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the Balkans (16th – 20th Centuries)

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‘Borrowed Neighbors’ in Sixteenth Century Sibiu (Hermannstadt): Attitudes and Discourses

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In 1581, the two high judges of Sibiu (the Stuhlrichter and the royal judge) were asked to bring sentence in a case involving neighbors from Salzgasse and Reisporgasse. The judges needed to decide where three men or, more precisely, three houses from a tower belonged, and therefore in which neighborhood they were obliged to pay their civic debt. The complaint of the neighbors in Salzgasse was straightforward:

The three men living in the Salzturm belonged to our neighborhood from ancient times with all neighborhood rights, and they were also ordered here by a decision of the honored council, which they obeyed and kept themselves with us. Now that the three men have come to the same houses, they do not want to help carry the common burdens of our neighborhood but keep themselves there in Reisporgasse, which seems burdensome to us, therefore we ask you to oblige them to serve and carry out the duties here where they had belonged for a long time. As for the feast, you should not oblige them to come with us; they can drink their money where they want, as long as they do justice to the neighborhood with the watch and other duties.¹

In answer to the charges, the three defendants referred to their temporary obligation to help the Salzgasse neighborhood and replied with their own plea for justice:

Honored judges, you understood how these good men from the Salzgasse wish to turn the three of us out of the city into the suburb and it seems unjust to us to do the watch and perform all sorts of duties. It is indeed true that after the great pestilential death the above named people from Salzgasse were short of householders and there were only widows left there. So our three houses were ordered down there by the honored council, but for a little time, until they can multiply themselves. But now their beds were blessed, so that there are more of them than of us, so that their turn to watch comes barely once in six weeks, but for us it is every fourteenth day. Because the honored council has granted this measure only for a short while, which we can prove with living witnesses who were there at the time that this is how it is. That is why now we ask that your lordships would return us to our old rights, and not make a property out of a borrowing and not harness the cart before the oxen; this is our request to your lordships.

Witnesses were then produced by and for both sides whose statements were just as conflicting as the claims made by each party. Naturally, the testimonies defending the Salzgasse neighbors were heard first. Greger Eichhorn the Elder's declaration opens the series:

After the great pestilential death, the neighbors from Salzgasse summoned us to stand before the honored council and declared that they were lacking people and could not carry the burdens properly. That is why they desired that the honored council should make the three persons living in the Salturm stand together with the inhabitants from Salzgasse.

However, the man knows that “they belong to our neighborhood, and they have their entrances and exits towards us”. He is outraged by the sheer absurdity of their claim: “They now wish to perform as a service what always was their duty.” Eichhorn retells the situation created by the lack of manpower in the Salzgasse and tells how the three persons suddenly no longer wanted to do service with them and that is why they approached the authority (*die Obrigkeit*). He ended by stressing again, “it should be known that they belonged to our neighborhood before they had been ordered here”.

The second witness for the Salzgasse-company, Albert Goldschmid, confirms the statement of the previous neighbor, adding that “he knew well that the three persons from the houses” had been going into the neighborhood in Salzgasse, but he did not know as a fact where the three houses belonged or whether the sign of the neighborhood had been sent to them. The third witness, Velten Bidner, lent weight to his testimony by stating that even though he was the oldest in the Salzgasse, he was still clear in his mind. With the authority of his age, he thundered:

In this neighborhood no one has ever been on the night watch from down there, and even less has ever a right been given to do so, only because of the great need (Notdurft), some from the three houses were granted deliberately by approval of our honored neighborhood, just for a while, to go there. Colman Schlosser also went across there by his own thoughtlessness. Because they never had nor have now the right to take them for the watch, often there were quarrels about this, which from words led to pulling hair and to blows, as I well know from my grandma, God rest her soul.

We see that the old man turned the argument around completely by stating that the Salzgasse people had never performed night watch in the Reisporgasse, and that the Reisporgasse received the three households from the Salzturm as a temporary relief in times of need. He also tried to give backing to his statement by appealing to a more ancient memory than his own.

