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## Transylvanian Sumptuary Laws in the Early Modern Period

Preliminary Observations on the Idea of Luxury

Working Paper

ERC-CoG-2014 grant no. 646489 *LuxFaSS*



SENATVS-CONSVLTVM.

Anno 1685, die 10 Maji.

Hochzeit = Limitation.

Weil ein Amplils. Senatus bey den Hochzeiten die übermachte Expensen/ vnd mercklichen Schaden der armer Leute/ vnnnd insonderheit der Wäysen nebenst andern Mißbräuchen in Acht genommen/ ist selbiger veranlasset wor-



# TRANSYLVANIAN SUMPTUARY LAWS IN THE EARLY MODERN PERIOD: PRELIMINARY OBSERVATIONS ON THE IDEA OF LUXURY\*

MÁRIA PAKUCS

## INTRODUCTION

Sumptuary laws have a long and rich scholarship, shaped by the many possible approaches – from a political, social, and cultural perspective – to analysing them. In this paper I shall adopt a rather narrow focus on a selection of seventeenth and eighteenth century sumptuary laws from Transylvanian Saxon towns, as I shall examine the correlation between the idea of luxury and social identity in these texts.

Sumptuary legislation has been published since the late nineteenth century, and has not lost its appeal since, as shown by the very recent publication of the medieval sumptuary laws of the Emilia-Romagna and Umbria regions.<sup>1</sup> It is common knowledge that sumptuary laws comprised a diverse legislation curbing excessive spending for various occasions of everyday life that lent themselves to the display of wealth and status (weddings, funerals), and yet there is definitely more interest in the rules imposed on fashion and clothes. The work of Alan Hunt, which is a solid analysis of the progress of sumptuary laws throughout history, takes a similar stance.<sup>2</sup> More recently, Giorgio Riello and Beverly Lemire interpret sumptuary laws exclusively as impositions on

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\* Archival research and funding for the writing of this article was facilitated by the ERC-2014-CoG no. 646489 grant, *Luxury, Fashion and Social Status in Early Modern South-Eastern Europe (LuxFaSS)*, financed by European Research Council and hosted by the New Europe College-Institute for Advanced Study (Bucharest). I am grateful to Wendy Bracewell, Giulia Calvi, Mihai Răzvan Ungureanu and all other participants at the Bucharest workshop, who contributed with great comments and suggestions to this paper.

<sup>1</sup> *La legislazione suntuaria, secoli XIII-XVI. Emilia-Romagna*. ed. Maria Giuseppina Muzzarelli, Rome, 2002 (Publicazioni degli Archivi di Stato, Fonti XLI); *La legislazione suntuaria, secoli XIII-XVI. Umbria*, ed. M. Grazia Nico Ottaviani, Rome, 2005 (Publicazioni degli Archivi di Stato, Fonti XLIII).

<sup>2</sup> Alan Hunt, *Governance of the Consuming Passions: A History of Sumptuary Law* (Basingstoke, 1996), xiv.

fashion and consumption of textiles.<sup>3</sup> While it is true that from the sixteenth century onward, in Western Europe `sumptuary legislation focused more on dress and outward appearance, regulation on weddings and funerals continued to be issued in Eastern Central Europe into the early nineteenth century. In Sibiu, the last clothing regulation was passed in 1806.<sup>4</sup>

