

SPECIMINA NOVA
PARS PRIMA

SECTIO MEDIAEVALIS

IX.



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

*A Pécsi Tudományegyetem Középkori és Koraiújkori
Történelmi Tanszékének Történelmi közleményei*

Pécs, 2017

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PREFACE

The present issue of the *Specimina Nova Pars Prima Sectio Mediaevalis* wishes to continue the “tradition” of the previous volumes, i.e. to collect and present the studies of the researchers of the Department of the History of Medieval and Early Modern Times, Institute of History, Faculty of Humanities, University of Pécs. The younger generation is also represented, as another intention of the editors is to give them a possibility to present the results of their researches.

Both main sections are structured in chronological order, although the topics are various: the volume starts with the analysis of a very important diplomatic event of the early eleventh century. It continues with three studies dealing with the papacy in the thirteenth and fourteenth centuries. They show three different aspects: the fight against heresy in Bosnia, the social network of the first Hungarian cardinal and a summary of the characteristics of the relations of Hungary’s first Angevin ruler, King Charles I and the popes in the first half of the fourteenth century. The section’s last study examines the question of the toll exemption of the citizen of Pozsony (Bratislava, Slovakia) during the fourteenth and early fifteenth centuries, especially the problem of the validity and confirmation of the privileges.

The section of the *contributions* starts with a particular topic: the interconnection of the economy and the military activities in the case of Novgorod during the twelfth century. After that, we can learn about the importance of the trial by poison in the representation of the Luxembourg dynasty. Then, leaving the medieval times, we enter into the early modern period. First comes a contribution dealing with the attitude of different German humanists towards converted Jews by means of the so-called Battle of Books. Last but not least a contribution presents the work of a mostly forgotten political writer, Edward Forset dealing with a very popular topic of the early seventeenth century, the sovereignty and the analogy between natural and politic body.

In the section of book reviews researchers and young scholars provide reviews about Hungarian books connected to our Department and also French works considered to be worthy of attention. The present issue also offers a short database with pictures of the publications related to our institution since 1998 (Related Publications) and the table of contents of the previous issues as well.

Pécs, October 2017

The Editors

STUDIES

Márta FONT:

Ein Hoftag als Spiegel der regionalen Verhältnisse: Merseburg 1013 (Heinrich II. – Stephan I. – Bolesław I.)*

A Hoftag as the Reflection of Regional Relations: Merseburg 1013 (Henry II – Stephen I – Bolesław I)

The *Hoftags* were an important institution in the early history of Holy Roman Imperium as the place of meetings and consulting of emperors with the elite of imperium and as place of decisions. At the same time *Hoftags* were the place of diplomacy, too. The study analyses the events of *Hoftag* of 1013 in Merseburg from the point of view of contemporary international relations.

Keywords: *Hoftag* of Merseburg, Emperor Henry II, Eastern neighbours of the Empire



Im mittelalterlichen Heiligen Römischen Reich war der *Hoftag* eines der wichtigsten Herrschaftsinstrumente, den der Kaiser seinem Willen gemäß an jedem Ort und zu jeder Zeit zusammenrufen konnte, während die Eliten des Reiches verpflichtet waren, am Hoftag teilzunehmen. Diese äußerlich wenig regulierte Lage, welche für die frühmittelalterlichen Institutionen charakteristisch war, war aber im Auge der Zeitgenossen auf klaren Gewohnheiten basiert. Der Herrscher rief den Hoftag in der Regel während kirchlichen Feiertagen in die wichtigsten Pfalzen, oder in eines der kirchlichen Zentren zusammen. Ziel dieser Versammlungen war es, aktuelle Problemen zu lösen und zu erledigen: z.B. in den Fällen von Herrschaftswechsel, Krönung, Treueid, Gesetzgebung, Rechtsprechung, bedeutenden

* Der Beitrag ist die ergänzte Version des Vortrags an der Tagung „Merseburg 1013 – Ein Fürstentreffen von europäischer Dimension“ am 23.–25. Mai 2013 in Leipzig / Merseburg.

Schenkungen, Einkleidung von Ämtern, Entscheidungen über Heereszüge usw.¹ Diese Treffen hatten eine bestimmte rituelle Form und sie verfügten auch über diplomatische Bedeutung, besonders, wenn Fürste oder ihre Gesandte von außerhalb des Reiches ankamen. In Bezug auf Mittel-Europa war der Hoftag im Jahre 973 in Quedlinburg besonders relevant.²

Der östliche Teil des Reiches, die Umgebung der Flüsse Elbe-Saale, gewann unter der sächsischen Dynastie an Bedeutung (siehe Abb.1.). Die erste Merseburger Pfalz (*curia regis*) wurde unter der Herrschaft von Heinrich I. (919–936) gebaut,³ während das Bistum 968 von Otto I. (936/962–973) gegründet wurde.⁴ Es existierte zwischen 981 und 1004 nicht und wurde nur später von Heinrich II. (1002–1024) neu gegründet. Die Bedeutung Merseburgs zeigt selbst die Tatsache, dass Heinrich II. sich da 26 Mal aufhielt,⁵ darunter wurden sicherlich neunmal, aber möglicherweise zehnmal *Hoftage* organisiert.⁶

1.	Juli 1002	Hoftag	Nachwahl durch Sachsen
2.	Anfang Februar 1004	Hoftag	Wiederherstellung des Bistums, Kriegszug gegen Polen
3.	Juni 1009 (Pfingsten)	Hoftag	
4.	Januar 1012	Hoftag	Erlass eines fünfjährigen Landfriedens für Sachsen
5.	September/Oktober 1012	Hoftag ?	längere Aufenthalt von Heinrich II.
6.	23.–25. Mai 1013 (Pfingsten)	Hoftag	Festkrönung, Friedensschluss mit Polen
7.	April 1015 (Ostern)	Hoftag	
8.	Februar 1017	Hoftag	
9.	April 1021 (Ostern)	Hoftag	„zu dem alle Fürsten Europas zusammenströmten“
10.	April 1023 (Ostern)	Hoftag	mit großer Beteiligung

¹ *Lexikon des Mittelalters*. I–IX. München. 2003. (im Weiteren: LexMA) hier: VII, S. 641–642.

² *Der Hoftag in Quedlinburg 973. Von den historischen Wurzeln zum Neuen Europa*. Hrsg. Andreas RANFT. Berlin. 2006.

³ LexMA. VI. 544.

⁴ Michel PARISSÉ: *Die Reichskirche (um 900 bis 1054)*. In: *Die Geschichte des Christentums. Bd. IV.: Bischöfe, Mönche und Kaiser (642–1054)*. Hrsg. Egon BOSCHOF. Freiburg – Basel – Wien. 1994. S. 797–820; *Dinasztia, hatalom, egyház. Régiók formálódása Európa közepén 900–1453*. [Dynastie, Macht, Kirche. Die Entstehung der Regionen in der Mitte Europas] Hrsg. Márta FONT. Pécs. 2009. (im Weiteren: FONT 2009) S. 236.

⁵ Thomas ZOTZ: *Die Gegenwart des Königs. Zur Herrschaftspraxis Ottos III. und Heinrichs II.* In: *Otto III. – Heinrich II. Eine Wende?* Hrsg. Bernd SCHNEIDMÜLLER – Stefan WEINFURTER, Sigmaringen. 1997. (im Weiteren: SCHNEIDMÜLLER – WEINFURTER 1997) S. 349–386. (im Weiteren: ZOTZ 1997) hier: S. 384.

⁶ Peter RAMM: *Dom und Schloss zu Merseburg*. München – Berlin. 2008. S. 115.

Außer den Hoftagen fanden in Merseburg die Versammlungen der Armee statt, als der Kaiser die gegen Polen geplanten Kriegszüge vorbereitete, bzw. führte der Heimweg von Heinrich II. ebenfalls durch Merseburg. Der Hoftag fand an Pfingsten 1013 (23. – 24. Mai) in Merseburg statt, also in dem gewöhnlichen Ort. In diesem Jahr endete der Hoftag am Tag nach Pfingsten.

Östliche Grenzgebiete des Heiligen Römischen Reiches im letzten Drittel des 10. Jahrhunderts

Das östliche Grenzgebiet des Reiches umfasste die Territorien von der Ostsee bis zum Erzgebirge, bzw. bis zum Prager Becken neben der Elbe (siehe Abb.2.). Am linken Ufer der Elbe, in der Umgebung von Sachsen, wohnten verschiedene slawische Stämme. Als Folge der Expansion wurde das System der Marken in dieser Zeit eingerichtet (Meissen, Lausitz, Nordmark). Die Tatsache, dass das Reich zufolge des slawischen Aufstandes im Jahre 983 territorialen Verlust erlitt, zeigt selbst die Instabilität der herrschaftlichen Verhältnisse. Die Marken von Meissen und Lausitz wurden selbst instabil, während sie von der westlichen Expansion des neben der Warthe entstandenen piastischen Zentrums gefährdet wurden. Im Prager Becken gewannen die deutschen Herrscher im Laufe des 10. Jahrhunderts an immer bedeutenderem Einfluss (siehe die Feldzüge von 950 und 975), der um die Jahrtausendwende durch den Machtkampf der rivalisierenden Brüder (Boleslav III, Jaromír, Udalrik/Oldřik) verstärkt wurde.⁷ Das Territorium vom Wiener Becken bis zum Adriatischen Meer galt in der zweiten Hälfte des 10. Jahrhunderts als bayerisches Grenzgebiet, bis sich Heinrich der Zänker im Jahre 976 mit Kaiser Otto II., seinem Cousin konfrontierte. Ihre Auseinandersetzung endete mit der Entkleidung Henriks von seinem Herzog-Titel durch Otto, während das bayerische Territorium umstrukturiert wurde. Der südliche Teil des ehemaligen großen bayerischen Herzogtums (siehe Abb. 3.), Kärnten, wurde selbständiges Herzogtum, welches auch Friaul, Istrien und Krain beinhaltete, während im östlichen Teil die Ostmark, die Basis des späteren Österreichs organisiert wurde.⁸

⁷ Josef ŽEMLIČKA, *Čechy v době knížecí (1034–1198)* [Die Böhmen in der Fürstenzeit (1034–1198)]. Prag. 1997. (im Weiteren: ŽEMLIČKA 1997) S. 42–43; Jiří SLÁMA: *Počátky přemyslovského státu* [Der Beginn des Přemyslidenstaates]. In: *České země v raném středověku*. Hrsg. Petr SOMMER, Prag. 2006. S. 30–52 (im Weiteren: SLÁMA 2006) hier: S. 45.

⁸ Karl LECHNER: *Die Babenberger. Markgrafen und Herzoge von Österreich 976–1246*. Wien.⁶1996 [1976]. (im Weiteren: LECHNER 1996) S. 57–58. (Veröffentlichungen des Instituts für österreichische Geschichtsforschung 23). Über die Entstehung der Grenze vgl. Timothy REUTER: *Germany in the Early Middle Ages 800–1056*. London – New York.⁴1998 [1991]. S. 194.

Unter den neben der Elbe-Saale angesiedelten slawischen Gruppen waren Auseinandersetzungen vorhanden. Neben den Zentren der Přemysliden und Piasten vertraten die Sorben und der Stamm der *Liutici* beträchtliche militärische Macht. Dieses Gebiet erschien unter dem Namen *Scлавinia* auf der Miniatur, die Otto III. darstellte, mit der Formulierung von Adam von Bremen: „*Scлавonia igitur, amplissima Germaniae provincia*“.⁹ Im Karpatenbecken und im Bereich der Alpen sind auch Slawen angesiedelt, das Gebiet gehörte aber nicht zum Begriff *Scлавinia*, wie Lübke vermutet.¹⁰ Zum einen, weil die Slawen der Alpen, die Kämtner, selbst ihren Namen diesem Gebiet gaben,¹¹ zum anderen, weil der westliche Teil des Karpatenbeckens über antike Traditionen verfügte, die weiterhin existierten.¹² Die Bezeichnung *Scлавonia* erschien auch bei der südlichen Grenze Ungarns, das Territorium stand seit dem Ende des 11. Jahrhunderts unter der territorialen Herrschaft der ungarischen Könige, der Name bezog sich aber nie auf Gebiete nördlich von der Drau.¹³

Die heidnische Bevölkerung „außer seinen Grenzen“ galt dem Reich als Missionsziel. Die aus den Stämmen hervorragten, Dynastien schaffenden Personen wurden im Laufe des 10. Jahrhunderts, angesichts der Ergebnisse vor allem im letzten Drittel des Jahrhunderts, christianisiert. Im letzten Drittel des 10. Jahrhunderts entstanden neue dynastische Zentren (Přemysliden, Piasten, Árpáden) die östliche Grenze des Reiches entlang, während der Prozess des Formierens des östlichen Grenzgebiets nicht beendet wurde. Die christlichen Eliten, die aus den Stammeshäuptlingen herausragten, beschleunigten infolge ihrer erhöhten Macht den Prozess der Christianisierung. Die Bekehrung betraf überall die Herrscherfamilien, wurde also „von Oben“ organisiert. Diese Eliten gewannen, zufolge der Förderung der Kaiser, an weiteren Vorteile in ihrer Umgebung. Derweil provozierten sie ihr Umfeld, dadurch verursachten sie die nach den ersten Erfolgen überall eingetroffenen heidnischen Aufstände.¹⁴

⁹ *Magistri Adami Gesta*. Hrsg. Bernhard SCHMEIDER. Hannover. 1993. (Monumenta Germaniae Historica, Scriptorum Rerum Germanicarum in usum scholarum separatim editi 2. (im Weiteren: MGH SRG t. 2). S. 311. (II. 18.)

¹⁰ Christian LÜBKE: *Das östliche Europa*. München. 2004. S. 220.

¹¹ Siehe: *Conversio Bagoariarum et Caranathanorum und der Brief des Erzbischofs Theotmar von Salzburg*. Hrsg. Fritz LOŠEK. (MGH Studien und Texte 15). Hannover. 1997.

¹² Vgl. die Aufzählung *Pannonia*, welche in ungarischen erzählenden Quellen vorkam. In: *Scriptores rerum Hungaricarum. I-II*. Ed. Emericus SZENTPÉTERY. Budapestini. 1937–1938. (im Weiteren: SRH) I. 538–539, II. 666–667.

¹³ Dániel BAGI: *Scлавonia a Magyar–Lengyel Krónikában [Scлавonia in der Ungarisch-Polnischen Chronik]*. In: „*Köztes–Európa*“ *vonzásában. Ünnepi tanulmányok Font Márta tiszteletére*. Hrsg. Dániel BAGI – Tamás FEDELES – Gergely KISS. Pécs, 2012. S. 45–58.

¹⁴ Márta FONT: *Im Spannungsfeld der christlichen Großmächte. Mittel- und Osteuropa im 10.–12. Jahrhundert*. Herne, 2008. (im Weiteren: FONT 2008) S. 99–100.

Ein wichtiger Schritt bildete in diesem Prozess der Gebrauch, dass die bereits christlichen Herrscher, die die Mission förderten, eheliche Beziehungen zum benachbarten Reich pflegten. Eine Ehe – oder näher betrachtet der Rang der aus dem Reich angekommenen Prinzessin – drückte aus, wie wichtig das jeweilige Zentrum für das Reich war. Es ist nicht erstaunlich, dass die neulich christianisierten Herrscher anfangs nicht aus der kaiserlichen Familie Gattinnen bekamen, sondern aus der weiteren Verwandtschaft.¹⁵

Nach Otto III. Heinrich II. – eine Wende?

Der Kaiser der Jahrtausendwende, Otto III. (983–1002)¹⁶ und sein Papst, Sylvester II. (999–1003)¹⁷ riefen die Erzbistümer von Gnesen (Gniezno) und Gran (Esztergom) im Sinne der *Renovatio imperii* ins Leben, somit neue Kirchenprovinzen außerhalb des Reiches entstanden. Das Zentrum der Přemysliden, Prag (Praha) wurde anders beurteilt und behandelt. Zum einen geht es um eine ältere Diözese, als die zwei erwähnten Erzbistümer, die bereits in den siebziger Jahren des 10. Jahrhunderts funktionierte.¹⁸ Zum anderen wurde der Bischof der bedeutendsten Erzdiözese des Reiches (Mainz) untergeordnet, was auch die Position des Gebietes – und dessen Herrschers – innerhalb des Reiches zeigte. Im Falle der Piasten wissen wir sogar über den persönlichen Besuch Ottos III.¹⁹ Mit der Motivation, mit den Ereignissen und Konsequenzen dieses Besuchs befasste sich mehrmals sowohl die polnische als auch die deutsche Historiographie.²⁰ Die Frage,

¹⁵ FONT 2008. S. 101–102.

¹⁶ Knut GÖRICH: *Otto III. Romanus, Saxonus et Italicus*. Sigmaringen. 1995. (im Weiteren: GÖRICH 1995).

¹⁷ Pierre RICHÉ: *Gerbert d'Aurillac, le pape de l'an mil*. Paris. 1987.

¹⁸ Zdeněk FIALA: Die Organisation der Kirche im Přemyslidenstaat des 10.–13. Jahrhunderts. In: *Siedlung und Verfassung Böhmens in der Frühzeit*. Hrsg. František GRAUS – Herbert LUDAT. Wiesbaden. 1967. S. 133–143. hier S. 133; FONT 2008. S. 106.

¹⁹ *Annales Altahenses Maiores*. Hrsg. Edmund OEFELE. Hannover. 1979. (MGH SRG t. 4) (im Weiteren: *Annales Altahenses Maiores*) S. 16; *Thietmari Merseburgensis episcopi Chronicon*. Hrsg. Robert HOLTZMANN. München. 1996. (MGH Scriptores, Nova Series t. 9.) (im Weiteren: THIETMAR) S. 182–184. (IV. 45.); FONT 2008. S. 108.

²⁰ Z. B. Gerard LABUDA: Der „Akt von Gnesen“ von Jahre 1000. Bericht über die Forschungsvorhaben und -ergebnisse. *Quaestiones medii aevi novae* 5 (2000), S. 145–188; Johannes FRIED: *Otto III. und Boleslaw Chrobry. Das Widmungsbild des Aachener Evangeliiars, der „Akt von Gnesen“ und das frühe polnische und ungarische Königtum*. Stuttgart: 2001 [1999]; Johannes FRIED: St. Adalbert, Ungarn und das Imperium Ottos III. In: *Die ungarische Staatsbildung und Ostmitteleuropa*. Hrsg. Ferenc Glatz, Budapest. 2002. S. 113–141 (Begegnungen. Schriftenreihe des Europa Institutes Budapest 15); *Die Berliner Tagung über den „Akt von Gnesen“*. Hrsg. Michael BORGOLTE. Berlin. 2002. (Europa im Mittelalter 5) (im Weiteren: BORGOLTE 2002); Gotthold RHODE: *Kleine Geschichte Polens*. Darmstadt. 1965; Przemysław WISZEWSKI: *Domus Boleslai. Values and Social*

wie die Verbindung des Reiches und des polnischen Fürstentums nach der Gründung des Erzbistums funktionierte, kann nicht tiefgründig beantwortet werden. Der Titel Boleslaws, *amicus*, bedeutete seiner Umgebung, was Thietmar folgenderweise formulierte: von *tributarius* wurde er *dominus*.²¹ In diesem Fall geht es nach der Interpretation von Wyrozumski:²²

- um die tatsächliche Anerkennung des Staates von Bolesław Chrobry mit seinen damaligen, vielleicht auch künftigen, ausgedehnten Grenzen;
- um die Gründung einer polnischen Kirchenprovinz und die Gewährung voller Souveränität für Bolesław;
- um das Bündnis Polens mit dem Kaiserreich, vielleicht auch die Zusage der Herrschaftsrolle über die Slawen, wie es in der Münchener Miniatur zu sehen ist; sowie
- um die Aufnahme Boleslaws in die „Herrscherfamilie“.

Nach dem unerwarteten Tod des kinderlosen Ottos III. trat ein Nebenweig der bayerischen Liudolfingers mit Heinrich II. (1002–1204) die Macht an. Dieser Herrscherwechsel ist in der Fachliteratur als eine Wende in der Reichspolitik beurteilt. Ist aber diese Bewertung wohlbegründet? – stellte Klaus Herbers die Frage. Kann der „Traumtänzer“ Otto III. dem „Realpolitiker“ Heinrich II. gegenübergestellt werden?²³ Diese Fragen tauchen immer wieder auf, obwohl die Politik Ottos III. und Heinrichs II. in der deutschen Geschichtsforschung in mehrerlei Hinsicht bereits analysiert und verglichen wurden.²⁴

Wir heben aus der 400 Seiten langen Analyse von zehn Autoren²⁵ die Beziehung Heinrichs II. zum polnischen Fürsten und zum ungarischen König hervor. Die Notwendigkeit der Wende lag an der Art der Machtwechsel nach Otto III., da er und Heinrich II. nicht in gerader Linie verwandt waren. Auf dem Wege zur Macht traf allerdings Heinrich auch Gegner: Hermann, Herzog von Schwaben und Ekkehard, Markgrafen

Identity in Dynastic Traditions of Medieval Poland (c. 966–1138). Leiden – Boston. 2010. (East Central and Eastern Europe in the Middle Ages 450–1450, vol. 9)

²¹ THIETMAR S. 232. (V. 20.)

²² Jerzy WYROZUMSKI: Der Akt von Gnesen und seine Bedeutung für die polnische Geschichte. In: BORGOLTE 2002. S. 281–291, hier: S. 290.

²³ Klaus HERBERS – Helmut NEUHAUS: *Das Heilige Römische Reich. Schauplätze einer tausendjährigen Geschichte*. Köln – Weimar – Wien. ²2006 [Köln. ¹2005]. (im Weiteren: HERBERS 2006) S. 55. (geschrieben von HERBERS).

²⁴ Stefan WEINFURTER: Otto III. und Heinrich II. im Vergleich. Eine Resümee. In: SCHNEIDMÜLLER – WEINFURTER 1997. S. 387–413. (im Weiteren: WEINFURTER 1997) hier: S. 412.

²⁵ Siehe den Band SCHNEIDMÜLLER – WEINFURTER 1997.

von Meißen.²⁶ Der Anspruch Heinrichs auf den Thron wurde auch dadurch ausgedrückt, dass er am 3. April 1002 auf der Beerdigung Ottos dem Marsch vorstand. Später musste der bayerische Heinrich II. seine Position auch gegenüber den sächsischen adeligen Familien untermauern. Im Jahre 1002 führte der Mord Ekkehard, des Markgrafen von Meißen zu einer provisorischen Allianz zwischen Bolesław, der nach Westen eine Expansionspolitik führte, und den sächsischen Adeligen gegen Heinrich.²⁷ Das Zeichen dafür war die Ehe des Sohnes von Ekkehard mit der Tochter Boleslaws, Reglindis. Heinrich war deshalb gezwungen, mit Bolesław einen Kompromiss zu schließen, als dessen Ergebnis der polnische Fürst Lausitz und das Milsener Land als Reichslehen erhielt²⁸ (siehe Abb. 4). Die Verwandten des sächsischen Ekkehard förderten aber nur vorübergehend diese Einigung, einige unter denen waren später nicht dagegen, dass sich Heinrich gegen Bolesław richtete. Die Lage in Sachsen bedeutete auch wegen des Bündnisses zwischen dem bayerischen Herzogtum und den Přemysliden keine langfristige Lösung. Die böhmische Dynastie, die ihre Herrschaft zu festigen beabsichtigte, rechnete mit einer bayerischen Förderung in ihrer Rivalität mit den Piasten.²⁹ Diese Situation verkündete die Möglichkeit des Konfliktes zwischen den zum König gewählten bayerischen Herzögen und Bolesław, der vom Otto III. den Titel „Freund des Kaisers“ bekam und im östlichen Reich expandieren wollte. Der Wechsel am Kaiserthron bedeutete eine bedeutsame Änderung für Bolesław.

In der Zeit der Thronerhebung Heinrichs bestand eine enge dynastische Beziehung zum ungarischen Herrscherhaus. Die Schwester des neuen Kaisers, Gisela³⁰ war die Ehefrau König Stephans. Der Konflikt gegen

²⁶ Joachim EHLERS: Magdeburg – Rom – Aachen – Bamberg. Grableges des Königs und Herrschaftsverständnis in ottonischer Zeit. In: SCHNEIDMÜLLER – WEINFURTER 1997. S. 47–76, hier: S. 58–59.

²⁷ Knut GÖRICH: Eine Wende im Osten: Heinrich II. und Bolesław Chrobry. In: SCHNEIDMÜLLER – WEINFURTER 1997. S. 95–167. (im Weiteren: GÖRICH 1997) hier: S. 112–115.

²⁸ GÖRICH 1997. S. 116–118.

²⁹ GÖRICH 1997. S. 165.

³⁰ Gisela blieb nach dem Tod seines Mannes in Ungarn, gegen 1045 kehrte sie nach Bayern zurück, wo sie Nonne, später zwischen 1055 und 1060 zur Äbtissin des Klosters von Niederburg bei Passau wurde. Stefan WEINFURTER: A „Henrikek dinasztíája“, Gizella családja [Die Dynastie der „Heinrichs“, die Familie von Gisela] In: *Gizella királyné 985 k. – 1060.* Hrsg. László KOSZTA – Sarolta HOMONNAI. Veszprém. 2000. S. 7–16; László VESZPRÉMY: Königin Gisela von Ungarn. In: *Europas Mitte um 1000. Beiträge zur Geschichte, Kunst und Archäologie.* I–II. Hrsg. Alfred WIECZOREK – Hans-Martin HINCZ. Stuttgart. 2000, hier: II. S. 608–613; Attila ZSOLDOS: *Az Árpádok és asszonyaik. A királynéi intézmény az Árpádok korában* [Die Arpaden und ihre Frauen. Das Institut der Königinnen in der Arpadenzeit] Budapest. 2005. (im Weiteren: ZSOLDOS 2005) S. 183. (Társadalom- és művelődéstörténeti tanulmányok 36); Zur ganzen Regierungszeit Stephans siehe: György GYÖRFFY: *István király és műve* [König Stephan und sein

996–997 bei der bayerisch-ungarischen Grenze wurde von dieser Ehe gelöst. Der *terminus ante quem* der Eheschließung ist 997, der Tod Fürst Gézas, während ihrer *post quem* der Anfang der bayerischen Herrschaft Heinrichs, 996 bildet. Der Friedensschluss knüpfte sich eben an Heinrich an, als er nach dem Tod seines Vaters, Heinrich des Zänkers dem Herzogtum Bayern vorstand. Géza machte ihm zugunsten des Friedens ein territoriales Zugeständnis, und verzichtete auf die Herrschaft über das Wiener Becken. Die westliche Grenze Ungarns wurde für Jahrhunderte von den Flüssen Leitha und Fischa geprägt. Das spätere, mit Ungarn angrenzende Österreich begann sich unter der Herrschaft Ottos III. an den östlichen Enden des bayerischen Herzogtums zu formieren. Der Name selbst tauchte ebenfalls zuerst an der Jahrtausendwende auf.³¹ Im Verhältnis zwischen dem bayerischen Territorium und Ungarn verursachte die Wahl Heinrichs zum König keine Änderung, während das Prestige des ungarischen Königs durch die Tatsache bedeutend erhöht wurde, dass er zur Familie des Kaisers gehörte.³²

Der Ungarnkönig spielte eine relevante Rolle in der Lösung des Konflikts zwischen Heinrich und seinem Bruder, Bruno. Der Kaiser nahm im Februar 1004 in Merseburg zur Kenntnis, dass Bruno nach Ungarn zu seiner Schwester, Gisela geflohen war. Er wurde von Heinrich von Schweinfurt informiert, der früher selbst Heinrich II. auch gegenübertrat, aber bereits das Wohlwollen des Kaisers genoss. Heinrich akzeptierte die ungarische Vermittlung und entschuldigte Bruno. „*Ipse [Heinrich] autem cum exercitu progreditur usque ad locum, qui Tinga dicitur. Ibi dominus Brono, frater eius cum Ungaricis intercessoribus regi presentatur et ab eo data sibi gratia, misericorditer suscipitur.*“³³ Dies geschah in der Umgebung der südbayerischen Ober- und Unterthingau, wo Heinrich mit seiner Armee ankam. Eine Auseinandersetzung zwischen Ungarn und dem Reich konnte so verhindert werden. Bruno wurde später Bischof von Augsburg (1004–1029), in welcher Position er (gegen 1007) ebenfalls in Ungarn auftauchte.³⁴

Werk]. Budapest. 2000 [1977], De verkürzte deutsche Übersetzung: György GYÖRFFY: *König Stephan der Heilige*. Budapest. 1988.

³¹ LECHNER 1996. S. 58.

³² Gábor VARGA: *Ungarn und das Reich vom 10. bis zum 13. Jahrhundert. Das Herrscherhaus der Arpaden zwischen Anlehnung und Emanzipation*. München. 2003. S. 84. Mehrere Beispiele sind darauf vorhanden, dass der ungarischen König Mustern aus dem Reich folgte Vgl. Josef DEÉR: Aachen und die Herrschersitze der Arpaden. *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 79 (1971), S. 1–56.

³³ THIETMAR S. 278. (VI. 3.)

³⁴ Der Brief Brunos von Querfurt weist darauf hin, dass sie sich miteinander in Ungarn trafen. Vgl. Epistola Brunonis ad Henricum regem. In: *Diplomata Hungariae antiquissima. vol. I. 1000–1131*. Hrsg. Georgius GYÖRFFY. Budapestini. 1992. (im Weiteren: DHA) S. 44–45; Nach der Meinung von Thomas von BOGYAY kam der Bischof von Augsburg nach Ungarn „Stephan

Die ungarische Kirche besaß, ähnlich zur polnischen, eine selbständige Kirchenprovinz, die Beziehung zwischen des ungarischen und deutschen Klerus kann mit mehreren Angaben untermauert werden: Erzbischof Astrik von Gran nahm 1007 an der Synode von Frankfurt teil, und weihte im Jahre 1012 im Bamberger Dom einen Altar.³⁵

Dynastische Beziehungen König Stephans

Angesichts der kaiserlichen Verwandtschaft ist es nicht überraschend, dass Informationen über die Verhältnisse der ungarischen Königsfamilie neben der Tradition der ungarischen Chronikkomposition auch in deutschen Quellen überliefert sind. Die Nachricht Thietmars von Merseburg ist wegen ihrer zeitgenössischen Entstehung glaubhaft, obwohl in seinem Text wohl auch die ungarische Tradition zu greifen ist.

Die dynastische Politik Fürsten Gézas verstärkte sowohl die Position der Árpáden unter den ungarischen Stammeshäuptlingen als auch die Bündnisse mit den benachbarten Herrschern. Die Eheschließung Gézas mit der Tochter Gyulas von Siebenbürgen, Sarolt, lässt sich in die erste Kategorie eingliedern.³⁶ Die zweite ist durch die Ehen der Kinder des ungarischen Fürsten repräsentiert. Da Fürst Géza nur erwachsen getauft wurde, kann es nicht vollkommen ausgeschlossen werden, dass er mehrere Ehefrauen hatte. Die Ungarisch-polnische Chronik, die eine piastische Ehefrau (Adelheid) vermutet,³⁷ ist jedoch nicht glaubhaft.³⁸ Zum einen kann nach der Taufe neben Sarolt, die höchstwahrscheinlich Géza überlebte, realistisch mit anderen Ehen, oder mit dem Verstoßen der Mutter des

für ein Bündnis gegen Boleslaw zu gewinnen". Thomas von BOGYAY: *Stephanus rex*. Wien – München. 1975. 39. Seine Hypothese kann mit den Angaben nicht unterstützt werden.

³⁵ DHA S. 43; László VESZPRÉMY: Asztrik. In: *Korai magyar történeti lexikon. 9–14. század*. Hrsg. Gyula KRISTÓ – Pál ENGEL – Ferenc MAKK. Budapest. 1994. (im Weiteren: KMTL) S. 68.

³⁶ *Chronici Hungarici compositio saeculi XIV*. In: SRHI. S. 312. (cap. 63.)

³⁷ Die jüngste Edition: *Uhorsko-pol'ská kronika. Nedocenený prameň k dejinám strednej Európy* [Die Ungarisch-polnische Chronik. Eine unterbewertete Quelle der mitteleuropäischen Geschichte]. Hrsg. Martin HOMZA. Bratislava. 2009. (im Weiteren: *Uhorsko-pol'ská kronika*) Der Quellentext: S. 118–185, hier: S. 132, 134. Diese Angabe wurde von BALZER entgegengenommen. Oskar BALZER: *Genealógia Piastów* [Die Genealogie der Piasten]. Kraków. 1895. 29–34. Genau wie nach ihm die polnische Geschichtsforschung. Für seine Korrektur vgl. Kazimierz JASIŃSKI: *Rodowód pierwszych Piastów* [Genealogie der ersten Piasten]. Warszawa – Wrocław. 1992. (im Weiteren: JASIŃSKI 1992) S. 72. Diese Angabe hielt unter den ungarischen Historikern ausschließlich Szabolcs VAJAY für glaubhaft. Vgl. Szabolcs VAJAY: Géza nagyfejedelem és családja [Großfürst Géza und seine Familie]. In: *Székesfehérvár évszázadai 1*. Hrsg. Alán KRALOVÁNSZKY. Székesfehérvár. 1967. S. 63–100. (im Weiteren: VAJAY 1967) Auf Deutsch: *Süüdostforschungen* 21 (1962), S. 45–101; zur Quellenkritik siehe: Béla KARÁCSONYI: *Tanulmányok a Magyar-Lengyel Krónikáról*. [Studien zur Ungarisch-Polnischen Chronik.] *Acta Universitatis Szegediensis de Attila József nominatae. Acta Historica* 16 (1964), S. 3–63.

³⁸ FONT 2008. S. 95–96.

einzigem Sohnes nicht gerechnet werden.³⁹ Zum anderen muss es betont werden, dass die Ungarisch-polnische Chronik eine spätere Kompilation mit mehreren Verwirrungen sei. Der Name Adeilhaid repräsentiert wahrscheinlich die Tradition der polnischen Ehe⁴⁰ des späteren ungarischen Königs, Bélas I., da er als Prinz lange Zeit in Polen verbrachte, wo er eine Ehe schloss bzw. wo die Mehrheit seiner Kinder geboren sind. Über Sarolt weiß dennoch die Chronik Thietmars von Merseburg: „*Uxor autem eius Beleknegini, id est pulchra domina Slavonice dicta, supra modum bibeat et in equo more militis iter agens quendam virum iracundiae nimio fervere occidit.*“⁴¹ Thietmar war bezüglich ungarischer Angelegenheiten wohl informiert, z.B. ist der heidnische Name König Stephans ausschließlich bei ihm überliefert: „*gener Heinrici, ducis Bawariorum, Waic in regno suimet episcopales cathedras faciens, coronam et benedictionem accepit.*“⁴²

Wir verfügen über keine Information über einen Sohn von Géza außer Stephan, während seine Töchter nur indirekt, durch die Tätigkeit ihrer Kinder, zu verfolgen sind. Das Geraten von Samuel Aba in die Verwandtschaft diente genauso der innenpolitischen Stabilität, wie die Ehe Gézas. Die ehelichen Verbindungen mit dem polnischen Bolesław Chrobry,⁴³ dem venezianischen Otto Orseolo⁴⁴ und dem Sohn des bulgarischen Zaren, Samuels, Gavril-Radomir,⁴⁵ dienten der Absicht, mit den benachbarten Herrschern friedvolle Beziehung herzustellen. Wir verfügen über keine sicheren chronologischen Angaben bezüglich der Eheschließungen der Töchter Gézas, sie können ebenfalls anhand der Tätigkeiten der Kinder bzw. ihrer angenommenen Alter datiert werden. So kann es nicht ausgeschlossen werden, dass einige von den Töchtern nicht im Leben ihres Vaters, sondern unter der Herrschaft ihres Bruders, Stephans eine Ehe schlossen.

In Bezug auf Bolesław helfen neben der Person seines Sohnes, Bezprym, seine weiteren Ehen bei der Datierung. Die Tochter Gézas war die zweite Frau von Bolesław Chrobry, dieses Eheband kann auf 985–986 gelegt werden, da Bolesław 987, nach dem Wegstoßen dieser Frau, bereits eine neue Ehe schloss. Der Sohn der ungarischen Prinzessin, Bezprym, ist

³⁹ VAJAY 1967. S. 75.

⁴⁰ ZSOLDOS 2005. S. 185.

⁴¹ THIETMAR S. 498. (VIII. 4.).

⁴² THIETMAR S. 198. (IV. 59.).

⁴³ THIETMAR S. 198. (IV. 58.).

⁴⁴ Andrea Dandolo: *Chronicon Venetum*. Zitiert von VAJAY 1967. S. 70.

⁴⁵ Ioannes Scylitzes: *Additamenta Michaelis*. In: *Fontes Byzantini historiae Hungaricae aevo ducum et regum ex stirpe Árpád descendentium*. Hrsg. Gyula MORAVCSIK. Budapest. 1988. (im Weiteren: MORAVCSIK 1988) S. 97.

nach der ungarischen Geschichtsforschung im Jahre 988 geboren.⁴⁶ Bezprym/Veszprém kam wahrscheinlich mit seiner Mutter in Ungarn an, obwohl wir über seine Rolle praktisch nichts wissen. Es ist angenommen, dass der Name der Diözese Veszprém (Wesprim) und des Zentrums des Komitats von ihm gestammt habe, obschon diese These mit Quellen nicht untermauert werden kann. Das Bistum von Veszprém ist eines der ersten ungarischen Diözesen,⁴⁷ die bereits im Jahre 1000, in der Zeit der Gründung des Erzbistums von Gran existierte (siehe Abb. 5), während Bezprym in dieser Zeit noch ein zwölfjähriger Junge gewesen sei, der für die Position des *comes* unfähig war. Die zeitgenössische Praxis der Ortsnamensgebung erlaubt aber die Vermutung über eine Abstammung des Namens von einem Personennamen. Gyula KRISTÓ griff auf, dass der slawisch klingende Name Veszprém sich auf eine Person aus der slawischen Bevölkerung beziehen kann.⁴⁸ Bezprym kehrte 1031, in der Zeit des Zerwürfnisses nach Polen zurück,⁴⁹ wo er nach einem kurzen Kampf 1032 ermordet wurde.

Die andere Tochter von Géza, die die Frau des Sohnes des bulgarischen Zaren, Gavril-Radomirs war, hatte ähnliches Schicksal, wie ihre Schwester. Der Zeitpunkt ihrer Eheschließung ist unbekannt. Szabolcs Vajay legte ihn gegen 986,⁵⁰ während die Ehe nach der Meinung Gyula KRISTÓs um das Jahr 995 bereits zum Ende kam,⁵¹ wobei die bulgarische Geschichtsschreibung das Jahr 998–999 annimmt. Diese Feststellung ist darauf basiert, dass Gavril-Radomir im Jahre 1000 bereits eine neue Ehe schloss und 1002 davon ein Sohn geboren ist.⁵² Der vom bulgarischen Prinzen geborene Sohn der unbekanntes Tochter Gézas, Peter-Deljan, spielte 1040–1041 eine bestimmte Rolle in Bulgarien.

Die Familienbeziehungen der ungarischen Dynastie zu den Dogen von Venedig und der ungarischen adeligen Familie Aba wurden höchstwahrscheinlich nicht von Géza, sondern vom König Stephan hergestellt. Otto Orseolo und die Schwester Stephans schlossen 1009 eine Ehe, ihr Sohn,

⁴⁶ Gyula KRISTÓ: Géza. In: Gyula KRISTÓ–Ferenc MAKK: *Die ersten Könige Ungarns*. Herne. 1999. (im Weiteren: KRISTÓ–MAKK 1999) S. 38–43, hier: S. 40.

⁴⁷ Vgl. László KOSZTA: A kereszténység kezdetei és az egyházszervezet kialakulása Magyarországon [Die Anfänge des Christentums und die Entstehung der Kirchenorganisation in Ungarn]. In: *Az államalapító*. Hrsg. Gyula KRISTÓ. Budapest. 1988. S. 153–207, hier: S. 175–178.

⁴⁸ Gyula KRISTÓ: *A vármegyék kialakulása Magyarországon* [Die Entstehung der Komitate in Ungarn]. Budapest. 1988. (im Weiteren: KRISTÓ 1988) S. 240.

⁴⁹ *Annales Altahenses Maiores*, S. 18.

⁵⁰ VAJAY 1967. S. 66.

⁵¹ Gyula KRISTÓ: Géza. In: KRISTÓ–MAKK 1999. S. 40.

⁵² Eine Zusammenfassung über die bulgarische Literatur: Христо ДИМИТРОВ: *Българо-унгарски отношения през средновековието* [Hristo ДИМИТРОВ: Die bulgarisch-ungarische Beziehungen im Mittelalter]. София. 1988. S. 81.

Peter ist gegen 1010–1011 geboren. Die Herrschaft Ottos in Venedig kam 1024, nach dem Tod Heinrichs II. zum Ende: Er floh nach Byzanz, sein Sohn nach Ungarn. Peter war zwischen 1038–1041 und 1044–1046 König von Ungarn.⁵³ Samuel Aba heiratete ebenfalls gegen 1009 eine Schwester König Stephans, sein gleichnamiger Sohn besaß den ungarischen Thron mit Peter Orseolo rivalisiert zwischen 1041 und 1044.⁵⁴

Die Namensgebungen der Kinder König Stephans widerspiegeln die gute Beziehung zu den Herrschern des Reiches. Der bekannte, aber schon im Kindesalter gestorbene Otto sei noch unter Kaiser Otto III. geboren.⁵⁵ Der einzige Sohn, der das Erwachsenenalter erreichte, bekam den Namen Imre (Emmerich-Emericus) nach seinem Onkel, welcher die ungarische Variante des Namens Heinrich (Henricus) ist.⁵⁶ Emmerich fiel 1031 zum Opfer eines Unfalles,⁵⁷ infolgedessen kam der Kampf für den Thron zustande. Prinz Emmerich wurde im Jahre 1083 zusammen mit seinem Vater kanonisiert, seine Legende entstand aber erst am Anfang des 12. Jahrhunderts, wobei auch die Legende Kaiser Heinrichs II. eine determinierende Rolle spielte.⁵⁸ Die Lebensbahn des kinderlosen Kaisers war in dieser Zeit geeignet, den Zölibat zu propagieren, genau wie das Leben von Prinzen Emmerich, der als einziger Sohn des Königs die Pflicht hatte, das Überleben der Dynastie zu sichern. Seine kinderlos gebliebene Ehe wurde im Legendentext verdunkelt.⁵⁹

⁵³ *Chronici Hungarici compositio saeculi XIV.* In: SRH I. S. 323–327. (cap. 71–73.); Ferenc MAKK: *Ungarische Außenpolitik (896–1196)*. Herne. 1999. (im Weiteren: MAKK 1999) S. 45–52.

⁵⁴ *Chronici Hungarici compositio saeculi XIV.* In: SRH I. S. 324–325. (cap. 72.); MAKK 1999. S. 47–50.

⁵⁵ Gábor MIKÓ: Élt-e valaha Szent István fia, Ottó herceg? Egy ismeretlen 15. századi krónika tanúskodása [Hat jemals der Sohn Stephan des Heiligen, Prinz Otto gelebt? Das Zeugnis einer unbekannteren Chronik aus dem 15. Jahrhundert]. *Történelmi Szemle* 55 (2013), S. 1–22.

⁵⁶ Gyula KRISTÓ: *Írások Szent Istvánról és koráról* [Studien über König Stephan den Heiligen und seine Zeit]. Szeged. 2000.

⁵⁷ *Chronici Hungarici compositio saeculi XIV.* In: SRH I. S. 318–319. (cap. 69.).

⁵⁸ *Legenda Sancti Emerici ducis.* In: SRH II. S. 441–460.

⁵⁹ János BOLLÓK: A Szent Imre legenda [Die Legende des Heiligen Emmerichs]. In: *Mons Sacer* 996–1996. I–III. Hrsg. István TAKÁCS – Kornél SZOVÁK – Miklós MONOSTORI. Pannonhalma. 1996. I. 341–355; József TÖRÖK: Szent Imre a történelmi kutatások világánál [Imre der Heilige am Licht der historischen Forschungen]. In: *Doctor et apostol. Szent István tanulmányok*. Hrsg. József TÖRÖK. Budapest. 1994. S. 199–211. (Studia Theologica Budapestensia 10).

König Stephan und Bolesław – vor 1013

Die Angelegenheit der weggestoßenen Schwester warf keinen Schatten auf die Beziehung Stephans zu Bolesław. Der Konflikt zwischen dem Ungarnkönig und seinen mütterlichen Verwandten, den „Gyulas“⁶⁰ von Siebenbürgen konnte aber Probleme verursachen. Stephan führte einen Heereszug im Jahre 1003 gegen seinen Onkel, und nach dem Sieg integrierte er dessen Gebiet in sein Land. Nach diesen Ereignissen wurde die Diözese von Siebenbürgen zusammen mit dem ersten Komitat des Territoriums organisiert. Der *comes* dieses Komitats wurde der sieghafte Heerführer, Doboka.⁶¹ Der Onkel Stephans, der nach der Chronik Thietmars den Namen Prokuj trug, floh nach Polen: „... *Procui senior, avunculus regis Pannonici, a suis sedibus ab eodem ... expulsus*“.⁶² Die Namen der Söhne Prokuj sind im Werk des anonymen Notars (Anonymus) tradiert (Boya und Bonyha), aber der Verfasser interpretierte die Auseinandersetzung von Stephan und Gyula nicht der Wahrheit gemäß: „*Zubor genuit minorem Geulam patrem Bue et Bucne, tempore cuius sanctus Stephanus sibiugavit sibi terram Ultrasiluanam et ipsum Geulam vinctum in Hungariam duxit et per omnes dies vite sue carcernatum tenuit eo, quo din fide esset vanus et noluit esse Christianus et multa contraria faciebat sancto regi Stephano, quamvis fuisset ex cognatione matris sue.*“⁶³

Hinsichtlich der Beziehung Stephans zu Bolesław enthalten die Quellen keine Verweisungen über die Nachwirkung dieser Konflikt. In Anbetracht der Geschehnisse der Region scheint es nicht wahrscheinlich zu sein, dass die Anwesenheit von Prokuj-Gyula in Polen keine Wirkung auf die polnisch-ungarische Kontakte ausübte.

Bolesław nutzte den Zwist der Přemysliden Herrschern aus, die traditionell gute Kontakte zu Bayern pflegten (siehe Abb. 5), als er das böhmische Gebiet attackierte und Prag besaß. Mit diesen Ereignissen kam die Herrschaft Boleslavs III. in Böhmen (999–1002, 1003) zum Ende, da seine Brüder, Jaromir (1003, 1004–1012, 1033–1034) und Oldřich (1012–1033) von

⁶⁰ Der *gyula* war einer der Führer des ungarischen Stammesbundes, und zwar der Leiter der Armee. Die Position wurde von einem der Stammeshäuptlinge erfüllt, seit der Mitte des 10. Jahrhunderts von dem Leiter des in Siebenbürgen angesiedelten Stammes. Die Würdenträger sind seit dieser Zeit bis zu der Ära Stephans als „gyulas“ in der ungarischen Geschichtsforschung bekannt. Die Personennamen sind teilweise bei Thietmar und teilweise bei Anonymus überliefert. Sándor László TÓTH – László SZEGFŰ: Gyula. In: KMTL S. 245.

⁶¹ *Chronici Hungarici compositio saeculi XIV.* In: SRH I. S. 314–315. (cap. 65.); KRISTÓ 1988. S. 483–486.

⁶² THIETMAR S. 496 (VIII. 4.).

⁶³ *Anonymi Gesta Hungarorum.* In: SRH I. S. 69. (cap. 27.). Den Namen Zubor schaffte der anonyme Notar auf einen Ortsnamen basiert. Die Nachricht, dass Gyula (Geula) heidnisch war, ist bestimmt falsch, da es bei ihm um den ersten christianisierten Stamm geht. Vgl. Ioannes Scylitzes. In: MORAVCSIK 1988. S. 85.

Heinrich II. gefördert wurden.⁶⁴ Der Kaiser half zunächst Jaromir, den Thron zu besteigen und den polnischen Bolesław aus Prag zu verdrängen.⁶⁵ Später nahm Heinrich II. Oldřich unter seine Protektion.⁶⁶ Da der ungarische König der Schwager Heinrichs II. war und der von ihm verdrängte Prokuj-Gyula nach Bolesław floh, kann es nicht ausgeschlossen werden, dass der polnische Fürst zufolge dieser Lage Ungarn angriff. Die genaue Zeit des annehmbaren Feldzuges ist unbekannt und unmöglich genau zu bestimmen: Sie kann irgendwann zwischen 1003 und 1007 datiert werden.⁶⁷ Die polnische Geschichtsforschung basiert bis dato auf den Bericht der *Ungarisch-polnischen Chronik*: „*Nam termini Polonorum ad litus Danubii ad civitatem Strigoniensem terminabatur, deinde in fluvium qui Tisia nominatur, usque ad castrum Galis, ibique inter Ungaros, Ruthenos et Polonos finem dabant.*“⁶⁸ Diese Angabe spiegelt sich in den historischen Karten und in der Fachliteratur wieder.⁶⁹

Die Informationen der *Ungarisch-polnischen Chronik* können aber nicht als glaubhaft akzeptiert werden. Der zitierte Abschnitt kam durch die willkürliche Kombination von Personen und Ereignissen verschiedener Zeiten zustande. „*Tribus vero post coronacionis sue mensibus elapsis accedens ad ipsum Lambertus presul civitatis Cracoviae licenciam peciit, atque de corroboracione pacis et amicie ad memoriam deduxit. Cum quo sine mora presulem Strigonie Astriuum et principem milicie Albam nomine ad avunculum suum Mesconem duces Polonie transmisit rogans ipsum, ut cum magnatibus suis in terminis Polonie et Ungarie conveniret. Qui congregato omni exercitu suo ad regem ante Strigonium venit, ibique in terminis Polonie et Ungarie tentoria fixit.*“⁷⁰ Im zitierten Passus können auch diejenigen Personen gefunden werden, die tatsächlich um die Jahrtausendwende lebten: Stephan der Heilige, Bolesław und Erzbischof Astrik. Der Bischof von Krakau hieß aber derzeit Poppo, wie darüber der zeitgenössische Thietmar glaubwürdig berichtet.⁷¹ Lambert war zwischen 1082 und 1101 Bischof der Stadt.⁷² Der im Text erwähnte

⁶⁴ *Cosmas Pragensis: Chronica Boemorum*. Hrsg. Wilhelm WEINBERGER – Berthold BERTHOLZ. München. 1980. (Monumenta Germaniae Historica, Scriptorum, Nova Series 2) (im Weiteren: COSMAS) S. 73–79. (I. 37–52.); THIETMAR S. 408–410. (VII. 10–11.); FONT 2009. S. 31; SLÁMA 2006, hier: S. 45.

⁶⁵ Stanisław SZCZUR: *Historia Polski. Średniowiecze* [Geschichte Polens. Mittelalter]. Kraków. 2002. (im Weiteren: SZCZUR 2002) S. 67.

⁶⁶ ŽEMLIČKA 1997. S. 27–28.

⁶⁷ COSMAS S. 72. (I. 39.).

⁶⁸ *Uhorsko-pol'ská kronika* S. 150. (cap. 7.).

⁶⁹ Vgl. z.B. SZCZUR 2002. S. 66.

⁷⁰ *Uhorsko-pol'ská kronika* S. 150. (cap. 7.).

⁷¹ THIETMAR 184. (IV. 45.).

⁷² Jerzy WYROZUMSKI: *Dzieje Krakowa. Kraków do schyłku wieków średnich. tom 1.* [Die Geschichte von Krakau. Krakau bis zum Ende des Mittelalters] Kraków. 1992. 118.

königliche Feldherr, Alba kann nicht mit Samuel Aba identifiziert werden, wie es Homza – mit einem Verweis auf Ryszard Grzesik – in seinem, dem Text hinzugefügten Kommentar tut. Die Namen Alba ~ Aba können semantisch nicht verbunden werden. „Der Name *Aba* war ursprünglich Ausdruck einer Würde und bedeutet auf Türkisch *Vater*, später wurde er zum Namen eines ganzen Geschlechts“.⁷³ Mit dem Attribut *albus* ist in der ungarischen Chronikkomposition König Andreas I. (1046–1060) beschrieben,⁷⁴ der sich in den dreißiger Jahren des 11. Jahrhunderts eine Zeitlang in Polen aufhielt. Die Erwähnung Fürsten Mieszkos ist auf jeden Fall Anachronismus, da Mieszko I. im Jahre 992 verstarb, während der Sohn Bolesławs, der spätere Mieszko II. noch minderjährig war, da er gegen 990 geboren ist.⁷⁵ Mieszko II. war ansonsten tatsächlich der Großvater zweier ungarischer Könige: Géza I. (1074–1077) und Ladislaus I. (1077–1095) waren seine Enkel, da die Tochter Mieszkos II., Richeza (Adelhaid) von Béla I. (1060–1063) geheiratet wurde, der lange Zeit in Polen verbrachte.⁷⁶

Anonymus Gallus⁷⁷ erzählte darüber, dass Bolesław die Ungarn besiegte und das Gebiet bis die Donau eroberte, wobei es keine konkrete Information bezüglich der Geschehnisse zu finden ist. Im ganzen Kapitel ist die Tugend Bolesławs als Feldherr geschildert, inhaltlich und stilistisch setzt sich das Muster der karolingischen Fürstenspiegel durch, während der Kompilator des Textes sich bedeutend auf die Legende Stephans des Heiligen stützte.⁷⁸ Was die Frage der polnisch-ungarischen Grenze betrifft, konnte Bolesław I. unserer Meinung nach Ungarn gegen 1003–1004 tatsächlich angreifen, worauf sowohl der bei ihm verweilende Prokuj-Gyula als auch das Bündnis von Stephan und Heinrich II. eine Wirkung ausüben konnte. Über eine dauerhaft territoriale Eroberung kann aber nicht die Rede sein, angesehen, dass dies Bolesław eben in Böhmen nicht gelang. Im Endeffekt müssen wir der Formulierung von Dániel Bagi zustimmen, nach der „die Frage der „polnisch-ungarischen Grenze“ des 11. Jahrhunderts nicht von Gallus Anonymus, sondern eher von der im 13. Jahrhundert entstandenen *Ungarisch-polnischen Chronik* für die Nachwelt tradiert ist, deren Angaben aber besonders unzuverlässig sind. Das Porträt

⁷³ Gyula KRISTÓ: Aba Samuel. In: KRISTÓ–MAKK 1999. S. 93.

⁷⁴ *Chronici Hungarici compositio saeculi XIV.* In: SRHI. S. 344. (cap. 88.)

⁷⁵ JASIŃSKI 1992. S. 114.

⁷⁶ Gyula KRISTÓ: I. Béla. In: KRISTÓ–MAKK 1999. S. 119–120; ZSOLDOS 2005. S. 185.

⁷⁷ *Galli Anonymi Cronicae et Gesta Ducum sive Principum Polonorum.* Hrsg. Carolus MALECZYŃSKI. Kraków. 1952. (Monumenta Poloniae Historica Nova Series 2.) (im Weiteren: GALLUS) S. 16. (I. 6.)

⁷⁸ Dániel BAGI: *Gallus Anonymus és Magyarország* [Anonymus Gallus und Ungarn]. Budapest. 2005. S. 200–219. besonders: S. 208, 218–219.

Boleslaws des Tapferen als Feldherr wurde vom Autor auf Grund der neuen, nach dem ersten Kreuzzug verbreiteten *gesta militaria* formuliert, d.h. er brauchte bei der Darstellung der Tugenden nicht viel Wert auf den Quellenwert zu legen. Es muss aber hervorgehoben werden, dass die Fragen der Grenzen einen intakten Teil der polnischen historischen Mythologie bilden, weswegen sie bis heute viel Aufmerksamkeit in der Historiographie erhalten⁷⁹. Die Darstellungen von Karten enthalten fernerhin einen weiteren Anachronismus und zwar die Bezeichnung der *Slowakei* nördlich der Donau.⁸⁰

Heinrich II. und Bolesław I. vor 1013

Bolesław gewann an einem bedeutenden Zuwachs von Prestige unter der Herrschaftszeit Ottos III. Der Titel des „Freundes des Kaisers“ (*amicus*) erhob Bolesław auf die Ebene der Elite des Reiches (oder wie Thietmar formulierte, er wurde *dominus*), der sich mit der Elite des Reiches für gleich halten konnte.⁸¹ Diese Feststellung kann damit beleuchtet werden, dass er als Lehen solche Gebiete erhielt, die unter der Territorialherrschaft des Kaisers standen. Aufgrund der Ereignisse im Jahre 1002 kann es nicht entschieden werden, ob das Benefizium nur Lausitz beinhaltete, oder auch polnische Gebiete (siehe Abb. 6).⁸² Bolesław folgte dem Beispiel Ottos III. auch im Bereich der Machtrepräsentation: Die früheren Bauarbeiten in Krakau (die erste Phase des Rundbaus) kann darauf hinweisen – argumentiert Michałowski –, obwohl sowohl die Zeit der Gründung als auch das Patrozinium (Salvator, St. Nikolaus?) unbestimmt sind.⁸³ Die Ereignisse des Aktes von Gnesen weisen auf eine Aspiration für den königlichen Rang hin,⁸⁴ aber die Titel *cooperator imperii* und *populi Romani amicus et socius* bedeuten selbst den Erwerb nicht.⁸⁵ Die Absicht Boleslaws wurde nach 1002 nicht verändert, er verlor nur seinen Betreuer. Zwar wollte Bolesław ein eigenes Reich im Gegensatz zu Heinrich II. ausbauen,

⁷⁹ Gall Névtelen: *A lengyel fejedelmek avagy hercegek krónikája és tettei* [Anonymus Gallus: Die Chronik und Taten der polnischen Fürsten oder Prinzen]. Übersetzt von Dániel BAGI. Budapest 2007. (im Weiteren: BAGI 2007) S. 100. Anm. 70.

⁸⁰ SZCZUR 2002. S. 66.

⁸¹ Siehe die Formulierung „schwierige Durchsetzung einer veränderten Rangordnung“ GÖRICH 1997. S. 148–152.

⁸² SZCZUR 2002. S. 65.

⁸³ Roman MICHAŁOWSKI: *Princes fundator. Monarchische Stiftungen und politische Kultur im piastischen Polen (10. – 13. Jahrhundert)*. In: *Monarchische und adlige Sakralstiftungen im mittelalterlichen Polen*. Hrsg. Eduard MÜHLE. Berlin. 2013. S. 37–108. (im Weiteren: MICHAŁOWSKI 2013) hier: S. 45–48. (Stiftungsgeschichten 9.)

⁸⁴ „Igitur Boleslaus in regem ab imperatore sublimatus.“ In: GALLUS S. 20–21. (I.6.).

⁸⁵ MICHAŁOWSKI 2013. S. 63–64. Der Verfasser akzeptiert die Meinung Friedrs nicht.

der neue Kaiser erwartete aber Unterwerfung.⁸⁶ 1002 wurde in Merseburg auf den ersten Hoftag Heinrichs II. ein Kompromiss geschlossen, um Zeit zu gewinnen. Heinrich wurde entweder am 6. oder am 7. Juni zum römisch-deutschen König gewählt. Danach machte er eine Rundfahrt in den sächsischen, schwäbischen und thüringischen Gebieten, nach der er in Aachen ankam, wo die Thronbesteigung am 8. September geschah.⁸⁷ Heinrich verglich sich mit Bolesław wegen seiner komplizierten Beziehung zu Sachsen, aber bereits im Jahre 1003 vereinigte er sich mit dem Stamm der *Liutici* gegen Bolesław, bis es ihm 1004 gelang, den polnischen Fürsten aus Böhmen zu verdrängen. Danach griff er 1005 die polnischen Gebiete Boleslaws in Richtung Posen an, bis sie wieder einen Frieden schlossen. Dieser Friedensschluss verwässerte die Position Boleslaws nicht, in kurzem (1007) gewann er nämlich Lausitz wieder.⁸⁸ Der Feldzug Heinrichs im Jahre 1010 blieb Erfolg versagt, genau wie sein Versuch von 1012.

Die Zufriedenheit mit der, in der Richtung der Polen veränderten Reichspolitik drückt der 1008 an Heinrich geschriebenen Brief Brunos von Querfurt aus.⁸⁹ Die Einstellung Brunos wurde hinsichtlich der Mission formuliert, für seine Ziele war die kriegerische Lage entlang der polnisch-sächsischen Grenze zweifellos ungünstig. Aufgrund der Quellen ist weit unsicher, dass im Konflikt mit Polen immer Heinrich der Initiator war. Mit seinem bayerischen Hintergrund musste er nämlich ebenfalls mit seinen inneren Rivalen, Auseinandersetzungen in der Familie und mit den Adeligen von Sachsen umgehen bzw. seine Position zu stabilisieren.⁹⁰ Die Konflikte zwischen den sächsischen Adeligen verursachten fernerhin eine ungünstige Lage für die westliche Expansion Polens.

Was geschah 1013 in Merseburg?

Die Frage kurz zu beantworten: Heinrich II. und Bolesław schlossen einen Frieden. Die Nachricht Thietmars berichtet detailliert über die Umstände:⁹¹ Cap. 89. (54.) „... rex ... Bolizlavi nuntios pacem poscentes et confirmationem cum Misecone eiusdem filio fieri promittentes audivit, ad Merseburg venit.“ Zeit der Ankunft: *post epiphaniam Domini* (= 2. Februar).

⁸⁶ Stefan WEINFURTER: *Das Reich im Mittelalter. Kleine deutsche Geschichte von 500 bis 1500.* München. 2008. S. 84.

⁸⁷ HERBERS 2006. S. 55.

⁸⁸ HERBERS 2006. S. 56.

⁸⁹ GÖRICH 1995. S. 35–37.

⁹⁰ Darüber vgl. den Begriff *aperta rebellio*: Gerd ALTHOFF: *Königherrschaft und Konfliktbewegung im 10.–11. Jahrhundert.* In: Gerd ALTHOFF: *Spielregeln der Politik im Mittelalter. Kommunikation in Frieden und Fehde.* Darmstadt. 1997. S. 21–56, hier: S. 25.

⁹¹ THIETMAR 380–382. (VI. 89–91.).

Cap. 90. „*Et interpositis diebus paucis Miseco, Bolizlai filius cum magnis veniens muneribus, regis efficitur et fidem cum sacramento firmat. Dehinc cum honore magno remittitur et, ut iterum veniret, delectatur. [...] Insuper regias pervenit ad aures, quod nepos meus Wirinharius cem Ekkihardo, Herimanni marchionis fratre, ad Bolizlaum sine licentia pergeret ibique multa gratiae suimet contraria loqueretur eiusque nuncios hic saepe in secreto haberet. Hoc omne rex graviter suscipiens, utrosque in suam venire presentiam iussit. Id cum facere non auderent, comprehensis omnibus suimet bonis, ut regiae potestati resisterent, diffamatur.*”

Cap. 91. „... pentecostem (= 23. – 24. Mai) autem nobiscum. In cuius vigilia Bolizlavus cum securitate obsidum apud se relictorum venit et optime suscipitur. In die sancto manibus applicatis miles efficitur et post sacramenta regi ad aecclesiam ornato incedenti armiger habetur. In II. feria (= 25. Mai) regem megnis muneribus a se et a contectali sua oblati placavit deinde regia largitate his meliora ac multa maiora cum benefitio diu desiderato suscepit et obsides suos cum honore et laetitia remisit. Post haec vero Rusciam nostris ad hoc auxiliantibus petiit; et magna regionis illius parte vastata, cum commotio inter suos et hospites Pezineigos fieret, eosdem quamvis suimet fautores iussit interfici omnes.”

