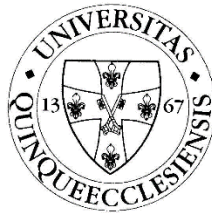


**SPECIMINA NOVA  
PARS PRIMA**

**SECTIO MEDIAEVALIS**

**X.**



*Dissertationes historicae collectae per  
Cathedram Historiae Medii Aevi Modernorumque  
Temporum Universitatis Quinqueecclesiensis*

*A Pécsi Tudományegyetem Középkori és Koraújkori  
Történeti Tanszékének Történeti közleményei*

Pécs, 2019

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## JUBILEE PREFACE

If a publication series comes to its 10<sup>th</sup> volume, it provides an occasion to summarize and to reflect. It is especially true if we consider that this is an academic edition issued every two years, which means that it is not just an opportunity to look back and reflect on the 20 years of work behind the volumes, but rather an obligation. If it is done by someone, who was among the scholars who brought this project to life and still is a vital part of the production, the reflection will most probably be subjective, however, I do think this is acceptable. The external assessment will be done by those, who took and will take the volumes into their hands and find the jubilee edition noteworthy. We consider reflection necessary because it is a crucial element of academic networking.

The lengthy title of our review originates from the winding history of the University of Pécs. We inherited the name, *Specimina dissertationum ex Instituto Historico Universitatis Quinqueecclesiensis* from the Elizabeth University (1923–1950). This was altered to *Specimina Nova* and launched to its new journey in 1985. The university level history education was reorganized in 1983. Together with the structural implementation of the program – namely the evolvement of the ‘educator and researcher’ background – only one volume seemed to be insufficient. The series, therefore, was first divided into two parts. The *Pars Prima* was designed to cover topics from ancient, medieval and early modern history, while the *Pars Secunda* concentrated on matters from the 18-20<sup>th</sup>-century history. From the very beginnings, the volumes aimed to publish studies exclusively in foreign languages in order to facilitate international representation. This approach led to the decision to further narrow and specify the thematic frames of the *Pars Prima*. In this spirit, the *Sectio Mediaevalis* was created, the publication of the University of Pécs, Department of Medieval and Early Modern History.

The year of the publication of the first volume (2001) was a turning point in the department's life from many aspects. This was the time when the doctoral program of the department (*The he Carpathian Basin and the neighbouring empires 1000–1800*) was started within the frames of the Interdisciplinary Doctoral School, encompassing our research topics as well. The international academic relations which were cultivated by the department since the beginning of the 1990s contributed greatly to the launching of the program. By that time, Prof. Dr Harald Zimmermann (Tübingen) and Prof. Dr Jerzy Wyrozumski (Kraków) were honorary doctors of the University of Pécs, while Prof. Dr Zoltán Kosztolnyik (Texas) and Prof. Dr Marie-Madeleine de Cevins (Angers) visited Pécs on many occasions. We also had a very good relationship with the medievalist research group of the University of Szeged, especially with its leader, Prof. Dr Gyula Kristó. The above-mentioned professors and most esteemed researchers honoured the starting series with their studies. The *Sectio Mediaevalis* and the department behind it wished to establish themselves as vital parts of the national medievalist researches, and from the beginning, we were opened to cooperate with researches coming from other universities as well. The participation and the publication of the

writing of László Koszta from Szeged and Gábor Thoroczkay from Budapest was an example of this attitude.

We are relying on the traditions of the *Specimina*, which was re-launched in the 1980s when we follow the practice of publishing matters exclusively in foreign languages, without making any difference between them language-wise. In practice, the majority of the studies are written in English or German, but in a smaller number, French and Russian language works are also represented. The situation is slightly different in the case of reviews since there are only English and German synopses. It is a 20 years old practice of the *Sectio Mediaevalis* – which can also be considered a tradition now – that from time to time, we publish the articles of our foreign colleagues as well, namely the writings of above-mentioned contributors and others', such as Antony Lentin (Cambridge), Paul Srodecki (Kiel), Myroslav Voloshchuk (Ivano-Frankivszk), Marko Jerković (Zagreb), Elisabeth Kleker (Wien), Nikolaus Thurn (Berlin), Željko Tomičić (Zagreb), Claudia Alraum and Andreas Holndonner's (Erlangen) works. Regarding the Hungarian peers – besides those, who were already mentioned – Erzsébet Galántai, Zsolt Hunyadi (both from Szeged), Ilona Kristóf (Eger) and Zoltán Várady (Szekszárd) were also among our contributors. Our most accomplished doctoral students have also represented themselves in the volumes whose careers we aimed to support also with the publication of their foreign language pieces. The fundamental task, however, was to broadcast the works of the department's professors to the academic world in a wider sense.

We can best characterize the nine volumes in a general sense on the language of numbers. In the nine volumes, altogether 84 articles were published, with each edition containing around eight to nine works, and in two cases it was even more (12 and 14 writings). The longest of the volumes is the VI<sup>th</sup> one, which contains materials from conferences, while the majority of the seven studies in volume VII were penned by our doctoral students. Numbers, of course, can be misleading since the length of the studies is far not identical.

In the volumes, the studies are published in chronological order and according to the topics. Those editions are considered to be exceptions, which contain conference papers and therefore these are organized into separate panels. Volume VI is an example for this, incorporating two different panels based on writings connected to a workshop (*Päpstlich geprägte Integrationsprozesse in Ost- und Westeuropa 11.–13. Jahrhundert c. Erlangen-Pécs project*) held on December 6, 2010, and an international conference (*Renaissance – Relations*) held on October 13, 2008. In volume VIII, accounts of the *Papal Delegates in Hungary in the XI<sup>th</sup> – XVIII<sup>th</sup> Centuries* workshop creates a separate thematic unit. The editions IV and VII are also strongly connected to certain conferences and research projects of the department. In volume IV., the papers of a conference (*The Latin and Orthodox Christianity between two Millenia*) held on November 12–13, 2007, are published, which was designed to demonstrate the results of two funded projects conducted by the department. The first program took place between 2004–2007 with the title *Central-Europe and the Balkan 1000–1800* (OTKA T043432), and the other, *Territorial and Structural Analysis of Central Europe and Balkans in the Middle Ages* (OTKA



TS 49775) transpired between 2005–2010. Volume VII. includes the publications of some of our doctoral students, based on their papers, which were presented on the Jubilee Doctoral Conference held on 30<sup>th</sup> of November – 1<sup>st</sup> of December 2012. The conference summarized the results of the doctoral program's past ten years, with altogether 18 doctoral students presenting in Hungarian, but only a fragment of the foreign language version of these papers got published.

The *Sectio Mediaevalis* started to include reviews from volume II. The majority of the reviews aim to draw attention to Hungarian works, but foreign-language monographs are also reviewed on the tracts of the volumes, altogether 25 synopses of this kind were issued in the editions.

The *Related books* segment is also equally important since it reports on the works of former and present colleagues of the department in chronological order, beginning from 1998. Besides the title page and the foreign language title of the works (in case the issue was written in Hungarian), the most important bibliographical information is also included. In this segment, monographs, source publications, educational synopses and every work, in which the department's colleagues contributed as editors are noted.

As a drop in the ocean, this list demonstrates the diversity and countless tasks the professors took and take part in.

The editorial work of volumes I–V and VII can be linked to the author of these lines and Gergely Kiss, while in the case of volume VI. Tamás Fedeles was actively involved in the editing. Volumes VIII–IX were supervised by Gergely Kiss and Gábor Barabás. From the very beginnings, the content of the series was composed by the members of the Department of Medieval and Early Modern History. According to the international standard, an editorial board supervises the publication of each volume starting from edition VI. This board includes Márta Font, Gergely Kiss, Endre Sashalmi and Katalin Szende from Budapest. Among the foreign colleagues Prof. Dr Norbert Kersken (Marburg), the Honorary Doctor of the University of Pécs is constantly contributing. Regarding volume VI and VII we could count on the work and cooperation of Prof. Dr Eduard Mühle (Deutsches Historisches Institut Warschau) and Prof. Dr Klaus Herbers (Erlangen). From the publication of volume VIII, Dr Przemysław Nowak (Warsaw) provides continuous support.

The different editions of the *Sectio Mediaevalis* are standing on the self beside each other, forming a colourful series, which also represents a symbolic meaning, expressing the diversity of the topics, which truly characterizes the work of the whole department. Of course, there are central points, but we trust the outer viewer to explore these. From the latest volumes, only a few copies are available in a printed form, but all are accessible online. We aim to maintain this duality, considering the expectations of our modern age, but always respecting tradition, doing it so in the hope of another jubilee.

Pécs, July 12, 2019

Márta Font

*Translated by Fanni Madarász*



## **STUDIES**



*Péter BÁLING:*

## The Orseolos A Genealogical Study

This study examines the lineage of the Orseolo dynasty: the origins of the family and the genealogical data on its members. In the Hungarian historiography the ancestry of the Orseolos was a subject of lengthy debates, the present paper therefore aims to clarify all those questions that arose during these disputes in the light of the available sources. Since Peter – a member of the dynasty – arose on the throne of the Hungarian Kingdom in the 11<sup>th</sup> century, the study not only discusses in detail the genealogy of the king, but his rule and political role as well.

*Keywords:* Orseolo dynasty, Hungary, Peter I of Hungary, Venice, genealogy



All those researchers who want to draw Orseolo Peter's authentic portrait are in a difficult situation as the sources – and in many cases the historiography as well – depict the king as a bad person and an incompetent ruler. This short study tries to gather all information, which is available in the sources, and aims to present the true figure of the king through a genealogical study.

All the sources refer to him as Petrus, the Latin name variant of Peter. This name was frequent in the Orseolo family where the king was descended from. According to the chronicle of John deacon – the chaplain of doge Pietro II (991–1009) – Peter I (976–978) was the first from the family to win the highest secular office in Venice.<sup>1</sup> The firstborn son of the doge Peter I was baptized by this name as well as was the Hungarian king's father, the grandson of Peter I. Some sources however refer to him as Otto (1008–1026), but he earned that

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<sup>1</sup> *“Patrato vero hoc nequissimo scelere, in sancti Petri ecclesiam convenerunt, ibique communi voto quendam virum, Petrum videlicet Ursoylum cognomine, preclarum generositate et moribus in ducatus honorem sublimare decreverunt.”* – Iohannis diaconi chronicon, p. 26.

name in his childhood, years after his birth.<sup>2</sup> As it is widely known, the name itself can be derived from the Gospel of Matthew and comes from the term *petra* that means *stone, rock*.<sup>3</sup>

The lineage of King Peter (1038–1041; 1044–1046) has been the subject of lengthy debates in the older genealogical literature as several hypothesis have been made to correct all the misinformation which can be found in the 14<sup>th</sup> century chronicle composition.<sup>4</sup> The source states that Peter was the brother of Queen Gisella, the wife of St. Stephen (1000/1–1038). On his genealogy the following can be read: *“For William, the father of Peter, was the brother of Sigismund, king of the Burgundians; but after the murder of St. Sigismund he had come to the emperor, who had appointed him to rule over the Venetians and had given him his sister Gertrud to wife, by whom he begot Queen Gisella. After Gertrud’s death William took to wife the sister of King St. Stephen, by whom he begot King Peter.”*<sup>5</sup>

The confusing genealogical liaisons of the chronicle are not fully unrealistic as the ancestors on Peter’s mother’s side are correct. Although we know almost nothing about Prince Géza’s daughter – who is referred to as St. Stephen’s sister in the text – it is not surprising that the anonymous compiler knew the lineage of Peter’s mother, since he could use all the information from the available sources of that time. Since it is unknown when the above quoted chronicle chapter was composed, it is difficult to determine the exact source on which the writer could rely. If we accept the statement that the Hungarian historians have unfolded, namely that the beginning of the Hungarian historiography can be associated with the reign of King Coloman the Learned (1095–1116),<sup>6</sup> then the Annals of the Nieder-

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<sup>2</sup> *“Puero quidem Verona pervento officiose a rege susceptus est, quem chrismatis unctione propriis amplexibus coarctatum fecit munire, et amisso paterno nomine, Otto, id est suus aequivocus, nuncupatus est.”* – Iohannis diaconi chronicon, p. 30.

<sup>3</sup> *“Et ego dico tibi, quia tu es Petrus, et super hanc petram aedificabo Ecclesiam meam, et portae inferi non praevallebunt adversus eam.”* – Matt. 16:18.

<sup>4</sup> WERTNER 1892. p. 63–64.

<sup>5</sup> *“Villemus autem pater Petri regis fuit frater Sigismundi regis Burgundiorum, sed post interemptionem Sancti Sigismundi venerat ad imperatorem, quem imperator collocavit Venetiis et dederat ei sororem suam nomine Gertrud in uxorem, de qua genuit Keyslam reginam. Mortua autem Gertud Uillelmus duxit in uxorem sororem sancti regis Stephani, de qua genuit Petrum regem.”* – Chronica de gestis Hungarorum, c. 70, p. 131; Chronici Hungarici compositio saeculi XIV, c. 70, p. 323.

<sup>6</sup> GERICS 1961. passim; KRISTO 1994. p. 8–22; SZOVAK – VESZPREMY 1999. p. 750–761; SZOVAK 2004. p. 239–254; THOROCZKAY 2010. p. 23–31.

altaich Abbey,<sup>7</sup> the works of Wipo<sup>8</sup> and Hermannus Contractus<sup>9</sup> can be considered as options. Regarding the *Annales Altahenses* the Hungarian historiography already stated that it was used during the composition of the so-called *Earliest-Gesta*.<sup>10</sup> All the aforementioned works upheld that King Peter was a nephew of St. Stephen. Hermannus, a Benedictine monk from the Abbey of Reichenau even knew that Peter was originated from Venice. Therefore, the unknown compiler of that part of the Hungarian chronicle presumably had some knowledge on Peter's genealogy, then he admixed this information with the Burgundian ancestors of Gisella<sup>11</sup> and his own learnings of King Sigismund (516–524). The mention of the Burgundian king is undoubtedly an anachronism, which was pointed out already by Mór Wertner.<sup>12</sup> However, the king's Italian ancestry was well known during the Middle Ages: the *Gesta* of Gallus Anonymous referred to him as Peter the Venetian.<sup>13</sup>

It is all clear now that Peter was a descendant of the Orseolo dynasty, which has given multiple doges to the Republic of Venice. The first members of the family – whose existence can be proved by written sources – were Dominicus (Domenico) and Petrus Urseolo. Their names appear on a Venetian diploma, which was issued in 971 and instructs the cessation of commercial practices with the Saracens.<sup>14</sup> According to *Annales Venetici*

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<sup>7</sup> “Hoc anno Petrus rex Ungrorum regno est privatus, coniurantibus adversum se suis primatibus. Unde hoc ortum sit, audiat qui velit. Stephanus bonae memoriae rex, avunculus ipsius, cum filius eius patre superstite esset mortuus, quoniam alium non habuit filium, hunc fecit adoptivum ipsumque regni heredem locavit; filium fratris sui digniorem in regno, quia hoc non consensit, cecavit et parvulos eiusdem exilio relegavit.” – *Annales Altahenses maiores*, p. 24.

<sup>8</sup> “Eodem anno Stephanus rex Ungarorum obiit, relinquens regnum Petro, filio sororis suae.” – *Gesta Chuonradi imperatoris*, c. 38, p. 58.

<sup>9</sup> “Ipso anno Stephanus Ungariorum rex, cum ante plurimos annos se cum tota gente sua ad Christi fidem convertisset ecclesiasque et episcopatus construxisset, et in regnum suum probis multissimum operam impendisset, Petrum, sororis sua filium, de Venetia natum, pro se regem constituens, obiit.” – Herimannus Augiensis *Chronicon*, p. 123.

<sup>10</sup> The *Earliest-Gesta* or *Primary Gesta* is a collective noun for all those historical texts that were written in the Hungarian court between the 11<sup>th</sup> and 13<sup>th</sup> centuries. Although these “oldest chronicles” were lost, studies have proven that the compiler of the 14<sup>th</sup> century chronicle composition could have used them to describe the events of the past as it can be read in the first sentence of the Hungarian Chronicle: “Anno Domini M-o OCC-o quinquagesimo octavo feria tertia infra octavas Ascensionis eiusdem Domini incepta est ista cronica de gestis Hungarorum antiquis et novissimis, ortu et progressu, victoria eorundem et audacia, collecta ex diversis cronicis veteribus, earundem veritates ascribendo et falsitatem omnino refutando.” – *Chronica de gestis Hungarorum*, c. 1, p. 2; *Chronici Hungarici compositio saeculi XIV*, c. 1, p. 239; Cf. BAK – GRZESIK 2018. p. 7–10.

<sup>11</sup> WEINFURTER 2002. p. 14–35

<sup>12</sup> Mór Wertner discussed in detail all those views from the older historiography that sought to discover Peter's Burgundian ancestry as it is described in the Hungarian chronicle composition. See WERTNER 1892. p. 64–72.

<sup>13</sup> “[...] Petrus Ueneticus Vngarie regnum recepit, qui ecclesiam sancti Petri de Bazoario inchoavit, quam nullus rex ad modum inchoationis usque hodie consumavit.” – Galli Anonymi *chronicae et gesta*, lib. 1, c. 18, p. 41–42.

<sup>14</sup> FRA XII. nr. 14, p. 28. Petrus' name also appears in the diplomas of 960 and 971, this time however he bore the title of *dux*. FRA XII. nr. 13, p. 23, resp. nr. 15, p. 31.

*Breves* – which is unfortunately a late, 13<sup>th</sup> century source – Domenico and Peter were brothers.<sup>15</sup> From the chronicle of John deacon it is known that Peter earned his office after doge Pietro Candiano's reign was swept away by an uprising.<sup>16</sup> The source also tells that Peter was married, his wife was called Felicia.<sup>17</sup> Peter I renovated all the buildings that were damaged in the previous uprising and assessed tax on the Venetians to compensate the dowry of Waldrada, the widow of the late doge Pietro Candiano (959–976).<sup>18</sup> Soon after, under the influence of a mysterious figure named Guarinus – the chronicle identifies him as the abbot of Saint-Michel-de-Cuxa – he retired from secular life and in 978 – under the cover of the night – moved to the aforementioned monastery. From his marriage three children are known. The only son inherited his father's name, unfortunately we do not have any information about the two daughters of Peter I. John deacon's chronicle mentions only their husbands: Iohannis Maureceni (Giovanni Morosino) and Iohannis Gradonico (Giovanni Gradenigo).<sup>19</sup> According to another late

<sup>15</sup> “[...] *Petrus Ursiulus* [...] *et Dominicus Ursiulus frater eius* [...]” – *Annales Venetici breves*, p. 70.

<sup>16</sup> “*Octavo decimo quidem sui honoris anno, una cum filio parvulo quem de predicta Hwalderada habuit, tali ordine interfectus est. Dum illo longo tempore Venetici ob austeritatem sui exosum haberent facultatemque per dendi sedulę machinarent, quadam die facta conspiratione in illum insurgere adorsi sunt. Palatium tamen, quia bellicosus, licet paucis, militibus illum stipatum noverant, nulla ratione ausi sunt penetrare. Tandem nequam consilium invenientes, propinquas domos, quae econtra palatium citra rivolum consistebant, igne mixto picino fomento accendere studuerunt, quatinus flamarum flexibilia culmina vicinum palatium attingere et concremare possent. Unde factum est, quod non modo palatium, verum etiam sancti Marci sanctique Theodori, nec non sanctae Mariae de Iubianico ecclesiae et plus quam trecente mansiones eo die urerentur. Is autem dux cum ignis calorem fumique suffocationem diu inter palatium ferre nequiret, per sancti Marci atrii ianuas evadere cum paucis conatus est; ubi nonnullos Veneticorum maiores una cum generis afinitate suum expectantes periculum repperit; quos ut cernens taliter allocutus est: ‘Et vos, fratres, ad exciui mei cumulum venire voluistis? Si aliquid in verbis vel in rebus publicis deliqui, meae insperate a vitae spacium rogo, et omnia ad vestrum velle satisfacere promitto.’ Tunc ipsi sceleratissimum et morte dignum eum affirmantes, diris vocibus clamaverunt, quod nulla evadendi in illo possibilitas foret. Et instanter mucronum ictibus undique illum crudeliter vulnerantes, diva anima corporeo relicto ergastulo, superum petiit solita. Filium siquidem, quem nutrix ab incendii poena liberavit, a quodam nequissimo cuspide transverberatus est, pariterque milites qui illi favere nitebantur, occisi sunt. Gelida namque corpora quorum, idem genitoris et sobolis, ob ignominiam primitus exigua navi ad macelli forum, deinde quodam sanctissimo viro Iohanne Gradonico nomine interpellante, ad sancti Yllari monasterium detulerunt. Patrato vero hoc nequissimo scelere, in sancti Petri ecclesiam convenerunt, ibique communi voto quendam virum, Petrum videlicet Ursoylum cognomine, preclarum gene rositate et moribus in ducatus honorem sublimare decreverunt.” – Iohannis diaconi chronicon, p. 25–26.*

<sup>17</sup> “*Erat siquidem sibi coniux, Felicia nomine et merito, unius nati tantu modo mater, qui patris equivocus nomine non dissimilis extitit opere.*” – Iohannis diaconi chronicon, p. 26.

<sup>18</sup> NORWICH 2012. p. 45.

<sup>19</sup> “*Eodem quoque tempore domnus Hwarinus venerabilis abbas sancti Michahelis monasterii, quod in Equitane partibus in loco qui vocatur Cussanus scitum manere decernitur, Romam ad apostolorum limina pro peravit. In redeundo quidem Dei fultus timore beatique Marci, Veneciam intravit, ibi que aliquantis diebus orationis studio et domni Petri ducis precibus constrictus commoratus est. Quem dum domnus dux digna veneratione coleret et sedulae divina colloquia simul agerent, expertus est abbas duce[m] prorsus terrena parvipendere habitamque dignitatem non ambitionis studio sed subditorum solatio obtinere; iniunxit tamen sibi dicens: ‘Si vis perfectus esse, relinque mundum huiusque dignitatis apicem, et in monasterio Deo servire festina.’ Cui dux:*



medieval source, namely the Chronicle of doge Andrea Dandolo (1343–1354), Peter I died within the walls of the monastery after 19 years of his departure from Venice.<sup>20</sup> However, in the light of the secondary literature the years around 987 can be considered more precisely.<sup>21</sup> In 1731 the Roman Catholic Church canonized him,<sup>22</sup> so according to the present situation the Hungarian king has saints in his ancestry from both maternal and paternal side.

Peter II, the son of Peter I took over the leadership in Venice in 991. He was 30 years old that time, if the chronicle of John deacon is right.<sup>23</sup> From this information Mór Wertner concluded that he was born around 961.<sup>24</sup> The reign and life of Peter II is not as scarce of sources as his father's. From the time of Otto III (983–1002) three diplomas are known, in which the emperor granted the establishment of commercial repositories along the banks of the rivers Piave and Sile and Otto III promised even tax exemption for Venice in the Holy Empire.<sup>25</sup> Peter II maintained good relations with Byzantium. In 997 when the Bulgarian tsar Samuel (997–1014) moved forward his army as far as the city of Zara (Zadar), Emperor Basil II (976–1025) turned to Venice and one year later he entrusted the doge to defend the Byzantine interests in Dalmatia. At this time Peter II received the illustrious titles *dux Dalmatianorum* and

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*'Egregie, inquit, pater et meae animae lucrator, suma aviditate tuis monitis obtemperare gestio. Sed aliquanti temporis spacium rogo, interim meam facultatem disponere queam. Postea vero in monasterio tuique regiminis vinculo summissus, Deo militare cupio.' His quidem determinatis, certam diem decreverunt, qua abbas Veneciam ad eundem suscipiendum reciperet. Tunc accepta licentia, ad suum monasterium repedavit. Antedictus vero dux ceptam patriae salutem sollerti studio procurare non desiit, licet aliquanti, quorum consilio, ut diximus, patriarcha imperatorem adiit, sue ditioni perversos repugnantes efficerentur, adeo ut suam vitam crudeli funere per dere molirentur. Tamen tante bonitatis et divinae virtutis gratia vigeat, ut quicquid ipsi de se clanculo iniqua machinatione determinarent, nemine indagante cognosceret, nullique resistenti aliquod nephas recompensare voluit, sed equo animo Dei timore omnia tollerando sustinebat. Inter hec statuta die prelibatus abbas ad Venetiam rever sus est, ea occasione quo Hierosolimam ire vellet. Quem Petrus dux libenter suscepit, et prima nocte diei Kalendarum Septembriarum ipse una cum Iohanne Gradonico nec non Iohanne Maureceni, suo videlicet genero, nesciente uxore et filio omnibusque fide libus, occulte de Venetia exierunt.'* – Iohannis diaconi chronicon, p. 26.

<sup>20</sup> *"Interea supradictus Petrus dux, XVIII<sup>o</sup> sui monachus anno, apud monesterium sancti Michaelis de Cusano, in confessione catholice fidei, die XI<sup>o</sup> ianuarii feliciter ad celestem gloriam convolvavit, cuius laudabilis vita, et obitus, ac miracola suis meritis demonstrata, ecciam' clarius et serius conprobantur per antiquatam legendam, que apud fratres dicti monesterii ad eorum exemplum continuo recensetur, et relationem multorum conprovincialium, et exterorum, qui devotionis causa visitare non desinunt sepulcrum, in quo eius venerabile corpus, digno honore, requiescit et colitur."* – Chronicon Venetum, p. 184.

<sup>21</sup> DE BORDAS 1897. p. 234. According to de Bordas' work, Peter I was born in 928. See DE BORDAS 1897. p. 14.

<sup>22</sup> Prior to the canonization, in 1027 Peter I was beatified. See DE BORDAS 1897. p. 283.

<sup>23</sup> *"Anno vero dominicae incarnationis noningentesimo nonagesimo primo Petrum, antedicti domni Petri Ursiuli ducis sobolem, trigesimo suae aetatis anno Veneticorum populi ad paternam dignitatem promoverunt."* – Iohannis diaconi chronicon, p. 29.

<sup>24</sup> WERTNER 1892. p. 76.

<sup>25</sup> Ottonis II. et III. diplomata. nr. 100, p. 511; nr. 165, p. 577; nr. 192, p. 600.

*proconsul*, which he used in his official title.<sup>26</sup> At the same time, the Holy Roman Emperor Henry II (1002–1024) has confirmed all privileges given by his predecessors to Peter and his son John in November 1002.<sup>27</sup>

However, to uncover Peter's lineage, the most important source remains the widely quoted chronicle of John deacon, which is also considered to be the authentic on late 10<sup>th</sup> and 11<sup>th</sup> century Venetian history. According to the narration, the marriage of the doge and his wife Mary was quite fertile<sup>28</sup> as many children were born from it. Peter II died in 1009, his body was buried in the Church of San Zaccaria in Venice.

The oldest child from the marriage of Peter II and Mary is considered to be John (Giovanni), who appears in the aforementioned diploma of Henry II. It is known from John deacon's chronicle that from 1004 on his father shared with him the power over the city. However the charter of Henry refers to him as *Iohannis similiter ducis*, and since it was issued in 1002, the date in the narrative source may be wrong.<sup>29</sup> In this case John's date of birth is also based on miscalculation in the famous work of Mór Wertner, because the chronicle also tells that he was 18 years old when the joint rule of father and son began in Venice. So, it is more likely that John was born in 983 and not in 985 as some works claim. Probably he married Mary, the sister of Romanos *eparchos*, who later became Emperor Romanos III (1028–1034) in Byzantium. The uncertainties about the identity of Mary can be also traced back to John deacon's narrative source, since he considered her as an

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<sup>26</sup> FINE 2000, p. 275.

<sup>27</sup> Heinrici II. et Arduini diplomata, nr. 24, p. 26–27.

<sup>28</sup> "Preterea Petrus dux omnibus suis liberis paternum munus impertiri voluit, ita ut testamentario iure quisque suas acciperet porciones. Nomina quorum ut rite recordor, exprimere libet. Illorum primus herile sortitus est nomen, qui forma et viribus bene respondebat satis natalibus. Secundus nominatur Ursus: iste sic officium gerens clericatus, quo haud immerito queat dici clericorum decus. Tercius est ordine Otho, predictus puerulus, patris qui constat dignitate equivocus. Quartus nominatur Vitalis: hic ingenii strenuitate ecclesiasticam adeptus est sortem. Quintus estat vocabulo Heinricus, species cuius puerilis ceu iubar micat solis. Quatuor quoque filiae eidem opimo manebat patri, quarum prima Hicelam nomine Stefano Sclavorum regis filio, de quo antea predixi, in coniugio honorifice sociavit; reliquas vero tres in monasterio Deo omnipotenti mancipavit. His itaque bene compositis, Mariae generosae suae uxoris thorum sequestratum habere deinceps decrevit, ea videlicet ratione, quo nullum divorcium foret in familiaritatis conversatione." – Iohannis diaconi chronicon, p. 37. There is also a hypothesis according which Mary was the niece of the former doge Pietro Candiano. However, this should be handled delicately as the author does not know all the children of the couple and calls the mother of the Hungarian King as Grimelda. Since there is no authentic source to prove that and the work mentions Prince Géza as Geizo – the same name variant that is used in Dandolo's chronicle – this kind of genealogy is questionable. Cf. STALEY 1910, p. 49–50, 53.

<sup>29</sup> "Anno quidem incarnationis Redemptoris nostri millesimo quarto, ducatus vero domni Petri Veneticorum ac Dalmaticorum ducis decimo, Iohannes, eiusdem ducis egregia proles, genitoris effectus est consors dignitate. Quem dum tercia etas octavo decimo anno ephebum foveret, nimirum paterno ingenio et probitate vigeabat; qui pii parentis adeo obtemperare studeat moribus, ut sub gemino regimine omnis patria uno maneret foedere." – Iohannis diaconi chronicon, p. 35. cf. Heinrici II. et Arduini diplomata, nr. 24, p. 26–27.

imperial niece<sup>30</sup> – and so did Wertner – but the recent historiography gives credit to John Skylitzes' work, which strengthens the relationship between Mary and Romanos.<sup>31</sup> Szabolcs Vajay used this marriage as an argument to justify his hypothesis on the Byzantine matrimony of St. Emeric of Hungary. He presumed that the close ties between the Orseolos and the imperial family could help St. Stephen to choose an appropriate wife to his son.<sup>32</sup> Wertner dated the marriage of John and Mary to 1004,<sup>33</sup> Vajay mentioned the year 989,<sup>34</sup> however, it is more likely that the wedding took place around 1005 or 1006.<sup>35</sup> John deacon's chronicle also tells that a boy named Basil was born from this union.<sup>36</sup> According to the sources the family had a sad end, since all of them died around 1007 in Venice due to an epidemic.<sup>37</sup>

According to John deacon the second son of Peter II was Orso who was born around 988<sup>38</sup> and entered church career.<sup>39</sup> This information can be supplemented with the work of Andrea Dandolo, which states that he was consecrated to bishop of Torcello in 1008,<sup>40</sup> and ten years later he could occupy the patriarchal office in Grado.<sup>41</sup> His former bishopric was given to

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<sup>30</sup> *"Hoc quoque tempore Petrus famosus dux, sedula petitione a Vassylio et Constantino imperatoribus coactus, Iohannem ducem, suam dilectam prolem, ad regiam urbem causa coniugii delegavit. Quem imperatores dum benigne susciperent, cuiusdam nobilissimi patricii filiam Argiropoli nomine, imperiali editam stirpe, illi desponsare decreverunt. Et ut tantae femine, imperatorum videlicet neptis, copulationis dies acceleraret, prefatus dux una cum puella imperiali decreto in quadam capella convenire permitti sunt ibique ab eiusdem urbis pastore sacre benedictionis munus, ab imperatoribus aureas diademas suis capitibus, perceperunt."* – Iohannis diaconi chronicon, p. 36.

<sup>31</sup> *"At that time the emperor gave the daughter of Argyros in lawful marriage to the Doge of Venice to conciliate the Venetians."* – John Skylitzes, p. 325.

<sup>32</sup> VAJAY 1967. p. 91, note nr. 106. and p. 92.

<sup>33</sup> WERTNER 1892. p. 78.

<sup>34</sup> VAJAY 1967. p. 92.

<sup>35</sup> John Skylitzes. p. 325, note nr. 135.

<sup>36</sup> *"Domna vero Maria, Greca ductrix, non post plures dies puerum Constantinopolim genitum Venetiae protulit natum, quem Petrus eximius dux de sacro baptismatis lavacro suscipiens, Vassilium ob avunculi sui imperatoris nomen imposuit."* – Iohannis diaconi chronicon, p. 36.

<sup>37</sup> *"Eodem itaque tempore stella cometis, cuius indicium humanum semper pronunciat flagicium, in meridiano climate apparens, quam maxima per omnes Italiae seu Veneciae fines pestilentia subsequuta est. In qua utriusque sexus humanae conditionis nonnulli inopinata morte ceciderunt. Inter quos domna Maria, Greca ductrix, nec non Iohannes, egregius vir suus, sedecim dierum numero in sancti Zacharie monasterio pro dolor! uno clauduntur mausoleo."* – Iohannis diaconi chronicon, p. 36; Wertner placed the event on the year 1006, however the critical editions of John deacon's and Skylitzes' works mention the year 1007. WERTNER 1892. p. 78. Cf. John Skylitzes, p. 325, note nr. 135.

<sup>38</sup> [GULLINO 2013a](#). (online version, access: May 13, 2019)

<sup>39</sup> *"Secundus nominatur Ursus: iste sic officium gerens clericatus, quo haud immerito queat dici clericorum decus."* – Iohannis diaconi chronicon, p. 37.

<sup>40</sup> *"XVII<sup>o</sup> ducis anno, Ursus eius filius, defuncto Valerio episcopo torcelano, laudante clero et populo, in eadem ecclesia subrogatus est. Hic, cum favore paterno, ecclesiam suam kathedralem, iam vetustate coruentem, cum episcopo renovare fecit; filia quoque ducis, Felicia nomine, sancti Iohannis evangeliste de Torcelo similiter abbatis ordinata est."* – Chronicon Venetum, p. 203.

<sup>41</sup> *"Ursus patriarcha, nacione venetus, ex patre Petro Ursoyolo duce, sedit annis XVII, mense [Januari]o, diebus XV. Hic, existens episcopus torcelanus, ex colaudacione cleri et populi, nunc*

his younger brother Vitale, the fourth son of Peter II. Doge Dandolo's chronicle also reports that following the internal conflicts in Venice, Orso and his other brother Otto – the father of King Peter of Hungary – sought refuge in Istria. Meanwhile Poppo, the patriarch of Aquileia attacked Grado to bring it under his jurisdiction.<sup>42</sup> The intensification of the jurisdictional dispute between the two patriarchates were further strengthened by the contradictory decisions of Pope John XIX (1024–1032).<sup>43</sup> Finally, Otto found refuge in Constantinople. As Dandolo claims in 1031 the Venetians sent a delegation to the emperor to call back the exiled Otto, and during that time Orso took power in his brother's name in Venice, but as soon as he became aware of Otto's death he resigned and devoted his life to God.<sup>44</sup> The death of Orso can be dated around 1049.<sup>45</sup>

King Peter's father was Otto, whom the abovementioned chronicle of John says that he was the third son of *Petrus dux*, namely doge Peter II.<sup>46</sup> The source also states that this was not his original name, since he was previously called Peter, but around 966, after his confirmation – on which Otto III took part as the young man's patron – to honour the emperor, Peter received the name Otto.<sup>47</sup> Wertner assumed that he was born around 991, but there is no accurate information to confirm this date, the famous Hungarian genealogist based his statement on the data that can be found in Andrea Dandolo's late, 14<sup>th</sup>-century chronicle. According to the latter chronicle King Peter's father wed Prince Géza's daughter in 1009 at the age of 18.<sup>48</sup> Dandolo also states

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*patriarcha factus est, Vitalia quoque, frater eius, vacantis ecclesie ordinatus episcopus. Hic, pro statu et iuribus ecclesie sue conservandis, instantissime laboravit.* – Chronicon Venetum, p. 204.

<sup>42</sup> *“Eodem anno, cum inter Venetos gravis orta discordia usque adheo perducta esset, ut dux, et frater eius patriarcha, relictis propriis sedibus, apud Ystriam exulare coacti forent, Popo patriarcha aquileiensis Gradum adiit, petens recepi adiuctorem fratris sui patriarche, et amici sui ducis, cui cum nollent acquiescere, per XVIII<sup>o</sup> suorum sacramenta firmavit, quod ad salvam faciendam illis civitatem intraret; ubi, postquam intratum est, ecclesias et monasteria diruit, sanctimonialia violavit, thesauros abstulit, et civitatem, licet destitutam, munitam suis reliquit.”* – Chronicon Venetum, p. 205–206.

<sup>43</sup> [GULLINO 2013b](#). (online version, access: May 13, 2019)

<sup>44</sup> *“Ursus Ursiolo patriarcha ducatum tenuit anno Domini millesimo XXXI<sup>o</sup>. Nam, ex absentia Octonis ducis, hunc presulem eius fratrem, virtute et generositate perspicuum, vices eius fungere laudant, et pro Octone Vitalem torcelanum episcopum cum pluribus Constantinopolim mitunt: Dominicus igitur Flabianico, cum ceteris qui exilii Octonis culpabiles fuerant, formidantes, abierunt. Hic urbem gradensem et ecclesias reparat, et monetam parvam sub eius nomine, ut vidimus, cudi fecit. Legati, Octone invento mortuo, redeunt, et casum indicant; tunc hic, qui vices eius tenebat, finito anno uno, mensibus duobus, relicta ducali sede, ad suam recitit ecclesiam; qui, licet dux non fuerit, attamen, quia iuste rexit, antiqui Veneti in chatalogo ducum illum posuerunt.”* – Chronicon Venetum, p. 207–208.

<sup>45</sup> [GULLINO 2013b](#). (online version, access: May 13, 2019)

<sup>46</sup> *“Tercius est ordine Otho, predictus puerulus, patris qui constat dignitate equivocus.”* – Iohannis diaconi chronicon, p. 37.

<sup>47</sup> *“Puero quidem Verona pervento officiose a rege susceptus est, quem chrismatis unctione propriis amplexibus coarctatum fecit munire, et amisso paterno nomine, Otto, id est suus aequivocus, nuncupatus est.”* – Iohannis diaconi chronicon, p. 30.

<sup>48</sup> *“Ocho Ursoyolo dux, defuncto patre preesse cepit anno Domini nostri Iesu Christi millesimo VIII. [...] Erat quippe dux annorum ferre XVIII-o, quo tempore filiam Geuce regis Ungarorum et sororem*

that this time he was elected to doge, shortly after his father's death.<sup>49</sup> Before the election, around 1008, he appeared as a co-ruler of the city since his brother Giovanni tragically passed away.<sup>50</sup> During his reign difficulties arose between Venice and the Croatian Kingdom, which was incited by Byzantium, since the emperor left a wider margin for Venetian activity in Dalmatia because he was preoccupied with the Bulgarian question. The Venetian interests conflicted with the Croatian jurisdictional claim on Dalmatia. The course of events went through a setback for Venice when Basil II and Krešimir III (1000–1030) reached an agreement, therefore the merchant city's rule lessened to the northern settlements of the region.<sup>51</sup> During the abovementioned uprising in Venice around 1023 or 1024 doge Otto fled to Istria and later he found refuge in Constantinople. His place was taken over by Pietro Barbolano (1026–1032), however later he was also expelled.<sup>52</sup> After this events Otto's older brother Orso temporarily was meant to lead the city, who sent Vitale – their younger brother – to Constantinople to call their exiled brother home, but Otto died during 1032.

The formerly mentioned Vitale, the fourth son of Peter II, was – as we discussed it before – awarded with the bishop's seat in Torcello after his brother Orso was appointed to patriarch of Grado, and later he took part in the mission to Constantinople to recall Otto to Venice. His other life events are unknown, although Wertner stated that he attended in a local synod in 1040, that was convened by Orso.<sup>53</sup>

The destiny of the fifth son of Peter II and Mary also remains obscure. It is possible that the name Enrico (Henry) was given to him when the Emperor Henry II visited Verona and became the young Enrico's confirmation patron, similar to his older brother Otto.

From the sixth and probably youngest son of doge Peter II a diploma and Dandolo's chronicle upheld some information. The charter, which was issued in 1015, tells that his name was Domenico and was married to a certain Immilia, daughter of the count of Padova and Vicenza.<sup>54</sup> Their children Ugo,

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*Stephani successoris transduxit uxorem, mulierem utique generositate serenam, facie facundam, et honestate preclaram.* – Chronicon Venetum. p. 203. The Italian historiography concluded to a somewhat different date: 993. Cf. [GULLINO 2013c](#). (online version, access: May 13, 2019)

<sup>49</sup> *"Otho Ursoyolo dux, defuncto patre, preepse cepit anno Domini nostri Iesu Christi millesimo XVIII.*" – Chronicon Venetum, p. 203.

<sup>50</sup> László Szegfű used different dates when he determined the political career of Otto. According to him Otto was appointed to co-ruler in 1006 and his election took place in 1008. See SZEGFŰ 1994. p. 544.

<sup>51</sup> FINE 2000. p. 277–278.

<sup>52</sup> *"Petrus Barbolano, sive Centranico, dux decernitur anno Domini millesimo XXVII. Hic, expulso pre[de]cessore, preficitur; quod, cum plurimis non placeret, scisma in populo crebo exoritur; et Popo aquilegiensis patriarcha, imperiali confissus auxilio, Venetorum confinia lacerabat. Imperator etiam, illius inductione, non solum Venetorum fedus aprobare renuit, sed ut sibi emulos illos persecutus est."* – Chronicon Venetum, p. 207.

<sup>53</sup> WERTNER 1892. p. 79.

<sup>54</sup> *"Heinricus gratia Dei imperator augustus Deo propicio hic in Italia anno undecime imperii eius primo, octavo Kalendas februarias. Indictione terciadecima. Tibi Inmilda honesta filia mea et curaius Dominici filius quondam Petroni duci de finibus Veneciarum dilecta filia mea ego Inmilia*

Pietro, Felicia and Entesma are known from another diploma.<sup>55</sup> However, apart from the fact that Entesma was still alive in December 1061 and she was the wife of Domenico Rosso nothing else is known.<sup>56</sup> According to the chronicle of Andrea Dandolo Domenico seized the power over Venice for just one day after he discovered that his brother Otto died, then he fled to Ravenna where he passed away shortly afterwards.<sup>57</sup>

From the marriage of Peter II and Mary, daughters were also born but the sources inform only briefly about them. Wertner counted with five sisters<sup>58</sup> but this number is more than what can be certified by the sources. John deacon mentions four daughters but the author specifies the name only in one case: Hicela. It is known that around 1000 she married to Stjepan, the son of Svestoslav (997–1000), king of Croatia. Due to the intensification of Croatian inner discordance Svetoslav turned to Venice, his former adversary, to strengthen his position.<sup>59</sup> He sent his son to the merchant city but apart this his life events are unknown to the researchers. There are theories that after the collapse of the Orseolo rule in Venice the couple sought refuge in St. Stephen's court, who donated some parts of Slavonia to them.<sup>60</sup> However, all this remains only hypothesis since it cannot be supported by sources. The main argument to back up this thesis was defined by the old Croatian historiography. According to this, Zvonimir (1075–1089/90) who was supposedly born from this marriage ruled afterwards in Slavonia. However, according to new research results Zvonimir exercised power over the Banate of Lika.<sup>61</sup> In any case, Mór Wertner used this marriage as an argument to support his thesis on St. Emeric's alleged Croatian matrimony.<sup>62</sup> This

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*erelita quondam Ugoni comitis et Ubertus comitis et Mainfridus filius quondam Ugo item comitis germanis filiis et mundoaldis meis qui professum sumus nos oranes qui supra mater et filii ex nacio meam lege vivere longobardorum ienitris et iermanis donatrix et donatrix stue propterea disi — quamprotrep dono a presenti die dilectionis stue et in tuo iure et potestatem per hanc cartulam donacionis propriethario nomine in te habendum confirmamus [...].* – CDP nr. 100, p. 134.

<sup>55</sup> *Chronicon Venetum*. p. 208, note nr. 1. Cf. CDP nr. 209, p. 237.

<sup>56</sup> *“In nomine domini Dei et salvatoris. nostri Jhesu Christi. Anno incarnationis eiusdem redemptoris millesimo sexagesimo primo, mense decembris indictione quartadecima Rivoalto. Magnus donacionis est titulus hubi casus largietatis nullus repperitur, sed ad firmamentum muneris sufficit animus largientis. Quapropter ego quedam Entesema filia Dominici Ursoyoli, uxor Dominici Roso, consentiente mihi eodem viro meo cum meis heredibus nullo penitus cogente aut suadente nec vira inferente, sed optima et spontanea mea bona voluntate et pro tuo condigno merito quod mihi factum habes [...].* – CDP nr. 184, p. 214.

<sup>57</sup> *“Dominicus Ursiolo dux sedem invasit, anno Domini millesimo XXXII<sup>o</sup>. Hic, de stirpe Octonis, modica parte populi consenciente, ducatum usurpat: ceteri, innatam libertatem et non tyrampnidem cupientes, in eum insurgunt; ille perorescens, dum prefuisset uno die, fugam arripiens Ravenam ivit, ubi denique moritur et sepelitur.”* – *Chronicon Venetum*, p. 208.

<sup>58</sup> WERTNER 1892. p. 77.

<sup>59</sup> FINE 2000. p. 276.

<sup>60</sup> FINE 2000. p. 278.

<sup>61</sup> SZEBERÉNYI 2007. p. 296, note nr. 111.

<sup>62</sup> WERTNER 1892. p. 61.

reasoning is quite similar to Szabolcs Vajay's thesis on Emeric's Byzantine marriage.<sup>63</sup>

As it was mentioned, John deacon does not name any other daughters of Peter II, however in Dandolo's chronicle a certain Felicia appears as abbess of St. John Monastery in Torcello.<sup>64</sup> It is possible that Felicia could have been one of the three anonymous sisters who – according to John deacon – dedicated their lives to God,<sup>65</sup> so the five siblings in Wertner's work can no longer be held.

As it has been stated in light of the abovementioned sources King Peter's father was doge Otto Orseolo, who wed Prince Géza's daughter around 1009 as the chronicle of Andrea Dandolo states. There is much less information available of the king's mother than his paternal ancestry. There is no data on her exact birth date, but we can assume – since her wedding took place in 1009 – that she was younger than St. Stephen. Her name also remains in obscurity. Mór Wertner clarified that the names such as Gisella, Ilona and Mary – which can be found in the old Hungarian genealogical literature – cannot be her true names, since no sources are available to support any of them. Wertner also stated that she was born from Prince Géza's second Polish wife, Adelheid.<sup>66</sup> However, a recent research proved that Adelheid could not have been the wife of Géza, even her historical existence is questionable. Therefore, she must have been born from the Hungarian prince's only wife, Sarolt.<sup>67</sup> She could have been born around 991–992. The research has no knowledge on her life events following her marriage, but Wertner assumed that she has returned to Hungary after her husband's death.<sup>68</sup> In the chronicle of Albericus some information is upheld about her death, but this data cannot be taken seriously, since the Cistercian monk of Troisfontaines<sup>69</sup> regarded her son as the brother of the Hungarian Queen Gisella<sup>70</sup> and he thought that she died in 1010.<sup>71</sup>

From the marriage of Otto and Prince Géza's daughter not only the further Hungarian king was born as it can be proven by sources that King Peter's sister was the wife of Adalbert (1018–1055), the Margrave of Austria from

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<sup>63</sup> VAJAY 1967. p. 89–91.

<sup>64</sup> "XVII<sup>o</sup> ducis anno, Ursus eius filius, defuncto Valerio episcopo torcelano, laudante clero et populo, in eadem ecclesia subrogatus est. Hic, cum favore paterno, ecclesiam suam kathedralem, iam vetustate coruentem, cum episcopo renovare fecit; filia quoque ducis, Felicia nomine, sancti Iohannis evangeliste de Torcelo similiter abbatisa ordinata est." – Chronicon Venetum, p. 203.

<sup>65</sup> "Quatuor quoque filiae eidem opimo manebat patri, quarum prima Hicelam nomine Stefano Sclavorum regis filio, de quo antea predicti, in coniugio honorifice sociavit; reliquas vero tres in monasterio Deo omnipotenti mancipavit." – Iohannis diaconi chronicon, p. 37.

<sup>66</sup> WERTNER 1892. p. 88.

<sup>67</sup> KRISTÓ 2000. p. 7–9. Cf. GRZESIK 1995. p. 114–126.

<sup>68</sup> WERTNER 1892. p. 90.

<sup>69</sup> On the Hungarians in Albericus' chronicle see CSÁKÓ 2012. p. 515–526.

<sup>70</sup> "Unde rex iste Petrus, de quo hic agitur, frater dicitur fuisse illius regine Gisle, de qua superius diximus." – Albrici monachi Triumfontium Chronicon, p. 786.

<sup>71</sup> "[...] Gisla regina, ut dicunt, multas malitias in terra illa fecit et ad extremum post mortem sancti regis meritis exigentibus interfecta fuit." – Albrici monachi Triumfontium Chronicon, p. 779.

the House Babenberg. The works of Hermannus Contractus<sup>72</sup> and Bishop Otto of Freising<sup>73</sup> can be cited here as they both preserved the information that King Peter sought refuge at his brother-in-law when he was expelled from Hungary. Wertner pointed out properly that her name could not have been Adelheid, what the so-called Aloldus tradition had upheld,<sup>74</sup> since there are multiple authentic diplomas in which she is mentioned as Froiza, Frowila.<sup>75</sup> György Pray, the 18<sup>th</sup> century Jesuit historian attempted to interpret the meaning of the name, believing that Fronwe means 'a woman, mistress' but his reasoning is weakened by the fact that he considered the above mentioned Adelheid as the sister of King Peter, therefore he assumed that the name is of German origin.<sup>76</sup> Her exact birthdate is unknown, but it is certain that in 1041 when King Peter fled to Adalbert, she was already married, i.e. she was at least 15–16 years old. As *post quem* date her parents' wedding comes in question, but – because of the lack of information on the matter in the sources – it is impossible to narrow down the dating of the event. Mór Wertner suggested that Adalbert was married twice, therefore Frowila can be only regarded as the second wife of the margrave.<sup>77</sup> This theory was also accepted by Szabolcs Vajay<sup>78</sup> and certain German works are suggesting the same statement, although there is no consensus in the research about the identity of Adalbert's first wife.<sup>79</sup> Furthermore, Wertner stated that the two sons of Adalbert, namely Liutpold and Ernest were certainly born from the margrave's first marriage. This theory is widely spread in the German secondary literature as well. It is true that Liutpold – who appears in the Annals of the monastery of Niederaltaich<sup>80</sup> in the year 1042 – could not be Frowila's son for chronological reasons. However,

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<sup>72</sup> "Ipso anno Ungarii perfidi Ovonem quendam regem sibi constituentes, Petrum regem suum occidere moliantur. Qui vix fuga lapsus, primo ad marchionem nostrum Adalbertum, sororis suae maritum, profugus venit, indeque ad regem Heinricum veniens, pedibusque eius provolutus, veniam et gratiam imploravit et impetravit." – Herimannus Augiensis Chronicon, p. 123.

<sup>73</sup> "Ungaros quoque variis ac diversis praeliis premens, Petrum regem eorum ab Ovone regno fraudolenter pulsum intercessione Alberti marchionis, cuius levir erat, exulem suscepit, ac cum exercitu Pannonias ingressus, congressu habito, cum paucis incredibilem multitudinem Ungarorum fudit, Petrumque regno restituit." – Otto Frisingensis episcopus Chronica, lib. 6, c. 32, p. 298.

<sup>74</sup> WERTNER 1892. p. 91.

<sup>75</sup> The above mentioned name variants can be found in the charters of Emperor Henry III. issued in 21 April in 1048. and 12 November in 1051. The diploma of Henry IV from 1058 also mentions the wife of Adalbert. See Heinrici III. diplomata. nr. 215, p. 287–288, resp. nr. 278, p. 379, and Heinrici IV. diplomata. nr. 40, p. 49–50.

<sup>76</sup> PRAY 1801. p. 25–26, especially p. 26. note 'a'. For similar reasons it is a common practice to name her as Dominica in certain genealogical tables. Cf. LECHNER 1992. p. 327, note nr. 95.

<sup>77</sup> WERTNER 1892. p. 91–92.

<sup>78</sup> VAJAY 1967. p. 97.

<sup>79</sup> According to Karl Lechner Gismold, the sister of Bishop Meinwerk of Paderborn could be the first wife of Adalbert and she was also the mother of his children. See LECHNER 1992. p. 79.

<sup>80</sup> "Qui dum ex praecepto regis eadem die et simili fraude septentrionalem Danubii terram deberet vastare, quia similiter imparatos offendit, magnam quidem captivitatem congressit, sed eam Dei gratia citissime remisit. Aderat ibi tum marchio Adalbertus et Liupoldus, filius eius, cum parvissima manu militum et servitorum, quippe nec triginta habentes scutatorum." – Annales Altahenses maiores, p. 30.



Wertner is mistaken about the claim that the same chronological arguments exclude Frowila's mothership in case of the margrave's younger son, Ernest. It complicates the problem even further, as the exact birthdate of Ernest is unknown, but probably the years between 1025–1028 can be considered plausible.<sup>81</sup> According to this approach – considering that Frowila was born in 1010 – she could have been 17–18 years old when Ernest was born, which is far from preposterous as Wertner claimed. However, as we have no data on Frowila's date of birth, one can get a different result as did Szabolcs Vajay who opted for the year 1015 as the birthdate of the princess.<sup>82</sup>

Because of the scarcity of data in the sources, it cannot be excluded – based on chronological considerations – that Ernest could have been the cousin of King Peter, but we have no evidence on this matter.<sup>83</sup> There is also no knowledge of Frowila's other children and her further destiny, but her day of death was recorded in the necrology of the monastery of Melk: respectively 17<sup>th</sup> of February.<sup>84</sup> Unfortunately, the year is missing from the source, however the chronicle of Vitus Arnspeckius states that a certain Adelheid, the wife of Margrave Adelbert has died in 1071. This could be an error in the text, so the chronicle may have referred to Frowila's death.<sup>85</sup>

One short note must be taken about the alleged other sister, namely Balda. She was mentioned first by Joseph Justus Scaliger who wrote a genealogical treatise of his own family which has several editions. Wertner used the edition from 1627, while Vajay used the one from 1614 published in Leiden. There is, however, an older version from 1594 which also states that a certain Balda was the sister of King Peter of Hungary. According to Scaliger she was married and had several children.<sup>86</sup> This work was written more than 500 years after the supposed birth of King Peter's sister and it is the only evidence of Balda's historical existence, so it certainly cannot be classified as authentic. In 1892 Mór Wertner stated the following on Scaliger's work: "*this man, who otherwise deserves recognition, was to glorify his family and for this reason he made up a dubious lineage from emperors, kings and other ruling princes.*"<sup>87</sup> This critical statement is still valid today, however, not every researcher has accepted it: Szabolcs Vajay who was known for his thorough preparedness and his wide knowledge of sources, for some reason presented Balda on the

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<sup>81</sup> SCHEIBELREITER 2000. p. 2177.

<sup>82</sup> VAJAY 1967. p. 97.

<sup>83</sup> Wertner assumed that Emperor Henry IV donated estates to Frowila because her stepson Ernest did not properly taken care of her. However, this is merely an assumption, so this does not prove anything on the matter. See WERTNER 1892. p. 96–97. For the imperial donation see LECHNER 1992. p. 84–85; Karl Lechner's genealogical table indicates that Ernest's mother was Adalbert's first wife, but in the text of his work he refers to the mother of Ernest as Frowila. See LECHNER 1992. p. 83 and p. 479 (genealogical table).

<sup>84</sup> "XIII. kal. [Martij] [Frouza marchionissa ob.]" – Necrologium Mellicense, p. 552.

<sup>85</sup> VAJAY 1967. p. 97. note nr. 128. Cf. KÁDÁR 2012. p. 69.

<sup>86</sup> "Trellius Emeri filius ex Balda Petri Hungariae regis sorore nati sunt: Trebellij filius Casimirus ez Zolomeri Falmatae regis, Wilelmue Grossus abuus meus ex Elizabetha imperatoris Ludouici filia." – SCALIGER 1597. p. 26.

<sup>87</sup> WERTNER 1892. p. 98. (Translated by B.P.)

genealogical table of the Orseolos.<sup>88</sup> Historical criticism, however, does not support Vajay's claim and therefore modern historiography should erase her among the relatives of King Peter and treat her as a fictional person.

As conclusion on Peter's lineage it can be surely said that he had illustrious ancestors, dukes and bishops were among them, and he was also related to Venetian, Hungarian, Croatian, Austrian and Byzantine noble families.

Unfortunately, Peter's year of birth cannot be defined without any doubt. Wertner believed that the king was born in 1011 and so did Vajay.<sup>89</sup> The Hungarian historiography generally accepted this date based on the information on Danadolo's chronicle, which states that their parents were married in 1009. Gyula Kristó assumed that Peter was born around 1010–1011 and his sister around 1015, these statements were based on the research of Szabolcs Vajay.<sup>90</sup> However, there is no data in sources that strengthens the hypothesis that Peter was older than Frowila. If the king's sister was really the mother of Margrave Ernest, then perhaps she could be considered as the elder child of their parents. According to László Szegefű, in 1023 during the uprising against their father Otto in Venice, they both sought refuge in St. Stephen's court, therefore they were brought up in Hungary.<sup>91</sup> As Kristó pointed out, in this case a question remains unanswered: why did not the family follow Otto to Constantinople? Perhaps the young age of the children, Hungary's geographical proximity or the close relatives in St. Stephen's court could hold the answer. Since there is no information in the sources on this matter the question remains truly unacknowledged. It is well known, however, that after the tragic death of King Stephen's son, Prince Emeric, the Hungarian ruler appointed Peter as his successor. This can be further strengthened by the fact that he was also made chief commander of the royal troops.<sup>92</sup> The Annals of the monastery of Niederaltaich tells that he was adopted by St. Stephen, and the king demanded from him that Queen Gisella should be taken care properly without violation of her rights.<sup>93</sup>

<sup>88</sup> VAJAY 1967. p. 97, especially note nr. 129.

<sup>89</sup> WERTNER 1892. p. 81. Cf. VAJAY 1967. (genealogical table).

<sup>90</sup> KRISTÓ–MAKK 2000. p. 58.

<sup>91</sup> SZEGFŰ 1995. p. 544.

<sup>92</sup> *"Tandem per misericordiam dei dignus centuplicate retributionis bravio, tactus febre, cum sibi transit[um] imminere non ambigeret, accersitis episcopis et primis palatii de Christi nomine gloriantibus, primum cum eis tractavit de substituendo pro se rege, Petro videlicet sororis sue filio, quem in Venetia genitum ad se vocatum iam dudum exercitui suo prefecerat ducem [...]."* – Legenda Sancti Stephani regis, c. 16, p. 392. Cf. GYÖRFFY 1958. p. 574.

<sup>93</sup> *"Hoc anno Petrus rex Ungrorum regno est privatus, coniurantibus adversum se suis primatibus. Unde hoc ortum sit, audiat qui velit. Stephanus bonae memoriae rex, avunculus ipsius, cum filius eius patre superstite esset mortuus, quoniam alium non habuit filium, hunc fecit adoptivum ipsumque regni heredem locavit; filium fratris sui digniorem in regno, quia hoc non consensit, cecavit et parvulos eiusdem exilio relegavit. Hic igitur ipso vivente in regno solidatus iuravit, ut praeceperat avunculus, se dominam suam reginam semper honoraturum nec quicquam eorum, quae rex dederat ei, ablaturum, si post mortem ipsius vitam illi donaret Dominus. Quod ut firmiter fieret, addidit iuramento se contra omnes, qui eam vellent calumniare, pro posse et nosse semet subsidio fore, et in eadem verba omnes iuraverunt, qui principes regionis fuerunt. Stephano demum vita decedente et Petro eius gratia in regno succedente, fides ipsius patuit, quae prius quasi*

One of the most problematic chapter in the genealogical literature of the Árpád-era is about the determination of King Peter's marriage. In his study on Prince Géza's family Szabolcs Vajay basically referred to Wertner's work and pointed out that a certain Tuta, who was the descendant of the Formbach-Neuburg counts, married to Peter. This genealogical problem is not a novelty in Hungarian historiography. Wertner was dealing with this issue based on the works of Dániel Cornides, published in the last third of the 18<sup>th</sup> century. Wertner concluded that Tuta cannot be inserted into the genealogy of the Orseolos, therefore she could not be the wife of the king.<sup>94</sup> The theory is mainly based of two distinct sources which are far from authentic. The first one is the 16<sup>th</sup> century work of Angelus Rumpler,<sup>95</sup> the former abbot of Formbach about the history of the monastery. The source tells the following story: "*Himeltrudis itaquae filia Regis Hungariae, quoniam esset caeca, ad Capellam Gloriosae Virginis Maria (de qua jam pridem scripsimus) peregrinationem suscepit.*" According to this narrative Himeltrudis, the alleged daughter of the Hungarian king regained her vision – since she was blind – near to a spring and therefore she founded the monastery of Formbach with her sister Tuta.<sup>96</sup> This miraculous healing is obviously an indispensable part of such legends, which also serves as an explanation for Formbach's name, as the German word *Bach* can be translated as stream, brook. It is unknown which sources could Rumpler rely on, but the history of the monastery shows a great deal of resemblance of the narrative used during the Middle Ages and early modern times and were intended to present the primeval and grand historical past of families, settlements and religious institutions.<sup>97</sup> The other source which was also quoted by Mór Wertner is the late medieval work titled *Anonymi monachi Bavari compilatio chronologica*, that follows the events until 1388. The source states that in the year of 1109 Count Eckbert was buried in the monastery founded by Himeltrudis, Queen of Hungary.<sup>98</sup> These are the only works that can confirm that Himeltrudis and her sister Tuta were related to the Orseolos. However, caution is advised because these sources arose late and are contradictory about the nature of the relationship between Himeltrudis and the Hungarian kings. Rumpler considers her as the daughter of the king, the anonymous compiler refers her as Queen of Hungary. Szabolcs Vajay tried to dissolve the contradictory information and came up with a new theory based

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*bona latuit. Nam unius anni tempore tractavit eam honorifice, quo peracto spatio destituit illam omni bono. Primum quidem praedia, quae a marito vivente susceperat, et pecuniam, quam seorsum habuerat, ipse vi abstulit, eamque iurare compulit, ut de residuo nihil daret cuiquam praeter suam licentiam. In quadam etiam urbe eam locavit talique custodiae mancipavit, ut nec ipsi potestas esset usquam progrediendi nec cuiquam advenientium eam conveniendi. Cum hoc toto triennio passa fuisset, et ipse nihil de iniuria minuisset, ipsa principes regni convocavit et facti sibi iuramenti eos commonuit.*" – Annales Altahenses maiores, p. 24.

<sup>94</sup> WERTNER 1892. p. 586–589.

<sup>95</sup> SCHMID 1889. p. 671–672.

<sup>96</sup> Angeli Rumpleri Historiae, I, pars III, lib. 1, col. 425.

<sup>97</sup> With many examples see ALTHOFF 2003. p. 28–51.

<sup>98</sup> Anonymi monachi Bavari compilatio, p. 332.

on historiographical observations. He believed that Himeltrudis and Tuta were sisters as well as the founders of the monasteries of Formbach and Suben, but they had no connections to Hungary because both were descendants of the counts of Neuburg and burgraves of Regensburg. Himiltrude however had two daughters as well, who were named Himeltrudis and Tuta. This complicated genealogy was further elaborated by Vajay since he identified the latter Tuta as Judith – he believed that Tuta is a name variant of Judith – whose name was recorded as *Iudita regina* in the necrology of Regensburg.<sup>99</sup> Whatever may be the truth about the lineage of these two ladies – whether they were descending from the counts of Formbach, Neuburg or burgraves of Regensburg – only these two suspicious and contractionary sources are available to prove their kinship with the Hungarian kings. It is not difficult to admit that the sources cannot stand the fundamental tests of source criticism, therefore neither Himeltrudis nor Tuta should be considered as the wife of King Peter or any other Hungarian king.

Despite all this it is known that Peter was married since the statement can be proven by authentic information. The chronicle of Hermannus Contractus, written around the time of events tells that during 1046 Peter's wife was alive when her husband was captured and blinded.<sup>100</sup> Unfortunately her name and identity cannot be determined since the source upheld no data on the matter.

At this point it is also usual to cite the work of Cosmas of Prague. His chronicle mentions that Prince Břetislav's widow, Judith was married to King Peter. According to Cosmas the union was initiated by the elderly lady because she could not find any other way to humiliate his son, Spytihněv II (1055–1061), who had expelled her from Prague.<sup>101</sup> This chapter of Cosmas' chronicle prompted all the researchers who handled with the genealogy of the Hungarian kings to make a statement. From György Pray to Mór Wertner a significant part of historians rejected this marriage and most recently Liza Wolverton, the English translator of the chronicle, pointed out that Cosmas could have misinterpreted his sources.<sup>102</sup> In contrast Szabolcs Vajay and Gyula Kristó did not rule out the possibility and have accepted Cosmas' information as authentic.<sup>103</sup> However, this latter case discredits all the data that was upheld in the 14<sup>th</sup> century chronicle composition on Peter's death.

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<sup>99</sup> VAJAY 1967. p. 96–98.

<sup>100</sup> "*Subsecuto autumnno Ungarii, pristinae perfidiae suae memores, Andream quendam regem sibi statuunt, Petrum regem, multis advenarum, qui pro eo pugnaverant, occisis, variis cum coniuge sua iniuriis affectum, postremo oculis privant, et in quendam locum cum eadem coniuge sua alendum deputant; multis etiam per idem tempus peregrinis inibi expoliatis, exulatis atque necatis.*" – Herimannus Augiensis Chronicon, p. 126.

<sup>101</sup> "*Anno dominice incarnationis MLVIII. IV. non. Augusti Iuditha a coniunx Bracizlai, ductrix Boemorum, obiit, quam quia filius suus Zpitigneu eiecerat de regno suo, cum non posset aliter ulcisci iniuriam suam in filio, ad contumeliam eius et omnium Boemorum nupserat Petro regi Ungarorum.*" – Cosmae Pragensis Chronica, lib. 2, c. 17, p. 108.

<sup>102</sup> The Chronicle of the Czechs, p. 135, note nr. 121.

<sup>103</sup> VAJAY 1967. p. 93–95. and 95, note nr. 115; KRISTÓ–MAKK 2000. p. 65.

The source namely tells that the king passed away shortly after his blinding,<sup>104</sup> therefore he could not take Judith as wife. It is also worth to mention that Judith could enter a new marriage after the death of her first husband, Prince Břetislav (1035–1055) in 1055. This issue is often dealt in the secondary literature and in many cases the authors are not taking side but offering both solutions.<sup>105</sup> Thus, it seems that the death of King Peter depends on our choice, whether we accept Cosmas' report on this union or not. However, it is worth to note that in the chronicle of the deacon of Prague the matrimony is dated to 1058. In the same year another important engagement took place in Hungary, between King Salomon and Judith, daughter of Emperor Henry III (1039–1056). The date and the fact that both princesses were called Judith is quite suspicious. Therefore, it seems that Mór Wertner was right: Judith of Schweinfurt cannot be considered as wife of King Peter, probably Cosmas, who wrote his chronicle 50 years after the events, may have mixed up his sources.

There is no information about Peter's children and there is also a consensus on this in the historiography. In his widely quoted work Wertner cleared with logical reasoning that all the people who were referred as Peter's children in the early historiography cannot be identified as descendants of the king.<sup>106</sup>

This study briefly had mentioned the problems concerning Peter's death. It is worth to refer to the fact that the last events of the king's life were upheld only by the Hungarian chronicle composition. According to the narrative, King Peter tried to escape the country as soon as he got word of the arrival of Prince Andrew and Levente. He wanted to leave the Kingdom and flee to his brother-in-law, the Margrave of Austria, but the gates of the country were blocked by those who rebelled against him. Finally, the envoy of Andrew arrived at the king and initiated negotiations on Peter's future position and tried to lure him back. All this, however, proved to be a ruse for the envoy sought to capture the king. Peter occupied a manor-house, where he fought fiercely but after all his men were dead, he was finally taken captive. He was blinded and dragged to Székesfehérvár where he passed away due to his severe injuries.<sup>107</sup> Herimannus also confirms that the king was deprived from his sight and was hauled. The source however does not know the exact place where the king and his family was detained.<sup>108</sup> There is no

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<sup>104</sup> *"Petrus autem prenoscens hoc collegit se in quandam curiam et per triduum viriliter dimicando semetipsum defendebat. Tandem milites eius omnes a sagittariis sunt interempti, ipse vero vivus captus est et obcecatus Albamque ductus pre nimio dolore vitam in brevi finivit. Sepultusque est Quinqueecclesiis."* – *Chronici Hungarici compositio saeculi XIV*, c. 85, p. 343.

<sup>105</sup> KRISTO–MAKK 2000. p. 64–65; SZEGFU 1995. p. 544.

<sup>106</sup> WERTNER 1892. p. 98–102.

<sup>107</sup> *Chronici Hungarici compositio saeculi XIV*, c. 85, p. 343.

<sup>108</sup> *"Subsecuto autumnno Ungarii, pristinae perfidiae suae memores, Andream quendam regem sibi statuunt, Petrum regem, multis advenarum, qui pro eo pugnaverant, occisis, variis cum coniuge sua iniuriis affectum, postremo oculis privant, et in quendam locum cum eadem coniuge sua alendum deputant; multis etiam per idem tempus peregrinis inibi exspoliatis, exulatis atque necatis."* – Herimannus Augiensis *Chronicon*, p. 126.

contradiction between the sources, they complement each other. Herimannus states that the king was fleeing with his wife, they were obviously accompanied by armed escort who defended the royal family during the struggles at Zámoly. To understand the weight of the punishment that Peter had to suffer it is worth to recall some information from the Hungarian chronicle composition regarding Prince Vazul's blinding. As it is known Vazul was blinded because St. Stephen nominated Peter as his successor. Later, in 1046 the same sanction was implied to Peter. This can be interpreted as revenge committed by Andrew's men who might have been formerly served Vazul and when Andrew arrived in Hungary, they sided with him. Peter was made incapable of rule with the same method as Vazul and with the crowning of Andrew (1046–1060) the continuity of the Árpád-dynasty was restored. All of this turns the balance in point of credibility towards the 14<sup>th</sup> century chronicle composition against Cosmas' information which was described above. According to Hungarian chronicle he was buried in the Church St. Peter in Pécs, that was consecrated during his reign.<sup>109</sup>

### Summary

It is quite difficult to draw the authentic portrait and genealogy of King Peter since the historiography condemns him all around and in many cases denies his virtues as well. Today Peter's ancestry has been properly clarified and it turned out that the genealogy that can be found in the Hungarian chronicle composition is none other than a fiction, but it also clears that the anonymous compiler had some knowledge on the lineage of Peter and Queen Gisella which he had combined together. The source considered Peter's rule hateful and Gisella was incorporated to Peter's genealogy that St. Stephen could be freed from the odium of Peter's nomination to the throne. All the later kings of Hungary descended from Vazul, but they regarded their source of royal power from the first king of the country and all of them considered him as their ancestor. Therefore, the chronicle described Peter's accession to the throne as the result of Gisella's manipulation.<sup>110</sup> Peter was not the scion of the Burgundian royal dynasty – as the chronicle states – but the venetian Orseolo family. His father Otto, exercised power alongside his father over the merchant city as co-ruler. Soon he became doge and reigned alone after his father passed away. King Peter's uncles fulfilled important and high-ranking church offices, namely the bishop of Torcello and the patriarch of Grado. Through his other uncles he also maintained familial relations with the ruling dynasties in Venice's proximity.

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<sup>109</sup> KOSZTA 2012, p. 65–67. Cf. KADAR 2012, p. 69.

<sup>110</sup> “*At regina Keysla cum Buda satellite scelerum, Petrum Alamanum vel potius Venetum, fratrem regine, regem preficere statuerunt, hoc intendentes, ut regina Keysla motus sue voluntatis pro libitu suo posset complere et regnum Hungarie amissa libertate Teutonicis subderetur et regina Keysia motus sue voluntatis in regno sine impedimento posset explere.*” – *Chronici Hungarici compositio saeculi XIV*, c. 70, p. 322–323.

With no information in the sources we cannot determine his date of birth precisely as it is the case with his sister Frowila. However, their parents' marriage in 1009 let us assume that they were born sometime between 1010 and 1015. According to a generally accepted view Peter may have been older but we cannot exclude that Frowila could have been born first. Peter and his family were forced to leave Venice when an uprising swept away the rule of Otto around 1023, perhaps they found refuge in Grado at their uncle's place, but for some unclear reasons they did not follow Otto in his exile in Constantinople. Peter was raised in St Stephen's court, most likely with his mother as his later fate would suggest. The life of Peter changed a lot when St. Emeric died. He was adopted and nominated as successor by the Hungarian king. He also had to swear an oath that he would not deprive Queen Gisella of her rights and wealth.

According to the chronicle's widely quoted phrase after his coronation "*he cast aside all goodness of royal serenity and raged with Teutonic fury, despising the nobles of Hungary and devoured with insatiable heart casting his proud eyes together with the Germans, who roared like wild beasts, and the Italians who chattered and twittered like swallows, the wealth of the land.*"<sup>111</sup> This portrait of Peter painted by the anonymous compiler is however too dark. Gyula Kristó pointed out that the reason behind this could be that Peter "*did not seek to cooperate with nobles of the many-faced court of St. Stephen, so they easily branded him as the corruptor of Hungary.*"<sup>112</sup> Hungarian historiography has made it clear by now that Peter continued St. Stephen's work: he issued laws,<sup>113</sup> and the foundation of the bishopric of Vác and the collegiate church of Óbuda.<sup>114</sup> Peter's real figure was not only distorted by the Hungarian but the foreign sources as well, the Annals of the monastery Niederaltaich called him wicked and evil-spirited.<sup>115</sup>

At this point it is worth to mention Peter's oath which was upheld by the above-mentioned Annals. József Gerics proposed that the nobles turned against Peter because he violated the oath and deprived Queen Gisella all her rights. In this case, the reason behind the election of Samuel Aba as king and the end Peter's first reign can be explained with oath-breaking.<sup>116</sup> The events after Aba's coronation further cracked Peter's reputation as he turned to the emperor to restore his rule. Peter managed to regain his throne in Hungary with the help of Henry III but this time he denied the heritage of St. Stephen: he became vassal of the emperor.<sup>117</sup> His second reign was swept away by

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<sup>111</sup> *Chronica de gestis Hungarorum*, c. 71, p. 132–133.

