

ENDRE SASHALMI

Aeneas Sylvius Piccolomini and the Hungarian Succession: A Humanist As a Spokesman for Ladislaus (Postnatus) V

*“Ego quidem tunc utile putarem regno vestro negligi Ladislaum,
si sine ipso et concordēs esse possetis et ab hostibus regnum tueri.
Quod si hec absint, quid vobis esse utile queat? Examinemus ista.”¹*

Abstract: The words taken as the motto of the study are quoted from the letter written by Aeneas Sylvius Piccolomini in 1445 who was in the service of Frederick III at that time. The letter was addressed to the Archbishop of Esztergom with the purpose to persuade him and the magnates of Hungary to accept Ladislaus Postnatus (the relative of Frederick III) King of Hungary. Piccolomini's argument, in the last resort, is based on the principle of *public utility* which is well attested by the motto: internal discord and division on the one hand, external threat on the other, postulate the necessity of a king – this is the dominant motif of the letter. Arguing in favour of royal government he states that monarchy is more appropriate for the Hungarians than popular government because of Hungary's long tradition of being a kingdom. Citing different proofs such as *ius gentium*, papal disposition, ancient observation as the grounds of Ladislaus's hereditary right, the view of the author can be seen as a learned discussion of the problem of succession in general since Piccolomini was one of the most erudite intellectuals of his age.

Key words: succession crisis, hereditary right, election, coronation, antemurale Christianitatis



I

These words are quoted from the letter written in 1445 by Aeneas Sylvius Piccolomini to Dénes Szécsy, the Archbishop of Esztergom to persuade him and the magnates of Hungary to accept Ladislaus of Habsburg King of

¹ AENEAS SYLVIUS PICCOLOMINI: Letter to Dénes Széchy. In: *Der Briefwechsel des Enea Silvio Piccolomini*. Hrsg. Rudolf Wolkan. Wien, 1909. Vol. I. (Briefe aus den Laienzeit) p. 548–558. (hereafter: PICCOLOMINI), here: p. 554.

Hungary. As the guardian of the less than five-year-old Ladislaus was Frederick III and Piccolomini was in his service at that time, Piccolomini's attempt seems quite understandable.

There is no exact dating on the letter but it must have been written between 18 August and 13 October 1445. The first date means the beginning of negotiations in Vienna between Frederick and the three envoys of the Hungarian Estates (Dénes Széchy, the Palatine of Hungary, the voevoda of Transylvania), while the second signifies the rebuttal of the conditions by Frederick. The most important of these conditions drawn by the Hungarian Estates in May were as follows: Ladislaus would be accepted as King of Hungary, provided that Frederick allowed him to reside in Hungary and returned the Holy Crown of St. Stephen. Otherwise the Hungarian Diet would elect another king. To understand the political context of the letter and its content it is necessary to give a short sketch of events from 1440.

Ladislaus called the *Postnatus* was born in the Hungary (in Komárom) on 22 February 1440 as the son of Albert of Habsburg, King of Hungary and Bohemia (died in 1439) and Elizabeth of Luxemburg, daughter of Emperor Sigismund of Luxemburg, 4 months after his father's death. Before his death Albert made a *testament* declaring that if infant in his wife's womb happened to be a boy then he should succeed him as his heir and he should have his residence in Hungary, in Pozsony (Pressburg/Bratislava). Therefore, while being in his mother's womb, Ladislaus was *appointed* by his father in *his testament* to succeed him as King of Hungary.

But before the birth of Ladislaus the magnates of Hungary agreed to send a delegation to Poland on 18 January to Wladislaw III to invite him to the Hungarian throne, and in less than two months the delegation (as the representatives of the will of the kingdom) elected him king in Cracow on 8 March.

In April Wladislaw arrived in Hungary. Nevertheless, with the support of a faction of the Hungarian magnates Ladislaus was hastily crowned king on 15 May *in accordance with tradition*: i.e. by the Archbishop of Esztergom (who happened to be Dénes Széchy to whom Piccolomini's letter was addressed) with the Holy Crown attributed to St. Stephen, and in Székesfehérvár, the coronation town of Hungary. It was Elizabeth, the mother of the infant who stood behind the urgent coronation through which she would have liked to ensure his son's rule as a *fait accompli*. For this reason she had already had the crown stolen from its place of custody by one of her ladies-in-waiting on 20–21 February, i.e. even before the birth of his child, to improve the child's claims to the throne.

