

THE HONTERIAN REFORMATION AND ITS INFLUENCE ON TRANSYLVANIAN TOWN MAGISTRATES*

In this study I examine the impact of the Church Ordinance written by Johannes Honterus, adopted by the University of Saxons in 1547, on the political discourse and action of town councils. I argue that a new vocabulary emerged as a result of the cooperation between the political and ecclesiastical bodies of the Transylvanian Saxons, wherein town councils embraced their role as authority and their divine mission to govern. Further, I discuss how Johannes Honterus's ordinance offered political magistrates a blueprint for measures implemented to achieve their ordained task.

Keywords: Transylvania, Reformation, Johannes Honterus, Saxon towns, town councils

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1. Introduction: the Urban Reformation of Transylvanian Saxons

The paper aims to investigate how the Reformation affected the political discourse of the Transylvanian Saxon elites, and how it shaped their political response and responsibility as legitimate authority (*Obrigkeit*) towards their communities. In the first part of the study, I shall discuss the introduction of reformed ideas as an urban phenomenon that started in Sibiu/Hermannstadt but was carried through in Braşov/Kronstadt owing to Johannes Honterus. The second part of the text deals with the influence of the Honterian church ordinance in the major towns of the Transylvanian Saxons, in shaping their urban policies but also their political discourse and the thesis of their God sanctioned mission to govern.

For the Transylvanian Saxons, embracing the Lutheran confession in the mid-sixteenth century catalysed the formation of their distinct identity as a political nation (*natio*) during the upheavals of the period.¹ The Saxons had settled, in the twelfth and thirteenth centuries, as

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¹ Konrad Gündisch, *Siebenbürgen und die Siebenbürger Sachsen* (Munich: Langen Müller), 28 sqq.; Krista Zach, "Stände, Grundherrschaft und Konfessionalisierung in Siebenbürgen. Überlegungen zur Sozialdisziplinierung (1550-1650), in *Konfessionalisierung in Ostmitteleuropa. Wirkungen des religiösen Wandels im 16. und 17. Jahrhundert in Staat, Gesellschaft und Kultur*, ed. Joachim Bahlcke and Arno Strohmeyer (Stuttgart: Franz Steiner, 1999), 388-390; Ulrich Wien, "500 Jahre Rezeption der Reformation in Siebenbürgen und Ungarn: Anfänge und Konfessionspluralismus in der Überlappungszone von West und Ostkirche" *Journal of Early Modern Christianity* 8 no. 1 (2012), 5.

colonists on the Royal Land granted to them, on the basis of a privileged bond with the Hungarian Crown, to which they owed loyalty and defence.² One of their core privileges was the right of Saxons to elect their priests; this custom translated into a *jus pastronatus* of Saxon communities that was instrumental in the success of the urban Reformation in Transylvania.³

In the 1520s, prints with Martin Luther's teachings had reached Sibiu; the repeated admonishments from the bishop of Esztergom and threats of excommunication from the dean of the Sibiu chapter to repel any infamous writings were to no avail.⁴ King Louis II of Hungary himself wrote to Sibiu several times in 1524, because of the sale and purchasing of Lutheran writings that were taking place in town. The monarch ordered town officials to burn such books in public, while anyone caught reading or buying these should lose all their possessions.⁵ In the following year, the priest from Mediasch, Johannes Clementis, was tried for heresy, adultery, and rape by the Sibiu chapter; in order to save himself, Clementis was obliged to admit to the accusations and repent publicly.⁶ At this stage, however, as Karl Reinerth argued, it is difficult to see in these episodes a larger reformatory movement.⁷

Despite the pushback from the ecclesiastical establishment, the political elite in many communities continued to veer away from the old faith. In December 1525, the University of Saxons (*Nationsuniversität*) voted a statute whereby all testators were banned from leaving their wealth "for the salvation of their soul" or ecclesiastical institutions, and the inheritance was to go in the hands of family or town inhabitants.⁸ Furthermore, in 1526, the famous complaint, *Querela* (*Klageschrift*, sent to Esztergom by the catholic priest of Sibiu and the dean of the Sibiu chapter reveals that the Lutheran mass was being celebrated in town, in German, in the houses of

² See the recent work of Liviu Cîmpeanu showing that Saxons refused to take arms unless called upon by the king: "The Transylvanian-Saxon University at War: *Trabanten* in John Sigismund Szapolyai's Campaigns at the north-western Borders of Transylvania (1561-1567)," *Acta Musei Napocensis* 58/II (2021), 12.

³ Konrad Gündisch, "Patriziat und Reformation in Siebenbürgen," paper presented at the conference held in 30.10-03.11.2019 in Sibiu/Hermannstadt, "Grenzen überschreiten. 500 Jahre Reformation in Siebenbürgen. 70 Jahre Protestantisch-Theologisches Institut Hermannstadt/Sibiu." I hereby cordially thank the author for providing access to his unpublished manuscript.

⁴ Arhivele Naționale Serviciul Județean Sibiu (National Archives of Sibiu County) (hereinafter ANSJ-SB), Capitlul Evanghelic CA Sibiu, Seria 1, no. 88.

⁵ ANSJ-SB, Capitlul Evanghelic CA Sibiu, Seria 1, no. 82.

