipal notaries in managing information for their city, Christian Manger's recent article on the late fifteenth and early sixteenth centuries shows that these officers played an important role in conflict management, both privately and publicly. They even enjoyed considerable autonomy in this respect, including at the Hanse diets, where their status as informal emissaries gave them a significant capacity for mediation.¹²

The cities' need for informal mediation elegantly and convincingly explains why some of them persisted in sending their municipal notaries to the diets. However, the role of "conflict manager" was only one of those that these figures could take on.¹³ As this article aims to show, their missions at the assembly of the "Common Cities" (*gemeyne stede*) were multiple and variable: they depended not only on the skills and individual networks of each notary (although

¹⁰ K. Wriedt, *Das gelehrte Personal...*; E. Pitz, *Bürgereinung und Städteeinung: Studien zur Verfassungsgeschichte der Hansestädte und der deutschen Hanse*, Köln/Weimar/Wien 2000 ("Quellen und Darstellungen zur hansischen Geschichte", Bd. 52).

¹¹ See for example *Akteure der Außenbeziehungen: Netzwerke und Interkulturalität im historischen Wandel*, hrsg. v. H. von Thiesen, C. Windler, Köln/Weimar/Wien 2010 ("Externa", Bd. 1); D. Goetze, B. Tremml-Werner, *A Multitude of Actors in Early Modern Diplomacy*, "Journal of Early Modern History" 2019, vol. 23; *Beyond ambassadors: consuls, missionaries, and spies in premodern diplomacy*, eds. M. Ebben, L. Sicking (dir.), Leiden/Boston 2020 ("Rulers & Elites", vol. 19). This question has also been addressed at an international symposium held in Lyon on 7 and 8 October 2022 under the title: "Aux marges de la négociation diplomatique: acteurs, espaces, circulations (XIII^e–XX^e siècles)".

¹² T. Salminen, *City Scribes and the Management of Information: The Professionalization of a Transgenerational Agency and Its Agents in Tallinn*, in: *Making Livonia. Actors and Networks in the Medieval and Early Modern Baltic Sea Region*, eds. A. Mänd, M. Tamm, London/New York 2020, pp. 189–211; C. Manger, *Behind the scenes...*, especially pp. 584–585.

¹³ The concept of "conflict manager" is used by Christoph Manger, who borrows it from Justyna Wubs-Mrozewicz: J. Wubs-Mrozewicz, *Conflict Management and Interdisciplinary History. Presentation of a New Project and an Analytical Model*, "Tijdschrift voor Sociale en Economische Geschiedenis" 2018, vol. 15/1, pp. 103–104. It is based on the notion of "conflict management", which encompasses the "conflict resolution" and expresses the idea that resolution is only one of the possible strategies in the event of a conflict (along with, for example, escalation, violence or *status quo*).

this point is often difficult to grasp), but also on the diplomatic customs and practices of their respective cities. Not all notaries played the same role in producing the *recesse* that recorded the deliberations and decisions of the diets. Moreover, their tasks may have changed overtime, as the Hanse tended to become more institutionalised and rigid from the fourteenth to the sixteenth century. In the same time, the sociology and powers of municipal notaries were evolving. On the one hand, the office was increasingly occupied by people from the city's great lineages; on the other, in some cities, some of their powers tended to be transferred to a specialist in law: the *sindicus*. In the mid-sixteenth century an office of syndicus of the Hanse was even established, with a mandate to represent not a particular town but the alliance as a whole.¹⁴

This article will focus on the first century of Hanse history (c. 1360–c. 1450). It will draw mainly on the corpus of the *recesse*, the earliest of which date from the early 1360s. These documents were drawn up at the end of the meeting – the Latin term *recessus* refers to leave-taking – and combined articles reporting on the deliberations and decisions adopted – or, in many cases, postponed –¹⁵ with copies of letters and deeds issued in the name of the Common Cities. Their legal strength has been discussed, but there is no doubt that they were carefully archived so that they could be consulted or referred to during future meetings. This explains why *recesse* were often kept in several copies in the archives of different Hanse cities.¹⁶

¹⁴ On the *syndici* of the Hanse in the sixteenth century, see H.J. Langer, *Gestalten der Spätzeit. Die Syndici der Hanse*, in: *Akteure und Gegner der Hanse. Zur Prosopographie der Hansezeit*, hrsg. v. D. Kattinger, R.-G. Werlich et H. Wernicke, Weimar 1998 (“Hansische Studien”, Bd. 9).

¹⁵ P. Höhn, *Entscheidungsfindung und Entscheidungsvermeidung in der Hanse. Das Beispiel der Sunddurchfahrt um 1440*, in: *Entscheidungsfindung in spätmittelalterlichen Gemeinschaften*, hrsg. v. W.E. Wagner, Göttingen 2021, pp. 91–137.

¹⁶ On *recesse* as a documentary genre, see T. Behrmann, *Der lange Weg zum Rezeß. Das erste Jahrhundert hansischer Versammlungsschriftlichkeit*, “Frühmittelalterliche Studien” 2002, Bd. 36, pp. 433–467; U. Schäfer, *Hanserecesse als Quelle hansischen Rechts*, in: *Hansisches und hansestädtisches Recht*, hrsg. v. A. Cordes, Trier 2008 (“Hansische Studien”, Bd. 17), pp. 1–14. On the precautions to be taken when using the editions of these sources, see A. Huang et U. Kypka, *Ein neues Haus auf altem Fundament. Neue Trends in der Hanseforschung und die Nutzbarkeit der Rezessionen*, “Hansische Geschichtsblätter” 2011, Jg. 129, pp. 213–229; C. Jahnke, *Die Reliquien jener grossartigen Bewegung: Die Recesse und andere*

While being the main sources documenting the reasons and terms of the exclusion of notaries from the diets, the *recesse* nonetheless bear witness to the considerable capacity for action enjoyed by these agents. The conditions under which these documents were written down also attest to the important role played backstage by some of these specialists in the written word.

Competences and omnipresence of the municipal notaries

The Stadtschreiber in the diplomacy of the Hanse cities

The exclusion of the *Stadtschreiber* from the diets is all the more remarkable given that their involvement in the diplomacy of their city and of the Hanse in general was quite significant. These specialists in the written word were often drawn from the ranks of the clergy – although there is evidence of lay notaries from the fourteenth century onwards.¹⁷ They were responsible for their city's chancellery and diplomatic correspondence, as well as for keeping the various city registers (the *Stadtbücher*). While the teams of notaries working for the town tended to grow and specialise as written production increased and diversified towards the end of the Middle Ages, the first notaries (*protonotarii*) or secretaries (*secretarii*) who supervised them – and who were the *Stadtschreiber* in the strict sense of the word – were rarely more than two in number and were among the principal officers of their municipality. Their work was well-paid and led to long careers; it also gave them privileged access to the inner circle of the city's ruling families.