The fourth recorded testimony on behalf of the Salzgasse is even more disconcerting, making one wonder why he was called to testify at all. Joannes Leo declared that ever since he had lived in a house there, three years before the death, he had performed the duties with the Salzgasse neighborhood justly, as is the right in the neighborhoods, and no one had ever come to ask him to do the night watch in the Reisporgasse.

The defendants had only one witness brought to support their cause, a woman.

For as long as I have lived in the Reisporgasse, those from the Salzturm had belonged all the way to our neighborhood, until 15 years ago, when those from Salzgasse had convinced Colman Schlosser with fine words to do the night watch over there. So my husband of blessed memory, told him he should not do that, but do the watch over here, where he drinks his money, because it would create quarrel and bickering. But Colman Schlosser did not want to listen, he said that it was the same to him whether he did the watch in the Reisporgasse or the Salzgasse. And as they convinced one of them, so they took the other two as well, but they belong to our neighborhood in full right.

I shall disclose the decision of the judges in the conclusion to this article. For the moment I shall continue to endeavor to uncover some of the meanings contained in the statements

given by all parties involved in the case, because what might appear as an anecdotal event, even somewhat amusing in its frivolity, was a matter of importance to the inhabitants of the Salzgasse and Reispergasse in the spring of 1581.

We can almost feel the tension that led to this argument being brought in front of the judges and the bickering and the slinging of insults that preceded the formal trial. Ultimately, the property of citizenship itself was brought into question: the three men defined themselves as being loaned to a suburban neighborhood in the Salzgasse and consequently wanted their rights as town-dwellers reinstated. On the other hand, the Salzgasse neighborhood scorned the quality of the borrowed neighbors' membership: they did not desire the company of the three men at their social events. "They can spend their money where they want" is the great insulting remark the host neighborhood makes to the three stubborn residents; they were not welcome at the common feast but were expected to help them with the night watch.

The dispute over the status of the three households in the Salzturm reveals the functioning of a social institution in Sibiu's urban community: the neighborhood. It was an organized civic body, whose solidarities surpassed the mere bonds created by the proximity of houses or courtyards. Specific rights and duties defined the neighborhoods and created in their members a consciousness of their association and obligation in a shared life.²

Neighborhoods embraced all adult married men, owners or inhabitants of a house in a delimited area of the city, a street in most cases³, and in the Great and the Small Ring. The honor of being a part of a neighborhood entailed duties and obligations towards the fellow members of the corporation and to the city at large. Social support, solidarity, welfare, vigilance for social

and moral order, night watches, cleaning, living in a manner that was agreed upon and in keeping with the best traditions – all these were all implicit in membership. In Sibiu, authority in the group was under the responsibility of the one or two Nachbarhannen, also called Nachbarvatern, who were subordinated to the town's administrator of economic affairs, the "Stadthann" or "villicus". They were elected annually at the common meeting of the neighborhood on Ash Wednesday, when the financial records of the previous year were also presented and accounted for.

Ownership of a house was not an exclusive requirement of membership: those who rented a house belonging to the neighborhood were also included in the roster of duties and monetary contributions. Thus it seems that the physical existence of the houses in a certain space within the city was the fundament of a neighborhood. The bonds were first topographical, created by sharing the same public space: the street. For the good functioning of the common space and for everyone's sake, people had to behave, act and respond to one another in a way that was firstly customary, and therefore good, and secondly consented to. The house embodied the quality, rights and duties of a neighbor, and men made use of them as long as they inhabited that particular house. Unlike the other qualification criteria of citizenship, for instance ownership of any property in the city or membership of a profession, the status of a neighbor was mutable and attached to the individual houses more than to persons. However, the duties and obligations a man had in any of Sibiu's neighborhoods were tied to him for life. So long as a man was a citizen, he was also bound to carry out neighborhood duties somewhere in the city.

In the text of the 1581 court case we are able to identify some of the attributes of these corporations in the view of their members:

- there were duties which had to be carried out commonly, and which, in a rather revealing choice of words, are referred to as “burdens” (“bürden und lasten tragen”) by the Salzgasse neighbors, loads for which help was needed and, literally, manpower;
- the common feasts members of a neighborhood were entitled but also obliged to attend as an indication of sociability and bonding;
- the sign of the neighborhood sent from house to house as means of communicating news;
- widowed women did not count as heads of their household as they did for taxation and temporarily in the guilds. The very first sentence of the plaintiffs’ discourse specifically contains the phrase “three men” with the meaning of the three houses which were under dispute. They claimed that previously “three men” had been compliant with the neighborly duties, while the present “three men” caused grievance and disturbance.