⁶ Károly Fabritius, „Pemfflinger Márk szász gróf élte,” *Értekezések a történeti tudományok köréből*, 4 (1874-1875), 137-39; Karl Reinerth, *Die Gründung der evangelischen Kirchen in Siebenbürgen* (Cologne: Böhlau, 1979) (*Studia Transylvanica*, vol. 5), 12.

⁷ Reinerth, *Gründung*, 12.

⁸ "zu urkundt in das stadtbuch lassen einschreiben. Die älteste Protokolle von Hermannstadt und der sächsischen *Nationsuniversität*, ed. Mária Pakucs-Willcocks (Sibiu: Schiller Verlag, 2016), 47-8.

patricians, and that Markus Pemflinger, the royal judge of Sibiu, together with the town council supported the new teachings. According to the same report, the “Lutheran heresy” had caught on in Sibiu and in the neighbouring villages as well.⁹ Nevertheless, the progress of the reformed ideas in Sibiu seems to have slowed afterwards. Harald Roth argues that because of the prolonged siege of Sibiu by John Szapolyai, which lasted until 1536, Sibiu had lost its leading position in propagating the ideas of Martin Luther in Transylvania.¹⁰ The process was resumed with the appointment of Matthias Ramser, a staunch Lutheran, as town priest in 1536.¹¹ Indirect evidence suggests that important political figures of Sibiu, such as Georg Huet, were greatly invested in the Reformation movement,¹² but the impetus for institutionalised religious change came from elsewhere.

The story of the stalled Reformation radiating from Sibiu shows the tensions between the old and the new faith, and how fragile the foothold of the new ideas was in the city in the 1520s. In the following decades we find scattered information about priests abandoning celibacy, which in turn suggests that communities were adhering to the ideas of Martin Luther without formalising their decision. For instance, the Sibiu account book of the burgomaster from 1543 lists a payment made to a certain “monk Mathias, who took a wife, in help for his subsistence”, while the previous month, another monk had received money because he wanted to leave his monastery.¹³ Adam Pomarius, parish priest in Viișoara/Heidendorf, reached out to the council of Bistrița/Bistritz in 1544, requesting support in case his decision to marry attracted fury and disturbance.¹⁴

The implementation of the “Church of the Transylvanian Germans” gained new momentum with the works of Johannes Honterus, whose urban Reformation in Brașov eventually was extended to the entire political body of the Transylvanian Saxons.¹⁵ The church ordinance of

⁹ Fabritius, “Pemflinger Márk,” 156-60.

¹⁰ Harald Roth, *Hermannstadt. Kleine Geschichte einer Stadt in Siebenbürgen* (Cologne: Böhlau, 2006), 65.

¹¹ István Keul, *Early Modern Religious Communities in East-Central Europe* (Leiden: Brill, 2009), 56; Ulrich Wien, *Crossing Borders – Impact of Reformation in Transylvania since the 1520s. Diversity of Faith and Religious Freedom in the Ottoman Zone of Influence* (Göttingen: Vandenhoeck & Ruprecht, 2022), 56.

¹² Wien, *Crossing Borders*, 87. See for instance the correspondence between the Sibiu town council and Philip Melancthon: Joseph Dück, *Geschichte des Kronstädter Gymnasiums* (Brașov, 1845), 34.

¹³ The excerpts from the account book in Fr. Teutsch, “Geschichte des ev. Gymnasium A. B. in Hermannstadt,” *Archiv des Vereins für Siebenbürgische Landeskunde* 17 (1882), 16, notes 1 and 2.

¹⁴ Heinrich Wittstock, *Beiträge zur Reformationsgeschichte der Nösnergaues* (Vienna: 1858), 55-56.

¹⁵ Edit Szegedi, “Von der reformatorischen Gemeinde zur Kirche Wittenberger Prägung. Die Durchsetzung des orthodoxen Luthertums in Siebenbürgen (um 1550-1650),” in *Luther und die Evangelisch-Lutherischen in Ungarn und Siebenbürgen. Augsburger Bekenntnis, Bildung, Sprache und Nation vom 16. Jahrhundert bis 1918*, ed. Márta Fata and Anton Schindling (Münster: Aschendorff Verlag, 2017), 60-1; Luka Ilić, Michael S. Springer and

Johannes Honterus, *Reformatio ecclesiarum Saxonicarum in Transylvania / Kirchenordnung aller Deutschen in Siebenbürgen*, printed in 1547, was received by all the representatives of the Saxon communities only after the Sibiu town fathers received reassurance from Wittenberg that it was following the teachings of Martin Luther.¹⁶ In 1544 and 1545, the *Universitas* had already advised Saxon polities to accept Lutheran teachings (*verbum Dei*), and their secular magistrates were entrusted with implementing church attendance, bringing people “from markets, cemeteries, taverns or from elsewhere” to service.¹⁷ Nevertheless, the political elite of the Transylvanian Saxons could follow through with instituting a ‘national’ church only after having a foundational text in the church ordinance rewritten by Honterus in 1547. The University of Saxons voted in 1550 that all communities, towns, market towns and villages alike, should accept the Reformation according to the 1547 church ordinance.¹⁸ The final article of their decision stated that secular authorities were in charge of the first and the second table of the law, thus setting in writing a shift in the place of the powers that be in the community.¹⁹ The Honterian church ordinance and subsequent decisions of the synods and of the University of Saxons, culminating with the acceptance of the Augsburg Confession in 1572²⁰ under the *Formula Pii Consensus*, offered a new political language to the secular powers, a language of political responsibility that was imbued with Christian morality at the same time.²¹

Political magistrates received charge of implementing the new teachings, but at the same time they were greatly empowered by this task of enforcing religious change.²² The town council of Sibiu and the University of Saxons assumed the role of caring and yet disciplining authority, the *Obrigkeit*, for entire community of Transylvanian Germans. To this end, several decisions of

Edit Szegedi, *Protestant Reformers: Johannes Honterus, Primus Truber, and Johannes a Lasco*, in *A Companion to the Reformation in Central Europe*, ed. Howard Louthan and Graeme Murdock (Leiden: Brill, 2015), 145-52.