The *Stadtschreiber*'s role as head of the urban chancelleries and the trust they enjoyed from their city councils meant that they were particularly well suited to carrying out diplomatic missions on behalf of their city or the Hanse.¹⁸ These varied missions were often directly or indirectly linked to writing. For example, in October 1365, when the maritime cities of northern Germany

Akten der Hansestage sowie das *'Hansische Urkundenbuch*, "Hansische Geschichtsblätter" 2019, Jg. 137, pp. 1–42.

¹⁷ See for example J. Tandecki, *Die Stadtschreiber...*, p. 119.

¹⁸ K. Wriedt, *Das gelehrte Personal...*, p. 21; C. Neustadt, *Kommunikation im Konflikt...*, p. 410.

were negotiating a cessation of hostilities with the King of Denmark, letters of truce had to be sealed. A mission report drawn up on this occasion states that the letters in question were to be conveyed “by Alard, notary of Stralsund, Heinrich Wittstock, notary of Rostock, and Johannes of Wantzel, notary of Lübeck”, who probably authored the said report.¹⁹ In the 1370s, the first notary of Rostock, a certain Hartwig, was sent to Scania to collect the taxes that the Hanse cities were levying on the herring fishery.²⁰ Neither was there any reason why notaries should not be sent on mission to a prince or another city, provided that they were carrying the customary letters of credence. For example, Albert Rodenborch, the *Stadtschreiber* of Lübeck, led several embassies on behalf of his city to the Counts of Flanders and the King of Denmark in the 1370s.²¹ Twenty years later, his successor Gottfried van der Kremppe was commissioned on several occasions to negotiate with the cities of Zuiderzee and Prussia, or to pass on instructions from Lübeck to the Hanse’s trading post in Bruges.²² As this last example shows, it was not uncommon for the *Stadtschreiber* of one of the main Hanse cities – such as Lübeck, Hamburg, Danzig or Cologne – to be entrusted with this type of missions by the Hanse diets themselves. Municipal notaries were therefore not excluded from all diplomatic representation within the Hanse, but only from the specific institution of the Diet of the Common Cities.

Even there, the presence of municipal notaries was not exceptional. In the early years of the Hanse, some of them were even mentioned many times in the records. This is the case of Johannes Wunstorp of Hamburg, who attended the Diet at least six times between 1363 and 1367, which is more than any consul or burgomaster of that city during the same period.²³ Johannes Stur-

¹⁹ HR I, Bd. 1, no. 374 § 4.

²⁰ The income from the herring fairs in Scania had been granted to the Hanse cities for fifteen years by virtue of the Treaty of Stralsund in 1370. About these fairs, see C. Jahnke, *Das Silber des Meeres. Fang und Vertrieb von Ostseehering zwischen Norwegen und Italien (12.–16. Jahrhundert)*, Köln/Weimar/Wien 2000 (“Quellen und Darstellungen zur hansischen Geschichte”, Bd. 49). On Hartwig’s action and the customs record he has left, see: HR I, Bd. 3, no. 64; C. Jahnke, *Die Malmöer Schonen Zollliste des Jahres 1375*, “Hansische Geschichtsblätter” 1997, Jg. 115, pp. 1–107.

²¹ HR I, Bd. 2, no. 192 § 9; Bd. 3 no. 97.

²² HR I, Bd. 4, nos. 234, 250, 541 § 2.

²³ HR I, Bd. 1, nos. 292, 299, 300, 374, 388, 402.

mann represented Stettin no less than ten times between 1363 and 1373, of which eight times alone.²⁴ The experience and stature of these two men were certainly nowhere near those of a Jacob Plescow or a Bertram Wulflam,²⁵ not to mention the weight of their words before the assembly of Hanse delegates; but it was probably enough to rank them among the leading specialists in foreign and Hanse affairs within their respective cities. Although such figures became increasingly rare in later years, as we shall see, the notaries Johannes Crolow of Danzig in the 1400s–1410s and Johannes Hertze of Lübeck in the 1430s–1450s were also regulars at the diets.

Between convenience and “common weal”

The exclusion of notaries from the Diet is generally commented on by quoting an article from the of 24 June 1418, and it has sometimes been claimed that the principle in question was not established until this date:²⁶

Item, the aforementioned cities have unanimously decided, agreed and established that for the common weal, in times to come, when the cities assemble somewhere, they will not admit anyone to sit with them on the council unless he is at that time a sworn consul in a Hanse city. If they bring with them the notary of their city, they will willingly admit him to sit with them; but if the notary of a city is sent alone to a diet as its emissary, they will not admit him to sit with them, because the cities recognise that, if a city invited to a diet were granted the right to send its notary as its sole representative, then other cities

²⁴ Apparitions of Johannes Sturmman alone: HR I, Bd. 1, nos. 287, 321, 376, 388, 400, 405, 510; Bd. 2, no. 53. In July 1363, the notary of Stettin was accompanied by the consuls Heinrich Wobbermin, Nicolaus Wobbermin and Marquard Vorrat (HR I, Bd. 1, no. 299). On 25 May 1371, he appeared with the consul Henning Westfal (HR I, Bd. 2, no. 11).

²⁵ About these central figures of the early Hanse, see J. Wiegandt, *Die Plescows: ein Beitrag zur Auswanderung Wisbyer Kaufmannsfamilien nach Lübeck im 13. und 14. Jahrhundert*, Köln/Weimar/Wien 1988 (“Quellen und Darstellungen zur hansischen Geschichte”, Bd. 28), pp. 193–257; R.-G. Werlich, *Wulf Wulflam. Ein hansischer Diplomat aus Stralsund*, in: *Akteure und Gegner der Hanse...*, pp. 67–92.

²⁶ K. Wriedt, *Das gelehrte Personal...*, p. 32; C. Manger, *Behind the scenes...*, p. 584.

would want to do so as well, which would ultimately result in the common weal being inescapably hindered in its progress.²⁷

The *recess* of 1418 clarified the Diet's position with regard to municipal notaries at a time when the Hanse, which had just gone through an unprecedented crisis, was seeking to reinvent and restructure itself.²⁸ However, it cannot be said that prior to this date, notaries were easily accepted into the assembly of cities. In fact, a similar prohibition had been formulated as early as 1363 – few years after the formation of the Hanse – in a *recess* dated 17 November, which reported on the deliberations of a diet held in Greifswald, in western Pomerania:

Item whoever returns to the general diet must be able to make the calculations and render an account, in any form whatsoever. And this must be done under oath. And because of that oath, the consuls must always attend the said diets in person, which means that notaries will not be sent in the consuls' place.²⁹

The city of Kiel, which had thought it could send its notary to this meeting, was the first to bear the brunt of this ban: it was asked to return at the next session with a consul.