Dieses Bild stellt nicht die Position des siegreichen römisch-deutschen Königs und des besiegten polnischen Fürsten dar. Die zwei Herrscher schlossen Frieden und Bündnis miteinander,⁹² da der Sohn Boleslaws, Mieszko II., eine Frau aus der Verwandtschaft des Kaisers bekam: Rycheza war die Tochter von Markgraf Ezzo und Matild, der Tochter Kaiser Ottos. Boleslaw wurde also in die kaiserliche Familie rezipiert.⁹³ Im Endeffekt gewährte Heinrich II. einen Nachlass zugunsten des Friedens, zu dem ihn die Vorbereitungen des im nächsten Jahr nach Italien führenden Feldzuges motivierten. Die Reise war wegen der Kaiserkrönung wichtig, die am 14. Februar 1014 durchgeführt wurde.⁹⁴ Zu Pfingsten 1013 musste Heinrich ferner die Herrschaft Boleslaws über Lausitz anerkennen, während die Ehefrau des Sohnes von Boleslaws, die aus der kaiserlichen Familie stammte, die Tatsache bezeugt, dass der Frieden eher für die polnische Partei günstig war. Auf das Gleichmaß der Kraftverhältnisse und auf das Misstrauen der Parteien weist die Rolle hin, die gewisse Geiseln im Laufe der Prozesse der Verhandlungen spielten. Der Konflikt wurde von

⁹² Bronisław NOWACKI: Symbolika prawna w ceremoniale zjazdów monarchów polskich z władcami niemieckimi od X do połowy XII wieku [Das symbolische Recht in den zeremoniellen Treffen mit den deutschen Herrschern von dem 10. bis zum 12. Jahrhundert]. *Roczniki Historyczne* 43 (1977), S. 1–28; Gerd ALTHOFF: Otto III. und Heinrich II. in Konflikten. In: SCHNEIDEMÜLLER – WEINFURTER 1997, S. 77–94, hier: S. 88–90.

⁹³ Gerd ALTHOFF: Symbolische Kommunikation zwischen Piasten und Ottonen. In: Gerd ALTHOFF: *Insenierte Herrschaft. Geschichtsschreibung und politisches Handeln im Mittelalter*. Darmstadt 2003, S. 230–250, über Merseburg 1013: S. 234–238.

⁹⁴ HERBERS 2006, S. 57.

niemandem als beendet beurteilt, die Gegner wollten nur Zeit gewinnen. Wie Görich das Treffen der Herrscher interpretiert: es war Begegnung, Unterordnung und „königsgleiche Ehrung“.⁹⁵ Heinrich II. fuhr nach diesen Ereignissen nach Italien. Der Heereszug Bolesławs in Richtung Rus' ist eher eine Annahme, obwohl er der deutschen Geschichtsforschung⁹⁶ gemäß gerade bei der östlichen Grenze Polens Krieg führte. Thietmar weiß über die Auseinandersetzung zwischen dem Schwiegersohn Bolesławs und Großfürsten Wladimirs.⁹⁷ Im Text der altrussischen Chronik (PVL) sind aber mehrere Lücken hinsichtlich der Jahre 998–1014 vorhanden.⁹⁸

Konklusion: Im Spiegel späterer Ereignisse

In den Ereignissen von 1013 in Merseburg spielte der ungarische König keine Rolle, ebenfalls verfügen wir über keine Information hinsichtlich der Teilnahme seiner Boten. Wir lehnen die Meinung Michałowski ab, dass: „Stephan dem Reich gegenüber eine ähnliche Position wie Boleslaw der Tapfere einnahm.“⁹⁹ Diese Feststellung gilt für die Herrschaft Heinrichs II. bestimmt nicht, da zwischen dem ungarischen Königsreich und dem Reich kein Konflikt auftauchte, was auf die nähere Verwandtschaft Stephans und Heinrichs zurückgeführt werden kann. Unsere Stellungnahme kann mit den Ereignissen des nächsten Herrscherwechsels untermauert werden. Kaiser Konrad II. (1024–1039) war kein näherer Verwandter des Ungarnkönigs und führte bereits 1030 einen Feldzug nach Ungarn.¹⁰⁰ Dieser Angriff wurde aber aufgehalten, und der Kaiser schloss 1031 einen Frieden mit den Ungarn: „*Eodem anno imperatoris filius Heinrichus rex, et ipse dux Baioariae, et Stephanus rex Ungaricus cum iuramento inuicem firmaverunt pacem.*“¹⁰¹ Der gegen die Polen geführte Feldzug Konrads endete 1033

⁹⁵ GÖRICH 1997. S. 154–160.

⁹⁶ GÖRICH 1997. S. 159.

⁹⁷ THIETMAR S. 486. (VII. 72.); Vgl. darüber BAGI 2007. S. 113–114. Anm. 116.

⁹⁸ Vgl. *Povesť vremennyh let. Die altrussische Nestorchronik.* Übersetzt und hrsg. Reinhold TRAUTMANN, Leipzig. 1931. S. 102–104. Die Datierung von *Povesť* ist nicht genau: 1018–1019; Der Machtkampf loderte nach dem Tod Fürsten Wladmirs (1015) auf. Vgl. Александр В. НАЗАРЕНКО: Святополк «Окаянный» или Ярослав «Мудрый»? [Svatopolk der „Verdammte“ oder Jaroslav der „Weise“?] In: DERS.: *Древняя Русь на международных путях.* Москва. 2001, 451–504, hier: 455–460; Márta FONT: *A Povesť vremennyh let szerkezete és hitelessége* [Die Struktur und Authentizität von *Povesť vremennyh let*]. In: *Aktualitások a magyar középkorkutatásban.* Hrsg. Márta FONT – Tamás FEDELES – Gergely KISS. Pécs. 2010. S. 307–325.

⁹⁹ MICHAŁOWSKI 2013. S. 67.

¹⁰⁰ *Legenda maior Sancti Stephani regis.* In: SRH II. S. 389. (cap. 14); *Legenda Sancti Stephani regis ab Hartoico episcopo conscripta.* In: SRH II. S. 423. (cap. 16.).

¹⁰¹ *Annales Hildesheimenses.* Hrsg. Georg WAFFZ. Hannover. 1990. (Monumenta Germaniae Historica. Scriptores in usum scholarum separatim editi 8.) (im Weiteren: *Annales Hildesheimenses*) S. 36.

ebenfalls mit einem in Merseburg geschlossenen Frieden: „*Miseco ... legatos suos ad imperatorem destinavit tempusque semet presentandi condigneque satisfaciendi postulavit.*“¹⁰² Das Ergebnis war aber anderer Natur: Stephan schlug nicht nur die Attacke zurück, sondern rechnete mit seinen inneren Gegnern ab.¹⁰³ Im Gegensatz damit kostete der Frieden Mieszko II. seinen Thron, als er sich in den Konflikt zwischen den böhmischen Fürsten verwickelte.¹⁰⁴ Der in Ungarn erzogene Halbbruder Mieszkos, Bezprym trat in dieser Situation ihm entgegen. Im Falle Mieszkos II. geschah das Unterwerfen,¹⁰⁵ während Konrad II. bei Stephan seine Niederlage akzeptieren musste.

Abbildungen

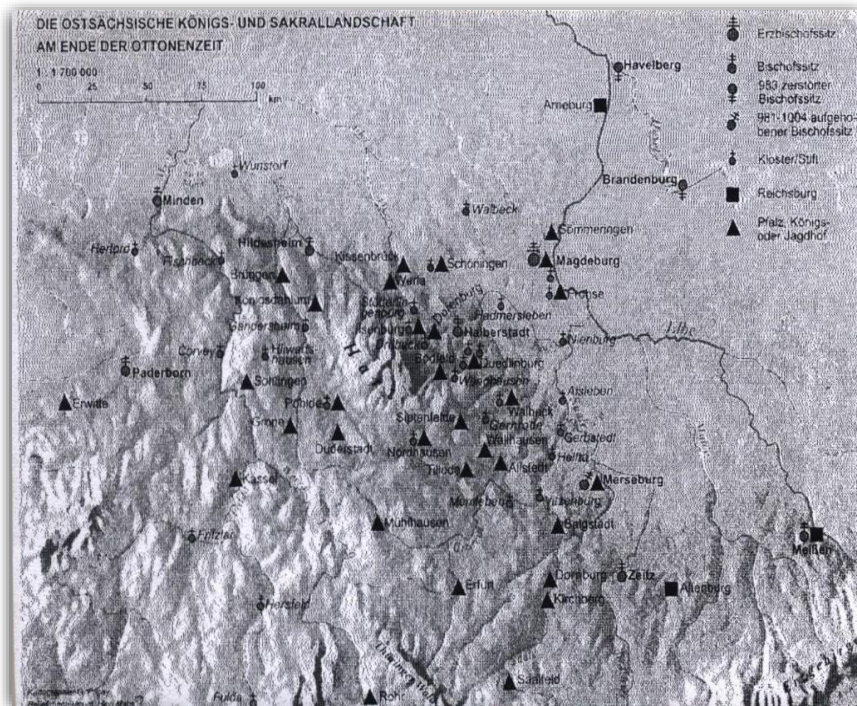


Abb. 1. Die ostsächsische Königs- und Sakrallandschaft am Ende der Ottonenzeit. HERBERS 2006. S. 39.

¹⁰² ANNALES HILDESHEIMENSIS S. 37; Herwig WOLFRAM: *Konrad II. 990 – 1039. Kaiser dreier Reiche*. München. 2000. S. 254–255.

¹⁰³ *Chronici Hungarici compositio saeculi XIV*. In: SRH I. S. 318–321. (cap. 69): „*De oratione oculorum Vazul*“.

¹⁰⁴ GALLUS S. 40. (L.17.).

¹⁰⁵ Die polnische Geschichtsforschung nennt dies als Kapitulation. Vgl. SZCZUR 2002. S. 78.



Abb. 2. Das Deutsche Reich in der Zeit der Ottonen (936–1002)
Johannes FRIED: St. Adalbert, Ungarn und das Imperium Ottos III. In: *Die ungarische Staatsbildung und Ostmitteleuropa*. Hrsg. Ferenc GLATZ. Budapest. 2002. S. 113–141, hier: S. 114.



Abb. 3. Das Herzogtum Bayern und das Reich König Stephans des Heiligen (997–1038) Bayern – Ungarn Tausend Jahre. Katalog zu Bayerischen Landesausstellung 2001, Oberhausmuseum, Passau, 8. Mai bis Oktober 2001. Hrsg. Wolfgang JAHN – Christian LANKES – Wolfgang PETZ – Evamaria BROCKHOFF. Augsburg, 2001. S. 29.

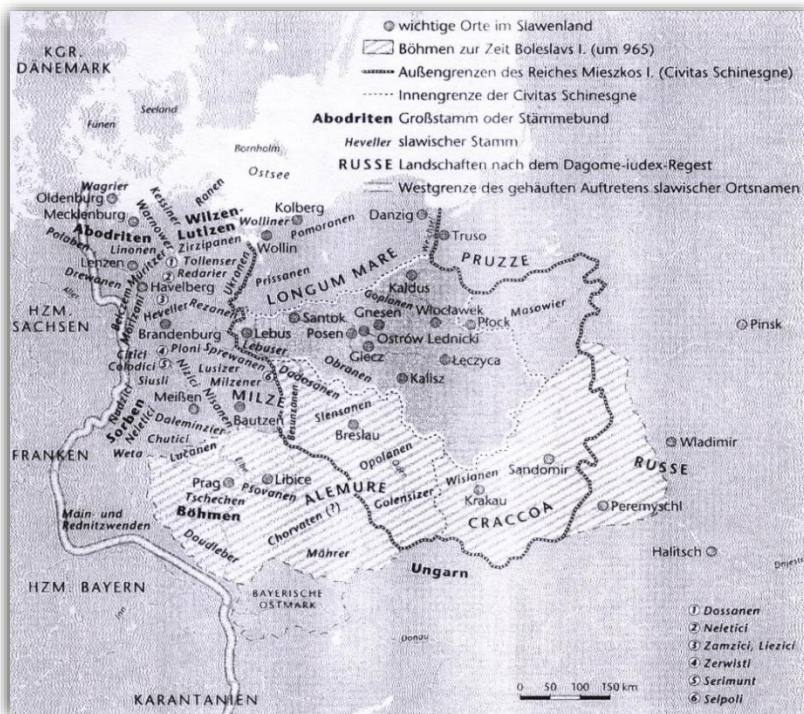


Abb. 4. Die Westslawen im 10. Jahrhundert LÜBKE 2004. S. 516.

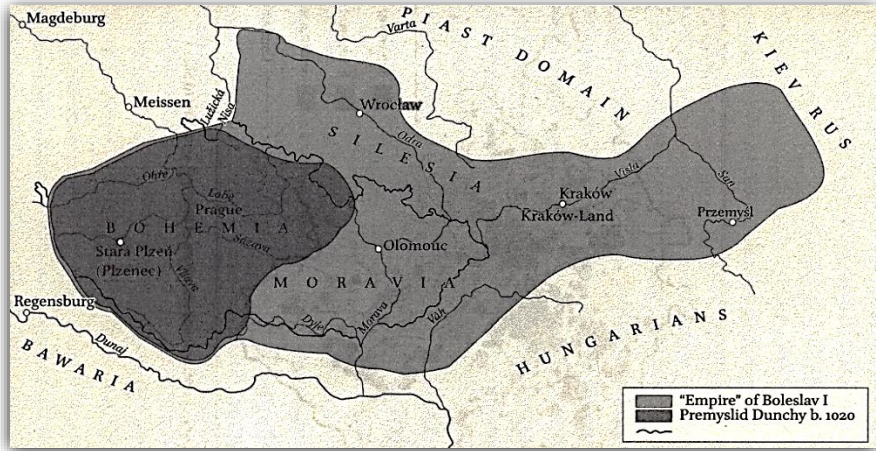


Abb. 5. Böhmen im 10. Jahrhundert
 David Kahlous: *Anatomy of a Duchy. The Political and Ecclesiastical Structures of Early Přemyslid Bohemia*. Leiden – Boston, 2012. S. XIII.

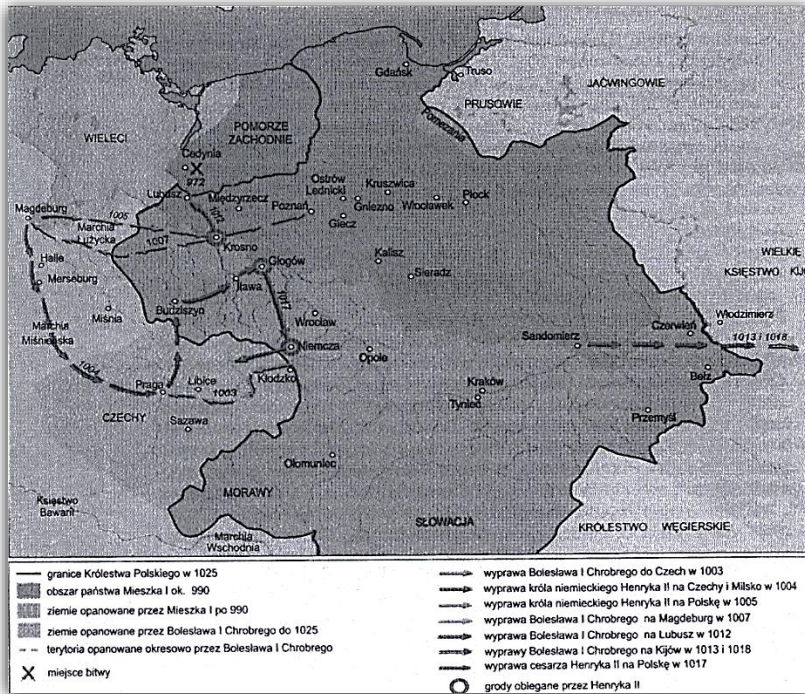


Abb. 6. Polen in der Zeit von Mieszko I. und Boleslav I.
 SZCZUR 2002. S. 66.

Gábor BARABÁS:

Heretics, Pirates, and Legates. The Bosnian Heresy, the Hungarian Kingdom, and the Popes in the Early 13th Century*

The study examines a special aspect of the relations between the Papacy and the Hungarian Kingdom in the first half of the 13th century: the fight against the heretics of Bosnia, or the Bosnian Church. The question of this heresy is not investigated from a dogmatic, or a legal point of view; the analysis focuses on the measures taken by the Papacy and the Hungarian Kingdom. Pontifical legates were entrusted with tasks concerning heresy and piracy in Bosnia and Dalmatia since the very beginning of the century, while the Hungarian rulers and several prelates also took part in the struggle. My presentation starts with the investigation against Ban Kulin of Bosnia led by the papal chaplain John of Casamari, whereas among other topics the problem of the Dalmatian pirates, the Bosnian campaign of Duke Coloman of Slavonia and the integration of the diocese of Bosnia into the Hungarian Church are analysed too.

Key words: Bosnia, Dalmatia, Hungary, Papacy, heresy, piracy, legates, Duke Coloman of Slavonia, Bosnian Church



The study focuses on a special aspect of the relations between the Apostolic See and the Hungarian Kingdom in the first half of the 13th century: the treatment of the Bosnian heresy. The analysis will not be done from a dogmatic or legal point of view,¹ the investigation concerns the measures

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¹ Cf. Othmar HAGENEDER: Das päpstliche Recht der Fürstenabsetzung: seine kanonistische Grundlegung (1150–1250), *Archivum Historiae Pontificiae* 1 (1963), p. 53–95. (hereafter: HAGENEDER 1963a) here: p. 72–77; Othmar HAGENEDER: Studien zur Dekretale "Vergentis" (X.

taken by the popes² and the Hungarian rulers to repel and eliminate the heresy of Bosnia.

The fight against heresy under the pontificates of Innocent III (1198–1216) and his successors occurred not only in Western Europe concerning the Cathars and Albigenses of southern France or the Italian Patarens.³ The situation in Bosnia and the provisions connected to that are probably less known than the western cases, such as the decretal *Vergentis in senium*⁴ or the campaign in southern France in 1209,⁵ still, they are no less remarkable. Nevertheless, Pope Innocent III many times turned against the so-called Bogomils (or Patarens, Cathars),⁶ and specifically against the 'Bosnian

V, 7, 10): Ein Beitrag zur Häretikergesetzgebung Innocenz' III. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 49 (1963), p. 138–173. (hereafter: HAGENEDER 1963b) here: p. 143–146; Othmar HAGENEDER: Die Häresie des Ungehorsams und das Entstehen des hierokratischen Papsttums. *Römische Historische Mitteilungen* 20 (1978), p. 29–47. (hereafter: HAGENEDER 1978) here: p. 33–40; Wilhelm IMKAMP: Das Kirchenbild Innocenz' III. (1198 – 1216). Stuttgart. 1983. p. 249–260. (Päpste und Papsttum 22).

² Cf. Klaus HERBERS: *Geschichte des Papsttums im Mittelalter*. Darmstadt. 2012. (hereafter: HERBERS 2012) p. 172–210.

³ Cf. Kenneth PENNINGTON: "Pro Peccatis Patrum Puniri": A Moral and Legal Problem of the Inquisition. *Church History* 47 (1978:2), p. 137–154. (hereafter: PENNINGTON 1978) here: p. 137–139; Ivan MAJNARIĆ: Papinski kapelan Ivan od Casamarija i bilinopoljska abjuracija 1203. Papinski legat koji to u Bosni nije bio? [Papal Chaplain Johannes of Casamari and the Oath of Bilino Polje in 1203. The Papal Legate who was not in Bosnia?]. *Radovi Zavoda za povijesne znanosti HAZU u Zadru* 50 (2008), p. 1–13. (hereafter: MAJNARIĆ 2008) here: p. 7–8; Othmar HAGENEDER: Der Häresiebegriff bei den Juristen des 12. und 13. Jahrhunderts. In: *The Concept of Heresy in the Middle Ages (11–13th C.)*. *Proceedings of the International Conference, Louvain, May 13–16, 1973*. Ed. W. LOURDAUX – D. VERHELST. Leuven. 1983. (Mediaevalia Lovaniensia Series I. Studia IV) (hereafter: LOURDAUX – VERHELST 1983) p. 42–103. (hereafter: HAGENEDER 1983) here: p. 83, 88–91, 101; Helmuth G. WALTHER: Häresie und päpstliche Politik: Ketzerbegriff und Ketzergesetzgebung in der Übergangsphase von der Dekretistik zur Dekretalistik. In: LOURDAUX – VERHELST 1983. p. 104–143. (hereafter: WALTHER 1983) here: p. 107–109, 122–126, 129–141; John C. MOORE: Pope Innocent III (1160/61–1216). To Root Up and to Plant. Leiden – Boston. 2003. (hereafter: MOORE 2003) p. 149–168; HAGENEDER 1963b.

⁴ *Regesta Pontificum Romanorum inde ab anno post Christum Natum MCXCVIII ad annum MCCCIV. I–II*. Ed. August POTTHAST. Berolini. 1874. (hereafter: POTTHAST) nr. 643. Cf. HAGENEDER 1963b; WALTHER 1983. p. 134–135.

⁵ Cf. HAGENEDER 1963b. p. 152–160; *Heresy and Authority in Medieval Europe. Documents in Translation*. Philadelphia. Ed. Edward PETERS. 1980. p. 194–195; Jean DUVERNOY: L'acception: 'haereticus' (iretge) = 'parfait cathare' en Languedoc au XIII^e siècle. In: LOURDAUX – VERHELST 1983. p. 198–210, here: p. 202–203, 209–210; Collin MORRIS: *The Papal Monarchy. The Western Church from 1050 to 1250*. Oxford – New York. 1989. p. 442–447; WALTHER 1983. p. 135–136; MOORE 2003. p. 135–168.

⁶ The dualistic heresy was formed in the tenth-century Bulgaria as a result of the teachings of Priest Bogomil, based on Manicheism, and later spread also to the territories of Serbia and Dalmatia. Its members rejected, among others, the ecclesiastical and lay hierarchy, and the sacraments (baptism, eucharist, marriage, etc.). See Steven RUNCIMAN: *The Medieval Manichee: A Study of the Christian Dualist Heresy*. Cambridge. 1947. (hereafter: RUNCIMAN 1947) p. 63–115; Dimiter ANGELOV: Ursprung und Wesen des Bogumilentums. In: LOURDAUX – VERHELST 1983.

Church'.⁷ Beside the authorization of papal delegates of various kinds – among them legates – and the consultation with local potentates, from the papal side the Hungarian kings and princes were supposed to act as the *brachium saeculare* of the Church against the heretics.⁸ The rulers of Hungary got in touch with those affairs, however, not only because of the papal agenda, but also because of their own interests. Bosnia (Rama) appeared since the early 12th century in the royal title among the ruled territories, and the idea to place Bosnia under the jurisdiction of the archbishops of

p. 144–156. (hereafter: ANGELOV 1983) here: p. 144–155; Malcolm LAMBERT: *The Cathars*. Oxford. 1998. (hereafter: LAMBERT 1998) p. 297–313; Franjo ŠANJEK: Papa Inocent III. (1198.–1216.) i bosansko-humski krstjani [Pope Innocent III and the Christians of Bosnia and Hum]. In: *Fenomen "krstjani" u srednjovjekovnoj Bosni i Humu*. Ed. Franjo ŠANJEK. Sarajevo – Zagreb. 2005. hereafter ŠANJEK 2005a) p. 425–439. (hereafter: ŠANJEK 2005b) here: p. 428–433; Slavko SLIŠKOVIĆ: Dominikanci i bosansko-humski krstjani [The Dominicans and the Christians of Bosnia and Hum]. In: ŠANJEK 2005a. p. 479–498. (SLIŠKOVIĆ 2005) here: p. 480–484; Bálint TERNOVÁ CZ: A bogumil eretnekség a XI. századi Magyar Királyság déli területein [The Bogomil Heresy in the Southern Parts of the 11th Century Hungary]. *Fons* 20 (2013), p. 501–523. (hereafter: TERNOVÁ CZ 2013a) here: p. 502–503; Bálint TERNOVÁ CZ: A bogumil eretnekség az Észak-Balkánon a 10–11. században [The Bogomil Heresy in the Northern Balkans in the 10th–11th Centuries]. In: *Micae Mediaevales III. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról*. Ed. Judit GÁL – Bence PÉTERFI – András VADAS – Károly KRANZIERITZ. Budapest. 2013. p. 65–76. (hereafter: TERNOVÁ CZ 2013b) here: p. 67–68, 71–74. For the question of the ecclesiastical hierarchy see HAGENEDER 1978. p. 40.

⁷ The nature of the Bosnian heresy is disputed; it seems likely that it was only partially influenced by the dualistic teachings, as the eastern monasticism and the local popular beliefs were the most important components of it. Therefore, the automatic identification of the Bosnian heresy with the Bogomilism is to be avoided, that is why the terms 'Bosnian Church' and 'Bosnian Christian' are used in this paper. See: James Ross SWEENEY: *Papal-Hungarian Relations During the Pontificate of Innocent III, 1198-1216*. Cornell University. 1971. (hereafter: SWEENEY 1971) p. 126–128; Lujo MARGETIĆ: Neka pitanja abjuracije iz 1203. godine [Some Questions regarding the Oath of 1203]. In: ŠANJEK 2005a. p. 27–103. (hereafter: MARGETIĆ 2005) here: p. 85–90; Milko BRKOVIĆ: Bosansko-humski kršćani u križištu papinske i ugarske politike prema bosni i humu [The Christians of Bosnia and Hum on the Crossroad of Papal and Hungarian Politics towards Bosnia and Hum]. In: ŠANJEK 2005a. p. 129–178. (hereafter: BRKOVIĆ 2005) here: p. 131ff; ŠANJEK 2005b. p. 426–431, 438f; SLIŠKOVIĆ 2005. p. 480–484; Manuel LORENZ: Bogomilen, Katharer und bosnische "Christen". Der Transfer dualistischer Häresien zwischen Orient und Okzident (11.–13. Jh.). In: *Vermitteln – Übersetzen – Begegnen: Transferphänomene im europäischen Mittelalter und in der frühen Neuzeit; interdisziplinäre Annäherungen*. Ed. Balázs J. NEMES. Göttingen. 2011. p. 87–136. (hereafter: LORENZ 2011) here: p. 107–121; Nedim RABIĆ: Im toten Winkel der Geschichte: Johannes von Wildeshausen als Bischof von Bosnien 1233/34–1237. In: *Die deutschen Dominikaner und Dominikanerinnen im Mittelalter*. Ed. Walter SENNER OP – Thomas EGGENSPERGER OP – Kaspar ELM – Paul Dominikus HELMEIER OP – Ulrich HORST OP – Klaus-Bernward SPRINGER. Berlin – Boston. 2016. p. 53–69. (hereafter: RABIĆ 2016) p. 56–69. Cf. Djuro BASLER: Ungarn und das bosnische Bistum (1181/85–1247). *Ungarn – Jahrbuch* 5 (1973), p. 9–15. (hereafter: BASLER 1973) here: p. 12–13; LAMBERT 1998. p. 297, 300–313; TERNOVÁ CZ 2013b. p. 67–69.

⁸ Cf. WALTHER 1983. p. 115–116; MAJNARIĆ 2008. p. 8–9.

Dubrovnik (Raguza) or Split (Spalato) also emerged.⁹ Therefore, one has to deal with a quite complex situation in the late 12th, early 13th centuries concerning the relations of the Papacy and Hungary with the heretics, whereas later the issue of piracy came to the picture too. Those Dalmatian islanders, who robbed Christians on the sea on a regular basis, were placed on the same level with the heretics of the Balkans according to the canon law, and Pope Honorius III (1216–1227) even entrusted a legate to engage actions against them.

1. Schismatics and heretics

The first papal envoy of the chosen period, who got in touch with the issue of the Bosnian heresy was John, papal chaplain and Cistercian monk of Casamari.¹⁰ The sources do not reveal many details concerning his first journey to Dalmatia in 1197, it is only certain that he travelled to Dubrovnik, where he handled an affair of the convent of Lokrum, but it is impossible to decide whether he received a general authorization, or he was just sent there because of the case of convent.¹¹ John¹² made another trip to the region, to Dalmatia and Dioclea (Duklja)¹³ in 1199, this time alongside with Simon,

⁹ Cf. RUNCIMAN 1947. p. 102–103; John V. A. FINE: *The Late Medieval Balkans. A Critical Survey from the Late Twelfth Century to the Ottoman Conquest*. Ann Arbor. 1987. (hereafter: FINE 1987) p. 17, 43–44; BRKOVIĆ 2005. p. 141–144, 155f; LORENZ 2011. 109–110; János B. SZABÓ: *Háborúban Bizánccal. Magyarország és a Balkán a 11–12. században* [In War with the Byzantine Empire. Hungary and the Balkans in the 11–12th Centuries]. Budapest. 2013. p. 108–109, 169–175; Bálint TERNOVÁ CZ: A boszniai latin püspökség története 1344-ig [History of the Latin Bishopric of Bosnia until 1344]. In: *Micae Mediaevales V. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról*. Ed. Laura FÁBIÁN – Judit GÁL – Péter HARASZTI SZABÓ – Dorottya UHRIN. Budapest. 2016. p. 215–228. (hereafter: TERNOVÁ CZ 2016) here: p. 218.

¹⁰ John became a member of the papal chapel under Pope Celestine III (1191–1198), while later he belonged to the *familia* of Innocent III. Werner MALECZEK: *Papst und Kardinalkolleg von 1191 bis 1216*. Wien. 1984. (hereafter: MALECZEK 1984) p. 340; *Die Register Innocenz' III.* I–XI. Ed. Othmar HAGENEDER et al. Graz. 1964–2010 (hereafter: RI) V. nr. 218.

¹¹ MAJNARIĆ 2008. p. 2.

¹² The lack of the denomination *Casamaris* in the sources can raise doubts, if this John is identical with the previous papal chaplain, but there is no reason to think it otherwise. See Heinrich ZIMMERMANN: *Die päpstliche Legation in der ersten Hälfte des 13. Jahrhunderts. Vom Regierungsantritt Immoenz' III. bis zum Tode Gregors IX. (1198–1241)*. Paderborn. 1913. (hereafter: ZIMMERMANN 1913) p. 56; MALECZEK 1984. p. 340; Reinhard ELZE: Die päpstliche Kapelle im 12. und 13. Jahrhundert. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonische Abteilung* 36 (1950), p. 145–204. (hereafter: ELZE 1950), here p. 182. See RI II. nr. 167 (176), 168 (177) and 169 (178); RI V. nr. 218; ZIMMERMANN 1913. p. 56–57.

¹³ Cf. RUNCIMAN 1947. p. 100; MOORE 2003. p. 74; Judit GÁL: A világi hatalomgyakorlás és az egyház az Adriai-tenger keleti partvidékén a 12–13. században. A magyar, a velencei és a szerb egyházpolitika összehasonlítása [Lay Power and the Church in the Eastern Adriatic in the 12th–13th Centuries]. In: *Micae Mediaevales V. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról*. Ed. Laura FÁBIÁN – Judit GÁL – Péter HARASZTI SZABÓ – Dorottya UHRIN. Budapest. 2016. p. 47–67. (hereafter: GÁL 2016) here: p. 50–51.

another papal cleric. Their task was to deliver the pallium to the archbishop of Antivari,¹⁴ but they had jurisdiction over Serbian territories as well.¹⁵ The papal delegates managed to fulfil their mandate¹⁶ and they took part – probably as leaders – in a council as well, which was meant to reform the churches of Serbia and Dioclea.¹⁷ The constitutions of the synod concerned, among others, the prohibition of simony and marriage of clergymen,¹⁸ yet, the problem of heresy¹⁹ did not appear this time.²⁰

The papal subdeacons²¹ were entrusted primarily with the subjection of an orthodox church under the Papacy's jurisdiction, but the request of the Serbian ruler of Dioclea, Vukan, bounds this mission to the question of the Bosnian Church too, as he accused Ban Kulin of Bosnia (1180–1204) with heresy²² and requested a campaign against him from the pope.²³ This

¹⁴ See Jürgen SCHMITT: *Balkanpolitik der Arpaden in den Jahren 1180–1241. Ungarn-Jahrbuch* 17 (1989), p. 25–52. (hereafter: SCHMITT 1989) here: p. 29–30; Judit GÁL: *A dalmáciai egyházszervezet jellemzői és 11–13. századi átalakulása* [The Formation of the Dalmatian Ecclesiastical System in the 11th–13th Centuries]. In: *Micae Mediaevales III. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról*. Ed. GÁL Judit – PÉTERFI Bence – VADAS András – KRANZIERITZ Károly. Budapest. 2013. p. 99–116. (hereafter: Gál 2013a) here: p. 106; GÁL 2016. p. 54–55, 63.

¹⁵ FINE 1987. p. 41–42; MOORE 2003. p. 74; BRKOVIĆ 2005. p. 157. The papal mandate followed the petition of Vukan, the ruler of Dioclea, who probably wanted to improve his position with the support of the papacy against his brother, Grand Zupan Stephen. See RI I. nr. 525. (527, 528) Cf. RUNCIMAN 1947. p. 102; SCHMITT 1989. p. 30; MOORE 2003. p. 74; GÁL 2016. p. 51, 54–55.

¹⁶ *Vetera monumenta historica Hungarum sacram illustrantia*. I–II. Ed. Augustinus THEINER. Romae. 1859–1860. (hereafter: THEINER) I. nr. 16. Cf. ZIMMERMANN 1913. p. 52; ELZE 1950. p. 181; MALECZEK 1984. p. 340; MAJNARIĆ 2008. p. 2.

¹⁷ See RI II. nr. 167. (176), 168. (177) and 169. (178) Cf. MOORE 2003. p. 74–75.

¹⁸ RI II. nr. 169. (175).

¹⁹ Cf. RUNCIMAN 1947. p. 100–103.

²⁰ Simony itself was thought to be a kind of heresy too. WALTHER 1983. p. 119–121; HAGENEDER 1983. p. 45–47, 55–58; Peter CLASSEN: *Die Häresie-Begriff bei Gerhoch von Reichersberg und in seinem Umkreis*. In: *LOURDAUX – VERHELST 1983*. p. 27–41, here: p. 29ff.

²¹ John was sent to Constantinople after that to hand over Emperor Alexios III (1195–1203) and the patriarch the invitations for the universal council. Despite the emperor's former promise, the legation was unsuccessful. ZIMMERMANN 1913. p. 52; ELZE 1950. p. 181–182; MAJNARIĆ 2008. p. 3.

²² RUNCIMAN 1947. p. 101. Cf. SCHMITT 1989. p. 30; BRKOVIĆ 2005. p. 160; Emir O. FILIPOVIĆ: *Bosansko kraljevstvo. Historija srednjovjekovne bosanske države* [The Bosnian Kingdom. History of the Medieval Bosnian State]. Sarajevo. 2016. (hereafter: FILIPOVIĆ 2016) p. 49–65. The Bosnian heresy – as mentioned above – diverged from the Bogomil doctrines in many ways. First of all the influence of the dualistic teachings remained limited, whereas the so-called Bosnian Christians did not disapprove completely the lay hierarchy as the work of Satan, therefore in Bosnia the rulers could cooperate with the local church. See RUNCIMAN 1947. p. 107; SWEENEY 1971. p. 110f; MARGETIĆ 2005. p. 85–90; BRKOVIĆ 2005. p. 131ff; ŠANJEK 2005b. p. 426–431, 438f; LORENZ 2011. p. 109–121; TERNOVÁČZ 2013a. p. 502; TERNOVÁČZ 2013b. p. 69; RABIĆ 2016. p. 56–69.

²³ *“Demum vero paternitatem vestram nolumus latere, quia heresis non modica in terra regis Vngarie videlicet Besfina pullulare videtur in tantum, quod peccatis exigentibus ipse Bacilinus cum uxore sua et cum sorore sua, que fuit defuncti Miroslauimensi, et cum pluribus consanguineis suis seductus plus*

petition seems to be of political nature, especially because it did not specify the type of the heresy, whereas Vukan and Kulin had their personal conflict too, since the Serbian ruler expelled the sister of the ban from Dioclea after the death of her husband. Furthermore, the situation was connected to the Hungarian interest in the region as well.²⁴ King Emeric was the supporter of Vukan against his brother, Stephen of Serbia and his ally, Tsar Kalojan (Kaloyan) of Bulgaria.²⁵ It is also remarkable that Innocent III turned directly to the Hungarian king because of the Bosnian situation, not to Prince Andrew who had power over Croatia and part of Dalmatia by this time. The pope probably counted with the prince rather as a potential crusader, at the same time his efforts to influence the churches of Split and Zadar (Zara) were refuted from papal side.²⁶

John was found again in the Balkans in 1202, this time because of the papal negotiations with the Bulgarian ruler, who – probably hoping for political benefits – was willing to lead the church of his realm under the supremacy of Rome. He expected in return a coronation and the legitimation.²⁷ Yet, the affair of the heresy was absent in the sources

quam decem milia christianorum in eandem heresim introduxit. Unde rex Vngarie exacerbatus illos ad vestram presentiam compulit venire a vobis examinandos". RI II. nr. 167. (176). See RUNCIMAN 1947. p. 103; SWEENEY 1971. p. 95–96, 111ff; BASLER 1973. p. 12; LAMBERT 1989. p. 299; MOORE 2003. p. 75; MARGETIĆ 2005. p. 28–30, 33–34; LORENZ 2011. p. 109f; TERNOVÁČ 2013b. p. 68.

²⁴ SWEENEY 1971. p. 106; BRKOVIĆ 2005. p. 143; LORENZ 2011. p. 109–110; RABIĆ 2016. p. 58. For the previous events concerning the Hungarian expansion, see Ferenc MAKK: *Magyar külpolitika 896–1196* [Hungarian Foreign Policy 896–1196]. Szeged. 1996. p. 212–222. (Szegedi középkortörténeti könyvtár 2.).

²⁵ See FINE 1987. p. 47–49. It was also suspected that Vukan accused Kulin because King Emeric ordered him to do so. SCHMITT 1989. p. 30.

²⁶ For the relations between Andrew and Innocent III and for the brotherly conflict see György SZABADOS: Imre és András [Emeric and Andrew]. *Századok* 133 (1999), p. 85–111; Tamás KÖRMENDI: A "varasdi jelenet" kritikája. Megjegyzés Imre király és András herceg trónviszályának történetéhez [Critical notes on the so-called Scene of Varaždin. Remarks on the History of the Struggle between King Emeric and Prince Andrew]. In: *Tiszteletkőr. Történeti tanulmányok Draskóczy István egyetemi tanár 60. születésnapjára*. Ed. Gábor MIKÓ – Bence PÉTERFI – András VADAS. Budapest. 2012. p. 503–513; Gábor BARABÁS: *Das Papsttum und Ungarn in der ersten Hälfte des 13. Jahrhunderts (ca. 1198 – ca. 1241) Päpstliche Einflussnahme – Zusammenwirken – Interessengegensätze*. Wien. 2014. (hereafter: BARABÁS 2014) p. 175–182. (Publikationen der ungarischen Geschichtsforschung in Wien VI.); Judit Gál: The Roles and Loyalties of the Bishops and Archbishops of Dalmatia (1102–1301). *Hungarian Historical Review* 3 (2014), p. 471–493, here: p. 474–475.

²⁷ James Ross SWEENEY: Innocent III, Hungary and the Bulgarian Coronation: A Study in Medieval Papal Diplomacy. *Church History* 42 (1973), p. 320–334. (hereafter: SWEENEY 1973) here: p. 321–322. During the negotiations it became necessary to send a papal envoy to Bulgaria with a higher authorization that of a nuncio that is why the pope decided for John's authorization, who was already a seasoned papal diplomat by that time. See. RI V. nr. 115 (116) and 117 (118); MOORE 2003. 113; FINE 1987. 54–56; Clifford Ian KYER: *The Papal Legate and the "Solemn" Papal Nuncio 1243–1378: The Changing Pattern of Papal Representation*. Toronto. 1979

concerning this mission, although the Bogomils presented an actual problem in Bulgaria at that time, as the constitutions of the synod of Tarnovo (Trnovo) from 1211 prove it.²⁸

Innocent III did not limit the authorization of his legate to Bulgaria in 1202, as a papal mandate²⁹ given to him and to Archbishop Bernhard of Split clearly attests to it. They were entrusted to investigate with the help of King Emeric, if Ban Kulin and his family were true Christians, or, as suspected, in fact heretics.³⁰ This happened somewhat surprisingly due to the request of the Bosnia ruler himself,³¹ who even asked for a papal legate of the highest rank (*legatus a latere*) to examine the situation.³² Therefore, it can be assumed that Kulin was convinced of his innocence, whereas he probably also intended to protect himself through the papal investigation against the Hungarian and Serbian claims.³³

John of Casamari in fact travelled to Bosnia, as he informed the pope in April 1203³⁴ of an oath sworn before him at Bilino Polje (today probably Zenica) by the representatives (*priors*) of the “Christians of Bosnia” concerning their loyalty to Rome and to its liturgy and customs.³⁵ After the Bosnian, another oath was taken in Hungary, where Kulin was represented

(PhD Dissertation) (hereafter: KYER 1979) p. 84–85; Werner MALECZEK: Das Frieden stiftende Papsttum im 12. und 13. Jahrhundert. In: *Träger und Instrumentarien des Friedens im Hohen und Späten Mittelalter*. Ed. Johannes FRIED. Sigmaringen. 1996. p. 249–332, here: p. 275–278; Márta FONT: Ungarn, Bulgarien und das Papsttum um die Wende vom 12. – zum 13. Jahrhundert. In: Márta FONT: *Völker – Kultur – Beziehungen. Zur Entstehung der Regionen in der Mitte des mittelalterlichen Europa*. Hamburg. 2013. p. 303–311, here: p. 305–311. John was ordered to deliver the pallium to the archbishop of Tarnovo. RI V. nr. 118 (119). Cf. SCHMITT 1989. p. 32–35; MOORE 2003. p. 126–127; MARGETIĆ 2005. p. 54–55.

²⁸ See RUNCIMAN 1947. p. 95–96; ANGELOV 1983. p. 153.

²⁹ “*Cum igitur in terra nobilis viri Culini bani quorundam hominum multitudo moretur, qui de dampnata Catharorum heresi sunt vehementer suspecti et graviter infamati, nos carissimo in Christo filio nostro Henrico regi Ungarorum illustri apostolica scripta direximus contra illos [...]*”. *Codex diplomaticus regni Croatiae, Dalmatiae ac Slavoniae*. I–XVII. Ed. Tadija SMIČIKLAS et alii. Zagrabiae. 1904–1981. (hereafter: SMIČIKLAS III. p. 14; POTTHAST nr. 1768; RI V. nr. 109 (110).

³⁰ Cf. SWEENEY 1971. p. 119–121; FINE 1987. p. 47; SCHMITT 1989. p. 30–31; ŠANJEK 2005b. p. 433–434.

³¹ See RUNCIMAN 1947. p. 104; MAJNARIĆ 2008. p. 4. Cf. HAGENEDER 1963b. p. 143–144, 147–150; HAGENEDER 1983. p. 99–100; WALTHER 1983. p. 139ff; PENNINGTON 1978. p. 137.

³² “*ut aliquem virum idoneum de latere nostro in terram suam mittere dignarenur, qui tam ipsum quam homines suos de fide ac conversatione diligenter examinet, evellens et plantans que secundum deum evellanda cognoverit et plantanda*”. SMIČIKLAS III. p. 15; POTTHAST nr. 1768.

³³ Cf. FINE 1987. p. 47; MAJNARIĆ 2008. p. 11; LORENZ 2011. p. 110–113.

³⁴ RI VI. nr. 141. See MAJNARIĆ 2008.

³⁵ RUNCIMAN 1947. p. 104; SWEENEY 1971. p. 120–128; BASLER 1973. p. 12–13; FINE 1987. p. 47; SCHMITT 1989. p. 31; LAMBERT 1998. p. 298; MARGETIĆ 2005; ŠANJEK 2005b. p. 434–436; MAJNARIĆ 2008. p. 8ff; LORENZ 2011. p. 114–115; TERNOVÁČZ 2016. p. 219.

by his two envoys in front of King Emeric and several prelates.³⁶ Emeric mentioned this occasion in his letter sent to Innocent III in 1203 too,³⁷ whereas John informed Innocent about the death of the Bosnian bishop.³⁸ According to his letter the papal chaplain was present in Hungary by the time the envoys of Kalojan arrived there, he travelled in their company to the court of the tsar, after they had sworn the Hungarian king to secure John's journey.³⁹

According to the Croatian historian, Ivan Majnarić, the key to the presented events can be found in the intention of Kulin, who wanted to protect himself against the external threats, mostly from King Emeric and Vukan of Dioclea. The decretal *Ad abolendam* of Pope Lucius III (1181–1185), the constitutions of the Third Lateran Council, the decretal *Vergentis* of Innocent III, and several later papal decisions clearly ordered that the rulers accused of being heretics, supporting them or even tolerating them, should have been punished beside ecclesiastical censures (*excommunicatio*) with the loss of their properties, even their realms.⁴⁰ The neighbouring Christian rulers were further obliged to engage in military actions against the heretics: these actions happened many times throughout the history without hesitation, although not always motivated by the pietism of the sovereigns.⁴¹ Innocent III called Emeric's attention to the danger presented by Kulin already in October 1200, since the heretics expelled from Split and

³⁶ SMIČIKLAS III. p. 24. For the interpretation of the oaths see SWEENEY 1971. p. 126–132; MARGETIĆ 2005. p. 37–51; BRKOVIĆ 2005. p. 160; LORENZ 2011. p. 107–121.

³⁷ "*sanctitatis vestre capellanus, Ioannes, ad presentiam nostram accedens, duos principales ex his, qui in terra Culinii Bani, prout ferebatur, damnatam hereticorum sectam fouebant, secum duxisset; nos inspectis orthodoxe fidei articulis, quos ad ipsius Ioannis exhortationem illi, ad quos missus fuerat, iam susceperant, eadem capitula, sub sigillo nostro contenta, domino illius terre, filio scilicet memorati Culin, qui tunc apud nos erat, dedimus, districte precipientes, vt et alia, si qua Romana sedes eis de cetero secundum Deum transmittere decreuerit, ab omnibus in terra sua faciāt inuiolabiliter obseruari*". SMIČIKLAS III. p. 37, RA nr. 208, RI VI. nr. 211 (212). Cf. SWEENEY 1973. p. 321–322; MOORE 2003. p. 112–113; LORENZ 2011. p. 114–115.

³⁸ RI VI. nr. 140. See MAJNARIĆ 2008. p. 12.

³⁹ *Codex diplomaticus Hungariae ecclesiasticus ac civilis*. I–XI. Ed. Georgius FEJÉR. Buda. 1829–1844. (hereafter: FEJÉR) II. p. 409. Cf. SWEENEY 1973. p. 322.

⁴⁰ See HAGENEDER 1963a. p. 66–72; HAGENEDER 1963b. p. 152–164; HAGENEDER 1978. p. 41–42; Ivan MAJNARIĆ: Some Cases of Robbing the Papal Representatives along the Eastern Adriatic Coast in the Second Half of the Twelfth and during Thirteenth Century. *Acta Histriae* 15 (2007), p. 493–506. (hereafter: MAJNARIĆ 2007) here: p. 495–496; LORENZ 2011. p. 110. According to certain authors the popes could do it even without the suspicion of heresy since the time of Gregory VII. Cf. HAGENEDER 1963a. p. 73–84.

⁴¹ HAGENEDER 1963a. p. 67–77; HAGENEDER 1963b. p. 143–147; 155, 162–167; HAGENEDER 1978. p. 41–42; PENNINGTON 1978. p. 137–139, 145–146; WALTHER 1983. p. 115–116, 135–139; MAJNARIĆ 2007. 495; MAJNARIĆ 2008. p. 8–9.

Trogir (Trau) found shelter in Bosnia.⁴² Therefore, the pope warned the Hungarian king to act immediately in this matter,⁴³ although Emeric chose another destination to his campaign after all: Serbia where he attacked Stephen.⁴⁴ Two years later the delegation of John and Archbishop Bernhard reflected a partially changed papal attitude, for instance, Innocent III mentioned only the suspicion and not the sin of heresy.⁴⁵ The modified formulation showed probably the intention of a peaceful solution based on Kulin's request, perhaps combined with a hint of pressure. Majnarić stated that John and Bernhard were authorized as judges-delegate, and explained it as the expression of the papal agenda,⁴⁶ since the strict nature of the legations occasionally could hinder the solution of delicate matters.⁴⁷ The careful papal treatment seemed to be fruitful as oaths were sworn due to the activity of John, but Ban Kulin died in the following year, 1203, while King Emeric in 1204 and it is not known, who filled in the position in Bosnia.⁴⁸ The question of heresy vanished from the papal-Hungarian relations until the early 1220s.⁴⁹

⁴² Cf. SWEENEY 1971. p. 115–117; BRKOVIĆ 2005. p. 152, 157; ŠANJEK 2005b. p. 425, 428, 433. For the Bogomils in Dalmatia see LORENZ 2011. p. 110–112; TERNOVÁČZ 2013b. p. 69–70.

⁴³ *"Patrenos non paucos, de Spalatensi et Traguriensi civitatibus effugasset; nobilis vir Culinus, banus Bossinus iniquitati eorum non solum tutum latibulum, sed et presidium contulit manifestum, et perversitati eorumdem terram suam, et se ipsum exponens, ipsos pro catholicis, imo ultra catholicos honoravit; vocat eos anotonomastice christianos [...] serenitatem regiam rogamus, monemus et exhortamur in domino, in remissionem tibi peccaminum iniungentes, quatenus ad vindicandam tantam Christi et christianorum iniuriam, potenter et regaliter accingaris; et nisi banus predictus universos hereticos de terra sue potestati subiecta, proscripserit"*. FEJÉR II. p. 380. See RUNCIMAN 1947. p. 103; HAGENEDER 1963b. p. 152–153.

⁴⁴ See SWEENEY 1971. p. 97–102; SCHMITT 1989. p. 32; György SZABADOS: Egy elmaradt kereszties hadjáratról. Magyar-szentszéki kapcsolatok 1198–1204 között [About a Fallen Crusade. Hungarian-Papal Relations between 1196 and 1204]. In: *„Magyaroknak eleiről"*. Ünnepi tanulmányok a hatvan esztendő Makk Ferenc tiszteletére. Ed. Ferenc PITI – György SZABADOS. Szeged. 2000. p. 473–492, here: p. 482.

⁴⁵ King Emeric did not prepare himself for a campaign probably because of his conflict with Kalojan. MAJNARIĆ 2008. p. 9–11.

⁴⁶ MAJNARIĆ 2008. p. 11–13.

⁴⁷ Cf. KYER 1979. p. 137–140; Ma Tapio SALMINEN: In the Pope's Clothes: Legatine Representation and Apostolical Insignia in High Medieval Europe. In: *Roma, magistra mundi. Itineraria culturae medievalis: Mélanges offerts au Père L.E. Boyle à l'occasion de son 75^e anniversaire*. Ed. Jacqueline HAMESSE – R. James LONG – Timothy B. NOONE. Turnhout. 1998. p. 339–354, here: p. 349–354; Claudia ZEY: Stand und Perspektiven der Erforschung des päpstlichen Legatenwesens im Hochmittelalter. In: *Rom und die Regionen: Studien zur Homogenisierung der lateinischen Kirche im Hochmittelalter*. Ed. Jochen JOHRENDT – Harald MÜLLER. Berlin – Boston. 2012. p. 157–166, here: p. 163–166.

⁴⁸ RUNCIMAN 1947. p. 104–105; FINE 1987. p. 47.

⁴⁹ Cf. BASLER 1973. p. 13.

2. Pirates and heretics

Innocent III's successor, Honorius III revived the matter of the heresy in 1221, when he sent his chaplain, Acontius of Viterbo to Dalmatia and Hungary.⁵⁰ On one hand he had to deal with the Bosnian situation,⁵¹ on the other hand he had to engage in actions against the pirates of the Dalmatian islands,⁵² underlined the city of Omiš (Almissa).⁵³ One of the most important questions concerning the mission of Acontius is the relation between heresy and piracy. The formulation of the papal charters (*hereticus*) does not refer to confessional aberrations in every occasion, its wording could have been used also in cases, when excommunication was neglected, or the Christian community was injured.⁵⁴ The conflict between Emperor Frederic II (1220–1250) and Pope Gregory IX (1227–1241) is one of the best examples to confirm this statement, since the emperor was accused of heresy many times from papal side.⁵⁵

Recently Ivan Majnarić made it clear that one should not always think of the Bogomils or the Bosnian Church, if the term *hereticus* appears in the sources concerning Dalmatia.⁵⁶ The papacy's attitude towards the piracy at the turn of the 12th and 13th centuries was affected by the discourse about the

⁵⁰ Acontius was entrusted with a task related to Hungary not for the first time, he had to collect the twentieth of the ecclesiastical incomes for the sake of the crusade in 1219. "*quem pro vicesima et aliis ad predictae terre subsidium deputatis transmittimus colligendis*". THEINER I. 28, *Regesti del Pontefice Onorii papae III. Dall' anno 1216 all' anno 1227*. t. I–II. Ed. Petrus PRESSUTTI. Romae. 1888. (hereafter: PRESSUTTI) nr. 3242, 3243, 3252, 3594, 3601, 3846; POTTHAST nr. 6611, 6612, 6618, 6725, 6729, 6802. See. Ivan Majnarić: Papinski poslanik Akoncije u Dalmaciji i Hrvatskoj 1219–1223. godine [Papal Envoy Acontius in Dalmatia and Croatia in 1219–1223]. In: *Humanitas et litterae. Zbornik u cast Franje Šanjeka*. Ed. Lovorka ČORALIĆ – Slavko SLIŠKOVIĆ. Zagreb. 2009. (Analecta Croatica Christiana 40) p. 79–98. (hereafter: Majnarić 2009) here: p. 79–80; ZIMMERMANN 1913. p. 280. See *Thomae archidiaconi Spalatensis Historia Salonitanorum atque Spalatinorum pontificum. Archdeacon Thomas of Split History of the Bishops of Salona and Split*. Ed. Olga PERIĆ – Damir KARBIĆ – Mirjana MATIJEVIĆ SOKOL – James Ross SWEENEY. Budapest – New York. 2006. (Central European Medieval Texts 4.) (hereafter: Thomae Spalatensis) p. 172–173.

⁵¹ POTTHAST nr. 6612, 6725. Cf. Karl RUES: *Die rechtliche Stellung der päpstlichen Legaten bis Bonifaz VIII*. Paderborn. 1912. (Görres-Gesellschaft zur Pflege der Wissenschaft im katholischen Deutschland. Sektion für Rechts- und Sozialwissenschaft 13. Heft) p. 71; BRKOVIĆ 2005. p. 153. "*misit, inquam, eum pro quibusdam arduis negotiis ad totum Hungarie regnum, dans sibi mandatum, ut ad Dalmatie partes descenderet piratasque Almissanos a latrociniis cohiberet*". Thomae Spalatensis p. 172.

⁵² Cf. MAJNARIĆ 2007. p. 499–500.

⁵³ Cf. ZIMMERMANN 1913. p. 94; MAJNARIĆ 2009. p. 80.

⁵⁴ See HAGENEDER 1963a. p. 55–65; HAGENEDER 1978. p. 33–38, 43–45; HAGENEDER 1983. p. 45–51, 70, 72–82, 100; WALTHER 1983. p. 127.

⁵⁵ HAGENEDER 1963a. p. 71, 84–95; HAGENEDER 1978. p. 29–32; HAGENEDER 1983. p. 72–73, 75–78, 98; HERBERS 2012. p. 180–186; Matthias THUMSER: Kardinal Rainer von Viterbo (†1250) und seine Propaganda gegen Friedrich II. In: *Die Kardinäle des Mittelalters und der frühen Renaissance*. Ed. Jürgen DENDORFER – Ralf LÜTZELSCHWAB. Firenze. 2013. p. 187–199, here: p. 187–192.

⁵⁶ MAJNARIĆ 2007. p. 499–502; MAJNARIĆ 2009. p. 82.

relation between ecclesiastical and lay power, by synodic canons and former papal decisions too.⁵⁷ Robbery, physical violence against Christians and the ignorance of papal admonitions and ecclesiastical censures were connected to the heresy due to the constitutions of the Third and Fourth Lateran councils.⁵⁸ Therefore, it has to be emphasized that Honorius III specified the violence against the crusaders as the gravest crime of the pirates.⁵⁹

Piracy appears in several related papal charters as a sin⁶⁰ against the crusaders and all Christians,⁶¹ among others Honorius III wrote about the unchristian customs of the people of Omiš in 1222.⁶² The linking of piracy and heresy appears in another contemporary source, in the work of Thomas of Split, although the archdeacon did not refer to the Bosnian heretics, or wrote about dogmatic difference: in his view it was a matter of violence.⁶³ Concerning the information of Thomas it has to be emphasized that according to him Acontius placed the whole town of Split under interdict, because the inhabitants elected a certain Peter of Hulm⁶⁴ their new *comes*, who, so Thomas of Split, was not free from the macula of heresy.⁶⁵ Yet, it can be assumed that the conflict between Peter and the local clergy was caused by the orthodoxy of the new count,⁶⁶ although the role of the Bosnian heresy cannot be excluded completely, e.g. because of the interference of Acontius.

The problem of piracy did not get the attention of the popes only, as the Hungarian rulers, in their capacity as the overlords of a part of Dalmatia,

⁵⁷ Cf. MOORE 2003. p. 146–168; WALTHER 1983. p. 104–105, 139–140.

⁵⁸ HAGENEDER 1963b. p. 146; HAGENEDER 1978. p. 43–45; HAGENEDER 1983. p. 72–82; MAJNARIĆ 2007. p. 496–497; MAJNARIĆ 2009. p. 84–85.

⁵⁹ “ [...] *cruce signatos, transfretantes in terre sancte subsidium, ad obsequium Iesu Christi, et alios Christianos piratica rabie spoliand, capiunt et occidunt*”. FEJÉR III/1. p. 307; POTTHAST nr. 6611.

⁶⁰ “*qui piraticam exercentes tam cruce signatos, quam Christianos alios sine delectu spoliand et occidunt*”. FEJÉR III/1. p. 310; POTTHAST nr. 6618.

⁶¹ POTTHAST nr. 6612. See MAJNARIĆ 2007. p. 499; MAJNARIĆ 2009. p. 85–86.

⁶² “*sed paganorum more uniuersa vastantes, tanquam eorum sint delicie operari peruersa [...] contra hereticos et Almisienses eosdem dilecto filio Magistro A. subdiacono et capellano nostro, Apostolice Sedis legato, pro uestris libenter uiribus assitentes*”. *Codex diplomaticus Arpadianus continuatus – Árpád-kori új okmánytár*. I–XII. Ed. Gusztáv WENZEL. Budapest. 1860–1873. (hereafter: ÁÚO) XI. p. 167; POTTHAST nr. 6802; PRESSUTTI nr. 3846. Cf. MAJNARIĆ 2009. p. 86.

⁶³ MAJNARIĆ 2007. p. 500–501; MAJNARIĆ 2009. p. 86–87.

⁶⁴ See Thomae Spalatensis p. 188; FINE 1987. p. 142–143.

⁶⁵ “*Tunc Spalatenses prefeceerunt sibi comitem Petrum quendam, qui erat dominus Chulmie. Erat autem idem Petrus uir potens et bellicosus, sed non sine infamia heretice feditatis. [...] Guncellus autem archiepiscopus erat eo tempore in Hungariam profectus. Sed ad ecclesiam suam rediens, non satis discrete absoluit interdictum legati*”. Thomae Spalatensis p. 188. Cf. RUNCIMAN 1947. p. 106–107; FINE 1987. p. 142–143.

⁶⁶ FINE 1987. p. 142–143.

were also involved. Andrew II (1205–1235) ordered the Omišian Malducus, the leader of the Kačići kindred in 1221 (or already in 1222)⁶⁷, to beware of piracy and take actions⁶⁸ against those, who act as pirates⁶⁹ with the help of the Hungarian royal princes, Béla and Coloman.⁷⁰ It can be assumed that this royal measure was connected to Acontius's legation, even if his name was not mentioned in the royal charter.⁷¹ Nevertheless, Honorius III ordered his chaplain to convince the Hungarian king to act against the pirates in 1221, so it is imaginable that the royal order was influenced by the legate's agenda.⁷²

The papal representative himself seems to be triumphant in his fight against the pirates,⁷³ at least Thomas of Split put it this way. According to him, Acontius managed to organize an attack against Omiš, defeated the pirate there, who were even forced to burn their ships and swore an oath to give up their previous way of life.⁷⁴ The validity of the information was not questioned for a long time,⁷⁵ yet, it is obscure, if there was at all a suitable force in the region at that time, which could have been interested in an attack and even could manage it.⁷⁶ From the Hungarian side the conflicts of King Andrew II around 1222 were, for sure, not favourable in this situation.⁷⁷

The parallel papal and royal actions deserve our attention, as they show that the Hungarian king in fact tried to follow the pope's warnings through his order, but there is still no proof of any military actions. A papal letter of March 1222 sent to the clergy of Dubrovnik gives the additional information

⁶⁷ *Regesta regum stirpis Arpadianae critico-diplomatica. – Az árpád-házi királyok okleveleinek kritikai jegyzéke.* Ed. Imre SZENTPÉTERY – Iván BORSA. Budapest. 1923–1987. (hereafter: RA) nr. 376.

⁶⁸ "[...] iubet, quod a latrocinii in insulis duabus maritimis et Zernouzina se absteineat, piratas et patarinos eiciant". SMIČIKLAS III. p. 187–188. Cf. MAJNARIĆ 2007. p. 500–501.

⁶⁹ Cf. MAJNARIĆ 2007. p. 499–502; MAJNARIĆ 2009. p. 86.

⁷⁰ "[...] aliter (eos) cum robore Regni, et filiis duobus B(ela) et C(olomano) in persona castigabit". SMIČIKLAS III. p. 188.

⁷¹ Cf. SMIČIKLAS III. p. 187. See MAJNARIĆ 2007. p. 499–501.

⁷² POTTHAST nr. 6618; BARABÁS 2014. p. 243–246.

⁷³ MAJNARIĆ 2009. p. 80.

⁷⁴ "*Convocavit autem totam Dalmatiam et Chroatiam in adiutorium suum contra hereticos et piratas, faciens indulgentias omnibus, quicumque zelo divino succensi in personis vel expensis ad eorum interitum laborarent. Tunc congregato multo navali exercitu et equestri, cepit eos undique impugnare. In tantum enim Almisanos in mari et terra insequendo contrivit, ut defectis viribus desperarent ulterius se posse resistere. Venerunt ergo et corruentes ad pedes legati pacem et misericordiam humiliter implorabant, promittentes omnem emendationem et obedientiam ad eius beneplacita et mandata. Quos legatus suscipiens, fecit eos omnes piraticas naves exurere, promittentes interposito iuramento, ut a christiana iam infestatione cessarent*". Thomae Spalatensis p. 174–175.

⁷⁵ MAJNARIĆ 2007. p. 500–501; MAJNARIĆ 2009. p. 80–82.

⁷⁶ MAJNARIĆ 2009. p. 88.

⁷⁷ For the conflict of Andrew II and his first-born son, Béla see BARABÁS 2014. p. 183–187.

that Acontius did not take actions against the pirates or the Bosnian heretics by that time.⁷⁸

Despite the obscurity of the relevant sources, one can be quite sure that the power of the Kačići family in Omiš survived Acontius's mission, as a papal charter of 1226 shows it among others.⁷⁹ The record concerning the oath by Thomas of Split is not necessary false; it is assumable that the Kačići were indeed pressured by an excommunication and the threat of Andrew II. Their oath must have been formal, however, as later events show it: the efforts of the papal chaplain did not bear fruit,⁸⁰ perhaps because of the lack of effective lay support.⁸¹

Beside the problem of the piracy, Acontius's mission concerned the Bosnian situation as Honorius III's letter of 1221 indicates it.⁸² The pope informed the archbishop of Esztergom and his suffragan-bishops about his intentions⁸³ and the work of Thomas of Split also offers information about this affair. According to him, the legate travelled to the territory of the heretics in 1222, where he departed,⁸⁴ although the last statement is to be doubted for sure, a doubt confirmed by later sources. The papal efforts to secure the Hungarian king's support are present concerning this question too,⁸⁵ but the involvement of Archbishop Ugrin of Kalocsa (1219–1241) is of greater importance, since it can be assumed that Acontius took part in a campaign led by the Hungarian prelate, who was especially active in Bosnian affairs.⁸⁶ It has to be noted though that the campaign itself is doubtful because of the lack of solid evidence.⁸⁷

The lack of sources makes it very difficult to give valid statements concerning the papal chaplain's concrete actions, it only seems sure that in

⁷⁸ POTTHAST nr. 6802.

⁷⁹ POTTHAST nr. 7587; PRESSUTTI nr. 5988. See MAJNARIĆ 2007. p. 501–502; MAJNARIĆ 2009. p. 89.

⁸⁰ MAJNARIĆ 2009. p. 90.

⁸¹ MAJNARIĆ 2009. p. 89–90.