<sup>112</sup> KRISTÓ – MAKK 2000, p. 61. (Translated by B.P.)

<sup>113</sup> JÁNOSI 1996, p. 119.

<sup>114</sup> KOSZTA 2001, p. 363–375.

<sup>115</sup> "*Set cum sepius esset amonitus, mala mens et malus animus in pertinacia perduravit finetenus.*" – *Annales Altahenses maiores*, p. 25.

<sup>116</sup> GERICS 1982, p. 187–199, 299–313; GERICS 1995, p. 93–94.

<sup>117</sup> "Sequenti vero anno reversus est cesar in Hungariam, cui Petrus rex in ipsa sancta sollempnitate regnum Hungarie eum de aurata lancea tradidit coram Hungaris simul et

pagan uprising and the return of Andrew and Levente, princes of the Árpád-dynasty. He died in 1046 due to severe injuries as it has been clarified above. His body was buried in Pécs.

It is certain that Peter got married as well as his sister Frowila. The latter became the wife of Margrave Adalbert of Babenberg. The identity of Peter's wife however remains obscure despite all attempts to uncover her name and lineage.

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CDP	<i>Codice Diplomatico Padovano</i> . Ed. GLORIA, A. Venezia, 1877. (Monumenta Storici Publicati Dalla Deputazione Veneta II.)
<a href="#">DBI</a>	<i>Dizionario Biografico degli Italiani</i> . I–LXXXVIII. Roma. 1960–
FRA	<i>Fontes Rerum Austriacarum. Scriptores</i> . I–XIV. Wien. 1855–2003.
MGH DD	<i>Monumenta Germaniae Historica, Diplomata</i> . Hannoverae, 1872–
MGH SRG	<i>Monumenta Germaniae historica, Scriptores rerum Germanicarum in usum scholarum separatim editi</i> . Hannover, 1871–
MGH SRG NS	<i>Monamenta Germaniae Historica, Scriptores Rerum Germanicarum Nova Series</i> . Berolini, 1922–
MGH SS	<i>Monumenta Germaniae Historica, Scriptores in folio</i> . Hannover, 1826–
SRH	<i>Scriptores rerum Hungaricarum</i> . I–II. Ed. SZENTÉPTEY, Emericus. Budapest. 1999.

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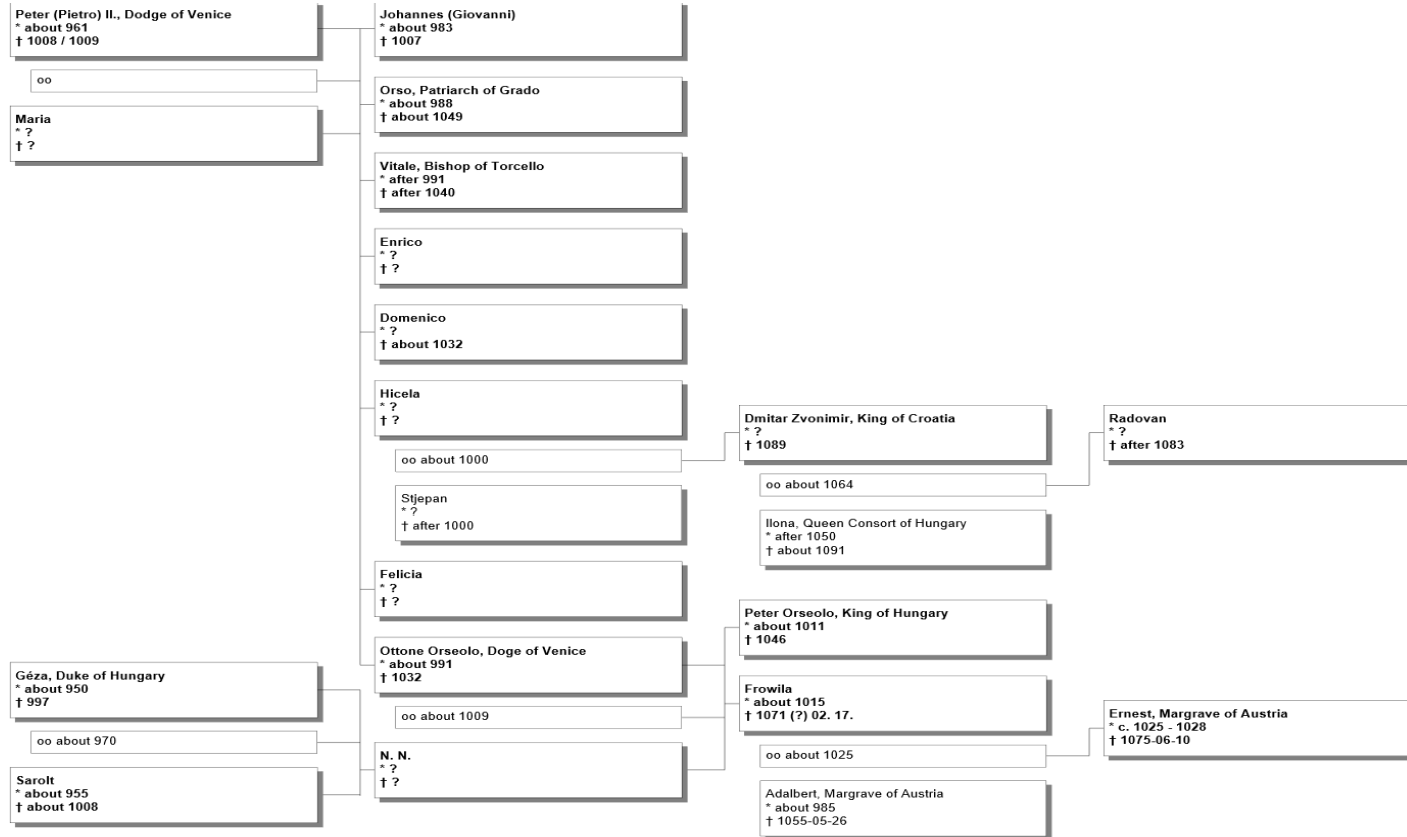
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Table I: Peter Orseolo's Genealogy



*Gergely Kiss:*

## **Gregorius de Sancto Apostolo**

### **The Career of a Papal Legate At the End of the Twelfth Century\***

The identification of the papal envoys is the starting point for the research. At the turn of the twelfth and thirteenth centuries different legates worked in the Kingdom of Hungary with the same given name, Gregory. It raised problems in the historiography, different persons were confused, and therefore heterogeneous life paths were mixed. The present paper aims to discuss all possibilities and determine the identity of the different papal envoys called Gregory. It provides the opportunity to present one of those legates', Gregorius de Sancto Apostolo's course of life.

*Keywords:* Medieval Papacy, Papal Legate, Gregorius de Sancto Apostolo, Gregorius de Crescentio Caballi Marmorei, Gregorius de Monte Carello, Gregorius de Crescentio, Gregorius de Gualgano, twelfth Century



Research has shown little interest in the time between the 1180s and 1210s, probably as it falls between two rather hectic periods, namely the vivid diplomatic and ecclesiastical fights following the inauguration of Pope Alexander III and the conflicts around the reign of Andrew II. The determinant and comprehensive summary by Vilmos Fraknói dedicated only a few paragraphs to the years between the reign of Alexander III and Innocent III and mentioned one single papal legate from this period by the name of Crescentius. However, this is the person's family name, in fact he was called Gregory. According to the erudite prelate he was the one who led the canonization procedure of King Ladislas in Várad (Oradea, RO).<sup>1</sup> In this work in the part describing the pontificate of Innocent III, the name Gregory appears two more times. Although there is no other clue to make his

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<sup>1</sup> FRANKÓI 1901. p. 34.

identification possible, the only information is that the pope sent 'cardinal Gregory' to Hungary. Fraknói refers to him first in 1199–1200 as the person making peace between King Emeric and prince Andrew (the later King Andrew II), then in 1207 the name of Gregory appears again. He was the one who was entrusted by Innocent III to bring the confirmation of the appointment of the archbishop of Kalocsa and the *pallium* for Bertold.<sup>2</sup> Kornél Szovák is similarly laconic, he shortly mentioned the papal legate, Gregorius de Chrescensis leading the canonization of King Ladislas I.<sup>3</sup>

However, the situation is more complicated, as Gregory who played an active role in the canonization of Ladislas I was in fact not Gregorius de Crescentio but Gregorius de Sancto Apostolo. The former was who made peace between the contentious sons of Béla III in 1199–1200, and who also proceeded in the confirmation of Queen Gertrudis' (King Andrew II's first consort) brother as the archbishop of Kalocsa. Besides them two other cardinals named Gregory appear, who we have to scrutinize in order to identify them unambiguously.<sup>4</sup>

To identify Gregorius de Sancto Apostolo is not an easy task. His very first biographer, Alfonso Chacon (OP) identified him as *Gregorius de Galganus de Sancto Apostolo*. Chacon summarized his career as a cardinal, that in 1188 he obtained the title of the cardinal-deacon of S. Maria in Porticu from Clement III, and later he became the cardinal-deacon of S. Anastasia. He shortly listed his assignments as legate without dates. 1) First following the orders of Clement III he made provisions against heretics in North-Italy (*Gallia Cisalpina*). 2) Later he was given assignment by Celestin III to the territory of the Kingdom of Hungary and the Holy Roman Empire. 3) Afterwards Innocent III sent him to Piacenza so that the town would make amends for the illegalities against cardinal-deacon Peter (S. Maria in via lata). 4) Finally Innocent III sent him to Sicily as the guardian of the future Emperor Frederick II to help protect of the rights of the papacy and the child of Constance who was still a minor.<sup>5</sup> Agostino Oldoini supplemented and in several places corrected Chacon's work published originally in 1630,<sup>6</sup> and he suggested several modifications here. Oldoini considers it dubious that Gregory changed his office of S. Maria in Porticu with that of the cardinal-priest of S. Anastasia owing to Innocent III, just like the idea that he deceased in the time of the same pope. According to Oldoini, Gregory, the cardinal-deacon of S. Maria in Porticu was the witness in the charter issued in 1225 by Pope Honorius III for the archbishop of Ravenna. Oldoini considered the cardinal-deacon of S. Anastasia somebody else who appeared in a diploma issued by Innocent III in 1216, and to prove it, he added several other references of

<sup>2</sup> FRAKNÓI 1901. p. 37, 44.

<sup>3</sup> SZOVÁK 1996. p. 39–40.

<sup>4</sup> Besides Gregorius de Sancto Apostolo appearing in the title, there can be mentioned Gregorius de Crescentio. Concerning his person see the study by Gábor Barabás in the present volume. As for the other two Gregories (another Gregorius de Crescentio and Gregorius de Gualgano) see below.

<sup>5</sup> [CIACONIUS 1677. p. 1139](#). (access: December 2, 2014)

<sup>6</sup> [CIACONIUS 1677. p. 1630](#). (access: December 2, 2014)

charters.<sup>7</sup> Francesco Cristofori, just like Chacon, identified Gregory with the name Gualgano da S. Apostolo Gregorio, considered him the cardinal of S. Maria in Porticu, and put his office between 1188 and 1193.<sup>8</sup>

To unravel these rather uncertain identifications, we think it appropriate to start with the analysis of the titles of cardinal. As it could be seen, Chacon mentioned two cardinal titles in Gregory's case: that of the deacon of S. Maria in Porticu and of the cardinal-priest of S. Anastasia. As Chacon sees it, he obtained the former from Clemence III and the latter from Innocent III. As the cardinal assignments of the latter pope are documented better, it seems appropriate to fold it up proceeding backward. There were appointments of cardinals seven times between 1198 and 1216 (1198, 1199, 1200, 1205, 1211, 1212, 1216). As for Konrad Eubel's data we first meet a cardinal named Gregory in 1205, who gained the title of cardinal-deacon of S. Teodorus then.<sup>9</sup> Apart from him Innocent III created another cardinal with the same name in 1216, who became the cardinal-priest of S. Anastasius.<sup>10</sup> However, the pope 'inherited' several Gregories from the time of his predecessor, Clemence III. For instance the cardinal-deacons of S. Angelus, S. Georgius ad velum aureum (Gregorius de Monte Carello), S. Maria in Aquiro, the cardinal-priest of S. Vitalis, finally the cardinal-deacon of S. Maria in Porticu.<sup>11</sup> This list casts doubt on the identification by Chacon as two persons far away in time may have been blurred. According to the sources, cardinal Gregory having the office of the cardinal church of S. Maria in Porticu held this office until he passed away in 1202, thus it is not probable that he was the head of another church one and a half decades later. As for Gregory having the title of S. Anastasia, there is no information referring to his having other cardinal church before.<sup>12</sup> Gregorius de Monte Carello is also unlikely to be the same as our Gregory as he can be traced with data only from 1190 and nothing reveals that he would have any connection with other cardinal church than the title of S. Georgius ad velum aureum. Here further difficulties arise with the different forms of the name.<sup>13</sup> About Gregory having first the title of S. Maria in Aquiro then that of S. Vitalis it could be proved that he was a certain Gregorius de Crescentio Caballi Marmorei.<sup>14</sup> As his activity as cardinal-deacon can be supported with data parallel with that of the mentioned Gregory, it is impossible that they were the same person.

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<sup>7</sup> According to Oldoini, Gregorius cardinal-deacon appears in the following places: in the diploma issued by Clemence III dated on 15<sup>th</sup> of December 1187, on 23<sup>rd</sup> of June 1190, Celestin III on 23<sup>rd</sup> of April 1193, Innocent III on 6<sup>th</sup> of November 1199. [CIACONIUS 1677. p. 1139-1140.](#) (access: December 2, 2014)

<sup>8</sup> CRISTOFORI 1888. p. 217.

<sup>9</sup> H C I. p. 4.

<sup>10</sup> H C I. p. 4, 39.

<sup>11</sup> H C I. p. 3, note nr. 19, 21, 23, 25.

<sup>12</sup> H C I. p. 3. note nr. 25, p. 51.

<sup>13</sup> H C I. p. 4, 50.

<sup>14</sup> See the study by Gábor Barabás in the present volume.

Yet the story does not end here. With an almost identical name form another Gregorius de Crescentio appears, who was the former's nephew. He was the one who Innocent III appointed to the title of the cardinal-deacon of S. Teodorus in 1216.<sup>15</sup> It is worth getting to know him better because of the name form appearing in the Hungarian literature. Gregory was the offspring of the Roman family Crescentius, his father was Gencius Roizus, his uncle was the other cardinal named Gregorius de Crescentio.<sup>16</sup> He studied in Paris, then entered in the service of the pope and had an important role in the papal administration in the time of Innocent III.<sup>17</sup> The pope appointed him to cardinal (S. Teodorus) in 1216.<sup>18</sup> In the time of Innocent III and Honorius III, he was the *auditor* of the papal curia.<sup>19</sup> He got a significant assignment at the end of 1220: he had to proceed in the case of the North-East-European church, his assignment covered North-East-Germany, Bohemia, Poland, Denmark and Sweden, the dioceses of Prague, Olmütz, Meissen, Lebus, Lübeck, Ratzeburg, Schwerin, Kamin, the provinces of Lund and Uppsala.<sup>20</sup> In the April of 1221 he was in Bohemia and tried to arrange the conflict of the monarch Ottokar I and the bishop of Prague Andrew and examined the question of rising the bishopric to archbishopric. As for the first task he succeeded – in the March of 1222 he released the *interdictum* proclaimed on the country –, however, in the case of Prague there was no change. In April 1222 he had already been on his way to Lübeck, in November he held a provincial synod in Schleswig, on 22<sup>th</sup> of November 1222 he was dated from Ratzeburg. Afterwards he went to Silesia (Wrocław) then to Cracow, he was present when Ivo bishop consecrated the Church of the Holy Trinity of the Dominicans.<sup>21</sup> From January 1224 Gregory was again in the papal curia as *auditor*. Last he appeared among the signatories of a privilege dated on 9<sup>th</sup> of May 1226, probably he deceased in 1227.<sup>22</sup>

What hinders our clear-sightedness is that before Gregory the title of S. Teodorus was held by a cardinal with the same first name, Gregorius de Gualgano. This name appears in Cristofori's work<sup>23</sup> though it totally disagrees with the sources. Gualgano was appointed to cardinal by Innocent III (S. Teodorus) in 1205, then later between 1216 and 1224 he became the cardinal-priest of S. Anastasia.<sup>24</sup> He appeared as a cardinal-deacon for the first time on

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<sup>15</sup> MALECZEK 1984. p. 183. Eubel puts his appointment to 1205, though it is inaccurate, that refers to another Gregory, mentioned later. Cf. HC I. p. 4, 52.

<sup>16</sup> PARAVICINI BAGLIANI 1980. p. 107, note nr. 1.

<sup>17</sup> MALECZEK 1984. p. 183. It can only be concluded from narrative sources, so his exact title cannot be given.

<sup>18</sup> MALECZEK 1984. p. 183.

<sup>19</sup> MALECZEK 1984. p. 183.

<sup>20</sup> MALECZEK 1984. p. 183.

<sup>21</sup> MALECZEK 1984. p. 184.

<sup>22</sup> MALECZEK 1984. p. 184; AUBERT 1986a. According to this author these data refer to Gregorius de Gualgano, though this is mistaken.

<sup>23</sup> CRISTOFORI 1888. p. 217.

<sup>24</sup> MALECZEK 1984. p. 151. Eubel mentions him with the name Gregorius Theodulus: HC I. p. 4, 39.



8<sup>th</sup> of June 1206, he was the auditor of the papal curia.<sup>25</sup> He was appointed to legate in Sicily in 1207, he was assigned to reach that Frederick II's vassals make oath of allegiance. We find him in Apulia in December 1208, he can be substantiated in Sicily first on 4<sup>th</sup> of September 1209. This assignment as legate lasted at least to the autumn of 1213.<sup>26</sup> In 1216 Innocent III transferred him to the title of S. Anastasia, he became cardinal-priest. In his last years he mostly worked as *auditor* in the curia, though once (December 1222) he appeared as *rector* of Segni. Some suppose that he was legate and *rector* in Latium and Campania between 1214 and 1220.<sup>27</sup> Probably he died in 1224 as his signature last appeared in a source dated 23<sup>rd</sup> of May 1224.<sup>28</sup> Gregory got connected to Hungary as well as the cardinal of S. Teodorus. He was the *auditor* in the legal case about the issue of estates in Somogy between the Benedictine Abbey of Pannonhalma and the bishop of Zagreb.<sup>29</sup>

Finally, it is possible to identify two Gregories theoretically. However, the cardinals of S. Angelus and S. Maria in Porticu cannot be considered one person as the title of S. Angelus was held not by Gregory but by a certain Bobo in the time of Clemence III between 17<sup>th</sup> of March and 5<sup>th</sup> of April 1188, while between 12<sup>th</sup> of April and 7<sup>th</sup> of December 1188 S. Maria in Porticu was held by Gregory, who appeared in the papal decrees between 9<sup>th</sup> of May 1191 and 10<sup>th</sup> of September 1197 in the pontificate of Clemence III. At the same time another Gregory can be seen as head of S. Angelus between 20<sup>th</sup> of May 1191 and 3<sup>rd</sup> of December 1197, they both were simultaneously in service in the time of Innocent III between 3<sup>rd</sup> of March 1198 and 21<sup>st</sup> of March 1202, furthermore between 11<sup>th</sup> of June 1199 and 1<sup>st</sup> of January 1202 January 1, thus we can preclude that the two persons were one and the same.<sup>30</sup>

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<sup>25</sup> MALECZEK 1984. p. 152; HC. I. p. 4. He thinks he first signed a papal charter as the cardinal of S. Teodorus on 1206 June 22.

<sup>26</sup> MALECZEK 1984. p. 152-153.

<sup>27</sup> AUBERT 1986a. In addition, the author records another legation in Bohemia and in Scandinavia, though these data refer to the previous Gregorius de Crescentius. MALECZEK 1984. p. 183-184.

<sup>28</sup> MALECZEK 1984. p. 153.

<sup>29</sup> According to Honorius III's diploma dated on 1221 January 2 Innocent III had earlier given order to the bishop of Győr and his colleagues to investigate as judges the case of the abbacy of Pannonhalma and the church of Zagreb about certain estates in Somogy and to make a report for the synod (1215, Fourth Lateran Council). As the party from Zagreb persistently stayed away, the abbacy took the case to Gregory, the then cardinal-deacon of S. Teodor, who heard the parties and made his verdict. SMIČIKLAS III. nr. 163; POTTHAST nr. 6466; ÁÚO I. p. 175-177. This case had to get to Gregory in 1215-1216 as in 1216 he became cardinal-priest of S. Anastasia.

<sup>30</sup> JL. nr. 536, 577; POTTHAST nr. 465; MALECZEK 1984. p. 93-94.

Based on this entangled summary there are several persons appearing in the period and bearing the first name Gregory:

Name	Title(s)	Year
Gregorius (†1202)	S. Angelus	1188–1202
Gregorius de Sancto Apostolo (†1202)	S. Maria in Porticu	1188–1202
Gregorius de Crescentio Caballi Marmorei (†1207/1208)	S. Maria in Aquiro S. Vitalis	1188–1199 (?) 1200–1207/1208
Gregorius de Monte Carello (†1210)	S. Georgius ad velum aureum	1190–1210
Gregorius de Crescentio (†1227)	S. Teodorus	1216–1227
Gregorius de Gualgano (†1224)	S. Teodorus S. Anastasia	1205–1216 1216–1224

We could see that the previous literature mentioned a papal legate named Gregory three times from the period between 1187 and 1210, or rather Fraknói brought the name Crescentius in the first case, Szovák mentions him as Gregorius de Chrescencius. The research connects him with the canonization of Ladislas I in 1192. Its source is the narrative by Thomas of Split about the history of the canonization, who thought that King Béla III requested Innocent III for permission and the pope sent cardinal Gregorio Crescenzi.<sup>31</sup> In addition to mistaking the name of the pope, having Gregorius de Crescentius appear is also inaccurate, since he was not in Hungary in the time of Celestin III, only later, for the first time in 1199–1200.<sup>32</sup> Thus the pope's delegate in 1192 was, as a matter of fact, another Gregory. There are three possibilities: the cardinal-deacons of S. Angelus, S. Maria in Porticu and S. Georgius ad velum aureum. From them the most probable is the second, Gregorius de Sancto Apostolo, cardinal-deacon of S. Maria in Porticu. Two reasons can be mentioned for this, on one hand that in 1189–1190 he must have been in Hungary, and in 1192 in Dalmatia he participated in a similar canonization case.<sup>33</sup> Let us see his career with more details.<sup>34</sup>

Gregory came from the Roman Sancto Apostolo family.<sup>35</sup> Clemence III appointed him to cardinal in 1188, this is when he won the church of S. Maria in Porticu, and he signed a papal charter for the first time on 5<sup>th</sup> of April 1188.<sup>36</sup> We can find him in Hungary in the following year, we can date his

<sup>31</sup> THOMAE SPALATENSIS p. 134, 136; THOROCZKAY 2016. p. 119.

<sup>32</sup> See the details in the study by Gábor Barabás.

<sup>33</sup> THOROCZKAY 2016. p. 119.

<sup>34</sup> His prosopographic data is available on <http://delegatonline.pte.hu/search/persondatasheet/id/195> – access: February 28, 2019.

<sup>35</sup> MALECZEK 1984. p. 93.

<sup>36</sup> MALECZEK 1984. p. 93. and 252. note; AUBERT 1986b. col. 1458. His signature appears last time on 23<sup>rd</sup> of December 1201 so it is doubtful that he could really hold the office until 1202. HCl. p. 3, note nr. 1, p. 25, nr. 51; TILLMANN 1975. p. 383.

first stay here to 1189–1190.<sup>37</sup> The precise reason of his being a delegate is not known, but it is far too possible that his presence can have bearing on Clemence III's letter written to Isakios Angelos, the Byzantine monarch, where he promised help, mentioning that he persuaded among others the Hungarian king to do so too.<sup>38</sup> This time a papal decree reports about Gregory's activity. Béla III allowed before 1189 that the German *hospes* settled down in the time of Géza II could organize their churches under one chapter (*Landkapitel*). It seems that this fact was confirmed by Gregory on behalf of the Holy Father. Pope Celestin III's decree dated on 20<sup>th</sup> of December 1191 bears witness to this.<sup>39</sup>

After it Gregory returned to the papal curia, his assignment as *auditor* (1191) proves it, and he had to scrutinize the dispute around the ordination of the canon of Narnia<sup>40</sup> with Albinus cardinal-bishop of Albano<sup>41</sup>.

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<sup>37</sup> MALECZEK 1984. 93. and the earlier Hungarian literature (Fraknói) thought that he was here in 1192. SZOVÁK 1996. p. 39. thinks in 1188–1189. According to Aubert he got the assignment in Hungary in 1189 or 1190. AUBERT 1986b. col. 1458. He similarly puts it in 1189–1190: TILLMANN 1975. p. 383, note nr. 163.

<sup>38</sup> "Isaaco imperatori scribit « dicto suo principes suos excitatos esse contra Saladinum: Fridericum, alterum imperatorem, Philippum Francorum regem, Richardum Angliae et Othonem Burgundiae; Guilelmum regem Siciliae, pacato a piratis mari, annonam ex Sicilia et Apulia profecturis ministrasse; Frisones quoque et Danos triremes quinquaginta et duodecim Flandrenses armasse, qui transeuntes in Mauritaniam et ad Africae littora flectentes, Saracenos magnis incommodis afflixerint et Sylvinam urbem vi captam diripuerint; regem Hungarum Venetis pacem dedisse; rogat ut hoc bellum instauratum quibuscumque modis poterit iuvet. »" – GOMBOS I. nr. 1615.

<sup>39</sup> See the charter at the end of the study (nr. 1).

<sup>40</sup> IP IV. p. 32, nr. 7; KARTUSCH 1948. p. 159.

<sup>41</sup> Albinus (?–1197) was the cardinal-bishop of Albano from 1189 until his death. He wrote about the early stage of his life in his work *Digesta pauperis scholaris Albini* (LC p. 85–89.). According to this, he was orphaned at an early age, then his uncle, a friar took care of him. After his death, with a close relative named Richard (his brother?), the future bishop of Orvieto (1177–1201) he studied together (Anianae), until he was called to Rome to be a cardinal. Some considered Albinus of Milanese origin, or maybe the offspring of some significant family of Pisa, though based on his work it is more probable that he was born in the town of Gaeta. By any means, it is certain that his relatives provided him with serious support as his quick ecclesiastical career also shows. In Pope Urban III's decree dated on 29<sup>th</sup> of June 1186 Albinus appears with the title *magister*, he probably studied theology and philosophy, though it is not known at which university. First, he held the office of cardinal-deacon of S. Maria under Pope Lucius III from 1182 (4<sup>th</sup> of January 1183 – 13<sup>th</sup> of March 1185), then in 1185 he was appointed head of S. Crucis in Jerusalem as cardinal-priest. In 1186 he went to Verona for unknown reasons, then from 1188 February to 1189 May we can see his signature on the papal privileges. The first decree signed as cardinal-bishop of Albano was dated on 31<sup>st</sup> of May 1189, the last on 9<sup>th</sup> of July 1196. The time of his death is dubious, but it must have happened before March 1198 as then Pope Innocent III referred to the bishop as deceased. A highly-respected member of the college of cardinals like Albinus could hardly have stayed away from the course of events and thus from the papal sources. Probably at the end of 1196 but by 1197 the latest, he had deceased. In his career he was *auditor* in the curia, legate and papal vicar, he also participated in administering the financial affairs of the Holy See in Rome. He got assignment in connection with Sicily in 1188, when Pope Clemence III sent him with Peter the cardinal-priest of S. Laurentius in Damaso to King William II's court in Palermo. As in spite of the orders of the concordat of Benevento in 1156, the Norman monarch had not taken his oath of fidelity and vassal to the pope. The legates succeeded as proved by several sources. Albinus made successful

Then he got a new assignment from Celestin III and had to proceed in two cases of canonization in Dalmatia and in Hungary. Gregory's signature can be justified until 3<sup>rd</sup> of January 1192 in the papal curia, so he must have set off at that time. We can put the time of the papal assignment earlier, at the end of the preceding year (December 1191?) due to the necessary preparations. We can find him in the town of Trau (Trogir, HR) in the middle of April, as Peter the archbishop of Split confirmed Gregory's decision made in the case of the bishop of Trau and the local archdeacons in his decree dated on 16<sup>th</sup> of April 1192.<sup>42</sup> This is when the canonization of the previous local bishop John happened, which Gregory took part in. However, we do not know its details, only one of the rhymed *officia* of bishop John refers to the cardinal's contribution.<sup>43</sup> We can think of March-April as in the days before 27<sup>th</sup> of June Gregory had to be in Várad so that he could actively participate in the canonization of Ladislav I. In addition, we saw that although Thomas of Split was mistaken when he made Gregorius de Crescentio appear as papal legate, but it may as well be trustworthy that Gregory – that is Gregorius de S. Apostolo – spent the Lent in Trau, which means that he had already been there on 11<sup>th</sup> of March.<sup>44</sup> Anyway, he must have been in Várad before 27<sup>th</sup> of June. Unfortunately, there is no appreciable, detailed source about the canonization and neither about Gregory's exact role.<sup>45</sup> This is why we cannot compare what happened in Várad to the cases of canonization in the mid 13<sup>th</sup> century with their settled procedure. In Ladislav's canonization there could be caught Béla III's pursuit of sacred legitimacy, just like Celestin III's interest in the cult of saints where his cardinals had serious influence.<sup>46</sup>

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negotiations with King Tancred of Sicily in Messina in 1191. We can suppose on the basis of Tancred's privilege issued for the town of Gaeta that Albinus was present then as a papal vicar in the kingdom (before Innocent III's pontificate the office of the papal vicars was not confined to Rome, the *vicarius* could substitute the Head of the Church appointing him anywhere and any time). It can be imagined that the preaching was also an important part of the office of a vicar (BLUMENTHAL 1982. p. 32). In 1192 he got the above-mentioned assignment as legate with Gregory. As Celestin III was forced to accept Tancred as William II's successor after Henrik VI's leaving, which means that the pope needed his cardinals' service. As a result the concord of Gravina was signed in June 1192. The two cardinals met with the king in person in Alba Fucente in July and accepted his oath of fidelity on behalf of the pope. Based on some later documents of Innocent III, it is known that in 1194 Albinus decided in a case of appeal of the archbishop of Milan, and in 1196 he made the ordination of Daniel bishop of Ross (Rosscarbery) and he was also present by the consecration of the Sanctus Laurentius in Lucina church. See MALECZEK 1984. p. 76–77; BLUMENTHAL 1982. p. 10–11, 18–33; MONTECCHI PALAZZI 1986. here: p. 626–628; KARTUSCH 1948. p. 79–82.

<sup>42</sup> FEJÉR II. p. 279–281; SMIČIKLAS II. nr. 238.

<sup>43</sup> "*Joannem Gregorius optans venerari, per Martinum pauperem jussit praedicari.*" MARINKOVIĆ 2008; THOROCZKAY 2016. p. 121. It is interesting that in case of Thomas of Split he only shortly refers to his exemplary life, his writing, but does not mention his canonization. THOMAS SPALATENSIS p. 76, 86.

<sup>44</sup> THOMAS SPALATENSIS. p. 134, 136.

<sup>45</sup> In summary: MEZEY 1980; FRAKNÓI 1901. p. 34–35 (Crescencius!); TILLMANN 1975. p. 383; SZOVÁK 1996. p. 39–40 (Gregorius de Chrescencius!)

<sup>46</sup> GOODICH 2008; THOROCZKAY 2016; SOLYMOŠI 2017.

The only Hungarian charter drawn up by him also described his activity, that as the continuation of a previous case he proceeded in the case of the foundation and legal status of the collegiate church of Szeben (Sibiu, RO). As we saw in 1189–1190 Gregory confirmed the institution founded by Béla III. However, the provost of Szeben claimed jurisdiction over all the German church, which interfered with the jurisdiction of the territorially authorized bishop of Transylvania. The dispute was taken to the pope and Gregory got the assignment to proceed with the case. The legate learned from the king sojourning in Veszprém that the provost was the church superior of only those Germans who made their settlements and their churches in the deserted, uninhabited area designated for settlement by Géza II.<sup>47</sup> Innocent III in 1198, then in 1231 Gregory IX also confirmed the decision of the cardinal-legate, which did not bring peace between the provost and the bishop of Transylvania in the issue of the former's jurisdiction and legal status.<sup>48</sup> Of course there is the question if this measure had been taken in the course of the earlier legation. Despite that the text known only from the later confirmations is undated, once Gregory himself referred to that the litigation arose in the time of his previous legation (*cum prius officium legationis gessimus in Hungaria*), then it got to the pope and after that the cardinal dealt with it. In addition, the bishop of Transylvania 'A' mentioned in the text can be identified with Adrien, who was the head of the diocese between 1192 and 1201.<sup>49</sup>

We do not know when exactly Gregory left the country, but he was in the papal curia on 18<sup>th</sup> of January 1193 as the witness of a diploma issued there. During the year similarly to his Dalmatian and Hungarian activity, he participated in another canonization, the subject of which was Jean Gualbert.<sup>50</sup> He was active in Rome in 1196: Celestin III assigned him and the cardinal-bishop of S. Clemens (John of Viterbo) to be auditors in the case between the canons of Split and the priests of the town.<sup>51</sup> Then the pope sent him as legate to the Marquisate of Ancona, he undertook to restore the territory for the papal state after the death of the German King Henri VI (on 28<sup>th</sup> of September of 1197). Since the king transferred Tuscia to the pope in his testament, though the text of the testament was not known at that time. As Celestin III wanted the Marquisate on his side, he wanted to secure the recognition of his power partly by the local churches, e.g. the bishop of Fermo, partly by Gregory's assignment. This task fell to Gregory who had to ensure the fidelity of numerous territories, the town of Perugia, Ancona, Rimini,

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<sup>47</sup> See the charter at the end of the study (2).

<sup>48</sup> For this see THOROCZKAY 2012; KISS 2015.

<sup>49</sup> Based on RA nr. 152, 194; ZSOLDOS 2011, p. 89.

<sup>50</sup> AASS Julii, III. p. 337; TILLMANN 1975, p. 383; AUBERT 1986b, col. 1458.

<sup>51</sup> SMIČIKLAS II. nr. 260; JL nr. 17404; ÁÚO VI. p. 189–191. Cf. SZOVÁK 1996, p. 39–40; RI III. p. 376, note nr. 4.

Assisi, Gubbio, Spoleto. He returned to the papal curia from this assignment on 23<sup>rd</sup> of December 1197, where he made his report.<sup>52</sup>

Gregory probably took part in the election of Innocent III,<sup>53</sup> who appointed him to the *rector* of the Principality of Spoleto, then sent him to Lombardy as legate (1198): he presided over the synod of Verona where the representatives of Milan renewed their previous accession to the League of Lombardy.<sup>54</sup> He must have proceeded here in the case of the heretics of Lombardy, he prohibited that they get certain title.<sup>55</sup> There was an alliance concluded concerning the case of the German struggle for the throne in Lodi on 1198 December 28, though that time Gregory was not present as he had returned to Rome at the end of the spring.<sup>56</sup> Meanwhile, in the spring of 1198 the English King Richard I asked the legate to intercede in the case of the revolt in Piacenza.<sup>57</sup> Probably he proceeded in a case of a marriage in Bologna at the end of the summer, which he assigned to the abbot of S. Proculus and Lanfrancus, the canon of Bologna and which was brought before Innocent III.<sup>58</sup> The pope sent him to Sicily at the end of December 1198, he had to represent the interests of the son of empress Constance, Frederick and had to proceed with the country's affairs on behalf of the king's guardian, the pope.<sup>59</sup> In June-July 1199 he was again in Rome, then probably returned to Sicily, then in November again he went to Rome. On 24<sup>th</sup> of November 1199 the pope gave his assignment to Sicily to cardinal Cencius.<sup>60</sup> He worked as an *auditor* in the curia in the time of both Innocent III and Celestin III.<sup>61</sup> He

<sup>52</sup> IP IV. p. 4, nr. 17, p. 118, nr. 17.; JL nr. 17426, 17585; FRIEDLAENDER 1928. p. 106–107; KARTUSCH 1948. p. 159; MÜLLER 1950. p. 37; TILLMANN 1975. p. 383, note nr. 163; AUBERT 1986b. col. 1458; MALECZEK 1984. p. 93–94.

<sup>53</sup> MALECZEK 1984. p. 93–94; JL nr. 17585: “[Rainaldus de Celano] *qui in partibus vestris dilecti filii nostri Gregorii de s. Apostolo, s. Marie in porticu diaconi cardinalis apostolici sedis legati vices exercet [...]*”. FRIEDLAENDER 1928. p. 107 and note nr. 139.

<sup>54</sup> WINKELMANN 1873–1878. I. p. 342; TILLMANN 1975. p. 383; MALECZEK 1984. p. 93–94; AUBERT 1986b. col. 1458. According to the latter he administered justice in the dispute of the bishop of Transylvania and the provostship of Szeben at the same time (1198). However, the decree of the legate was dated in 1189, Innocent III only rewrote it in 1198. Cf. FEJÉR II. p. 250–251, 333–335; FRIEDLAENDER 1928. p. 107.

<sup>55</sup> RI III. nr. 298.

<sup>56</sup> He must have been there on 1198 May 30. WINKELMANN 1873–1878. I. p. 342.

<sup>57</sup> Based on the letter of Innocent III written to the English king on 1198 (?) April 30, in which he asked the English king to ensure the estates of the merchants of Piacenza and Parma in England until they make amends to him and Peter cardinal-deacon (S. Maria in via lata). LI III EW p. 14; RI III I. nr. 121. See *ibid* nr. 3.

<sup>58</sup> RI III. nr. 362.

<sup>59</sup> According to the critical edition of the sources, the papal assignments, the notice to the prelates of Sicily were dated at the end of December 1198, thus earlier than the previous date of early 1199 accepted in the literature before. RI III I. nr. 570–572 (1198); TILLMANN 1975. p. 383 (1199); MALECZEK 1984. p. 93–94. (1199); AUBERT 1986b. col. 1458. (1198). The pope sent a general mandate to the prelates of the region in January 1199, in which he mentioned Gregory's assignment. RI III. nr. 554 (557), 555 (558).

<sup>60</sup> AUBERT 1986b. col. 1458. Concerning the person of Cencius, see MALECZEK 1984. p. 111–113.

<sup>61</sup> For this see i.e. he proceeded in the case of Michael bishop of Faro's appointment to the archbishopric seat of Split in 1199 July. SMIČIKLAS II. nr. 306; ÁÚO VI. nr. 134.

appeared in a papal charter last time on 1<sup>st</sup> of January 1202, he might have deceased not much later.<sup>62</sup>

## Appendices

### Itinerarium:

1189–1190: Szeben (Sibiu, RO) (?) – ?

1192: after 3<sup>rd</sup> of January – 16<sup>th</sup> of April: Trau – before 27<sup>th</sup> of June: Várad (Oradea, RO) – ?; Veszprém – ?

### Charters concerning the legate's activity in Hungary

1 [1189–1190]

*Gregorius de Sancto Apostolo, cardinal-deacon of S. Maria in Porticu confirms the foundation of the collegiate chapter of Sibiu.*

Celestinus episcopus servus servorum Dei venerabili fratri ... Strigoniensi archiepiscopo salutem et apostolicam benedictionem. Tue devotionis fervorem, quam circa Romanam ecclesiam et nos specialiter habes, certis rerum indiciis cognoscentes, tuis desiderii duximus et petitionibus annuendum et tam in coronatione regis, iuxta quod in registri bone memorie Clementis praedecessoris nostri habetur inscriptum, tibi privilegium confirmamus, quam etiam regie domus officialium prepositos vinculo anathematis alligandi et in causis spiritualibus iudicandi plenam et illibatam tuam fraternitatem habere decernimus potestatem, ita siquidem, ut nullus Ungarici regni praelatorum, nisi tu solus, sicut etiam in regia concessa habetur, beatae memorie praedecessoris nostri Alexandri auctoritate ac nostra tue ecclesie confirmata, id praesumptione qualibet audeat attentare. Cum autem ecclesia Theutonicorum Ultrasilvanorum in preposituram sit liberam instituta, et eisdem, quibus [et alie] prepositure exemptae, libertatis [insignibus redimita, et eam] authentico scripto carissimus in Christo filius noster Bela illustris rex Ungarie studuit communire, quam etiam dilectus filius noster Gregorius sancte Marie in Porticu diaconus cardinalis tunc apostolice sedis legatus, privilegii sui munimine roboravit et apostolica postmodum auctoritas confirmavit, eandem institutionem ratam habentes, precipimus nostri registri serie contineri, perenni memoria duraturam. Nulli ergo omnino hominum liceat hanc paginam nostrae confirmationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare praesumerit, indignationem omnipotentis dei et beatorum Petri et Pauli apostolorum eius noverit se incursum. Datum XIII. Kalendas Januarii pontificatus nostri anno primo.

Original: –

Copy: *Celestin III, 20-12-1191*

Reg. EO I. nr. 21.

Ed.: UGDS I. nr. 1; FEJÉR II. p. 276–277.

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<sup>62</sup> MALECZEK 1984. 93-94. By all means Innocent III's decree dated in 1206 says that he and Peter the archbishop of Split were of good memory. SMIČIKLAS III. nr. 52; AUBERT 1986b. col. 1458. says he appears last as the signer of a papal decree on 1201 December 23.

2 [1192]

*Gregorius de Sancto Apostolo, cardinal-deacon of S. Maria in Porticu's decision in the dispute of jurisdiction between A[drien] bishop of Transylvania and R., provost of Sibiu.*

Gregorius de sancto Apostolo dei gratia sanctae Mariae in Porticu diaconus cardinalis, apostolice sedis legatus omnibus Christi fidelibus ad quos literae presentes devenierint, salutem et orationem in Domino. Ne quorumlibet sopite questiones materiam recidive contentionis inveniunt, quod salubriter et bene dispositum est, perpetuum debet stabilitatem obtinere et iuxta maiorum monita litterarum memorie commendari, ne processu temporis in dubiam questionem deveniat, quod definitive constat sententiae calculum suscepisse. Cunctis igitur fidelibus volumus notum fieri, quod cum occasione huius verbi „desertum”, quod verbum est in privilegio gloriosi et illustris domini regis Belae, et nostro ad preces eiusdem regis impetrato a nobis et obtento super constitutione prepositurae Ultrasilvae, quam fecimus, cum prius officium legationis gessimus in Hungaria questio esset orta inter venerabilem fratrem nostrum A[drianum] Ultrasilvanum episcopum et dilectum amicum nostrum P. prepositum Cipiniensem, pro eo, quod occasione prefati verbi prepositus diceret generaliter omnes Flandrenses ecclesiae suae fuisse suppositos, contra episcopus responderet, dominum regem et nos intellexisse, de illis dumtaxat, qui tunc erant in illo solo deserto, quod gloriose memorie G[eisa] rex Flandrensis concessit, et de illis, qui in eodem tantummodo deserto erant habitantes, et eo processum esset, quod questio eadem ad dominum papam fuisset delata et inde ad nos remissa, utpote ad eum cui interpretatio prefati verbi domini regis mente et voluntate explorata, deberet esse certissima, prefatus illustris et gloriosus rex ad interrogationem nostram hanc interpretationem Vesprimii in presentia magnatum suorum promulgavit, quod non fuit eius intentionis tempore constitutionis prepositurae nec postea, quod alii Flandrenses preposito essent subditi, nisi qui tunc tantummodo habitabant in deserto, quod sanctae recordationis G[eisa], pater suus Flandrensis concesserat, et in eodem futuris temporibus essent habitaturi. Nos vero idem cum domino rege sentientes et eandem interpretationem habentes in animo, predictum verbum sic interpretamur, quod de nullis aliis Flandrensis intelleximus, nec alios prepositurae supposuimus, nisi dumtaxat illos, qui tempore, quo ipsam preposituram constituimus, in illo tantum habitabant, et erant habitaturi deserto, quod G[eisa] rex Flandrensis prioribus concessit. Et ut haec nostra et domini regis interpretatio omni tempore plenum robur et firmam stabilitatem obtineat, has inde litteras scribi mandavimus et sigillo nostro fecimus sigillari.

Original:

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Copy:

- 1) Innocent III, 15-06-1198, Rome
- 2) Gregory IX, 26-02-1231, Lateran
- 3) 18<sup>th</sup> century (DL 37051).

Reg.

EO I. nr. 22, 158; RG IX. nr. 559.

Ed.:

UGDS I. nr. 2, 58; FEJÉR II. p. 250–251; RI III. nr. 272. (2)

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*Gábor BARABÁS:*

## **The Life and Hungarian Legations of Cardinal Gregorius de Crescentio\***

The study deals with the ecclesiastical career and the Hungarian legations of Gregory, the cardinal deacon of S. Maria in Aquiro (1188–1200?), then the cardinal presbyter of S. Vitalis (1200?–1207?). Gregory was of noble origin and an important member of the college of cardinals at the end of the 12<sup>th</sup> and the outset of the 13<sup>th</sup> century. His activity in the service of the popes was quite complex, among other things he acted as auditor in the Curia and fulfilled diplomatic missions of various kinds as well. He visited the Hungarian Realm twice, first in 1199–1200 whilst his task was to help the reconciliation of King Emeric with his younger brother, prince Andrew. Gregory's second Hungarian legation covered a series of ecclesiastical issues in 1207, for instance he investigated, whether the election of the king's brother-in-law, Berthold of Merania as archbishop of Kalocsa legitimate was. Furthermore, the paper intends to analyse the nature of the cardinal's authorizations as well.

*Keywords:* papal legate, Cardinal Gregory, Hungarian Kingdom, papal-Hungarian relations, papal judge-delegate



Gregory, the cardinal deacon of S. Maria in Aquiro (1188–1200?), then the cardinal presbyter of S. Vitalis (1200?–1207?), was one of those cardinals who were commissioned to the Hungarian Kingdom as a papal legate. His activity in Hungary was only one of his assignments important for the papacy, since he had tasks worth mentioning in Italy as well. His first legation to Hungary, as we shall see, is significant from different points of view, such as his ecclesiastical career and the local events.

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Gregory was the uncle of Gregorius Crescentio, who later also joined the papal service.<sup>1</sup> He was the offspring of the noble Crescentius family,<sup>2</sup> but was not directly related to the clans of similar name, which had a great influence on the life of Rome and the whole Patrimonium Petri in the 10–11<sup>th</sup> centuries. The members of the Crescenzi-Ottaviani family were for instance the counts of Sabina and the ancestors of the Monticellis.<sup>3</sup> However, the Crescentiuses appeared in Rome only in the 12<sup>th</sup> century without any evident relation with the old Crescenzis. Their connection to the Cenzi family is mentioned several times but cannot be proved either.<sup>4</sup> The confusion of the Latin and Italian variations of the Crescentius/Crescenzi/Cenzi names raise difficulties in certain cases.

However, there is proof that the Crescentiuses belonged to the nobility of Rome at the end of the 12<sup>th</sup> century in one of the sources about Gregory.<sup>5</sup> Namely Innocent III (1198–1216) entitled him *vir genere nobilis*<sup>6</sup> in 1207 when he was assigned to Hungary for the second time. The cardinal's testament provides data about his family as well.<sup>7</sup> His nephews are known, Leo and Crescentius, the sons of Cencius Roizus who deceased in 1207, and Cencius and Johannes Mancinus, the sons of Crescentius also deceased by 1207.<sup>8</sup>

### Gregory's Career and his Papal Authorizations

According to the sources, Gregory was given a significant ecclesiastical function in March 1188 when Pope Clement III (1187–1191) appointed him as deacon cardinal of S. Maria in Aquiro.<sup>9</sup> Gregory got into the forefront of papal policy later, in the time of Celestine III (1191–1198). He had an important role with Albinus d'Albano<sup>10</sup> in the agreement of Tancred of

<sup>1</sup> For the identification of the Gregories see KISS 2019; MALECZEK 1984. p. 183; SOLYMOŠI 2017. p. 28–35 and Gergely Kiss' study in the present volume.

<sup>2</sup> TILLMANN 1975. p. 382.

<sup>3</sup> The opponent of Pope Alexander III, the antipope Victor IV came from this family. MALECZEK 1984. p. 77.

<sup>4</sup> MALECZEK 1984. p. 90.

<sup>5</sup> MALECZEK 1984. p. 77.

<sup>6</sup> RPR nr. 3196, RIX. nr. 138.

<sup>7</sup> PARAVICINI BAGLIANI 1980. p. 3, 107–109

<sup>8</sup> PARAVICINI BAGLIANI 1980. p. 107, note nr. 1.

<sup>9</sup> ZIMMERMANN 1913. p. 30, note nr. 1; MALECZEK 1984. p. 90–91; TILLMANN 1975. p. 382. On the other hand, Cristofori gives one single person (with Crescenzi Gregorio name) between 1188 and 1208, considering the latter date hypothetical. CRISTOFORI 1888. p. 214.

<sup>10</sup> Albinus (?–1197) was the cardinal bishop of Albano from 1189 until his death. He wrote about the early period of his life in his work *Digesta pauperis scholaris Albini* (LC 85–89). According to it, he became an orphan at an early age, and then his uncle, a monk took care of him. After the uncle's decease, he studied with his close associate called Richard (his brother?), later bishop of Orvieto (1177–1201), until he was called to Rome to be a cardinal. Albinus was thought to have come from Milan or to have been the offspring of a significant family of Pisa, but based on his work he is more likely to have been born in the town of Gaeta. Anyway, it is almost certain that he was supported by his relatives, or at least this is what his fast advancement in his ecclesiastical career suggests. In

Sicily<sup>11</sup> with the papacy (in June 1192, the so-called Gravina-concordat).<sup>12</sup> The delegates of the pope set off at the end of May 1192, and Albinus and Gregory last signed in the papal court in Rome on 23<sup>rd</sup> of May.<sup>13</sup> The agreement with Tancred did not only renew the previous Benevento-

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one of Urban III's charter dated on 29<sup>th</sup> of June 1186, Albinus appears with the title *magister*, presumably he studied theology and philosophy, but it is not known at which university. First he had the office of cardinal deacon of S. Maria in Nuova in the time of Pope Lucius III from 1182 (4<sup>th</sup> of January 1183 - 13<sup>th</sup> of March 1185), then in 1185 he was appointed cardinal presbyter of S. Crucis in Jerusalem. In 1186, he went to Verona for unknown reasons, then from February 1188 to March 1189 his signature was present on the solemn papal privileges. The first charter signed as the cardinal-bishop of Albano dates back to 31<sup>st</sup> of May 1189, whereas the last to 9<sup>th</sup> of July 1196. The date of his death is uncertain, but it must have happened prior to March 1198, as Pope Innocent III referred to the bishop from this point as deceased. It is fairly improbable that an honorable member of the cardinals' college like Albinus would have stayed away from the events and so from the papal sources. Thus, he was likely to pass away at the end of 1196, at the latest by 1197. In his career he was the court's auditor, legate and papal vicar, and participated in managing the finances of the Apostolic See. He was assigned to Sicily in 1188, when Pope Clement III sent him with Peter, the cardinal presbyter of the S. Laurentius in Damaso to the court of King William II in Palermo. The reason for his legation was the fact that the Norman ruler had taken neither his oath of allegiance, nor his oath of vassal of the pope, in spite of the provisions of the Benevento concordat in 1156. The legates were successful, as proven by several sources. Albinus carried on successful negotiations with the Sicilian king, Tancred in 1191 in Messina. Based on Tancred's privilege issued for the town of Gaeta, it can be supposed that Albinus was then in the kingdom as a papal vicar (before Innocent III's pontificate, the office of the papal vicars was not confined to Rome, the *vicarius* could substitute the Head of the Church designating him, anywhere and any time. The sermon might as well have been an important part of the office of the vicar. (Blumenthal 1982. 32.). Then in 1192, he was assigned as the mentioned legate with Gregory. As a matter of fact, Celestine III - after Henry VI (1190-1197) left the scene - finally had to acknowledge Tancred as the predecessor of William II which meant that the pope needed his bishops' service. As a result, the concordat of Gravina was concluded in June 1192. The two bishops met the king personally in July in Alba Fucente and received his oath of allegiance in the pope's name. From Pope Innocent III's later documents Albinus is known to have decided in the case of the appeal of the archbishop of Milan in 1194, to perform the consecration of Daniel the bishop of Rossi in 1196, and to be present at the consecration of the S. Laurentius in Lucina church as well. See MALECZEK 1984. p. 76-77; BLUMENTHAL 1982. p. 10-11, 18-33; MONTECCHI PALAZZI 1986. p. 626-628; KARTUSCH 1948. p. 79-82.

<sup>11</sup> At the beginning of 1190, after the death of the Sicilian king William (the Good) II (1166-1189) in the previous year, through his wife Constance, who was the youngest daughter of King Roger II (1130-1154) the Holy Roman emperor, Henry VI (1190-1197) put in a claim for the throne. Against him, the nobles of the kingdom elected Tancred (1190-1194), the count of Lecce, the illegitimate grandson of King Roger II, refusing the foreign, German candidate. The new Norman king later captured Henry VI's wife, thus the emperor had to go back to German territory. However, Tancred himself died in 1194, not long after his eldest son's death. MOLNÁR 2004. p. 63-64; BLUMENTHAL 1982. p. 30-31; MATTHEW 1992. p. 285-291.

<sup>12</sup> TILLMANN 1975. p. 382; MALECZEK 1984. p. 91; AUBERT 1986. p. 1457. About the events that led to the concordate of Gravina see note 10 and BLUMENTHAL 1982. p. 31.

<sup>13</sup> MALECZEK 1984. p. 367, nr. 65. It is interesting that others suppose that Albinus last signed on 15<sup>th</sup> of May, Gregory on 12<sup>th</sup> of May. FRIEDLAENDER 1928. p. 78.

concordat,<sup>14</sup> but it was in certain points more advantageous for the papacy.<sup>15</sup> Albinus and Gregory's next delegation happened at the end of June,<sup>16</sup> when they met Tancred in the town of Alba close to Abruzzo, who made there a solemn oath of allegiance before the legates of the pope.<sup>17</sup>

Gregory must have returned to the papal court after these events, as a charter of Innocent III from 1198 suggests. The pope wrote on 2<sup>nd</sup> of March to Archbishop Philip of Milan, in connection with his quarrel with the abbot and convent of S. Donato di Scozola in Sesto-Calende. This papal letter informs us about the former measure of Celestine III, who had ordered Gregory and Hugo of SS. Silvestrus et Martinus<sup>18</sup> in the case as auditors.<sup>19</sup> Their activity is not known in details, however, it seems certain that Pope Innocent III rejected the request of the abbot, and did not confirm the verdict of the bishop of Ferrara against the archbishop, but approved the former decision favourable for the archbishop made by the bishop of Verona.<sup>20</sup> The activity of Gregory as auditor is further reflected in another papal charter, which was issued on 13<sup>th</sup> of April 1198, because of the problems connected to a prebend in the Cathedral of Our Lady in Antwerp.<sup>21</sup> The cardinal was this

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<sup>14</sup> The agreement of Pope Hadrian IV (1154–1159) and William I (the Bad) (1154–1166) in 1156. As a consequence of the increasing isolation caused by the Byzantine and Norman-Sicilian attacks, the pope was forced to make compromise on behalf of the latter. In the agreement, the pope acknowledged William as the king of Sicily and his authority over Puglia, Calabria, Campania, Capua, the Amalfi-coast, Naples, Gaeta, Marche, Abruzzo. See NORWICH 1970. 196–200. See the text of the agreement of Benevent: MGH Const. I. p. 590–591. nr. 414.

<sup>15</sup> The king swore allegiance to the pope, agreed on receiving a legate permanently to the mainland and delegates to the islands every five years, furthermore, Tancred had to take the royal office personally from the pope. FRIEDLAENDER 1928. p. 78–79. See the text of the agreement of Gravina: MGH Const. I. nr. 417.

<sup>16</sup> It is not sure that we can speak about two legations, as researchers claim it might only have been the test of Tancred's promise. BLUMENTHAL 1982. p. 31.

<sup>17</sup> FRIEDLAENDER 1928. p. 78. See the text of the oath of allegiance: MGH Const I. nr. 418.

<sup>18</sup> Hugo presumably came from a local Roman family and started his ecclesiastical career as archdean of Saint Peter cathedral before he was appointed in 1190, or perhaps in 1191 by Celestine III as cardinal of S. Martinus which title he held until his death in 1206. His name appears many times in the sources as auditor, e.g. he was appointed by Innocent III to examine the circumstances of the death of Bishop Conrad of Würzburg. Hugo functioned also as papal penitentiary and as mediator in 1203 in Terracina. His signature appeared for the last time on a papal privilege issued in February 1206. RI I, nr. 53, note nr. 12; MALECZEK 1984. p. 107.

<sup>19</sup> "*Cumque dilectus filius G(erardus), tunc prior nunc nunc vero abbas eiusdem monasterii, et G., nuntius adverse partis, super hoc ad sedem apostolicam accessissent, bone memorie C(elestinus) papa, predecessor noster – supradictis omnibus per dilectos filios nostros Hug(onem), tituli sancti Martini presbyterum, et G(regorium) sancte Marie in Aquiro diaconum, cardinales quos eis auditores concesserat [...]*" – RI I. nr. 37, RPR nr. 31. The term *auditor* appeared in the sources under the pontificate of Celestine III, and it became one of the main tasks of the cardinals later. See MALECZEK 2013. p. 75.

<sup>20</sup> RI I, nr. 37.

<sup>21</sup> "*Cum autem G., procurator eius, ad nostram presentiam accessisset, B. clericus ex parte prefati Lamberti se ei adversarium esse proposuit. Unde est dilectum filium nostrum G(regorium), sanctae Marie in Aquiro diaconum cardinalem, concessimus auditorem. Ex cuius postmodum relatione cognovimus, quod cum idem B. pluries vocatus ad causam fuisset, multotiens a presentia dicti*



time appointed as the sole auditor of the case, which was later settled in favour of Lambert, the holder of the prebend. Innocent III ordered the archdeacon, the cantor of the cathedral and the chancellor of Tournai to support the claims of Lambert.<sup>22</sup> Under the pontificate of Celestine III Gregory was appointed for a further case as auditor, this time together with the cardinals Jordanus of S. Pudentiana<sup>23</sup> and Soffredus of S. Praxedis.<sup>24</sup> The leader of the process between the bishop and the convent of Angoulême<sup>25</sup> became after them Peter deacon cardinal of S. Maria in Via Lata.<sup>26</sup> The

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*cardinalis discessit contumax et tandem a presentia nostra se penitus abstentavit.* – RI I, nr. 90. RPR nr. 76.

<sup>22</sup> RI I, nr. 90.

<sup>23</sup> Jordanus was the member of the family Ceccano. He began his ecclesiastical career as the abbot of the Cistercian monastery of Fossanova in 1176 and became ten years later the member of the College of Cardinals, first as a deacon, later as priest. Right after his elevation Jordanus was ordered by Pope Clemens III to examine the quarrel about the election of the archbishop in Trier. He visited right after that Cologne and the territory of the present-day Belgium. His juridical activity is reflected in many charters issued in this time. In May 1199, he appeared again in the papal court, before Celestine III mandated him as legate in France. He was ordered together with Octavian of Ostia to make peace between Richard Lionheart and the group led by his brother, the later John Lackland and the archbishop of Rouen. The legation of the cardinals seems to be of problematic nature, they could not even agree upon the necessary actions. Jordanus returned to the Curia in 1193, where he acted many times as judge even under the pontificate of Innocent III. In 1199, he was sent to Ancona as legate to prepare a campaign against Markward of Anweiler. His council was sought later many times by Innocent III concerning the matters of the Cistercian order until his death in 1206. See MALECZEK 1984. p. 86–88.

<sup>24</sup> Soffredus originated from the Italian town of Pistoia, before his elevation to the cardinalate he was the member of the local chapter as a *magister*. His juridical expertise had an enormous effect on his later activity. Pope Lucius III made him cardinal of S. Maria in Via Lata in 1182 and Soffredus got his first mandate as a legate in 1187 from Clemens III. He was sent to France to negotiate between King Henry II and King Philip II. He was successful in this matter, so was he in the next year handling the quarrel between Pisa and Genoa, likewise in 1189 between Parma and Piacenza. In the summer of the same year he traveled to Trier, because of the aforementioned disputed election. Under the pontificate of Celestine III, he was mostly present at the papal court, where he acted many times as auditor. Soffredus became the cardinal of S. Praxedis in 1193. Five years later he was sent to Venice and to the Holy Land to take care of the affair of the planned crusade. In 1201, he was elected to the archbishopric of Ravenna in his absence, but the pope refused to confirm him. Soffredus returned to Rome in 1205, where he died in 1210. MALECZEK 1984. p. 73–76.

<sup>25</sup> 29<sup>th</sup> of May 1198. *“Quibus primo dilectos filios J(ordanum), tituli sancte Pudentiane, et S(offredum), tituli sancte Praxedis, presbyteros, et G(regorium), sancte Marie in Aquiro, et Postmodum P(etrum) sancte Marie in Vialata, diaconos cardinales, concessimus auditores.”* – RI I, nr. 214, RPR nr. 223.

<sup>26</sup> Petrus Capuanus came from a noble family of Amalfi. After his study in Paris he was called to Rome by Pope Celestine III because of his theological works. Peter was created cardinal of S. Maria in Via Lata. In the summer of 1195, he was appointed rector of Benevento and legate to Sicily. In the next year, he travelled through northern Italy and Austria to Bohemia and Poland, where he was present even in the time of the election of Innocent III. The new pope mandated him immediately with a new legation, he had to take care the affair of the planned crusade. Peter first travelled to France to mediate between the French and the English kings, where he handled the matrimonial problems of Philip August II as well. He returned to Rome in 1200, and he was appointed cardinal of S. Marcellus. During his stay in the papal court, Peter often acted as judge,

aforementioned Soffredus was the associate of Gregory in a further case as well,<sup>27</sup> they had to come to a decision in the procedure against Albericus, prior of the monastery of S. Lorenzo in Spello. However, they failed to do so, and the prior was removed from his position according to a charter of Innocent III issued on 1<sup>st</sup> of February 1199.<sup>28</sup>

In October 1198,<sup>29</sup> Innocent III appointed Gregory after a longer curial stay *rector*<sup>30</sup> of the duchy of Spoleto, the county of Assisi and the surrounding areas, in other words, he represented the papal power in this territory until the summer of 1199.<sup>31</sup> It can be considered Innocent III's first measure to create administration with central control for the *Patrimonium Petri*.<sup>32</sup>

After returning to Rome, Gregory was first time commissioned as a legate to the Hungarian territory. At the end of 1199, Pope Innocent III sent him to Hungary<sup>33</sup> to deal with the problems of the Hungarian church, and the fight between King Emeric (1196–1204) and the monarch's younger brother, Prince Andrew.<sup>34</sup> In the second, presumably more significant issue Konrad, the archbishop of Mainz assisted him.<sup>35</sup> Moreover, he had to gain the support

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but in 1202 he travelled to Venice, Constantinople and the Holy Land because of the crusade. His activity was, however, not entirely successful, and the pope blamed him for it. Peter returned to Rome in the autumn of 1206 or early 1207, but he could never regain his position as an important member of the College of Cardinals. Thereafter he concentrated his attention on his hometown and made several foundations there. He died in Viterbo in 1214. MALECZEK 1984. p. 117–124.

<sup>27</sup> "*Sed cum ab eis non fuerit in ipsa questione processum, a dilectis filiis nostris S(offredo), tituli sancte Praxedis presbytero, et G(regorio), sancte Marie in Aquiro dicaono, cardinalibus commissa fuit.*" – RI I, nr. 542 (545), RPR nr. 587.

<sup>28</sup> RI I, nr. 542 (545).

<sup>29</sup> "*Inde est, quod paci et tranquillitati vestre paterna volentes sollicitudine providere, dilectum filium nostrum G(regorium), sancte Marie in Aquiro diaconum cardinalum, virum utique providum et discretum, quem inter alios fratres nostros speciali caritate diligimus vobis duximus preponendum et ut vestre pacis et salutis regimen ulterius exequatur, utramque potestatem, spiritualem videlicet et temporalem, ei vice nostra commissimus, ut dum in eo potestas utraque convenerit, utraque adiuta per alteram liberius valeat exerceri. Cui dedimus in mandatis, ut vos tamquam ecclesie Romane filios speciales diligat et honoret et sic iura nostra procuret, ut aliena non ledat, sed quod suum est unicuique studeat conservare.*" – RI I, nr. 356, RPR nr. 927.

<sup>30</sup> Cf. MALECZEK 2013. p. 76.

<sup>31</sup> MALECZEK 1984. p. 91; AUBERT 1986. p. 1457; MOORE 2003. p. 40; TILLMANN 1975. p. 382. The latter work published it without date. The power of the pope was extended over a significant part of Middle Italy in the time of pope Innocent III. The 'Papal State(s)' consisted of four parts: Toscana Romana, Campagna-Marittima, the duchy of Spoleto, and the Marquisate of Ancona. No special authority emerged a to rule them, there were no high-ranking officials designated, the popes practised supreme power over these territories with the members of the College of Cardinals, considering the territories' customary law and the local specialities. First the cardinals ruled as legates, later as rectors. By the 1220s, a stable system had developed, thus each region had their own rector, who was appointed by the pope for several years. The rectors had to give account of the finances of the territories in the Papal Court. MOLNÁR 2004. p. 66–67; WALEY 1961. p. 91–124.

<sup>32</sup> MALECZEK 1984. p. 91

<sup>33</sup> Cf. SWEENEY 1984. p. 121.

<sup>34</sup> See SWEENEY 1999; SZABADOS 1999; SZABADOS 2000; GÁL 2019.

<sup>35</sup> MALECZEK 1984. p. 91. See CFH nr. 1215.

of the Hungarian king for the guelfs in the imperial struggles for succession.<sup>36</sup> As for the beginning of Gregory's legation, a papal charter dated on 26<sup>th</sup> of November 1199 provides information. As Gregory signed this document,<sup>37</sup> we can assume that his legation started afterwards.

He was also supposed to intervene in the conflict of Poppo, the provost of Aquileia and the chapter on his way to Hungary. The conflict concerned certain incomes in Carinthia, as described in the agreement of the litigants drawn up on 4<sup>th</sup> of January 1201.<sup>38</sup>

Gregory probably arrived in the Hungarian Kingdom at the beginning of 1200.<sup>39</sup> His task was first mentioned in a letter sent to the chapter of Split on 2<sup>nd</sup> of March by Innocent III.<sup>40</sup> According to the papal document, the main reason of the legate's assignment was the fight between the king and the prince.<sup>41</sup> Gregory's efforts in Hungary must have been fruitful, as King Emeric and Prince Andrew concluded peace in 1200. The details of the agreement are described by the Royal Chronicle of Cologne,<sup>42</sup> which does not mention

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<sup>36</sup> AUBERT 1986. p. 1457. Only the previous (struggle for the throne) is mentioned by László Solymosi. SOLYMOSI 1996. 50. According to Moroni, Gregory – who was assigned by the pope to settle the Sicilian fights and to prepare the crusade – had to draw Hungary into the Syrian action against the infidels in alliance with the Austrian prince, Leopold VI. MORONI 1840–1861. p. LXXXIII, 174. Tillmann also refers to a part of Thomas of Spalato's work, where Gregorius de Chrescencio (!) was entrusted in the case of the canonization of Ladislav I. THOMAE SPALATENSIS p. 134–137. However, the canonization took place in 1192, and the Gregory mentioned here was in fact Gregorius de Sancto Apostolo.

<sup>37</sup> MALECZEK 1984. p. 91, 379, nr. 63a. In Eubel's view, he last signed on 4<sup>th</sup> of July 1199 with the title of the S. Maria in Aquiro. HC I, 3, note nr. 1. See MALECZEK 1984. p. 379, nr. 61. His first signature after his return was dated on 3<sup>rd</sup> of February 1201, but still with his previous title. MALECZEK 1984. p. 380, nr. 74. In his mentioned rank his last signature dates to the 1<sup>st</sup> of July 1201. See MALECZEK 1984. p. 380, nr. 83.

<sup>38</sup> MALECZEK 1984. p. 91, note nr. 228; RI II, nr. 104 [113].

<sup>39</sup> See MALECZEK 1984. p. 91, 339; ZIMMERMANN 1913. p. 204.

<sup>40</sup> “[...] *communicato fratrum consilio legatum illuc duximus a nostro latere cum potestatis plenitudine destinandum, dilectum videlicet filium nostrum G. Sancte Marie in Aquino diaconum cardinalem.*” – ÁÚO I, 88, MNL OL DL 361 21, RPR nr. 966.

<sup>41</sup> Adding that it hindered meeting the commitments of the crusade. “[...] *qualiter multis et magnis necessitatibus regni Ungarie intellectis, que festinanum subsidium requirere videbantur, et provisione Sedis Apostolice indigere, cum nec alius nobis subventionis modus congruentior vel eque congruus appareret, ne mora dispendium ad se traheret, et ex dilatione illius regni communis impediretur utilitas, quod in devotione Apostolice Sedis et gratia ita iam dudum solidatum extitit et incessanter existit, ut ipsius prospera et adversa tanquam propria reputemus [...].*” – ÁÚO I, 88. There was a charter of similar tone written in the papal chancellery addressed to the Hungarian prelates, who were called to help the legate in all possible ways as well. “[...] *Monemus proinde discretionem vestram propensius et hortamur per apostolica scripta precipiendo mandantes, quatinus eundem cardinalem tamquam honorabilem membrum ecclesie et legatum Apostolice Sedis recipientes humiliter et devote, ac honorificentia debita pertractantes, ipsius salutaria monita et precepta tenentis firmiter et servetis, et teneri ac servari a vestris subditis faciatis.*” – ÁÚO I, 88, RPR nr. 977.

<sup>42</sup> MGH SS rer. Germ. 18, p. 168. The information found its way into other western narrative sources as well. E.g. the second and third continuation of the Klosterneuburg Chronicle (Annales Clastroneoburgenses, Continuaciones Clastroneoburgenses II et III. – MGH SS 9, p. 620, CFH I, nr. 1753; MGH SS 9, p. 634, CFH I, nr. 1754) and Paltram Vatz (CFH III, nr. 4164). See KÖRMENDI

Gregory's role.<sup>43</sup> However, there is a reference to the agreement and the legate's activity in the register of Pope Innocent III, in the text of a letter sent to Prince Andrew on 5<sup>th</sup> of November 1203.<sup>44</sup> Another clue for the legate's activity is to find in the *gesta* of Innocent III written by an anonymous author in the early 1220s.<sup>45</sup>

In addition to the enmity in the royal family, Gregory had to deal with settling the issues of the clerics. We do not have any source about it, but we know data referring to another ecclesiastical province that is not the province where the legate was designated to.<sup>46</sup> Namely Innocent III's letter written to Pregrinus the patriarch of Aquileia on 1<sup>st</sup> of March 1201 mentions the latter's oath before the legate. Gregory and Peregrinus met either on Gregory's way to Hungary or on his return trip.<sup>47</sup>

Thus Gregory's legation started at the latest on 2<sup>nd</sup> of March 1200, at least it can be traced back to this date, however, its ending, though we probably know its *terminus ante quem*, is still uncertain. Werner Maleczek dates Gregory's first appearance among the signatories of papal charters to 3<sup>rd</sup> of February 1201, when in his opinion Gregory was already the cardinal presbyter of S. Vitalis, to which position he had been appointed by Innocent III at the end of 1200, on 23<sup>rd</sup> of December.<sup>48</sup> What is interesting is that the Viennese historian contradicts the facts previously written by himself about Gregory at the end of his monumental work introducing the members of the College of Cardinals, in the chart of the cardinals' signature. As for this work, in 1201 the legate still had the title cardinal deacon of S. Maria in Aquiro. As the cardinal presbyter of S. Vitalis, it was the first time on 7<sup>th</sup> of March 1202 that he signed a solemn papal privilege.<sup>49</sup> Yet, we also have to consider that

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2008. p. 5, note nr. 10; 57–58, 69. Some of them know about the role of Konrad the archbishop of Mainz, which in fact cannot be proven with charters.

<sup>43</sup> From the pope's perspective, the most important point of the peace was that Emeric and Andrew agreed to participate in the crusade. In their absence, they wished to entrust Leopold VI to rule the country, and in case of their death the other sibling would have inherited the kingdom. MGH SS rer. Germ. 18, p. 169.

<sup>44</sup> "*Compositionem inter te, et carissimum in Christo filium nostrum illustrem regem Ungarie, in dilecti filii G. tituli Sancti Vitalis presbyteri cardinalis, tunc Apostolice Sedis legati, manibus versatam et ab eo postmodum confirmatam.*" – CDH II, p. 413, RI VI, nr. 155 (156). Cf. RPR nr. 2016; HAGENEDER 2000. p. 98; SZABADOS 1999. p. 104–105; CDCS III, nr. 27. We have to point out that the two charters give two different titles beside Gregory's name. Anyway, the dating of the papal charter cannot be accidental, as the relative peace lasted until 1203, when Andrew attacked the king again. However, close to Varaždin (Varasd) Emeric captured his brother. Cf. THOMAE SPALATENSIS 140–142. For other sources see KÖRMENDI 2008. p. 5, 15–19. For the critic of the so-called "Varaždin scene" see KÖRMENDI 2012.

<sup>45</sup> "*Papa per Gregorium S. Maria in Aquiro diaconum cardinalem, quem legatum in Hungariam destinavit, reformavit pacem inter Henricum regem et Andream, fratrem eius, ducem, quorum guerra totum pene regnum Hungariae devastabat.*" – CFH II, nr. 2514.

<sup>46</sup> For the question of the legates' provinces see FIGUEIRA 2006.

