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Consulting in XVIth-century Hanseatic Cities: Johan Oldendorp, 'Van radtslagende' (1530)

In 1530 a small book of seventy pages with the title *Van radtslagende / wo men gude Politie und ordenunge ynn Steden und landen erholden möghe* has been published at Rostock. Obviously it became a long seller! The original in the Low German language was followed in 1597 by a High German version: *Von Rathschlägen / Wie man gute Policey und Ordnung in Stedten und Landen erhalten möge*. A try to translate it: ***On Consulting. How to keep good policy and order in city and country.***

Its author Johan Oldendorp was born at Hamburg in 1487 into a well-to-do merchant family. His first steps into the world of erudition might have been supported by his uncle, the prominent learned hanseatic diplomat and historian Albert Crantz. In 1504 Johan studied at the university of Rostock, where Crantz had been a professor and rector magnificus some years before. After Rostock Oldendorp completed his studies at Cologne and Bologna. At the Pomeranian university of Greifswald he started an academic career before he went to Rostock in 1526. There he combined academic teaching as a professor at the law faculty with the position as *Syndikus*, legal adviser of the city council. Between 1534 and 1536 he filled that position at Lübeck. As a supporter of the mayor Jürgen Wullenwever, who had to resign in 1535 and was beheaded two years later, Oldendorp had to leave Lübeck. In 1543 he received a new task at Marburg, where Philipp landgrave of Hesse had founded the first protestant university in 1527. At Marburg he fundamentally reformed the university's constitution as a law professor. There he died in 1567, highly estimated as a political and legal adviser by his master landgrave Philipp. In a word: Oldendorp is an outstanding example for a new generation of the urban elites, which combined academic skills with a pronounced sense for political practice. The latter not only in an urban context but also in a territorial one. But it has to be emphasized that his intellectual and political socialization was an urban or even more: possibly a specific Hanseatic one.

As a *Syndikus* of the two important Hanseatic cities Rostock and Lübeck he had to look beyond the town wall and to deal with a political network of European dimensions. However, the basis of his political argument was an urban one. But it could have been also applied to the general

technique of policy-making in princely territories.

Let us get a closer look to the title of his tract *Van radtslagende*. Being about 'good policy in city and country' demonstrates this general approach very clearly. But 'city' comes first. That might be a too simple argument for Oldendorps view on the cities as his first but not only target of his argument. But there are other evidences. The first edition of 1530 is dedicated "An den Erbarren Radt / unnd ghemeyne tho Hamborg" ("To the honourable Council and the community of Hamburg").

The High German edition of 1597 repeated the sequence from city to country. But there is an additional remark concerning the reason for the translation into High German. A new readership should be developed. The book should be useful for all "Christian authorities" ("... allen Christlichen Oberkeiten und sonst menniglichen zu nutz und besten"). One could discuss whether the text can be read as a City based blueprint for the technique of policy-making in general.

The key concept of that technique can be already found in the main title "Van radtslagende" ("On consulting"). According to Oldendorp this is the best way to establish a well ordered city or territorial state, the best way to maintain "gude politie"/"gute Policey" (good policy and order). The connection with the key concept of our conference "republican tradition" results from Oldendorp's focus on consulting as a *conditio sine qua non* for the common good.

I define 'republicanism' as political decision-making in a public process on the basis of civic virtues in order to find a collective will and a collectively recognized common good. In that sense Oldendorp's book makes an offer, which has to be considered on the one hand as part of the republican tradition. On the other hand it clarifies very clearly the limitations of public consulting in 16th-century Hanseatic Cities.

In the following I'll try to line out very briefly how and by whom consulting has to be practised according to Oldendorp. Therefore I have to present some quotations I consider as characteristic for his way of arguing. He starts his with the quasi-anthropological assumption that an individual alone is not able to find out what should be the most useful and best measures ("... wat nüttest und best gedan edder gelaten") serving a particular aim. "Good magistrates and councillors ... do not deny the advice of others, they argue with thoroughness and they do not talk too much" ("... alle geschykede und gude regenten edder Reder ...

vorachten nicht andern radt ym besten tho folgen, spreken bedechtlick und nicht altho vele"). He distinguishes between consulting private and public affairs. The former deals with the self-interest ("egener nutticheyt"), the latter with the common good ("veler lüde samenden standt, gedygen und wolfart"). Necessarily consulting public affairs is a collective purpose. Stressing the fact that it needs more than a single person, that's what he does, might be regarded as a matter of course. But for Oldendorp it seems to be of crucial importance.