⁸² *“Cum itaque, sicut audiimus, in partibus Bosnie, tanquam in cubilibus struthionum heretici receptati, velut lamie nudatis mammis catulos suos lactent, dogmatizando palam sue prauitatis errores, in enorme gregis dominici detrimentam; nos volentes pestilentes huiusmodi, si datum fuerit desuper, effugare: Charissimo in Christo filio nostro, illustri regi Hungarie, nec non universis archiepiscopis et episcopis illius regni, direximus scripta nostra, ut cum a te fuerint requisiti, ad profligandos illos procedant viriliter et potenter”*. FEJÉR III/1. p. 350; POTTHAST nr. 6725; PRESSUTTI nr. 3594.

⁸³ POTTHAST nr. 6729; PRESSUTTI nr. 3601.

⁸⁴ *“Interea legatus Acontius in Bosnam profectus pro exterminandis hereticis multo ibi tempore laboravit. Erat autem corpore imbecilus, sed zelo catholice fidei validus propugnator. Cum ergo forti fuisset languore correptus, ad extrema perveniens totum se domino commendavit. Ibique sue vite cursum feliciter peregit anno millesimo CCXXII”*. Thomae Spalatensis p. 190. Cf. MAJNARIĆ 2009. p. 91.

⁸⁵ MAJNARIĆ 2009. p. 91–92.

⁸⁶ POTTHAST nr. 7406; PRESSUTTI nr. 5490; RA nr. 421. Cf. MAJNARIĆ 2009. p. 92.

⁸⁷ MAJNARIĆ 2009. p. 91.

the first months of 1222 he was still in Dalmatia (Split, Zadar, Dubrovnik).⁸⁸ It can be assumed that he travelled after the settlement of the archbishop-election in Split in 1223⁸⁹ to Hungary, where he took part in the convocation of the local prelates in 1224, which tried to find a solution in the conflict of King Andrew II and his son, Béla.⁹⁰ According to a royal charter, Acontius visited the abbey of Pannonhalma on the king's side.⁹¹ Therefore, there is no proof that the papal chaplain engaged in any actions in Bosnia against the heretics. It is even questionable, if he visited the area at all, although Honorius III pointed out in his letter to Archbishop Ugrin in July 1225 Acontius's role in the prelate's efforts concerning the heresy. The charter gives the *terminus ante quem* of the papal chaplain's death,⁹² which might have happened in Hungary.⁹³ Consequently, it can be assumed that the legate spent quite a lengthy time in Hungary where he contacted the local bishops and maintained a close relationship with the archbishop of Kalocsa, whom he must have thought to be the right person to act in favour of the struggle against the Bosnian heresy. As it turned out, Acontius was right.

3. The Archbishop and the Duke

The main figure of the struggle with the heresy was not a legate or a member of the royal family in the late 1220s, but Archbishop Ugrin of Kalocsa.⁹⁴ His contribution to the cause is reflected among other things in

⁸⁸ See i. e. ÁÚO VI. p. 417, 562, XI. p. 169.

⁸⁹ POTTHAST nr. 7064; PRESSUTTI nr. 4455; Thomae Spalatensis p. 168–179. Cf. MAJNARIĆ 2009. p. 92–94; Judit Gál: „Qui erat gratus apud eum” A spliti érsek szerepe az Árpádok királyságában [„Qui erat gratus apud eum” The Role of the Archbishops of Split in the Kingdom of the Árpáds]. In: *Magister historiae. Válogatott tanulmányok a 2012-ben és 2013-ban megrendezett középkorral foglalkozó, mesterszakos hallgatói konferenciák előadásából*. Ed. MÓNKA BELUCZ – JUDIT GÁL – ISTVÁN KÁDAS – ESZTER TARIJÁN. Budapest. 2014. p. 52–71, here: p. 65–66.

⁹⁰ “*et licet una cum magistro Acontio subdiacono, et capellano sanctitatis vestre legato, qui super hoc negotio, sicut vir honestus et prudens, omnem diligentiam, quam potuit, adhibuit [...]*”. FEJÉR III/1. p. 413–415 Cf. Lothar WALDMÜLLER: *Die Synoden in Dalmatien, Kroatien und Ungarn: Von der Völkerwanderung bis zum Ende der Arpaden (1311)*. Paderborn – München – Wien – Zürich. 1987. (hereafter: WALDMÜLLER 1987) p. 173–174; Attila BÁRÁNY: II. András balkáni külpolitikája [The Foreign Policy of Andrew II in the Balkans]. In: *II. András és Székesfehérvár: King Andrew II and Székesfehérvár*. Ed. Terézia KERNY – András SMOHAY. Székesfehérvár. 2012. p. 129–173. (hereafter: BÁRÁNY 2012) here p. 160.

⁹¹ RA nr. 425, FEJÉR III/1. p. 440. See MAJNARIĆ 2009. p. 9.

⁹² “*ad exhortationem bone memorie magistri Aconci, subdiaconi et capellani nostri, apostolice sedis legati, et aliorum bonorum virorum*”. FEJÉR III/2. p. 33. See MAJNARIĆ 2009. p. 94–96. Cf. Thomae Spalatensis p. 190.

⁹³ SMIČIKLAS III. p. 229, PRESSUTTI nr. 4455; POTTHAST nr. 7064; THEINER I. nr. 55, Albin F. GOMBOS: *Catalogus fontium historiae Hungaricae*. I–III. Budapestini. 1937–1938. I. nr. 160. Cf. ZIMMERMANN 1913. p. 94–95; WALDMÜLLER 1987. p. 175–176; MAJNARIĆ 2009. p. 93, 96,

⁹⁴ Attila ZSOLDOS: *Magyarország világi archontológiája. 1000–1301* [Lay Archontology of Hungary. 1000–1301]. Budapest. 2011. (hereafter: ZSOLDOS 2011) p. 84.

two papal charters of 1225. One can learn from the texts on one hand that Honorius III praised the archbishop because of his deeds in Bosnia, perhaps military actions meant by that.⁹⁵ On the other hand, the pope confirmed the previous royal donations given to Ugrin in Bosnia (near the rivers of Bosna and Usora).⁹⁶ The prelate was authorized by Honorius III to engage in further actions too, he could even announce a crusade for the sake of his fight.⁹⁷ The aspirations of Ugrin are reflected in the fact too that he got in possession of the castle of Požega.⁹⁸ Furthermore, the archbishop tried to hire a member of the royal family, the nephew of Andrew II, John (Kalojan/Kaloyan) for the sake of the fight, yet he, despite the received payment, did not engage in any actions. That is why Pope Gregory IX had to empower delegates to force John, yet, the outcome of this affair is – unfortunately – not known.⁹⁹ Ugrin's plans concerning Bosnia were embodied in the establishment of the new bishopric of Syrmia (Srem) in the vicinity of Bosnia in 1229, which happened thanks to the archbishop's request.¹⁰⁰ The pope made use of his chaplain, Egidius, who was at that time

⁹⁵ POTTHAST nr. 7407; PRESSUTTI nr. 5489. The encouragement of Acontius was mentioned too.

⁹⁶ "*terras quasdam, videlicet Bosnam, Soy et Wosora, infectas heretica pravitate, tibi purgandas comittens, eas ecclesie tue in perpetuum pia liberalitate donavit*". FEJÉR III/2. p. 32; POTTHAST nr. 7406; PRESSUTTI nr. 5490. Cf. RA nr. 421; MARGETIĆ 2005. p. 95; BÁRÁNY 2012. p. 159.

⁹⁷ "[...] *ac per apostolica scripta mandamus, quatenus de gratia nostra confisus et auctoritate suffultus prosequaris ex animo causam Christi, catholice puritatis potenter persequens subuersores, ita quod Deo ad gloriam, nobis ad gaudium, et tibi ad profectum proveniat salutarem. Ut autem iniunctum tibi negotium perfectius exequi valeas in partibus illis; predices verbum crucis, fideles contra infideles efficaciter exhortando*". FEJÉR III/2. p. 33; POTTHAST nr. 7407; PRESSUTTI nr. 5489.

⁹⁸ RA nr. 434. "*Quanto propensius ecclesiarum desideramus augmentum, et hereticorum exterminium studiosius procuramus*". FEJÉR III/2. p. 100. Cf. László KOSZTA: *A kalocsai érseki tartomány kialakulása* [The Formation of the Archdiocese of Kalocsa]. Pécs. 2013. (Thesaurus Historiae Ecclesiasticae in Universitate Quinqueecclesiensi 2) p. 19; POTTHAST nr. 7645; PRESSUTTI nr. 6158.

⁹⁹ POTTHAST nr. 7650; Mór WERTNER: *Margit császárné fiai* [The Sons of Empress Margaret]. *Századok* 37 (1903), p. 593–611, here: p. 596–597; RUNCIMAN 1947. p. 106. For John (Kalojan) see ZSOLDOS 2011. p. 50, 127, 161, 181, 207; Gordon L. MCDANIEL: *On Hungarian-Serbian Relations in the Thirteenth Century: John Angelos and Queen Jelena. Ungarn-Jahrbuch* 12 (1982–1983), p. 43–50, here: p. 44–45; BRKOVIĆ 2005. p. 130; Dániel BÁCSATYAI: *A 13. századi francia–magyar kapcsolatok néhány kérdése* [Some Questions of the Relations of France and Hungary in the 13th Century]. *Századok* 151 (2017), p. 237–278. (hereafter: BÁCSATYAI 2017) here: p. 243f, 246–264; Đura HARDI: *Cumans and Mongols in the Region of Srem in 1241–1242: A Discussion on the Extent of Devastation. Istraživanja. Journal of Historical Researches* 27 (2016), p. 84–105, here: p. 94–95.

¹⁰⁰ "*Quocirca discretioni tue per apostolica scripta mandamus, quatenus, si in ecclesia illa sit episcopus, et sub ecclesie Romane obedientia esse voluerit eum sine preiudicio iuris alieni recipere non postponas quod si non sit episcopus in eadem, vel si existat ibidem et noluerit Sedi Apostolice obedire predicto novo episcopatu, auctoritate nostra suffultus, adiicias ecclesiam memoratam*". THEINER I. nr. 159; POTTHAST nr. 8318. *Les registres de Grégoire IX. Recueil des bulles de ce pape publiées et analysées d'après les manuscrits originaux du Vatican par Lucien AUVRAY. I–IV. Paris. 1890–1955.* (hereafter: RGIX) nr. 260. Cf. Vilmos FRAKNÓI: *Magyarország egyházi és politikai összeköttetései a római szentszékekkel*

present in Hungary as a judge-delegate and whose task was to examine the possibilities concerning the planned new diocese. The important role Margaret, Andrew II's sister, John's mother in Syrmia is also mentioned in the charter.¹⁰¹

Beside Archbishop Ugrin there was another important actor concerning the Bosnian situation in the 1220s and 1230s, Andrew II's son, Coloman, the duke of Slavonia.¹⁰² His name already showed up in the mentioned charter of his father in 1221,¹⁰³ before he was placed on the top of the Southern territories (Dalmatia and Croatia). There is no record of any concrete activity of his in the early 1220s, it seems rather unrealistic to think of Coloman's contribution to the fight against the pirates at the age of 13. Nevertheless, as duke he could not avoid the task, he had to handle the situation caused by the pirates and the heresy of Bosnia. His charter issued in 1229 is the first sign of his activity: he ordered the count and the people of Split to come to his aid with their ships in the fight against Domald, former count (*comes*) of Split, Zadar and Šibenik,¹⁰⁴ who – according to the text of the ducal order –

[Ecclesiastical and Political Relations between Hungary and the Roman Holy See]. I. Budapest. 1901. (hereafter: FRANKÓI 1901) p. 51–52; Gergey Kiss: A püspökség határai [Borders of the Diocese]. In: *A pécsi egyházmegye története I. A középkor évszázadai (1009–1543)*. Ed. Tamás FEDELES – Gábor SARBÁK – József SÜMEGI. Pécs. 2009. p. 43–56. (hereafter: KISS 2009) here: p. 49–51; Bálint TERNOVÁ CZ: A szerémi latin püspökség alapításának és korai történetének vitás kérdései [Disputed Questions of the Foundation and Early History of the Latin Bishopric of Syrmia]. *Századok* 147 (2013), p. 457–470. (hereafter: TERNOVÁ CZ 2013c) here: p. 460–461; Bálint TERNOVÁ CZ: A szerémi püspökök életrajza, valamint a kő i, illetve a szenternyei székeskáptalan archontológiája a 14. század közepéig [Biographies of the Bishops of Syrmia and the Archontology of the Chapters of Kő i and Szenternye until the Mid-14th Century]. *Magyar Egyháztörténeti Vázlatok* 23 (2011), p. 33–47, here: p. 34.

¹⁰¹ “[...] *quod dilecta in Christo filia, nobilis mulier soror illustris regis Ungarie, aquisiuit quamdam terram, que appellatur ulterior Sirmia, ratione cuiusdam partis Hungarie, que citerior Sirmia nuncupatur, ac ad nutum et dispositionem prefate sororis regitur terra predicta, adeo quod quidam de clericis, archiepiscopo ipsi subiectis, per eam in maiori ecclesia, quam terre illius homines episcopalem appellant, provisor est deputatus ad tempus, donec de ipsa, que Grecorum ritum tenet, et nondum sedi apostolice obedivit, prout disponendum fuerit, disponamus. [...] Quocirca discretioni tue per apostolica scripta mandamus, quatenus, si in ecclesia illa sit episcopus, et sub ecclesie Romane obedientia esse voluerit eum sine preiudicio iuris alieni recipere non postponas quod si non sit episcopus in eadem, vel si existat ibidem et noluerit sedi apostolice obedire predicto novo episcopatu i, auctoritate nostra suffultus, adiicias ecclesiam memoratam”*. THEINER I. nr. 159. Cf. FRANKÓI 1901. p. 51–52; KISS 2009. 49–51; TERNOVÁ CZ 2013c. p. 460–461; Gábor BARABÁS: Papal Chaplain and Subdeacon Egidius. Judge-delegate and Legate in Hungary at the Same Time? *Istraživanja, Journal of Historical Researches* 28 (2017) (forthcoming).

¹⁰² Márta FONT – Gábor BARABÁS: *Kálmán (1208–1241). Halics királya – Szlavónia hercege* [Coloman (1208–1241). King of Galicia – Duke of Slavonia]. Budapest – Pécs. 2017.

¹⁰³ RA nr. 376.

¹⁰⁴ See RA nr 256, 341, 402; Thomaes Spalatensis p. 169; FINE 1987. p. 149–150; Judit GÁL: The Social Context of Hungarian Royal Grants to the Church in Dalmatia (1102–1301). *Annual of Medieval Studies at CEU* 21 (2015), p. 47–63, here: p. 55.

was the enemy of the king.¹⁰⁵ The mandate did not specify the reason behind the conflict, but probably it can be found in the threat of piracy, at least the tendencies of the recent past, especially the papal and royal actions in the early 1220s, allow us to come to this conclusion.¹⁰⁶ Nevertheless, there is no sign of any military action from this period, so the impact of the ducal mandate is obscure.

Coloman got in touch with the Bosnian situation as a result of a mandate of Pope Gregory IX a few years later.¹⁰⁷ The reason of the question's revival was the endeavour of the new Bosnian ban, Matej Ninoslav,¹⁰⁸ who convinced the pope that he was willing to expel the heresy from his territory and to lead the Bosnian Church back to Rome's fidelity. Gregory IX took him under the protection of the Apostolic See¹⁰⁹ and turned to the duke of Slavonia¹¹⁰ and the Bosnian Dominicans¹¹¹ to secure the disposition.

¹⁰⁵ Az Árpád-házi hercegek, hercegnők és a királynék okleveleinek kritikai jegyzéke. – *Regesta ducum, ducissarum stirpis Arpadianae necnon reginarum Hungariae critico-diplomatica*. Ed. Attila ZSOLDOS. Budapest. 2008. nr. 6; National Archives of Hungary. Collection Antemohacsiana (before 1526). Department of Original Charters: DL 36154.

¹⁰⁶ Cf. FINE 1987. p. 143–144, 149–150; Nataša PROCHÁZKOVÁ: Postavenie haličského kráľa a slavonskeho kniežata Kolomana z rodu Arpádovcov v uhorskej vnútornej a zahraničnej politike v prvej polovici 13. storočia [The Position of the Galician King and Duke of Slavonia, Coloman of the Árpadian Dynasty in Hungarian Domestic and Foreign Affairs in the First Half of the 13th Century]. *Medea* 2 (1998), p. 64–75. (hereafter: PROCHÁZKOVÁ 1998), here: p. 72. According to other scholars, Domald was the leader of the party of Croatian noblemen, who opposed Coloman. See Ivan BASIĆ: O pokušaju ujedinjenja zagrebačke i splitske crkve u XIII. stoljeću [Attempt for Unification of the Churches of Zagreb and Split in the 13th Century]. *Pro tempore* 3 (2006), p. 5–43. (hereafter: BASIĆ 2006) here: p. 34.

¹⁰⁷ October 1233: “*Quocirca serenitatem tuam rogamus monemus, et hortamur in Domino, quatenus consuetudinem ipsam, sicut est antiquis temporibus approbata, in favorem fidei, et pravositatis heretice detrimentum, facias firmiter observari*”. THEINER I. nr. 201; POTTHAST nr. 9305; RGIX nr. 1522. Cf. BASIĆ 2006. p. 34; Karol HOLLÝ: Princess Salomea and Hungarian – Polish Relations in the Period 1214–1241. *Historický Časopis* 55, Supplement (2007), p. 5–32. (hereafter: HOLLÝ 2007) here p. 26.

¹⁰⁸ POTTHAST nr. 9304; RGIX nr. 1521. Cf. RUNCIMAN 1947. p. 106; HAGENEDER 1963b. p. 169–171; BRKOVIĆ 2005. p. 144; FILIPOVIĆ 2016. 66–82.

¹⁰⁹ “*Te igitur sincere caritatis brachiis amplexantes, personam et terram tuam de Bosna, cum omnibus bonis, que in presentiarum rationabiliter possides, sub B. Petri, et nostra protectione suscipimus, et presentis scripti patrocinio communimus, districtius inhibentes, ne quis te, in fide catholica permanentem, super eadem terra, quam, sicut asseris, progenitores tui, qui fuerunt vitio heretice pravitatis infecti, ab antiquo pacifice possederunt, presumat indebite molestare, iure carissimi in Christo filii nostri illustris regis Ungarie, semper salvo [...]*”. THEINER I. nr. 200. Cf. FINE 1987. p. 143–145.

¹¹⁰ Cf. Johannes FRIED: *Der päpstliche Schutz für Laienfürsten. Die politische Geschichte des päpstlichen Schutzprivilegs für Laien (11.–13. Jahrhundert)*. Heidelberg. 1980. (hereafter: FRIED 1980) p. 288; MARGETIĆ 2005. p. 98–99; SLIŠKOVIC 2005. p. 486f.

¹¹¹ Cf. László KOSZTA: Egy francia származású főpap Magyarországon. Bertalan pécsi püspök (1219–1251) [A French Prelate in Hungary. Bishop Bartholomew of Pécs (1219–1251)]. In: László KOSZTA: *Írásbeliség és egyházszervezet. Fejezetek a középkori magyar egyház történetéből*. Szeged. 2007. (Capitulum III.) p. 23–44. (hereafter: KOSZTA 2007) here p. 33–34; RABIĆ 2016. p.

Furthermore, it can be assumed that it was the duke of Slavonia himself who brought up the accusation of the heresy because of his plans concerning the territory and the pope only reacted later on the accusation with the crusader rhetoric.¹¹²

Gregory started to organize a campaign against the Bosnian ruler because of the change in Ninoslav's behaviour already in 1234. In Gregory IX's opinion Coloman was supposed to lead that campaign,¹¹³ the duke was even taken under papal protection for the time of the planned campaign.¹¹⁴ A legate was also authorized to help the cause,¹¹⁵ although neither his name nor his actions have been preserved.

The pope confirmed a former donation of Andrew II given to his second son in 1235, which contained several rights concerning Bosnia and probably was meant to help Coloman in his future fight.¹¹⁶ The Hungarian king supported therefore the endeavour, whereas the Dominicans of the area and the bishops of Bosnia, Pécs and Zagreb played important roles in the struggle as well.¹¹⁷ Yet, the desired campaign probably could not be

59–60; Kornél SZOVÁK: A kun misszió helye és szerepe a magyarországi domonkosok korai történeti hagyományában [The Place and Role of the Cuman Mission in the Early Historical Tradition of the Dominicans in Hungary]. In: *A Szent Domonkos rend és a kunok*. Ed. Ágnes DEME – Gábor BARNA. Szeged. 2016. p. 115–126, here: p. 118–119.

¹¹² RABIĆ 2016. p. 61–63, 68.

¹¹³ "*Sic que fiat, quod dum virtutis tue studio, favente Deo, numerus Dei filiorum augebitur, ita honor tue celsitudinis amplietur, quod et favorem Apostolice Sedis obtineas, et tandem in beatorum collegio conquiescas*". ÁÚO I. p. 319; POTTHAST nr. 9726; RGIX nr. 2128.

¹¹⁴ October 1234: "[...] *sub Beati Petri et nostra protectione suscipimus, et presentis scripti patrocinio conformamus, districtius inhibentes, ut dum pro reverentia redemptoris contra hereticos perstiteris debellandos, nullus super bonis eiusdem te presumat indebite molestare*". ÁÚO I. p. 322; POTTHAST nr. 9735; RGIX nr. 2123. The bishop of Zagreb was informed about this matter too. POTTHAST nr. 9736; RGIX nr. 2124. Cf. POTTHAST nr. 9733; RGIX nr. 2121; POTTHAST nr. 9734, RGIX nr. 2122; POTTHAST nr. 9738; RGIX nr. 2129; PROCHÁZKOVÁ 1998. p. 73. According to certain scholars Coloman led his army against Bosnia and defeated Ninoslav already in 1233. RABIĆ 2016. p. 61. For the temporal privileges of the crusaders see James L. BRUNDAGE: *Medieval Canon Law and the Crusaders*. Madison – Milwaukee – London. 1969. p. 159–190.

¹¹⁵ "*Ut autem nihil omnino desit, ad tam sanctum negocium prosequendum, universis catholicis, qui ab eodem priore commoniti crucis assumpto caractere, ad hereticorum exterminium se accinxerint, illam indulgentiam, illudque privilegium elargimur, que accedentibus in Terre Sacre subsidium conceduntur*". FEJÉR III/2. p. 381; POTTHAST nr. 9402; RGIX nr. 1782.

¹¹⁶ "[...] *concessionem de terra Bosna a prefato rege, patre tuo, liberaliter factam, sicut legitime ac provide facta esse dignoscitur, auctoritate apostolica confirmamus, et presentis scripti patrocinio communitimus*". THEINER I. nr. 229; POTTHAST nr. 9986; RGIX nr. 2726. Cf. PROCHÁZKOVÁ 1998. p. 73; SLÍŠKOVIĆ 2005. p. 489; BASIĆ 2006. p. 34.

¹¹⁷ POTTHAST nr. 9737; RGIX nr. 2127; POTTHAST nr. 9738; RGIX nr. 2129; POTTHAST nr. 9733; RGIX nr. 2121; POTTHAST nr. 9734; RGIX nr. 2122; POTTHAST nr. 10019; RGIX nr. 2769. Cf. RABIĆ 2016. p. 65.

realized before 1236, when Gregory IX proclaimed another papal protection.¹¹⁸ This time Sibislav,¹¹⁹ the son of the former ban needed the support of the Apostolic See, who was attacked in his territory by Ban Ninoslav.¹²⁰ The pope entrusted several Hungarian ecclesiastical protectors,¹²¹ while Coloman according to later papal praises finally began the campaign against Ninoslav in Bosnia and Hulm (Herzegovina).¹²² The Slavonian duke was supported by his brother, King Béla IV too, who confirmed all of Coloman's possessions.¹²³ The details of the campaign are unfortunately obscure,¹²⁴ but it is assumed that the Hungarian prince could occupy a relevant part of Bosnia.¹²⁵

The pope kept on encouraging the duke for further actions even in late 1238.¹²⁶ A new legate was also entrusted in order to support the mission

¹¹⁸ It is imaginable that Coloman led even more than one campaigns to Bosnian territory, the first as early as 1235. See SLIŠKOVIĆ 2005. p. 487–489; LORENZ 2011. p. 116; RABIĆ 2016. p. 61.

¹¹⁹ *“Te, qui, sicut letantes accepimus, inter principes Bosnensis diocesis, infectos macula heretice pravitatis, existis quasi lilium inter spinas, prosequendo sollicitè bene coepta, per quem valeat augmentum christiani nominis, auctore Domino, provenire, sincere caritatis brachiis amplectentes, personam et terras tuas cum omnibus bonis, que in presentiarum rationabiliter possides sub Beati Petri protectionem recipimus”*. THEINER I. nr. 258; POTTHAST nr. 10223; RGIX nr. 3272; POTTHAST nr. 10224; RGIX nr. 3274. Cf. FRIED 1980. p. 288.

¹²⁰ Cf. RUNCIMAN 1947. p. 106; MARGETIĆ 2005. p. 100–101; RABIĆ 2016. p. 65.

¹²¹ *“Cum dilectum filium nobilem virum Zibisclaum kenesium de Woscora, natum quondam Stephani bari de Bosna, qui sicut letantes accepimus, inter principes Bosnenses diocesis infectos macula heretice pravitatis existit quasi lilium inter spinas, prosequendo sollicitè per quod valeat augmentum christiani nominis auctore Domino provenire, sincere caritatis brachiis amplexantes, personam et terram eius cum bonis omnibus, que impresentiarum rationabiliter possidet, sub Beati Petri protectione suscepimus atque nostra, districtius inhibentes, ne quis ipsum etc, mandamus, quatenus non permittatis ipsum contra protectionis et inhibitionis nostre tenorem ab aliquibus indebite molestari”*. AŮO II. p. 50; POTTHAST nr. 10225; RGIX nr. 3273; POTTHAST nr. 10226; RGIX nr. 3275. Cf. KOŠTJA 2007. p. 34.

¹²² The fact of the campaign was called into question lately. See BRKOVIĆ 2005. p. 163–164.

¹²³ RA nr. 634. Cf. RA nr. 787. “[...] ad petitionem ipsius eo tempore cum assumpto signo crucis contra Paterinos in Boznam et in terram Rame pro nomine Christi proficisceretur, confirmassemus terras omnes specialiter et per singulas in litteris nostris secrecioris sigilli nostri munimire auree uidelicet bulle nostre exprimentes [...]”. SMIČKLAŠ IV. p. 252–253.

¹²⁴ RUNCIMAN 1947. p. 106. Cf. FINE 1987. p. 144; LAMBERT 1998. p. 299. Mladen ANČIĆ: Bosanska banovina i njezino okruženje u prvoj polovici 13. stoljeća [The Bosnian Banate and its Environment in the First Half of the 13th Century]. In: ŠANJEK 2005a. p. 11–25, here: p. 23. According to certain scholars, the Hungarian rulers and the church had political motivation behind the expansion. BRKOVIĆ 2005. p. 153.

¹²⁵ FINE 1987. p. 144–145; BRKOVIĆ 2005. p. 144–145, 163; BÁRÁNY 2012. p. 158–159; PROCHÁZKOVÁ 1998. p. 74.

¹²⁶ December 1238: “[...] te ad ipsius imaginem, ac similitudinem esse conditum, et eiusdem sanguine pretioso redemptum, sibi retribuere vigilas, ut, de Bosne partibus deletis pravitatis heretice maculis [...] ut ipsius nomen tuo ministerio reddatur in predictis partibus gloriosum, ad hoc sicut olim, sic et in posterum fervens habearis et sedulus”. THEINER I. nr. 301; POTTHAST nr. 10688; RGIX nr. 4692. Cf. PROCHÁZKOVÁ 1998. p. 73; HOLLY 2007. p. 32.

among the heretics, the newly appointed Bosnian Bishop,¹²⁷ the Dominican Ponsa, who received the full office of legation for his diocese.¹²⁸ Nevertheless, the papal influence in Bosnia did not start with this authorization, the activity of Legate Jacob of Pecorara in 1232–1234 was the first important step in this direction.¹²⁹ The cardinal-bishop was informed by Pope Gregory IX of the problems¹³⁰ in the diocese, and he intended to solve the situation through the assignment of a new bishop, the Dominican Johannes Wildeshausen (Teutonicus).¹³¹ It can be assumed that the friar did not spend much time in the bishopric,¹³² yet, it was also thought that he inherited the office of legation from Jacob of Pecorara, and after his resignation, his successor, Ponsa received it too.¹³³ There is no source, however, which could doubtless confirm this theory. Yet, the operation of the new bishop and the appointed legates can be detected in many fields: for instance he raised money with papal help¹³⁴ for a new cathedral.¹³⁵ Gregory IX even took him under the protection of the Apostolic See.¹³⁶ The duke of Slavonia was also supporting the cause: it was of great importance that he donated the settlement of Đakovo (Diakóvár). Although located in the diocese of Pécs,

¹²⁷ Klaus GANZER: *Papsttum und Bistumsbesetzungen in der Zeit von Gregor IX. bis Bonifaz VIII. Ein Beitrag zur Geschichte der päpstlichen Reservationen*. Köln – Graz. 1968. (Forschungen zur kirchlichen Rechtsgeschichte und zum Kirchenrecht 9.) p. 132–133; RABIĆ 2016. p. 65–67.

¹²⁸ Regarding Ponsa's legation see POTTHAST nr. 10689–10691, 10693; RGIX nr. 4691, 4695–4697. Cf. ZIMMERMANN 1913. p. 139; LAMBERT 1998. p. 299; BASIĆ 2006. p. 34; KISS 2009. p. 50.

¹²⁹ See Tibor ALMÁSI: Egy ciszterci bíboros a pápai világhatalom szolgálatában. Pecorari Jakab magyarországi legációja [A Cistercian Cardinal in the Service of the Papal World Power. The Hungarian Legation of Jacob of Pecorara]. *Magyar egyháztörténeti vázlatok* 5 (1993) p. 129–141, here: p. 133–139. Cf. BRKOVIĆ 2005. p. 161ff; SLIŠKOVIĆ 2005. p. 488.

¹³⁰ “[...] *episcopus tamen de Bosna, prout inquisitionis tue processu diligenter examinato, didicimus, qui dux aliorum esse debuerat, damnabiliter prevaricans legem Christi [...]*”. THEINER I. nr. 192; POTTHAST nr. 9211; RGIX nr. 1375.

¹³¹ About Johannes see LORENZ 2011. p. 115f; RABIĆ 2016. p. 53–69. The new bishop received soon afterwards a papal task concerning the heretics POTTHAST nr. 9737; RGIX nr. 2127. Cf. RUNCIMAN 1947. p. 107–108; KISS 2009. p. 49; TERNOVÁČZ 2016. p. 218–220.

¹³² Cf. BRKOVIĆ 2005. p. 133, 153, 168; RABIĆ 2016. p. 61–67; TERNOVÁČZ 2016. p. 219–220.

¹³³ “[...] *tibi super ipso illam, quam dilectus filius frater Iohannes predecessor tuus ab Apostolica Sede habuisse dignoscitur, concedimus potestatem, presentibus post triennium minime valituris*”. FEJÉR IV/1. p. 127; POTTHAST nr. 10693; RGIX nr. 4691. ZIMMERMANN 1913. p. 139. Furthermore, it is assumed that the reason of Johannes's resignation was his disapproval of Coloman's aspiration regarding Bosnia (RABIĆ 2016. p. 65–66.), while others suspect that he was motivated by the lack of any trace of real heresy in the area (BRKOVIĆ 2005. p. 133–134, 164.), or perhaps the damages caused by the Hungarian campaign for the Dominican mission also had their share in the resignation (SLIŠKOVIĆ 2005. p. 489–491.).

¹³⁴ POTTHAST nr. 10688–10693, 10832; RGIX nr. 4691–4697.

¹³⁵ POTTHAST nr. 10832. Cf. BRKOVIĆ 2005. p. 164–165; SLIŠKOVIĆ 2005. p. 491f.

¹³⁶ POTTHAST nr. 10824; RGIX nr. 4991. Cf. LAMBERT 1998. p. 299; TERNOVÁČZ 2016. p. 220.

it became the new seat of the Bosnian bishopric later on.¹³⁷ It is interesting that Ninoslav, who in the meantime changed strategy again, gave donations for Bishop Ponsa too, where (Brdo) the building of the new cathedral was planned.¹³⁸ The newly-found submission and enthusiasm for the Dominican mission¹³⁹ did not last long, however, Ninoslav made use of the new situation after the Mongol invasion of 1241–1242, which caused among others the death of Coloman, so the Bosnian ban despite the earlier campaign regained full independence.¹⁴⁰

4. After the Mongol invasion

For the first time Pope Innocent IV (1243–1254)¹⁴¹ got in touch with the issue in Bosnia concerning the local bishopric led by the Dominican mission in 1243. On one hand he regulated the way of the bishop election, on the other hand he warned the friars to preach among the heretics.¹⁴² The pope intended to support the mission in the heretic and schismatic territories, so he favoured the Dominican and Franciscan friars of those regions.¹⁴³ Yet, it was of greater importance that Innocent IV appointed a new legate in July 1243, Stephen Bánca, bishop of Vác, postulated archbishop of Esztergom, who was authorized for the territories of Dalmatia and Croatia to take actions there against the heretics, and for this purpose he could make use of lay power too according to the papal mandate. The concrete measures of the later cardinal are obscure, it is even doubtful, if he was able to do anything at all.¹⁴⁴

Ninoslav mobilized himself in 1244 and attacked Trogir alongside with his allies from Split. The Hungarian king led his army in return against the ban, so Ninoslav was forced to make peace and to recognize the rights of

¹³⁷ Cf. BASLER 1973. p. 14; FINE 1987. p. 144–145; KISS 2009. p. 50; BASIĆ 2006. p. 34; Herwig WEIGL: Ein bosnischer Bischof auf Arbeitssuche: Frater Ruger, sein Wirken als Passauer Weihbischof und sein Grab in Zwettl (1305). *Unsere Heimat. Zeitschrift für Landeskunde* 73 (2002), p. 168–194, here: p. 175–180; Andrija ŠULJAK: Bosansko-humski krstjani i prijenos rezidencije bosanskih biskupa u Đakovo [The Christians of Bosnia and Hum and the Transfer of the Bosnian Bishopric's Seat to Đakovo]. In: ŠANJEK 2005a. p. 441–454. (hereafter: ŠULJAK 2005); SLIŠKOVIĆ 2005. p. 492; GÁL 2013a. p. 108–109; TERNOVÁČZ 2016. p. 220ff. For Bishop Bartholomew of Pécs see KOSZTA 2007. p. 34; KISS 2009. p. 49–50.

¹³⁸ LAMBERT 1998. p. 299; ŠULJAK 2005. p. 442–444; TERNOVÁČZ 2016. p. 220ff.

¹³⁹ Cf. RABIĆ 2016. p. 65–69.

¹⁴⁰ Cf. LAMBERT 1998. p. 300; BRKOVIĆ 2005. p. 145.

¹⁴¹ Cf. HERBERS 2012. p. 185.

¹⁴² POTTHAST nr. 11226. and 11245.

¹⁴³ I. e. POTTHAST nr. 11607, 11613, 11878, 11881, 11993, 11994, 11998, 12007, 12039, 12075, 12160, 12176, 12189.

¹⁴⁴ POTTHAST nr. 11095. See Gergely KISS: *Dél-Magyarországtól Itáliáig. Bánca nembeli István (1205 k. – 1270) váci püspök, esztergomi érsek, az első magyarországi bíboros életpályája* [From Southern Hungary to Italy. The Course of Life of Stephen Bánca (ca. 1205–1270), Bishop of Vác, Archbishop of Esztergom]. Pécs. 2015. p. 31.

Béla IV over himself.¹⁴⁵ The Hungarian ruler confirmed the possessions of the Bosnian bishopric after the settlement of the conflict, among them the former donations of Duke Coloman and Ninoslav.¹⁴⁶

The idea to place the Bosnian diocese, which was previously a direct subject of the Apostolic See, under the jurisdiction of the Archbishop of Kalocsa emerged in 1246, with the aim to support the fight against the heresy. The originator were Bishop Ponsa and Archbishop Benedict, but Béla IV also approved the plan. For the realization and for the sake of the struggle in Bosnia a legate was appointed as well, Archbishop Benedict received the office and the right for those territories, which would be conquered in the future.¹⁴⁷ The change in the ecclesiastical structure came true in the following year,¹⁴⁸ but there is no detail known concerning Benedict's legatine activity. Furthermore, he was entrusted as papal delegate together with the bishops of Transylvania and Csanád to investigate the desperate situations of the Bishopric of Syrmia.¹⁴⁹

Beside the prelates, the Hungarian king took part in the continuous struggle. The sources are hard to interpret, yet, it seems doubtless that he led a campaign against Ninoslav, but the date of this action is unclear.¹⁵⁰ Pope Innocent IV asked Béla IV for taking actions already in 1247,¹⁵¹ whereas two royal charters also mention the fact of the campaign,¹⁵² even

¹⁴⁵ József UDVARDY: *A kalocsai érsekek életrajza (1000–1526)* [Biographies of the Archbishops of Kalocsa (1000–1526)]. Köln. 1991. (Dissertationes Hungaricae ex historia Ecclesiae XI) (hereafter: Udvardy 1991) p. 137; Jenő SZÜCS: *Az utolsó Árpádok [The Last Árpáds]*. Budapest. 1993. (hereafter: SZÜCS 1993) p. 76f; BRKOVIC 2005. p. 165f; ŠULJAK 2005. p. 445.

¹⁴⁶ RA nr. 771. Cf. BASLER 1973. p. 14; SZÜCS 1993. p. 77; BRKOVIC 2005. p. 145,

¹⁴⁷ "*Fratri (Benedicto) archiepiscopo Colocensi, Apostolice sedis legato, salutem et apostolicam benedictionem [...] cupias contra hereticos de terra Bosnensi assumere signum crucis*". FEJÉR IV/1. p. 400–401; POTTHAST nr. 12246–12247. Cf. POTTHAST nr. 12233. and 12664; UDVARDY 1991. p. 138.

¹⁴⁸ "*Dioecesis Bosnensis, que ad Romanam ecclesiam nullo medio pertinet, totaliter lapsa sit, peccatis exigentibus, in perfidiam heretice pravitatis*". FEJÉR IV/1. p. 467; POTTHAST nr. 12664. Cf. BRKOVIC 2005. p. 162; ŠULJAK 2005. p. 448; SLIŠKOVIĆ 2005. p. 493; KISS 2009. p. 50; GÁL 2013a. p. 108–109; TERNOVÁČZ 2016. p. 221–223.

¹⁴⁹ "*Ex parte venerabilis fratris nostri, episcopi, et dilecti filii prepositi et capituli ecclesie de Keu, fuit nobis humiliter supplicatum, ut cum ipsi destructis penitus partibus illis per Tartaros, non habeant locum, ubi necessitatis tempore valeant se tueri*". FEJÉR IV/1. p. 475–476; POTTHAST nr. 12691. Cf. Toru SENGÁ: IV. Béla külpolitikája és IV. Ince pápához intézett „tatár-levele” [The Foreign Policy of Béla IV and his so-called „Tatar-letter” to Innocent IV]. *Századok* 121 (1987), p. 584–612. (hereafter: SENGÁ 1987) here: p. 607; UDVARDY 1991. p. 135; MARGETIĆ 2005. p. 99; BRKOVIC 2005. p. 167; TERNOVÁČZ 2013c. p. 466–467.

¹⁵⁰ Cf. RABIĆ 2016. p. 68.

¹⁵¹ "*Quum igitur regis eterni feruore succensus ad Bosnenses hereses confutandas te accinxeris*". FEJÉR IV/1. p. 461; POTTHAST nr. 12407. Cf. SZÜCS 1993. p. 78.

¹⁵² "*Bulgarorum et Bosnensium hereticorum a parte meridiei, contra quos ad presens etiam per nostrum exercitum dimicauimus*". FEJÉR V/2. p. 219; RA nr. 933a. Cf. RA nr. 881. and 904. See SZÜCS 1993. p. 78–80.

though the details are obscure.¹⁵³ Therefore, it can be assumed that the attack was connected to the case of the Bosnian diocese, which was placed under the jurisdiction of Kalocsa also in 1247.

There were no long-lasting results of the last campaign. Ninoslav continued to make new promises to the pope to avoid the occupation of his territory¹⁵⁴ that is why Innocent IV forbade Archbishop Benedict to engage in further actions in 1248.¹⁵⁵ The period of the active fight and the Hungarian participation came to an end without any solid results apart from the consolidation of the Bosnian diocese.¹⁵⁶

5. Epilogue

The death of Ninoslav changed the situation completely around 1250, yet, the topic was missing from the papal-Hungarian relations of the following decades. The Bosnian Christians lost their patron and supporter due to the ban's death, who previously many times managed to resist the Hungarian threat with the help of the Apostolic See. The succession after Ninoslav caused a desperate situation in Bosnia, one can almost speak of a civil war, so there was no power, which could have stopped the Hungarian expansion. This time Béla IV acted on his own, independently of the papacy, and occupied the whole territory, which was divided into two parts. This division was connected to the policy of the reformed kingdom (*regnum reformatum*). The Northern part of Bosnia henceforward belonged to the king's daughter, Anna and her husband, Rostislav, whose rule was very strict, and the influence of the Hungarian kingdom and the Apostolic See was secured.¹⁵⁷

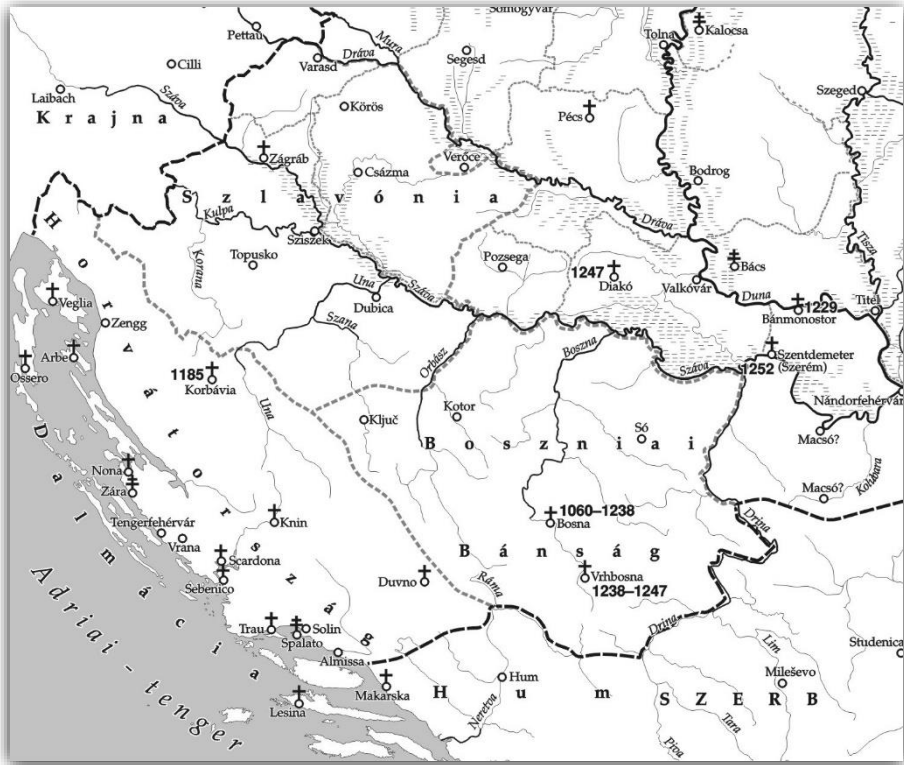
¹⁵³ See SENGÁ 1987. p. 605–607; UDVARDY 1991. p. 138.

¹⁵⁴ Judit Gál: IV. Béla és I. Uroš szerb király kapcsolata [Relations between Béla IV and King Uroš I of Serbia]. *Századok* 147 (2013), p. 471–500, here: p. 474; LAMBERT 1998. p. 299–300; RUNCIMAN 1947. p. 106–107.

¹⁵⁵ POTTHAST nr. 12876. Cf. BRKOVIC 2005. p. 168.

¹⁵⁶ Cf. SENGÁ 1987. p. 607; UDVARDY 1991. p. 139.

¹⁵⁷ FILIPOVIC 2016. p. 82. The southern part was led by Radoslav, who pledged alliance to Béla IV. See SZÚCS 1993. p. 75, 79–81; Cf. RUNCIMAN 1947. p. 109; Márta Font: Rosztizslav herceg IV. Béla udvarában [Prince Rostislav in the Court of Béla IV]. In: *Hercegek és hercegségek a középkori Magyarországon*. Ed. Attila ZSOLDOS. Székesfehérvár. 2016. p. 59–79, here: p. 74–75; BÁCSATYAI 2017. p. 256–257; Bálint TERNOVÁCZ: A macsói és barancsi területek története 1319-ig [The Territories of Macsó and Barancs until 1319]. In: *Micae Mediaevales VI. Fiatal történészek dolgozatai a középkori Magyarországról és Európáról*. Ed. Laura FÁBIÁN – Dorottya UHRIN – Csaba FARKAS – András RIBI. Budapest. 2017. p. 227–240, here: p. 234–236.



Bosnia and its Environment in the First Half of the 13th Century
(Map created by Béla Nagy)
BARABÁS 2017. p. 25.



Gergely Kiss:

Cardinal's *familia* as a Network in the 13th Century A Case Study of Cardinal Stephen Bánca's Family in the Mid-thirteenth Century*

The present paper aims to examine the first Hungarian cardinal, Stephen Bánca's family. It uses the term *familia* in a large sense involving both blood relatives and members of the court being in official relations with the cardinal as well. The paper presents the composition of the family, its functioning as a personal network which had a several influence on beneficiary policy and university studies as well.

Key words: cardinals, Papacy, family, social relations, papal curia, 13th century, Hungary, Orvieto



Stephen Bánca was elected cardinal-bishop of Preneste in December 1251. He was the first Hungarian prelate who was involved directly in the highest level of the Church government. His career was shortly mentioned in the western historiography, in Hungarian, however a well-based biographical outline and a recent monography dealt with him.¹

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¹ Western scholars interested briefly to him, they registered only the creation. His career shows a certain lack of curiosity in the historiography concerning the college of cardinals in the thirteenth century. Apart from the linguistic difficulties what occur in relation to his activities in Hungary, the possible reason is that Bánca was not the most powerful among the cardinals, he stayed generally in the background of the most important events of the Church government (i. e. struggles of investiture, vacancies and elections of popes) during his years of cardinalate

Western scholars dealt abundantly with the medieval papal representation not only from a theoretical point of view and establishing a canonical typology of the representatives of the popes,² but the prosopographical approach and methodology elucidated many details and help to identify its personnel.³

(1251/1253–1270). Agostino PARAVICINI BAGLIANI: Un frammento del testamento del cardinale Stephanus Hungarus (†1270) nel codice C 95 dell'Archivio del Capitolo di San Pietro. *Rivista di storia della Chiesa in Italia* 25 (1971), p. 168–182 (hereafter: PARAVICINI BAGLIANI 1971); IDEM: *Cardinali di Curia e „familiae“ cardinalizie dal 1227 al 1254*. I–II. Padova. 1972. (Italia sacra 18–19.) (hereafter: PARAVICINI BAGLIANI 1972), here: p. 349–357; IDEM: *I testamenti dei cardinali del duecento*. Roma. 1980. (Miscellanea della Società Romana di Storia Patria 25.) (hereafter: Paravicini Bagliani 1980), here: p. 18–19, 127–132; Andreas FISCHER: *Kardinäle im Konklave. Die lange Sedisvakanz der Jahre 1268 bis 1271*. Tübingen. 2008. 107–117; Andreas FISCHER: Die Kardinäle von 1216 bis 1304: zwischen eigenständigem Handeln und päpstlicher Autorität. In: *Geschichte des Kardinalats im Mittelalter*. Hrsg. Jürgen DENDORFER – Ralf LÜTZELSCHWAB. Stuttgart. 2011. (Päpste und Papsttum 39), p. 155–224, here: p. 180; Werner MALECZEK: Das Kardinalat von der Mitte des 12. Jahrhunderts bis zur Mitte des 13. Jahrhunderts (mit besonderer Blickrichtung auf die Iberische Halbinsel). In: *Das begrenzte Papsttum. Spielräume päpstlichen Handelns. Legaten – delegierte Richter – Grenzen*. Hrsg. Klaus HERBERS – Frank ENGEL – Fernando LÓPEZ ALSINA. Berlin – Boston, 2013. p. 65–82, here: p. 68; L. TÓTH: 'Bánca (Étienne)'. In: *Dictionnaire d'histoire et de géographie ecclésiastiques*. VI. Paris. 1932. col. 479; Tibor ALMÁSI – László KOSZTA: Bánca István bíboros (1205k. – 1270). Életrajzi vázlat [Cardinal Stephen Bánca (ca. 1205 – 1270). A Biographical Outline]. *Acta Universitatis Szegediensis de Atila József nominatae. Acta Historica (Különszám a III. Nemzetközi Hungarológiai Kongresszus tiszteletére)*. Szeged, 1991. p. 9–17. (hereafter: ALMÁSI – KOSZTA 1991); Gergely Kiss: *Dél-Magyarországtól – Itáliáig: Bánca nembeli István (1205 k. – 1270) váci püspök, esztergomi érsek, az első magyarországi bíboros életpályája* [From Southern Part of Hungary to Italy: A Biography of Stephen Bánca (ca. 1205 – 1270), Bishop of Vác, Archbishop of Esztergom, the First Hungarian Cardinal]. Pécs. 2015. (hereafter: Kiss 2015).

² The following list is not an exhaustive roll of the works dealing with those questions: Karl RUESS: *Die rechtliche Stellung der päpstlichen Legaten bis Bonifaz VIII.* (Görres-Gesellschaft zur Pflege der Wissenschaft im katholischen Deutschland. Sektion für Rechts- und Sozialwissenschaft 13. Heft). Paderborn. 1912; Stephan KUTTNER: Cardinalis: The History of a Canonical Concept. *Traditio* 3 (1945), p. 129–214. (reed. in: Stephan KUTTNER: *The History of Ideas and Doctrines of Canon Law in the Middle Ages*. London, 1980. p. 129–214.); Michel ANDRIEU: L'origine du titre de Cardinal. In: *Miscellanea Giovanni Mercati. V. Storia ecclesiastica – diritto*. Ed. Leo Cunibert MOHLBERT. Città del Vaticano. 1946. p. 113–144; Carl Gerold FÜRST: *Cardinalis. Prolegomena zu einer Rechtsgeschichte des römischen Kardinalkollegiums*. München. 1967 (hereafter: Fürst 1967); Klaus GANZER: Das Römische Kardinalkollegium. In: *Le istituzioni ecclesiastiche della „societas cristiana“ del secolo XI–XII. Papato, cardinalato ed Episcopato. Atti della quinta settimana internazionale di studio: Mendola 26–31 agosto 1971*. Milano. 1974. p. 153–184 (hereafter: GANZER 1974); Pierre BLET: *Histoire de la Représentation Diplomatique du Saint Siège des origines à l'aube du XIX^e siècle*. Città del Vaticano. 1982; Robert C. FIGUEIRA: *The Canon Law of Medieval Papal Legation*. Penn Arbor. 1980; IDEM: The Classification of Medieval Papal Legates in the Liber Extra. *Archivum Historiae Pontificae* 21 (1983), p. 211–228; IDEM: *Legatus apostolicae sedis. The Pope's alter ego according to Thirteenth Century Canon Law. Studi medievali* III/27 (1986), p. 527–574; Clifford Ian KYER: *The Papal Legate and the "Solemn" Papal Nuncio 1243–1378: The Changing Pattern of Papal Representation*. Toronto. 1979; Richard Antone SCHMUTZ: *The Foundation of Medieval Papal Representation*. Los Angeles. 1966; IDEM: Medieval Papal Representatives: Legates, Nuncios and Judges-delegate. In: *Studia Gratiana post octava decreti saecolaria collectanea historiae canonici* XV. Ed. Joseph R. STRAYER – Donald E. QUELLER. Roma. 1972. p. 441–463.

³ Emmanuele CERCHIARI: *Capellani papae et apostolicae sedis auditores causarum sacri palatii apostolici seu sacra Romana Rota ab origine ad diem usque 20 septembris 1870. Relatio historica-iuridica*. I–III. Romae.

The 'family' (*familia*)

This personnel constitutes itself a society by virtue of its number and functions, thus it induced researchers to consider it as an interpersonal network, a special community of ecclesiastics being responsible for the highest government of the Church.

The first step to face this challenge was the determination of the staff and the functions starting with the papal government. It was, however, not only an institutional reconstruction of the papal court, but the application of a sociological approach. In a more limited sense, the papal chapel got into the focus of the research, which had the most intimated relations with the popes. In the present paper I would like to start with a general presentation of the formation of the cardinals' court, and then to examine its properties through the concrete example of Cardinal Stephen Báncsa's curia.

It seems to be an evidence to say that the highest rank of the Church government was equal to the papal court in a functional sense. Nevertheless, despite of the institutional aspect, the court constituted of human staff which had closer or looser links with the popes themselves. The connection had primarily a liturgical character and function, e. g. papal chaplains helped the popes to fulfill their liturgical duties, obligations. But, they gained gradually new, additional tasks, especially administrative functions. Thus, they entered into the community of clerical officers of the papal court. It is not surprising, however, that the procedure from the liturgical to the administrative (or the merging of those) functions turned back: administrative staff obtained e.g. the title of papal chaplain. This phenomenon flashes a beam of light on an economical aspect. In the mid-thirteenth century the provision by the title of papal chaplain – in the manner of 'payment' – became more and more usual.

1919–1921; Heinrich ZIMMERMANN: *Die päpstliche Legation in der erste Hälfte des 13. Jahrhunderts. Vom Regierungsantritt Innozenz' III. bis zum Tode Gregors IX. (1198–1241)*. Padernbom. 1913. (Görres-Gesellschaft zur Pflege der Wissenschaft im katholischen Deutschland. Sektion für Rechts- und Sozialwissenschaft 17. Heft); Werner MALECZEK: *Papst und Kardinalkolleg von 1191 bis 1216*. Wien. 1984; IDEM: Das Kardinalskollegium von der Mitte des 12. Jahrhunderts bis zur Mitte des 13. Jahrhunderts. In: *Pensiero e sperimentazioni istituzionali nella "Societas Christiana" (1046–1250)*. *Atti della sedicesima Settimana internazionale di studio, Mendola, 26-31 agosto 2004*. Ed. Giancarlo ANDENNA. Milano. 2007. p. 237–263; PARAVICINI BAGLIANI 1972; IDEM: *I testamenti dei cardinali del duecento*. Roma. 1980. (Miscellanea della Società Romana di Storia Patria 25.) (hereafter: Paravicini Bagliani 1980); IDEM: Il personale della Curia romana preavignonese: Bilancio e prospettive di ricerca. In: *Proceedings of the Sixth International Congress of Canon Law Berkeley, California, 28 July – 2 August 1980*. Ed. Stephan KUTTNER – Kenneth PENNINGTON. Città del Vaticano. 1985. (Monumenta Iuris Canonici Series C. Subsidia 7) p. 391–410. (hereafter: PARAVICINI BAGLIANI 1985); IDEM: Prosopographie et élites ecclésiastiques dans l'Italie médiévale (XIII^e–XV^e siècles). Réflexions et perspectives de recherche. In: *Prosopographie et genèse de l'État moderne. Actes de la Table ronde organisée par le Centre national de la recherche scientifique et l'École normale supérieure de jeunes filles, Paris 22–23 octobre 1984*. Éd. Françoise AUTRAND. Paris. 1986 (Collection de l'École normale supérieure de jeunes filles 30) p. 313–334; IDEM: Pour une approche prosopographique de la cour pontificale au XIII^e siècle. In: *Medieval Lives and the Historian. Studies on Medieval Prosopography*. Ed. Neithard BULST – Jean-Philippe GENET. Kalamazoo (MI). 1986. p. 113–121.

The use of the term 'honorary chaplain' underlines this new economical character. In addition, the papal court became more residential in the first half of the thirteenth century, and due to the much deeper involvement of the papacy into political-dynastic conflicts, it was transformed into a more crowded and complex institution.⁴

The cardinals themselves followed a similar way of development. As it is generally known, the expression 'cardinalis' comes from the word 'cardo' ('heart') which explains the intimate relationship of those clerics with the pope. They helped originally the Bishop of Rome to accomplish his liturgical obligations in the main Roman churches. Outside of the Eternal City other cardinals, called 'externals', represented the highest rank of the given church. Later, in the first half of the thirteenth century, the cardinalate suffered several changes: it became more institutional and residential. In this period the cardinals developed their own court, their personnel, created buildings and necessary infrastructure. They used naturally the model of the papal court.⁵

The cardinals' court based on one hand on their own revenues, and on the other hand on those that they gained by the re-distribution of the papal incomes. Concerning the staff of the cardinals' court, it followed the papal model, this society occurred in the written sources as 'familia cardinalis', its member was called 'familiarius'. However, this term was not consequently used, other persons who were never called 'familiarius' can be considered as distant members of the 'family'.

This notion was used to describe people giving different services to the cardinals. In the mid-thirteenth century the family became more populous and structured. In parallel with the growing tasks of the cardinals – their liturgical obligations were more and more outshined by administrative duties – the number of their staff increased considerably. The cardinals financed this numerous people by the re-distribution of their own incomes in form of payment of money, or, more generally by providing in naturalia or with ecclesiastical benefices. In this period appeared the so-called *mensa*, its purpose was to aliment this staff. Nevertheless, in the mid-thirteenth century this *mensa* suffered a certain restriction and began to mean a limited circle of 'family' members having a closer, more intimate relation with the cardinal (*commensalis*). In addition, the similar results, the lack of money and the nearness of the papal court very often resulted an interconnection between

⁴ Karl JORDAN: Die Entstehung der römischen Kurie. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 28 (1939), 97–152 – it is useful especially for the 11th–12th centuries; PARAVICINI BAGLIANI 1985; IDEM: *La cour des papes au XIII^e siècle*. Paris. 1995; Edith PÁSZTOR: La curia romana. In: IDEM: *Onus Apostolicae Sedis. Curia romana e cardinalato nei secoli XI–XV*. Roma. 1999. p. 1–14.

⁵ FÜRST 1967; IDEM: I cardini non romani. In: *Le istituzioni ecclesiastiche della „societas christiana“ del secolo XI–XII. Papato, cardinalato ed Episcopato. Atti della quinta settimana internazionale di studio: Mendola 26–31 agosto 1971*. Milano. 1974. p. 185–198; GANZER 1974; IDEM: *Die Entwicklung des auswärtigen Kardinalats im hohen Mittelalter. Ein Beitrag zur Geschichte des Kardinalkollegiums vom 11. bis 13. Jahrhundert*. Tübingen. 1963.

popes' and cardinals' *familia*. It means that in several cases the staff of the papal chapel gave services to the cardinals in their administrative duties.⁶

Problem of the reconstruction of the 'family'

Three main types of sources are disposable to identify the members of the *familia*. Above all, it is to be emphasized that the main information proceeds from charters, even if those are not numerous, which deal especially with the staff. Certain charters issued on occasion of a beneficial act, could contain some information about the personnel network of the beneficiary. Secondly a special subtype is constituted of jurisdictional act, in this case those that cardinals issued as *auditores*, judges authorized by the popes to judge litigations. In those sentences the personnel of the cardinal's family is very often mentioned because it take part in the proceeding or assist to it bearing witness. It occurs frequently that the cardinal's court serves as a scene of the process, in those case the charters relate to the exact place of the jurisdictional session (e. g. *in hospicio nostro apud Urbemveterem*⁷ – as in the case of cardinal Stephen Báncsa). Thirdly, cardinal's testaments can give more detailed information about the members of the *familia*. The presence of a given person in those last wills is due to the close relation with the decedent, his service, duty is generally mentioned and the brought value by means of the testament contains the information about the nature of the cardinal's and of his *familiarius*'s relationship.⁸

Nevertheless, this information could be contradictory in many cases. The clearest is that the source mentions *expressis verbis* the given person within his duties, then man can precise his exact status and functions (e. g. *familiarius capellanus*, *seneschalus* etc.). In other cases the form uses the simplies way stating the person as '*familiarius*' without any further details. Those can be called 'ordinary' or 'simple *familiarius*'. The two above mentioned cases operate with the term of '*familiarius*', however, there is a large number of staff which participate apparently in legal processes (delegated persons, witnesses) who are never qualified expressly as 'member of the family'. In addition, not only jurisdictional act, but several sources relate that they live in the cardinals' court. Thus, despite being directly mentioned, it is to be stated that they are the complement of the family *in stricto sensu*, they can be attributed to the 'haló', the 'neighbouring zone' of the *familiarii*. We use

⁶ See: PARAVICINI BAGLIANI 1972. p. 1–9.

⁷ For exemple: Archivio Segreto Vaticano, Regestra Vaticana (hereafter Reg. Vat.) 29. fol. 3^v–5^r, nr. 5, fol. 264^r–264^v, nr. 1398; *Les registres d'Urbain IV (1261–1264), recueil des bulles de ce pape*. I–IV. Ed. Jean GUIRAUD. Paris. 1899–1929. (hereafter: RUIV) nr. 957, 2349.

⁸ For Báncsa's testament see: Bibliotheca Apostolica Vaticana, Archivio del Capitolo di S. Pietro, cod. C 95 fol. 1^v–2^r [A]; PARAVICINI BAGLIANI 1971. p. 179–182; PARAVICINI BAGLIANI 1980. p. 18, nr. 13, p. 127–132, nr. V; Kiss 2015. p. 204–208.

henceforth the term 'family' in this large sense, with all of the staff the 'neighbour zone' included.⁹

Structure of the *familia*

The cardinals' family was not a homogenous population. Its structure can be detailed by means of the use of different criteria. One of them is the status of the given person. The sources reveal generally whether the people belongs to the clerics or the laymen. Usually they precise it by mentioning the 'profession' (chaplain, priest or seneschalus, marshal for instance), in other cases the activity or the received benefice elucidate about the status.

The sources relate also, in most case, to the functions in which liturgical and administrative duties are combined. The problem occurs when the person is qualified '*familiarius*' in the given source without any concrete task. It is very often in testaments. Fortunately, there is more precise information in the case of the staff which is not mentioned as '*familiarius*'. Here, as we have seen, their functions are inferred to enumerate them among the member of the family, as for their activity refer expressly to their duties.

Another question is whether one can differentiate among the functions in the scope of the relation with the cardinal himself. In other word, is it possible to determinate the distance of the members of the family from the cardinal. I refer here to the phenomenon that most of the mid-thirteenth cardinals separated a closer circle of *familiari*, they created their own *mensa*, and this type of *familiarius* was mentioned henceforth *commensalis*; he was the closest member of the household. In a second circle we can place the *familiares* with a special task, then follow the 'ordinary members of the family'. The specified duty refers, in my opinion, to a higher level of confidence than in the case of the 'simple members of the family'. Last but not least, the staff of the 'halo' or 'neighbouring zone' had a much looser relation with the cardinals, that is why they were not qualified explicitly '*familiari*', although their functions ranked them among the members of the family.

The example of cardinal Stephen Bánca's family

Above all, it seems necessary to present shortly the first Hungarian cardinal. Bánca was born in around 1205. He started his ecclesiastical career in the cathedral chapter of Bács (Bač, Serbia), in 1238, he is mentioned as provost of the chapter. In the same year he moved to the collegial chapter of Titel (Titel, Serbia) and he served there as provost for two years. Meanwhile he entered into the service of the King Béla IV (1235–1270), from 29 January 1238 until 21 March 1240, he issued the royal charters as chancellor of the king.¹⁰

Between 1240 and 1242 he was the bishop of Vác, this period remains still unclear because of the lack of sources. In 1242, he rose in the highest position

⁹ See: Kiss 2015, p. 68–102.

¹⁰ Kiss 2015, p. 19–21.

of the Hungarian church government, he became the archbishop of Esztergom.¹¹ In December 1251 Innocent IV appointed him as cardinal-bishop of Preneste. Nevertheless, he occupied his office at the end of 1252, and shortly after he tried to return to Esztergom, apparently for personal reason. After this period of transition (June-December 1253) he got back to Italy.¹² After more than one and a half decades he finished his cardinal activity in 1270, he died in Viterbo on 9 July in the same year.¹³

Reconstruction of the cardinal Stephen Bánca's family

The *familia* of the first Hungarian cardinal fits into the general trends of the mid-thirteenth century. The number of its members is not high, several other cardinals had largely more populous family, however it was relatively well documented and structured. First of all it is to be stated, that this family enumerated in total 70 people, 57 persons who were qualified *familiarii* and 13 others who are to be added as parts of the 'halo'. The first group (Figure 1) is composed of two main parts: clerics (39) and laymen (18). The first constitutes the double of the second, it underlines the high importance of ecclesiastics in the family. Inside the clerics, the most populous subdivision is reserved to the chaplains (20), and the other 'functionaries' follow far behind. It is to be emphasised that a chaplain is to be found very close to the cardinal, a *commensalis*, namely Andreas Ungarus. Facing the clerics mentioned with a concrete function, others are qualified just as '*familiarius*', this is the subdivision of the 'ordinary familiaris', in number 15 people, it constitutes nearby the half of the clerics. The laymen constitute the minority of the family with usual tasks.¹⁴

¹¹ Kiss 2015. p. 22–29.