Thus, from the outset, some towns tried to send their *Stadtschreiber* to the Diet, and from the outset, this practice was theoretically condemned and banned. On the one hand, sending a municipal notary experienced in diplomatic missions could appear as an economically less burdensome option than sending one or more consuls. Even the *recess* of 1418 half-heartedly acknowledged the convenience of this practice. And when in 1427 the maritime and Saxon cities agreed to meet once a year, it was decided that when their diet would be summoned in Brunswick, in Lower Saxony, the maritime cities would be allowed to send their notary alone: the presence of their consuls was only required if their diet was to meet in Lüneburg, further north.³⁰ On the other hand the Common Cities insisted that the delegates who attended the general diets should be bound not simply by letters of credence, but by a consul's

²⁷ HR I, Bd. 6, no. 556 § 17 (1418). See also HR II, Bd. 2, no. 439 § 3 (1441).

²⁸ On this subject, see V. Henn, *Der Lübecker Hansetag vom Sommer 1418*, "Beiträge zur deutschen Volks- und Altertumskunde" 1988/1991, Bd. 26, pp. 25–41.

²⁹ HR I, Bd. 1, no. 307 § 7.

³⁰ HR I, Bd. 8, no. 156 § 2.

mandate, based on the oath taken by a consul towards his urban community at his investiture.³¹

This justification reflects the self-perception of the leaders of the main Hanse cities, especially Lübeck. The Hanse was intended to be an alliance of the Common Cities, with the aim of coordinating the city councils' activities with those of the Low German merchants' trading posts across Northern Europe.³² The diets were therefore to be a forum not for negotiation, but for deliberation, where representatives of the city councils were to agree on the measures to be taken for the "common weal" of the cities and merchants of the Hanse – regardless of the well-known malleability of these late-medieval discourses on the *bonum commune*, which were in fact capable of supporting the most contradictory individual interests.³³ It was therefore of little importance that, in reality, the deliberations between the Hanse cities were very much like negotiations: the legitimacy of the Hanse and its ability to take joint decisions were based on the idea that the delegates present at the Diet were representative of all the councils of the Common Cities. This presupposed that these delegates were indeed members of their respective city councils.

³¹ On the investiture ceremonies of urban councils and the role played by the oath, see the examples gathered by D. Poeck, *Rituale der Ratswahl: Zeichen und Zeremoniell der Ratssetzung in Europa (12.–18. Jahrhundert)*, Köln/Weimar/Wien 2003 ("Städteforschung. Reihe A, Darstellungen", Bd. 60). See also O. Richard, *Le serment comme technique de gouvernement dans les villes du Rhin supérieur à la fin du Moyen Âge*, in: *Gouverner les hommes, gouverner les âmes, XLVIe Congrès de la SHMESP (Montpellier, 28–31 mai 2015)*, Paris 2016 ("Histoire ancienne et médiévale", vol. 144), pp. 199–210.

³² K. Wriedt, *Das gelehrte Personal...*, pp. 32–34; E. Pitz, *Bürgerreinigung und Städteeinung...*, especially pp. 52–54; T. Boestad, *Pour le profit du commun marchand...*, pp. 597–668. Ernst Pitz's study has explored this conception of the Hanse in the greatest detail; however, we should be wary of seeing it, as he does, as a reflection of an actual constitution (*Verfassung*) of the Hanse in any form whatsoever. On this issue, see A. Cordes, P. Höhn, A. Krey, *Schwächediskurse und Ressourcenregime: Überlegungen zu Hanse, Recht und historischem Wandel*, "Hansische Geschichtsblätter" 2016, Jg. 134, pp. 179–181.

³³ On the notion of "common weal" and its uses in the Late Middle Ages, see especially *De bono communi: The discourse and practice of the common good in the European City (13th–16th c.)*. *Discours et pratique du Bien Commun dans les villes d'Europe (xiii^e–xvi^e siècle)*, eds. É. Lecuppre-Desjardin, A.-L. van Bruaene, Turnhout 2010 ("Studies in European urban history", vol. 22).

In practice, however, this position of principle left municipal notaries with a certain capacity for action, if only because it was subject to infringement.

The notaries' tasks within their delegation

The *recess* of 1418 differentiated between two situations: where the notary went to the Diet as the sole delegate of his town – “instead of the consuls”, to paraphrase the *recess* of 1363 – and where the notary accompanied a consular delegation. The second case was lawful, the first was not. This distinction had consequences for the notary's ability to act at the Diet and for the tasks he could hope to carry out there. However, in both cases, it must be assumed that a notary was rarely sent to the assembly by chance or through ignorance of the rules.

“Instead of the consuls”: the notary as an observer and
a messenger

What did towns expect of their notaries when, despite the ban, they sent them alone to the Diet? This practice should probably not be seen as one of those avoidance strategies, well known to assembly historians, which enabled a community to withhold its consent to a decision it did not want to endorse.³⁴ The Hanse lacked the means to impose its decisions on its members anyway, so a town that had no hope of imposing its point of view on the Diet could as well not attend at all.³⁵ In fact, the cities that failed to send their consuls usually excused themselves by invoking material difficulties. In June 1366, the Stettin notary justified the absence of his consuls by the state of the roads.³⁶ The impediment could also be due to insecurity caused by a war or dispute with a neighbour prince: In 1363, the Greifswald notary invoked a conflict opposing his city to the Pomeranian lord Bolto Zepelyn; the following

³⁴ See for example M. Hébert, *La Voix du peuple. Une histoire des assemblées au Moyen Âge*, Paris 2019, pp. 198–201.

³⁵ C. Jahnke, *Die Hanse...*, pp. 123–124.

³⁶ HR I, Bd. 1, no. 376 § 1.

year, Lübeck invoked the hostility of the counts of Holstein and Schauenburg; in December 1366, the consuls of Hamburg were kept at home by “hostile attacks and threats” caused by enemies they did not name.³⁷ However, the troubles could also come from within, as in the case of the “serious matters with which [the consuls] are now occupied in their city”, according to the Hamburg notary Johann Wadenkote in 1427.³⁸ It is true that such excuses may have been mere pretexts, especially as some cities (such as Stettin, Hamburg and Greifswald in the 1360s) seem to have been quicker than others to replace their consuls with their notaries. On the whole, however, it must be admitted that when the dispatch of a notary “instead of the consuls” was not due to a genuine emergency situation, the reason was usually more of a financial nature. The – necessarily more limited – influence that a notary could hope to have on the deliberations of the Diet was then weighed against the – always heavier – impact that the dispatch of a consular delegation in due form represented for the town’s finances.³⁹

Under these circumstances, it is probably not insignificant that the sending of municipal notaries as the sole emissaries of their towns is particularly well documented during the 1360s: the Hanse cities were then at war against the King of Denmark and met several times a year, which may explain why the ban, which was quite new, was enforced with indulgence. The assembly of 14 April 1364 agreed to question the notaries of Lübeck, Greifswald and Stettin on the position of their respective cities regarding the continuation of the war against the King of Denmark.⁴⁰ In October 1365, the diet gathered in Rostock went through the notaries Johannes Wunstorp and Nicolas Grantzow to seek the approval of Hamburg and Greifswald for decisions relating to coin exports and the right of shipwreck.⁴¹ More assertive attitudes are

³⁷ *Ibidem*, nos. 299 § 3, 321 § 1, 388 § 1.

