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## Hungarian Nobles of Medieval Transylvania

### ABSTRACT

*This article, a translated and abbreviated version of a chapter in the author's monograph on the medieval society of Transylvania (written in 1947 but not published until 1988\*), treats the specific conditions of the lesser nobility in the Transylvanian part of the medieval kingdom of Hungary, comparing the rights and duties of the nobility there with those in the "mother country." The author emphasizes the importance of constant military duty, the reduced social differentiation among nobles of the region and their missionary zeal in defending the realm. Surveying the emergence of the Transylvanian estates, he also demonstrates the close connection between politics, political ideas, and social development. As a background, the author also summarises his findings about the development of the lesser nobility of medieval Hungary in general, a field in which he had been a pioneering researcher for decades. Even if some details might now need correction and the emphasis is sometimes more legal-political than social, the picture drawn by Mályusz is still essentially valid and presents a lively description of a region's noble stratum.*

### Evolution of the Lesser Nobility

Hungarian nobility as an estate emerged during the course of the thirteenth century. In the age of the Golden Bulls of Andrew II (1222, 1231) the term *nobilis* stood only for the magnates, the king's entourage. At that time there was no such social group as a "lesser nobility." Free Hungarians, the warrior descendants of the conquerors, belonged to different social groups. Many of them were called *liberi*, free men. However, these were only nominally free, as their destiny was linked to the land they received from the king or a landowner, temporal or spiritual, in return for military and administrative duties. Others, in the service of the ruler as warriors, lived as members of the military retinue of royal

counties among the so-called castle-warriors, and together with people of foreign origin, the mainly unfree Slavic population. Free Hungarians, able to retain enough of the ancient property of their lineage to secure independence, were close in their way of life to those who came to be the "lesser nobility." In the thirteenth century, they were referred to as royal servitors, *servientes regis*.

Thirteenth-century Hungarian society consisted of numerous groups from which the nobility gradually became an estate based on its military value. Before the Mongol invasion (1241), the majority of Hungarians still used the weaponry of their ancestors and applied old nomadic tactics. Arrow and sword were their main weapons. They wore practically no armor, at the most a cuirass made of leather. As light cavalry, they tried to break up the enemy formation by sudden attacks and feigned flights. Their weaponry and style of warfare was not up to the standard of the age, and they could not keep pace with Western knights, whose strong armor resisted the arrows, and who masterfully wielded their formidable weapons of attack, the long lance and the heavy sword. In the mid-thirteenth century only the highest in rank, the magnates, the king's retainers, could sport such a knightly outfit. After the defeat at the hands of the Mongols, King Béla IV, realising these shortcomings, decided to muster fewer soldiers, but equipped with suitable arms. The wealthier royal servitors were encouraged to emulate the customs of the royal retinue, and they acquired new-style armor. Many castle-warriors did the same. In keeping with their new weaponry, the title *nobilis*—which earlier was synonymous with knightly armed magnate—was now added to the designation of the various military retainers; hence, references can be found to noble servitors, noble castle-warriors, and noble ecclesiastic retainers.

New weaponry also meant a knightly way of life, accompanied by a chivalresque spirit, lifestyle and attitude. These elements could be found in the baronial courts and in the stone castles built after the Mongol Invasion. The next step was quite natural. Those who fought in the battlefield as equals, lived in the same way in peacetime, and were devoted to the same chivalrous ideals, left the framework of their respective social groups in order to be united with those above them in a new one. This happened in the last quarter of the thirteenth century: the name *servientes regis* disappeared (its only surviving remnant is the Hungarian name, *szolgabíró*, i. e., the servitors' judge, for the *iudex nobilium*, or county magistrate), and the successfully upward-mobile *servientes* and castle-warriors called themselves nobles. This new group was already an estate. Its members were filled to a high degree with a sense of vocation, a desire to respect and follow high ethical ideals, and the conviction that they were indispensable components of society. Simultaneously, a sense of noble origin, the desire to separate from others also developed, together with traditions handed down from generation to generation. As they lived the life of knights, their daily behaviour came to be characterised by a kind of style. Finally, there developed a similarity of property relations, and an identical legal position guaranteeing the enjoyment of rights and privileges, which the nobility and nobody else was entitled to.

The *servientes regis* and the former castle-warriors jointly developed the noble community of the county, and established their own local government within its framework. The initiative was taken by the servitors. They had already started to elect their judges to settle their differences prior to the Mongol invasion, at a time when the royal county—the administrative unit of the royal domains and its government—was still intact. The new noble county combined the organisation of the old royal county with the autonomous jurisdiction of the *servientes*. The head of the royal county, the *ispán* (*comes*) was transferred to lead the new organisation, or, in other words, he retained his leading position. His authority was even expanded, as earlier he had no jurisdiction over the *servientes*, who were directly under the king or the palatine. But he did not adjudicate alone, as four magistrates sat beside him. These magistrates were elected by the county assembly of the newly emerging estate of nobles. It was the castle-warriors who gained most from the changes: while they lived in the royal county, the *ispán* alone adjudicated in their cases, and his ruling was final. They were not allowed to take their lawsuits to the royal court. Now the elected magistrates represented their interests too, and they themselves could become *iudices nobilium*, since they were now regarded as nobles.<sup>1</sup>

While this development is fairly well documented for the western—and partly for the central—part of the kingdom, how did it proceed in the eastern parts, especially in Transylvania?<sup>2</sup> Older scholarship, represented by Károly Tagányi, was convinced that the conquering Hungarians did not settle in Transylvania, therefore its lesser nobility emerged entirely from among the castle-warriors, that is from a social position of servitude.<sup>3</sup> Consequently it was, by origin, of lower rank than those of the mother country. Today we have a different view of the organisation of Hungarians at the time of the Conquest. Clans or lineages (*genus*) possessing their villages by ancient right were present in Transylvania as elsewhere in the kingdom, and the families which descended from them came to be part of the fourteenth-century nobility. It is precisely a Transylvanian charter which preserved the first written record on the appointment of somebody as a *serviens regis*: John Latinus's privilege granted him by King Emeric in 1204.<sup>4</sup>

Thus the gap between the origin of the nobility of the mother country and Transylvania is, therefore, not so wide as earlier supposed. And becomes even narrower if we remember that the majority of the nobility emerged everywhere in the kingdom from among the castle-warriors who had left the bonds of the royal county. Exactly the same constituent elements can be recognised in the Transylvanian nobility as in the case of the mother country. Since there is no evidence to the contrary, we may take it that *servientes regis* as well as castle-warriors used to live on Transylvanian territory just as elsewhere in the realm. It is irrelevant that the *servientes*—just as most of the Transylvanian aristocrats—came from distant regions of the country. The landowners of other parts of Hungary did not hold their lands continuously since the Conquest, mainly because many of them were descendants of foreign—German, English, French, Spanish, Italian—knights. Conditions of landed property do not at all suggest a late settlement of Transylvania. The descendants of the conquering

free Hungarians were not missing from there either. However, by the end of the thirteenth century, the majority of them could be found among the servile populations while others belonged to the group of castle-warriors. Just as in the mother country, Transylvanian Hungarians belonged to different layers of royal service, whence they ascended to the estate of the nobility. As a comparison, we may look at a population in northern Hungary, about which we know more details. The lesser nobility of Túróc and Liptó counties (in present-day Slovakia) evolved mainly from among the castle-warriors. Here free Hungarians, together with the local Slavs, at first became bondmen, then noblemen. In the fourteenth century, the nobility of Upper Hungary did not differ from that of other regions, despite such an indirect route to privilege. If such a background among the castle-warriors did not shape a separate type of nobility in the north, why should it have done so in Transylvania? The Transylvanian *servientes regis* as well as castle-warriors—just as the "lancers" of Liptó and the *fili jobagionum* of Túróc<sup>5</sup>—became nobles on the basis of their military service,<sup>6</sup> in essentially the same way as royal servitors of different type acquired noble status in other parts of the kingdom.

## Regional Differences

Even if their origin may have been similar to the rest of Hungarian nobility and they performed the same services as the ones in the mother country, the actual situation of the Transylvanian nobility was in many respects different. Before we survey these differences, let us stress that from the late thirteenth century onward the legal situation of the nobles in the eastern part of the kingdom was not different from that of the rest.

According to the coronation decree of Andrew III, issued in 1291, the Transylvanian nobles enjoyed all the privileges of the Hungarian nobility, together with the Saxons, who were masters of villages and lived the life of nobles.<sup>7</sup> The decree does not make a distinction between the nobility of the mother country and of Transylvania, it speaks about "the nobility of the realm" as of a single community. The decree exempted the nobles as well as their tenants and subjects from the payment of *collecta* (taxes)<sup>8</sup> as well as *acones* (a tax on wine) and from the royal *descensus* (hospitality, *doit de gîte*). The charter extended the privilege, already granted to the *servientes regis* by the Golden Bull of 1222,<sup>9</sup> that the king would not collect fees from the nobles on the occasion of exchanging money, nor the issuance of newly minted coins. Further on, the king forbade the voivode, just as the ban (viceroys) of Slavonia,<sup>10</sup> to billet on the estates of the Transylvanian nobles. Similarly, the right to property of the nobles in the mother country and in Transylvania was identical: both could freely dispose of their possessions. If they had no heir, they could freely bequeath their property to anybody, to a relative or to the Church, without restriction, regardless of whether they inherited or purchased their land. The duties were also equal to those in other parts of the realm, just as the rights had been. If an enemy attacked the country, or if a part or a province rebelled against the ruler, the nobles and the "nobly living" Saxons were obligated

to help the king, to support him, to go to war with him. However, they were only expected to participate in a war outside the country if the king compensated their expenses, as stipulated by the corresponding passage of the Golden Bull of 1222. The nobles were not to be forced to participate in a campaign if it was not led by the king himself; if the commander was a baron, they had to receive payment for their services.