<sup>47</sup> TILLMANN 1975. 382, note nr. 156a. Cf. RPR nr. 1309.

<sup>48</sup> MALECZEK 1984. 91, 289. Cf. FRANKÓI 1901. p. 37–38.

<sup>49</sup> MALECZEK 1984. p. 380, nr. 74 and 381, nr. 90; PARAVICINI BAGLIANI 1980. p. 3, nr. 1.

under Innocent III's reign, separate creations rarely occurred, in general, several clerics were together promoted. After December 1200, there was a new designation to bishop only on 9<sup>th</sup> of March 1202.<sup>50</sup> The transfer, and thus determining the exact date of the end of Gregory's first Hungarian legation is made even more difficult, as according to Eubel, Gregory can be found as cardinal deacon in the papal charters until 4<sup>th</sup> of July 1199, but as a presbyter he had to be confirmed between 9<sup>th</sup> of March 1202 and 21<sup>st</sup> of July 1207.<sup>51</sup>

Presumably, the difficulties arisen from Gregory's titles have caused the discrepancy in the opinions. The view that Gregory's Hungarian delegation was considered so successful in the papal court that Innocent III gave him the title of S. Vitalis, can be traced back here.<sup>52</sup> If we accept Maleczek's data, namely that Gregory signed in 1201 having his old title, then at least we have to question the direct link between the cardinal's Hungarian activity and his transfer, as there are almost one and a half years between them.

In this case, we have to turn to another source for help. In 1201, Gregory participated in the hearing of a case of jurisdiction between the abbot of Sainte- Geneviève and the bishop of Paris with Johannes Lombardus, cardinal bishop of Albano.<sup>53</sup> The two bishops listened to the parties, then recorded their complaints and made a report to the consistorial trial.<sup>54</sup> We are given a clue in a charter of Innocent III dated to 23<sup>rd</sup> of December 1201, which can be a decisive proof in connection with Gregory's office held in 1201. We can read in the text that the pope commissioned the bishop of Albano and Gregory, the cardinal presbyter of S. Maria in Aquiro to examine the case, and Gregory was the cardinal presbyter of S. Vitalis at the end of December.<sup>55</sup> This data does

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<sup>50</sup> In connection with the cardinals' papal designation, it is important to point out that under Innocent III's pontificate – following the previous practice – they took place connected to the four Lenten times of the year, on the Saturday before Palm Sunday and on Good Friday. MALECZEK 1984. p. 289.

<sup>51</sup> HC I, 3, note nr. 1.

<sup>52</sup> MALECZEK 1984. p. 91, 380. (at the end of 1200, before 3<sup>rd</sup> of February 1201); AUBERT 1986. p. 1457. (before 9<sup>th</sup> of March 1202); CRISTOFORI 1888. p. 89. thinks that Di Crescenzo Gregorio (!) had the office between 1189 and 1208. Cf. TILLMANN 1975. p. 382, note nr. 148.

<sup>53</sup> Johannes came from Lombardy and became the cardinal presbyter of S. Clemens in 1189, then in 1199 Pope Innocent III designated him for the office of the cardinal bishop of Albano. He had to give up his previous bishop's office (Viterbo, 1188–1199) with this designation. In the Curia, he mostly dealt with litigious matters, as a cardinal bishop he carried on acting in legal matters, his signature can be found on the solemn papal privileges until 1210. HC I, p. 3, note nr. 1, p. 7, 35, 40, 532; MALECZEK 1984. p. 94–95.

<sup>54</sup> The trial referred to the *jurisdictio spiritualis*, that is the question of the synodic obligation, the saint oils, the chrism, the marriage fee and the parochial rights. As a result of Gregory and Johannes's activity, Innocent III decided that the bishop previously had not possessed the parochial rights, then the abbey of the Saint Peter monastery in Vezelay and Auxerre, and the deacon of Orléans examined the case as delegated judges. They heard the witnesses of the parties, and with their own seal they sent report to Rome. FOREVILLE 1992. p. 23. RPR nr. 1543. (24<sup>th</sup> of December 1201).

<sup>55</sup> “[...] *et dilectum filium G., sancte Mariae in Aquiro Diaconum, nunc vero tituli sancti Vitalis Praesbyterum Cardinalem dedimus auditores.*” – SAUVAL 1724. I, p. 390, RPR nr. 1543.

not exclude the possibility that Gregory won his newer cardinal's title after June 1201,<sup>56</sup> however, as it was a longer-lasting trial, it is more probable that Innocent III promoted him – alongside with others – in December 1200, maybe with regard to his activity in Hungary as well. The mentioned letter of Innocent III, which he sent to Peregrinus the patriarch of Aquileia on 1<sup>st</sup> of March 1201 and which mentions S. Vitalis as Gregory's titular church, confirms this supposition.<sup>57</sup>

We have to return to Gregory's role in hearing the case briefly, as in connection with the practices of the auditors, we can raise the question whether both of them were actually in Rome during the trial. As for Johannes, he can be found among the signatories of the solemn papal charters in 1201, so on 23<sup>rd</sup> of December,<sup>58</sup> whereas Gregory – as we have already mentioned – appeared there after 1<sup>st</sup> of July 1201 again only from 7<sup>th</sup> of March 1202.<sup>59</sup> Innocent III's mentioned charter does not say so, and with the knowledge of the activity of the auditors working in the papal court, it is highly improbable that one of them would have travelled to the scene and conducted the proceedings,<sup>60</sup> although we cannot exclude this possibility either.

In 1202, Gregory tried to intervene on behalf of Berard, the archbishop of Messina<sup>61</sup> by Innocent III, who had been suspended from his office and excommunicated by the pope in 1200, because in the autumn of 1200 he had taken sides with Walter of Palearia.<sup>62</sup> In 1205, Gregory became the governor

<sup>56</sup> According to the chart of Maleczek, he last signed using his old title on 1<sup>st</sup> of July 1201. MALECZEK 1984. p. 380, nr. 83.

<sup>57</sup> RPR nr.1309.

<sup>58</sup> MALECZEK 1984. p. 381 nr. 86.

<sup>59</sup> MALECZEK 1984. p. 380, nr. 83 and p. 381, nr. 90.

<sup>60</sup> HERDE 1970. p. 20, 183–184, 374; MALECZEK 1984. p. 329–332; HERDE 2002. p. 24–30; BRUNDAGE 2008. p. 137; BARABÁS 2013. p. 176–177.

<sup>61</sup> HC I, p. 337; GAMS 1931. p. 950.

<sup>62</sup> MALECZEK 1984. p. 91. Walter of Palearia (Pagliaria) was the bishop of the Italian Troia, then Catani. (HC I. p. 176, 499; GAMS 1931. p. 937, 944.) He was known for being the relentless enemy of the Sicilian Norman dynasty. Thus in 1191 he supported Henry VI on his first campaign. As a matter of fact, the emperor considered himself as heir of the deceased William II by right of his wife, Constance. Walter then followed Henry to Germany as well, when the emperor was forced to leave Italia. The second campaign after the death of King Tancred in 1194 was finally successful for the emperor, and Walter gained the office of the chancellor of the kingdom. After Henry's death in 1197, Constance, mother of the child Frederick II, discharged Walter from duty and she even imprisoned him, presumably because he misused his power and supported Markward of Anweiler's claims (who wanted to be the *procurator* of the kingdom). Thanks to Innocent III's intervention he was released in the same year. Before his death, which was bound to happen not much later, he was again appointed as chancellor by the queen, and she also entrusted him with the supervision of her child, while Pope Innocent III became the child's guardian. Despite this, the kingdom fell into anarchy after Constance's death, the pope and the Germans of Markward fought for the power. Walter took advantage and persuaded the chapter of Palermo to elect him as archbishop in March 1200. However, the pope refused to confirm him, as he wanted to ensure the right of designation of archbishops for himself. Meanwhile, a French count, Walter of Brienne III, with the pope's support, appeared in Sicily and claimed the throne. In this situation, Walter of Palearia decided to break up with the pope, resigned from his church office and joined Markward

of the Sancta Agatha church.<sup>63</sup> Intriguingly, a certain deacon of Sancta Agatha church is mentioned as a witness in his testament as well. According to Agostino Paravicini Bagliani, Nicholas (Nicolaus) was the member of Sancta Agatha in Monasterio (dei Goti) church. He also supposes that Gregory's governorship can be linked to this church.<sup>64</sup>

The last papal charter containing Gregory's signature and made before his second legation in Hungary was dated on 11<sup>th</sup> of September 1207.<sup>65</sup> This was the last occasion that Gregory's signature appeared among the cardinals' names on a solemn papal privilege, which suggests that he deceased either during his legation in Hungary or soon after.

Again, the most significant part of the information about the cardinal's second Hungarian legation is provided by the papal sources. In fact, with regard to the Hungarian situation, Innocent III decided on 7<sup>th</sup> of October 1207<sup>66</sup> to send a *legatus a latere* to the kingdom. However, his letter written to the Hungarian ecclesiastics and laymen did not define Gregory's exact task.<sup>67</sup> His designation is even more complicated as Fejér refers to the papal letter written to the "Ruthenian" prelates on the same day only at the end of the previous text, though at least published a part of it.<sup>68</sup> August Potthast took over this data,<sup>69</sup> without referring to the whole text available in the *Árpádkori Új Okmánytár* (New Collection of Documents of the Árpád-Era) and in the register of Pope Innocent III.<sup>70</sup> As a result, several researchers suggested without referring to these that Innocent III may have wanted to entrust Gregory with the task to reconvert the schismatics of the Kievan Rus' and this

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of Anweiler with the kingdom's leading officer of German origin. Innocent III excommunicated Walter, and the pope lifted it only in 1203 after Markward's death and his own military defeat. He returned to the king's service as a chancellor in 1207, then a year later he was chosen as the archbishop of Catania. In 1210 again, he got into conflict with the pope, and also with Frederick II. In 1212 he gained back some part of his previous influence, when Frederick left for the Empire and he became member of the council of the emperor's wife, queen Constance. In 1221, after Frederick was crowned emperor, he returned home, and Walter – with Henry of Malta – was assigned to lead a fleet for the Fifth Crusade. After his participation in the crusade, he was expelled from the kingdom for his abuses, and Frederick II did not appoint a chancellor any more. Palearia was in Venice and Rome until 1229, then as a result of the peace between Gregory IX and Frederick II, he could return to the kingdom but did not gain the office of bishop again. Not long after he passed away. See KAMP 1975. II, p. 509–514, III, p. 1210–1215; MATTHEW 1992. p. 289, 291, 295–303, 313, 317, 326, 331.

<sup>63</sup> MALECZEK 1984. p. 91; AUBERT 1986. p. 1457. (without date). Cf. RPR nr. 2531.

<sup>64</sup> PARAVICINI BAGLIANI 1980. p. 108, note nr. 4. Malecsek joined his opinion. See MALECZEK 1984. p. 91, note nr. 231.

<sup>65</sup> MALECZEK 1984. p. 386, nr. 184. Interestingly, Malecsek in other part of his work – similarly to earlier cases – gives the date of the last signature differently, as in his statement about Gregory, he dates it to 23<sup>rd</sup> of August. MALECZEK 1984. p. 91.

<sup>66</sup> Cf. ZIMMERMANN 1913. p. 41.

<sup>67</sup> RPR nr. 3195, CDH III/1, p. 54–56.

<sup>68</sup> CDH III/1, p. 56.

<sup>69</sup> RPR nr. 3196.

<sup>70</sup> ÁÚO VI, p. 317. The edition of the text: RIX, nr. 138.

is why he (would have) sent him to Galicia, to the archbishop of Kalocsa and to the Serbian grand prince.<sup>71</sup> In Aubert's opinion, Gregory's assignment included the Balkan as well; he had to intervene there because of the local heresies. Although Aubert did not specify any source, we can suppose that he based his theory on the supplement in Fejér's work.<sup>72</sup> Maleczek lists Ruthenia as well as Dalmatia among the legate's areas of authority,<sup>73</sup> though it cannot be proven with the assignments, even if it seems plausible based on the analogy of other legations.

Based on the mentioned charter, it is likely that Gregory was indeed assigned to contribute to the union of the Ruthenian church with Rome.<sup>74</sup> Innocent III informed the Hungarian<sup>75</sup> and the Ruthenian<sup>76</sup> prelates of his intentions in October 1207. Hungary played an important role in the Apostolic See's plans in connection with the eastern churches. The reason for this could be, in addition to the country's location, the Hungarian kings' policy of expansion.<sup>77</sup> Presumably, the Hungarian king did not oppose the pope's plan.<sup>78</sup>

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<sup>71</sup> Without year: RUESS 1912. p. 78–79; ZIMMERMANN 1913. p. 40.

<sup>72</sup> AUBERT 1986. p. 1457–1458. In his opinion Gregory's task included advancing the rapprochement to Rus and dealing with the church discipline and the condition of the clerics in Hungary. Cf. TILLMANN 1975. p. 383, note nr. 157.

<sup>73</sup> MALECZEK 1984. p. 91.

<sup>74</sup> RPR nr.3195. and 3196.

<sup>75</sup> RPR nr 3195.

<sup>76</sup> *"Innocentius [...] archiepiscopis, episcopis et universis tam clericis, quam laicis per Rutheniam constitutis [...]. Cum ergo innumeris fere testimoniis scripturarum, quas vos nec convenit, nec expedit ignorare, unitas ecclesie comprobetur, non est mirum, cum simus, licet immeriti, successores illius, cui iussit Dominus pascere oves suas, si errabundas oves nitimur ad caulas reducere, ut sicut est unus pastor, sic fiat unum ovile, si totis viribus laboramus, ne quodammodo difforme fiat corpus ecclesie, si partem aliquam ab eo contingeret separari. Ut autem ad presens de reliquis taceamus, cum grecorum imperium et ecclesia pene tota ad devotionem Apostolice Sedis redierit, et eius humiliter mandata suscipiat, et obediat jussioni, nonne absonum esse videtur, ut pars toti suo non congruat, et singularitas a suo discrepet universo? Preterea quis scit, an propter suam rebellionem et inobedientiam dati fuerint in direptionem et predam, ut saltem daret eis vexatio intellectum, et quem in prosperis non cognoverant, recognoscerent in adversis [...] dilectum filium nostrum G. tituli Sancti Vitalis presbyterum cardinalem, virum genere nobilem, litterarum scientia preditum, morum honestate preclarum, discretum et providum et, suis exigentibus meritis, nobis et fratribus nostris carum admodum et acceptum, ad partes vestras duximus destinandum, ut filiam reducat ad matrem, et membrum ad caput, concessa sibi plenaria potestate, ut evellat et destruat, edificet et plantet, que in partibus vestris evellenda et destruenda, edificanda cognoverit et plantanda. Monemus proinde Universitatem vestram attentius, et exhortamur in Domino, per apostolica scripta precipiendo mandantes, quatenus prefatum cardinalem, tanquam legatum Apostolice Sedis, et magnum in ecclesia Dei locum habentem, imo personam nostram in eo, recipientes humiliter et devote [...]"* – ÁÜÖ VI, p. 318–319, RPR nr. 3196. Cf. ZIMMERMANN 1913. p. 40; FONT 2005. p. 198–199.

<sup>77</sup> Cf. BARABÁS 2014. p. 254–263.

<sup>78</sup> FONT 2005. p. 198–199. Prior to the Mongol invasion further sources which could give an insight into the papal plans with the territory are not known. Between 1243 and 1254 Innocent IV again made an attempt to attain the union with the support of Daniil Romanovich. As a result of this cooperation, Daniil was crowned king in 1253, which made a Polish mission possible. Yet with the death of the new king in 1264, this rapprochement practically ended. See FONT 2005. p. 217.



However, we do not know, whether the legate in fact travelled to Galicia, or not; at least there are no sources reporting about his activity there.<sup>79</sup> This deficiency is interesting, because the Hungarian armies visited Galicia in 1207 and 1208,<sup>80</sup> so theoretically it would have been possible for the legate to get to his designated area with the Hungarian king's help.

The difficulties of interpreting Gregory's assignment and the location of his activity do not automatically mean questioning his mission to Hungary and his activity there. As at the end of 1207, the pope commissioned Gregory to a new task,<sup>81</sup> namely to acknowledge the queen's brother as the archbishop of Kalocsa. Thus, Gregory stayed without any doubt in Hungary at that time. Berthold<sup>82</sup> was promoted to the dignity of archbishop in 1205, but Innocent III did not confirm his election. In his letter dated on 12<sup>th</sup> of October 1205, he ordered the chapter of Kalocsa to avoid any further decisions until the papal examination.<sup>83</sup> The cause of the procedure against the chosen archbishop could be Berthold's age and lack of qualification.<sup>84</sup> Finally, the pope approved the election,<sup>85</sup> as shows his letter with the date of 24<sup>th</sup> of December 1207.<sup>86</sup> In the papal decision, cardinal Gregory's previous examination and report could have had a crucial role,<sup>87</sup> though there are no data available about his concrete activity.

The end of Gregory's second Hungarian legation is not known exactly, as we have already mentioned, his name did not appear in papal chapters after 1207,<sup>88</sup> so they cannot help tracing the time of his return to Rome. But he appears in a charter of Andrew II in 1209, which informs us about the legate's allowance given to the Benedictine abbot of Hronský Beňadik (Garamszentbenedek) concerning the wearing of prelatine insignia.<sup>89</sup> It is possible therefore, – even if it is not very probable – that he stayed in

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<sup>79</sup> Pope Innocent's effort – as I have already referred to it – can be linked to the Hungarian expedition to Galicia and Volhinia as well. (Cf. BORKOWSKA 2003. p. 1179; FONT 2005. p. 188–232.) Andrew II's campaigns can be well reconstructed, but interestingly his Galician policy appeared only in a few papal charters. See the granting of Koloman's crowning in 1215. RA nr. 302. See FONT – BARABÁS 2017. p. 41–44; FONT 2018. p. 89–94.

<sup>80</sup> FONT 2005. p. 80.

<sup>81</sup> FRAKNOI 1901. p. 44; CDH III/1, p. 53.

<sup>82</sup> For Berthold's ecclesiastical career see KISS 2014. *passim*.

<sup>83</sup> RPR nr. 2591, RI VIII, nr. 141 (140).

<sup>84</sup> Cf. GANZER 1968. p. 18–19; SWEENEY 1989. p. 32; ŠTULRAJTEROVÁ 2014. p. 32.

<sup>85</sup> “[...] *licet pro confirmatione ipsius apud nos, precibus multiplicatis institerint* [...]” – CDH III/1, p. 53.

<sup>86</sup> RPR nr. 3252, RIX, nr. 177.

<sup>87</sup> “[...] *ut postquam dilectus filius Gregorius, titulus s. Vitalis presbiter cardinalis, Apostolice Sedis legatus, quod est a nobis dispositum, ipsis denunciaverit observandum, tibi, tanquam pastori suo, a nobis concessio et confirmato, tam in spiritualibus, quam temporalibus obedire procurent* [...]” – CDH III/1, p. 53.

<sup>88</sup> 11<sup>th</sup> of September 1207. MALECZEK 1984. p. 386, nr. 184. According to others 21<sup>st</sup> of July 1207 HC I, 3, note nr. 1.

<sup>89</sup> RA nr. 241. Cf. KEGLEVICH 2012. p. 60.

Hungary until the end of 1208, maybe the beginning of 1209.<sup>90</sup> It is much more assumable that Gregory died during 1208, either in Hungary or on his way back to the papal court.

### The Nature of Gregory's Legations in Hungary

Gregory's legations to Hungary are interesting not only from a chronological point of view, but from a legal one as well, and also the typology appearing in the papal and other charters is worth examining. First, we must take a look at Innocent III's letter written to the chapter of Split, dated on 2<sup>th</sup> of March 1200. Its three elements – the full papal authority, the title *legatus a latere* and the mentioning of the rank of cardinal – clearly verify that Gregory was sent with the full office of legation to the territory of Hungary and Dalmatia.<sup>91</sup> In this case, all the three attributes which makes a papal delegate considered a *latere legatus* are found.<sup>92</sup>

After Gregory's first legation in Hungary, as it has been demonstrated, he was appointed to the cardinal of S. Vitalis.<sup>93</sup> He had this title in 1207, when he arrived in Hungary for the second time.<sup>94</sup> His title of the *legatus de latere* is clearly expressed in the pope's letter written to the Hungarian bishops on 7<sup>th</sup> of October 1207,<sup>95</sup> in which he states that because of the needs of the Hungarian Kingdom, he had to send a legate from his side (*a latere*),<sup>96</sup> who can take measures on his behalf with full powers. However, the authorization

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<sup>90</sup> ZIMMERMANN 1913. 41. Andrew II's charter: "*ob fidelia servitia in legatione praestita*" states. CDH III, p. 78, 81–82. "*Et quoniam nostro tempore Gregorius de Crescentio Cardinalis, functus officio domini pape, regnum nostrum visitaturus intravit, consentaneum equitati fore perpendit, ut ad preces nostras abbas, nomine Ivo, qui tum temporis preerat illi abbacie, nec non et successores sui, eodem fulcirentur honore; quum prefatum monasterium hoc nec dignitate, nec honore minus aliis esse videatur. Quia sicut nostrum est, ecclesias vel abbatias dotibus ditare, sic nostrum interest, easdem honoribus sublimare. Et ut concessio, ad preces nostras obtenta, ius et robor firmitatis haberet perpetuum, privilegium a domino Gregorio, prefato Cardinali obtinuimus, et nostrum eidem concessimus habere.*" – MNL OL DF 238 421, RA nr. 241, MES I. p. 192. (Bolded by G.B.) Maleczek similarly thought of 1209: MALECZEK 1984. p. 91.

<sup>91</sup> MN OL DL 361 21, RPR nr. 966.

<sup>92</sup> "[...] *communicato fratrum consilio legatum illuc duximus a nostro latere cum potestatis plenitudine destinandum, dilectum videlicet filium nostrum G. Sancte Marie in Aquiro diaconum cardinalem.*" – ÁÚO I, p. 88.

<sup>93</sup> ZIMMERMANN 1913. p. 30; MALECZEK 1984. p. 91, 339.

<sup>94</sup> See ZIMMERMANN 1913. p. 40–41.

<sup>95</sup> RPR nr. 3195, RI X, nr. 137. (The second charter was addressed to the church of Galicia-Lodomeria: RPR nr. 3196, RI X, nr. 138.)

<sup>96</sup> "*Quum igitur necessitas regni Ungarie illuc exegerit legatum a nostro latere destinari, nos ad exaltationem et commodum tam regis, quam regni specialiter et efficaciter intendentes, cum ad partes illas non immerito duximus transmittendum, quem inter fratres nostros sincera diligimus in domino charitate, dilectum videlicet filium nostrum G. tituli s. Vitalis presbiterum cardinalem, virum genere nobilem, litterarum scientia preeditum, morum honestate preclarum, discretum et providum, et suis exigentibus meritis, nobis et fratribus carum admodum et acceptum, concessa sibi plenaria potestate, ut evellat et destruat, edificet et plantet, que in regno illo evellenda et destruenda, edificanda cognoverit et plantanda.*" – CDH III/1, 55, RPR nr. 3195, RI X, nr. 137.

*plenitudo potestatis* is not clearly expressed in the text.<sup>97</sup> Thus, in this case Innocent III did not designate him for a concrete task, which strengthens Gregory's *plenitudo potestas*,<sup>98</sup> he only ordered the addressees to follow him loyally and help his legate.

The pope's other letter expressing Gregory's concrete task, the examination of the aptness of Bertold, elected archbishop of Kalocsa,<sup>99</sup> referred to the cardinal deacon only as an ordinary papal legate (*apostolice sedis legatus*),<sup>100</sup> as supposedly he was to perform a given assignment (*iurisdictione delegata*).<sup>101</sup>

On the other hand, in the only Hungarian source connected to Gregory's legation – in the royal charter regarding the abbey of Hronský Beňadik in 1209<sup>102</sup> – he appears as an ordinary papal officer (*functus officio domini pape*), there is no mention about a legate's office, only the word *cardinal* refers to his title. Despite this, considering Gregory as a *legatus a latere* cannot be questioned, these data only enlighten that in the Hungarian sources the use of titles had not been firmly established. We can even risk saying that what we see in this case is the clash between the crystallising theory and the shaping practice, moreover, we cannot forget about the fact that it is the royal transcription of an earlier charter.

## Gregory's Testament

Finally, we need to touch upon his already-mentioned testament, according to which Gregory passed half of a (living) tower he bought from Leo de

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<sup>97</sup> Cf. ZEY 2008. p. 104–105; FIGUEIRA 1989. p. 193–195; FIGUEIRA 1986. p. 533–536; SCHMUTZ 1972. p. 456; KYER 1979. p. 42, 124; SOLMINEN 1998. p. 349; PARAVICINI BAGLIANI 2013. p. 29–37; RENNIE 2013. p. 32–34.

<sup>98</sup> "*Monemus proinde universitatem vestram, attentius, et exhortamur in domino, per apostolica scripta precipiendo mandantes, quatinus prefatum cardinalem, tanquam legatum Apostolice Sedis, et magnum in ecclesia Dei locum habentem, immo personam nostram in eo recipientes humiliter et devote, ipsius salubribus monitis, et preceptis pronis mentibus intendentes, que inter vos statuenda duxerit, tanquam devotionis filii, recipiatis firmiter et servetis, de cuius nimirum circumspectione provida, et providentia circumspecta indubitata fiducia obtinemus, quoniam dirigente domino gressus eius, ita regia via curabit incedere, quod non declinatus ad dextram vel sinistram, ipsi Deo, nobis quoque, ac vobis pariter, merito poterit complacere. Ipsi proin universi ac singuli reverentiam debitam et devotam obedientiam impendere satagatis.*" – CDH III/1, p. 55–56. (Bolded by G. B.) Cf. FIGUEIRA 1989. p. 192–194.

<sup>99</sup> Cf. RPR nr. 3252, RI X, nr. 177.

<sup>100</sup> On 24<sup>th</sup> of December to Berthold. "[...] *ut postquam dilectus filius Gregorius, tituli s. Vitalis presbiter cardinalis, Apostolice Sedis legatus, quod est a nobis dispositum, ipsis denunciaverit observandum, tibi, tanquam pastori suo, a nobis concesso et confirmato, tam in spiritualibus, quam temporalibus obedire procurent.*" – CDH III/1, 53, RPR nr. 3252, RI X, nr. 177.

<sup>101</sup> SCHMUTZ 1972. p. 447, 451.

<sup>102</sup> "[...] *Et quoniam nostro tempore Gregorius de Crescentio cardinalis, functus officio domini pape, regnum nostrum visitaturus intravit, consentaneum equitati fore perpedit, ut ad preces nostras abbas, nomine Ivo, qui tum temporis preerat illi abbacie, nec non et successores sui, eodem fulcirentur honore [...].*" – CDH III/1, 81, RA nr. 241.

Monumento<sup>103</sup> with half of a palace and a complete living room down to his mentioned nephews (Leo, Crescentius, Cencius, Johannes Mancinus) and he turned all his remaining fortune to ensure his salvation by giving that away to the poor and he entrusted his two bishop colleagues, John (Johannes de S. Paulo), the bishop of Sabina<sup>104</sup> and Nicholas (Nicolaus), the bishop of Tusculanum,<sup>105</sup> and a certain master Milo with performing it.<sup>106</sup> Among the

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<sup>103</sup> His exact date of birth is not known. He belonged to the Roman elite in the last quarter of the 12<sup>th</sup> century and was the supporter of Emperor Frederick (Barbarossa) I, just like his father. In Rome, besides several properties, he possessed a tower as well. Leo was mentioned as present among the signatories of the peace treaty of Venice in 1177. He belonged to the emperor's supporters, but he also had good relationships with the papal court through his cousin Octavian, later cardinal bishop of Ostia, i.e. in 1179 he participated in the Third Lateran Council. Later, we can see him in the escort of Emperor Frederick I and his son Henry. Because of his papal contacts, Leo could be very significant for Frederick as his embassy shows. This time he went to Pope Gregory VIII with count Anselm. As a result of their negotiations, the emperor withdrew his son Henry and his army. Leo was present at the election of the new pope, Clement III in December 1187, then next year he followed the pope to Rome, who also belonged to the aristocracy of Rome. From here, Leo went to Frederick in 1189, this time delivering the pope's letters. However, the death of Barbarossa in 1190 changed the situation, and Leo disappeared from the sources for several years, although in 1195 one of Henry VI's charters kept on mentioning him as a count. After the emperor's death in 1197, Leo went to Rome, where through his mentioned cousin, Innocent III asked for his opinion in connection with Markward of Anweiler because of his long experiences of diplomacy. He deceased on 29<sup>th</sup> of May 1200. [Leone de Monumento. Dizionario Biografico degli Italiani – Volume 76 \(2012\)](#) (access: May 1, 2018)

<sup>104</sup> As a Benedictine monk, he studied medicine in Salerno and he was the author of several related works. Pope Celestine III appointed him as cardinal in 1193, first he became a deacon without title (*S.R.E. diaconus cardinalis*), then in 1194 [HC I, p. 3, note nr. 1, 13,] he signed as the cardinal priest of S. Prisca. He was often assigned as a judge by the pope, but he did not work as a legate, as Celestine III wanted to keep him close. The supposition that the pope wanted him to be his successor also refers to their close relationship. On the contrary, Innocent III assigned John and Cintiis, the presbyter of S. Laurentius in Lucina, in connection with Markward of Anweiler (see note 47). In 1199, he was entrusted by the pope with further tasks of reconciliation, then in 1200 he had to proceed in connection with the south-French Albigensians. In 1201, he had to support the legate already present, Octavian, the bishop of Ostia, in the case of the French king's marriage. Innocent III appointed Johannes as the cardinal bishop of Sabina at the end of 1204 (HC: 1205). Then, until his death in 1214 (HC: 1216) he mostly stayed in the papal court. He is considered one of the first representatives of the apostolic penitence. While proceeding as a judge, the case of Francis of Assisi was taken to him in 1210. John defended him before the pope, which made Innocent order further investigations. HC I, p. 3, note nr. 13; MALECZEK 1984. p. 114–117; PARAVICINI BAGLIANI 1980. p. 107, note nr. 2.

<sup>105</sup> The widespread supplement *de Romanis* of the name of Nicholas cannot be proven with any contemporary sources. We do not know anything about the early period of his life. He started his career in the papal chapter, then in 1204 he became the member of the cardinals' college as the bishop of Tusculum. Although he was not active in the papal court, he was considered a confidant of Innocent III, which is proven by the fact that he travelled to England to John Lackland in 1213–1214 to promote the reconciliation of the king and the church. In the time of Honorius III, he also gained the office of penitenciarus. He deceased between July 1218 and July 1219. HC I, p. 4; MALECZEK 1984. p. 147–150.

<sup>106</sup> The text of the testament survived in original and copies. BAV, Archivio di S. Maria in Via Lata, cass. 302, nr. 56 [A]; BAV, Archivio di S. Maria in Via Lata, ms. I. 40. p. 1042–1043; BAV, Vat.

witnesses of the testament, besides the mentioned Nicholas the priest of Sancta Agatha church, there are the following names: Beraldus, the presbyter of the Salvatoris de Subora, Magister Alexander, Judge Robertus, Spoletinus, Giffredus and Albertinus. So far we have not had enough information to identify the latter and the scribe John (*Iohannes Petri, Dei gratia sancte Romane Ecclesie scriniarius*).

## Appendices

### Gregory's Itinerary regarding his Hungarian Legations

1199–1200: Lateran<sup>107</sup> – Aquileia?<sup>108</sup> – Split<sup>109</sup> – Hungary<sup>110</sup> – Aquileia?<sup>111</sup> – Lateran<sup>112</sup>

1207: Viterbo<sup>113</sup> – Kalocsa<sup>114</sup> – Hronský Beňadik<sup>115</sup> – ?

### A) Charters in connection with the legate's activity in Hungary

#### I. Letters of recommendation

I/1. 2<sup>nd</sup> of March 1200 Lateran

*Innocent III recommends his legate, Cardinal Gregory to the members of the chapter of Split.*

Innocentius episcopus servus servorum Dei dilectis filiis capitulo, et venerabilibus fratribus Suffraganeis Ecclesie Spalatensis salutem et Apostolicam benedictionem. Ad vestram forte notitiam iam pervenit, qualiter multis et magnis necessitatibus Regni Ungarie intellectis, que festinanum subsidium requirere videbantur, et provisione Sedis Apostolice indigere, cum nec alius nobis subventionis modus congruentior vel eque congruus appareret, ne mora dispendium ad se traheret, et ex dilatione illius Regni communis impediretur utilitas, quod

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lat. 8049, II, fol. 17–18. Published: GALLETTI 1776. p. 331, nr. 67; PARAVICINI BAGLIANI 1980. p. 3, nr. 1, 107–109, nr. I.

<sup>107</sup> MALECZEK 1984. p. 91, 379, nr. 63a. According to Eubel, he last signed with the title of the S. Maria in Aquiro on 4<sup>th</sup> of July 1199. HC I. p. 3, note nr. 1. See MALECZEK 1984. p. 379, nr. 61. His first signature after returning dates on 3<sup>rd</sup> of February 1201, but with his previous title. MALECZEK 1984. p. 380, nr. 74. His last signature with the mentioned title dated 1<sup>st</sup> of July 1201. See MALECZEK 1984. p. 380, nr. 83.

<sup>108</sup> MALECZEK 1984. p. 91, note nr. 228, RI II, nr. 104. (113).

<sup>109</sup> MNL OL DL 361 21, RPR nr. 966.

<sup>110</sup> RI VI, nr. 155 (156).

<sup>111</sup> MALECZEK 1984. p. 91, note nr. 228, RI II, nr. 104 (113).

<sup>112</sup> MALECZEK 1984. p. 380, nr. 74. and p. 381, nr. 90; PARAVICINI BAGLIANI 1980. p. 3, nr. 1. Cf. HC I. 3, note nr. 1.

<sup>113</sup> 11<sup>th</sup> of September 1207. MALECZEK 1984. p. 386, nr. 184. According to others on 21<sup>st</sup> of July 1207. HC. I. 3, note nr. 1.

<sup>114</sup> RPR nr. 3252, RI X, nr. 177.

<sup>115</sup> RA nr. 241.

in devotione Apostolice Sedis et gratia ita jam dudum solidatum extitit et incessanter existit, ut ipsius prospera et adversa tanquam propria reputemus, communicato fratrum consilio legatum illuc duximus a nostro latere cum potestatis plenitudine destinandum, dilectum videlicet filium nostrum G. Sancte Marie in Aquino diaconum cardinalem, virum litteratum, honestum, providum et discretum et de nobilioribus Romanis oriundum, quem inter frater nostros carum habemus admodum et acceptum, confidentes in Domino et in potentia virtutis eius, quod illo faciente cum eo signum in bonum, qui imperat ventis et mari et obediunt ei, ex adventu ipsius facificio et prava fient directa, et aspera plana, et cum per familiarem tractatum nobiscum sepius habitum nostram intellexerit plenius voluntatem, que nos acceptare non dubitat, curabit profecto, quantum in ipso fuerit efficaciter promovere. Monemus proinde discretionem vestram propensius et hortamur per apostolica scripta precipiendo mandantes, quatinus eundem cardinalem tamquam honorabilem membrum ecclesie et legatum Apostolice Sedis recipientes humiliter et devote, ac honorificentia debita pertractantes, ipsius salutaria monita et precepta teneatis firmiter et servetis, et teneri ac servari a vestris subditis faciatis; pro certo scituri, quod sententiam quam ipse in contumaces tulerit et rebelles, ratam habebimus et faciemus auctore Domino usque ad satisfactionem condignam irrefragabiliter observari. Datum Laterani VI. non. Marcij, Pontificatus nostri anno tertio.

Cop.: *Magyarország, MNL OL Kincstári levéltár (E) • MKA, Collectio Kukuljevicsiana (Q 342) – MNL OL DL 36121 (simple copy from the 18<sup>th</sup> century)*

Reg. RPR nr. 966.

Ed.: ÁÚO I, p. 88.

## II. Charters

### II/1. 5<sup>th</sup> of November 1203 Anagni

Innocent III about the peace between King Emeric and Prince Andrew, which was earlier conducted by Legate Gregory

Innocentius – dilecto filio, nobili viro, A. Duci, salutem et apostolicam benedictionem. Solet annuere sedes apostolica, etc. – Compositionem inter te, et carissimum in Christo filium nostrum – illustrem regem Ungariae, in dilecti filii G. tituli Sancti Vitalis presbyteri cardinalis, tunc apostolice sedis legati, manibus versatam et ab eo postmodum confirmatam, sicut sine pravitate provide facta est, et ab utraque parte sponte recepta, et pacifice hactenus observata, ut in eiusdem Cardinalis litteris plenius continetur, auctoritate apostolica confirmamus, et praesentis scripti patrocinio communimus. Nulli igitur omnino hominum liceat hanc paginam nostrae confirmationis infringere, vel ei ausu temerario contraire. Si quis autem etc. Datum Anagninae nonis novembris, pontificatus nostri anno sexto.

Cop.:

Reg. RPR nr. 2016.

Ed.: CDH II, p. 413, RI VI, nr. 155 (156).

### II/2. 7<sup>th</sup> of October 1207 Viterbo

Innocent III's letter to the archbishops, bishops, abbots and clerics and laymen of the Hungarian Realm, in which he informs them about the assignment of legate Gregory.

Archiepiscopis, episcopis, abbatibus et aliis tam clericis, quam laicis per regnum Ungariae constitutis. Fundamentum et fundator ecclesiae Dominus Iesus Christus, postquam splendore suae divinitatis inflammavit testam fragilitatis humane, ut dragmam perditam reperiret, et pius pastor ad caulas, ubi nonaginta novem reliquerat, errabundam ovem propriis humeris reportaret, usque adeo erga salutem humani generis cotidiana remedia incessanter exhibuit, ut, si quis, a catholica fide non devians, hoc velit subtiliter intueri, sicut ipse est totius gratiae plenitudo, sic ad plures circa nostrae conditionis miserias miserationes eius exuberant, ut in omnibus ipsius perfectio nostrum suppleat imperfectum. Inter cetera sane, quibus Christiano populo, propter varias plagas criminum quasi semivivo relicto, per ipsius prudentiam sunt

provisa remedia, conveniens antidotum in soliditate sedis apostolice renovavit, eam totius christianitatis caput constituens et magistram, a qua, sicut unguentum in capite, quod descendit in barbam et ad oram etiam vestimenti, panis intellectus et vite ad alias ecclesias cum doctrina fidei procedat, et aqua sapientie salutaris. Verum ne inter curas continuas, et pregrandes pastor ipsius et rector pro defectu imperfectionis humane deficeret, si solus consummendus inani labore ad suam omnia sollicitudinem revocaret, attendens, quod messi multe unus non sufficiat operarius, multos sibi operarios et verbi dominici cooperatores adiungit, ac per eos exsequi cogitur, que per se non potest personaliter adimplere, eius instructus exemplo, qui et duodecim apostolos et alios septuaginta duos elegit, et binos ante faciem suam ad predicandum direxit. Quum igitur necessitas regni Ungarie illuc exegerit legatum a nostro latere destinari, nos ad exaltationem et commodum tam regis, quam regni specialiter et efficaciter intendentes, cum ad partes illas non immerito duximus transmittendum, quem inter fratres nostros sincera diligimus in domino charitate, dilectum videlicet filium nostrum G. tituli S. Vitalis presbiterum cardinalem, virum genere nobilem, litterarum scientia preditum, morum honestate preclarum, discretum et providum, et suis exigentibus meritis, nobis et fratribus carum admodum et acceptum, concessa sibi plenaria potestate, ut evellat et destruat, edificent et plantet, que in regno illo evellenda et destruenda, edificanda cognoverit et plantanda. Monemus proinde universitatem vestram, attentius, et exhortamur in domino, per apostolica scripta precipiendo mandantes, quatinus prefatum cardinalem, tanquam legatum apostolice sedis, et magnum in ecclesia Dei locum habentem, immo personam nostram in eo recipientes humiliter et devote, ipsius salubribus monitis, et preceptis pronis mentibus intendentes, quae inter vos statuenda duxerit, tanquam devotionis filii, recipiatis firmiter et servetis, de cuius nimirum circumspectione provida, et providentia circumspecta indubitata fiduciam obtinemus: quoniam dirigente domino gressus eius, ita regia via curabit incedere, quod non declinatus ad dextram vel sinistram, ipsi Deo, nobis quoque, ac vobis pariter, merito poterit complacere. Ipsi proin universi ac singuli reverentiam debitam et devotam obedientiam impendere satagatis, ne, si, quod absit, a quoquam esset aliter attentatum, preter ipsius cardinalis offensam, cuius censuram canonicam, si quam in contumaces aut rebelles duceret promulgandam, faceremus usque ad satisfactionem condignam inviolabiliter observari, nostram quoque indignationem incurreret, qui secundum apostolum, omnem inobedientiam prompti sumus ulcisci. Datum Viterbii, nonis Octob., anno decimo.

Cop.:

Reg. RPR nr. 3195.

Ed.: CDH III/1, p. 54, RI X, nr. 137.

### **II/3.** 7<sup>th</sup> October 1207 Viterbo

Innocent III's letter to the archbishops, bishops, abbots and all the ecclesiastics and laymen of Rutenia, in which he informs them about Gregory's assignment as legate and advises them to return to Rome.

Innocentius episcopus etc. archiepiscopis, episcopis et universis tam clericis, quam laicis per Rutheniam constitutis etc. Licet hactenus elongati fueritis ab uberibus matris vestrae tanquam filii alieni, nos tamen, qui sumus in officio pastoralis a Deo, licet immeriti, constituti, ad dandam scientiam plebi suae, non possumus affectus paternos exuere, quia vos sanis exhortationibus et doctrinis studeamus, tanquam membra vestro capiti conformare, ut Ephraim convertatur ad Judam, et ad Jerusalem Samaria revertatur. Utinam intelligere velitis, sapere, ac novissima providere, ut a mentibus vestris omni depulsa caligine, ad viam ab invio redeatis, qui dudum post greges sodalium evagando, vos eius pertinaciter magisterio subduxistis, quem Salvator noster Universalis Ecclesiae caput constituit magistrum, inquit ad eum: „Tu vocaberis Cephas”, et: „Tu es Petrus, et super hanc petram aedificabo Ecclesiam meam. Et tibi dabo claves Regni coelorum. Quodcunque ligaveris super terram, erit ligatum et in coelis, et quodcunque solveris super terram, erit solutum et in coelis.” Cui cum Dominus oves suas pascedans tertio repetito vocabulo commisisset, manifeste dedit intelligi, eum a grege Dominico alienum, qui etiam in suis sucesoribus ipsum contempserit habere pastorem. Non enim inter has oves et

illas distinxit, sed simpliciter inquit: „Pascere oves meas”, ut omnes omnino intelligantur ei esse commissae. Cum igitur una sit et indivisa Domini tunica, nec unquam passa sit divortium sponsa Christi, iuxta quod sponsus in Cantinis attestatur: „Una est, inquiens, columba mea, una est matri suae, electa genitrici suae, viderunt eam filiae Sion et beatissimam predicaverunt Regine, et concubine laudaverunt eam”; necesse est, ut quicumque ab huiusmodi unitate recesserint, aquis submersi diluvii, partem cum angelo apostata sortiantur. Ut autem ipsius illibata unitas servaretur, unum eidem Dominus, sicut premisimus, Beatum Petrum videlicet, caput constituit et magistrum, ut quasi Noe arcam, extra quam animalia derelicta in diluvio submerguntur, salvatis ceteris intra ipsam contentis, in uno cubitu consummaret; pro cuius fide, ne in sua passione deficeret, specialiter exoravit, eidem precipiens, ut fratres suos conversus aliquando confirmaret. Cum ergo innumeris fere testimoniis scripturarum, quas vos nec convenit, nec expedit ignorare, unitas ecclesiae comprobetur, non est mirum, cum simus, licet immeriti, successores illius, cui iussit Dominus pascere oves suas, si errabundas oves nitimur ad caulas reducere, ut sicut est unus pastor, sic fiat unum ovile, si totis viribus laboramus, ne quodammodo difforme fiat corpus ecclesiae, si partem aliquam ab eo contingeret separari. Ut autem ad praesens de reliquis taceamus, cum Graecorum imperium et ecclesia pene tota ad devotionem Apostolicae Sedis redierit, et eius humiliter mandata suscipiat, et obediat iussioni, nonne absonum esse videtur, ut pars toti suo non congruat, et singularitas a suo discrepet universo? Praeterea quis scit, an propter suam rebellionem et inobedientiam dati fuerint in direptionem et predam, ut saltem daret eis vexatio intellectum, et quem in prosperis non cognoverant, recognoscerent in adversis? Quia igitur, charissimi fratres et filii, si digne volumus impositum nobis pastorale officium adimplere, quantum fragilitas humana permittit, vos ad ea debemus inducere, per quae dispendium temporalium, et aeternorum possitis periculum evitare; dilectum filium nostrum G. tituli Sancti Vitalis presbyterum cardinalem, virum genere nobilem, litterarum scientia praeditum, morum honestate preclarum, discretum et providum et, suis exigentibus meritis, nobis et fratribus nostris carum admodum et acceptum, ad partes vestras duximus destinandum, ut filiam reducat ad matrem, et membrum ad caput, concessa sibi plenaria potestate, ut evellat et destruat, edificent et plantet, que in partibus vestris evellenda et destruenda, edificanda cognoverit et plantanda. Monemus proinde universitatem vestram attentius, et exhortamur in Domino, per apostolica scripta precipiendo mandantes, quatenus prefatum cardinalem, tanquam legatum Apostolicae Sedis, et magnum in ecclesia Dei locum habentem, imo personam nostram in eo, recipientes humiliter et devote, ipsiusque salubribus monitis et preceptis pronis mentibus intendentes, quae inter vos statuenda duxerit, tanquam devotionis filii, recipiatis firmiter et servetis, de cuius nimirum circumspectione provida et providentia circumspecta indubitata fiduciam obtinemus, quoniam dirigente Domino gressus eius, inter vos ea curabit statuere, per quae Deo, nobis quoque ac vobis pariter, merito poterit complacere. Datum Viterbii Nonis Octobris. Pontificatus nostri anno X.

Cop.:

Reg. RPR nr. 3196.

Ed.: ÁÚÓ VI, p. 317, RI X, nr. 138.

**II/4.** 24<sup>th</sup> of December 1207, Rome

Innocent III's letter to Berthold, the elected archbishop of Kalocsa, who was finally confirmed in his office after several years' waiting, among others as a result of the examination of Legate Gregory.

Colocensi electo. Quoniam iuxta canonicas sanctiones multa nonnunquam electionem impediunt, que postulationem impedire non debent, quum secundum rigorem iuris procedatur in illa, sed in ista favor gratie potius requiratur, electionem, quam de te dilecti filii Colocenses canonici fecerant, licet pro confirmatione ipsius apud nos, precibus multiplicatis institerint, propter defectum tamen etatis, quem eo tempore amplius sustinebas, exigente iustitia, non duximus confirmandam. Quia vero te nuper a nobis humiliter postularunt, propter urgentem necessitatem et evidentem utilitatem, que de tua speratur promotione future, te cui



et morum honestas, et competens scientia, sicut credimus suffragatur, Colocensi ecclesie concedendum duximus in pastorem, predictis canonicis, nostris dantes litteris, in preceptis, ut postquam dilectus filius Gregorius, tituli S. Vitalis presbiter cardinalis, apostolice sedis legatus, quod est a nobis dispositum, ipsis denunciaverit observandum, tibi, tanquam pastori suo, a nobis concessio et confirmato, tam in spiritualibus, quam temporalibus obedire procurent. Ne vero dispositionem nostram frustrari contingat, devotioni tue per apostolica scripta mandamus, quatenus, si forSancti aliquo casu denunciari nequiverit, quod per predictum legatum denunciari mandamus, tu nihilominus, auctoritate presentium, tanquam concessus et confirmatus a nobis, in Colocensi provincia pastoris officium exequaris. Datum Rome apud S. Petrum IX. Kal. Ianuarii anno decimo.

Cop.:

Reg. RPR nr. 3252.

Ed.: CDH III/1, p. 53, RI X, nr. 177.

## II/5. 1209

King Andrew II confirms the right of the abbot of Hronský Beňadik (Garamszentbenedek) won from the pope and confirmed by Legate Gregory to wear several insignia.

Andreas, Dei gratia, Hungarie, Dalmatie, Croatie, Rame, Servie, Galicie, Lodomerieque Rex in perpetuum. Quoniam priorum gesta patrum modernos latere possunt, nisi diligenti beneficio commendarentur, future ignorantie compatientes, dignum duximus ea propalare semper litterulis comprehensa, que vivaci voce ubique possunt ostendi. Inde est, quod nonnullae regales abbacie, in regno nostro constitute, de indulgentia domini Pape, infula, annulo, sandalibusque decorentur; visum nobis fuit, quod congruum esset rationi, ut abbacia S. Benedicti de Grana, que antiquitate temporis et dote regali fulgebat, eadem fungeretur porro gratia. Et quoniam nostro tempore Gregorius de Crescentio cardinalis, functus officio domini pape, regnum nostrum visitaturus intravit, consentaneum equitati fore perpendit, ut ad preces nostras abbas, nomine Ivo, qui tum temporis preerat illi abbacie, nec non et successores sui, eodem fulcirentur honore, quum prefatum monasterium hoc nec dignitate, nec honore minus aliis esse videatur. Quia sicut nostrum est, ecclesias vel abbatias dotibus ditare, sic nostrum interest, easdem honoribus sublimare. Et ut concessio, ad preces nostras obtenta, ius et robor firmitatis haberet perpetuum, privilegium a domino Gregorio, prefato cardinali obtinuimus, et nostrum eidem concessimus habere. Datum per manus magistri Thome, aule nostre vicecancellarii, anno ab incarnatione Domini MCCIX. venerabili Ioanne, Strigoniensi archiepiscopo, revuerendo Bertholdo, Colocensi electo, existentibus, Calano Quinqueecclesiensi; Boleslao Vaciensi, Cathapano Agriensi, Simone Varadiensi, Kalenda Bezprimiensi, Desiderio Chenadiensi, Petro Gewriensi, ecclesias feliciter gubernantibus. Poch, Palatino, et Musuniensi comite, Banc bano, Michaele vajuoda, existentibus, Marcello, Bacsiensi, Iula Budrugieni, Martino Keweieni, Ochuz, Supruniensi, Moys, Ferrei Castri, Moche Poseniensi, comitatus tenentibus, regni nostri anno quinto.

Cop.: DL 238 421.

Reg. RA nr. 241.

Ed.: CDH III/1, p. 81.

### III. Gregorius de Crescentio Caballi Marmorei's Testament

[Roma,] 10<sup>th</sup> of June 1207.

[S] IN NOMINE DOMINI. AMEN. ANNO Dominice incarnationis millesimo ducesimo VII, anno vero X pontificatus domini INNOCENTII tertii pape, indictione X, mense iunii de / X.<sup>116</sup> Ego quidem Gregorius de Crescentio, Dei gratia presbiter cardinalis tituli Sancti Vitalis, hac presenti die coram domino Oddone Iohannis / Landonis dat[ivo] iudice, sanus mente et corpore, quia intestatus decedere nolo, idcirco n[un]c cup[a]t[ivum], quod dicitur sine scriptis coram infra/scriptis a me rogatis testibus ex mea bona voluntate iure civili facio testamentum.

[1] In quo Leonem, Crescentium, filios olim Cencii / Roizi, et Cencium et Iohannem Macinum, filios quondam Crescentii, nepotes meos heredes instituo.<sup>117</sup> Quibus iure insti/tutionis relinquo dimidiam turrem quam emi a filiis Leonis de Monumento<sup>118</sup> cum medietate palatii et totius accasamenti; / sintque contempti et de bonis meis plus non petant. Et precipio quod si quis eorum sine legitimis filiis masculis decesserit, mori/atur communiter superstitibus coheredibus vel eorum filiis si ipsi non viverent, ita quod filii in stirpem et non in capita succedant.

[2] Cetera bona mea distribuuntur et dentur pro anima mea per manus Savinensis<sup>119</sup> et Tusculanensis<sup>120</sup> episcoporum et magistri / Milonis<sup>121</sup> sine contradictione dictorum heredum. Et si quis nepotum vel heredum meorum contra hoc meum testamentum ven/ire voluerit, ammittat partem suam, et aliis fidem testamenti servantibus perveniat, et soluta pe[cu]n[ia] hoc meum te/stamentum firmum permaneat.

Quod scribere rogavi Iohannem, scriniarium sancte Romane Ecclesie, in mense et indictione supradicta X.

Et si huic / meo testamento defuerit aliquid de iuris solempnitatibus, vim codicillorum habeat. /

Presbiter Nicolaus ecclesie Sancte Agathe<sup>122</sup>            testis

Presbiter Beraldus Salvatoris de Subora<sup>123</sup>            testis

Magister Alexander    testis

Robertus Iudicis    testis

Spoletinus    testis

Giffredus     testis

Albertinus    testis

[S] Ego Iohannes Petri, Dei gratia sancte Romane Ecclesie scriniarius, complevi et absolv.

<sup>116</sup> 10<sup>th</sup> of June 1207.

<sup>117</sup> Gregorius de Crescentio Caballi Marmorei's mentioned relations: his brother Cencius Roizus (he was not alive at the time of the issuing of the testament) and his sons, Leo, Crescentius and Petrus Pauli Cencius, and his other brother, Crescentius (he was not alive at the time of the testament) and his sons, Cencius and Iohannes Mancinus. Gregorius, Cencius Roizus and Crescentius' father was Crescentius Francucci. PARAVICINI BAGLIANI 1980. p. 107, note nr. 1.

<sup>118</sup> Unidentified person.

<sup>119</sup> Johannes de S. Paolo, cardinal deacon (S. Prisca, 1184–1205: 2<sup>nd</sup> of December 1204), cardinal bishop- (Sabina, 1205–1216: 9<sup>th</sup> of January 1205 – 21<sup>st</sup> of April 1214). HCl, 3, note nr. 1, 13, 37, 45; PARAVICINI BAGLIANI 1980. 10. note nr. 2.

<sup>120</sup> Nicolaus de Romanis, papal main penitenciarus, cardinal bishop (Tusculanum, 1205–†1219: 5<sup>th</sup> of May 1205 – 14<sup>th</sup> of September 1219?). HCl, p. 4, 38; PARAVICINI BAGLIANI 1980. p. 108, note nr. 3.

<sup>121</sup> Unidentified person.

<sup>122</sup> The priest of the Sancta Agata in Monasterio, with another name the Sancta Agata dei Goti. PARAVICINI BAGLIANI 1980. p. 108, note nr. 4.

<sup>123</sup> Unidentified persons.

Orig.: BAV, Archivio di S. Maria in Via Lata, cass. 302, nr. 56 [A]  
Copia: 1) BAV, Archivio di S. Maria in Via Lata, ms. I. 40. p. 1042–1043; 2) BAV, Vat. lat. 8049, II, fol. 17–18.  
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*Márta FONT:*

## **Coloman, the King of Galicia: The Problems of Coronation**

The date and location of Coloman's coronation is not once mentioned in the known sources, yet, it is undoubted that it happened, even certain circumstances of it are known thanks to four charters: two letters of Andrew II written to Pope Innocent III, a diploma of Honorius III and a donation of the Hungarian sovereign given to Demeter of the Aba genus, one of the officials of the newly crowned Coloman. The last two sources were issued long after the events (in 1222 and 1234), they do not reveal the location or the date, yet, they confirm the fact of the enthronement. The author analyses the information of abovementioned four charters concerning the Coloman's coronation and also the question about the coronation of Salomea, Coloman's Polish wife.

*Keywords:* Coronation, Hungarian Kingdom, Principality of Cracow, Principality of Galicia, Papacy and Eastern Europe



Prince Coloman was the second son of King Andrew II (1205–1235) and younger brother of King Béla IV (1235–1270). He was the second member in the Árpáadian dynasty with this given name after King Coloman the Learned (1095–1116). He was born in 1208, as the fourth child of Andrew II and Queen Gertrud of Andechs.<sup>1</sup>

### **Hungarian Kingdom and Principality of Galicia**

The decades of Andrew II's reign in Hungary were accompanied by the king's goal to obtain the territory of Galicia. The first campaign started already right after his enthronement in 1205, and he gave up the attempts only after the death of his youngest son, Andrew (1234). It is impossible to decide, whether the prince's sudden death or other circumstances forced the Hungarian king to do so, since he passed away in the following year.

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<sup>1</sup> WERTNER 1892. p. 436–438, 448; ALMÁSI 1994. p. 316; ZSOLDOS 2005. p. 74–87; FONT – BARABÁS 2017. p. 11, FONT – BARABÁS 2019. p. 1; BARABÁS 2019. p. 107–108.

Andrew II's childhood experiences and his interest regarding Galicia must not be underestimated, since his father, King Béla III (1172–1196), intended to strengthen the Hungarian rule in the principality by putting his offspring there.<sup>2</sup> Andrew was born around 1177, so he must have been approximately 11 or 12 years old in the time of the Hungarian campaign of 1188–89. At this age, he was probably aware of the nature of the Hungarian claim for Galicia, and his father's military and diplomatic conception might have made an impact on him. Andrew II's grandmother, Euphrosyne Mstislavna came from the Rurikid dynasty, whereas his grandfather, King Géza II (1141–1162), led several campaigns to the territory of the Kievan Rus', even if their goals and events diverged in several aspects from those under Béla III.<sup>3</sup> Experiences from Géza II's time could not have played a role in Andrew's intentions; still the memory of the campaigns could not fade away completely. Andrew II, in fact, did refer to his grandfather, father, and the events of their time, although these are of different nature.<sup>4</sup> The short reign of Béla III in Galicia shows various types of actions: he incarcerated Galician princes who sought shelter in the Hungarian court, while he also negotiated with the local elite and the grand prince of Kiev. The solution of the "affair of Galicia" and the fact that the prince escaped from the Hungarian prison, returned to Galicia, and stabilized his rule with the help of the Cracowian prince, Casimir II the Just (1177–1194), and the sovereign of Vladimir–Suzdal, Vsevolod (1176–1212) foreshadowed the Polish–Hungarian rivalry for Galicia.

Roman Mstislavich ruled, between 1199 and 1205, not only Galicia and Volhynia, but he also controlled the river road of Dniester down to its influx by the Black Sea. The Galician prince intervened on several occasions in the quarrels of his western neighbors, the princes of Cracow and Mazovia, yet the local princes, Leszek the White and Conrad, united and turned against Roman and his expansion in 1205. The prince of Galicia lost his life on the battlefield of Zawichost as the result of this new conflict.<sup>5</sup> Roman's firstborn son, Daniel, was four and his second son, Vasilko, two years old in 1205. The prince's widow made an attempt to keep the territory together for his small children.

The illustrated events suggest that the Cracowian duke and the Hungarian king were rivals after 1205 in the "lordless" territory, even if they had to make compromises from time to time. Their shared priorities were primarily to strengthen their influence, and they supported Daniil and Vasilko while their mother acted as their regent (1205–1206). Andrew II came to an agreement with the sons of Igor (Igorévichs), who were given Galicia in

<sup>2</sup> PSRL II. column 659–667; FONT 1996. p. 293–311; FONT 2005. p. 179–187.

<sup>3</sup> The title was used in two Dalmatian charters regarding Béla III „[...] *regis Vngarie* [...] *nec non Galacie(!)*”, see: SMÍČIKLAS II, p. 234, nr. 217, and p. 247, nr. 231.

<sup>4</sup> See in the charter of King Andrew II, the so-called *Andreanum*: “our pious grandfather of blessed memory” and “our father of blessed memory”. See: *Anjou-kori Oklevéltár* IV. p. 178–180.

<sup>5</sup> The medieval Polish history writing provided a detailed narrative about this event. See DŁUGOSZ VI, p. 192–197. For the relationships among the Polish princes see CHRZANOWSKI 2013. p. 59–62; SAMSONOWICZ 2014. p. 48–51.

return for a certain amount of taxes (1207–10). Meanwhile, the child Daniil continued to reside in the Hungarian court.

When the underage Daniil was enthroned in Galicia, the Hungarian-Polish cooperation reached a new level (1211, 1213), yet soon enough the collaboration faced hardships again. It became clear for both parties, as early as 1214, that the rule over Galicia would have been possible only as the result of a Polish-Hungarian cooperation, which needed a more solid foundation. For that purpose the idea emerged to seal the deal with the marriage of their two children, Coloman and Salomea, who were expected to rule in Galicia together.

Leszek and Andrew came to an agreement at a personal gathering in the Scepus region (Hungarian: Szepesség, today in Slovakia: Spiš).<sup>6</sup> It was convenient that the meeting of the Hungarian king and the Polish prince took place near the common border; it is similarly understandable that the sovereign of lower rank and of younger age, the prince, visited the older king. It is questionable, where exactly they met in the Scepus region, or where they found an eligible venue (it might have been a royal residence) for the “summit meeting”, for the reception, and the catering of the king, the prince, and their entourages. The *Galician-Volhynian Chronicle (GVC)* noted only the name of the Scepus region.

The meeting was prepared by the visit of the duke’s envoys, Lestich<sup>7</sup> and Pakosław, castellan of Cracow. The *GVC* gives credit to Leszek for the idea of the dynastic marriage as the affirmation of the alliance. It is no wonder that Pakosław took an active part in the arrangements, given the circumstance that the agreement was favourable for him. The object of the bargaining was the Galician territory, yet Cracow had claim only for the vicinal Peremyshl and Liubachev.<sup>8</sup> Those two centers geographically belonged to the drainage basin of the river Vistula (the area of the rivers San and Bug), whereas all the other rivers belonged to the draining basin of Dniester.

The date of the agreement of the Scepus region cannot be discovered in the *GVC* or in any other sources, yet the year of 1214 is not disputed in the

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<sup>6</sup> PSRL II, col. 732; *Kronika Romanowiczów*, p. 53; PAULER 1899. II. p. 54–55; WŁODARSKI 1966. p. 58; PASHUTO 1950. p. 200; PROCHÁZKOVÁ 1998. p. 66; HOLLY 2007. p. 12, 14–15; NAGIRNYJ 2011. p. 171; DĄBROWSKI 2016. p. 83–84.

<sup>7</sup> “Lestich” is not a given name, but it derives from the word Lestco (the Latin version of Leszek), it is a “paternal name”. It was not used by the Poles, still, the eastern-Slavic chronicler could use it referring to a certain relative of Leszek. It would be logical to think of his son, but Leszek married his spouse only in 1207, and he did not have a son by that time. A mystical Polish king also bore the name Lestco (See: *Magistri Vincentii Chronika Polonorum*, p. 18.), therefore the passage could be also interpreted as “someone from the family of the Polish prince”. The historiography mentions only Pakosław, and the other members of the mission are not named. The name Lestich as an independent version can be seen in the name register PSRL II. p. XXI. For the origin of the name Leszek and its bearers see CHRZANOWSKI 2013. pp. 25–26. Further interpretation see: *Kronika Romanowiczów*, p. 52. footnote 162,

<sup>8</sup> PSRL II, col. 731; *Kronika Romanowiczów*, p. 59–60.

historiography.<sup>9</sup> A more precise dating is beyond the realm of certainty; one can only work with presumptions. The majority of the researchers assume the date to be the fall of 1214, solely Holovko disagrees, as he opted for a summer meeting of the rulers.<sup>10</sup>

## The Coronation

The date and location of Coloman's coronation is not mentioned in the known sources, yet it is undoubted that it happened, even certain circumstances are revealed thanks to four charters: two letters of Andrew II written to Pope Innocent III, a diploma of Honorius III, and a donation of the Hungarian sovereign given to Demeter of the Aba genus, one of the officials of the newly crowned Coloman. The last two sources were issued long after the events (in 1222 and 1234), they do not reveal the location or the date, yet they confirm the fact of the enthronement.

The first royal letter sent to Innocent III is dated to 1214, it must have followed the summit of the Scepus region. Andrew II intended to handle several cases, first of all he requested a papal permission in order to let Coloman to be crowned king of Galicia by Archbishop John of Esztergom (*filium nostrum [...] in regem inungat*).<sup>11</sup> The second letter<sup>12</sup> was meant to thank for the received licence and formulated a petition for a golden crown for Coloman (*coronam auream Regie dignitati congruentem filio nostri conferre*). Furthermore, the Hungarian king made the promise that he would send a clergyman from Galicia to participate at the Fourth Council of Lateran. The council started in November 1215, so the royal letter was probably written in August, at the very latest.

Regarding the coronation, it has to be emphasized that in the Hungarian Realm the reigning archbishop of Esztergom<sup>13</sup> had the right for the enthronement, yet it concerned solely the Hungarian kings and it did not require a papal permission. The case of Coloman was different; it was a new phenomenon without any preliminary history, and therefore the papal licence was essential. Innocent III's approval was supposed to be secured with the formulation of the request that it was motivated by the local elite and people, who were eager to join the Roman Church (*Galiciae principes et*

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<sup>9</sup> PSRL II, col. 732; *Kronika Romanowiczów* p. 52–53; BALZER 2005. p. 482–483; HRUSHEVSKY 1901. p. 1–72, 337; PASHUTO 1950. p. 200; KRIPIAKEVYCH 1984 p. 89; STÖKL 1981. p. 500–501; FENNELL 1983. p. 37; KOTLIAR 2002. p. 106; ALEXANDROVYCH – VOYTOVYCH 2013. p. 52–53.

<sup>10</sup> WŁODARSKI 1966. p. 58; FONT 1991. p. 126; FONT 2005. p. 225; HARDI 2002. p. 134; VOLOSHCHUK 2005. p. 98–99; HOLLÝ 2007. p. 7; NAGIRNYI 2011. p. 171; DĄBROWSKI 2016. p. 83; CHRZANOWSKI 2013. p. 72; HOŁOVKO 2006. p. 276.

<sup>11</sup> CD III/1, p. 163–164; RA nr. 294.

<sup>12</sup> CD VI, p. 374–375; RA nr. 302; PAULER 1899. II, p. 496, fn. 55; WŁODARSKI 1966. p. 62.

<sup>13</sup> The right of the archbishops of Esztergom for the coronation can be documented already in the 11<sup>th</sup> century. Archbishop Berthold of Kalocsa, brother of Queen Gertrude, tried but failed to extend the rights of the prelates of Kalocsa. The quarrel was ended by the charter of Pope Innocent III issued on 9<sup>th</sup> of May 1209. See: KOSZTA 2007. p. 250–251; KOSZTA 2013. p. 109–111; KISS 2013. p. 46–47; BARABÁS 2014. p. 295–299.

*populus, nostri ditioni subiecti humiliter a nobis postularunt*). The agreement of the Scepus region was not even mentioned in the first letter, whereas the second indicates a matrimonial contract (*contractum*) and asks for papal mediation to convince Leszek to send help for Coloman, who was under siege in the castle of Galicia. It is of crucial importance that Andrew II also expressed gratitude for the papal approval of Coloman's coronation (*referentes gratiarum actiones, quod postulatio nostra super coronando filio nostro in Regem Galicie ad mandatum Apostolicum optatum consecuta est effectum*), and it was not only regarding an unction anymore, like earlier, but rather a coronation. The requested golden crown and letter were meant to serve the purpose to stabilize Coloman's rule in Galicia (*perpetuam stabilitatem pretendat*).

There is no record of the crown's delivery; however, a royal charter of 1234 reports it: *sepedictum filium nostrum optento ex indulgentia Sedis Apostolice dyademate, Illustrem Regem Gallicie feliciter inunctum fecissemus inclite coronari*. [We made our aforementioned son to be crowned with a diadem and successfully unctioned to be illustrious king of Galicia as the result of the Apostolic See's indulgence].<sup>14</sup>

Despite the poorly remained sources, several theories emerged concerning the date and location of the coronation.<sup>15</sup> It seems to be certain that the crown was sent already by Innocent III, therefore the *terminus ante quem* is dated to July 16, 1216; whereas the *terminus post quem* was August of 1215.

In our opinion, it is reasonable to make a distinction between the acts of unction and coronation, as already the Hungarian Gyula Pauler and Ubul Kállay did it at the end of the 19<sup>th</sup> and the outset of the 20<sup>th</sup> century.<sup>16</sup> Based on the remaining charters we can reconstruct the following course of events: holding the papal license Archbishop John of Esztergom aneiled and crowned Coloman in Hungary, and the prince left to Galicia only afterwards. The ritual of the unction was meant to express the power of God's grace of the sovereign, yet the crown was also necessary for the ceremony. Based on Andrew II's previous experiences, it was essential to demonstrate Coloman's royal status for the Galicians, and that is why he needed the requested golden crown.

For instance, Nataša Procházková and Đura Hardi opted for using the dates of Ubul Kállay, and Mikola Kotliar only presented the year (1215); Marek Chrzanowski and Witalii Nagirnyj dated the coronation for the first half of 1215, Martin Homza emphasized the role of the archbishop of

<sup>14</sup> CD VI, p. 546; RA nr. 529.

<sup>15</sup> 1214: DROBA 1881; 1215: PASHUTO 2019. p. 278; first half of 1215: WŁODARSKI 1966. p. 62; CHRZANOWSKI 2013. p. 72; winter of 1215 – spring of 1216: KÁLLAY 1903; 1217: PAULER 1899. II. p. 57.

<sup>16</sup> PAULER 1899. II. p. 57, 496. note 55; KÁLLAY 1903. p. 672–673.

Esztergom, meanwhile Karol Hollý referred only to the fact that the coronation is indisputable.<sup>17</sup>

In our view, the coronation happened late 1214 or early 1215 at the very latest, probably before the departure of the Hungarian army (we do not have any reason to suspect that the newly crowned king did not leave with the royal force from Hungary). The first ceremony – the unction and the coronation – must have taken place in Esztergom; the requirements of the Hungarian royal enthronement were not fulfilled in this case, and therefore they were not restrained to designate Székesfehérvár as location. It is also assumed that Andrew II assigned the future officials of the new king's royal court, but only one of them is known, Demeter of the Aba kindred, the master of the stewards (*dapiferum eidem instituentes [...] fecimus*).<sup>18</sup>

The second coronation was probably a ceremony presented for the locals in Galicia. Andrew II, despite his request from the Pope, did not receive any help from his ally, Leszek the White, so he invaded Peremyshl despite the agreement of the Scepus region on the turn of 1215 and 1216. In our opinion, the second enthronement happened in relation to this move in early 1216; it is even possible that Andrew II and Archbishop John of Esztergom also participated in it. The new wave of the Polish-Hungarian conflicts started also at this time with Andrew II's occupation of western Galicia, which territory was earlier conceded to Leszek. If we are looking for the cause of the change, we have to get back to the agreement of the Scepus region. It has to be emphasized that both the Hungarian king and the Prince of Cracow de facto ceased the support of the sons of Roman, it could have been also regulated de iure in the deal. Leszek contradicted the agreement when he handed over Vladimir, one of the most relevant – and in this time still prestigious – center of Volhynia, to Daniil and Vasilko. The Romanovich siblings acquired such support, as a result of Leszek's move, which offered adequate ground for the realization of their Galician aspirations. This turn of events meant more enemies for Coloman. In our opinion, Andrew II was motivated by a possible coalition of Peremyshl, Cracow, and Volhynia by occupying the western part of Galicia. The Hungarian king and Coloman controlled the whole Galician territory in the first half of 1216, and they must have possessed the crown too, so there were no hindrances in the way of the coronation in the settlement of Galicia, which was the sole seat of a bishopric of the area.<sup>19</sup> The ceremony served as the declaration of the Hungarian rule as well.

Droba stated, based on the record of Długosz, that Bishop Wincenty Kadłubek of Cracow was also present at the enthronement.<sup>20</sup> We do not consider this version realistic; it is rather likely that not one single prominent

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<sup>17</sup> PROCHÁZKOVÁ 1998. p. 67; HARDI 2002. p. 138; KOTLIAR 2002. p. 106; CHRZANOWSKI 2013. p. 72; NAGIRNYJ 2011. p. 172; HOMZA 2009. p. 147; HOLLÝ 2007. p. 11. Cf. BARABÁS 2016. p. 92–94.

<sup>18</sup> ÁÚO VI, 546; RA nr. 529.

<sup>19</sup> The first mention of a bishop of Galicia derives from 1153. In Peremyshl a local bishop appeared at first in 1220, and he came from Novgorod. See: SHCHAPOV 1989. p. 212.

<sup>20</sup> DŁUGOSZ VI, p. 204; DROBA 1881. p. 400–418.

Polish person, not even the bride, Salomea, attended Coloman's with the Roman Church, and the record of the Voskresensk Chronicle can contribute to this statement: "*the Hungarian king set his son into Galicia, he expelled the bishop and the priests from the church and brought a Latin priest there*".<sup>21</sup>

### The Queen: Salomea

We do not know much about Coloman's wife, Salomea, even her date of birth is ambiguous, and the years 1211–12 are only hypothetical based on the report of her legend, according to which she was three years old by the time she arrived to Hungary. These dates imply that Salomea was sent to Andrew II's court right after, or not much later, the summit of the Scepus region, yet there is no source which could support this assumption. The end of Salomea's life is better known, since her legend alongside with several Polish chronicles gives the exact day of his death: 10<sup>th</sup> of November 1268. Unfortunately, her age is not revealed there.<sup>22</sup>

The Polish chronicles of the 13<sup>th</sup> century mention the names of her parents (Leszek and Grzymisława) and record the cult of Blessed Salomea, yet the meeting of the Scepus region and the marriage of the princess are unstated. For her Polish environment she became relevant only after she returned home after the death of her husband, and she had her share in the acclimatization of the order of Saint Claire in Poland. She not only joined the order but also gave donations to their nunneries in Sandomierz and Skała.<sup>23</sup>

She is illustrated in her legend – following the rules of the genre – as a person destined from her childhood to be a nun; she was wed to Coloman only because of the demand and the threat of the Hungarian king. The marriage had a positive effect in the eyes of the legend's author: Salomea contributed to the marriage of her younger brother, Bolesław V, the Chaste, to King Béla IV's daughter, princess Kinga – later Saint Kinga of Poland –, and as a result the later saint was sent to Cracow.<sup>24</sup>

Salomea became very "valuable" in the light of the new Polish-Hungarian pact in 1214. The engaged girls often were sent to the court of their future family after the deals were sealed, according to the medieval custom, so it could be imaginable that the same happened to Salomea. It has to be stated, however, that the marriages used to take place traditionally only after the parties reached adulthood; around the ages of 14–16 in the Middle Ages. One

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<sup>21</sup> *Voskresensk Chronicle*, p. 119.