³⁸ HR I, Bd. 8, no. 235 § 1.

³⁹ On the ceremonial of the Hanse diets and the representation costs involved for the delegations attending them, see T. Behrmann, *Über Zeichen, Zeremoniell und Hansebegriff auf hansischen Tagfahrten*, in: *Die hansischen Tagfahrten...*, pp. 109–124; M. Seier, *Ehre auf Reisen. Die Hansetage an der Wende zum 16. Jahrhundert als Schauplatz für Rang und Ansehen der Hanse(städte)*, Frankfurt am Main/New York 2017 (“Kieler Werkstücke”, Reihe E: *Beiträge zur Sozial- und Wirtschaftsgeschichte*, Bd. 14).

⁴⁰ HR I, Bd. 1, no. 321 §§ 7, 9, 10.

⁴¹ *Ibidem*, no. 374 § 11–13; no. 375.

rarer, but they do exist: for example, by joining his voice to that of Heinrich Wruk, consul of Greifswald, at the assembly of 24 June 1366, Johannes Sturmann, notary of Stettin, had the opportunity to firmly defend his council's position regarding the Borgholm Castle (on the Swedish island of Öland), for which the two towns in question were responsible at the time.⁴²

This leniency did not last. From the 1360s onwards, the preambles to the *recesse* always placed isolated notaries at the end of the list of participating delegations, even when they represented a city which, like Lübeck, was usually listed on the top – as a reminder that such delegations had no voice in the proceedings.⁴³ Sometimes, their presence was not recorded at all, and we only know about them from related sources, such as account books or missives. For example, the *recess* of 20 January 1422 bears no trace of the Stralsund notary Joachim van der Horst, who we know had to travel alone to the Diet after an urgent matter had forced the consuls he was accompanying to turn back.⁴⁴ Of the two surviving manuscripts of the *recess* of 24 June 1376, drawn up after a diet in Stralsund, only the one preserved in Wismar mentions the notaries Hartwig of Rostock and Hinrik (van Baltze) of Wismar – who no doubt personally ensured that their names were included – while the Lübeck copy makes no mention of any delegation from these two cities at all. On the other hand, these two notaries were apparently allowed to leave with their own copy of the *recess*, since otherwise such a copy would not have been kept in Wismar.⁴⁵ Some later examples show that this was not always the case.⁴⁶

Concretely, the prohibition on “sitting with the towns in the council” meant that the notaries did not have the right to sit on the consuls’ benches. On the other hand, it did not explicitly prevent them from attending the deliberations, so that this question seems to have been decided on a case-by-case basis. Occasionally, the assembly proved to be conciliatory. For example, the *recess* of 24 June 1418 reports that a notary from Magdeburg and a “juror” (*geswornen*) from Soest had been allowed to attend the Diet in derogation of the newly recalled rule. This did not mean that they had

⁴² *Ibidem*, no. 376 § 18.

⁴³ See for example *ibidem*, no. 321 (14 April 1364, Rostock).

⁴⁴ HR I, Bd. 7, no. 430.

⁴⁵ HR I, Bd. 2, no. 120.

⁴⁶ See the examples cited in K. Wriedt, *Das gelehrte Personal...*, p. 32, no. 70.

full participation rights. Indeed, in the fifteenth century, the diets gathered in Lübeck used to sit on benches arranged in a semi-circle: in their preamble, the *recesse* usually categorised the delegations as sitting on the right or left bench (with the Lübeck delegation sitting on the middle bench). However, the way in which, in June 1418, the representatives of Soest and Magdeburg were mentioned at the end of the list of participants suggests that they were not allowed to sit on either of the two benches: they had probably been seated in an area intended for secretaries and other spectators at the Diet, located to the right of the council benches and separated from them by a low wall.⁴⁷ In other occasions, the Diet opted for a harsher approach of the rule: the *recess* of 12 March 1441 mentions that the Göttingen notary and a “sworn reeve” (*gesworne voghet*) sent by Breslau (Wrocław) “have not been admitted to the council; but their case has been heard according to their letters of credence, and the *recess* [of 1418] has been read to them, after what they have returned home”.⁴⁸ Although unable to take part in the deliberations, the Göttingen notary had at least the opportunity to deliver the message he had brought with him and perhaps also to speak with the Brunswick delegation – which subsequently ensured that a copy of the *recess* was sent to his city.⁴⁹ However, the *recesse* are usually silent about the way the Diet received such emissaries and the reasons for their decisions regarding them: to what extent could an emergency situation encourage the Common Cities to be lenient? Conversely, could such points of procedure be invoked to disqualify a delegation that they did not want to hear?

The municipal notaries’ capacity for action at the Diet as sole representatives of their city was therefore uncertain and limited, but not inexistent. As far as can be ascertained, they could be entitled to pass on messages, to listen to the proceedings, and sometimes even to receive a copy of the *recess*. They were rarely prevented from carrying out the first task, and while the others depended more on the Diet’s benevolence, a determined notary could undoubtedly manage to approach one or other of the

⁴⁷ HR I, Bd. 6, no. 556. All these elements are visible on a later drawing of the *Hansesaal* in the Lübeck Town Hall (see G. Graichen, R. Hammel-Kiesow, *Die deutsche Hanse. Eine heimliche Supermacht*, Reinbek bei Hamburg 2011, p. 296).

⁴⁸ HR II, Bd. 2, no. 439 § 3.

⁴⁹ This copy is mentioned among the surviving manuscripts of this *recess* listed in the edition of the *Hanserecesse* (*ibidem*, pp. 351–352).

delegations outside the assembly hall. As for the Diet's attitude, two trends emerge. The first is chronological and goes in the direction of a gradual stiffening with regard to the participation of isolated notaries. The second relates the degree of tolerance of the assembly to its size: single notaries seem to have had a better chance of playing a role at provincial diets bringing together a small number of delegations.

