

## Student Communities and Urban Authorities

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Medieval student communities had a place in urban space, for, on the one hand, universities have granted “relative openness of access to all people of all places, [and] all social classes”<sup>1</sup> since their medieval beginnings – if we do not take into account their weighty decision to exclude women,<sup>2</sup> that is. On the other hand they were always situated in cities. It therefore comes as no surprise that the relations between universities and cities have been discussed in great detail.<sup>3</sup> Student communities undoubtedly had their own standings in medieval cities. However, the specific manifestation and changes of their position could vary markedly. Focusing on the regulation and control of universities, I will illustrate their differing points of conflict with cities in the first section of my paper. In the second section, in contrast, I will address the conception the students had of themselves as a group. To my mind this conception is best described with the term “student communities,” which includes a wider dimension of denotations than any of the other terms used in the literature, such as university attenders, student body, scholars and masters, members of the university or the Latin description *universitas*. Finally, I will use Vienna as an example in order to sketch the integration of the academic community in the urban space.

The regulation and control of universities by the cities has been discussed from diverse perspectives. As the following select examples show, the late middle ages present us with a number of different attempts to control universities:

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<sup>1</sup> J. K. Hyde, “Universities and Cities in Medieval Italy,” in *The University and the City. From Medieval Origins to the Present*, ed. Thomas Bender (New York : Oxford University Press, 1988), 15 (henceforth *The University and the City*).

<sup>2</sup> See Bea Lundt, “Zur Entstehung der Universität als Männerwelt,” in *Geschichte der Mädchen- und Frauenbildung, I: Vom Mittelalter bis zur Aufklärung*, ed. Elke Kleinau and Claudia Opitz (Frankfurt: Campus Verlag, 1996), 104.

<sup>3</sup> I would like to draw particular attention to *The University and the City*; see also the contributions in *Stadt und Universität im Mittelalter und in der früheren Neuzeit*, ed. Erich Maschke and Jürgen Sydow (Sigmaringen: Thorbecke, 1977) and *Milieux universitaires et mentalité urbaine au Moyen Age*, ed. Daniel Poirion (Paris: Presse de l'Université de Paris-Sorbonne, 1987).

- A subject of perpetual discussion in many university cities was the fact that students were not allowed to carry arms. The injunction of a Venetian official stated that the students in Padua should carry books not arms.<sup>4</sup>
- The city of Cologne attempted to control the brewing and sale of beer by members of the University.<sup>5</sup> Vienna was confronted with a similar problem. However, here the controversy arose from the consumption of wine.<sup>6</sup>
- In Bologna, by contrast, “the commune” controlled the sale of books.<sup>7</sup>

In general, the regulation attempts reveal the complexity of the legal situation: universities were a kind of enclave within the city walls. Since they had been granted the privilege of imperial protection with the often cited “*Authentica Habita*” issued by Frederick Barbarossa in 1155, travelling students were guaranteed some legal security which shielded them from arbitrary measures undertaken by local authorities. The members of universities enjoyed several privileges denied to the other inhabitants of the cities. They were exempt from taxes and municipal services. Furthermore, organized along cooperative lines, student communities were allowed to deal with most of their affairs without having to comply with municipal regulations. Thus, universities had the right to elect their officials, such as chancellors and deans, and to enact their own statutes and, if required, to amend them. They also had the power to punish offenses committed by their members. It was the right of jurisdiction in particular that was bound to lead to friction with the municipal authorities. When students committed offences outside university grounds, they were not tried by the municipal but by the university court, which according to general belief was

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<sup>4</sup> See François Dupuigrenet Desroussilles, “L’Università di Padova dal 1405 al Concilio di Trento,” in *Storia della Cultura Veneta*, 3-II, *Dal primo quattrocento al concilio di Trento*, ed. Girolamo Arnaldi and Manlio Pastore Stocchi, (Vicenza: Neri Pozza, 1981), 607–647, here, 630.

<sup>5</sup> See Erich Meuthen, *Kölner Universitätsgeschichte. Band I: Die alte Universität* (Cologne: Böhlau Verlag, 1988), 65–67.