<sup>22</sup> MARZEC 1999, p. 189–191; *Vita et miracula sanctae Salomeae*. According to her legend, she died on the vigil of St. Martin (10<sup>th</sup> of November), but certain chronicles (e.g. the *Chronica Poloniae maioris*, *Chronica principum Poloniae*) report 17<sup>th</sup> of November. Based on the interpretation of the sources, the 10<sup>th</sup> November is authentic. See KÜRBISÓWNA 1958, p. 150; NIEZGODA 1997, p. 238.

<sup>23</sup> MPV III, p. 38, nr. 71; *Vita et miracula sanctae Salomeae*, p. 784; KDM I, p. 90–93, nr. 75–76.

<sup>24</sup> About the marriage of Coloman and Salomea: *Vita et miracula sanctae Salomeae*, IV, p. 777. About Kinga: *Vita et miracula sancti Kyngae*. In: MPH IV, p. 682–744. Kinga was canonized by Pope John Paul II in 1998.

has to keep in mind that Coloman's and Salomea's engagement was primarily a diplomatic arrangement, like it happened to Coloman's sister, Elizabeth of Thuringia, or later to the aforementioned royal princess, Kinga. Summarizing, we can state that it would have been completely ordinary, if Salomea was sent to Hungary as early as 1214, nevertheless, it is of crucial importance that Salomea's father, Leszek the White, was not particularly eager to fulfil the requirements of the agreement of the Scepus region. It seems, therefore, fair to think that the Cracowian princess has not been sent to Hungary in 1214.

Salomea's legend states that her reign lasted twenty-five years in Galicia. This data is undeniably false, but if we identified the period of twenty-five years as her marriage, it gives us the year of 1217 as the date of Salomea's arrival to Hungary, considering Coloman's death in 1241. If the twenty-five years refer to the princess's stay in Hungary, then given the time of her return to Poland in 1245, we got 1220. Therefore, we can date Salomea's arrival in Coloman's court between 1217 and 1220. Certain Polish and Ukrainian authors think of 1218 or 1219,<sup>25</sup> in our opinion, the Hungarian-Polish campaign in the fall of 1219 gave the perfect opportunity for Salomea's arrival, therefore she was sent from Cracow directly to Galicia, not to Hungary.

Coloman as a child was not in control of the events in Galicia, nor was his young wife. Their adult life started in Hungary only after they were set free from their captivity (1221/1222), and their marriage was probably arranged also at this time. Salomea is called *regina* (queen) in her biography, that is why the question emerged in the historiography: where and when was she crowned? The fact of the event is based on the data in the chronicle of Długosz, yet not all of his records are authentic (e.g. he wrote about Leszek's and Grzymisława's marriage in 1220).<sup>26</sup>

The appearance of the term *regina* in the legend and in the following Polish chronicles does not necessarily mean that she was indeed crowned, it refers rather to her marital status on King Coloman's side. In our view, the Hungarian practice of the queens' coronation is not relevant regarding Salomea, as Karol Hollý stated it.<sup>27</sup> She was no queen of the Hungarian Kingdom, and she was not bound by the customs of the realm; neither were used the complicated regulations concerning the Hungarian kings' coronation in Coloman's case. A charter of Pope Gregory IX has to be taken into consideration, in which Salomea as the wife of King Coloman (*uxor Colomani regis*) appears.<sup>28</sup> Summarizing the evidences, it can be stated that the coronation of Salomea is plausible.<sup>29</sup> There could have been only one

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<sup>25</sup> WŁODARSKI 1957. p. 70; NIEZGODA 1997. p. 237; NAGIRNYJ 2011. p. 178; DĄBROWSKI 2016. p. 102.

<sup>26</sup> DŁUGOSZ VI. p. 204, 231–232.

<sup>27</sup> WŁODARSKI 1957. p. 71; NIEZGODA 1997. p. 241; HOLLÝ 2007. pp. 14–15; BARABÁS 2014. p. 301–302.

<sup>28</sup> SMIČIKLAS III, p. 360. "*Salomee regine, uxori Colomanni regis, nati ... illustris regi Ungarie, salutem*" – RGIX. nr. 2126.

<sup>29</sup> FONT 2005. p. 212.



particular point of time when it was not beyond the realm of possibility: her assumed arrival in Galicia in the fall of 1219; yet the constant wars do not seem to support this theory. The coronation – in our view – after they settled down in Hungary after being released from captivity was no longer justifiable.

Salomea's years in Hungary are completely obscure to us; maybe that was the intention of the author of her legend. She must have been, however, a constant member of the royal court, and she might have had an effect on the good relationship between Béla and Coloman. As a possible result of this is the engagement of Béla's daughter, Kinga and Bolesław V, Salomea's brother in 1239.<sup>30</sup>

## Conclusions

1. It has to be emphasized that even though we agree with Pauler concerning the fact of the two coronations, we oppose to the chronology presented by him (1217). The dating of the coronation in Hungary at the turn of 1215–16 by Ubul Kállay does not suit the illustrated picture either. In the historiography, a single coronation is traditionally accepted, but in several cases the authors assume an earlier dating.
2. Coloman used the title of king during his life together with the title duke of Slavonia, but after the compromise between Andrew II and Mstislav in 1222 he lost the chance to come back to Galicia. Between 1226–1234 he did not participate in the father's campaigns to Galicia. Andrew II tried to transfer the Coloman's royal title to Andrew. The papal response informs us of the royal petition, yet Honorius III rejected the appeal: "*regia Serenitas non turbatur* (The royal majesty is not to be disturbed)".<sup>31</sup>
3. Coloman remained under the authority of Andrew II, despite his royal title, not solely because of his minor age. The Hungarian king still and continuously considered himself to be the real sovereign of Galicia and Volhynia, as the practice of the royal chancellery proves it, since the title was constantly in usage in the royal charters, even after the coronation of Coloman.
4. Coloman's coronation is important as the foundation of regnum-tradition in Galicia, which was followed by Daniil in 1253.

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<sup>30</sup> MPH IV, p. 685.

<sup>31</sup> See the letter from 25<sup>th</sup> of January 1223. THEINER I, nr. 65.

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Translated by Gábor Barabás





Ágnes MALÉTH:

## The Legation of Gui de Boulogne in the Hungarian Kingdom\*

Following the first Italian campaign of Louis I, the papal court tried to prevent the Hungarian king from attacking the Kingdom of Naples for the second time. Pope Clement VI sent a prominent member of the papal curia as *legatus a latere* to Louis I to negotiate: Gui de Boulogne, cardinal presbyter of S. Caecilia. As the consequence of the shortness of his stay in the Hungarian Kingdom, the legatine activity of the cardinal has rather been neglected by the historiography until now. The main aim of this present study is therefore to examine Gui de Boulogne's legation in Hungary in detail, as well as to propose a new approach for the analysis and consider the topic from the institutional-historical point of view.

*Keywords:* Avignon papacy, papal legate, Hungary, faculties, Gui de Boulogne



The missions of papal legates have been in the centre of historical attention since the early time of historical science. The reason for this is presumably the fact that the activity of legates is quite well-documented, especially in comparison to the work of other papal delegates. However, earlier research has been focused primarily on the diplomatic aspect of the legations, and historians started to comprehend the complexity and the versatility of the topic not a long time ago; indicating several new directions for research.<sup>1</sup> The legation of Gui de Boulogne, cardinal presbyter of S. Caecilia in Hungary has been no exception to the earlier general historiographical tendency, which in this case was intensified by the extraordinary events that gave the background for the appointment of the legate – namely the assassination of prince Andrew in the night of 18<sup>th</sup> – 19<sup>th</sup> September 1345, and as its consequence

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<sup>1</sup> BLAKE 2006; FIGUEIRA 1991. p. 56–79; FIGUEIRA 2006. p. 73–106; MALECZEK 2003. p. 33–86; KALOUS 2017.

the first Italian campaign of his brother, the Hungarian king, Louis I. Thus, Hungarian historians usually concentrated on the determination and description of the policy of the Holy See under these unfortunate circumstances, and the other aspects of the legation were considered secondary. Consequently, Gui de Boulogne appeared in the Hungarian historical works only as a minor character in the conflict of pope Clement VI and Louis I; as one of the numerous papal delegates who – unsuccessfully – tried to keep away Louis I from the Kingdom of Naples. Cardinal Gui's short stay in Hungary was presented as a political episode of moderate importance between the two Italian campaigns of Louis I.<sup>2</sup> In details it was discussed only by Vilmos Fraknói<sup>3</sup> – who endeavoured to identify every participant of the papal-Hungarian relations – and Antal Pór in his biography of Louis I.<sup>4</sup> Until 2015 there was no historical work available in Hungarian language which would be devoted specifically to the legatine activity of Gui de Boulogne in the Hungarian Kingdom; in that year it was the author of the present paper who tried to clarify some details of the cardinal's itinerary in 1349.<sup>5</sup>

As we can see, the mission of Gui de Boulogne in Hungary belongs to the less-examined topics in Hungarian historiography, while Western European researchers put the emphasis on other aspects of the carrier of the cardinal. As the number of the sources issued during Gui de Boulogne's legation to Hungary is rather limited, the present paper includes a specific type of documents – the mandates or faculties (*facultates*) – in the research which will enable us to approach the topic from the institutional-historical point of view.

### The background of Gui de Boulogne's legation

In spite of the fact that the diplomatic situation increased the frequency of embassies mediating between the Holy See and the Hungarian king, the number of papal legates commissioned to the Hungarian Kingdom did not grow compared to the previous decades. Under the reign of Charles I (1301–1342) two papal representatives received such authorisation: Niccolò Boccasini, cardinal bishop of Ostia and Velletri (later pope as Benedict XI) in 1301–1303, and Gentile da Montefiore, cardinal presbyter of S. Martinus in montibus in 1308–1311.<sup>6</sup> Between 1311 and Gui de Boulogne's mission in 1349 no papal delegate bearing the title *legatus a latere* visited the Hungarian Kingdom, although several members of the

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<sup>2</sup> György Rác briefly mentions the legation of Gui de Boulogne in a book chapter on the relationship of the Hungarian Angevins with the Holy See. RÁCZ 1996. p. 70.

<sup>3</sup> Fraknói used the name variant Gui de Montfort which he must have borrowed from the Italian or German historiography. FRANKÓI 1901. p. 225, 229–231. However, Pierre Jugie has pointed out that this version is not correct, as it was the cardinal's brother who held the title of the count of Montfort from 1351. JUGIE 1989. p. 30, note 2.

<sup>4</sup> PÓR 1893. p. 172–173, 211–216.

<sup>5</sup> MALÉTH 2015. p. 29–42.

<sup>6</sup> On Boccasini's and Gentile's legatine activity in Hungary see KISS 2010. p. 101–116; KOVÁCS 2013; MALÉTH 2016. 52–55.



papal curia were authorised to negotiate with king Louis I after the death of prince Andrew. However, the papal delegates who were appointed to handle the Neapolitan case had legatine authorisation mostly in Italy (such as Bertrand de Déaux, cardinal presbyter of S. Marcus<sup>7</sup>), and the envoys who did indeed travel to Hungary between 1345 and 1349 (or at least approached the country) – like Francis, bishop of Trieste,<sup>8</sup> Bertrand de Saint-Geniès, patriarch of Aquileia,<sup>9</sup> and Peter, bishop of Viterbo<sup>10</sup> – were entitled not *legatus*, but *nuntius Apostolice Sedis*.<sup>11</sup>

Gui de Boulogne, cardinal presbyter of S. Caecilia got involved in the Neapolitan issue only a few months after the death of prince Andrew, at the end of 1345. This time Clement VI discharged one of the legates

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<sup>7</sup> The papal documentation indicates that the legation of cardinal de Déaux, who had been appointed legate since the consistory of October 1345, was considerably delayed. Pierre Bertrand, cardinal presbyter of S. Clementis, was also commissioned in the same time, however, he was soon replaced (see the details below). JUGIE 1989. p. 32.

<sup>8</sup> GUILLEMAIN 1966. p. 249–251. He was first mentioned as *nuntius* in Hungary on 04. 12. 1345: ASV Reg. Vat. 139, fol. 305v, ep. 1342. According to Fraknói, the bishop of Trieste arrived in Buda in June 1346 where he met the queen mother Elisabeth. FRAKNÓI 1901. p. 200–201.

<sup>9</sup> Bertrand de Saint-Geniès, patriarch of Aquileia was mentioned as *nuntius* commissioned to Hungary the earliest on: 09. 01. 1346: ASV Reg. Vat. 139, fol. 183v, ep. 782. As the patriarch's mission coincided with Louis I's campaign to protect Zadar, Vilmos Fraknói supposed that the king and the patriarch met somewhere close to this city. 16. 07. 1346: ASV Reg. Vat. 140, fol. 58v, ep. 251, THEINER I. p. 716, nr. MLXXXII, FRAKNÓI 1901. p. 203. The patriarch Bertrand was known of his good relationship with Louis I, even the pope had information that the patriarch sympathised with the Hungarian king in case of the Neapolitan issue. 15. 09. 1347: ASV Reg. Vat. 141, fol. 91v, ep. 415; AOKt. XXXI, p. 449. nr. 868. On the mission of the patriarch Bertrand and Francis, bishop of Trieste see: PÓR 1900. p. 13–14.

<sup>10</sup> In the time of the commission of Peter, bishop of Viterbo [13. 05. 1348: ASV Reg. Vat. 141, fol. 279v, ep. 1417. (on the daily allowance of the bishop as a papal delegate), ASV Reg. Vat. 141, fol. 277v, ep. 1406 (the pope informs Louis I about the delegation of the bishop)] Louis I was still in Naples, as his first Italian campaign began in November 1347 and ended around May 1348. FRAKNÓI 1901. p. 220, 225. The outcome of the mission of Peter – who was in the meantime transferred from the bishopric of Viterbo to that of Verona – is doubtful; Fraknói believes that the *nuntius* finally did not meet the Hungarian king (FRAKNÓI 1901. p. 225.), while Pierre Jugie – who dates the retreat of the Hungarian army to June 1348 – does not doubt that the bishop set off for Buda in May 1348. JUGIE 1989. p. 36. Clement VI was informed by the middle of July that Louis I would return to Hungary, thus he planned that the bishop would join the Hungarian army on the way. 15. 07. 1348: ASV Reg. Vat. 142, fol. 26r, ep. 97, THEINER I. p. 765–766, nr. MCLIV; with the same date the pope informs queen Elisabeth about Peter's delegation: ASV Reg. Vat. 142, fol. 23v–24r, ep. 91–92. The sources also reveal that Peter substituted the late Matteo Ribaldi, bishop of Verona (June 1343 – May 1348, HC I. p. 523.) in his commission as a *nuntius*. Ribaldi was authorised as a *nuntius* originally for Rome for the jubilee year (17. 08. 1347: ASV Reg. Vat. 141, fol. 58, ep. 243.). As only a single document mentions the (already deceased) Ribaldi as a papal delegate sent to Louis I (see the letter of Clement VI from the summer 1348 to queen Elisabeth above), we can suppose that Ribaldi was as well instructed to meet the king in Italy, and not in Hungary.

<sup>11</sup> It was a tendency characteristic for the 14<sup>th</sup> century that the popes preferred to delegate *nuntii* instead of legates. This had on one hand political reasons (due to their broad authorisation, the legates had to often confront the kings and the local clergy, mostly because of the procurations, see below), and on the other hand, the office of the legate had been strictly determined by the canon law, while the commission of the *nuntius* was more flexible, easier to adapt to the situation. KYER 1979. p. 28–31, 179–181.

commissioned to Italy,<sup>12</sup> cardinal Pierre Bertrand – for the request of the French queen – from his office and replaced him with Gui de Boulogne.<sup>13</sup> Earlier historiography usually explained Gui de Boulogne's appointment with his extended family relations which connected him to the French royal dynasty, as well as to the Neapolitan and Hungarian branches of the Anjou dynasty.<sup>14</sup> However, as Pierre Jugie has emphasized, the significance of these relatively distant family connections should not be overrated, especially considering the fact that the cardinal was one of the main supporters of the Angevins of Taranto in the papal curia.<sup>15</sup> His position inevitably confronted him with another prominent member of the Sacred College, cardinal Élie Talleyrand de Périgord, who was a devoted defender of the interests of the Angevins of Durazzo.<sup>16</sup> The rivalry of the two cardinals probably contributed to the fact that Gui de Boulogne excused himself from the first papal commission.<sup>17</sup> This did not mean, though, that cardinal Gui stayed out entirely of the diplomatic activity of the papal curia or that he distanced himself from the Neapolitan issue. Even before his legation to Hungary, he had been entrusted with diplomatic tasks: he was one of the envoys<sup>18</sup> who represented the pope in front of Joan I. The Neapolitan queen had fled to Provence because of the first Italian campaign of Louis I, and resided in Châteaurenard, in a castle close to Avignon.<sup>19</sup> To refute the theory that the commission of the delegates was delayed by the plague and decided only in the consistory in November 1348,<sup>20</sup> we could evoke the fact that two of Gui de Boulogne's faculties are dated to 22<sup>nd</sup> June 1348. However, these two authorisations were also published with the same date as his other faculties (30. 11. 1348), which means that they have to be considered as duplicates.<sup>21</sup> The problem of

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<sup>12</sup> On this see note the previous note.

<sup>13</sup> 15. 12. 1345: ASV Reg. Vat. 139, fol. 168 v<sup>o</sup>, n. 707. Clement VI mentioned in a letter written on 05. 12 that he intended to send Gui de Boulogne to the Kingdom of Naples. 05. 12. 1345: ASV. Reg. Vat. 139, fol. 161v–162r, ep. 674–679. (MNL-OL DF 291 831), AOKt XXIX, p. 470, nr. 855.

<sup>14</sup> FRAKNOI 1901. p. 225, 229–230; GUILLEMAIN 1966. p. 249; PÖR 1892. p. 172, especially see note 2. See also MDA II 349, 373.

<sup>15</sup> JUGIE 1989. p. 37.

<sup>16</sup> The sister of the cardinal, Agnes married John, count of Gravina. They had three sons together: Charles, who was later executed by Louis I, Louis and Robert. GUILLEMAIN 1966. p. 244–248.

<sup>17</sup> A letter of Clement VI from the beginning of 1346 reveals his intention to send Gui de Boulogne as a legate to Naples. 01. 02. 1346: ASV. Reg. Vat. 170, fol. 3r, ep. 9; THEINER I. p. 703–706, nr. MLXVII; AOKt XXX, p. 55–56. nr. 75; JUGIE 1989. p. 34.

<sup>18</sup> The other envoy was Pierre Bertrand. JUGIE 1989. p. 35.

<sup>19</sup> Queen Joan I left Naples in January 1348 and arrived in Avignon in March. MOLLAT 1912. p. 188.

<sup>20</sup> Referring to Émile-G. Léonard's Joan I's biography (LÉONARD 1932–1936.) see: JUGIE 1989. p. 36.

<sup>21</sup> 22. 06. 1348: he could give dispensation for 20 people who had been born from presbyters, ASV Reg. Vat. 187, fol. 29, ep. 167r; AOKt XXXII, p. 206, nr. 391; Lettres de Clément VI. nr. 1677; UPLA nr. 001677; he could give permission for 100 people the Holy Sepulchre and other sacred places of the Holy Land, ASV 187, fol. 29, ep. 168r; AOKt XXXII, p. 206, nr. 392; Lettres de Clément VI. nr. 1678; UPLA nr. 001678; the same two faculties with the date 30. 11. 1348: ASV Reg. Vat. 187, fol. 28r, ep. 167; AOKt XXIII, p. 421, nr. 876; Lettres de Clément VI, nr. 1870; UPLA nr. 001870; ASV Reg. Vat. 187, fol. 29r, ep. 168, AOKt XXXIII, p. 422, nr. 877 ; Lettres de Clément VI. nr. 1871; UPLA nr. 001871.

incorrect dating concerns another papal letter (dated to 23.03. 1347 by some publications) in which Clement VI informs Gui de Boulogne about his negotiations with the envoys of Louis I; however, this document was issued only two years later, when the legate had already set off for his mission to Hungary.<sup>22</sup>

### The organisational framework of the legacy

In addition to discussing the political aspects, it is worth approaching the legation of Gui de Boulogne in the Hungarian Kingdom from the point of view of institutional history, as the Avignon period represents a transitory phase in the history of the papal curia and its administration. This transition can be observed also in case of the delegation of legates, especially as far as the financing of the missions is concerned. Until the 14<sup>th</sup> century, the papal legates usually funded their activities “on the go”, with payments collected from the local clergy (*procuratio*). These procurations meant, nevertheless, a heavy burden for the local church, its collection often met resistance and influenced the willingness of the local ecclesiastics for cooperation rather negatively. To moderate the amount of procurations, the Third Lateran Council (1179) regulated the number of the papal legates’ entourage,<sup>23</sup> however, this statute was frequently revoked by the popes (similarly to Boccasini and Gentilis, Gui de Boulogne was exempted from this restriction<sup>24</sup>). For the cardinals as well, legations meant financial difficulties, especially since 1312 when Clement V’s constitution deprived them for the time of their absence of the incomes which they traditionally shared in the papal curia.<sup>25</sup> These circumstances compelled the Holy See to establish a new method for funding the legations: soon central financing was introduced, in other words, the delegates received remuneration from the curia. Nevertheless, this process came to an end only by the 15<sup>th</sup> century;<sup>26</sup> in the time of Gui de Boulogne’s legation, the papal curia tried to supplement the procurations with other occasional sums. Consequently, cardinal Gui had authorisation to demand procuration (table 1. I/nr. 1–4.) and for sanctioning resistance (table 1. I/nr. 8.), and the pope also instructed the prelates to provide the legate with 40 florins and *securus conductus*.<sup>27</sup> The required amount was rather considerable:<sup>28</sup> the daily allowance of the papal collectors

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<sup>22</sup> 23. 03. 1347: ASV Reg. Vat. 142, fol. 97v, ep. 889; UPLA nr. 004115. It was published with the correct date (1349) in the Anjou-kori oklevéltár: AOklt. XXXIII, p. 120–123, nr. 218.

<sup>23</sup> See especially the canons 26. and 29. HEFELE 1913. p. 1354–1358; KALOUS 2017. p. 129.

<sup>24</sup> 30. 11. 1348. 11: ASV Reg. Vat. 187, fol. 22r, ep. 117.

<sup>25</sup> BAUMGARTEN 1898. XXXVII, p. 1–2. (Documents nr. 1–3.)

<sup>26</sup> KALOUS 2017. p. 137.

<sup>27</sup> 30. 11. 1348: ASV Reg. Vat. 187r, fol. 17v, ep. 87; AOklt. XXXII, p. 405, nr. 811)

<sup>28</sup> To allow comparison, we could evoke the items in the will of Luca Fieschi, cardinal deacon of S. Maria in via Lata who died in the summer of 1336: the most expensive volume of the cardinal’s library was a copy of *Corpus iuris canonici et civilis* valued at 100 florins, and the cheapest was a book containing the sermons of Petrus Lombardus valued at 1 florin. The most precious gem owned by the cardinal was worth 200 florins. ASV Reg. Av. 49, fol. 449v, 452r and 453v.

in the 14<sup>th</sup>-century Hungary was 1–2 florins,<sup>29</sup> while the contemporary papal *nuntii* received 8 florins.<sup>30</sup> The main difference was that the collectors could take their share from the collected sums daily, while the 40 florins ordered for the legate was an occasional, irregular income, and the effectivity of the collection of procurations was rather unpredictable.<sup>31</sup> Fortunately, there are some manuscripts preserved which inform us about the procurations Gui de Boulogne, although in a less detailed way than the account book of cardinal Gentilis.<sup>32</sup> The archdiocese of Salzburg, for instance, was ordered to remunerate 6000 florins:<sup>33</sup> the archbishop of Salzburg and the bishop of Passau had to pay 1400–1400, and their suffragans 3200 florins (table 2. nr. 2.). This means that in case of Salzburg the procurations made up more than half of the estimated annual income (10000 florins) of the archdiocese.<sup>34</sup> As there are no quittances, it cannot be taken for granted that these procurations were indeed settled. Nevertheless, it seems that the cardinal expected that the archbishopric of Salzburg would cover the greatest part of the expenses of his legation to Louis I, as the estimated annual incomes of the archbishoprics of Esztergom and Kalocsa was only 2000 florins.<sup>35</sup> The quittances issued by Ildebrandino Conti, bishop of Padua and subdelegate of Gui de Boulogne show that Csanád, archbishop of Esztergom payed procurations twice, first 66 (table 2. nr. 22.), and then 414 florins (table 2. nr. 23) – in other words, barely one fourth of the estimated annual income of his archdiocese. Besides, the bishops of Győr and Veszprém gave together 66 florins; a sum which they had previously borrowed from archbishop Csanád. Another document (table 2. nr. 21.) provides details on the allowances of the legate's subdelegates: 144 florins were counted for 3 subdelegates and their

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<sup>29</sup> In addition to the daily allowance, the papal tax collectors received a loan from the Apostolic Chamber to finance their journeys before leaving the Curia, which they had to pay back by deducting the sum from their payment. See the example of Petrus Gervasii in 1338: ASV Cam. Ap. Intr. et Ex. 171, fol. 85r.

<sup>30</sup> So had the *nuntii* sent to Louis I, namely Francis, bishop of Trieste (04. 12. 1345: ASV Reg. Vat. 139, fol. 305v, ep. 1342.), Matteo Ribaldi, *nuntius* was sent to Rome by Clement VI (18. 08. 1347: ASV Reg. Vat. 141, fol. 37v, ep. 148.), and also Peter, bishop of Viterbo (13. 05. 1348: ASV Reg. Vat. 141, fol. 279v, ep. 1417.)

<sup>31</sup> We can evoke the example of Cardinal Gentile: although he was able to collect some payments, the Hungarian clergy remained indebted to the Apostolic Chamber with a considerable part of the procurations. Thus, pope John XXII instructed the tax collector Rufinus who was sent to Hungary in 1317 to finish the collection. 17. 06. 1318: ASV Reg. Vat. 67r, ep. 85, AOKlt V, p. 73, nr. 162.

<sup>32</sup> For the edited version of the account book's fragments see MON VAT I/2, p. 416–472.

<sup>33</sup> Boccasini obliged the archbishop of Salzburg and the chapter to pay 120 Viennese marks in 1303 as he was passing through the archdiocese. 17. 02. 1303: AT-HHStA SbgE (Österreichisches Staatsarchiv Haus-, Hof- und Staatsarchiv, Salzburg, Erzstift) AUR 1303 II 17; [http://monasterium.net/mom/AT-HHStA/SbgE/AUR\\_1303\\_II\\_17/charter](http://monasterium.net/mom/AT-HHStA/SbgE/AUR_1303_II_17/charter). (access: July 13, 2018) For the quittance see 12. 03. 1303: (Freisach) AT-HHStA SbgE (Österreichisches Staatsarchiv Haus-, Hof- und Staatsarchiv, Salzburg, Erzstift) AUR 1303 III 12; [http://monasterium.net/mom/AT-HHStA/SbgE/AUR\\_1303\\_III\\_12/charter?q=ostia](http://monasterium.net/mom/AT-HHStA/SbgE/AUR_1303_III_12/charter?q=ostia). (access: July 13, 2018) In case of Boccasini's legation, only these two documents provide information on the procurations.

<sup>34</sup> HC I. p. 432.

<sup>35</sup> CVH I/9. p. XLVII.

entourage for 12 days, but finally they agreed to have 12 florins less, which means that instead of the originally demanded daily allowance of 4 florins, the subdelegates and their entourage shared 3,6 florins a day. The documents issued during the legation of Gui de Boulogne in Hungary also demonstrate that sometimes concessions were made: the cardinal exempted from the duty of payment the Clarisses of Bratislava (Pozsony) and Trnava (Nagy-szombat) as a result of the request made by queen Elisabeth (table 2. nr. 5.).

After having reviewed the financial aspects of the legation, I would like to present the known members of the legate's court. The above-mentioned Ildebrandino Conti, bishop of Padua<sup>36</sup> was undoubtedly the most significant member of the entourage of the cardinal, as the legate – before his departure from the country only after one week of negotiations – appointed him as his deputy (*subdelegatio*, table 2. nr. 20.). What is more, it is important to emphasize that Conti knew the Neapolitan case in detail. After having been delegated to the Iberian Peninsula and Genova as a *nuntius*,<sup>37</sup> Clement VI sent him in the same function to the Kingdom of Naples in summer 1346, since the departure of the papal legate, cardinal Bertrand de Déau was delayed.<sup>38</sup> In Naples, he had authorisation to handle such crucial issues as the custody of Andrew's son, Charles Martell, and the decision on the dispensation for queen Joan I's next marriage.<sup>39</sup> In spring 1347, he reported to the pope about the initial findings of the investigation concerning Andrew's death,<sup>40</sup> then he probably set off for Padua where he arrived in October.<sup>41</sup> Presumably he joined cardinal Gui de Boulogne when the legate travelled through the city at the beginning of March 1349.<sup>42</sup> Conti was delegated as *nuntius* by the cardinal,<sup>43</sup> and a smaller group of papal representatives met queen Elisabeth

<sup>36</sup> Ildebrandino Conti was the bishop of Padua from 27. 06. 1319 until his death on 02. 11. 1352. HC I. p. 385–386. For his biography see KOHL 1983.

<sup>37</sup> On his delegation to Genova see 17. 01. 1345: ASV Reg. Vat. 138, fol. 294v, ep. 1101.

<sup>38</sup> 15. 06. 1346: ASV Reg. Vat. 140, fol. 31r, ep. 101; AOKlt. XXX, p. 280, nr. 453. On the same day Clement VI informed queen Joan I and other people involved about the delegation of the *nuntius*: ASV Reg. Vat. 140, fol. 32r, ep. 102–113; AOKlt. XXX, p. 280, nr. 454.

<sup>39</sup> 17. 07. 1346: ASV. Reg. Vat. 140. fol. 59r–62r, ep. 255–257; THEINER I. p. 716–719. nr. MLXXXIII and MLXXXIV; AOKlt. XXX, p. 321–324, nr. 535–537. The document also reveals that the fellow delegate of Ildebrandino Conti was William, bishop of Cassino. On him see HC I. p. 169.

<sup>40</sup> 22. 04. 1347: ASV Reg. Vat. 140, fol. 276r, ep. 1230; AOKlt. XXXI, p.193, nr. 338.

<sup>41</sup> KOHL 1983.

<sup>42</sup> The itinerary of Gui de Boulogne can be reconstructed as follows: he left the papal curia around 15. 01. 1349, at the end of the month he arrived in Milano, and on 9 March in Padua. He passed through Venice, then he was in Treviso on 13. 04. On 26. 04. 1349 he issued a document in San Salvatore, in the diocese of Ceneda, which means that from Treviso he continued his journey to north east. He crossed the Alps and arrived in Vienna at the end of May or at the beginning of June 1349. From here he travelled together with king Louis I to Bratislava (Pozsony). MALÉTH 2015. p. 32–34. The theory that Ildebrando Conti joined the legate on his way is confirmed by a letter of Clement VI. This document reveals that the Gui de Boulogne informed the pope about the presence of the bishop in his entourage, and the pope had not had any knowledge about it previously. 16. 08. 1349: ASV. Reg. Vat. 143, fol. 62r; AOKlt. XXXIII, p. 302, nr. 607.

<sup>43</sup> “[...] *per reverendissimum patrem dominum Guidonem tituli Sancte Cecilie presbiterum cardinalem apostolice sedis legatum ad serenissimum principem dominum Ludovicum Ungarie*

in Buda (table 2. nr. 19.) after Gui de Boulogne had left Hungary, but there is no sign of the continuation of diplomatic negotiations. The documents issued by the bishop (table 2. nr. 21–23, as mentioned above) concentrate mainly on the collection of the procurations. In addition to Conti, the names of five other members of the legate's entourage are revealed by the sources. Nicholas, a hermit of St. Augustine and professor of theology and Louis, canon of Laon are mentioned as associates (*sociis*) of bishop Conti, chaplains and *familiaris commensales* of Gui de Boulogne (table 2. nr. 20–21.).<sup>44</sup> Furthermore, bishop Conti was accompanied by his own chaplain, John, and as a member of his extended court Theodoricus de Bonavilla papal and imperial notary (*apostolica et imperiale auctoritate notarius*, both mentioned in the same document, table 2. nr. 22.). Two other documents issued by Gui de Boulogne in Rome (table 2. nr. 25–26.) refer to a certain Bartholomeus de Bostario as general auditor of the papal palace and of the cardinal's court (*sacri palatii et nostro generali auditor*), however, in his case it is not clear whether he accompanied the papal legate during his entire mission, or only joined him in Rome.

### The activity of the legate in the light of the faculties

The majority of Gui de Boulogne's legatine authorisations are dated to 30<sup>th</sup> November 1348 (see table 1). The number of the papal bulls publishing the faculties has been estimated to 70 by historians.<sup>45</sup> The fact that Clement VI described the legate's jurisdiction such elaborately resulted from the combination of different factors. First of all, the number of legatine faculties had been increasing since their introduction in the 13<sup>th</sup> century, what is more, the Apostolic Chancellery usually reused the previously published ones as formulae.<sup>46</sup> Secondly, the complexity of the tasks of Gui de Boulogne required him to proceed not only in the Hungarian Kingdom, but in some parts of Italy as well, thus his legatine province was more extensive and heterogenous than that of Boccasini or Gentilis.<sup>47</sup> Furthermore, another circumstance –

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*regem et partes aliquas eisdem regni nuntius destinatus [...]* – for the document see table 2. nr. 22. He is mentioned with the same title in table 2. nr. 21.

<sup>44</sup> On the general characteristics of the cardinals' *familia* see JÜGIE 1991. p. 41–59; KISS 2015. p. 66–68.

<sup>45</sup> JÜGIE 1989. p. 38; MALECZEK 2003. p. 43; KALOUS 2017. p. 41. As table 1 shows, the estimations differ only slightly from the real number.

<sup>46</sup> KALOUS 2017. p. 41, 71. In comparison: the number of faculties in case of Boccasini was 33, and in case of Gentilis 14.

<sup>47</sup> Boccasini and Gentilis had authorisation for the Hungarian Kingdom, Poland, Dalmatia, Croatia, Bosnia (Rama), Serbia, Lodomeria, Galicia and Cumania as legates. 13. 05. 1301: ASV Reg. Vat. 50, fol. 115v XV; THEINER I. p. 385–386, nr. DCXIX; AOKlt. I, p. 58–59, nr. 40. and 8. 08. 1307: ASV Reg. Vat., 54. fol. 151v ep. 27; THEINER I. p. 415–417, nr. DCLXIV; AOKlt. II, p. 93, nr. 201. Gui de Boulogne had legatine authority for the archdioceses of Salzburg, Aquileia, Milan, Grado, Genova, Split, Ragusa, Antivar and Zadar, for the dioceses of Bologna, Ferrara, Pavia, Parma, Modena and Piacenza and for the territory of Reggio d'Emilia. 30. 11. 1348: ASV Reg. Vat. 187, fol. 16v, ep. 82, and based on the Registers of Avignon: AOKlt. XXXII, p. 404, nr. 807, and JÜGIE 1989. p. 38.

which was unrelated to the Hungarian-Neapolitan issue – should be considered, namely that Gui de Boulogne’s delegation was close to the beginning of the jubilee (Christmas 1349). Thus, the legate’s mission was designed to offer him an opportunity to visit Rome in 1350 (table 1. IV/nr. 72–73).<sup>48</sup> As a consequence, some specificities emerged in case of Gui de Boulogne’s faculties which are evident especially in comparison with the legations of Boccasini<sup>49</sup> and Gentile in Hungary.<sup>50</sup> A significant difference was the application of “localized” faculties, meaning that some authorizations had geographically limited validity (for example, only for the archdiocese of Salzburg, table 1. I/nr. 2, II/nr. 54. and IV/nr. 74). In addition, the legate received particularly broad authority for granting dispensations and spiritual graces (table 1. IV.), presumably as a consequence of the jubilee.<sup>51</sup>

Based on the nature of the cases which the faculties described, four categories can be differentiated.<sup>52</sup> Firstly, Clement VI conferred on cardinal Gui some powers which facilitated the organisation of the legation (table 1. I.). These faculties concerned questions like raising funds for the mission (i.e. the collection of the above-mentioned procurations, and sanctioning the failure of payment), employment of the administrative and other personnel of the legation (e.g. table 1. I/nr. 5: the cardinal could grant the office of *tabellio* for 40 competent people, and table 1. I/nr. 9: he could force ecclesiastics – even outside his legatine provinces, and if necessary with the application of ecclesiastical censures – to perform tasks connected to his legation). The second group of the faculties determined the jurisdiction of the legate (table 1. II.); meaning on what kind of legal issues he could decide, against whom, when and how he could take sanctions. The third type of faculties gave authorisation to the legate to take actions which concerned the ecclesiastical hierarchy of the local church (table 1. III).<sup>53</sup> These faculties enabled the legate to confer ecclesiastical benefices, moreover, they gave power to consent to changes

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<sup>48</sup> JUGIE 1989. p. 50–56.

<sup>49</sup> For Boccasini’s faculties see 13. 05. 1301: ASV Reg. Vat., 50. fol. 116r–118v ep. 17–48.

<sup>50</sup> For Gentilis’ faculties see 08. 08. 1307: ASV Reg. Vat. 54, fol. 106 r–v, 151v–152v.

<sup>51</sup> The legate commissioned particularly to Rome for the jubilee was Anibaldo Caetani di Ceccano. JUGIE, 1989. p. 56. However, the pope instructed Gui de Boulogne as well to promulgate the jubilar indulgences in his legatine provinces. 30. 03. 1349: ASV Reg. Vat. 142, fol. 189v, ep. 866, ASV Reg. Vat. 244 M, fol. 43, ep. 117; AOKlt. XXXIII, p. 131, nr. 239; Lettres de Clément VI France II, p. 531, nr. 4125.

<sup>52</sup> Antonín Kalous also described four categories of the faculties: 1. benefices, 2. indulgences and other graces, 3. cases which belonged to the jurisdiction of Apostolic Penitentiary, and 4. specific cases. KALOUS 2017. p. 69–90. However, Kalous examined the specificities of the 15<sup>th</sup> century, when – especially compared to the beginning of the 14<sup>th</sup> century – the jurisdiction and organisation of the institutes of the papal curia was better defined, more elaborated. Moreover, a considerable part of Gui de Boulogne’s faculties would not fit into any of the categories used by Kalous (especially the faculties concerning the organisation of the legation), this is the reason why I decided not to apply Kalous’s classification.

<sup>53</sup> While the *nuntii* Francis, bishop of Trieste and Bertrand, patriarch of Aquileia were authorised in separate faculties to convene the local clergy and preside over ecclesiastical synods (28. 12. 1345: ASV Reg. Vat. 139, fol. 175v, ep. 724; 09. 01. 1346: ASV Reg. Vat. 139, fol. 183v, ep. 782.), this right was granted to the legates by the canon law.

concerning ecclesiastical offices which normally depended on papal permission. The fourth category is constituted by the faculties which discussed spiritual graces (table 1. IV): here belong those spiritual privileges which were granted by the pope to the legate for the time of his mission, and also those spiritual concessions which the legate could endow.

As far as Gui de Boulogne's legation to the Hungarian Kingdom is concerned, it is a topic which does not abound with sources. There are only 6 documents which were issued by the legate in the Hungarian Kingdom or concerned the Hungarian church (table 2. nr. 1, 3, 5, and 24–26). The number of the charters published by the legate's deputies is five (table 2. nr. 19, and 20–23). There is another charter issued by the chapter of Székesfehérvár which reports about the execution of the legate's instructions (table 2. nr. 6.). To determine which authorisations Gui de Boulogne used during his legation to Hungary, we have to classify these sources based on the faculty-categories described above. It can be concluded that half of the sources (5) emerged from the first group (namely the faculties concerning the organisation of the legation, table 2. nr. 5, 20–23.). Four other documents are difficult to categorize; the legate handled these cases based on his authority provided by the canon law:<sup>54</sup> one concerns a change in the ecclesiastical structure (he permitted an incorporation table 2. nr. 24.), and three report about measures that were taken to protect the rights of an ecclesiastical institute (the abbacy of Pannonhalma, table 2. nr. 1, 3, 6.).<sup>55</sup> Furthermore, if we include those cases in the examination which Gui de Boulogne managed in Austria and in Bohemia parallel to the stay of his deputies in Hungary, then the sources which ratified some structural changes in the local church predominate the source basis of the legation (mainly granting permissions for further incorporations table 2. nr. 4, 8, 11–13, 15, 17–18.).<sup>56</sup> Besides, the lack of documents granting spiritual graces is striking, especially considering the high number of faculties which described the legate's related powers.

As a conclusion, we can say that the consideration of the institutional-historical aspects of the legation of Gui de Boulogne shed light on some

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<sup>54</sup> KALOUS 2017. p. 55–62.

<sup>55</sup> The violation of the rights of the abbacy of Pannonhalma to collect tithes in Somogy county was a problem with a rather long history. Previously another papal legate – Niccolò Boccasini – tried to take measures as well: he authorised the abbot of Pannonhalma to excommunicate those laymen in Somogy county who had not paid the tithe to the abbacy for a long time. 31. 10. 1301: MNL-OL DF 283847; AOKt. I 84–85. (nr. 98); PRT II. 96.

<sup>56</sup> The homogeneity of the sources published by the legate suggests that the mission of Gui de Boulogne might have had an underlying reason: to favour the previous supporters of Louis IV (the Bavarian), Holy Roman emperor (1314–1347) and to weaken the Wittelsbach party in the Empire. The political power of the house of Wittelsbach was still considerable, even after the death of Louis IV in October 1347. In order to neutralize the effects of the ecclesiastical retributions of the papal court taken against him, Louis IV pursued an ecclesiastical policy which was characterised by privileges given to monasteries and religious orders. The diocese of Passau lied in the Duchy of Bavaria which was at the time still governed by the sons of Louis IV, so the papal court presumably tried to increase its influence through the concessions which were given by the legate. BENKER 1997. p. 218–223, 251–258.



specificities. First, the funding of the cardinal's mission – namely that the legate was entitled not only to procurations, but as well to an occasional sum provided by the local prelates – reflects a provisional state. Because of the opposition of the local clergy and its uncertain nature which affected the willingness of the cardinals for cooperation, the Holy See gradually replaced the legatine procurations by the end of the century with systematically guaranteed allowance. It can be also concluded that the number of faculties increased considerably in case of Gui de Boulogne's legation, especially in comparison to the commissions of the two *legati a latere* (Niccolò Boccasini, Gentile da Montefiori) who had visited Hungary in the beginning of the 14<sup>th</sup> century. This change emerged presumably from two factors: the magnitude of the legatine province, and the proximity of the jubilee of 1350. Although the examination of Gui de Boulogne's legatine activity in Hungary is based on a limited number of sources, it is possible to draw some general conclusions. Most importantly, the diplomatic aim of the legation (namely discouraging Louis I from a second campaign to Naples) could not be achieved: Louis I only was not discouraged from attacking Naples, he only postponed the date of the second military campaign. The sources issued by the legate or his deputies in Hungary report primarily about the collection of the procurations, or promulgated decisions concerning the local ecclesiastical structure (incorporations). Because of the beginning of the jubilee and the great number of related faculties, the lack of spiritual graces granted by the legate in Hungary is rather puzzling.

**Table 1: The faculties of Gui de Boulogne<sup>1</sup>**

#	<i>Facultas</i>	Signature	Edited version
I. Organisation of the legation			
1.	As a papal legate, he can collect procurations on the territory of the Hungarian Kingdom	ASV Reg. Vat. 187, f. 27v, ep. 158.	AOkt. XXXII, p. 421, nr. 873., Lettres de Clément VI, p. 248, nr. 1865.
2.	He can demand the arrears of procurations of previous legates in the archdiocese of Salzburg	ASV Reg. Vat. 187, f. 27, ep. 156.	Lettres de Clément VI, p. 248, nr. 1863.
3.	He can collect procurations on the territory of Lombardy	ASV Reg. Vat. 187, f. 27v, ep. 160.	Lettres de Clément VI, p. 249, nr. 1867.
4.	He can compel the members of the secular clergy and the religious orders to pay procurations	ASV Reg. Vat. 187, f. 22, ep. 118	AOkt. XXXII, p. 411, nr. 835, Lettres de Clément VI, p. 247, nr. 1851.
5.	He can confer the office of <i>tabellio</i> to 40 competent people	ASV Reg. Vat. 187, f. 19 v <sup>o</sup> , ep. 100.	AOkt. XXXII, p. 407, nr. 820, Lettres de Clément VI, p. 249, nr. 1872.
6.	He is authorised to exercise his full authority during his legation	ASV Reg. Vat. 187, f. 21 v, ep. 108.	AOkt. XXXII, p. 409, nr. 825, Lettres de Clément VI, p. 249, nr. 1872.
7.	He can travel freely, as he sees it necessary, despite the constitutions of the Lateran Council <sup>2</sup>	ASV Reg. Vat. 187, f. 22, ep. 117.	AOkt. XXXII, p. 411, nr. 834, Lettres de Clément VI, p. 247, nr. 1850.
8.	He can compel prelates, clergymen and members of religious orders to provision his envoys	ASV Reg. Vat. 187, f. 26r-v, ep. 150.	AOkt. XXXII, p. 419, nr. 868, Lettres de Clément VI, p. 249, nr. 1872.
9.	He can compel clergymen – if necessary with ecclesiastical censures – to render him services outside his legatine provinces	ASV Reg. Vat. 187, f. 26, ep. 148.	AOkt. XXXII, p. 419, nr. 866, Lettres de Clément VI, p. 248, nr. 1860.
10.	He is authorised to start exercising his legatine powers	ASV Reg. Vat. 187, f. 19, ep. 93.	AOkt. XXXII, p. 406, nr. 814, Lettres de Clément VI, p. 249, nr. 1872.
11.	If he leaves his legatine provinces, he can return and exercise his powers uninterruptedly	ASV Reg. Vat. 187, f. 19, ep. 94.	AOkt. XXXIII, p. 406, nr. 815, Lettres de Clément VI, p. 249, nr. 1872.

<sup>1</sup> Most of the faculties were dated 30. 11. 1348; if a faculty was issued on a different date, it is indicated in the footnote.

<sup>2</sup> This faculty granted free travel to the legate despite the valid synodal regulations (*constitutione generalis concilii non obstante*). It refers to the fourth canon of the Third Lateran Council (1179) which intended to alleviate the burdens of the local clergy and Christians caused by the provisioning of the legates by – among other things – limiting the number of horses. Accordingly, a cardinal could not travel with an entourage which uses more than 25 horses. HEFELE 1913. p. 1091–1092.

12.	He can charge Franciscans, Dominicans or members of other religious orders with tasks and he can give them permission to consume meat or ride a horse in the meantime	ASV Reg. Vat. 187, f. 23, ep. 126.	AOkt. XXXII, p. 413, nr. 844, Lettres de Clément VI, p. 249, nr. 1872.
13.	He and his familiars have the permission to negotiate with excommunicated people	ASV Reg. Vat. 187, f. 24r, ep. 137.	AOkt. XXXII, p. 416, nr. 855, Lettres de Clément VI, p. 249, nr. 1872.
14.	He can provide his delegates sent to Louis I with <i>securus conductus</i> <sup>3</sup>	ASV Reg. Vat. 143, f. 217v	Lettres de Clément VI France II, p. 84, nr. 4511.
<b>II. Ecclesiastical jurisdiction</b>			
15.	He can inflict ecclesiastical censure on those – including prelates – who disturb the execution of his tasks or contradict him	ASV Reg. Vat. 187, f. 18 v°, ep. 92.	AOkt. XXXII, p. 406, nr. 813, Lettres de Clément VI, p. 249, nr. 1872.
16.	He can absolve those who were excommunicated by (since then deceased or absent) judge delegates or executors of the Holy See	ASV Reg. Vat. 187, f. 26, ep. 146.	AOkt. XXXII, p. 418, nr. 864, Lettres de Clément VI, p. 248, nr. 1862.
17.	He can publish citations and notifications in his legatine provinces	ASV Reg. Vat. f. 22, ep. 116.	AOkt. XXXII, p. 411, nr. 833, Lettres de Clément VI, p. 249, nr. 1872.
18.	He can absolve 20 men and 20 women who are relatives on the third or fourth degree, yet they married without dispensation	ASV Reg. Vat. 187, f. 20, ep. 101.	AOkt. XXXII, p. 408, nr. 821, Lettres de Clément VI, p. 249, nr. 1872.
19.	He can grant marriage dispensation for 20 men and 20 women who are relatives on the fourth degree	ASV Reg. Vat. 187, f. 26r, ep. 145.	AOkt. XXXII, p. 418, nr. 863, Lettres de Clément VI, p. 249, nr. 1872.
20.	He can absolve people who had incestuous relation with their close female relatives (sisters, granddaughters, aunts)	ASV Reg. Vat. 187, f. 22v, ep. 119.	AOkt. XXXII, p. 412, nr. 837, Lettres de Clément VI, p. 249, nr. 1872.
21.	He can absolve people who murdered or robbed pilgrims, in case they return the possessions they stole	ASV Reg. Vat. 187, f. 22, ep. 113.	AOkt. XXXII, p. 410, nr. 830, Lettres de Clément VI, p. 249, nr. 1872.
22.	He can apply ecclesiastical censures against those who committed crimes heading to or leaving from his legatine curia	ASV Reg. Vat. 187, f. 22v, ep. 122.	AOkt. XXXII, p. 412, nr. 840, Lettres de Clément VI, p. 247, nr. 1855.
23.	He can compel anybody who committed crime heading to or leaving from his legatine curia to make compensation	ASV Reg. Vat. 187, f. 22v, ep. 120.	AOkt. XXII, p. 412, nr. 838, Lettres de Clément VI, p. 249, nr. 1872.
24.	He can absolve priests who blessed second marriages and administered the sacraments	ASV Reg. Vat. 187, f. 22v, ep. 121.	AOkt. XXII, p. 412, nr. 839, Lettres de Clément VI, p. 247, nr. 1854.

<sup>3</sup> 17. 05. 1350.

25.	He can give order to arrest those clergymen who preach against his legation	ASV Reg. Vat. 187, f. 23, ep. 123.	AOkt. XXXII, p. 413, nr. 841, Lettres de Clément VI, p. 249, nr. 1872.
26.	He can proceed against heretics and the people who support them	ASV Reg. Vat. 187, f. 23, ep. 125.	AOkt. XXXII, p. 413, nr. 843, Lettres de Clément VI, p. 249, 1872. sz.
27.	He can initiate an enquiry against inquisitors of heresies or against those who committed excesses against heretics, he can remove them from their offices and appoint replacements	ASV Reg. Vat. 187, f. 23v-24r, ep. 134.	AOkt. XXXII, p. 415, nr. 852, Lettres de Clément VI, p. 249, nr. 1872.
28.	He can summon anybody, including every clerical person	ASV Reg. Vat. 187, f. 23, ep. 127.	AOkt. XXXII, p. 414, nr. 845, Lettres de Clément VI, p. 248, nr. 1857.
29.	He can punish the forgers of papal letters	ASV Reg. Vat. 187, f. 23 v, ep. 128.	AOkt. XXXII, p. 414, nr. 846, Lettres de Clément VI, p. 249, nr. 1872.
30.	He can absolve those who were excommunicated based on the constitutions of the Council of Vienne	ASv Reg. Vat. 187, f. 23v, ep. 129.	AOkt. XXXII, p. 414, nr. 847, Lettres de Clément VI, p. 249, nr. 1872.
31.	He can absolve those who were accused of murdering or mutilating their own parents or siblings	ASV Reg. Vat. 187, f. 23v, ep. 133.	AOkt. XXXII, p. 415, nr. 851, Lettres de Clément VI, p. 249, nr. 1872.
32.	He can annul the punishments he proclaimed against those who contradict him	ASV Reg. Vat. 187, f. 24r, ep. 135.	AOkt. XXXII, p. 416, nr. 853, Lettres de Clément VI, p. 249, nr. 1872.
33.	He can absolve in his legatine provinces those who were excommunicated, yet they entered religious orders or administered the sacraments	ASV Reg. Vat. 187, f. 26, ep. 149.	AOkt. XXXII, p. 419, nr. 867, Lettres de Clément VI, p. 248, nr. 1861.
34.	He can absolve those clergymen who were excommunicated based on the constitutions of Innocent IV, yet they celebrated masses or administered the sacraments	ASV Reg. Vat. 187, f. 23v, ep. 130.	AOkt. XXXII, p. 414, nr. 848, Lettres de Clément VI, p. 249, nr. 1872.
35.	He can absolve those who celebrated masses - despite knowing the prohibition - in interdicted places	ASV Reg. Vat. 187, f. 26, ep. 147.	AOkt. XXXII, p. 419, nr. 865, Lettres de Clément VI, p. 249, nr. 1872.
36.	He can absolve those who were excommunicated because of plundering or burning religious places, or committed sacrilege	ASV Reg. Vat. 187, f. 25 v, ep. 144.	Lettres de Clément VI, p. 249, nr. 1872.
37.	He can absolve those people in Lombardy, Hungary and in the archdiocese of Salzburg who supported Louis the Bavarian and	ASV Reg. Vat. 187, f. 28v, ep. 165.	AOkt. XXXIII, p. 45, nr. 16, Lettres de Clément VI, p. 252, nr. 1891.

	participated in ecclesiastical rituals despite irregularities or being excommunicated <sup>4</sup>		
38.	He can absolve in Lombardy and in Hungary those who were excommunicated because of supporting Louis the Bavarian <sup>5</sup>	ASV Reg. Vat. 195, f. 2., ep. 5.	Lettres de Clément VI, p. 276, nr. 2017.
39.	He can absolve 100 people <sup>6</sup> in his legatine provinces of <i>publica honestas</i> <sup>7</sup>	ASV Reg. Vat. 187, f. 28, ep. 163.	AOklt. XXXIII, p. 155, nr. 295, Lettres de Clément VI, p. 268, nr. 1990.
<b>III. Ecclesiastical hierarchy</b>			
40.	He can confer those ecclesiastical benefices in his legatine province which are vacant or are about to fall vacant, which were reserved to the Holy See by the constitutions of the Lateran Council and their annual income does not exceed 30 florins	ASV Reg. Vat. 187, f. 25v, ep. 141.	AOklt. XXXII, p. 427, nr. 859, Lettres de Clément VI, p. 249, nr. 1872.
41.	He can confer 30 vacant canonicates or prebends in cathedral or collegiate churches regardless any other ecclesiastical benefices of the receiver	ASV Reg. Vat. 187, f. 24v, ep. 139.	AOklt. XXXII, p. 417, nr. 857, Lettres de Clément VI, p. 249, nr. 1872.
42.	He can reserve in his legatine provinces 10 dignities in cathedral or collegiate churches	ASV Reg. Vat. 187, f. 20, ep. 102.	AOklt. XXII, p. 408, nr. 822., Lettres de Clément VI, p. 249, nr. 1872.
43.	He can confer those ecclesiastical benefices which fall vacant during his legation through the death or resignation of his chaplains or his commensal clerics ( <i>capellanos et clericorum tuorum commensalium</i> )	ASV Reg. Vat. 187, f. 18v, ep. 91.	Lettres de Clément VI, p. 249, nr. 1872.
44.	He can confer ecclesiastical benefices reserved to the pope or vacated in the papal curia, if they are free of tithe and their annual income does not exceed 15 florins	ASV Reg. Vat. 187, f. 24, ep. 138.	AOklt. XXXII, p. 416, nr. 856, Lettres de Clément VI, p. 248, nr. 1858.
45.	He can permit for his familiars and 40 other people ( <i>extraneus</i> ) to exchange their ecclesiastical benefices	ASV Reg. Vat. 187, f. 25, ep. 140.	AOklt. XXXII, p. 417, nr. 858, Lettres de Clément VI, p. 248, nr. 1859.
46.	He can permit for his familiars and 30 other people ( <i>extraneus</i> ) to exchange their ecclesiastical benefices	ASV Reg. Vat. 187, f. 19, ep. 98.	AOklt. XXII, p. 407, nr. 818, Lettres de Clément VI, p. 249, nr. 1872.
47.	He can permit for 6 friars of mendicant orders to enter any other (non-mendicant) orders, and acquire	ASV Reg. Vat. 187, f. 19v, ep. 99.	AOklt. XXXII, p. 407, nr. 819, Lettres de

<sup>4</sup> 11.01.1349.

<sup>5</sup> 18.06.1349.

<sup>6</sup> 01.05.1349.

<sup>7</sup> The *publica honestas* was a marriage impediment arising from previous illegitimate cohabitation. It happened mostly, if one of the cohabitants wanted to marry a first grade relative (e.g. the child) of the previous partner. ERDŐ 1991. p. 432.

	ecclesiastical offices, including abbas		Clément VI, p. 247, nr. 1849.
48.	He can permit for 10 members of non-mendicant religious orders to enter any other, less strict ( <i>laxior</i> ) order	ASV Reg. Vat. 187, f. 31v, ep. 131	AOklt. XXXII, p. 415, nr. 849, Lettres de Clément VI, p. 249, nr. 1872.
49.	He can confer ecclesiastical benefices in Hungary and Lombardy which are reserved to the pope or vacated in the papal curia, if they are free of tithe and their annual income does not exceed 8 silver marks	ASV Reg. Vat. 187, f. 28, ep. 162.,	AOklt. XXXII, p. 421, nr. 875, Lettres de Clément VI, p. 249, nr. 1868.
50.	He can give dispensation for 20 clerics younger than 20 of the irregularity of their age	ASV Reg. Vat. f. 21 v, ep. 111.	AOklt. XXXII, p. 409, nr. 828, Lettres de Clément VI, p. 249, nr. 1872.
51.	He can dispensation for 50 people with irregularity of birth to become subdeacons or deacons	ASV Reg. Vat. 187, f. 22, ep. 115.	AOklt. XXXII, p. 410, nr. 832, Lettres de Clément VI, p. 249, nr. 1872.
52.	He can allow archbishops or bishops to establish, consecrate or purify cemeteries or churches	ASV Reg. Vat. 187, f. 23v, ep. 132.	AOklt. XXXII, p. 415, nr. 850, Lettres de Clément VI, p. 249, nr. 1872.
53.	He can allocate monks in 100 Cistercian, Benedictine, Camaldulose or Vallambrosa monasteries in his legatine provinces, one person in each, to increase the number of monks to 12	ASV Reg. Vat. 187, f. 22. alja (szám nélkül)	AOklt. XXXII, p. 411, nr. 836, Lettres de Clément VI, p. 247, nr. 1852–1853.
54.	He can absolve 20 people in the archdiocese of Salzburg who did not take religious orders in the required time <sup>8</sup>	ASV Reg. Vat. 187, f. 27v, ep. 161.	AOklt. XXXIII, p. 45, nr. 15, Lettres de Clément VI, p. 252, nr. 1890.
55.	He can permit 20 clergymen who want to pursue university studies to receive the income of their ecclesiastical benefices in their absence for 3 years	ASV Reg. Vat. 187, f. 26v, ep. 152.	AOklt. XXXII, p. 420, nr. 870, Lettres de Clément VI, p. 249, nr. 1872.
IV. Spiritual graces			
56.	He can absolve 20 people who were born from presbyters <sup>9</sup>	ASV Reg. Vat. 187, f. 29r, ep. 167.	AOklt. XXXII, p. 206, nr. 391, Lettres de Clément VI, p. 225, nr. 1677 <sup>10</sup>
57.	He can absolve of the irregularity of birth 20 people who were born from adultery	ASV Reg. Vat. f. 21 v, ep. 109.	Lettres de Clément VI, p. 249, nr. 1872.

<sup>8</sup> 11. 01. 1349.

<sup>9</sup> 22. 06. 1348. (*IX kalende Julii anno septimo*).

<sup>10</sup> It is published in the Anjou-kori oklevéltár with the incorrect date of 22. 06. 1349 [AOklt. XXXIII, p. 237, nr. 466. referring also incorrectly to Lettres de Clément VI. (without page number) nr. 1667.]. It was also published dated to 30. 11. 1348 with incorrect folio number (ASV Reg. Vat. 187, fol. 29r instead of 28r, ep. 167.) in Lettres de Clément VI. p. 249, nr. 1870., and as well in AOklt. XXXII, p. 409, nr. 826; AOklt. XXXII, p. 421, nr. 876.

58.	He can give permission for 100 people to visit the Holy Sepulchre and other sacred places of the Holy Land <sup>11</sup>	ASV Reg. Vat. 187, f. 29r, ep. 168.	Lettres de Clément VI, p. 225, nr. 1678. <sup>12</sup>
59.	He can grant dispensation for 200 of their illegitimate birth in case they want to render service as armed clerics	ASV Reg. Vat. 187, f. 27r, ep. 154.	AOkt. XXXII, p. 420, nr. 871, Lettres de Clément VI, p. 249, nr. 1872.
60.	He can absolve of excommunication those who visited the Holy Sepulchre or paid tribute to the sultan without papal permission	ASV Reg. Vat. 187, f. 19, ep. 97.	AOkt. XXXII, p. 407, nr. 817, Lettres de Clément VI, p. 249, nr. 1872.
61.	He can take the confession of his familiars, he can absolve them, or he can give permission for a competent person to grant absolution for them	ASV Reg. Vat. 187, f. 19, ep. 96.	Lettres de Clément VI, p. 249, nr. 1872.
62.	He can choose the confessor of his familiars who can grant them absolution in cases that are normally reserved for the apostolic penitentiars ( <i>penitentiarii minores</i> ) <sup>13</sup>	ASV Reg. Vat. 187, f. 23, ep. 124.	AOkt. XXII, p. 413, nr. 842, Lettres de Clément VI, p. 248, nr. 1856.
63.	He can permit the clergymen who he hosts to consume meat	ASV Reg. Vat. 187, f. 20 v, ep. 103.	AOkt. XXII, p. 408, nr. 823, Lettres de Clément VI, p. 249, nr. 1872.
64.	He can grant full indulgence for his familiars in the moment of their death	ASV Reg. Vat. 187, f. 20 v, ep. 104.	AOkt. XXII, p. 408, nr. 824, Lettres de Clément VI, p. 249, nr. 1872.
65.	He can celebrate mass or have mass celebrated before sunrise	ASV Reg. Vat. 187, f. 19, ep. 95.	AOkt. XXII, p. 406, nr. 816, Lettres de Clément VI, p. 247, nr. 1848.
66.	He can celebrate mass or have mass celebrated in interdicted places	ASV Reg. Vat. 187, f. 24r, ep. 136.	AOkt. XXXII, p. 416, nr. 854, Lettres de Clément VI, p. 249, nr. 1872.
67.	He can grant 100 days of indulgence for those who help with building or maintaining churches, hospitals and bridges	ASV Reg. Vat. 187, f. 21 v, ep. 110.	AOkt. XXXII, p. 409, nr. 827, Lettres de Clément VI, p. 249, nr. 1872.
68.	He can grant one year and 40 days of indulgence any time he preaches the word of God	ASV Reg. Vat. f. 26 v, ep. 151.	AOkt. XXXII, p. 420, nr. 869, Lettres de Clément VI, p. 249, nr. 1872.

<sup>11</sup> Published twice with the dates 22. 06. 1348 (*IX kalende Julii anno septimo*) and 30. 11. 1348 in AOkt. XXXII, p. 422., nr. 877, and Lettres de Clément VI. 249. (nr. 1871.)

<sup>12</sup> Published with the incorrect date of 22. 06. 1349 in AOkt. XXXIII, p. 238, nr. 437. referring also incorrectly to Lettres de Clément VI. (without page number) nr. 1668.

<sup>13</sup> The minor penitentiars (*penitentiarii minores*) belonged to the personnel of the Apostolic Penitentiary. They received confessions in the most significant churches of the papacy (Saint Peter's and Lateran Basilicas, and in the Avignon period in the Notre-Dame-des-Domes), and they could grant absolution in cases which were reserved to the pope (e.g. in case of violence against clergymen). GÖLLER 1907. p. 134–136, SALONEN 2016. p. 259–260.

69.	He can grant one year and 40 days of indulgence for those who participate in the masses celebrated by him	ASV Reg. Vat. f. 21 v, ep. 112.	AOkt. XXXII, p. 410, nr. 829, Lettres de Clément VI, p. 249, nr. 1872.
70.	He can grant absolution in the cases which are reserved for the apostolic penitentiars ( <i>penitentiarii minores</i> ), or he can give permission to his penitentiary to do so	ASV Reg. Vat. 187, f. 22, ep. 114.	AOkt. XXXII, p. 410, nr. 831, Lettres de Clément VI, p. 249, nr. 1872.
71.	He can charge people who cannot fulfil their oaths with other pious tasks in the territory of his legation	ASV Reg. Vat. 187, f. 27r, ep. 155.	AOkt. XXXII, p. 420, nr. 872, Lettres de Clément VI, p. 249, nr. 1872.
72.	He is permitted to visit Rome during the jubilee and return to his legatine provinces afterwards	ASV Reg. Vat. 187, f. 25v, ep. 43, <sup>14</sup> and also ASV Reg. Vat. 142, f. 119r, ep. 621 // Reg. Vat. 244 L f. 60, ep. 164a <sup>15</sup>	AOkt. XXXII, p. 417–418, nr. 860–861, Lettres de Clément VI France II, p. 502, nr. 4014.
73.	He is authorised to celebrate masses at the main altars of the Roman basilicas during the jubilee	ASV Reg. Vat. 187, f. 25v, ep. 142, <sup>16</sup> and also ASV Reg. Vat. 142, f. 119r-v, ep. 622 // Reg. Vat. 244 L, f. 60, ep. 164b <sup>17</sup>	Lettres de Clément VI France II, p. 502, nr. 4015.
74.	He can give permission to confessors in the archdiocese of Salzburg – which is ravaged by the plague – to grant full indulgence in the moment of death until the following feast of the purification of Holy Mary <sup>18</sup>	ASV Reg. Vat. 143, f. 70.	Lettres de Clément VI, p. 284, nr. 2074.
75.	Anibaldo Caetani di Ceccano and Gui de Boulogne cardinals and papal legates are authorised to grant 15 days of jubilar indulgence even for those who cannot visit Saint Peter's Cathedral or the Lateran basilica <sup>19</sup>	ASV Reg. Vat. 192, f. 5v, ep. 84.	Lettres de Clément VI, p. 297, nr. 2142.

<sup>14</sup> 30. 11. 1348.

<sup>15</sup> 24. 12. 1348.

<sup>16</sup> 30. 11. 1348.

<sup>17</sup> 24. 12. 1348.

<sup>18</sup> 24. 09. 1349.

<sup>19</sup> 20. 02. 1350. With this decision the papal curia intended to alleviate the difficulties arising from the fact that the Holy City was not entirely prepared to provision and accommodate the enormous number of pilgrims who streamed to Rome during the jubilee.



**Table 2: The sources issued during the legation of Gui de Boulogne in Hungary<sup>1</sup>**

#	Date	Issuer	Place of issue	Content	Original	Edited version
1.	12.06.1349	Gui de Boulogne	Bratislava (Pozsony)	The legate commissions the abbot of the monastery of St. Giles of Somogy and the provost of Győr to enforce the rights of the abbacy of Pannonhalma for the collection of tithes after wines in the county of Somogy. The person who refuses the payment referring to some legal reasons should be summoned to the court of the legate in Bratislava (Pozsony) to the 9 <sup>th</sup> day after the date of the citation.	MNL-OL DF 207199	AOklt. XXXIII, p. 221, nr. 430.
2.	20.06.1349	Gui de Boulogne	Vienna	The legate instructs the archbishop of Salzburg to pay 6000 florins of procurations in 60 days after the delivery of the present notification. The archbishops and the bishop of Passau is obligated 1400-1400, and the suffragans 3200 florins.	Bayerische Hauptstaatsarchiv, Urkunden der Kloster Raitenhaslach Nr. 472 <sup>2</sup>	-
3.	27.06.1349	Gui de Boulogne	Vienna	The legate instructs the provost of Győr to ensure (if necessary with ecclesiastical censures) that the abbot of Pannonhalma will not be summoned to secular courts in lawsuits concerning tithes	MNL-OL DF 207169 <sup>3</sup>	AOklt. XXXIII, p. 242, nr. 476.
4.	30.06.1349	Gui de Boulogne	Vienna	The legate instructs the bishop of Passau to incorporate the pastoral church of Alland to the	Stiftsarchiv Heiligenkreuz <sup>4</sup>	Weis p. 210–211.

<sup>1</sup> For the first version of the table see MALÉTH 2015, p. 35–38. Compared to the first version, this table is published with minor corrections and alterations. The documents which were issued by Gui de Boulogne outside the Hungarian Kingdom were included in the table because of two reasons: firstly, because they were omitted by the earlier historians, and secondly, because these sources published simultaneously to the activity of Ildebrandino Conti, deputy of the cardinal in Hungary.

<sup>2</sup> [http://monasterium.net/mom/DE-BayHStA/KURaitenhaslach/1349\\_06\\_20/charter](http://monasterium.net/mom/DE-BayHStA/KURaitenhaslach/1349_06_20/charter). (access: March 7, 2019)

<sup>3</sup> [http://monasterium.net/mom/HU-PBFL/PannHOSB/1340\\_VI\\_27/charter?q=guido%20legatus](http://monasterium.net/mom/HU-PBFL/PannHOSB/1340_VI_27/charter?q=guido%20legatus) (incorrectly dated to 1340) (access: March 7, 2019)

<sup>4</sup> [http://monasterium.net/mom/AT-StiAH/HeiligenkreuzOCist/1350\\_VI\\_30/charter](http://monasterium.net/mom/AT-StiAH/HeiligenkreuzOCist/1350_VI_30/charter) (based on Weis incorrectly dated to 1350) (access: March 7, 2019)

				abbacy of Heiligenkreuz, if the arguments presented in their request turn out to be true		(dated to 1350)
5.	18.07.1349	Gui de Boulogne	Klosterneuburg	The legate approves to queen Elisabeth's request and absolves the Clarisses of Bratislava (Pozsony) and Trnava (Nagyszombat) of the duty of paying procurations	MNL-OL DL 4061	AOklt XXXIII, p. 274, nr. 548.
6.	22.07.1349	Székesfehérvári káptalan	Székesfehérvár	The chapter of Székesfehérvár – following the order of the papal legate Gui de Boulogne – transcribes those parts of St. Stephen's legend Szent István legend which concern the privileges of the abbacy of Pannonhalma in connection with the tithes in Somogy county	MNL-OL DF 207051 <sup>5</sup>	AOklt XXXIII, p. 278, nr. 555.
7.	28.07.1349	Gui de Boulogne	Klosterneuburg	The legate confirms the mandate of Albert, bishop of Passau proclaiming that the rector of the pastoral church of Waldkirchen is obliged to pay 14 denars per year to the Augustinian monastery of St. Florian in the diocese of Passau	Stiftsarchiv St. Florian <sup>6</sup>	<i>Urkundenbuch</i> VII, p. 119–120.
8.	28.07.1349	Gui de Boulogne	Klosterneuburg	The legate confirms the mandate the bishop of Passau about the incorporation of the pastoral church of Ried for the Augustinian monastery of St. Florian in the diocese of Passau	Stiftsarchiv St. Florian	<i>Urkundenbuch</i> VII, p. 193–194 (dated to 1350)
9.	01.08.1349	Gui de Boulogne	Klosterneuburg	The legate instructs the bishop of Passau to protect the Dominicans and the Minorites from the heresies of Johannes Polliacus (Jean de Pouilly), especially about confessions, and describes the bull of John XXII dated to 24.07.1321 concerning the issue	Minoriterkonvent Wien <sup>7</sup>	–

<sup>5</sup> Mentioned in PRT II. 56, 95; PRT II. 394–395, nr. 125, see the full transcript of the document.

<sup>6</sup> [http://monasterium.net/mom/AT-StiASF/StFlorianCanReg/1349\\_VII\\_28/charter](http://monasterium.net/mom/AT-StiASF/StFlorianCanReg/1349_VII_28/charter) (access: March 7, 2019)

<sup>7</sup> <http://monasterium.net/mom/AT-AWMK/WienOFMConv/54/charter>. (access: March 7, 2019)

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10.	04.08.1349	Gui de Boulogne	Klosterneuburg	The legate confirms the endowment of St. Stephen's church of Zwentendorf to the chapter of Passau previously made by the bishop of Passau	Domkaptiel Passau <sup>8</sup>	–
11.	18.08.1349	Gui de Boulogne	Klosterneuburg	The legate instructs the abbot of Zwettl to examine the request of the abbacy of Altenburg about the incorporation of the churches of Röhrnbach and Strögen	Stiftsarchiv Altenburg <sup>9</sup>	BURGER p. 227–228.
12.	28.08.1349	Gui de Boulogne	Znojmo	The legate instructs the abbot of Melk to examine the request of provost Henry and the Augustinian convent of Waldhausen in the diocese of Passau about the incorporation of the pastoral church of St. Georgen am Walde	OÖLA Linz, Bestand Windhaag <sup>10</sup>	<i>Urkundenbuch</i> VII, p. 126.
13.	28.08.1349	Gui de Boulogne	Znojmo	The legate instructs the abbot of Melk to examine the request of the Benedictine abbacy of Gleink about the incorporation of the pastoral church of St. Severin in Haidershofen	OÖLA Linz, Bestand Gleink <sup>11</sup>	<i>Urkundenbuch</i> VII, p. 127.
14.	31.08.1349	Otto, Cist. abbot of Zwettl		The abbot of Zwettl reports the results of the examination to the legate <sup>12</sup>	Stiftsarchiv Altenburg <sup>13</sup>	BURGER p. 228–229.
15.	02.09.1349	Gui de Boulogne	Znojmo	The legate approves the incorporation of the pastoral church in Strögen for the Benedictine abbacy of St. Lambert in Altenburg <sup>14</sup>	?	BURGER p. 229–230.

