Hin zu einer Gemeinschaft der Rechte? Von einer katholischen Impopulationspolitik zum sächsischen Konzivilitätsrecht. Der Kampf um die Linderung der nationalen Gehässigkeiten in Siebenbürgen in den 1760-70-er Jahren im Wandel von Religions- und Gesellschaftspolitik

Abstract:

The author wrote the first version of this study six years ago. Because of the importance of the issue and the debates he delayed its publication. As the Romanian historical studies reached comparable results, the author deemed proper to publish his conclusions. In the 1760-70s', the Saxon nation in Transylvania was organised on the basis of estate privileges, but it also had a (modern) ethnic nature. This pre-modern na-tion was also unified by the Lutheran evangelic religion of its members. The Vienna Court, as a Catholic power, intended first to dissolve this corporatist, ethnic and reli-gious entity in order to facilitate the emigration of Catholics into the royal free cities on the Saxon area. In the beginning of the 1770's, from these political steps, a central pol-icy of "alleviation of the national animosities" developed. This policy was also urged by Emperor Joseph II and had also an effect on the expansion of the rights to the Arme-nian-Catholics, Greek-Catholics and the Orthodox population, if they had an elite social class, such as merchants or priests. In 1776, the question was theorised by Samuel von Brukenthal and Mihály Kornis from a typical Lutheran Saxon and Hungarian Catholic perspective. But the central policy of "alleviation of the national animosities" had also an element of serfs' protection of enlightened absolutism. Although it was declared in 1776, that "Wlachs" (Romanians) do not have the same right for agricultural lands as the Saxons, the question was debated once more in the Theresian era in 1778, as the Court Chamber and the majority of the Austrian Council of State stand to the side of the complete concivility in the Saxon Territory of Transylvania. All these bureaucratic projects anticipated the Concivility Edict in 1781.

Keywords: *Concivility Edict, Transylvanian Saxons, Austrian Council of State, Samuel von Brukenthal, Mihály Kornis.*