¹² "*metuens postmodum aeris intemperiem inexperti et nonnulla impedimenta, multasque necessitates exponens*". Kiss 2015. p. 32–44.

¹³ Bibliothèque Nationale de France, MS Latin 15707, fol. 170^v: "*Nota quod bone memorie Dominum Penestrem anno Domini .Mo. .CCo. .LXXo. prima die julii et fuit in die martis in octavis beati Johannis Baptiste post prandium arripuit febris continua que sibi duravit usque ad diem Mercurii post octavas Apostolorum qua die videlicet ipso sumpno dicti patri in Domino obdormiuit.*" See: Kiss 2015. p. 103–106.

¹⁴ Kiss 2015. p. 91–92.

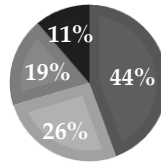
Function		Nr	Name	
Familiares				
clerics				
chaplain	<i>commensalis</i>	1	Andreas Ungarus	
chaplains		19	Alfonsus Vitalis; Aprilis; Bartholomeus; Bentivegna; Eventius; Fernandus Velasci; Gerardus de Parma; Gratia; Guidobonus; Guillelmus de Placentia; Innocentius; Johannes; Johannes Pelagii; Nicolaus de Eseo; Petrus; Raimundus; Robertus; Ivo; Octavianus	
clerics		2	Gerardus de Nivella; Jacobinus	
priest		1	Ungarus ?	
instructor		1	Mathias Bissenus	
ordinary <i>familiares</i>		15	Albertinus; Ancherus de Canossa; Antonius; Gerardus de Miressa; Grassus; Huguicius; Martinus; Nolanus; Paulus de Reate; Petrus; Petrus Paganus; Raynalducius; Salvucius; ?; ?	
Clerics total:		39		
laymen				
notary		3	Bernardinus; Lombardus; Thomasinus de Podio	
chamberlain		3	Simon Ungarus; Timotheus; U (?)	
door-keeper		1	Albertinus	
<i>senescalus</i>		1	Benedictus	
marshall		1	Guillelmus	
<i>serviens</i>		2	Jacobus Ungarus; Ungarus ?	
cook		2	Johannes; Lucius	
cook-boy		1	Gerardinus	
barber		1	Rogerius	
baker		1	?	
physician		1+	?	
nursing staff		1+	?	
Laymen total:		18		
Neighbouring zone				
clerics				
chaplain (?)		12	Carulus (nepos), Girolodus de Owad, Gometius Petri, Guido Jacobini de Lonardino, Stephanus Bánca (nepos), Martinus Gometii, Michael, Orbatus (nepos), Paulus, Petrus de Lambertinis, Rolandus, Thomasinus de Bueves	
laymen				
notary		1	Albert	
Total		70		
Origin		nr	%	
unknown origin		30	52,63	
known origin		27	47,37	
Hungarian		12	44,44	21,05
Italian		7	25,93	12,28
Spanish		5	18,52	8,78
French		3	11,11	5,26

Figure 1. Composition, staff of cardinal Stephen Bánca's family

The proportion of the origin of this staff is particular in comparison with other cardinals' family. The high level of the Hungarians is not surprising, it is, however, to be emphasized that this ratio did not decrease with time, it remained in the same level even in the mid-1260's a decade after the cardinal left the Kingdom of Hungary. It shows the same result in comparison with the family *in stricto sensu* or within the staff of the neighbouring zone (Figure 2).¹⁵

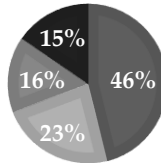
COMPOSITION OF THE CARDINAL'S FAMILY

■ Hungarian ■ Italian ■ Spanish ■ French



COMPOSITION OF THE HALO OF THE CARDINAL'S FAMILY

■ Hungarian ■ Italian ■ Spanish ■ French



COMPOSITION OF THE CARDINAL'S FAMILY AND OF THE HALO OF THE CARDINAL'S FAMILY

■ Hungarian ■ Italian ■ Spanish ■ French

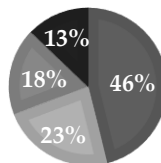


Figure 2. Composition of the Cardinal's family

To sum up, we can state that the cardinal's family comprises four circles. The first is his direct neighbourhood with 1 *commensalis*, Andreas Ungarus. The

¹⁵ Kiss 2015. p. 92.

second is composed by a larger number of people (41), both clerics (23) and laymen (18) as well. The third circle is filled by the 'ordinary familiares' (15) and finally, the halo or neighbouring zone constitutes the last one (Figure 3).¹⁶

Reconstruction of the cardinal Stephen Bánca's family

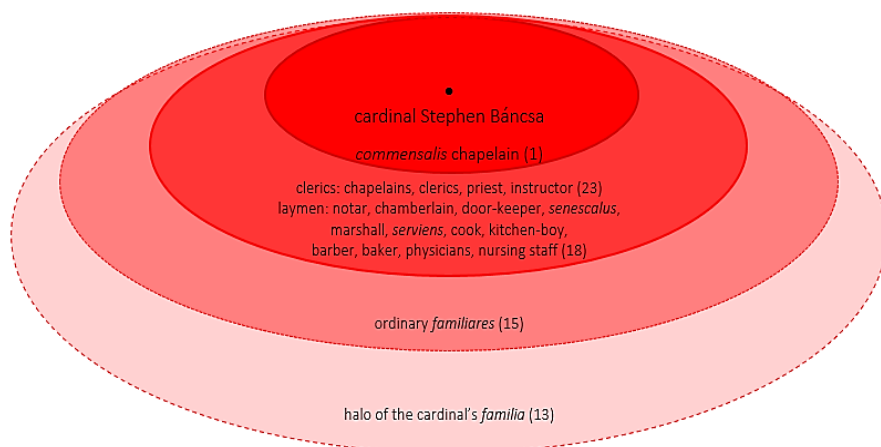


Figure 3. Reconstruction of the cardinal Stephen Bánca's family

Recruitment

All of the cardinals needed to constitute their own family. It is naturally supposed that the base of this family was composed by an 'own material', i.e. by the existing suite of the given prelate. In the case of Cardinal Stephen Bánca, several data approve this hypothesis. He gathered staff even in the time of his appointment among the former personnel of the archbishopric of Esztergom and he made efforts to ensure the financing of the new court from the incomes of his former station.

On 11 November 1252 he had a papal authorization to enjoy the tithes of the *cultellus* of Csallóköz.¹⁷ On 20 December he was nominated *administrator in spiritualibus and temporalibus* of the archbishopric of Esztergom.¹⁸ Besides the financing, Bánca recruited one part of his staff from the former colleagues. On 26 November 1252 and on 22 January 1253 he procured the

¹⁶ Kiss 2015, p. 102.

¹⁷ Reg. Vat. 22. nr. 227, fol. 218; *Regesta pontificum romanorum inde ab anno post Christum natum MCXCVIII ad annum MCCCIV*. I-II. Ed. August POTTHAST. Graz. 1957. (hereafter: POTTHAST) nr. 14769; *Les registres d'Innocent IV*. I-IV. Ed. Élie BERGER. Paris. 1881-1919. (hereafter: RIIV) nr. 6085; *Monumenta ecclesiae Strigoniensis*. I-III. Ed. Ferdinandus KNAUZ. Strigonii. 1874-1924. IV. Ed. Gabriel DRESKA – Geysa ÉRSZEGI – Andreas HEGEDŰS – Tiburcius NEUMANN – Cornelius SZOVÁK – Stephanus TRINGLI. Strigonii – Budapestini. 1999. I. p. 514.

¹⁸ Reg. Vat. 22. nr. 308, fol. 226v; POTTHAST nr. 14816; RIIV nr. 6165; *Vetera monumenta historica Hungariam sacram illustrantia*. I-II. Ed. Augustinus THEINER. Romae. 1859-1860. (hereafter: THEINER) I. p. 214.

reservation of benefices for Gerard, his chaplain and on 13 January for another chaplain, Innocent.¹⁹

Beside those authorizations, the cardinal took over also the staff of the papal curia. It is very hard to determine whether the given personnel started their career in the papal or in the cardinal's court. A possible hypothesis is that the foreigners (French, Italian and Spanish people) found their 'secondary employment' in the cardinal's family and the Hungarians came originally with Bánca. The data are not sufficient to decide in this matter. Most of the cases are not clearly evident because the sources mention a given person as papal and cardinal's chaplain at the same time. This case occurs very often as a certain parallel is approved in other cases: the same person held the same office in both sides (notary, chamberlain, chaplain, see the list below). Fortunately, the transition from the papal to the cardinal's family is justifiable in many cases concerning both family members and neighbouring staff as well.

familiares

- Andreas Ungarus
 - before 1263: chaplain of the pope and the cardinal
 - 1263: cardinal's *commensalis*²⁰
- Aprilis, canon of Salamanca, papal/cardinal's chaplain (1263)²¹
- Fernandus Velasci: papal subdeacon, cardinal's chaplain (1260)²²
- Guilelmus de Placentia: papal chaplain, nuntius, cardinal's chaplain (1263)²³
- Thomasinus de Podio: public notary of the pope, cardinal's notary (1263)²⁴
- Raimundus: canon of Paphos, papal collector, cardinal's chaplain²⁵
- Robertus: papal subdeacon, cardinal's chaplain (before 1264)²⁶

¹⁹ 1252: Reg. Vat. 22. fol. 224^v-225^r, nr. 287; Potthast nr. 14783; RIV nr. 6144; *Codex diplomaticus Hungariae ecclesiasticus ac civilis*. I-XI. Ed. Gerorgius FEJÉR. Buda. 1828-1844. (hereafter: FEJÉR) IV/2. 131; 1253: Reg. Vat. 22 fol. 294^r; POTTHAST nr. 14846; RIV nr. 6710; Reg. Vat. 22, fol. 230^r, nr. 352; POTTHAST nr. 14838; RIV nr. 6209.

²⁰ Reg. Vat. 29. fol. 85^v, nr. 225, RIV nr. 1172; Kiss 2015. p. 69-70, nr. 5.

²¹ Reg. Vat. 29. fol. 6^r-7^v, nr. 7; POTTHAST nr. 18760; RIV nr. 959; THEINER I. 255-258; *Codex diplomaticus Arpadianus continuatus - Árpád-kori új okmánytár*. I-XII. Ed. Gusztáv WENZEL. Budapest. 1860-1873. (hereafter: ÁÚO) III. p. 65-70. Cf. *Hierarchia catholica medii aevii sive summorum pontificum, S.R.E. cardinalium, ecclesiarum antistitum series*. I. [1198-1431]. Ed. Conrad EUBEL. Münster. 1913. (hereafter: HC) I. p. 509; Kiss 2015. p. 70-71, nr. 7.

²² Reg. Vat. 25. fol. 250^v-251^r, nr. 82; *Les registres d'Alexandre IV*. I-III. Éd. Charles BOUREL DE LA RONCIÈRE - Joseph de LOYE - Auguste COULON. Paris. 1901-1953. (hereafter: RIV) nr. 3142; Kiss 2015. p. 74, nr. 13.

²³ Reg. Vat. 29. fol. 6^r-7^v, nr. 7; POTTHAST nr. 18760, RIV nr. 959, THEINER I. 255-258; ÁÚO III. p. 65-70. Cf. HC I. p. 509; Kiss 2015. p. 78, nr. 22.

²⁴ Reg. Vat. 26. fol. 35^v, nr. 72, RIV nr. 1023; Reg. Vat. 29. fol. 264^r-264^v, nr. 1398; RIV nr. 2349; PARAVICINI BAGLIANI 1972. 353; Kiss 2015. p. 87-89, nr. 47.

²⁵ PARAVICINI BAGLIANI 1972. p. 356; Kiss 2015. p. 86, nr. 41.

²⁶ Reg. Vat. 29. fol. 17^v, nr. 26, RIV nr. 978; THEINER I. p. 258-260; Kiss 2015. p. 86-87, nr. 43.

- Simon Ungarus: papal chaplain, cardinal's chamberlain (1266), cardinal's chaplain (1270)²⁷
- Urtanus: papal chaplain, cardinal's chamberlain (1263)²⁸
halo (neighbouring staff)
- Stephen (nephew): papal chaplain (1254-1261)²⁹
- Martinus Gometii: papal chaplain (1263)³⁰

Familia and network of relatives

Another question is whether the *familia* operated as a network of the relatives. In other words, if they could profit from the kinship in this field. Bánca had four nephews, John, Carulus, Stephen and Orbas (figure 4). All of them pertained to his family, two of them were mentioned expressly *familiaris* (John, Carulus), the two others belonged to the 'neighbouring zone' of the *familia*.

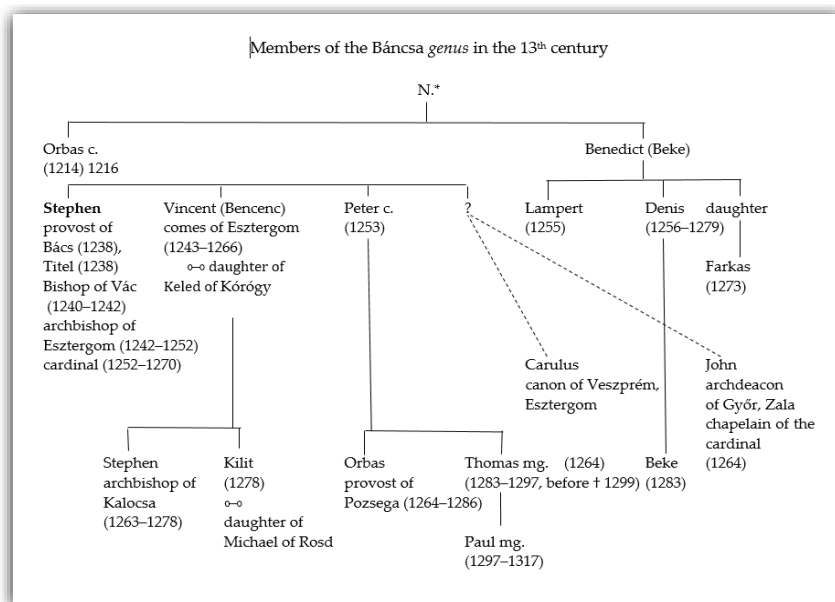


Figure 4. Members of the Bánca genus in the 13th century

²⁷ PARAVICINI BAGLIANI 1972. 357; Kiss 2015. p. 87, nr. 46.

²⁸ Reg. Vat. 29. fol. 6^r-7^v, nr. 7; POTTHAST nr. 18760; RUIV nr. 959; THEINER I. p. 255-258; ÁÚO III. p. 65-70. Cf.: HCL p. 509; Kiss 2015. p. 90-91, nr. 49.

²⁹ Reg. Vat. 28. fol. 3^v, nr. 10, POTTHAST nr. 18657, RUIV nr. 407; *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae – Diplomatički zbornik Kraljevine Hrvatske, Dalmacije i Slavonije. I-XVI*. Ed. Tadija SMIČIKLAS et alii. Zagreb. 1904-1976. (hereafter: SMIČIKLAS) V. nr. 757; Kiss 2015. p. 96-99, nr. 63.

³⁰ Reg. Vat. 29. fol. 6^r-7^v, nr. 7; POTTHAST nr. 18760; RUIV nr. 959; THEINER I. p. 255-258; ÁÚO III. p. 65-70. Cf.: HCL p. 509; Kiss 2015. p. 99-100, nr. 64.

The sources attest without any doubt that the uncle took part actively in the beneficiary policy in favour of his nephews. John³¹ gained the office of archdeacon of Zala in 1264 directly from his uncle who invested him by another member of the family, the notar Thomasinus de Podio.³² It is extremely possible that Carulus³³ owed the prebend of canon of Esztergom to Stephen Bánca, and even more, in 1264 he obtained the same benefice in the chapter of Verona due to the uncle's intercession.³⁴ In the case of Stephen³⁵ and Orbas³⁶ the same process is to be found: the uncle interceded in favour of his nephews for different benefices. Stephen gained the prebend of canon of Fenton by his own uncle, the cardinal.³⁷ In 1263 he was postulated bishop by the chapter of Zagreb.³⁸ Although it failed, because he was not enough old to be bishop, some years later he was elected archbishop of Kalocsa.³⁹ Orbas received also ecclesiastical benefices and rents with the cardinal's help.⁴⁰ In those cases his uncle's intercession determinant.

³¹ See: Kiss 2015. p. 80, nr. 27.

³² "*Stephanus, miseratione divina Penestrinus episcopus, dilecto nepoti suo Johanni, archidiacono Jauriensi, domini pape cappellano, salutem in Domino. [...] archidiaconatum Zaladiensem, canonicatum et prebendam quos venerabilis pater Timotheus, Zagabriensis episcopus, promotionis sue tempore in Vespriemensi ecclesia obtinebat, vacantes per promotionem ipsius episcopi tibi cum omnibus iuribus et pertinentiis suis conferimus et providemus de ipsis, dilectum notarium nostrum Thomasinum, tuo nomine, investientes per nostrum anulum de eisdem*". Reg. Vat. 29. fol. 33^r, nr. 66; POTTHAST nr. 18821; RUIV nr. 1017.

³³ See: Kiss 2015. p. 95, nr. 59.

³⁴ "[...] *Carulo canonico Strigoniensi, nepoti venerabilis fratris nostri episcopi Prenestini [...]*." Reg. Vat. 29. fol. 141^v, nr. 544; RUIV nr. 1494.

³⁵ See: Kiss 2015. p. 96–99, nr. 63.

³⁶ See: Kiss 2015. p. 100–101, nr. 66.

³⁷ "[...] *dilectus filius noster O[ctavianus], sancte Marie in Via Lata diaconus cardinalis, canonicatum et prebendam de Fentono, quos idem archiepiscopus in Eboracensi ecclesia tempore sue promotionis habebat, dilecto filio Stephano, nepoti venerabilis fratris nostri ... episcopi Penestrini, auctoritate felicitis recordationis Alexandri pape, predecessoris nostri, sibi ab eodem predecessore in hac parte commissa, conferre ac assignare curavit [...]*." Reg. Vat. 26. fol. 34^r, nr. 127; RUIV nr. 129.

³⁸ "[...] *Sane Zagabriensis ecclesia episcopi solatio destituta, dilecti filii prepositus et capitulum ipsius ecclesie convenientes in unum Spiritu Sancta gratia invocata, dilectum filium Stephanum capellanum nostrum, nepotem venerabilis fratris nostri episcopi Penestriensis, prepositum ecclesie Pozoniensis patientem in etate defectus in Zagabriensem episcopum unanimiter et concorditer postularunt [...]*." Reg. Vat. 28. fol. 3^v, nr. 10; POTTHAST nr. 18657; RUIV nr. 407; SMIČIKLAS V. nr. 757.

³⁹ "[...] *Colocensi et Bachiensi ecclesiis, pastoris solatio destitutis, dilecti filii, capitula earundem ecclesiarum ad provisionem ipsarum per viam compromissi, unanimiter procedentes, dilectum filium Stephanum Colocensem electum, capellanum nostrum et prepositum Poseniensem Bononiae litterarum studio insistentem concorditer elegerunt in ipsarum ecclesiarum archiepiscopum et pastorem. [...]*." Reg. Vat. 32/I, fol. 112^{r-v}, nr. 164; *Les Registres de Clément IV, 1265-1268. Recueil des bulles de ce Pape*. Ed. Édouard JOURDAIN. Paris. 1945. (hereafter: RCIV) nr. 407; POTTHAST nr. 20265 (1268!); FEJÉR IV/3. p. 360–364 (1266!); THEINER I. p. 291–292. See: József UDVARDY: *A kalocsai érsekek életrajza (1000–1526)* [Biography of the Archbishops of Kalocsa (1000–1526)]. Köln. 1991. (Dissertationes Hungaricae ex historia Ecclesiae XI.) p. 156–157.

⁴⁰ In 1264 he gained a prebend of canon in Padova, and in the same year he received the incomes of two churches in Hungary. "*Urbacio preposito ecclesie de Possega, Quinqueecclesiensis diocesis, nepoti venerabilis fratris nostri episcopi Prenestini [...]. Non est inconueniens, si apostolice sedis benignitas, que sepe nonnullos extraneos et ignotos gratis attollit beneficiis, et acceptis, huius provisionis munificas manus*

Functioning of the network: beneficiary policy and nepotism

Those examples show clearly the importance of the family from the point of view of the beneficiary policy. Bánca, as many other cardinals, was authorized to (re)distribute ecclesiastical benefices on his own rights. The case of his nephews was mentioned above. In 1263 and 1264 a few numbers of charters dealt with the so called 'Zagreb case'. Timotheus who was member of Bánca's family gained the office of the bishop of Zagreb. Although the nephew of the cardinal, Stephen was postulated by the chapter, Timotheus was elected and confirmed. Bánca, who was himself the propagator of Timotheus's election, obtained in return the right to re-distribute the former benefices of the new bishop of Zagreb. It is curious that Bánca rejected his own nephew, Stephen because of his age. However, the cardinal endowed the members of his family with the benefices left by Timotheus. The following table (Table 1) shows that three of the cardinal's chaplains and one of the clerics obtained the different benefices. Stephen, Bánca's nephew, had no reason to complain, he gained two years later the archbishopric seat of Kalocsa...⁴¹

Timotheus's benefices	redistribution
prior to 1263	
canon of Zala (dioc. of Veszprém)	John, archdeacon of Győr, cardinal's chaplain
archdeacon of Valko (dioc. of Pécs)	Robert, papal subdeacon, cardinal's chaplain
canon of Zagreb	Eventius, cardinal's chaplain
rector capelle (S. Laurentius de Files, S. Demetrius de Boreno, OSS de Nigwan, S. Martin /Eisenstadt/)	Giroldus de Owad, cleric of Győr (<i>familiaris</i>)
1263	
bishop of Zagreb	Stephen (Bánca's nephew, postulated by the chapter) → 1265/1266: archbishop of Kalocsa

Table 1. Re-distribution of Timotheus's former benefices

laxet, qui ipsius beneplacitis per devotionis opera studiosius se coaptant. Hinc est, quod nos attendentes tue devotionis merita et per hoc et obtentu venerabilis fratris nostri ... episcopi Prenestrini volentes te prosequi benevolentia gratiosa, canonicatum ecclesie Paduanensis cum plenitudine iuris canonici ac prebendam nulli alii de iure debitam, si qua ibidem vacat ad presens, tibi conferimus, tibi que providemus de illis, et te de ipsis per nostrum anulum investimus. [...]." Reg. Vat. 29. fol. 141^{r-v}, nr. 542; RUIV nr. 1492. See: Antal PÖR: Adatok a bolognai és pádovai jogegyetemen a XIV. században tanult magyarokról [Data about the Hungarians who Studied in the 14th Century at the Faculty of Law of the Universities of Bologna and Padova]. *Századok* 31 (1891), p. 769–795, here p. 781. "Orbacio preposito ecclesie de Posega, Quinqueecclesiensis diocesis, nepoti venerabilis fratris nostri episcopi Prenestini [...]." Reg. Vat. 29. fol. 163^v–164^r, nr. 699; POITHAŠT nr. 18854; RUIV nr. 1649, THEINER I. p. 267.

⁴¹ Reg. Vat. 28. fol. 3^v, nr. 10; Reg. Vat. 29. fol. 17^v, nr. 26; RUIV nr. 407, 488, 489, 959, 978, 979, 988, 1017, 1092, 1093; POITHAŠT nr. 18657, 18783–18787; SMIČIKLAS V. nr. 757, 781–783, 785; FEJÉR IV/3. 224, THEINER I. 260–262; PARAVICINI BAGLIANI 1972. p. 357.

This beneficiary policy functioned as a good network for the other family members. The following table shows the persons who obtained ecclesiastical benefices due the intercession of the cardinal (Table 2).

1252/1253: Gerard (canon, Esztergom) ⁴²
1253: Innocent (2 benefices) ⁴³
1254: Santa Maria de Aurate (dioc. Toulouse) ⁴⁴
before 1263 Gometius Petri (canon, Salamanca) ⁴⁵
1263: Nicolaus de Eseio (canon, Le Mans) ⁴⁶
1263: Alfonsus Vitalis (decanus, Avila) ⁴⁷
1263: Martinus Gometii (canon, Salamanca) ⁴⁸
1264: Robert (archdeacon, Valko, dioc. Pécs) – “Zagreb case”
1264: Eventius (canon, Zagreb) – “Zagreb case”
1264: Gerardus de Nivella (canon, Nivella) ⁴⁹
1264: Petrus de Lambertinis (prebenda, Bologna) ⁵⁰
1264: Johannes Pelagii (canon, Compostella) ⁵¹
1264: Guido Jacobini de Lonardino (canon, Verona) ⁵²
1264: Petrus Mathei (canon, S. Mercellus in Urbe) ⁵³
1264: Giroldus de Owad (chapels) – “Zagreb case”

Table 2. Persons obtaining ecclesiastical benefices by Bánca's intercession

This network was very useful in other aspects too. First, sometimes it provided a good opportunity to continue the ecclesiastical career. For example, Raimundus, canon of Paphos was originally a papal collector and the cardinal's chaplain at the same time, and he could entered later the papal chapel. Secondly, and it underlines particularly the importance of the cardinal, Bánca's jurisdiction had a very frequent and effective component. In the case in which he officiated as *auditor*, there is a high proportion of the 'family cases'. He acted several times in the beneficiary litigation of his own nephews – it is to be called a real nepotism – or of the members of his family (Table 3).

⁴² See: Kiss 2015. p. 74–79, nr. 17; Reg. Vat. 22. fol. 224^v–225^v, nr. 287; POTTHAST nr. 14783, RIIV nr. 6144, FEJÉR IV/2. p. 131; Reg. Vat. 22. fol. 294^v, nr. 850; POTTHAST nr. 1846, RIIV nr. 6710.

⁴³ See: Kiss 2015. p. 79, nr. 24; Reg. Vat. 22. fol. 230^v, nr. 352; POTTHAST nr. 14838; RIIV nr. 6209.

⁴⁴ Reg. Vat. 23. fol. 171^r; RIIV nr. 8012.

⁴⁵ See: Kiss 2015. p. 95, nr. 61; Reg. Vat. 29. fol. 264^r, nr. 1398; RAIIV nr. 2349.

⁴⁶ See: Kiss 2015. p. 82, nr. 34; Reg. Vat. 29. fol. 35^v, nr. 72, RUIV nr. 1023.

⁴⁷ See: Kiss 2015. p. 95, nr. 61; Reg. Vat. 29. fol. 264^r, nr. 1398; RAIIV nr. 2349.

⁴⁸ See: Kiss 2015. p. 99–100, nr. 64; PARAVICINI BAGLIANI 1972. 353; Reg. Vat. 29. fol. 264^r–264^v, nr. 1398; RUIV nr. 2349.

⁴⁹ See: Kiss 2015. p. 74, nr. 16; PARAVICINI BAGLIANI 1972. 354; Reg. Vat. 29. fol. 302^v, nr. 1573; RUIV nr. 2521.

⁵⁰ See: Kiss 2015. p. 101, nr. 68; Reg. Vat. 26. fol. 35^v, nr. 72; RUIV nr. 1023; Reg. Vat. 29. fol. 144^v, nr. 567; RUIV nr. 1517.

⁵¹ See: Kiss 2015. p. 80–81, nr. 29; Reg. Vat. 29. fol. 300^v, nr. 1561; RUIV nr. 2509.

⁵² See: Kiss 2015. p. 96, nr. 62; Reg. Vat. 29. fol. 187^v, nr. 874; RUIV nr. 1824.

⁵³ Reg. Vat. 29. fol. 196^r, nr. 949; RUIV nr. 1899.

1263: Peter: archdeacon of Sopron ⁵⁴
1263/1264: "Zagreb case" (Stephen, John)
1263: Andreas Ungarus: canon of Corinthos ⁵⁵
1264: Gerardus Blancus: archdeacon of St, Eulalia (Parma) ⁵⁶

Table 3. The 'family cases' in Bánca's activity as *auditor*

Third, the family network was very advantageous to obtain a higher level of knowledge, university studies. Fortunately there are some clear evidences. In 1263 Mathias Bissenus was mentioned as an instructor of the cardinal's nephews.⁵⁷ Some years later other data confirm that two of them, Stephen⁵⁸ and Orbas⁵⁹ pursued university studies in Bologna and in Padova.

Conclusion

It is to be stated, that the example of the first Hungarian cardinal's court and family confirm the general tendencies. The formation of the *curia* and even more the *familia* followed the papal model. It became more and more structured, which can be demonstrated by the number and the complexity of cardinal Bánca's family. It is also to be noticed that the *familia* contained different levels of relationship with the cardinal. It included not only the staff mentioned as *familiarius* (with or without a function), but other people who filled special duties in the cardinal's service, so they belonged to the *familia* too. Although its dimension was modest in comparison with those of other cardinals of the same time, it shows the same characteristics. One of them is the interconnection with the papal court and family. Several people held offices in both institutions, and it is possible to detect sometimes the transition from one to the other. The cardinal's family functioned well as a network. Four fields are to be noticed here. First of all, the family had a direct connection with the beneficiary policy. The appartenance to the family was extremely favourable to obtain benefices not only to the relatives but to the other members of the family as well. Secondly the cardinal's jurisdiction as

⁵⁴ See: KISS 2015. p. 83–84, nr. 38; Reg. Vat. 29. fol. 6^r–7^v, nr. 7, POTTHAST nr. 18760; RUIV nr. 959; THEINER I. p. 255–258; ÁÚO III. p. 65–70.

⁵⁵ See: KISS 2015. p. 69–70, nr. 5; Reg. Vat. 29. fol. 85^{r-v}, nr. 225; RUIV nr. 1172.

⁵⁶ Reg. Vat. 29, fol. 302^{r-v}, nr. 1571; RUIV nr. 2519.

⁵⁷ See: KISS 2015. p. 81–82, nr. 33; "Mathias Bissenus clericus Vesprimiensis diocesis, doctor nepotum venerabilis fratris nostri ... *episcopi Penestrini*". Reg. Vat. 28. fol. 134^r, nr. 57; POTTHAST nr. 18711; RUIV nr. 939; THEINER I. p. 251–252; ÁÚO III. p. 59–60.

⁵⁸ 1266/1267, Stephen (nephew): "[...] *Bononiae litterarum studio insistentem concorditer elegerunt in [...] archiepiscopum [...] et licet in huiusmodi examine in litteratura inventus fuerit et existimatus idoneus, nihilominus postmodum studio, moram ex tunc Bononie continuando, vacavit, [...] in studii labore transacti, non in otii corpore deducti, eius scientie plurimum accessisse*". Reg. Vat. 32/I, fol. 112^{r-v}, nr. 164; RCIV nr. 407; POTTHAST nr. 20265 (1268!), FEJÉR IV/3. p. 360–364 (1266!); THEINER I. p. 291–292.

⁵⁹ "Datum per manus discreti viri magistri Wrbazi prepositi B. Petri principis apostolorum de Posaga, cancellarii nostri legis doctoris canonici Paduani domini pape capellani commessalis." ATTILA ZSOLDOS: *Magyarország világi archontológiája. 1000–1301* [Lay Archontology of Hungary. 1000–1301]. Budapest. 2011. p. 119. See also: Reg. Vat. 29. fol. 141^{r-v}, nr. 542; RUIV nr. 1492.

auditor was extremely efficient in this beneficiary policy. In the same way the cardinal's service could influence the further ecclesiastical careers (Table 5).

Nr of benefices	Bánca's <i>family</i>	endowed by Bánca	%
Clerics in the family	39	12	30,7
Clerics in the halo	13	6	46,1
nephews <i>familiaris</i>	1	1	100
nephews in the halo	3	3	100
Total clerics	52	18	34,6

Table 5. Effectivity of Bánca's family

And finally, the family had the opportunity to support university studies, however, it is a special experience in the 'Bánca case', it was reserved to the blood relatives, which is a very special form of the nepotism existing in the thirteenth century.



Ágnes MALÉTH:

Les relations de Charles I^{er} de Hongrie avec la papauté (1301–1342)*

The relationship of Charles I of Hungary with the Papacy (1301–1342)

Descendant of the Neapolitan Anjou dynasty, Charles I succeeded to the Hungarian throne in 1301. In spite of his initial fights with the territorial princes (or oligarchs), the first Angevin king of Hungary established dynamic diplomatic relationships where his connections to the papal court played a crucial role. The sources suggest that the relation of Charles I with the papacy was the golden thread in his diplomacy with Western Europe, and still, it is one of the less known topics in the Hungarian historiography. My doctoral thesis which was written and defended in the framework of a cooperation of the Universities of Angers (France) and Szeged (Hungary) intended to fill this gap in the Hungarian historical research. This paper summarizes my thesis by presenting the corpus of the sources, the applied methodology, and giving an overview of the preliminary results.

Key words: papacy, medieval Hungarian Kingdom, 14th century, diplomatic relationships



Introduction

Issu de la maison angevine de Naples, Charles I^{er} a accédé au trône hongrois en 1301. Malgré ses affrontements initiaux avec les princes territoriaux, le premier roi angevin de Hongrie s'est engagé dans une diplomatie dynamique dans laquelle les relations avec la curie pontificale ont constitué un facteur décisif. Les sources suggèrent que la relation de Charles I^{er} avec

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le Saint-Siège était le fil conducteur de sa diplomatie occidentale, et cependant ce sujet est méconnu par l'historiographie hongroise. Le but principal de ma thèse de doctorat – qui a été soutenue en mai 2017 dans le cadre de la coopération des Universités de Szeged (Hongrie) et d'Angers (France) – est d'offrir une analyse exhaustive des liens entre Charles I^{er} et les papes. L'étude présente fait un résumé de ces travaux en présentant le corpus des sources, la méthodologie appliquée et les résultats préliminaires.

Les chercheurs qui travaillent sur les relations de la Hongrie avec la papauté au XIV^e siècle sont confrontés à un problème particulier : alors que la majorité des sources est connue par l'historiographie hongroise, elles n'ont fait l'objet ni d'un relevé systématique, ni d'une analyse exhaustive. Les études disponibles sur le sujet n'ont considéré que quelques questions particulières. Comme ce siècle qui comprend le règne des rois Angevins en Hongrie – et surtout le temps de Louis I^{er} (1342–1382) – était traditionnellement considéré comme la grande époque du royaume médiéval de Hongrie, les recherches historiques ont été principalement centrées sur les événements diplomatiques et les aspects dynastiques¹. Bien que cette approche nous ait permis de connaître les faits décisifs de la relation hungaro-papale au XIV^e siècle – comme les légations de Nicolas de Boccasini (1301–1303) et de Gentil de Montefiori (1308–1311)², ou les résultats de la collection des taxes apostoliques en Hongrie (entre 1317 et 1342)³ – plusieurs champs de recherche (la politique bénéficiale des papes d'Avignon, ou l'analyse prosopographique des relations, etc.) demeurent inexploités. Les circonstances présentes semblent tout à fait opportunes pour tenter de combler cette carence que subit toujours l'historiographie hongroise, car dans les dernières années, nous avons bénéficié d'un grand progrès de l'édition tant des sources pontificales qu'hongroises. D'une part,

¹ Voir par exemple Lipót ÓVARY : *A magyar Anjoukeredete* [L'origine des Angevins de Hongrie]. Budapest. 1893 ; Gyula KRISTÓ : *Károly Róbert családja* [La famille de Charles Robert de Hongrie]. *Aetas* 20 (2005 : 4), p. 14–28 ; Renáta SKORKA : *With a Little Help from the Cousins – Charles I and the Habsburg Dukes of Austria during the Interregnum*. *Hungarian Historical Review* 2 (2013), p. 243–261.

² Gergely KISS : *Les légats pontificaux en Hongrie au temps des rois Angevins (1298–1311)*. In : *La diplomatie des États Angevins aux XIII^e et XIV^e siècles. Diplomacy in the Countries of the Angevin Dynasty in the Thirteenth-Fourteenth Centuries : Actes du colloque international de Szeged, Visegrád, Budapest 13–16 septembre 2007*. Éd. Zoltán KORDÉ – István PETROVICS. Rome – Szeged. 2010. (dans ce qui suit : KORDÉ – PETROVICS 2010) p. 101–116 ; Viktória KOVÁCS : *Causae coram nobis ventilatae. Beiträge zu der Jurisdiktionstätigkeit von Papstlegat Gentilis de Monteflorum in Ungarn (1308–1311)*. In : *Specimina Nova Pars Prima Sectio Mediaevalis : A Pécsi Tudományegyetem középkori és koraiújkorai történelmi tanszékének történelmi közleményei VII*. Ed. Márta FONT – Gergely KISS. Pécs. 2013. p. 39–69. (dans ce qui suit : KOVÁCS 2013)

³ László FEJÉRPATAKY : *Pápai adószedők Magyarországon a XIII. és XIV. században. Első és második közlemény* [Collecteurs apostoliques en Hongrie au XIV^e siècle] *Századok* 21 (1887 : 6–7), p. 493–517 et 589–609. (dans ce qui suit : FEJÉRPATAKY 1887)

grâce à l'avancement du projet lancé par Gyula Kristó en 1990, intitulé « Anjou-kori oklevéltár », qui prévoit la publication des manuscrits conservés de la période angevine en Hongrie sous forme des registres, les volumes disponibles couvrent actuellement les années 1301–1350, 1354 et 1356⁴. D'autre part, quant aux sources de la Curie apostolique, l'édition des documents qui ont été préservés a pris son élan après l'ouverture des fonds des Archives Secrètes du Vatican en 1867 et elle continue jusqu'à nos jours. Les Registres d'Avignon, et leur copie sur parchemin, les Registres du Vatican qui comprennent les lettres issues de la Chancellerie apostolique constituent la source principale de nos connaissances concernant la diplomatie du Saint-Siège. Cela explique pourquoi ils sont au centre de l'attention des recherches historiques dès leur début. Les registres de la période examinée – à l'exception de ceux du temps de Clément V⁵ – ont été édités par des chercheurs associés à l'École Française de Rome⁶. C'est récemment que le projet scientifique CORELPA a réalisé la numérisation de ces éditions initiales et les a incorporées dans une base de données en ligne (*Ut per litteras apostolicas*)⁷.

À part la diplomatie, ces sont les finances du Saint-Siège qui intriguent les historiens. Les documents de la Chambre apostolique se trouvent dans le fonds Camera Apostolica des Archives du Vatican, dont la série Introitus et Exitus⁸ contient des sources sur les dépenses et les revenus de la Curie, tandis que la série *Collectoriae* inclut les comptes des collecteurs apostoliques et des manuscrits de caractère divers⁹.

⁴ Voir la présentation du projet en langue française Zoltán KORDÉ : Le recueil des chartes hongroises de l'époque des Anjou (Anjou-kori Oklevéltár), présentation d'une nouvelle collection. *Bibliothèque de l'École des chartes* 149 (1991), p. 131–133.

⁵ *Regestum Clementis Papae V.* I–VIII. Éd. Moines Bénédictins. Rome. 1884–1892.

⁶ Par ordre chronologique des éditions: *Le registre de Benoît XI (1303–1304)*. Éd. Charles GRANDJEAN. Paris 1883 ; *Les registres de Boniface VIII (1294–1303)*. I–IV. Éd. Georges DIGARD – Maurice FAUCON – Antoine THOMAS – Robert FAWTIER. Paris. 1904–1939 ; *Lettres communes de Benoît XII (1334–1342)*. I–III. Éd. Jean-Marie VIDAL. Paris. 1903 ; *Lettres communes de Jean XXII (1316–1334)*. I–XVI. Éd. Guillaume MOLLAT. Paris. 1904–1947.

⁷ Pour la description du projet et de la base des données voir le site du Centre Pontifical d'Avignon sur <http://cpa.univ-avignon.fr/node/132>. (accès : 02-09-2017)

⁸ *Die Einnahmen der Apostolischen Kammer unter Johann XXII*. Éd. Emil GÖLLER. Paderborn. 1910 ; *Die Einnahmen der Apostolischen Kammer unter Benedikt XII*. Éd. Emil GÖLLER. Paderborn. 1920 ; *Die Ausgaben der apostolischen Kammer unter Johann XXII. nebst den Jahresbilanzen von 1316–1375*. Hrsg. Karl H. SCHÄFER. Paderborn. 1911 (Vatikanische Quellen zur Geschichte der päpstlichen Hof- und Finanzverwaltung 1316–1378, 2) ; *Die Ausgaben der apostolischen Kammer unter Benedikt XII, Klemens VI. und Innocenz VI. (1335–1362)*. Hrsg. Karl H. SCHÄFER. Paderborn 1914. (Vatikanische Quellen zur Geschichte der päpstlichen Hof- und Finanzverwaltung 1316–1378, 3)

⁹ *Cameralia Documenta Pontificia de Regnis Sacrae Coronae Hungariae (1297–1536)*. Ed. József LUKSICS – Péter TUSOR – Tamás FEDELES. Budapest – Rome. 2014 (Collectanea Vaticana Hungariae vol. 9–10) (dans ce qui suit : LUKSICS – TUSOR – FEDELES 2014) ; *Monumenta Vaticana*

L'examen de la relation entre le Saint-Siège et la Hongrie au XIV^e siècle correspond aussi à la tendance actuelle de la recherche historique qui est caractérisée par un renouvellement des « études angevines »¹⁰. Une série de colloques internationaux (quatre à Angers en 1998, 2002, 2009 et 2015, deux à Aix-en-Provence en 2002 et 2011, un à Szeged-Visegrád-Budapest en 2007, un à Salerne en 2008, un à Bergame en 2013, un à Naples-Capoue en 2014, et plus récemment à Saint-Étienne en 2016) témoignent de ce changement du contexte scientifique. Depuis 2014, le programme ANR « EUROPANGE » donne le cadre à une collaboration internationale – un projet de recherche multidisciplinaire sur les officiers des États angevins – en réunissant des chercheurs spécialié(e)s dans les études angevines de différents établissements dans toute l'Europe et même au Canada¹¹.

L'analyse détaillée des relations du premier roi Angevin de Hongrie, Charler I^{er} (1301–1342) avec la papauté fournit de nouveaux résultats malgré quelques études qui suffisaient jusqu'ici à contenter l'intérêt des chercheurs. Celles-ci restaient néanmoins générales et marginales par rapport au Royaume de Hongrie du XIV^e siècle¹².

Le choix de la période examinée – le règne du premier roi angevin de Hongrie – s'explique par plusieurs raisons. Premièrement, le contexte dynastique a été clairement bouleversé par le décès d'André III (1290–1301), le « dernier rameau d'or » de la dynastie des Árpáds, et l'accession de Charles I^{er} sur le trône hongrois en 1301 est généralement considérée comme le début d'une nouvelle ère historique. En outre, l'an 1342, où l'étude s'achève, correspond à l'année de la mort de Charles I^{er} et également du pape Benoît XII ; elle donne, à mon avis, une clôture appropriée du point de vue de la périodisation de l'histoire de ces deux pouvoirs. Après cette date, il est considérablement plus difficile de marquer une frontière généralement

historiam regni Hungariae illustrantia: Rationes collectorum pontificorum in Hungaria (Vatikáni magyar okirattár, I/1. : a pápai tizedszédők számadásai, 1281–1375). (dans ce qui suit : MON VAT I/1.) Budapest 2000.

¹⁰ Le terme « études angevines » peut être défini comme l'histoire comparée des territoires européens gouvernés par des princes ou des rois des deux maisons d'Anjou entre le milieu du XIII^e et la fin du XV^e siècle (Anjou-Maine, Provence, Royaumes de Sicile (de Naples) et de Hongrie).

¹¹ Pour la description du projet voir <http://www.agence-nationale-recherche.fr/?Projet=ANR-13-BSH3-0011> (accès : 25-09-2017).

¹² Vilmos FRAKNÓI : *Magyarország egyházi és politikai összeköttetései a római Szent-székekkel* [Les relations ecclésiastiques et politiques de la Hongrie avec le Saint-Siège]. Budapest. 1901. Cette œuvre est généralement tenue comme un « standard » de la présentation des relations malgré les lacunes de références, les imprécisions et les confusions éventuelles de la narration chronologique et thématique. Elle a beaucoup déterminé l'unique présentation générale de nos jours. Cf. : György RÁCZ : *Az Anjou-ház és a Szent-szék (1301–1387)* [La maison des Angevins et le Saint-Siège (1301–1387)]. In : *Magyarország és a Szent-szék kapcsolatának ezer éve*. Éd. István ZOMBORI. Budapest. 1996. p. 55–81.

admissible. Dans l'histoire de la papauté, c'est le Grand Schisme d'Occident en 1378 qui apporte des changements fondamentaux, tandis que dans celle du Royaume de Hongrie, c'est la mort de Louis I^{er} sans héritier masculin en 1382 qui constitue, elle aussi, une rupture. À part les événements politiques, les sources apostoliques justifient les limites chronologiques de la présente analyse, car les changements administratifs introduits par Jean XXII (1316–1334) ont atteint leur forme finale sous Clément VI (1342–1352) : c'est à cette époque qu'ils ont retrouvé leur place parmi les pratiques appliquées. Par conséquent, une nouvelle augmentation quantitative et une différenciation de caractère dans les sources pontificales est repérable après 1342.

Bilan historiographique et corpus documentaire

Avant d'aborder le sujet en détail, il convient d'évaluer l'apport des études et des sources disponibles.

Il est à noter en premier lieu que l'historiographie est seulement partielle au fond du point de vue de sa production, de son approche et de sa qualité. Les ouvrages hongrois et étrangers ne concordent ni sur la méthode ni sur le fond. D'un côté, les historiens français, allemands, italiens ou anglais ont traité du fonctionnement et de l'administration de la Curie avignonnaise (souvent dans le contexte de ses relations avec les États européens), mais ces études ne contiennent que des informations très sporadiques sur la Hongrie contemporaine. Les ouvrages français et allemands prédominent sur le sujet. Cette disparité provient du fait que les médiévistes de ces deux pays maintiennent une longue tradition d'édition des sources liées à la papauté d'Avignon¹³.

¹³ Quelques œuvres fondamentales sont par exemple : Jean FAVIER : *Les papes d'Avignon*. Paris. 2006 ; Louis CAILLET : *La papauté d'Avignon et l'Église de France: la politique bénéficiale du pape Jean XXII en France (1316–1334)*. Paris. 1975. (dans ce qui suit : CAILLET 1975) ; Bernard GUILLEMAIN : *La cour pontificale d'Avignon (1309–1376). Étude d'une société*. Paris. 1962 ; IDEM : *Les papes d'Avignon, 1309–1376*. Paris. 2011. (dans ce qui suit : GUILLEMAIN 2011) ; Pierre JUGIE : *Les familiae cardinalices et leur organisation interne au temps de la papauté d'Avignon*. In : *Aux origines de l'État moderne. Le fonctionnement administratif de la papauté d'Avignon. Actes de la table ronde internationale de l'École française de Rome (Avignon, 22–24 janvier 1988)*. Rome. 1990. p. 41–59 ; Charles SAMARAN – Guillaume MOLLAT : *La fiscalité pontificale en France au XIV^e siècle*. Paris 1905. (dans ce qui suit : SAMARAN – MOLLAT 1905) ; Guillaume MOLLAT : *Les papes d'Avignon (1305–1378)*. Paris. 1912. (dans ce qui suit : MOLLAT 1912) ; Guillaume MOLLAT : *La collation des bénéfices ecclésiastiques sous les papes d'Avignon (1305–1378)*. Paris. 1921 ; Yves RENOARD : *La papauté à Avignon*. Paris. 1954 ; Jean XXII et le Midi. Toulouse. 2012. (Cahiers de Fanjeaux 45) ; *La papauté d'Avignon et le Languedoc*. Toulouse. 1991 (Cahiers de Fanjeaux 26) ; Stefan WEIS : *Rechnungswesen und Buchhaltung des Avignoneser Papsttums (1316–1377). Eine Quellenurkunde*. Hannover. 2003 (Monumenta Germaniae Historica. Hilfsmittel 20) ; Sebastian ZANKE : *Johannes XXII., Avignon und Europa. Das politische Papsttum im Spiegel der kurialen Register (1316–1334)*. Leiden. 2013. Pour les éditions des documents fiscaux de la Chambre apostolique voir les références de la note 8.

De l'autre côté, l'historiographie hongroise manque toujours d'études monographiques sur les relations de Charles I^{er} avec la papauté, et aucune traduction des auteurs étrangers n'est disponible en hongrois sur la période avignonnaise. Comme la diplomatie des rois hongrois envers le Saint-Siège au XIV^e siècle est un sujet peu étudié,¹⁴ toute analyse doit incorporer non seulement les publications d'histoire ecclésiastique de la Hongrie,¹⁵ mais celles qui traitent certains aspects du règne de Charles I^{er}, notamment sa politique étrangère¹⁶.

Quant aux sources, les avancements de la publication tant en Hongrie qu'à l'étranger permettent de constituer un corpus solide pour l'analyse¹⁷. Ajoutons à cela tout de suite que les sources narratives du XIV^e siècle¹⁸ ne

¹⁴ À l'exception des œuvres citées dans la note 12, on ne trouve aucune étude historique en hongrois qui a été dédiée à ce sujet en particulier.

¹⁵ Pour ne mentionner que quelques exemples : Tamás FEDELES : *Ausländer in den ungarischen Dom- und Stiftskapiteln während des Spätmittelalters (1301–1526)*. In : *Specimina Nova, Sectio Mediaevalis IV*. Éd. Márta FONT – Gergely KISS. Pécs. 2007. p. 73–100 ; László KOSZTA : *A püspökök és városuk – A 14. század közepéig* [Les évêques et leur ville]. In : *A pécsi egyházmegye története I. A középkor évszázadai 1009–1543*. Éd. Tamás FEDELES – Gábor SARBAK – József SÜMEGLI. Pécs. 2009. p. 57–108 ; Gábor THOROCZKAY : *A Szent Bölcsesség egyháza. A titeli társaskáptalan története a kezdetektől a XIV. század közepéig* [L'histoire du chapitre de Titel des origines jusqu'à la moitié du XIV^e siècle] *Fons* 21 (2014 : 3), p. 331–350.

¹⁶ Iván BERTÉNYI : *Magyarország az Anjouk korában* (La Hongrie au temps des rois angevins). Budapest. 1987. (dans ce qui suit : BERTÉNYI 1987) ; Enikő CSUKOVITS : *Az Anjouk Magyarországon. I. rész: I. Károly és uralkodása (1301–1342)* [Les évêques en Hongrie. Première partie : Charles I^{er} et son règne]. Budapest. 2012. En italien : Enikő CSUKOVITS : *L'Ungheria angioina*. Roma. 2013 ; Gyula KRISTÓ : *Az Anjou-kor háborúi* [Les guerres de l'époque angevine]. Budapest. 1988.

¹⁷ À part les références déjà citées, l'étude se base sur les fonds des Archives Nationales de Hongrie, Collection Antemohacsiana, Département des Photocopies (dans ce qui suit : DF), Département des Chartes (dans ce qui suit : DL) et sur des éditions de sources comme le *Codex diplomaticus Hungariae ecclesiasticus ac civilis*. Ed. György FEJÉR. Buda. 1829–1844. I–XI ; *Monumenta Ecclesiae Strigoniensis II–III*. Éd. Ferdinand KNAUZ et Lajos Crescens DEDEK. Strigoni. 1882–1924 ; *Anjoukori okmánytár I–IV*. Ed. Imre NAGY. Budapest. 1878–1884 ; *Magyar diplomáciai emlékek az Anjou-korból*. I. Ed. Gusztáv WENZEL. Budapest. 1874 ; *Monumenta Romana Episcopatus Vesprimiensis*. II. 1276–1415. Budapest. 1899 ; *Vetera monumenta historica Hungariam sacram illustrantia*. I. Ed. Augustin THEINER. Romae. 1859. (dans ce qui suit : THEINER I), etc.

¹⁸ Les sources narratives contemporaines sont par exemple *Chronica Ludovici imperatoris quarti*. In : *Bayerische Chroniken des 14. Jahrhundert* Hrsg. Georg LEIDINGER. Hannover – Leipzig. 1918 (Monumenta Germaniae Historica Scriptores rerum Germanicarum 19) ; *Chronique de Jean le Bel*. I–II. Éd. Jules VIARD – Eugène DEPREZ. Paris. 1904–1905 ; *Codex diplomaticus Lubecensis. Urkundenbuch der Stadt Lübeck*. 2/1. Hrsg. Johann Friedrich BÖHMER – Friedrich TECHEN. Lübeck. 1858 ; *Chronique des quatre premiers Valois (1327–1393)*. Éd. Siméon LUCE. Paris. 1862 ; *Chroniques de Jean Froissart*. I/1–8. Éd. Siméon LUCE. Paris. 1869–1888 ; *Chroniques de Jean Froissart*. II/1–3. Éd. Gaston RAYNAUD. Paris. 1894–1899 ; *Les grandes chroniques de France IX : Charles IV le Bel et Philippe VI de Valois*. Éd. Jules VIARD. Paris. 1937 ; *IV. Károly császár önéletrajza – Karoli IV imperatoris Romanorum vita ab eo ipso conscripta*. Trad. et éd. Balázs NAGY. Budapest. 2010.

sont pas du tout à omettre puisqu'elles offrent souvent des détails essentiels sur les événements dynastiques et diplomatiques.

L'approche méthodologique

L'analyse de la documentation, tant des manuscrits que de l'historiographie disponible, révèle plusieurs difficultés méthodologiques. Il serait séduisant de choisir la forme la plus convenue de la présentation, à savoir l'approche chronologique. Il me semble pourtant plus judicieux de préférer une optique thématique qui privilégie la mise en relief des questions qui déterminaient le plus les relations du Royaume de Hongrie et de la papauté. L'objectif est d'appréhender les éléments principaux des relations de Charles I^{er} avec la papauté et de les replacer dans un système cohérent. C'est cette approche qui permet d'éviter les inconvénients de l'historiographie hongroise qui subordonnait jusqu'ici la description des relations du Saint-Siège et de Charles I^{er} à l'examen de l'histoire diplomatique et politique, et adoptait exclusivement cette perspective d'analyse pour la représentation papale et royale.

Il s'est donc avéré plus judicieux de regrouper tous les facteurs potentiels qui avaient une emprise sur les relations hungaro-papales pour les appréhender dans leur intégralité.

En premier lieu, il faut remettre au centre des recherches les formes et le système de la représentation des deux parties, l'une après l'autre, en envisageant comment les intérêts du roi hongrois étaient défendus à la Curie pontificale et sous quelles formes le pouvoir papal a été représenté en Hongrie dans la première moitié du XIV^e siècle. De plus, on ne peut pas ignorer le phénomène de la représentation mutuelle où les acteurs rendaient des services aux deux parties. Les raisons de cette attention particulière sont d'une part la controverse qui aurait pu résulter d'une catégorisation trop rigide (car il serait contestable de regarder des ecclésiastiques exclusivement comme représentants royaux ou pontificaux), et d'autre part notre méconnaissance du sujet. Les clercs d'une « double loyauté », une expression qu'on emploie par défaut, constituaient un segment spécial des acteurs des relations hungaro-papales, or les travaux sur la Curie apostolique ne les présentent que très vaguement et la majorité des études d'histoire ecclésiastique locale les ignorent tout simplement. En somme une approche prosopographique s'avère indispensable pour une telle enquête.

Un autre élément souvent répété au sujet des relations de Charles I^{er} avec la papauté est l'activité des collecteurs et des légats apostoliques en Hongrie. Les ecclésiastiques chargés de recueillir les décimes pontificales sont considérés uniquement comme des acteurs de la taxation, tout en ignorant la complexité de leurs activités. Quant aux légats il manque jusqu'à

maintenant des analyses subtiles qui différencient les niveaux de la représentation pontificale tout en distinguant les légats *a latere*, les légats et les nonces. Il est particulièrement problématique que l'historiographie hongroise actuelle a seulement adopté quelques-unes des définitions du droit canonique (notamment le légat et le nonce) et les utilise avec beaucoup de confusion. On trouve assez souvent l'emploi du terme général de « légat », de « nonce » ou encore de « délégué », sans prendre en compte les titres utilisés dans les bulles pontificales et les particularités locales de leurs activités¹⁹. Il est également problématique que l'historiographie hongroise envisage presque exclusivement les représentants pontificaux qui ont été envoyés directement depuis la Curie et ignore les clerics locaux qui ont été commissionnés pour agir sur place²⁰. La différence qui existait entre l'autorité attribuée par une bulle papale et les actions concrètes des délégués reste aussi méconnue.

D'une façon similaire, la recherche sur la représentation royale est aussi assez schématique dans l'historiographie hongroise. Alors que la majorité des émissaires royaux à la curie pontificale était connue, plusieurs questions sont restées en suspens. En conséquence, il est indispensable de clarifier quelles formes de la représentation²¹ sont décrites dans les sources et quelles informations suffisantes sont disponibles pour en tirer des conclusions générales.

Par conséquent non seulement les formes directes (*legatus, collector, nuntius*), mais aussi les formes indirectes (*iudex delegatus, conservator, etc.*) de la représentation pontificale et royale doivent être prises en considération. De plus, en exposant le réseau social des participants des relations hungaro-papale, on peut démontrer quelle influence avait le service du roi ou du pape sur les carrières des acteurs de ces relations.

Il était également nécessaire de déterminer quels étaient les bénéficiaires qui ont vraiment visité la curie. Une bulle papale accordant certains privilèges à tel ou tel individu ne prouve pas forcément que le bénéficiaire l'a suppliée en personne à Rome ou à Avignon. Le cas du haut clergé illustre bien ce problème : il était rare que les archevêques et les évêques sollicitent

¹⁹ Par exemple, l'œuvre de M. Fraknói (cf. note 12.) se réfère aux collecteurs apostoliques comme « délégués » ou « commissaires » FRAKNÓI 1901. p. 167–168.

²⁰ Sur les catégories différentes de la représentation pontificale voir : Karl RUESS : *Die rechtliche Stellung der päpstlichen Legaten bis Bonifaz VIII.* Paderborn. 1912 ; Christiane SCHUCHARD : *Die päpstlichen Kollektoren im späten Mittelalter.* Tübingen. 2000. (dans ce qui suit : SCHUCHARD 2000) ; Peter HERDE : *Zur päpstlichen Delegationsgerichtsbarkeit im Mittelalter und in der frühen Neuzeit.* *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 119 (2002), p. 20–43. et KOVÁCS 2013.

²¹ D'après l'approche méthodologique utilisée par M. Farelo, je différencie des représentations de caractère formel et informel. Mário FARELO : *La représentation de la couronne portugaise à Avignon et ses agents (1305–1377).* *Anuario de estudios medievales* 40 (2010 : 2), p. 723–763.

en personne leur confirmation auprès du pape, mais ils désignaient des *procuratores* pour représenter leurs intérêts à la curie. De la même façon, les personnes (laïques ou ecclésiastiques) qui ont risqué le voyage à la cour pontificale ont fréquemment déposé les suppliques, plaintes, etc. de leurs connaissances²². Cela incite à employer des critères bien définis en vue de l'identification précise des émissaires hongrois. Certaines sources (lettres apostoliques, donations royales, etc.) sont particulièrement explicites tout en précisant que le destinataire était présent à la cour pontificale comme *nuntius* ou *ambaxiator*. Dans quelques cas heureux, les informations contenues dans les lettres pontificales sont complétées par les documents de la Chambre apostolique, où l'on retrouve le nom de la personne réglant les annates pour un bénéfice ecclésiastique. Certaines personnes ont été incluses dans la recherche à cause de preuves indirectes : si plusieurs lettres apostoliques ont traité les affaires d'une même personne et que la date de leur publication correspondait à la date confirmée d'une délégation hongroise à la cour papale, il est alors possible de relier la personne et l'ambassade²³. En revanche, il faut exclure les cas où l'existence d'une supplique ou d'un message est sûre, mais on ignore les circonstances de leur remise²⁴. Enfin, on peut aussi souligner que la forme de « double service » (au pape et au roi simultanément) existait exclusivement en contexte ecclésiastique ; les sources ne font référence à aucune personne laïque qui rendait service à la fois aux deux pouvoirs.

Il est aussi important de thématiser les relations pour éviter de perdre leur contexte et les interconnexions éventuelles qui auraient été maquées par une présentation linéaire.

²² Grégoire, fils de George de Kapronca (voir tableau 1. nr. 11.), par exemple, a non seulement réussi à s'assurer la prévôté de Hájszentlőrinc (Paka, Serbie, 1331–1335), mais il a aussi sollicité avec succès pour Pierre, fils de George de Kapronca – apparemment son frère – une prébende dans l'église de Zagreb. 6 janvier 1331 : ASV RV 108. ep. 440. Les comptes des collecteurs apostoliques (1333, 1334) confirment que Grégoire et Pierre étaient frères : Pierre est enregistré comme *frater Gregorii praepositi*. MON VATI I/1. p. 164, 169–170.

²³ Par exemple, Grégoire de Kapronca n'est pas mentionné dans les sources comme délégué royal, mais il était présent à la Curie en même temps (au début de 1331 et l'été de 1332) que la délégation documentée de Paul, évêque de Belgrade (voir tableau 1. nr. 10-11.). 6 janvier 1331 : ASV RV 98. ep. 533. (DF 291 545; ASV RA 37. fol. 347^r), 10 janvier 1331 : ASV RV 98. ep. 999. (DF 291 550; ASV RA 37 fol. 300^v) et 20 juillet 1332 : ASV RV 102. ep. 1244. (ASV RA 40. fol. 600^v).

²⁴ Jacques, chanoine de Zagreb a présenté personnellement sa supplique concernant la prévôté de Bács (Bač, Serbie) ; c'est pourquoi il est reconnu comme délégué royal dans l'historiographie hongroise (FRANKÓI 1901. p. 169), alors que la source ne précise pas avec quelle fonction Jacques a visité la Curie. Pour le document voir Árpád BOSSÁNYI : *Regesta supplicationum : a pápai kérvénykönyvek magyar vonatkozású okmányjai. Avignoni korszak. I kötet : VI. Kelemen pápa (1342–1352)*. [Suppliques relatives à la Hongrie. L'époque avignonnaise. Part I : Clément VI (1342–1352)] Budapest 1916. p. 2. (nr. 1.)

Le premier des sujets comprend les conflits dynastiques qui ne résument pas tous les événements diplomatiques déployés pendant le règne de Charles I^{er} : il concerne les affaires dans lesquelles les deux pouvoirs étaient intéressés et qui ont laissé une marque distinctive dans la documentation. La réunion royale de Visegrád en 1335²⁵, par exemple, a eu une grande importance dans l'histoire politique et économique de la Hongrie, de la Pologne et de la Bohême, mais elle n'a déclenché aucune réaction notable de la part du Saint-Siège. En même temps, les sources ont permis de vérifier qu'il est indispensable de reconsidérer trois questions de l'histoire diplomatique de cette période. *Primo* : l'accession de Charles I^{er} au trône hongrois en 1301 et l'attention que la cour pontificale y portait ; *secundo* : l'intervention de Jean XXII dans la lutte de succession dans le Saint-Empire entre Louis IV (de Bavière) et Frédéric le Bel (de Habsbourg) à partir de 1314 ; et *tertio* : le reflet de la politique dynastique de Charles I^{er} dans les sources papales.

Il n'est pas sans intérêt de suivre de près un autre sujet majeur, la politique ecclésiastique des papes envers la Hongrie au temps de Charles I^{er}. Il est à diviser en deux rubriques thématiques : la politique bénéficiale des papes de la période (Clément V, Jean XXII et Benoît XII) et les questions de la foi. La première porte sur l'analyse statistique de la collation des bénéfices ecclésiastiques en Hongrie entre 1301 et 1342 ; tandis que la deuxième propose une synthèse au sujet de la politique pontificale concernant la vie spirituelle ; elle montre surtout comment la papauté essayait d'engager le roi hongrois dans la lutte contre les hérétiques et dans la croisade.

Résultats préliminaires

La systématisation et l'analyse des sources ont éclairé de nouveaux détails et porté l'attention sur des aspects peu connus de la relation de Charles I^{er} avec la papauté. Les résultats de l'examen confirment que le système de la connexion et de la représentation des deux pouvoirs était plus complexe et versatile que présenté jusqu'à maintenant par l'historiographie. Cette constatation souligne l'importance particulière des acteurs des relations, ce qui avait une emprise qui égalait le caractère déterminant des intérêts des parties impliquées dans ces relations.