<sup>8</sup> <http://monasterium.net/mom/DE-BayHStA/PassauDomkapitel/417/charter>. (access: March 7, 2019)

<sup>9</sup> [http://monasterium.net/mom/AT-StiAA/Urkunden/1349\\_VIII\\_18/charter](http://monasterium.net/mom/AT-StiAA/Urkunden/1349_VIII_18/charter). (access: March 7, 2019)

<sup>10</sup> [http://monasterium.net/mom/WaldCanReg/1349\\_VIII\\_25/charter](http://monasterium.net/mom/WaldCanReg/1349_VIII_25/charter). (access: March 7, 2019)

<sup>11</sup> [http://monasterium.net/mom/AT-OOeLA/GleinkOSB/1349\\_VIII\\_28/charter](http://monasterium.net/mom/AT-OOeLA/GleinkOSB/1349_VIII_28/charter). (access: March 7, 2019)

<sup>12</sup> At the end of the document there is a remark from Gui de Boulogne with the date of 1<sup>st</sup> of September of the same year, Znojmo.

<sup>13</sup> [http://monasterium.net/mom/AT-StiAA/Urkunden/1347\\_IX\\_02/charter](http://monasterium.net/mom/AT-StiAA/Urkunden/1347_IX_02/charter) (incorrectly dated to 1347). (access: March 7, 2019)

<sup>14</sup> In 1350 Albert II, duke of Austria confirmed the endowment in a German-language document. [http://monasterium.net/mom/AT-StiAA/Urkunden/1350\\_III\\_01/charter](http://monasterium.net/mom/AT-StiAA/Urkunden/1350_III_01/charter). (access: March 7, 2019)

16.	03.09.1349	Ludovicus, abbot of Melk	Melk	The abbot of Melk reports to the legate about the insufficiencies of the incomes of the Benedictine abbacy in Gleink	OÖLA Linz, Bestand Gleink <sup>15</sup>	<i>Urkundenbuch VII</i> , p. 128.
17	04.09.1349	Gui de Boulogne	Znojmo	The legate approves the incorporation of the pastoral church in St. Georgen am Walde for the convent of Waldhausen	-	<i>Urkundenbuch VII</i> , p. 129–130.
18.	06.09.1349	Gui de Boulogne	Znojmo	The legate approves the incorporation of the pastoral church in Haidershofen for the abbacy in Gleink	OÖLA Linz, Bestand Gleink <sup>16</sup>	<i>Urkundenbuch VII</i> , p. 130–131.
19.	06.09.1349	Ildebrandino Conti	Buda	The bishop testifies that <i>magister</i> John and Petrus Begonis <sup>17</sup> – the procurators of cardinal Guillaume de la Jugie <sup>18</sup> in Hungary – delivered the papal letters to the archbishop of Esztergom which impose biannual tithe on the domain <i>Nigropontis</i>	MNL- OL DF 248989	AOklt. XXXIII, p. 331, nr. 672.
20.	27.09.1349	Ildebrandino Conti	Esztergom	The bishop transcribes the bull of Clement VI addressed to the Hungarian clergy about the legation of cardinal Gui in Hungary, as well as the document in which the legate delegated him as <i>nuntius</i>	MNL-OL DF 248988	AOklt. XXXIII, p. 356–357, nr. 728.
21.	28.09.1349	Ildebrandino Conti	Esztergom	The bishop ordains the archbishop of Esztergom and the bishops of Győr and Veszprém to pay 132	MNL-OL DF 248986	AOklt. XXXIII, p. 357–358, nr. 731.

<sup>15</sup> [http://monasterium.net/mom/AT-00eLA/GleinkOSB/1349\\_IX\\_03/charter](http://monasterium.net/mom/AT-00eLA/GleinkOSB/1349_IX_03/charter). (access: March 7, 2019)

<sup>16</sup> [http://monasterium.net/mom/AT-00eLA/GleinkOSB/1349\\_IX\\_06/charter](http://monasterium.net/mom/AT-00eLA/GleinkOSB/1349_IX_06/charter). (access: March 7, 2019)

<sup>17</sup> Petrus Begonis, clergyman from the diocese of Limoges and John, son of Dominik lector of Eger mentioned as procurators of cardinal Pierre de la Jugie: June 11, 1343: ASV Reg. Vat. 137, fol. 26v–27r, ep. 73–76; AOklt. XXVII 256. (nr. 395–396.); mentioned as *licentiatus in legibus* who was delegated to proceed in the case of prince Andrew: September 8, 1345: ASV Reg. Vat. 139, fol. 114v, ep. 446–447; AOklt. XXIX 361. (nr. 633); *bacallarius in legibus*, papal chaplain, *familiaris commensalis* of cardinal de la Jugie, procurator of the cardinal in Hungary and Poland asked and received a prebend in Wrocław: October 20, 1345: ASV Reg. Av. 10, fol. 72r, ASV Reg. Vat. 169, fol. 230r; AOklt. XXIX 413–. (nr. 750–751.), chancellor of the church of Wrocław, papal chaplain, *bacallarius in legibus*, *nuntius* of the Holy See in Hungary: August 5, 1351: ASV Reg. Vat. 145, fol. 35r–36r, ASV Reg. Vat. 145, fol. 44r, likewise August 7, 1351: ASV Reg. Vat. 145, fol. 49 r–v.

<sup>18</sup> Cardinal deacon of S. Maria in Cosmedin between 1342 and 1368, and cardinal presbyter of S. Caecilia between 1368 and 1374. H.C.I. p. 40, 51.

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				florins of procuration for his own, friar Nicholas' and Louis', canon of Laon provisions		
22.	28.09.1349	Ildebrandino Conti	Esztergom	The bishop issues a quittance of 132 florins which was paid by Csanád, archbishop of Esztergom	MNL-OL DF 248987	AOklt. XXXIII, p. 358, nr. 732.
23.	28.09.1349	Ildebrandino Conti	Esztergom	The bishop and Louis, canon of Laon issue a quittance of 414 florins which was paid by Csanád, archbishop of Esztergom	MNL-OL DL 4079	AOklt. XXXIII, p. 357, nr. 730.
24.	10.10.1349	Gui de Boulogne	Friesach	The legate approves the incorporation of the pastoral church of Ófalu ( <i>Antiqua villa</i> ) for the Carthusian monastery of Spiš (Szepes)	MNL-OL DF 266968	AOklt. XXXIII, p. 369, nr. 759.
25.	25.03.1350	Gui de Boulogne	Rome	The legate instructs the bishop of Zagreb, the abbots, priors, provosts, deans, deacons, etc. in the diocese of Zagreb to promulgate the sentence made by papal judge delegates (the Cistercian abbot of Zagreb, the prior of the St. Nicholas convent in Zagreb and the dean of Gorica) and excommunicating several priest of the diocese of Zagreb and the commendator and brothers of the Teutonic order	MNL-OL DF 291740 <sup>19</sup>	AOklt. XXXIV, p. 161–162, 303, nr. 243, 540.
26.	25.03.1350	Gui de Boulogne	Rome	The legate instructs the bishop of Zagreb, the abbots, priors, provosts, deans, deacons, etc. in the diocese of Zagreb to promulgate his sentence of excommunication of the Knights Hospitaller of the diocese of Zagreb, as they failed to appear in his court in the lawsuit against the chapter of Zagreb concerning some titles	MNL-OL DF 256203, MNL-OL DF 291740 <sup>20</sup>	AOklt. XXXIV, p. 162, 302–303, nr. 244. and 539.

<sup>19</sup> Preserved in a transcript dated to 18.07.1350.

<sup>20</sup> Preserved in a transcript dated to 18.07.1350.

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*Tamás FEDELES:*

## **Ungarische Weihekandidaten in *Curia Romana* im späten Mittelalter\***

Hungarian Candidates Ordained in the Roman Curia during the Late Mediaeval Period

On the 19<sup>th</sup> of March 1496, the inhabitants of Rome could observe a group of foreign clerics in the neighbourhood of the *Piazza Navona*. Naturally, this proved to be a usual practice, as people of different status from every corner of the European continent arrived continuously to the *Urbs Aeterna*. Among those, who arrived in the city next to the River Tevere, from time to time we may observe those, who wanted to receive different grades of the holy orders either on their own or in groups. In one of these groups, we may mention numerous clericals, whom were on their way to the Church San Panthaleone in the Parione district of the city, where the general ordination was performed by Joshua, the bishop of Ascoli. Among the 118 candidates, altogether 53 clericals arrived in Rome from the remote Carpathian Basin. Both the number of Hungarians and their ratio among the whole group (46%) should be highlighted, as such a populous group of clericals cannot be mentioned neither from the previous nor from the following decades. In my presentation, I will survey the general characteristic features of the “*turismo delle ordinazioni*” of Hungarian clericals on the bases of the *Libri formatarum* series, which can be found in the *Camera Apostolica* fond of the *Archivio Segreto Vaticano*. I will seek answers to the following questions: Who and why did undertake the long journey? From which regions and in which ratio of the Carpathian Basin arrived clericals to the Papal Court? Did the Hungarian and international political events influence these journeys?

*Keywords:* Hungarian clerics, *Curia Romana*, ordination of clerics, *Camera Apostolica*, *Libri formatarum*, medieval Rome



Am 19. März 1496 konnten die, in der Gegend der *Piazza Navona* spazierenden Römer auf eine Gruppe von fremden Klerikern aufmerksam sein.<sup>1</sup> All

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<sup>1</sup> Der im Stadtviertel *Parione* gelegen *Piazza Navona*, der größte und belebteste Platz der Stadt, und der *Campo de' Fiori* waren die wichtigsten Zentren des städtischen Lebens in Rom. Papst Sixtus IV. (1471–1484) verlegte den Stadtmarkt auf den *Piazza Navona* und diente sogar der

dies galt natürlich als ein gewöhnliches Phänomen, da fast aus allen Ecken Europas ständig Personen mit verschiedenem Status, Rang und Ziel in der *Urbs Aeterna* ankamen.<sup>2</sup> Unter denen, die die am Tiber-Ufer liegende Stadt aufsuchten, erschienen auch von Zeit zu Zeit auch die selbstständig, beziehungsweise sowohl in kleineren als auch in größeren Gruppen Ankommenden, die in der römischen Kurie die Einzelstufen des geistlichen Ordens aufnehmen wollten. Zu ihnen gehörte auch diese starke Kleriker-Gruppe deren Mitglieder in die sich in dem Parione Stadtviertel befindliche St. Pantaleon Kirche sputeten,<sup>3</sup> wo der Bischof von Ascoli, Josua<sup>4</sup> die allgemeine Priesterweihe zelebrierte.<sup>5</sup> Von den 118 Weihelikandidaten kamen 53 aus dem weit entfernt liegenden Karpatenbecken nach Rom. Die Zahl und Proportion (46%) der Ungarn innerhalb der Gruppe sind gleichermaßen prominent, keine ungarische Kleriker-Gruppe von ähnlicher Größe tauchte nämlich weder in den vorigen, noch in den nachkommenden Jahrzehnten auf der Kurienweihe auf.

In diesem Aufsatz überblicke ich die Haupttendenzen des Phänomens vom römischen „Weiheturismus“ (*turismo delle ordinazioni*),<sup>6</sup> auf die folgenden Fragen konzentrierend: Wer und warum unternahmen den langen Weg? In welcher Verteilung kamen die Weihelikandidaten aus den Einzelregionen des Karpatenbeckens in die römische Kurie an? Übt die Landes- und Internationalereignisse eine Wirkung auf die Reisen aus?

## Die Quellen

Die Klerikerweihen der Kurie lagen ausschließlich in dem Wirkungsbereich der Apostolischen Kammer ganz bis zum Ende des 15. Jahrhunderts, dementsprechend stand der gesamte römische Weiheprozess unter der Kontrolle des die zentralen Dienststellen leitenden Kämmerers. Zu den Kurienreformen von Papst Martin V. (1417–1431) anpassend wurden die grundsätzlichen Informationen bezüglich der Ordinationen in einer eigenständigen Registerserie des Fonds der *Camera Apostolica* im *Archivio*

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Platz als Veranstaltungsort für große Stadtfeste. Ferdinand Gregorovius nannte es den *Circus Maximus* der Renaissance. GREGOROVIVUS 1870. S. 707–708.

<sup>2</sup> Wir finden unter denen, die vor den Reliquien der Apostel Petrus und Paulus verehrten und dann an den üblichen Pilgerprogrammen teilnahmen; Leute, die einige Büros der römischen Kurie besuchten; Diplomaten, die von den Herrschern an den päpstlichen Hof geschickt wurden; und die interessierte Touristen. ROMANI 1948; LEE 1983. S. 135–146; ESPOSITO 2007. S. 3–48; FLETCHER 2015.

<sup>3</sup> HÜLSEN 1927. S. 412; MIEDEMA 2001. S. 712.

<sup>4</sup> Iosue de Gaetis war Doktor der römischen Rechtswissenschaften und Bischof von Ascoli (1480–1509, 1513–1517). EUBEL 1913–1978. II. S. 96. und III. S. 120.

<sup>5</sup> ASV Cam. Ap. Libr. format. vol. 11, fol. 127r.

<sup>6</sup> Der Begriff wurde erstmals von Ludwig Schmutge in seinem der Zusammenhang zwischen der *Sacra Penitenzieria Apostolica* und dem kanonischen Recht betrachtende Aufsatz verwendet. Andreas Rehberg betrachtete dieses Phänomen als *klerikaler Weiheturismus*. Die Anwendung dieses Begriffs ist mittlerweile weit verbreitet. SCHMUGGE 2003. S. 215; SCHMUGGE 2005. S. 102; REHBERG 2005. S. 277; SCHMUGGE 2011. – In der ungarischen Fachliteratur: FEDELES 2017. S. 57; LAKATOS 2018. S. 75.

*Apostolico Vaticano*, in den Bänden der *Libri formatarum* von 1425 bis 1524 aufbewahrt. Diese, aus 14 Bände bestehende Serie bildet den primären Quellenkorpus des Themas.<sup>7</sup> Seit dem Anfang des 16. Jahrhunderts spielte der *vicarius in spiritualibus in Urbe* eine immer wichtigere Rolle in der Ewigen Stadt stattgefundenen Weihen. Die zu dem Kompetenzkreis des römischen Vikars gehörenden Promotionen betroffenen Daten sind in zwei weiteren Registern zu finden, nämlich in dem römischen Staatsarchiv auffindbare 335. Tomus des *Tribunale del Vicariato* (1507–1521), sowie in dem Vikariatsarchiv befindliche erste Tomus (1501–1524) der *Ordinazioni Sacerdotali*.<sup>8</sup> Neben den erwähnten Quellen finden wir je eine Angabe in dem 52. Band der *Diversa Cameralia* des *Vatikanischen Archivs*,<sup>9</sup> zusätzlich sind drei *in partibus* Promotionszeugnisse auf uns gekommen: *littera formata*.<sup>10</sup> Neben den erwähnten Quellen beinhalten auch die Supplikationsbände der *Dataria Apostolica*,<sup>11</sup> und die Register der *Sacra Poenitentiarum Apostolica*<sup>12</sup> zahlreiche relevante Daten, die gelegentlich der komplexen Darstellung des Themas unverzichtbar sind.

Obwohl das Phänomen der massenhaften Kurienpromotion die Aufmerksamkeit der internationalen Forschung schon früher erweckte, und vorwiegend in der letzten Dekade mehrere Bearbeitungen und Quellenmitteilungen in dieser Thematik angefertigt wurden,<sup>13</sup> fand es in der ungarischen Historiographie bis vor Kurzem kein Echo.<sup>14</sup>

## Die Zahl der Kleriker

Nach dem Zeugnis der Quellen wandten zwischen 1426 und 1523 insgesamt 793 Personen aus dem Gebiet des Karpatenbeckens mit Promotion betreffenden Angelegenheiten zu den Behörden der apostolischen Kammer und des Vikariats. Unter ihnen 787 Personen nahmen die Leistungen der Kammer, und die übrige sechs des römischen Vikariats, in Anspruch. Unter den Kunden der *Camera Apostolica* finden wir die Namen von 783 Personen in den Bänden der *Libri formatarum*. Da 50 ungarischen Klerikern nur Weiheerlaubnisse (*littera dimissoria/dimissoralia*) ausgestellt wurden, insgesamt nahmen 743 Personen wirklich an Kurienpromotionen teil. In der Wirklichkeit konnten in der römischen Kurie sicher mehrere ungarische

<sup>7</sup> ASV Cam. Ap. Libr. format. vol. 1–14; Siehe die erste und noch grundlegende Beschreibung der Serie: SCHMITZ 1894. – Ich habe die Serie kürzlich auf Ungarisch vorgestellt: FEDELES 2019.

<sup>8</sup> Siehe dazu: REHBERG 2005 und REHBERG 2007.

<sup>9</sup> ASV Cam. Ap. Div. Cam. vol. 52, fol. 63r.

<sup>10</sup> MNL OL DF 209059, 257534 und ÖStA HHStA ED nr. 10175.

<sup>11</sup> Siehe dazu: LUKCSICS 1931–1938. passim; TÓTH 2010. und zuletzt: LAKATOS 2018. passim.

<sup>12</sup> Siehe dazu: ERDÉLYI 2011. S. 53–56, 109–113; ERDÉLYI 2017. S. 46–48; FEDELES 2018a.

<sup>13</sup> Z.B.: REHBERG 2005; REHBERG 2007; SCHMUGGE 2011; HLEDÍKOVÁ 2014; RÁBIK 2014; SALONEN – HANSKA 2016.

<sup>14</sup> Eine Ausnahme bildet die Studie von Pál Lukcsics, die jedoch nicht über die Formulierung des Problems hinausging. LUKCSICS 1928. – Wie Lukcsics haben Péter Tóth und Bálint Lakatos bei der Prüfung der Supplikationsbücher von *Dataria Apostolica* die Frage tangential angesprochen. TÓTH 2010; LAKATOS 2018. S. 74–78. – Zum ersten Mal machte ich vor zwei Jahre die ungarischen Forscher auf die Daten der Bände von *Libri formatarum* aufmerksam. FEDELES 2017.

Kleriker geweiht gewesen sein, aber zufolge der Quellenverlust kann dies nur vermutet werden.

*Tabelle 1*  
Auf Ungarn bezügliche Einträge in den Bänden der *Libri formatarum*

Bd.	Erster Eintrag	Letzter Eintrag	Personenzahl
1.	23. III. 1426	16. IV. 1435	32
2.	7. II. 1436	24. IX. 1446	57
3.	25. III. 1447	5. IV. 1455.	29
4.	22. III. 1466	26. III. 1470	14
5.	keine ungarische Daten		
6.	21. XII. 1471	11. IV. 1475	13
7.	24. VI. 1481	21. IV. 1482	3
8.	20. V. 1486	13. IV. 1488	28
9.	5. IV. 1488	7. IV. 1490	111
10.	4. IV. 1490	21. IV. 1492	30
11.	25. XI. 1492	28. XII. 1496	242
12.	15. I. 1497	30. I. 1502	132
13.	22. III. 1502	10. XI. 1520	24
14.	9. III. 1521	31. III. 1523	68
Σ	1426–1523		783

Quelle: ASV Cam. Ap. Libr. format. vol. 1–14.

Die meisten nahmen die drei höchsten Weihestufen, die sogenannten *sacros ordines* auf: 505 Kleriker wurden zum *subdiaconus*, 416 Personen zum *diaconus*, und 418 zum *presbiter* geweiht. All dies weist aber darauf hin, dass es sich in erster Linie für die höheren Stufen lohnte, aus dem weit entfernt liegenden Karpatenbecken sich auf den Weg zu machen. 332 Personen kamen nur wegen der Aufnahme der ersten Tonsur, 304 daneben wegen der *quatuor minores* in die *Curia Romana*. Die Kurienweihe war weniger häufig unter den ungarischen Prälaten, in dem untersuchten Zeitraum fand es nämlich insgesamt im Falle von fünf Personen statt.<sup>15</sup>

*Tabelle 2*  
Die Verteilung der Weihestufen

<i>Gradus</i>	<i>Personenzahl</i>	<i>%</i>
<i>prima tonsura</i>	332	44,6
<i>acolitatus et quatuor minores</i>	304	41
<i>subdiaconatus</i>	505	68
<i>diaconatus</i>	416	56
<i>presbiteratus</i>	418	56,2
<i>episcopatus</i>	5	0,7

<sup>15</sup> Es geht um die Bischöfe von Tamás Döbrenrei Himfi (1455, Agram), Péter Szegedi (1475, Belgrad), Pál Váci (1482, Curtea de Argeş), Tamás Szegedi Bacsa (1497, Baia) sowie György (1498, Vidin). ASV Cam. Ap. Libr. format. vol. 3, fol. 97r, vol. 6, fol. 212v, vol. 7, fol. 50r; MNL OL DF 209059; ASV Cam. Ap. Div. Cam. vol. 52, fol. 63r.

In Anbetracht der Verteilung von Pfründen erschließt sich ein äußerst diverses Bild vor uns. 220 Personen verfügten über keine Pfründe, was sich in dem Fall der niedrigeren Orden als selbstverständlich zählte. Die überwiegende Mehrheit der erwähnten pfründelosen (84%) wurde wirklich für die erste Tonsur, beziehungsweise für kleineren Orden gefördert (*promovere*). 35 Personen nahem aber die höheren Orden so auf, dass keine Pfründe, oder andere einkommenssichernde Quelle neben ihren Namen von den Kammernotaren angeführt waren. Von ihnen wurden 29 Kleriker zum Subdiakon, acht zum Diakon, und sechs zum Priester geweiht. Wir finden ein weites Repertoire der Benefizien neben den Namen der Ungarn. Die drei größten Gruppen bilden die Altarpfründner, die Pfarrer und die Pfarreirektoren. Ihnen folgen die Kapelle Direktoren, und dann die Mönche, aber unter ihnen sind auch Präbendar, Domherr, Bischof, Sakristan und auch Schulmeister zu finden.

Tabelle 3  
Die Verteilung der Pfründenstufen

<i>Pfründentyp</i>	<i>Personenzahl</i>	<i>%</i>
keine Pfründe	220	30
Altar	194	26
Kapelle	73	9,8
Prebendar	7	0,9
Sakristan	1	0,1
Schulmeister	1	0,1
<i>cantor</i>	1	0,1
<i>perpetuus beneficiatus</i>	2	0,3
Pfarrer	154	20,7
Pfarreirektor	68	9,1
Kanoniker	7	0,9
Mönch	10	1,3
Bischof	5	0,7
<i>Insgesamt</i>	<i>743</i>	<i>100</i>

### Einzelpersonen und Gruppen

Die auf den Kurienpromotionen auftauchenden Kleriker konnten sowohl individuell, als auch in Gruppen an den Zeremonien teilnehmen. Die überwiegende Mehrheit der Ungarn brach in die lange, mühsame, und auch nicht gefahrlose italienische Reise in kleineren oder größeren Gesellschaften auf. Es zählte sich nämlich als allgemeines Phänomen, dass die Mitglieder von gleichen Nationen in Gesellschaft von mehrerer geweiht wurden, und daraufhin kann es angenommen sein, dass die sich aus den selbigen oder aus den benachbarten Diözesen auf den Weg machenden bestrebten ihre römische Reise zusammenzustimmen, die gemeinsame Reise bedeutete auch größere Sicherheit.<sup>16</sup> Auch die gemeinsam eingereichten Promotionssupplikationen

<sup>16</sup> FEDELES 2015, S. 110–112.

erlauben uns auf die vorher geplante Reise zu schließen.<sup>17</sup> Die Kurienweihe der meisten Ungarn fand am 19. März 1496 statt, als insgesamt 53 Personen die kleineren und größeren Ordines aufnahmen.<sup>18</sup> Bekannt sind weitere Promotionstage, als die Zahl der Kleriker aus dem Karpatenbecken 30–40 Personen übertraf. Eine mögliche – aber lange nicht ausreichende – Erklärung der Gruppenweihen kann sein, dass – mit Ausnahme von 1523 – bei sämtlichen dieser Gelegenheiten eine Generalordination (*ordines generales*) stattfand, also die Zeitpunkte – da es um einen Zeitraum des Quatembers geht – waren europaweit bekannt.<sup>19</sup> Infolgedessen konnten die Kandidaten ihre römische Reise entsprechend vorbereiten. Es ist auch kein Zufall, dass meistens Zeitpunkte im März-April präferiert wurden, einerseits bildet der Osterfestkreis den Mittelpunkt des Kirchenjahres, so die römische Reise übte auf die Gläubigen eine bedeutsamere Anziehungskraft aus. Andererseits das Frühjahrswetter zählte sich angesichts des Verkehrs auch als vorteilhaft.<sup>20</sup>

Tabelle 4  
Die meist frequentierte Promotionstage der Ungarn

<i>Datum</i>	<i>Personenzahl</i>
5. IV. 1488	22
18. IV. 1489	36
15. III. 1494	23
18. IV. 1495	42
19. III. 1496	53
11. III. 1497	32
31. III. 1498	46
26. III. 1523	41
<i>Insgesamt</i>	<i>295</i>

<sup>17</sup> Z.B. am 23. März 1523 16, 12. März 12 und 12 Tage später 9 Ungarn supplizierten eine Promotion-Lizenz in der römischen Kurie, die alle vom Bischof von Belcastro, Leonardus de Leucato geweiht wurden. – LAKATOS 2018. nr. 23., 32–33; FEDELES 2017. S. 79–83., 96–104.

<sup>18</sup> ASV Cam. Ap. Libr. format. vol. 11, fol. 127r–131r.

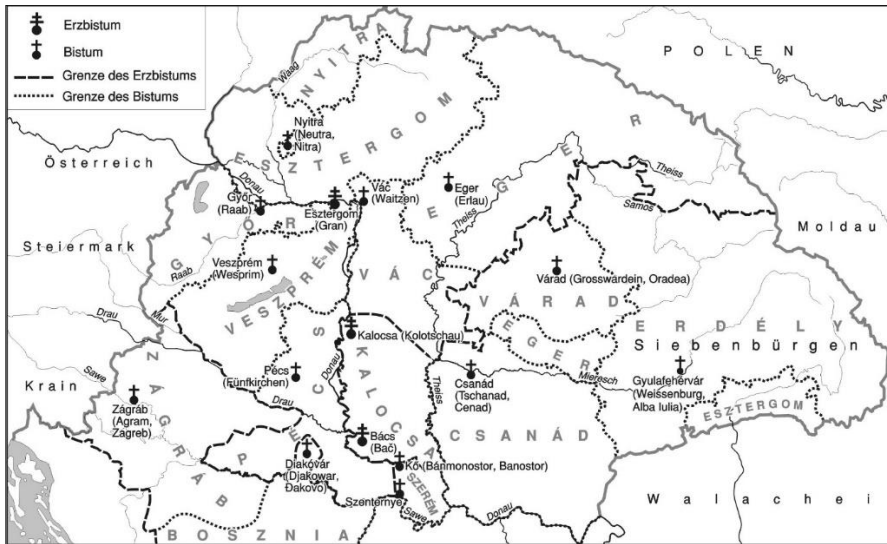
<sup>19</sup> Papst Callixtus I. (217–222) führte die Quatembertage (*ieiunium quatuor temporum*) ein, hl. Leo I. (440–461) verband die Presbyter- und Diakonweihen in der römischen Gemeinde mit der Quatembertage. Papst Gelasius I. (492–496) befahl (494), dass die Diakonen und Priester nur den Sabbaten dieser Epochen sowie dem Beginn und der Mitte der Fastenzeit gewidmet werden sollten. Bis zum Ende des 11. Jahrhunderts war die Zeit der Quatember in der römischen Kirche jedoch nicht einheitlich. Im Jahr 1095 Papst Urban II. (1088–1099) befahl, diese Fastentage zu einer bestimmten Jahreszeit zu erhalten. Nach seinem Befehl fanden sie in der ersten Fasten- und Pfingstwoche, am Tag der Erhöhung des Heiligen Kreuzes (14. September), und am Mittwoch, Freitag und Samstag nach der Feier der Heiligen Lucia (13. Dezember) statt. Diese vier Perioden wurden später durch den Passionssonntag, und die Ostervigilie ergänzt. Vgl. MIGNE vol. 59. S. 52; MIHÁLYFI 1933. S. 84–87; VÁRNAGY 1993. S. 427; KLEINHEYER 1962. S. 36–37.

<sup>20</sup> FEDELES 2015. S. 217.

## Geographische und chronologische Lehre

Da in den Registerbüchern die Stamm- und/oder Dienstdiözesen der Weihelikandidaten angegeben sind, ist es zweckgemäß, die diözesenmäßige Verteilung der Kleriker auch unter die Lupe zu nehmen. In dem Gebiet des Ungarischen Königreichs funktionierten in dem 15. Jahrhundert zwei Erzdiözesen und 12 Bistümer.<sup>21</sup> Von den 14 ungarischen Diözesen sind die Namen von insgesamt 12 in den, die Promotionen dokumentierenden Quellen auffindbar, und diese wurden mit vier, über Gebiet nicht mehr verfügenden, ehemaligen Missionsbistümern (*episcopatus in partibus infidelium*) vervollständigt.<sup>22</sup>

Karte 1: Die Kirchenstruktur Ungarns im 15. Jahrhundert



Es ist aber auffallend, dass keine Weihelikandidaten überhaupt aus den zwei südlichen, gleichzeitig ärmsten Diözesen, also aus den Bistümern von Bosnien und Syrmien in die *Curia Romana* kamen. In dem Hintergrund dieses Phänomens kann die von den kontinuierlichen, die Region heimsuchenden osmanischen Einfälle verursachte Siedlungszerstörung, und im Zusammenhang damit, die Bevölkerungsabnahme im größeren Verhältnis vermutet sein.

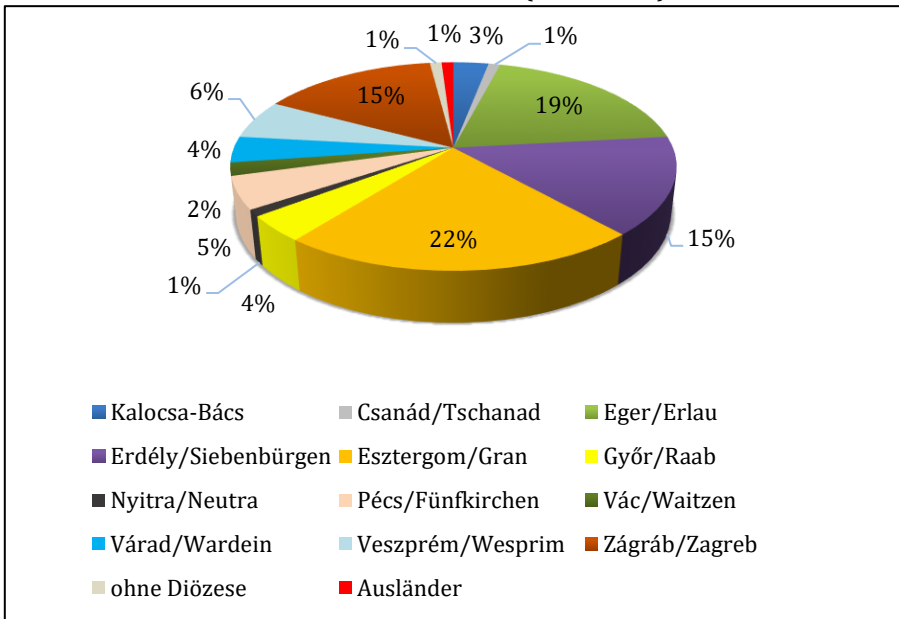
Angesichts von der Verteilung unter den Diözesen, die Dominanz von Esztergom/Gran (22%), Eger/Erlau (19%), beziehungsweise von Siebenbürgen und Zagreb/Agram (15–15%) ist eindeutig, diese folgt Veszprém/Wesprim (6%) und Pécs/Fünfkirchen (5%). Mit fast gleicher Pro-

<sup>21</sup> KOSZTA 2001. S. 41–46; KOSZTA 2009; KOSZTA 2013; KOSZTA 2014.

<sup>22</sup> KOSZTA 1994. – Siehe dazu zuletzt: FELDKAMP 2018.

portion kamen Kleriker aus den Diözesen von Győr/Ráb<sup>23</sup> und Wardein (4%), und etwas weniger aus den Gebieten der Diözesen von Kalocsa-Bács und Vác/Waitzen (3%), während der Anteil der Diözesen von Csanád/Tschanad<sup>24</sup> und Nyitra/Neutra (1%) der Geringste war.

*Diagramm 1*  
Diözesenmäßige Verteilung der Kurienpromotionsverfahren von ungarischen Klerikern und Pfründnern (1426–1523)



Bloß vorauf können wir demzufolge schließen? Geht es nur um eine Eventualität, oder vielleicht um eine solche Tendenz, die auch in weiteren Zusammenhängen einzupassen ist? Die früheren internationalen und heimischen Forschungen bewiesen gleicherweise, dass die römische Repräsentation der Kleriker von Teilkirchen das Resultat der Zusammenwirkung von mehreren Komponenten sei. In all dies spielten die demographische und wirtschaftliche Verhältnisse der gegebenen Region und die aus diesen folgenden sozialen- und Urbanisationszusammenhänge eine Rolle, sowie die Dichte des Gewebes der Verbindungsnetze zwischen dem einzelnen Gebiet und der römischen Kurie.<sup>25</sup> Offensichtlich konnten auch weitere Faktoren in der geographischen Verteilung der sich auf den

<sup>23</sup> Siehe dazu: FEDELES 2018b.

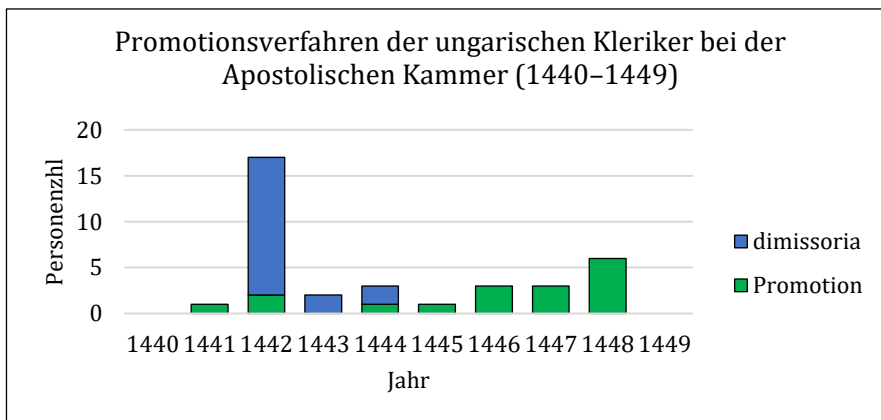
<sup>24</sup> Siehe dazu: FEDELES 2018c.

<sup>25</sup> SALONEN – HANSKA 2016. S. 62–63., 101; SCHMUGGE 2011. S. 431; NEMES 2017. S. 131; LAKATOS 2018. S. 67. ff.



Weg zu der römischen Kurie machenden ungarischen Weihelikandidaten bestimmend sein. Unter diesen spielte aber die Distanz der einzelnen Diözesen von Rom keine Rolle. Im Falle von Zagreb könnten wir mit diesem Umstand die Verteilung von 15% rechtfertigen, aber die insgesamt mehr als 50% ausmachende Proportion der Kleriker von Siebenbürgen, Eger und Esztergom weist eben auf das Gegenteil hin. In dem Fall von Esztergom nuanciert der zu der Jurisdiktion der Diözese gehörende Königsboden das Gesamtbild weiter. Gleichzeitig die zu Rom zweifellos näher gelegene transdanubischen Diözesen, so die Diözese von Pécs, Veszprém und Győr lassen sich zusammen nur mit insgesamt 15% vertreten.

Nichtsdestoweniger konnten die bedeutenderen innen- und außerpolitischen Ereignisse, besonders die Kriege und die größere-kleinere Seuchen gleichermaßen auf die Lust der nach Italien reisenden einen Einfluss ausüben. Zum Beispiel die innenpolitische Krise der 1440er Jahre (doppelte Königswahl, Bürgerkrieg), und die anwachsende türkische Gefahr waren für die Italienreisen der ungarischen Kleriker nicht begünstigend.<sup>26</sup> In dem Jahrzehnt von 1440 bis 1449 nahmen insgesamt 16 Ungarn die Einzelstufen des geistlichen Ordens im Zentrum der Christenheit auf.<sup>27</sup> Neben den innenpolitischen Ereignissen konnte die in Rom von 1448 bis 1450 wütende Pest auch eine zurückhaltende Kraft sein.<sup>28</sup>



Ebenfalls übten eine negative Wirkung auf die nach Rom sputenden die nach dem Tod von König Matthias (1490) ausgebrochene Thronstreiten aus,<sup>29</sup> sowie die italienischen Feldzüge von den französischen Königen, Karl VIII. und Ludwig XII.<sup>30</sup>

<sup>26</sup> ENGEL –KRISTÓ –KUBINYI 1998. S. 197–213.

<sup>27</sup> ASV Cam. Ap. Libr. format. vol. 2, fol. 99v, 100r, 101r, 102v.

<sup>28</sup> SALONEN – HANSKA 2016. S. 212.

<sup>29</sup> Auf den Ereignissen siehe: WIESFLECKER 1959; KUBINYI 1995; NEUMANN 2010–2011; FEDELES 2012.

<sup>30</sup> CHAMBERS 2006. S. 94–96; MALLETT–SHAW 2012. S. 6–37.

In den letzten Regierungsjahren von Matthias Corvinus erfahren wir eine beachtliche Zunahme in den Kurienpromotionen der Ungarn. Aufgrund der Daten können wir sehen, dass der von 1487 erfahrbare quantitative Zuwachs den Höhepunkt in den folgenden zwei Jahren erreichte, was im Jahre 1488 50 (6,7%), in dem folgenden Jahr aber 51 Personen (6,9%) bedeutete.<sup>31</sup> Wahrscheinlich können wir in dem Hintergrund dieses Prozesses – unter anderen Faktoren – den Abschluss der österreichischen Feldzüge von Matthias (die Eroberungen von Wien und Wiener Neustadt), und die an der südlichen Grenze nach dem ungarisch-türkischen Friedenabschluss entwickelte ruhigere Periode vermuten.<sup>32</sup>

In der Zeit des weder in früheren, noch in späteren Periode nicht erfahrbaren „Weihetourismus“ finden wir in 1495: 77 (10,4%), in 1496: 86 (11,6%), in 1497: 78 (10,5%), und in 1498: 47 (6,3%) Namen von ungarischen Pfründern in den Bänden der *Libri formatarum*. Die in diesen vier Jahren in der Kurie geweihten 288 Personen bildeten fast 40% der Gesamtzahl der Ungarn! Aber was konnte diese herausragend große Proportion verursachen?

Meines Erachtens kann dieses Phänomen damit erklärt sein, dass bis die Mitte der 1490er Jahren Wladislaus II. (1490–1516) seine Macht stärken konnte, so schuf er sowohl innenpolitisch, als auch außenpolitisch friedsame Verhältnisse. Nach den durch kriegerische Heimsuchungen belasteten Jahren wurden alle externen Hindernisse vor der römischen Reise beseitigt, und dieser Umstand konnte sicher ein bedeutsamer Motivationsfaktor sein. Interessanterweise beeinflusste die Entfaltung der lutherischen Reformation die Reiselust nicht, da in 1523 die Promotion von 58 ungarischer Kleriker in der Ewigen Stadt stattfand.<sup>33</sup> Die ungarischen Daten von 1523 stellen den vierthöchsten Wert für den gesamten Untersuchungszeitraum dar, was auch darauf hinweist, dass in den ersten Jahren der Glaubenserneuerung, wie Ende der 1480er und in der zweiten Hälfte der 1490er Jahre, das Interesse der ungarischen Geistlichen für die Möglichkeit der römischen Promotion zunahm. All dies bestätigt also die Forschungsergebnisse von Andreas Rehberg, wonach die Rolle von Rom in der ersten Hälfte der 1520er Jahren die Priesterweihen bezüglich nicht gestiegen wurde.<sup>34</sup>

## Warum Rom?

Zum Schluss müssen die den Hintergrund der Kurienpromotionen bildenden Motivationsfaktoren kurz erwähnt werden. Im Februar 1429 reichten 18 ungarischen Kleriker Kurienweihesupplikationen ein, in den sie als Ziel ihrer römischen Reise die Wallfahrt bestimmten (*causa devotionis et*

<sup>31</sup> Die Bände von *Libri formatarum* enthalten zwischen 1483 und 1485 keine ungarischen Daten.

<sup>32</sup> Die Details des außenpolitischen Hintergrunds siehe: KUBINYI 2008. S. 95–120.

<sup>33</sup> Vgl. FEDELES 2017. S. 96–104.

<sup>34</sup> REHBERG 2005. S. 301; REHBERG 2007. S. 240–241.

*peregrinationis*).<sup>35</sup> Wir können es also mit voller Sicherheit als einen wichtigen Anlass betrachten, dass die in der Nähe von den Reliquien der Heiligen Petrus und Paulus Aposteln stattgefundenen Promotionen den Klerikern ein höheres Prestige bedeuten konnten.

Selbstverständlich für diejenigen, die eine längere Zeit in Rom verbrachten, lag die Möglichkeit der Kurienweihe nahe. Zu ihnen gehörten die Beamten der römischen Kurie, die Kardinäle, die bischöflichen Familienmitglieder, die zu dem Heiligen Stuhl delegierten Diplomaten, und diejenige, die in der Stadt studierenden. Emerich, der Propst zu Bosnien kam im August 1471 als der Bote von König Mathias zum Papst Sixtus IV, und in dem nächsten Monat reichte er seine Supplikation zu der *Dataria* persönlich ein, worin er um die Aufnahme der heiligen Ordines Erlaubnis bat, was er erhielt.<sup>36</sup> Philipp (1432) Kleriker der Diözese Esztergom, beziehungsweise Andreas Kiss zu Kronstadt und Johannes Aranyos (1476), Kleriker des Bistums Siebenbürgen unter anderen baten um ihre römische Priesterweihe darauf bezogen, dass sie schon seit einer längeren Zeit in der Stadt lebten.<sup>37</sup>

Im Februar 1436 erhielten 11 Kleriker von Zagreb Erlaubnis von dem Leiter des Apostolischen Kammers, wegen der Vakanz des bischöflichen Stuhls zu Zagreb (*in ipsis partibus ad presens sedes episcopalis vacat*) von jeglichem katholischen Oberpriester geweiht werden zu können, insofern sie sich fähig erweisen.<sup>38</sup> 1438 reichten insgesamt 22 ungarische und zwei ausländische Kleriker Supplikationen zu dem Amt der Apostolischen Pönitentiarie, in den sie um einer ähnlichen Erlaubnis baten; sie rechtfertigten es damit, dass ihr eigener Ordinarius nur selten eine Priesterweihe zelebriert (*raro ordines celebrant*). In den zu diesem ähnlichen Fällen stand also die Möglichkeit der Kurienpromotion vor den Kandidaten offen.<sup>39</sup>

Bei den Kandidaten konnten diejenigen Probleme, Defekte (*defectus*), beziehungsweise gegen die Vorschriften des kanonischen Rechts begangenen Vergehen (*delictus*), auftauchen, die einen irregulären Zustand (*irregularitas*) und demzufolge Weihhindernis ergeben konnten. Von diesen konnten die Weihelikandidaten in erster Linie in der päpstlichen Kurie Dispens erhalten.<sup>40</sup>

Zu ihnen gehörte der Diözesankleriker zu Győr, Wolfgang Altmon, der im März 1488 persönlich eine Supplikation zu dem Amt der Pönitentiarie einreichte, und von der Defekt seiner rechten Auge – was sich als Weihe-

<sup>35</sup> Die Verteilung der Diözesen erfolgt Esztergom, Nyitra, Veszprém und Zagreb eins, Eger und Siebenbürgen zwei und Pécs zehn Personen. Folgendes kann in der Supplikation gelesen werden: „hanc aliam urbem causa devotionis et peregrinationis non sine modicis fatigiis et laboribus personaliter accesserunt“ – LUKCSICS 1931–1938. I. nr. 1129–1130., 1133.

<sup>36</sup> ASV Reg. Suppl. vol. 670, fol. 234r; vol. 672, fol. 283v–284r.

<sup>37</sup> „iam novem menses Romae commorantur“ – LUKCSICS 1931–1938. II. nr. 71. und 104; „qui ad presens in Urbe Romana trahit moram“ – APA Reg. Suppl. vol. 2bis, fol. 227r; „qui in Romana Curia iam longa tempora se [...] sustentavit.“ – ASV Reg. Suppl. vol. 738. fol. 116rv.

<sup>38</sup> ASV Cam. Ap. Libr. format. vol. 2. fol. 15r. Das Bistum war zwischen dem 22. Dezember 1433 und dem 18. Mai 1438 vakant. ENGEL 1996. I. S. 80.

<sup>39</sup> APA Reg. Suppl. vol. 2. fol. 27v–28r.

<sup>40</sup> SCHMUGGE – HERSPERGER – WIGGENHAUSER 1996. S. 196–197; SALONEN–HANSKA 2016. S. 28–30; ERDÉLYI 2003. S. 44–45.

hindernis zählte – um Dispens bat, welche er auch erhielt, und danach nahm er in der Kirche der *Santa Maria Regina Coeli* die kleineren geistlichen Ordines auf.<sup>41</sup> Viele wünschten aber außer der, von dem kanonischen Recht vorgeschriebenen Zeitpunkten (*tribus diebus dominicis vel festivis extra tempora a iure statuta*) die Stufen des geistlichen Ordens aufnehmen zu können, und reisten deshalb in die Kurie.<sup>42</sup>

Verschiedene Missbräuche kamen während der Kurienweihen auch vor. Eine verbreitete Form von diesen war die, auf nichtexistierende, d.h. falsche Pfründe (*ad fictum titulum*) stattgefundene Promotion. Um die höheren Ordines aufnehmen zu können sollten nämlich die Kandidaten im Besitz von der, ihre Subsistenz sichernden Pfründe sein. Viele verfügten aber über kein kirchliches Benefizium, oder garantierte Einnahmequelle, so griffen sie zu einem Betrug.<sup>43</sup> Wir finden zahlreichen von diesen Fällen unter den zu der Pönitentiarie eingereichten Dispensationsanträgen, auch die Supplikation von Diözesankleriker zu Győr, Osvát Layter der, da er über keine angemessene Pfründe verfügte (*sufficientem titulum non haberet*), sich auf ein unwahres Benefizium zum Priester weihen ließ.<sup>44</sup>

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Als Zusammenfassung ist es feststellbar, dass die Ungarn im Spätmittelalter, obwohl von verschiedenen Motiven geleitet, aber kontinuierlich an den, in der römischen Kurie drankommenden Klerikerweihen präsent waren. Selbstverständlich stand ihre Zahl hinter den aus den deutschen, französischen, iberischen und italienischen Regionen Ankommenden zurück. Immerhin, der „Weihetourismus“ der Ungarn bildete auch einen wichtigen Teil der ungarisch-päpstlichen Verbindungen der untersuchten Epoche.

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ASV Cam. Ap. Libr. format	ASV Camera Apostolica Libri formatarum
ASV Cam. Ap. Div. Cam.	ASV Cam. Ap. Diversa Cameralia
ASV Reg. Suppl.	ASV Registra Supplicationum
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<sup>41</sup> In einer am 20. März 1488 eingereichten Supplik behauptete er, dass „*visus oculi dextri quem non sui culpa, sed ex infirmitate*“ verlor. APA Reg. Suppl. vol. 37. fol. 278r-v; ASV Cam. Ap. Libr. format. vol. 9. fol. 18r, 22v, 23r.

<sup>42</sup> FEDELES 2018b. S. 82–83.

<sup>43</sup> Siehe dazu: ERDÉLYI 2011. S. 109–113; ERDÉLYI 2017. S. 47–48.

<sup>44</sup> APA Reg. Suppl. vol. 48, fol. 792r. Aus seiner Bitte ergibt sich jedoch – wie in meisten ähnlichen Fällen – nicht, wie der Titel lautete.

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*Ferenc VÉGH:*

## **A Hungarian-Croatian Aristocrat from a new Perspective. Military Career of Péter Zrínyi/Petar Zrinski (1621–1671)\***

Peter Zrinyi's (†1671) name became inseparable from his participation in the conspiracy led by palatine Ferenc Wesselényi (also known as Zrinsko-Frankopan plot) which is the most examined period of his lifetime. The Croatian historiography has been focusing on his role in the movement, still considering him an early representative of the thought of independence. Peter Zrinyi's literary activities have been researched relating to the political ones too. His military career, however, is practically unexamined; not even its major stages are known. Hungarian historians having national sympathies could also be blamed for this backlog due to the fact that they totally neglected his person pushing Nicholas Zrinyi forward in his stead. The present paper aims to outline Peter Zrinyi's advancement from a new perspective, namely in interaction with that of Nicholas Zrinyi. As we will see, the first decade spent together in Muraköz had played an important role that Peter oriented himself towards Croatian territories.

*Keywords:* Zrínyi Péter/Petar Zrinski, Zrínyi Miklós /Nikola Zrinski, Frangepán/Frankopan family, Croatia, Muraköz/Medimurje, Military Frontier



### **Prelude**

The upcoming 400<sup>th</sup> anniversary of the birth of Miklós VII Zrínyi/Nikola Zrinski (1620–1664) and that of Péter IV Zrínyi/Petar Zrinski (1621?–1671) is expected to offer an exceptional opportunity to summarize and reconsider our knowledge of the oeuvre of the brothers, both in Hungary and abroad. It is urged by the fact that the monographs dedicated to the unprecedented compound and manyfold life's work of Miklós Zrínyi provide us antiquated elements.<sup>1</sup> For instance, the portrait of the „poet and general” is considerably idealized owing to the romantic-patriotic approach of history which

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<sup>1</sup> SZÉCHY 1896–1902; KLANICZAY 1964.

dominated the Hungarian historiography in the second half of the 19<sup>th</sup> century. In the interest of rethinking his course of life, good progress has been made for almost two decades.<sup>2</sup> In the case of Péter Zrínyi, however, this undertaking is still expected to be done.<sup>3</sup> Until then we can rely on few aged and inaccurate studies serving political concepts of that time, in the future, too. It is partly due to this that he is still regarded by the Croatian scientific research as an early representative of the thought of independence as well as a martyr of the national issue. This notion, as is well known, met the demand of the Croatian right wing parties that opposed both the Habsburg dynasty and the dualistic state organisation in the 1870s.<sup>4</sup> Miklós Zrínyi, who was living mostly on Hungarian soil writing vernacularly, had been 'monopolised' by the domestic historians by that time, so he did not fit this role.<sup>5</sup> Miklós is still less known than his brother south of the Dráva (Drava) River. No wonder that the elder Zrínyi brother's prosaic works were translated into Croatian as late as the 1990s(!).<sup>6</sup> The succeeding generations of Hungarian historians, however, practically until now, did not regard it as their duty to research on the younger brother who spent most of his lifetime on Croatian territories.

The contemporaries associated Miklós Zrínyi with intelligence while attributing raw martial skills to Péter which still dominates both the Hungarian and the Croatian historiography.<sup>7</sup> The impartial examination of Péter Zrínyi's life is heavily hampered by the circumstance that his person attracted attention almost exclusively in the broader context of the conspiracy (known as the Wesselényi or Zrinsko-Frankopan plot), which resulted in a revolt in 1670.<sup>8</sup> Besides, his activities relating to the so-called Literary Circle of Ozalj (Ozalj) raised some interest.<sup>9</sup> The joint backlog of the Hungarian and Croatian research can be illustrated by the fact that not even the major stages of his military career have been listed so far. The present paper aims to fill this gap by overwiewing Péter's advancement with special regard to the first decade spent in Muraköz (Međimurje). The examination will be effected from a new perspective, namely by synchronizing Péter's course of life with his brother's timeline. As we will see, the path of life of the Zrínyi brothers can be studied and interpreted in interaction with each other, only.

### **Muraköz/Međimurje as training school**

The first and decisive stage of Péter Zrínyi's military career was Muraköz which almost exclusively belonged to the Croatian-Hungarian count family

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<sup>2</sup> PÁLFFY 2014. p. 867–880.

<sup>3</sup> REISZIG 1897. p. 809–846; KUKULJEVIĆ 1868. 211–224; PAULER 1867. p. 89–118, 231–265.

<sup>4</sup> SOKCSEVITS 2011. 73–82; ŠTEFANEC 2009. p. 391–410; BLAŽEVIĆ–COHA 2009. p. 137–167.

<sup>5</sup> HAUSNER 2015. p. 123–154.

<sup>6</sup> SOKCSEVITS 2011. p. 73

<sup>7</sup> RÁTTKAY 1652. The Croatian translation RÁTTKAY 2001. On the conception of the chronicle see: BENE 2000.

<sup>8</sup> ŠIŠIĆ 1908. p. 9–125; PAULER 1876.

<sup>9</sup> BENE 2017. p. 37–78; PAJUR 2014. p. 55–68.

until his apprehension.<sup>10</sup> The younger brother resided in Csáktornya (Čakovec) not only during his terms of office as Croatian-Slavonian ban (1665–1670) but he also had spent the first decade of his adulthood (1637–1647) between the Dráva and Mura Rivers. The early fightings with the Turks he was engaged in prepared him for taking an active role in the counter-Ottoman border defence system later. The borderline of the Hungarian Kingdom, as is well known, overlapped with that of the Csáktornya estate. That was basically nothing else but the narrowest buffer zone between the Ottoman-held territories and the Austrian Hereditary Lands. No wonder that the populace of the domain, which lay no more than 15 km away from the Ottoman stronghold of (Nagy)Kanizsa, was in arms under the command of the Zrínyi brothers.<sup>11</sup> Péter Zrínyi possessed half of the Muraköz estate after the brothers had divided it equally in June 1638. They did the same in the case of the Ozaly and Ribnik estates. The Slavonian holdings, however, such as Rakovec and Verbovec (Vrbovec), which had been recovered from the Erdődy family as late as 1613, and Bosjakó (Božjakovina) were subject to unique methods.<sup>12</sup> The Brod (na Kupi) estate remained undivided, only its incomes were separated between the two brothers. In the course of the division of the littoral lands in 1641, Péter as the younger son laid claim to the port of Buccari (Bakar), Grobnik castle and the village of Gerovo, following his ancestors' example.<sup>13</sup> In return, Miklós entered into possession of Buccarica (Bakarac), Porto Reé (Kraljevica), Szelca (Selce), Czirkvenica (Crikvenica) as well as the castles in Vinodol. The previous generation halved the Croatian and littoral family holdings in the same manner. The cutting of the Muraköz estate in two also modelled the procedure of their father's, György V (1599–1626) with his brother's, Miklós VI (?–1625) effected in 1616/1617.<sup>14</sup>

The defence of Muraköz based on the stipendiaries paid by the treasury, the number of which amounted to half a thousand men in the middle of the 17<sup>th</sup> century. They were commanded by the captain of Légrád (Legrad) and Muraköz, which title was conferred upon Miklós VII. Zrínyi in May 1640, as far as we know, for the first time.<sup>15</sup> The aforementioned agreement of 1638 stipulated that the elder brother occupied the captaincy over the royal soldiers stationed in Légrád and elsewhere in Muraköz.<sup>16</sup> Therefore, the appointment two years later just approved the former arrangement of the family. The territorial separation and the almost complete possession of the area must have played a crucial role that Muraköz served as a special

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<sup>10</sup> VEGH 2017b. p. 261–275.

<sup>11</sup> VEGH 2017a. p. 217–246.

<sup>12</sup> MU 2010. p. 93–204.

<sup>13</sup> MNL–OL MKA E 148 NRA Fasc. 319. No. 39.

<sup>14</sup> ŠTEFANEČ 2007. 90. NSK Zbirka rukopisa i starih knjiga [Collection of Manuscripts and Old Books] R 5129. Miklós Zrínyi to Gergely Pethő. Ozaly, 20 February 1617.

<sup>15</sup> ÖStA KA ZSt. Sr. Bestellungen. Karton 9. No. 1331. (3 May 1640).

<sup>16</sup> MU 2010. p. 163.

hereditary border district in the 17<sup>th</sup> century.<sup>17</sup> In other words, the Court War Council ceded the management of this border zone along the Mura river to the Zrínyis as a kind of compromise. Similarly, the Batthyány family was allowed to direct the confines opposite Kanizsa from 1633 onwards, likewise by right of succession.<sup>18</sup> By the way, Péter Zrínyi became imperial chamberlain before March 1639, following his brother who was honored with this dignity in December 1637.<sup>19</sup> At the age of eight, Miklós was appointed stableman-in-chief as early as 1628, obviously as a recognition of his father's services.<sup>20</sup> Surprisingly, the diplomas issued on behalf of the Habsburg monarch call Péter (hereditary) constable-in-chief too.<sup>21</sup> To our present-day knowledge, however, Miklós bore this dignity alone. It is also unlikely that the chancellery mixed up the brothers, although the contemporary iconography provides us plenty of examples of mistaking one Zrínyi brother for the other.<sup>22</sup>

The royal soldiery dislocated along the Mura River was efficiently supported by the private armies of the prevailing possessors of the Csáktornya estate. The most archaic contingent of the armed forces of the Zrínyis was that of the noble servants' (called *familiaris* and *servitor*) who were granted some land along with serfs inhabiting them in exchange for their military service. They were required to arm some retainers in proportion to the size of their possession, as well. The agreement of 1638, which cut in half the Muraköz estate equally, testifies to a developed structure suggesting that was inherited from the previous generation.<sup>23</sup> That year as high as 65 % (!) of the stock of serf plots (*sessio*) were held by noble servicemen as opposed to 48 % in 1672.<sup>24</sup> This date they possessed 193 and a half serf plots on Péter Zrínyi's half which fell to the treasury in 1670. In comparison, on the other part of the estate held by Miklós' pupils 256 whole, a half and one-third units like this.<sup>25</sup> The explanation for the significant difference might be that Péter Zrínyi had revoked much land for the purpose of enlarging his own share, without compensating their beneficiaries. This partly dates back to the first period of his ownership (1638–1649).<sup>26</sup> His victims got back their fiefs from 1678 onwards, after the Hungarian Chamber had taken possession of Péter Zrínyi's former holding.<sup>27</sup>

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<sup>17</sup> VÉGH 2017a. p. 217–246; VÉGH 2017b. p. 59–70.

<sup>18</sup> PÁLFFY 2014. p. 321–356.

<sup>19</sup> PÁLFFY 2007. p. 52; HDA–681 Vlastelinstvo Čakovec. Kutija 9. No. 1184.

<sup>20</sup> BITSKEY 1998. p. 324–325.

<sup>21</sup> ÖStA KA HKR KIA Militärgrenze VII. 104, 112; FHKA SUS Reichsakten. Karton 207. No. 37.

<sup>22</sup> CENNERNÉ 1997. p. 111, 113, 196.

<sup>23</sup> MU 2010. p. 155–161.

<sup>24</sup> MZPÖ 1991. p. 100–104.

<sup>25</sup> MU 2010. p. 277–278, 247–248; MZPÖ 1991. p. 195.

<sup>26</sup> NSK Zbirka rukopisa i starih knjiga [Collection of Manuscripts and Old Books] R 6471 Nikola Zrinski No. 5097, 5098.

<sup>27</sup> MNL–OL E 202 Acta Zrinyiano-Frangepaniana. 1st volume 153–196, 216–217; HDA-785 Obitelji Zrinski i Frankopani. Komorska uprava Zrinsko-Frankopanskih posjeda. [Zrinski and

In 1650, as is well known, Miklós Zrínyi distributed arable lands among the peasants inhabiting the villages Hudosán (Hodošan), Goricsány (Goričan) and Gyurgyánc who were exempted from all of their duties as serfs in exchange for doing military service.<sup>28</sup> This date is generally and unquestioned accepted as the year of the establishment of the peasant soldiery at the Muraköz estate.<sup>29</sup> As a matter of fact, this branch of service existed as early as the previous decade. Miklós and Péter obliged the populace of eight villages to do military service in 1639, in return for which the brothers renounced their subjects' unpaid work that was due to them as landlords.<sup>30</sup> The reason for this move was admittedly that the Zrínyis did not find enough armed men to guard the chain of watch-towers erected on the right bank of the Mura. The residents of some of the villages in question were willing to stay there by being granted this reduction, only. The remaining settlements, however, which had already been abandoned, were intended to be resettled by this measure.<sup>31</sup> The Ottoman garrisons of the vilajet of Kanizsa were incessively attacking the neighbouring Muraköz in the 1630s and 1640s in order to subject the inhabitants of the area to taxpaying.<sup>32</sup> It can be stated that military and economic considerations jointly resulted in establishing the peasant soldiery at the estate. From our perspective not the act itself but its exact date is relevant. Regarding that this occurred in 1639, i.e. during the Zrínyi brothers' shared ownership, even Péter could be named as initiator.

The most numerous contingent of the Zrínyis' private army was that of the free soldiers' (*libertini*), whose majority lived in Légrád, that was located in Muraköz in the early modern times.<sup>33</sup> Although being unpaid, these armed men were commanded after all by the captain of the given border castle appointed by the ruler, just like the registered and salaried royal soldiers. On other occasions, however, their landlord had jurisdiction over them laying claim to their services, including the military ones, so they were subject to a double dependency.<sup>34</sup> In contrast to the peasant soldiers, they were freemovers due to the fact that they usually came from outside the Muraköz estate. Another difference was that the free soldiers took and cultivated as many arable lands and vineyards as they could depending on their capacity. The peasant soldiers, however, had standardized piece of land and fields at their disposal assigned to them by the landlord. The free soldiery of Légrád, curiously, earned their living by trade, especially in salt owing to the favorable location of the border town and the lack of lands.<sup>35</sup> During the

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Frankopan families. Chamber administration of the Zrinski and Frankopan estates]. Grgur Pavešić 3.1.5.4.1.6. 163–200, 240–241.

<sup>28</sup> MRÁZ 1957. p. 125.

<sup>29</sup> CZIGÁNY 2004. p. 88; RÁCZ 1969. p. 120–121; ZIMÁNYI 1960. p. 287.

<sup>30</sup> MNL–ZML IV.1.b. Acta congregationalia. Box No. 1. 1640. Released by VÉGH 2011. p. 182–183.

<sup>31</sup> Ibid.

<sup>32</sup> ZMÖM 2003. p. 472, 474–477, 479–480.

<sup>33</sup> VÉGH 2017a. p. 231–232.

<sup>34</sup> VÉGH 2009. p. 444–445.

<sup>35</sup> ÖStA FHKA SUS Handschriftensammlung. Hs. 450. fol. 11–13.

winter campaign of 1664, even a thousand free soldiers could have been mobilized in Légrád alone, while leaving enough soldier behind to defend the bordertown.<sup>36</sup> The division of 1638 allowed Péter Zrínyi to appoint a lieutenant as their commander which he instantly did.<sup>37</sup> This officer was not subordinated to Miklós Zrínyi as the captain of the royal-held soldiery stationing in Légrád, but he was expected to cooperate with the latter. In case of emergency, however, even the leader of the free soldiers was inferior to the elder Zrínyi brother.<sup>38</sup>

The captaincy of Turnische (Podturen), which comprised four villages including the name giving one, was separated both from a territorial and a legal point of view. This part of possession had been purchased by Péter Zrínyi in 1644 for 9000 Hungarian Forints as a pawn, but he seems to have remained in Ádám Batthyány's (1659) debt with the price.<sup>39</sup> Although it was a reasonable and cross-generation effort on the Zrínyis' part to enlarge the proportion of their holding in Muraköz, the acquisition of these villages may primarily be explained by military needs.<sup>40</sup> The Zrínyis, as mentioned above, erected a line of watches (in Hungarian *góré*, in Croatian *čardak* deriving from the Ottoman-Turkish term *çardak*) alongside the Mura, the guardians of which monitored the border river. They alarmed the armed forces of Muraköz by firing a shot right after catching sight of the Ottoman raiders.<sup>41</sup> The efficiency of this system can be illustrated by the fact, that it served as a model for both the defence structure operating on the Rába, and that to be set up along the Vág after the fall of Érsekújvár (Nove Zamky) in 1664.<sup>42</sup> Péter Zrínyi was probably prompted by the circumstance that the string of sentinels would have had a gap without obtaining the four riverbank settlements owned by the Batthyánys.

### Watching and learning?

Péter Zrínyi, as we have seen, took an active role in organizing the defence of Muraköz. The defence structure of the area lying between the Mura and Dráva Rivers was supplemented by the captaincy of Turnische on his initiative. In all likelihood, the separation of the free soldiers of Légrád was also prompted by him. The fact itself that the introduction of the peasant soldiery dates to the joint possession of the Zrínyis allows us to conclude that the younger brother might have been the promotor of this move, as well.

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<sup>36</sup> NÉMETH 1989, p. 574.

<sup>37</sup> MU 2010, p. 163; MNL-OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54110. Légrád, 14 July 1638. Péter Zrínyi to Ádám Batthyány.

<sup>38</sup> MNL-OL MKL A 14 Insinuata Consilii Bellici No. 78. (7 May 1640).

<sup>39</sup> KOLTAI 2012, p. 463. MNL-OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54150. Ribnik, 1645. Péter Zrínyi to Ádám Batthyány.

<sup>40</sup> VÉGH 2015b, p. 161.

<sup>41</sup> To their localization see: ACSÁDY 1888, p. 258–259.

<sup>42</sup> VÉGH 2011, p. 176.

The independent activity of Péter Zrínyi is expressively illuminated by the example that in 1639 he made himself master of artillery knowledge through the German gunman of the castle of Csáktornya. Moreover, he intended to prove it by passing a kind of exam in front of Ádám Batthyány, the captain-general of the confines opposite Kanizsa and a number of cannoneers.<sup>43</sup> Until the division of the Muraköz estate in 1649 he had a private army numbering a couple of hundred men at the head of which he engaged in struggles with the Ottoman forces. In February 1641, for instance, he drove away the cattles of the Ottoman garrison of Kanizsa, because of which the authorities wanted him as disturber of the peace to appear before the Court War Council.<sup>44</sup> To his raids on Ottoman-held territories Péter obviously sought to be backed by the general of the confines of Slavonia and Petrinja, who resided in Varasd (Varaždin), in the vicinity of Csáktornya.<sup>45</sup> In October 1643, the younger Zrínyi and the general marched on Kanizsa together proving that at least some of his requests had been answered by the latter.<sup>46</sup> Péter also participated in the raid of May 1647 which caused a great stir due to the death of the young and popular Farkas (Vuk) Erdődy.<sup>47</sup>

Péter Zrínyi often had to replace Miklós during his absence, especially in the first years of the 1640s.<sup>48</sup> As is well known, between 1642 and 1644 Miklós was engaged in the Thirty Years' War (1618–1648) conducting light cavallery units to the imperial battlefield.<sup>49</sup> In March 1645, Péter Zrínyi almost died while chasing the enemy which had entered the Muraköz. In the darkness he fell into the Mura, and only his young servant prevented him from drowning.<sup>50</sup> It is to be noted that Péter occasionally guarded the Muraköz alone as early as this period. For example in 1639, when he took quartier in Belice during Miklós' journey to Croatia.<sup>51</sup> While being away, Miklós probably ceded the command of his private troops to Péter. Possibly, he did the same in the case of the royal soldiery stationed in Légrád and Muraköz, which, however, had to be approved by the Court War Council of Vienna in advance.

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<sup>43</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54116. Csáktornya, 12 April 1639. Péter Zrínyi to Ádám Batthyány. RÁTTKAY 1652. p. 242.

<sup>44</sup> MNL–OL MKL A 14 Insinuata Consilii Bellici No. 82. (22. February 1641)

<sup>45</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54118. Csáktornya, 27 October 1639. Péter Zrínyi to Ádám Batthyány. No. 54151. Csáktornya, 11 April 1646. Péter Zrínyi to Ádám Batthyány.

<sup>46</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 35744. Légrád, 20 October 1643. Mátyás Pandúr to Ádám Batthyány.

<sup>47</sup> ÖStA HHStA Fasc. 306. Konv. A. Ungarn. Zrinyische Akten. fol. 45–48; ZMÖM 2003. p. 508–509.

<sup>48</sup> RÁTTKAY 1652. p. 242.

<sup>49</sup> KELENIK 2016. p. 118–127. Cf. BAUER 1941. p. 117–136.

<sup>50</sup> RÁTTKAY 1652. p. 242; TAKÁTS s. d. a. p. 144.

<sup>51</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 9759. Belice, 1639. Saturday. Gergely Darabos to Ádám Batthyány.

The conflicts between the Zrínyi brothers also suggest that the scenario, according to which Péter assumed a passive, second-rank role in the shadow of his famous elder brother, doing nothing else but watching and learning in the first decade of his adultery, can not be true. Following Miklós' appointment as captain of Légrád and Muraköz in May 1640, the monarch confirmed and specified the family agreement concluded just two years ago, exactly because of the differences between the brothers, concerning especially the free soldiery.<sup>52</sup> The most numerous but least stable branch of the private army of the Zrínyis seems to have been a neuralgic issue in the relationship of the brothers. Miklós and Péter Zrínyi set their controversy about the heyducks of Légrád straight at the general assembly in Pozsony (Bratislava) in 1646 by means of Ádám Batthyány as captain-general of the Transdanubian district. Palatine János Draskovich (Ivan Drašković, †1648), however, was slow in confirming it insofar as he died meanwhile.<sup>53</sup> In 1646 the brothers had an argument about the legacy of their uncle's widow, Erzsébet Széchy, too.<sup>54</sup> Miklós and Péter Zrínyi applied for the Alsólendva (Lindava) estate, which fell to the treasury in the middle of the 1640s, individually, which could also be interpreted as the younger brother's aspire for acting autonomously.<sup>55</sup> Facing Miklós Zrínyi's priority as captain of Légrád and that of the other border castles in Muraköz, which was resulted from his unchallengable first-born status, the ambitious Péter had no choice but to turn to other border zones.

### **At the Croatian-Littoral confines**

Péter Zrínyi's marriage to Anna Katalin Frangepán (Ana Katarina Frankopan) in October 1641 might have been ultimative means. His future father-in-law, Farkas Kristóf Frangepán (Vuk Krsto Frankopan, †1652) held the office of the captain-general of the Croatian-littoral confines from 1626 onwards which was a unique phenomenon. Normally, the Károlyváros (Karlovac)-centred frontier was headed by the prominent representatives of the estates of Carniola and Carinthia, which financed this border tract.<sup>56</sup> That time Gáspár Frangepán (Gašpar Frankopan, †1653) and his younger brother, György (Juraj, †1661), Farkas Kristóf's sons, were managing the border districts of Ogulin and Tounj, respectively, so Zrínyi had good reason to hope for getting a position through his father-in-law, too.<sup>57</sup> The Frangepán kindred traditionally had great influence on the Croatian borderland, indeed. It is illustrated by Farkas Kristóf Frangepán's appointment and his office bearing lasting for a quarter of a century. Péter Zrínyi's interest in this area can also be explained by the fact, that the Slavonian Zrínyi estates were mostly located south of the Kulpa (Kupa) River, which means, that these were protected by

<sup>52</sup> MNL-OL MKL A 14 Insinuata Consilii Bellici. No. 78. (7 May 1640).

<sup>53</sup> ZMÖM 2003. p. 117.

<sup>54</sup> SCHÖNHERR 1887. p. 724–726.

<sup>55</sup> ÖStA FHKA AHK HFU R. Nr. 175. 1646. Nov. fol. 42, 44–45.

<sup>56</sup> PÁLFFY 1997. p. 281–282.

<sup>57</sup> LOPASIĆ 1889. p. 466–470.



the Croatian border castle line and not the Slavonian one. Besides, the military service in the latter would have offered him fewer chances of promotion, because the Styrian estates, which subsidized this tract on their own, reserved not only the position of the general but those of the border district captains to themselves. The captaincy of Petrinja made the sole exception being headed hereditarily by the Erdődy family.<sup>58</sup> By the way, Péter's choice of wife was not only conscious but also irregular. The most powerful peer families of Croatia, as is well known, have been opposed to each other for almost a century as a result of Miklós IV Zrínyi's (Nikola Zrinski Sigetski, †1566) policy of assets.<sup>59</sup> It is no surprise, that until Péter's marriage there were no family relations between the two families. His matrimony, however, eased the tensions merely temporarily. Miklós Zrínyi's marriage to Mária Euzébia Draskovich (Marija Euzebija Drašković, †1650) in 1646 could be effected after the future bride had broken off her engagement with György Frangepán, triggering new conflicts.<sup>60</sup>

Despite being backed by his newly-won family, Péter Zrínyi had to wait for his assignment until April 1647 when Ferdinand III appointed him captain-in-chief of Sichelberg (Žumberak) which also comprised the captaincy of Szluin (Slunj).<sup>61</sup> As such, Péter commanded the migrants called uskoks who fled Ottoman territory but he consistently named himself captain of the cavalymen of Károlyváros, as well.<sup>62</sup> György Ráttkay's (Juraj Ratkay) chronicle relates that Péter entered negotiations with the monarch himself about receiving the abovementioned position at the general assembly held in Pozsony in 1646–1647.<sup>63</sup> Probably, being also present, Miklós Zrínyi also carried on talks with the ruler about getting the dignity of the Croatian-Slavonian banus, which was vacant since János Draskovich had been promoted to the palatinate in autumn 1646.<sup>64</sup> Turning back to the younger Zrínyi, he received the doubled captaincy of Sichelberg on condition that he committed himself to taking part in the Thirty Years's War at the head of a light cavalry regiment raised by himself.<sup>65</sup> His participation was solicited after the Swedish armed forces had invaded Moravia. By the way, Péter volunteered to take part in the conflict as early as 1644, but his proposal was declined that time.<sup>66</sup>

In 1647, Péter Zrínyi was committed to recruiting 600 horsemen at his own expense whereas the remaining four companies of his regiment were raised by the monarch.<sup>67</sup> Two of his brother's companies were also added to

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<sup>58</sup> PETRIĆ 2012. p. 102–127.

<sup>59</sup> VARGA 2016. p. 161–166.

<sup>60</sup> BENE 2015. p. 620.

<sup>61</sup> ÖStA KA HKR KIA VII. 104. Released by LOPAŠIĆ 1885. 275–277. On the uskoks lately Bracewell 1992.

<sup>62</sup> HDA–681 Vlastelinstvo Čakovec. Kutija 9. No. 1200.