<sup>6</sup> On repeated disputes between students and vintners see Kurt Mühlberger, “Die Gemeinde der Lehrer und Schüler – Alma Mater Rudolphina,” in *Wien. Geschichte einer Stadt*, 1: *Von den Anfängen bis zur Ersten Wiener Türkenbelagerung (1529)*, ed. Peter Csendes and Ferdinand Opll (Vienna: Böhlau, 2001), 360–364 (henceforth Mühlberger, “Gemeinde”) ; Thomas Maisel, “‘Der Lateinische Krieg.’ Eine Studentische Revolte des frühen 16. Jahrhunderts in Wien,” *Historische Anthropologie* 3,3 (1995): 405; Paul Uiblein, “Die Wiener Universität, ihre Magister und Studenten zur Zeit Regiomontans,” in *Regiomontanus-Studien*, ed. Günther Hamann (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1980), 395–432, in the following cited from the reprint in Paul Uiblein, *Die Universität Wien im Mittelalter. Beiträge und Forschungen*, ed. Kurt Mühlberger and Karl Kadletz (Vienna: WUV-Universitätsverlag, 1999), 409–442, here, 413 (henceforth Uiblein, “Die Wiener Universität”); Richard Perger, “Weinbau und Weinhandel in Wien im Mittelalter und in der frühen Neuzeit,” in *Stadt und Wein*, ed. Ferdinand Opll (Linz: Österreichischer Arbeitskreis für Stadtgeschichtsforschung, 1996), 215.

<sup>7</sup> See Jürg Schmutz, *Juristen für das Reich. Die deutschen Rechtsstudenten an der Universität Bologna 1265–1425* (Basel: Schwabe, 2000), vol. 1, 139–149 (henceforth Schmutz, *Juristen*).

more lenient. Moreover, the universities did not have their own executive organs.<sup>8</sup>

The students in Bologna developed a powerful means of exerting economic pressure on the cities to enforce their interests: They would protest against what they felt to be unjustified sanctions by temporarily seceding from Bologna, which meant that some sections of the university or even the whole student body left for neighboring cities.<sup>9</sup> University migrations were of frequent occurrence in the Middle Ages. There were major migrations of scholars from Oxford to Cambridge and from Bologna to Vicenza, to Arrezzo, and to Padua. Dispersed masters and scholars from Paris founded the new university in Toulouse.<sup>10</sup> Often the pure threat of secession caused the cities to give in to the students' demands. Nevertheless, the cities usually aimed to force the new and foreign bodies within their walls to adjust to local structures. In a document originating from the foundation phase of the University of Vienna, the magistrate of Vienna promises to treat the university and each of its members with "sincere affection" and to defend and protect all of their privileges, liberties and immunities to the best of its abilities. Furthermore, the issuing authorities (the mayor, judge and council of the city of Vienna) underline the benefits of the developing community of doctors, masters, and students and the related *studium generale* to the city.<sup>11</sup> They hoped that the foundation of the university would entail a marked increase in the population of the city and thus a growth of consumption which would stimulate the local economy.<sup>12</sup> As the Viennese magistrate rightly realized, universities were an important factor in the economic life of cities.

However, this unique document only sketches the city's expectations at the time of the university's foundation. How did the university's position develop in the formative period? I will address this question by explaining some of the basic differentiations within the medieval university system.<sup>13</sup> The terms

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<sup>8</sup> See Mühlberger, "Gemeinde," 320-338.

<sup>9</sup> See Schmutz, *Juristen*, 55.

<sup>10</sup> Stephen C. Ferruolo, "Parisijs-Paradisius: The City, its Schools and the Origins of the University of Paris," in *The University and the City*, 23-24 (henceforth Ferruolo, "Parisijs-Paradisius").

<sup>11</sup> *Die Rechtsquellen der Stadt Wien*, ed. Peter Csendes, (Fontes Rerum Austriacarum, 3. Abt.: Fontes Iuris 9) (Vienna: Böhlau Verlag, 1986), 173-174, Nr. 31; Kurt Mühlberger, "Universitätsangehörige und Stadt in der frühen Neuzeit. Quellen und Forschungen am Beispiel Wiens," in *Stadt und Prosopographie. Zur quellenmäßigen Erforschung von Personen und sozialen Gruppen in der Stadt des Spätmittelalters und der frühen Neuzeit*, ed. Peter Csendes and Johannes Seidl (Linz: Österreichischer Arbeitskreis für Stadtgeschichtsforschung, 2002), 91, stresses that the sovereign forced the magistrate to draw up this document, dated 12 April 1365.