## Not Only Under The King's Banner

However, this equality existed only in words. In reality the situation was different. The decree of 1291 recorded the desires and objectives of the Transylvanian nobility. The promise that they would have to go to war only under the king's personal command, could hardly be implemented. One of the fundamental privileges of the nobles that they would directly join the royal army, could have been observed in Transylvania only to the detriment of the country's defence. Transylvania was a target for attacks from its eastern and southern neighbors hungry for booty; its villages and towns were threatened and devastated by Pechenegs, Cumans, Mongols, and later by the Ottomans and their allies. As an exposed border region, it had to defend the realm often under conditions when it could not expect succour from the mother country, and therefore, had to avert invasion by its own strength. It was unreasonable to expect the king to come to Transylvania every time to lead his insurgent nobles into war. Thus, he appointed the voivode to substitute him, and soon the nobles had to fight under his command, sacrificing their individual advantages to the public good, with the approval of the king.

Moreover, the voivode, because he had such a great authority, exercised, contrary to the decree of 1291, the right of *descensus*. During the interregnum around 1301-1308, there was no royal authority that could have counteracted the will of voivode Ladislás Kán, who set the law for himself, and the nobility could hardly risk opposing him. However, they were well aware that the situation was unjust. As soon as conditions improved under the rule of King Charles of Anjou (1308-1342), the nobility attempted to assert their rights. In 1324 two representatives were sent to the king: George Cseh of Ród, member of a wealthy noble family of Co. Kolozs and Nicholas Was, from a family propertied in Co. Doboka. Nicholas had been a captain of voivode Ladislás, but changed allegiance in 1321 and received his estates from King Charles. The two of them presented the request of "all the nobles or *servientes regis* of the Transylvanian land" to the king, imploring that they may be exempted from the "foodstuff, exactions, and the *descensus* demanded by the barons, and mainly by the voivode of Transylvania." The king granted their request. Thus they were exempted from "*descensus* and the *victualia* hitherto paid to the voivode of Transylvania." The nobles were also exempted from the *collecta*, the extraordinary tax in money, be it one, or half a *ferto*, and from any other kind of similar extraordinary exaction. However, Charles did not lift their obligation, despite the decree of 1291, of royal hospitality: if the king came

to Transylvania, the tenant peasants of the nobles had to render a barrel of wine, a pig, an ox, and one mark for pepper and saffron for each one hundred tenement.

Considering that Charles as well as Louis I (1342-1382) repeatedly levied the *collecta* from the entire country, it is improbable that in 1324 the king intended to exempt the Transylvanians from it. Presumably the charter has to be interpreted to mean that the king wanted to free the nobles and peasants from the taxes levied by the voivode, but it did not alter the rights of the king himself. The charter's wording suggests that previously the voivodes obligated the nobles themselves to pay taxes and render hospitality, not only by way of their tenants. The voivodes and their officials billeted on the estates and houses of the nobles, demanded supplies, and on certain occasions also levied the tax in coin, presumably at the time of military enterprises, or perhaps as redemption for participation in such ventures. Thus it was this abuse that the king wished to stop in Transylvania, even though legally it had been abolished as far back as 1291.

Apparently the royal promise did not remain an empty word. In later years there is no trace of complaint against these burdens of the Transylvanian nobility. The tax, or rather fee, which was paid to the deputy-voivode in the middle of the fourteenth century was something entirely different. It amounted to only four pennies per peasant family, and it was only paid by the servile households. Moreover, it was not levied by the voivode, or his deputy, but granted by the nobles, and it was the deputy-voivode who collected it together with the noble magistrates. Presumably, it was meant as a contribution for the deputy-voivode's judicial services and for the maintenance of the voivode's court.

## Exemption From Direct Taxes

During the next stage of development, in the reign of King Louis, the Transylvanian nobles were already in a better financial position than their peers living in the mother country. The decree of 1351, which renewed the Golden Bull of 1222, with extending all its privileges to *servientes regis*, now regarded as nobles, became the Magna Charta of the lesser nobility.<sup>11</sup> It contained the famous sentence that all nobles of the country, even those living on "ducal territories," should enjoy one and the same freedom. This expression is—with good reason—seen as the legal evidence for the complete identification of the Slavonian and Transylvanian nobility with that of the kingdom's core regions. For this reason, Hungarian historiography considers the process of the unification of the noble estate as complete by the mid-fourteenth century. The same decree regulates the collection of the direct tax, called *lucrum camerae*, as it replaced the chamber's profit from annual change of money.<sup>12</sup>

Fifteen years later, in 1366, when Louis the Great granted several legal privileges to the Transylvanian nobility, and regulated their disputes with Romanians taking up residence in the region, he also stated that the nobles were obligated to "help him, the voivode and his deputy in defeating his and the Holy Crown's enemies," in return for being exempted in person and in property from paying the "chamber's profit" and the *victualia*, and also

from military service against their will.<sup>13</sup> Since the chamber's profit was continued to be collected in the rest of the country for the rest of the Middle Ages, the Transylvanians enjoyed a more advantageous position.

The essence of this privilege can be understood from the close interrelationship between tax exemption and military service. Hungarian kings frequently granted exemptions from the *lucrum camerae* to their favourite barons. The objective was that the peasants' taxes should go the lord and not to the king: the higher income would enable the noble or baron to equip more warriors and acquire better armor for themselves and their troops. The king transferred the Transylvanian peasants' *lucrum camerae* to the nobles because he had to rely on their military services to a larger extent there than in the mother country.

There is yet another factor to be kept in mind: different tasks awaited a western Hungarian nobleman in the battlefield from the ones his Transylvanian peer had to face. The Western enemy was usually an armored soldier on horseback, with heavy weaponry, consequently the kings had to marshal the strongest army against them. The general levy (*generalis exercitus*) of the nobility was of lower quality than the well exercised baronial semi-professional troops, the *banderia*, therefore the monarchs usually relied on the latter against knightly armies. However, the enemy threatening from the East was almost always of light weaponry, be it the Cumans, the Romanians or the marauding Ottoman spahis. They could be successfully confronted by the mass levy of the lesser nobility. Challenged by the dangers on the frontiers as they emerged in the fourteenth and the fifteenth centuries, Transylvanian nobleman came to be better experienced in arms, were more often called up to join the general levy, and had a greater share of the blood sacrifice. It was only logical that they needed additional financial means, that is, the chamber's profit paid by their tenants.

If we are to consider exemption from the *lucrum camerae* as a proof of permanent military preparedness, it would be valuable to know whether Louis's privilege remained an empty word or the direct tax was indeed abolished in Transylvania. Unfortunately, without the entire corpus of medieval Transylvanian charters at our disposal, we can only presume that the change of 1366 was permanent. This is suggested, for example, by the organisation of financial administration. In the age of Charles Robert there was an autonomous Transylvanian chamber, the chief officer of which collected the *lucrum camerae*, similarly to the cameral counts of the eight or nine other chambers of the kingdom. In 1336 this chamber comprised the counties Inner Szolnok, Doboka, Kolozs, Torda, Küküllő, Fehér and Hunyad, in other words, Transylvania without the Saxon and Székely regions. However, we have no data about this chamber under King Louis; its chief officers are not mentioned, whereas the heads of other chambers are known by name. This silence may indicate that the chamber lost its significance, and only the mints of Kolozsvár/Cluj and Szeben/Sibiu survived.

Another indication for the permanent exemption is that in several fifteenth-century laws about the *lucrum camerae* the tax of marten-skin is mentioned for Slavonia and parallel to

it the so-called fiftieth for Transylvania. We know that the Slovenian *marturina* corresponded to the chamber's profit, and the fiftieth was a tax paid by the Transylvanian Romanians. It seems obvious, that the decrees would have mentioned the *lucrum camerae*, had it been in force in Transylvania in the fifteenth century. Their silence therefore corroborates the testimony of other data: the Hungarian peasants of Transylvania, who, in the age of Louis the Great, were able to pay tax in money because of their settled way of life and permanent residence, were exempted from royal taxation. The Romanians, settling later on secular estates, became payers of a special tax, the aforementioned "fiftieth."

Even though in 1366 the Transylvanian nobility came into a better financial position this did not imply a higher position. The advantages in fact were counter-balanced by greater burdens than those in the rest of the realm: constant warfare led to greater control over the nobility not by the king but by the voivode or his deputy. The penalty of someone absenting himself from a military operation was definitely higher than the amount he received from his tenants as *lucrum camerae*. In 1438 the voivode confiscated an entire village from the sons of Stanislas of Báthor, because they disobeyed his order calling them to war, although they were known to have suffered serious losses in the 1437 peasant war: the almost total destruction of their village and the murder of their local official.

The nobles of the mother country could excuse themselves more easily from military operations, as there was no baron, similar to the voivode, immediately above them, whose deputies and officers, the *belliductores*, knew the people and the land precisely, and were authorised to exercise merciless control. Considering thus the advantages and disadvantages, the nobility in other parts of the country, being directly under royal control, were in a more favourable position than the Transylvanian ones. The exemption of their tenants from the *lucrum camerae* did not sufficiently substitute for the disadvantage deriving from their subordination to the voivode.