Oskar Meltzl's doctoral thesis from 1870 was the first survey of Transylvanian sumptuary laws, more precisely on the wedding and clothing laws of the Saxon towns, and its merit lies in the extensive publication of sumptuary laws.<sup>5</sup> Recent scholarly interest in sumptuary laws in Transylvania is scarce, and the first contributions in the field are those of Horst Klusch, who was an ethnographer and analysed sumptuary laws as sources for establishing the traditions of the Transylvanian Saxons' folk costumes.<sup>6</sup> Deák Éva, an ethnographer herself, has dealt with women and luxury in 2003 in her continuing research interest in early modern Transylvanian fashion and court society. Gyöngy Kiss Kovács has written a short study on clothing laws in the town of Kolozsvár.<sup>7</sup> Mária Lupescu-Makó from the Babeş-Bolyai University in Cluj is currently working on material culture and fashion in the late Middle Ages and early modern period, using last wills and testaments as her primary sources<sup>8</sup>. She also coordinated the M.A. thesis of Szidonia Brad on seventeenth century Transylvanian dress.<sup>9</sup> The excellent study of Robert Born on early modern costume books discusses Transylvanian

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<sup>3</sup> Beverly Lemire, Giorgio Riello, "East and West: Textiles and Fashion in Early Modern Europe," *Journal of Social History* 41 no. 4 (2008): 890.

<sup>4</sup> Emil Sigerus, *Chronik der Stadt Hermannstadt* (Sibiu: Honterus, 1930), 36.

<sup>5</sup> Oskar Meltzl, *Über Luxus und Luxusgesetze. Dissertation zur Erlangung des juridischen Doktorgrades* (Sibiu: Drotleff: 1870), p. 23-29.

<sup>6</sup> Horst Klusch, *Siebenbürgisch-sächsische Trachtenlandschaften* (Sibiu: Selbstverlag des Demokratischen Forums der Deutschen in Rumänien, 2002): 22-34.

<sup>7</sup> Deák Éva, "Viseletszabályok, társadalmi rend és a nemek szerepe a korai modern Erdélyben és Magyarországon. Nők a korai modern Magyarország viseletszabályozásaiban," (Clothing regulations, social order and gender roles in early modern Transylvania and Hungary. Women in early modern Hungarian clothing regulations) *Palimpszeszt*, 21 (2003), online at [http://magyar-irodalom.elte.hu/palimpszeszt/21\\_szam/12.html](http://magyar-irodalom.elte.hu/palimpszeszt/21_szam/12.html) (accessed August 29, 2017); Gyöngy Kovács Kiss, "Adatok a viselet szabályozásáról a XVI.-XVII. századi Kolozsváron," in *Kolozsvár 1000. éve*, eds. Tibor Kálmán Dáné et al., (Cluj: EME, 2001), 60-62.

<sup>8</sup> Mária Lupescu Makó, "(Nu) haina îl face pe om. Îmbrăcămintea și purtătorul ei în Transilvania (secolele XVI-XVII)". In *Avere, prestigiu și cultură materială în surse patrimoniale. Inventare de averi din secolele XVI-XIX*, ed. Dan Dumitru Iacob (Iași: Editura Universității "Alexandru Ioan Cuza", 2015), 35-69.

<sup>9</sup> Szidonia Brad, "Erdélyi ruházat, 1600-1660. Erdélyi testamentumok" (Transylvanian clothes, 1600-1660. Transylvanian last wills), M.A. Thesis, Babeş-Bolyai University, 2014, available online at [https://www.academia.edu/8211221/Ruh%C3%A1zat\\_1600-1660](https://www.academia.edu/8211221/Ruh%C3%A1zat_1600-1660) (accessed August 29, 2017).



sumptuary laws and their attempt at social control.<sup>10</sup> It is clear, however, that Transylvanian sumptuary laws have not attracted from historians the attention they deserve, and that they have been viewed strictly from the perspective of dress and social hierarchy. I argue that they represent more than an attempt at curbing luxury or consumption: this specific legislation has strong political and economic implications as well.<sup>11</sup>

### SOURCES

Available sumptuary laws (in bold the ones I have examined closely):

