

## Atrocities and Executions of the Peasant Rebel Leaders in Late Medieval and Early Modern Europe\*

Paul Freedman

In the spring and summer of 1514, peasants in Hungary launched a revolt against the rulers of the kingdom. A crusade preached against the Turks by the cardinal-archbishop of Esztergom turned into a holy war against the Hungarian nobles whom the peasants accused of betraying the Christian cause by continuing their exploitative lordship and refusing to make any effort to defend the realm. After two months the rebellion was put down by Janos Zápolya, the governor (*voivoda*) of Transylvania, who defeated the peasant army near Temesvár (modern Timisoara in Romania). The peasant commander, a member of the minor nobility known alternatively as György Dózsa or Georg Zeckel, was captured and about ten days thereafter (on or near July 25) executed in a manner so stunningly barbarous that across Europe contemporaries, inured though they were to gruesome public spectacles, took notice. Dózsa was placed on an iron throne which was then heated while a red-hot iron circlet was placed on his head in a mock coronation ceremony. Still alive, the partially roasted Dózsa was then removed from the throne and his followers, who had been starved for this purpose, were forced to eat his flesh. Two who demurred were immediately dispatched. Dózsa's remains were then quartered and sent around Hungary for display.<sup>1</sup>

In a letter dated July 31, 1514, the Bamberg cathedral canon Lorenz Beheim wrote to the Nuremberg humanist Willibald Pirckheimer condemning the tortures and executions meted out to peasants which, he said, would have been

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<sup>1</sup> Documents concerning the Hungarian Peasants' War are collected in: *Monumenta rusticorum in Hungaria rebellium*, ed. Antonius Fekete Nagy et al. (Budapest: Akadémiai Kiadó, 1979). Most of the secondary literature is in Hungarian, but see Gábor Barta, "Der ungarische Bauernkrieg vom Jahre 1514," in *Aus der Geschichte der ostmitteleuropäischen Bauernbewegungen im XVI.-XVII. Jahrhundert*, ed. Gusztáv Heckenast (Budapest: Akadémiai Kiadó, 1977), 63-69; Peter Gunst, "Der ungarische Bauernaufstand von 1514," in: *Revolte und Revolution in Europa*, ed. Peter Blickle (Munich: Oldenbourg, 1975), 62-83; Norman Housely, "Crusading as Social Revolt: The Hungarian Peasant Uprising of 1514," *Journal of Ecclesiastical History* 49 (1998): 1-28; Paul Freedman, "The Hungarian Peasant Revolt of 1514," in: *Grafenauerjev Zbornik* (Ljubljana: SAZU, 1996), 431-46.

more justly applied to robber barons of Franconia.<sup>2</sup> Even those who denounced the violence and defiance of the Hungarian rebels felt uneasy about the savagery of the repression. Giovanni Vitale, an Italian living in central Europe, wrote to a Roman friend later in 1514, describing Dózsa's end as frightful (*atrox*) but ultimately merited.<sup>3</sup> Zápolya himself is reputed to have felt guilt over this deed and legend has it that he was unable ever again to see the elevated host at mass.

The execution of Dózsa was long remembered, if not with complete accuracy. Michel de Montaigne, writing seventy years later, used this incident (which he located in Poland), as an example of officially sanctioned cruelty.<sup>4</sup> In *The Tragedy of Hoffman*, an English play performed at the beginning of the seventeenth century, the protagonist avenges the torture and execution of his father by the "duke of Luninberge" by killing the duke's son Otho by means of a burning crown.<sup>5</sup>

The denouement to the Hungarian uprising is a startling example of ludic, carnivalesque inversion, not in the hands of the lower orders mocking their superiors but as a dramatization of seigneurial domination. In what follows I will discuss the implications of this quasi-official atrocity and point to some similar if not quite so spectacular incidents with different sorts of perpetrators and victims.

As is well-known, late medieval and early modern Europe saw frequent and elaborate public acts of torture and execution. Often these were stiffly choreographed events whose solemnity and meticulous preparation made the infliction of mutilation and death more horrifyingly impressive. The *auto da fe* of the Spanish Inquisition or the guillotine of the French Revolution were punctilious and ritualized, but the dignity of the official ceremonial was accompanied by humiliating clothes, the turnbrel or other expressions of contempt for the condemned. While exceptional individuals might merit a certain paradoxical deference at execution (condemned royal officials in fifteenth-century France being garbed in their robes of state on the way to the scaffold, for example),<sup>6</sup> it was more often thought necessary to dramatize the abjectness of the condemned whose evil deeds had separated him from the world of the living

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<sup>2</sup> Siegfried Hoyer, "Der ungarische Bauernkrieg in deutschen Flugschriften und Chroniken," in *Ostmitteleuropäische Bauernbewegungen*, 464.