## Seigneurial justice

The privileges of nobles included also the juridical authority over their people. Legal authority was perhaps more essential than the amount of services rendered by the tenants and serfs in money and kind. In terms of dues and services the peasants of the later Middle Ages could regard themselves as permanent tenants of the plot allocated to them. The real limitation of their status was that their landlord adjudicated in their lawsuits. It was by this authority that the noble landowners interfered almost daily with the life of their tenants, and which was also financially lucrative.

According to the Golden Bull the *servientes regis* exercised judicial authority over the people—servants and freemen—living on their estates, but completely. It was the *comes*, who adjudicated in cases of exchange and the tithe, whereas royal judges dealt with the criminal cases. By the late thirteenth century the royal judges had disappeared, and their jurisdiction was also taken over by the county. The situation was different in the case of the great



landowners or barons. In the thirteenth century some of them obtained authorisation from the king to adjudicate even in more serious cases. Hence they became the judges of their people in every respect, particularly since they were also licenced to execute the criminals. At first this judicial authority was obtained by ecclesiastic landlords and later by lay barons as well. In the fourteenth century, certain members of the lesser nobility also acquired the right to high justice with the symbol of the gallows or the wheel on their estates. In the mid-fourteenth century the entire lesser nobility demanded it as a general privilege and the kings acknowledged on innumerable occasions that "according to the ancient customs of our kingdom every nobleman and landowner has the right to judge his tenants and landless servants, excepting the cases of theft, highway robbery, and common crimes." The list of exceptions varied, sometimes arson and murder were also mentioned, but the essence was the same: serious criminal cases did not fall under the jurisdiction of the noblemen's courts of justice, but under the royal or county ones. As the principle was pronounced in general by the decree of 1351, lower judicial authority was finally included in the privileges of the nobility.

The Transylvanian nobility possessed the same legal authority as that of the mother country, derived from the decree of 1291. However, reality may have differed from the written text.

It is highly probable that the voivode and his deputies—particularly during the reign of voivode Ladislas—did not allow the full assertion of the judiciary authority of seigneurial courts, but demanded the right to pass judgment in the cases of subject tenants and collect the penalties. This can be inferred from voivode Tamás of Szécsény's decree of 1342, which regulated the administration of justice upon the nobles' complaint, and stated: "we consent to the jurisdiction of all the nobles over their tenants and those servants without possessor (*famuli*) who stay on their estates, with the exception of three cases, such as robbery highway robbery, and violent trespass." The voivode's words correspond exactly to the expression of the royal patents acknowledging the juridical authority of all nobles Hungary. It may be inferred from the words "we consent," and "we agree to" that previously the voivodes did not regard these rights as self evident. Whatever the case in the first decades of the fourteenth century may have been, the voivode acknowledged the juridical authority of landed nobles at least from 1342 onwards, thus they were on an equal footing with their Hungarian peers in this respect too.

The privilege of Louis I from 1366 corroborated the legal norm that it was the lord who had to administer justice on his estate, in other words, that no one else could arrest and punish his tenants and servants. The same king also spelled out what would happen if a lord did not perform his legal duties: he was to be summoned to the voivode or to his deputy. The seigneurial courts were tacitly authorised to pass judgement in high criminal cases, for there was no mention of cases reserved for the voivode's bench. This measure resulted in extraordinary material advantages to the nobility, as the penalties and confiscated property fell into their hands.

The royal grant of high justice gave the nobility such great and unexpected legal competence that initially they did not dare exercise it, and continued to send their more serious cases to the voivode's court of justice. In 1391, the Saxons were still rebuked by the voivode when they applied for the right to punish their serfs who had committed theft, arson, or highway robbery. King Sigismund had to rule by the strictest order that he authorised the nobles by the totality of his royal power and special consent to hang, behead or otherwise punish the criminals on their estates; in the case of failure in performing their task they would be charged with compensation for the head of the criminals and in addition they were to compensate all the damage caused.

Presumably the voivode and his deputy also did their best to retain their jurisdiction over the criminals, but after Sigismund's order, which so resolutely annulled the old custom of limited jurisdiction in the hands of nobles, the juridical authority of all nobles was fully effective.

A further step was made when the right to justice, originally based on personal authorisation, became a corollary of landed property, which burghers could also exercise if they held an estate of a nobleman as security. So, for example, a certain John Bogár of Kolozsvár confiscated four oxen and domestic tools from one of the serfs of the noblemen of Szentmihály as a penalty for a trespass while he held the village of Böcs as security.

## The Nobles and the Bishop

Parallel to the acquisition of material advantages and the expansion of their jurisdiction, the nobility succeeded in securing advantages in the spiritual sphere as well. Even if these were not very significant, they implied the acknowledgement of certain local customs, and thus contributed to the development of Transylvania's particular features. Even more importantly, the nobility took a uniform stand, and reached an agreement with the bishop through the deputies of their *universitas*.

The agreement, reached in 1335 in Buda, between the bishop and two representatives of the nobility regulated the collection of tithes and the competence of the courts spiritual. According to it, the tithe collector was not supposed to determine the number of plots and houses at will, but had to assess together with the village reeve, and had to leave one half of the tally with him. On this basis, the tithe was to be assessed before St Martin's, and the parishioners had to pay till Epiphany in money. Failing that, they were penalised three times, each time to a larger sum. Two-thirds of the penalties would always go to the *ispán*, that is, the county authority. Ecclesiastical punishments, such as excommunication and interdict could not be imposed on those who failed to pay. Parishes under the patronage of noblemen continued to obtain a share from the tithe, just as before. The *decimator* had to take the tithe of wine at the time of grape gathering from the freshly pressed juice. If he failed to do so, he could later demand a quantity of the new wine which corresponded to

the fresh juice only. On the other hand, the patrons could not demand to appropriate the tithe by purchase, or farm without the consent of the bishop or the archdeacon.

The articles related to jurisdiction were mostly directed to restrict the excesses of the archdeacons. They were not supposed to demand more for the burial of a murderer than one Mark; they were not allowed to summon a married woman to their court, and could judge in her discord only if she herself asked for legal remedy, or her husband sued her; women deserving incarceration could not be imprisoned in their accommodation, but had to be charged to the custody of honest persons; usually the penalty was not to exceed one mark, and they were not supposed to pronounce interdict or ban in cases of tithing. The bishop granted special favour to noble women when he assured that an ecclesiastical ban placed on their husbands would not extend to them and their two or three servants unless their spouse was to be excommunicated because of disobedience. Finally the seigneurial jurisdiction of noblemen was acknowledged by stating that a peasant caught on an ecclesiastic estate should be brought to his lord together with his belongings. Only if he had committed a public crime and was caught redhanded could the ecclesiastical authorities, as seigneurial courts, pass sentence on him.

However, the issue of the tithe was not settled by this regulation. In the early 1350s the landowners found that it would be more advantageous if the tithe of grain could be paid in kind instead of money. They even persuaded King Louis in Buda to make such a resolution, but on the insistence of the clergy, including an intervention of the pope, this decision was ultimately revoked. As a compensation, the king reduced the exchange rate of the tithe of grain for that year, from 10 to 12 pence to 8 pence per shock.

The reason for the landowners' demand can be guessed from later developments. It was certainly not the fall of the price of agricultural products and the growth of the value of money, that is, a "shortage of money," which made the commutation of services in kind a desirable one. Nor can we assume that the lords were moved by the protection of their serfs' interests. The bickering continued between the bishop and the chapter on the one hand, and the landowners on the other. In 1358, Bishop Domonkos was forced to take a stand against them at the general assembly of Torda/Turda, and Bishop Demeter had to do the same in 1394 vis-à-vis the voivode. On both occasions the complaints were aimed at those collectors of tithe, who acted without authorisation on their estates, as if they were the rightful owners of tithe, whereas the nobles argued that they farmed the tithes legitimately from the representatives of the bishop and the chapter. In the first case the nobles promised not to support their fellows engaged in the unauthorised collection of tithe either by advice or by deed, and in 1394 an agreement was reached that only those farms of the thithes were regarded lawful which were listed in diplomas and authorisations issued and sealed by the competent ecclesiastics. Further on, in 1358 the nobles accepted the allocation of ten pence per shock to the Church as tithe, and thus revealed that they had not been concerned with the burden of their peasants, but they themselves wanted them to pay the tithe in kind.

Clearly, then, the noble landowners wished to lay hand on the grain paid as tithe. But they had little hope of farming it from the bishop and the chapter, as long as their tenants could commute their duty in money. While the tithe-collectors would have an easy job to levy the dues in coin, the situation would be entirely different had the ecclesiastics received grain (and wine) in kind. It would mean a lot of trouble to collect, transport and sell it, nothing said of the damage caused by theft. Thus if the tithe has to be rendered in kind, the clergy may willingly agree to leave the task of collecting it to the landlord, satisfied with smaller gains but avoid all the nuisance.<sup>14</sup> It was undoubtedly a clever step of the nobility that they made the king take a measure advantageous to them. Though their victory was a temporary one, it proves that the nobility were ready to improve their financial position by concerted action even against the church.

### Lower Composition as Punishment for Rebellion

The examples of the exemption from the chamber's profit and the attempt at getting hold of the tithe suggest that Transylvanian noblemen proved to be more inventive in the protection of their interests than their fellows in the mother country. However, at the end of the Middle Ages, the nobleman of the kingdom's core region won out against those of Slavonia or of Transylvania. The 1514 law code, the *Tripartitum*, records that the *homagium*, or composition of a Hungarian nobleman was 200 forints, of a Slavonian 100 florins, and of a Transylvanian only 66 florins. As the amount of the homage expressed social standing, the Transylvanian nobleman was ranked considerably lower than his fellow in the mother country or in Slavonia.