<sup>63</sup> RÁTTKAY 1652. p. 242.

<sup>64</sup> SZÉCHY 1896. p. 192–197.

<sup>65</sup> RÁTTKAY 1652. p. 242–243.

<sup>66</sup> ÖStA KA HKR Prot. Exp. Bd. 290. (1644) fol. 189, 223, 449.

<sup>67</sup> MNL–OL A 14 Insinuata Consilii Bellici No. 135. (20 April 1647).

Zrínyi's unit so he commanded a cavalry of 1200 men as a result.<sup>68</sup> Fortunately, György Rátkay, who attended the campaign as an army chaplain, left us a detailed report on the fightings of the detachment in Moravia and Thuringia.<sup>69</sup> It is worth mentioning that Rátkay openly voiced his aversion to Zrínyi's appointment as captain of Sichelberg because of being coupled with preconditions, which was contrary to the common practice.<sup>70</sup> The chronicler had bias toward the Zrínyi bothers, who might have sponsored the publishing of his writing.<sup>71</sup> Being attached to the Zrínyis, especially to Péter, it is reasonable to think that this passage perpetuated the opinion of the younger brother himself. Turning back to the field operations, Zrínyi was allowed to return home at the end of the year. The majority of his soldiers, however, remained on the battlefield taking part in the struggles of the next year which turned to be the last one.<sup>72</sup> By the way, Zrínyi, similarly to his brother and father, applied to the War Council of Vienna for being appointed commander of the Croatian-style light cavalry units during the campaign season, but his request was not granted.<sup>73</sup>

The new positions of the Zrínyi brothers might have given an impetus to the new division of the family holdings. The preamble of the agreement concluded in March 1649, generally speaking, reveals that the aforementioned contract of 1638 turned out to be fruitless.<sup>74</sup> As a result of the repeated exchange, Péter took possession of the estates lying on the Kulpa River such as Ozaly, Ribnik, Brod as well as Bosjakovina, increasing his power in the region. In return, Miklós exclusively possessed the Csáktornya estate, which was the most valuable of all the holdings, and those of Rakovec and Verbovec located in Körös county. The elder brother held the possessions in Transdanubia just like the palace in Vienna.<sup>75</sup> This cut broke off the family traditions which expected the parties to halve the estates in question, equally. The reasons, which overwrote the former practice, can only be revealed by examining the relationship between the brothers, but it must have been Péter who initiated this move. The estates lying south of Száva (Sava), which were adjacent to one another, obviously served as a solid hinterland for Péter Zrínyi giving preference to him in case of applying for a position. Besides, being an officer of the Croatian-Maritime confines, he was able to organize the defence of his estates easier by mobilizing the royal soldiers of his border district(s) if required.

In January 1658, the high captaincy of Zengg (Senj) was conferred upon Péter Zrínyi along with the border district of Ottocsác (Otočac), which was

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<sup>68</sup> Ibid.

<sup>69</sup> RÁTKAY 1652. p. 245–246.

<sup>70</sup> RÁTKAY 1652. p. 242–243.

<sup>71</sup> BENE 2000. p. 19.

<sup>72</sup> ÖStA KA HKR Prot. Reg. Bd. 297. (1648) fol. 309.

<sup>73</sup> ÖStA KA HKR Prot. Exp. Bd. 296. (1647) fol. 363, Reg. Bd. 289. (1643) fol. 212, 407; BALLAGI 1882. p. 124.

<sup>74</sup> MNL–OL MKA E 148 NRA Fasc. 319. No. 30.

<sup>75</sup> ÖStA FHKA AHK HFU VUG Karton 70c. No. 153. fol. 2–8.

similarly separated from the remaining territory of the confines by the Kapella mountain-range.<sup>76</sup> The border castles submitted to Zengg and Ottocsák together were often referred to as the 'Maritime Border' (*Meergrenze*). Their detachment was significantly enhanced by the circumstance that these were sustained by the estates of Carniola while the royal soldiery of the other border districts of the confines were subsidized by the province of Carinthia. Péter Zrínyi as captain-in-chief of Zengg commanded the second-largest stronghold of the confines semi-independently.<sup>77</sup> By the way, Zrínyi's 'promotion' resulted from the resignation of Albrecht von Herberstein that triggered a reshuffle of the positions at the Croatian-Littoral confines.<sup>78</sup> For instance, Zrínyi's resignation as captain-in-chief of Sichelberg enabled his younger brother-in-law, György Frangepán, captain of Tounj to take over the aforementioned double-captaincy.<sup>79</sup> Zrínyi, however, was managing the littoral border zone only for a short time, in all likelihood by the end of 1661.

In January 1662, he surprisingly appears as the head of the less prestigious high captaincy of Ogulin, which was interpreted in such a manner that Zrínyi was relieved of his former position.<sup>80</sup> The exchange was, as a matter of fact, an adequate measure on the part of the Inner Austrian War Council. After the death of Gáspár Frangepán in 1653, the captaincy of Ogulin got under the direct command of the captain-general, who resided in Károlyváros.<sup>81</sup> On behalf of him successive delegates were administering the border district, including three vlach villages at the estate of Bosiljevo owned by the Frangepáns. The residents of the settlements in question got involved in borderline incidents with the subjects of the Brod estate of the Zrínyis.<sup>82</sup> The Austrian officers substituting the captain-general were apparently not able to master the conflict.<sup>83</sup> Péter Zrínyi, however, on the one hand as captain-in-chief of Ogulin, on the other as landlord of the estate of Brod headed both of the quarelling parties, so he could put an end to the hostilities. Zrínyi's resignation as captain-in-chief of Zengg was not disadvantageous for him from a financial point of view either, because the difference in the wages was compensated.<sup>84</sup> His repeated appointment as captain-in-chief of Sichelberg and Szluin before January 1662 while keeping the high captaincy of Ogulin resulted from György Frangepán's death the year before.<sup>85</sup> Frangepán was not only captain-in-chief of Sichelberg but also deputy captain-general of the

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<sup>76</sup> ÖStA KA HKR KIA VII. 112; LOPAŠIĆ 1885. p. 308–309.

<sup>77</sup> KASER 1997. p. 170.

<sup>78</sup> LOPAŠIĆ 1885. p. 403–406.

<sup>79</sup> *Ibid.*

<sup>80</sup> ÖStA KA ZSt. IÓHKR Bd. 19. fol. 3. 1662. Jänner. We owe thanks to Vedran Klaužer for this data. KUKULJEVIĆ 1868. p. 215.

<sup>81</sup> LOPAŠIĆ 1885. p. 403–406.

<sup>82</sup> *Ibid.*; KASER 1997. p. 190–194.

<sup>83</sup> LOPAŠIĆ 1885. p. 403–406.

<sup>84</sup> *Ibid.*

<sup>85</sup> LASZOWSKI 1951. p. 134.

Croatian-Maritime confines, thereby the latter position fell also vacant. This office was assigned to Péter Zrínyi, too, so he became second-in-command of the confines.<sup>86</sup>

The presentation of Péter Zrínyi's military service, however, would be incomplete without listing his remarkable engagements bringing fame and appreciation to him. Fortunately, the autograph notes of him made on the death row help us do this easily.<sup>87</sup> Zrínyi's first noteworthy victory dates back to October 1649, when returning from Ottoman territory he crushed the enemy led by Aga Deli Badankovich, the captain of the stronghold of Krupa. The Ottoman commander, who was chasing him at the head of the joint garrisons of Krupa and Bihács (Bihać), was also killed in action worsening the Ottoman's defeat.<sup>88</sup> Péter Zrínyi took the oath of royal councillor the next month which suggests a connection with this combat.<sup>89</sup> He also joined the Christian troops commanded by Herbart von Auersberg, the captain-general of the Croatian-Maritime confines, who defeated the Ottoman forces at Visibaba in 1655.<sup>90</sup> Zrínyi's most remarkable action which was echoed throughout Europe, however, was the destroying of the troops of Ali Csengics, the pasha of Bosnia, who entered the territory of the high captaincy of Ottocsák in October 1663. Commanding less than 2000 soldiers, Zrínyi gained victory over the Ottoman forces despite being outnumbered as many as four times.<sup>91</sup> The importance of the battle is reflected by the fact that the royal diploma declaring Péter Zrínyi ban of Croatia and Slavonia, detailed the triumph while not even mentioning the former ones.<sup>92</sup>

### Far away from the borderland

Péter Zrínyi seems to have often been far away from the border district(s) entrusted to him. In February 1664, for instance, accompanied by his brother-in-law, Ferenc Kristóf Frangepán (Fran Krsto Frankopan) he arrived at the general assembly of the Holy Roman Empire in Regensburg where he informed the estates about the winter campaign led partly by his brother.<sup>93</sup> Shortly, they were joined by Guislan Segers d' Ideghem van Wassenhofen, the military engineer known as the architect of the stronghold of Zrínyi-Újvár who was similarly sent there by Miklós Zrínyi.<sup>94</sup> Together they sought to

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<sup>86</sup> The charter declaring him ban titulates him captain-in-chief of Ogulin too. HDA-785 Obitelji Zrinski i Frankopani. Članovi obitelji Zrinski. Zrinski Petar 1.2.15.1.3.1. Released by DEŽELIĆ 1908. p. 334-335.

<sup>87</sup> ÖStA HHStA Fasc. 306. Konv. A. Ungarn. Zrinyische Akten. fol. 45-48. As an excerpt RAČKI 1873. p. 549-550.

<sup>88</sup> RÁTKAY 1652. p. 257-260.

<sup>89</sup> LASZOWSKI 1939. p. 101.

<sup>90</sup> KUKULJEVIĆ 1868. p. 214.

<sup>91</sup> PETÁK 1985. p. 682-689.

<sup>92</sup> HDA-785 Obitelji Zrinski i Frankopani. Članovi obitelji Zrinski. [Zrinski and Frangepán families. Members of the Zrinski family] Petar Zrinski 1.2.15.1.3.1.

<sup>93</sup> BENE 2001. p. 73-82.

<sup>94</sup> Ibid.

persuade the estates to support the offensive operations in the future as well. Péter Zrínyi took the opportunity to campaign for his appointment as captain-general of the Croatian-Maritime confines.<sup>95</sup> He might make himself at home in the city that served as a political centre of the Holy Roman Empire. An undated letter of him testifies that the younger Zrínyi visited the city not for the first time. Judging from its context, this might happen as early as the dawn of his adultery.<sup>96</sup> Provided that this journey also coincided with a general assembly, it might have occurred in autumn 1640. Zrínyi also attended the coronation ceremony of Emperor Leopold I in Frankfurt on 1 August 1658, where, according to his statement, he represented his nation on his own.<sup>97</sup> In the summer of 1654, he was staying at least for one month in Graz waiting for his captain-general. Here he got to know of the death of the Hungarian ruler, Ferdinánd IV, who was succeeded by the aforementioned Leopold (1657–1705).<sup>98</sup> The end of the year 1656 saw him in Vienna.<sup>99</sup>

Péter Zrínyi spent the Lent in Venice in 1654. This apparently offered him the opportunity to discuss his planned maritime undertaking with the decision makers of the republic.<sup>100</sup> Zrínyi supposedly armed five ships and half a thousand men at his own expense for the operation.<sup>101</sup> Péter set sail in the port of Kraljevica putting out to the Adriatic in May 1654.<sup>102</sup> He allegedly took part in the fightings at the bay of Kotor (Kotori) visiting Perast.<sup>103</sup> Zrínyi himself mentioned among his merits that he had intercepted a smaller Turkish galley (*galiota*) with only one vessel and 25 men on board.<sup>104</sup> This might have been the action in the scope of which Zrínyi took prisoner a citizen of Ragusa (Dubrovnik) heading to Bar, too.<sup>105</sup> It is to be noted, that Zrínyi intended to sail to Crete, the straits as well as to 'Barbaria' as early as spring 1653, in order to support the war efforts of Venice in the Aegean (1645–1669).<sup>106</sup> The military cooperation of Venice and Péter Zrínyi, however, dates back to the decade before. We already know that the younger Zrínyi brother made a visit to Venice in 1644, where he allegedly had talks

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<sup>95</sup> Ibid.

<sup>96</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54169. Regensburg, 18 October. Péter Zrínyi to Ádám Batthyány.

<sup>97</sup> ÖStA HHStA Fasc. 306. Konv. A. Ungarn. Zrinyische Akten. fol. 48.

<sup>98</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány family] Missiles. No. 54163. Graz, 12 July 1654. Péter Zrínyi to Ádám Batthyány.

<sup>99</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54166. Vienna, 3 December 1656. Péter Zrínyi to Ádám Batthyány.

<sup>100</sup> BENE 1993. p. 653.

<sup>101</sup> ÖStA HHStA Fasc. 306. Konv. A. Ungarn. Zrinyische Akten. fol. 48.

<sup>102</sup> KOŠČAK 1954. p. 197, Takáts, s.d. a. p. 200.

<sup>103</sup> KUKULJEVIĆ 1868. p. 213.

<sup>104</sup> ÖStA HHStA Fasc. 306. Konv. A. Ungarn. Zrinyische Akten. fol. 48.

<sup>105</sup> KOŠČAK 1954. p. 197.

<sup>106</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 54160. Ozaly, 8 March 1653. Péter Zrínyi to Ádám Batthyány.

over occupying the office of the general of Zára (Zadar).<sup>107</sup> According to this, he would have been entitled to recruit 600, his deputy-to-be, Gáspár Frangepán 300 men at the Venetians' expense.<sup>108</sup> It may not be a coincidence that Miklós Zrínyi also offered his service to the Republic of St Marcus approximately the same time.<sup>109</sup> To our knowledge, one of the brothers intended to visit Venice in 1645, again.<sup>110</sup> Whoever it was, he probably did not do it for the first time. It is reasonable to think, that the Zrínyis entered the lagoon city as early as their study trip (1636–1637) in Italy which marked the end of their youth.<sup>111</sup>

### **Ban of Croatia and Slavonia**

This short overview of Péter Zrínyi's career path at the Croatian-Maritime confines reveals it to be unbroken moreover ascending. There is no indication of having been sidelined or mistrusted by the Austrian authorities. This was suggested by the nationalist historiography tendentially overestimating the day-to-day conflicts that Zrínyi was involved in.<sup>112</sup> It is worth mentioning that Farkas Kristóf Frangepán (†1652), who had chosen his wife from among the Austrian estates in the person of Ursula Inkofer, had been able to promote his son-in-law's advancement for just a couple of years. Surprisingly, not even the deaths of Gáspár (†1653) and György Frankopán (†1661) pushed back his career. On the contrary, these gave way to Zrínyi to get his brothers-in-law' positions, as noted above. He tried to take advantage of the death of Herbart von Auersberg, the captain-general of the Croatian-Maritime confines in 1669 as well, seeking to become head of the frontier, following his father-in-law's example.<sup>113</sup> At first glance, the long desired position seemed to be at arm's length. Realistically thinking, however, his efforts could not be awarded with success, paradoxically exactly due to his relatives. At the beginning of the 1650s, the Frangepán family, including Péter Zrínyi, headed not only the confines itself but they also commanded nearly half of the border districts.<sup>114</sup> From the point of view of the Austrian estates, which subsidized the frontier, this provided the kindred with extraordinary influence. As a matter of course, the estates of Carniola and Carinthia were interested in appointing someone from among themselves captain-general, thus Farkas Kristóf Frangepán's appointment was an

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<sup>107</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 9771. Szlakóc, 11 September 1644. Gergely Darabos to Ádám Batthyány

<sup>108</sup> *Ibid.*

<sup>109</sup> ZMÖM 2003. p. 500–501.

<sup>110</sup> MNL–OL P 1314 A herceg Batthyány család levéltára. [The Archives of the Ducal Branch of the Batthyány Family] Missiles. No. 50705. Csáktornya, 3 June 1645. János Újhelyi to Ádám Batthyány.

<sup>111</sup> BITSKEY 1998. p. 326; SZÉCHY 1896. p. 64–68.

<sup>112</sup> KUKULJEVIĆ 1868. p. 211–224; PAULER 1867. p. 89–118.

<sup>113</sup> PAULER 1876. p. 254–255

<sup>114</sup> LOPAŠIĆ 1889. p. 466–470.

exception to a rule. Péter Zrínyi, as we have seen, made a bid for this position as early as 1664, but he did not succeed. The rejection, among other things, might have been connected to the fact that Miklós Zrínyi occupied the dignity of the ban of Croatia and Slavonia from early 1648.<sup>115</sup> Péter's appointment as commander-in-chief was obviously anything but desirable from the perspective of the Austrian estates, because it would have increased the Zrinyis' weight south of the Száva.

Péter Zrínyi's chance of promotion dropped to a minimum after he had been appointed the ban of Croatia and Slavonia in January 1665, following his brother's death the previous year.<sup>116</sup> The bans, as is well known, commanded the border zone along the Kulpa River owing to the fact that his contingent of half a thousand men was dislocated among the strongholds Breszt (Brest), Pokupszko (Pokupsko), Berkisevina (Brkiševina) and Szredichkó (Sredičko).<sup>117</sup> The garrisons of this border district were sustained from the incomes of the Hungarian Chamber just like those of the confines opposite Kanizsa, even their payment was settled at the same time. No wonder that is why the pay-sheets of the latter usually contain the items of the border zone directed by the ban, as well.<sup>118</sup> Not being aided by the Hereditary Lands, their competent military authority was the War Council of Vienna unlike the Slavonian and Croatian confines, which were directed by the Inner Austrian one of Graz. Hence, the dignity of the ban of Croatia and Slavonia was so to speak inconsistent with managing the confines, so Péter Zrínyi had no option but to quit his border offices. He achieved, however, to be succeeded by his underage son, János Antal (Ivan Antun, 1654–1703) as captain-in-chief of Ogulin.<sup>119</sup> The precedent for this was set by Farkas Kristóf Frangepán who passed the high captaincy in question into his elder son's hands taking advantage of being captain-general of the confines.<sup>120</sup>

Péter Zrínyi might have felt himself somewhat compensated by being appointed captain of Légrád and Muraköz in August 1665, which position also became vacant by Miklós' death. Thereby he headed not only the aforementioned garrisons of the border zone on the Kulpa but also 650 royal soldiers of the confines opposite Kanizsa.<sup>121</sup> Possibly his superiority encouraged Péter to compell Miklós Zrínyi's widow, Sophia Maria Löbl to divide the family holdings again. According to the contract concluded in December 1665, the Muraköz domain was halved just like the estates lying on the Kulpa River, namely those of Ozaly, Ribnik and Brod, whereas Péter held Bosjakó alone.<sup>122</sup> Besides, the arrangement entitled Péter to take half of

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<sup>115</sup> ÖStA KA ZSt. Sr. Bestellungen. Karton 9. No. 1468. (16 March 1648). Released by KINCSES 2017. p. 213–214.

<sup>116</sup> ÖStA KA ZSt. Sr. Bestellungen. Karton 11. No. 1746. (18 February 1665).

<sup>117</sup> TAKÁTS 1908. p. 291–292, 298.

<sup>118</sup> *Ibid.*

<sup>119</sup> LOPAŠIĆ 1885. p. 403–406.

<sup>120</sup> *Ibid.*

<sup>121</sup> ÖStA KA ZSt. Sr. Bestellungen. Karton 11. No. 1752. (22 August 1665).

<sup>122</sup> MNL–OL MKA E 148 NRA Fasc. 319. No. 23. An abstract of it: Fasc. 1092. No. 7, Fasc. 1091. No. 61.

Medvevár (Medvedgrad) manor out of pawn, yielding his shares at the Rakovec and Verbovec estates to his sister-in-law in exchange for the other half. Zrínyi Péter was also allowed to lease half the Ozaly estate and that of the littoral holdings for 5000 Forints which were to have ceded to Miklós' children.<sup>123</sup> To sum up, Péter kept his hands on the Croatian and Adriatic estates just as he did before, only the legal title of their possession changed. In addition, he obtained half of the Muraköz estate which was the most valuable of all the family holdings. Péter Zrínyi apparently knew that he could fulfil his duty as joint captain of Muraköz and Légrád only by commanding the private armed forces of the large estate, at least partially.

## Conclusion

The intervals spent in Muraköz (1637–1647, 1665–1670), as we have seen, framed the two decades' career of Péter Zrínyi as officer at the Croatian-Maritime confines. This started with his appointment as captain-in-chief of Sichelberg and Szluin (1647–1657?) followed by getting the high captaincy of Zengg (1658–1661?), the office of the captain-in-chief of Ogulin and that of Sichelberg-Szluin for the second time (1662?–1664). By occupying the position of the deputy captain-general he became the second-in-command of the confines, which proved to be the highest and last stage of his advancement. Taking over the dignity of the ban following his brother's death in early 1665, he drifted away from the possibility of becoming captain-general of the confines which he desired for. His proficiency, as opposed to the statement of the research, was broken as late as its final but most important phase.<sup>124</sup> This must have played a crucial role that the unruly aristocrat got involved in the conspiracy against the House of Habsburg named after him and his brother-in-law, Ferenc Kristóf Frangepán. This, besides costing them their lives, sealed off the faith of their families, as well.

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<sup>123</sup> Ibid.

<sup>124</sup> Péter Zrínyi dealt with obtaining the generalcy of Upper Hungary towards the end of his life. Besides purchasing some estates in the region, the marriage of his first-born daughter Ilona (Helena) (†1703) to Ferenc I. Rákóczi in 1666 might also have served this purpose. PAULER 1876. p. 167–168. Despite not being the subject of the present paper, it is worth mentioning that Ilona Zrínyi was not 23 but only 17 years old at the time of the marriage service. The scholars had a good reason to believe that her birth date of 1643, which could be read on her sepulchre in Nikomédia (Izmit), simply can not be true. TEMESVÁRI 1996. p. 51–56. The diary of Farkas Kristóf Frangepán, her grandfather proves without any doubt that Ilona Zrínyi was born on 20 March 1649, between 11 o' clock and noon in the morning in Muraköz, probably in Breszt (Podbrest). LASZOWSKI 1939. p. 85–86. The Croatian language entry seems to have escaped the researchers' attention so far.



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### Abbreviations

AHK	Alte Hofkammer
Bd.	Band
Bp.	Budapest
HDA	Hrvatski državni arhiv, Zagreb
Exp.	Expeditur
Fasc.	Fasciculus
FHKA	Finanz- und Hofkammerarchiv
IÖHKR	Innerösterreichischer Hofkriegsrat
KA	Kriegsarchiv
KIA	Kanzleiarchiv
Konv.	Konvolut
MKA	Magyar Kamara Archivuma [Archives of the Hungarian Chamber]
MKL	Magyar Kancelláriai Levéltár [Archives of the Hungarian Chancellery]
MNL-OL	Magyar Nemzeti Levéltár Országos Levéltára [Central Archives of the National Archives of Hungary], Budapest
MNL-ZML	Magyar Nemzeti Levéltár Zala megyei Levéltára [Zala County Archives of the National Archives of Hungary], Zalaegerszeg
MSHSM	Monumenta Spectantia Historiam Slavorum Meridionalium
NRA	Neoregstrata acta
NSK	Nacionalna i sveučilišna knjižnica [National and University Library], Zagreb
ÖStA	Österreichisches Staatsarchiv, Wien
Prot.	Protokolle
R. Nr.	Rote Nr.
Reg.	Registratur
S.d.	Sine dato
Sr.	Sonderreihe
SUS	Sammlungen und Selekte
ZSt	Zentralstelle

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*Endre SASHALMI:*

## **The Idea of the State and the Problem of Continuity: The Medieval and Early Modern Divide (A Short Contribution to an Ongoing Debate)\***

The usefulness of the concept of state in the study of medieval political thought is a matter of an age-old debate. This study argues that from the 13<sup>th</sup> century onwards it is plausible to speak about the beginnings of the state as an idea (and also as an institution) with some reservations to be kept in mind. Consequently, it is the issue of continuity which stands in the focus of this writing in which I intend to present the approaches of some emblematic authors on the topic, such as Quentin Skinner, pondering, at the same time, their applicability. I also emphasize in passing the importance of visual sources in the study of early modern concept of state and sovereignty, such as allegorical personification of *nationes* and the impact of new cartography.

*Keywords:* definitions of state, sovereignty, Latin and vernacular terminology, Bodin, female personification of state, interplay of visual and written sources, medieval and early modern continuities



### **Introduction**

In discussing the emergence of the modern concept of state, one cannot avoid the question of whether it is plausible at all to use the *concept of state* prior to the fifteenth century. If so, which sub-period of the Middle Ages (High Middle Ages or Late Middle Ages) would qualify for this kind of analysis?<sup>1</sup> Furthermore, when can we justly speak of the existence of the *modern*

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\* This article is an adapted and shortened version of a subchapter to the book to be published by Academic Studies Press under the working title *Understanding Russian Perceptions of Power: Notions of Power and State in Russia in European Perspective in a Formative Age, 1462–1725*. The shortened Hungarian version of this book was written under the auspices of the project led by Prof. Lajos Cs. Kiss at the National University of Public Service under the priority project KÖFOP-2.1.2-VEKOP-15-2016-00001 titled “Public Service Development Establishing Good Governance”.

<sup>1</sup> For these issues see especially: ULLMANN 1975. p. 17–18; BURNS 1988. p. 1–2; CANNING 1996. p. xix–xx; BLACK 1992. p. 186–191.

*concept of the state?* Without question, the answers depend on the definition of the state itself. My aim here is not (and cannot be) to consider various definitions of state.<sup>2</sup> Instead, I will rely on authors whose views I consider suitable not only for grasping the development of the idea of the state in historical perspective in Western Christendom, but which also can be applied for a comparison with Russia, even if the criteria should be used with reservations in the latter case.

*The modern concept of state, in my view, implies a legally framed supreme power over a given territory, an impersonal public power independent of, and standing above, both governors and governed, to whom subjects/citizens owe their highest loyalty.*

The emergence of the modern idea of state (as well as state formation) was a process of “secularization and depersonalization of sovereign power”.<sup>3</sup> In the High Middle Ages, attempts to describe the legal position of the pope by canon lawyers generated the birth of the concept of sovereignty (if not the term itself). At this point, the language of papal sovereignty could be transferred to the secular sphere – the prince, and eventually the state. Mark Neocleous eloquently summarized the process laconically: “Where the prince once stepped into the shoes of the Pope, now the state stepped into the shoes of the king.”<sup>4</sup>

The author whose wording can best illustrate the above development is none other than Bodin, to whom we owe the *definition* of sovereignty itself (but not the coining of the term which was known before him), and the *linking of the concept to the state*: “SOVEREIGNTY is that absolute and perpetual power vested in a *commonwealth* which in Latin is termed majesty.”<sup>5</sup> When Bodin moves to explain what the meaning of a king’s absolute power is – for despite linking sovereignty to the state he was preoccupied with monarchical sovereignty – viz. the right to create new laws and abolish existing ones, as the king is not bound by positive law, he explicitly refers to the pope: “It follows of necessity that the king cannot be subject to his own laws. Just as, according to the canonists, the Pope can never tie his own hands, so the sovereign prince cannot bind himself, even if he wishes.”<sup>6</sup>

Bodin’s above reference can be really understood in a wider context, if one keeps in mind that the legal term *absolute power* (*potestas absoluta*) was first used in the thirteenth century by theologians to describe the authority of the pope and was soon adopted by canon lawyers as well.<sup>7</sup> It was eventually the legal language defining papal power transferred to prince in which royal absolute monarchy was clothed: by the fifteenth century this language had taken strong roots in those monarchies that “effectively

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<sup>2</sup> For the theoretical problems and the present state of research on the approaches concerning the state. See: Cs. KISS 2017a; Cs KISS 2017b.

<sup>3</sup> NEOCLEOUS 2003. p. 18.

<sup>4</sup> NEOCLEOUS 2003. p. 18.

<sup>5</sup> BODIN 1576. (Access: May 30, 2019.)

<sup>6</sup> BODIN 1576. (Access: May 30, 2019.)

<sup>7</sup> BURNS 1990. p. 32.



undermined the universalist claims of pope and emperor alike.”<sup>8</sup> In this way the terminology of sovereignty migrated to the secular sphere and was attached to the person of the independent prince. From this point, it was just one step to adapt it to the state, as Bodin had done. This laconic summary of the medieval heritage passed on to Bodin is in itself an important point when we consider the problem of the idea of state in the Middle Ages.

## Approaches and Problems

For the point of departure of my analysis I use Quentin Skinner’s approach outlined in his by now classic book, *The Foundations of Modern Political Thought* (1978). I take into account the criticism it received, especially from Cary J. Nederman. Skinner’s approach is all the more important because in a stimulating article Oleg Kharkhordin followed Skinner’s footsteps in his account of the development of the Russian concept of state (*What is the state? A Russian concept of gosudarstvo in the European context?*). According to Skinner, the development of the modern concept of state, a process that he argues took place roughly between 1300 and 1600, can be summarized briefly as follows.

“The decisive shift was made from the idea of the ruler ‘maintaining his state’ – where this idea simply meant upholding his position – to the idea that there is a separate legal and constitutional order, that of the State, which the ruler has a duty to maintain. One effect of this transformation was that the power of the State, not that of the ruler, came to be envisaged as the basis of government. And this, in turn, enabled the State to be conceptualized in distinctively modern terms – as the sole source of law and legitimate force within its own territory, and as the sole appropriate object of its citizens’ allegiances.”<sup>10</sup>

Skinner’s last statement, of course, contains the element of Max Weber’s classic definition of state (which Skinner does not fail to mention explicitly in a footnote): for Weber “a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory. Note that ‘territory’ is one of the characteristics of the state.”<sup>11</sup>

Skinner’s view on the development of the modern concept of state puts the subject in a plausible historical perspective, although his chronological frame is debatable in two directions. My first objection is that the notion of rights of governance distinct from and independent of the ruler with an existence of their own, as well as the idea of their inalienability derived from

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<sup>8</sup> BURNS 1990. p. 33. Bodin also emphasized the French king’s independence of both pope and emperor.

<sup>9</sup> KHARKHORDIN 2001. p. 206–240.

<sup>10</sup> SKINNER 1978. vol. I, p. ix–x.

<sup>11</sup> WEBER 1919. p. 1. (access: May 30, 2019.)

the concept of *office (officium)*, was clearly emerging around 1200 when the *legal idea of the crown (corona)* as a corporation entered into political discourse. Furthermore, the idea that kings are not subject to either the pope or the emperor had also developed as early as the 1190s by Ricardus Anglicus, giving *imperium* and *iusdictio* to kings.<sup>12</sup> My second point, for which I rely on Nederman, is that Skinner overemphasizes the issue of terminology – at least in his 1978 book because it seems to me that in his more recent writing he has revised his view<sup>13</sup> – which, in turn, questions the years around 1600 as a watershed. For Skinner, after giving the above definition, turns to “historical semantics – from the concept of the State to the word ‘State’”, claiming that in his view the “clearest sign that a society entered into a self-conscious possession of a new concept...that a new vocabulary comes to be generated, in terms of which the concept is articulated and discussed.”<sup>14</sup> In this respect he treats the “decisive confirmation” of his thesis that “by the end of the sixteenth century, at least in England and France we find the words ‘State’ and ‘l’État’ beginning to be used for the first time in their modern sense”.<sup>15</sup> Nederman, however, claims that Skinner is trapped in a “linguistic overdeterminism”, as the “presence or absence of a vocabulary determines the presence or absence of an idea” for him.<sup>16</sup> While Nederman, in my view, goes too far in his criticism of Skinner in his alleged conflation of vocabulary and the idea of state, terminology is, of course, also crucial to the history of the idea of the modern state, especially in a comparative venture. As Kenneth Dyson writes, “The gradual awareness, from the late fifteenth century onwards, that a new kind of political association was emerging in Western Europe led to the search for an appropriate word with which to characterize this new phenomenon.”<sup>17</sup> It cannot be denied that the above mentioned words denoting the new phenomenon, the state, “came slowly into usage” and, to be sure, were employed “with little precision and consistency.”<sup>18</sup> Nevertheless, by the time the sixteenth century was approaching to its end, the novel terminology acquired *some degree of precision* in the writings of lawyers and political theorists. By 1600 *State* and *État* (written in capital letter to emphasize the difference from their former meanings) were capable of *conveying* the modern concept of the state: the link between the idea of territoriality and supreme power, i.e. sovereignty.<sup>19</sup>

I second the opinion of those authors who claim that applying the concept of state for the analysis of *medieval political structures* is irrelevant and misleading for most of the period conventionally called the Middle Ages (300–1450). Before roughly 1200, the state did not exist either as an idea or

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<sup>12</sup> TIERNEY 1982, p. 22.

<sup>13</sup> SKINNER 2010, p. 26–46.

<sup>14</sup> SKINNER 1978, vol. I, p. x.

<sup>15</sup> SKINNER 1978, vol. I, p. x.

<sup>16</sup> NEDERMAN 2009, p. 54.

<sup>17</sup> DYSON 1980, p. 25.

<sup>18</sup> DYSON 1980, p. 25.

<sup>19</sup> DYSON 1980, p. 27–28. Compare it with my conclusion at the end of the article.

an institutional reality not even in Western Europe. However, from the thirteenth century onwards, we can observe *the beginnings* of a political entity which is called the '*sovereign territorial state*',<sup>20</sup> in the history of which the period cc. 1450–1700 proved to be crucial. I argue that it was during this period that the *modern state as an institution* as well as the *modern concept of state* was born. The term '*sovereign territorial state*' means that the idea of a supreme and final political power, i.e. the idea of sovereignty, became fused with "territorial exclusivity" – in other words, political power is exercised over a defined territory.<sup>21</sup> (This can be defined, at least in principle, as including overlapping jurisdictions across country borders, part and parcel of the Old Regime.) To put it differently, sovereignty can be limited only *horizontally* by the reach of another supreme political power.<sup>22</sup>

The concept of territorial sovereignty, born in the early modern age, emerged not only because of developments in political thought. Seemingly unrelated phenomena also contributed. Perhaps one would not immediately think of the importance of *early modern cartography* in this context. However, this portends one of my main arguments of my forthcoming book, namely the importance of *parallel use of written and visual sources of political thought and their interaction*. There can be no doubt, that similarly to *allegorical personification of nations in female figures, cartography* also played a great part in the formation of the idea of territorial sovereignty. It was the ability of the map "to figure the new state itself, to perform the shape of statehood".<sup>23</sup> When in maps of the late sixteenth century *blue and red dotted lines* (as the case is even today) took the place of former mimic depictions of borders symbolized by forests or hills<sup>24</sup> – often in clear contrast with geographical reality in the latter case –, this new way of marking borders had important consequences. Early modern maps thus had the potential to "give the elusive idea of state concrete form".<sup>25</sup> They made *visible the sovereignty of a given state* – to be constrained only horizontally – at the very time when the modern concept of *state sovereignty* was first proposed by Bodin in 1576. Similarly, in the Dutch engravings of the 1580s called the '*Dutch virgin*' (the allegorical personification of the United Provinces in the figure of a young woman), the *fence* around the female figure (and the gate guarded by lions) meant the *symbolic borders of the United Provinces*, the integrity of which was to be untouched – an integrity symbolized by the virgin herself.<sup>26</sup>

As for the prehistory of the idea of territorial sovereignty, it is significant that by the end of the fourteenth century in the writings of influential lawyers, such as Bartolus of Sassoferrato and Baldus de Ubaldis, it was stated

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<sup>20</sup> SPRUYT 1994. p. 3.

<sup>21</sup> SPRUYT 1994. p. 34–35.

<sup>22</sup> SPRUYT 1994. p. 35.

<sup>23</sup> WOOD 2010. p. 31.

<sup>24</sup> KATAJALA 2011. p. 75.

<sup>25</sup> WOOD 2010. p. 31.

<sup>26</sup> For female allegorical personification of nations and the impact of this phenomenon on the development of the idea of state from the Late Middle Ages onwards, see my article: SASHALMI 2018.

that Latin Christendom, i.e. Europe, consisted of *territorially organized political communities* (either in monarchical or republican form of government) with the purpose of maintaining the *common good*, within which there was a *supreme power independent of any foreign authority*.<sup>27</sup> I think that this can be taken as the *medieval idea of state* – although it was not yet, of course, the *modern concept of state*. What was missing was the fusion of these two notions. Relying on the research of Passerino d’Entrèves, Nederman summarized the core of the above problem: “The Middle Ages did not produce – and could not have produced – the idea of the state in the modern meaning, the modern state – both as a theoretical construct and a practical force – but it could not have emerged without the pre-existence of distinctively medieval ideas and institutions.”<sup>28</sup> Such ideas were capable to acquire new interpretations in a new context.<sup>29</sup> Therefore, the method needed in the study of the development of the concept of state is the one David Armitage has proposed for the study of history of ideas in general: “*transtemporal*” and “*series contextual*”.<sup>30</sup>

Touching very briefly the question of terminology, in the High and Late Middle Ages there were various Latin terms used to designate an independent political community, terms such as *respublica*, *regnum*, *civitas*.<sup>31</sup> But none of them was able to convey the link between *territoriality* and supreme power, i.e. *sovereignty*.<sup>32</sup> Indeed, as Jean Dunbabin condensed the whole issue: “The first difficulty that the reader of medieval political literature has to face is the lack of an abstract noun capable of conveying the concept of state.”<sup>33</sup> The lack of a precise term notwithstanding, the *state* was clearly in the making in the fourteenth-fifteenth centuries on two levels: both theoretical and practical (institutional). “If medieval political writers did not as yet recognize either *in name or substance the ‘State’ in its modern acception*, it is all the more interesting to see the effort they made to grasp the essence of the new political reality which was beginning to take shape during the last centuries of the Middle Ages.”<sup>34</sup> In agreement with d’Entrèves and Nederman, I also claim that

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<sup>27</sup> D’ENTRÈVES 1967. 98–99. This latter principle was expressed in the phrases *rex superiorem non recognoscens, est in regno suo imperator* (“the king not having a superior is an emperor in his kingdom”) or *civitas superiorem non recognoscens, est sibi princeps* (“the community not having a superior is its own prince”). The term *princeps* from the thirteenth century was increasingly used in a general sense, meaning a sovereign ruler.

<sup>28</sup> NEDERMAN 2009. p. 52. Nederman emphasizes that throughout his book Entrèves “points to these preconditioning elements and their limits”. NEDERMAN 2009. p. 52.

<sup>29</sup> NEDERMAN 2009. p. 53.

<sup>30</sup> ARMITAGE 2012. p. 498.

<sup>31</sup> The word *civitas* was even used by Hobbes in his famous definition of the state: “For by art is created that great LEVIATHAN called a COMMONWEALTH, or STATE (in Latin, CIVITAS)...” – HOBBS 1651. p. 1.

<sup>32</sup> DUNBABIN 1989. p. 479. Bodin, however, made this connection plain: “the commonwealth should have a territory which is large enough, and sufficiently fertile and well stocked, to feed and clothe its inhabitants.”

<sup>33</sup> DUNBABIN 1989. p. 479.

<sup>34</sup> D’ENTRÈVES 1967. p. 29. [emphasis mine]

the discussion of the modern concept of state cannot be understood without a historical perspective.<sup>35</sup> Indeed political thinkers of the thirteenth-sixteenth centuries had some kind of notion of the state.

In my view, Antony Black has listed the most useful criteria of the modern state. Indeed, he devoted an entire chapter to this in his book. Although the chapter in question was entitled the "State," Black made clear that he intended to deal only with "the *idea* of the state."<sup>36</sup> Black relies on some of the authors I have referred to (specifically mentioning Weber and Skinner) in what he calls a 'definitions of state', but it will be clear that he tried to put together a rather comprehensive list of what I would rather call *typological elements*. By presenting a scheme, Black provides a useful tool for a short historical overview, as it is more rewarding to identify certain *typological elements* than being preoccupied with pondering various definitions.<sup>37</sup> The elements listed by Black, which I try to identify with short labels of my own in brackets, are as follows:

"(1) an order of power distinct from other orders", the most important for us is the "religious order" (*secular power aspect*);<sup>38</sup> "(2) an authority exercised over a given territory and all its inhabitants" (*territorial aspect*); "(3) the monopoly of the legitimate use of physical coercion (as Weber put it)" (*coercive aspect*); "(4) legitimacy derived from inside the political community, not delegated by an external authority" (*external aspect of sovereignty*); "(5) a body or authority with some moral (as opposed to repressive) functions such as the imposition of law and order, the defence of justice and rights, promotion of a common welfare" (*aim of power aspect*); "(6) 'an apparatus of power whose existence remains independent of those may happen to have control of it at any given time' which Skinner calls a 'recognizable modern conception of state'" (*impersonal governmental rights aspect*).<sup>39</sup>

Having provided this list, he asserts: "We have seen that the idea of state in most of these senses was present or developing in this period."<sup>40</sup> He substantiates this assertion in the pages that follow by presenting a summary of the different topics discussed in the book. Although Black speaks simply of

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<sup>35</sup> NEDERMAN 2009. p. 22.

<sup>36</sup> BLACK 1992. p. 186.

<sup>37</sup> NELSON 2006. p. 7.

<sup>38</sup> Black himself considered this distinction between the secular and religious powers "the most important distinction" of the period between 1250–1450. BLACK 1992. p. 188. This issue, namely the lack of such distinction in Russia until the early 18<sup>th</sup> century, will be vital in my comparison of the West with Russia.

<sup>39</sup> BLACK 1992. p. 186–187.

<sup>40</sup> BLACK 1992. p. 186. In the following pages Black one by one enlists his arguments concerning the presence of these criteria.

the “idea of state”, his criteria, taken together, no doubt express the *idea of the modern state*.

Black then shifts his attention to those Latin terms which had been in use to denote *supreme political power*, before the French *souveraineté* emerged as a result of the change in terminology brought on by Bodin’s use of the term in 1576. In the Late Middle Ages *principatus, superioritas, auctoritas/potestas suprema, plenitudo potestatis, maiestas*<sup>41</sup>, to which we can add *imperium* and *iurisdiction*, were all used with the above meaning. In the translation of Bodin’s work into Latin (1586), *maiestas* was the preferred word for *souveraineté*, although he was not consistent, as he also used *summa potestas, imperium*. Early modern political discourse “was always a conversation in translation” between the Latin and the vernaculars.<sup>42</sup> (This aspect also holds true in case of the westernization of Russian terminology related to concepts of power, which I call the “Russification of meanings”.) The plethora of Latin terms employed to denote *supreme political power*, similar to the ones referring to an *independent political community*, posed a problem in order for a coherent terminology to emerge. *I contend that the great variety of Latin words mentioned previously, in some sense, was a barrier to denote both State and Sovereignty because of the multifarious connotations of these terms*. In both cases a *vernacular word* was destined to have remarkable career in later political thought<sup>43</sup> – *État* and *Souveraineté* in French, *State* and *Sovereignty* in English (in old English spelling, *Soveraignitie*) – the consequence of this terminological problem.

Although beginning in about 1600 State and Sovereignty went hand in hand (“*the state is a sovereign state*”),<sup>44</sup> they were not yet linked to each other in such a close way that contemporary theoreticians would use the phrase, ‘*sovereign state*’, which was a rare exception in the early seventeenth century. *Princely sovereignty* remained in the focus of analysis until the late seventeenth century.

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<sup>41</sup> BLACK 1992. p. 186–187.

<sup>42</sup> BRETT 2015. p. 31.

<sup>43</sup> BRETT 2015. p. 31.

<sup>44</sup> BRETT 2015. p. 32.

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## CONTRIBUTIONS



*Szabina REICH:*

## **Die archäologischen Ausgrabungen der Bischofskathedrale Hl. König Stephan in Székesfehérvár**

The Archaeological Excavations of the Cathedral of St Stephen in Székesfehérvár

Excavations had been going on within and near the cathedral of King Saint Stephen in Székesfehérvár. This is the place where the Saint Peter parish church might have stood in the Middle Ages. We know four building periods of it. An originally four lobed church had been extended to a single nave construction with a polygonal apse and a chapel, which is a today's southern tower. Then another chapel was built on the opposite side, and the former chapel became a sacristy. In the fourth period the building was reconstructed to a three-nave church with two eastern towers. The medieval building was destroyed in the Baroque era except for the two towers.

*Keywords:* Saint Peter parish church, four-lobed church, single-nave building, polygonal apse, three-nave church



### **Einleitung**

Die Ausgrabungen um die Bischofskathedrale dem Hl. König Stephan geweiht – im Schiff und im Erdgeschoss der westlichen Türme – wurden im Jahr 2016 und 2018 durchgeführt. Die ausgegrabenen, unbekanntenen Fundamente haben nachgewiesen, dass die Vierpasskapelle (Forschungen in den 1970er Jahren) mit der mittelalterlichen Vorlage der Bischofskathedrale zusammenhängt. Mehrere periodische Rekonstruktionen konnten mit historischen und archäologischen Informationen aufgestellt werden. Die Folgerungen sind nicht endgültig, weil die Stadtwerke, die Gräber, die oftmalige Bautätigkeit die genaue Datierung der ausgegrabenen Reste erschweren.

## Die historischen Daten

Alán Kralovánszky und Gyula Siklósi lokalisierten den Fürstensitz, später die Königsburg, im Gebiet zwischen Megyeház utca–Városház tér–Kossuth utca.<sup>1</sup> Meinungen der Forscher nach stand die Pfarrkirche Hl. Péter/Peter hier, sie war die mittelalterliche Vorlage der Bischofskathedrale. Darüber hinaus ist dem Umstand Bedeutung beizumessen, dass der Kirche anlässlich von Königskrönungen eine wichtige Rolle zufiel: auf dem in der Kirche stehenden Thron sprach der jeweils neue Könige Urteile und hier erteilte er bei diesem Anlass den mit Goldsporen verbundenen Ritterschlag.<sup>2</sup> (*Abb. 1*)

In den Urkunden erscheint die Benennung der Kirche in der Form *“ecclesia B. Petri“*, lediglich bei Długoss kann man die Form *“S. S. Petri et Pauli“* lesen.<sup>3</sup> Die Kirche kommt als *“cathedralis“* in der Komposition der Chronik aus dem 14. Jahrhunderts vor.<sup>4</sup> Sie stand innerhalb der Stadtmauern nach zwei Urkunden (im Jahr 1478, 1537), aber diese Quellen enthalten keine Daten von der Lage des kirchlichen Gebäudes.<sup>5</sup> Ein Friedhof gehört der dem Hl. Peter geweihten Kirche nach einer Urkunde aus dem Jahre 1478, anhand eines städtischen Dekrets offiziell bis 1856 funktionieren konnte.<sup>6</sup>

Die mittelalterliche Vorlage der Bischofskathedrale überstand die türkische Belagerung des Jahres 1543. Doch wie der Beschreibung von Sinan Tschauss zu entnehmen ist, wurde sie rasch zu einer Dschami umfunktioniert.<sup>7</sup> Eine von Lajos Martinus, dem ersten Pfarrer der Kirche unmittelbar nach der Befreiung von den Türken zwischen 1688 und 1690 niedergeschrieben Notiz, die sich mit den einzelnen Bauteilen der Kirche

<sup>1</sup> KRALOVÁNSZKY 1990. S. 79; SIKLÓSI 1999. S. 10–13. Die Kritik der Vorstellung siehe: ZSOLDOS–THOROCZKAY–KISS 2016. S. 211–222.

<sup>2</sup> REICH 2013. S. 39–40. Das kirchliche Gebäude stand am Marktplatz der Stadt nach Długoss Jan polnischen Historiograf: *“ad ecclesiam SS. Petri et Pauli in foro sitam“* und hier wurden Grossfürst Géza und seine Frau, Adelheid begraben. Der Wahrheitsgehalt des letzteren Berichts spaltet die Forschung. ZSOLDOS–THOROCZKAY–KISS 2016. S. 30–31. Gergely Buzás lokalisiert die Pfarrkirche auf dem Platz der heutigen Pfarrkirche Hl. Imre/Emmerich im Platz Városház nach der Beschreibung des Historiografen. BUZÁS 1999. S. 139. Die einschlägige Quelle der Krönungen siehe BARTONIEK 1987. passim

<sup>3</sup> Seine frühe urkundliche Erwähnung: 1304: *“[...] in eccl. S. Petri Albensi divina officia celebravit“*. ÁMTF II. S. 373. Der Patron von Hl. Peter und Paul kam nur in einer Notierung bei Długoss vor. *Historiae Polonicae libri XII*, S. 742–743.

<sup>4</sup> Die Komposition der Chronik auf 1235: SRH I. S. 467; ÁMTF II. S. 368.

<sup>5</sup> 1471: *“Valentinus Chere [...] totalem domum ipsorum lapideam, simul cum curia eiusdem, in vico sancti Petri existentem et habitam, cui ab aquilonari Petri Somody, orientali vero parochialis ecclesie sancti Petri“*. KÁROLY II. S. 631; 1477: *“Ioannes Kalmanchehy concivis noster [...] ipse domum quandam suam lapideam simul cum curia eiusdem, in castro nostro in vico Sancti Petri“*. KÁROLY II. S. 632–33; 1478: *“domum lapideam in vico sancti Petri iuxta praenarratam ecclesiam nostram, in plaga orientali sitam et existentem, pro habitationibus praenotatorum dominorum duorum canonicorum“*. DL 18 023; KÁROLY II. S. 671–672; 1537: *“székesfehérvári falakon belüli Szt. Péter egyház“* [*Die Pfarre Hl. Péter innerhalb der Mauern von Székesfehérvár*]. Fejér megyére vonatkozó oklevelek, 345. N.

<sup>6</sup> *“coemeterium parochialis ecclesie B. Petri Apostoli“*. DL 18 023; Fejérmegyei Napló 1935. S. 1.

<sup>7</sup> Istolni-Belgrád XVI. századi török forrásai, S. 277.

befasst, beleuchtet die türkenzeitlichen Zustände.<sup>8</sup> Im 18. Jahrhundert wurde das Gebäude im Barockstil umbaut, weil die mittelalterlichen Mauern ausgenommen die zwei Türme abgebaut wurden. Sie wurde eine Bischofskathedrale nach der Gründung des Bistums im Jahr 1777 mit dem Patron König Stephan der Heilige.<sup>9</sup>

Drei Abbildungen (die Chalkographie von Werner, das Hauptaltarbild der Bischofskathedrale, eine stilisierte Malerei aus dem 18. Jahrhundert) lassen weitere Informationen erteilen, in denen die mittelalterliche Hl-Peter-Pfarrkirche zugleich als umgebaute Dschami sichtbar ist.<sup>10</sup> (Abb. 2)

## Baugeschichte

Vier Bauperioden können mit Hilfe der ausgegrabenen Fundamente separiert werden. Alán Kralovánszky identifizierte die Vierpasskapelle (im Platz II. János Pál pápa) mit dem Grab des Grossfürsten Géza und datierte auf das 10. Jahrhundert.<sup>11</sup> (Abb. 3) Das Gebäude hätte mit 10×10 Metern quadratischem Grundriss, an dessen Seiten sich halbkreisförmige Erweiterungen, Apsiden anschließen. Ein Ossarium hat die südliche Apsis abgebaut. Das Fundament der Mauern (90 cm hoch, 120 cm breit, sein Boden: 113,32 m über dem Meeresspiegel) wurde aus Bruchsteinen, römischen Ziegelbruchstücken gemauert. Das Bindematerial ist mit rotgelbem Kies gemischt, stark kalkig. Die bestehenden Mauern der nördlichen und westlichen Apsiden (30 cm hoch) wurden aus Quadersteinen verlegt. Die Kirche hat zentralen Grundriss, aber die sakrale Wichtigkeit der östlichen Apsis wurde betont, weil sie eine anspruchsvolle Gestaltung gegenüber anderen Apsiden hat. (Abb. 4) An der südwestlichen Seite steht ein feines Fundament eines Pfeilers (112×96×96 cm), es wurde aus römischen Ziegeln gebaut und wahrscheinlich war Teil eines westlichen Emporiums. Ein aus Quadersteinen gemauertes, verputztes Grab (283×125×60 cm) legte außer der westlichen Apsis und richtete sich nach dem Fundament der Apsis, deshalb war es gleichalterig mit der Kirche. (Abb. 5)

In der nächsten Periode wurde ein Schiff mit einer polygonalen Apsis mit Strebpfeilern zur östlichen Seite der vierapsidalen Kirche im 14. Jahrhundert gebaut. (Abb. 6) Die zu dieser Phase gehörigen Reste legen in zwei Nebenkappen unter den heutigen Türmen, in westlicher Hälfte des Schiffes und unter dem Gehweg vor der Bischofskathedrale, in weniger Tiefe unter dem heutigen Fussboden in den Nebenkappen. Die nördliche, zweilagige (Bruchstein innen, Kalksteinquader außen) Mauer (150 cm breit) der Kirche fand sich bei dem Eingang der ostwestlichen Kapelle im Erdgeschoss des Turmes (233 cm hoch, sein Boden: 112,91 m über dem Meeresspiegel) und unter dem Gehweg vor westlicher Mauer der heutigen Kirche. Ein Strebpfeiler (132×100×134 cm) wurde zu dem nordöstlichen

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<sup>8</sup> Források Fejér megye törökkori történetéhez, S. 214–215.

<sup>9</sup> SZARKA 2003. S. 90–91.

<sup>10</sup> BAITZ 1996. S. 10–11; BARTOS – LÁNGI 2017; DOBROVITS 1989. S. 109.

<sup>11</sup> SZIKM Adattár 1845/71; KRALOVÁNSZKY 1983. S. 80–84. Auf der letzten Zusammenfassung siehe SZAKÁCS 2012. S. 10–11.

Ende der Seitenwand mit demselben Bindematerial gebaut. Eine Kapelle knüpfte an die südliche Mauer der Kirche an, seine Reste (113,55 m über dem Meeresspiegel) sind unter dem Eingang des südwestlichen Turms und bei der östlichen Mauer des Raums. Der Altar wurde aus anderem Material (Bruchstein, helles Bindematerial, 220×165×92 cm, sein Boden: 114,49 m über dem Meeresspiegel) erbaut. (Abb. 7) Drei Strebepfeiler der Apsis erhielten sich, und der mittlere Pfeiler weicht von anderen (er hat größere Abmessung, verschiedenem Bindematerial) ab, weil er wegen einer großmaßstäbigen Grube oder einem Graben versackte, deshalb er musste umgebaut werden. (Abb. 8) Zwei, geschnitzelte Postamente der Mauerpfeiler schließen zur inneren Seite der Apsis an und sie sind aus der Anjou-Zeit aufgrund seiner Formen. (Abb. 9) Aus neuzeitlicher Zuschüttung der Kirche wurde ein Corpus aus Limoges aus der ersten Hälfte 13. Jahrhunderts gefunden. (Abb. 10)

In der neueren Bauperiode wurde eine Sakristei zur nördlichen Seite der Kirche angebaut. (Abb. 11) An westlichen Seitenwand, unter dem heutigen Boden wurde ein Sockelbord der gotischen Wandmalerei (42 cm hoch, 310 cm breit) gefunden. Das Ornament besteht aus weißen – ockergelben – roten – ockergelben – weißen – ockergelben Felder mit gewölbten Schoss und kleinen Ornamenten. Unter den Feldern ist ein schwarzes Streifen bis den Boden.<sup>12</sup> (Abb. 12) Die vier Mauern des Raums sind gleichalterig und sein Boden (114,84 m über dem Meeresspiegel) wurde aus Bodenziegeln (19×19×4 cm) gemacht.<sup>13</sup>

Wir fanden einen gewölbten Wasserspeicher (100×144×121 cm, sein Boden: 113,67 m über dem Meeresspiegel) in der südwestlichen Ecke der Kapelle – des heutigen Turms –, der einem Handwaschbecken (*lavabo*) gehörte, deshalb konnte die Kapelle im Mittelalter als seine Sakristei (320×320 cm) funktionieren.<sup>14</sup> (Abb. 13) Der Auslass wurde aus einem Stein geschnitzt und das Wasser floss durch einen Dachziegel in den Schacht. Aus dem Wasserspeicher sind zwei hahnförmige Zapfhähne aus Bronze (5,5×3,5 cm) gefunden. Diese Form ist aus dem 15–17. Jahrhundert von der Schweiz bis Niederland aus Fundgüter der Burgen und Klöster bekannt.<sup>15</sup>

Die Kirche wurde als dreischiffiges Gebäude in der Zeit von Sigismund von Luxemburg angebaut und die noch stehenden Mauern der Vierpasskapelle wurden abgetragen. (Abb. 14) An den westlichen Wänden

<sup>12</sup> Die Fresken der Plinthe fortdauern selten, weil sie wegen der Bodenfeuchtigkeit von der Mauer abfallen. József Lángi betonte die nachstehende siebenbürgische, italienische und österreichische Parallele: Aquileia, Berethalom, Darlac, Magyarremete, Maria Woerth, Mesendorf-Mese, Milano, Poruba, Pürgg, Siter.

<sup>13</sup> In der Ausfüllung zwischen den zweiten und dritten Böden war die späteste Münze der Denar von Ferdinand Habsburg (1526–64, H-934). Unter dem dritten Boden fanden eine Friesacher Pfennige, der Denar von Albert (1437–39), de Denar von Władysław I (C2-145A, H-607, 1442–43).

<sup>14</sup> Seine Analogien: Taliándörögd, die Kirche von Szent András (BURGER 1976. S. 70.), Gönc, das Kloster der Paulaner (BODÓ – PUSZTAI 2004. S. 324.), Kurityán, das Kloster der Paulaner (CZEGLÉDY 1988. S. 218.).

<sup>15</sup> HOLL 1992. S. 63; BAART – KROOK 1977. S. 352; DRACK 1997. passim

der Türme und dementsprechend an der östlichen (inneren) Seite der heutigen südwestlichen Kapelle wurden großmaßstäbige, gotische Bögen gefunden und die weisen auf einen inneren Raum hin. In der Mitte der nördlichen Wand des nördlichen Turms wurde die Einmauerung einer breiten, gotischen Öffnung beobachtet, die wahrscheinlich ein Wandschrank nach den Stemmzapfen war.<sup>16</sup>

Der Mauerrest (120 cm breit, 290 cm hoch, aus Bruchsteinen, mit weißgrauen Mörtel) bei der südöstlichen Ecke der südwestlichen Turm gehörte zur südlichen Schlussmauer der angebauten Kirche und seine Seite wurde zumindest mit zwei Strebebeylern verstärkt. (Abb. 15) Der zwei-periodische Mauerabschnitt (120 cm breit) nördlich von der nördlichen Apsis der Vierpasskirche bildete die nördliche Schlussmauer, der im rechten Winkel zum nördlichen Ende der westlichen Apsis kehrt. Zur äußeren Mauerebene wurden Strebebeyler gebaut, wir haben zwei solche gefunden. (Abb. 16) Die Mauern der zwei Nebenkappen wurden erhöht, sie wurden zu Türmen umgebaut und seine Ecken wurden mit Pfeiler (170 cm breit, 60 cm lang, 100 cm hoch, sein Boden: 113,80 m über dem Meeresspiegel). Die gotischen Fenster wurden auch an den Fassaden ausgestaltet (Abb. 17).

Die Krypten erschienen ab der ersten Hälfte des 15. Jahrhunderts im Kirchenraum. Seine Seitenmauern wurden aus Ziegeln gebaut, sie hatten Wölbung und Grabsteinplatte. Mehrere Grabkammern lagen unter dem Gehweg vor der Bischofskathedrale, aber die wurden gestört und wurden als sekundäre Begräbnisstätte benutzt. Wir fanden eine wohlbehaltene Krypta in der südlichen Nebenkappe. Seine Masse: 220 cm tief, 239 cm lang, 94–120 cm breit, der Boden des Grabgrundes: 113,25 m über dem Meeresspiegel). In seiner Einfüllung war eine große Menge Schutt mit einigen Steinschnitzwerken. Unter Fragmenten, in einer Tiefe von 150 cm lag ein Grabsteinplatte (215×111,5×13 cm) aus rotem Marmor im zerbrochenen Zustand. Die Steinmetzarbeit wurde nicht beendet, weil die Grabplatte keine Inschrift hat. An seiner Vorderplatte ist ein Schild sichtbar, in dem ein Stechhelm mit einer Schwinge des Adlers und einer Helmdecke geschnitzt wurde. Unter dem Helm ist ein gebeugter rechter Arm mit bauschiger Schulter. Der Unterarm wurde mit einem Pfeil durchschossen. In der Hand ist eine Lilie mit dreimaligem Wurzelwerk. Die Grabsteinplatte gehörte wahrscheinlich der Familie Del Bene aus Florenz und Pál Lővei datierte es um das Jahr 1420 wegen der Fetzen der Helmdecke.<sup>17</sup> (Abb. 18) Die italienische Familie betätigte sich mit dem Salzhandel und in Székesfehérvár funktionierte eine Salzkammer. Im Grabe unter den Fragmenten lagen mehrere Verstorbene.

In der nördlichen Kapelle/Sakristei wurde der Boden (wegen der großen Anzahl der Grablegen) erneuert und der Arkadenbogen in der westlichen

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<sup>16</sup> BARTOS – LÁNGI 2017.

<sup>17</sup> PAUER-PRAJDA 2011. S. 29–35; REICH – KULCSÁR – LÁNGI – BARTOS – LŐVEI 2016. S. 376–377; DRASKÓCZY 2017. S. 3.

Seite wurde eingemauert. Die mittelalterlichen Mauern wurden in der Barockzeit abgetragen und das Gebäude wurde von Osten erweitert.

Die Gräber des Friedhofs haben keine Beigaben aus dem Mittelalter. In den barocken Gräbern haben wir sich Rosenkränze, Pilgermedaillen und Kruzifixe gefunden. (Abb. 19)

Zur nördlichen Schlussmauer der Kirche wurde ein fünfeckiges Ossarium mit einer Kapelle gebaut, die Bauzeit können wir nicht bestimmen. (Abb. 20) Aus dem durch mehrere Jahrhunderte benutzten Friedhof wurden die Knochen in diesem Raum zusammengesammelt. Ein Ossarium hat die südliche Apsis im 18. Jahrhundert abgebaut.

## Zusammenfassung

Anhand der archäologischen Forschungsergebnisse lassen festgelegt werden, dass die Vierpasskapelle im Schiff eingeschlossen wurde und die heutigen westlichen Türme waren ursprünglich östlichen Türme. Das hier stehende mittelalterliche kirchliche Gebäude befriedigte das spirituale Bedürfnis der in der ehemaligen Burg siedelten Bürgerschaft.

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## ABBILDUNGEN

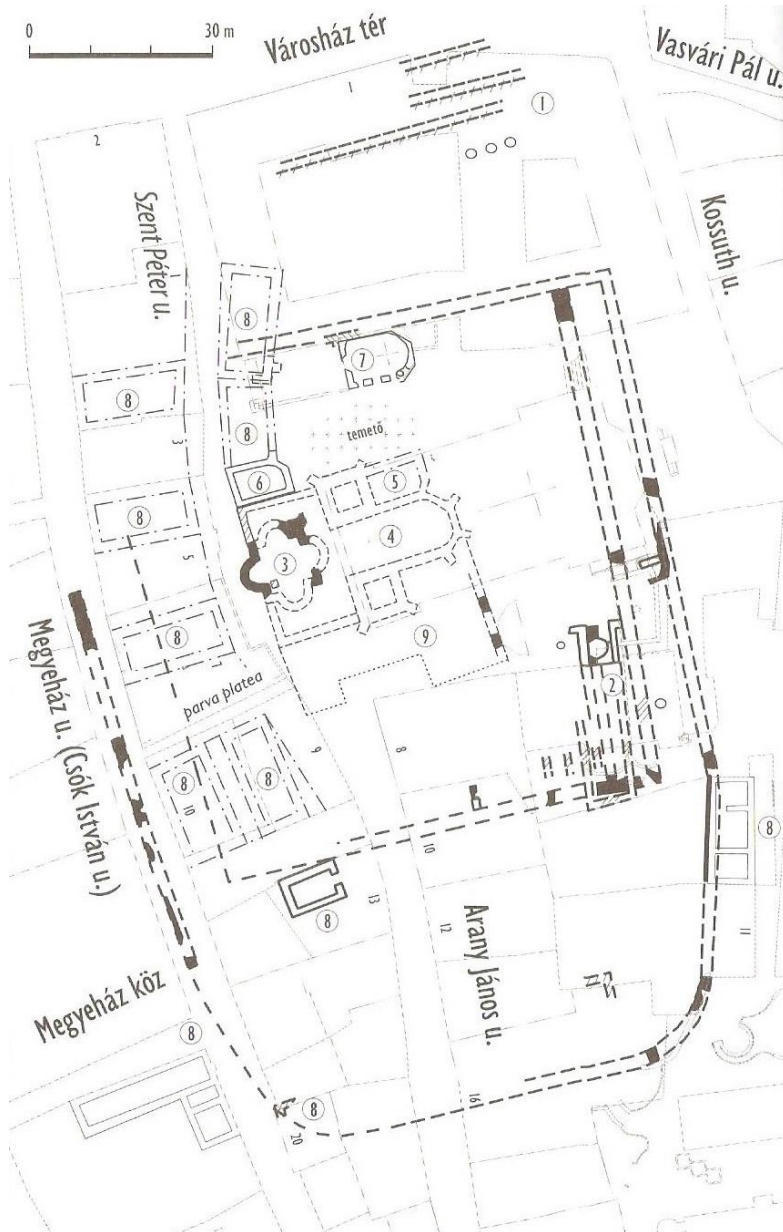


Abb. 1. Das Gebiet der Ausgrabungen.  
Zeichnung: Endre Egyed



Abb. 2. Die Chalkographie von Werner.  
BARTOS – LÁNGI 2017. S. 17.

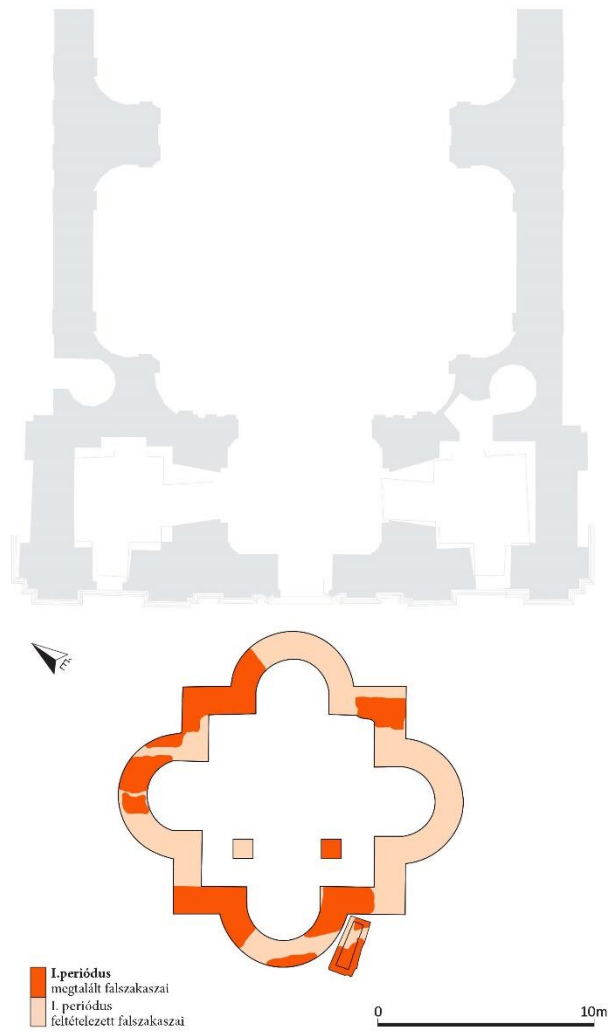


Abb. 3. Die erste Bauperiode der mittelalterlichen Kirche.  
Zeichnung: Zsuzsanna Branczeiz



Abb. 4. Die östliche Apsis der Vierpasskirche.  
Photo: Szabina Reich



Abb. 5. Die nördliche Apsis mit einem aus Quadersteinen gemauerten, verputzten Grab.  
Photo: Szabina Reich

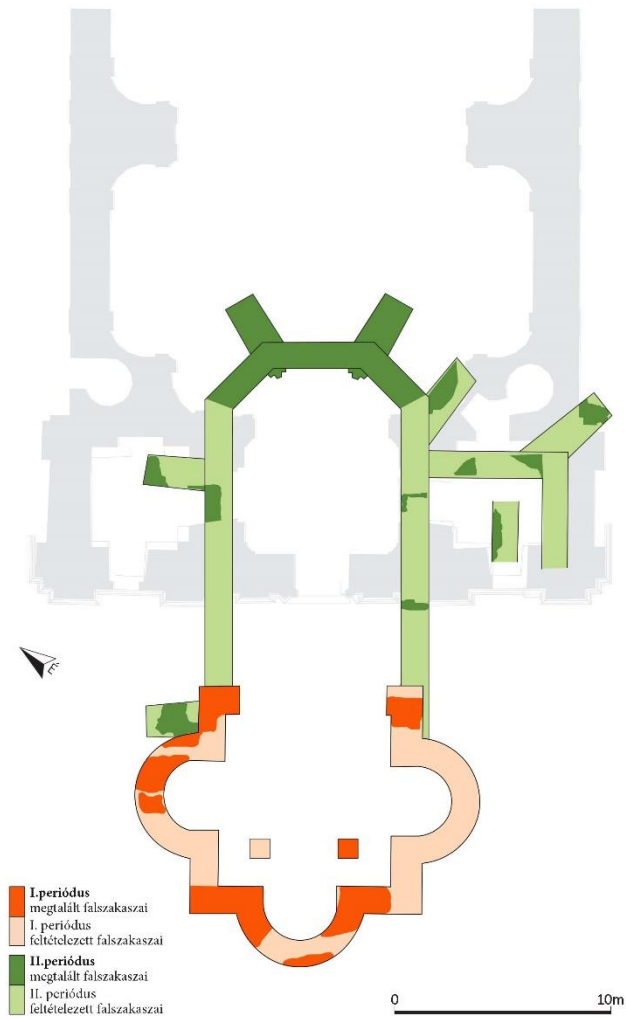


Abb. 6. Die zweite Bauperiode der mittelalterlichen Kirche.  
Zeichnung: Zsuzsanna Branczeiz





Abb. 7. Altarfundament in der südlichen Nebenkapelle.  
Photo: Szabina Reich



Abb. 8. Die polygonale Apsis mit Strebepfeilern.  
Photo: Brigitta Tóth



Abb. 9. Das geschnitzte Postament der Mauerpfeiler.  
Photo: Szabina Reich



Abb. 10. Das Corpus aus Limoges.  
Photo: Brigitta Tóth

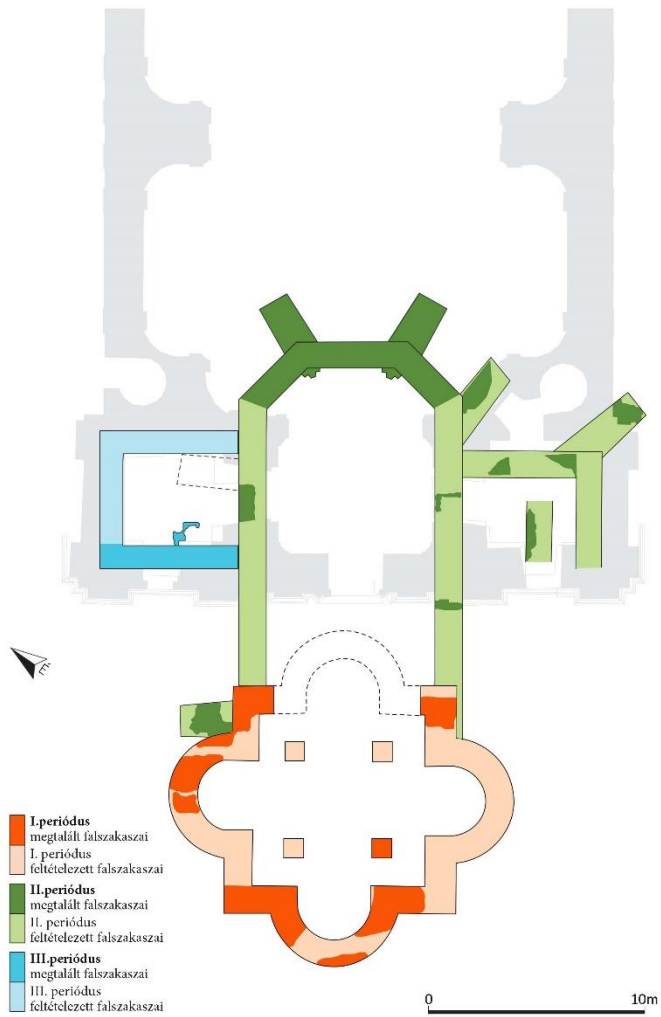


Abb. 11. Die dritte Bauperiode der mittelalterlichen Kirche.  
Zeichnung: Zsuzsanna Branczeiz



Abb. 12. Das Sockelbord der gotischen Wandmalerei.  
Photo: Szabina Reich



Abb. 13. Der gewölbte Wasserspeicher.  
Photo: Szabina Reich

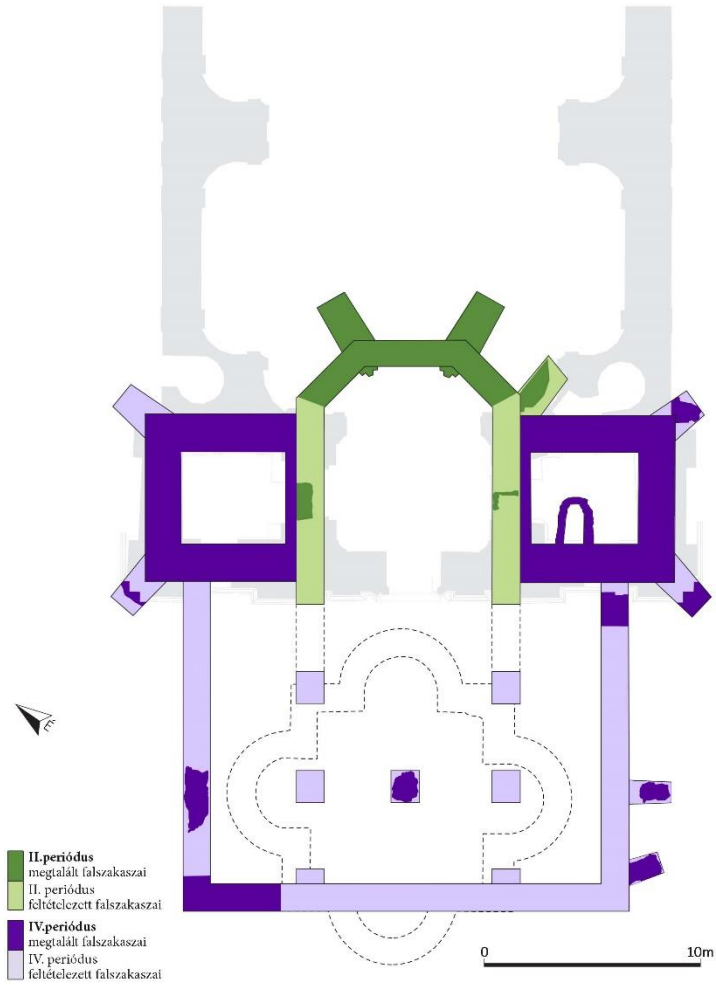


Abb. 14. Die dritte Bauperiode der mittelalterlichen Kirche.  
Zeichnung: Zsuzsanna Branczeiz





Abb. 15. Ein Strebepfeiler der südlichen Schlussmauer.  
Photo: Szabina Reich



Abb. 16. Ein Strebepfeiler bei der nordwestlichen Mauerecke.  
Photo: Szabina Reich



Abb. 17. Das gotische Fenster.  
Photo: Szabina Reich

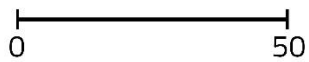
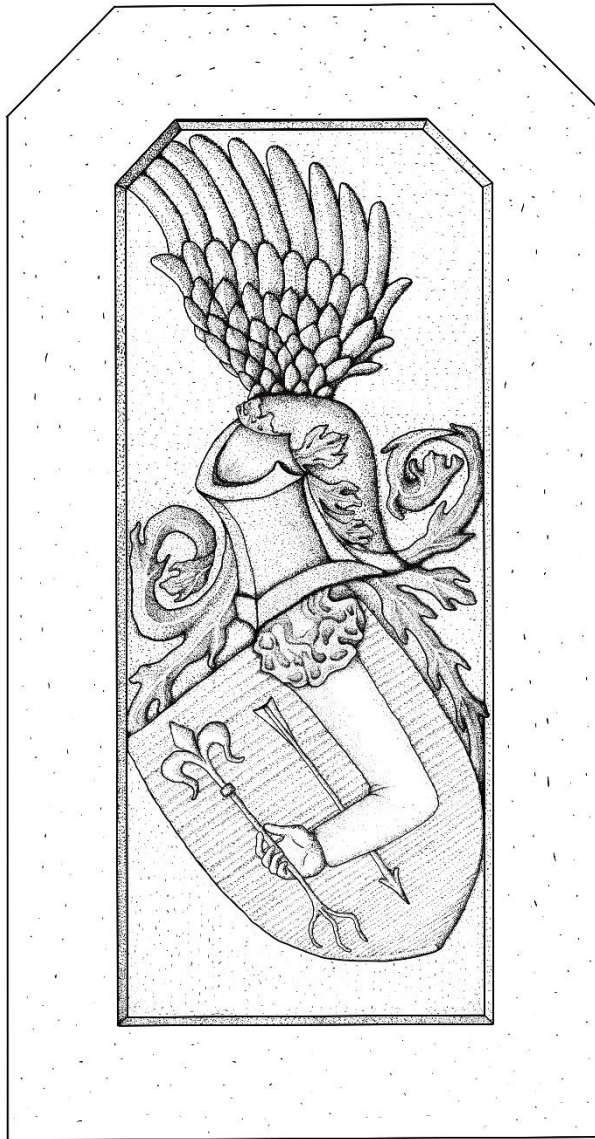


Abb. 18. Die Grabsteinplatte der Familie Del Bene.  
Die Zeichnung: Péter Burián



Abb. 19. Ein Kruzifix aus einem barocken Grab.  
Photo: Gábor Molnár.