The statutes of the Sibiu neighborhoods represent a norm, which, as Martin Dinges puts, are “representations of what is important and right”.⁴ One of the first things to strike the reader is their negativism, their insistence upon fines, misconduct, and offence. The fines were expressed both in payments in kind, usually in measures of wine, and in money. Some were specifically non-negotiable, “ohne Gnad” or “ohne Bitt” is the exact phrase, which would suggest a possible flexibility in cases of other, lesser transgressions.

Five written statutes remain from the sixteenth century for the following streets:⁵

- 1563 – Obere Wiesengasse, today str. Tipografilor (Upper city)
- 1577 – Obere Bugergasse, today str. Ocnei (Lower city)
- 1582 – the Great and Small Ring (Upper city)
- 1582 – Obere und untere Hundsrücken, today str. Centumvirilor (Upper city)
- 1587 – Neuegasse, today Str. Nouă (Lower city)

To these officially institutionalized neighborhoods we must clearly add at least two more: those that were in fervent dispute in 1581.

The statutes appear different at first glance: they have differing numbers of stipulations (between 12 and 25) and the importance given to duties and requirements also differs from one to another. Further differences can be discovered in the articles of the 1582 statutes of both the Rings and the Hundsrücken neighborhoods because the manner of referring to members is more reverential than in the other documents. Here we encounter the expression “gute Herrn und Nachbarn”, and the language of the statutes as a whole is more elaborate. Other terms pertaining to the political vocabulary of discipline, such as submission (*Gehorsamkeit*), stubbornness (*Mutwill*), and scorn (*Verachtung*), are also included in these statutes. This, however, comes as no surprise considering that the patrician families who provided most of the senators in the city council had their homes in the Great and the Small Ring.

The concerns of the neighborhood statutes were manifold. Their purpose was to organize common life in the interests of peace and the common good. And this is how the sixteenth century citizens of Sibiu knew how to achieve it.

1. First there were the articles covering what the quarrelling neighbors from the Salzgasse and Reisergasse called their “common burden”, which was the share of the civic duty to be

carried by each of the neighborhoods: the night watch. All statutes with the exception of the 1577 Burgergasse articles contain penalties for missing out on the night watch or for not announcing one's unavailability in good time for a replacement to be found. The hour at which duty was to begin was also prescribed – at 9 o'clock, sharp – because any delays were also subject to a fine. Performing this civic duty, however, was not expected of "professionals": the 1563 Wiesen statutes decided that if a town soldier lived in the neighborhood he was allowed to be exempted from night watch duty in the neighborhood but would have to pay a sum of money for this exemption. The apple of discord for the 1581 neighborhood quarrel had been the night watch, whose actual range of action was confined to the street of the neighborhood. I assume that the primary task was giving alert of fires. The danger of fire was omnipresent, as it was in any other city of the time, and it seems there was not enough being done to prevent them. According to the recorded history of the town, there were two huge fires in Sibiu in the sixteenth century, one in 1556 and another in 1570; on both occasions the flames damaged some towers and parts of the city walls. In cases of fire, the citizens were also organized into tenths (Zehntschaften). Neighborhoods had their share of responsibility in fire prevention: fines were established for the improper use of chimneys or keeping the neighborhood ladder overnight. The inventory of the community chest from Burgergasse lists an iron shovel and a fire-hook. Also, the Neugasse statute has specific fines for activities likely to start fires, such as singeing pigs on windy days or entering the stables with a lit candle.

2. Secondly, there was the concern for the sociability of the neighbors: the effort to establish and, most importantly, maintain the necessary bonding so that civic duties could be carried out fail. Sociability was enacted, established and

consolidated through the meetings of the neighbors and the common feast on Ash Wednesday. A new neighbor had the obligation to hold a house warming, just as a neighbor obtaining an official function should give for the others a celebratory meal (1563). Moreover, all the statutes encouraged neighbors to visit each other during the year, and if one did not feel like doing so, he had to compensate for his lack of sociability by payment of a sum, which, exceptionally, was not called *expressis verbis* a fine. Gaming was allowed in all statutes under the condition that the curfew of eight or nine o'clock in the evening be respected and that only small sums be played for.