There is good evidence that this discrimination did not originate in the thirteenth or fourteenth centuries. Quite a few examples can be quoted to show that the law-courts ruled a homage of 200 florins during the Angevin period and even in the mid-fifteenth century. The 50 Marks one member of the Hidvégi family was obliged to pay in 1382 in the judgement of arbitrators, was of equivalent value (as one mark of silver was worth 4 gold florins), and so was the composition paid by János Geréb in 1461 to István Várdai, archbishop of Kalocsa.

As far as Transylvania is concerned, the change seems to have taken place in 1467. In August of that year, the Hungarian nobles, the Székelyek and the Saxons, led by the voivodes, rebelled against the king, accusing him of tyrannical rule, but were swiftly put down within a month. According to Anton Verancsics, the Humanist chronicler and archbishop, who knew Transylvanian conditions well, it was at that time that Matthias Corvinus, although having pardoned most of the rebels, lowered the homage of the Transylvanian nobility as a form of punishment. In a letter addressed to the Transylvanian estates in 1540, when the Habsburg king warned them to be loyal to him, he reminded them of the punishment of the rebels of three-quarters of a century before: "Were not even the honour of the nobility reduced? The punishment has descended upon you too, when the

200 forint compensation to commute the death penalty, you call *homagium*, was reduced to 66 forints by Corvinus."<sup>15</sup> As Verancsics was well informed, we have to regard his account authentic, even though no other contemporary source refers to this punitive measure when describing the events of 1467. If this is so, we can precisely date, when the status of the Transylvanian nobility was legally reduced vis-à-vis that of the mother country.

## The Nobles and the Voivode

Soon after its emergence as an estate, the lesser nobility realised the advantages in unity. When asking for favours from, bargaining with, or testing its strength against king or voivode, it appeared as a uniform social group. By the middle of the fourteenth century, conscious of the common interests and jealously guarded privileges, and bound together by intimate emotions, it considered itself a single family in the patriarchal sense, reflected by the word "brother" used among nobleman, whether blood-relatives or not. The lesser nobility had no opportunity to get their special and exclusive "liberties" confirmed by each new monarch but was able to have them acknowledged in general as early as the fifteenth century. Yet, in 1404 the lesser nobility induced a promise from King Sigismund to respect their liberties as they had enjoyed them under his predecessors—particularly at the time of Louis I—as well as an order that the voivode was not to disturb the lesser nobility in the enjoyment of those rights.<sup>16</sup>

However, direct royal measures of this kind did not alter the essential position of the Transylvanian lesser nobility. The authority vested in the voivode by the king made the actual condition of the Transylvanian nobility differ essentially from that of those in the mother country. The limitations could not be altered by the occasional royal support or intervention. The Transylvanian lesser nobility had to rely on themselves to gain greater autonomy from the voivode. They could not expect the king to recall the voivode or to change established patterns of government just to favor them. They had to realise that there was no point in opposing or confronting the voivode; it was more promising to cooperate. Through generations of quiet activity they succeeded in changing their position. The steps in these achievements may be seen in the development of the county organisation, in the administration of justice by the voivode and, finally, in the growth of the noble assemblies.

## Noble County Autonomy

Just as in the mother country, life in the Transylvanian county, the home and career-field of the lesser nobility, was characterised by the cooperation of the *ispán*—the chief officer appointed by the central power—his deputy, and the elected magistrates. The voivode appointed the *ispán* from among his retainers, who, then appointed a member of the entourage as *alispán* (vicecomes). The deputy-voivode—also the voivode's retainer—could be also an *ispán*, but he could also be the castellan of a county castle, as was the practice

in the mother country. The *ispánok* of Co. Hunyad were repeatedly castellans of Déva/Deva in the fourteenth, and of Hunyad/Hunadeovara in the fifteenth centuries.

The Transylvanian *comites* and *vice-comites* were *familiares*, retainers and appointed officials. They were not high-ranking lords like the *ispánok* in other parts of Hungary, where some of the greatest lords held these offices, sometimes simultaneously with positions at court. In Transylvania, in contrast, the *ispán* of Co. Küküllő was also deputy-castellan of Küküllővár/Cetatea de Balta, (that is a retainer of the castellan), a relationship unimaginable in central Hungary. The relatively low standing of the office of the *ispán* is also indicated by the fact that in 1448 Co. Torda was simultaneously headed by four *ispánok*, and in 1462 Co. Kolozs by three. As neither they nor their peers were considered among the high-born, they usually governed their respective counties themselves and did not appoint deputies. This may explain the conspicuous phenomenon that there were hardly any *vice-comites*, *alispánok* in fourteenth-century Transylvania. In the fifteenth century the *alispánok*, at times even to the detriment of the *ispánok*, acquired a larger role. At the end of the century, warrants of law courts, addressed to a county in general, mentioned both *ispán* and *alispán*, keeping with the custom of the mother country.

Whether the nobleman heading county administration was called *ispán*, or *alispán*, the position was the same: the chief officer was not elected by the county. Just as at the selection of the deputy-voivode, the voivode could bring anybody into Transylvania from another part of the country, so too could he appoint aliens as *ispán*. Similar was the case of the *alispánok*. Most of them came from among the nobility of the county, but a large number from elsewhere. By the late fifteenth century efforts of the Hungarian nobility to transform the *alispán*, as the representative of the county's lesser nobility, from an appointed subordinate into an elected official bore fruit. King Matthias set the precedent in 1486, ordering that the *ispán* could select only a nobleman from among the higher born of the given county as *alispán*, and the *alispán* was to take his oath before the general assembly of the county. The decree of 1506 stated that only a person against whom the nobility had no objection could be *alispán*. In contrast, the *alispán* continued to be appointed by the *ispán* in Transylvania. It is not impossible that the decrees of 1486 and 1506 had at least a momentary effect, but there is no evidence on their consequences.

In late medieval Transylvania, it was the magistrates who represented autonomy, just as in the thirteenth century. Typically, each county in the mother country elected four magistrates, consequently dividing the territory into four districts. This figure was consolidated by the decrees of 1291 and 1298 for all counties except Pilis, Bodrog and Zólyom, which had only two magistrates each. However, exceptions in the mother country were rules in Transylvania. Here every county had two magistrates and two districts. The districts were termed upper and lower or, in Szolnok and Doboka, eastern and a western.

Magistrates were elected by the counties in Transylvania. Diplomas from the early fourteenth century show the magistrates and the *ispán* functioning as county authorities. Their work did not differ from those in leadership of counties in the mother country.

Moreover, a relatively large number of such county documents were issued solely by the magistrates, indicating that they could officiate even without the *ispán*. Their sphere of jurisdiction was quite extensive: they had the right to sentence and execute not only serfs but in exceptional cases noble *familiares* as well.<sup>17</sup>

### The Lesser Nobles on the Voivode's Bench

As a rule, the county authority could not adjudicate in lawsuits concerning noblemen. This task was the province of a higher juridical forum, the voivode's court, or *sedes iudiciaria*. The 1342 diploma of Voivode Tamás of Szécsény, which regulated juridical procedure in Transylvania, stressed that no castellans and officials could sentence noblemen, even if their arrest was inevitable, as they had to be brought to the voivode or his deputy.

In the late thirteenth and early fourteenth centuries the voivode adjudicated in person, but towards the middle of the fourteenth century this function fell on the deputy-voivode. The growing number of lawsuits and other duties forced the voivode to stop heading the court of justice.

The most characteristic feature of the voivode's tribunal was that nobles participated in adjudication. As co-judges, they advised the deputy-voivode, and their presence and influence hindered high-handedness. They also asserted local customary law, as quite often the deputy-voivode was not Transylvanian and therefore not familiar with local customs. The deputy-voivode needed control as well as support. Though few Transylvanian court records survive from the turn of the thirteenth and fourteenth centuries, it is hardly an accident that none of the voivode's letters of sentence mention co-judges. Therefore, it seems that initially the voivode adjudicated alone over the Transylvanian noblemen, and the self-assertion of the nobility, expressed by their insistence of sitting on the voivode's bench, was gradual. The voivode's retreat from the court and his substitution by his deputy around the middle of the fourteenth century may have been a consequence of the nobles' restricting his free action. The voivode's law court, with a presiding judge passing judgement together with co-judges, peers of the accused, was thus in principle similar to the royal courts of justice or the county courts.

The voivode's tribunal adjudicated in the cases concerning the nobility of the seven counties. Cases in which the voivode or his deputy had immediate jurisdiction were opened here and appeals heard from lower courts. For the history of the nobility it is important to note that while initially the voivode or his deputy commissioned one (or both) Transylvanian ecclesiastical bodies as places of authentication (*loca credibilia*) to investigate cases, from the mid-fifteenth century onwards the county authorities were also involved. From then on each case was investigated by three authorities: both Transylvanian places of authentication and the county in question. This new custom was a sign of the county's increased prominence as the lesser nobility's organ of local government—and of the lesser nobility itself.

Another forum of voivode's jurisdiction was the *congregatio generalis* or general assizes. This institution originated in the mother country, but developed in a special direction in Transylvania. Its history goes back to the Golden Bull of 1222, according to which the king or his deputy, the palatine, was supposed to hold a general court of justice annually in Székesfehérvár for the *servientes regis*. The decree of 1267 ruled that two or three noblemen should appear at these assizes on St Stephen's Day from every county, presumably to act as co-judges. However, an annual court proved insufficient and led to decentralisation, to the emergence of the noble county. But by this development, the royal authority (and income) from justice decreased. These problems were solved when the palatine, by royal appointment, toured the country, called the *servientes regis* of each county to a meeting, and settled lawsuits on the spot, together with the magistrates as co-judges. In this way adjudication became faster and cheaper. Also, the magistrates and county authorities acquired greater respect by being seated with and shielded by the palatine's authority. Finally, the palatine did not lose his income from the penalties. Countrywide itinerant administration of justice by the palatine became permanent around 1280.