Notaries as diplomacy experts in support of their consuls

Accompanying a consular delegation altered the *Stadtschreiber's* place in the Diet's protocol. The *recesse's* preambles regularly mention urban secretaries among the participating delegations, suggesting that they were sometimes allowed to sit alongside their consuls. At the diet of 5 June 1434 (in Lübeck), for example, Hinrik Vorrat, burgomaster of Danzig, and Nicolaus Wrecht, notary of the same city, were seated on the right-hand bench "in the name of the cities of Prussia", and Hinrik Hoyer and Johann Wyge, burgomasters of Hamburg, were seated opposite them on the left-hand bench with their notary, "Lord (*herr*) Johan Wadenrode".⁵⁰ Admittedly, even under these conditions the municipal notaries were not always named in these lists. We know, for example, that "Lord (*herr*) Reimar notary of the council of Bremen" attended the opening of the diet of Lüneburg in April 1412, although his name does not appear alongside that of the Bremen consul named in the preamble to the *recess*.⁵¹ It is possible that those mentioned in the preamble were also those who had been allowed to "sit in the council", i.e., on the consuls' benches. Even so, the reasons why some were admitted and others not remain uncertain: rank may have been a factor – especially as some of these people bore the title of *dominus/herr* –, as was the prominence of their city, the contribution the Common Cities expected of them, and perhaps simply the space available on the benches or the urging of the consuls whom they accompanied.

⁵⁰ HR II, Bd. 1, no. 321.

⁵¹ HR I, Bd. 6, no. 68. The *recess* mentions Reimar's intervention in its § 30.

The dry prose of the fourteenth- and fifteenth-century *recesse*, with little concern for highlighting the individual actions of the various emissaries, says little about these men's role and activities at the Diet. When a notary is mentioned, it is usually to deliver a message to a prince, or because his delegation had decided to send him back urgently to consult the rest of its City Council – as the Kampen delegation did in 1363, after having been asked about the help the city would be willing to give to the maritime cities in their war against Denmark.⁵² In this way, a delegation could quickly deliver messages through a trusted man, without having to leave the discussions prematurely. Nevertheless, it is hard to believe that commissions of this kind were the core function of notaries at the Diet. It is also entirely plausible that these figures played an informal mediation role in conflicts between Hanse cities, although the unofficial nature of such activities make them almost imperceptible in fourteenth- and fifteenth-century sources.⁵³ To this must undoubtedly be added all sorts of auxiliary writing functions: from the conservation of documents intended for the municipal chancellery to the drafting of written reports and the preparation of notarial instruments.⁵⁴

One thing is certain, however: dispatching a *Stadtschreiber* to support a consular delegation was always a conscious decision. The Prussian cities seem to have been particularly accustomed to this practice: on 27 February 1410, the delegations that had gathered in Marienburg (Malbork), to prepare for the diet that was to be held a few months later in Münster, Westphalia, insisted that the Danzig consul Conrad Letzkow should leave accompanied by his first notary Johannes Crolow.⁵⁵ On 6 February, the Prussian city of Elbing had already written to the Livonian towns to confirm that Danzig would be sending “a consul as well as the old municipal notary Johannes Crolow from Danzig”.⁵⁶ What is surprising about this wording is that the latter appears to have been the central figure in the delegation. Clearly, Crolow must have been a well-known and reassuring figure in the eyes of the Livonian cities, which had perhaps appreciated the way in which he had defended their merchants' interests during his previous

⁵² HR I, Bd. 1, no. 296 § 2.

⁵³ See C. Manger, *Behind the scenes...*

⁵⁴ *Ibidem*, p. 585.

⁵⁵ HR I, Bd. 5, no. 674 § 25.

⁵⁶ *Ibidem*, no. 657.

missions to England.⁵⁷ Elbing's letter also shows that for most Prussian towns, the decision to send the aforementioned notary to the Diet had already been taken at the beginning of February.⁵⁸ When the Hanse cities finally gathered in Hamburg on 20 April of the same year, Conrad Letzkow and Johannes Crolow were indeed mentioned side by side in the preamble to the *recess* as the only representatives of the Prussian cities.⁵⁹ The exact tasks carried out by Crolow as a notary at the Diet will remain in the shadows, but when the same *recess* refers on several occasions to the participation of "the emissaries from the Prussian towns" (*de sendeboden der Prusesschen stede*), we guess from the plural suggests that the first notary must have been very much involved in the debates.⁶⁰

Elbing's letter to the Livonian cities gives the impression that the trust placed in Johannes Crolow was due in part to his personal qualities and his background: we need only think of his intimate knowledge of the Prussian cities' correspondence or of his role in the Hanse's negotiations with England, which he undoubtedly had the opportunity to report on to the Common Cities.⁶¹ This personality proves that there was a room at the Diet for such highly qualified experts, even if they were not members of their city council.

What role did notaries play in the elaboration of the *recesse*?

Writing down the *recesse* is one of the functions that we would quite naturally expect the municipal notaries to fulfil.⁶² However, the question of the *Stadtschreiber*'s involvement in this

⁵⁷ *Ibidem*, no. 705.

⁵⁸ Only the council of Danzig may have been reluctant to part with its notary, which would explain why the other towns felt obliged to insist on it at the Prussian diet of 27 February, as mentioned above.

⁵⁹ HR I, Bd. 5, no. 674 § 25. See also HR I, Bd. 8, nos. 47 § 1, 48 § 1. About Johannes Crolow, see J. Tandecki, *Die Stadtschreiber...*, p. 120.

⁶⁰ HR I, Bd. 5, no. 705 §§ 3, 6.

⁶¹ It is known that the negotiations with England were discussed at this diet and that the Prussian delegation took an active part in them, although the *recess* merely mentions the decisions that were taken on this subject (*ibidem*, no. 705 § 4).

⁶² See for example C. Manger, *Behind the scenes...*, p. 584: "After all, someone had to take notes: apart from the official minutes of the diet (*recesse*), secretaries wrote reports for their individual councils as well".

task is less obvious than it might seem. First, the cities whose notaries are mentioned at a given diet are rarely those where the *recess* of the same assembly has survived. Second, the *recesse* are an extremely polymorphous documentary genre, and bear witness to constantly changing scriptural and archival practices.⁶³ Consequently, the division of tasks between the chancellery of the host city and the notaries of the guest delegations seems to have evolved as the German cities' cooperation within the Hanse became more institutionalised and perennial.⁶⁴

The increasing responsibility of the city hosting the Diet

Although the earliest *recesse* make little mention of the conditions under which they were produced and archived – it was not until the beginning of the fifteenth century that the first explicit indications on this subject can be found – some hypotheses can nevertheless be drawn from the palaeographic analysis of the various manuscripts available. An examination of the collection of Hanse documents in the Rostock City Archives shows that, in the 1360s, the same scribe was responsible for writing a series of *recesse*, all of which being recorded in a similar format on a sheet of paper measuring approximately 46x31 cm and folded to give four pages measuring 23 × 31 cm.⁶⁵ Based on a comparison with other documents held in the same archives, it has been possible to identify this scribe as