<sup>12</sup> See Mühlberger, "Gemeinde," 330.

<sup>13</sup> For this exploration I draw on "Parisijs-Paradisius," Stephen Ferruolo's very inspiring article on the University of Paris, and on the analysis of German university foundations by Frank Rexroth, *Deutsche Universitätsstiftungen von Prag bis Köln. Die Intentionen des Stifters und die Chancen ihrer Realisierbarkeit im spätmittelalterlichen deutschen Territo-*

*studium* and *universitas* were used in Latin foundation documents to describe two different concepts. A university (Latin *universitas*) in the medieval sense was a legal term, meaning a guild or a corporation, a group of men engaged in a common activity of any sort and having a collective status that was legally recognized as self-governing and exercising control over its own membership. A *studium* was a place of study – a school, where masters offered instruction. The medieval concept of the *universitas* was not tied to a specific place in the way the *studium* was, which

brings us back to the particular way that the university saw and defined itself in relation to the city. The masters and scholars did not conceive of themselves as the university of Paris but as the masters and scholars in Paris. The difference is significant.<sup>14</sup>

When the masters and scholars dispersed, the *studium* ceased temporarily to exist in the city of Bologna, for example, but the university of (former) Bologna masters and scholars still had legal standing even though some of them were teaching at *studia* elsewhere. Collectively, the masters and scholars did not yet identify themselves with the city, but they lived and taught or studied in it and they were directly affected and influenced by other aspects of the city's development.<sup>15</sup>

The concept of the *universitas* thus implied a natural – usually structural – distance from the city. As the sociologist Rudolf Stichweh observed, intellectuals were always considered to be strangers,<sup>16</sup> which nowadays would be rendered as: the medieval intellectual community was not fully embedded in the social environment. This particular status of the *universitas* explains the lack of serious confrontations with the municipal authorities. At least there are relatively few reports of armed conflicts, such as the uprisings of the poor or the intramunicipal struggles for power between universities and cities in the late Middle Ages. The reports of violent fights between members of the town and the gown which have been handed down to us from the late middle ages<sup>17</sup> do not

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*rialstaat* (Cologne: Böhlau Verlag, 1992); Frank Rexroth, "Städtisches Bürgertum und landesherrliche Universitätsstiftung in Wien und Freiburg," in *Stadt und Universität*, ed. Heinz Duchhardt (Cologne: Böhlau Verlag, 1993), 13–32.

<sup>14</sup> Ferruolo, "Parisius-Paradisius," 24.

<sup>15</sup> See Ferruolo, "Parisius-Paradisius," 24–25.

<sup>16</sup> See Rudolf Stichweh, "Universitätsmitglieder als Fremde in spätmittelalterlichen und frühmodernen europäischen Gesellschaften," in *Fremde der Gesellschaft. Historische und sozialwissenschaftliche Untersuchungen zur Differenzierung von Normalität und Fremdheit*, ed. Marie Theres Fögen (Frankfurt am Main: Vittorio Klostermann, 1991), 169–191.

<sup>17</sup> On such conflicts in Vienna see Franz Gall, *Alma Mater Rudolphina 1365–1965. Die Wiener Universität und ihre Studenten* (Vienna: Austria Press, 1965), 132; Uiblein, "Die Wiener Universität," 217–216 and Mühlberger, "Gemeinde," 360–364.

counter this argument but, read within the context of youth culture, should be regarded as typical ways of dealing with conflict.<sup>18</sup>

Recent studies have argued that historians of medieval universities display a tendency to overemphasize the significance of these conflicts.<sup>19</sup> Sociological theories of conflict demand that the enforcement of social rules and regulations should be analysed along the lines of forms and structures of communication.<sup>20</sup> Such an analysis must take into account that intellectuals were often superior to their opponents because they were well versed in languages, particularly in the language used at court, which was Latin.