¹⁶ Armin Kohnle, “Von Wittenberg und Nürnberg nach Kronstadt: Die siebenbürgischen Kirchenordnungen von 1534/1547 vor dem Hintergrund ihrer Wurzeln,” *Journal of Early Modern Christianity* 8 no. 1 (2021), 42.

¹⁷ *Die Evangelische Kirchenordnungen des XVI. Jahrhundert*, vol. 24, *Siebenbürgen: Das Fürstentum Siebenbürgen. Das Rechtsgebiet der Siebenbürger Sachsen*, ed. Martin Armgart and Karin Messe (Tübingen: Mohr Siebeck, 2012) (hereinafter: EKO), 203.

¹⁸ EKO, 258.

¹⁹ Wien, *Crossing*, 125.

²⁰ Ulrich Wien, “Rezeption der Wittenberger Theologie in Siebenbürgen: Formula Pii Consensus 1572,” *Zeitschrift für Siebenbürgische Landeskunde* 38 (2015): 37-47.

²¹ For the language shift of the Reformation see: Luise Schorn-Schütte, *Gottes Wort und Menschenherrschaft. Politisch-theologische Sprachen im Europa der Frühen Neuzeit* (Munich: C. H. Beck, 2015), 12-13.

²² 1550 decree of the University of Saxons: EKO, 258.

the University of Saxons from 1557 concerned church attendance, punishment for lewd behaviours, and rejection of socialising in spinning rooms.²³

The teachings from the Honterian Church order had an effect on how the town magistrates projected their place of legitimate authority to their subjects. The 1547 church ordinance prescribed that political decision makers had to work together with to the ecclesiastical elites in administering the justice of God. Furthermore, the cooperation and the mirroring between lay and ecclesiastical authorities was agreed upon in 1559, in common statute of the Synod and of the *Universitas*. The agreement expanded the provisions of the 1547 church ordinance and also regulated practical issues, such as the building wooden houses for priests from the public budget or punishment of people missing the church service.²⁴ Furthermore, priests were now included in the civic body, under the jurisdiction of the town councils: “what is forbidden for the community and is banned, should be likewise forbidden for the pastors.”²⁵ The interlocking decisions of town councils, of the church synods, and of the *Universitas* are well illustrated in the decision regarding housing for priests: in 1546, the council of Sibiu had already issued a decree that priests could neither buy nor own stone houses in town, only houses built of wood and timber.²⁶

Under the influence of humanists, such as Georg Reicherstorffer in Sibiu,²⁷ the administrative and political elites of the Transylvanian Saxons had begun to take steps toward asserting themselves more as governing in the service of the common good. Scholarship regards this development as a necessary step for strengthening the autonomy of town councils and for their evolution into legitimate authority.²⁸ For instance, in 1522, the first town book (*Stadtbuch*) of Sibiu started to be recorded by the town notary, “so that all decision taken in the town hall ... to be written down for good remembrance and for carrying out the duty of justice.”²⁹ In a similar vein, a wooden panel that hung in the town hall of Sibiu, originally made in 1545 and repainted in 1574, lauded justice as the most notable virtue and stated the strength they lay in the unity of the citizenry. The

²³ *Corpus statutorum jurium Hungariae municipalium*, vol. 1 ed. Sándor Kolozsvári and Kelemen Óvári (Budapest: 1885), 517.

²⁴ EKO, 267.

²⁵ EKO, 268.

²⁶ *zu urkundt*, 161-62.

²⁷ Bernhard Capesius, “Der Hermannstädter Humanist Georg Reicherstorffer,” *Forschungen zur Volks- und Landeskunde* X no 1 (1967), 35-62.

²⁸ Heinz Schilling and Stefan Ehrenpreis, *Die Stadt in der frühen Neuzeit*, 3rd ed. (Oldenbourg: De Gruyter, 2015), 76.

²⁹ *zu urkundt*, 17 (my translation from Latin).

panel holds the coats of arms of the town of Sibiu and of Peter Haller on the left and right, respectively, and that of Simon Miles, burgomaster of Sibiu from 1566-1576.³⁰



Fig. 1: Wooden panel in the former meeting chamber of the Sibiu town council, now in the History Museum, Altemberger House, Sibiu, Inv. no. M 5964: Illustrissima omnium virtutum est Iustitia/Inexpugnabile munimentum unitas Cibium/ Recte iudicate filios hominum. Audi alteram partem.