In June a civil war started between the supporters of Ladislaus and Wladislaw but as a blow to the former party the Hungarian Diet sworn fealty to Wladislaw on 29 June and declared the coronation of Ladislaus null and void. Wladislaw was eventually crowned king on 17 July in Székesfehérvár by the Archbishop of Esztergom who happened to be the same person crowning Ladislaus, i. e. Dénes Széchy. One important element was missing, however, from the triad of a legitimate coronation, namely the Holy Crown. Wladislaw was therefore inaugurated with a ceremonial crown decorating a relic repository of St. Stephen kept in Székesfehérvár: this crown was taken off for the event of coronation and was empowered with all the “mysteries and power” possessed by the Holy Crown.²

To sum up: there was a *testament of a deceased Hungarian king and a birthright with a formally legitimate coronation versus the election by the Diet and a problematic coronation of a person completely unrelated through ties of blood to the former kings of Hungary!* And there was, of course, the principle of *public utility* since Ladislaus was still an *infant* in 1440, while Wladislaw was *16 years old*, and what is more, his election was motivated by the hope of using the strength of Poland against the Ottoman Turks. In the election charter of Wladislaw the Hungarian Estates made the principle of *public utility* explicit by referring to “necessity” as the principal cause of his election: they voted for Wladislaw for he was deemed to be the suitable candidate to defend Hungary.³

But what made a person the legitimate King of Hungary? What were the criteria – election, coronation, birthright? And which one of these was to come first, or in other words, which was to be the decisive one? These questions were still largely unresolved in the 1440s.

An important document was issued on this matter, however, which proved to be crucial for the future. In the election charter of Wladislaw the legal idea of the crown as embodying the corporate nature of the realm was explicitly expounded for the first time. It was stated “that the coronation of kings and the power of the crown were equally dependent on the will and the approval of the inhabitants of the realm”, in fact the Estates.⁴ Thus, the document “questioned, though not yet in an openly articulated manner, the

² Pál ENGEL – Gyula KRISTÓ – András KUBINYI: *Magyarország története 1301–1526* [History of Hungary 1301–1526]. Budapest, 1999. (hereafter: ENGEL – KRISTÓ – KUBINYI 1999) p. 199.

³ ENGEL – KRISTÓ – KUBINYI 1999. p. 199.

⁴ László KONTLER – Balázs TRENCSENYI: Hungary. In: *European Political Thought 1450–1700*. Eds. Howell Lloyd – Glenn Burgess – Simon Hodson. New Haven, 2007. p. 176–207. (hereafter: KONTLER – TRENCSENYI 2007), here: p. 181. For the concept of the ‘Crown’ in Hungary see most recently: László PÉTER: The Holy Crown of Hungary. Visible and Invisible. *Slavonic and East European Review* 81. (2003:3), p. 421–510.

hitherto never contested principle of legitimate succession” according to which Ladislaus was “not merely the legitimate but the only successor to the throne being the only son of the previous king”.⁵ Furthermore, it also became clear that the corporate idea of the “crown” could be separated from the concrete object, the Holy Crown, which in normal circumstances made the abstract corporate entity and the will of the community visible through the rite of coronation.

It is not the purpose of this article to describe the events in details that followed, namely the civil war between the mother of Ladislaus and her party on the one hand, and Wladislaw on the other. Be it enough to say that peace was made at the end of 1442 in which Wladislaw was recognized king by Elizabeth. Succession was to become a problem again, however, because of the death of Wladislaw in the battle at Varna in 1444. Since Elizabeth had died in 1442, the case of Ladislaus was taken over by his ward, Frederick. Not to remain without a king the Hungarian Estates began negotiations with Frederick as described above. It was this political situation that prompted Piccolomini to write his letter.