The solidarity of the neighbors was also important in death. Attending the funeral, when death came to the neighborhood, was mandatory. The neighborhood sign was sent from house to house to announce the event. In the two statutes from 1582, the matter is more elaborately addressed: the youngest neighbors must help carry the body to the burial place under the threat of a fine in a measure of wine.

3. The relation to the street was also important: cleaning it and keeping it free of garbage. The fountains seem to have been in the charge of the town authorities, who paid for the erection and maintenance of wells in the various neighborhoods.⁶

4. The statutes also provided the guidelines for the equitable sale of wine. Within the neighborhoods there were smaller associations of households related to the selling of wine that would take turns, on their allowed number of days, in putting wine out for sale. The *Burgergasse* statutes explains that “no one should make a *sign*, unless they put the wine up for sale.” This concern for fairness naturally meant that the neighbors should not compete with each other by selling at the same prices, as the article from *Neugasse* in the handout reads.

5. Living in a well-defined social environment also implied a different set of rules. Mutual respect and a proper behavior were required. Honor, a key concept in early modern self-representation of the individual, was held in high esteem in the neighborhoods, for calling a neighbor a liar or badmouthing were unacceptable and punished immediately. Staining the authority of the Nachbarhann also attracted a fine.

Some of the neighborhood articles deal with “civilized” manners: the good gentlemen from the Great and Small Ring were to teach and order their servants not to drink excessively and not to take the leftovers from the table at meetings of the neighborhood. If this happened, the gentleman himself was held responsible for the behavior of his domestic staff and had to pay a fine in a measure of wine.

Punishing the quarrelsome and not tolerating backbiting kept the peace in the neighborhood. Abhorrence of physical violence is evident in the repeated fines imposed for threatening gestures, such as hitting the table with a fist during the “honorale banquet” (1577- V), or even more outrageous acts, as we read in the Neugasse statutes from 1587:

“If someone fires a rifle, be it on the street or in a courtyard, he has to pay without any forgiveness 20 denars. If someone pulls a weapon on someone else, be it a sword or a knife, he has to be penalized without any forgiveness 1 florin.”⁷

The judges ruled in favor of the Reisporgasse neighbors, because they found that the testimonies showed clearly that the three houses used to belong to the Reisporgasse and that they had been ordered by the authorities to serve only temporarily in the Salzgasse. However, they also gave a ruling that reached beyond the case in question between the two parties. It was a sentence to re-establish the order and peace

between the two neighborhoods, a task they considered inherent to their status of authority:

However, the three persons living in the Salzturm spoke some insulting words to the honored neighborhood in Salzgasse, namely saying that they were suburban and they had borrowed neighbors, and that they harnessed the cart before the oxen. As we know that we do not have suburbs, but all who live inside and around the walls are called Hermannstädter, and no one is borrowed or foreign, but all are inhabitants of the city and belong to one authority. Thirdly, it is not proper and it should not be that one should use such a coarse metaphor of animals for people, and should not say it out loud in front of the justice, but should speak respectfully, wisely and with modesty. That is why the three persons who had said this together with two other honored men should go to the house of the Nachbarhann in Salzgasse and there, in the presence of the neighbors, they should excuse themselves of this insult. And the neighbors in the Reispergasse should take a good punishment upon themselves for such offence, so that they will not do it from now on.

The beautiful wording of the sentence is without any doubt the work of Albert Huet, the royal judge of the Saxons; an outstanding personality in the political and cultural life of Transylvania, who was educated at the University of Vienna, where spent time at the Imperial courts of Ferdinand and Maximilian II.⁸ This paragraph of the trial proceedings summarizes an entire ideology of order and morality which I will only hint at here without going into further detail.⁹ It was a balanced verdict, where even the losing claimants receive a moral retribution they had in fact not asked for. However, the Salzgasse neighbors were not satisfied with just an apology,

and they made an appeal to the city council three weeks later. The sentence was not changed.