There are several interwoven meanings here: in 1545, the council of Sibiu had bought the former residence of Markus Pemfflinger, the beautiful house built in the late fifteenth century for Thomas Altemberger,³¹ and the private home had to be transformed into an official seat of the council, into a town hall. Peter Haller, the great politician of Sibiu, who also served as a treasurer under King Ferdinand I's short lived possession of the principality,³² put his own mark on decorating the large meeting chamber, as acting burgomaster at the time. Lutheran theology added to the political language the idea of the divine mission of the town councils to rule as *Obrigkeit*,

³⁰ Ioan Albu, *Die Inschriften der Stadt Hermannstadt* (Quellen zur Geschichte der Stadt Hermannstadt vol. 3) (Sibiu: hora, 2007), 34.

³¹ Petre Beșliu Munteanu, *Primăria veche din Sibiu: casa, oamenii, muzeul* (Sibiu: 2006 (Biblioteca Brukenthal vol I), 59-60; Sibiu, ANSJ-SB Inv. 197, nr. 18, *Rationes consulares*, 14r.

³² Gustav Gündisch, "Peter Haller. Bürgermeister von Hermannstadt und Sachsengraf (1500-1569)," *Südostdeutsches Archiv*, vol. XXXII/XXXIII (1989/1990), 5-89.

legitimate authority, over their obeying citizens. This is reflected in subsequent normative texts, town statutes and constitutions,³³ which I shall discuss in the following section of the article.

2. Town magistrates as legitimate authorities

In Braşov, where the Reformation initiated by Johannes Honterus had originally struck roots, and the first reformed urban polity in Transylvania was thus created, a statute regulating the election of the council members from 1555 articulated the new political vocabulary, infused with Christian morality and piety. The statute is only preserved in transcription by Marcus Tartler (1772) in the Trausch collection of the Honterus Archives,³⁴ as the original town book, the *Decretale Coronensium*, is not extant. Administration of justice and creating useful laws for the community are the main duties of the powers that be. The preamble continues with declaring that political authority is divinely instated, and that political order and annual elections follow the will of God, that in turn ensures a successful governance: “[...] wie die göttlichen Zeugnisse zeugen, wie Obrigkeit ein Stift und Ordnung Gottes ist, also auch die jährliche Einsetzung und Erwählung derselben nach dem Willen Gottes [...] gehalten wurde.”³⁵

The practicalities of the election for the town administration are described in detail, with the proviso that no elected man could stand down from his office for trivial reasons, as the appointment was entrusted to him by God, the authority and the community:

[...] Ist sehr berechtigt, daß nach der aufgeschriebenen Weise und Form so die Erwählung ist gehalten worden, soll kein Erwähl[t]en aus leichtfertigen Ursachen den Amt, so ihm vom Gott und der Obrigkeit und der Gemein ist aufgelegt und vertraut, widerreden, noch sich daraus zu ziehen, vornehmen und bemühen.³⁶

³³ Constitutions as discussed in Heinz Schilling, “Gab es im späten Mittelalter und zu Beginn der Neuzeit in Deutschland einen städtischen ‘Republikanismus’? Zur politischen Kultur des alteuropäischen Stadtbürgertums,” in *Ausgewählte Abhandlungen zur europäischen Reformations- und Konfessionsgeschichte von Heinz Schilling*, ed. Luise Schorn-Schütte and Olaf Mörke (Berlin: Duncker & Humblot, 2002), 159.

³⁴ Rainer Kramer, “Die Handschriften-Sammlungen Trausch,” *Zeitschrift für Siebenbürgische Landeskunde* 29 no. 1 (2006), 1-19.

³⁵ Honterus Archive Kronstadt, Trausch manuscript collection, IV F1-T9 101, no. 207 (hereinafter *Decretale Coronensium*), 46.

³⁶ *Decretale Coronensium*, 50.

Furthermore, under the heading “Von der Schützung der Religion oder unsrer Kirchen Reformation”, the statute pledges that everyone living in the city should be bound to follow the Reformation booklet of Johannes Honterus (which the humanist had written and printed in 1543, exclusively for his fellow townmen³⁷):

Im Jahr des Herrn 1543 am tag Johannis Evangelistae haben beide der neuerwählte und alte Rathe samt der ganzen Gemein der Hundertmann, welche gar nicht neuerliches begehrt, festiglich beschlossen, daß sie alles und ein jedes, besonderlich vom grösten bis kleinsten, was gemacht, reformiert und in der heiligen Schrift (wie denn nichts fremds der Schrift darin begriffen) gegründet ist, in dem Inhalt unsres Kirchen Reformationsbüchels in den druck von dem Herrn Magister Johannes Honterus frommer Gedächtnis außgelaßen, fest, beständig, unbeschmist, unverrückt und soviel an menschlicher Kraft und Gotteshülfe und Mitwirken gelegen wird seyn, von nun an hinfürbas im Nachkommlingen wollen ungekränkt, ungeschwächt halten, fördern, handhaben und schützen.³⁸

The commitment of the Braşov political elite to the new church was thus unconditional and unwavering, and the memory of their foundational text and its author were kept in high esteem. As Volker Leppin argues, Johannes Honterus was seen by his contemporaries as a teacher and restorer of order, described as such in several literary works and prints.³⁹

While little is known about Bistriţa and about how the Reformation played out in the Nösner district, there is a varied source material that has not been exploited by previous scholarship.⁴⁰ Protracted conflicts had shaken the town in the wake of the 1526 Mohács disaster, with two elected Hungarian kings disputing their claim to the realm.⁴¹ Eventually, the senior representatives of the Saxon towns, delegated by the *Universitas*, imposed the peace in town with the help of an new constitution, written on 17 February 1542, in the new town book. The statute

³⁷ A recent facsimile edition in German, Romanian, and Hungarian translation: Johannes Honterus, *Reformatio Ecclesiae Coronensis ac totius Barcensis Provinciae*, ed. Bernhard Heigl and Thomas Şindilariu (Braşov: Aldus, 2017). On the urban Reformation in Kronstadt and the meaning of “reformatio” see Zoltán Csepregi, “Die Auffassung der Reformation bei Honterus und seinen Zeitgenossen,” in *Humanismus in Ungarn und Siebenbürgen*, ed. Ulrich Wien and Krista Zach (Cologne: Böhlau, 2005), 5.