Constatons avant tout que le roi hongrois était représenté à la cour pontificale par des délégations formelles et occasionnelles.

#	Nom	Date de la délégation	Titre en temps de la délégation
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²⁵ György RÁCZ : The Congress of Visegrád in 1335 : Diplomacy and representation. *Hungarian Historical Review* 2 (2013 : 2), p. 261–287.

1.	Carachin	automne 1308	lecteur de Kalocsa
2.	Nicolas dit Finta	été 1310	chancelier et procureur de l'évêque de Győr
3.	Jacques	après octobre 1311	doyen de Zagreb (?)
4.	Jean	été 1313	chantre de Vác
5.	Pierre	été 1317	prieur des Frères Prêcheurs de Székesfehérvár
6.	Ladislas de Jánk	été 1317	chancelier royal, archevêque élu de Kalocsa
7.	Chanad de Telegd	printemps 1320	doyen de Várad
8.	Ladislas de Kabol	1325	doyen de Titel
9.	Jean	été 1331	ministre provincial des Frères Mineurs en Hongrie
10.	Paul	1331, 1332	évêque élu de Belgrade
11.	Grégoire de Kapronca	1331, 1332	doyen de Hájszentlőrinc
12.	Étienne	printemps 1332	doyen de Várad
13.	Thomas	printemps 1332	archidiacre de Transylvania
14.	Chama	printemps 1332	archidiacre de Küküllő

Tableau 1 : Délégués ecclésiastiques de Charles I^{er}

#	Nom	Date de la délégation	Titre utilisé par les sources
15.	Benoît de Geszth	1304	<i>nobilis vir, filius comitis Boudo de Gezth</i>
16.	Donch	fin 1323	<i>comes de Zólyom</i>
17.	George	1324/1325, 1327	<i>civis Budensis</i>
18.	Taphan de Harazti	1332	<i>nobilis vir</i>
19.	Gedeth de Hetes	1332	<i>nobilis vir</i>
20.	Étienne, fils de Dyonisos	1332	<i>miles Strigoniensis</i>
21.	Humbert de Cholay	1332	<i>comes, nuntius dalphini Viennensi, miles</i>

Tableau 2 : Délégués laïcs de Charles I^{er}

Je n'ai trouvé aucune trace de clercs hongrois qui auraient résidé à la curie en tant que représentant « permanent » de Charles I^{er}. Néanmoins, il est évident que certains clercs ambitieux ont essayé de réussir et d'avancer dans la hiérarchie en rendant service également au roi et au pape²⁶. De plus, les sources montrent que la classe moyenne du clergé a continué à marquer son importance dans les affaires diplomatiques et politiques pendant la première moitié du XIV^e siècle. Les études de cas et l'analyse prosopographique ont révélé que les représentants royaux appartenaient à l'entourage royal ; plusieurs d'entre eux étaient les confidents du roi²⁷.

Pendant le règne de Charles I^{er} le pouvoir pontifical s'est fait représenté en Hongrie sous différentes formes. Le premier niveau et la forme la plus directe de la représentation pontificale est constitué par les légats et les collecteurs apostoliques (généralement intitulés *nuntii*) qui ont été délégués au nom du pape pour procéder localement et personnellement. Au temps de Charles I^{er}, des représentants pontificaux ont été commissionnés deux fois en qualité de légats pontificaux et cinq fois comme collecteurs des décimes.

Nom du délégué	Date de la mission	Titre
Nicolas Boccasini	1301-1303	<i>Legatus a latere</i>
Bonaiutus de Casentino	1301/1304-1308 (?)	<i>Collector et nuntius Apostolice Sedis</i>
Gentil de Montefiore	1308-1311	<i>Legatus a latere</i>
Rufin de Civinio	1317-1320	<i>Collector et nuntius Apostolice Sedis</i>
Raymond de Bonofato	1331-1334 †	<i>Apostolice Sedis nuntius</i>
Jacques, fils de Bérenger	1331-1340	<i>Apostolice Sedis nuntius</i>
Jacques de Lengres	1333-1339 †	<i>Apostolice Sedis nuntius</i>
Galhard de Carcès	1338-1342	<i>Apostolice Sedis nuntius</i>
Pierre, fils de Gervais	1338-1342	<i>Apostolice Sedis nuntius</i>

Tableau 3 : légats et collecteurs apostoliques en Hongrie au temps de Charles I^{er}

Le premier légat, Nicolas Boccasini (le futur pape Benoît XI) a joué un rôle important dans la réorganisation du gouvernement ecclésiastique à l'époque de la guerre de succession, tandis que Gentil de Montefiore avait

²⁶ Ce groupe comprend d'un côté les curialistes qui ont procédé plus d'une fois aux affaires d'une façon ou d'une autre en rapport avec la Hongrie ou qui ont reçu des bénéfices en Hongrie ; et de l'autre côté les ecclésiastiques hongrois qui ont représenté le pouvoir pontifical en remplissant quelque fonction (juge délégué, conservateur, etc). Par exemple, le collecteur apostolique Galhard de Carcès (voir tableau 3) a été nommé prévôt de Titel (Titel, Serbie, 1336–1344), avant d'accéder au siège épiscopal de Csanád (1344–1345).

²⁷ Huit des délégués avaient certains titres à la cour royale pendant leurs missions à la Curie (tableau 1–2. nr. 5–8, 10–13.) ; trois ecclésiastiques sont devenus archevêques et trois évêques avec le soutien du roi (tableau 1. nr. 6–8. et 5, 10, 11). De plus, un tiers des délégués royaux (7) a rendu un service diplomatique au roi Charles I^{er} plus d'une fois, et cinq d'entre eux à plusieurs reprises (tableau 1–2. nr. 6–8, 11 et 16).

une influence considérable sur les relations diplomatiques et sur la juridiction ecclésiastique²⁸. L'analyse du travail des collecteurs apostoliques démontre les changements administratifs introduits au début du XIV^e siècle²⁹. Il semble que les papes ont préféré assigner aux collecteurs apostoliques le titre de *nuntius* qui comportait théoriquement une autorité ample ; cependant les commissions ont été limitées davantage afin d'assurer le succès de la collecte des taxes. Pourtant, la curie essayait d'exploiter le personnel présent sur place pour résoudre des problèmes particuliers et occasionnels : les collecteurs-*nuntii* ont été autorisés par des bulles pontificales émises postérieurement au mandat originel³⁰. Alors que le titre de *nuntius* a fréquemment impliqué une fonction diplomatique, on ne dispose d'aucune preuve pour cette extension d'activité des collecteurs en Hongrie (contrairement à la Pologne)³¹.

Le deuxième niveau de la représentation papale était moins direct avec la commission de juges délégués et conservateurs (juridiction ecclésiastique) et d'administrateurs (gouvernement ecclésiastique). Ces représentants pontificaux ont été choisis dans le clergé local pour traiter certaines affaires, mais on leur a seulement accordé une autorité limitée (en temps et en étendue). Le corpus des sources relatif au fonctionnement des juges délégués est dominé dans cette période par certains procès compliqués et prolixes qui ont résulté de conflits auprès des autorités ecclésiastiques³². Les juges délégués ont fréquemment transmis leur

²⁸ Sur ce sujet voir Viktória KOVÁCS : *Adalékok Niccolò Boccasini és Gentilis de Monteflorum pápai legátusok egyházi bíraskodási tevékenységéhez* [Remarques sur l'activité juridique des légats apostoliques Nicolas Boccasini et Gentil de Montefiori en Hongrie]. Pécs. 2013. (MA thèse, mémoire de maîtrise).

²⁹ Sur le système de la taxation apostolique en général voir Johann Peter KIRSCH : *Die päpstliche Kollektorien in Deutschland während des 14. Jahrhunderts*. Paderborn. 1894 ; Amandine LE ROUX : *Servir le pape. Le recrutement des collecteurs pontificaux dans le royaume de France et en Provence de la papauté d'Avignon à l'aube de la Renaissance (1316-1521)*. Paris. 2010. (Thèse de doctorat) ; SAMARAN – MOLLAT 1905 ; SCHUCHARD 2000. Pour l'édition des sources sur les collections en Hongrie voir note 9.

³⁰ Les collecteurs Raymond de Bonofato et Jacques, fils de Bérenger ont été autorisés après leur commission originale (01-03-1331 : DF 291 661, THEINER I. 536–540.) à examiner et confirmer l'élection du prévôt de Székesfehérvár. 10 juin 1331 : ASV RV 99, ep. 1359 (ASV AV 38, fol. 70^v ; DF 291 551).

³¹ Le collecteur Galhard de Carcès a été autorisé à arbitrer au nom du pape le conflit territorial entre Casimir III, roi de Pologne et l'Ordre Teutonique. Stanisław SZCZUR : *Papal collectors and state power in Central Europe during the fourteenth century*. In: *Central and Eastern Europe in the Middle Ages. A Cultural History*. Ed. Piotr GÓRECKI – Nancy VAN DEUSEN. London – New York. 2009. p. 125–146, ici p. 130–136.

³² Le conflit de l'ordre *Cruciferi Sancti Stephani Regis* et de l'évêque de Veszprém sur les droits de collation de certains dîmes et revenus ecclésiastiques illustre bien cette remarque : il s'étendit sur trente ans (ca. 1301–1331, cf. la note suivante). Le premier document est daté au 29 novembre 1301 : DF 200 076.

commission (*subdelegatio*), mais il était rare que les procès fussent décidés après plusieurs appels à la cour pontificale par des auditeurs pontificaux³³. La raison la plus fréquente de la délégation des conservateurs était une violence commise au détriment de personnes ou d'institutions ecclésiastiques, soit par un membre du clergé, soit par les pouvoirs séculiers³⁴. Les juges délégués et les conservateurs étaient des clercs de divers titres, tout comme les plaignants qui appartenaient, eux aussi, aux différentes strates de la hiérarchie ecclésiastique. La sélection des conservateurs était vraisemblablement influencée par la proximité géographique des diocèses en question et le rang du plaignant³⁵. Les sources portant sur les procès initiés par des conservateurs sont peu abondantes, ce qui nous laisse supposer que la plupart de ces affaires a été arrangée hors tribunal avec le compromis des parties. Il faut souligner que les formes directes (légats, *nuntii*, collecteurs ou envoyés royaux) et aussi les moins directes (juges délégués, conservateurs, clercs au service des deux pouvoirs) de la représentation avaient un effet concomitant qui est difficile à quantifier.

L'analyse des sources relatives aux relations diplomatiques et dynastiques de Charles I^{er} avec le Saint-Siège a également révélé quelques détails inexplorés. En premier lieu, l'attitude de Boniface VIII³⁶ lors de la succession de Charles I^{er} sur le trône hongrois en 1301 a été plus retenue que l'historiographie hongroise l'a précédemment présentée. La situation

³³ Pendant la période examinée, le Saint-Siège a désigné des auditeurs de la Curie comme arbitres deux fois : premièrement, Olivier, chapelain du pape, chanoine de Poitiers dans l'affaire mentionnée dans la note 32 (voir les chartes consignées par Olivier : 27 janvier 1329 : DF 200 139 et la chartre du 9 juin 1331, transcrite au 14 juillet 1331 : DF 200 155) ; et deuxièmement, Dynus chapelain du pape, prévôt de Gênes dans le conflit de l'évêque de Gyulafehérvár (Alba Iulia, Roumanie) et l'archidiacre de Nagyöküllő (Tárnava Mare, Roumanie) dans une question similaire (4 mai 1328 : *Urkudensbuch zur Geschichte des Mediascher Kapitels bis zur Reformation*. Éd. Rudolf THEIL – Carl WERNER. Hermannstadt (Sibiu). 1870. p. 6–10. (nr. 5).

³⁴ Par exemple, quand Chama, archidiacre de Küküllő a porté plainte contre Jean évêque de Várad qui lui a empêché d'exercer sa fonction, le pape a nommé alors l'archevêque de Kalocsa, l'évêque d'Eger et le prévôt de Bács comme conservateurs des droits de Chama. 5 avril 1332 : ASV RV 101, ep. 895 (ASV RA 40. fol. 460^v).

³⁵ Par exemple, en 1333 Jean XXII a nommé les évêques de Veszprém et de Vác comme conservateurs des droits de l'abbé de Pannonhalma [5 août 1333 : ASV RV 104, ep. 1205 (ASV RA 44, fol. 64a ; DF 207 148 ; DF 291 593)]. L'abbaye se trouve dans le diocèse de Győr qui est le diocèse voisin de Veszprém à l'ouest, tandis que le diocèse de Vác jouxte celui de Veszprém à l'est.

³⁶ Sur l'intervention des papes dans les luttes pour le trône hongrois voir Andreas KIESEWETTER : L'intervento di Niccolò IV, Celestino V e Bonifacio VIII nella lotta per il trono ungherese (1290-1303). In : *Bonifacio VIII : ideologia e azione politica. atti del convegno organizzato nell'ambito delle celebrazioni per il VII centenario della morte : Città del Vaticano, Roma, 26–28 aprile 2004*. Rome. 2004. p. 139–198.

politique des pays voisins de la Hongrie (principalement celle de l'Empire et de la Bohême) a eu une influence forte sur la décision de la Curie. Le Saint-Siège s'est évertué à occuper un rôle central, à devenir médiateur dans la diplomatie européenne,³⁷ par conséquent, Charles I^{er} a souvent pris contact avec les dynasties régnantes (y compris les autres branches de la dynastie angevine) par l'intermédiaire de la Curie.

L'implication de Charles I^{er} dans la guerre entre Louis de Bavière et Frédéric de Habsbourg suite à la double élection en 1314³⁸, prouve que même si la situation politique était difficile pour le roi hongrois pendant la première moitié de son règne à cause de sa confrontation avec les oligarques et les deux autres prétendants au trône hongrois, il a suivi les événements dynastiques de l'Europe occidentale. Le Royaume de Naples a sans aucun doute affecté la politique étrangère de Charles I^{er} à plusieurs niveaux. L'alliance entre la Hongrie et les Habsbourg trouve son origine dans la diplomatie des Angevins de Naples, et elle a été fermement soutenue par Robert I^{er}³⁹. Autrement dit, les accords entre Charles I^{er} et les princes Habsbourg n'étaient pas le fruit d'une décision dictée exclusivement par les intérêts de la politique intérieure, mais on peut les interpréter comme la prise de position du roi hongrois par rapport à la lutte de succession dans l'Empire. Néanmoins, il est important de souligner que la relation entre les Royaumes de Naples et de Hongrie n'était pas hiérarchique. Il serait plus judicieux de constater que la relation avec Naples était le fil conducteur de la politique dynastique de Charles I^{er} déterminée par sa prétention au trône napolitain. Il découlait de ce zèle la connaissance profonde et le respect du système diplomatique auquel le Royaume de Naples appartenait. Autrement dit, la Curie pontificale a exercé une influence indirecte sur la diplomatie de Charles I^{er}, principalement par l'intermédiaire du roi Robert I^{er} et des princes Habsbourgs. Mais certaines bulles apostoliques démontrent que les papes ont même cherché à exercer une pression plus directe sur le roi hongrois. Bien qu'il soit difficile d'estimer si les papes y sont arrivés et de savoir si le désir de maintenir une relation favorable avec le Saint-Siège a vraiment affecté la diplomatie de Charles I^{er}, il est évident

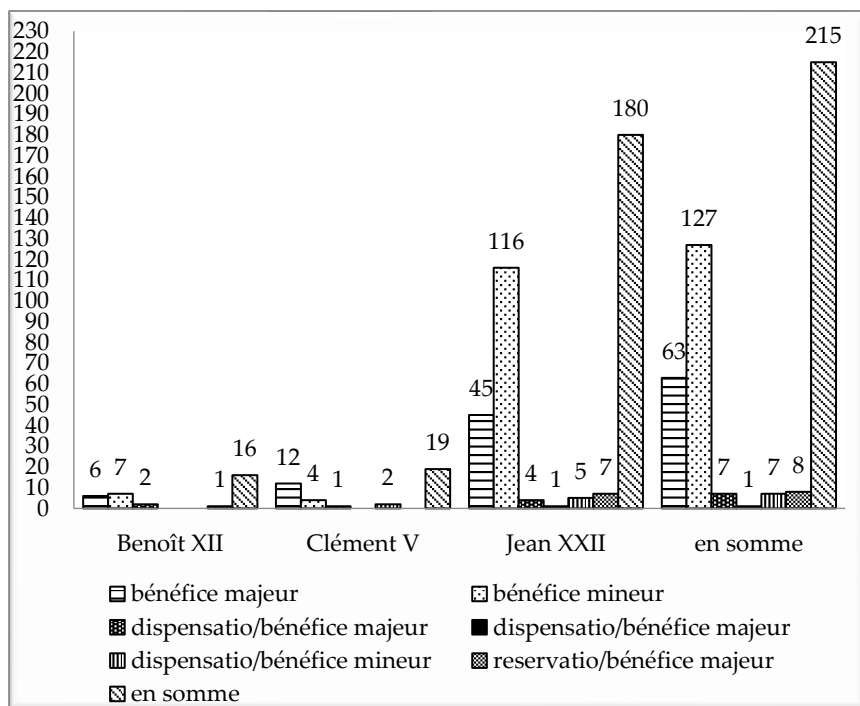
³⁷ La médiation de Jean XXII entre Charles IV et Léopold, frère de Frédéric d'Habsbourg afin de créer une alliance contre Louis de Bavière, ou bien les tentatives du Saint-Siège pour intervenir dans la guerre de Cent Ans illustrent bien cet objectif. MOLLAT 1912. p. 201–209 et 281–287.

³⁸ Heinz THOMAS : *Ludwig der Bayer, 1282–1347. Kaiser und Ketzer*. Graz 1993. p. 43–60.

³⁹ Sur la coopération de la papauté avec le Royaume de Naples en Italie voir Norman HOUSLEY : *The Italian Crusades. The Papal-Angevin Alliance and the Crusades Against Christian Lay Powers, 1254–1343*. Oxford. 1982.

que Jean XXII et le roi hongrois ont fait partie de la même alliance des pouvoirs après 1314⁴⁰.

La politique bénéficiale du Saint-Siège dans cette période a reflété l'universalisme pontifical et la centralisation qui caractérisaient les papes d'Avignon. Non seulement la base légale des réserves apostoliques fut établie, mais la Curie a réussi à exercer une influence forte, même au niveau des bénéfices mineurs. Notons avant tout que plus des deux tiers des décisions pontificales concernant des bénéfices hongrois (70 %) proviennent du temps de Jean XXII. La raison de cette distribution est non seulement la longueur de son pontificat (18 sur les 41 ans considérés), mais aussi la manière dont il a généralement traité les bénéfices ecclésiastiques. En confrontant la politique bénéficiale de Clément V, Jean XXII et Benoît XII, une différence considérable se manifeste au titre des bénéfices mineurs⁴¹. Jean XXII est intervenu pour des bénéfices mineurs en Hongrie environ six fois plus souvent que son prédécesseur ou son successeur.



Graphique 1 : La politique bénéficiale de Clément V, Jean XXII et Benoît XII en Hongrie

⁴⁰ BERTÉNYI 1987, p. 104.

⁴¹ J'utilise la distinction entre bénéfices majeurs et bénéfices mineurs d'après CAILLET 1975.

De plus, le nombre des provisions et des expectatives est équivalent au temps de Jean XXII, et un tiers des lettres pontificales a été adressé aux clercs qui tenaient déjà plus d'un bénéfice. L'analyse de la politique pontificale en Hongrie permet de comprendre comment Jean XXII a mis en pratique le principe de la bulle *Ex debito* (1316), surtout en relation avec les bénéfices majeurs. Alors que le pape a assigné rarement des clercs à des bénéfices majeurs tout en ignorant non seulement l'élection du chapitre mais aussi la présentation royale, il a essayé de mettre fin à toutes les incertitudes liées aux bénéfices en les reprenant sous sa coupe exclusive, par exemple en cassant l'élection à cause d'une certaine infraction, mais finalement conférant le bénéfice au candidat initial⁴². Le résultat de l'examen de la politique bénéficiale de Jean XXII envers la Hongrie rejoint non seulement les recherches précédentes portant sur d'autres pays européens, mais il a vérifié la théorie selon laquelle Jean XXII aurait visé à étendre le contrôle pontifical sur les strates moyenne et inférieure de la société ecclésiastique⁴³. Il est aussi important de souligner que les événements diplomatiques ont laissé une marque distinctive sur la politique bénéficiale de la Curie : le nombre des expectatives a augmenté considérablement au temps des rencontres diplomatiques. Du côté royale, l'analyse permet d'arriver à une conclusion que les monarques ont souvent rémunéré le service diplomatique en suppliant auprès des papes des bénéfices ecclésiastiques à leurs représentants. Néanmoins, les données montrent qu'il était difficile de valider les expectatives, l'attribution des bénéfices dépendait, bien entendu, plus des circonstances locales que du vouloir pontifical. Alors que l'historiographie hongroise a précédemment tenté de déterminer si le pouvoir royal ou le pouvoir papal était le plus efficace pour l'allocation des bénéfices ecclésiastiques, les sources ont révélé que cette rivalité n'existait pas dans la première moitié du XIV^e siècle. La politique bénéficiale de la Curie et celle du roi semblent plutôt parallèles qu'opposées, et des conflits ont rarement éclaté entre le roi et le pape autour de cette question⁴⁴. La conformité des intérêts n'explique pas entièrement ce phénomène ; il est probable que la modestie relative des revenus des bénéfices ecclésiastiques

⁴² L'élection d'Andreas à l'évêché de Transylvanie en 1320 a été cassée à cause de *defectus aetatis et ordinis* et à cause du fait qu'il a négligé de solliciter personnellement sa confirmation auprès du pape qu'Andreas en la confiant à des procureurs. Néanmoins, Jean XXII lui a finalement conféré l'évêché. 1^{er} juillet 1320 : ASV RV 70. ep. 973 (ASV RA 13. fol. 474^v).

⁴³ GUILLEMAIN 2011. p. 51–53.

⁴⁴ Un exemple bien connu est l'essai infructueux de Jean XXII de conférer l'évêché de Zagreb à Jacques de Corvo, un frère prêcheur, confesseur de Clémence, reine de France. 21 août 1322 : ASV RV 73. ep. 735. (ASV RA 17. fol. 272^v) et 3 septembre 1322 : THEINER I. 481. Charles I^{er} n'a pas reconnu la décision du pape (voir sa protestation dans le document 18 décembre 1323 : ASV RV 112. f. 78 v ep. 927, THEINER I. 494.) Finalement, le candidat du roi (Ladislas de Kábol, voir tableau 1. nr. 8.) a rempli l'office.

en Hongrie (surtout en comparaison de ceux d'Italie du Nord ou de France) a aussi réduit leur force d'attraction et donc le risque de confrontation entre les deux pouvoirs⁴⁵.

Des affaires concernant la vie spirituelle dans la première moitié du XIV^e siècle, c'est l'idée de croisade qui a influencé le plus directement les relations diplomatiques de Charles I^{er} avec la Curie pontificale. En cas de croisade en Terre sainte, cette influence s'est manifestée par la collecte des décimes dont Jean XXII a été contraint de faire concession au roi hongrois⁴⁶. En même temps, sous Benoît XII, la stratégie du Saint-Siège concernant l'hérésie en Bosnie a violé la sphère d'influence de Charles I^{er}, et par conséquent le roi hongrois a pris des mesures préventives⁴⁷.

Conclusion

Pour terminer, ajoutons qu'en dépit des résultats préliminaires présentés ci-dessus, la recherche sur les relations de la Hongrie avec le Saint-Siège à l'époque de Charles I^{er} est loin d'être terminée. Heureusement, nous aurons l'occasion dans le cadre d'un nouveau projet de recherche d'examiner plus profondément les questions évoquées par l'étude présente. Le projet *Délégués pontificaux en Hongrie au XIV^e siècle (1294–1378) – Base de données en ligne* vise à faire progresser notre savoir historique sur la représentation apostolique en Hongrie en constituant une base de données prosopographiques.



⁴⁵ Les revenus des trois diocèses les plus riches en Hongrie (Esztergom, Bács-Kalocsa et Várad) sont estimés à 6 000 florins au XIV^e siècle, tandis que ceux du diocèse le moins riche (Bosnie) le sont à 600 florins par an. LUKCSICS – TUSOR – FEDELES 2014. p. xlvii–xlvi.

⁴⁶ Jean XXII concéda un tiers des taxes recueillies à Charles I^{er} en échange de son soutien. FEJÉRPATAKY 1887. p. 511 ; THEINER I. 553–555.

⁴⁷ Afin d'encourager les luttes contre les hérétiques dans les Balkans, Benoît XII invita des seigneurs croates et Venise à agir ensemble. Craignant que les alliés démettraient Étienne II Kotromanić, vassal du roi hongrois du Banat de Bosnie, et qu'ils se tourneraient éventuellement contre le régime hongrois en Dalmatie, Charles I^{er} s'associa au projet de croisade contre les hérétiques et de l'établissement d'un vicariat franciscain en Bosnie. György GALAMB : La politique des rois angevins de la Hongrie et le vicariat franciscain bosniaque. In: KORDÉ – PETROVICS 2010. p. 171–179.

Viktória KOVÁCS:

The Pozsony Toll Exemption in the Angevin and Sigismund Eras*

This study examines the question of the toll exemption of the citizen of Pozsony (Bratislava, Slovakia) in the Angevin period and under the rule of Sigismund of Luxembourg. Beyond interpreting the privilege guaranteed in the town charter issued by Andrew III in 1291, we discuss the problems connected to the validity of the privilege. The town charter ensured the Pozsony hospites the toll exemption in the entire kingdom, but only those could benefit from the privilege who travelled with the purpose of trade. Through royal confirmations, the country-wide toll exemption remained in effect throughout the Angevin and Sigismundian periods. All the lawsuits with known outcome ended with the acknowledgement of the exemption from tolls of the burghers of Pozsony except one case: in 1357 the cathedral chapter of Esztergom managed to break the privilege of the exemption with reference to the ancientness and pious donation of their right to collect tolls. Mentions from the reign of Louis I, however, also imply the existence of a lost but partially reconstructed charter issued by Charles I, which granted the Pozsony townspeople a regionally restricted toll exemption. The latter charter of privilege seems to have provided toll exemption for any kind of traffic, meaning transport of persons and goods on the Pozsony–Visegrád and Pozsony–Buda routes (meaning, the routes to the royal court) on and beside the Danube. Charles's charter providing a 'Danube toll exemption' was probably confirmed by Louis, because court records indicate that the privilege was in effect.

Key words: Bratislava, 14th–15th century, Pozsony town privilege, trade, toll exemption, Danube toll stations, Umschlagsrecht, smuggling



Pozsony (Bratislava, Slovakia), lying at the western border of the medieval Hungarian kingdom, has been classed by Erik Fügedi along with Székesehérvár, Sopron and Kassa (Košice, Slovakia) as one of Hungary's foremost trading centres in the first half of the fourteenth century.¹ Despite

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¹ Erik FÜGEDI: Középkori magyar városprivilegiumok [Medieval Hungarian Town Privileges]. *Tanulmányok Budapest Múltjából* XIV (1961), p. 17–107. (hereafter: FÜGEDI 1961) here: p. 35.

the well-known richness of sources concerning the city, however, considerable uncertainty still surrounds one of its citizens' principal trading privileges, the exemption from payment of tolls. The subject was last examined in detail at the turn of the twentieth century, and divergent views persist: some authors interpret the town's charter of privilege of 1291 as granting citizens toll exemption in the county of Pozsony alone.² Others think it had country-wide scope,³ and yet, others admit "national" exemption, but only after 1328.⁴ Besides the nature of the privilege conferred by the charter, there are problems relating to the validity and exercise of the privilege, a subject that has hitherto received substantial treatment only from Ferenc Kováts.⁵

The original charter issued by Andrew III (1290–1301) to the citizens of Pozsony on 2 December 1291 ordered that the *hospites* of Pozsony, when travelling in the kingdom with their goods or wagons for the purposes of trade, were not required to pay duty either on their goods or on horses and servants who travelling with or without goods. Up to this point, the provision is equivalent to country-wide toll exemption privileges granted to the merchants of other towns, but it goes further, because the king specifically mentioned the toll stations at the Pozsony (Danube) ferry on the Hainburg an der Donau road, the Csalló ferry, Szőlős, the crossing point on river Morava and the other tolls in Pozsony County. This stipulation lies behind the view that the toll exemption was regionally restricted rather than country-wide, because it only applied in the listed toll stations. The text, however, clearly states that the exemption also applied to toll stations anywhere else.⁶ Additionally, a few days later, on 6 December, the king

² Cf. Ferenc KOVÁTS: Adalékok a dunai hajózás és a dunai vámok történetéhez az Anjouk korában [Contributions to the History of Danubian Navigation and Danubian Tolls in the Angevin Age]. *Magyar Gazdaságtörténelmi Szemle* 8 (1901), p. 433–470. (hereafter: KOVÁTS 1901) here: p. 436–437; FÜGEDI 1961. p. 39–40; Renáta SKORKA: Pozsony gazdasági szerepe a 15. század első felében a zálogszerződések tükrében [The Economic Role of Bratislava in the First Half of the 15th Century in the Light of Pignorative Contracts]. *Századok* 138 (2004), p. 433–463, here: p. 433–434; Erik Fügedi, despite apparently accepting Kováts's opinion in the matter, notes that 'the vague wording of the charter of privilege also permits a reading of national toll exemption.' He also mentions that it was their 1291 charter the citizens of Pozsony submitted in a 1496 lawsuit to prove their exemption from payment of tolls at Zsitvató (Žitava, today part of Radvaň nad Dunajom, Slovakia) in Komárom County. FÜGEDI 1961. p. 40.

³ Cf. Katalin SZENDE: *Otthon a városban. Társadalom és anyagi kultúra a középkori Sopronban, Pozsonyban és Eperjesen* [At Home in the Town. Society and Material Culture in Medieval Sopron, Pozsony (Bratislava) and Eperjes (Prešov)]. Budapest. 2004. p. 35; Boglárka WEISZ: *A királyketteje és az ispán harmada. Vámok és vámszedés Magyarországon a középkor első felében* [The King's Two Thirds and the Count's One Third. Customs and Customs Duties in Hungary in the First Half of the Middle Ages]. Budapest. 2013. (hereafter: WEISZ 2013) p. 318.

⁴ Cf. KOVÁTS 1901. p. 437; Fügedi also adopts this opinion. FÜGEDI 1961. p. 40.

⁵ KOVÁTS 1901. *passim*.

⁶ "Statuimus insuper, ut cum iidem hospites no(stri cu)m suis mercibus vel cu(ri)b(us) ubicun(que) in regno nostro causa mercandi voluerint proficiasci, nec de mercibus nec de equis vel personis eorum) cum

ordered all toll stations in the country not to collect tolls from the Pozsony *hospites* travelling to destinations either within or outside the country, there and back (*tam in eundo extra regnum nostrum, vel alias, quam in veniendo*), because by virtue of the king's holy ancestors (*a sanctis progenitoribus nostris*) and his grace, they enjoyed the freedom to pass through toll stations without making payment.⁷ The city's charter thus conferred toll exemption to the Pozsony merchants throughout the land, although in practice their trading activities in the late thirteenth century may not have extended to anything like the whole country, as is suggested by sections of the December 1291 charters highlighting the county of Pozsony, roads leading out of the country and tolls collected at border gates. By mentioning these locations, these passages emphasize Pozsony citizens' involvement in foreign trade.⁸ The importance of trade with Lower Austria in particular is clear from the locations of the charter's list of crossing points: one route to Vienna started with the Danube ferry at the Abbot of Pili's water tower⁹ in Pozsony and proceeded along the right bank past Hainburg, and another went via the Morava crossing at Dévény (Devín, today part of Bratislava, Slovakia) and proceeded overland via Morvamező (Marchfeld, Austria, Slovakia, and Czech Republic).¹⁰ Via the Szőlős (Pozsonyszőlős, Vajnory, today part of Bratislava, Slovakia) road, the Pozsony merchants could travel towards Nagyszombat (Trnava, Slovakia) via Cseklész (Bernolákovo, Slovakia), and the Csalló ferry carried them into Csallóköz.¹¹

The country-wide toll exemption granted to the Pozsony *hospites* in the 1291 charter remained in effect under Charles I (1301–1342), who made the

mercibus (et sine) mercibus euntibus et redeuntibus nullum tributum nullamque exactionem, videlicet in portu Posonien (si versus Haimburgam,) in portu (Challow, in Zeuleus, in transitu fluvii Morava et in aliis locis quibuscunque in comitatu Posoniensi) et alias, (ubi tributum exigi) consuevit, solvere teneantur". *Výsady miest a mestčiek na Slovensku I. 1238–1350.* Ed. Lubomir JUCK. Bratislava. 1984. (hereafter: VMMS) I. p. 75. (*Az Árpád-házi királyok okleveleinek kritikai jegyzéke. Regesta regum stirpis Arpadianae critico-diplomatica.* I–II. Ed. Imre SZENTPÉTERY – Iván BORSA. Budapest. 1923–1987. [hereafter: RA] nr. 3837); Juck filled in the parts missing from the original charter using Charles I's confirmation of 1313. VMMS I. p. 77.

⁷ *Codex diplomaticus Hungariae ecclesiasticus ac civilis.* I–XI. Ed. Georgius FEJÉR. Buda. 1829–1844. (hereafter: FEJÉR) VI/2. p. 299. (RA nr. 3840).

⁸ Cf. WEISZ 2013. p. 43, 318.

⁹ WEISZ 2013. p. 317.

¹⁰ Renáta SKORKA: Pozsony a bécsi közvetítő kereskedelem árnyékában [Bratislava in the Shadow of the Vienna Transit Trade]. In: *Tiszteletkőr. Történeti tanulmányok Draskóczy István egyetemi tanár 60. születésnapjára.* Ed. Gábor MIKÓ – Bence PÉTERFI – András VADAS. Budapest. 2012. p. 301–309. (hereafter: SKORKA 2012) here: p. 301–302; Ferenc Kovács claims that the crossing of the River Morava connected Pozsony to Moravia along the Lamacs-Beszterce-Stomfa-Malacka route (now Lamač-Banská Bystrica-Stupava-Malacky, Slovakia); KOVÁCS 1901. p. 435.

¹¹ KOVÁCS 1901. p. 435.

first amendment to the charter in 1313¹² and confirmed it on 31 March 1323¹³ after he started to use a new seal.¹⁴ An important point here is that Charles I's confirmation of Pozsony's privileges in 1313 was based not on the original charter but on a transcription bearing the personal seal¹⁵ of Archbishop Thomas of Esztergom (1305/1306–1321).¹⁶ Interestingly, we do not have knowledge of a case when the people of Pozsony made a direct request for the transcription of their charter issued in 1291, even though the original still survives.¹⁷ Owing to the physical deterioration of the original document, however, the passage concerning the toll exemption privilege is illegible and we know the full text only from the archbishop's transcription, via Charles I's charter of 1313.¹⁸

Ferenc Kováts claimed that Pozsony acquired exemption from payment of Pozsony county tolls in 1291, but it gained a country-wide exemption only by grant of Charles I in 1328.¹⁹ He cited a charter of Louis I (the Great) (1342–1382) from 1357, 'in which the king resolutely stated that the townspeople of Pozsony received general toll exemption, extending to the whole area of the country, from Charles I,'²⁰ and two mandates issued by Charles I in 1328.²¹

On 8 November 1328, Charles prohibited the town of Nagyszombat from imposing tolls on the people of Pozsony on any reason (*nulla penitus racione*). He imposed the same prohibition on the sons of Abraham Vörös on 13 November. The reason given for this provision in both cases was that

¹² Magyar Nemzeti Levéltár Országos Levéltára, Diplomatikai Fényképgyűjtemény [National Archives of Hungary. Collection of Photo Reproductions] (hereafter: DF) 238 656, FEJÉR X/7. p. 762–763. (Anjou-kori oklevéltár. *Documenta res Hungaricas tempore regum Andegavensium illustrantia*. I–XLVI. Ed. Tibor ALMÁSI – László BLAZOVICH – Lajos GÉCZI – Éva B. HALÁSZ – Tamás KÖRALVI – Gyula KRISTÓ – Ferenc MAKK – Ferenc PIII – Ferenc SEBŐK – Éva TEISZLER – Ildikó TÓTH – Krisztina RÁBALI. Budapest–Szeged. 1990–2017. [hereafter: AO] III. nr. 644).

¹³ In the 1323 transcription, the king provided the citizens of Pozsony the additional privilege that they were not obliged to accept the new royal coins and were exempt from payment of the related tax, the *ferto* (collecta fertonis). DF 238 664, FEJÉR X/7. p. 762–765, (AO VII. nr. 91); The Pozsony chapter transcribed this charter on 9 April 1347: DF 238 715 (AO XXXI. nr. 300).

¹⁴ Albert GÁRDONYI: I. Károly király nagypecsétjei [Grand-Seals of King Charles I]. *Turul* 25 (1907), p. 30–57. (hereafter: GÁRDONYI 1907) here: p. 36.

¹⁵ Cf. DF 238 656; FEJÉR X/7. p. 762–763. (AO III. nr. 644).

¹⁶ Pál ENGEL: *Magyarország világi archontológiája 1301–1457* [The Secular Archontology of Hungary 1301–1457]. I–II. Budapest. 1996. (hereafter: ENGEL 1996) I. p. 63.

¹⁷ Cf. DF 238 636.

¹⁸ Cf. DF 238 636, 238 656; FEJÉR X/7. p. 762–763. (AO III. nr. 644).

¹⁹ Ferenc Kováts ignored in his argumentation the identity of the so-called "*et alias*" in the charter of privilege of 2nd December 1291. He also disregarded the other previously mentioned charter from the 6 December [1291] – which similarly to the one from the 2nd of December contradicted his theory – in spite of the fact that he knew of its existence. KOVÁTS 1901. p. 436–437.

²⁰ KOVÁTS 1901. p. 437.

²¹ KOVÁTS 1901. p. 435–437.

Pozsony citizens and *hospites* were not obliged to pay tolls anywhere in the realm (*nusquam in regno nostro*),²² as he knew from the charters of privilege granted by his predecessors and confirmed by himself (*in ... litteris privilegialibus vidimus*).²³ Nagyszombat must have breached Pozsony's toll exemption at the toll station the town rented from the chapter of Székesfehérvár, and the sons of Abraham Vörös must have done so in Cseklész.²⁴ In the 13 November mandate, Charles notably upheld the Pozsony citizens' exemption at the toll station of Abraham Vörös's son Andrew and his brothers, despite the latter possessing the privilege to collect tolls from everybody, without discrimination (*sine differentia aliquali*).²⁵

The regionally-restricted interpretation of the toll exemption granted in 1291 seems to be refuted by the references in these royal mandates to a country-wide toll exemption acquired from previous kings. It takes on new credence, however, from the wording of a charter that Charles issued in Visegrád on 4 July 1328 explicitly granting the people of Pozsony country-wide toll exemption.²⁶ This might even have been the charter that the people of Pozsony presented to the king in November of that year in the legal dispute concerning tolls collection in Cseklész and Nagyszombat,²⁷ but the question remains clouded, because the charter survived only in the form of a summary transcription in King Matthias's charter of 27 May 1464.²⁸ That was when, at Pozsony's request, Matthias's transcribed and confirmed several economic privileges, mostly those concerning exemption from tolls and *harmincad* (*tricesima*, 'thirtieth') duties. The charters the Pozsony citizens presented for transcription were of various forms. As they requested, the transcription did not include the full text but only the articles (*articulos*) concerning freedoms and rights (*libertates et iura*), although these articles were probably transcribed literally.²⁹ On 10 February 1493, Vladislaus II (1490–1516) confirmed the content of Matthias's charter, thus recognizing the country-wide toll exemption for the people of Pozsony and their goods

²² "[...] *libertas dictorum civium et hospitem nostrorum per priores reges data et per nos confirmata id requirat, quod iidem nusquam in regno nostro tributum solvere teneantur*". VMMS I. p. 114. (AO XII. nr. 462); „[...] *quod quia fideles cives nostros de Posonio in nostris et predecessorum nostrorum quondam illustrium regum Hungarie litteris privilegialibus vidimus et pro certo cognovimus hanc libertatis prerogativam habere et pro meritis obtinuisse quod iidem aut aliquis ipsorum nusquam in regno nostro dare et solvere tributa teneantur*". VMMS I. p. 113, dated 4 July. (AO XII. nr. 466).

²³ VMMS I. p. 113. (AO XII. nr. 466).

²⁴ WEISZ 2013. p. 384, 110.

²⁵ WEISZ 2013. p. 110.

²⁶ DF 240 491 (AO XII. nr. 351).

²⁷ AO XII. nr. 462, 466.

²⁸ DF 240 491.

²⁹ DF 240 491.

and chattels (*tam de personis propriis, quam de omnibus rebus et bonis suis*).³⁰ He also issued a charter on 15 July 1498 transcribing and confirming several other charters that granted privileges to the people of Pozsony.³¹ The Pozsony citizens presented the 1464 and 1493 charters in the lawsuit over the tolls of Zsitvató (Žitava, today part of Radvaň nad Dunajom, Slovakia) 1495–1496. There, they joined with the citizens of Buda, Pest, Székesfehérvár, Esztergom, Visegrád, Komárom and Budafelhévíz in a successful challenge to the toll collection rights of the Nyitra (Nitra, Slovakia) church in Zsitvató.³² Returning to the Visegrád charter of 4 July 1328, I consider it – on the grounds of its *articulus* preserved by the summary transcription and its presumed privilege form³³ – to have been a royal judgement rather than the confirmation of a charter of privilege, because the text seems to resemble the form of a court judgement than that of the ground for a transcription or confirmation. The text itself makes no mention of confirmation.³⁴ I therefore conclude that the 4 July document may have been the judgement in the lawsuit that the citizens of Pozsony instigated against the sons of Abraham Vörös and/or the citizens of Nagyszombat. This is supported by the date of issue, close to the dates of the royal mandates issued in early November, and by the exact correspondence of the text of the *articulus* in the 4 July document to that in the 13 November 1328 mandate.³⁵ In the lawsuit, the king based the recognition of the Pozsony toll exemption on the town's charter of privilege, which he had confirmed. The mandates following the judgement, however, issued in November, were requested by the citizens, presumably to assist in the practical enforcement of their privilege.

Katalin Szende may have finally solved the 'mystery' of Pozsony's charter of 4 July 1328. She proposes that it never actually existed, and the *articulus* transcribed in Matthias's charter of 1464 is in fact a summary transcription of the 13 November charter. She traces the 'phantom charter' of 4 July to an error by Matthias's scribe, who mistook the name Briccius in the date of the 13 November document (*in festo beati Bricii confessoris*) for

³⁰ Tibor NEUMANN: Források Székesfehérvár középkori kiváltságainak történetéhez [Sources to the History of Székesfehérvár's Medieval Privileges]. In: Attila ZSOLDOS – Tibor NEUMANN: *Székesfehérvár középkori kiváltságai*. Székesfehérvár. 2010. p. 43–122. (hereafter: NEUMANN 2010) here: p. 83–84.

³¹ DF 240 822.

³² 15 June 1496: NEUMANN 2010. p. 55–90, mainly 81–84.

³³ "[...] *continentur iste articulus quod quia fideles cives nostros de Posenio in nostris et predecessorum nostrorum condam illustrium regum Hungarie litteris privilegialibus vidimus et pro certo cognovimus hanc libertatis prerogativam habere et pro meritis obtinuisse quod iudem aut aliquis ipsorum nusquam in regno nostro dare et solvere tributa teneantur*". DF 240 491.

³⁴ DF 240 491; Cf. AO XII. nr. 351.

³⁵ Cf. DF 240 491; VMMS I. p. 113, dated 4 July, and AO XII. nr. 351, 466.

Ulricus and wrote this into the 1464 document. In this case, the date comes out as 4 July rather than 13 November.³⁶ The reference in the Matthias charter to the 4 July document as a ‘charter of privilege’ (*in ... privileg[io] ... Karoli regis dato*) rather than a ‘mandate’ does not contradict Szende’s argument; we see the same, for example in a summary transcription of Charles I’s charter of 30 July 1336 (*in litteris preceptorii*).³⁷ The scribe who drafted Louis I’s decree of on 21 February 1366³⁸ also inconsistently mentions a charter of privilege (*in privilegio ... Lodovici regis ... dato*). The expression *in privilegio* in the 1464 charter therefore does not seem to describe the form of the transcribed documents and means only ‘in/according to the privilege (issued by Charles/Louis)’.³⁹

The charter that Louis the Great issued in Visegrád on 25 January 1357, was also adduced by Ferenc Kovács as evidence that the citizens of Pozsony received their country-wide toll exemption from Charles I, relates to a lawsuit between Pozsony and the Esztergom chapter concerning payment of tolls.⁴⁰ Among the documentary evidence that the citizens of Pozsony submitted on 19 January 1357, recorded somewhat tersely, was the charter confirmed by Charles I’s middle seal (lost in Wallachia). This contained the privileges from an older charter bearing the previous seal.⁴¹ It was on this charter that Louis I based his recognition of the Pozsony citizens’ exemption, by grace of King Charles, from payment of tolls (*dicti ciues de Posonio ex gracia ... Karoli regis ... ipsis facta a solucione tributorum exempti habeantur*).⁴² The description of the charter presented by the Pozsony citizens, (one that did not even mention the Árpád-era grant of toll exemption) does not make clear what kind of document it was. I think, that the transcription of 1323, incorporating Charles I’s charter of 1313 confirming the town charter of 1291, is the most likely contender, because Louis I confirmed it – at the request of Pozsony judge Jacob and three jurors: John, son of Jacob, (another) Jacob, son of Reyhard and Stephen ‘Bruno’ –

³⁶ Katalin SZENDE: Mennyit ér a kiváltság? Városprivilegiumok kibocsátása és rendelkezéseik betartása I. Károly alatt [What is the Privilege Worth? Issuing and Observing Town Privileges in Hungary during the Reign of Charles I]. In: *Pénz, posztó, piac*. Ed. Boglárka WEISZ. Budapest. 2016. p. 285–339, here: p. 327–328. (n. 183).

³⁷ VMMS I. p. 125–126. (AO XX. nr. 316).

³⁸ DF 238 835 = DF 238 836.

³⁹ Cf. DF 240 491.

⁴⁰ FEJÉR IX/2. p. 568–570; Cf. KOVÁCS 1901. p. 437.

⁴¹ “[...] *ubi etiam dicti ciues Posonien. priuilegium Domini Caroli regis [...] sub mediocri sigillo eiusdem, in partibus transalpinis casu deperdito, confectum, tenorem priuilegii sui, priori et antiquiori sigillo ipsis consignati, confirmatiue continens, nobis praesentarunt*”. FEJÉR IX/2. p. 569.

⁴² DF 237 234; FEJÉR IX/2. p. 569–570.

on 18 January 1357, the day before the submission of documentary evidence.⁴³ Nonetheless, there are other possibilities to consider.

Information from Louis's reign suggests that the toll exemption granted to Pozsony's citizens during the reign of Charles I did not derive solely from the town's charter of privilege. On 8 January 1350, Elizabeth the queen mother had instructed the toll owners and their collectors of tolls on land and on the Danube (*tributariis tam in terra quam super fluvio Danubii constitutis*) not to collect tolls from Pozsony citizens carrying wine and food to Buda or elsewhere in the kingdom (*vel alias in regno nostro*).⁴⁴ A mandate issued by Louis I on 26 January 1356 mentions toll exemption on wine, grain, oats and other foods (*de vinis, frugibus, avenis, ac aliis victualibus ipsorum*) carried by Pozsony citizens and *hospites* on ships or wagons down to Visegrád (*usque Vissegrad*),⁴⁵ as do his charters of 6 March for wine and grain (*de vinis et frugibus eorum*) carried from the city of Pozsony towards Visegrád (*versus Vyssegrad*).⁴⁶ Since the stipulation of toll exemption for wine and food transport along and beside the Danube is not mentioned in the relevant section of the town charter, we must seek its source elsewhere. There is a clue in the royal mandate of 26 January 1356, which states that the citizens of Pozsony were granted the exemption by Charles I's charter of privilege (*exhibuit nobis quasdam litteras privilegiales ... Karoli regis ... in quibus inter cetera expresse vidimus contineri*).⁴⁷ The 26 January document was almost certainly the basis for the king's mandate of 6 January 1366, because the wording of the two documents is identical, apart from obvious copy errors.⁴⁸ It was also Charles's previous charter of privilege – which I therefore, do not regard as identical to either the 1313 or the 1323 transcription of the town charter – that the Pozsony citizens may have cited in their dispute with Conrad of Wolfurt, *comes* of Óvár, in 1357. In the same place, we learn that Louis I had also confirmed his father's charter (*nostrarum confirmatoriarum*).⁴⁹ There are references to this confirmation or

⁴³ DF 238 757; Louis, a few years previously, had already confirmed this privilege conferred by Charles. Cf. 30 January 1352: DF 238 737.

⁴⁴ DF 238 727; FEJÉR IX/7. p. 100. (AO XXXIV. nr. 9).

⁴⁵ FEJÉR IX/7. p. 146. (AO XL. nr. 57).

⁴⁶ 6 March 1356: FEJÉR IX/7. p. 144–145; DF 238 753 (AO XL. nr. 111); 6 March 1356: KOVÁTS 1901. 445; DF 238 751 (AO XL. nr. 112).

⁴⁷ “[...] *quod iidem cives et hospites nostri de vinis frugibus et avenis ac aliis victualibus ipsorum tam in navibus quam in curribus usque Wyssegrad deferendis tributum vel aliquam tributariam exactionem nullas in regno nostro dare et persolvere teneantur sed a premissa exactione tributi absoluti et exempti habeantur*”. DF 238 749, 238 750; FEJÉR IX/7. p. 146. (AO XL. nr. 57).

⁴⁸ KOVÁTS 1901. p. 460; DF 238 831, 238 832.

⁴⁹ “[...] *mandamus quatenus a modo et deinceps a prefatis civibus et hospitibus nostris necnon (rebus) et bonis (eorundem) prout in eorum instrumentis videbitis contineri nullum tributum nullamque*

at least to the exercise of the privilege in the royal mandates of 6 March 1356⁵⁰ and even in dowager Queen Elizabeth's charter of 8 January 1350.⁵¹

All that we know from the Louis-era references to this charter of Charles I is that it existed.⁵² We do not know its exact date of issue or why the citizens of Pozsony needed a new charter to provide them with toll exemption or how it differed from the privilege provided in the 1291 charter. There are serious obstacles to answering these questions: we do not have the original charter or its presumed confirmation during the reign of Louis; its full text has not survived; and sources that preserve parts of its content seem to contradict rather than reinforce each other. The privilege must have applied to wine and food, and the Pozsony citizens claimed that it applied both to items intended for sale and items being transported for other purposes (*ad vendendum, vel pro alia causa deferendis*).⁵³ Some records of the privilege, also giving the point of view of the Pozsony citizens, claim that they were exempt from tolls due on their goods and chattels on the Danube and down to Visegrád (*a solutione tributi super Danobio persolvendi de rebus et bonis ipsorum*).⁵⁴ The privilege emphatically applied to transport by ship along the Danube and by wagon beside the river,⁵⁵ but we also find stipulations of the form of 'or elsewhere in the kingdom',⁵⁶ creating some uncertainties in determining the geographical reach of the toll exemption. Additionally, although most of the charters mention exemption from tolls on the transport of food and wine from Pozsony to Visegrád, one of them mentions Buda, and another the royal court, as their destinations.⁵⁷

tributariam exactionem petere recipere vel exigere vel exigere facere quovis modo presumpmatis". DF 238 762; KOVÁCS 1901. p. 446. (dated in this as 21 September).

⁵⁰ "[...] *cum nos fideles cives et hospites nostros Posenienses iuxta formam libertatum eorundem per dominum Karolum regem patrem nostrum et etiam per nos nunc eisdem concessarum*". DF 238 753 (FEJÉR IX/7. p. 144). "*Cum nos fideles Cives et hospites nostros Posenienses confinia regni nostri tuentes iuxta formam libertatum eorundem, per Illustrrem principem quondam dominum Karolum olim Inclitum Regem Hungarum genitorem nostrum Karissimum, et etiam per nos efficacissimorum literalium Instrumentorum, ex vigore ipsis graciose concessarum*". KOVÁCS 1901. p. 445.

⁵¹ "[...] *cum primum dominus Karolus quondam illustris rex Hungarie dominus et consors noster pie memorie et tandem dominus rex filius noster et nos iudici iuratis civibus et universonis hospitibus nostris de civitate nostra Poseniensi de gracia speciali annuerimus*". DF 238 727; FEJÉR IX/7. p. 100.

⁵² The data that follows comes from charters that mention the Pozsony citizens' exemption from Danube tolls and their toll-free transport of wine and food.

⁵³ 6 December 1357: KOVÁCS 1901. p. 447.

⁵⁴ 23 September 1357: DF 238 762; KOVÁCS 1901. p. 446. (dated in this as 21 September); 7 July 1359: "*de bonis et rebus eorum, in Wissegrad deferendis, nullum Tributum dare tenerentur*". KOVÁCS 1901. p. 451. (dated 3 July).

⁵⁵ 26 January 1356: FEJÉR IX/7. p. 146.

⁵⁶ "*Tributum vel aliquam Tributariam exactionem nullas in regno Nostro dare, et persolvere teneantur*". FEJÉR IX/7. p. 146. "*In Budam vel alias in regno nostro deferunt*". DF 238 727; FEJÉR IX/7. p. 100.

⁵⁷ This information is not exhaustive: "*in Budam*". FEJÉR IX/7. p. 100; "*in Wissegrad*". KOVÁCS 1901. p. 451; "*versus curiam nostram*". KOVÁCS 1901. p. 447.

In my opinion, the conclusion to be drawn from these scattered references is that the citizens of Pozsony received a geographically limited toll exemption privilege from Charles I applying to all kinds of travel and transport on and beside the Danube from the city to Visegrád and Buda, because the holders of the privilege were the citizens and *hospites*, and not only the merchants, of Pozsony. The end-point of the specified route seems to have been the royal court, possibly explaining why Queen Elizabeth in her 1350 charter prohibited the collection of tolls from Pozsony citizens carrying wine and food to Buda or elsewhere (*in Budam vel alias in regno nostro*).⁵⁸ In 1350, the king's seat was in Buda,⁵⁹ and this case may have been an interpretation of the privilege in terms of the current state of affairs. There is another example, however, of 'Danube toll exemption' covering transport to Visegrád and Buda.⁶⁰ The holding of 'multiple kinds' of toll exemption by a town's citizens is not a unique or even unusual phenomenon, as it is clear from the example of Sopron, another Western border town. In the Árpáadian age, probably under the reign of Béla IV (1235–1270) or Stephen V (1270–1272), Sopron's merchants acquired a country-wide toll exemption resembling the privilege enjoyed by Pozsony citizens.⁶¹ Andrew III guaranteed this privilege in 1291, and in a charter of 1297 restated it⁶² to exempt the citizens of Sopron, like those of Székesfehérvár and Buda, from tolls on the whole territory of the kingdom 'both when navigating up and down the waters of the Danube and of other rivers of our kingdom, and when on mainland'. Thus, the citizens of Sopron were also granted explicit exemption from payment of Danube tolls.⁶³ Charles I confirmed the 1297 charter in 1317.⁶⁴ That was next transcribed during the reign of Sigismund in 1397, who cited it in prohibiting tolls from being charged on Sopron citizens' goods within the kingdom.⁶⁵ In 1323, Sopron also acquired exemption from payment of tolls up to the Lajta (Leitha, Austria / Lajta, Hungary) and the Rába rivers, meaning certain part of the counties of Vas

⁵⁸ 8 January 1350: DF 238 727; FEJÉR IX/7. p. 100.

⁵⁹ László IVÁN: *A visegrádi vár története a kezdetektől 1685-ig* [The History of Visegrád Castle from the Beginnings to 1685]. Visegrád. 2004. p. 26.

⁶⁰ Cf. 4 July 1374: DF 238 909; FEJÉR IX/4. p. 570.

⁶¹ WEISZ 2013. p. 343.

⁶² WEISZ 2013. p. 343–344.

⁶³ "[...] *üidem hospites et quilibet ex ipsis ab omni solutione tributi, sicut cives Albenses et Budenses, per totius regni nostri climata tam super aquam Danubii et aliis fluviis(!) in regno nostro existentibus in descendendo aut ascendendo, quam super terram liberi, immunes penitus sint et exempti*". *Elenchus fontium historiae urbanae* III/2. Ed. András KUBINYI – Monika JÁNOSI – Péter E. KOVÁCS – József KÖBLÖS – István TRINGLI. Budapest. 1997. p. 99.

⁶⁴ *Sopron szabad királyi város története* [The History of the Free Royal City of Sopron]. I/1–II/6. Published by Jenő HÁZI. Sopron. 1921–1943. (hereafter: HÁZI 1921–1943) I/1. p. 27–28.

⁶⁵ WEISZ 2013. p. 344.

and Sopron: ‘... regionally restricted toll exemption applied to their goods, to persons travelling on foot, and to those crossing in other ways. Thus, not only to Sopron citizens coming and going for purposes of trade, but also to those pursuing other affairs ...’.⁶⁶

We can give other examples of toll exemptions for those travelling to the courts of the king and the queen. In 1363, Louis I prohibited – as something unbefitting (*sicut non decet*) – anyone from collecting tolls (and thirtieth customs duties) from Sopron citizens when they brought their gifts and taxes to the royal court.⁶⁷ A similar provision by Sigismund in 1389 also ensured toll exemption to Sopron citizens bringing gifts – and expressly New Year gifts – to the king’s court.⁶⁸ Under a decree of Louis I issued in 1378, tolls could not be demand from special emissaries and deputies (*de ... ambasiatoribus seu nunciis specialibus*) of the citizens of Szeben (Sibiu, Romania) sent to the king or queen, at least in the case that the emissaries went on their journey without goods.⁶⁹ In 1391, when citizens of Szeben, representing the seven Saxon seats, reported to Sigismund their grievous treatment at toll stations, it was heard that citizens (or their emissaries) travelling to ‘carry out affairs’ at the courts of the king or queen and those bearing gifts for the royal couple were being – illicitly – required to pay tolls.⁷⁰

The apparently exaggerated description of the documentary evidence presented by the citizens of Pozsony during their legal dispute with the Esztergom chapter in 1357 suggests the possibility that they presented Charles’s charter providing toll exemption on the Danube. I consider it to be more likely, however, that the document involved, was the current

⁶⁶ WEISZ 2013. p. 344.

⁶⁷ HÁZI 1921–1943. I/1. p. 130.

⁶⁸ HÁZI 1921–1943. I/1. p. 224. (*Zsigmondkori oklevéltár* [Charters from the Age of Sigismund]. I–XII. Ed. Elemér MÁLYUSZ – Iván BORSÁ – Norbert C. TÓTH – Tibor NEUMANN – Bálint LAKATOS. Budapest. 1951–2013. [hereafter: ZsO] I. nr. 875).

⁶⁹ Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen I–VII. Ed. Franz ZIMMERMANN – Carl WERNER – Gustav GÜNDISCH. Hermannstadt – Köln – Wien – București. 1892–1991. (hereafter: UGDS) II. p. 488–489.

⁷⁰ “[...] *cumque etiam praefati cives et hospites nostri aut nuncii seu ambasiatores eorum aliqui ad nostram vel reginalem maiestates in factis et necessitatibus ipsorum venire voluerint [...] ex tunc praefati tributarii super ipsos et a [...] clenodiis seu muneribus nostrae vel reginali maiestatibus per ipsos portandis et exhibendis [...] tributariam exactionem peterent, reciperent et indefesse extorquerent*”. UGDS III. p. 9; Sigismund re-issued the charter at the request of Szeben citizens the same year (UGDS III. p. 27–29), and did so again in 1397 (UGDS III. p. 187–190), 1404 (UGDS III. p. 315–317) and 1405 (UGDS III. p. 334–337). There is also a known copy issued by the Transylvanian Voivode, Frank Szécsényi, at the request of Szeben and the seven Saxon towns in 1393. (UGDS III. p. 65–67). The text of these is largely identical, although there are some significant deviations in the copy issued by the voivode, who could guarantee the enforcement of its provisions only in the areas under his jurisdiction. The king also issued the charter to Brassó (Braşov, Romania) in 1391 (UGDS III. p. 13–16) and 1395 (UGDS III. p. 120–123).

king's confirmation of the town's charter, since it was issued on the previous day. Because the 1357 document states that the Pozsony citizens presented a charter of privilege that bore Charles's middle seal and was a confirmation of a charter issued under his previous seal, the former variant would imply that the people of Pozsony already held Danube toll exemption before 1323, the year that Charles started to use his new seal.⁷¹

Further complicating the situation are the water toll tariffs that Louis I introduced on 22 March and 24 June 1366 for ships passing along the Danube from Vienna or from elsewhere to the kingdom, and to the opposite direction, towards Vienna. Under the royal mandate to the toll collectors of Rajka, Győr, Komárom, Zsitvató, Esztergom, Szob, Visegrád, and Óbuda, ships carrying cloth or other goods paid a toll of one Forint per foot (1 royal foot = 31.26 cm)⁷² width of the bottom of the ship. Ships carrying pottery (*ollas*) had to pay three Forints per ship, and those carrying fruit, such as apples and pears, two Forints per ship. Ships travelling upriver had to pay half tolls. The mandate left payment of thirtieth customs duty unchanged (*tricesimis tamen salvois remanentibus a mercatoribus prenotatis*).⁷³ In 1374, Louis sent a foot measure authenticated with his engraved heraldic shield to the Viennese merchants after learning that innovations (*novitates et calumpnias*) by toll owners and collectors on the stretch of the Danube between Vienna and Buda were deterring merchants from coming into the kingdom. At the same time, the king prohibited anyone from requiring merchants to use a shorter measure than the one he had approved when measuring the width of ship bottoms.⁷⁴ This implies that the toll owners' innovation consisted of using a shorter than customary measure to squeeze more money out of the merchants. When Louis the Great transcribed and confirmed the 22 March toll tariff on 27 June 1366, it was at the request of the Pozsony judge Jakus (Jacob).⁷⁵ The reason why the otherwise toll-exempt Pozsony citizens felt the need to have the toll tariff transcribed may have been that they had two

⁷¹ Cf. GÁRDONYI 1907. p. 36.

⁷² István BOGDÁN: *Magyarországi hossz- és földmértékek a XVI. század végéig* [Hungarian Linear and Land Measures to the End of the 16th Century]. Budapest. 1978. p. 79.

⁷³ 22 March 1366: DF 258 545: 092–090; 24 June 1366: József TELEKI: *Hunyadiak kora Magyarországon* [The Age of the Hunyadis in Hungary]. I–XII. Pest. 1852–1863. X. p. 376–377; The text of the two charters is identical. Cf. 22 February 1370: UGDS II. p. 337–339; Cf. András KUBINYI: *Budapest története a későbbi középkorban Buda elestéig (1541-ig)* [The History of Budapest in the Late Middle Ages until the Fall of Buda (1541)]. In: *Budapest története a későbbi középkorban és a török hódoltság idején*. Ed. László GEREVICH – Domokos KOSÁRY. Budapest. 1975. p. 7–240, here: p. 47.

⁷⁴ 15 June 1374: *Magyar diplomacziái emlékek az Anjou-korból* [Hungarian Diplomatic Records from the Angevin Era]. I–III. Ed. Gusztáv WENZEL. Budapest. 1874–1876. III. p. 73–74.

⁷⁵ DF 258 545: 092–088.

kinds of traffic along the Danube: besides carrying their own goods, they carried goods belonging to others, for which they were obliged to pay tolls.