- Bistrița (Bistritz) **1532, 1533, 1780**
- Brașov (Kronstadt) 1677, **1692**, 1694, 1697, 1709, **1732**, 1736, 1754, 1755, 1766, 1764
- Cluj (Koložsvár) 1593 (1603)
- Mediaș (Mediasch) **1767**: *Senatus consultum. Kleider- un Policey-Ordnung für die königl.-freye-Stadt Mediasch*
- Orăștie (Broos) **1723**
- Sibiu (Hermannstadt) **1547, 1565, 1574, 1685** (Hochzeitsordnung – GD Teutsch, U VI 1555), **1689** (Kleiderordnung – published, U VI 1977 – neighbourhood, wedding, funeral limitations) U VI 1977 1696, February 14: *Neu ubesehen- und gestiftete Nachbarschafts-, Hochzeits- und Leichen-Ordnung der Zeiten Nothdurft nach gerichtet* etc. 1732, **1752, 1760**
- Sighișoara (Schässburg) **1755**

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<sup>10</sup> Robert Born, “Mapping Transylvania as a Multiethnic and Multiconfessional Region in Costume Books (17th-19th Centuries),” in *From Traditional Attire to Modern Dress. Modes of Identification, Modes of Recognition in the Balkans (XVIth-XXth Centuries)*, ed. Constanța Vintila-Ghițulescu (Newcastle-upon-Tyne: Cambridge Scholars Publishing, 2011), 52–82.

<sup>11</sup> Franco Franceschi, “La normativa suntuaria nella storia economica”, in *Disciplinare il lusso. La legislazione suntuaria in Italia e Europa tra Medioevo ed Età moderna*, ed. Maria Giuseppina Muzzarelli and Antonella Campanini (Rome: Carocci, 2003), 163–178, arguing for a better correlation between sumptuary legislation and economic processes in history.

## HISTORICAL CONTEXT

Between the sixteenth and the eighteenth centuries, Transylvania was in turn an autonomous principality tributary to the Ottoman Empire (1541-1699), and then a province of the Habsburg monarchy under the name of Great Transylvania, administered by a centrally appointed governor. Thus, at the turn of the seventeenth and the eighteenth centuries, there was a dramatic shift in the statehood of Transylvania, which had a direct effect on the sumptuary laws issued here.

Transylvanian sumptuary laws date from the sixteenth century. Nearly all such laws and regulations were issued by the local governments of towns, mostly Saxon urban centres, making sumptuary legislation an “urban phenomenon”, similar to Italy.<sup>12</sup>

Another salient trait of Transylvanian sumptuary laws is their belatedness in comparison to Western Europe, which translates into an overall lag compared to the European trend. This observation is valid for all territories formally part of the medieval Hungarian Kingdom. Katalin Szende has discussed the lack of sumptuary legislation in medieval Hungarian towns and the two centuries lag compared to Western Europe in this respect. Following the ideas put forward by András Kubinyi, she argued that local councils in medieval Hungarian towns did not see the need for sumptuary legislation as long as excess in clothing did not lead to social conflict, and luxury did not disturb the harmony between the individual and society.<sup>13</sup> This explanation alone probably is not sufficient to argue for the lack of sumptuary laws in the region but it established the reliable premise that this type of legislation is strongly related to the needs and concerns of the political authorities.

Whereas in the sixteenth century, during the transition to modernity, in Western Europe the interest for regulating wedding banquets and funeral attendance diminished and the focus of the legislation shifted towards dress and class identity,<sup>14</sup> the Transylvanian ruling elites were less concerned with the control of outward appearances

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<sup>12</sup> Catherine Kovesi-Killerby, *Sumptuary Law in Italy, 1200-1500* (Oxford: OUP, 2002), 30.

<sup>13</sup> Katalin Szende, “A luxusfogalma és a luxusigények kielégítése a középkorban” (The concept of luxury and meeting the demands for luxury in the Middle Ages), in *Luxusiparok. Válogatás a IX. Kézművesipartörténeti Szimpózium (Veszprém, 1996. szeptember 27-28) előadásaiából*, ed. Sándor Horváth and János Szulovszky (Budapest-Veszprém: MTA VEAB, 1997), 17, 23.