<sup>3</sup> *Monumenta rusticorum*, 245 (no. 200). A similar conclusion was reached by the Italian historian of Hungary, Gian Michele Bruto, in the later sixteenth century: Brutus János Mihály, *Magyar Históriaja, 1490-1552*, ed. Ferencz Toldy, *Monumenta Hungariae Historia* XII, vol. 1 (Pest: Ferdinánd Eggenberger, 1863), 372-76.

<sup>4</sup> László Báti, "Montaignes Aufzeichnung über György Dózsa's Tod," in: *Ostmitteleuropäische Bauernbewegungen*, 457-60.

<sup>5</sup> Henry Chettle, *The Tragedy of Hoffman or A Revenge for a Father* (London: I.N. for Hugh Perry, 1631; repr. Oxford: Malone Society, 1951), lines 152-234. I am grateful to Sara Lipton for pointing this out to me.

<sup>6</sup> Examples in: Johann Huizinga, *The Waning of the Middle Ages* (New York: Doubleday, 1954), 11-12.

even before undergoing the final punishment.<sup>7</sup>

At Temesvár there was plenty of ceremony, but the emphasis was on mock seriousness and grotesquely festive reversal. The first surviving report of the execution is in a rather cheerful letter from the normally melancholic king of Hungary and Bohemia, Vladislav II. Writing to the imperial legate, Vladislav says that this Zeckel (as he calls him) was apprehended on the Feast of the Division of the Apostles (July 15). He describes the details of the execution and adds that it was quite appropriate that Zeckel's entourage, whom the rebel leader used to refer to affectionately as his "beasts," should have been forced to eat him. The violence is implicitly justified by the resulting dispersion of the peasants without further bloodshed.<sup>8</sup> A contemporary German account reports that while the execution scene was being set up, pipes and violins played and as Dózsa was roasted, dancing monks sang a *Te Deum*.<sup>9</sup> The illustrated title page to this pamphlet shows in rather schematic form Dózsa crowned and on the throne, one man biting his upper arm. The tableau is flanked by two musicians, one playing a wind and another stringed instrument. The scene is surprisingly static, even tranquil. The woodcut appears to have circulated independently and its implications contradict the rather hostile text of the pamphlet. Without the gestures and actions of the accompanying three figures, Dózsa could easily be confused with Christ as the Man of Sorrows. In late-medieval representations Christ is seated while being mocked, tormented and crowned with thorns by his executioners.<sup>10</sup> Indeed, Dózsa would come to be regarded as a martyr especially

<sup>7</sup> On the symbolism and meaning of public torture and execution, see Mitchell B. Merback, *The Thief, the Cross and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe* (Chicago: University of Chicago Press, 1999). On notions of cruelty, Daniel Baraz, *Medieval Cruelty: Changing Perception, Late Antiquity to the Early Modern Period* (Ithaca: Cornell University Press, 2003).

<sup>8</sup> Letter of Vladislav II to Nicolai Székely de Kövend in *Monumenta rusticorum*, 175-76 (no. 142): *Qui quidem Georgius Zekel ignito primum ferro coronatus est, deinde nudo corpore ligatus ad pedes a suis militibus, quos haydones Hungra lingua vocant, quorum opera tot tantaque mala perpetraverat et quos tam ioco quam serio bestias vocitare consueverat vivus dentibus discerptus et devoratus est. Postremo cadaver in quatuor partes dissectum patibulo suspensum est. Hoc genere mortis et vitam et crudelitatem suam terminavit. Et hoc pacto tota illa rusticorum turba sub Themeswar absque sanguinis effusione dissipata est et tumultus sedata.*

<sup>9</sup> *Die auffrur so geschehen ist im Ungerlandt mit den Creutzern, vund auch darbey wie man den Creutzer Hauptman hat gefangen unnd getödt* (Nuremberg, 1514). Copies of this rare pamphlet are in Budapest, Magyar Tudományok Akadémia Könyvtára, RM IV 88; Budapest, Széchényi Library, Röp 18b (photocopy); Wolfenbüttel, Herzog August Bibliothek [described in *Ungarische Drucke und Hungarica 1480-1720, Katalog der Herzog August Bibliothek Wolfenbüttel*, ed. S. Katalin Németh, vol. 1 (Munich, 1993), 23].