The task of the general congregations was primarily punitive: to identify and capture criminals, and especially to prosecute what was called violent trespass. Public criminals were denounced in the meeting, and, if present or caught, meted out capital punishment and confiscation of their estates (or at least one of these).

The Angevin kings of the fourteenth century retained this institution. During the reign of Charles I the palatine called congregations simultaneously in three, four, or even five counties. The duration of these congregations was long, sometimes lasting two weeks. Even the palatine could not be present everywhere, the judge royal or another dignitary of the court officiated under royal authorisation. The palatine on tour was accompanied by a large entourage: protonotaries and notaries, his chaplain (who put the contesting parties under oath), the so-called royal bailiffs (who performed investigations, inspected landmarks, and filed documents), by the delegate of the chapter of Székesfehérvár, the king's representative, his advocate (usually a high-ranking courtier, a bishop or a respected abbot) who intervened in cases touching upon royal rights. In the fourteenth century, *iurati assessores* also appear as judges alongside the magistrates on behalf of the county. There were twelve assessor jurors in 1324, elected exclusively by the county for the duration of that general assizes. Their commission was terminated at the end of the meeting. Their appearance and role can be linked to the fact that the congregations became too lengthy for the entire nobility of the county to attend and, if the nobility had no special business, left after the first day. The jurors were left behind as deputies and representatives of the noblemen to participate in the procedures to the end. The *alispán*, the magistrates and the jurors affixed their seals to the more important charters of the palatine and to other judicial documents.

During the fourteenth century general assizes heard not only the cases of noblemen but lawsuits from inhabitants of the market towns as well. Therefore, royal orders about assizes addressed not only the noblemen of a county, but the people of "whatever state or



condition." Thus, for a while, the county was not exclusively the body of the nobility. However, the phrase *cuiusvis status et conditionis* disappeared in the first decades of the fifteenth century, and general assizes became the meetings of noblemen alone. But in the fifteenth century the entire institution became gradually obsolete. This was due in part to the more active county courts beginning to settle cases which, earlier, could only have been adjudicated by the palatine, and partly because the palatine was often unable to leave the royal court. Even though King Matthias wanted to renew the institution, in 1478 general assizes were suspended for five years, and in 1486 abolished for good. Apparently the counties objected to the costliness of adjudication. The maintenance of palatine and entourage was expensive, and the length of the congregations was excessive to the participants. The penalties collected for the palatine also represented a heavy burden. However, the major objection was that the county felt strong enough to act without the palatine.

The practice of general congregations struck root in Transylvania as well. Andrew III personally held such a meeting for the seven counties, the Székelyek, the Saxons and people of other estates in Gyulafehérvár/Alba Iulia, after having called a general assizes of eastern Hungarian counties to (Nagy)Várad/Oradea. The congregations of 1305 and 1308 date from the time of Ladislas Kán's voivodeship, and the one of 1322 from just after the political consolidation of Angevin royal power. From then on general assizes were held each year, called and presided over by the voivode in the king's name, for all Transylvanians, Székely and Saxon included. The bishop of Transylvania, as royal delegate, participated together with the representative from one of the two ecclesiastical bodies as places of authentication, either of the convent of Kolozsmonostor/Manastur or the chapter of Gyulafehérvár. The bishop played a larger role than elsewhere, for he usually served as the voivode's co-judge.

The *congregatio* was held at the same place almost without exception: on the estate of the Crusader Order of knights, called Keresztes-mező/Cristoltel. Settlers with Wallachian right could also participate, together with the inhabitants of market towns and other propertied people, including tenants, just as in the mother country. However, at the turn of the fourteenth and fifteenth centuries peasants were pushed out of the meetings in Transylvania too. As their lords had acquired jurisdiction over them, the same lords were to represent their interests. The voivode presided over the meetings, with magistrates and jurors on the bench. The jurors first appeared in 1342, two decades later than in the mother country. Also elected by the general congregation, their office and authority extended over the period of the meeting. Voivode Imre Lackfi's words from 1372 describe the role of jurors: "They were appointed to assist us by the nobles of the seven counties in the usual way."

The kings seemed to have supported the effort of the nobility to make the congregations symbolic of Transylvanian unity and their dominance acknowledged. In 1355, *ispán* Miklós Was and Ákos *de genere* Ákos complained to the king that the prelates, barons, knights

and others, who had estates in the mother country, did not attend the Transylvanian congregations, whereas the Transylvanians were too far away to be able to appear at the royal court of justice. Thereupon Louis the Great ordered that all nobles, however eminent, had to submit to the general assizes of the voivode and the Transylvanian counties, just as if the king himself ruled in the cases.

That the the lesser nobility could successfully dominate the meetings (and have this fact acknowledged by the crown), discouraged the Székelyek and Saxons from attending them, particularly when their own court system became able to settle their cases at home. They went to Torda to settle conflicts with noblemen. In the early fifteenth century, when general assizes became less relevant in the rest of the country, their old role in Transylvania also came to an end. The last recorded general assizes dates from the year 1412.

However, in Transylvania, in the second part of the fifteenth century, the term *generalis congregatio* had another meaning as well. Besides the voivode's tribunal, the octavial law court, the term was also used for the emerging corporatist meetings of the Estates of the three Transylvanian nations. It was, however, not accidental that the name of the old juridical assembly was transferred to the new proto-parliamentary institution. Even if administration of justice was the former's main task, matters of more general interest were also raised and statutes issued. When Voivode Tamás of Szécsény issued regulations for the judicial process in 1342, he responded to the complaints of the "university of the nobility" about perceived abuses in the proceedings. The voivode not only redressed their complaints but also passed several resolutions showing that full authority rested in his hands. Nothing was more logical than that the nobles, the Székely and the Saxon leaders who gathered there, use the occasion of a judicial meeting to discuss issues of common concern. Thus the meetings underwent an unnoticed transformation into conferences of the Estates.

On the other hand, at the end of the fourteenth and the early fifteenth century, when the Estates of Hungary began to play a definitive role, the voivode called together several times the higher born and respectable men of Transylvania to discuss important issues of public interest. These people were not elected delegates of the counties nor appointed to represent society, but participated on the basis of personal prestige. They were aptly characterised by Voivode László of Losonc, when he called them "the elder and more eminent members of the country." Such a meeting was held in November 1391, and again in July 1402, in Gyulafehérvár with the participation of the bishop. It is uncertain whether Székelyek and Saxons participated in the former, but records prove their presence in 1402.

Since basically the same magistrates and assessors met at Torda, who were able to voice their views on Transylvania's political questions and public issues, it was no wonder that the two meetings with two distinct origins were similarly named. One significant difference divides the fourteenth-century general assizes from the meetings of Estates in the mid-fifteenth century: while the former was called by the voivode on royal mandate, the latter met according to the independent decision of the Estates.

## Unions and the Three Nations

So far our view of Transylvanian social development has focused on the changes in those institutions which grew from, and retained common features with, ones in the mother country. Let us now turn to the differences in the life of such institutions which become ever more clear after the middle of the fifteenth century.

While in central Hungary the location of the Diet at the fields of Rákös had become symbolic of the corporatist system, in Transylvania the general assembly's location was not as important, nor was the passing of reforming decrees and statutes. Rather, the Transylvanian diet was characterised by engineering agreements, alliances, and unions, and passing regulation concerning the co-operation of *nationes*. In Transylvania the Diet held together communities of people deeply rooted in their different daily lives, administering their fate on their own, but rising to the status of a nation in the course of their cooperation in Transylvania as a whole. As all these communities lived a life of their own and neither could dominate the other, the Transylvanian Diet was not the scene of heated party struggles comparable to those at Rákös between the lesser nobility and the aristocracy.

The first formal union of the nobility, the Székelyek, and the Saxons was a response to the peasant war of 1437 in which Hungarian and Romanian peasants, led by some poor nobles and supported by a few cities, rose against the bishop of Transylvania.<sup>18</sup> The lords got into a dire situation, because they had to bargain with the rebels who had scored impressive initial victories, and had to face demands, which touched upon the core of their privileges. The movement had affected those Saxon elites who had villages and tenants under their control in the counties. Though the leaders of the Székelyek were not so closely interested, their personal relations with the nobility and the instinctive desire to maintain the existing social order, also sent them over to the side of the nobility. The other motive was the threat from abroad, from the Ottomans, and the need to avert it. Forced into the defensive, the nobles of the seven counties, the Saxons of the two seats and the burgers of Beszterce/Bistrita, together with the Székelyek met on September 16, 1437 at Kápolna/Căpâlna, north-west of Dés/Dej in Co. Inner Szolnok, and, having discussed the "grave issues" of Transylvania, recorded their agreements in writing. As the charter which spelled out the conditions of the alliance was issued by the deputy voivode Loránd Lépes, who also stated that it was he who brought about and ordered the "fraternal union," presumably it was also he who initiated the meeting.