The use of a common language is a constitutive element of community which outweighed any other bonds created by oaths, rituals or collective norms in the middle ages. However, like any other community, medieval student bodies were not only shaped by the regulations in the statutes on which they had to swear an oath, but also by the individual traits of their members.<sup>21</sup> Since Rainer Christoph Schwinges published his study on the social history of university attenders,<sup>22</sup> which inspired numerous related analyses,<sup>23</sup> the student community can no longer be described as a harmonious unity. It was full of conflicts, based upon differences in educational level, access to wealth, class, and many other factors. Furthermore, the community was in constant flux due to the temporary and often very short stays of the students in any one university city.

We know very little about the influence of the student population on the urban space. Furthermore, the above analysis might have given the wrong impression that university life was largely autonomous and independent from its surroundings or that the two communities only had negligible points of contact. The relation between town and gown was first and foremost guaranteed by public access to universities. In the Middle Ages enrolment in a university was not limited to any particular date but was possible throughout the year. The entry

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<sup>18</sup> See Norbert Schindler, "Nächtliche Ruhestörung. Zur Sozialgeschichte der Nacht in der frühen Neuzeit," in Norbert Schindler, *Widerspenstige Leute. Studien zur Volkskultur in der Frühen Neuzeit* (Frankfurt am Main: Fischer, 1992), 215-257.

<sup>19</sup> See Ferruolo, "Parisius-Paradisius," 24.

<sup>20</sup> For an approach to medieval history based on conflict analysis see Walter Pohl, "Konfliktverlauf und Konfliktbewältigung: Römer und Barbaren im frühen Mittelalter," in *Frühmittelalterliche Studien* 26 (1992): 165-207, here: 168-170.

<sup>21</sup> For a more detailed definition of communities see Otto Gerhard Oexle, "Soziale Gruppen in der Ständegesellschaft: Lebensformen des Mittelalters und ihre historischen Wirkungen," in, *Die Repräsentation der Gruppen. Texte – Bilder – Objekte*, ed. Otto Gerhard Oexle and Andrea von Hülsen-Esch (Göttingen: Vandenhoeck & Ruprecht, 1998), 9-44 (henceforth Oexle, *Repräsentation der Gruppen*) (henceforth Oexle and von Hülsen-Esch).

<sup>22</sup> Rainer Christoph Schwinges, *Deutsche Universitätsbesucher im 14. und 15. Jahrhundert. Studien zur Sozialgeschichte des Alten Reiches* (Stuttgart: Franz Steiner Verlag, 1986) (henceforth Schwinges, *Universitätsbesucher*).

<sup>23</sup> For a summary of recent studies see Rainer Christoph Schwinges, "Resultate und Stand der Universitätsgeschichte des Mittelalters," in *Mitteilungen der Österreichischen Gesellschaft für Wissenschaftsgeschichte* 20 (2000): 97-120.

was not tied to regulation measures; it was difficult to predict the influx of students, which was subject to yearly variations at all universities. This openness demanded a kind of flexible infrastructure which could only be provided within the urban space. In order to be able to accommodate students, universities used buildings sponsored by foundations, and, in addition, built, bought or rented several houses.