⁶³ T. Behrmann, *Der lange Weg zum Rezeß...*

⁶⁴ The question of the conditions under which the *recesse* were drawn up is a vast and as yet largely unexplored subject, requiring the formal comparison of documents scattered throughout numerous archives. The following considerations will therefore only touch on it, based mainly on the *recesse* preserved in Lübeck, Rostock and Stralsund. For documents from other archives, I have relied on the descriptions given in the *Hanserecesse* edition. Since the publication of the first version of this article, a more systematic overview of the first *recesse* has been carried out here: T. Boestad, *The first recess: diplomacy, documentary practices and the self-awareness of the Hanse cities (1362–1375)*, in: *In the Absence of Envoys: New Approaches to Medieval Diplomacy, 450–1350*, eds. J. Benham, S. Ottewill-Soulsby, B. Morris, Manchester, forthcoming.

⁶⁵ The comparison of the handwritings allows to attribute 19 *recesse* to this scribe (Stadtarchiv Rostock, 1.1.3.10. "Bürgermeister und Rat: Hanseatica", nos. 8–12, 14–18, 21–25, 27, 29, 30, 32). On some occasions, Wittstock seems to have cooperated with another scribe (nos. 21, 27, 30).

the *Stadtschreiber* Hinrik Wittstock.⁶⁶ This notary seems to have been commissioned by his city to attend a number of Hanse diets in Rostock, Stralsund, and Lübeck, in order to take part in the drafting of the *recesse*.

In this time, notaries of several cities sometimes cooperated in this task. Among the manuscripts to which Hinrik Wittstock has contributed, there is a document drawn up on the occasion of talks between the maritime cities and the King of Denmark in May 1363: Wittstock's account of these negotiations occupies the first two pages of a sheet of paper of the same format as the previously mentioned ones and folded in the same way. The two other pages contain a draft treaty between the maritime cities and the King of Denmark. This draft was, however, written in another hand: Wittstock has simply added a mention of the date at the top of it.⁶⁷ Interestingly, a comparison of the handwritings shows that this second scribe also reported on these same negotiations to the city of Stralsund: we may therefore identify him with some probability to the notary Alard of Stralsund, who was regularly in charge with the Hanse cities' negotiations with the Danish king in those years.⁶⁸ In any case, the two versions of this report – the one sent by Wittstock to Rostock and the one sent to Stralsund – are almost identical and appear to have been drafted jointly by the municipal notaries of both cities. We may assume that such cooperation may also have taken place on the occasion of the diets.

However, the task of drafting and distributing the *recesse* was gradually taken over by the chancellery of the city where the Diet was held, under the supervision of its first notary. In the case of the general Hanse diets, this was usually, but not always, Lübeck or another of the maritime cities. For example, the *recess* of the Lübeck diet of 8 April 1404 was sent to Stralsund in the form of a letter, probably by the Lübeck chancellery.⁶⁹ In 1422, the "lord

⁶⁶ The handwriting is identical to that of an accounting document from 1364, which the editors of the *Hanserecesse* have been able to establish was in Wittstock's hand (*ibidem*, no. 14/3; HR I, Bd. 3, p. 278 n. 6).

⁶⁷ Stadtarchiv Rostock, 1.1.3.10. Bürgermeister und Rat: Hanseatica, no. 7.

⁶⁸ Stadtarchiv der Hansestadt Stralsund, 01.03.02. "Stralsund in der Hanse", no. 1a. Both notaries are mentioned in 1365 alongside the notary of Lübeck, all three having been charged with bringing a draft treaty to the King of Denmark (see above).

⁶⁹ *Ibidem*, no. 14. The address at the back of the sheet ("Honorabilibus et commendabilibus viris, dominis proconsulibus et consulibus Stralessundensibus,

notary of Rostock” travelled to Danzig twice to bring to the Prussian cities the *recesse* of the diets held in Rostock on 21 July and 3 October of that year, which they had been unable to attend.⁷⁰ In the 1440s, Lübeck’s first notary Johannes Hertze authenticated the *recesse* of several assemblies held in Lübeck, in particular for Reval (Tallinn) and Bremen.⁷¹ In each of these cases, the notary of the city where the Diet was held supervised the preparation and dispatch of the *recesse*. This change in the way tasks were distributed, at least among the cities which were the most involved in the Hanse, perhaps reflects the growing institutionalisation of this alliance: as trust grew among the cities, it no longer seemed necessary for each of them to take part in drawing up the *recesse*.⁷²

A more systematic examination of the surviving corpus is still required to determine to which extent these observations can be generalised. For the time being, it is important to note that the trend that has just been identified was not free of counterexamples. Although Johannes Hertze mentioned at the end of the Lübeck copy of the *recess* of 18 May 1447 that he had been entrusted with drawing it up “by the joint will and decision of the cities”, this statement above all gives the impression that such a decision was not self-evident at the time. And indeed, while Hertze did sign most of the known copies of the said *recess*, including the one sent to the city of Cologne, three years later, another diet gathered in Lübeck opted for a different division of tasks: on 21 September 1450, Hertze was able to place his name at the foot of the *recesse* sent to Reval and Bremen; as for the Cologne copy, it bears the

amicis nostris, detur hec littera”) evokes a correspondence between cities rather than an exchange between consuls of a same city. The seal has not been preserved, but its green traces match the size (c. 4,5 cm) of Lübeck’s secretum, which one would expect to find in this context (about this seal, see *Siegel des Mittelalters aus den Archiven der Stadt Lübeck*, vol. 1, ed. C.J. Milde, Lübeck 1856, p. 9). The *recess* that Stralsund received after the diet of 14 April 1420 in Wismar presents similar characteristics (*ibidem*, no. 21, p. 14).

⁷⁰ HR I, Bd. 7, nos. 549, 558.

⁷¹ See for example HR II, Bd. 2, no. 439 (Lübeck, 12 March 1443); Bd. 3, no. 649 (Lübeck, 21 September 1450).