II

Piccolomini begins his letter by explaining his *causa scribendi*. He refers to his deep concern and anxiety as a Christian for Christian faith as his motivation: Christianity cannot be preserved unless its bastion, or in his words, its “wall” i. e. Hungary remains integrant (*murus eius, qui est Hungaria, sit incolomis* [sic]).⁶ Here we encounter the well-known idea of the role of Hungary as *antemurale/propugnaculum Christianitatis*.

Then Piccolomini describes the present situation which he knew quite well as it is attested by his other letters on Hungarian political affairs.⁷ He refers to the decision of the Hungarian Diet acknowledging Ladislaus on certain conditions: the infant should move to Hungary together with the Holy Crown, he should be crowned again and an oath of fidelity should be taken to him.⁸

As the motto eloquently shows, the intention of the letter can be summarized very easily (by paraphrasing the classical saying, *‘Ibi semper victoria, ubi concordia est’*): If there is concord with regard to Ladislaus as king, there will be a victory over the Turks.

⁵ ENGEL – KRISTÓ – KUBINYI 1999. p. 199–200.

⁶ PICCOLOMINI, p. 548.

⁷ See his letters on this matter in the Hungarian edition of his selected letters. Iván BORONKAI: *Pápa vagy zsinat. (Válogatott levelek)* [Pope or Council. Selected Letters.] Budapest, 1980. p. 109–112, here: p. 113–124.

⁸ PICCOLOMINI, p. 549.

It can just be taken for granted in case of a humanist that the argument is substantiated by references to Ancient History and classical authors. In this sense there is nothing particularly interesting about the letter in which all the problems of Hungary are attributed to the lack of *concordia* which, in turn, is seen as a consequence of the fact that the Hungarians deserted their lawful king. The glorious past of the Hungarians which is a *laudatio* of the country is contrasted to the present state of affairs depicted in dark colours in conventional humanist style: Hungary fell prey to heretics and Turks. The remedy, the author argues, is to restore Ladislaus “the true and legitimate king” in his rights for which the death of Wladislaw (attributed to divine intervention) provided an opportunity.⁹

Notwithstanding the fact that Piccolomini’s conclusion was, so to say, a foregone conclusion because of his strong commitment to the claim of Ladislaus, the views of the author can be seen as a *learned discussion of the problem of succession in general* due to his *intellectual importance*. Though we have just merely passing references to political theory in the letter, they come from a man who was called “one of the most enigmatic figures connected with the history of political thought in the fifteenth century”.¹⁰

According to Piccolomini the main obstacle hindering the agreement between Frederick and the Hungarian political elite lies in the conditions the envoys posed to Frederick.

“Quid tunc facietis, quid, si puer non detur ad Albam regalem [sic]¹¹... quid, si negatur coronatio nova?
...Scitis quia **ius gentium** est neque **electionem**, neque **coronationem** regnum dare sed **successionem**. Quod **si quibusdam in regnis electio regem facit, id certe apud vos non est**. Nam apostolice sedis sententia est, successionem in regno vestro locum habere, sicut et **Bonifacius diffinivit et vetus observatio** docet. Est igitur vobis ad iustitiam conservandam Ladislaus in regem habendus, qui Sigismundi **nepos** Alberti et Elizabeth filius, **avito, paterno et materno iure** regnum vindicat.”¹²

Here we have a condensed argumentation in favour of Ladislaus.

First, the author refers to the *ius gentium* as prescribing *successio* i.e. hereditary succession as the only legitimate way of transmitting the throne,

⁹ “Ex Deo datum est, quod regnum Hungarie quod sub adulterino rege periclitatum est, iam ad suum verum et legitimum regem Ladislaum revertatur.” PICCOLOMINI, p. 552.

¹⁰ Thomas M. IZBICKI – Cary J. NEDERMAN: Three Tracts on Empire. Engelbert of Admont, Aeneas Sylvius Piccolomini and Juan de Torquemada. Bristol, 2000. p. 24.

¹¹ Correct form: *Alba Regia*.