<sup>14</sup> A. Hunt, *Governance*, 29. Maxine Berg, Elizabeth Eger, ed. *Luxury in the Eighteenth Century: Debates, Desires, and Delectable Goods* (Basingstoke: Palgrave Macmillan, 2003), 8.

and fashion at first. The sixteenth century sumptuary laws of the Saxon towns in Transylvania regulated wedding receptions, baptisms and funerals. They reflect the concern for proper conduct, for good morals and lack of excess of the political elites, a strive for *gute Policey*, for order and discipline.<sup>15</sup>

The Diet of Transylvania passed clothing laws very rarely, it was directed at certain groups. Displaying the true national identities was at the heart of the only sumptuary law issued by the Diet of Transylvania in 1650: *All Jews and all Greeks should wear cloaks according to their sort, and if anyone of them should wear a Hungarian military cape, he will be fined 200 florins*.<sup>16</sup> Greeks and Jews in Transylvania of that the time were mostly merchants, coming from the Ottoman Empire, with very strict limitations to their trade; disguising their true ethnicity offered them more opportunities and leverage for doing business. On the same occasion, the Diet also passed a clothing regulation for peasant and servants, forbidding them to wear cloth coats and (cloth?) trousers, boots, expensive hats, and linen shirts.<sup>17</sup>

### EXCESS, PASSION, AND RUIN: THE IDEA OF LUXURY IN TRANSYLVANIAN SUMPTUARY LAWS

Regulation concerning dress and fashion in particular was first issued by Lutheran authorities for their clergy in the last quarter of the sixteenth century. Clothing regulations were created by the Lutheran Church of the Transylvanian Saxons for their priests. As early as 1574, the *Articuli de pastorum vita et moribus* stipulated in article VII:

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<sup>15</sup> M. Pakucs-Willcocks, "Gute Ordnung und Disciplin: patterns of social discipline in Sibiu (Hermannstadt) in the sixteenth century," NEC Yearbook, 11 (2003–2004), 173–206.

<sup>16</sup> EOE, vol. 11 (Budapest:1886), 78: *mind sidó mind görög tartson neme szerint valo köntöst; ha ki pedig magyar katona köntöst viselne, légyen kétszáz forint büntetésnek*.

<sup>17</sup> Trócsányi, Törvényalkotás, 2005, 56. EOE, vol. 11, 72: *Parasztember és béres szolga pedig hogy posztóruhát, nadrágot, csizmát, dupla és forintos süveget, gyolcsinget viselni ne merészeljenek, országúl interdáltuk*. For the specific clothes for peasants in Eastern Europe see Irena Turnau, *European occupational dress*, transl. by Izabela Szymańska (Warsaw: Institute of Archaeology and Ethnology, Polish Academy of Sciences, 1994), 45–46.

“The clothes of the priests should be decent and following our rules. They should shun luxury in their clothes, which is desired from their wives as well, not to expose themselves to ridicule and shame because of such frippery. The habit of priests should not be dyed red. (...) Priests should not wear any rings on their fingers (...) Their wagons should not be covered with red cloth out of vanity; black should be used instead as sign of humility.”<sup>18</sup>

The Lutheran Church continued to issue similar regulations in the course of the following century.<sup>19</sup>

The ‘civilian’ sumptuary legislation became ‘specialised’ at the end of the seventeenth century, when the clothing laws were separated from wedding or funeral laws, as the switch to German as official language enabled this distinction. More precisely, *Kleiderordnungen* became autonomous laws, albeit occasionally issued together with the other types of sumptuary laws.

Such were the sumptuary laws from Bistrița aiming to uproot the foolishness and excess of all kinds of festivities, in a tone still very much reminiscent of the medieval town law of Buda.<sup>20</sup>

“To avoid the wild frenzy (*ille furor corybanticus*) of the three-day weddings that have been the customs until now, one day of celebration should suffice.”<sup>21</sup>



Figure 1. Saxon patrician wearing the ‘old costume’, with saffian boots, sable trimmed cape. Image from the *Codex Rosenfeld* (*Trachtenkabinett von Siebenbürgen*, ca. 1720), with permission of the Library of the Romanian Academy.