³⁸ *Decretale Coronensium*, 52.

³⁹ Volker Leppin, “Die Entstehung des Reformatorenbildes: Luther und Honterus im Vergleich,” *Journal of Early Modern Christianity* 8 no. 1 (2021), 25-26.

⁴⁰ András Péter Szabó, “Beszterce város fejedelemség-kori kormányzata és politikai elitje,” *Urbs. Magyar várostörténeti évkönyv* 3 (2008), 145–159

⁴¹ Otto Dahinten, *Geschichte der Stadt Bistritz in Siebenbürgen* (Cologne: Böhlau, 1988) (*Studia Transylvanica* 14), 71-81.

imposed death penalty to anyone disturbing the peace.⁴² In 1556, on the same day of 17 February, on the eve of Lent, the town council and the centumvirs issued their first common town statute since the pacification. The text has a strong pious tone, listing the offences that go against the divine word (*das göttlich wortt*), such as: walking and disrupting the church service; night ambling; playing, buying or selling cards; and gatekeepers and soldiers drinking during duty.

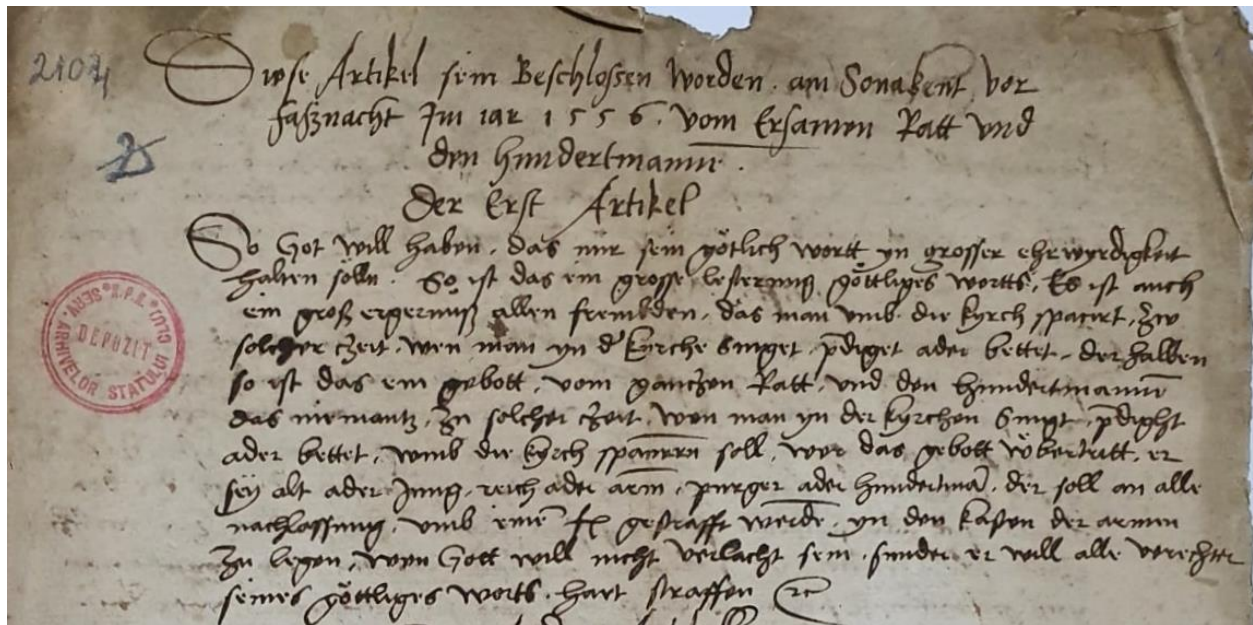


Fig. 2: Heading of the 1556 statute of Bistrița, POB, Seria 1, no. 2104:

Diese Artikel sein beschloßen worden am sonabent vor fasznacht jm iar 1556 vom ersamen ratt und den hundertmannen / Der erst artikkel / So Gott will haben, das nur sein göttlich wortt yn grosser ehrwüdigkeit halten solln, so ist das ein grosse lesterung gottliges wortts, es ist auch ein grosz ergernusz allen frembden, das man umb die kyrch spacirt zw solcher czeit, wen man yn der kyrche singet, prediget ader bettet, derhalben so ist das ein gebott vom ganczen ratt und den hundertmannen, das niemantz zu solcher czeit, wen man yn der kyrchen singt, predight ader bettet, umb die kyrch spaciern soll, wer das gebott übertritt, es sey alt oder jung, reich oder arm, purger oder hundertmann, der soll an alle nachlassung umb einen fl. gestrafft werden, yn den kasten der armen zu legen, wen Gott will nicht verlacht sein, sunder er will ale verrechter seines göttliges worts hart straffen.