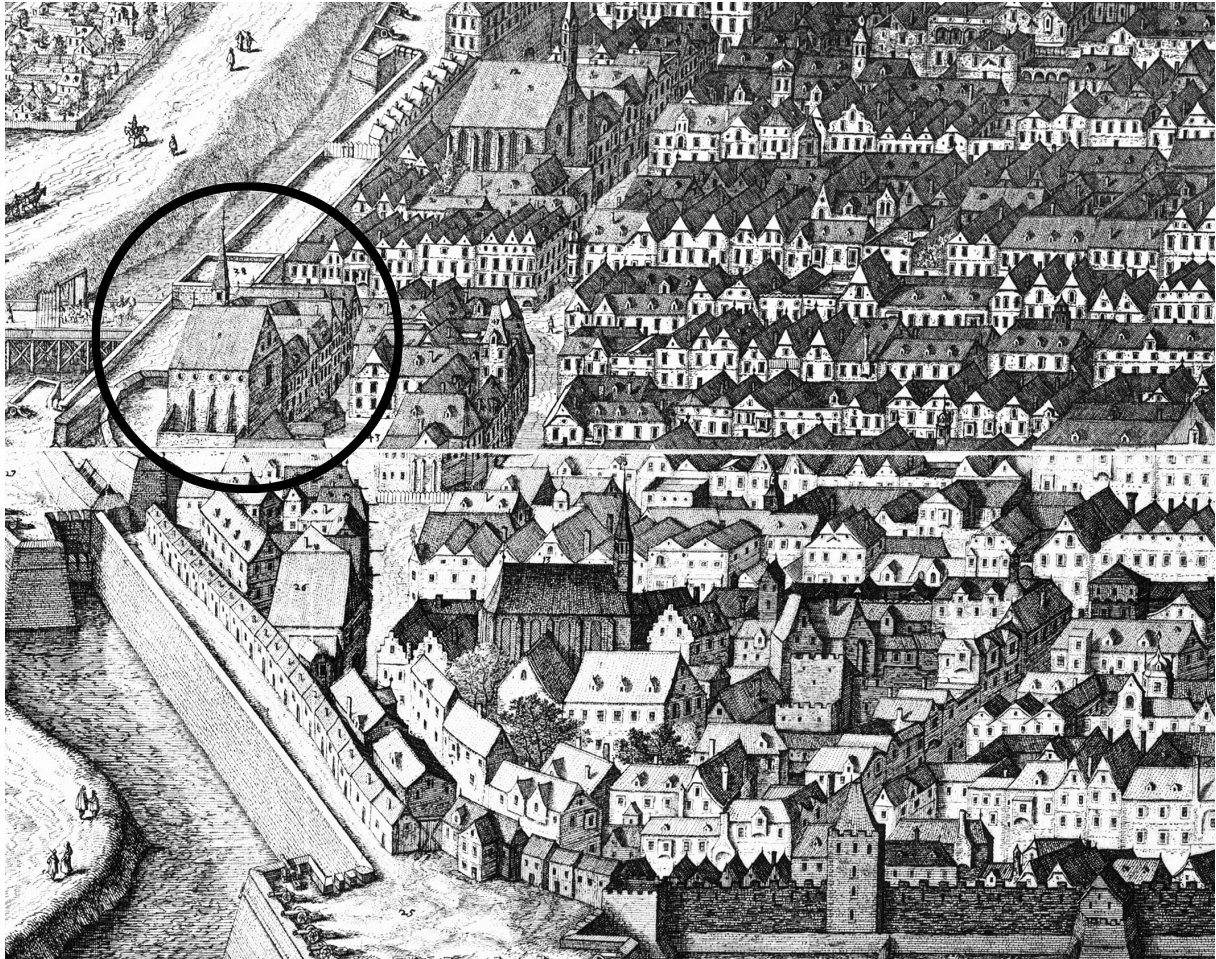


Figure 1: The university quarters in Vienna

This bird's eye view depicts the urban surroundings of Vienna University.<sup>24</sup> At that time the university quarters were located at the edge of the inner city, close to the Stubentor. The buildings went back to the late Middle Ages. We can make out the main building, the *Collegium ducale*, which was used for teaching and provided accommodation for some of the masters and doctors. Other colleges and student houses, the so-called Bursen, or the cheap mass-accommodation – the so-called “Kodreien” – were situated near the *Collegium du-*

<sup>24</sup> Citymap (1609) by Jacob Hoefnagel. Wiener Stadt- und Landesarchiv, Fotosammlung. Image from Max Eisler, *Historischer Atlas des Wiener Stadtbildes* (Vienna: Verlag der Deutschösterreichischen Staatsdruckerei, 1919). I would like to thank Barbara Schedl (Vienna) for permission to use the digital image of this map.

cale, in the city's traditional industrial and trade area, where the building density was extremely high.<sup>25</sup> In the late Middle Ages Vienna had the largest student community in the whole of Central Europe.<sup>26</sup> We can estimate the number of students and teachers from yearly enrolments and other data having statistical relevance. In the mid fifteenth century, when Vienna had about 25,000 inhabitants,<sup>27</sup> the university had about 2000 members. The students fitted in with but also expanded the city's social structures. Because of their dress code and the strict disciplinary regulations, the students were probably perceived as members of the clergy by the local population.<sup>28</sup> This brief overview does not allow a detailed discussion of the internal differentiation of the student communities, but I would like to point out that the members of the student body came from all social classes. However, the distribution differed markedly between the universities, with one extreme being the socially exclusive Bologna, and the other Vienna, which was among the universities with the highest rate of poor students.<sup>29</sup>