<sup>18</sup> G. D. Teutsch, *Synodalverhandlungen*, 193–194.

<sup>19</sup> See the article of Graeme Murdock, “Dressed to repress? Protestant clerical dress and the regulation of morality in early modern Europe”, *Fashion Theory*, 4 no. 2 (2000), 179–200.

<sup>20</sup> Buda town law – baptisms and weddings, 13<sup>th</sup> century, article 286 sqq.

<sup>21</sup> Oskar Meltzl, *Über Luxus*, 26.

In Sibiu, the capital city of the Transylvanian Saxons, the first sumptuary laws issued locally were a wedding regulation (1547) and a town statute on banquets and on setting the pay for day-labourers and domestics (1565). These most probably emulate the regulations issued for the Austrian lands during the same period.<sup>22</sup>

“Because there has been great excess and filth in the city during banquets and feasts (*grösser uberflus und unrath*) ... the honourable and wise council has decided the following points...”<sup>23</sup>

Foreign novelties and adopting new fashions are not a shared concern of the laws examined here: ‘made to the latest fashion’ (*nach der neuen mode gemacht*) is mentioned only once in the Bistrița sumptuary law (1780) for the 4<sup>th</sup> class. Generally, interdictions were imposed on garrish new colours in fabrics and ribbons.

### GENDER AND CLASS

These are the two poles that urban authorities of the eighteenth century used in order to structure the interdictions and limitations on clothes, on food and on the number of guests at social events.

The bulk of the corpus of Transylvanian sumptuary laws was issued in the eighteenth century, under the influence of the Habsburg administration and legislation. All towns of the Transylvanian Saxons were provided with at least one *Kleiderordnung* in this period. The clothing laws differ from town to town in their concerns and approach, but they were all created around the idea of class and appropriate dress. Probably inspired by an Austrian Patent from 1542 which had created five classes of citizens,<sup>24</sup> the Transylvanian Saxon local authorities projected their own ideas of an organised society, creating five to nine classes of burghers and prescribing the forbidden or the allowed fabrics and materials for their clothes and accessories:

- Sibiu (1752)<sup>25</sup> – 9 classes;

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<sup>22</sup> Josef Pauser, ed. *Quellenkunder de Habsburger Monarchie* (Vienna: OAW, 2004), 223.

<sup>23</sup> *zu urkunt in das stadbuch lassen einschreiben. Die älteste Protokolle des Hermannstädter Rates und der sächsischen Nationsuniversität (1522-1565)*, ed. M. Pakucs-Willcocks (Sibiu/Bonn: Schiller Verlag, 2016), 259.

<sup>24</sup> Josef Kallbrunner, “Tracht und Sitte im merkantilischen Polizeistatt,” *Wiener Zeitschrift für Volkskunde*, XLIII, 1938 p. 1-17.

<sup>25</sup> *Corpus statutorum*, I, 616-625.



- Sighișoara (1755)<sup>26</sup> – 5 classes (with several subdivisions), and the Wallachians as a separate category;
- Mediaș (1767)<sup>27</sup> – 5 classes, numbered from the lower ranks upwards;
- Bistrița (1780)<sup>28</sup> – 5 classes.