⁴² Cluj-Napoca, ANSJ-CJ, *Primăria Oraşului Bistrița* (hereinafter POB), IIIa no. 3; András Péter Szabó, “Beszterce város levéltárának történetéhez,” *Levéltári Közlemények* 78 no. 1 (2007): 99-127; Idem, “Beszterce város és kerület levéltára - levéltárismertetés és irodalomjegyzék a Kosáry-bibliográfia készülő városi kötete számára 2011,” unpublished paper, (1) [Beszterce város és kerület levéltára - levéltárismertetés és irodalomjegyzék a Kosáry-bibliográfia készülő városi kötete számára 2011.](#) | András Péter Szabó - [Academia.edu](#)

The final provisions of this statute established the terms of employment and pay for people in domestic service, who had to be hired only with year-long contracts. Persons from every social group were held accountable under penalty, where members of the council were liable for the highest fines. The statute also set the wages for daily labourers and for women (seamstresses).⁴³ These are the first known regulations of the labour market of domestic employment, setting rules on behalf and for workers who were not under the protection of a guild. The council of Sibiu promulgated a similar list of wages in 1565.⁴⁴

In turn, the year 1556 for Sibiu was the time when the legitimacy of the town council was challenged in a violent way: a fire had engulfed a great part of the city, and the royal judge was killed by an angry mob.⁴⁵ As Gustav Gündisch has shown, there were several underlying reasons for the citizenry to revolt against the town council: some were angered that after King Ferdinand returned Transylvania to the Szapolyais in 1555, the town authorities released canons from the arsenal into the hands of Péter Petrovics, thus jeopardising the defense of Sibiu, while others had a personal grievance against the royal judge.⁴⁶ There are no town statutes issued around this time to articulate the position of the authority in relation to the citizenry; the sentences given to the main culprits for the uprising, however, are just as significant in terms of political statements. Thus, one of the criminals admitted to “raising their hand against his authority”, sealing his fate with the death penalty: *er selbst sein missethet bekant hat, das er den herren khünigsrichter gemordt habe, und sein hand an seine oberkeit gelegt*. Another offender, who had chased a council member with an axe, was also sentenced to death for “having risen against his authority”: *er mit bloßer wehr nachgelauffen und wider sein oberkait auffgestanden, darumb sol er durch das schwert gestrafft werden*.⁴⁷ The town statute of 1541, which could be regarded as the first constitution of the town, contains an article that had set the punishment of death for anyone acting against the interests of

⁴³ POB, Seria 1, Documente medievale (Urkunden) no. 2104, with my gratitude to Livia Ardelean for the kind support lended to this research.

⁴⁴ *zu urkunt*, 260.

⁴⁵ Gustav Gündisch, “Der Hermannstädter Aufstand des Jahres 1556,” in *Aus Geschichte und Kultur der siebenbürger Sachsen* (Schriften zur Landeskunde Siebenbürgens, vol. 14) (Cologne: Böhlau, 1987), 201-234.

⁴⁶ G. Gündisch, “Hermannstädter,” 290-230 ; Liviu Cimpeanu, “The Royal Habsburg Arsenal in Sibiu (Hermannstadt, Nagyszeben) under the Rule of Queen Isabella,” in *Isabella Jagiellon, Queen of Hungary (1539-1559)*, ed. Ágnes Máté and Teréz Oborni (Budapest: Research Centre for the Humanities, 2020), 257-263.

⁴⁷ Sibiu, ANSJ-SB, Documente medievale (Urkunden), U IV 739, digital copy available on arhivamedievala.ro; partly transcribed in A. Scheiner, „Die Sprache des Teilschreibers Georg Dollert”, *Archiv des Vereins für Siebenbürgische Landeskunde* 47, no. 1-2 (1933), 36-44.

the town: *welcher wider der statt fraÿthumb wirt handlenn ... der soll mit nÿchts mer czallen als mit seÿnem haubt*.⁴⁸ Albeit not used in this particular statute, the concept of supervising authority, of *Obrigkeit*, had already entered the political vocabulary of Sibiu. I found it in a market regulation from 1545, in which it was stipulated that foreign merchants could not go to Wallachia “without the will and knowledge of the authority” (*an willen und wissen der oberkeyt*),⁴⁹ mirroring the medieval trading privileges of Sibiu from 1378, 1382, and 1384.⁵⁰ This finding would reinforce the scarce information that we have about the introduction of the Lutheran service once Matthias Ramser entered the service of town pastor. It is clear the the reception of Martin Luther’s writing was advanced and had entered the language of the town chancery. Furthermore, we can infer that the Sibiu political elite has found in Luther’s teachings and ideas a vehicle for their own aspirations and needs, a support for their growing autonomy and identity formation. I infer that this is the reason why the Sibiu council had to ensure the approval from Wittenberg for Johannes Honterus’ church ordinance before embracing it for themselves and then for all the Saxons in Transylvania. The outcome of this specific nation-building is discernible in 1589 “constitution” of Sibiu, which proclaimed the existence of a Saxon nation (*unsere saxische nation, unserer einerlei nation der saxen*), built on the privileges granted by the Hungarian kings, on the labours of previous generations, and on their one church.⁵¹

3. The Honterian Church Ordinance and the governance of the Saxon towns

In the following section of my study, I discuss a particular aspect of the influence of the 1547 *Kirchenordnung* on the political action in Saxon towns, namely their action on welfare and social assistance.⁵² By the late Middle Ages, similarly to developments in European cities, town

⁴⁸ ANSJ-SB, Documente medievale, U V 595, published in Friedrich Schuler von Libloy, *Merkwürdige Municipal-Constitutionen der Siebenbürger Szekler und Sachsen* (Sibiu, 1862), 69.