According to the charter of Kápolna, the nobles, Saxons and Székelyek gave their pledge upon the cross to oblige themselves for eternity to remain loyal to the holy crown and the king, confront any attack threatening the country, and would jointly participate in the defence. The condition, however, was that in case the king planned something to the detriment of one of the three parties, the two others would kneel down to pray for clemency, but could not be obligated to render assistance against their fellows. Military matters, supply

of troops, and related issues were also regulated. If the nobility, the Székelyek or the Saxons asked for help in case of an enemy attack or conflict, the others were obliged to set out next day and to cover at least three miles daily. The party failing to comply with his duty would pay for it not with his property but with his head. It was also ordered, and oaths taken that any conflict between the bishop and the chapter on the one hand, and the nobles, Saxons and Székelyek on the other, should cease.

Although this *fraterna unio* concentrated on common defence, the peasant revolt and the Ottoman menace were only the immediate, external causes. There had been crises earlier as well—at the time of the Mongol invasion or in the fourteenth century—which could have mobilised Transylvanian society in a similar way, but the solution was left to the central authority, the king. It was rather the concatenation of social development, the attitude of the age, and the external causes that led to the conclusion of the union of 1437, symbolising the specific Transylvanian corporatist system. The union was clearly of *ständisch* character, similar to such alliances and agreements in many other countries, for example in nearby Silesia, where the cities and the Estates frequently entered into alliances with each other.

Next year, in 1438, the general congregation of nobles and Saxons, held at Torda, confirmed the agreement and the *unio fraternitatis* in front of the deputy voivode. This step suggests that the participants of the general congregations of Torda habitually discussed, besides legal cases, also other common issues and reached agreements on these.

After a series of meetings in the subsequent decades—mostly called by the regent, János Hunyadi, for military purposes—in 1459, the nobility, the Székelyek, and Saxons agreed upon a union for the second time. By then the corporational system came to age in all of Hungary. Moreover, in 1458, it was enacted that a Diet should be held annually at Pentecost in Pest. The developments could not leave the leading social groups of Transylvania unaffected. King Matthias allowed the development of the corporatist system and himself made efforts to transform the society in that direction. He was not afraid of the nobility's influence, because he felt himself strong enough to limit and utilise it in public interest. In November 1459, he sent the *ispán* of Temes and of the Székelyek, John of Lábatlan, as his envoy with a special commission and authorisation to Transylvania. The voivodeship was in the hands of the two lords of Rozgony. Thus, if a royal emissary and not they called the nobles, Székelyek, and Saxons to a meeting, it implied that the Estates could proceed and pass resolutions without the voivode. Lábatlani's mission was necessitated by "several different and highly important issues," stated the Estates, without specifying them any further. The general congregation was held at Medgyes/Medias, where the nobles and the lords, and all the three Estates, Székelyek, Saxons, the representatives of the cities of Brassó/Brasov and Kolozsvár participated; only the delegates of Beszterce were missing. Participants of the meeting passed certain resolutions (*statuta*), codified agreements, and, having received the Transylvanian bishop's consent, they had the chapter of Gyulafehérvár—and not the deputy voivode, as it was the case in 1437—commit them to writing. As

they themselves went to the ecclesiastical place of authentication, and the agreement was issued under its seal, the autonomy of the Estates is conspicuous.

Clearly Matthias did not send Lábattani to Transylvania to work out such an agreement. The union was the work of the Estates, who utilised the opportunity that they had to congregate at Medgyes. Possibly Lábattani wanted to persuade them to offer a tax. There is a passage emphasizing the preservation of old liberties and privilege, which may have been a defensive step in the face of such objectives. Otherwise the contents of the diploma remain general, though somewhat more precise than the points of 1437. The designations of the agreement are also noteworthy: *foedus unionis*, *pactum unionis*, *concordiae et dispositionis confederatae*.

The very significant military regulations of the year 1463 may have also been worked out by the Transylvanian Diet. In that year Matthias held a Diet in Tolna, and persuaded the Hungarian estates to make unusual efforts as he was preparing for a major campaign against the Ottomans. The representatives of Transylvania were also present at the Diet, just as the delegates of Dalmatia, Croatia and Slavonia, but since conditions in their part of the kingdom were different, the decisions were committed into writing. The regulations were not put in the form of a privilegial charter, the typical preamble and final clause are missing, hence the document does not disclose whether it was worded at the general assembly. The main points of these regulations were the following:

1. In the case of general campaign noblemen and landowners must go to war as individuals, excepting the seriously ill and the aged. In Hunyad county, as it was most exposed to enemy attacks, one-third of the nobles could stay at home, whereas in other counties this proportion was one-fourth.
2. All tenant peasants individually participated in the military ventures; the better-off on horseback, the poor ones as foot soldiers with musket or peasant arms. According to old custom one-fifth of them could stay at home to defend the strongholds and fortresses.
3. Nobles who had only one tenant or none, went to war as individuals, the wealthier among them as mounted soldiers, the poor ones as foot soldiers, whereas one-fourth of them stayed within the boundaries of Transylvania.
4. The high born and the nobles, if they could be carried only by carriage because of their age, were obliged to send a proxy. The same applied to widows.
5. The *ispánok*, together with at least five noblemen elected by the university of the county, conscribed those suited for military service by name and number and led the armed forces of the county to war, and gave an account in front of the community of the county if required.
6. At the compilation of the register the *ispánok* and the elected noblemen inspected the horses, bows, quivers, spears, shields, and the military equipment in general, so

that they may be able to rally at the appointed place, had the general insurrection been declared, either by the voivode's letter, or by a bloody sword being carried around, or by any other means, and march under the command of the voivode, with one of the *ispánok* going ahead with the banner (*signum publicum*).

7. If a father and his son or two brothers lived on undivided common property, only one of them had to go to war in the case of general insurrection, and if he fell the other one did not have to go.

8. In the castles which served the interests of public security, the castellans could stay at home, the stewards of the high ranking lords could also stay in the household, together with so many landless noblemen and serfs of Hungarian descent as many were decided upon by the *ispánok* and the elected noblemen. However, their name also had to be registered together with one-fourth of the noblemen.

9. The army of the nobility was commanded by one of the voivodes as the captain-general of Transylvania, whereas the other voivode, or the deputy voivode, if there was only one voivode, was to stay in Transylvania. If there was no voivode, the deputy voivode was the captain. However, the army of the nobility could not be led beyond the frontiers of Hungary, unless they were ready to go voluntarily.

10. According to an old custom, the Székelyek would send two-thirds of their armed men to the army, and one-third of them would stay at home. They were called to war by a bloody sword, by the Székely *ispán*'s letter, or by the voivode's letter if he was also the *ispán*. If necessary, the captains of the seats signalled mobilisation by drums and pyres lit at places called fire moulds. Had somebody stayed away, he would lose his head.

11. The captains of the seats were obliged to muster the weapons in peace. All those who violated the regulations were to lose their property and head. An instigator to rebellion was to be tortured to death by hot iron and he could not be saved even by the king's clemency.<sup>19</sup>

Finally, the manifesto, in which the participants of the revolt of 1467 turned against the king, can also be seen as closely related to the alliances and unions. The argumentation was characteristically corporatist: by the abolition of the privileges granted by earlier kings they themselves, as well as the entire country suffered oppression, and since they had almost got into final decline, they decided in unison to defend by arms the liberties and privileges of Hungary. They elected the three Transylvanian voivodes and Imre and István of Zápolya as their superiors (*directores et antecessores*), pledged obedience to them, and acknowledged their right to adjudicate in their cases in keeping with Transylvanian legal customs. The signatories promised not to let themselves be dissuaded by fear, friendship, trick or gift from their superiors until their enterprise was accomplished, but would stick to them even at the cost of their lives. Finally they strongly pledged themselves to keep the

obligations listed in the diploma, which contains the words of the oath as well, stressing that whoever did not observe the compact, would be punished by the loss of his office and honor (*humanitas*), and would be excommunicated.

With this step, the Transylvanian Estates reached the final point of the road towards a declaration of autonomy of the Estates. The next step could have been only to get rid of the king and elect one for themselves. Matthias's strong hand soon stopped this "Polish" trend. The alliance of 1467 proved merely as an episode. The development of corporatism was characterised by the co-operation of society and state: the king allowed the objectives of local government freely unfold and even supported them, but he also hindered those selfish social energies paralysing the functioning of the state, and encouraged others to work for the community. In practice this was done by the monarch when he invited the Estates to conferences, where he made recommendations and tried to win them over to support his plans, on the other hand the Estates could present their complaints, and work out a compromise with the crown.

## Aristocrats and the Lesser Nobles

The leading role of the lesser nobility and their influence was so strong that it could not be challenged by the baronial reaction following the death of King Matthias. The fact that the lords of great estates did not try to radically turn against the lesser nobility had causes deeply rooted in Transylvanian society. The most conspicuous of these was that the big landlords of Transylvania did not call themselves barons or magnates. Those who would have been regarded as barons in the mother country because of their wealth, called themselves *potiores nobiles* in Transylvania, and called the lesser nobility, the Székely and Saxon leaders, their *fratres*.

Miklós Bethlen may be a good example. A plethora of estates accumulated in his hands. He owned ten whole villages and parts of sixteen in Székely; in Co. Fehér and Torda he held seven estates each; in Co. Kolozs he had thirteen, in Doboka in nine estates; in Inner Szolnok he had three entire estates, and so on. In his youth he served in Matthias's army and became captain of the castle of Retz in Lower Austria. As the confidante of the king, he became the commander of John Corvin's castle of Sztrapkó. His authority is indicated by the fact that he was among the approximately one hundred high ranking personalities who confirmed the peace treaty of Pozsony (with Maximilian I of Habsburg) of 1491 and his name was in the company of such baronial families as those of Hédervári Kanizsa, Rozgony, Frangepán, Kinizs, Szentgyörgy, Zapolya, and Ujlak. Yet at home he was only a *potior nobilis*.