He mentions the example of the Holy Roman Empire ruled and united by the "consensual government of his Majesty the Emperor" ("... einiger regerunge Key. Mat"). I think it is justified by the context to translate his wording "einige regerunge" with "consensual government" and not with the more literal "united government". Here Oldendorp offers an interpretation of the Empire as a *monarchia mixta* in which the Imperial Diet, the *Reichstag*, was much more than an advising body. Emperor and Diet seem to act almost on eye level. It is characteristic that this is the first and the last time Oldendorp mentions the relationship between Emperor and Imperial Diet representing on the one hand a mixed government, on the other the cooperation of two separate political entities. In the rest of his text he is only about a homogeneous body of councillors ("Räthen").

The way they come into office isn't fully explained. They have to be elected ("erwelunghe der Reder und gemeynen ambachteren"). Mentioning the examples of Athens and Rome suggest an electing body, whatever it might be. But taking into consideration that Oldendorp received his political socialization at Hamburg and Lübeck it is most likely that he considered co-optation as the appropriate electoral system. However, the procedure of election is of secondary importance. The individual virtues and qualities of the councillors and the way to come to results, which meet the common best, are of real interest for Oldendorp. It's no surprise that the bible sets the decisive standards. "Gude Politie", a well ordered state and good politics have their foundation in God and have to serve the brotherly love ("Süstu nu wol, wor alle politien, regimente, gesette, und ordenunge, ortsprüntlick her kamen: Van Gade. Wath se don schoelen: Dem negesten denen").

The circular argument that only a council whose members believe in God puts a godly order into practice is more than an empty phrase. It coincides with Oldendorp's quality demands on those who are able to act as councillors. They have to be educated not only in the bible but also in those practical and theoretical skills required for their office as the academic *artes liberales*

and law. That's the reason why he pleads for the promotion of universities and schools as a core task of any government. The natural status of human beings is foolishness ("unvorstant"). Only education can overcome it.

One can draw the following conclusion: Because the responsibility for education is given into the hands of the councillors they act for their community in the same way as fathers for their children. Oldendorp favours a paternalistic political system and he is fully aware of the individual demands related to that. Not only lack of faith and stupidity are weaknesses which have to be avoided by the office-bearers. Another vice is greed ("gyricheyt"). There are two remedies against it: order ("ordenynge") and moderation ("Meticheit").

Subsequently Oldendorp sketches his understanding of a stable and steady society. Everyone, he might be peasant, citizen or nobleman, has to accept the status and the office given by God in order to fulfil his task for the common good ("und welcker denn eyn ambacht edder geschyck, van Gade dem Herrn gehesschet ys, he sy bure, boerger, edder haveman, dat he dar mede tho freden sy, des erbarlick warneme, tho eynes andern nerynge nicht yngrype, unnd vorfencklick ym weghe lygge"). In short: Oldendorp follows the Lutheran doctrine of the coexistence of social groups ('Ständelehre'). On the one hand this might have been appropriate to petrify the social and political status quo. On the other hand it introduces a new esteem for a society based on different kinds of labour and on the individual achievement for the common good.

Peter Blickle has considered this catalogue of virtues as the normative basis of 'communalism' (Kommunalismus) as a model of societal organization in pre-modern Europe.

If these demands on individual qualities are fulfilled the councillors can act as equals among equals in free expression of their opinion. Oldendorp obviously considers free speech among equals as a precondition for good politics: "Each Christian councillor has to express freely what he considers necessary to maintain the common good without concealing the truth, without any favour or resentment" ("So moth nhu ey yder Christen fram radtgever, wes tho gemeyner nuetticheyt und forderunge denstlich vormeynet, ane gunst edder ungunst, frylick her uth redder, und de warheyt nicht vorswygen"). Admittedly the circle of those who are able to practise politics in order to ensure the common good is very limited. And we don't find any reference to the right of resistance. It doesn't belong to the logic of Oldendorp's considerations. Following the paternalistic model, and that is what he does, the political universe of a city - or

a princely state as well – is divided into two separate spheres: those who govern and those who are governed. Oldendorp only deals with the first one.

The council forms a body politic of its own right within the entire corporation of the city or a princely state. The members of this body politic, the office-bearers, follow the principles of consulting outlined above. By the grace of God and by their own virtues they should be able to act for the common good. The principle of free speech within the limited circle of the council - combined with the individual virtues of the councillors - ensures that the right decisions are made. The right of resistance seems to be not necessary. Oldendorp's tract has to be considered as an appeal to the virtuous councillor to be virtuous. Resistance against the virtuous would be a *contradictio in adiecto*.

Nonetheless, the accentuation of free speech as the crucial instrument of decision-making opens the way to accept controversial discussion in the public, however limited and elitist it might be, as a precondition of good politics. In that sense Oldendorp's small book represents a part of the republican tradition in the Hanseatic cities.

Of course Oldendorp's model is an aristocratic one, far away from the modern meaning of a democratic discourse. But for him the aristocratic quality does not derive from birth but from individual qualities and virtues acquired by education, training and the trust in the grace of God. That this might have opened the closed shop of political elites in the Hanseatic cities might not have come into his consideration. But it is an almost logical consequence of his argumentation.