Autobiographical texts from the late Middle Ages reveal the links of poor travelling students with other nomadic social fringe groups. Authors such as Johannes Butzbach<sup>30</sup> or Thomas Platter the Elder<sup>31</sup> describe the life of poor students who, moving from town to town, had to beg or sing to earn their lamentable living. Ernst Schubert noted that their chances to escape from poverty by education and to overcome this status were minimal, as were their chances to ever complete their studies.<sup>32</sup> When they matriculated in the university, the poor were marked as "pauper" in the student registers. The number of paupers decreased markedly in the course of the fifteenth century,<sup>33</sup> which is generally

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<sup>25</sup> See Mühlberger, "Gemeinde," 373–395 and Kurt Mühlberger, "Wiener Studentenbursen und Kodreien im Wandel vom 15. zum 16. Jahrhundert," in *Aspekte der Bildungs- und Universitätsgeschichte, 16. bis 19. Jahrhundert*, ed. Kurt Mühlberger and Thomas Maisel (Vienna: WUV-Universitätsverlag 1993), 154.

<sup>26</sup> See Schwinges, *Universitätsbesucher*, 63.

<sup>27</sup> Andreas Weigl, "Die Wiener Bevölkerung in den letzten Jahrhunderten." *Statistische Mitteilungen der Stadt Wien* NF 2, 4 (2000): 6–34, here: 7.

<sup>28</sup> On the dress code see Andrea von Hülsen-Esch, "Kleider machen Leute. Zur Gruppenrepräsentation von Gelehrten im Spätmittelalter," in Oexle and von Hülsen-Esch, *Repräsentation der Gruppen*, 225–257; further, see Gerhard Jaritz, "Social Grouping and the Languages of Dress in the Late Middle Ages," *The Medieval History Journal* 3, 2 (2000): 235–259.

<sup>29</sup> See Rainer Christoph Schwinges, "Pauperes an deutschen Universitäten des 15. Jahrhunderts," *Zeitschrift für Historische Forschung* 8 (1981): 299.

<sup>30</sup> See Johannes Butzbach, *Odeporicon. Eine Autobiographie aus dem Jahr 1506*. Einleitung, Übersetzung und Kommentar von Andreas Beriger (Weinheim: VCH Acta humaniora, 1991).

<sup>31</sup> See Thomas Platter, *Lebensbeschreibungen*, 2nd ed., ed. Alfred Hartmann (Basel: Schwabe, 1999).

<sup>32</sup> See Ernst Schubert, "Fahrende Schüler im Spätmittelalter," in *Bildungs- und schulgeschichtliche Studien zu Spätmittelalter, Reformation und konfessionellem Zeitalter*, ed. Harald Dickerhof (Wiesbaden: Dr. Ludwig Reichert Verlag, 1994), 9–34.

<sup>33</sup> See James H. Overfield, "Nobles and paupers at German universities to 1600," *Societas – A Review of Social History* 4 (1974): 200–203 (table 3).

attributed to policies of exclusion directed against the poor. Yet, to return to the ties between student community and city, the existing research does not yield conclusive findings on the political interests involved in the control of the student communities. We don't know whether it was the university itself or the city that tried to ban the poor. However, a singular document in which the city of Vienna demands the abolition of cheap student accommodation proves that this issue gave rise to differences between the city and the university, which refused to consent, arguing that many and important men had emerged from these so-called *Kodereien*.<sup>34</sup>

To conclude, I would like to stress that the standing of a group or community within urban society cannot be analysed in isolation from its surroundings, even if with hindsight this group tends to perceive itself as an autonomous entity.

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<sup>34</sup> See Uiblein, "Die Wiener Universität," 420.



MEDIUM AEVUM  
QUOTIDIANUM

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KREMS 2003

HERAUSGEGEBEN  
VON GERHARD JARITZ

GEDRUCKT MIT UNTERSTÜTZUNG DER KULTURABTEILUNG  
DES AMTES DER NIEDERÖSTERREICHISCHEN LANDESREGIERUNG

**niederösterreich kultur**

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