⁴⁹ ANSJ-SB, Documente medievale, U V 485, published in Gustav Seivert, *Hermannstädter Lokal-Statuten* (Sibiu: 1869), 22.

⁵⁰ Boglárka Weisz, “The staple right and the Transylvanian Saxon towns in the Middle Ages,” *Anuarul Institutului de Cercetări Socio-Umane Sibiu XXV* (2018), 25-31.

⁵¹ ANSJ-SB, Documente medievale, U V 595, edition in *Corpus statutorum*, 542-543.

⁵² I have presented this argument in “Urban Governance and Welfare in Sixteenth-Century Transylvania,” *Revista istorică XXX* no. 1-6 (2019), 17-29. For similar points see Julia Derzsi, “Einführungsstudie: Zur Problematik der städtischen Armenfürsorge. Sozialleistungen in Hermannstadt im Spiegel der frühneuzeitlichen Rechnungsbücher,” in Petre Beşliu Munteanu, *Hermannstädter Spital und Spitalkirche, 13.-18. Jh / Spitalul și Biserica Spitalului din Sibiu, secolele XIII-XVIII* (Sibiu: Honterus 2012), 13.

councils took on the role of the fathers of the city, therefore duty of care for the vulnerable became a key component of their symbolic power and legitimised their authority.⁵³ Medieval hospitals had flourished under the patronage of the Catholic Church, but social assistance reached beyond healthcare and providing for the elderly. Town councils had been keen on being involved in the supervisions of charitable institutions, hospitals and leper houses⁵⁴. Hospitals were supported with donations from the inmates as well, bequeaths, management of assets and income of property⁵⁵, thus political control over their administration was a significant factor as well. The care for the poor and the needy was first and foremost a Christian duty, that remained thus after the Reformation.⁵⁶ In the section dedicated to the “care of the poor” (*De cura pauperum / Ordnung, die armen zu erhalten*), Honterus argued in the 1547 church ordinance that the community was responsible for the sick and elderly, that is was not in line with their confession to let the poor and the sick to suffer in the street, at the mercy of elements. :

Darumb ist unserm bekantnis nit ebenmessig, das nach alter gewonheit unbarmhertziglich veracht werden kranck, alte oder arme leut, die in kelten und regen in gassen uberall ligenn und mit jemerlichen klagen almuß und hilf begern. Sondern uber die gewonlich auffenthaltung anderer armen in den spitalen, sollen auch diese inn stetten von der gemein versorget werden, das sie alle leidlich narung und kleidung mögen haben.⁵⁷

Thus, the ordinance spells out that a dedicated office be created for the management and distribution of alms and of the charitable bequests in testaments. In order to establish this work of mercy (*opus pietatis/Barmherzigkeit*), Honterus also suggested assigning members of the town council and the centumvirs to collect donations in church on Sundays and on every other occasion. Futhermore, they were to distribute the alms every week, in order to alleviate the deprivation of the poor (*in der notturfft getrewlich helffen*), thus doing God’s bidding.⁵⁸

⁵³ Eberhard Isenmann, *Ratsliteratur und städtische Ratsordnungen des späten Mittelalters und der frühen Neuzeit. Soziologie des Rats – Amt und Willensbildung – Politische Kultur*, in *Stadt und Recht im Mittelalter – La ville et le droit au Moyen Age*, ed. Pierre Monet and Otto Gerhard Oexle (Göttingen, Vadenhoeck & Ruprecht, 2003), 219.

⁵⁴ Enikő Rűsz-Fogarasi, “Transylvanian Hospitals in the Early Modern Age,” *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 115 (2007): 296.

⁵⁵ Júlia Derzsi, “Organizarea întreprinderilor caritabile în Sibiu în deceniile de după Reformă,” *Historia Urbana* XVIII (2010): 67-68.

⁵⁶ Ole Peter Grell, *The Protestant imperative of Christian care and neighbourly love*, in *Health Care and Poor Relief in Protestant Europe, 1500-1700*, ed. Ole Peter Grell and Andrew Cunningham (London: Routledge, 1997), 42-63, showing that the Catholic and Protestant attitudes towards the poor were fundamentally similar. Also, Natalie Zemon Davis, “Poor Relief, Humanism and Heresy: The Case of Lyon,” in *Studies in Medieval and Renaissance History* 5 (1998): 219.

⁵⁷ EKO, 238, my translation from the German.

⁵⁸ EKO, 239.

