Trade was often subjected to extensive regulation in medieval towns. Most town laws contained rules about where and when it was allowed to trade, as well as how a purchase was to be carried out. However, comparisons reveal that the regulations were different in all town laws, to a major or minor extent. In this article, I will discuss the meaning of similarities and differences between laws, using a comparison of regulations concerning sale of goods in Northern Europe as foundation.

I. Influence between Laws

The Baltic Sea was seething with activity in the Middle Ages. In the towns along its coasts, Russians, Swedes, Finns, Danes, Germans, Slavs, Englishmen, Hollanders, and Zealanders exchanged goods, news, and ideas. Trade and the collaboration between merchants contributed to a significant integration of the area. Representatives of towns belonging to the Hanse gathered to discuss common problems. However, the Hanse had no power to legislate or enforce its decisions on member towns. Statutes were issued in the Hanseatic Diet, but it was up to each individual town to determine whether it wanted to integrate them with its own bylaws.¹

All towns of medieval Europe had different prerequisites and conditions. Their size, independence and social stratification varied depending on natural resources and power relations in the area. Their geographical location affected which trades and crafts were successful in that particular place. But despite all the differences, they had an identity as being towns, which singled them out from the surrounding country.

A consequence of this was that all towns in Northern Europe, irrespective of their location, came to adopt a common basic structure. In my research, I compared the constitutional arrangements and political culture in English, German, Danish and Swedish medieval towns. I highlighted the general similarities and analysed the differences. My general

conclusion was that the towns were highly influenced by general ideas on how to govern a town and adapted them to fit local conditions.\(^2\) Is this a controversial statement? Looking at scholarship over the last century, the answer would have to be yes. The general explanation on why a town resembled another town is that one of the towns was influenced by the other. Merchants from town A implemented their way of doing things on town B, either by force or by free will.

According to my hypothesis, development was not dependent on the direct transmission from one town to the next, but was based on general, widespread ideas on how to rule a town which were altered to fit local conditions. This meant that the administration in two towns hundreds of miles apart not only could resemble each other, but actually be more similar than two neighboring towns. According to the traditional perspective, innovations arose in one important centre, which then spread like rings on water further and further out in the periphery. According to my hypothesis, innovations could, theoretically speaking, arise like swamps in the ground. What was needed in order for an innovation to be implemented was a general knowledge about it, a local need for it, and prerequisites like a benevolent town lord and economic means. It was, however, not dependent on the direct transmission from another town. In my opinion, it is more fruitful to talk about a common North European town culture in the Middle Ages than to focus on the influence of one town on another.

What happens if one applies this way of looking at dissemination of ideas on medieval town laws? This is a field of research which has been extraordinary occupied with explaining this phenomenon in terms of centre and periphery. Since the nineteenth century, legal historians, especially in Germany, have tried to find links between different laws and work out development and dissemination of laws. This research has occasionally been criticized,\(^3\) but similarities between laws are still often explained in terms of direct transmission between mother town and daughter town, without contextualization. One example is the dissertation by Stefan

\(^2\) Gustafsson (2006); Gustafsson (2011). In my dissertation, I studied the emergence of town councils, the number of council members and mayors, the rotation of offices and functions of the towns’ overlords, bailiffs, councils, mayors and chamberlains. I compared how the councils expressed their group cohesiveness and power in the town and how they defined the border between themselves and the town population. I also examined the expectations the town populations placed on the officials, and the political interaction between council and town population in different towns.

\(^3\) See for example Dusil (2008).