Councils of smaller places, such as Orăștie (1723)<sup>29</sup>, did not resort to classes and imposed the clothing law only according to gender. Notably, only one class of people had no restrictions for their costume or accessories: the highest officials of Sibiu, who were also the political leaders and head judges of all Saxons in Transylvania and thus enjoyed a



Figures 2–3. Portraits of Anna Maria Hutter, Brukenthal National Museum. Right: 1775/1780 by Franz Anton Bergmann, with the lady wearing a Saxon patrician costume. Left: Painting by Johann Martin Stock, with the lady in ‘German’ costume.

privileged status. The 1752 *Kleiderordnung* of Sibiu relied on the common sense and better judgement (*Prudence und Überlegung*) of these two high officials. The unstated idea was that they were to serve as models to their entire community. The clothing regulation of Sighișoara shows a similar stance towards the highest officials: because of their public office. It was conceded that they had to distinguish themselves from the other in their clothes as well but without showing anything luxurious or obnoxious

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<sup>26</sup> *Corpus statutorum*, I, 626–630.

<sup>27</sup> Sibiu National Archives, Brukenthal Collection, Q 1–4, no. 123.

<sup>28</sup> Library of the Romanian Academy, Bucharest, Doc. ist. MDCCXXXVII.

<sup>29</sup> *Corpus statutorum*, vol. I, 1885, 611–613.

(*nichts üppiges oder ärgerliches*), while dressing according to their status (*wie es ihrem stande gemäsz komt*).

The sumptuary law of Mediaș (1767) includes a wedding regulation as well, with differentiated provisions by each of the five classes regarding the food they were allowed to serve (what meats and how many dishes), regarding the number of dancing couples and the permitted number of guests. For instance, the lowest class were prescribed only three ‘customary’ meals: the usual roast, sweet bread and pie, and some fruit. The fifth class, which was the highest, were allowed an eight-course meal including the roast, but without the ‘expensive cakes with almonds, sugar etc. etc. any other similar sweets and confectionery’.

The new laws and regulations were made public and the head of the neighbourhoods and the guild masters had to make sure that everyone read or heard them. Ignorance was no excuse – *niemand mit der Unwissenheit entschuldige* (Mediaș 1767) -, although punishments and fines were seldomly stated as such in the laws.

There is no imagery of unruly women who devote themselves to lavish displays of colour or pricey fabrics, unlike the reference of the Mediaș sumptuary law to men who drive their family to ruin. The gendered approach of the Saxon sumptuary laws is a straightforward division of provisions into male and female subjects. Sons and daughters were included in the class of their same-gendered parents.

### SOURCES USED AND METHODOLOGY

In 1650, the political and ecclesiastical authorities of Sibiu issued a sumptuary law forbidding red and yellow boots for going to church and the new foreign long hair (this is the only reference to wigs as far as I know).<sup>30</sup>

The clothing law of 1696 of Sibiu opened a new rhetoric of merit and respect, of social status and right pairing of materials and colours: the cloth of Sibiu could not be matched with a sable hat, yellow tall boots, thin headscarf, thin batist apron, expensive lace and red shoes etc. The patricians whose forefathers had served the city were allowed sable hats and four horses for their carriages, English cloth and blue silk. Commoners had to be content with sable tails for their hat brims, local cloth and linen, without expensive

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<sup>30</sup> Meltzl, *Über Luxus*, 25.

jewellery. This particular law also prescribed what women should wear indoors: the wives of prominent citizens could wear dyed perpet aprons in their home around the cooking stove, but commoners' wives only plain linen aprons.<sup>31</sup> In this *Kleiderordnung*, certain topics of Austrian *Policeyordnungen* can be recognised such as: the idea of merit and that of serving the public good. The same virtue of public service was recognised in a later sumptuary law of Sighișoara (1755).<sup>32</sup>

Several “distinguishing signs” (D. O. Hughes<sup>33</sup>) for status and social identity occur in all Transylvanian clothing laws. Luxury tended to be associated with the expensive and rare, but in my opinion the layering in classes of allowed or forbidden clothes in the Transylvanian *Kleiderordnungen* created several degrees of luxury, with varied levels of approved spending and display.

