

Friedrich Weigandt's Draft of an Imperial Reformation (May 18, 1525)

Abstract

Drafted in May 1525, this Imperial reform program was based on an anonymous tract, *The Needs of the German Nation* [*Teutscher Nation notturfft*] (1523). Like Wendel Hipler's agenda, it was intended for discussion at the "Peasant Parliament" in Heilbronn. The putative author is Friedrich Weigandt, a territorial official of the elector of Mainz. The program presents a detailed plan for legal, commercial, and monetary reform. Behind it lies the concept of a federated Empire in which every social group had a voice. In this respect, the program pushed the idea of participatory governance (which was commonly advocated at the territorial level) up to the Imperial level. Imperial reform had been an ongoing subject of discussion since the time of Emperor Sigismund (b. 1368, r. 1433–37) and the Councils of Constance and Basel.

Source

What form the new order or reformation for the use and piety of all Christian brothers should be take and be given:

1. All those who have taken clerical vows shall be reformed and forced to comply as God commands and orders in Matthew 28, regardless of their birth or origins, whether of high or low estate.

On this point there are four declarations: The first concerns the "big men" [literally here, the "big Hans" (pl.), as the name Hans was so common as to be used synonymously with "man"] like bishops, provosts, deans, cathedral canons, and the like.

Also, that all regularly ordained clergy like monks, nuns, lay brothers, cathedral canons and their like, who are, despite their spiritual appearance, seen by the light of day to be ravenous wolves, should be reformed as God commanded and as written in Genesis and the nineteenth chapter of Matthew.

Also, that every congregation should be allowed to appoint or dismiss their good shepherd, who herds his sheep and encourages them with the Word of God as set down in Scripture.

Further, that all priests or those appointed to serve God should deal with people the way Christ, our Savior, did. They should also receive honest and fitting recompense [for their services and not more,] so that the excess can be used for the needy and the common good.

2. The secular princes, counts, lords, knights, and nobles should also be reformed so that the common man is not burdened excessively, contrary to Christian liberty.

On this point there are also four declarations:

First, that those of low standing should be helped quickly and profitably to [ensure] equal rights against the princes and lords, the poor against the wealthy.

Further, that everyone, from princes to the nobles enfeoffed in the Holy Roman Empire and its vassals, should be honestly supplied according to his birth. In return they should faithfully serve the Holy Roman Empire, protect their law-abiding subjects, the pious, widows, and orphans, and punish the criminals

and evil-doers.

Further that all vassals of the Roman Empire, including other lords, such as the Empire's secular princes, should, as prescribed by Holy Scripture, protect the poor subjects without further complaints and generally assist and advise them according to their rights, so that no one can allege injustice, [thus] fostering Christian peace and the honest and fair expansion of the Empire.

Also that all princes, counts, knights, nobles, and vassals, whether enfeoffed by the Empire or the same princes or not, shall conduct themselves in a godly, Christian, brotherly, and honest manner, so as not to unreasonably burden anyone. They shall also do everything within their power to help faithfully protect of the divine Scripture and order, so that this shall not be destroyed through violence, as has happened in the past.

3. All towns, communes, and communities in the Holy Empire, with no exceptions, shall be reformed and configured according to Godly, natural rights in accord with Christian liberty. Furthermore, no one shall introduce old or new fabrications to his own advantage, rather the poor man and the rich shall be helped, and brotherly union preserved. Also, the ground rent shall be reduced from 1 penny to 20 pence^[1] everywhere. Also, the merchants should be guaranteed safe passage and given orders about how [i.e. for how much] they should sell their wares, in order to further and increase the common good.

4. No doctors [i.e. scholars with a doctoral degree], clerical or secular, shall be permitted to sit, speak, advise, or negotiate in any prince's council or court; rather, they shall be completely dismissed and shift their focus from man's laws to the divine Scripture and as gifted persons called to preach; for many people have been led astray by their interpretations.

On the declaration of the fourth article:

And to ensure that the imperial law not be suppressed, every institution of higher learning or university which is recognized by the Empire shall have doctors of imperial law appointed. And should princes or other courts seek their advice, they shall offer true counsel within a month, grounded in imperial law, so that proper justice is maintained for everyone.

Further, because the doctors are not hereditary servants of the law but rather hired hands, who for their own benefits delay the process or only slowly advise or serve, they shall not sit on any court to pass judgment or proclamations.

Further, since it is known and as clear as day that two parties on multiple occasions have been misled for ten years, some more, some less, by the doctors for their own self-interest (so that they should be better called stepcousins and not true heirs of the law), they shall not be admitted nor appointed to any court.