¹² PICCOLOMINI, p. 553.

denying at the same time the constitutive power of election and coronation. In this sense Piccolomini's view is similar to early modern divine right theory which claimed that only hereditary right (and given the degree of descent) and nothing else could make someone king.¹³ Though he acknowledges that in certain kingdoms election makes the king, yet, in his view, it does not apply to Hungary.

Then, besides the theoretical *ius gentium* he gives two specific grounds in support of hereditary right: *papal disposition* and "*ancient observation*". The first one must have been the decision of Boniface VIII who, following the extinction of the Arpadian dynasty (1301) issued a papal bull in 1303 to settle the dispute over Hungarian succession. The two claimants to the throne at that time were Charles Robert (founder of the Angevin dynasty) and Wenceslaus, King of Bohemia. Boniface decided the case in favour of the Angevin candidate declaring that he was the legitimate heir by descent through the *maternal right* and turned off the claim of Wenceslaus on the ground that it was based on *election*. To be sure, the pope remained silent on the issue that even Wenceslaus had Hungarian royal blood in his veins. What is important for us here is the fact that by referring to a *papal bull* Piccolomini recalled a legal proof, now from *canon law*. The situation following 1301 was, in some sense, similar to the events of the year of 1440 even with regard to the requirements of a legitimate coronation.¹⁴ But in the 1440s the newly emerging Diet as the manifestation of the corporate idea (it was said of the Diet that it represented *totum corpus regni*) was a new factor in politics.

Returning to Piccolomini's argumentation, it is not clear what he exactly meant by "*ancient observation*": was it the succession before or after Charles Robert or both? Nevertheless, the hereditary right of Ladislaus is identified as an *ancestral right* through both *paternal and maternal lines*. And, as usual, succession from father to son is justified by examples from the *Bible* (*David-Solomon*) from *Hellenistic history* (*Philip II-Alexander the Great*) from the *Frankish history* (*Peppin the Short-Charles the Great*) and even from the *history of Goths*.¹⁵ On the occasion of Goths he mentions that they were "of the same root with the Hungarians" (*qui et ipsi vestri generis fuere*).¹⁶

¹³ John Neville FIGGIS: *The Divine Right of Kings*. Cambridge, 1914. is the classic treatment of this topic.

¹⁴ The three coronations of Charles Robert in Hungary are well known, of which only the last one (in 1310) was completely in accordance with the criteria of a legitimate coronation ceremony.

¹⁵ PICCOLOMINI, p. 553–554.

¹⁶ PICCOLOMINI, p. 554.

After all these the author's conclusion is plain: "*sic et Alberto regi vestro par est Ladislaum succedere filium*" by birthright,¹⁷ and the issue could have been finished here. But the author opens a new line of argumentation, though in an extremely laconic manner by touching a broader question, the forms of political government. Indeed, the reasons given in support of monarchical government are *par excellence* laconic, so to say. The lines following the ones selected as the motto read:

"Si pacem in regno et concordiam vultis habere, aut populare regimen, aut regale habendum est. Dimitto nunc illam Aristotelis quam in politicis de modo regendi considerationem habuit."¹⁸

Arguing further in favour of royal government *not out of philosophical premises* but practical considerations, i.e. *tradition and external threat*, he states that royal government is more appropriate to the Hungarians because of Hungary's long tradition of being a kingdom and because of the present political situation created by the menace of the Turks. Taking his main argument from *public utility*, he warns against *novelty* (a word very much disliked even centuries later) in changing the form of government.

"vestrum regnum usque in hoc evi semper sub auspicio regum gubernatum est. Nec reor **novitatem** vos velle nunc agere...Exinde cum regnum vestrum undique bellis flagret, necessarium est regem habere ad quem omnia referantur. Ubi pax est, multitudo regnare potest, ubi sunt bella, nisi unus sit, qui dirigat, omnia corruunt."¹⁹

Then, repeating his previous words, Piccolomini goes on arguing in favour of monarchy strengthening at the same time the claim of Ladislaus by *adding up new elements*.