For the upper classes full sable hats, wide sable brims and trims, velvet and heavy silk fabrics, and lace were the items most commonly forbidden. Fox fur was allowed, but the better parts of the fur were not for the lower classes, who could only wear fox tail and claws as collar for their coats. Foreign cloth was for the affluent, local Transylvanian cloth and linen for the working classes, who are also allowed *bogasía* and other cheap cotton textiles. Girdles were made of silk with various fastenings and tassels – silk, gold and silver thread were permitted for the higher echelons of the urban communities. The ribbons and bands that Saxon women wore attached to their headgear had to be modest, not garrish or too wide. High-heeled shoes and tall boots had just come into fashion and only the higher classes were allowed to have them.

## SOCIAL CONTROL, NATION BUILDING AND *GUTE POLICEY*

Overall, the eighteenth century Transylvanian clothing laws aim mostly at establishing and maintaining a social and political order based on the professional and social status of each inhabitant of the town. While they address the universal issue of luxury as

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<sup>31</sup> A. N., “Zur Volkskunde. Aus den Protokollen des Hermannstädter Kapitels,” *Korrespondenzblatt des Vereins für siebenbürgische Landeskunde*, 31 no. 3–5 (1908): 73.

<sup>32</sup> *Corpus statutorum*, I, 626.

<sup>33</sup> Diane Owen Hughes, “Distinguishing Signs: Ear-Rings, Jews and Franciscan Rhetoric in the Italian Renaissance City,” *Past & Present* 112 Aug. (1986): 3.

irrational spending, some sumptuary laws respond to immediate situations and are informed by recent events.

The luxury in clothes (*Kleiderpracht*) was against the frugality and modesty (*Sparsamkeit und Sittsamkeit*) of the town burghers, ‘only to give the false appearance to others’ and with excessive spending, ‘to the misfortune of their poor wives and children’ (Mediaş 1767). The regulations aimed at bestowing a desirable social order and eradicating evil (Oraştie 1723).

Therefore, the language of the Transylvanian clothing laws and police-regulations is that of morality and restraint, of keeping with one’s standing and wealth, of maintaining the order (*Herstellng nöthiger Sparsamkeit und Ordnung* – Mediaş 1767). From the preamble of the Mediaş sumptuary law (1767) we learn that the classes were established according to the census paid.

I have mentioned that the eighteenth century sumptuary laws issued in Transylvanian Saxon towns were inspired by the *Policeyordnungen* of the Austrian Empire but they were not simple imitations of these. Examining the clothing laws of Sibiu from the seventeenth century and those of the eighteenth century, the shift in the concept of the regulations is evident: the vague social distinction of the first clothing law of Sibiu from 1696 was replaced by the fine layering of the town burghers into 9 classes. Thus, the local lawmakers adapted the templates to their needs and visions. The townfolk of Mediaş and Bistriţa were both separated into 5 classes, but the councillors of Mediaş delicately decided to count the classes from bottom up, therefore soldiers, gate keepers, bakers and journeymen were included in the first class. In Sighişoara there were practically 8 classes, since the second and third of the 5 Latin ‘classes’ contained several sub-classes, numbered in German! Furthermore, the first class of the *tertia classis* were allowed the same clothes and accessories and the third class of the *secunda classis* – the distinction between them was merely clerical and hierarchical.

Arranging and defining the classes for the purposes of the clothing laws was done by combining the social status (patricians, noblemen), the professional status (notary, physician, learned people, artisans, servants) and the political status (members of the council, members of the greater council) of the citizens. Each sumptuary law grouped citizens according to different criteria, just as the professional and social categories varied from town to town. The stance of the regulations shifted from listing the forbidden fabrics, materials or accessories to naming the allowed ones. In the Sibiu



clothing law of 1755, the four upper classes were provided with the inventory of the items that they were not permitted to display, while the lowest five classes received detailed lists of full clothing (from head to toe) that they could wear. Several signifiers for status and social identity occur in all Transylvanian clothing laws. Luxury tends to be associated with the expensive and rare, but in my opinion the layering in classes of allowed or forbidden clothes in the Transylvanian *Kleiderordnungen* created several degrees of luxury, with varied levels of approved spending and display.