A few questions still remain unanswered in connection with the quarrels between neighbors in 1581. It is puzzling to me why the Salzgasse neighbors pursued this cause without having a strong case in their favor. Maybe they were hoping to manipulate the law, to create a norm out of a practice, or as their rivals worded it, “making a property out of a borrowing”. We see that, although they had authority in the neighborhoods, the Nachbarhannen were not able to handle this conflict or preventing it from reaching the town’s judges: the statutes had lost their power confronted with an unusual situation.

It appears quite clearly here that the myth of the ideal town with good citizens, duty-oriented and subdued, is not holding water. The Sibiu neighbors were eager to create a court case just to get help with the night watch, which was taking them away from their beds and most probably made the following day’s work harder. Life in sixteenth century Sibiu was hard enough anyway.

NOTES

- ¹ The protocol of the litigation is kept at the Sibiu National Archives, *Documente medievale*, IV 1175. A version of this event is narrated in a popularising fashion by Gustav Seivert: see SEIVERT, G., "Ausgestorbene Originale aus dem Siebenbürger Sachsenlande", in *Siebenbürgischer Volkskalender*, 19, 1870, pp. 5-6.
- ² Literature on Saxon neighborhoods in early modern Transylvania is neither abundant nor sufficiently analytical. From recent endeavors I mention here PLAJER, D. "Siebenbürgisch-sächsische Nachbarschaften vom 16. bis zum Ausgang des 19. Jahrhunderts", in *Forschungen zur Volks- und Landeskunde* 41, no. 1-2, 1997, pp. 170-190. An enthusiastic account of the Saxon neighborhoods is to be found at SCHULTHEISS, F.G., "Die Nachbarschaften in den Posener Hauländereien nach ihrem historischen Zusammenhang", in *Archiv für Kulturgeschichte*, nr. 6, 1908, p. 150 sqq.
- ³ See MÜLLER, G.E., *Stühle und Distrikte als Unterteilungen der Siebenbürgisch-Deutschen Nationsuniversität 1141-1876*, ed. GÜNDISCH, K.G, reprint ed., Böhlau Verlag, Köln, 1985, p. 120 sqq.
- ⁴ DINGES, M, "Normsetzung als Praxis? Oder: Warum werden die Normen zur Sachkultur und zum Verhalten so häufig wiederholt und was bedeutet dies für den Prozess der 'Sozialdisziplinierung'?", in *Norm und Praxis im Alltag des Mittelalters und der Frühen Neuzeit. Internationales Round-Table-Gespräch, Krems an der Donau, 7. Oktober 1996*, ed. JARITZ, G., Verlag der Österreichischen Akademie der Wissenschaften, Vienna, 1997, pp. 44-46.
- ⁵ Published integrally for the first time by ZIMMERMANN, F., "Die Nachbarschaften in Hermannstadt. Ein Beitrag zur Geschichte der deutschen Stadtverfassung und Verwaltung in Siebenbürgen", in *Archiv des Vereins für Siebenbürgische Landeskunde. Neue Folge*, XX, no. 1, 1885, pp. 131-143.
- ⁶ The expenses of the city fathers are to be found in various account books of Sibiu.
- ⁷ Zimmermann, p. 141.
- ⁸ A full biography of Albert Huet has not yet been written. TEUTSCH, F., entry Huët, Albert H. in *Allgemeine Deutsche Biographie*, vol. 13, pp. 283-285, at [http://mdz.bib-bvb.de/digbib/lexika/adb/images/adb013/@ebt-link?target=idmatch\(entityref,adb0130285\)](http://mdz.bib-bvb.de/digbib/lexika/adb/images/adb013/@ebt-link?target=idmatch(entityref,adb0130285)), accessed 24 October 2006.

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Sociabilité et solidarité entre contrainte et liberté sociale*

- ⁹ See PAKUCS, M., "'Gute Ordnung und Disciplin': Patterns of Social Discipline in Sibiu (Hermannstadt) in the Sixteenth Century", in *New Europe College Yearbook 2003-2004*, 2005, pp. 175-206.