Abb. 20. Ein fünfeckiges Ossarium.  
Photo: Szabina Reich



*Terézia HORVÁTH:*

## **The Provosts of the Chapter of Vasvár During the Reign of King Matthias Corvinus**

Up until now, little attention has been paid to the personnel of the Chapter of Vasvár by the medievalists. Since it is not a cathedral chapter, but a collegiate one, therefore it was not noted among the more significant chapters, therefore, due to the particularly rich source material, the comprehensive adaptation of the chapter's personnel is a complementary task. In the present paper, I attempt to introduce the life and carrier of the provosts of the Chapter of Vasvár under the reign of king Matthias I (1458–1490). In the second half of the 15<sup>th</sup> century there were six provosts in this chapter, however we are only familiar with four persons' name among them. The study demonstrates the carrier of the remaining two provosts (Thomas of Kutas and Ladislás of Kemend) of the chapter, since their lives are rather well documented. As a canon of Vasvár, Thomas of Kutas visited an Italian university, where he obtained the *decretorum doctor* grade. Later he held various *stallums* in the chapters of Győr and Esztergom. Ladislás of Kemend was the governor of abbeys on the commission of the pope, and he also had a position in the court of the Archbishop of Esztergom and later represented King Vladislaus II at the Papal Court in Rome. Due to their carrier experiences, I firmly believe that the provosts of Vasvár – in case of receiving the proper education and being in possession of the necessary talents – could fill in any important clerical or diplomatic positions outside the chapter as well.

*Keywords:* church history, chapter, collegiate chapter, middle clergy



### **Introduction**

The precise date and circumstances of the foundation of Vasvár's Chapter is unknown. The medieval and early modern tradition – similarly to other church institutes – acknowledges King Stephen I to be the establisher.<sup>1</sup> According to the current standpoint of historiography, it is more likely that the chapter was founded under the reign of King Ladislaus I, and, based on a source from the 14<sup>th</sup> century, it could also be supposed that the institute was

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<sup>1</sup> DESICS 1929. p. 301; IVÁNYI 1992. p. 27.

founded from the Chapter of Győr.<sup>2</sup> Regarding the number of the chapter's personnel, it belongs to the smaller colleges. The chapter included columnar canons (*canonici columnares*), namely a provost, a cantor and a custodian canon (*custos*), but minor canons were present too. The dean, who was responsible for economic duties was chosen from this faction. As it is stated in the sources, the minor canons were the most numerous during the 14<sup>th</sup> century, when their sum was a total of 12 persons.<sup>3</sup> At the same time, it is intriguing that there was no *stallum* organized for the *lector* in Vasvár.<sup>4</sup> Around the end of the 14<sup>th</sup> century, the substitutes of the honorary canons (the subcantor, sub-custodian, and notary) appeared in the sources intermittently,<sup>5</sup> however the occupation of these positions had never become a common practice: none of the charters from the Matthias era contains relevant details on the issue. In accordance with the general trends, the collegiate Chapter of Vasvár practiced the functions of the 'places of authentication' (*loca credibilia*) from the first half of the thirteenth century.<sup>6</sup>

The fifteenth century history of the chapter was particularly full with hardships. Since Vasvár laid at the Western frontier, it suffered from the effects of the Civil War era occurring in the 1440's, and from the subsequent Western military campaigns as well.<sup>7</sup> The most important source on the history of the institute from the Matthias era is a statute, which was issued by the provost in 1483, aiming to regulate the inner life of the college. The document at first introduces and defines the liturgical obligations of the canons, and then continues with the regulations regarding the everyday life of the community, and it also provides guidance on the handling of conflicts between the members of the body.<sup>8</sup>

## Historiography

Up until now, the historiography devoted only marginal attention to the medieval history of this Western frontier institute; the topic of the prebend has attracted the attention of only three scholars yet. Ignác Desics was the first to conduct a research on the personnel of the Chapter of Vasvár, and consequently, in 1929, he published a roster on the canons in the second volume of a series, called the *Szombathelyi egyházmegye története* (The

<sup>2</sup> To this issue refers a charter issued by the Chapter of Győr: „*quia dicta ecclesia de membro ecclesie nostre fore dignoscitur*”. AOklt. XXVI. nr. 561 (MNL OL DF 279335.); C. TÓTH – LAKATOS – MIKÓ 2014. p. 166; RÁCZ 2000. p. 192.

<sup>3</sup> DESICS 1929. p. 302–303; IVÁNYI 1992. p. 27., 30.

<sup>4</sup> The disclosure of the possible reasons behind this phenomenon, and the investigation of who completed the duties of the lector (the issuing of authenticated documents, etc.) should be the undertaking of future researches. DESICS 1929. p. 302; SILL 1976. p. 28; IVÁNYI 1992. p. 27, 30, 72.

<sup>5</sup> IVÁNYI 1992. p. 28, 72.

<sup>6</sup> The first charter, which remained to us was issued in 1228. MNL OL DF 206899. DESICS 1929. p. 301–302; SILL 1976; IVÁNYI 1992. p. 29.

<sup>7</sup> IVÁNYI 1992. p. 69–70.

<sup>8</sup> DESICS 1929. p. 303; IVÁNYI 1992. p. 70–71.



history of the Diocese of Szombathely), edited by Gyula Géfin.<sup>9</sup> In the completion of his work, the author primarily used the source publications, which were available at his time. He occasionally complemented his data with the benefices, which the canons of Vasvár occupied in other institutes. This roster was somewhat extended in the appendix of: *A középkori Vasvár* (The Medieval Vasvár), written by Béla Iványi. The book was completed in 1957, but due to political reasons, it was only published in 1992.<sup>10</sup> Besides these two scholars, Péter Kóta dedicated a few studies for the Chapter of Vasvár<sup>11</sup>, however, none of them disclosed the question of the personnel in depths. The relatively fair availability of sources is mostly the result of digitalisation; the previously unprecedented growth in numbers allows the comprehensive processing of the medieval history of the prebend. This process can be organically linked to new researches on the institutional history of the Hungarian chapters, which has been occurring, and is reloaded with dynamism since the early 2000s.<sup>12</sup>

## Sources

From the observed period, between 1458 and 1490, altogether 535 charters remained to us. Out of them, only 234 contained data on the canons of the Chapter of Vasvár. These documents – based on their types – recorded information on the honorary and minor canons as well. Until the end of the examined era – although in a constantly decreasing number – we find rosters of the dignitaries in the closing section of charters, which were issued on declarations (*fassiones*).<sup>13</sup> These entries therefore provide a stable guide on the administrative period of the certain honorary canons, and they also facilitate the tracking of vacancies. In the present study, the charters, which were issued by the Chapter of Vasvár were complemented with further sources namely, with editions of the counties of Vas and Zala, university register books, and archive sources from the Vatican.<sup>14</sup>

In the Matthias era, it was a conscious decision and effort to differentiate the canons, who held the same first name, which was achieved by applying the junior or senior suffix instead of the family surnames, or the ones, which would refer to the origins of the person.<sup>15</sup>

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<sup>9</sup> Ibid. p. 301–307. The roster of the canons: p. 308–332.

<sup>10</sup> IVÁNYI 1992. p. 122–125.

<sup>11</sup> SILL 1976; SILL 1977; KÓTA 1997; KÓTA 1987.

<sup>12</sup> FEDELES 2005; KRISTÓF 2014; G. TÓTH 2014; C. TÓTH 2015.

<sup>13</sup> Further see: MNL OL DL 100665, 45300, 72816, 101043.

<sup>14</sup> Many charters, which were originally issued by the County of Vas were published by Jenő Házi during the 1960's and 1970's on the columns of the *Vasi Szemle* [The Vas Gazette]. KÓTA 1997. For the Zala County charters see: ZALA. Regarding the university peregrinations consider the following databases: SCHRAUF 1902; VERES 1941; KÖRMENDY 2007; HARASZTI SZABÓ – KELÉNYI – SZÖGI 2017. Archive sources from the Vatican: LUKCSICS 1931–1938; CAMERALIA.

<sup>15</sup> As an example, further see the case of the two canons from 1478, who were both called György: MNL OL DL 93522; MNL OL DF 285197.

## Provosts

Among the canons of the observed era, the provosts were the ones, who, in many cases, fulfilled positions in other institutes, besides the chapter benefices they possessed. Furthermore, on a few occasions they actively took part in the national politics, thus the paths of such prebendaries could be uncovered the best. According to a papal charter from 1397, the income of the provost of Vasvár was 100 silver marks, but unfortunately, from the Matthias era, we do not have any information on the incomes.<sup>16</sup>

Chart 1: Archontology of the provosts from the Matthias era

<i>Name</i>	<i>Years</i>
Stephen	3.28.1456 <sup>17</sup> – 9.14.1458 <sup>18</sup>
Thomas of Kutas	2.10.1459 <sup>19</sup> – 11.21.1478 <sup>20</sup>
George	6.17.1479 <sup>21</sup> – 8.19.1480 <sup>22</sup>
Stephen (the other)	9.27.1481 <sup>23</sup>
Andrew of Kolozsvár	02.21.1482. <sup>24</sup> – 07.14.1483 <sup>25</sup>
Ladislav of Kemend	12.11.1483 <sup>26</sup> – 12. 22.1500 <sup>27</sup>

Based on the chart's data, it becomes visible that under the reign of King Matthias I, the benefice of the provost of Vasvár was held by six persons. Since Provost István 'disappeared' from the chapter's life and abandoned its leadership soon after the accession of Matthias I, he is not included in the present paper. In the following sections, the life and career of the five provosts will be discussed in a chronological order.

### Thomas of Kutas (Gál's son)

It is provable, that from the 10<sup>th</sup> of February 1459 until the 21<sup>st</sup> of November 1478 Thomas of Kutas, the son of Gál was in the provost stall of Vasvár.<sup>28</sup> His

<sup>16</sup> IVÁNYI 1992, p. 68.

<sup>17</sup> MNL OL DF 261602.

<sup>18</sup> MNL OL DL 39296.

<sup>19</sup> MNL OL DF 209314.

<sup>20</sup> MNL OL DL 12892.

<sup>21</sup> MNL OL DL 101771.

<sup>22</sup> MNL OL DL 45844.

<sup>23</sup> MNL OL DF 279235, 279248.

<sup>24</sup> MNL OL DF 282078.

<sup>25</sup> MNL OL DL 70414, 101022.

<sup>26</sup> MNL OL DL 29539.

<sup>27</sup> MNL OL DL 90582.

<sup>28</sup> MNL OL DF 209314; MNL OL DL 12892.

person has already been familiar to the Hungarian medievalists.<sup>29</sup> The place of his origin is unknown, since in the fifteenth century Hungary, there were more than one settlements, which were called, Kutas in the counties of Csanád, Csongrád, Nógrád, Temes, Zaránd, Somogy and Zala.<sup>30</sup> Based on his prior benefices, early historiography on the subject identified one of the *Kutos* named villages in Zala and Somogy as his place of descent.<sup>31</sup> I also support this hypothesis and consider it valid, as long as another contrary evidence come to light, however, the chance of this kind of *trouvaille* is very low. Perhaps, the most probable is, that Thomas was the member of the Kutas family, the owners of the Kiskutas estate. We can also identify his close relatives: his father's name was Gál, and his brothers were Gregory, George, Nicodemus, and Ambrose.<sup>32</sup>

The first written mentioning of his name does not connect him to Vasvár, but to Italy, the University of Padua, since he was a witness of the canon law exam of Stephen of Várda in 1450.<sup>33</sup>

From this source, we also gather the information – besides him residing abroad – that prior to his position as provost of Vasvár, he already had a prebend at the chapter. We can assume, that it was a smaller stall, which did not require local habitation, or even if it did, Thomas of Kutas was not able to satisfy that criterion. Presumably, he stayed in Italy for a longer period of time. He reappeared in 1453, when he was on his way to Rome, as the procurator in the tithe proceedings of Simon of Treviso, a doctor of canon law and lector canon of Esztergom. For this commission, he received nine golden florins.<sup>34</sup> According to the testimony of our sources, Kutas returned to the Eternal City on several occasions after 1453.

There he took up the ecclesiastical orders in 1455 and became a *subdiaconus*, *diaconus* and a *presbiteratus*.<sup>35</sup> In June, 1456 he submitted a supplication to the Holy See<sup>36</sup> for him to be allowed to hold more than one benefice. A month later, he asked for the custodian canonship of Pécs, but he could not attain that.<sup>37</sup> Based on the premise of the previous literature, he acquired to canon law licence in Rome, 1456. In 1457, he had already been in possession of the *decretorum doctor* title.<sup>38</sup> However, after he gained his doctorate, he did not return home. At the Papal Court he, as a procurator

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<sup>29</sup> KOLLÁNYI 1900. p. 108; KÖRMENDY 2007. p. 195–196; C. TÓTH 2015b p. 30, 99; NEMES 2017. p. 118.

<sup>30</sup> CSÁNKI III. p. 75–76.

<sup>31</sup> KÖBLÖS 1994. p. 402–403.

<sup>32</sup> MNL OL DF 208863.

<sup>33</sup> His name in an improper form: *Thomas de Ruthus canonicus Castriferrei*. VERESS 1915. p. 9.

<sup>34</sup> C. TÓTH 2015b. p. 30.

<sup>35</sup> KÖBLÖS 1994. p. 402–403.

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> C. TÓTH. 2015b. p. 99; According to the accounts, only his residence can be reconstructed, his Roman studies not. He acquired his doctorate in canon law at the university of Ferrara. Further see VERESS 1941. p. 364, 406; PARDI 1900. p. 30. Hereby, I want to express my gratitude to Borbála Kelényi for providing data on the studies of Thomas of Kutas.

represented the interests of Stephen of Várda, the Archbishop of Kalocsa.<sup>39</sup> We encounter him again in Rome, 1467, when he inscribed his name into the register book of the Holy Spirit Confraternity.<sup>40</sup>

As it is visible in the first chart, Thomas of Kutas performed duties as the provost of Vasvár from 1459.<sup>41</sup> Due to the offices he parallelly held, he certainly spent only a little time at the centre of the chapter. In the meantime, he obtained other benefices and offices. From the year of 1465, together with his provostship, he also became the canon of Győr and Esztergom from 1466. He maintained his position in Győr until 1477 and kept the one in Esztergom up to 1473. Besides being a canon, he further acted as a vicar first in Győr, and then in Esztergom. In the second chart it is highlighted, that Kutas remained to be a provost of Vasvár until 1478, since in this year, he was promoted to custodian canon of the Chapter of Győr.<sup>42</sup>

Chart 2: Thomas of Kutas' benefices

Benefice	Years
<i>Canon of Vasvár</i>	1453–1459
<i>Provost of Vasvár</i>	1459–1478
<i>Canon of Győr</i>	1465–1477
<i>Canon of Esztergom</i>	1466–1473
<i>Vicar of Győr</i>	1466
<i>Vicar of Esztergom</i>	1467–1471
<i>Custodian Canon of Győr</i>	1479–1480
<i>Vicar of Győr</i>	1479–1480

## The Provosts George and Stephen

The direct successors of Thomas of Kutas, George and Stephen, were the provosts of Vasvár for a short period with George being the leader of the community for only a year. We do not know his surname, nor his origins, and

<sup>39</sup> CAMERALIA I. p. 128.

<sup>40</sup> KOLLÁNYI 1900. p. 108; VERESS 1941. p. 406; NEMES 2017. p. 118.

<sup>41</sup> From the 1450s, we are indeed familiar with a cantor and a custodian canon, called Thomas in the Chapter of Vasvár, therefore it occurred as a possibility that Kutas might be identical with one of them. Based on the roster of dignitaries, Thomas, the cantor held the office between 1448–1455, while the custodian canon namesake had the position from 1448 to 1458. (MNL OL DL 50496, 58123, 50496, 102141). In my opinion neither of them could be undoubtedly identified with Kutas, since none of the sources mentions the university degree of these canons. Furthermore, in 1454, the charters also preserved, that the custodian canon, Thomas, functioned as the emissary of the chapter (see MNL OL DL 14782), consequently he had to live in Vasvár while, as we have seen it, Kutas studied in Italy.

<sup>42</sup> KOLLÁNYI 1900. p. 108; KÖBLÖS 1994. p. 402–403; C. TÓTH. 2015a. p. 93., 96; C. TÓTH. 2015b. p. 30., 99; C. TÓTH 2017. p. 70.

there are no remaining records on his education either. We only encounter his name in the dignitary lines of the charters issued by the Chapter of Vasvár. He is not present in the sources of Vas and Zala county, nor in the ones of the Vatican.<sup>43</sup> The situation is very similar in the case of Provost István, the successor of George, only that there is a further complicating circumstance namely, that he appears in one charter alone.<sup>44</sup> Therefore, the more detailed definition of his person and the better knowing of him is going to be an even bigger challenge, than with Provost George.

It is more likely, that both of them came into the chapter from the outside and became provosts, since previously there were no canons in the organization with the names, George and Stephen.

### **Andrew of Kolozsvár**

Similarly to the above-mentioned cases, there are few pieces of information at our disposal. It is true in the case of Andrew of Kolozsvár as well, who was the head of the chapter for a relatively short time, one and a half years.<sup>45</sup> Based on his name, it is probable that the family was originated from market-town of Kolozsvár (Cluj-Napoca) in Transylvania, and Andrew was from a local middle-class family.<sup>46</sup> However, the way in which he got to Vasvár from Transylvania remains unknown, relevant sources have not been found yet. It is conceivable, that he owed the acquiring of the benefice to his personal relationship to King Matthias, but this aspect could only be proven by further investigations. Prior to Andrew of Kolozsvár's time as a provost in the Chapter of Vasvár, we know about a custodian canon, Andrew by name, but he is only called by his first name in the charters.<sup>47</sup> Therefore, we can assume, that he might be the member of the chapter prior to his provostship. The name, Andrew of Kolozsvár first appeared in the university register book of Vienna in 1475, and for a second time in 1489.<sup>48</sup> That Andrew, who was first mentioned in 1475 could be identical to the later provost of Vasvár, however this is not certain at all. It is also likely, that Provost Andrew is the same person as the custodian canon of Győr, András (1481–1482).<sup>49</sup> After all, Andrew of Kolozsvár became the provost of Vasvár right after the custodian canonship of the other Andrew ended. On the whole, in contrast with the Provosts George and Stephen, it is more likely that new information will appear on Andrew of Kolozsvár in future investigations, therefore we can expect his person to become better known than it is currently.

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<sup>43</sup> MNL OL DL 101771, 45844.

<sup>44</sup> MNL OL DF 279235.

<sup>45</sup> MNL OL DF 282078, 70414.

<sup>46</sup> Notice of the editors: the present hypothesis underlines the limits of a wide-ranking method: 1) when the person's name corresponds to a locality name, it is considered as a place of origin; 2) if the place is a (royal or market) town, the individual is automatically enlisted to the middle-class. It is clear, however, that a second generation can use the same toponym as family name without any link to the place in question. In the same way, a social status is very questionable without any written evidence. Therefore, any identification remains very hypothetical.

<sup>47</sup> MNL OL DF 279235.

<sup>48</sup> SCHRAUF 1902. I. p. 123, 138.

<sup>49</sup> KÖBLÖS 1994. p. 380.

### Ladislav of Kemend

The last provost of the Matthias era is Ladislav of Kemend, – known as of Körmend in the previous literature<sup>50</sup> – who functioned as the head of the chapter between 1483 and 1500.<sup>51</sup> Provost Ladislav was from the settlement of Kemendollár (currently used name) in the county of Zala.<sup>52</sup> The village was the property of the Gersei Pető family, consequently Ladislav could be one of his peasants, and they probably played a significant role in the shaping of Kemend's later carrier. On one occasion, the Gersei Pető family attempted to obtain the chapter's right of patronage, which endeavour was crowned with success in the fifteenth century civil war era,<sup>53</sup> thus they could have an influence on the personnel of the chapter. Furthermore, due to their relationship with the monarch, they presumably had the chance to recommend Kemend for the queen's chapter.<sup>54</sup> The brother of Ladislav of Kemend, Peter, is noted as well. In 1490, he resided near the castle of Kemend together with the peasants of the Provostship of Zalavár, when László took them under the protection of the Gersei Pető family. Regarding Peter, we do not have any other information on his family and relatives,<sup>55</sup> and no records have been found on his education yet.

Kemend therefore is a provost, whose inner and representative activities in connection with the chapter are both known. It seems like that his first deed after he ascended to the benefice was to issue statutes, which were dedicated to regulate the inner life of the chapter.<sup>56</sup> It was also him, who – after the struggles, which burdened the institute in the fifteenth century – convinced the king to reaffirm the previous privileges of the chapter in 1488.<sup>57</sup>

Chart 3: Ladislav of Kemend's dignitaries

Benefice	Years
<i>Provost of Vasvár</i>	1483–1500
<i>Count (Ispán) of Borsod</i>	1488–1489
<i>Governor of Szekszárd's Abbey</i>	1490–1492
<i>Governor of the Castle of Diósgyőr</i>	1490
<i>Governor of the Abbey of Zalavár</i>	1490–1492
<i>Judge of the Court of Esztergom</i>	1491–1492
<i>Commissary of the Holy See</i>	1500
<i>Queen's chaplain</i>	1477

<sup>50</sup> DESICS 1929. p. 318; KUBINYI 1999. p. 83.

<sup>51</sup> MNL OL DL 29539, 90582; DESICS 1929. p. 318; IVÁNYI 1992. p. 70–72; C. TÓTH 2017. p. 28.

<sup>52</sup> CSÁNKI III. 12; PRT VII. p. 68.

<sup>53</sup> IVÁNYI 1992. p. 69.

<sup>54</sup> C. TÓTH et alii 2017. p. 85.

<sup>55</sup> MNL OL DL 93604.

<sup>56</sup> IVÁNYI 1992. p. 70–71.

<sup>57</sup> DESICS 1929. p. 305; IVÁNYI 1992. p. 71.

Although we do not know the details of his earlier life, he lived an eventful one after becoming the provost of Vasvár. First, he became the Count of Borsod, then the Governor of Szekszárd's Abbey, the Castle of Diósgyőr, and lastly, the Governor of the Abbey of Zalavár.<sup>58</sup> Undoubtedly, he belonged to the court of Queen Beatrice. By the end of August 1491, he became the judge of court of the Esztergom Archdiocese. At this time around, the archbishop was Ippolito d'Este, but due to him being a minor upon his appointment, Queen Beatrice decided on the fulfilment of positions at the archdiocesan court. The precise circumstances of Kemend's appointment are unknown, but it is certain that, besides his services to the Queen Beatrice, his clerical past meant an advantage in the process, as it unfolds from the reports, which were sent to Ferrara by the Governor of Esztergom, Beltrame Costabili. According to the previous experiences of the governor of Esztergom, the secular judges of court handled the incomes of the archdiocese in an untrustworthy manner, and successively committed abuses.<sup>59</sup> His earlier involvement as the Governor of the Abbey of Szekszárd and of the Castle of Diósgyőr made him even more favourable to the position. Later, Pope Innocent VIII granted him the governorship of the Abbey of Zalavár. He issued four surviving charters under these dignitaries.<sup>60</sup> His fine political skills are again supported by the fact, that although he belonged to the court of the king's widow for a longer period, after the death of Matthias, Kemend was sent to Rome as an envoy to King Vladislaus II in the matter of the annulment of the new monarch's marriage to the dowager Queen Beatrice.<sup>61</sup>

## Conclusion

Based on the accounts of the sources, both Kutas and Kemend earned their provostship at Vasvár as a reward for their services. Kutas successfully represented the Chapter of Esztergom, therefore later, after finishing his studies and arriving home from Rome, he obtained his other stalls – with the mediation of Denis of Szécs, Archbishop of Esztergom – probably in return for his previous services. As his first major dignitary, Ladislaus of Kemend was the queen's chaplain, and since he fulfilled his tasks efficiently, the queen, in order to express her gratitude, had Matthias I to grant the provostship of Vasvár and the above-mentioned offices to him as well. Considering the two elaborately discussed carriers I firmly believe, that there was a notable opportunity in front of the provosts of the collegiate chapters if they possessed the necessary qualification and skills: they could serve the monarch as foreign diplomats, secular officials, or could hold benefices in other chapters too. The observation of the extent these aspects came to realization among the less familiar provosts and members of the Chapter of Vasvár will be the deed of future researches.

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<sup>58</sup> PRT VII. p. 67; PRT VII. p. 68; PRT VII. p. 69; C. TÓTH et alii 2017. p. 85; C. TÓTH 2017. p. 28.

<sup>59</sup> C. TÓTH 2017. p. 28; KUFFART 2018. p. 105., 203.

<sup>60</sup> MNL OL DL 56228, 93604. (PRT VII. p. 67); MNL OL DF 285230; MNL OL DL 90582.

<sup>61</sup> ÓVÁRI 1890. p. 171; KUBINYI 1999. p. 83.

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- MNL OL DL Magyar Nemzeti Levéltár Országos Levéltára. Diplomatikai Levéltár [National Archives of Hungary. Collection of Original Charters]

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*Viktor KANÁSZ:*

## **The Life and Work of the Abbot and Nuncio, Girolamo Martinengo in Hungary\***

On the 17<sup>th</sup> December 1551 the mercenaries of Ferdinand I murdered one of the most influential politicians of the Kingdom of Hungary, Cardinal George Martinuzzi, the Archbishop of Esztergom and the Voivode of Transylvania in the castle of Alvinc.

This action created a huge scandal not only in Hungary but throughout the whole Christendom, leading to one of the most acute crises in the Habsburg-papal relations. According to canon law, those who were responsible for the crime became automatically excommunicated (only King Ferdinand I was dispensed temporarily by Julius III), and a long investigation began. The inquiry was led by Count Abbot Girolamo Martinengo, the nuncio to Ferdinand.

In this paper, I aim to discuss the significance and importance of Martinuzzi's figure in contemporary papal diplomacy. Among other elements, the followings will be elucidated: his origins and youth, his work as a nuncio in Poland, England and to Ferdinand I, and his activity in the Papal Curia.

*Keywords:* diplomacy, the papacy, Apostolic Nunciature, Habsburgs, Kingdom of Hungary, Transylvania, Brescia



The murder of George Martinuzzi (György Fráter / Georg Utiessenovicz) on the 17<sup>th</sup> of December 1551 was one of the biggest scandals of the era and shocked the entire *Orbis Christianus*, which was on the verge of falling apart. It is hardly surprising, considering the fact that he was proposed to be a cardinal by Pope Julius III himself, and it was the brother of Emperor Charles V, Ferdinand I, King of Italy, Bohemia and Hungary who ordered the murder

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of the prelate, by the hands of his own Christian soldiers.<sup>1</sup> As a response to the crime, the Pope started an inquiry, which lasted for years. The main purpose of it was to determine the culpability or innocence of Martinuzzi, thus revealing the causes of his murder. The life of the cardinal, its dramatic ending and the following events have been investigated for a long time by generations of Hungarian historians, nevertheless the inquiry of the Holy See was observed only from the perspective of the Hungarian witness accounts.<sup>2</sup> However, other documents, which were preserved, are rich sources in the sense of the diplomatic relations of the Habsburg Court and the Holy See as well. Nonetheless, in order to reconstruct and comprehend the details, we need to take a closer look on the lives of the participants in order to understand their habits and the motives behind their actions. This is especially true in the case of the head of the inquiry, the abbot Girolamo Martinengo, who was assigned to be nuncio to King Ferdinand I. Therefore, I would like to take a closer look at the life and work of this important papal diplomat.<sup>3</sup>

### Origins and Youth

The Martinengo family line can be traced back to the 10<sup>th</sup> century. It was a notable patrician family in the vicinity of Brescia and Bergamasco. The family was later split into more branches during the Middle Ages.<sup>4</sup> Cesare Martinengo – also known as „il Magnifico” – was born in Brescia around 1477. He became one of the most notable members of the family in the 16<sup>th</sup> century. He served in the Venetian militia and earned a high-ranking position.<sup>5</sup> In 1509, he was admitted to serve the King of France, who conquered Brescia from the Venetians and held it until 1520. King Louis XII granted the title of Count of Orzivecchi to the family as a reward for their services (1509) which provided a yearly income of 500 scudos. After the town was retaken by the Venetians, Martinengo returned to serve the city-state again. Making wise financial decisions, he further extended his family's

<sup>1</sup> KÁROLYI 1881. p. 266–288; FRANKÓI 1903. p. 70; OBORNI 2017. p. 159–160; KANÁSZ 2018. p. 172.

<sup>2</sup> The most recent monograph on Fráter's life was written by Teréz Oborni and Adriano Papo. PAPO 2011; OBORNI 2017; NEMETH PAPO – PAPO 2017. On the inquiry conducted by the Holy See, further see: BARTA 1988; KANÁSZ 2017; KANÁSZ 2019a.

<sup>3</sup> On the papal diplomacy: KOLLER 1998; FLETCHER 2015; TUSOR 2016a. p. 213 – 224; KALOUS 2017.

<sup>4</sup> The family died out in the beginning of the 20<sup>th</sup> century. Their notable collection of artworks is displayed today at the Pinacoteca Tosio Martinengo located in Brescia. On the family, further see: GUERRINI 1922; GUERRINI 1927; GUERRINI 1930; TRECCANI 1963; FERRARO 1993. *passim*.

<sup>5</sup> GOETZ 1965. VII. Many chose the military career in the family, e.g.: the known condottiere Marcantonio Martinengo of Brescia in 1510–1520. MALLETT – HALE 1984. p. 343. Many members of the family have fought in the wars against the Ottomans and in Hungary too, e.g.: GUERRINI 1930. p. 456; FAPPANI 1991. p. 335, 349. Girolamo's brother, Chiara (Sciarra) avenged their father and later he fought in French and Venetian service. He was also present at the battle of Lepanto. Like Chiara, Giovanni Martinengo played an important part in the wars against the Ottomans and died during the defence of Famagusta in the 1570s. His name was preserved there on a tower and can be seen today as well. SETTON 1984. p. 1037–1038; FAPPANI 1991. p. 317; BENZONI 2008. p. 156–157; MALCOLM 2015. p. 140–143.

lands and wealth. His contemporaries described him of a man with medium stature, being polite, kind and munificent.<sup>6</sup> Besides these, he was also known as a patron of arts: he was a benefactor of the renaissance painters, Alessandro Moretto (Buonvicino) and Girolamo Romanino.<sup>7</sup> He got engaged to Ippolita Gambara, the daughter of the condottiere Count Pietro Gambara on the 7<sup>th</sup> of August 1495, and married her on the 18<sup>th</sup> of April 1497; they had 20 children together.<sup>8</sup> Cesare Martinengo was killed by a member of the rivalling Avogadro family on the 3<sup>rd</sup> of October 1527.<sup>9</sup>

Girolamo was born as the second son on the 19<sup>th</sup> April 1504, in Brescia.<sup>10</sup> He earned his first office very early on. At the age of 13, on the 21<sup>st</sup> of December 1517, Pope Leo X gave him the benefices of the Church of Santa Maria in Oriano.<sup>11</sup> He was prepared for an ecclesiastical career studying theology and law at the University of Padova, ultimately finishing his studies in 1527.<sup>12</sup> Shortly after this, with the help of one of his relatives, Cardinal Agostino Trivulzio in 1529<sup>13</sup> he was appointed as the *commendatore* of the Benedictine monastery in Leno, Brescia, which was founded by the Langobard king, Desiderius. He could obtain this position because Cardinal Antonio Maria Cocchi del Monte (†1533) had resigned in favour of him.<sup>14</sup> Therefore, he was able to maintain a high standard of living with the help of his income of 2000 ducats a year, which was granted to him in spite of being a layman. Martinengo seized the monastery of the Republic of Venice without any permission, however, he was later forced to supplicate to Venice for admission – because of a dispute with the residents of Leno. The case was presented at court and after three years of legal battles, the dispute was settled with Martinengo bounding himself to provide an annuity for the Vetturi family for the *pensionarii* of Leno, with whom the renters of the

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<sup>6</sup> GOETZ 1965. p. VII.

<sup>7</sup> He painted Romanino's image among many others as well. GUERRINI 1930. p. 416–417. (XXV.), GOMBOSI 1943; BOWD 2010. p. 61. 258. One of Moretto's more famous paintings depicts Girolamo's brother, Fortunato. BEGNI – REDONA 1988. p. 378–379. On the relation between the artist and the Martinengo family further see: RÜHL 2011.

<sup>8</sup> They are as follows: Chiara, Giorgio, Laura, Girolamo, Camillo, Agostino, Francesca Lucrezia, Lodovico, Cassandra, Fortunato, Taddea, Massimiliano (Celso), Francesco, Brunoro, Cornelia, Annibale (Giovanni), Antonio, Lelio, Carlo and Vespasiano. GUERRINI, Paolo 1930. p. 415; FAPPANI, Antonio (ed.) 1991. p. 310. Ippolita died on 7<sup>th</sup> September 1551. GUERRINI 1930. p. 415. <sup>9</sup> FAPPANI 1991. p. 310. MALCOLM 2015. p. 140.

<sup>10</sup> SQUICCIARINI 1998. p. 59; MOTTA 2008. p. 152. His name appears in many forms in the academic texts. In most cases, its Girolamo, Hyeronimo, Hieronimus, but László Szalay, Árpád Károlyi and Vilmos Fraknói refer to him on his Hungarian name as Jeromos Martinengo. SZALAY 1865. p. 299; KÁROLYI 1881. p. 271; FRAKNÓI 1903. p. 69.

<sup>11</sup> FAPPANI 1991. p. 314; WOJTYSKA 1994. p. 721.

<sup>12</sup> SQUICCIARINI 1998. p. 59. On his literacy: SELMI 2003. p. 311–320.

<sup>13</sup> He died in Rome on the 30<sup>th</sup> March 1548. His father from Milan, Giovanni Trivulzio Borgomanero (†1508), was on good terms with the French and his wife was Agostino Martinengo's daughter with Agostino being Girolamo's uncle. GOETZ 1965. p. VIII.

<sup>14</sup> LUCHI 1759. p. 40–41; GUERRINI 1930. 420. On the abbey see: ZACCARIA 1767; SUCCURRO 2015; BARONIO 2002.

monastery formed an alliance.<sup>15</sup> His work as a *commendatore* was not limited to collecting fees, but Martinengo was also enthusiastic and successful in reviving the monastery, which will be discussed later. With the help of his talent and connections, he became a member of the Roman Curia in 1540 and became a papal chamberlain of Paul III in 1541. He also obtained the sacrament of ordination to priesthood on the 30<sup>th</sup> of October the same year, being consecrated by Pietro Lippomano, the bishop of Bergamo.<sup>16</sup>

### Working as a Nuncio in Poland

The year of 1548 brought some significant changes in Martinengo's life. Sigismund I the Old of Poland died and was succeeded by Sigismund II Augustus. Therefore, it was timely to send a nuncio to Cracow, and according to the advice of Cardinal Marcello Cervini – the later pope Marcellus II – the person for this task became Martinengo. Consequently, he was appointed in February 1548 (*camerarium secretum et nuntium nostrum*).<sup>17</sup> His letter of mandate was signed by the Cardinal Protector of Poland, Alessandro Farnese on 15<sup>th</sup> of July 1548.<sup>18</sup> Martinengo made his journey through Venice to Vienna, where, on the 13<sup>th</sup> of August, during a hunt, he introduced himself to Ferdinand I and Prospero Santa Croce, who was a nuncio to Ferdinand from 1548 to 1550. He left Vienna on the 23<sup>rd</sup> of August and continued his voyage to Cracow.<sup>19</sup>

Martinengo was given many tasks on his Polish commission. First of all, he was to express the sympathies of the Pope to the new king for the passing of his father, and to communicate his well-wishes on new king's accession to the throne. Apart from these diplomatic missions, he received more prominent assignments as well. Poland and Hungary did not present themselves with bishops during the first section of the Council of Trent.<sup>20</sup> Thus, one of Martinengo's tasks was to convince the King of Poland to send a prelate or a representative to the second section of the assembly. His other duty was to manage the conflict between Sigismund and the bishop. One of these disagreements was the decree of 1540 issued by the Polish Sejm, which forbids the prelates from moving to Rome without the king's permission. Finally, he was commissioned to convince the Russians to re-join the Western Christendom, thus uniting Christianity.<sup>21</sup>

Martinengo found himself in a complicated situation in Cracow. The position of the Polish king in 1548 was not satisfactory, since there was a

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<sup>15</sup> GOETZ 1965. p. VIII.

<sup>16</sup> FAPPANI 1991. p. 314; MARANI 1963. p. 229–232; GOETZ 1965. p. VIII.

<sup>17</sup> WOJTYSKA 1994. p. XXXIV.

<sup>18</sup> WOJTYSKA 1977. p. 54–56; FAPPANI 1991. p. 314.

<sup>19</sup> WOJTYSKA 1994. p. XXVI; MOTTA 2008. p. 153.

<sup>20</sup> TÓTH 1999. p. 342. In the end, there was a Hungarian bishop present on the Council of Trent together with the bishop of Zagreb, Paulus Gregorianczy, they both joined the council on the orders of Ferdinand I in 1551. The monarch had previously sent Gregorianczy to negotiate in Rome in 1550 and then he represented the king in the case of George Martinuzzi's murder as well. JÁNOSI 1996. p. 70–74; VARGA 2010. p. 126.

<sup>21</sup> GOETZ 1965. p. IX.

considerable discontent between the nobility around Sigismund's marriage, who took the Lithuanian Barbara Radziwiłł as wife in 1547.<sup>22</sup> The gravity of this problem is well illustrated by the fact that the Queen Mother, Bona Sforza was openly against the match. The nuncio therefore was not greeted warmly in Cracow and the king received him only on the 5<sup>th</sup> September in Sandomierz. Although Sigismund expressed his loyalty to the Holy See, he did not want to actively take part in converting Moscow to Catholicism and neither did he give a reply in the matter of sending a delegate to the council. He further forbade Martinengo to speak up in the Polish Sejm. Due to the delicate nature of his assignment, the hardships raising from the above-mentioned political atmosphere and his personal status – an abbot not belonging to any religious orders was not convincing for the Polish clergy – Martinengo's mission became unsuccessful, wherefore he headed back to the Eternal City with his tasks unfulfilled.<sup>23</sup>

### **The Pope's Nuncio in the Court of Ferdinand I**

Despite his unsuccessful mission in Poland, he was chosen for an even greater duty, namely to be a nuncio to Ferdinand I. The emissary of Ferdinand I announced his appointment on the 20<sup>th</sup> February 1549.<sup>24</sup> During these events, Pope Paul III passed away on the 10<sup>th</sup> November and he was succeeded on the Papal Throne by Julius III (Giovanni Maria Ciochi del Monte) on the 7<sup>th</sup> February 1550. It was once again considered to send a diplomat to Poland, but ultimately the Pope decided to place Martinengo in the court of Ferdinand. On the 10<sup>th</sup> April 1550, Blosius Palladius, the Secretary of Briefs was commissioned to write a papal brief on Martinengo's appointment.<sup>25</sup>

Martinengo's departure had to be postponed for two months due to the Pope's medical conditions. His predecessor, Santa Croce became more and more impatient to hold on and eventually, he did not wait for his successor to arrive and said his farewells to the king. After a long interval, Martinengo left the Eternal City on the 30<sup>th</sup> June 1550 to occupy his new post in Vienna.<sup>26</sup> He first arrived in Venice on the 9<sup>th</sup> June to meet Cardinal Santa Croce and to get familiar with the cases currently unfolding in Vienna.<sup>27</sup> He stayed in Venice in the company of Nuncio Ludovico Beccadelli until the 20<sup>th</sup> June and then travelled to Trent where he arrived on the 25<sup>th</sup> July. Here, he met Cardinal Cristoforo Madruzzo with whom he negotiated on the matter of Parma.<sup>28</sup> They met at Ferdinand's court on the 14<sup>th</sup> August in Augsburg,

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<sup>22</sup> WOJTYSKA 1977, p. 56.

<sup>23</sup> On his work in Poland further see: WOJTYSKA 1992, p. 377–416; WOJTYSKA 1994, p. 721–728.

<sup>24</sup> On the nunciature in Vienna: SQUICCIARINI 1998; SQUICCIARINI 2000.

<sup>25</sup> GOETZ 1965, p. X.

<sup>26</sup> PIEPER 1897, p. 66; GOETZ 1965, p. X.

<sup>27</sup> SQUICCIARINI 1998, p. 59.

<sup>28</sup> Following the murder of the Duke of Parma, Pier Luigi Farnese – who was also the son of Paul III – began an intricate struggle to obtain control over the Duchy of Parma, and in 1551, this

where they had been for a month already due to the ongoing Imperial Diet. Martinengo was introduced to King Ferdinand at this time. He had the chance to negotiate with the French delegate on the question of Parma and Piacenza. For the following eight months, he stayed in Augsburg, but we have no information regarding his views on the Imperial Diet, since his letters to Rome, which were written up to the 22<sup>nd</sup> April 1552, are presumably lost.

At first, he was working on matters concerning the Council of Trent, which was the main task at hand according to the commission of Julius III. He received 12 copies of the papal bull, *Cum Tollenda* on the 17<sup>th</sup> January 1551 and was obliged to send them to Friedrich Nausea, bishop of Vienna and to other German prelates. Besides, he was also instructed to convince the Hungarian prelates to join the council.<sup>29</sup> Despite the fact, that the Nuncio had never actually taken part in the council, he continued to work for its success. His *Instructio* contains an outlined plan on how to resolve, among others, the financial questions concerning the bishop of Zagreb, Paulus Gregorianczí's visit to Rome, the disputed cases in Aquileia, issues raised by the Imperial Diet and the circumstances in German lands. At last, he was instructed to write reports on a regular basis which duty he fulfilled conscientiously.<sup>30</sup>

Following the departure of the king, he left Augsburg on the 10<sup>th</sup> March and arrived in Vienna on the 18<sup>th</sup>. He often went after the King, – this is the reason behind him being sometimes absent from Vienna – he was frequently present on the Imperial Diets and other assemblies, like the one, which was held in Prague and Bratislava (Pozsony, Pressburg) in 1552, and we also find him on the king's side during the Diets of Graz and Sopron in 1553.<sup>31</sup> He kept himself informed on matters concerning the lands ruled by Ferdinand, maintaining an active correspondence with, among many others, George Martinuzzi (György Fráter).<sup>32</sup>

In April 1552, he stayed in Linz, where he gained direct insight into imperial matters, namely the reasons behind the disagreements of Catholics and Protestants. Martinengo witnessed the revolt lead by Maurice of Saxony, and he was also present at the Emperor's escape to Innsbruck and the Peace of Passau. The hardships of the nuncio's work is well illustrated by an occasion when Charles V forbade Martinengo to take part in the peace negotiations at Passau (May-June 1552), for which he was crossed with the Emperor.<sup>33</sup> However, the relationship between the Curia and the court was

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attempt culminated into an open war between Ottavio Farnese and Henry II of France and then between Pope Julius III and Charles V. CHIESI 1893. p. 216–226; SETTON 1984. p. 552; ÁLVAREZ – ALVARIÑO 2003. p. 343. Comprehensively: CANTÙ–VISCEGLIA 2003.

<sup>29</sup> GOETZ 1965. p. XII; SQUICCIARINI 1998. p. 59.

<sup>30</sup> GOETZ 1965. p. XII.

<sup>31</sup> GOETZ 1965. p. XII.

<sup>32</sup> In his letter issued on the 13<sup>th</sup> of August 1551, Martinengo greets Martinuzzi and tells him that he will bring his letter to the pope. KÁROLYI 1881. p. 271–272.

<sup>33</sup> KOLLER 2018. 116.



not undermined by this event, but rather by the murder of George Martinuzzi.<sup>34</sup>

### **The Murder of George Martinuzzi and the Inquiry of the Holy See**

On the stormy night of the 16<sup>th</sup> December 1551, the soldiers of Ferdinand I's commanders, governor general Marquis Giovanni Battista Castaldo and his deputy, Sforza Pallavicini, the chief sergeant brutally killed George Martinuzzi in his castle of Alvinc (Vințu de Jos).<sup>35</sup> Unfortunately, due to the space limitations, the reasons which led to the murder of the newly appointed cardinal, George Martinuzzi and the consequences of this event will not be discussed here, we only intend to examine Martinengo's role in these events.<sup>36</sup> Following the murder at the castle of Alvinc, Ferdinand's men did everything to soothe the Pope's anger, unsuccessfully. Despite all the efforts, which were made by Ferdinand's subjects in Rome, in accordance with canon law, Pope Julius III excommunicated the perpetrators, Castaldo and Sforza Pallavicini. Even Ferdinand himself obtained only a temporary absolution from the Holy Father.<sup>37</sup> This was particularly humiliating for the

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<sup>34</sup> GOETZ 1965. p. XIII.

<sup>35</sup> Many accounts are known concerning the matter in hand. Marcantonio Ferrari was present at the scene and described the event in great details. According to his narration, Sforza Pallavicini and Captain Pedro d'Avila summoned armed people to the Monk's castle in Alvinc, and while there was a storm out there, they entered into the room of Fráter. *"The door opened in haste and the monk, who was leaning on the desk while reading, drew back to the wall when he saw what was happening and how we entered with such clamour. I thought it was time to finish that business [...]. I stabbed his neck twice [...]. He opened his arms and started to say, oh, oh, oh... as if he wanted to shout. [...] I stepped back, so I could better see what was happening inside. Sforza Pallavicini stabbed a knife in his body, from which he fell, and almost at the same time Captain Menino shot him with a matchlock, some state that he fell from this and not from the stab. God knows! Others slashed him after he fell [...]."* – NYÁRI 1877. p. 243–258. – Bernardo de Aldana recounted the events in a similar way: *"By arriving to the room of the friar, Marco Antonio knocked [...], the monk was already on his feet, he was praying from his Book of Hours; Marco Antonio handed the papers to him and when he started to read them, he drew a dagger and stabbed the monk many times, though, he was not seriously harmed. Then the monk cried for servants and stabbed his dagger into Marco Antonio with such power that he was knocked to the wall, backing two steps. To the cry of the monk, four Spanish riflemen appeared in the room; the monk was hiding behind the door with Sforza and Captain Andrés Lopez. Three of them immediately shot him [the cardinal] before he collapsed and prone on his bed and shouted: "Jesus Maria! Jesus Maria! Quare hoc mihi?" And while the monk was breathing his last breath, Sforza Pallavicini appeared there and with a follow-through, gave him a blow with his sword that almost cut half of his head off; it is said that Sforza and the other Spanish soldiers got carried away by their rage to such extent that they even dared to cut off more than one of his [the cardinal's] covered and uncovered body parts [...]."* – SZAKÁLY 1986. p. 187. Afterwards, in order to have a tangible proof of the murder, they cut the victim's ear off and presented it to Ferdinand. After the assassination, the corpse was kept unburied in a wooden casket for seventy days at the entrenchment of the castle, and then it was buried in Gyulafehérvár (Alba Iulia).

<sup>36</sup> KANÁSZ 2019b. The figure of Martinuzzi was researched with great interest in later centuries as well. KANÁSZ 2018. This controversial act was not unprecedented in the history of the contemporary Europe. The murder of Hans Katzianer serves a good example. VARGA 2016. p. 130–134.

<sup>37</sup> On relevant parts of the Canon Law see: SZUROMI 2010. p. 120–122. On other similar events in this time period further see: PLATZHOFF 1906. On the relations of the Holy See and Hungary at

king. In 1552, he ordered a committee of cardinals to be organised for the investigation of the incident.<sup>38</sup> This was the beginning of a protracted, many times halted, thorough and complicated investigating process. The articles constituted the core of the proceedings, which were compiled by the jurists of the Pope and Ferdinand. The main purpose was to resolve the question of the friar's treason and thus to decide about the murder's justifiability.<sup>39</sup>

Amid the brittle diplomatic relations and atmosphere, the inquiry was led by the abbot, Martinengo who himself favoured the incardination of Martinuzzi.<sup>40</sup> During the inquiry, he mostly operated in the Hereditary Lands, mainly in Vienna and Graz, and in Hungary. His primary task was to summon those witnesses, who could be linked to Martinuzzi. These persons were gathered by Ferdinand's men to be interrogated, to have their accounts recorded and to prepare authentic copies and translations of their testimonies if necessary.<sup>41</sup> The witnesses came from many different segments of the Hungarian society: we can find representatives of the nobility (Caspar Péchy,<sup>42</sup> John Pethő<sup>43</sup> and John Kemény<sup>44</sup>), town commoners (Farcasius Schreiber,<sup>45</sup> Petrus Pálczán<sup>46</sup>), physician (Giorgio Biandrata<sup>47</sup>), bishops (Paulus Abstemius,<sup>48</sup> Franciscus Újlaki,<sup>49</sup> Antonius Verantius<sup>50</sup> or Nicolaus Olahus/Miklós Oláh<sup>51</sup>), secular high officials (Thomas Nádasdy, the later Palatine of Hungary<sup>52</sup>) and foreigners (Corradus Vall De Aurach<sup>53</sup> or Nicolaus Mieszkouwski<sup>54</sup>).

For this enormous undertaking, Martinengo was also provided with extended personnel, mostly consisting of lawyers, secretaries and councillors appointed by Ferdinand. One of them was Lorenzo Maggio, Martinengo's

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this time see: ÓVÁRY 1879. Recently: TUSOR 2016b. p. 185–206; NEMES 2016; TUSOR 2018. p. 258–262. On the subject of international relations see: SETTON 1984. p. 566–580.

<sup>38</sup> The members of the committee were: Juan Álvarez de Toledo, Pedro Pacheco de Villena, Fabio Mignanelli, Jacques de Puit (Giacomo Puteo/Jacques Dupuy) then and Giovanni Battista Cicala, who obtained his position at that time.

<sup>39</sup> UJTJEŠINOVIĆ 1881. (Urkundenbuch) n. XVI, p. 62–73, BESSENYEI 2002. p. 210–233. and: ASV Arch. Arcis, Arm. I–XVIII, n. 1711, fol. 46r–52v, ASV Misc., Arm. II, vol. 61, fol. 26r–33r.

<sup>40</sup> In his letter issued on the 31<sup>st</sup> July 1551, Martinengo mentioned things such as Martinuzzi's age – he was more than 70 years old – and that the Pope had little authority in Transylvania and the Holy See would not suffer any financial losses if they were about to make Martinuzzi a cardinal. THEINER 1875. p. 16; FRANKÓI 1903. p. 70.

<sup>41</sup> On the question of summoning further see: ASV Arch. Arcis, Arm. I–XVIII, n. 1711, fol. 56r–56v.

<sup>42</sup> ASV Misc., Arm. II, vol. 61, fol. 132r–137v.

<sup>43</sup> ASV Misc., Arm. II, vol. 61, fol. 137v–142r.

<sup>44</sup> ASV Misc., Arm. II, vol. 61, fol. 167v–172r.

<sup>45</sup> ASV Misc., Arm. II, vol. 61, fol. 84r–88v.

<sup>46</sup> ASV Misc., Arm. II, vol. 61, fol. 147r–149v.

<sup>47</sup> ASV Misc., Arm. II, vol. 61, fol. 108v–116r.

<sup>48</sup> ASV Misc., Arm. II, vol. 61, fol. 99r–105r.

<sup>49</sup> ASV Misc., Arm. II, vol. 61, fol. 159v–161v.

<sup>50</sup> ASV Misc., Arm. II, vol. 61, fol. 152v–159v.

<sup>51</sup> KANÁSZ 2019a.

<sup>52</sup> ASV Misc., Arm. II, vol. 61, fol. 176r–183r.

<sup>53</sup> ASV Misc., Arm. II, vol. 61, fol. 125v–131v.

<sup>54</sup> ASV Misc., Arm. II, vol. 61, fol. 172r–176r.

nephew and secretary.<sup>55</sup> Since Martinengo had no intention to visit the distant Transylvania, which was ravaged by dangerous wars, he sent his substitute (*subdelegatus*) Martin Bondenarius, a provost from Vienna.<sup>56</sup> Queen Isabella stayed in Poland from 1552. As she was one of the „key witnesses”, the nuncio himself visited her to be questioned. It was also planned that Bondenarius would pay a call on her, but this remained to be a proposal only.<sup>57</sup> During the investigation, 139 witness accounts were recorded and countless letters were attached, parts of them as evidences. A major proportion of these documents were preserved by the Secret Archives of the Vatican and the Haus-, Hof-, and Staatsarchiv in Vienna.<sup>58</sup> The process was finally concluded by Martinengo’s successor, the nuncio Zaccaria Delfino (Dolfin), who sent all these documents to Rome on the 13<sup>th</sup> July 1554.<sup>59</sup> Based on the witness accounts and the attached letters, which were organised together, those readers who were not familiar with the situation in Hungary could easily find Martinuzzi guilty in the charges against him.<sup>60</sup> Due to these circumstances, the Pope made his decision and issued a bull on the 4<sup>th</sup> February 1555, in which king Ferdinand and his soldiers were permanently absolved from excommunication.

### The nuncio’s other activities

In Martinengo’s correspondence generated during his time in Vienna, he often stressed the importance of the fight against the Ottoman Empire and the shortage of priests and young students in the Church.<sup>61</sup> He took a closer look at the relationship between state and Church, and he concluded that even though Charles V considered himself to be the first and most committed defender of the Roman Church, he could not prevent the spread of the new interpretations of faith. Perhaps, that is the reason why he developed an interest in the Jesuit Order, since he considered its members to be the ones who could potentially curb this process.<sup>62</sup>

Martinengo, therefore, took the order’s fate seriously. He proved his affection on many occasions. One example was when he supported the plans

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<sup>55</sup> ASV Arch. Arcis, Arm. I–XVIII, n. 1711, fol. 133r–133v, Misc. Arm. II, vol. 55, fol. 296r–296v, ASV Misc. Arm. II, vol. 61, fol. 21r. By him worked Johann Albert Widmanstetter as a second secretary. About him: MÉRCZ 2019.

<sup>56</sup> FRAKNÓI 1903. p. 82; KANÁSZ 2017. p. 174–175.

<sup>57</sup> ASV Misc., Arm. II, vol. 61, fol. 33v–34r; BARTA 1988. p. 83–84.

<sup>58</sup> KANÁSZ, 2017. p. 177–180; Bayerische Staatsbibliothek (München), Oefeleana 246. fol. 1–142. I would like to thank András Mércz.

<sup>59</sup> BARTA 1988. p. 84.

<sup>60</sup> On the letters and excerpts of letters see: UTJEŠINOVIĆ 1881. (Urkundenbuch) n. XVII, p. 73–75; BARTA 1988. p. 194; ASV Misc. Arm. II, vol. 55, fol. 303v–304v, ASV Arch. Arcis, Arm. I–XVIII, n. 1711, fol. 132r.

<sup>61</sup> ZOMBORI 2004; FODOR 2015. p. 56–133; BORN – JAGODZINSKI 2014.

<sup>62</sup> The relationship between the nuncio and the order could be an interesting topic to investigate in the future.

of founding a college for Jesuits in Vienna.<sup>63</sup> He also encouraged the Jesuit, Petrus Canisius to be the new bishop of Vienna, however Ignatius of Loyola had objections based on the order's regulations. He expressed his concerns in a letter written by him personally, although he was grateful for the nuncio's support. His relationship with the Jesuits became even stronger, especially in his home in Brescia.<sup>64</sup> It was not just Martinengo who was connected to the order in many ways, but his associates as well. The best example for this is his secretary and nephew, Lorenzo Maggio who made a successful career in the Jesuit Order.<sup>65</sup>

Martinengo did not enjoy his position as a nuncio. In 1552, he already tried to procure to be called back to Rome, but he was refused. Afterwards, he regularly asked for his mission to be suspended.<sup>66</sup> Presumably, he was not tired of his work as a nuncio, but rather was discontented with Ferdinand's court and its convoluted problems. Probably, he would prefer to be transferred to Spain, to the court of the Emperor. Finally, on the 17<sup>th</sup> October 1553, a new person, Zaccaria Delfino was appointed to replace him.<sup>67</sup> Martinengo could not wait for the arrival of his successor – just like his predecessor before him – and sent, in advance, the „*suum familiarem et magistrum domus Joannem Petrum Januarium*” with three people and more horses to Rome. His journey had to be postponed due to Delfino's delay. In the end, he said his farewells to the king and left with Ferdinand's approval in the end of January, or the beginning of February 1554. On the 7<sup>th</sup> February 1554, he met Delfino, informed him about the current cases, and two days later, left for Vienna, travelled through Porcia and Brescia, and around the 8<sup>th</sup> May 1554, arrived back in Rome.<sup>68</sup> On the 7<sup>th</sup> July, he presented the collected documents and witness accounts to the Pope. These were later supplemented with further documents brought to Rome by Bondenarius on the 14<sup>th</sup> August.<sup>69</sup>

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<sup>63</sup> GOETZ 1965. p. XV–XVI.

<sup>64</sup> ROSE 1891. p. 459; GUERRINI 1922. p. 377; GOETZ 1965. p. XVI.

<sup>65</sup> Lorenzo was born in Brescia on the 10<sup>th</sup> August 1531. He entered the Jesuit Order on the 7<sup>th</sup> March 1555. Following his work as a secretary of the nuncio, he made a successful career. At first, he was the rector of the Collegium Germanicum (1557–1561), then a rector in Naples (1561–1562), then returned to Vienna where he became the rector and then the Provincial Superior of the order. He held many important positions until his death on the 26<sup>th</sup> October 1605. LUKÁCS 1978. 724; SCADUTO 1974. p. 742–748. I'm grateful to Zsófia Kádár and Bálint Lakatos for this valuable information.

<sup>66</sup> E.g. GOETZ 1965. p. 243–244.

<sup>67</sup> Delfino was born to an aristocratic family of Venice in 1527. He was a student of philosophy and theology at the University of Padua, and after that, he worked at the Curia Romana. In 1553, he became the bishop of Lesina. At first, he occupied this office until July 1555, however later this year, he was appointed for the second time to be nuncio, but only for a half year term. On his work and later activities in Hungary see: GOETZ 1970. p. VII–XV; NEMES 2010.

<sup>68</sup> GOETZ 1965. p. XVI.

<sup>69</sup> FRAKNÓI 1903. p. 88.

## Martinengo's return to Italy and the consequent events

After Martinengo's return on the 3<sup>rd</sup> August 1554, he was appointed to be the head of the Apostolic Camera, and he probably did not leave the Eternal City in the following years.<sup>70</sup> He temporarily worked as the secretary of Pope Paul IV and also returned to the managing of the affairs of the abbey in Leno, such as gathering and copying the abbey's privileges. He also oversaw some major architectural projects, like the construction of the abbey's palace in front of the church, the residence of the *commendatore* and of those chambers of the abbey which were designed for the visitors.<sup>71</sup>

Due to his experiences gained at the court of Ferdinand and in the matters of the council of Trent, the Pope gave him an important mission. In November 1560, Pope Pius IV announced the third section of the Council of Trent to be held on the following Easter, and asked for as many participants as possible, including representatives from those regions, which were already alienated from the Holy See to some extent. A prominent example for this was the case of England. The Pope wanted to send a bull of invitation to Queen Elizabeth I. There were many possible political motives behind this act, one is that Elizabeth's favourite, Robert Dudley hoped to gain the support of Catholic Spain in order to secure the Queen's hand in marriage for himself.<sup>72</sup> Martinengo was appointed as the nuncio, who delivers the bull.

He received his instructions on the 9<sup>th</sup> March 1561, and the next day he left Rome. He reached Cologne on the 8<sup>th</sup> April, and continued his journey to Brussels in the middle of April.<sup>73</sup> His hopes were shadowed by his experiences from the previous years. Before issuing the bull, the Pope had already dispatched Vincenzo Pargaglia, the abbot of San Solutore to England in 1560, but this attempt failed before he could set foot on the island. Primarily, it was believed that this was due to the actions of Philip II, but the main reason behind was that the Pope was short of the appropriate connections in the English elite, therefore he was not fully aware of the complexity of internal affairs and rivalry between Dudley and his opponents and the obstacles this situation carried within.<sup>74</sup> The King of Spain tried to prevent Martinengo's mission as well, but his letter of safe-conduct was not released due to other reasons: an English priest, John Coxe's capture and this act was used as a base for a popish conspiracy charge, consequently, Martinengo's visit was denied, which was approved by the Privy Council on the 1<sup>st</sup> May 1561. Spain's emissary, Alvarez de Quadra explained this with the presumably subversive presence of Martinengo on the island and thus was held back in Brussels. In reality, he was waiting for the Pope's instructions in Antwerp according to which he had to return to Italy through Lorraine and

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<sup>70</sup> GOETZ 1965. p. XVII.

<sup>71</sup> MOTTA 2008. p. 153.

<sup>72</sup> DORAN 1994. p. 10–22; DORAN 1996. p. 47–51; QUESTIER 2019. p. 31–33.

<sup>73</sup> GOETZ 1965. p. XVII. Bayne and Questier both states that the nuncio left Rome later, on the 14<sup>th</sup> March. BAYNE 1913. p. 78; QUESTIER 2019. p. 31.

<sup>74</sup> MCCOOG 1996. p. 50; EDWARDS 2014. p. 263–264.

the Western German lands.<sup>75</sup> In his home in Brescia, he was greeted with a speech by his nephew and on the first days of November arrived in Rome.<sup>76</sup>

Afterwards, he spent most of his time in Rome and Leno. Many members of the Martinengo family lines have turned to Protestantism. The most notable one was his brother, Celso (Massimiliano), who was a student in Venice and Ferrara and became a teacher of Greek literature. He was also a member of the canons of Lateran, but eventually he became the leader of the Italians who fled to Geneva.<sup>77</sup> In spite of these events, he remained loyal to the Catholic Church and was the first *camerarius assistens* and *referendarius* to Pope Pius IV between 1562 and 1564, which duties engaged his interest completely.<sup>78</sup>

The newly elected Pope Pius V appointed him to be a nuncio at Naples in 1566, but he turned this mission down, and consequently it was given to Cipriano Pallavicino.<sup>79</sup> The next year he resigned of his benefices at Leno in favour of his brother's son, Ascanio (*resignatio in favorem*) who supervised the abbey until 1548.<sup>80</sup>

Because of his talent and skills, Martinengo was considered by many a promising diplomat. He wished to be a cardinal, but this did not happen for him. He passed away on the 10<sup>th</sup> November 1569 in Rome and was buried in the Sant'Apollinare church. The inscription on his grave was ordered to be made by his brothers and nephew.<sup>81</sup>

Today, there is only one depiction that can be linked directly to the diplomat with little doubts: it is in the hundred-piece collection of engravings by Andrea de Abbiatis, in which all items represent a famous member of the family. Among them, there is Martinengo as an abbot.<sup>82</sup> It is also worth mentioning that Alessandro Moretto painted many pieces which are not identified, but probably one of them is depicting Girolamo.<sup>83</sup> Finally, it was David Podavinius, who published a Latin work in Brescia, in which he praised Martinengo and he also mentioned the nuncio's work in Hungary.<sup>84</sup>

<sup>75</sup> BROWN–BENTINCK 1890. p. 310–336; MOTTA 2008. p. 153; MCCOOG, 1996. p. 51.

<sup>76</sup> ZAMBONI, Baldassarre 1778. p. 137; GUERRINI 1930. p. 421; GOETZ 1965. p. XVIII.

<sup>77</sup> RATH 1896. p. 275; MOTTA 2008. p. 154; RONCHI 2008; FAPPANI 1991. p. 294.

<sup>78</sup> SQUICCIARINI 1998. p. 60; MOTTA 2008. p. 154.

<sup>79</sup> GOETZ 1965. p. XVIII.

<sup>80</sup> MOTTA 2008. p. 154.

<sup>81</sup> ZAMBONI 1778. p. 90; GUERRINI 1930. p. 421–422; FAPPANI 1991. p. 314; MOTTA 2008. p. 154; GOETZ 1965. p. XIX. On the tombs of the family: CAVALLERI 2017. p. 117. 138.

<sup>82</sup> RIZZINI 1896. p. 36; GUERRINI 1930. p. 480–481. (XXIX.)

<sup>83</sup> Out of these paintings, the one that is best known as Federico Martinengo's depiction, dated to around 1546, deserves more attention, because the first mention of this painting dates back to the establishment of the gallery of the Festetics family and there are some doubts about whether the figure depicted is Federico or not. REDONA – VIRGLIO 1988. p. 334–335. 408–409. 448–449; ROSSI 1994. p. 342; RÜHL 2011. p. 146.

<sup>84</sup> PODAVINIUS 1583.

## Summary

With Martinengo, an unusually talented, experienced and devoted papal diplomat entered the court of Ferdinand I. His personality was a guarantee for an adequate representation of the Pope in the difficult diplomatic situations, which the first half of the 1550s created. From these complex cases the inquiry conducted by the Holy See stands out, which Martinengo supervised conscientiously according to the sources. Thus, the thoroughness of this process did not reflect his negative attitude towards Ferdinand, but rather his overall work-ethic and habit. He came from a family with notable French connections, but this did not have an influence on his work in the Habsburg monarch's court. Although he did not receive any assignments related to Hungarian affairs at the Curia, like his successor, the nuncio Zaccaria Delfino, he remained active on the field of European politics. Observing his walk of life, it does not only delineate the image of the career of an exceptional papal diplomat, but it also brings us closer to a prominent actor in the diplomatic relations between Ferdinand I and the Holy See.

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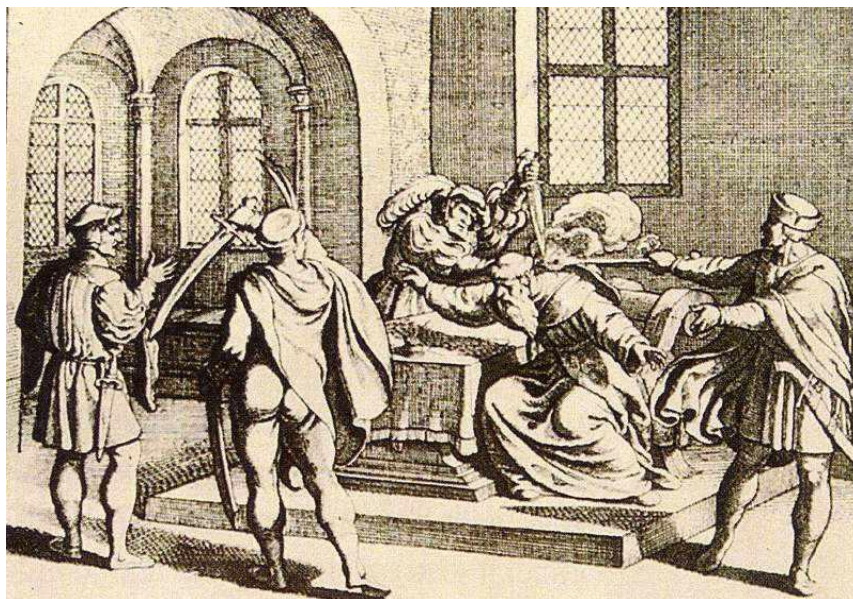
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PICTURES



1. Pope Julius III creates George Martinuzzi a cardinal. The painting can be found on the porch of the monastery of Czestochowa. (17<sup>th</sup> century), photo by Adam Pátkai (with the author's licence)



2. The assassination of George Martinuzzi, copper engraving by Matthäus Merian (17<sup>th</sup> century), <https://mek.oszk.hu/01900/01911/html/index165.html>



3. Andrea de Abbiatis: The portrait of Girolamo Martinengo (17<sup>th</sup> century), GUERRINI 1930. p. 480–481. (XXIX.)

*Translated by Fanni Madarász*



*Fanni MADARÁSZ:*

## **The Historiographical Typology of the English Royalism in the First Half of the Seventeenth Century**

The topic of the present paper provides an insight into the royalist movement of the seventeenth century England, pre-eminently focusing on the Civil War era. Royalist, or constitutional royalist is a term to describe a moderate political group of the 1640s, concentrating around King Charles I, as his advisors. Recent results identified and categorized some of the main political thinkers of this faction. However, this categorization still has its own limits and is in the need of further clarification. The study is meant to highlight the defining elements of the royalist political discourse, including the notions of the rule of law, the ancient constitution and absolutism. The present paper also aims to investigate how the pre-existing political theories and doctrines from the Medieval and Tudor-era influenced the narrative of those, who remained to be loyal to the king, amidst the turbulence of the Civil War.

*Keywords:* Royalism, English political theory, constitutionalism, political discourse, absolutism.



### **Introduction**

The first half of the seventeenth century was one of the most debated eras of early modern England and produced an extensive literature. Therefore, the early Stuart reign and Civil War still represent a challenge for those, who would be willing to investigate the topic. Consequently, it is essential to outline the limitations of the study, right at the articulation of the introductory thoughts. The present writing offers an insight into the royalist discourse in the first half of the seventeenth century, aiming to highlight the historical understanding of the notion, certain characteristics, the dynamism, and the criticism of the pre-existing factional alignments. In this regard, the main emphasis is placed on the theoretical background, rather than on the practitioners of the concepts. The Civil War was a sequence of conflicts in

which the traditional foundations and the pillars of the seventeenth century English society were all questioned and eventually abolished.<sup>1</sup> The reasons behind the Civil War would be the topic of a more detailed study, and even longer volumes, since this great historical controversy have moved generations of historians, who all formed their own ideas on the nature, reasons, and participants of the events. However, these Whig and Marxist hypotheses tell us more about the intellectual climate of the era which they were created in, than about the conflict itself and motives behind it. In order to understand either the royalism or the parliamentarian concepts, it is essential first to outline the roots and the intellectual context, in which they were born. Due to the limitations of the study, Whig, Marxist, Revisionist and Post-Revisionist historiographical standpoints are not to be compared, or elaborated on in depth, but at appropriate points, references will be made.

The English constitutional mind was a very specific one in particular terms, but it also had several common points with the continental trends. Certainly, there was an underlying contradiction at the beginnings of the 1600s, which was inherited from the Tudor era. The Stuart kings received a dominium, which was both *a personal and a mixed monarchy*. This phenomenon is also known as the superiority of the *King-in-Parliament* principle.<sup>2</sup> In one sense, the kings, like in the high Middle Ages *ruled, as well as reigned*, and consequently the government was strongly dependent on the skill, abilities, and competence of the monarch. Kevin Sharpe expressed this very plastically, stating that *“in the seventeenth century the succession of a new monarch was still the fundamental change in the political climate”*.<sup>3</sup> The monarch was the ultimate source of patronage and public authority. The public institutes and offices were under royal commissions and consequently were exercised in the name of the king. Thus, the court was the centre of both the political discourse and decision making. Therefore those, who had direct access to the court and the monarch could easily obtain influence over the implementation of a given policy. Johann P. Sommerville also pointed out that the ideas of divine right and kingship were all integral parts of the political discourse, (which is a common element with for e.g. France)<sup>4</sup> although there is a scholarly disagreement on the nature, characteristics, and main elements of the early Stuart monarchy.<sup>5</sup>

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<sup>1</sup> Abolished by the end of the conflict, the matter of efficiency in a long run is another question. Further see: COWARD 1994; HILL 1972; MORILL 1993.