⁷² Carsten Jahnke is right to emphasise the gradual nature of this institutionalisation process: C. Jahnke, *Die Hanse. Überlegungen zur Entwicklung des Hansebegriffes und der Hanse als Institution resp. Organisation*, “Hansische Geschichtsblätter” 2013, Jg. 131, pp. 1–32.

signature of Johannes Vront, “doctor of canon law and sworn consul of the city of Cologne”. It is difficult to determine what prompted the latter to take part in drafting the *recess*, and what concrete role he played in the process: his participation may have been a way for Cologne – whose relations to the “maritime cities” were then distant and complicated – to control what was written in it.⁷³ However, this explanation is less convincing when it comes to explaining Hertze’s participation in the production and distribution of the *recesse* issued after the Stralsund diet of 20 May 1442: in this case, the Lübeck notary may rather have been dispatched to relieve a Stralsund chancellery that must have been overwhelmed by the number of copies to be made.⁷⁴

The notary, the Chancellery and the *recesse*: from drafting to archiving

As the task of drafting and copying the *recesse* was too cumbersome to be entrusted to a single person, it was usually the responsibility of a group of scribes. In the fifteenth century, when we compare different copies of the same *recess* or a series of *recesse* preserved in the same archive, we find that they are almost always the work of several hands. In addition to the handwritings attributable to the *Stadtschreiber* himself – who generally used cursive handwriting, the straight script being reserved for official documents – we sometimes find other not always identifiable hands. Most often, these handwritings seem to be those of scribes working under the authority of the *Stadtschreiber*. The *recesse* drawn up under the direction of Johannes Hertze, for example, suggest that he often simply proofread and corrected the copies made by his teams before signing them. However, this did not prevent the first notary from keeping a close eye on all the stages in the preparation and dispatch of the *recesse*, nor from sometimes lending a hand. For example, the Lübeck copy of the *recess* of 24 June 1418 appears to have been written mainly by the city notary Johann Vos, identifiable by his

⁷³ HR II, Bd. 3, no. 649. On Cologne’s relations to the “maritime cities” (and the Common Merchants in Bruges) in the mid-fifteenth century, see T. Boestad, *Quand une juridiction marchande mène sa propre politique. Le Marchand de Bruges et la Hanse (c. 1360–c. 1460)*, ‘Histoire urbaine’, forthcoming.

⁷⁴ HR II, Bd. 2, no. 608.

handwriting, with the exception of the articles 81–83, which are in the clearly recognisable hand of his colleague Paul Oldenburg.⁷⁵ And whereas the Lübeck copy of the *recess* of 21 September 1450 was mostly written by a subordinate city notary, Johannes Hertze himself wrote its articles 10–12.⁷⁶

For the chancellery of the host city, the increasing length of the *recesse* and the number of copies to be produced in a relatively tight timeframe represented a major challenge. The first notary and his teams, who also had to carry out their ordinary duties, worked in a hurry – and did not hesitate to point this out by appealing to the other cities for indulgence. On 12 July 1422, the consuls of Lübeck replied to a letter sent to them by those of Wismar: the latter were visibly impatient as they still waited for the *recess* of the diet that had gathered in Lübeck one month and a half earlier. In their reply, the Lübeckers informed them that the drafting had been delayed due to a number of unresolved issues, about which the Hamburgers had had to be questioned, but that the first notary, Paul Oldenburg, had sent them the expected *recess* during the night. There was no need – they added – to write to them in such contemptuous terms, for it seemed quite natural to them to start with the copies for the Prussian, Livonian and other distant cities, to which the *recess* would take longer to reach anyway.⁷⁷ Similarly, at the end of the *recess* that his teams had drawn up for Bremen and Kampen following the diet of 12 March 1441, Johannes Hertze personally added the following mention: “There should be some more ordinances here, which could not be added due to lack of time (*umme hast*), but they can be requested from Lübeck at any time”.⁷⁸

⁷⁵ Archiv der Hansestadt Lübeck, ASA Externa, 1.1-09.09 “Hanseatika”, no. 19. The articles written by Paul Oldenburg are on f°21v. The handwriting has been compared to the samples collected in A.C. Højberg Christensen, *Studier over Lybaeks kancellisprog fra c. 1300–1470*, København 1918, p. XXVII, no. 52. About Johann Vos, see *ibidem*, p. 76–77. Biographical information on Johann Vos, Paul Oldenburg and other Lübeck notaries from the fourteenth and fifteenth centuries has been brought together by F. Bruns, *Die Lübecker Stadtschreiber von 1350–1500*, “Hansische Geschichtsblätter” 1903, Jg. 31, pp. 43–102 (see especially pp. 53–57).

⁷⁶ Archiv der Hansestadt Lübeck, ASA Externa, 1.1-09.09 “Hanseatika”, no. 60, f° 13r. Several *recesse* signed by Johannes Hertze were actually written in another hand. See for example the *recess* of 20 May 1442, which bears the mention: “Johannes Hertze fecit” (*ibidem*, no. 44, f°10r).

⁷⁷ HR I, Bd. 7, no. 501.

⁷⁸ HR II, Bd. 2, no. 439.

The role of the municipal notaries was not limited to overseeing the drafting and dispatch of the *recesse*: in Lübeck, these responsibilities gave rise to another, namely the preservation and archiving of the *recesse* and other documents produced during the diets. For example, the authors of the *recess* of 14 April 1420 – probably a team of notaries from Wismar, where a diet had just met – sent a copy of it to Lübeck, specifying that it should be presented “to Master Paul Oldenburg, first notary of Lübeck”.⁷⁹ When the same Paul Oldenburg attended a diet in Braunschweig a few years later, he did not – as far as can be ascertained – take part in the drafting of the *recess*, but he did receive a copy of it, to which he added a *titulus* indicating the date and place of the meeting.⁸⁰ Although Oldenburg seems to have been commissioned by his city council to keep the Hanse *recesse* (probably along with his colleague Hermann van Hagen), this task was not intended to benefit his home town of Lübeck alone, but the Hanse as a whole. From the 1420s onwards, several *recesse* specified that the originals of the documents discussed and produced at the Diet should be made available for consultation by the notaries of the host city.⁸¹ This role as archivists of the Diet made notaries indispensable agents of Hanse diplomacy.

Here again, the case of Johannes Hertze is emblematic. This notary from Lübeck was one of the first, in 1460, to join the City Council, and fragments of what appears to have been a personal collection of *recesse* have survived.⁸² For example, the manuscript of the *recess* of 12 March 1441, now kept in the *Altes Senatarchiv* (ASA) department of the Archiv der Hansestadt Lübeck – i.e. in the council archives – bears the words “Belongs to Master Johannes Hertze” on the back of the last page.⁸³ As a matter of fact, Hertze has annotated its margins quite extensively, adding not only inter-titles and notes summarising the content of the various articles, but also sometimes cross-references to other *recesse*. Hertze’s annotations show that he regularly consulted this and other *recesse*

⁷⁹ Archiv der Hansestadt Lübeck, ASA Externa, 1.1-09.09 “Hanseatica”, no. 20, f 3v. This *recess* was written by at least two hands, both different from the one that wrote the copy sent to Stralsund.

⁸⁰ *Ibidem*, no. 24, f^o1r.