These articles of the ordinance urged communities to take responsibility for all their members and town councils to exercise their Christian duty.⁵⁹ The financial resources for assistance of the needy were taxes and the donations of the people (*stewr und freygabe des volcks*). When these were outstretched, Honterus advised for a judicial use of donations that supported charity outside the former channels of the Catholic institutions, i.e. the outdated fraternities and “godless endowments”. A new relationship between being a Christian and being a citizen emerged, whereby an individual had to be actively involved with all the issues of the community. Furthermore, measures for sustenance had to be taken locally, in order to keep people from moving from one place to another, which could lead to their converging and becoming a heavy burden for some places.⁶⁰

In Braşov, the first “poor box” (*Armenkaste*) was set up in 1545, and the town council took charge of its financial accounts. The charitable foundations had various sources of income: land, mills, orchards, and various donations.⁶¹ Júlia Derzsi has argued for the case of Sibiu that the previous relief network, consisting of hospitals and a leper house, was extended with the creation of the alms box and the officers of charity (*domini elemosinarii*).⁶² While there is no formal statute for their foundation, the first account books for both institutions started after the publication of Honterus’s church ordinance.⁶³ The town council of Sibiu took heed of the prescribed actions and put them into practice, just as Braşov had done a few years previously.

Another form of social assistance in the Saxon towns was the juridical attention given to orphans. Johannes Honterus, in his church ordinance of 1547, dedicated a separate chapter to this issue (*De cura pupillorum / Vom versorgen der weyslin*) outlined the principles of assistance and supervision for keeping the order and justice in matters pertaining to testaments and inheritance of minors. In the rhetoric of the text, God has entrusted the political authority to protect and guide the orphans.

⁵⁹ Thomas Max Safley, “Introduction,” in *The Reformation of Charity. The Secular and the Religious in Early Modern Poor Relief*, ed. Thomas Max Safley (Leiden: Brill, 2003), 8.

⁶⁰ Safley, “Introduction,” 9.

⁶¹ Derzsi, “Organizarea întreprinderilor,” 71.

⁶² Derzsi, “Organizarea întreprinderilor,” 72-4.

⁶³ Derzsi, “Einführungsstudie,” 13.

Nach verordnung eines armen kastens sol man auch sorg tragen auff die weyslin, welche Gott an vielen orten des alten testaments der oberkeit fleissig befohlen hat und verheissen, er wolle selbst ir richter und beschirmer sein.⁶⁴

In several paragraphs, Honterus instructed how this care be carried out: through diligent records of the estates left to orphans, and, more importantly, through supervision of transactions with their property. Authorities had to review all matters involving goods of a minor. This directive can be followed in the administrative practice of Sibiu: after 1548, numerous cases were brought to the attention of the council concerning property inherited by minors. In the last decades of the sixteenth century there was a visible increase in the requests for family members to obtain permission for selling the houses of children, who had no means to repair or upkeep real estate property until adulthood.⁶⁵ Orphaned children remained most often in the care of other family members, who requested retribution for raising them. There were cases where the extended family turned to the council for approval to sell the property inherited by orphans to release the cash necessary for their upbringing. Other difficult situations arose when the family decided to hold on the orphans's house but, in return, they asked for a reduced tax on that property. Such was the case of the town priest of Sibiu, Christianus Lupinus, who addressed the town council on behalf of the orphaned children of his sister-in-law, asking for the tax on their inherited house to be reduced, since it stood empty. Moreover, he argued, his earnings did not stretch to the extent that he could “carry two burdens”, that is pay the census on his own home and the children's house as well⁶⁶.

Another directive for the care of orphans in Honterus's Church Ordinance was the close supervision of estates left to children through probate inventories, drawn up by executors named by the city council. The main concern was the proper handling of the orphans' inheritance, as movable assets, such as money, silver objects or jewellery was not given over to the tutors, but put away for safekeeping. Other movable goods could be traded or invested only for the benefit of the children: “Der weyslin guter sollen, durch herren aus dem rath verordnet, in ein inventarien offentlich beschrieben werden.”⁶⁷ Beginning with the 1570s, such probate inventories (*Teilungsbücher*) were started in Sibiu (1573), Braşov (1578), and Bistriţa (1573).⁶⁸ This practice

⁶⁴ *Die evangelischen Kirchenordnungen*, 239.

⁶⁵ *Inventarul protoalelor primăriei Sibiu, 1521-1700*, ed. Gheorghe Duzinchevici, Evdochia Buta și Herta Gündisch (Bucharest: Arhivele Statului, 1958).

⁶⁶ ANSJ-SB, Acte Fasciculate, series M, no. 169, f. 44.

⁶⁷ EKO, 239.

⁶⁸ Franz Zimmermann, *Das Archiv der Stadt Hermannstadt und der sächsischen Nation* (Sibiu, 1887), 48.

precedes therefore the official sanctioning of the written laws of the Transylvanian Saxons, the *Eigenlandrecht*, which took place in 1583. Therefore, there is a strong argument to be made in favour of the influence that Johann Honterus's *Kirchenordnung* on town councils to act according to its prescriptions.

The 1547 church ordinance is a fundamental text for the entire political and religious community of the Transylvanian Saxons. It gave coherence and momentum to the reception of Lutheran teachings that had begun in Sibiu and slowly spread to other polities. Furthermore, it offered the *Universitas* on the whole the tool to build a church that fitted their needs for self-preservation as a *natio* in the post-Mohács reconfiguration of the region. I have shown that the town statutes of Braşov/Kronstadt and Bistriţa/Bistritz from 1555 and 1556, respectively, transferred and transformed theological vocabulary into political language adapted to their urban setting. My other main argument in this paper is that political magistrates on a local level followed the instructions of the *Kirchenordnung* and applied the theology of the Godly appointment in their normative discourse and their governing actions.