His peers of similar wealth were the leaders of the Transylvanian lesser nobility, not barons. Their role becomes clear through the following instances. In 1515, the wealthier nobles of Transylvania (*potiores nobilium regni Transsilvanie*) met in Gyulafehérvár to discuss with the bishop the welfare and the defence of the country. They decided to

hold a congregation in Székelyvásárhely/Mures-Osorheiu so that the Székelyek could also easily send delegates. The bishop promised his participation in the meeting, to which the Saxons were also invited so that they may "confer and make decisions together." Of the persons who had issued the letter of invitation and negotiated with the bishop, five people signed their name: Márton of Transylvania (Erdélyi) from the Somkereki Erdélyi family of Co. Inner Szolnok, Miklós Bethlen, Ferenc Apafy, János Horváth, whose family came to Transylvania recently (and, as his predicate "of Zapolya" indicated, from the south), and Gáspár Sikesd from a lesser noble family of Co. Küküllő.

The other list of persons is connected with a meeting held by Hungarian nobles and Székelyek in Marosvásárhely/Tirgu Mures in 1524. There the case was raised of Pál Székely, a nobleman, hanged by the castellan of Fogaras, which was "an incredible thing in Transylvania." They sent Székely deputies to the king to protest and also informed the Saxons that after the return of their deputies all the three nations should meet. They reminded the Saxons in their letter that they had agreed and obliged themselves, at the general Diet held after the death of Matthias that if "they were oppressed by the magnates or the powerful, or by anybody," and if the nation concerned had no power to resist such treatment, all the three nations were to rise in revolt. Those against whom they wanted to take action were the magnates and the powerful, the representatives of the king.

The invitation addressed to the Saxons preserved twelve names: a mixture of famous aristocrats, members of prestigious but poor families, lesser noblemen, and Székely dignitaries, among them those who had signed the letter of 1515. Several of the people in the list are known to have been related to one another by blood and marriage. Presumably they had some closer or more distant family relationships with the others as well. Thus whenever the leaders of the lesser nobility went to visit relatives, they could at once settle public issues as well, or, whenever gathered for a national conference, they met as relatives and not aliens.

It was, therefore, above all the family ties between the higher born and wealthier lesser noblemen that hindered the caste-like separation of the Transylvanian aristocracy. Political and social leadership was in the hands of a small group, the members of which were not magnates, nor simple and poor noblemen, but *potiores nobiles*. They were the leaders of such movements as those of 1515 or 1524, whose names appear in the charters and whose seals were affixed to it.

However, when we say that the big landlords and the lesser nobility could co-operate because they were relatives, we speak about a consequence and not the cause. The explanation lies in the family sizes, which a comparison to the mother country may make clear. In Transylvania rich landed families had many members, they were true clans. Miklós Bethlen had six sisters and brothers; Elek Bethlen had ten. Thus great wealth was divided into many parts in each generation, and not all the branches were able to increase their share of the inheritance. But, even if they were less well off, family relations were kept up. Brothers-in-law and sons-in-law were also regarded as relatives. Every family tried to enter



into relationship with another family on its own level, but suitors of less wealth and standing were not rejected either.

One of the leading families of Transylvania was definitely the Bánfy of Losonc. They descended from the ancient Tomaj lineage, and their ancestors were major lords in the mother country in Árpadian times. They owned huge estates in Transylvania as well. Several family members became voivodes. It is, however, worth noting that at the end of the middle ages they marry families of the better-off lesser nobility. Károlyis, Bethlens, Somlyai Báthorys, Bátori Szaniszlófys quite frequently appear in the genealogy. Members of the lesser nobility are not missing either, such as scions of the Haranglábi, Dobokai, Barlabási families. And even people with a burger background appear: András Bánfy's wife was Zsófia Kis of Kolozsvár, Katalin Bánfy's husband was the learned László from Szolnok.

Originally, the aristocratic families of the mother country also came from the prominent branches of an ancient lineage.<sup>20</sup> They also had an extensive network of relatives, but in the fifteenth century these clans fell apart. The poor branches of the kindred declined and lived the life of simple noblemen, while the rich and prestigious ones went their own way. The baronial kindreds of the Garai, Rozgonyi, Hédervári, and so on, originally had a large number of relatives, but when they rose to the top, they constituted only single families. Subsequently they intermarried, obviously to keep the property intact and to unite the wealth of two dynasties, so that their power could grow by the new relationship. There were many foreign families among the Hungarian aristocracy, and marriage ties were established with Polish, Czech, Austrian, German, and Italian high nobility. However, many of these marriages were not successful in terms of producing heirs. The fate of the family of László of Gara is a good example. His father was also palatine, his mother was Anna of Cilly, and his wife Alexandra, princess of Teschen. They had only one daughter and one son, both of them remained childless, thus the branch of the palatine died out with them. Other baronial families disappeared with similar speed. Wealth was growing, together with power, but the family became extinct, when the barons turned away from their blood relations in the lesser nobility for foreign princesses. In Transylvania the high ranking families did not get isolated. Marriages with noble families from the region and the large number of children kept the patriarchal traditions alive and hindered the evolution of a separate baronial stratum. Additionally, constant military service also connected the Transylvanian aristocrat, who called himself *potior nobilis* instead of baron, to the lesser nobility.

## A Society of Warriors

Military service figures as a decisive factor in the entire history of Transylvania. The stipulations of the military rules of 1463 outline the image of a rigorous military preparedness.<sup>21</sup>

As we have seen in that ordinance, the burden of military service was greater upon the Hungarian nobility than upon the other parts of Transylvanian society. Their preeminence was also justified by the weaponry of the nobility which was more efficient and stronger than the arms of the two other nations' soldiers. However, as the wealthy landowners and the noblemen were originally both armored horsemen in knightly fashion and had to be in constant preparedness because of the frontier situation; they differed less from each other than from the lightly armed Székely warriors. It is understandable, therefore, that the aristocrats did not see themselves essentially different from the rest of the nobles, as expressed in the term *potior nobilis*.

The relationship between nobleman and aristocrat did not change even when the former's weaponry became lighter. In contrast, the "nobleman" seemed to rise on the scale of social prestige at the turn of the fifteenth and sixteenth centuries. Paradoxical as it may sound, when he put down his set of heavy weapons, inherited from the age of chivalry, instead of losing his status in society, he moved upwards. This can be understood if it is considered that the nobility did not change their weaponry out of a love of comfort, but because they adjusted to the tactics of the most dangerous enemy, the spahi of the Ottoman Turks. Verancsics described the Transylvanian noble levy of the mid-sixteenth century in these words:

They fight as cavalymen; in older times they were armored knights, now all of them are equipped with light weaponry. This custom was undoubtedly adopted from the Turks. Because in the time of King Matthias armored warriors were deployed, who scored great victories and performed glorious deeds. It was under Wladislas [II] and his son, Louis [II] that the armored knights were being gradually neglected. They were pushed into the background after the Battle of Mohács and completely disappeared together with knightly discipline; their place was taken up by those who are called hussars in popular parlance. Perhaps they were lured by the lightness of being soldiers, or by the briskness of the Turkish horses, or rather, as it happens to every mortal as a consequence of the wildness of war, the vanquished have taken up the customs of the victors.<sup>22</sup>

The nobility regarded armed service as a vocation. They did not risk their lives merely to have a preferential treatment in return, but because they identified the struggle against the Ottoman Turks with the fulfilment of the commands of the church. This idea was expressed by John of Faragó, who drew up his will in July 1456, "ready to fight against the Turks, the cruel enemy of Christians to defend the Catholic faith, the religion of the entire Christianity, for the defence of the holy crown of the Hungarian Kingdom, and for the sake of my soul's peace, in keeping with my vow." This sense of mission did not diminish with the passage of decades. In 1496, two noblemen of Pókfalva, Balthasar and Peter Kereky, when they applied to the pope for permission to transfer the Pauline monastery, founded

by their ancestors, to the Franciscans, called themselves "faithful warriors, who struggle against the enemy of the Christian name, against the cruel Turks."

Verancsics's characterisation of the Transylvanian Hungarian nobles sums it all up: "This nation is very brave at arms, does not know fear, and is highly conscientious in the defence of the country. It is somewhat slow starting the war and entering battle, but it shows more in action than it promised at the outset, so much so, that enraged it is unable to stop a war and battle until either the enemy or itself is destroyed."<sup>23</sup>

As long as the noble warriors remained true to their vocation, they could count on the appreciation of the entire society. The moment their devotion abated or they did not have to keep their hand permanently on the hilt of their sword because conditions have changed, they had to face a new world. It was up to them, whether they could keep their leading role by other merits, or—trying to rely on old prestige—to be seen as usurpers. The answer to this challenge came, however, only in by the centuries after the Ottoman wars.

## Notes

\* *Az erdélyi magyar társadalom a középkorban* [Hungarian Society in Transylvania in the Middle Ages], Budapest: MTA Történettud. Int., 1988 (Társadalom- és művelődéstörténeti tanulmányok, 2) pp. 18-63. The Hungarian version contains all the references to published and unpublished sources, which we have, for reasons of economy, omitted, while some explanatory notes were added by the editors. We have also left out the detailed discussion of the corporatist development in Transylvania, an issue in itself, and retained only those aspects that characterise the status and prestige of the lesser nobility.

1. See E. Mályusz, "Die Entstehung der Stände im mittelalterlichen Ungarn,," *L'Organisation corporative du Moyen Age 'a la fin de l'Ancien Régime*, Louvain, 1939, pp. 15-30.