⁸¹ See for example HR II, Bd. 2, nos. 439 § 8, 608 § 13, 649 § 9.

⁸² F. Bruns, *Die Lübecker Stadtschreiber*..., p. 63.

⁸³ Archiv der Hansestadt Lübeck, ASA Externa, 1.1-09.09 “Hanseatica”, no. 42, f^o12v: “Pertinet magistro Johanni Hertze”.

now preserved in the Lübeck archives. The notary marked the passages that interested him with a manicule. He also sometimes added information about later correspondence in the margin: for example when he specified, next to a paragraph in the *recess* of 20 May 1442 dealing with the herring fairs in Scania and referring to instructions to be sent to the cities of Holland on this subject, that a similar letter had also been sent to Kampen to be forwarded to the other cities of the Zuiderzee;⁸⁴ or when he attached to the Lübeck copy of the *recess* of 21 September 1450 a list of the cities that had sent apologies for their absence.⁸⁵ This was the work of a man who, although he usually stayed out of the deliberations of the diets, during which he never officially took the floor, nevertheless played an essential role in their organisation, from drawing up the agenda to writing down, distributing and archiving its decisions.

The ban on taking part in the decisions of the Diet did not prevent the *Stadtschreiber* of the Hanse cities from assuming important functions within it. It is true that beyond the somewhat exceptional 1360s – marked both by the formation of the Hanse and by the emergency situation created by the wars with the Danish king – their participation in the assemblies of the Common Cities soon became less visible. Public addresses became the exception rather than the rule, especially when notaries were sent on their own and when they were not simply delivering a message from their town. Their place in the protocol of the diets was never guaranteed.

But not everything – far from it – was played out on this official stage. Although excluded from the deliberations, the municipal notaries were still able to obtain information and pass it on to their city councils. Recent research on the Hanse diets has emphasised the sometimes decisive nature of the informal discussions that took place behind the scenes, at the inn or outside the town hall, and which remained open to them.⁸⁶ This parameter gave full impor-

⁸⁴ *Ibidem*, no. 44, f 4r.

⁸⁵ *Ibidem*, no. 60, f 2r.

⁸⁶ C. Manger, *Behind the scenes...*, p. 585. An example of this type of negotiations involving the *Stadtschreiber* of Kolberg (Kolobrzeg) is mentioned in: P. Höhn, *KAUFLEUTE IN KONFLIKT. Rechtspluralismus, Kredit und Gewalt im spätmittelalterlichen Lübeck*, Frankfurt am Main/New York 2021 ("Schwächediskurse und Ressourcenregime", Bd. 11), pp. 197–198.

tance to the emissaries' individual qualities. Besides, the Hanse diets were in fact a small community, especially if we consider only the cities that were most frequently represented: the maritime and Prussian cities.⁸⁷ This probably allowed the most assiduous notaries, like Johannes Crolow from Danzig or Johannes Hertze from Lübeck, to stand out. One may also think of Alard from Stralsund, who carried out numerous diplomatic missions in the service of the cities in the 1360s and whom the *recesse* of the time, feeling no need to introduce him, simply referred to as "Lord Alard" (*dominus Alardus*).⁸⁸

The notaries responsible for drawing up and archiving the *recesse* also became key actors in the Hanse assemblies: while it is difficult to determine to which extent their work was controlled by the delegates and the hosting city council – and hence the latitude they had when it came to putting the Diet's decisions into writing –,⁸⁹ this task could lead them to play an active role in organising the diets and drawing up their agendas. In this respect, however, a notary's ability to act within the Hanse undoubtedly depended heavily on the city he served. Not all councils involved their notary to the same degree in their relations with the other cities within the Hanse. Above all, as Lübeck – and to a lesser extent the other maritime cities – initiated most of the diets, and as the drafting of the *recesse* tended to become the responsibility of the host city's chancellery, the influence of these cities' *Stadtschreiber* must have been incommensurable with that of secretaries from more modest cities.

⁸⁷ D. Poeck, *Die Herren der Hanse: Delegierte und Netzwerke*, Frankfurt am Main/New York 2010 ("Kieler Werkstücke", Reihe E: *Beiträge zur Sozial- und Wirtschaftsgeschichte*, Bd. 8), p. 20. See also: D. Poeck, *Hansetage als Orte der Kommunikation. Das Netzwerk des Lübecker Johann Niebur*, in: *Vertraute Ferne. Kommunikation und Mobilität im Hanseraum*, hrsg. v. J. Mähnert, S. Selzer, Husum 2012, pp. 72–77. The bonds of friendship and trust formed at the Diet have been studied by Friedrich Bernward Fahlbusch, who cites the example of the correspondence between the *syndicus* of Lübeck and that of the Hanse (F.B. Fahlbusch, *Zwischen öffentlichem Mandat und informeller Macht: Die hansische Führungsgruppe*, "Hansische Geschichtsblätter" 2005, Jg. 123, p. 50). Other examples of friendship between urban notaries are gathered in: C. Manger, *Behind the scenes...*, pp. 577–579. These examples range from the late fifteenth to the mid-sixteenth century, but bear witness to interactions that must have existed already in earlier times.

⁸⁸ See for example HR I, Bd. 1, no. 305.

⁸⁹ C. Neustadt, *Kommunikation im Konflikt...*, pp. 408–409.

List of Abbreviations

- HR I – *Die Recesse und andere Akten der Hansetage. 1. Abtheilung. Die Recesse und andere Akten der Hansetage von 1256–1430*, bearb. v. K. Koppmann, Leipzig 1870–1913.
- HR II – *Die Recesse und andere Akten der Hansetage. 2. Abtheilung. Hanserecesse von 1431–1476*, bearb. v. Goswin von der Ropp, Leipzig 1876–1892.
- HR III – *Die Recesse und andere Akten der Hansetage. 3. Abtheilung. Hanserecesse von 1477–1530*, bearb. v. Dietrich Schäfer, Leipzig 1881–1913.

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Abstract

The Penmen of the Hanse. Role and agency of the urban secretaries at the Hanse diets (c. 1360–c. 1450)

According to the records of the Hanse diets (the *recesse*) in the 14th and 15th centuries, these meetings were supposed to be opened only to the consuls of the Hanse cities – i.e. to members of the City Council of their home town. The secretaries were explicitly excluded, although they used to be highly engaged in their town's diplomacy. However, a closer look at the sources reveals that these officers played in fact an important role behind the scenes, and that at certain moments they even had the possibility to plead publicly. This article examines the secretaries' agency and seeks to show that they could perform multiple and various tasks during the diets: information, message transmission, advice, as well as informal conflict management. Some notaries also played an important role in the drafting and archiving of the *recesse*. Their agency seems to have depended both on personal qualities and on the involvement of their hometown in the Hanse.