"Si pacem in regno vultis habere, inimicosque Teucros procul arcere, nec populare habendum est regimen nec ex vobis rex assumendus nec in alia gente querendus quam in Austria. Hic est [...] Ladislaus, Alberti filius [...]. **Hic inter vos natus est**, et in ipsa infantia **coronam vestram adeptus. Nemo in regno vestro ius habet nisi puerulus iste [...]**."²⁰

Thus he refers to the *fact of coronation* and mentions that Ladislaus *was born in Hungary*, and on one occasion he even calls Ladislaus "*vester*

¹⁷ PICCOLOMINI, p. 554.

¹⁸ PICCOLOMINI, p. 554.

¹⁹ PICCOLOMINI, p. 554–555.

²⁰ PICCOLOMINI, p. 556.

Hungarus".²¹ Taken together these latter pieces of information the territorial idea of citizenship comes to one's mind: Ladislaus can be treated as a native by the Hungarians because he was born there.

References to the Turkish threat here and elsewhere in the letter can be attributed not only to the author's intention to persuade the Hungarians to accept Ladislaus. They can also be seen as an honest worry of a spearhead of a crusade against the Ottomans – a true concern of a man writing on the phases of Ottoman expansion, a man who himself wanted to be the leader of a crusade against the Ottomans as Pope Pious II at the very end of his life.

By emphasizing the necessity of having a king Piccolomini hit the point well: though in the 14th–15th centuries the so-called "corporate paradigm" became "fully integrated with the political ideas and the attitude of the Hungarian elite", as the election charter of 1440 clearly shows, nevertheless "there was also a strong awareness of the impossibility of *regnum* (that is, a country) without a *rex*."²²

III

Taken together the message of the above passages two preliminary conclusions can be drawn. The first one is, that in principle Piccolomini recognizes the possibility or the right that the people (*populus*) can choose the form of government they prefer, a position not unexpected from a formerly pronounced councilarian, but he warns to make the choice dependent on *Realpolitik* first of all. This way he argues in favour of monarchical government in case of Hungary. Secondly, he presents Ladislaus as the only lawful heir to the throne of Hungary by right of heredity, while showing amply the disadvantages resulting from a potential election of another king either a native or a foreigner.

There is a contradiction here, we would say. For if the people in principle even have the right to choose the form of government, yet they do not change it, then they just do so out of respect for tradition ("ancient observation") or/and political wisdom. But even so, they have the right to decide, let us say, whether they want an elective or hereditary kingship. How then could Ladislaus have a right to the throne at all in the light of the corporate idea or, what is more, how could his right overrule the will of the community? This last question, in fact, was implicitly answered and negatively by the author as the motto proves: in principle the claim of Ladislaus could be negated in case of domestic peace and internal security.

²¹ PICCOLOMINI, p. 557.

²² KONTLER – TRENCSENYI 2007. p. 181.

I think the explanation for the inconsistencies lies in the *complexity and fluidity of principles* affecting succession almost everywhere in Europe. Even Western monarchies were “extremely slow to develop hard and fast rules of succession to kingdoms, rules which did not apply to other inheritances.”²³ I am convinced that the statement made by James Collins in general for the Old Regime holds true for the issue of royal succession as well in most countries before the 17th century. He warned that we should not apply “our ideas of consistency to Old Regime”: “to understand it, one must accept contradictions and inconsistencies, the social and political reality of a system of this *and that*, not this *or that*.”²⁴

How should succession to the Kingdom of Hungary be seen in this light? Martyn Rady plainly states: in Hungary before roughly 1500 “the rules of royal succession were not defined.”²⁵ His statement is more than clear in the light of the events of 1440–1444 described in the introduction. It can be observed, however, he goes on, that “primogeniture generally prevailed. Accordingly, from no later than the thirteenth century, the custom that the king’s eldest child should succeed his father, was never effaced. Indeed, it might even be enlarged, as in the fourteenth century, to include both female inheritance and, in the absence of immediate male heirs, descent through the distaff line. *We should not, however, conclude from this that there was any type of normative law governing the royal succession in Hungary. Instead, the various conventions governing succession [...] were malleable, inconsistent, and may not be reduced to a hierarchy of maxims. Thus, besides primogeniture and election, and beyond these two the conviction that legitimacy required coronation with the correct crown, the ‘Holy Crown of St. Stephen’.* It was only in the modern period, after 1500, that lawyers and rulers sought to unravel, isolate and order these strands. In doing so, they made distinctions that had never been previously apparent, thereby introducing the ‘riddle’ as to whether Hungary was historically an elective or hereditary monarchy.”²⁶