2. The author used the received Hungarian expressions for the Transylvanian part and for the rest of the realm, often calling the latter "mother country" or referring to the traditional dividing point, the Királyhágó [verbatim: Royal Pass] and writing of the regions beyond and "this side of" it. We retained the simplified term "mother country" for most cases when other parts of the medieval kingdom of Hungary were meant, even though this term may conjure up modern connotation of a metropolis and colony, which, of course, would be entirely inappropriate for the relationship of the *partes Transylvaniae* and the entire *regnum Hungariae*. The text lost much of its picturesque quality by our doing so, but is, perhaps, easier understood by non-Hungarian readers. (Translator's note)

3. In *Megyei önkormányzatunk keletkezése* [Origins of the Autonomy of the Hungarian County], Bp. 1899, (Ért. a tört. tud. kör. 18:6) Tagányi had assumed that the ninth-century Hungarians distributed the land in the Danubian Basin among the warrior clans, thus creating an upper and a lesser nobility by hereditary right, whereas Transylvania was a conquered province, where the aristocracy came from 'beyond the forest', therefore, royal authority remained the source of all possessions. See also: Kádár, *Szolnok-Doboka megye monográfiája* [Monograph of Co. Szolnok-Doboka], Décs, 1901, 2: 228, 246.

4. F. Zimmermann-C. Werner-G. Gündisch, *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, Hermannstadt 1897-, 1: 7. - Were the charters for Transylvania edited in greater numbers, we should surely find just as many *servientes* there as in other parts of the realm.

5. See A. Fekete-Nagy, *A Szepesség területi és társadalmi kialakulása* [Social and Territorial Development of the Szepesség], Bp. 1934, pp. 253-301, 344-51; E. Mályusz, *Turóc megye kialakulása* [Development of Co. Turóc], *Ibid.*, 1922, pp. 53-148.

6. The importance of military service—in contrast to other royal services—is apparent from the fate of the inhabitants of the community Inokháza in Co. Doboka. The inhabitants of this village used to serve as bailiffs (*pristaldi*), which was not exactly military, but still higher than that of commoners or peasants. In the 1340s, they were exempted from this traditional obligation, whereupon they regarded themselves as nobles and free landowners. Later, the king granted Inokháza to a certain Master Ladislav of Doboka. The villagers objected to the *seisin* and claimed to be their own lords. The case came to the general assembly of the nobility, where it was proven that they served as 'messengers and bailiffs', that is, as servitors of the castle, and the grant was approved (Erdélyi Nemzeti Múzeum [Transylvanian Nat. Mus.], *Törzsanyag*, No. 134). Had they been soldiers and obtained a grant from the king for their village, they would hardly have fallen under a landowners jurisdiction.

7. Zimmermann, *Urkundenbuch* 1: 173-4. (See now in Gy. Bónis, J. Bak, J. R. Sweeney, *The Laws of Medieval Hungary, Decreta Regni Mediævalis Hungariae*, Bakersfield, 1989, 1:44-47; henceforth: DRMH. ) "Saxons" was the name given to German settlers in different parts of Transylvania, regardless, whether they came from Saxony (which few of them did) or other parts of the German-Roman Empire.

8. The notion of *collecta* may need some explanation. This levy appeared in the time of Andrew II, when the old tax called "freemen's pennies" was acquired by the landowners and the king was forced to introduce a new kind of tax to substitute it. In the thirteenth century it was regularly collected. The landowners tried to obtain exemptions for their serfs and tenants, as the royal taxation reduced the ability of the peasants of paying the seigneurial dues. The Golden Bulls of 1222 and 1231, the decrees of 1267, 1291, and 1298 assured them that the king would not levy *collecta*, but it was a promise which could not be kept. The king needed money; hence, he levied the *collecta* from each tenement. In the course of the fourteenth century so many of the barons and nobles obtained exemption from this tax, that it was finally discontinued. King Matthias's extraordinary tax, the *subsídium* can be regarded as the revival of the *collecta*. Even its measure resurfaced: the *collecta* was usually one, or half a *ferto* for each servile tenement, that is, a quarter of a mark silver (hence its name, from German *Viertel*), which was exactly the same after Matthias's reforms, when the tax was one gold florin.

9. The text of the Golden Bulls of 1222 and 1231 are now in DRMH 1: 34-41, where explanatory notes on the dues and levies mentioned here are also to be found.

10. Medieval Slavonia was the region between the rivers Drava and Sava, part of today's Croatia

11. See DRMH 2:8-13

12. Art. 1351: 4, *ibid.*, p. 10.

13. See S. Szilágyi, *Erdélyország története* [History of Transylvania with Special Reference to Cultural Development] (Pest, 1966) p. 198ff.

14. Actually, the issue of tithing in kind or in coin remained a contented issue throughout the Middle Ages, not only in Hungary or Transylvania, but that does not belong to the present argument; see e.g.

P. Gorecki, *Parishes, Tithes and Society in Early Medieval Poland* (Philadelphia, 1993, Transactions of the Amer. Philos. Soc. 82/2) pp. 109-11.

15. A. Verancsics, *Opera omnia*, ed. L. Szalay, vol. 6, Pest, 1860 (Mon. Hung. Hist. Scriptores 9), p. 164.

16. Zimmermann, *Urkundenbuch* 3: 321.

17. In 1408 Miklós Tuzsoni Bolgár accused a noble retainer of his, a certain Miklós Oldal, before two magistrates of Fehér county of stealing 24 forints from him. The magistrates had the accused caught and, as theft was proven, meted out capital punishment.

18. On this uprising, see J. Held, "Peasants in Arms, 1437-1438," in: J. M. Bak, B. K. Király, ed. *From Hunyadi to Rákóczi: War and Society in Medieval and Early Modern Hungary*, Brooklyn, 1982, pp. 81-88.

19. It is worth quoting this text in full, as it reflects well the military character of Transylvanian noble society. It is printed in *Székely Oklevéltár* [Székely Diplomatarium] I: 196-97 (first published by M. G. Kovachich, *Scriptores rerum Hungaricarum minores hactenus indeiti*, Buda, 1798,), but no original survived. Its authenticity has been often challenged, for it contains expressions not known from fifteenth century charters, especially the "three nations," a term first recorded from 1503. On the other hand, the display of a sword dipped in blood (assumed to have been the sign for mobilization among the ancient Hungarians, according to the thirteenth-century chronicles) is recorded as living custom among the Székely by the fifteenth-century chronicler John of Thuróczy. A. Borosy, discussing the military duties of the peasantry ("The *militia portalis* in Hungary Before 1526," in Bak-Király, *From Hunyadi*, p. 69), still doubts the authenticity of the actual text, but does not dismiss the possibility of the contents being essentially correct.

20. On this matter see now Fügedi's article in the present volume.

21. See above, pp. 43f.

22. A. Verancsics, *De situ Transylvaniae, Moldaviae et Transalpinae*, in: *Opera Omnia*, ed. L. Szalay, vol 2 (Pest, 1857, Mon. Hist. Hung., SS 2), p. 148-9.

23. Ibid.



**HISTORY & SOCIETY  
IN CENTRAL EUROPE  
2  
MEDIUM ÆVUM QUOTIDIANUM  
29**

**Nobilities in Central and Eastern  
Europe:  
Kinship, Property and Privilege**

edited by

**János M. Bak**

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Budapest**

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## LECTORI SALUTEM!

The aim of the editors and publishers of this series of occasional papers is to present recent results of research in social history to the international public. In the spirit of the Hungarian historian of Europe, István Hajnal (1892-1956), we believe that the history of "small nations" may highlight aspects of general development that are less visible in the life of major civilisations.

The volumes in this series will address specific aspects of social development in medieval and modern central Europe. We intend to focus on the region between the German lands and the Byzantine-Russian world, to explore similarities and differences in this area. Instead of arguing the validity of the term, we shall publish studies that may enable our readers to decide to what extent is "central Europe" a historical reality or merely a dream of intellectuals and politicians. That is why we chose a medieval map for our cover: it emphasizes the centuries-old connecting function of the great rivers but contains no ephemeral political boundaries.

It is also our hope to contribute to the understanding of present developments and upheavals in a region about which few critical analyses are available in the English-speaking world. At the same time we should like to foster modern methods and approaches in social history, for so long neglected in our countries.

The present volume appears in close cooperation with the *Medium Aevum Quotidianum* Society and contains studies mainly on medieval and early modern nobilities of the region. The papers of two recently deceased Hungarian medievalists as well as articles of a Czech, a Polish and a Bulgarian historian discuss the social history medieval nobilities. Two articles, on Hungarian and Austrian nobles of the *ancien régime* look at social mobility and estate in the seventeenth and eighteenth centuries. The volume closes with an essay by István Hajnal on the end of the noble-corporatist world in nineteenth-century Hungary. With publishing three articles of the generations preceding ours, we wish to bow to those who taught us, without wanting to hide that their questions and answers are not necessarily ours. By printing papers of younger scholars, in turn, we hope to present recent research in the area on topics that are discussed among social historians everywhere.

The volume editor wishes to express his gratitude to those friends and colleagues who assisted in the - often almost unscrimountable - task of translating and editing the Czech, Magyar and Polish contributions: Catherine Allen, Simon Carne, Tamás Domahidy, Vera Gáthy, Ryszard Grzesik, and Paul Knoll. Needless to say that he alone feels responsible for the remaining shortcomings, which are, probably, many. Maybe, we shall publish once a volume only on the intricacies and pitfalls of translating medieval and medievalist texts.

# H & S

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