On 1 November 1297, Andrew III conferred on Pozsony the transshipment right (*Umschlagsrecht*), a privilege that was widespread in German lands but unique in Hungary.⁷⁶ It provided that shippers who brought merchants' goods from German lands to Vienna or Hungary could not carry them beyond Pozsony; the goods could only continue on the ships of Pozsony citizens and inhabitants.⁷⁷ Although the transcription of the toll tariff by Jakus might conceivably have concerned the exercise of the transshipment right, it was hardly an unusual phenomenon, and below we will discuss reports of Pozsony townspeople's abuse of their rights in surface carriage, many involving goods belonging to others.⁷⁸ If we regard the above mentioned case as a manifestation of the *Umschlagsrecht*⁷⁹ and assume that Pozsony citizens carrying others' goods should have known where they had to pay tolls, and how much, the transcription of the Danube toll tariff certainly seems to contradict any kind of interpretation of the transshipment right as allowing Pozsony citizens to carry foreign merchants' goods free of tolls within the country.⁸⁰

The citizens of Pozsony must have continued to experience difficulties exercising their toll exemption on the Danube. In a charter of 12 July 1371, Louis I resorted to command toll owners, particularly those of Rajka, Bodak, Királysziget, Komárom, Neszmély, Esztergom, Szob, Visegrád and Óbuda, and their *officiales* and toll collectors and the royal thirtieth customs collectors and their deputies, not to collect from Pozsony citizens or *hospites* either tolls or customs duties on food (such as wheat, rye, oats, wine and hay) carried on ships or *carinae* from Pozsony to Buda.⁸¹ The 1371 mandate had essentially the same content as the king's charter of 4 July 1374, except

⁷⁶ SKORKA 2012. p. 302.

⁷⁷ "[...] *quod quicumque navigio versus Wyennam vel Hungariam cum rebus suis mercimonialibus se transferre intenderent, per nautas, qui de Theotonia in Posonium cum navibus suis ad deferendum mercatores venerint, de cetero transferri non valeant ullomodo, nisi per nautas civium nostrorum predictorum, vel commorantium in eadem*". VMMSI. p. 80–81.

⁷⁸ Cf. WEISZ 2013. p. 317.

⁷⁹ There is a doubt concerning the exercise of the transshipment right. It was granted in Andrew III's charter of 1297, which to our knowledge was first confirmed by Ladislaus V on 12 September 1453 (DF 240 253). The latter was the basis for Matthias's charter of 27 May 1464, confirming the transshipment right article (DF 240 491). Vladislaus II confirmed Matthias's charter on 10 February 1493 (NEUMANN 2010. p. 83–84) and reformulated and confirmed it in a charter of 15 July 1498 (DF 240 822). In the period preceding the royal confirmation of 1453, there was only one chapter transcription of the original document, issued by the Pozsony chapter on 29 June 1433 (DF 239 584). The Pozsony chapter also transcribed the 1297 charter on 17 June 1516 (DF 241 147).

⁸⁰ Cf. SKORKA 2012. p. 302.

⁸¹ KOVÁTS 1901. p. 460–461.

in the appearance of Buda on the list of specified tolls and the provision that the king would refer Danube toll collectors and *officiales (tributarios vero et officiales tributorum ... super dicto fluvio constitutorum)* for punishment to his treasurer, Bishop John of Vác, if they came under his own jurisdiction, and to palatine Emeric Lackfi if they came under the jurisdiction of prelates and barons.⁸² The charters seem to imply that Louis, sometime before July 1371, had issued an – otherwise unknown – charter⁸³ (*in litteris eorum privilegialibus per nos eis graciosse concessis lucidius continetur et exprimitur*) adding exemption from payment of thirtieth duty⁸⁴ to the Pozsony townspeople's Charles-era exemption from paying tolls on carrying food along the Danube. The king renewed this freedom for the citizens citing their poverty and need, above all because of their city had burned down.⁸⁵

The Louis-era charters mentioning the Pozsony citizens' exemption from paying Danube tolls prompted Ferenc Kováts to conclude that their national toll exemption 'shrank even further to river transport of food and wine on the Buda (Visegrád) route.'⁸⁶ Kováts saw this as deriving from the change in the destination and structure of Pozsony trade after the Árpádian age: the Pozsony townspeople's privilege seems to have taken a new meaning and narrowed: 'it took on a new outline ..., now, in the middle of the fourteenth century, toll exemption concerned carriage of raw agricultural produce to Buda.'⁸⁷ The undoubted rise in the volume of trade to Visegrád and Buda did not, however, imply the insignificance of trade in goods – predominantly wine – to other destinations, foreign or domestic.⁸⁸ In 1343, Margrave Charles of Moravia notified the judges, jurors, citizens and inhabitants of Olomouc, Brno, Znojmo and other towns in Moravia of the concessions he had granted to the citizens of Pozsony, permitting them to trade and unload all kinds of goods, particularly wine, freely in the territory of his margraviate.⁸⁹ This measure indicates the export of wine to

⁸² DF 238 909; FEJÉR IX/4. p. 569–571.

⁸³ When Matthias, in his charter of 27 May 1464, transcribed and confirmed several privileges of the Pozsony townspeople, or rather articles of their charters conferring freedoms and rights, the source for the article on exemption from Danube tolls and thirtieth tax was not the charter of privilege but Louis the Great's charter of 4 July 1374. DF 240 491.

⁸⁴ Cf. 24 February 1371: DF 240 822; FEJÉR IX/4. p. 131–132; On the Pozsony townspeople's exemption from thirtieth customs duty, see SKORKA 2012. p. 304–305.

⁸⁵ "[...] *ideo nos paupertatibus et inopiis eorundem civium et hospitum presertim propter combustionem ipsius civitatis que perpessi sunt pie et misericorditer compatientes ipsam et eandem gratiam eis duximus innovandam atque approbandam*". DF 238 875; KOVÁTS 1901. p. 461.

⁸⁶ KOVÁTS 1901. p. 439.

⁸⁷ KOVÁTS 1901. p. 438.

⁸⁸ Katalin SZENDE: Sopron és Pozsony kapcsolatai a késői középkorban [Connections between Sopron and Bratislava in the Late Middle Ages]. *Soproni Szemle* 46 (1992), p. 168–179, here: p. 173; SKORKA 2012. p. 302.

⁸⁹ 3 January 1343: FEJÉR IX/7. p. 36. (AO XXVII. nr. 5).

Moravia at this time. In April 1382, the *familiares* of the Pozsony castellan, Ladislaus Kasztellánfi, at a crossing point (*in quodam vado seu transitu*) called *Roreynfurth*, attacked and robbed Pozsony citizens who were taking a wagon of animal hides to the fair in Stillfried, Lower Austria.⁹⁰

Several facts challenge the hypothesis that the citizens of Pozsony did not hold country-wide toll exemption under Louis I. Most conspicuously, on 30 January 1352⁹¹ and again in 1357,⁹² Louis I confirmed the Pozsony town charter, or more accurately its transcription of 1323, without changes. As we have mentioned several times, the latter charter included a country-wide exemption from tolls. The king added a clause of confirmation and a new hanging seal to the 1357 charter on 22 January 1365.⁹³ Secondly, from the late Louis era, several royal mandates prohibiting the collection of tolls from Pozsony merchants incorporate the section of the town's charter⁹⁴ that provided exemption from tolls solely to citizens and *hospites* travelling for the purposes of trade. One of these, his mandate of 9 June 1378, which survived in three original copies, was directed in general to all toll owners of the kingdom (*tributa ... tam in terris quam in aquis habentibus*) and their toll collectors,⁹⁵ as did two earlier charters, issued on 3⁹⁶ and 22 May 1375,⁹⁷ although the latter two specifically mentioned the toll collectors of Pozsony and Verecknye (Vrakuňa, Slovakia) (*tributariis de eodem Posonio et de Berkenye*). In addition, there are a few fortuitous records of disputes involving the Pozsony townspeople's exemption and toll stations neither on nor beside the Danube. On 6 December 1371, Queen Elizabeth the Younger prohibited her *officialis* in Maniga (Malženice, Slovakia) from collecting tolls from

⁹⁰ The crossing point called Roreynfurth (Koorfurd, Rorefud) given as the location of the attack is unknown. In the investigation carried out following the complaint by the citizens of Pozsony, a priest called Ladislas sent as a witness by the Zobor monastery, together with the king's deputy Andrew of Verecknye, sought information on the events in the county of Pozsony, which means that the crossing point must have been in that county. 3 May 1382: DF 239 008; 12 July 1382: DF 239 021.

⁹¹ DF 238 737.

⁹² 18 January 1357: DF 238 757.

⁹³ DF 238 757; Transcribed by the Pozsony chapter on 20 August 1382. DF 239 024.

⁹⁴ Cf. 2 December 1291: VMMS I. p. 75. (RA nr. 3837).

⁹⁵ "[...] *mandamus quatenus [...] cives nostros cum suis mercibus vel curribus ac equis ubicumque in regno nostro causa mer(candi) profici(ss)centes [...] nullomodo audeatis molestare vel quovismodo impedire nec de mercibus nec de equis (vel per)sonis eorum cum mercibus et sine mercibus euntibus et redeuntibus [...] nullum tributum nullamque tributariam (exaccion)em videlicet in portu Posonyensi versus Haymburgam in portu Challow (in) Zeuleus in transitu fluvii Marva et in aliis locis quibuscumque in comitatu Posonyensi et alias ubique ubi tributum exigi consuevit petere vel exigere presumptatis*". DF 238 962, 238 963, 238 964.

⁹⁶ FEJÉR IX/7. p. 372–374; Judge Stephen and the Pozsony jurors had the Pozsony chapter transcribe the king's open charter carrying the privy seal on 11 May 1375, DF 238 914.

⁹⁷ 22 May 1375: DF 238 915, 238 916.

Pozsony citizens and *hospites* in breach of their rights.⁹⁸ In 1376, the Pozsony townspeople sued Stephen Mikcsfi – and after 1377, his sons Stephen and Ákos, to whom the case passed upon the death of their father – before the *iudex curie* and the judge of the royal towns concerning tolls they had been forced to pay on the Cifer estate despite their privileges. The nobles responded to the accusation with the claims that the Cifer toll belonged to their castle in Vöröskő (Hrad Červený Kameň, Slovakia) (*predictum tributum in dicta Chyfer exigi consuetum ad castrum Wereskw dictum(!) ipsorum magistrorum Stephani et Akus pertineret*) and they had charters for the castle and, consequently, for the toll.⁹⁹ We have no information on this, however, nor on the outcome of the lawsuit. It is certain, however, that Cifer was the toll station between the estates of Cifer and Paty (Pát), on the road from Nagyszombat to Szenc (Senec, Slovakia) and the road from Bazin (Pezinok, Slovakia) through Csanak and Báhony (Báhoň, Slovakia).¹⁰⁰ Finally, in 1384, during the reign of Queen Mary, Margaret, widow of Master John, son of Sebes Bazini, and Barbara¹⁰¹, widow of Master Nicholas, brother of Master John, admitted before the Pozsony chapter the citizens' exemption from payment of the Bazin toll,¹⁰² putting an end to the parties' protracted litigation before the *iudex curie*, Nicholas of Szécs.¹⁰³

Exercising the privilege(s) of exemption from tolls did not always go smoothly in practice. In the second half of the Angevin period, Pozsony citizens ran into trouble above all with the owners of the Danube and Danube-side toll stations (see map nr. 1), indirectly indicating the significance of Visegrád and Buda as trading destinations for the city. These toll owners included Conrad of Wolfurt, *comes* of Óvár,¹⁰⁴ Michael of Köpcsény, castellan of Óvár,¹⁰⁵ Michael of Szeg, who collected tolls from them at the annual fair of Oroszvár,¹⁰⁶ 'Little' Ladislaus, the *officialis* of

⁹⁸ KOVÁTS 1901. p. 462.

⁹⁹ 14 March 1377: DF 238 948.

¹⁰⁰ 15 January 1412: Magyar Nemzeti Levéltár Országos Levéltára, Diplomatikai Levéltár [National Archives of Hungary. Collection of Original Charters] (hereafter: DL) 9865 (ZsO III. nr. 1580); 15 January 1412: DL 9869; DF 283 504; FEJÉR X/5. p. 353–354. (ZsO III. nr. 1584).

¹⁰¹ Vö. Engel Pál: Középkori magyar genealógia [Medieval Hungarian Genealogy]. In: *Arcanum DVD Könyvtár IV. Családtörténet, heraldika, honismeret*. Budapest [2004]. Hontpázmány nem 9. Szentgyörgyi-ág 2. tábla: Szentgyörgyi és Bazini [Hontpázmány kindred, 9th Szentgyörgyi branch, Table 2: Szentgyörgyi and Bazini].

¹⁰² In the medieval county of Pozsony, now Pezinok, Slovakia.

¹⁰³ 1 May 1384: DF 239 039, DL 7078. The town and the nobles of Bazin had already gone to court over the unlawful imposition of the Bazin toll. Cf. 24 March 1376: DF 238 936; 9 June 1376: DF 238 938; 27 August 1378: DF 241 363; 15 October 1378: DF 238 968.

¹⁰⁴ 23 September 1357: KOVÁTS 1901. p. 446. (dated 21 September).

¹⁰⁵ 8 June 1375: KOVÁTS 1901. p. 462–463; 27 June 1375: KOVÁTS 1901. p. 466.

¹⁰⁶ DF 239 215; In 1381, Michael Szegi was castellan of Óvár (and probably comes of Moson). ENGEL 1996. I. p. 385, 386.

Queen Elizabeth the Younger at Maniga,¹⁰⁷ Nicholas of Komárom and Stephen son of Stephen at the Komárom toll,¹⁰⁸ the Héderváris at the toll stations of Bodak, Ásvány and Öttevény,¹⁰⁹ John son of Thomas of Gönyü, comes of Bakony, Komárom, Győr and Fejér¹¹⁰ at the Győr toll,¹¹¹ Stephen and Ákos, sons of Stephen Mikcsfi, at their Cifer toll station,¹¹² the Győr and Királysziget toll collector of Ákos son of Stephen Mikcsfi, comes of Fejér,¹¹³ the Győr chapter at its Abda toll station,¹¹⁴ the nobles of Bazin at the Bazin toll¹¹⁵ and the Esztergom chapter at the Esztergom toll.¹¹⁶

In the cases that have been studied and the outcome determined, the Pozsony townspeople managed to have their exemption from tolls upheld against the toll owners who challenged them, except for the Esztergom chapter. In the 1357 lawsuit mentioned at several points above, the chapter was eventually victorious over the townspeople of Pozsony. The king's reasons for the judgement were that the Esztergom church had been granted the toll as a votive gift or as alms (*ex elemosynaria provisione ... datum fuisse*), and that a later grant could not be at the expense of an earlier grant (*priori donationi posterior preiudicare minime videatur*). The chapter's right to collect tolls was older than Pozsony's toll exemption, as it proved by presenting a charter of Ladislaus IV (1272–1290) that incorporated charters issued by King Emeric (1196–1204), Andrew II (1205–1235) and Béla IV.¹¹⁷

Finally, there are signs that at the end of the Louis era, tolls may have been collected from Pozsony townspeople on a temporary basis by royal decree, although we know little about the actual date and circumstances of this. The evidence comes from an undated letter from the master of the treasury, Thomas of Szentgyörgy, answering a letter from the city of Pozsony.¹¹⁸ He confirmed the king's order, communicated in a letter to him, that the customary tolls (*gvön dleichew maüt*) be collected from them (*der*

¹⁰⁷ 6 December 1371: KOVÁTS 1901. p. 462.

¹⁰⁸ 5 July 1359: KOVÁTS 1901. p. 448–449. (dated 28 June); 7 July 1359: KOVÁTS 1901. p. 450–453. (dated 3 July).

¹⁰⁹ 6 March 1356: FEJÉR IX/7. p. 144–145; DF 238 753 (AO XL. nr. 111); 24 December 1357: KOVÁTS 1901. p. 446–447. (dated 23 December.); 20 July 1359: KOVÁTS 1901. p. 453–454; 20 August 1360: DF 238 785; 20 October 1360: KOVÁTS 1901. p. 454–459; 15 June 1375: KOVÁTS 1901. p. 463–464; 27 June 1375: KOVÁTS 1901. p. 464–465; 6 March 1376: KOVÁTS 1901. p. 467–468.

¹¹⁰ Cf. ENGEL 1996. I. p. 102, 141, 133, 127.

¹¹¹ 27 June 1375: KOVÁTS 1901. p. 465–466; 6 March 1376: KOVÁTS 1901. p. 467–468.

¹¹² 14 March 1377: DF 238 948; 25 November 1377: DF 238 953.

¹¹³ 13 May 1384: KOVÁTS 1901. p. 468–469. (dated 11 May).

¹¹⁴ DF 239 200; 6 March 1376: KOVÁTS 1901. p. 467–468; Cf. 13 October 1385: DF 239 056.

¹¹⁵ 24 March 1376: DF 238 936; 9 June 1376: DF 238 938; 27 August 1378: DF 241 363; 15 October 1378: DF 238 968; 1 May 1384: DF 239 039, DL 7078.

¹¹⁶ 25 January 1357: FEJÉR IX/2. p. 568–570.

¹¹⁷ 25 January 1357: FEJÉR IX/2. p. 568–570.

¹¹⁸ DF 239 222.

Chünig fürnams geschafft hat von ew maut zenemen). He also mentioned that when the cardinal was in Buda, he ordered that they come before the king in the matter of their freedom (*umb ewer freyhait*), but nobody had appeared on their behalf.¹¹⁹ A solid clue to the dating of the letter, other than Szentgyörgyi's period of tenure as master of the treasury, is the mention of the cardinal's stay in Buda. In this period, however, there were two cardinals in the country. Whether the letter refers to papal cardinal-legate Pileus de Prato¹²⁰ or to Demetrius, archbishop of Esztergom,¹²¹ also created cardinal by Pope Urban VI (1378–1389) and permitted to retain his archiepiscopate, in my opinion it cannot be satisfactorily settled, and the letter can be dated only to between 1379 and 1382.¹²² Since we know nothing about the collection of tolls other than what was written in the letter, it is difficult to decide whether the events should be interpreted as a suspension of the Pozsony townspeople's toll exemption or whether one or more toll owners had lodged a legal challenge to the privilege and the king made an interim decision, pending court judgement, to Pozsony's detriment. We know of a decision by King Sigismund in 1428 concerning a similar interim period, ordering the Pozsony townspeople's privilege to be enforced at the Köpcsény (Kitsee, Austria) toll until he came to Pozsony (*interim quousque nos ... in dictam civitatem nostram Posoniensem prout intendimus personaliter accedemus*) to appraise the citizens' privileges in person.¹²³

Following Louis's death, at the complaint of the Pozsony townspeople, Queen Mary prohibited the toll owners from collecting tolls from them, citing old freedoms (*ab antiquo observatis*) that were confirmed by her father. She did this twice: on 16 January 1383 and 4 April 1384. At the same time, the queen instructed Palatine Nicholas of Gara to defend Pozsony citizens

¹¹⁹ DF 239 222.

¹²⁰ Cf. Vilmos FRAKNÓI: *Magyarország egyházi és politikai összeköttetései a római szent-székkal I. 1000–1417* [Ecclesiastical and Political Relations of Hungary with the Holy See I. (1000–1417)]. Budapest. 1901. (hereafter: FRAKNÓI 1901) p. 284; Antal ÁLDÁSY: *A nyugoti nagy egyházszakadás története VI. Orbán haláláig, 1378–1389* [A History of the Great Western Schism until the Death of Pope Urban VI, 1378–1389]. Esztergom. 1896. p. 120, 131–132; Konrad EUBEL: *Hierarchia catholica medii aevii sive summorum pontificum, S.R.E. cardinalium, ecclesiarum antistitum series I. (1198–1431)*. Münster. 1913–1914. (hereafter: EUBEL I.) p. 23.

¹²¹ Cf. FRAKNÓI 1901. p. 284; EUBEL I. p. 24.

¹²² Thomas of Szentgyörgy appears as *magister tavernicorum* between 26 December 1378 and 26 March 1382. ENGEL 1996. I. p. 38.

¹²³ “[...] quod in ipsorum civium nostrorum et aliorum forensium hominum preiudicium et consuetudinibus ac libertatis derogamen cedit satis grande undecum nos de libertatibus et consuetudinibus ipsorum civium et hospitem nostrorum Posoniensium et eciam aliorum mercatorum forensium in hac parte hactenus observatis per nos personaliter dum illac uti intendimus in brevi veniemus velimus experiri”. DF 239 498.

from anyone demanding tolls from them and to provide for their compensation (*cum plenitudine satisfaccionis*) in case of violations.¹²⁴

At Pozsony's request, Sigismund first confirmed the 1357 transcription of their town charter, bearing Louis the Great's confirmation clause of 1365, on 24 June 1389,¹²⁵ and did so again on 25 August 1412.¹²⁶ He transcribed and confirmed the latter on 9 July 1436.¹²⁷ In 1430, Sigismund also extended the Pozsony citizens' toll exemption to the inhabitants of St Nicholas Street in the suburb of Pozsony.¹²⁸

Indicating the significance of the toll exemption privilege is a mandate sent by Sigismund on 20 July 1389, hardly a month after the first confirmation of the town charter on 24 June, to the land and water toll owners of the kingdom (*tributa ubique per universa regni nostri climata tam in terris quam in aquis habentibus*) and the royal and seignorial toll collectors prohibiting them from collecting tolls from Pozsony citizens in breach of their privilege. It stated that the citizens of Pozsony had presented to Sigismund the Louis the Great's charter granting their freedoms, which the King Sigismund had confirmed, and incorporated the passage of the town charter providing for the freedom of Pozsony citizens and *hospites* (*cives et hospites nostri*) to pass the Pozsony ferry to Hainburg, the Csalló ferry, the crossing point of the Morava at Szőlós, the Pozsony county tolls and other tolls when travelling for purposes of trade.¹²⁹ In 1414, at the complaint of the Pozsony townspeople, Queen Barbara also prohibited the toll owners of the country from collecting tolls from them in breach of their privilege.¹³⁰

In addition to royal mandates making the general demand of all toll holders that they observe the Pozsony townspeople's privilege,¹³¹ some

¹²⁴ The two charters have identical wording, except for a few discrepancies attributable to copy errors. DF 239 028, 239 038; FEJÉR X/8. p. 135–137.

¹²⁵ DF 239 079.

¹²⁶ DF 239 328 (ZsO III. nr. 2572).

¹²⁷ DF 239 633; FEJÉR X/7. p. 757–773; Transcribed by the Pozsony chapter on 22 July 1438. DF 239 706.

¹²⁸ “[...] *insuper volumus quod sicuti cives ipsius civitatis nostre Posoniensis requirente eorum libertate tributum solvere non tenentur ita et ipsi cives et populi nostri de (dicto vico Sancti Nicolai eandem habeant in non solvendo tributum libertatis prerogativam*”. DF 239 508.

¹²⁹ DF 239 084; FEJÉR X/8. p. 283–286.

¹³⁰ 31 January 1414: DF 239 349; FEJÉR X/5. p. 522–523.

¹³¹ These include some ‘personal’ charters: On 20 February 1418, citing the Pozsony citizens’ toll exemption (*ab omni tributaria solucione et exaccione de personis et rebus ac familiaribus et hominibus eorum quibuscumque exigenda a dudum exempti sint*), Sigismund prohibited tolls being collected specifically from the Pozsony citizen and merchant (*cive et mercatore*) Andrew Trelesch, and on 1 May 1429, he did the same for another Pozsony citizen and merchant Leonard (*rebusque et bonis eiusdem quibuscumque necnon et hominibus ipsius cum huiusmodi rebus et mercibus suis procedentibus*), said to be called Langwiser. DF 239 386 (ZsO VI. nr. 1526); DF 239 500.

charters with specific addressees or naming specific toll stations have also survived. These give valuable information on trading activity by Pozsony citizens and particularly its destinations (see map nr. 2). Appearing prominently among the problematic toll stations are those on or beside the Danube: most often the Komárom toll, but also the tolls at Óvár,¹³² Győr,¹³³ and Neszmély,¹³⁴ the Héderváris' toll stations at Hédervár,¹³⁵ Bodak¹³⁶ and Öttevény,¹³⁷ the Abda toll,¹³⁸ which was also connected to the route beside the Danube. In 1389, the king prohibited the owner of the Komárom toll, together with those of the Győr and Hédervár tolls, from collecting from Pozsony citizens.¹³⁹ master Stephen,¹⁴⁰ the castellan of the *comes* of Komárom, Stephen Lackfi, in a letter to the town of 10 May 1393, promised safe passage to Pozsony townspeople travelling by land or water with their goods or other possessions, but only if they paid the toll which he collected as had also been the custom in the past.¹⁴¹ Although the castle came into royal possession in 1397,¹⁴² the castellan was the addressee of three royal mandates, all with the same text prohibiting collection of tolls on the goods of Pozsony townspeople and their carriers (*de ... rebus mercimonialibus ... civium nostrorum et earum conductoribus*) between 1401 and 1403. Sigismund sent the 1401 and 1402 mandates to the Tata and Buda toll collectors and to the chapter of Székesfehérvár in addition to the castellan. The 16 December 1403 mandate, however, was sent solely to the chapter of Székesfehérvár,¹⁴³ which possessed tolls along the routes frequently used by Pozsony trade (one third of the Moson toll since the Arpadian period¹⁴⁴ and the

¹³² 13 December 1403: DF 240 491.

¹³³ 11 September 1389: KOVÁTS 1901. p. 469; 13 December 1403: DF 240 491.

¹³⁴ 13 December 1403: DF 240 491.

¹³⁵ 11 September 1389: KOVÁTS 1901. p. 469, 3 March 1430: KOVÁTS 1901. p. 470.

¹³⁶ 3. March 1430: KOVÁTS 1901. p. 470.

¹³⁷ 13 December 1403: DF 240 491; 3 March 1430: KOVÁTS 1901. p. 470; The placement Nagyút mentioned in the charter is, according to Ferenc Kováts, a Hungarian translation of the German name of the village Öttevény, implying that this concerns the Öttevény toll. KOVÁTS 1901. p. 442. n. 5.

¹³⁸ 13 October 1388: DF 239 074; 13 December 1403: DF 240 491.

¹³⁹ 11 September 1389: KOVÁTS 1901. p. 469.

¹⁴⁰ Cf. ENGEL 1996. I. p. 141, 344.

¹⁴¹ "[...] *ut quicumque vestrum cum suis bonis mercimonialibus vel quibuscumque aliis intencionem ad istas partes veniendi haberent in aquis vel in terris secure veniant benigne assumpemus honorifice abire permittemus nullam in hoc suspicionem habere debeatis fide nostra mediante hoc autem non pretermissio ut sicut prius consuetudo fuit tributum recipere ita et nunc recipiemus et non aliter certificantes harum nostrarum testimonio litterarum*". DF 239 120 (ZsO I. nr. 2929).

¹⁴² ENGEL 1996. I. p. 344.

¹⁴³ 1 February 1401: DF 239 226, (ZsO II. nr. 851); 19 September 1402: DF 239 249 (ZsO II. nr. 1907); 16 December 1403: DF 239 262 (ZsO II. nr. 2849).

¹⁴⁴ WEISZ 2013. p. 272–273; Cf. 20 July 1421: FEJÉR X/6. p. 377. (ZsO VIII. nr. 785).

Nagyszombat toll since at the latest the first third of the fourteenth century).¹⁴⁵ The mandate may also, however, concerned tolls collected in Székesfehérvár itself.¹⁴⁶ Evidence for this is that Székesfehérvár appears beside Óvár, Öttevény, Abda(hida), Győr, Neszmély, Csaba, Dorog, Pázmánd, Mór, Bánhida, Tata, Hánta and Miskolc in the list of toll stations that the king had – only a few days earlier, on 13 December 1403 – prohibited from collecting tolls from Pozsony merchants (*causa mercandi proficiscentes*).¹⁴⁷ The mention of the Dorog and Csaba tolls implies the use of the route from Esztergom to Buda,¹⁴⁸ and the road from Győr to Székesfehérvár led through Mór and probably through Hánta.¹⁴⁹ Pázmánd may correspond to the toll station *Pazon* mentioned in Sigismund's 1415 charter prohibiting the Transylvanian Saxons from collecting tolls at royal toll stations.¹⁵⁰ Pázmánd lies near Pannonhalma in the county of Győr, and was also a station on the Győr–Székesfehérvár road.¹⁵¹

The customs station *villa Barka* named in a royal charter of 1414 (known only from a publication by György Fejér) concerned with illicit toll collection from Pozsony citizens¹⁵² was most probably on the Győr–Buda route. Dezső Csánki's historical geography includes, without identification, a village named Bárk (Bárkány),¹⁵³ belonging to the rectorate of the chapel of St George the Martyr¹⁵⁴ founded by Louis I,¹⁵⁵ in the county of Komárom. Under the heading, he also mentions a 1466 charter that mentions estates and toll stations and reports on a lawsuit between the archbishop of Esztergom and the parish priest of St George-church in Buda. The lawsuit

¹⁴⁵ WEISZ 2013. p. 384.

¹⁴⁶ Cf. WEISZ 2013. p. 155–157.

¹⁴⁷ “[...] *nullum tributum nullamque tributariam exactionem in predictis locis tributorum videlicet Ovar, Ettevin, Abodahyda, Jaurino, Nesmyl, Chabyan, Dorog, Pasuan, Mor, Banhyda, Tatha, Hantha, Myskolcz et in Alba Regali ac alias ubique ubi tributum exigi consuevit petere et exigere presumatis.*” – DF 240 491.

¹⁴⁸ Cf. György GYÖRFFY: *Az Árpád-kori Magyarország történeti földrajza* [Historical Geography of Hungary in the Age of Árpáds]. I–IV. Budapest. 1963–1998. (hereafter: GYÖRFFY 1963–1998) IV. p. 591, and the map supplement to this book, ‘Pest and Pilis counties with Csepel Island up to the early 14th century’.

¹⁴⁹ Cf. Lajos GLASER: *Dunántúl középkori úthálózata* [Medieval Road-System of Transdanubia]. *Századok* 58–59 (1929–1930), p. 138–167, 257–285. (hereafter: GLASER 1929–1930), here: p. 150.

¹⁵⁰ 13 January 1415: UGDS III. p. 639–640.

¹⁵¹ Boglárka WEISZ: *Győrből Fehérvárra vezető út* [The Road from Győr to Fehérvár]. (manuscript).

¹⁵² FEJÉR X/5. p. 513. (ZsO IV. nr. 1908).

¹⁵³ Dezső CSÁNKI: *Magyarország történelmi földrajza a Hunyadiak korában* [The Historical Geography of Hungary in the Age of Hunyadis]. I–V. Budapest. 1890–1913. III. p. 495.

¹⁵⁴ FEJÉR X/5. p. 513. (ZsO IV. nr. 1908).

¹⁵⁵ András VÉGH: *Buda város középkori helyrajza* [The Medieval Topography of Buda]. I–II. Budapest. 2006–2008. I. p. 63.

concerned the illicit demand of tolls from the archbishopric's people of Örs at the *Bark possessio* in Komárom County.¹⁵⁶ The toll also appears among the thirty-seven toll stations whose owners palatine Ladislas of Gara summonsed to the court in 1455 because of their illicit collection of tolls from both Hungarian and Austrian merchants.¹⁵⁷ This latter information, concerning Austrian merchants, provides an unexpected clue to the identification of *Bark*. It must have been on a major route in fact or potentially used by Austrian merchants. In my opinion, it may be Barok, near Bicske in Fejér County, about 10 kilometers from the archbishop of Esztergom's village of Örs,¹⁵⁸ a possible station on the road from Győr to Buda between Bánhida and Bicske.¹⁵⁹ The latter two toll stations also appear in the palatine's charter of 1455.¹⁶⁰

Another of the 'old' routes that could have been significant in the Sigismund era was that towards Hainburg. We can infer the continuity of trade with Lower Austria from the recurring dispute with the owners of the Köpcsény toll, which first appears in 1416. That was when the Pozsony townspeople complained to the king that when they or other foreigners (*alii forenses*) were travelling with their goods on the proper road to Hainburg or – in the other direction – to Oroszvár, Henry Slandersperger, captain of Köpcsény, forced them on to the road to the castle so that he could extract tolls from them in the *oppidum* of Köpcsény.¹⁶¹ Despite the king expressing his disapproval (*percepimus displicenter*) of the toll collection, and prohibited the practice as being in breach of ancient custom, the Pozsony townspeople made the same complaint in December 1418, this time accusing Henry Slandersperger of seizing the goods of Pozsony merchants heading towards Hainburg.¹⁶² Sigismund then prohibited the castellan from forcing the Pozsony citizens to proceed via Köpcsény, citing their national toll exemption (*a solucione cuiuslibet tributi sive theloni quorumcunque predicti*

¹⁵⁶ DL 16 414.

¹⁵⁷ Wiener Stadt- und Landesarchiv Hauptarchiv – Urkunden (1177–1526). (hereafter: AT WStLA HAUrk) 3615, in: monasterium.net, URL <<http://monasterium.net/mom/AT-WStLA/HAUrk/3615/charter>> (access: 10 May 2017).

¹⁵⁸ GYÖRFFY 1963–1998. II. p. 349.

¹⁵⁹ Cf. GLASER 1929–1930. p. 149.

¹⁶⁰ Cf. AT WStLA HAUrk 3615, In: monasterium.net, URL <<http://monasterium.net/mom/AT-WStLA/HAUrk/3615/charter>> (access: 10 May 2017).

¹⁶¹ “[...] *dum* [...] *cives et incole nostre civitatis Posoniensis et alii forenses cum eorum rebus et mercibus versus Haynburgam vel in Kerchenburg in via recta proficiscerentur eosdem per aliam viam ad castrum nostrum Koltzetz appellatum ducentem causa solucionis theloni in opido Koltzetz solvendi per tuam potenciam contra ipsorum antiquam laudabilem et approbatam consuetudinem transire et proficisci compelleres et coartares in ipsorum preiudicium et dampnum multum grave*”. DF 239 369 (ZsO V. nr. 1681).

¹⁶² 11 December 1418: DF 239 402 (ZsO VI. nr. 2616).

regni nostri Hungarie tributa habentium exempti sint penitus et supportati), and assigned Peter Kapler, *comes* of Pozsony, to defend them in his name against the castellan and others.¹⁶³ A decade later, in 1428, the Pozsony citizens made another complaint about toll collection in Köpcsény,¹⁶⁴ and the king had to deal with the matter again in 1430¹⁶⁵ and in 1437.¹⁶⁶ At that last occasion, the castellan of Köpcsény was Peter Kapler (son of the Pozsony *comes* of the same name), who had seized goods, food and horses from Pozsony citizens Michael Palner and Nicholas Berlicheler as they were on their way from Hainburg to Pozsony, and no doubt failing to visit the Köpcsény toll collector.¹⁶⁷

The charters recording legal disputes mention persons other than Pozsony citizens, including foreigners and merchants (*alios homines forenses et mercatores*),¹⁶⁸ and put emphasis on diversions from the proper, straight and customary route (*via directa et eis consueta*)¹⁶⁹ – arguing, for example, that Köpcsény was not a toll station on the Hainburg–Pozsony–Oroszvár road – suggest that failure to recognize the Pozsony citizens’ toll exemption was not the primary source of the problem, even though the king and, it seems, the citizens (at least partially) made reference to it.¹⁷⁰ The king’s charter of 6 March 1430 settling the dispute between the town and the pledge holder of Köpcsény castle, Philip Pöckl,¹⁷¹ and his wife, lady Walpurga, widow of Peter Kapler and their sons implies that the Köpcsény castellans’ actions against Pozsony citizens’ abuse of their toll exemption right may have lay behind the protracted conflict. Sigismund permitted Pozsony citizens to pass along the road to Hainburg and Oroszvár, beside the branch of the Danube under Pozsony and Köpcsény with their goods, food and other things without visiting the Köpcsényi toll collector (*irrequisito tributario in dicta Kwczcze constituto seu constituendo*) and without paying tolls, but prohibited them from travelling with persons not resident in Pozsony and from hiding goods of such persons in their wagons.¹⁷² That means that

¹⁶³ 11 December 1418: DF 239 403 (ZsO VI. nr. 2617).

¹⁶⁴ 26 March 1428: DF 239 490; Cf. 17 August 1428: DF 239 492; 28 December 1428: DF 239 498.

¹⁶⁵ 6 March 1430: DF 239 512, 239 513.

¹⁶⁶ 8 April 1437: DF 239 698; 7 June 1437: DF 239 668; 17 July 1437: DF 239 671; 14 November 1437: DF 239 667 (In the DL-DF database, dated on 9 June).

¹⁶⁷ 14 November 1437: DF 239 667 (In the DL-DF database, dated on 9 June).

¹⁶⁸ 28 December 1428: DF 239 498.

¹⁶⁹ 22 March 1416: DF 239 369 (ZsO V. nr. 1681); 28 december 1428: DF 239 498.

¹⁷⁰ Cf. 11 December 1418: DF 239 402 (ZsO VI. nr. 2616); 17 August 1428: DF 239 492.

¹⁷¹ Cf. ENGEL 1996. I. p. 348.

¹⁷² “[...] *extraneos tamen seu forenses homines et mercatores qui videlicet in dicta civitate nostra Posoniensi residenciam non facerent seu eorundem res et mercimonia iudem cives et hospites nostri secum seu in eorum curribus clam et occulte conducere et portare nullatenus presumant nec quivois eorum sit ausus modo aliquali*”. DF 239 512.

Pozsony citizens – probably by virtue of their toll exemption – did not have to visit the Köpcsény toll station on their way to Hainburg or Oroszvár, but this did not apply to others. In this case, the Köpcsény castellan was presumably attempting to control traffic and ensure his rightful toll revenue when he forced Pozsony citizens to make a detour, and suspected – probably not without foundation – that they were assisting persons subject to tolls to bypass the toll station. Evidence of this is that Sigismund’s 1430 charter permitted Pozsony citizens and others (*eciam alii quicumque homines forenses*) to pass along this route without visiting the Köpcsény toll station only if they were taking oxen, other live animals and food to Pozsony to supply the inhabitants of the town (*pro usu et necessitate dictorum civium civitatis nostre Posoniensis*).¹⁷³ The charter provided a grace period of one year for the people of Pozsony to stop their practices injurious to the castellan. After that time, Pozsony citizens caught smuggling, and the outsiders they took with them, were to forfeit their goods, which would be given to Philip Pöckl, lady Walpurga and their children. The king also ordered that Pozsony citizens perpetrating this crime were to be arrested and taken before the town court, while the culpable persons from outside Pozsony and foreigners, after being deprived of their goods, were to be released.¹⁷⁴

In other cases, Pozsony citizens seemed to have helped non-Pozsony merchants posing as fellow-citizens to get through toll stations rather than bypass them. Alternatively, they smuggled the merchants’ goods through toll stations. On 3 March 1430, Laurence of Hédervár warned all his toll collectors, but particularly those in Bodak, Hédervár and Öttevény, to take care (*caventes tamen et perspicaciter revidentes*) that people from Pozsony, on the pretext of their toll exemption, did not ‘quietly’ (*tacite ac sub silencio*) take with them foreigners (*extraneos*) carrying goods.¹⁷⁵ In the agreement between the citizens of Pozsony and the Bazin nobles drafted by the Pozsony chapter in 1384 to close their toll dispute, the citizens, in return for recognition of their toll exemption, guaranteed that anyone who took an outsider not subject to the town’s freedoms to the Bazin toll or took such a person through the toll would be punished by the town court if it could be

¹⁷³ 6 March 1430: DF 239 512, 239 513.

¹⁷⁴ “[...] si qui vero forsitan ex eisdem civibus et hospitibus nostris Posoniensibus huiusmodi extraneos et forenses homines eorundemque res et mercimonia in eorum societate aut in curribus secreta occulte et celative conducere et portare conarentur et presumerent extunc omnes tales tam videlicet conductores quam eciam conducti qui ultra unius anni spacium reperti fuerint perdicionem et ammissionem omnium rerum et bonorum apud eos tunc reperiendorum prefatisque Philippo Pokkl et domine Walpurgae prolibusque eorundem prenotatis dandarum et assignandarum incurrant eo facto”. DF 239 513, 239 512.

¹⁷⁵ 3 March 1430: KOVÁTS 1901. p. 470.

lawfully proved against him.¹⁷⁶ Hédervári's instruction to his toll collectors proposed the seizure of the goods of perpetrators and their prosecution before the town court.¹⁷⁷

From the above, it is my opinion that the subject of the toll exemption granted to the citizens of Pozsony is more complex than previously portrayed.¹⁷⁸ In Pozsony's charter of 1291, Andrew III conferred on its *hospites* toll exemption in the entire territory of the kingdom, but the privilege could only be exercised by those travelling for purposes of trade. Through royal confirmations, the country-wide toll exemption remained in effect throughout the Angevin and Sigismund periods. Mentions from the reign of Louis, however, imply the existence of a lost but partially-reconstructed charter issued by Charles I which conferred on the Pozsony townspeople a regionally restricted toll exemption. The latter charter of privilege seems to have provided toll exemption for any kind of traffic, meaning transport of persons and goods on the Pozsony–Visegrád and Pozsony–Buda routes – in practice the routes to the royal court – on and beside the Danube. It applied to Pozsony citizens and *hospites*. Charles's charter providing a 'Danube toll exemption' was probably confirmed by Louis, because court records certainly imply that the privilege was in effect.

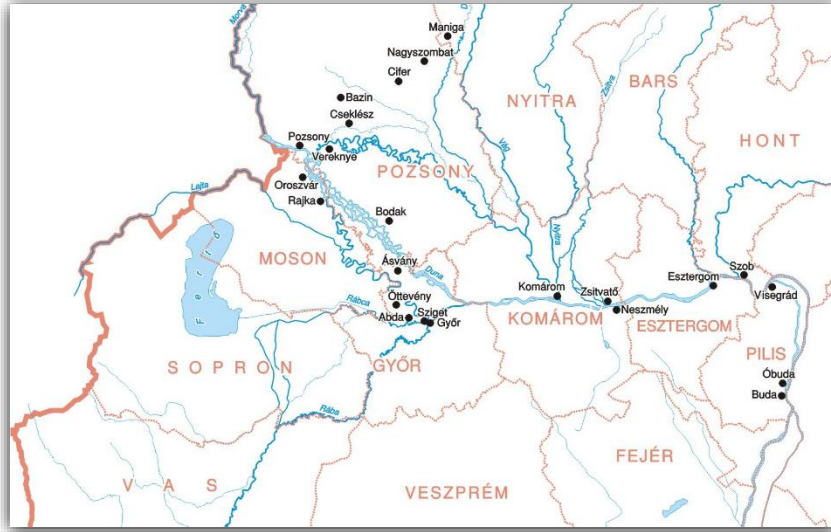
When it came to exercising the toll exemption privilege(s) at toll stations, compliance by the toll collectors was not always forthcoming, and this was the source of several lawsuits between the toll owners and the citizens. The cases of known outcome all ended with recognition of the Pozsony townspeople's toll exemption right except for the dispute with the Esztergom chapter in 1357, which broke their privilege by citing the ancient standing of its toll collection right and its grant as a votive gift. I hope that the study of the court papers has also shown that the Pozsony townspeople's complaints of illicit toll collection were not always driven by the failure to recognize their toll exemption right. In some of the disputes,

¹⁷⁶ "[...] *e converso vero assumptentes predicti cives Posonienses quod si aliquis ex ipsis aliquam alienam personam non utentem libertate dicte civitatis Posoniensis secum duceret ad locum tributi in dicta Bozen nomine libertate ipsius civitatis et asserens ipsam personam alienam frui libertate eiusdem civitatis seu eciam ipsam personam alienam ultra ipsum locum tributi in Bozen fraudulenter deduceret et ubi id contra ipsum civem Posoniensem alienam personam deducentem legitime possent approbare extunc iidem iudex et iurati cives in Posonio et in futurum constituendi eundem concivem ipsorum modo premissis repertum punire teneantur iusticia predictae civitatis Posoniensis mediante*". DF 239 039, DL 7078.

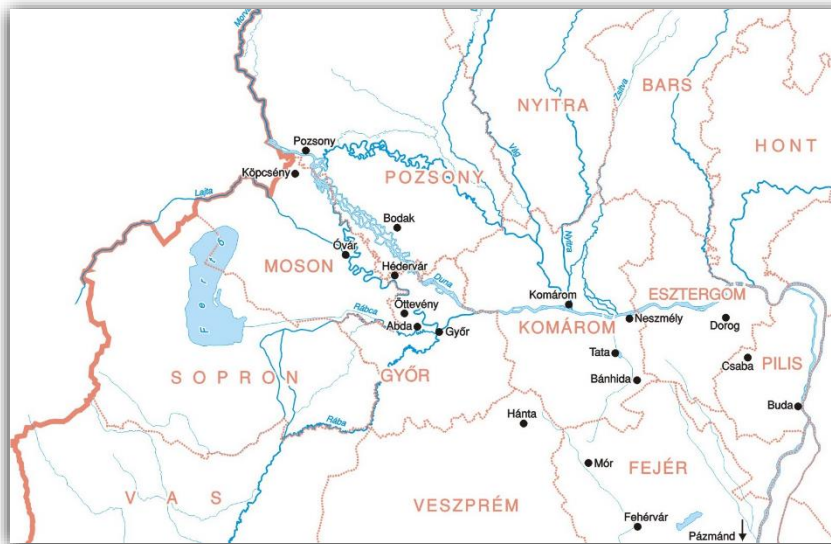
¹⁷⁷ 3 March 1430: KOVÁCS 1901. p. 470.

¹⁷⁸ A hitherto unexamined question is whether the Pozsony townspeople paid customs duties on salt brought in from Austrian lands in the periods when royal permission could be granted for the otherwise-prohibited import of Austrian salt to meet shortfalls in supply. Cf. 9 January 1355: DF 238 744; 30 June 1362: FEJÉR IX/7. p. 208–209; 29 June 1379: DF 238 978; 14 december 1381: FEJÉR IX/7. p. 433–434.

the citizens themselves seem to have been responsible through their abuse of their privilege by attempting to smuggle through the toll stations persons – or goods belonging to persons – not subject to the town's freedoms.



Map 1 Toll stations that Pozsony burghers had connection with during the Angevin period / the Sigismundian period (map created by Béla Nagy)



Map 1 Toll stations that Pozsony burghers had connection with during the Angevin period / the Sigismundian period (map created by Béla Nagy)

CONTRIBUTIONS

Tamás PÉDERI:

The Role of Economy in the Early Wars of Novgorod*

Novgorod became the mercantile centre of the Northern Rus' in the 10th century. After the city (or *city-state*) gained independence from Kiev in 1136, its main aim was to keep this position as its economy was based on trade. Evidently, the military and economic interests of the Novgorodian elite met and determined the city's war policy. The early period, especially the 12th century was the creation of the "*Novgorod Land*", expanding the city's possessions in all corners of the region. During this expansion, Novgorod conquered local tribes and settlements in north-eastern Europe but instead of incorporating them directly into its realm, the city-state rather maintained taxing centres to get primary products as tribute for the Baltic trade. This expansive period ended around the 1220s when strong new enemies appeared at Novgorod's borders: "Latin" crusaders in the West and Mongols in the East. Facing these new challenges Novgorod strengthened its dependencies and began to follow new, defensive policy. In this paper, my aim is to introduce the early, expansive period of Novgorod's history and to highlight the links between the military activities and the economic interests of the city.

Key words: Novgorod, warfare, economy, Rus', expansion, trade



Introduction

The history of Novgorod the Great, a successor state of Kievan Rus' is special in many ways in the history of the medieval Rus'. It is a well-known and popular topic among the scholars as Novgorod had a unique political system (a sort of *republican* one) and strong connections with Western Europe and was also a centre of medieval Russian historiography.¹ The city



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¹ Giving a detailed bibliography about the history of Novgorod in the Middle Ages is not the aim of my paper. Thus, I should only cite a few authors and works. Great general overviews: Валентин Лаврентьевич ЯНИН: *Очерки истории средневекового Новгорода*. Moscow. 2008. (hereafter: ЯНИН 2008); Виктор Николаевич БЕРНАРДСКИЙ: *Новгород и новгородская земля в*

on the banks of River Volkhov has also been a subject of deep-going archaeological excavations in the past century.²

However, the most of the primary sources have only a few connections with military history and reference to Novgorodian warfare and one must collect the parts of the puzzle from many different types of sources. This is the reason why the military history of the largest successor state of the Kievan Rus' was not developed and written before in its details.³ My aim is to fill this gap with my researches and in the present paper I shall show how the economy affected the early war policy of Novgorod. The city became the mercantile centre of the Northern Rus' in the 10th century. After the city (or city-state) gained independence from Kiev in 1136, its main aim was to keep this position as its economy was based on trade. Evidently, the military and economic interests of the Novgorodian elite met and determined the city's war policy. The early period, especially the 12th century was the creation of the "Novgorod Land" (or "Novgorodian Land", *Novgorodskaya Zemlya* in Russian), expanding the city's possessions in all corners of the region.⁴ During this expansion, Novgorod conquered local tribes and settlements in north-eastern Europe, but instead of incorporating them directly into its realm, the city-state rather maintained taxing centres to get primary products as tribute for the Baltic trade. This expansive period ended around the 1220s when strong new enemies appeared at Novgorod's

XV веке. Moscow – Leningrad. 1961. (hereafter: BERNARDSKY 1961); Henrik BIRNBAUM: *Lord Novgorod The Great: Part One: The Historical Background*. Los Angeles. 1981. (hereafter: BIRNBAUM 1981); *The Cambridge History of Russia. Volume I. From Early Rus' to 1689*. Ed. Maureen PERRIE. Cambridge. 2006. p. 188–210. (hereafter: PERRIE 2006) About the economic history of the region: *Novgorod – Markt und Kontor der Hanse*. Ed. Norbert ANGERMANN – Klaus FRIEDLAND. Köln. 2002. (hereafter: ANGERMANN – FRIEDLAND 2002); Eduard MÜHLE: *Die städtischen Handelszentren der nordwestlichen Rus'*. Stuttgart. 1991. (hereafter: MÜHLE 1991); Елена Александровна РЫБИНА: *Новгород и Ганза*. Moscow. 2009.

² YANIN 2008. p. 318–333; BIRNBAUM 1981. p. 17–26; Márta FONT – Tamás KRAUSZ – Emil NIEDERHAUSER – SZVÁK Gyula: *Oroszország története* [The History of Russia]. Budapest. 2001. p. 99–101. (hereafter: FKNSZ 2001), here I must also mention the works of Anatoly Nikolaevich KIRPICHNIKOV (Анатолий Николаевич КИРПИЧНИКОВ) who published many books about the archaeology of Novgorod and the Rus' between 1966 and 1984.

³ Only a few monographs give short summaries about this question: Евгений Андреевич РАЗИН: *История военного искусства. Том II. VI–XVI вв.* Moscow. 1999. (hereafter: RAZIN 1999); David NICOLLE: *Armies of Medieval Russia 750-1250*. Oxford. 1999. (hereafter: NICOLLE 1999); David NICOLLE – Viacheslav SHPAKOVSKY: *Armies of Medieval Russia 1250-1500*. Oxford. 2002. Nicolle's works are rather popular science books based on authentic primary sources and scientific secondary sources. On the other hand, many other works include elements of the topic, but in this essay, I cite only a very selected bibliography, as my aim is to give brief synopsis.

⁴ About the meaning of the "Novgorod Land": Charles J. HALPERIN: *Novgorod and the "Novgorodian Land"*. *Cahiers du monde russe: Russie, Empire russe, Union soviétique, États indépendants* 40 (1999), p. 345–363.

borders: “Latin” crusaders in the West and Mongols in the East. Facing these new challenges Novgorod strengthened its dependencies and began to follow new, defensive policy.

Brief overview of the history and politics of Novgorod

Novgorod is uniquely rich in written sources among the parts of the Rus'. About the early history of the region we can find information in the so-called Primary Chronicle (earlier known as *Nestor's Chronicle* and recently from its first words as *Tale of Bygone Years* or *Povest' vremennih let*, abbreviated as *PVL*), the very first Rus'ian chronicle. The later history of Novgorod is mostly known from the local annalistic chronicles (*letopis'i*) of five codex families, the Novgorod Chronicles (*Novgorodskie letopis'i*, abbr.: *NL*). Besides the *letopis'i* there are special diplomas or documents, the *gramoty* (sing. *gramota*), which contain commercial treaties and contracts with the princes.⁵ Another special kind of written documents in the Northern Rus' is the birch-bark letters (known also as *gramoty*) which are private letters mostly containing information about the everyday life.⁶

Besides local sources there are some foreign documents containing contemporary information about the history of Novgorod: *letopis'i* from the other principalities of the Rus', Latin, German and Scandinavian chronicles, diplomas and other typical documents of the era – mostly written in the close proximity of the north-western Rus'.⁷

Archaeology also gives us important additional knowledge about Novgorod. The city proper went under a series of high-scale archaeological

⁵ Both types contain a lot of valuable information about Novgorod's economy. While the economic importance of the commercial treaties is evident, the treaties with the “invited” princes is also important as they record the regions where the prince's courtiers can and cannot hunt, collect natural goods or levy taxes and so on. E.g. from the first surviving treaty: “*And these are the volosts of Novgorod: Bezhiche, Gorodets', Mchya, Shipino, Egna, Vologda, Zavoloch'ye, Koloperem', Tre, Perem', Yugra, Pechera. And you must govern these volosts with Novgorodian men and levy tax from them. And you must hunt wild boars [further] than 60 versts from the city [of Novgorod].*” It also contains other economic restrictions as well as the later treaties with the princes. See: *Грамоты Великого Новгорода и Пскова*. Ed. Спигизмунд Натанович ВАЛК. Moscow – Leningrad. 1949. p. 9-10. (hereafter: VALK 1949).

⁶ FKNSZ 2001. p. 98–99; Валентин Лаврентьевич ЯНИН: *У истоков новгородской государственности*. Moscow. 1998. p. 5–12. (hereafter: YANIN 1998); BERNARDSKY 1961. p. 112–147. Most of the birch-bark documents are available online: <http://gramoty.ru/index.php> (access: 06-19-2017).

⁷ Early Livonian chronicles: *Heinrici Chronicon Livoniae*. Hrsg. Leonid ARBUSOW – Albertus BAUER. Hannoverae. 1955. (Monumenta Germaniae historica. Scriptores rerum Germanicarum in usum scholarum separatim editi, 31) (hereafter: HCL 1955); *Livländische Reimchronik*.

Stuttgart. 1844. (hereafter: LRC 1844). Old East Slavic *letopis'i*: http://psrl.csu.ru/index/index_tom.shtml (access: 06-19-2017).

excavation from the 1950s and due to the local climate many artefacts were found in quite a good condition.⁸

Novgorod is one of the oldest settlements of the Rus' and its first centre according to the PVL.⁹ The city itself was founded in the 10th century on the shores of river Volkhov on the trade route from the Varangians to the Greeks between Scandinavia and Byzantium. The city grew fast and it became the second biggest city in the Rus' after the center, Kiev. In the north-western region Novgorod kept its role of regional centre – not only in political sense, but also in cultural and commercial one.¹⁰

In the early period Novgorod was an integral part of the Kievan Rus' until the local popular assembly, the *veche* exiled the actual prince, Vsevolod Mstislavich (1117–1136) in 1136 due to his “disloyalty” to Novgorod (he wanted to become the grand prince of Kiev and thus he did not want to settle in Novgorod and found a local dynasty). This conflict created a unique situation: Novgorod became a republic or more exactly an oligarchy led by the most powerful members (*boyars*) of the *veche*, the rich merchants and landowners. *Veche* became the only political actor and as such, they decided to “invite” another prince. However from that year, the princes of Novgorod should have had no monarchic power, they became military leaders with their own retinue (*druzhina*) and protectors of the city and its realm. The princes' scope of activities was recorded in the treaty between the prince and the *veche* (this kind of *gramota* is called *ryad*) and restricted and controlled by the *veche* (although some princes tried and were able to manipulate the *veche*).¹¹

Although Novgorod became sovereign in 1136, the political connections with the other parts of the Rus' remained strong: most of its princes came from another Rus'ian principality and the armies of Novgorod often fought in the internal wars of the Rus'. Between 1136 and the first half of the 13th century, Novgorod became the biggest Rus'ian polity expanding from its core territory at the lakes Ladoga, Ilmen and Peipus to Karelia and the White Sea in the north, to the Baltic Sea in the west and to the Ural Mountains beyond the River Northern Dvina in the east. This period is the

⁸ YANIN 2008. p. 318–333; BIRNBAUM 1981. p. 17–26; FKNSZ 2001. p. 99–101.

⁹ PERRIE 2006. p. 47–56; YANIN 2008. p. 11–18.

¹⁰ YANIN 2008. p. 20–25; FKNSZ 2001. p. 89–91; PIERRE 2006. p. 189–192; BIRNBAUM 1981. p. 13–39; Robert MICHELL – Nevill FORBES: *The Chronicle of Novgorod, 1016–1471*. London. 1914. p. XXII (hereafter: MICHELL – FORBES 1914); MÜHLE 1991. p. 127–131; ANGERMANN–FRIEDLAND 2002. p. 53.

¹¹ Although the Novgorodian situation, the ruling role of the *veche* was unique in the Rus', there were similar endeavours in other principalities of the Rus' too, but they were unsuccessful. See: FKNSZ 2001. p. 92–98; YANIN 2008. p. 26–56; PIERRE 2006. p. 74–88, 192–195; BERNADSKY 1961. p. 52–75; BIRNBAUM 1981. p. 73–75, 82–97. About the method and origin of the contract between the *veche* and the princes, see: YANIN 1998.

creation of the Novgorod Land, the region ruled by the city gaining the title “*His Majesty Lord Novgorod the Great*”. In the second half of this paper, I am going to give a summary account of this period due to its importance in the topic given in the title.

In the second third of the 13th century, the leaders of the city had to face new enemies in the east and in the west: the Mongols who already conquered most of the Rus’ and the “*Latin*” (Scandinavian and German) crusaders in the Baltic. In this hard time, Novgorod chose to compromise with the fearsome nomads and accepted the nominal Mongol rule in 1238. This policy helped them to face the western enemies and stabilize the borders of the Novgorod Land in the Baltic by losing only small footholds in Finland and Estonia. Making relative peace with the new neighbours strengthened Novgorod’s trade and the north-eastern colonization and created Novgorod’s *golden age* between the mid-13th and late 14th century.¹²

From the end of the 14th century, the rich city-state had to face increasing pressure of the new regional powers, the Grand Duchy of Lithuania and the Grand Principality of Moscow. After a long period of altering resistance and cooperation, Novgorod was annexed by Moscow in 1478.¹³

The economy of Novgorod

As I mentioned in the foreword, Novgorod’s importance was built on the long-distance commerce. In its society, foreign merchants played an important role. From the early period, we have information about Greeks and Norsemen and it also seems quite possible that Muslim, Turkic and Baltic traders frequently visited the city, while from the 11th century, the eastern Scandinavian (Swedish and Gutnish) and German trading colonies gain influence in Novgorod.¹⁴

The trade route from the Varangians to the Greeks started to decline around the turn of the 11th and 12th centuries as Cumans conquered the northern shores of the Black Sea. (However this route was still an important one until the first downfall of the Byzantine Empire and the Mongol-Tatar conquest of the Pontic steppes in the 13th century.) This was the reason of the increasing importance of the east-west Baltic trade instead of the north-south Eastern European route. From the end of the 11th century, strong commercial partnership was born between the Novgorodians and the

¹² FKNSZ 2001. p. 78, 91–92; BIRNBAUM 1981. p. 45–53; PIERRE 2006. p. 98–126, 198–202.

¹³ YANIN 2008. p. 222–304; FKNSZ 2001. p. 97; BERNADSKY 1961. p. 200–356; PIERRE 2006. p. 202–206; BIRNBAUM 1981, 53–54. Gábor GYÓNI: Moszkva és Novgorod küzdelme: „az orosz földek összegyűjtése” [The Struggle of Moscow and Novgorod. “The Collection of the Russian Lands”]. In: *Az orosz birodalom születései*. Ed. Tibor FRANK. Budapest. 2016, hereafter: FRANK 2016) p. 44–59. (hereafter: GYÓNI 2016).

¹⁴ YANIN 2008. p. 335–349; BIRNBAUM 1981. p. 79–80.

island of Gotland and between the Novgorodians and the Swedish shores. From the late 12th century merchants from the northern German cities also appeared in the eastern Baltic region and a close and intensive commercial link was born between them (first as independent merchants, later as the representatives of the Hanseatic League) and Novgorod. Initially both the Novgorodian and German merchants visited each other's markets and Novgorodian trading colonies existed in the Hanseatic cities, but from the 14th century Germans took over the lead in the Baltic trade.¹⁵

Novgorod exported its own products to the west like furs, wax, amber jewels and wooden goods and these materials arrived in Novgorod as tax from the Finno-Ugrian tribes ruled by the city. From the west they imported shortages chiefly: salt, precious metals (especially silver), steel, and weapons, but also luxuries (expensive textiles, spices). If the harvest was poor, Novgorod also needed to import grain, usually from the neighbouring Principality of Vladimir-Suzdal.¹⁶

Although in the earlier literature most historians agreed that the agricultural colonization of the eastern region started only in the 14th century due to the climate change (the weather became warmer and milder), recent studies show that this process started already in the early 13th century but the process reached a higher scale only later. From the turn of the 13th and 14th centuries, the manors started to grow and due to the colonization, the former semi-autonomous eastern and northern regions became integral part of the Novgorod Land. Nevertheless, as the climate was still harsh in this zone and the agriculture was rather underdeveloped, hunting, fishing and bee-keeping remained an important part of the local economy. For example people mostly used furs as currency instead of metal coins (the use of money became more general from the 14th century due to the Baltic commerce and local currency only appeared in 1420).¹⁷

The expansion of Novgorod in the 12th–13th century

To overview the expansion of Novgorod, we must start the story before earlier than the year of independence, 1136. The city on the River Volkhov established its power over the Slavic and Finnic tribes and settlements of the

¹⁵ YANIN 2008. p. 335–349; RAZIN 1999. p. 256; FKNSZ 2001. p. 78, 87–88.

¹⁶ FKNSZ 2001. p. 88–89; PIERRE 2006. p. 196.

¹⁷ BERNADSKY 1961. p. 52–111; RAZIN 1999. p. 256; FKNSZ 2001. p. 88–89; PIERRE 2006. p. 196, 207–208; GYÓNI 2016. p. 44–45; János MAKAI: *Fejezetek Vlagyimir-Szuzdal történetéből* [Chapters from the History of Vladimir-Suzdal]. Eger. 2014. p. 88–90. (hereafter: MAKAI 2014). About the geography and climate of the region, see: PIERRE 2006. p. 19–43.

region, e.g. (Staraya) Ladoga, (Staraya) Russa, and Pskov (originally Pleskov) in the early period as a seat of the Rus' princes.¹⁸ Just before the city became independent, the core of the Novgorod Land was around Lake Ilmen, River Volkhov, Lake Ladoga and Lake Peipus and the city started to levy tax on the proto-Estonian *Chude* tribes north and west of Lake Peipus (*Pskovsko–Chudskoe ozero*, lit. Pskovian–Chude Lake in Russian).¹⁹

Around then, in the first half of the 12th century the sphere of Novgorod's influence started to expand to the northeast, in the regions of *Zavolochye* (lit. "beyond the portage", also known as "Vолок on the River Dvina"), *Pechora* and *Yugra* conquering different Finnic, Permian, and Ugric tribes. During the conquest, there were no big campaigns only small Novgorodian expeditions subjected the local fragmented and scattered tribes. The Novgorodians founded palisaded taxing centres (*pogosts*) with small garrison on defendable riverbanks.²⁰ This way the region became a dependent but not integral part of the Novgorod Land until agricultural colonization did not begin and real settlements did not appear around the *pogosts* from the early 13th century.²¹

¹⁸ This core region became the foundation of the later administrative districts, the five *pyatinas* (lit. "fifths"). The subdued cities in this core region were called *prigorods* (lit. "suburb") and often translated to English as satellite-cities (or satellite-towns). YANIN 2008. p. 306–317; BIRNBAUM 1981. p. 70–71.

¹⁹ YANIN 2008. p. 44–45. According to the Novgorod Chronicles the conquest of the Chude tribes ended in 6641, year 1133 AD/CE in the Orthodox chronology, which counts the years from the theoretic date of the Creation. I used three different editions of the *Novgorod Chronicles* (*Новгородские Летописи*; hereafter, NL) so hereafter I cite them this way: "NL [year given in the chronicles], ([year in the Common Era])". The editions I used:

- *Новгородская первая летопись старшего и младшего изводов*. Moscow – Leningrad. 1950. (Online: http://www.lrc-lib.ru/rus_letopisi/Novgorod/contents.htm. Access: 06-19-2017)

- *Новгородская летопись по списку П.П. Дубровского*. // *Полное собрание русских летописей*. Том XLIII. Языки Славянской Культуры. Moscow. 2004. (Online: <http://www.lrc-lib.ru/?id=6>. Access: 06-19-2017).

- *The Chronicle of Novgorod, 1016–1471*. London. 1914. (English translation).