²³ Magnus RYAN: “*Royal Succession and Canon Law*” unpublished conference paper read in London (2006) at the Institute of Historical Research at the conference on “Succession in Medieval Europe, c. 1000–c.1580”. p. 3. (hereafter: RYAN 2006)

²⁴ James B. COLLINS: *The State in Early Modern France*, Cambridge, 1996. p. 4. note 3.

²⁵ Martin RADY: “They brought in an ox as king: they elected and installed him”. The royal succession in later medieval Hungary. In: *Making and Breaking the Rules: Succession in Medieval Europe, c. 1000–c.1600*. Eds. Frédérique LACHAUD – Michael PENMAN, Turnhout, 2008. p. 61–69. (hereafter: RADY 2008), here: p. 61.

²⁶ RADY 2008. p. 61. Italics are mine!

Indeed, under the impact of the corporate paradigm, and certainly due to the actual course of succession in the 15th century the various elements affecting succession were slowly resulting in the hierarchy of principles with election emerging as the first rank or ordering principle.²⁷ The first turning point towards this shift was precisely the debated succession between Ladislaus and Wladislaw in 1440, only to be followed by the interregnum after Wladislaw's death. Thus, in 1445 the process had just begun and no wonder that even an erudite humanist, a political thinker had serious problems with resolving the issue of Hungarian succession in a manner consistent to later ages or to us.

A comparison would surely help in understanding the argumentation Piccolomini expounded. Even trained lawyers were in trouble, for example, in the 14th century or in the early 15th on the matter how the Crown of Aragon was transmitted, as Magnus Ryan showed it.²⁸ Oldradus de Ponte, "the most influential canonist at the papal court of Avignon in the 1330s" pointed out that primogeniture was the law governing succession in Aragon and that it was "established by the dead king James (*which* James it is not clear) by his last will and testament."²⁹ Apart from the fact, pointed out by Ryan, that a testament "could be termed '*lex*' in the vocabulary of Roman and canon law", the *general comments* of Oldradus on primogeniture are surprisingly "undetermined and vague."³⁰

"And this is **tolerated** in kingdoms **out of consideration for the public good**... And thus the **positive law** itself, whether it be **written or customary**, excludes younger sons and introduces a ranking amongst sons...And though it has seemed to some, not without plausible reasons in this, that this kind of **head [of a kingdom]** should be created **by election**, nevertheless it has been **obtained and been observed and found to be efficacious** that there should be one head, that is, one king in one kingdom **by hereditary right and by succession**..."³¹

Public utility was the key of the argument, as Ryan claimed, and as a catchword it allowed a place for legal fluidity: "The *ius commune* vocabulary rendered it a matter of comparative indifference *what kind* of law was in operation as a kingdom descended: it might be a custom, it might be positive

²⁷ RADY 2008. p. 66.

²⁸ RYAN 2006. p. 2.

²⁹ RYAN 2006. p. 2.

³⁰ RYAN 2006. p. 2.

³¹ RYAN 2006. p. 2. Translation is by M. Ryan.

law, the disposition of a previous king or papal letter.”³² Therefore, it was impossible to say in Aragon even in the 15th century “what kind of law [in fact] the law of succession was.”³³ These statements are well suited for the present case too.

To conclude: Piccolomini’s argument was also heavily framed in the principle of *public utility* which is well attested by the motto and the other quotations. Internal discord and division on the one hand, external threat on the other, postulated the necessity of a king – this is the dominant motif of the letter. But apart from this, his words on succession are as vague and “contradictory” as that of Oldradus and other lawyers. The elements supporting the claim of Ladislaus are neither ordered, nor ranked, the argumentation is rather quantitative than qualitative, i.e. one based on the variety elements that were useful to buttress the claim in question.



³² RYAN 2006. p. 2.

³³ RYAN 2006. p. 2.