<sup>2</sup> SMITH 1994. p. 16–18.

<sup>3</sup> SHARPE 1992. p. 179.

<sup>4</sup> It was also a defining character of both the French and English monarchies to believe in the quasi divine character of the monarchs, attributing healing power to them as well. Further see: SMITH 1994. p. 18.

<sup>5</sup> Briefly, according to the foundations of theory, the kings derived their power directly from God, consequently they were answerable to him alone. The concept also rejected the active resistance, or taking up arms against the rightful monarch, even if it was proven to be a tyrant. *“Shortly then to take vp in two or three sentences, grounded vpon all these arguments, out of the lawe of God, the duetie, and alleageance of the people to their lawfull king, their obedience, I say, ought to be to him, as to Gods Lieutenant in earth, obeying his commands in all thing, except*



According to Paul Christianson, there were rival concepts about the *ancient constitution*, which is an “*inherently ambiguous*”<sup>6</sup> phenomenon, since it had left many doors open for interpretation. According to John Pocock and Glenn Burgess we have to consider three main elements, when we try to define the notion of the *ancient constitution*: custom, continuity and balance.<sup>7</sup> Under this term, we should not understand the collection of codifications and decrees, but rather the system, a political theory behind the *common law*, which included customs and judicial decisions.

Christianson stated that there are three different versions on the idea of the *ancient constitution*, based on how one approaches the past.<sup>8</sup> A few researchers of the topic advocate the customary sense of the common law based on the Cokean interpretation,<sup>9</sup> while others, referring to John Selden, stress the ancient constitution’s nature as the ideological foundation of the mixed monarchy.<sup>10</sup> The third distinctive element or category, is the approach of the “*constitutional monarchy*”,<sup>11</sup> which was created by the monarch. In this concept, the king is bounded by two things: one is the oath, which he takes on his coronation, the other is to govern according to the laws of the predecessors of the land (England, of course). The formation of the latter can be linked to the theoretical work of King James I.<sup>12</sup> Johann P. Sommerville also shares the principle, that particular constitutional and political ideas (on the divine right of kings, absolutism, etc.) existed parallelly in the first half of the seventeenth century, but certainly not in isolation, or as universal ways of interpretation. However, regarding the practical side of the matter, the opinions differed greatly, let it be a parliamentarian, or a royalist.<sup>13</sup>

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*directly against God, as the commands of Gods Minister, acknowledging him a Iudge set by God ouer them, hauing power to iudge them, but to be iudged onely by God, whom to onely hee must giue count of his iudgement; fearing him as their Iudge, louing him as their father; praying for him as their protectour; for his continuance, if he be good; for his amendement, if he be wicked; following and obeying his lawful commands, eschewing and flying his fury in his vnlawfull, without resistance, but by sobbes and teares to God, according to that sentence vsed in the primitiue Church in the time of the persecution. Preces, et Lachrymae sunt arma Ecclesiae.”* JAMES I. 1598.

<sup>6</sup> BURGESS 1992. p. 4.

<sup>7</sup> BURGESS 1992. p. 4.

<sup>8</sup> BURGESS 1998. p. 227.

<sup>9</sup> The *common law* was partly similar to Roman law, in a sense that both legal systems originated in legal customs, therefore they were initially *lex non scripta*. The theoretical problem of being a law, and not being written down was solved by Henry de Bracton, who introduced the *common law* as a customary, unwritten system, which partly took over the nature of the Roman *leges*, being general, and the *consuetudines*, meaning that is was unwritten. It was Sir Edward Coke, who first attempted to collect and record the common law in written form in *The Reports of Sir Edward Coke, Knt. in English, in Thirteen Parts Compleat (with References to All the Ancient and Modern Books of the Law)*. However, the appearance of this work did not mean, that there were no other concepts parallelly existing with the Cokean one on the common law, and the ancient constitution. Further see: Burgess 1992. 4–20.

<sup>10</sup> John Selden (1584–1654) was an English legal theorist and linguist, a distinguished expert of the ancient constitution and laws. Further see: CHRISTIANSON 1984. p. 271–315.

<sup>11</sup> CHRISTIANSON 1996. p. 75–82; ORR 2002. p. 34.

<sup>12</sup> ORR 2002. p. 71–95.

<sup>13</sup> SOMMERVILLE 1999. p. 46.

A delicate issue of the early seventeenth century's Stuart rule – also inherited from the Tudor era – is the balance between the actors of power. Many scholars committed the mistake that in the name of two-sidedness, expected a dichotomy between absolutist and constitutional ideas, which is all in all a false approach.<sup>14</sup> The fact, that in theory, the monarch was answerable to God alone – and even if he acted against Him, or against the natural or common law, still the subjects should not demonstrate active resistance – it still does not mean, that the power of the monarch is not limited in some ways.<sup>15</sup> It seems a logical contradiction at first, but if we take a closer look, it becomes clear, that this dual nature of the English political order still creates a working governmental structure, and it was one, up until the second part of King Charles's rule. The reason behind this is, that as long as neither the crown, nor the parliament do not attempt to expand their authority to the expense of the other side, the structure remains stable, as it used to be in the Elizabethan and Jacobian England.<sup>16</sup>

Ever since Henry de Bracton, the "*debet rex esse sub lege, quia lex facit regem*" axiom was present in the English constitutional thought, namely that "*the king should be subject to the law for the law makes the king*".<sup>17</sup> An example of the legally limited monarchy in the Tudor narrative was Sir John Fortescue, who contradicted the *dominium politicum et regale* (constitutional monarchy) with the *politicum regale* (absolute monarchy), and many followed his footsteps, like John Aylmer and Richard Hooker.<sup>18</sup> Briefly it means, that as long as the monarch acted *pro bono publico*, governing for the good of his people, and could function in harmony with the certain institutions, which were the pillars of the state, like the Church, parliament, courts, tribunals and other judiciary bodies, then that discrepancies could be controlled. The key of success of the Tudors was the "*appeal for consensus*", which made it possible to synchronize this duality. This political culture accepted the royal discretionary powers outside the definition of the common law. For this unique phenomenon of the seventeenth century political structure of England, Glenn Burgess applied the notion of "*double prerogative*",<sup>19</sup> according to which the monarch possesses two kinds of power, an *absolute*, and an *ordinary* one. The latter bounds to king to act consistently with the *common law*, while the other grants him authority to act outside the frames of the common law.

During the reign of King Charles I, the problem was caused by him not acting in accordance with the two separate powers, or his actions did not fall

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<sup>14</sup> BURGESS 1992. p. 64.

<sup>15</sup> SASHALMI 2006. p. 22–23.

<sup>16</sup> SMITH 1994. p. 18.

<sup>17</sup> To Bracton's work, a few summaries including: WOODBINE 1915 II. p. 33; MILSOME 2003; STEIN 1999; TURNER 1985.

<sup>18</sup> John Aylmer (1521–1594) an English bishop, constitutionalist, and a Greek scholar. Richard Hooker (1554–1660) was a theologian and a priest, who, based on the *Caroline Divines* advocated the divine character of the English monarchs.

<sup>19</sup> BURGESS 1992. p. 140.

under the framework of the appropriate authority. A good example for this, is the case of James Whitelock, who acknowledged the absolute power of the King James I,<sup>20</sup> but he questioned whether it was applicable in that given session of the parliament between 1610 and 1614.<sup>21</sup> It should be noted, that prior to Charles's reign, the so called "absolute" prerogative was mostly applied in cases, when there was an emergency, or the protection of the monarchy was at stake. In a scenario like this, the king could act according to his own discretion. However, these situations were not determined, and this would lead us to the core of the conflicts during the reign of King Charles I, who introduced the practice of using a special authority as an ordinary one.<sup>22</sup> While King James I paid attention and effort to keep this balance by not abusing his special prerogative, and to maintain the fragile balance between the different actors of power, Charles tended to overlook the issues.<sup>23</sup> A true example of this is the dispute over the *Forced Loan* in 1626–1627,<sup>24</sup> which greatly undermined and neglected the previous constitutional order.<sup>25</sup> The consequence of the conflict is the *Five Knight's case* in 1627,<sup>26</sup> being crucial

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<sup>20</sup> James Whitelocke (1570–1632) was a judge at the court of King James I. In 1610, he became an MP, the supreme judge of Chester, and was knighted a few years later. In 1624, he was appointed to Judge at the Court of the King's Bench. He continued his activity under Charles I. However, in 1626, he denied to countersign the warrant of the Forced Loan, but in the Five Knights case, he supported the king. Further see: ODNB ref. 29299. (access: 12. 05. 2019.)

<sup>21</sup> FANG NG 2003. p. 25.

<sup>22</sup> Under this point, Charles's domestic policy should be understood, aiming to increase state incomes. See: HIRST 1986. p. 27.

<sup>23</sup> HIRST 1986. p. 27–28; REEVE 1989. p. 21.

<sup>24</sup> The origin of the Forced Loan should be looked for in the alliance with the Danes. On the 27<sup>th</sup> of August, 1626, Christian IV of Denmark suffered a huge defeat from the Holy Roman army at the battle of Lutter. The news reached England on the 11<sup>th</sup> of September, to which Charles returned to London from his summer residence. According to his commission, the Danish king was assured about the support of crown, then Charles discussed the possible means of supporting the Danish forces. Besides the fact, that Charles and Christian were relatives, Denmark was the most important continental ally of England. During the meeting, it was concluded that England would send 4000 troops, and the expenses would be financed by levying a new tax on the subjects. Thus, the *Forced Loan* was the repercussion of a foreign policy crisis. Charles and his advisors did not ask for the consent, let alone the opinion of the parliament, which was later explained by the shortness of time. During the summer of 1626, the king further had to apply for a loan from the cities, since the crown's financial status was mortifying. Therefore, the king used a foreign conflict for the legitimization of forcing a new tax (or loan) on his subjects, while it was used to consolidate an originally domestic, fiscal situation. Further see: CUST 1985. p. 208–210.

<sup>25</sup> CUST 1985. p. 208–235.

<sup>26</sup> It is called the Five Knight's case or Darnell's case, after the name of one of the knights, Thomas Darnell. Based on the remaining sources from the trial (records, proceeding and charters) we are aware of the followings: Thomas Darnell, John Corbet, Walter Earle, John Heveningham, and Edmund Hampden refused to pay the *Forced Loan*, for which they were imprisoned. They drew up an appeal, and handed that in to the Court of the King's Bench. Based on the habeas corpus, they asked to be released. The only answer to their appeal was, that they were kept in prison under "*special command of His Majesty*" (How. St. Tr. 1). Thus, at court, the question was whether the answer was a righteous, and in harmony with the common law. Further see: KISHLANSKY 1999. p. 53–58.

not just because taxation was levied without the consent of the parliament, but also because of the constitutional character of the issue.<sup>27</sup> Hereby we can witness that the royal prerogative was applied as a guarantor, in order to avoid the further investigation in this case of debatable legality.<sup>28</sup> A direct consequence of these conflicts was the issuing of the *Petition of Right* in 1628, which articulated and specified those rights of the subjects, which could not be overruled, not even by the king, neither between any circumstances.<sup>29</sup> From the Tudor narrative of balance and harmony between the particular pillars of power, England reached a point by 1629, when the law was not the instrument of social cohesion and the guarantor of personal freedom – which it had been since the Bractonian times – but became the device of political oppositions. This period between 1629 and 1640 was called the “*eleven years of tyranny*”<sup>30</sup> by S. R. Gardiner, and the Whig historiography, but later, during the revisionist movement, Kevin Sharpe 1992 introduced the expression, “*years of personal rule*”<sup>31</sup>. The latter is applied by Barry Coward, John Adamson and Richard Cust, furthermore, David L. Smith and Graham E. Seel compared and discussed the context and the validity of the two terms.<sup>32</sup>

Within this intellectual framework, the conflict of the Civil War arose, and the above-outlined principles are deeply rooted and present in the royalist narrative and discourse. In the followings, the present study attempts to provide an overall understanding of what royalism used to be, and what limitations should be kept in mind, when one endeavours to investigate this topic.

### **The term royalist and its historiographic understanding**

Not many investigations were implemented, and even lesser amount of works and monographs were published on the question of English royalism right before, during and after the Civil War. The Whig and Marxist historiography in the first half of the twentieth century favoured the investigation of parliamentary issues and topics. There are several possible reasons behind this. First, we must count with the possibility, that many royalist documents were destroyed during the first and second civil war either for a practical reason, namely not to be found by the parliamentary forces, or due to the fact, that after 1644, it became more complicated for the royalists to secure a stable and concentrated presence in the public administration (or in London itself), since they were forced to relocate in

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<sup>27</sup> BURGESS 1992. p. 191.

<sup>28</sup> BURGESS 1992. p. 191–192.

<sup>29</sup> The *Petition of Right* articulated several restrictions, the most crucial ones were: the forbiddance of unlawful imprisonment; it restricted the taxes levied without the parliament; regulated the quartering of soldiers, ruled out the marital law as illegal as well. See: <http://www.legislation.gov.uk/aep/Cha1/3/1/contents>. (access: May 2, 2019).

<sup>30</sup> Thomas Babington Macaulay, Samuel Gardiner, William Stubbs, etc.

<sup>31</sup> SHARPE 1992. p. 40.

<sup>32</sup> ADAMSON 2009; COWARD 1994; CUST 2007; SEEL – SMITH 2001.

different parts of the country after the parliamentary military dominance became evident. Therefore, there were no central organs to produce documentation on a regular basis, but even if they could mobilize the apparatus, the turn of events definitely had a profound impact on productivity. Furthermore, due to the lack of these institutions, (or because of the instable circumstances of long-distance communication), the correspondence was more prone to get lost.<sup>33</sup> These conclusions are further supported by the fact that if we compare the number and frequency of documents belonging to both the national and local administrative organs, those, which were issued by royalists during the Civil War, are far behind the ones of the parliamentarians.<sup>34</sup>

However, from this era, the personal correspondence of high-ranking officials and the closest advisors of the king and queen has come down to us in a great number.<sup>35</sup> Behind this phenomenon, we can also suspect the above-mentioned circumstances, namely that the leading royalist persons retreated to different parts of the kingdom, while the parliamentarians concentrated in and around London, therefore they did not need to correspond with each other that much, compared to the royalists.<sup>36</sup> According to David Scott's proposition in his study from 2008, royalists were probably neglected by historians because they lost not just from one, but from two aspects. Their defeat provided a drive for the argumentation of the Whig historians, who were convinced that the constitutional developments of the Victorian era was the heritage of the seventeenth century parliamentary success. From this teleological approach the "*... royalists were not just on the wrong side of the war; they were on the wrong side of history.*"<sup>37</sup> In this concept, royalists were only in the way of the parliamentary progress, therefore their role in the events was assessed accordingly.<sup>38</sup> By the end of the twentieth century, luckily, this approach lost a lot from its vitality, and was re-evaluated. However, I certainly agree with David Scott on the inherited tendencies.

The research of royalism was not popular for another undiscussed reason: it seemed to be anachronistic. In those concepts, which were dominant in the majority of the twentieth century, scholars found the

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<sup>33</sup> Ronald Hutton, James McElligott, David L. Smith and Barry Robertson all share the viewpoint, namely that the reason behind this tendency is twofold: on the one hand caused by the certain tendencies in historiography, and the ideological concept of its representatives, and on the other hand, by the lack of sources compared to the parliamentary side, which is most probably the consequence and result of the conflict itself. Also, if we consider the case of personal sources, like diaries, notes and memoirs, the possessor risked to be caught and charged with treason, if he or she kept any papers related to the king, or expressing royalist sympathy. Further see: HUTTON 2002. p. 3–8; McELLIOTT 2007. p. 11–16; ROBERTSON 2014. p. 5; SMITH 1994. p. 1–10.

<sup>34</sup> TNA PRO SP 39/30; TNA PRO SP 41/6

<sup>35</sup> TNA PRO SP MSS 31/63/4.

<sup>36</sup> ROBERTSON 2014. p. 5–6.

<sup>37</sup> SCOTT 2009. p. 36.

<sup>38</sup> SCOTT 2009. p. 35–38.

parliamentarians to be the key protagonists of progress, while the royalists *"were degraded as the symbols of status quo."*<sup>39</sup>

The first results of research on seventeenth royalism came at the end of the 1950s, and the beginning of the 1960s, before the expansion of the revisionist concept. B.H.G. Wormald, P.H. Hardacre, David Underdown, Ian Roy, and J.W. Daly all note important studies concentrating on a certain part of the topic. However, these works only scratched the surface of the problem.<sup>40</sup> The turning point came in the 1970s, which is closely connected with the pioneering revisionists. These works done by P.R. Newman, Joyce Lee Malcolm, and Ronald Hutton focus predominantly on the royalist military forces and armies, strategies, mobilization, war supplies, field tactics and organization, but none of these studies represents a holistic approach.<sup>41</sup>

Besides the above-mentioned works, two further studies addressed the problem of inadequate research and information on royalism. The first from these was Clive Holmes, whose 1975 writing in the volume of *The Eastern Association in the English Civil War* truly represented those hardships, which the parliamentarians had to face in terms of fiscal and recruiting issues mainly in Lincolnshire, but generally regarding East-Anglia, which was one of the headquarters of the remaining royalist forces<sup>42</sup>. The study details how Cromwell and the *New Model Army* overcame the obstacles and attempts to answer what kind of role did the new army played in the parliamentary progress.<sup>43</sup> The most crucial element of the book from the perspective of the present study is the question that the author poses, whether the parliamentarians won the war, or the royalists lost it.<sup>44</sup>

From this period, the other notable work was written by John Morill, with the title, *The Revolt of The Provinces*. Its first edition was published in 1976, and it was revised and reprinted in 1999. In the first edition, the author synthesizes those studies, which were written about the Civil War conservatives and radicals prior to the publication of the first edition. In this writing of his, Morill also elaborated on the possible reasons behind the failure of the royalist cause, among which he considers the royalists' relation to their local communities as the most crucial one. According to his firm beliefs, the royalist thinking was more traditional and more legal central compared to that of the parliamentarians. This *"cavalier attitude"*<sup>45</sup> caused the death of practice, and at the same time, the death of the cause as well. Morill explains this process with the fact, that the income of the royalist dropped fast and significantly, and they did not manage to maintain order and discipline among their lines, and if they

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<sup>39</sup> ROBERTSON 2014. p. 5–6.

<sup>40</sup> DALY 1974; ENGBERG 1966; HARDACRE 1951; MARSTON 1973; ROY 1962; UNDERDOWN 1960; WORMALD 1951.

<sup>41</sup> HUTTON 1981; MALCOLM 1978; MALCOLM 1983; NEWMAN 1979. NEWMAN 1981. Further works from this period: AYLMER 1972; SMUTS 1988.

<sup>42</sup> HOLMES 1974. p. 1–117.

<sup>43</sup> HOLMES 1974. p. 195–220.

<sup>44</sup> HOLMES 1974. p. 195–220.

<sup>45</sup> MORRILL 1984. p. 117.

tried to do so, royalist officials did not apply the appropriate legal procedures.<sup>46</sup> The book also contains valuable information on the precise mechanism of the parliamentary administration, however, on the royalist organs of public service he only wrote three pages, based on the accounts of leading royalist generals and prominent military leaders.<sup>47</sup>

In 1981, Ronald Hutton was the first, who placed the royalists into the focus of his monograph with the title, *The Royalist War Effort 1642–1646*.<sup>48</sup> The first edition went to press in early 1982, but I only had the chance to work with the second edition, therefore a few footnotes will reflect on that issue. The author's main goal was to observe the royalist elite and military commanders, the war efforts and reinforcements, the organization of the battlefield and field tactics, and finally, the means of transferring information. He had done all this in relation to the parliamentary side.<sup>49</sup> Hutton's final conclusion was that in those regions, which were predominantly controlled by royalist forces, the change of sides did not happen because of the classic reasons the Whig historians prefer citing persistently: the unavoidable, long-standing social, economic, religious and political oppositions. In the author's view, violence reached the local communities with "artificial insemination",<sup>50</sup> meaning that the conflict was imported into the local communities through its leaders. He does believe that the certain actors of power did not fulfil their primary duties, namely to maintain security and order in the communities.<sup>51</sup> A decade later, Conrad Russel stated that: "it is the English Royalists, not the English Parliamentarians, who are the real peculiarity we should be attempting to explain [...]. The intellectual and social antecedents of Royalism have not yet been studied with the care which has for many generations been lavished on the Parliamentarians".<sup>52</sup> The 1990s followed this spirit, and eventually provided the first monographic works of the topic by David L. Smith and James Loxley. Smith composed a volume in 1994 on constitutional royalism, a term, which I find somewhat problematic. In the last two decades, since the publication of the *Constitutional Royalism and the Search for Settlement* this view had to face severe criticism, especially because of the applied terminology.<sup>53</sup> However, even the fiercest critic acknowledges the undeniable merits of the book, praising its long-awaited holistic approach.

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<sup>46</sup> Here the author quotes from Lord Wentworth. MORRILL 1984. p. 117.

<sup>47</sup> The title was *The Royalist Administration*. Further see: MORRILL 1984. p. 116–118

<sup>48</sup> In the present study, the second, revised edition is used. Further see: HUTTON 2002. p. xiii–xxxii.

<sup>49</sup> HUTTON 2002. p. 1–191. James Daly did not agree with Hutton in several questions. Further see: DALY 1984. p. 745–755.

<sup>50</sup> HUTTON 2002. p. 201.

<sup>51</sup> Daly denies this concept of Hutton's, namely that in his opinion, the oppositions did not come into the local communities externally, but the internal conflicts were utilized as instruments to turn one side against the other. For the contradicting concepts further see: HUTTON 2002. p. 201; DALY 1984. p. 745–755.

<sup>52</sup> RUSSEL 1991. p. 526.

<sup>53</sup> David Scott considered Smith's constitutional royalist concept simply a mirage, but the issue will be discussed in more details in the followings. Further see: SCOTT 2009. p. 36–40.

Those studies, dissertations and volumes, which appeared from the 1990s attempted to cover the topic from multiple perspectives, such as literature, identity and the heritage of print culture.<sup>54</sup> Despite of these excellent editions, there is little we know about those, who remained to be loyal to House of Stuart during the Civil War. The clarification of the term and a possible re-classification of royalist pamphleteers and authors could result the better understanding of the dynamics and characteristics of the conflict between 1640 and 1650.

### **The classification and terminology of the royalists**

It is certain though, that the research on the royalists became more active recently, and it is occurring on many fields of the discipline. In the followings, a short summary will be provided on the latest issues and results.

One debateable question is the factional division and the attached terminology, which is too rigorous and neglects the often-changing nature of circumstances in the Civil War. Ronald Hutton's work from 1981, *The Structure of the Royalist Party, 1642–1646*, and David L. Smith's monograph from 1994 are good examples of this phenomenon.<sup>55</sup> Hutton defined two major parties within the royalists: an ultra-royalist, and a moderate royalist segment. The ultra-royalists were those followers of King Charles I, whom propagated a military action against the parliamentarians before the outbreak of the war itself. To this category belonged the courtiers of Henrietta Maria, namely Wilmot, John Ashburnham, and Lord Digby, who all returned from exile to York around the June of 1642. The nephews of King Charles, Rupert and Maurice arrived back from the Netherlands in August, the same year.<sup>56</sup> To the moderate group, Hutton associated Sir John Culpeper, Edward Hyde, and Lucius Carey, whom were all critical with the Crown's politics to some extent. However by 1642, they reached a consensus on supporting the king's policy, since they were all convinced that not the king, but the parliament was the biggest radical threat to the well-being and harmony of state, church and society. All of them supported the peaceful negotiations and compromise throughout the whole course of events.<sup>57</sup>

Regarding the foundations, David L. Smith followed the concept of Hutton, namely that by the first years of 1640s, a moderate advisory group developed around King Charles I, who shared the principles of legally limited monarchy. According to this concept, the main pillars of state, the discretionary powers of the king, the *rule of law*, the Anglican Church or the protestant faith –

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<sup>54</sup> Further see: DE GROOT 2004; LOXLEY 1997; MENDEL 1985; SMITH 1994; G. SMITH 2003.

A few more works including, but not limited to the followings: MCELLIGOTT 2007; MILTON 2007; KEBLUSEK 1999; PEACEY 2004; G. SMITH 2003; G. SMITH 2011; WILCHER, 2001.

<sup>55</sup> HUTTON 1981. p. 555–559.

<sup>56</sup> HUTTON 1981. p. 555.

<sup>57</sup> Falkland and Culpeper arrived in York around the end of May or the beginning of June of 1642. Further see: HUTTON 1981. p. 554–556; CLARENDON IV. p. 340.



"established by law"<sup>58</sup> should not be limited.<sup>59</sup> In the light of these ideas, Smith identified 10 constitutional royalists under the theoretical leadership of Hyde, Falkland, Culpeper: John Bramhall, Sir Charles Dallison, Dudley Digges the younger, Henry Ferne, James Howell, David Jenkins, Jasper Mayne and Sir John Spelman.<sup>60</sup> According to Barry Robertson, Smith defined two main aspects for the categorization and selection. Once, he supposed that all these persons he identified belonged to the close advisory circle of the king prior to 1641, and second, all of them took part in the peace negotiations between 1642 and 1648.<sup>61</sup> The problem is that Smith never stated anything like this. On the contrary, he wrote that "...none of these was a member of the Long Parliament, nor were they ever involved in peace negotiations. The majority of them had works published at Oxford during the first Civil War."<sup>62</sup>

According to my research, the other element of Robertson's comment could also be refuted, since by the end of the Civil War, very few people were left, who would actively support the royalist cause. Either because they passed away in the meantime, like John Spelman in 1643,<sup>63</sup> or got into prison, escaped to France, or simply they got into an impossible situation. Charles Dallison for example was imprisoned in 1644, but managed to escape thanks to a prisoner exchange. He left for France in 1646, therefore he was not even present during the Second Civil War. He only returned in 1648, but at this time, he tried to stay away from the active political participation as much as possible.<sup>64</sup> Another common point in the listed political thinkers is that they were all the critics of the Crown's policy prior to 1640, but after 1641, they came to the conclusion, that the king did all the efforts in order to consolidate the tense political situation.<sup>65</sup> According to my research results, all the Spelman ancestors took active political part, always remaining to be faithful servants of the monarch, just as in the case of Dallison, Dudley Diggs senior and junior, etc. There is no written record, which would support the claim,

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<sup>58</sup> "His Majesties Answer to the Nineteen Propositions of Both Houses of Parliament: [...] That We were persuaded in our Conscience, That no Church could be found upon the Earth, that professeth the true Religion with more puritie of Doctrine, than the Church of England doth, nor where the Government and Discipline are jointly more beautified, and free from Superstition, than as they are here established by Law; which (by the grace of God) We will with Constancie maintain (while We live) in their Puritie and Glorie, not only against all Invasions of Poperie, but also from the Irreverence of those many Schismatics and Separatists, wherewith of late this Kingdom and Our City of London abounds, to the great dishonour and hazard both of Church and State [...]". BL TT E 151/25.

<sup>59</sup> SMITH 1994. p. 3–5, 61, 221.

<sup>60</sup> SMITH 1994. p. 219.

<sup>61</sup> ROBERTSON 2014. p. 5.

<sup>62</sup> "None of these was a member of the Long Parliament, nor were they ever involved in peace negotiations. The majority of them had works published at Oxford during the first Civil War." Further see: SMITH 1994. p. 219.

<sup>63</sup> SPELMAN correspondence; TNA PRO SP 16; J. Spelman, letter to Sir John Potts, 2 Feb 1643, BODL. OXF. MS TANNER 64. fol. 145r.

<sup>64</sup> After the execution of the king, the Dallison's estate was almost completely confiscated, and was also fined for 465 Pounds.

<sup>65</sup> ROBERTSON 2014. p. 5–6.

that these thinkers dissented the king, except for Falkland, Culpepper, and Hyde, about whom we know precisely, that they disagreed with Charles I on his *Answer to the XIX. Propositions*,<sup>66</sup> but this does not constitute an integral part of the present study.<sup>67</sup>

Therefore, it is reasonable to question whether we could evaluate royalism as an established category, or not. *In my point of view, the decisive factor in this issue is where we approach the topic from.* David L. Smith was heavily criticized because of his categorization partly based on Hutton's results. It was proven to be too rigid, and therefore did not represent the political fluctuation of the period.<sup>68</sup> Between 1641 and 1660, an estimated number of 22000 pamphlets circulated in England.<sup>69</sup> Certain concepts about power, state, sovereignty and the ideal form of government were present on every stage of public life. Thus, if we only consider royalists those, who advocated the idea of absolute and unconditional royal sovereignty in regards of exercising power and propagated war against parliamentarians, then in that category probably very few would have a place, as it was previously criticized by Johann P. Sommerville and David Scott. Royalism, in my viewpoint, should be treated as a more general *umbrella term*, describing a political group, which was and remained to be loyal to House of Stuart throughout the Civil War, either in an active or a passive role. It must be taken into account, that this was a volatile climate, in which the presupposition of a homogenous political group is misleading. This is especially true with the term, constitutional royalism.

### The criticism of constitutional royalism

In 2008, David Scott articulated serious criticism in connection with the notion, constitutional royalism. The earliest root of the term can be found in the works of Thomas Babington Macaulay, an esteemed historian of the nineteenth century. However, he did not use the expression in this particular collocation, but in relations to one another.<sup>70</sup> In a 1951 study about Clarendon, Brian Wormald was the first, who applied the term in its present

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<sup>66</sup> They did not agree on whether Charles I was one out of the three estates of the realm, or was superior to it. Another contradictory point was the maintenance of the Church of England under the *rule of law*, whether it constituted an integral part of the government or not. For further information on the disagreement, see: CLARENDON IV; SMITH 1994. p. 3–4; WORMALD 1989. p. 83–159.

<sup>67</sup> Charles Dallison, his uncle and cousin, William, and Robert Dallison both fought on the side of King Charles I. Robert became a baron in 1644, however, his lands and estate was seized, and was also fined. Thomas Dallison of Lincoln belonged to a cadet branch of the family and served the royalist cause as a colonel, who eventually lost his life in the battle of Naseby in 1645. Further see: Mr Charles Dallison Record[e]r of Lincoln, His Speech to the King's Majesty 1642. WING D 139; 123 LJ. V. 375; 124 CJ. II. 766, 890; BRICE 1970. p. 34–38; HILL 1956. p. 150–151; HOLMES 1980. p. 149; NEWMAN 1981.p. 38–39.

<sup>68</sup> SCOTT 2009. p. 36–37; ROBERTSON 2014. p. 5–6.

<sup>69</sup> SASHALMI 2006. p. 9.

<sup>70</sup> MACAULAY 1979. 1–5.

form, defining the political ideology of Edward Hyde.<sup>71</sup> However, it was David L. Smith, who gave a new dynamism to the term in his 1994 book, identifying it as a distinct political theory, which concentrated around the principles of reaching a settlement by negotiations with the parliamentarians and that the royal prerogative should be guided and controlled by the rule of law.<sup>72</sup> According to Scott, the biggest problem with Smith's definition is that it was vague, especially considering the fact, that the royal discretionary power was, or could be executed in such ways, which would hypothetically contradict the *rule of law*. Applying the concept of constitutionalism in such broad sense would make the factional positioning within the royalist party pointless, if the reference (as it is in the theory of Smith) is the *ancient constitution*. It is simply due to the fact, that the kings – considering the hypothetical side – had always respected the *rule of law*, and therefore the “*parliament's place in the constitution*”.<sup>73</sup> Thus, it would be further problematic to suppose that two royalists would understand the same thing under those set of customs, rules, rights, decrees, laws and prerogatives, which the *ancient constitution* consisted of. There had never been an exact definition of what it was, and what it was not, therefore it simply could not be interpreted by the same token.<sup>74</sup> I do support Scott's claims in acknowledging that it is not a valid approach to define factionally aligned political parties. It brings us much closer to the solution, if we analyse the certain theories of the royalist independently, and draw the conclusions after the ideas of the authors were defined on the questions of royal prerogative, the *rule of law* and the *ancient constitution*.<sup>75</sup>

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<sup>71</sup> WORMALD 1951, p. 3–154.

<sup>72</sup> According to David L. Smith's concept the Constitutional Royalists centralized around the following ideas: “[...] *royal powers should be guided and limited by the rule of law, and that Charles I's actions posed less of a threat to legality than those of the Houses; the combination of a respect for Parliament's place in the constitution with an abhorrence of the Junto; a defence of the existing Church of England and the Protestant religion 'by law established'; a wish to preserve the royal discretionary powers to appoint Privy Councillors and senior military and legal officers; and a conviction that armed resistance to the sovereign ran contrary to both the common law and God's law. In essentials, these principles represent a development of the position outlined in the Answer to the XIX Propositions [...]. They stood in marked contrast to other strands within Royalist thought [...]*”. SMITH 1994, p. 220.

<sup>73</sup> SCOTT 2009, p. 39.

<sup>74</sup> For the better understanding of the language, terms, content, and ideological understanding of the ancient constitution in the early modern period, see: BURGESS 1992, p. 3–99; BURGESS 1996, p. 127–140.

<sup>75</sup> There is the example of Lord Digby, who is said to be ‘the most unconstitutional’ royalist grandee. Even himself recognized the fundamentals of the ancient constitution and acknowledged the Parliament's role and place in it: “*The truth is [...] the Kings of England are never in their glory, in their splendor, in their Majestique Sovereignty, but in Parliaments. Where is the power of imposing Taxes? Where is the power of restoring from incapacities [sic]? Where is the legislative Authority? Marry in the King [...]. But how? in the King circled in, fortified and evirtuated [sic] by his Parliament. The King out of Parliament hath a limited, a circumscribed Jurisdiction. But wayted on by his Parliament, no Monarch of the East is so absolute in dispelling Grievances.*” See: The Speeches of the Lord Digby in the High Court of Parliament, 1641. BL E 196/6, 7 p. 24. However, the constitutional credentials of the leading constitutional theorist, Culpepper are strongly debatable, while the Duke

As it has been outlined above, the research on English royalism is organically bounded to the dichotomy of constitutionalism and royal absolutism, which determines the nature of the developed historiographical concepts. James Daly noted, that Hutton failed to disclose the inner conflicts of the royalist party in this regard, which could possibly have a damaging effect on the movement. On the other hand, he did not delineate either to what extent these oppositions created real discord between the moderate / constitutional and ultra-royalists.<sup>76</sup>

In addition, it must be highlighted that the royalist movement from the very moment of its birth had a moderate face in the first half of the 1640s. The leading royalists, like Edward Hyde, the Earl of Clarendon, represented mainstream royalist ideas, which could be linked to the intellectual background of the first half of the seventeenth century in terms of political theories (absolutism, the sovereignty concept of Jean Bodin, the refusal of active resistance etc.). In all his pamphlets and speeches Hyde emphasized, that Charles I was a trustworthy and reliable political figure, and that he would be willing to reach an agreement with the Parliament.<sup>77</sup> Of course, it is to be understood, that there is a caesura between political theory and practice, and that Charles only meant to undertake the negotiations, just like he had done throughout his whole reign. He firmly believed that he acted according to God's holy ordinance, and under the *rule of law*.

Another point to be noted is, that the Constitutional Royalist category of David L. Smith excluded a few essential political theorists, who could have a place in it based on the set of criteria, that Smith has elaborated.

Similarly to Daly, Paul Seward also criticized the validity of factional differentiation within the royalist party. As for me, I find it more problematic, that in the discussion of Constitutional Royalism Smith only echoes the principles of Hyde, while devotes no more than a paragraph or two to the other authors.<sup>78</sup>

David Scott simply evaluated this classification as a "false taxonomy"<sup>79</sup> and a "mirage". In his view, it is almost impossible to separate an ultra-royalist or absolutistic faction (however, it has never been an aim). The ultra-royalists, concentrating around Prince Rupert, tirelessly propagated the importance of war, since the sequence of great military victories – according

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of Richmond was presented a straightforward hostile attitude towards the Long Parliament, which theoretically contradicts the constitutional ideals of settling tension through negotiations. Him, and Prince Rupert were the biggest opponents of peace talks. Thus, it is evident, that there was no such label, that would apply for every royalist, consequently the validity of factional alignment should be reconsidered.

<sup>76</sup> DALY 1974. p. 745–749.

<sup>77</sup> John Bramhall, another royalist pamphleteer could also be connected to this concept. DALY 1966. p. 25–35.

<sup>78</sup> This statement is also supported by the example of John Spelman, about whom, David Smith wrote two pages, and he follows a similar tendency in the case of Bramhall and Dallison. See: SMITH 1994.

<sup>79</sup> SCOTT 2009. p. 38.

to Rupert and Lord Digby, the loudest advocates of this approach – would entitle the king to expand his absolute prerogative.<sup>80</sup> However, it is well-known, that there was no consensus among the leading royalists – between Hyde, Culpeper and Falkland – on vital issues like the role of the church in government or the understanding of estates, royal superiority and the ancient constitution. Furthermore, the “*constitutional credentials*”<sup>81</sup> of the leading constitutional theorist, Culpepper are strongly debatable, while the Duke of Richmond presented a straightforward hostile attitude towards the Long Parliament, which theoretically contradicts the constitutional ideals of settling tension through negotiations. It was him, and Prince Rupert, who were the biggest opponents of peace talks. Thus, it is evident, that there is no such label, that would apply for every royalist, consequently the validity of factional alignment should be reconsidered. David Scott suggests that the presupposition of a constitutional and ultra-royalist circle is nothing else, but the renaming of the issue of constitutional and unconstitutional sentiments.<sup>82</sup> David L. Smith further complicates the picture by contrasting royalists and loyalists as well. Under the term, loyalists he understood those, who pledged their allegiance to the crown and the authority it represents, while the royalist were those, who supported the king – both in his person and the institution he represented – actively in the Civil War, taking part in military activities, thus expressing their faithfulness.<sup>83</sup> In a joint publication from 2007, Jason McElligott and David L. Smith<sup>84</sup> revised many of his previous statements, namely that his categories were too wide, and the definitions and criteria were too general, considering that almost nobody from the royalist denied the premise of *the rule of law*, or the concept of mixed government.<sup>85</sup>

## Conclusion

Drawing the conclusion, constitutional royalism – even if it is not a mirage, since constitutional thought was present in every royalist discourse to some extent – is definitely not a solid foundation for classification, especially, if we understand this phenomenon in the antagonism of a possibly ultra-royalist

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<sup>80</sup> However, it is also questionable whether the crown had ever had a coherent policy in terms of extending the prerogative and discretionary powers of the monarch on the expense of parliament. The dependence of the government on the person and ability of the monarch, furthermore the lack of efficient central bureaucracy all implies that there was no such thing in foreign, or domestic policy, or only in rare cases. COWARD 1994. p. 281–284.

<sup>81</sup> COWARD 1994. p. 39–40.

<sup>82</sup> For the clarification of the constitutional and unconstitutional debate, see: SEWARD 1997. p. 227–239.

<sup>83</sup> SMITH 1994. p. 307–308.

<sup>84</sup> MCELLIGOTT – SMITH 2007. p. 1–16.

<sup>85</sup> Even those who were advocates of the superiority royal supremacy, or were not prone to negotiate with the Parliament, did not deny, that the parliament had a role in the ancient constitution, and therefore in the government, they simply imagined this role to be more inferior compared to that of the monarch.

faction. In my opinion, the latter label, ultra-royalism, is a 'bigger mirage', than its constitutional counterpart, since not even the fiercest advocates of war and governing without the Parliament (like Prince Rupert) denied the fundamental principles of government under the rule of law, and the role of Church and Parliament in it. The emphasis, which eventually determines the concept of a given author is rather on the question of *how*, and *to what extent*. In regards of loyalism, it should be noted, that the two terms, royalists and loyalists were used as synonyms in the seventeenth century English political language, therefore one must be cautious with the application.<sup>86</sup>

Royalism therefore is not a permanent and immovable entity. Both the aims of the first two Stuart monarchs, and the personnel of their advisors had changed over time, particularly with Charles I, just as much as the factions within the royalists and the seventeenth century political map of England. I am convinced, that categorization should not be necessarily ruled out, however, the investigation of individual theories could lead us to a more complex understanding and precise results. From certain treatises and pamphlets it becomes clear, that the theoretical differences do not occur on a factional, but on a personal level.

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<sup>86</sup> BRETT – TULLY 2006. p. 3–50.

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*Brigitta Kinga SCHVÉD:*

## **The Concepts of Universal Monarchy and Balance of Power in Charles Davenant's *An Essay Upon The Ballance of Power* (1701)**

In the 17<sup>th</sup> century – especially in the period after the *Peace of Westphalia* (1648) – more and more treatises were published about the European balance of power, which clearly appeared against the concept of universal monarchy (*monarchia universalis*) by this time. The balance of power principle became a prominent element of 18<sup>th</sup>-century state politics and political journalism, as well as one of the key concepts of the emerging theory of interstate relations. The term became part of the official language of diplomacy with the *Peace of Utrecht* (1713), becoming part not only of political thought, but also of the official political practice, and developed into one of the fundamental milestones of English foreign policy and political thought in the 18<sup>th</sup> centuries. This paper analyses the contemporary incorporation of the balance of power concept into English political thought with the analysis of English economist and political writer Charles Davenant's (1656–1714) *An Essay Upon The Ballance of Power* (1701). The analysis is trying to point out how the principle of balance of power began to play an increasingly important role in European great power politics as well as in English domestic and foreign policy in the decades before the *Peace of Utrecht* (1713), and how Charles Davenant's political pamphlet can fit in this context.

*Keywords:* English Political Thought, Political Pamphlet, Balance of Power, Universal Monarchy, Charles Davenant, Peace of Utrecht, Conceptual History



Charles Davenant's political pamphlet *An Essay Upon The Ballance of Power* was published in 1701, in a single edition with the author's two other pamphlets closely related to the subject of balance of power with the titles *The Right of Making War, Peace and Alliances* and *Universal Monarchy*. Previous research only touched upon Davenant's political pamphlets in passing, thus they are worth being subjected to a deeper analysis in the context of contemporary opinion on the concepts of universal monarchy and balance of power.

This paper analyses Davenant's above-mentioned first pamphlet, treating the concepts of universal monarchy and balance of power as historical 'category of practices'<sup>1</sup> used by diplomatic and political actors in various contexts at the turn of the 17<sup>th</sup> and 18<sup>th</sup> centuries. The analysis will try to point out how the principle of balance of power began to play an increasingly important role in European great power politics as well as in English domestic and foreign policy in the decades before the Peace of Utrecht (1713), and how Davenant's mentioned work can fit in this context.

The English mercantilist economist and politician was born in 1656, whose name is primarily known for his pamphlets discussing subjects related to foreign trade and government finances.<sup>2</sup> Davenant obtained his degree in law at Cambridge in 1675, and thanks to his interest in economics, he worked as *Commissioner of the Excise* between 1678 and 1689. His prestige was enhanced by the fact that in 1685, he was elected to Parliament as an MP for the constituency of St Ives in Cornwall.<sup>3</sup> As a consequence of the domestic political changes of 1688–1689, he faced difficulties regarding employment; he failed to find a new job and gain an economic position after the "Glorious Revolution". It was probably this situation that made him start to write pamphlets on economic topics, his first such essay was published in 1694. By the end of the 1690s, he had become an influential Tory pamphleteer. In the meantime, he was very determined, and he repeatedly tried to regain his economic positions, but failed. However, in 1698 and 1701, he returned to Parliament as an MP for Great Bedwyn. Finally, he obtained economic appointments again during the reign of Queen Anne (1702–1714), who followed William III (1689–1702) on the throne in 1702. First, he became secretary of a commission for three months in 1702, then he worked at the customs service from 1703 until his death in 1714 as *Inspector-General of the Exports and Imports*.<sup>4</sup>

Most of the literature items dealing with Davenant and his works are analyses of an economic historical perspective and primarily focus on his writings discussing his theory of the balance of trade.<sup>5</sup> However, due to his political career, a shift in emphasis can be observed in his work after 1699–1700, from which time he published more political pamphlets. This is also noted by David Waddell,<sup>6</sup> who – in addition to analysing his economic writings – was the only researcher of Davenant's biographical details so far, which he summarized in his unpublished Oxford dissertation in 1954.<sup>7</sup>

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<sup>1</sup> By treating the concept of universal monarchy and balance of power as historical 'category of practices' I follow M. S. Andersen's method used by him in his doctoral dissertation on the genealogy of the concept of balance of power: ANDERSEN 2016. p. 7.

<sup>2</sup> HONT 2015. p. 201–202.

<sup>3</sup> WADDELL 1958. p. 279–280.

<sup>4</sup> WADDELL 1958. p. 281–286.

<sup>5</sup> WADDELL 1956. p. 206–212; WADDELL 1958. p. 281; HONT 2015. p. 59–62.

<sup>6</sup> WADDELL 1958. p. 282.

<sup>7</sup> WADDELL 1954.

The balance of power has been a central concept in the theory and practice of international relations for centuries, and it has also played a key role in developing a theory of international politics in the study of international relations in the 20<sup>th</sup> century.<sup>8</sup> In terms of etymology, the origin of the concept of *balance* is derived from the Latin terms *aequilibrium* ('equilibrium') or *aequilibrium potentiae* ('the equilibrium of power'), and it can already be found in 12<sup>th</sup>-century French and 13<sup>th</sup>-century English language use. From the 15<sup>th</sup> century, it can also be detected in German, where it became overshadowed in the 18<sup>th</sup> century by the term *Gleichgewicht* ('equilibrium', 'balance').<sup>9</sup>

The model of the balance of power was developed on the basis of Italian examples by the 16<sup>th</sup> century, and from then on it gradually gained ground in Europe through such classical writers of political history as Niccolò Machiavelli or Francesco Guicciardini.<sup>10</sup> The principle clearly appeared against the concept of universal monarchy (*monarchia universalis*) by this time.<sup>11</sup> After the *Peace of Westphalia* (1648), the 'idea of a balance of power'<sup>12</sup> had emerged to keep the status quo and protect inter-dynastic and interstate relations.

In England, the balance of power played a particularly important role in domestic policy from the 1660s and 1670s, where the use of the concept became more and more a commonplace, as English pamphleteers and politicians started to use it virtually as a "weapon" both in political debates in political journalism and in Parliament.<sup>13</sup> In terms of foreign policy, it was primarily used against the Dutch during the period of the two *Anglo-Dutch Wars* (1652–1654, 1665–1667), but as a consequence of the *War of Devolution* (1667–1668) launched by King Louis XIV of France (1643–1715), the use of the concept increasingly turned against the French.<sup>14</sup> Both the pamphlets and the parliamentary speeches in England denounced France more and more frequently as the great power pursuing to ruin Europe and establish a universal monarchy.<sup>15</sup>

The use of the balance of power principle became firmly established after the *Treaty of Ryswick* (1697) that ended the *Nine Years' War* (1688–1697);<sup>16</sup> however, considering the situation in England, the balance of power-model increasingly came to be used in various ways for domestic policy purposes,

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<sup>8</sup> See among others SHEEHAN 1996, especially p.1–24; LUARD 1992; LITTLE 2007.

<sup>9</sup> KOVÁCS 2017, p. 18.

<sup>10</sup> SHEEHAN 1988, p. 29–36; ANDERSON 1993, p. 150–153.

<sup>11</sup> BOSBACH 1998, 83–84, 87–88; GELDEREN 2007, p. 66–68. See also the classical study on the concept of universal monarchy and how the use of the concept was still present up to the age of Louis XIV in political pamphlets: BOSBACH 1988.

<sup>12</sup> SCHRÖDER 2017b, p. 183.

<sup>13</sup> SHEEHAN 1988, 48–52; KAMPMANN 1996, p. 360–366. About the changing face of English press and the popular English political opinion in the Stuart Age also see: COWARD 2003, especially p. 88–110.

<sup>14</sup> NOLAN 2008, p. 6–12, 513–514; ANDERSEN 2016, p. 80–91. On the shift in contemporary English political opinion from anti-Dutch to anti-French see: PINCUS 1995, especially p. 360–361.

<sup>15</sup> THOMPSON 2011, p. 271–272; ANDERSEN 2016, p. 87. See also PINCUS 1992; PINCUS 1995.

<sup>16</sup> NOLAN 2008, p. 320–330.

especially in the internal conflicts of the Whigs and Tories.<sup>17</sup> The significance of the mentioned Treaty of Ryswick lied in the fact that it definitively established the idea of the European balance of power that had been discussed and promoted more and more frequently since the 1670s.<sup>18</sup> From then on, political actors of the era came to accept the concept as the norm for establishing the European state system, which was explicitly included in the *Treaties of Utrecht* (1713–1714) that closed the *War of the Spanish Succession*.<sup>19</sup>

English politicians and pamphleteers continued to use the concept in foreign policy aspects as well, still mainly against France. Due to the dynastic wars of the second half of the 17<sup>th</sup> century, political alliances designed in the name of the balance of power once again came to the fore – these included, for instance, the *League of Augsburg* created during the Nine Years' War mentioned above, or its successor, the *Grand Alliance* formed in 1689 to which England also joined, against Louis XIV of France.<sup>20</sup> In this situation England increasingly interpreted its position as an external leader of the states of the European continent, and the pamphleteers thought that England was 'the hand that keeps the balance' in Europe.<sup>21</sup>

The balance policy of William III aimed at keeping the Habsburg Monarchy and France in balance, as well as checking this balance.<sup>22</sup> The real threat to this balance of power lied in the great power opposition of the Bourbon and Habsburg dynasties, attributed to the unclear fate of Spanish inheritance.<sup>23</sup> By reason of the childlessness of the weak and sickly King Charles II of Spain (1665–1700), succession to the Spanish crown had been a central question of European politics well before the Treaty of Ryswick was signed, although the Spanish inheritance was not discussed in Ryswick yet. England and the Dutch Republic strove to agree with France peacefully by way of special negotiations to avoid passing the entire Spanish inheritance to the Habsburgs or the Bourbons.<sup>24</sup>

The *First Partition Treaty* (or the *Treaty of The Hague*) was signed in October 1698 in The Hague to this end, under which France and the Habsburg Monarchy would have divided the Italian dominions of Spain, while the Spanish crown would have passed to Charles II's appointed successor, Prince Joseph Ferdinand of Bavaria. However, the appointed successor died in 1699, and the parties signed the *Second Partition Treaty* (or

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<sup>17</sup> CLAYDON 2007. p. 196; THOMPSON 2011. p. 268; DEVETAK 2013. p. 131–132. On the change of political thinking between Restoration and Hanoverian Succession see Justin Champion's paper: COWARD 2003. 474–491.

<sup>18</sup> NOLAN 2008. p. 413; DEVETAK 2013. p. 135–136.

<sup>19</sup> NOLAN 2008. p. 487–488, 516–527; BOIS 2017. p. 294–297.

<sup>20</sup> BRUIN et al. 2015. p. 13.

<sup>21</sup> THOMPSON 2011. p. 270–271.

<sup>22</sup> CLAYDON 2002. p. 152–158; NOLAN 2008. p. 533–534; TROOST 2011. p. 283–286.

<sup>23</sup> COWARD 1994. p. 365.

<sup>24</sup> COWARD 1994. p. 364–366. On the English political opinion and the Dutch alliance before and during the War of the Spanish Succession (1701–1714) see: COOMBS 1958, especially p. 16–19.

the *Treaty of London*) in March 1700 in London.<sup>25</sup> In the treaty, they agreed that France would acquire the Spanish territories in Italy, while the Spanish throne would pass to Archduke Charles (the future Emperor Charles VI), the son of Emperor Leopold I, which was unacceptable to Charles II of Spain, who insisted in his last testament that the integrity of the Spanish crown should be maintained at all costs, and nominated Duke Philip of Anjou, Louis XIV's grandson as his successor, who later became king of Spain as Philip V (1700–1724, 1724–1746).<sup>26</sup> According to the will, should Louis XIV not accept this, the entire territory of Spain would pass to the son of the Habsburg Emperor. Months later, Charles II finally died on 1 November 1700, and Louis XIV accepted the terms of his will on 16 November, which meant that he breached the Second Partition Treaty and disowned his allies, England and the Dutch Republic. Consequently, the prolonged War of the Spanish Succession mentioned above broke out in 1701, which only ended in 1714.<sup>27</sup>

In his pamphlet on the concept of European balance of power published early in 1701,<sup>28</sup> Davenant clearly raises his voice against the above-mentioned partition treaties, criticising at great length mainly the second one, calling it a “fatal Treaty”, which has ultimately “brought the whole Dominion of Spain under the French Power or Influence”.<sup>29</sup> He emphasises the risk of the development of Spanish succession already on the first pages of the pamphlet, linking Philip, Duke of Anjou's inheritance to the potential danger of establishing a French universal monarchy, which would threaten both England and “the Liberties of Europe”.<sup>30</sup>

As an economic expert, Davenant also draws attention on multiple occasions to the fact that the strengthening of France could later also cause serious foreign trade barriers for England, since France may – in a very short time – “supplant” England in its Spanish and Turkish trade interests.<sup>31</sup> According to him, it is a serious threat to the English trade that – due to the Second Partition Treaty – Flanders would be in French hands, as well as that several ports of Spain and Italy would be in the power of France.<sup>32</sup>

After the introductory thoughts, Davenant discusses the acts of former English monarchs from the reign of Henry VII to 1678, arriving at the conclusion that in the past 190 years “England has all along endeavour'd to hold the Ballance of Europe”.<sup>33</sup> He continues by discussing the “Glorious

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<sup>25</sup> RULE 2007. p. 105–106; 110–111.

<sup>26</sup> COWARD 1994. p. 384.

<sup>27</sup> NOLAN 2008. p. 526–527. On the War of the Spanish Succession (1701–1714) see among others FALKNER 2015.

<sup>28</sup> The exact date of the publishing is not yet known, but it is certain that the political pamphlet was published after the conclusion of the Second Partition Treaty (March 1700), according to Waddell in the first half of 1701. (WADDELL 1958. p. 283)

<sup>29</sup> DAVENANT 1701. p. 77.

<sup>30</sup> DAVENANT 1701. p. 4.

<sup>31</sup> DAVENANT 1701. p. 4.

<sup>32</sup> DAVENANT 1701. p. 61, 76, 85–86.

<sup>33</sup> DAVENANT 1701. p. 28.

Revolution” of 1688–1689 and the ensuing Nine Years’ War, then praises the Treaty of Ryswick (1697) that ended the war, since – in his opinion – that was the last time England was in an exceptionally good foreign policy position.<sup>34</sup> Davenant goes on expressing his negative views on the measures taken after 1697, primarily the Partition Treaties of 1698 and 1700. In his view the fact that England had signed an agreement with France suggested that England was weak, thus encouraging France “to disturb the Peace of Europe”.<sup>35</sup> Next, the author arrives at the central part of the pamphlet, in which he explains how England could return to its leading role in keeping the balance of Europe, for which he thinks it is first necessary to solve the domestic issues and parliamentary feuds England is currently struggling with.

The central concept of the balance of power started to intertwine in contemporary England with other concepts such as *public interest*, *common welfare* and *national interest (raison d’État)*, and the principle of the balance of power played a prominent role in the need for joint action against a possible universal monarchy as well. In this sense, the concept of universal monarchy included all negative effects of private interests. From the reign of Elisabeth I, the struggle against universal monarchy became a central thesis in England, especially in the debates regarding the European continent; this debate revived during the Restoration, starting around the 1660s, as a result of the potential and dangerous French expansion.<sup>36</sup>

The political authors of the era, including – in addition to Davenant – Bolingbroke, Jonathan Swift and Daniel Defoe, repeatedly emphasise in their writings the need for an optimal parliamentary debate and the political importance of Parliament as the main site of common thinking. In general, all political authors of the era discuss in some way the thought that individual interests pose danger, while public interest does not lie.<sup>37</sup> As Davenant explained, the private interests of several former English monarchs prevented the English nation from recognising the dangers that threaten the country from the European continent where the balance of power has been disrupted; furthermore, in terms of domestic policy, several problems of the era resulted from the unbalanced constitution.<sup>38</sup>

In domestic policy, the concept of public interest incorporated everything that is objectively good for the state, while in foreign policy, Davenant and his contemporaries started to expand the concept to the objective interests of

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<sup>34</sup> In connection with the discussion of the news of the Peace of Ryswick at Parliament in December 1697, the House of Commons expressed its joy towards William III, believing that by signing the treaties, the monarch managed to “restore England’s privilege as the keeper of European balance of power”, attesting the fact that they did think in 1697 that the country got into an especially good foreign policy position as a result of signing the peace treaties. (JHC 1697–1699. p. 2–3. [December 7, 1697], <http://www.british-history.ac.uk/commons-jrnl/vol12/pp2-3> [access: June 22, 2019])

<sup>35</sup> DAVENANT 1701. p. 33.

<sup>36</sup> DEVETAK 2013. p. 130–131.

<sup>37</sup> ANDERSEN 2016. p. 93.

<sup>38</sup> ANDERSEN 2016. p. 78.



Europe as a whole. Davenant also repeatedly emphasises how important it is in domestic policy that the defence of citizen rights from tyranny is only possible with a balanced constitution, while in foreign policy, the interests of Europe can be protected from the dangers of universal monarchy by using the balance of power.<sup>39</sup>

The importance of national unity was addressed in contemporary pamphlets – for example in Bolingbroke’s writings<sup>40</sup> – more and more frequently, discussing at length in this regard the dangers of party disputes, the harmful effects of the Tory-Whig opposition and the importance of a balanced constitutionality, in which respect they praised the ancient English constitution and the balanced constitution.<sup>41</sup> Davenant also praised and feared the ancient constitution of the country in his pamphlet on the European balance of power. He criticised the political leadership of recent years and discussed at length that a small group of political advisors decided on signing the failed partition treaties, without convening the full Parliament and seeking its advice, thus this group did not consider either the interests of the country or the interest of Europe. On the last pages of the pamphlet, Davenant argues that recent political leaders must be held accountable for their faults, as it was a serious mistake not to convene a parliamentary session immediately upon learning about the death of the Spanish king, because seeking the advice of Parliament is of utmost importance, and it is also necessary for a balanced constitutionality.<sup>42</sup>

After a while “the interest of England”, that is the national interest also included domestic political debates as well as religious, economic and commercial interests. The balance-of-power thinking often appeared embedded in religious terminology, for instance while discussing the “Protestant interest”.<sup>43</sup> It is worth noting that an analogy for public interest in the era also included the concept of *commonwealth*,<sup>44</sup> as well as the medieval metaphor of *body politic*.<sup>45</sup> These ideas not only linked the new terminology of balance of power to well-established notions of political thought but – unlike the term *State* – also underlined the interest of the *political community as a whole* in matters of foreign policy. The terms *commonwealth* and *body politic* appeared in Davenant’s analysed pamphlet too – but *State* was by far the most often used term – who outstandingly and consciously linked national interest with “the Protestant interest throughout

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<sup>39</sup> DAVENANT 1701. p. 36–38, 45–48, 85–89.

<sup>40</sup> KRAMNICK 1992.

<sup>41</sup> CLAYDON 2007. p. 201–208; THOMPSON 2011. p. 278.

<sup>42</sup> DAVENANT 1701. p. 89–101.

<sup>43</sup> ANDERSEN 2016. p. 77.

<sup>44</sup> On the origin and the contexts of the concept of commonwealth see: EARLY MODERN RESEARCH GROUP 2011, especially p. 660–661.

<sup>45</sup> ANDERSEN 2016. p. 76.

all Europe”<sup>46</sup> and with “the ballance of Europe”,<sup>47</sup> in which England has a leading role, as both Davenant and his contemporaries agreed.

According to contemporary thinking, the universal monarchy undermines public interest and objectivity both in domestic and foreign policy through financial interests and their “accomplices”.<sup>48</sup> In foreign policy, these interests lead to arbitrary government, while in domestic policy, they give rise to corruption. This also emphatically appears in Davenant’s analysed pamphlet, who says that those politicians who employ corruption give up the ancient constitution of England. He also explains that recent political decision-makers, who – according to the author’s view – took English foreign policy in the wrong direction with the partition treaties, sinned against the ancient constitution of the country with their “Misgovernment” and “Corruption”.<sup>49</sup>

Davenant clearly indicates that failing to defend the balance of power poses a threat to the English constitution as well as to Europe, thus he urges action against arbitrary power in the summarizing thoughts of the pamphlet, linking this thought to the dangers of a possible universal monarchy. He refers on several occasions to the fact that the Second Partition Treaty and Louis XIV’s actions<sup>50</sup> are leading to the formation of a potential universal monarchy (“universal empire”) in the form of France. Already in the introduction of the pamphlet, he strongly raises his voice against politicians corrupted by financial interests, who he says are not interested at all in the fate of “the ballance of Europe” or “which side the Scale inclines”,<sup>51</sup> the scale having been a frequent and popular metaphor for representing and illustrating this balance as early as the 16<sup>th</sup> century.<sup>52</sup>

The political pamphlet therefore links the discussion of the domestic problems to the issue of Spanish succession and the criticism of the already discussed Second Partition Treaty, which – in Davenant’s opinion – worried each English citizen after it had been signed, since it “put an aspiring Monarchy [i.e. France] into a better posture both at Sea and Land, to enslave Europe than it was before the War [i.e. the Nine Years’ War]”.<sup>53</sup> Therefore, for England and thus Europe the gains of the Peace of Ryswick were lost by signing the partition treaties, for which only those in leading positions can be held responsible who had drafted the partition treaties and against whom investigations should be conducted for the interest of *public good*, thus the problems of the country could be solved.<sup>54</sup>

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<sup>46</sup> DAVENANT 1701. p. 43.

<sup>47</sup> DAVENANT 1701. p. 3.

<sup>48</sup> ANDERSEN 2016. p. 78.

<sup>49</sup> DAVENANT 1701. p. 85.

<sup>50</sup> NOLAN 2008. p. 259–266.

<sup>51</sup> DAVENANT 1701. p. 3.

<sup>52</sup> SCHRÖDER 2017a. p. 91–93.

<sup>53</sup> DAVENANT 1701. p. 54–55.

<sup>54</sup> DAVENANT 1701. p. 12.

In Davenant's opinion, the English and the Dutch awarded such easily gained territorial advantages to France (towns in Flanders, Spanish and Italian ports) under the Second Partition Treaty that they could not have obtained by force in many years and only after a great effort.<sup>55</sup> As regards Charles II's last will, he argues that it had created a new situation and possibilities that the partition treaties did not contain, but England should have used these possibilities. He mockingly notes that Louis XIV's decision to accept the terms of the will is not at all surprising, since „what will you agree to in case the King of Spain's Last Testament be in your Favour?“<sup>56</sup> According to Davenant, France and Spain got so close by Louis XIV's decision that it poses a real threat to the whole of Europe. In his opinion, after Ryswick, England should have approached Spain instead of France, and they should have formed a relationship of trust with the Spanish crown „to keep the two great Monarchies from being united, and to secure the Peace of Europe“.<sup>57</sup>

Davenant contemplates that in order to solve the problems of the country and to maintain the balance of power both in England and in Europe, it is necessary for the two contending English political parties to form a coalition, to set up a suitable Parliament “to consult upon the Distempers of the Body Politick”,<sup>58</sup> that is to discuss the problems of the country. On the closing pages of the analysed pamphlet, Davenant urges in an increasingly vigorous tone to undertake war against France in order to maintain the balance of power in Europe, since England is the keeper of the balance, and it must take measures “to keep the Power of France within due limits”, and “to maintain our [i.e. England's] Post of holding the Ballance”.<sup>59</sup> Referring again to the Peace of Ryswick, he argues that in his opinion the most England can hope is that the foreign policy situation will be the same as it was when the Peace of Ryswick was concluded, and that Spain must be no longer under French influence.<sup>60</sup> Despite the fact that – considering his political career – Davenant was a Tory politician, it is interesting to note the tone and content of his pamphlet; his political party, the Tories did not support the new war commitment of the country, yet Davenant vigorously call on his readers to act against France and undertake another war.<sup>61</sup>

The balance of power principle became a prominent element of 18<sup>th</sup>-century state politics and political journalism, as well as one of the key

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<sup>55</sup> DAVENANT 1701. p. 85–86.

<sup>56</sup> DAVENANT 1701. p. 67.

<sup>57</sup> DAVENANT 1701. p. 71–72.

<sup>58</sup> DAVENANT 1701. p. 96.

<sup>59</sup> DAVENANT 1701. p. 85, 87.

<sup>60</sup> DAVENANT 1701. p. 86–87.

<sup>61</sup> This may be attributed to the fact that at the time of writing the pamphlet, Davenant had no position of employment; he was trying to obtain an economic appointment for himself by gaining the attention of leading Whig politicians. He finally succeeded in this only in 1703, after which date the tone of his political pamphlets did change noticeably from being anti-French to being anti-Dutch. (WADDELL 1958. p. 285–287.)

concepts of the emerging theory of interstate relations.<sup>62</sup> It is no coincidence that the expression ‘balance of power’ was first used in an international legal sense in the treaties of Utrecht in the early 18<sup>th</sup> century.<sup>63</sup> In the case of Davenant’s political pamphlet, the author’s terminology and thinking on the concept of the balance of power was mainly dominated by the old-time bipolar model, the scale for the metaphorical reference for this view.<sup>64</sup> Nevertheless his usage also predicted some recent ideas – as ‘preserving the liberties of Europe’, or ‘the general good, the peace and the balance of Europe’ – which have been explicitly included in the peace treaties of Utrecht; such as the expressions ‘the liberty and safety of all Europe’, or ‘the general peace of Europe’ in the Second Article of the *Treaty of Peace and Friendship between Great Britain and Spain* from July 1713.<sup>65</sup>

Charles Davenant’s *An Essay Upon The Ballance of Power* not only criticised the foreign policy of William III, but he definitively raised his voice against the Second Partition Treaty and its promoters. He emphasised the need for undertaking another war against France in order to defend the balance of Europe, in which regard England’s most important task was to maintain its role as keeper of the balance of power.

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<sup>63</sup> SASHALMI 2015a. p. 23–24.

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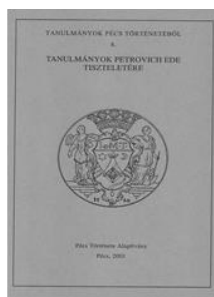
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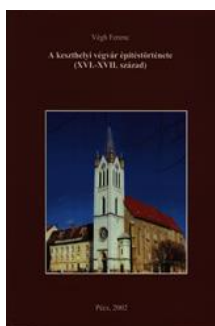
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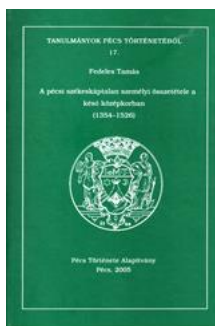
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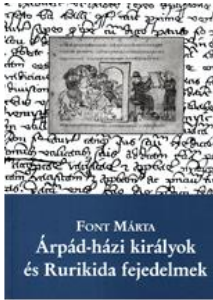
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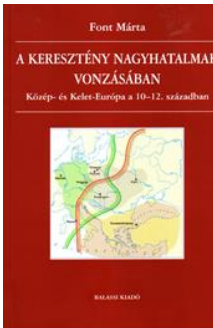
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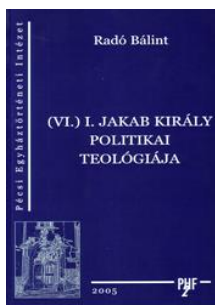
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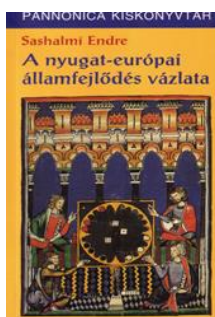
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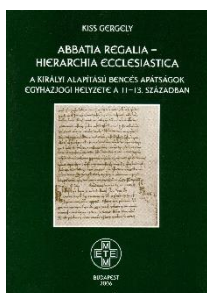
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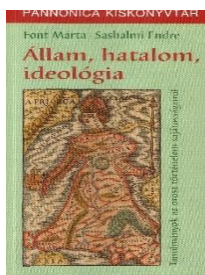
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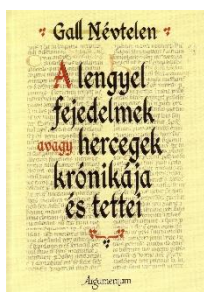


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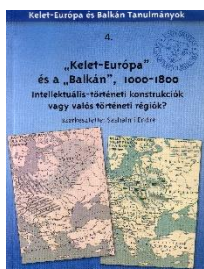
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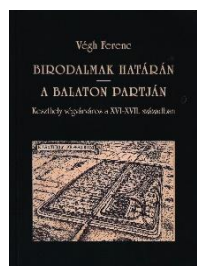
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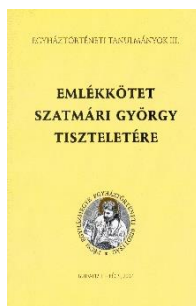
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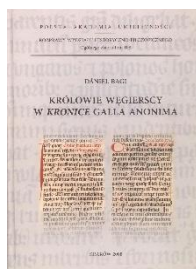
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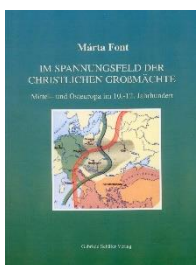
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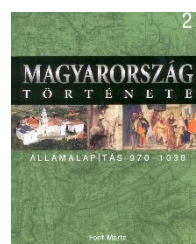
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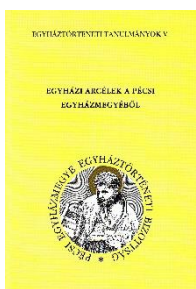
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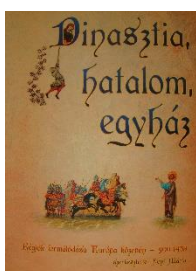
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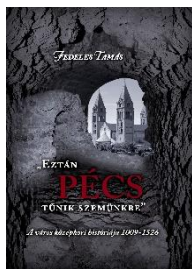
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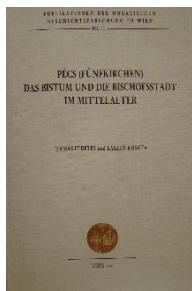


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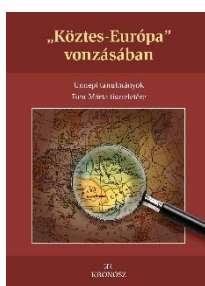


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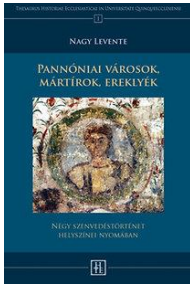
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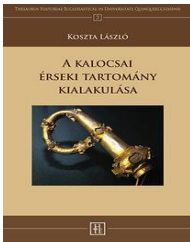


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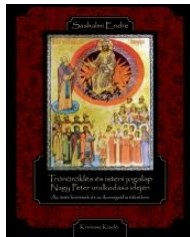


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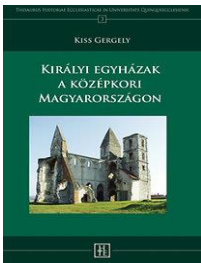


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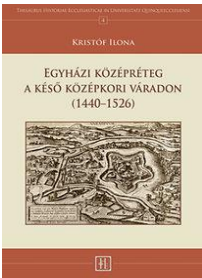
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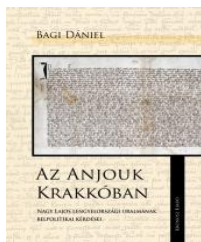
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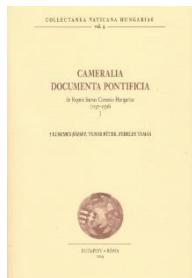
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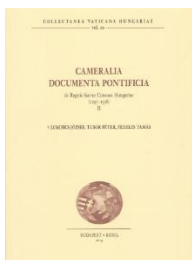
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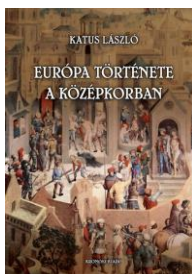
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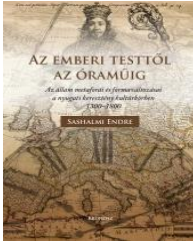
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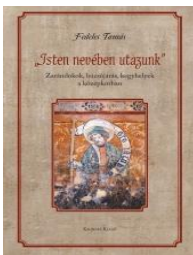


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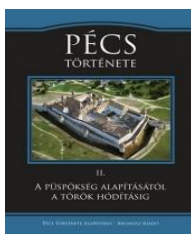


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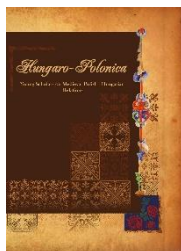
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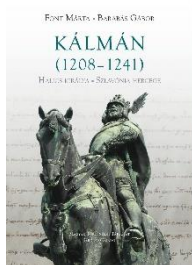
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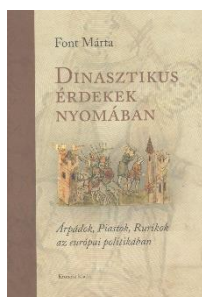


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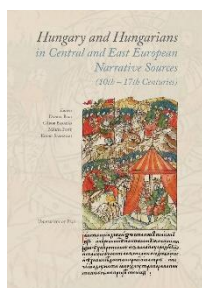


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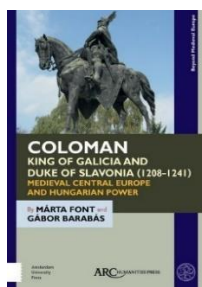
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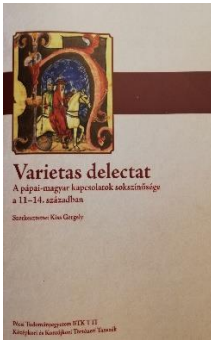
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