Also, if a ruler or state wishes to have one or more doctors, they shall not be placed on the council, rather only serve as advisors. Thereby the advisors should nevertheless be allowed to use mercy, reason, and wisdom to adjust the [decisions of the] council, increasing, decreasing or leaving them untouched, as God enables every just man to be able to recognize justice.

5. It would be good if no ordained [priest], whether of higher or lower estate, should be called or placed on the imperial councils or others of the secular princes and lords, or the local communal councils, for such is forbidden them, as is clearly founded in Scripture. Reason: Through worldly wisdom and endeavors, the divine Spirit will be eclipsed, they will become remiss and neglect their divine service. And most concerning of all, worldly honor might mislead them so that they could lose God's mercy, if they ever had it.

Further, no one who has been consecrated or anointed shall be appointed to secular office, used or

employed [in such], because it is as clear as day that worldly honor hinders them in their service of God.

No one who has been consecrated or anointed shall be called into court or other secular proceedings, because they would thereby become servants of lords and secular persons of high and low estate. There are also nobles and commoners who have been exploited by the monks and made into guests on their own estates, which would more properly have been inherited by them rather than the monks.

[...]

6. It would be good if all the secular laws used to date in the Empire were to be abolished and set aside and the divine and natural law, as outlined here, were established. The poor man would thereby have access to the law equal to [that of] the noblest and richest. Thus the Imperial Chamber Court in the Holy Roman Empire of the German Nation should be presided over by sixteen diligent, worthy, honorable men, namely two princes, two counts or lords, two knights, three from the Imperial cities, three from the territorial cities of the princes in the Empire, and four from the [rural] communes of the Empire. They should elect an Imperial Chamber Court from the counts or lords. And from these sixteen persons, every plaintiff or defendant shall choose and name a spokesman and an advisor to act on their behalf. And those who are chosen for this Chamber Court shall have had sat and served on [another] court for at least ten years.

Also, in addition to the Chamber Court there should be four appellate courts, as is seen to be good, also each presided over by sixteen people, namely three from the princes, counts and lords, three from the knights and territorial nobles, three from the imperial cities, three from the princely [territorial] cities, and four from the communes and communities in the Empire. Together they shall elect one man as their court judge. And from them the parties shall name their spokesman and advisor as outlined above. And such persons shall be honorable and formerly have sat on councils and courts.

Also, under these four appellate courts there should be sixteen territorial courts, four beneath each appellate court, and each presided over by sixteen persons, namely four from the princes, counts, and lords, four from the knights and vassals, four from the cities, and four from the other communes. Each of them shall appoint and select a member of the knight's estate as judge and proceed as outlined above.

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Further, below the sixteen territorial courts there should be sixty-four free courts, four under each territorial court and also presided over by sixteen persons, namely four from the imperial cities, four from the nobles, four from the [territorial] princely cities, and four from the communes. They shall each select a member of the nobility as free judge and proceed as outlined above, but without infringing upon the city courts or the territorial rural courts.

Further, cases from the city or village courts can be appealed at the nearest free court, but not [cases concerning] less than ten florins, unless it is a question of honor or inheritance. Further, cases from the free court may be appealed at the nearest territorial court, but not [those that concern] less than one hundred florins. Further, cases from the territorial court may be appealed at the nearest appellate court, but not [cases concerning] less than one thousand florins. Further, cases from the appellate court may be appealed at the Chamber Court, but not [those concerning] less than ten thousand florins.

7. It would be good if all customs duties, safe-conduct fees, excise taxes, fees, taxes, and levies, which are applied everywhere, be abolished except for those which are seen to be necessary, so that selfishness does not burden the common man. Reason: many customs duties have arisen through the spiritual and secular princes, counts, lords and knights, nobles, prelates, monks, and towns. These hinder the merchants' trade and make the wares that the common man has to buy and use more expensive. Further, the tolls necessary for the maintenance of the commonweal—for bridges, roads, and

footpaths—shall be given and the excess saved for the commonweal.

8. Also, it would be good if all the roads within the German nation were kept free and open, with no [need for] corporal violence or escort, with no exceptions, for the princes and lords are responsible for them as vassals of the [Holy] Roman Empire. And should anyone be injured or have something stolen in any of these regions, the prince or lord of that region shall be responsible for paying and rendering complete compensation. Further, all excise taxes on wine, beer, and mead should be abolished, except if they are allowed under exceptional circumstances.

9. Further, [territorial] taxes, tithes, tribute, and other innovations [of this kind] should be abolished. Excepted: The Roman Emperor shall be permitted to collect his tax once per decade, as God confirmed in [the Gospel of] Matthew 22.

10. All coins should be made of gold and silver and of a standard quality [alloy] and weight, without consideration of each man's liberties and rights.