²⁰ GYÓNI 2016. p. 45; NICOLLE 1999. p. 16–17. There are theories about an administrative-taxing system similar to *pyatinas* of the core region in this northern and north-eastern peripheries. The first one would be *Zavolochye*, the region beyond the *Vолок* between the *Beloye Lake* ("White Lake") and the *Mezen River*, including the valley of the *Northern Dvina*. The second district would be the "overseas" land of *Tre*, *Tri* or *Ter* north of the *Onega Lake*: *Northeastern Karelia*, the southern shores of *Kola Peninsula* and parts of *Lapland*. The third region would be *Perm* or *Perem* between the valley of *Kama River* and the *Ural Mountains*, while the fourth district would be *Pechora*, the valley of the river with the same name and the fifth one would be *Yugra*, the northern *Ugric lands* between the *Pechora River* and the northern ranges of the *Ural*. See: MICHELL – FORBES 1914. p. XXX.

²¹ FKNSZ 2001. p. 87–89; GYÓNI 2016. p. 44–45; MAKAI 2014. p. 88–89; Márta FONT: *Rusciától Moscoviáig. Oroszország középkori gyökerei a kezdetektől a 15. század végéig* [From Ruscia to Moscovia. The Medieval Roots of Russia from the Beginnings to the End of the 15th Century]. In: FRANK 2016. p. 21–43, here: p. 29–31.

Defending and controlling the local *pogosts* was prime necessity for Novgorod as its export products (furs and hides, wax and honey, etc.) came from this region in the form of tax.²² Sometimes the local tribes were able to unite their forces and attempt to break the Novgorodian yoke, which entailed bigger campaigns from Novgorod. A good example is from the year 1193 when a punitive campaign arrived in Pechora to repress the rebellion of the Permian and Ugric tribes. This army conquered many “towns” (probably tribal centres and *pogosts* conquered by the tribes during their rebellion) but was defeated later.²³ While the chronicle does not inform us about the further fate of this rebellion, the Novgorodian tax collectors even reached the Ural Mountains in the next years, so it was repressed for sure.²⁴ Similar rebellions could have happened even earlier as the fortress of Khlynov (also known as Vyatka) was built in the region on the shores of River Vyatka around 1174 but in the chronicles these rebellions left no trace.²⁵

Although the local tribes caused some trouble, the Principality of Vladimir-Suzdal was a far stronger competitor for Novgorod in the north-eastern region. This principality also had economic interests in this far-away corner of Europe and the war with this Rus’ian power set not only the Novgorodian tax-collecting back but also the important grain supplies, which arrived on the Volga route. During the 12th century, the conflict was almost constant between the two states. In the first half of this century, the Novgorodians built the fort of Torzhok (also known as *Novy Torg*, “new market”) on the border of the two power to control the trade route on the Volga.²⁶ Plundering on the borderland, skirmishes and short expeditions were quite frequent.²⁷ During this century there were two wars: the first one in 1147–1149 when both armies were deployed from year to year and Novgorod conquered six villages. In 1149, the two armies finally met on the field and the battle and war ended with the victory of Novgorod.²⁸

The next real war came in 1169 when a Novgorodian troop went beyond the valley of the Northern Dvina to collect the tax and was attacked by a Suzdalian army. It seems that the Novgorodians were well prepared as they

²² BIRNBAUM 1981. p. 49–52; FKNSZ 2001. p. 87–89; PIERRE 2006. p. 196.

²³ NL 6695, 6701 (1187, 1193); NICOLLE 1999. p. 8, 41.

²⁴ MICHELL – FORBES 1914. p. XV–XVII; FKNSZ 2001. p. 91.

²⁵ MICHELL – FORBES 1914. p. XXVI–XXVIII. As Khlynov was the centre of the region Vyatka, which got its name after its main river), the sources often call the settlement and the fort Vyatka, too. From the end of the 18th century, the settlement was officially renamed Vyatka but its name was finally changed to Kirov in 1934.

²⁶ FKNSZ 2001. p. 91; MAKAI 2014. p. 89–99.

²⁷ NL 6642, 6645, 6647, 6675 (1134, 1137, 1139, 1167).

²⁸ NL 6655–6657. (1147–1149.); NICOLLE 1999. p. 8; YANIN 2008. p. 51.

won the battle and after collecting the tax from the dependent tribes, they even collected tribute from some Suzdalian peasants. This action angered Vladimir-Suzdal and its leaders announced war on Novgorod and recruited an army from not only their own principality but from their Rus'ian allies, too, and this united army invaded the core territories of Novgorod and encircled the city in late 1169 or early 1170. After fruitless negotiations, the two armies met again on field at the walls of Novgorod and the Suzdalians lost again. This victory guaranteed the hegemony of Novgorod in the disputed north-eastern region but the small conflicts did not end completely.²⁹

Novgorod's attempts to establish control among the Baltic Finnic peoples was less successful. The main reason can be found in the society and demographics of these tribes: they were more organized socially and more populous than the eastern Finnic tribes.³⁰ For example, Novgorod gained control over just some of the Chudes after a long war in the early 12th century.³¹ As many Chude tribes remained free, they often raided the lands around Pskov – many times together with other Baltic tribes, the Latgallians³² and the Lithuanians (collectively known as *Litva* in Old East Slavic). In 1190–1191 a bigger Novgorodian army besieged and occupied the town of Yuryev and plundered many villages in Estonia but later they left the region and did not attempt to annex it for an unknown reason.³³

In the west, Novgorod's main target was not Estonia and its Chude tribes, but Finland. Most of Karelia came into Novgorodian rule in the early period already as a source of wood and furs and also for strategic reasons.³⁴ Another source for valuable raw materials was central Finland, inhabited by the *Tavastians*, a Finnish tribe whose Old East Slavic name was *Yem* (or *Yam* in other form).³⁵ The Rus' already attempted to subdue them in the 11th

²⁹ NL 6677. (1169.); PIERRE 2006. p. 196; BIRNBAUM 1981. p. 137; YANIN 2008. p. 55. As an example for later conflicts see year 1180 in the chronicles: NL 6688.

³⁰ Eino JUTIKKALA – Kauko PIRINEN: *Finnország történelme* [The History of Finland]. Budapest. 2004. p. 36–37, 56–57. (hereafter: JUTIKKALA – PIRINEN 2004); David NICOLLE: *Lake Peipus 1242. Battle of the Ice*. Oxford. 1997. p. 9. (hereafter: NICOLLE 1997).

³¹ NL 6641 (1133).

³² The Baltic Latgallians (or Latgalians) were the ancestors of the Latvians, close relatives of the Lithuanians. MICHELL – FORBES 1914. p. XXV–XXVII. and p. 32. footnote 1. About their history see: Michael NORTH: *The Baltic. A History*. Cambridge – London. 2015. p. 17–18.

³³ NL 6698–6699 (1190–1191). Yuryev was called Tarbatu in archaic Estonian and Dorpat in German. Nowadays it is called Tartu and part of Estonia. Although most parts of the Novgorod Chronicles are credible and detailed, it also contains some events without any further explanations like this one. About this issue see: MICHELL – FORBES 1914. p. XXXVI–XLI.

³⁴ JUTIKKALA – PIRINEN 2004. p. 51–52.

³⁵ The Old East Slavic word comes from the Finnish name of the region, Häme. JUTIKKALA – PIRINEN 2004. p. 412.

century.³⁶ For me it seems that this attempt was relatively successful and the Tavastians became the subjects of Novgorod until the early 1120s, when in the chronicles we read about their rebellion and the Novgorodian victory over them in 1123.³⁷ Around one and a half decade later, the Yems were independent again and raided the Novgorod Land around Ladoga but were defeated by the local garrison and militia in 1142. This raid seems to have a connection with the appearance of the Kingdom of Sweden in the region. Under the year 1142 the Novgorod Chronicle writes: the navy of the Swedish king and the Swedish bishop attacked some Novgorodian merchant vessels, but they were defeated. In spite of this entry in the chronicle the Kingdom of Sweden and Novgorod did not clash yet as the Swedes only started to conquer and convert the western shores of Finland.³⁸ In the next decades the raiding activity in the Finnish and Karelian region is frequent on both sides and there is also an entry about a Swedish raid again. It seems possible that Novgorod was finally able to (re-)conquer Tavastia at the end of the 12th century but we have no information about founding pogosts in that region.³⁹

At the end of the 12th century, the Lithuanians (sometimes allied with the Latgallians and the Rus'ians of Polotsk) became the main enemy of Novgorod in the west. In 1198 the Lithuanian-Polotskian troops plundered the town of Luki while in 1200 they even proceeded to march as far as Lake Ilmen before defeated by the Novgorodians.⁴⁰ The town of Luki on the border became the centre for operations against the eastern Baltic lands and was reinforced by walls and garrison in 1211.⁴¹

It seems quite possible for me that there was some kind of connection between the Estonians and the Lithuanians during this period as the raids of these peoples became frequent in the 1210s – as soon as the army of Novgorod invaded a Chude vicinity (probably they wanted to gain control over Estonia completely), the Lithuanians invaded the Novgorod Land.⁴²

1217 was a turning point in the expansion of Novgorod: during the actual war against the Lithuanians and Chudes, the pagan tribes sought help among the Catholic Germans of the Bishopric of Riga and the Livonian Brothers of the Sword who just started colonizing the Eastern Baltic shores (and soon to become the archenemy of these tribes). This was the first time

³⁶ NL 6550 (1042).

³⁷ NL 6631 (1123).

³⁸ NL 6650 (1142). For the problems with this information see: JUTIKKALA – PIRINEN 2004. p. 39; YANIN 2008. p. 50.

³⁹ NL 6651, 6657 (1143, 1149), 6672 (1164), 6694, 6699 (1186, 1191); JUTIKKALA – PIRINEN 2004. p. 36.

⁴⁰ NL 6706 (1198), 6708 (1200)

⁴¹ NL 6719 (1211).

⁴² NL 6718–6722 (1210–1214).

when the Livonian Germans appeared as enemies of Novgorod but after some skirmishes, they retreated. Then the Novgorodians defeated the Chudes and preyed on 700 horses.⁴³

Five years later the situation changed and the Lithuanians and Novgorodians attacked the Livonian Brothers together and unsuccessfully besieged the castle of Wenden. The alliance did not last long as in the next year, Lithuanians were marauding the possessions of Novgorod again, while there was an ongoing war against the Chudes. While both tribes were defeated, this war did not result in conquest (the town of Kolivan was besieged unsuccessfully), only in booting.⁴⁴

Soon the skirmishes and border disputes became frequent between Novgorod and the Livonian crusaders. The military order conquered Yur'yev (Dorpat) in 1224 and the Novgorod Land and the Livonian Brothers' state became neighbours along Lake Peipus.⁴⁵ In the same year a Novgorodian expedition army was decisively defeated by the Lithuanians and the first news about the Mongol-Tatar invasion arrived in the north-western Rus'.⁴⁶ In my opinion, these events mark a new era in the history of Novgorod: the end of expansion and the beginning of a defensive policy. The strengthening Lithuanians, the "Latin" crusaders and the fearsome Mongols were too strong enemies to deal with in a war on several fronts. This recognition helped the leaders of the city-state to survive the upcoming invasions and strengthen its commercial and economic positions in the region.

Conclusion

After making a brief survey on the military events of the period we can clearly see that the economic interest was the main motivational force in the wars of Novgorod. From the beginning of the 12th century, the leaders of the city were striving for expanding the city's realm in regions rich in valuable raw materials. During this strife, Novgorod faced several enemies from several cultures with different social and organizational structures. In the eastern region, we witness a relatively rapid expansion in a territory but without intense agricultural colonization, only creating taxing vicinities. In

⁴³ NL 6725 (1217); HCL 1955. p. 137–140; LRC 1844. p. 42–44. (*Livländische Reimchronik* is rather a literary source, an epic work about the heroic deeds of the German knights, its value as a historical source is not that significant. LRC 1844. p. III–VIII.) For the German settlement process in Livonia see: NICOLLE 1997. p. 10–15.

⁴⁴ NL 6730–6731 (1222–1223). Wenden was called Kes in Old East Slavic, nowadays it is part of Latvia as Cēsis. Kolivan later became Reval under Danish and German rule, nowadays it is the capital of Estonia as Tallinn.

⁴⁵ NL 6732 (1224); HCL 1955. p. 199–205; NICOLLE 1997. p. 11–12.

⁴⁶ NL 6732 (1224).

other regions where the armies of Novgorod met more organized adversaries (Vladimir-Suzdal, the crusaders or the Baltic Finnic peoples). Against them, Novgorod's main aim was plundering, seizing booty as these enemies were too strong to subject completely and possibly, they were more valuable as independent trading partners, too. After this recognition, Novgorod changed its policy and successfully protected its commercial and political interests in both the Baltic and the north-eastern region in the next one and a half century.



Illés HORVÁTH:

The Role of Trial by Poison in the Representation of the Power of the Luxembourg Dynasty. Attempts on the Lives of Emperors of the Luxembourg Dynasty 1313–1437*

The paper uncovers the role of trial by poison in the representation of the power of the Luxembourg dynasty. After the death of Emperor Henry VII, the contemporaneous sources reported poisoning a few days after the Emperor had passed away, with a great outrage. In my study, I intend to explore how the death of Henry VII affected the dynastic memory and the representation of the family. Furthermore, I also intend to focus on how Holy Roman Emperors Charles IV and Sigismund of Luxembourg reflected on the attempts on their lives and what was the role of trials by poison in their representation of power.

Key words: trial by poison, Emperor Henry VII, Emperor Charles IV, Emperor Sigismund, sainthood, sacrifice. 14th and 15th centuries.



In that proud stall, On which, the crown, already o'er its state
Mayst at the wedding sup, — shall rest the soul
Of the great Harry, he who, by the world
Augustas hail'd, to Italy must come,
Before her day be ripe..."

(Dante Alighieri: *Divine Comedy. Paradise, Canto XXX*).¹

I. Introduction

We find narratives of attempted murders against individual kings, emperors in the history of almost every European royal house, however, the Luxembourg dynasty and their supporters are unrivalled among the royal houses in the skilled use of the attempts committed against them in

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their political and power representation.² Henry VII of Luxembourg, the Holy Roman Emperor (1312–1313) barely 40 years old at the time, had been at war for three years with the Guelphs of Italy, when on 24 August 1313, on the day of the Apostle Saint Bartholomew during the siege of Siena, he died under mysterious circumstances after taking the Communion. The entourage and supporters of the Emperor were shocked by the news that the young ruler died at the peak of his glory, and soon word spread in the military camp that the ruler was murdered. What is more, when soldiers of Henry heard the news they whispered that the assassination might have been committed by Bernard de Montepulciano, the Dominican confessor of the ruler, who may have killed the emperor by poison concealed in the holy wafer, presumably under the commission of Robert the Wise, king of Naples and his Guelph allies. The suspicion of poisoning spread like wildfire in Europe and soon chroniclers, writers, poets were inspired by the mysterious death of Emperor Henry VII, and supporters of the Luxembourg dynasty started to elevate him to the level of Alexander the Great, one of the most revered historical and literary figures of the Middle Ages, who was also murdered by poison administered by his enemies during his glorious campaign. At the same time, Henry VII's passion story and the respect of the ancient *strategos* imbued members of the Luxembourg House and their dynastic representation, and eventually various representative responses were created by the dynasty to the trials by poison. From 1313 until 1437, with the exception of John of Luxembourg King of Bohemia (1310–1346), Charles IV of Luxembourg (1355–1378) and his son, Sigismund of Luxembourg (1433–1437), also a Holy Roman Emperor, put on trial by poison by their adversaries several times, but each of these attempts failed. In my study I intend to explore how the death of Henry VII affected the dynastic memory and the representation of the family. Furthermore, I also intend to focus on how Holy Roman Emperors Charles IV and Sigismund of Luxembourg reflected on the attempts in their lives, and what was the role of trials by poison in their representation of power.

II. The first blood. Henry VII's sacrifice

The emergence of the Luxembourg dynasty started at the beginning of the 14th century. Balduin of Luxembourg, the brother of Henry VII became the archbishop of Trier in 1307, which involved obtaining the rank of prince-elect. Balduin proved to be a very talented politician, since within a very short time he gained extremely high influence in the empire, by which he

¹ *The Vision; or, Hell, Purgatory, and Paradise, of Dante Alighieri*. Transl. Henry Francis CARY. London. 1819. p. 184.

² Franck COLLARD: *Histoire du crime du poison au Moyen Âge*. Paris. 2003. p. 32.

arranged for the coronation of his brother, Henry VII to be the King of Germany, then in 1310, together with Peter, archbishop of Mainz, he started supporting the idea of crowning him emperor within the shortest possible time.³ After Henry was crowned king, his prestige grew constantly. Since the Přemysl dynasty died out on the male line, the Kingdom of Bohemia reverted to the German king, so he could donate it on feudal right to his son, John of Luxembourg in 1310.⁴ Simultaneously, in an effort to strengthen his power, Prince John got engaged with Elizabeth of Přemysl (†1330) daughter of Bohemian king Wenceslaus II (1278–1305).⁵ In the same year, the ruler followed the practice of the Hohenstaufs and attempted to restore the control of the empire in Italy. At that time the city states of Italy were characterized by extremely murky political conditions. The struggles between the Guelphs and the Ghibellines that had been going on for one and a half century broke up order, and the papacy in Avignon also had a serious impact on the system of political conditions of the peninsula. Taking advantage of this situation, Henry VII crossed the Alps with his troops and asserted his control, one by one, over Milan, Padua, Verona, Parma, and then captured Brescia by his army.⁶ In order to stabilize his power, he appointed germanophile, pro-Ghibelline families as leaders for each captured city. The campaign of the emperor soon inspired Dante Alighieri, who praised Henry as nothing less than the “saviour” and “liberator” of Italy, and also hoped that the German ruler would liberate pro-Guelph Florence with his army, and then he would be able to return finally to his beloved native city, through the immense grace and righteousness of the emperor.⁷

Henry continued his march and headed for Rome with his entourage in June 1312, however, before he arrived, Robert the Wise and his Guelph allies sent troops to defend the *Urbs* and revolted the city in an effort to prevent the crowning of Henry as the emperor. The enraged German ruler broke into the city from the direction of Porta Appia and scorched the Guelph castles and fortresses near Capo di Bove and on the Aventine hill.

³ Martin PERSCH: ‘Balduin von Luxemburg’. In: *Biographisch-Bibliographisches Kirchenlexikon* 15. Herzberg, 1999. p. 55–57; *Der Weg zur Kaiserkrone. Der Romzug Heinrichs VII. in der Darstellung Erzbischof Balduins von Trier*. Ed. Michel MARGUE – Michel PAULY – Wolfgang SCHMID. Trier, 2009. p. 73.

⁴ Daniel BAGI: Csehország 1204–1389 [Bohemia 1204–1389]. In: *„Kelet-Európa” és a „Balkán” 1000–1800. Intellektuális-történeti konstrukciók vagy valós történeti régiók*. Ed. Endre SASHALMI. Pécs, 2008 (Kelet-Európa és Balkán Tanulmányok, 4.) p. 24–36, 70–80.

⁵ Gyula KRISTÓ – Ferenc MAKK – Tamás KATONA: *Károly Róbert emlékezete*. [Remembrance of Charles Robert] Budapest, 1988. p. 5.

⁶ Henry BOGDAN: *Histoire des Habsbourg des origines à nos jours*. Perrin, 2002. p. 35.

⁷ E. Claire HONNESS: ‘Ecce nunc tempus acceptabile’: Henry VII. and Dante’s Ideal of Peace. *The Italianist* 33 (2013), p. 484–504, here: p. 484.

The Guelph troops had to withdraw but held their ground in the Trastevere quarters, thereby prevented the ruler from reaching Saint Peter cathedral. Slowly a stalemate developed in Rome, thus the pro-Guelph and pro-Ghibelline troops had been facing each other on the barricades for almost an entire month. Cola di Rienzo Roman people's tribune wrote about this period in July 1350, in his letter addressed to Holy Roman Emperor Charles IV. Rienzo explained that one day Emperor Henry, the grandfather of Charles got fed up with inaction, disguised himself and joined a group of pilgrims, so he can finally see the place where Charlemagne and other former emperors were crowned. At the time the streets were full of barricades and checkpoints, but luckily, the locals knew the secret passage-ways not patrolled by the Neapolitan soldiers, so the emperor could get to the Saint Peter Cathedral relatively easily.

However, while he was saying his prayers piously, one of the pilgrims recognized him and alerted the guards immediately, telling them that the ruler was hiding among the pilgrims in disguise. The Neapolitan garrison immediately closed the crossing points, then it was announced that whoever turned in the German ruler would receive a great and rich reward. A young peasant boy helped Henry hide from the guards, who found a safe place for the ruler in a nearby tavern, which happened to be the property of the family of Rienzo at the time. The mother of the people's tribune nursed the emperor who was disguised as a sick pilgrim, for 10 to 15 days until the soldiers gave up the search for him. At that point Henry returned to his troops to the Aventine Hill, then left the city, never to return. The people's tribune added that for some time they themselves did not realize that the mysterious pilgrim was the emperor himself. The locals whispered that at that time there was a woman who bore a child by him, although the locals never revealed who that woman would be. Rienzo wrote that he himself had heard this story for the first time when he returned to Rome, it was told to him by the priest to whom his mother confessed the last time.⁸ The letter of Rienzo contains much useful information and is certainly an important resource for the power representation of Holy Roman Emperor Charles IV, since it is known that in 1355, before he was crowned emperor, himself used disguise and visited the most important pilgrim churches of Rome as a

⁸ Ronald G. MUSTO: *Apocalypse in Rome: Cola di Rienzo and the Politics of the New Age*. Los Angeles. 2003. p. 25–26; Ronald G. MUSTO: *Avignon and Rome: Clement VI, Cola di Rienzo and the buono stato*. (Conference paper: University of Minnesota, Minneapolis, Center for Medieval Studies, Avignon Conference, April 27) 2002. p. 22. https://www.academia.edu/6256376/Avignon_and_Rome_Clement_VI_Cola_di_Rienzo_and_the_buono_stato (Access: 02-05-2017).

peregrine.⁹ Presumably, the story told by the Roman people's tribune inspired Charles IV to follow the example of his grandfather and walk the streets of Rome as a pilgrim himself.

Another interesting bit of information is the story of the pregnant woman, which is most certainly a figment of the imagination of Rienzo, since we know that Henry hid in the tavern of the family in June 1312, while the Roman people's tribune was born in 1313, so it is beyond any doubt that he wanted to refer to himself, i.e. that he might be the illegitimate child of Henry VII. To make his story even more credible, he also added that his father was not in the city at all at the time. Apparently, this passage of the letter of Rienzo is not credible, but it is especially interesting that the memory of the pilgrimage of the emperor in disguise had remained in the fantasy of the citizens of Rome emphatically and for a relatively long time.

The skirmishes in the streets of Rome had been dragging on until 29 June 1312, as this was the date by which the ruler reached an agreement with Pope Clement V (1305–1314) on the crowning. Under their agreement, the papal legate placed the imperial crown on the head of Henry in the archbasilica of St John in Lateran, which was quite extraordinary. After the ceremony, Robert the Wise, King of Naples demanded that the emperor should appoint his son as the vicar of Tuscany, however, he emphatically rejected the demand of the king of Naples, since he did not give up his plan to subdue the region. As the Holy Roman emperor he increasingly felt that now nothing could stop him, so he put aside the papal investiture and appointed a captain to govern Rome, then left the city leaving behind 400 cavaliers, heading for Tuscany to get prepared for the war against Florence and Siena.¹⁰ As part of this endeavour, in 1313 in Poggiobonsi he ordered the rebuilding of the castle that he renamed as *Mons Imperialis*, then on 10 March he continued his way to Pisa, the center of the Ghibelline party, where the emperor excommunicated the pro-Guelph cities and condemned Robert the Wise to death by sword¹¹ for failing to present himself as his vassal, and mainly because the emperor made an alliance with Florence behind his back.¹² On 8 August Henry was finally ready to capture Florence

⁹ Johannis Porta de ANNONIACO: *Liber de coronatione Karoli IV. Imperatoris*. Ed. Ricardus SALOMON. Hannoverae–Lipsiae. 1913. (Monumenta Germaniae Historica. Scriptorum in usum scholarum separatim editi, 35) p. 38.

¹⁰ Maria Elisabeth FRANKE: *Kaiser Heinrich VII. im Spiegel der Historiographie*. Köln. 1992. p. 38–39.

¹¹ Mária PROKOPP – Zoltán György HORVÁTH: *Nápoly középkori magyar emlékei* [Medieval Hungarian Art Relics of Naples]. Budapest. 2014. p. 45.

¹² Johann Nikolaus von HONTHEIM: *Prodromus Historiae Trevirensis Diplomaticae & Pragmaticae: Exhibens Origines Trevericas Gallo-Belgicas Romanas Francicas Germanicas Sacras & Civiles Aequalium Scriptorum Fide Et Monumentorum Autoritate Assertas*. Augustae Vindelicorum. 1757. p. 828–829.

and Naples, but before that he wanted to subdue the pro-Guelph city of Siena. On 24 August, on the day of the Apostle Saint Bartholomew, the emperor set up his camp in Bounconvento during the siege of Siena. During the night he participated in the mass of Bernard de Montepulciano, but a few hours later he died under mysterious circumstances at the age of 39.¹³

Modern research usually attributes the death of Henry VII to malaria, however, the contemporaneous sources reported poisoning a few days after he had passed away, with a great outrage. After the soldiers of the emperor got word that their vigorous ruler died suddenly in such a tragic way, they became more and more convinced that he had been poisoned, and the soldiers started to spread the gossip that the perpetrator was Bernard de Montepulciano, the confessor of the emperor, a Dominican monk, who concealed the poison in the holy wafer. The confessor of the emperor was all the more implicated because during the night Bernard escaped to his home diocese, Arezzo.¹⁴ Word spread about the death of the ruler extremely quickly. Upon hearing the news about the death of the emperor, Robert the Wise, King of Naples and his allies in Florence did not conceal their satisfaction, they were relieved that Henry VII, mocked as *tirannus saevissimus*, was dead, but within the few days it was rumoured that the Florentines wrote in a letter to Robert that the death of Emperor Henry VII would solve many issues.¹⁵ As a result, it became even more obvious for the supporters of the emperor that Henry was poisoned, and that the murder was masterminded by the Guelphs. The emperor was buried on 2 September 1313 in Pisa. The outraged crowd attacked the Dominicans in the burial, then the imperial army plundered the chapter houses while marching north after the funeral. Despite the obvious differences, the mourning troops did not spare the Franciscans either, since they saw Bernard, the sly murderer of the emperor in the person of every monk.¹⁶ Two days later, on 14 September 1313, the authorities of Arezzo investigated the case of Bernard for fear of retribution, then concluded that the Dominican confessor did not commit a crime, but this just outraged the mourners even more. The letter of cardinal Guillaume to the archbishop of Milan, dated 14 April 1314, gives us reason to believe that as late as one year after the outrage still had not dissipated, as the words of the Cardinal show:

¹³ William M. BOWSKY: *Henry VII in Italy*. Lincoln. 1960. p. 59.

¹⁴ *Gesta Trevirorum. integra lectionis varietate et animadversionibus illustrata ac duplici instructa nunc primum adiderunt*. Ed. Johannes Hugo WYTENBACH – Michael Franciscus Josephus MÜLLER. Lintz. 1838. p. 230.

¹⁵ Franck COLLARD: L'empereur et le poison: de la rumeur au mythe. À propos du prétendu empoisonnement d'Henri VII en 1313. *Médiévales* 20 (2001), p. 113–131, here : p. 115.

¹⁶ Iohannis VITODURANI: *Chronica*. Ed. Friedrich BAETHGEN. Berlin. 1924. (Monumenta Germaniae Historica. Scriptores rerum Germanicarum Nova Series, 3) p. 66–69.

"The people of Lombardy degenerated into all kinds of misdemeanours, and they attacked Dominican preachers who either retreated into their chapterhouses or fled."¹⁷

Between the 14th and the 16th centuries about 65 works of fiction were created about the death of Henry VII. Of these 16 pro-Guelph authors mention death for natural causes, apparently for a good reason, while 49 mainly German, French and pro-Ghibellin writers and poets tell that the ruler had been poisoned. These stories show differences concerning the place where the murder was committed, the exact time of death, the person and fate of the murderer. According to *Liber certarum historiarum* of Johann von Viktring, after the attempt Bernard fled to Siena, then to Florence, where he was appointed into high offices and even received a fee for his deed.¹⁸ Apparently, this is how the chronicler wanted to reflect on the fact that the Dominican confessor was not condemned in Arezzo. According to the narrative of *Chronographia regum Francorum*, during his last hours the emperor was aware that he had been poisoned, what is more, he even commanded his confessor to escape from the camp because the emperor's soldiers would exact revenge on him. According to the chronicle, when medical practitioners arrived to make Henry VII vomit, the emperor refused to take the medications that might have saved his life, since he would not throw up the holy wafer in which Bernard concealed the murderous poison, as by this he would have desecrated the body of Christ. So he justified his decision of choosing the certain death by saying that he would rather die in Christ than survive without him. According to the chronicle, by his passion and death Holy Roman Emperor Henry VII assumed the role of Christ and the sacrificial lamb.¹⁹

It was between 1313 and 1430 that the "Story of the passion of Henry VII" unfolded, eventually epic poems were written about him and a broad mythology was built up around his person. The authors increasingly highlighted the victorious character of the military campaign of the ruler. In the Chronicle of Mathias von Neuenburg Henry was merely called *flos germinis Germanorum*,²⁰ in contrast, in his work titled *Die Metzzer Chronik über*

¹⁷ Franck COLLARD: *Jacobita secundus Judas. L'honneur perdu des Prêcheurs après la mort d'Henri VII.* In: *Religion et mentalités au Moyen Âge. Mélanges en l'honneur d'Hervé Martin.* Ed. Sophie CASSAGNES-BROUQUET – Amaury CHAUOU – Daniel PICHOT. Rennes. 2003. p. 221–234, here: p. 224–225; Fritz BÜNGER: *Beiträge zur Geschichte der Provinzialkapitel und Provinziale des Dominikanordens.* Leipzig. 1919. p. 71.

¹⁸ Iohannis abbatis VICTORIENSIS: *Liber certarum historiarum.* I–II. Hannoverae et Lipsiae. 1909–1910. (Monumenta Germaniae Historica Scriptorum rerum Germanicarum in usum scholarum separatim editi, 36/I–II) II. p. 55.

¹⁹ *Chronographia regum Francorum.* Ed. Henri MORANVILLE. Paris. 1891–1897. p. 197.

²⁰ *Die Chronik des Mathias von Neuenburg.* Ed. Adolf HOFMEISTER. Berlin. 1924. (Monumenta Germaniae Historica Scriptorum rerum Germanicarum. Nova Series, 4) p. 93.

die Kaiser und Könige aus dem Luxemburger Hause Jacques d'Esch saw, while singing about the glory of the Luxembourg House, an invincible emperor, a new Charlemagne in the person of Henry, whose adversaries had to resort to such terrible infamy to defeat him. On account of this, the chronicler glorified the emperor by such epithets as "*virum pacis, iustum, pium, sanctum et mansuetum*", whose death, he explained, was as valuable as those of the martyrs.²¹ D'Esch also recounted that Pope Clement V forbade the Dominican friars to administer the Eucharist with the right hand, owing to the crime of Bernard de Montepulciano.²² Although it is certainly an interesting bit of information that the papal prohibition on the liturgy of the Dominican friars is mentioned, this is just a figment of the fantasy of the chronicler, since this unusual Eucharistic practice of the order derives from a provision of their rules going back to 1260.²³ According to other authors, the death of Henry is parallel with the death of Alexander the Great, one of the most popular heroes of the chivalric era, who was also poisoned during one of his campaigns. For Geoffroi de Paris the death of the emperor is an *exemplum*, since poison is one of the instruments of inconstant fortune, which will hit its victim when he is at the peak of his glory, and this is why Henry VII can be elevated to the level of the ancient *strategos*.²⁴

We have very little information on the relationship between the dynasty and the Dominican order. All that we know from the Chronicle of Geoffroi de Paris is that John of Luxembourg, king of Bohemia, exacted revenge on the Dominican Order for the death of his father. According to the chronicler, he first confiscated their wealth, then drove them away from his country.²⁵ The Dominicans could not find peace in the Holy Roman Empire either, since owing his investiture fights, Louis of Bavaria tried to use the blame of poisoning to make their situation untenable. In addition, the Franciscans, the most loyal followers of the emperor also had their share of the campaign of defamation against the Dominicans, apparently out of self-defence, since the supporters of the Ghibellins spread word brazenly that in addition to the confessor, Bernard de Montepulciano Franciscan preacher was also involved in the assassination of the emperor.²⁶ As a result, while fighting for

²¹ Jacques D'ESCH: *Die Metzzer Chronik über die Kaiser und Könige aus dem Luxemburger Hause*. Ed. Georg WOLFRAM. Metz. 1906. (hereafter: D'ESCH 1906) p. 16–17.

²² D'ESCH 1906, p. 16–17.

²³ *Ordinarium juxta ritum sacri ordinis fratrum Praedicatorum*. Collegium Angelicum. 1921. p. 255–266.

²⁴ *Chronique rimée de Geoffroi de Paris*. Paris, Bibliothèque Nationale de France. ms. fr. 4963. (hereafter: *Chronique*) p. 140.

²⁵ *Chronique*. p. 140.

²⁶ Petri AZARII *Liber gestorum in Lombardia*. Ed. Francesco COGNASSO. Bologna. 1926–1939. (Rerur Italicarum scriptores 16/4) p. 25–26.

their good reputation the Franciscans gave passionate preaches in order to exonerate themselves. So almost half a century after the murder the Franciscans of Prague also fed the gossip that Charles IV would take revenge on the murderers of his grandfather. It is an especially interesting bit of information that in fact, Holy Roman Emperor Charles IV no longer harboured any hatred towards the order, what is more, his relationship with the friars was particularly good. He even granted an audience to the master of the order in Prague in 1359, which gave an opportunity to the Dominican preachers to spread word eventually that they were under the protection of Charles. In fact, Charles IV gave several gifts to the Dominican friars, however, there is no proof in the sources available today that the order was placed under his protection.²⁷ It is also important to note about him that in 1348 in Prague he established a church in the honour of Saint Henry and Saint Kunigunde, which was named for Holy Roman Emperor Henry II and (Saint) Kunigunde of Luxembourg, but in reality it was intended to preserve the memory of his grandfather, Henry VII.²⁸

III. The descendants: Charles IV and Sigismund of Luxembourg as invulnerable Emperors

Following Holy Roman Emperor Henry VII, his grandson, Charles IV was put on trial by poison by his political adversaries several times, and often even by his own family. But before I write about the attempts on his life, a few words about the life of Charles IV are in order, since there was hardly any ruler in the 14th century who felt such a reverence for the saints as him. As the firstborn child of John of Luxembourg, King of Bohemia and Elizabeth of Přemysl, he received an excellent education from the greatest intellectual authorities of his day and thereby he was very much ahead of his contemporaries intellectually. As a *rex iunior* with King John, he pursued a very ambitious political agenda, and, since he inherited the passion of his mother in collecting relics, in his power representation he attached very much weight to presenting the dynastic saints of the Luxembourg and Přemysl dynasties. His life, full of miracles and visions, encouraged Charles IV that by applying the ideal of the sanctity of kingship he should not only increase his own power, but also make the promise of salvation accessible with the assistance of the saints to his empire and its subjects. The young prince was seven years old when his father sent him to the court of Capet

²⁷ *Brevis historia ordinis Fratrum Praedicatorum*. Éd. Edmond MARTÈNE – Ursini DURAND In: *Veterum scriptorum et monumentorum historicorum, dogmaticorum, moralium amplissima collection*. 6. Paris. 1729. col. 378.

²⁸ Klára BENEŠOVSKÁ: Gotická podoba kostela sv. Jindricha a sv. Kunhuty na Novém Meste pražském a jeho stavebník [Gothic Church of St Henry and St Kunigunda in the New City of Prague]. *Pružkový památek* 2 (1995), p. 87–90.

Charles IV, king of France, who arranged his confirmation and had him marry Blanche of Valois.²⁹ In the French court Charles received an excellent education, since his tutor was Pierre Roger, the Benedictine abbot of Fécamp, who was elected pope in 1342 with the name of Clement VI (1342–1352). In 1330 Emperor Charles returned to Luxembourg, but soon thereafter King John sent him to Italy, to help to defend the family estates. Two years later, on 25 November 1332, on the day of Saint Catherine, Charles IV left off to relieve San Felice with the militiamen of Parma, Cremona, Modena and Reggio. During the night this army was defeated by the enemy in a battle fought near the castle, but by morning, thanks to divine Providence – as he himself noted in his autobiography – he won a huge victory, then was granted the rank of knight together with two hundred comrades. After the battle the prince continued his campaign to Lucca, where he got prepared for the war against Florence, as part of that, he ordered the construction of a fortress above the Nievole Valley, which he named Montecarlo (*Mons Caroli*).

One of the attempts on the life of Charles IV happened exactly during this campaign. On 29 March 1331, Good Friday, the ruler was staying in Pavia, getting ready for the festive mass. In order to receive the Eucharist in the mass, he wanted to hold a fast, but when he changed his mind and was going to have a snack, he heard that members of his entourage got sick unexpectedly. At the table Charles IV noticed a stranger who pretended to be deaf. He had him captured immediately and subjected him to torture. A few days later the assassin confessed that he mixed deadly poison into the food on the order of Azzo Visconti, and that poison killed Johannes de Berge, the seneschal of Charles, as well as Johannes de Honkirin and Symon de Keyla. The ruler noted in his autobiography that he only escaped the attempt thanks to the protection of divine grace (*ego divina me gracia protegente evasi*).³⁰

²⁹ “*ipso regnante in Francia anno incarnationis domini millesimo trecentesimo vicesimo tercio; misitque me meus pater iam dictus ad dictum regem Francie me existente in septimo anno puericie mee. Fecitque me dictus rex Francorum per pontificem confirmari et imposuit michi nomen suum equivocum, videlicet Karolus, et dedit michi in uxorem filiam Karoli, patru sui, nomine Margaretam, dictam Blanca.*” *Vita Caroli Quarti*. Ed. Johann Friedrich BÖHMER. Stuttgart. 1843. (hereater: VCQ) Cap. III. I. (*Fontes rerum Germanicarum I*); *IV. Károly Császár önéletrajza – Karoli IV imperatoris romanorum vita ab eo ipso conscripta*. Transl. et ed. Balázs NAGY. Budapest. 2010. cap. III.

³⁰ “*In die autem pasche, scilicet tertia die postquam veneram, intoxicata fuit familia mea, et ego divina me gracia protegente evasi, quia missa magna prolixè agebatur, et communicaveram in eadem et nolui comedere ante missam. Cum autem irem ad prandium, dictum fuit michi, quod familia mea subito in infirmitatem ceciderit, et specialiter illi, qui ante prandium comederant. Ego autem sedens in mensa comedere nolui, et eram omnes territi. Et sic aspiciens, vidi hominem pulchrum et agilem, quem non cognovi, qui deambulabat coram mensa, fingens se mutum. De quo habita suspicione ipsum captivare feci. Qui post multa tormenta tertia die locutus est et confessus fuit, quod ipse in coquina cibariis toxicum*

Another interesting story is recounted by Matteo Villani, a chronicler of Florence, who tells us that in 1348 Charles IV was poisoned accidentally by his wife, who made him drink a love potion that theoretically would have mitigated the unbridled lust of the ruler. Unfortunately, we have no information whether it was Blanche of Valois or Anne of Bavaria who made Charles drink the love elixir, however, the chronicler told us that this concoction put the ruler into a life-threatening condition, but eventually his body overcame the poison, and apart from losing his hair, the poison did not have any other adverse side effects.³¹ However, as soon as Charles recovered from the trauma mentioned above, only a few years later in October 1350 his half-brother, Prince John attempted to kill him, this time he probably used arsenic³² to get his brother out of the way. According to the narrative of Henri Rebdorf, Prince John resorted to this horrible deed because earlier his brother had taken away the county of Tirol from him, and in that he was supported by the Czech nobility. Once again, Charles had divine grace on his side, since he survived this poisoning as well, however, according to the chronicler, the poison paralyzed the extremities of the ruler fully for one year.³³

As we can see, the life of Holy Roman Emperor Charles IV was not free of poisoning either. However, the ruler survived several poisoning attempts, and eventually he did not refrain from using poison either, which is why French chronicler Jean Froissart granted the fame of being an expert in therapies against poison to the ruler (*expert en thérapies anti-poisons*). The chronicler mentions that when the cousin of the Emperor, French King Charles V became the victim of a case of very severe poisoning, he immediately approached his uncle, urging him to use his miracle medicines to help him.³⁴

In contrast with Henry VII, we can hardly find any information in the sources about the trials by poison committed against Charles IV. The contemporaneous German chroniclers apparently did not attribute much significance to those attempts that the emperor survived, so it is primarily in the biography of Charles IV and in the chronicles of Matteo Villani and

immiserat de iussu et procuracione Luce(ni)i vicecomitis Mediolanensis. De illo autem toxico fuerunt mortui: Iohannes dominus Berge, magister curie mee, Iohannes de Honkirin, Symon de Keyla, qui deserviebat mense mee, et quamplures alii." VCC, cap. IV.

³¹ Matteo VILLANI: *Istorie*. Firenze. 1581. I. p. 34.

³² Louis LEWIN: *Die Gifte in der Weltgeschichte. Toxikologische allgemeinverständliche Untersuchungen der historischen Quellen*. Berlin. 1920. p. 244.

³³ *Die Chronik Heinrichs Taube von Selbach Chronica Heinrici Surdi de Selbach*. Ed. Harry BRESSLAU. Berlin. 1922. (Monumenta Germaniae Historica. Scriptores rerum Germanicarum, Nova Series I) p. 101.

³⁴ *Les Chroniques de Jehan Froissart*. I–III. Ed. Jean Alexandre BUCHON. Paris. 1835–1852. II. p. 70–110.

Jean Froissart that we see the attempts on his life mentioned. According to Charles IV, the attempt on his life probably failed because he was under the protection of divine Providence. The chronicles of Villani and Froissart clearly attribute some kind of resistance against poisons to the ruler, and Froissart goes even farther by claiming that having been subjected to poisoning so many times, the Emperor himself became some kind of poisoning specialist. However, it is still not this strange attribute, but divine Providence itself and resistance to poisons what determines the power representation of the family from this point on. The last member of the dynasty, who was subjected to poisons by his adversaries several times, was Sigismund of Luxembourg, King of Hungary and Holy Roman Emperor. We know a case from the memoirs of Eberhard Windecke, the chronicler of Sigismund that in 1404 someone tried to poison him and Austrian Prince Albert IV (1395–1404) at the siege of Znojmo, by black pepper. As the story goes, Albert and Sigismund were laying siege to the fortress of Znojmo because of a rogue bandit named Schakozir, who had caused lots of problems earlier in the Moravian Margravate, in the Austrian provinces, and in Hungary. The fight lasted for several days, and when the allies had almost captured the fortress, Sigismund and Prince Albert were poisoned by black pepper. Albert died not much later in Klosternburg, while Sigismund was taken by the Hungarian troops to the fortress of Korlátkő (Cerová, Slovakia), where he stayed for a long time, since he could not march on because of his disease. When the Austrian Prince William got word that Sigismund of Luxembourg had been poisoned, he sent a physician from Vienna to the Hungarian King, who was apparently treated by the Austrian specialist with great expertise. The physician had the Hungarian ruler hanging upside down with his chest touching a pillow placed on the ground, and while he was hanging for 24 hours in this position, "*lots of impurities were leaving his body.*" However, this unusual treatment made Sigismund so sick that the entourage of the king meted out a tough punishment to the physician, who responded by pointing out that nature would not have tolerated the poisons fighting their way down in the body.³⁵ Windecke added two important bits of information to this case. The first is that with the help of God, the physician did a wonderful job in having the king recover and work even more miracles, and the second bit of information is that others also tasted this food, such as Endres Lant, the herald of Prince Kunzel of Bavaria, who became paralysed and blind before the end of his life, then died from the poisoning. Therefore the story indicates clearly that thanks to divine grace Sigismund escaped certain

³⁵ *Das Leben Koenig Sigmunds von Eberhard Windecke*. Ed. Thomas von HAGEN. Leipzig. 21899. p. 100.

death, while others died from the poisoning immediately, or at least shortly after they ingested the poison. Otherwise, Thomas Ebendorfer also mentions this incident and the poison, but he only describes it as *letalem potum* in his chronicle, he makes no further reference to its origin and nature. Presumably, the Hungarian king recovered from the poisoning without any side effects worth mentioning.³⁶

We also know of another attempt on the life of Sigismund. In 1410 Venice started a war to recapture Dalmatia, to which Sigismund responded by starting his own military action in 1411. Led by Pipo Spano, his army broke into Friaul and smashed the land army of Venice at Conegliano. One year later the Republic of Venice raised another mercenary army, against which Sigismund sent another army under the command of Nicholas Marcal, but his army was defeated at Motta on 9 August 1412. In 1413 Sigismund went to war against the Venetians personally, but eventually he had to realize that he would not be able to suppress the power of the Venetians on land, so on 17 April 1413, in Castelletto of Friaul he made a truce with the city state for five years. During that time Sigismund realized that Venice would have to be smashed financially so it can be defeated, and for this purpose he elaborated a grand plan. In 1412 he instructed the Hansa cities to sever their commercial relations with Venice, and import their goods from Genoa instead, or from Kaffa, the trading post on the Crimean Peninsula, or from Kilian in the Danube delta, via Hungary.³⁷ Slowly, the economic measures against Venice came to be felt in the Italian city state, so the doge and the leadership of the city came up a plan to get the Hungarian king out of the way. There is a document dated to 3 July 1415 in the secret archives of Venice, which contains proof of the opportunity of an attempt planned against Sigismund and his ally in Verona, Brunero della Scala. According to the document, whoever manages to poison Sigismund and Brunero will receive a reward of 35,000 ducats from the doge of Venice. A certain Michelet Muazzo of Crete volunteered for the task, and the Signoria promised, by its decision of 19 May 1419, to make available all kinds of poisons to him if he kills the three cruel enemies who were trying to choke their state economically. Sigismund can be said to have luck once again, since on 16 August 1419 his brother, Wenceslaus IV, king of Bohemia (1378–1419) passed away, which made him lift the pressure off Venice and turn his attention to the Kingdom of Bohemia. It is the piquancy of fate that the poisons concocted by the Venetians probably did not seem efficient enough,

³⁶ Thomas EBENDORFER: *Chronica Austriae*. Ed. Alphons LHOTSKY. Berlin – Zürich. 1967. (Monumenta Germaniae Historica. Scriptorum rerum Germanicarum. Nova Series, XIII.) p. 321.

³⁷ Norbert C. TÓTH: *Luxemburgi Zsigmond uralkodása 1387–1437* [Reign of Sigismund of Luxembourg 1387–1437]. Budapest. 2013. p. 17.

so presumably it was one of the reasons why the plan to murder Sigismund was abandoned.³⁸

IV. Conclusion

To sum up the questions explored in the introduction of the study, concerning the attempts on the lives of emperors of the Luxembourg dynasty, it can be said that the dynasty and its allies made use of these attempts in their representation. The quasi-mythographic image of a ruler poisoned on the peak of his glory served to sanctify (*sanctifier*) him while also making him a hero, since a death of this kind practically elevated the ruler to the level of Alexander the Great. Nevertheless, it is also remarkable that high importance is attributed to poisoning at the founder of the dynasty already, and thereby the lives of the descendants of the family are destined to fight against the evil forces, since poison is closely related to the devil and sin, as can be inferred from the passion of Henry VII. Furthermore, it is also significant that after the murder of Holy Roman Emperor Henry VII, by some kind of miracle the Luxembourg descendant became resistant to poison, even though the attempts were frustrated in time, or they were saved thanks to the exceptional expertise of a physician in their entourage. It can be seen in this latter case too, that for instance, all other rulers who were poisoned like Sigismund died from the poison immediately, they never even had a chance for survival. The invulnerability assumed that way fulfills its legitimising function perfectly. By his unexpected recovery of 1404, Sigismund is distinguished from the unfortunate Habsburgs who were abandoned by divine providence, but at the same time, he follows the model of his father, Charles IV, who was also target for murder, i.e. it emphasizes a message that is nothing else that he was chosen by God, supported by some kind of predestination, *divina me gracia protegente*, as we read in the works of Eberhard Windecke and Charles IV. What is more, the fact that the Venetians reneged on their plan also carries the hallmark of divine protection, God's grace.



³⁸ Franck COLLARD: D'Henri VII à Sigismund de Luxembourg: une dynastie impériale à l'épreuve du poison. In: *Emperor Sigismund and the Orthodox World*. Ed. Ekaterini MITSIOU – Mihailo POPOVIĆ – Johannes PREISER-KAPPELLER – Alexandru SIMON. Vienna. 2010. p. 9–16, here: p. 10.

Julianna ORSÓS:

Über die Status und Perzeption der konvertierten Juden in dem Römisch-deutschen Reich des 16. Jahrhunderts im Spiegel des Bücherstreits

About the Status and Perception of Converted Jews in the 16th Century Holy Roman Empire
in the Light of the Battle of the Books

The attitude towards converted Jews is presented through the examples of Johann Pfefferkorn, Victor von Carben and Matthäus Adriani. The similarities and differences in their estimation show the nuances of the contemporary public opinion about the Jews. The paper introduces first of all the different positions of German humanists and the phenomenon how the so-called Battle of Books mirrored the contemporary social attitudes towards Jews and converted Jews.

Key words: Jews, conversion, Holy Roman Empire, de-barbarization, Narrenschiff, internal Barbarians, Battle of Books



Die Wahrnehmung der konvertierten Juden in dem deutsch-römischen Reich des 16. Jahrhunderts wird in diesem Beitrag folgenderweise dargestellt: erstens werden generelle Daten über die Judenmissionen, Zwangstauften und Vertreibungen bzw. Auswanderungen vorgeführt, und dann drei sich fein zeichnenden Beispiele präsentiert: Victor von Carben, Johannes Pfefferkorn, und Matthäus Adriani¹. Das Ziel ist, – durch diese an theologischen und kulturpolitischen Debatten beteiligten Persönlichkeiten – die Rolle und die Beurteilung der zum katholischen Glauben konvertierten Juden erfassen zu können.

Das Leben des aschkenasischen Judentums wurde (von der Stauferzeit bis dem 14. Jahrhundert) von vier konstituierenden Hauptfaktoren beeinflusst: von der kirchlichen Gesetzgebung, von der Umsetzung der kirchlichen Lehre in der staufischen Privilegienpraxis (Kammerknechtschaft),

¹ Die Namensvariante „Adrianus“ ist auch bekannt.

von der theologischen Verarbeitung spätantiken Lehren über den minderen Rechtsstatus der Juden in der Scholastik, und letztens von der Reaktion des Judentums auf die Konzentration der Schutzherrschaft im Kaisertum z.B. durch den Ansatz einer zentralen geistigen Führung.²

In dem Deutsch-römischen Reich wurden die jüdischen Lebensräume also von mehreren Rechts- und Herrschaftsebenen bestimmt, aber mit den Foren der lokalen, territorialen, Reichs – und jüdischen Gerichten wurden auch Zwischenräume geschaffen.³

In dem 15. Jahrhundert ist ein grundlegender Mentalitätswandel innerhalb der jüdischen Bevölkerung stattgefunden. Zwangstaufen, Hetzpredigten und Agitation der Dominikaner, Vertreibungen, das Judendekret von Nikolaus von Kues. Alle diese Ereignisse führten zu der Austreibung der Juden aus den meisten freien Städten und Reichsstädten. Die Spuren der ändernden zeitgenössischen Attitüde sind auch in den literarischen Quellen sehr klar fassbar.⁴

Der kaiserliche Judenschutz war fest verankert, und die Stellungnahme des Kaisers als Schutzherr war unterschiedlich: so konnte z. B. Schlettstadt in 1479 ein *privilegium de non tolerandis judeis* erhalten. Die Juden wurden bis zum Beginn des 16. Jahrhunderts aus fast allen bedeutenderen Städten vertrieben, und meistens wanderten sie nach Oberitalien und nach Polen, so um 1600 sind nur ca. 10 000 Personen in dem ganzen Reich geblieben. Im 16. Jahrhundert wandelte sich also die Situation dank der konkurrierenden und sich ergänzenden Schutzgewalt des Kaisers und des Papstes, der popularisierenden Agitation der Volksprediger und der an der anti-jüdischen Propaganda teilnehmenden konvertierten Juden grundlegend.⁵

An der Schwelle des 16. Jahrhunderts entwickelte sich sowohl über Nation als auch über Konfession eine Rhetorik des Einschlusses und Ausschlusses bzw. der Zugehörigkeit und Nicht-Zugehörigkeit. Die Heiden seien Ungläubige „weil sie es nicht besser wüssten; die Juden, weil sie es nicht besser verstünden; die Ketzer, weil sie es nicht besser wollten.“⁶ Um diese

² Friedrich BATTENBERG: *Das Europäische Zeitalter der Juden. Zur Entwicklung einer Minderheit in der nichtjüdischen Umwelt Europas. Band I. Von den Anfängen bis 1650.* Wissenschaftliche Buchgesellschaft. Darmstadt. 2000. (Im Weiteren: BATTENBERG 2000) S. 100.

³ Andreas GOTZMANN – Stephan WENDEHORST: Zwischen Kaiser, Landherrschaft und Halacha: Zwischenräume als jüdische Rechts- und Handlungsspielräume. In: *Neue Zugänge zur Rechtsgeschichte der Juden im alten Reich.* Hrsg. Andreas GOTZMANN – Stephan WENDEHORST. Berlin. 2007. (Zeitschrift für historische Forschungen. Beiheft 39) S. 1–11, hier: S. 1.

⁴ Winfried FREY: Das Bild des Judentums in der deutschen Literatur des Mittelalters In: *Judentum im deutschen Sprachraum,* Hrsg. Karl E. GRÖZINGER. Frankfurt. 1991. S. 36–59.

⁵ BATTENBERG 2000. 127–166.

⁶ Alexander PATSCHOVSKY: Toleranz im Mittelalter – Idee und Wirklichkeit. In: *Toleranz im Mittelalter.* Hrsg. Alexander PATSCHOVSKY – Harald ZIMMERMANN. Sigmaringen. 1998. (Vorträge und Forschungen 45) S. 391 – 402. Hier: S. 395. Zitiert von: Hans-Jürgen BECKER: Die

Entwicklung in dem Deutsch-römischen Reich beschreiben zu können, nehme ich – wie Hans Grünberger⁷ – auch den Barbarentopos der Diskursleitenden Humanisten als Basis, aber sein Modell wurde von mir nicht ohne Kritik oder Bezweiflungen adaptiert.

Um die Konnotationssphären zu beschreiben, nimmt Grünberger als Ausgangspunkt das Werk von Jean Tixier aus dem Jahre 1541. In dem *Epithetorum opus absolutissimum*⁸ stellt Tixier unter dem Stichwort *gens* und *gentilitas* einen Katalog negativer Eigenschaften zusammen, die auf alle diejenigen auf die die Kennzeichnung „gens“ zutreffen mag, anzuwenden seien (auch auf die Juden).⁹

Ich würde aber einen anderen Katalog als Ausgangspunkt nehmen, nämlich das Narrenschiff¹⁰ Sebastian Brants,¹¹ welches ebenso als ein Katalog 60 Jahre früher – in 1494 – erschien. Das Narrenschiff ist gattungswise eine Moralsatire, eine Aufzählung der Gruppen, die nicht selig werden, nicht in das Idealbild des Christentums passen, sogar dieses Bild beflecken und bedrohen.¹² Die Juden finden wir mit den anderen der Verdammnis anheimfallenden Gruppen – wie die Gläubiger des Islams, die Hussiten oder die Selbstmörder – selbstverständlich auch am Schiffbord.

Stellung des kanonischen Rechts zu den Andersgläubigen: Heiden, Juden und Ketzler. In: *Wechselseitige Wahrnehmung der Religionen im Spätmittelalter und in der Frühen Neuzeit I. Konzeptionelle Grundfragen und Fallstudien (Heiden, Barbaren, Juden). Teil I.* Hrsg. Ludger GRENZMANN – Thomas HAYE – Nikolaus HENKEL – Thomas KAUFMANN. Berlin – New York. 2009. [Abhandlungen der Akademie der Wissenschaften zu Göttingen. Neue Folge Band 4. Berichte über Kolloquien der Kommission zur Erforschung der Kultur des Spätmittelalters] S. 101–125, hier: S. 103.

⁷ Hans GRÜNBERGER: Die Exklusion des Barbaren aus Nation und Konfession im Diskurs der Deutschen Humanisten – eine Rhetorik der Intoleranz? In: *Im Spannungsfeld von Staat und Kirche „Mindeheiten“ und „Erziehung“ in deutsch-französischen Gesellschaftsvergleich 16–18. Jahrhundert.* Hrsg. Heinz SCHILLING – Marie-Antoinette GROSS. Berlin. 2003. (Zeitschrift für Historische Forschung . Beiheft 31.) S. 29–53. (Im Weiteren: GRÜNBERGER 2003).

⁸ Jean TIXIER: *Epithetorum opus absolutissimum.* Basel. 1541. Erreichbar unter: http://reader.digitale-sammlungen.de/de/fs1/object/display/bsb11223942_00005.html (Datum des Zugangs: 10-05-2017).

⁹ GRÜNBERGER 2003. S. 29–30.

¹⁰ Sebastian BRANT: *Das Narrenschiff.* Basel. 1494. Erreichbar unter: <http://gutenberg.spiegel.de/buch/das-narrenschiff-2985/1> (Datum des Zugangs: 10-05-2017).

¹¹ Sebastian Brant (1457–1521) war ein Jurist an der Universität von Basel, wo er von 1489 auch als Professor tätig war, und drei Jahre später schon als Dekan nominiert wurde. Brant unterstützte den Kaiser Maximilian I. (1493–1519) unter allen Umständen, und beschrieb ihn als den einzigen möglichen „Verhinder“ des Zerfallens Europas und als den einzigen möglichen Verbinder der Respublica Christianitatis. Nach Brants Meinung sei es nur unter der Leitung Maximilians möglich, das Christentum von der Osmanischen Eroberung zu retten. Für das ungebrochene Vertrauen und für die breit wirkende geistige Propaganda ist die Belohnung auch nicht weggeblieben: er wurde in 1502 als kaiserlicher Berater ernannt.

¹² Barbara KÖNNEKER: *Wesen und Wandel der Narrenidee im Zeitalter des Humanismus.* Wiesbaden. 1966. S. 82.

Johannes Reuchlin (1455–1522), der erste Humanist und Hebraist des Deutsch-römischen Reiches war ein sehr guter Freund von Brant bis 1509, als der Konvertit, Johann Pfefferkorn als kaiserlicher *solicitor* an der Frankfurter Messe mit der Konfiskation und Vernichtung der jüdischen Bücher – unter ihnen des Talmuds – anfang, da diese den Christen und dem christlichen Glauben gegenüber schädlichen und verderblichen Sachen beinhalten sollten. Maximilian I. und der Mainzer Erzbischof, Uriel von Gemmingen brachten eine – ausschließlich aus christlichen Theologen und Juristen bestehende – Fachkommission zustande, damit die Bücher der Juden inhaltlich untersucht werden. Ein Mitglied war auch Viktor von Carben (1412–1515), ein deutscher Rabbiner, der vom Judentum zum katholischen Glauben übertrat und Priester wurde. Der Kaiser und der Bischof erbaten auch die Meinungen der Universitäten von Mainz, Erfurt und Heidelberg. Das einzige Kommissionsmitglied, der gegen die Konfiskation und Verbrennung der Bücher argumentierte, war Johannes Reuchlin. Gleichfalls war er neben Carben der einzige, der über hebräischen Sprachkenntnissen verfügte.

Pfefferkorn, der von dem Inhalt des Gutachtens Reuchlins erfuhr, verfasste eine Schmähchrift, mit dem Titel *Handt Spiegel*,¹³ in der er Reuchlin anklagte, die Juden zu sehr begünstigt zu haben. Die Freundschaft von Brant und Reuchlin ging also zugrunde, und die deutsche wissenschaftliche Elite hat sich in zwei Teile gespalten.¹⁴

Reuchlin antwortete auf dieses Werk Pfefferkorns mit dem *Augenspiegel*, in der er die bisherigen Ereignisse schilderte, sein Gutachten druckte, und die „Unwahrheiten“, die im *Handt Spiegel* standen, widerlegte. Pfefferkorn ließ ein Exemplar des Augenspiegels an die Dominikaner in Köln schicken. Die theologische Fakultät in Köln beauftragte Arnold von Tongern, den Augenspiegel zu überprüfen.

Als Reuchlin vom Geschehen in Köln erfuhr, nahm er Kontakt mit Tongern und seinem Freund, dem Humanisten Kollin auf, und versuchte, diese von seiner Treue zur Lehre der Kirche zu überzeugen. Trotz aller Bemühungen, den Streit um den *Augenspiegel* beizulegen, drohten die Kölner Reuchlin mit einem Prozess, da er seine Aussagen nicht widerrufen wollte.¹⁵

¹³ Johannes PFEFFERKORN: *Handt Spiegel*. Basel. 1511. Erreichbar unter <https://bildsuche.digitalesammlungen.de/index.html?c=viewer&lv=1&bandnummer=bsb00004425&ppimage=00004425&suchbegriff=&cl=en> (Datum des Zugangs: 10-05-2017).

¹⁴ Thomas WILHELMI: *Zum Leben und Werk Sebastian Brants*. In: *Sebastian Brant. Forschungsbeiträge zu seinem Leben, zum "Narrenschiff" und zum übrigen Werk*. Hrsg. Thomas WILHELMI. Basel. 2002. S. 7–37.

¹⁵ Erika RUMMEL: *The Case Against Johann Reuchlin: Religious and Social Controversy in Sixteenth-century Germany*. Toronto. 2002. S. 1–29.

Was darauf folgte, kann man nur als Schriftenkampf bezeichnen, der zum einen zwischen Reuchlin und Pfefferkorn, der weitere sechs Schriften gegen die Juden und Reuchlin veröffentlichte, andauerte, zum anderen nun auch zwischen Reuchlin und der theologischen Fakultät in Köln eröffnet wurde. Im Zuge dieser Auseinandersetzung schaltete sich der Inquisitor Jacob Hochstraeten ein und leitete ein Gerichtsverfahren gegen Reuchlin ein.

Das Endurteil war ewiger Stillstand im Jahre 1520, also nach einem elf Jahren langen Prozess voll mit Konflikten, Flüchten bzw. mit Faktoren, die uns jetzt nicht interessant sind, obwohl es betont sein muss, dass die *Causa Reuchlini* betrachtend die Standpunkte der Reformatoren, der Bettelorden und der Humanisten die Juden und ihre Bücher betreffend sehr schön gesehen werden können.

Johann Pfefferkorn der laienhafte Teilnehmer der Debatte wurde von den Reuchlin unterstützenden Humanisten in den Dunkelmännerbriefen¹⁶ angegriffen. Reuchlin selbst war von den Briefen nicht besonders begeistert, er beschrieb sie als eine „*exultatio iuvenalis levitatis*“ – ein Werk der Ausgelassenheit und jugendlichen Leichtsinns.¹⁷

Die Johannes Pfefferkorn direkt ansprechenden betreffenden Auszüge zeigen uns einigermaßen die Attitüde der Zeitgenossen, zwar in einer zugespitzten Situation. Mein Ziel ist, mit diesen Auszügen darzustellen, wie Pfefferkorn als Individuum als Legitimationsmittel von deduktiven und induktiven Aussagen verwendet war. Vielleicht ist es auch kein Zufall, und hat auch nicht ausschließlich satirisch-literarischen Gründen, dass die Mitglieder der geistlichen Elite – die Humanisten – die vulgären Dunkelmännerbriefe anonym hinterließen. In dem ersten Auszug können wir das Narrenmotiv ertappen:

¹⁶ *Epistolae obscurorum virorum* – Erreichbar unter: https://archive.org/stream/epistolaeobscur00huttuoft/epistolaeobscur00huttuoft_djvu.txt (Datum des Zugangs: 10-05-2017). Die deutsche Übersetzung, wovon die Auszüge zitiert sind: *Briefen der Dunkelmänner. Vollständige Ausgabe*. Übersetzt von Wilhelm BINDER, revidiert mit Anmerkungen und einem Nachwort versehen von Peter AMELUNG. München. 1964. (Die Fundgrube 5.) (im Weiteren: BINDER – AMELUNG 1964),

¹⁷ Winfried FREY: Die *Epistolae obscurorum virorum* – ein antijüdisches Pamphlet? *Jahrbuch / Archiv Bibliographia Judaica* 1 (1985), S. 147–172, hier: S. 150.