Figure 4. Franz Jacob Bergmann (1750-1816), Portrait of Anton Traugott Kraus von Ehrenfeld, mayor of Mediasch, with sable trim black velvet coat, silk string belt with silk tassels.

The most populous social groups (artisans, servants, maids, day-labourers, etc) were excluded from using foreign fabrics and were encouraged to resort to local cloth and linen for their garments. This was a very clear mercantilist measure applied in small, making sure that local textile industries were not in want of customers.<sup>34</sup>

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<sup>34</sup> Berry, 79 on economic reasons for clothing laws in medieval England.

The issue of donated, inherited or hand-me-downs clothes is not addressed in any of the clothing regulations examined, whereas second-hand clothes were a significant part of personal wardrobes.<sup>35</sup> The *Kleiderordnung* of Orăștie (1723) urged townsfolk to remove from their homes the forbidden items once the law was issued: *soll ein jeder der was dergleichen in seinem Hause hat, von dem Tag der Publicirung dieselben (Kleiderordnung) abschaffen*.<sup>36</sup>

The clothing regulations relaxed the rules for feast days and for certain festivities; Neithard Bulst stated that such occasions served as a release for the citizens,<sup>37</sup> a safety valve for averting conflict and discontent.

The eighteenth century Transylvanian clothing laws helped shape the national identity of the Transylvanian Saxons through costume. The Bistrița and Orăștie *Kleiderordnungen* mention German and Hungarian costume separately from the Saxon costume. German clothes were in fact the Austrian fashion that had gained rapid ground in Transylvania after 1700 and were adopted by wealthy patricians.<sup>38</sup>

### PRELIMINARY CONCLUSIONS

Transylvanian sumptuary laws of the early modern period held the same concerns and representations for social order and propriety. In this paper I discussed the changes to sumptuary legislation issued in the Saxon towns of Transylvanian from the sixteenth to the eighteenth century. The eighteenth century sumptuary legislation concerning clothing adapted Austrian patents and Policeyordnungen more closely, by dividing the town inhabitants into classes and prescribing the allowed and forbidden fabrics and accessories suitable for each class. Luxury in clothing (*Pracht*) was not a central concern of the legislation, which emphasised more the imperative for reigning in excessive spending and the necessity for individuals to dress according to their standing. Town councils as legitimate authorities relied on the acceptance of their representations and norms (N. Bulst) among their governed subjects, acceptance of the assigned place in the community. Compliance was probably attained not without transgressions, but neither

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<sup>35</sup> The practice of donating bequesting clothes is documented by early modern Transylvanian testaments.

<sup>36</sup> *Corpus statutorum*, I, 613.

<sup>37</sup> Neithard Bulst, "Kleidung als sozialer Konfliktstoff. Probleme kleidergesetzlicher Normierung im sozialen Gefüge" *Saeculum* 44 (1993): 43.

<sup>38</sup> *Portretele patriciatului sasesc din Brașov. Un capitol de artă transilvană – Bildnisse sächsischer Patriziat aus Kronstadt. Ein Kapitel siebenbürgischer Kunst* (Brașov: Editura Muzeului de Art Brașov, 2013), 49 sqq.

of these aspects is of interest here. My main aim was to examine the projections of an orderly society through the control of clothing and through social restraint, the norms meant to shape the visible and recognisable society, with hardly any personal choice in self-fashioning and self-presentation.<sup>39</sup>

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<sup>39</sup> Giulia Calvi, “Le leggi suntuarie e la storia sociale”, in *Disciplinare il lusso. La legislazione suntuaria in Italia e in Europa tra Medioevo ed Età moderna*, ed. Maria Giuseppina Muzzareli and Antonella Campanini (Rome: Carocci, 2003): 216.