And all the mines should be made free, without exception, whether gold, silver, mercury, copper, lead, or others. This makes it necessary that all discoveries of gold, silver, lead, and copper should be recorded by the Imperial Chamber, with a steady purchase [price] and brought into circulation. Gold and silver may remain as they are. Should, however, copper be found which contains silver, it shall not be refined to remove the silver but rather enriched with silver, so that one can make orts, hellers, or other [small] coins with it because if one uses lead to smelt it, the silver accumulates with no great effort. If, however, copper or lead are found which contain little silver, one may refine and sell it.

Further, there have been many new "coin lords" [i.e. rulers who mint their own coins], so that the good old coinage has disappeared and a large number of inferior coins are in circulation. It would be good to investigate these rights and their origins, and to abolish everything which is not grounded in the old rights and liberties. The old "coin lords" should be admitted as found necessary. These should have their minting royalties or seigniorage determined based on the imperial coinage, on one side the imperial eagle, on the other side the coat of arms of the "coin lord."

Further, it would suffice for there to be twenty or twenty-one coinsmiths appointed for the entire Empire. Under oath and the [threat of] being branded, they must mint coins of consistent quality and weight throughout the entire Empire, so that the common man remains undeceived. And such coinsmiths shall be appointed as warranted within each region by the state of commerce there.

Further, the appointed coinsmiths shall be distributed in the following lands and border areas, namely: Austria, Bavaria, Swabia, Franconia, and along the Rhine. Also, in these places sixty-three kreutzer should equal one florin of gold. Further the hellers should be called orts. Also, the pennies should be called hellers. And the Austrian and Strasbourg coins, which are worth two pennies, should be called pennies. The other new silver coins are one florin, a half-florin, an ort, and a half-ort. Further the additional coinsmiths should be distributed throughout the Holy Empire as outlined above and as thought to be best.

11. The great disadvantage had by the poor in buying and selling should be considered, and a [consistent] mass—an ell, a tun, a weight, and a length for cloth and fustian, and [for] all other wares—should be established and maintained. This also means that all spices and other things which are sold by the centner [hundredweight] should have a consistent weight measure. Further, whatever gold, silver, pearls, and the like is bought or sold, it should be weighed with small weights as has been the case. Further, the tun of wine, the bucket, the quarter, and the measure should all be the same everywhere. But for beer, mead, and the like, the measure should be larger. Further, grain, wheat, peas, lentils, [and] chickpeas should have a level measure, but rough fruit [i.e., barley and oats] shall be sold by

the same measure heaped. Further, everything sold from the barrel should be sold with same measure as beer or mead. That which is sold by the centner or pound should be offered and sold with the first-named as the largest weight.

12. The companies like the Fuggers, Hoechstetters, Welsers and the like should be disbanded because both the rich and the poor are burdened when they set the price for all goods as they please. If, however, another company should be formed or an individual wants to deal on his own, no one shall have more than ten thousand florins in trade, and whatever is found to be beyond that, the capital and the excess [profit?] should be surrendered to the Imperial Roman Chamber. Further, a merchant who has more than ten thousand florins may help others, whomever he wants, by advancing, loaning, and help them according to the Gospel.

Further, whatever a merchant has left over from his investments and trade, he is allowed to deposit it with a town council and take four florins per year for every hundred [deposited, i.e. 4% annual interest]. The men of the town council may in turn lend this money to poor craftsmen against security and take five florins for every hundred [i.e. 5% annual interest]. And thus a poor man should be better able to support himself.

Further, there should be an agreement between the “big men” and the merchants so that the poor can continue to purchase their goods by the penny’s worth [at a time].

Further, no one shall melt down coin under the threat of being branded, but silver and gold coins shall be sent to the appointed coinsmiths, and they shall be paid for according to the statutes or face value, unless they are too small or in some other way manipulated [counterfeited].

Further the Chandler [e.g., travelling merchants and those with small stores], which sell assorted goods in small amounts [literally, a penny’s worth at a time], shall be divided and each permitted to sell a particular type of good.

[13.] Finally, all alliances of princes, lords, and cities should be abolished and subject only to the imperial protection and peace without safe-conducts, complaints, or stipulations made to this end, under threat of the loss of freedom, fiefs, and rights. Further, everyone in the Empire, including strangers from other kingdoms shall be allowed free and safe passage on horseback, wagon, water, or by foot, and no one should be forced to have imperial safe-conduct or other burdens, whether physical or material, so that the poor man and the common good are advanced. Amen.

NOTES

[1] The German text uses the term “mog” here—trans.

Source of original German text: *Quellen zur Geschichte des Bauernkrieges*, compiled and edited by Günther Franz. Darmstadt: WBG, 1963, pp. 374–81.

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