Brief I. 36. „*Ego disputavi nuper in Wormatia cum duobus Iudaeis et probavi, quod ipsorum lex per Christum esset cassata, atque quod expectatio ipsorum de Messia esset una mera frasca et phantasia, ac super hoc allegavi dominum Ioannem Pfefferkorn in Colonia.*“¹⁸

In dem zweiten entdecken wir Elemente des Barbarischen, nämlich den Topos des Gestanks.

Brief II. 25. “[...] *non credit, quod Pfefferkorn adhuc est bonus Christianus. Quia dixit, quod vidit eum ante unum annum et adhuc foetebat si cut alius Iudaeus. Et tarnen dicunt communiter, quod, quando Iudaei baptizantur, non amplius foetent. Ergo credit, quod Pfefferkorn adhuc habet nequam post aures. Et quando theologi credent, quod est optimus Christianus, tunc iterum erit Iudaeus, et fides non est ei danda, quia omnes homines habent malam suspicionem de Iudaeis baptizatis.*”¹⁹

In den dritten und vierten Beispielen können wir die vulgären Elemente mit den Topoi der Schwenker und Scheinheiliger kombiniert beobachten.

Brief II. 36. „*Joannem Pfefferkorn [...] est bonus et zelosus Christianus, sicut est aliquis in Colonia, ego habeo ex experientia, quia multum confitetur ad Praedicatores cum uxore sua; audit libenter missas, et quando sacerdos elevat eucharistiam, tunc aspicit devotarie, et non videt in terram, sicut sibi obiiciunt sui invidi, nisi quando expuit, sed hoc facit pro eo, quia est multum flegmaticus, et mane comedit medicinam pectoralem.*”²⁰

„*Et ego saepe audioi ab ea, quod audioit frequenter a sua matre, quod viri praeputiati faciunt feminis maiorem voluptatem, quam non praeputiati; eam*

¹⁸ „Ich habe unlängst zu Worms mit zwei Juden disputiert und ihnen bewiesen, dass ihr Gesetz durch Christus zerbrochen wurde und ihre Messias-Hoffnung eine reine Posse und Hirngespinnst sei, und hierfür habe ich den Herrn Johannes Pfefferkorn in Köln aufgeführt.“ Übersetzt von Wilhelm BINDER (BINDER – AMELUNG 1964. S. 86.)

¹⁹ „[...] er glaube nicht, dass Pfefferkorn noch ein guter Christ sei, denn er habe ihn vor einem Jahre gesehen, und da habe er noch gestunken wie ein anderer Jude, und doch heiße es allgemein, wenn die Juden getauft seien, so stänken sie nicht mehr. Daher glaubt er [ein Poet], Pfefferkorn habe den Spitzbuben noch hinter den Ohren; und wenn die Theologen glaubten, er sei der beste Christ, dann werde er wieder ein Jude sein, und man dürfte ihm nicht trauen, denn die ganze Welt habe eine üble Meinung von den getauften Juden.“ Übersetzt von Wilhelm BINDER (BINDER – AMELUNG 1964. S. 133.)

²⁰ „Johannes Pfefferkorn [...] ist ein guter und eifriger Christ, wie es nur irgendeinen in Köln gibt; ich habe das aus Erfahrung; er beichtet samt seiner Gattin oft bei den Predigern, hört gern die Messe, und wenn der Priester die Eucharistie erhebt, blickt er sie mit frommer Andacht an und schaut nicht auf den Boden, wie ihm seine Neider vorwerfen, außer, wenn er ausspuckt; allein das tut er deswegen, weil er viel Schleim hat und frühmorgens Arznei für die Brust einnimmt.“ Übersetzt von Wilhelm BINDER (BINDER – AMELUNG 1964. S. 86.)

ob causam dicit quando suus maritus moritur, et ipsa alium accipiet, ille debet etiam nullam cutem habere in membro."²¹

Wie es früher erwähnt wurde, Viktor von Carben, und die Beiträge dieser einflussreichen Figur zu den Meinungen über das Judentum werden hier auch diskutiert. Als er sein Werk, den *Opus aureum ac novum*²² in 1509 veröffentlichte, schrieb er in der Dedikation folgenderweise:

„Opus aureum ac no | vum et a doctis viris diu expectatum | domini Victoris de Carben, olim iudei que mo[do] christiani et sacerdotis | in quo omnes iudeorum errores manifestantur, qui hactenus nobis | ignoti fuere. Declarantur etiam in hoc opere omnes iudeorum mores, | quos circa quaecunq[ue] opera exercere consueverunt ac tandem | – id quod inauditum est – ex veteri tam testamento convincuntur."²³

Er äußert sich also, als jemand, wer über die Irrtümer der dem Alten Testament widerlegenden Juden reden wird.

Ebenfalls Carben schrieb – und darstellte damit das Judentum als nicht ernst zu nehmende Religion – dass jüdischen Trauergäste nach einer Beerdigung rasch aus dem Friedhof liefen, da sie glaubten, dass wenn der Tote nicht gottgläubig gelebt habe, so werde er für seine Sünden im Grab gepeinigt. Nach der Beerdigung komme eine von Gott geschickte Maus, und beiße dem Toten in die Nasenspitze. Dieser Biss, sei so schmerzhaft, dass der Tote einen lauten Schrei ausstoße. Derjenige, der diesen fürchterlichen Schrei höre, müsse im gleichen Jahr sterben. Deshalb verließen die Juden so schnell die Begräbnisstätte.²⁴

Letztens sollen wir das Werk und Haltung von Matthäus Adriani (1475–1521) kennenlernen, wer in Spanien geboren ist. In 1501 verfasste er eine

²¹ „Auch ich habe oft von ihr [i.e. die Frau Pfefferkorn] gehört, sie habe von ihrer Mutter vernommen, die beschnittenen Männer machten den Frauen größeres Vergnügen als die unbeschnittenen; aus diesem Grund sagt sie auch, wenn ihr Mann sterbe und sie einen anderen nehme, so dürfe er auch keine Vorhaut am Gliede haben.“ Übersetzt von Wilhelm BINDER (BINDER – AMELUNG 1964. S. 86.)

²² Norbert FLÖRKEN: Der Streit um die Bücher der Juden (1505–1521) – Ein Lesebuch. In: *Elektronische Schriftenreihe der Universitäts- und Stadtbibliothek Köln*. 9. Hrsg. Norbert FLÖRKEN. Köln. 2014. S. 170. (im Weiteren: FLÖRKEN 2014, erreichbar unter: <http://kups.ub.uni-koeln.de/5731/> Datum des Zugangs: 10-05-2017).

²³ „Das Goldene und neue Werk, von den Gelehrten lange erwartet, des Herrn Victor von Carben, einst Jude, jetzt Christ, des Priesters; darin werden alle Irrtümer der Juden belegt, die uns bislang unbekannt waren; außerdem alle Gebräuche und Werke der Juden, die sie gewöhnlich ausüben, und zuletzt – was unerhört ist – aus dem Alten Testament widerlegt.“ Übersetzt von Norbert Flörken (FLÖRKEN 2014. S. 164.)

²⁴ Yaacov DEUTSCH – Maria DIEMLING: »Christliche Ethnographien« von Juden und Judentum. Die Konstruktion des Jüdischen in frühneuzeitlichen Texten. In: *Die Konstruktion des Jüdischen in Vergangenheit und Gegenwart*. Hrsg. Michael KONKEN – Alexandra PONTZEN – Henning THEISSEN. Paderborn – München – Wien – Zürich. 2003. S. 15–29, hier: S. 22.

Instruktion der hebräischen Sprache, und damit schaffte sich einen guten Ruf. Sechs Jahre später leitete er den Hebraistischen Lehrstuhl in Löwen, wo er eine Rede zum Lob der alten Sprachen hielt, die drei Jahren später 1520 in Wittenberg erschien und eingestellt wurde. Als er im Herbst 1520 Luthers Verständnis des Evangeliums kritisierte, wurde er entlassen und verließ Wittenberg, und den Rest seines Lebens verbrachte er zurückgezogen entweder in Leipzig oder in Freiburg.²⁵

Wie wir das sehen konnten, die binnenexterne Status der Juden ist mit der Situation der anderen sozialen Randgruppen wie die Narren – nach Grünberger mit den anderen inneren Barbaren – zu verbinden.

Durch die drei verschiedenen Beispiele (Pfefferkorn, Carben und Adriani) können wir vielleicht die Status der konvertierten Juden auch besser verstehen, die verschiedenen Ebenen des Eifers, der professionelle Haltung und der Eleganz skizzieren. Wir erlauben es uns, festzulegen, dass die negative öffentliche Meinung über Konversion und Konvertiten nicht veränderbar war, trotz eines höheren sozialen Status, und trotz der Teilnahme an einer „Eliten-Debatte“, die die soziale Routine – obwohl in einer verfeinerten Form – abbildete.



²⁵ Ludwig GEIGER: *Das Studium der hebräischen Sprache in Deutschland: vom Ende des XV. bis zur Mitte des XVI. Jahrhunderts*. Breslau. 1870. S. 41–48. (Erreichbar unter: http://reader.digitale-sammlungen.de/de/fs1/object/display/bsb10571951_00005.html?contextType=scan&contextSort=score%2Cdescending&contextRows=10&context=Matth%C3%A4us+Adrianus. (Datum des Zugangs: 10-05-2017).

Dávid MOLNÁR:

Harmony and Discord between Sovereignty and the Body Politic in Edward Forset's Comparative Discourse

In the year 1606 Edward Forset published his quite curious book, under the title, *A Comparative Discourse of the Bodies Natural and Politique*. His book is an example of the glorification of the idea of sovereignty, and thus requires more attention in the shadow of the works of Hobbes and Bodin. Forset is mostly preoccupied with the analogy between bodies natural and politic. In European political theory, starting with the 12th century, with John of Salisbury and his famous treatise *Policraticus*, one can notice the emergence of a political metaphor consisting in drawing an analogy between the medieval state and the human body. Furthermore the medieval and early modern mind was dominated by the idea that man was a microcosm which faithfully mirrored, on a lesser scale, the universal macrocosm. That was the basis for the analogy between the human body and the state and it was openly acknowledged by political and literary authors, such as Forset or the more famous James IV and I, king of England and Scotland. My aim with this paper is to explore the ideological background of Forset's work, which could serve as a solution for the different and also ambiguous historical approaches, that concerned this work. In my reading the numerous inconsistencies of the discourse can only be processed if we approach the text as an ideological performance and not as an example of social and political conflict.

Key words: Edward Forset, Sovereignty, English Political Thought, Body Politic, Cosmic Harmony, King's Two Bodies, Cultural History



Edward Forset (1553–1630) was a man welcomed at the court of Queen Elizabeth I (1558–1603) and then King James I (1603–1625). The year after the Gunpowder Plot, in 1606 he published his book entitled '*A Comparative Discourse of the Bodies Natural and Politique. Wherein out of principles of Nature, is set forth the true forme of Commonweale, with the dutie of Subjects, and the right*

of the Sovereigne: together with many good points of Politicall learning, mentioned in a Briefe after the Preface.¹

In this work, he uses metaphors and similes to compare the body politic to the human body in various ways, seeing the sovereign as the 'soule, the head, and the heart' to whom obedience is due from the subjects for natural reasons. There are not many studies available on this book, and it is often ignored in the histories of early modern English literature and political thought.

John William Allen thought Forset was confused about the theory he desired to describe. In his analysis the general claim was that few supporters of the monarchist case felt the need to clarify a philosophy. He stigmatized the corresponding arguments used to defend royal power as nonsense. Given this attitude he was led to misinterpret the rationale and so the authority of the political ideas of, for instance Edward Forset.² However William Howard Greenleaf claims that Forset espoused a 'complete and coherent theory',³ and he certainly demonstrates the presence of serious analogical argument, which Allen had slighted. Nevertheless Johann Peter Sommerville considers Forset's work valueless, based on his argument that these examples that Forset uses were regarded only as illustrations and not proofs for political theory.⁴ In contrast with this proving Kevin Sharpe considered the 'Discourse' one of the best illustrations of the concept of *Commonweale* in Renaissance England.⁵ James Daly also put a great emphasis on Forset's ideas in his remarkable work about the relationship between cosmic harmony and English politics in the century.⁶ Considering that this tract evoked such polemic interpretation one must ask the question what is behind these readings and also not ignore a deeper look into this divisive work. My aim with this paper is to highlight Forset's concepts, particularly upon sovereignty and examine how that theory accommodates into the structure of the *Commonweale*. Overall my study will only serve as a starting point, how – in my opinion – Forset's pamphlet could be

¹ Edward FORSET: *A Comparative Discourse of the Bodies Natural and Politique*. London. 1606. (hereafter: FORSET 1606).

² John William ALLEN: *English Political Thought. 1603–1660*. I. 1603–1644. London. 1938. (hereafter: ALLEN 1938) p. 76–84.

³ William Howard GREENLEAF: *Order, Empiricism and Politics. Two Traditions of English Political Thought 1500–1700*. London – New York – Toronto. 1964. (hereafter: GREENLEAF 1964) p. 56–57, 68–79.

⁴ Johann Peter SOMMERVILLE: *Politics and Ideology in England, 1603–1640*. London – New York. 2014. p. 48–49.

⁵ Kevin SHARPE: *Remapping Early Modern England. The Culture of Seventeenth-Century Politics*. Cambridge. 2000. (hereafter: SHARPE 2000) p. 38–123.

⁶ James DALY: Cosmic Harmony and Political Thinking in Early Stuart England. *Transactions of the American Philosophical Society* 69 (1979:7), p. 1–41 (hereafter: DALY 1979).

understood, which may bring up new questions for further research on this work.

Forset incorporated into his *'Discourse'* the ideas of the humours and the affections, religious, legal and medical ideas, while calling it a work of political science. However his work was also a philosophical tract for the times, while he mentions contemporary events and issues like the Gunpowder plot⁷ and James I's inclination towards favourites and he, on the whole, supports James I's assertions on the divine right of kings.⁸

About the possible influence of this book, Raffaella Santi generally points out to the evidence that Forset's work was to be found in many private libraries in the early seventeenth century and influenced certain philosophic writers such as Hobbes.⁹ He was the inventor of the science of politics or civil science, but he drew also on previous sources, adapting them to his own system of ideas.¹⁰

I just would like to point out one specific Forsetian phrase, which has an allusion to the engraved title-page of the *'Leviathan'*. Anyone who is familiar with the giant, crowned figure could recognize the similarity between the actual image and the written text by Forset. Every aspect of this description appears in the frontispiece of the *Leviathan*. While this does not prove that Hobbes's inspiration came from the Forset's portrayal, we can certainly note that it is wrong to think that the *'Discourse'* had no discernable influence.

*"The Commonweale [...] seemeth to have beene both sweetly and soundly conceived by that thrice renowned Philosopher Trismegistus, when he imagined an huge and mightie Gyant, whose head was above the firmament, his necke, shoulders, and upper parts in the heavens, his armes and hands reaching to East and West, his belly in the whole spaciousnesse under the Moone, his legges and feet within the earth."*¹¹

As Forset draws his analogies from the natural world, his main goal is to demonstrate the true and consistent connection between the rationality of the natural and the political order: to present the body politic as a

⁷ FORSET 1606, p. 51-52.

⁸ Kevin SHARPE: *Reading Authority and Representing Rule in Early Modern England*. New York – London. 2013. (hereafter: SHARPE 2013) p. 128

⁹ Raffaella SANTI: Edward Forset: Why is the 'Body Politique' called a 'Commonweale'? In: *The 'Commonwealth' as Political Space in Late Renaissance England*. Ed. RAFFAELLA SANTI – Garret Samuel ZEITLIN – Luc BOROT – Myriam-Isabelle DUCROCQ. Milan. 2014. (hereafter: SANTI 2014) p. 33-38.

¹⁰ Santi points out that even the title of *The Elements of Law, Natural and Politic* (1640) echoes the title of Forset's work, and also mentions some of the similarities between the two texts. See the reference in Thomas HOBBS: *Elementi di Legge Naturale et politica*. Ed. Arrigo PACCI. Florence. 1968. p. 160.

¹¹ FORSET 1606. p. i-ii.

harmonious commonwealth. These analogies are powerful arguments, since they allow the reader to visualize the truth through mental images, using similitudes and metaphors, but they are also intended as rational and logical arguments. The process of this analogy called '*correspondence*',¹² and it's fundamentally based on Christian-inspired metaphysics.¹³ In early modern England this kind of an argument was associated with the enhanced cult of royal authority and the idea of absolute sovereignty, also providing a philosophical basis for the doctrine of the divine right of kings.¹⁴

Forset knew that the analogies could never be exact; they were general indications rather than precise conclusions. He uses these '*pleasing illustrations*' to demonstrate the theoretical truth.¹⁵ Referring to the natural world, as a source for these analogies, the subtitle of the book displays the proposed demonstrative power of the work: '*Wherein out of the principles of Nature is set forth the true forme of a Commonweale.*'

In early modern Europe it was widely thought that, just in a way God was sovereign in the universe or macrocosms, a similar sovereignty existed in the microcosms of both the human body and the body politic – which is the human society. This argument by correspondence meant that the body politic and the physical human body lent themselves to analogies, as between the head and the monarch, bodily health and social welfare, the circulation of blood and finance, or the rule of the rational soul and the political sovereignty.¹⁶ As the social order was thought to be structured by God, the theory maintained that monarchy was the best form of government: the king ruled his people and maintained laws and customs, just as the head ruled the human body through reason.¹⁷

By imitating God's action of creation, man could create the commonwealth as a form of political action. In Platonic terms,¹⁸ this action is seen as the process of bringing order and harmony into the disorder.¹⁹

¹² GREENLEAF 1964. p. 6.

¹³ GREENLEAF 1964. p. 8.

¹⁴ GREENLEAF 1964. p. 9.

¹⁵ FORSET 1606 p. 1.

¹⁶ Eustace Mandeville Wetenhall TILLYARD: *The Elizabethan World Picture*. London. 1943. (hereafter: TILLYARD 1943) p. 74.

¹⁷ FORSET 1606. p. 89–103; GREENLEAF 1964. p. 21–22; Stephen BROGAN: *The Royal Touch in Early Modern England: Politics, Medicine, and Sin*. Woodbridge – Suffolk. 2015. (hereafter: BROGAN 2015) p. 105.

¹⁸ For the connection between commonwealth and early modern Platonism see: Raffaella SANTI: 'Commonweale': Platonism and Political Thought in Renaissance England. *Agathos* 7 (2016), p. 157–169.

¹⁹ SANTI 2014. p. 42.

The consequence is this: '*Homo mensura rerum omnium*'.²⁰ This is also true for political action, through which men can give life to a well ordered commonwealth because the body politic is having the same features, measures, and proportions of the natural body.²¹ Forset refers to the *Vitruvian man* in order to demonstrate to the reader that nature has designed the human body so that its members are duly proportioned to the frame as a whole.²²

Furthermore, the commonwealth was also represented generally as a condition of harmony.²³ This feature of course reflected the idyllic proportions harmony of the celestial bodies, which idea modelled the perfection of God's creation for as God authored and maintained the coexistence of the world, so it was the role of the monarch to sustain the structure of the State.²⁴

While explaining these analogies Forset does not break up his text with chapters. However, we can divide the text into two distinct, but eventually coherent sections. The first concerns the metaphysical entity, which the king as *Sovereign* embodies, and while pursuing this analogy Forset brings up his essential ideas and characteristics of sovereignty. In the next section he discusses the different conflicts of the commonwealth, including a lengthy diagnose of such causes and offering a sort of policy to keep the body politic healthy. Henceforth, I will explain Forset's idea on sovereignty followed by a clarification how the political and social disorder of the state could be interpreted.

Rehearsing directly the '*Theory of the King's Two Bodies*', Forset described the sovereign as both human and mystical.²⁵ According to the theory the king was figured as having two bodies: the '*natural body*' subject to imperfection, disease and death, and a '*mystical body*' free of natural defects, which represented the body politic.²⁶ In his law reports, the Elizabethan jurist Edmund Plowden reported that "*the king has in him two bodies viz. a*

²⁰ "That in the very composure of man, there is manifestly discovered a summary abstract of absolute perfection, by which as by an excellent Idea, or an exact rule, we may examine and exemplifie all other things". FORSET 1606. p. 1.

²¹ TILLYARD 1943. p. 98.

²² FORSET 1606. p. 1–2.

²³ The word *Commonweale* / *Commonwealth* contains the idea of '*bonum commune*', the '*good of the people*', seen as the result of a policy carried out by a good government, that follows justice and, in general, what reason dictates. *Commonweale* also indicates the political community as a whole or the body politic.

²⁴ DALY 1979. p. 13; SHARPE 2000. p. 52.

²⁵ Ernst Hartwig KANTOROWICZ: *The King's Two Bodies. A Study in Mediaeval Political Theology*. Princeton. 1997. (hereafter: KANTOROWICZ 1997) p. 7–23.

²⁶ 'Body politic' and 'mystical body' seem to be used without great discrimination. KANTOROWICZ 1997. p. 15.

body natural and a body politic. 'The body natural is 'subject to passions [...] as other men are' whereas his politic body is 'utterly void of [...] natural defects and imbecilities'.²⁷ In the body politic the king is the head, the focus of reason and intellect, and his subjects are the 'members' and the mystical body of the king is "not subject to passions as the other is".²⁸

On the concept of sovereignty Forset said that it was indivisible for "as the Soule, so the power of principallitie in government [...] in all points, and all parts is all one".²⁹ This was a reflection of the principle of unity which meant, further, that power should be in the hands of one man. Monarchy was the best, and only form of government compatible with the nature of sovereignty. Although Nature had assigned more than a single part to carry out many of the body's function, yet "for the supremacie of governing ouer all, she hath but one head; [...] regall dignitie."³⁰

Second, he suggested that sovereignty was permanent and did not cease upon the death of the ruler who wielded it. In his 'personal respects' the sovereign exhibited frailties, but his sovereignty was invincible.³¹ As a person death made an end to his "single and indiuiduall"³² life, but sovereignty never failed for any moment as long as the succession continued.³³ This supreme power was also unlimited and self-sustaining for, like the soul, it was at no time abridged or enfeebled. Next, in every state the ruling authority was "selfe competent and complete"³⁴ as far as the ordering of affairs in its territory concerned. Consequently, the king was the sole source of authority in a society, just as the soul was the cause of whatsoever the body was beyond a mere lifeless mass.³⁵

Forset continued that the sovereign's authority was indefeasible and could not properly be called in question or resisted by any subordinate officer. All power of command in the commonwealth derived from the "supreme principallitie"³⁶ and all the authority of the subordinate magistracy was dependent on it and was secondary to the sovereign.³⁷

Forset was anxiously concerned about the absolute necessity for a sovereign, but could not avoid the need to think of the soul as expressing principles of association throughout the body politic, as the analogy was

²⁷ Edmund PLOWDEN: *Commentaries or Reports*. London. 1816. quoted by KANTOROWICZ 1997. p. 7.

²⁸ PLOWDEN: *Commentaries* quoted by KANTOROWICZ 1997. p. 13.

²⁹ FORSET 1606. p. 25.

³⁰ FORSET 1606. p. 57.

³¹ FORSET 1606. p. 25.

³² FORSET 1606. p. 33.

³³ FORSET 1606. p. 33.

³⁴ FORSET 1606. p. 9-10, 13, 33.

³⁵ FORSET 1606. p. 9-10.

³⁶ FORSET 1606. p. 8-9, 74.

³⁷ FORSET 1606. p. 7-8, 74.

likely to point the mind towards the structural principles of power.³⁸ Forset declares that just as God breathes into the natural body a reasonable soul, so does God appoints rulers in the body politic. He infers that it is a mistake to suppose that people has any part in the establishment or creation of the Sovereign. He does not deny that in a quite superficial sense, popular choice or election may establish a form of government or monarch, but he declares that in all such cases God takes special measures.³⁹

Clearly there is an exaltation of the office of the royal figure in his concept, but not without some limitations. As Kevin Sharpe points out, early modern Englishmen were more used to thinking in terms of duties than rights.⁴⁰ These duties were above all the burdens of the subjects, from whom obedience to the law was requested, but the power of the king was never thought of as unlimited and arbitrary.⁴¹ He had his own obligations and duties; in the first place, he had to give account to God.

I am still referring to Kevin Sharpe's definition of power, which we most obviously think of as residing in individuals – or institutions – as the sway wielded by a superior over an inferior, and as related to the exercise of the will. None of these associations gets to the heart of early seventeenth-century attitudes.⁴² Early modern perceptions of power are beset by ambivalences and hard to pin down.⁴³ For example the power of the king, as we know, was described as analogous to that of God. Yet, as James Daly pointed out, the position of God himself in the cosmic theory was ambiguous, since He was both the author of the chain of correspondences and also part of that chain. Not surprisingly then, the analogy of divine right kingship could support both relatively unrestrained action and action circumscribed by the need to act according to the principles – or laws – that maintained the harmony in the cosmic view.⁴⁴

³⁸ DALY 1979. p. 17.

³⁹ FORSET 1606. p. 7.

⁴⁰ SHARPE 2000. p. 54. See for example the passage from King James I to his son: “*Being borne to a king, ye are rather borne to onus [labour], then honos [honour].*” KING JAMES I: Basilikon Doron. In: *King James VI and I Political Writings*. Ed. Johann Peter SOMMERVILLE. Cambridge. 2006. (hereafter: *King James VI*) p. 1–61, here: p. 2.

⁴¹ “*In medieval and early modern England ‘Sovereignty’ was identified not with the King alone or the people alone, but with the ‘King in Parliament.’ Continental jurisprudence though might easily attain to a concept of the ‘State’ in the abstract, or identify the Prince with that State, in England it never arrived at conceiving of the Prince as a sole corporation from which the body politic as represented by Parliament could never be ruled out.*” KANTOROWICZ 1997. p. 20. see: FORSET 1606. p. 33.

⁴² Richard TUCK: Power and Authority in Seventeenth-Century England. *The Historical Journal* 17 (1974), p. 43–61, here: p. 85.

⁴³ SHARPE 2000. p. 54.

⁴⁴ DALY 1979. p. 10.

Most contemporaries, however, saw God as acting usually through the divine laws according to expectations discernible by reason, deploying only exceptionally His power of miracle which operated outside of natural law. That power was explicitly compared to the king's prerogative.⁴⁵ *"The analogy of the king with God then limited as well as validated royal power, moreover the king's inferiority to God and his derivation of power from God made the due exercise of that power an obligation."*⁴⁶

The second section deals with members of the Body, and comparing to the first section, the body politic as a collectivity is suddenly granted the power to serve the same purpose as the king; both the king and the members as a collectivity are recognized as forces of order within the body politic.⁴⁷ Even so, Forset claims that the sources for social and political disorder that sometimes emerge in the state *"are originally arising and coused from the bodie' eventually causing 'the diaseses of the head'"*.⁴⁸ Albert Rolls sees this as a problem, because the collective aspect of the body politic forces the writer to grant power to the people to influence the king.⁴⁹ However he initially misses the author's point in this question, as Forset continues: the subject and the sovereign are not only analogous to the body and the soul, but also, they existed in the same balance.⁵⁰ What secured to balance or harmony, was moderation, the avoidance of any extremes.⁵¹

James I specifically proclaimed his axiom the following: *"I am for the medium in everything."*⁵² The idea of cosmic harmony of balance and moderation far from a validation of unrestrained authority was a normative ideology of self-restraint for rulers.⁵³

At this point Forset uses analogies to describe the relationship between the king and other sites of authority, which also draw on the analogy that King James I and others used to define the king's affiliation to God, which meant that the Jacobean authorities functioned as James lieutenants with no power to question the idealistic embodied of the king. The king was the

⁴⁵ Francis OAKLEY: Jacobean Political Theology: The Absolute and Ordinary Powers of the King. *Journal of the History of Ideas* 29 (1968), p. 323–346 (hereafter: OAKLEY 1968) here: p. 341; FORSET 1606 p. 20–21.

⁴⁶ SHARPE 2000. p. 53; OAKLEY 1968. p. 323–46, here: p. 337–40.

⁴⁷ Albert ROLLS: *Renaissance Incorporations. Negotiating the Theory of the King's Two Bodies*. New York. 2015. (hereafter: ROLLS 2015) p. 70.

⁴⁸ FORSET 1606. p. 28.

⁴⁹ FORSET 1606. p. 28–38.

⁵⁰ FORSET 1606. p. 49–51.

⁵¹ SHARPE 2000. p. 52.

⁵² KING JAMES I: A Speech to both the Houses of parliament, delivered in the Great-Chamber at White-Hall, the last day of March 1607. In: *King James VI* p. 159–178, here: p. 161.

⁵³ SHARPE 2000. p. 53.

head, of course, while his counsellors the mental faculties, the limbs inferior officials.⁵⁴

The head-sovereign was inextricably combined in a cooperative hierarchy; his dignity was greater than that of other parts, but all were needed.⁵⁵ James I accepted the houses of parliament as the three estates which made up the body of which he was head, and it was also normal for this sort of terminology to occur in statements by ministers in parliament.⁵⁶ The unity and mutual need of sovereigns and subjects was well summed up in parliament conceived as both an institution and political image. Concluding, that is, *'in king-in-parliament, acting as one.'*⁵⁷

The analogical head-king monarch of cosmic harmony includes his counsellors, who perfect him by supplying his human defects and making up for his normal human failings. Thus, the perfect king is assisted by experienced advisers, informed by the people's elected representatives.⁵⁸ This is not quite the same distinction as that between 'the king's two bodies,' politic and personal, though it has affinities with it. *"The politic-personal distinction was a necessary legal one, while the harmonist treatment combined both parts at a different level and for different purposes. The political role nearly absorbs, transmogrifies the person into a perfect analogical figure. To some extent, this perfected head was almost implicit in the head – body figure, since it simply could not function at all without mutual support from aspects of the body."*⁵⁹ In the last analysis, the head cannot even be conceived to exist apart from the body's cooperation. There can be no head without the body.⁶⁰

I must mention a critical viewpoint on this matter described by Francis Oakley. He suggests that James I and a couple of theorists of that time should not be associated with the Great Chain of Being. Instead they called upon the distinction between the absolute and ordinary prerogative powers of the monarch, aligning him with the rival vision that was grounded in will, promise, and covenant.⁶¹ This vision affirmed the reliably self-binding

⁵⁴ DALY 1979. p. 17.

⁵⁵ DALY 1979. p. 19; FORSET 1606 p. 13–14.

⁵⁶ Few years before Forset's publication, in a speech to parliament, James had described himself as the *"head wherein the great body is united"* and the people as members. KING JAMES I: A Speech, as it was delivered in the upper house of the parliament to the lords spiritual and temporal, and to the knights, citizens and burgesses there assembled, on Monday the xix. Day of March 1603. In: *King James VI* p. 132–146, here: p. 135.

⁵⁷ DALY 1979. p. 18.

⁵⁸ DALY 1979. p. 18.

⁵⁹ DALY 1979. p. 18; See: FORSET 1606. p. 16–17.

⁶⁰ DALY 1979. p. 18. Cf: KING JAMES I: The Trew Law of Free Monarchies. In: *King James VI*. p. 62–84, here: p. 78.

⁶¹ Explaining the connections between the monarch's ordinary and absolute powers and the 'theory of king's two bodies' see: Corinne Comstock WESTON – Janelle Renfrow GREENBERG:

nature of that sovereign's will and emphasized the degree to which confidence could safely be reposed in its stability.⁶² Though I must note that the absolute prerogative power refers to the autonomous power of the king to govern, and it is never against established legal order nor does it undermine it. *'It is a power assigned to the king by fundamental law to determine according to the reason of state'*.⁶³

Furthermore, I must stress that governing – exercising power – in early modern England was seen not as an individual act of will but as the expressions of a cosmic and communal order by a monarch whose public body and will were inseparable from that order and community.⁶⁴ I agree with the concept which suggests that the idealized commonwealth was bound by this theory. The state existed to make virtuous life possible. It was basically a moral community and because it was moral there could be – theoretically – no confrontation between the good of the individual and the good of the whole. The good of each person derived from and depended on the good of the community.⁶⁵ Forset went so far as to say that the business of each subject was to labour to increase the happiness of the sovereign, just as each bodily member to assist in the perfection of the soul.⁶⁶

The dominant political note of cosmic harmony was not the supremacy of the sovereign; it was the hierarchical chain, a chain of government as much as a chain of being, in which the absolutely necessary cooperation presupposed the respect of higher powers for the legitimate roles of the lower, which were themselves just as necessary.⁶⁷ As Forset stated:

*"It is not therefore called a Commonwealth, that all the wealth should bee common; but because the whole wealth, wit, power, and goodness whatsoever, of every particular person, must be conferred and reduced to the common good. [...] All the members ioine their assisting aid, and effect their whole force according to their diuers function, as well for the upholding of the whole and eueire part in soundnesse, as also against a commonemie."*⁶⁸

Subjects and Sovereigns: The Grand Controversy Over Legal Sovereignty in Stuart England. Cambridge. 2003. p. 8–34.

⁶² Francis OAKLEY: The Absolute and Ordained Power of God and King in the Sixteenth and Seventeenth Centuries: Philosophy, Science, Politics, and Law. *Journal of the History of Ideas* 59 (1998), p. 669–690, here: p. 686; Francis OAKLEY: *The Watershed of Modern Politics: Law, Virtue, Kingship, and Contest (1300–1650)*. New Haven – London. 2015. p. 168.

⁶³ Martin LOUGHLIN: *Foundations of Public Law*. Oxford. 2010. p. 380. See: FORSET 1606. p. 20.

⁶⁴ SHARPE 2000. p. 48.

⁶⁵ SHARPE 2000. p. 50.

⁶⁶ FORSET 1606. p. 95–96.

⁶⁷ DALY 1979. p. 29.

⁶⁸ FORSET 1606. p. 48.

Later in his work Forset offered an explanation about maintaining the health of the body politic and studies the difficulties faced by a king who embodies a commonwealth which is suffering from diseases, similar to those found in the natural body. Upon the account of dealing with problems and struggles of a commonwealth, we can read that the king is diseased because of the Body as collectivity has infected him. Still the ideality of Forset's king depends on the ideality of the members of the political body. James I assertion that the king can negatively affect the body politic⁶⁹ has been inverted, and Forset goes on to warn his reader that "*the foule daughter of darknesse and chaos is to be exiled out of the body politique each part is to know and administer his owne proper worke*".⁷⁰ If corruption rises from below to infect the king, the king's ideal status can only be maintained if the members conform.

This meant that physical or psychological disorder within individuals was thought directly to influence the state, and so a direct parallel was drawn between the conditions of the body politic and that of the king's subjects. Disease and '*passions*' had to be cured and controlled by medicine and reason if the individual and collective order was to be maintained.⁷¹ In the natural body of man, health depended on a harmonious and balanced constitution. As the physician of the state, it was the duty of the king to preserve a balanced 'constitution' in the body politic.⁷²

The idea of the ruler as a physician appears in the Italian '*reason of state*' literature.⁷³ The state or body politic is described as being subject to illness so that the ruler has to be able to interpret pathological symptoms, just like a good physician. Forset re-uses the king-physician similitude, and compares the illness of the State or body politic to those of the natural body. Also, the laws are presented as the medicines that are able to preserve the body politic, or heal it when it is ill.⁷⁴

The body politic was no mere metaphor in this context. Just as the imagined order of the body is thought to explain the disposition of duties in society, different political systems become involved in the dispute about

⁶⁹ "*Your fault shall be aggravated according to the height of your dignity, any sin that ye commit not being a single sin procuring but the fall of one; but being an exemplary sin, and therefore draweth with it the whole multitude to be guilty of the same*". KING JAMES I: Basilikon Doron. In: *King James VI*. p. 1–61, here: p. 12–13.

⁷⁰ FORSET 1606. p. 51.

⁷¹ BROGAN 2015. p. 105.

⁷² SHARPE 2000. p. 52.

⁷³ Peter BURKE: Tacitism, scepticism, and reason of state. In: *The Cambridge History of Political Thought 1450–1700*. Ed. James HENDERSON BURNS – Mark GOLDIE. Cambridge. 2008. p. 477–498, here: p. 482.

⁷⁴ Katherine Bootle ATTIE: Re-Membering the Body Politic: Hobbes and the Construction of Civic Immortality *English Literary History* 75 (2008), p. 497–530, here: p. 507.

the role that different parts of the body play in health. Forset holds out for the sovereignty of the heart, because nothing apparently feeds it, a phenomenon that demonstrates its independence, as well as the dependence of the rest of the body upon it.⁷⁵

Finally we see that the key to solve the overlaps and confusion about the nature of sovereignty and the collectivity we have to remember that Forset was indeed a harmonist thinker. Forset gives the sovereign only a supervisory power over a bodily constitution which is beyond his power to change; he is the most important of the functioning parts of the body. To isolate however Forset's sovereign, is to do a great violence to his thinking and to cosmic harmony itself.⁷⁶ Isolation of one part was that the system existed to avoid: nothing was more inimical to the correspondence of body natural and body politic.⁷⁷ The head-sovereign was inextricably combined in a cooperative hierarchy: his dignity was greater than that of other parts, but all members were needed. In the harmonist cosmology, first and last were indissolubly tied. Both sovereignty and subjection were dictated by nature, and both were modified and limited by it.⁷⁸

Forset's purpose was simply to define the function of the king, but he also gave a preliminary definition of the king as the essence or form endowing the state with order. The king, according to this definition is distinct, but also necessary to the cohesion of the collective body.⁷⁹

In the *'Discourse'*, he was not interested in a formal political theory; he was trying to explore the problem of the necessary unity of ruler and community by a series of analogies.⁸⁰ Many works of the period could be identified as case studies of rebellions, arguing about the basic causes of political instability and developing strategies by which rulers might restore order. These works usually left aside questions conceiving the ultimate nature of authority; they rather examined the discontent in the society and the miscalculations of a ruler that might lead to disorder.⁸¹

Ideas of harmony are the essential context for any understanding of the attitudes to power in early modern England and in particular they help to make sense of what seem irreconcilable contradiction to us. They suggest how disagreements and even disruptions could for long be accommodated

⁷⁵ Kevin SHARPE – Steven N. ZWICKER: *Reading, Society and Politics in Early Modern England*. Cambridge. 2003. p. 224.

⁷⁶ DALY 1979. p. 19; FORSET 1606. p. 13–14.

⁷⁷ DALY 1979. p. 21.

⁷⁸ DALY 1979. p. 28.

⁷⁹ ROLLS 2015. p. 70.

⁸⁰ DALY 1979. p. 16.

⁸¹ Robert Malcolm SMUTS: *Court Culture and the Origins of a Royalist Tradition in Early Stuart England*. Philadelphia. 1999. p. 260.

to ideas of unity and wholeness: by treating political upheavals not (as we naturally do) as rival contests for power, but rather as temporary imbalances in the body politic.⁸²

His vision was of a people harmoniously and with all its powers co-operating for the common good,⁸³ by virtue of a sovereignty which is embodied in the community itself.⁸⁴ In his work he equated the soul and reason with sovereignty and the body with affections and obedience. Just as there was in each man a soul and body, and the soul was the image of God, so was the king in the State: '*the political soul in his full royalty*.'⁸⁵



⁸² SHARPE 2000. p. 52.

⁸³ FORSET 1606. p. 9.

⁸⁴ ALLEN 1938. p. 76.

⁸⁵ FORSET 1606. p. 6, 14–17.

BOOK REVIEWS

Coloman (1208 – 1241) King of Galicia – Duke of Slavonia

Márta FONT – Gábor BARABÁS: *Kálmán (1208 – 1241). Halics királya – Szlavónia hercege.* Budapest – Pécs. Magyar Történelmi Társulat – Kronosz Kiadó. 2017. 201 p.

The book was written by two authors who are lecturers and researchers at the University of Pécs. The monograph follows the life path of one of the most important figures of the eventful 13th century Hungarian history, namely Prince Coloman, the second-born son of King Andrew II (1205–1235).

The work itself is a novelty, as the authors pointed out, that the Hungarian historiography did not attend to come out with a series of monographs on the kings of the Árpád-house, let alone the other members of the dynasty.

Before the book starts to expound the life events and actions of the prince it gives detailed information about those written and tangible sources through Coloman's course of life that are already reconstructed. In addition to the available sources, the volume also contains all works, which already have elaborated certain aspects of the prince's life events. It is also worth pointing out that through the historical research did not come forward with a full biography yet, particular phases of Coloman's life were truly in focus for some historians as several studies appeared in Hungarian as well as in other foreign languages such as Polish, Slovak, Ukrainian, Russian and Croatian. The results of these papers have been integrated into the book by the researchers of the University of Pécs. Therefore, the readership can easily get acquainted with the relevant secondary literature options.

The volume is basically divided into two main parts that also reveal the various periods of the life of the prince. The evaluation of Coloman's childhood, the period he spent as King of Galicia is written by Márta Font, who is a well-known researcher among others because of her works concerning the dynastical relations of the Árpáds and Rurikids. Thus, the professor not only covers the early years of Coloman as the ruler of Galicia but also presents the events in a much broader context involving into the analysis the eastern political goals of the prince's father, Andrew II and grandfather, Béla III. Owing to these methods, the reader can become familiar with the contemporary power structures and genealogical connections that interwove the dynasties of the Árpáds, Piasts and Rurikids. After the death of Roman Mistislavich in 1205 not only the Hungarian king Andrew II, but the neighbouring Piast monarchs – who ruled the territories of Mazovia and Cracow –, wanted some parts of the “unowned” territory of Galicia. As the author states, this situation can be interpreted as a collision of dynastic interests generated by the power vacuum that followed Roman's death. Márta Font also presents the details of the Hungarian-Polish agreement during a meeting held in Spiš to divide the territory of Galicia and the circumstances of the marriage between Coloman and the daughter of the Polish Monarch Leszek the White (Biały), Salomea. After a detailed presentation of the events in Galicia, a separate chapter was given for an accurate review of the relationship between Coloman and Spiš region.

The second part of the volume is recorded by Gábor Barabás, a young researcher at the University of Pécs, who has drawn attention on ecclesiastical topics through

his previous works. At the same time, the figure of Prince Coloman is also in his research interest since he recently published some studies on the titulature of the prince and his relationship with Princess Viola of Opole. The author follows the editorial principles of the volume by describing Coloman's activities in Spiš and in Slavonia in a thematic structure in which not only Coloman's seat and court is presented but the prince's arrangements as well concerning both lay and ecclesiastical spheres based on broad source materials. When discussing church issues, the harmonious relationship between Coloman and Stephen, the bishop of Zagreb was given special attention but the author did not ignore the question of the Bosnian heretics and the intense contacts between the princely and the papal courts. The researcher also pointed out that the Coloman's rule in Slavonia cannot be separated from the conflicts within the Hungarian royal family, so the reader can perceive a detailed picture about Coloman's role during the dynastic enterprise of the Árpáds in Austria and in the Balkans as well as the link between the members of the royal family. Finally, the book ends with Coloman's part in the battle next to the river Sajó, also known as the battle of Muhi. Although the prince managed to flee from the fight with his older brother, the Hungarian king Béla IV, he died soon due to the severity of his injuries.

The book is well-structured and good to read, thanks to its understandable style and comprehensible maps and illustrations. The work as a whole is unique and up-to-date as well. It can be an interesting reading for both professionals and for all who are interested in medieval Hungarian history.

Péter Báling

**From Southern Hungary to Italy
The Course of Life of Stephen Bánca (ca. 1205 – 1270), Bishop of
Vác, Archbishop of Esztergom, the First Cardinal of Hungarian
Origin**

Gergely Kiss: *Dél-Magyarországtól Itáliáig. Bánca nembeli István (1205 k. – 1270) váci püspök, esztergomi érsek, az első magyarországi bíboros életpályája*. Pécs. Kronosz Kiadó. 2015. 222 p.

In his recent book, Gergely Kiss investigated the course of life of the first cardinal of Hungarian origin, Stephen Bánca. Kiss was not the first among the historians dedicating a whole study to the life of the cardinal-bishop of Preneste (1253–1270), former bishop of Vác and archbishop of Esztergom, yet, the revisiting of this topic was justified among others by the author's new methodologic approaches, which he strongly emphasized. The most important factor was the appearance of new sources, so there is no doubt regarding the importance of this endeavour. The Hungarian historian has even found the cardinal's seal in the National Archives of France in Paris, so relevant information revealed themselves concerning the life of Bánca and his household as a cardinal.

Kiss started his examination with the origin of Stephen Bánca, he even managed to identify some hitherto unknown kinsmen of his, whereas the family network was touched upon as well. Yet, it is of greater importance that the author could clear the picture around the name-variations of Stephen, so finally the version "Vanca", which is still to be found in several contemporary works, can be forgotten. The first step in the career of Bánca had to be unravelled too, but Kiss found evidence that he was first the provost of Bács (Bač) and not that of Vác. Stephen's office as royal chancellor was also questionable, but according to Kiss, it lasted only until 1240 and not 1242, as previously suspected. The next steps in the ecclesiastical career of Bánca (bishop of Vác and Archbishop of Esztergom) are also represented in the book, whereas his place at the top of the Hungarian church was of the highest importance.

Kiss analysed another aspect of Stephen's life in the next chapter, his role in the papal government. It is important to emphasize that Stephen appeared in the sources as a papal delegate already far before his promotion to the cardinalate. Beside his tasks of various nature, as an archbishop he was even entrusted as a legate by Pope Innocent IV in 1243. The question emerged early in the historiography: which causes can be found behind Pope Innocent IV's decision to appoint a new cardinal of Hungarian origin? Gergely Kiss discarded the theory about the role of the Mongol threat in the pontifex's choice based on his analysis of the pope's curial policy and cardinal creations. Another obscure topic is the reason, why Stephen Bánca tried to move back to Hungary in 1253, by the time he was appointed as a papal legate for the second time. The cardinal's comment on the bad impact of the Italian climate on his health must have been one of those reasons, but one thing is sure: Stephen finally returned to Rome and could keep his cardinal-title.

In the next part the author analyses Stephen's activity as a cardinal based on quantitative and qualitative indicators. He states, for instance, that the number of cases when Stephen signed a papal privilege is not enough to draw further conclusions, but the balance of the signatures throughout the years can give information about the relation of Bánca to the popes and about his place in the cardinals' college. The qualitative side of his career as cardinal is, however, more important. Beside his legations, Stephen was active in Curial trials, took part in elections or, in time of vacancy, in the cardinals' government and even acted as the protector of religious orders. All of these aspects are illustrated in separate chapters in the work, so we get a good insight into Stephen's role in the papal *audiantia*, whereas his activity in favour of his own family and broader *familia* as a cardinal is revealed too. In my opinion, this last topic is the most important in the whole book, the author himself attached great importance to the analysis of the cardinal's personal network in the last chapter (*In the cardinal society*). The members of the *familia* (kinsmen, chaplains, favoured clerics etc.) are introduced in separated paragraphs, so this part can be used very well as a database too.

The work of Gergely Kiss contains furthermore a Hungarian and an English Summary, the latter is very fortunate for not Hungarian readers. The extent of the appendix of the book is not far behind the length of the first part. One can find various kinds of charts (e.g. about Stephen's charters and activities of various nature, the privileges he received etc.), the critical edition of three documents (a charter issued by the cardinal, another in the name of the cardinals' college and Stephen's last will) and, at last, several photos of relevant charters and seals. There is only one feature missing, maps probably could help the reader to get along with the illustrated facts and interpretations.

Based on the presented features I can state with certainty that the accomplishment of the author deserves the attention both of Hungarian and foreign medievalists. One cannot say any more that the first cardinal of Hungarian origin was previously a completely obscure figure. Formerly his course of life was dealt with either from the local point of view, or in connection with the history of the papacy or the College of Cardinals. Therefore, one of the greatest merits of the book is the complexity various aspects, whereas the detailed analysis of the cardinal's Hungarian and curial actions and his *familia* are of great value as well. Therefore, it is highly recommended to get acquainted with the English summary at least, if one is interested in the life of Stephen Bánca.

Gábor Barabás

From the Human Body to the Clockwork: Metaphors of State and Changes in the Nature of the State in Western Christendom 1300-1800

Endre Sashalmi: *Az emberi testtől az óraműig. Az állam metaforái és formaváltozásai a nyugati keresztény kultúrkörben 1300–1800.* Pécs. Kronosz Kiadó. 2015. 293 p.

In his hitherto last book, Endre Sashalmi returned to a topic, to the question of the state, which he has already analysed in many of his works. The author explains this choice with the novelty of his approach to the problem, namely that he treated together the metaphors of state (with its iconographic representations) and its changing patterns. The chronological and geographical frameworks are also touched upon in the introduction in accordance with his views on the beginnings of the state itself. Furthermore, Sashalmi emphasized the importance of the countries of Northern Europe, especially that of Sweden and Denmark in the evolution of the modern state as an institution. The author shows his impressive knowledge on the relevant sources and literature from the very beginning, but this statement is valid for the whole book as well.

In the first chapter, the various metaphors of the state are analysed by the author. The state as an abstract entity is not accessible for human perception, therefore the need emerged to explain it with the help of various symbols. Sashalmi started his illustration with the organic concepts, showing at the same time their roots in the medieval worldview. The impact of the perception of the state as a human body is obvious even in the 21st century, but its beginnings date back to the antiquity. Later the concept was rediscovered, first from an ecclesiastical point of view, as the *mystical body of Christ* in the 12th century, which was soon transferred to the sphere of political conceptions. Therefore, the rulers were seen as the head or the heart of the states (commonwealths). Other organic metaphors were also taken from nature before the mid-17th century: the government was illustrated, among others, as a tree. Comparable to the importance of the human body for political purposes was the family, and in this analogy the rulers appeared as fathers. The new scientific inventions and discoveries in the early modern era made a great impact on the way of thinking about the political community, which led to the appearance of inorganic metaphors. As a consequence, the idea of the state as a machine (clockwork) appeared, an idea popularized by Thomas Hobbes's *Leviathan*, and similarly important analogy for political purposes became the Newtonian concept of the universe, the idea of the self-balancing system.

In the second larger chapter of the book the author turned his attention to the *sovereign state*, at first to the problems of definition, chronology and terminology. The beginnings of the so-called '*sovereign territorial state*' appeared in Western Europe in the 1200s, but, so Sashalmi, the crucial changes happened between ca. 1450 and 1700. This was the era when the *modern state* and its concept were born, although the new terms (*State, État*) did not displace the older versions (e.g. *commonwealth* and *corpus politicum*) immediately. Sashalmi dedicated a chapter to Thomas Hobbes's *Leviathan*, and especially to the iconographic analysis of its frontispiece, and made clear its

impact on the later terminology. Then, the author moved to show the importance of the *ragion di stato* (reason of the state), again including the iconographic aspect too. Later Sashalmi turned back to the issue of periodization, more closely to the question: Since when can we speak of states at all? He started with the analysis of the role of feudalism emphasizing that only with certain restrictions it is justified to use the term 'state' since the 12th century. The development of the legal concept of the state happened somewhere between 1200 and 1300, under the influence of canon law. The role of the assemblies of estates in the further evolution of the state is also illustrated. So, the problems of representation and the variety of assemblies of estates give the next relevant topic of the chapter.

The author placed the development of the modern state between 1450 and 1713, presenting his notions on the theory of absolute monarchy (iconography features prominently here as well), which is followed by the analysis of the so-called *dynastic state* (1450-1660). The main problems of dynastic interactions, or in other words, the aspects of foreign affairs in early modern times were the following ones (although with changing emphasis) according to the author: reputation of the dynasty, confessional differences, reason of state, balance of power. Sashalmi analysed the emergence of the so-called *fiscal-military state* and the shift towards *absolute monarchy* from the mid-17th century, linking them to the formation of the European states-system between the treaties of Westphalia and Utrecht.

Last but not least, after a short critic on Thomas Ertman's conception of the European state-development, Sashalmi gave an epilogue, an outlook to the *nation state*. If one is allowed to have criticism on this extraordinary well-structured work, it could be the lack of a summary at the end of the book, which might help the reader to order the information received and contribute to the dissemination of its results. Nevertheless, this slight objection by no means indicates that the book does not deserve the attention of the readers. This is so far the best Hungarian synthesis of the chosen topic, whereas the use of the iconography and the connected methods make it a unique endeavour. I would recommend the book to everyone who is interested in the history of the European state and its disputed features.

Gábor Barabás

Publications du CERCOR (Centre Européen de Recherche sur les Congrégations et les Ordres Religieux) (2015–2017)

Bulletin du CERCOR. 39, 40-41 (2015–2017) ; *Tradition et transformation. Les chartreux dans l'Europe médiévale et moderne. Colloque international à l'occasion du 650^e anniversaire de la fondation de la chartreuse de Liège (6–8 octobre 2010)*. Ed. Tom GAENS – Francis TIMMERMANS. Saint-Étienne. 2015. (Analecta Cartausiana 306) ; *La nécrologie primitif de la Grande Chartreuse*. Ed. Jean-Loup LEMAITRE – Sylvain EXCOFFON. Saint-Étienne. 2015. (Analecta Cartausiana 309) ; *Interactions, emprunts, confrontations chez les religieux. (Antiquité tardive – fin du XIX^e siècle)*. Ed. Sylvain EXCOFFON – Daniel-Odon HUREL – Annick PETERS-CUSTOT. Saint-Étienne. 2015 ; *Culture et Société au miroir des procès de canonisation (XVI^e–XX^e siècle)*. Ed. Philippe CASTAGNETTI – Christian RENOUX. Saint-Étienne. 2016 ; *Histoire et mémoire chez les Chartreux XII^e–XX^e siècles. Colloque international du CERCOR*. Ed. Sylvain EXCOFFON – Coralie ZERMATTEN. Saint-Étienne. 2017. (Analecta Cartausiana 319).

Il serait trop ambitieux de présenter en quelques lignes toutes les richesses de ce foyer scientifique qui accueille les recherches du monachisme dans toute l'Europe. Néanmoins, tout en profitant du réseau des lecteurs de la présente revue, il semble utile d'en offrir une présentation introductive.

L'activité, l'élan et la productivité, en bref la vie d'un centre de recherche se manifeste non seulement par ses propres publications, mais aussi par sa capacité de communiquer les résultats de recherches qu'il tente à canaliser et partager. Un défi que le centre assume et résout bien. En particulier, le *Bulletin du CERCOR* permet au lecteur de s'orienter parmi les manifestations scientifiques liées au centre : des programmes de recherches en cours ou des appels à contribution aux projets existants ou juste lancés, des publications et des projets gérés par le centre (*Nouvelles du centre*). Dans une perspective plus élargie, un compte-rendu des *Nouvelles de la recherche* est également présenté au lecteur qui offre le résumé des rencontres scientifiques organisées sous l'égide du centre, des résumés de thèse et la présentation des projets d'autres ateliers de recherches liés au sujet commun du monachisme. À part des sommaires des thèses, le bulletin entreprend de publier en première des travaux (*Étude inédite*) ce qui permet au lecteur de suivre de près les derniers résultats scientifiques. On est également informé de nouvelles acquisitions de la bibliothèque qui contribue à la mise au jour de nos connaissances dans le domaine du monachisme.

Une place est réservée parmi les abondantes publications du centre à la série *Analecta Cartusiana* dont deux numéros ont vu le jour entre 2015–2017. En premier, les actes du colloque organisé autour du 650^e anniversaire de la fondation de la communauté des chartreux à Liège (*Tradition et transformation. Les chartreux dans l'Europe médiévale et moderne*, nr. 306) réunissent les communications d'une presque vingtaine d'auteur de toute l'Europe. Les études oscillent autour de l'histoire générale de la communauté en question, des relations locales et régionales, des questions de liturgie, de l'ecclésiastique, des personnages-clés, de la textologie, de l'archéologie sous une optique pluridisciplinaire sans respecter strictement tels cadres chronologiques – ajoutons-y heureusement ! – que le « Moyen Âge », l'« Âge moderne » etc.

L'autre volume collectif (*Histoire et mémoire chez les Chartreux XII^e–XX^e siècles*, nr. 319) est consacré au problème de la complexité de la mémoire des chartreux. Commencé par celle du fondateur, Saint Bruno : la transformation d'une image et le problème des

topos que l'on rencontre chez tous les ordres ; et pour continuer avec la fabrication de la mémoire, pour ne pas ignorer les acteurs de celle-ci qu'ils soient « médiévaux », « modernes » ou « contemporaines ». Enfin, des communications ont été consacrées à l'historiographie des dernières cent cinquante années qui offrent également quelques observations concernant les perspectives à venir.

Un troisième volume (*La nécrologie primitif de la Grande Chartreuse*) offre l'une des rares productions de mémoire des chartreux-mêmes qui n'ont introduit que très peu dans leur pratique liturgique la commémoration des défunts. Le manuscrit connu depuis le milieu des années 1970 a été publié seulement trois décennies plus tard grâce aux efforts de Jean-Loup Lemaître et Sylvain Excoffon qui rendent maintenant accessible au public non seulement la transcription et la fac-similé du manuscrit, mais aussi l'édition annotée de la nécrologie primitive de la Grand Chartreuse accompagnée d'un index précis.

Le centre a continué également la publication des actes de colloques dans la série intitulées « Congrégations, ordres religieux et sociétés ». Deux volumes ont été publiées dans les deux dernières années. La première (*Interactions, emprunts, confrontations chez les religieux*) est dûe aux interrogations qui, cette fois-ci, portent non seulement sur le « contexte social » des communautés des religieux et des religieuses mais davantage sur leurs échanges mutuelles. Un panorama est offert grâce aux contributions d'une bonne vingtaine d'auteurs qui englobe les débuts du monachisme jusqu'aux temps modernes, du IV^e au XVIII^e siècle. Elles ne réduisent heureusement pas l'optique à une vision seulement « latine » ou « grecque », bien au contraire, elles l'étendent sur les zones d'interactions où des relations se nouaient avec le monde mozarabe. Il est vrai cependant qu'une zone d'interaction particulièrement intéressante restait hors de l'horizon de cette entreprise ambitieuse : l'Europe centrale qui par sa position géographique frontalière aurait pu sans doute contribuer d'autres éléments complémentaires.

L'autre volume collectif (*Culture et Société au miroir des procès de canonisation /XVI^e-XX^e siècle/*) remet en considération une question qui préoccupe tant les modernistes que les médiévistes : la valeur documentaire des procès de canonisation. Les textes réunis par Philippe Castagnetti et Christian Renoux s'interrogent en bon droit sur les défauts méthodologiques et sur le problème de l'application par rapport un corpus documentaire de plus en plus abondant mais devant lequel la science historique reste toujours perplexe. Les études y apportent des réponses possibles à travers tant des observations générales que des exemples concrets tout en s'étendant sur le problème de la construction de ce type particulier des sources, mais elles prennent également en considérations les interactions et contradictions de la piété et de la normativité, du miraculeux et du judiciaire, ainsi que des différentes identités.

En somme on ne peut que féliciter tout l'équipe du CERCOR, sans oublier les nombreux chercheurs de toute l'Europe qui ont contribué à ce bel succès d'un centre qui s'engage depuis sa fondation, il y a 35 ans, à maintenir et développer l'intérêt à l'histoire monastique et religieuse.

Gergely Kiss

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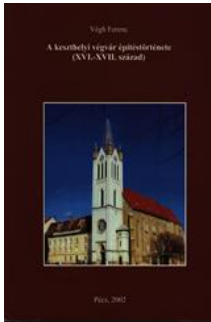
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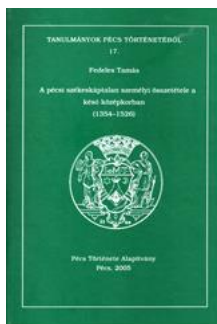
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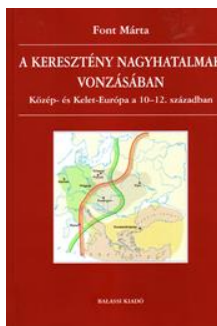
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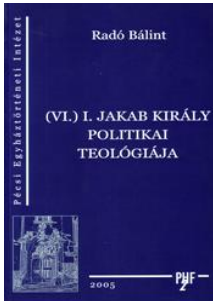
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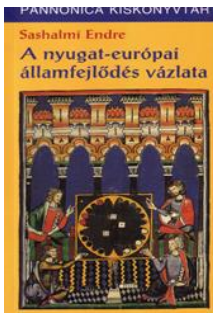
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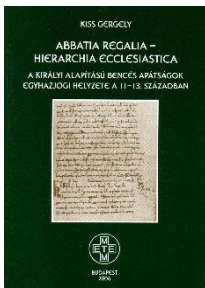
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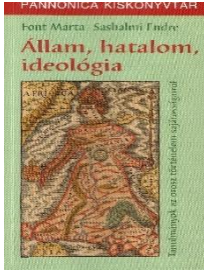
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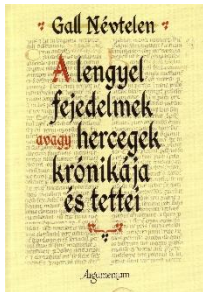


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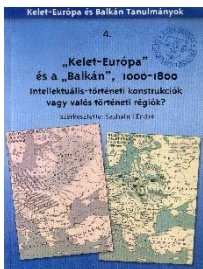
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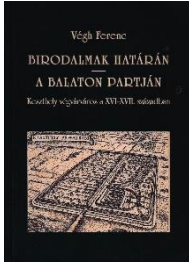
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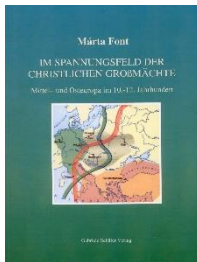
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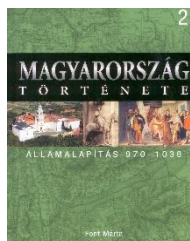
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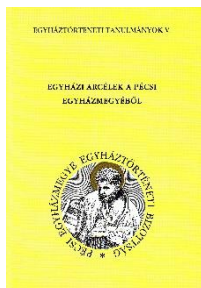
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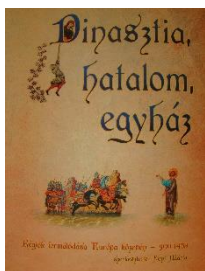
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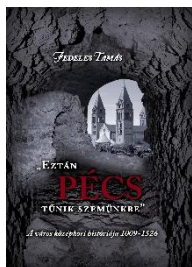
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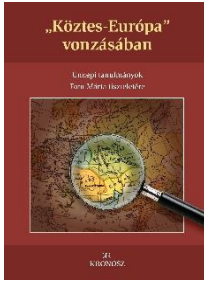


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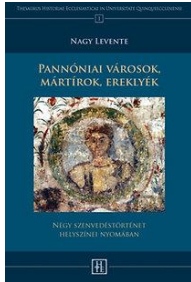
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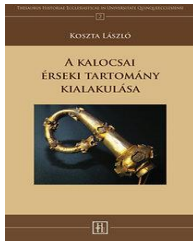
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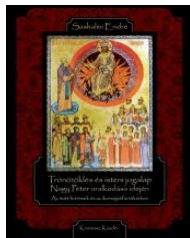
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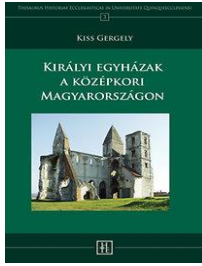
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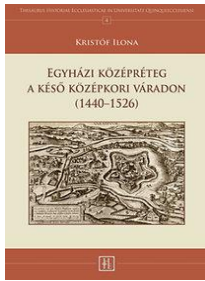
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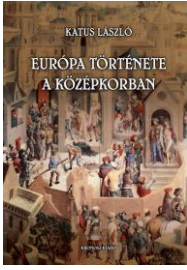
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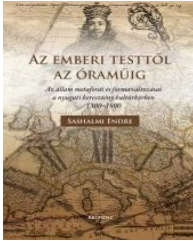
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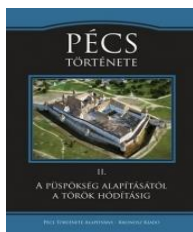
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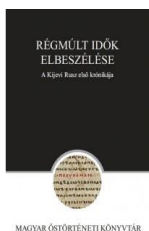
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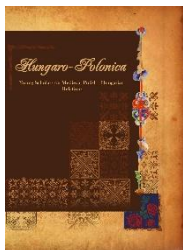
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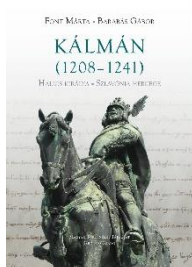
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