<sup>10</sup> Mariana D. Bimba, "A Mock Cavalry in 1514? The Dózsa Passion," in: *European Iconography East and West: Selected Papers of the Szeged International Conference June 9-12, 1993*, ed. György E. Szonyi (Leiden: E. J. Brill, 1996), figure 2 and her commentary, 97-98. A cycle of paintings by Giovanni Canavesio at the church of Notre-Dame de Fontaines at La Brigue (Provence) present Christ in tableaux similar to the woodcut of Dózsa's torment. Canavesio based his representation of Christ being tortured and crowned with

among Franciscans and in popular legend and a chapel in his honor was eventually constructed on the site of his execution, the marketplace at Temesvár.

A more chaotic scene is depicted in another illustration dating from five years after the event. Here as trumpets play, crowds of figures bite or torment the agonized Dózsa. In the background three men are impaled on standing poles, while another lies skewered on the ground at Dózsa's feet preparatory to being raised up as well. Mockery and carnivalesque inversion set an especially horrifying example or indicated martyrdom, two opposed but in some sense complementary uses and implications of cruelty. Stories of Christian martyrdom included not only endless torture but humiliation. Nowhere was this more detailed or frequently repeated than in fifteenth- and sixteenth-century depictions of the crucifixion.<sup>11</sup>

What is particularly interesting is that the complicated iconography of Dózsa's execution was more a pastiche of already-established elements of savagery, reversal and mockery than a ceremony invented for the occasion. Punishing rebels against royal authority by means of iron thrones or crowns, coerced cannibalism, and the allusion to both martyrdom and just punishment all had fairly well-established precedents in 1514 and some subsequent history as well. This is not to say that Zápolya and his associates ransacked available chronicles for ideas before deciding on the method of dispatching their captive but quite the reverse: that as the exercise was supposed to serve as a memorable example to discourage other would-be rebels, it had to correspond to a recognizable symbolic language.

There was an obvious logic to including a humiliating mock crowning in the punishment meted out to rebels and traitors. The Biblical crown of thorns or the paper crown placed on the head of the captured Duke of York in Shakespeare's *Henry VI*, part 3 are famous examples. To go a step further and make the crown the actual instrument of death might have struck those performing the execution as peculiarly appropriate. In 1197, over three hundred years before the Hungarian rebellion, the Emperor Henry VI suppressed an uprising of Sicilian nobles and ordered that a red-hot crown be nailed to the head of the ringleader who had claimed the title of king of Sicily.<sup>12</sup> Later the mock coronation/ execution was deemed even more appropriate to inflict on lower-class rebels who dared usurp powers that belonged to the royal authority. Jacques Calle, one of the leaders of the French Jacquerie of 1358, was captured by the King of Navarre and placed nude on a hot piece of iron while his head was crowned by a burning iron circlet. Thus, according to the *Anonimallé Chronicle* he finished his

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thorns on a painting (ca. 1480) of the crowning by Israhel van Meckenem now in the National Gallery in Washington. See Véronique Plesch, "Not Only Against the Jews: Anti-semitic Iconography and its Functions at La Brigue," *Studies in Iconography* 23 (2002): 144-50.

<sup>11</sup> Merback, *The Thief, the Cross and the Wheel*, especially 11-100.

<sup>12</sup> David Abulafia, *Frederick II, a Medieval Emperor* (London: Allen Lane, 1988), 85.

evil life as an example to others.<sup>13</sup>

The suppression of a peasant uprising that spread across parts of Croatia and Slovenia in 1573 included putting to death a rebel leader, a certain Matija Gubec, by means of the hot iron crown (without any sort of throne in this case). George Drašković, archbishop of Zagreb and imperial *ban* of the region, wrote to the Emperor Maximilian II asking for permission to put this punishment into effect. In his letter he refers to the rebel leader derisively as “Gubecz Beg,” the use of a Turkish honorific implying apostasy in addition to treason. The punishment, once again, is stated as intended to serve as an example to others.<sup>14</sup> Here the claim is made that Gubec declared himself king, an unlikely event unsupported in any other source, but an assertion that legitimated the mock coronation. The punishment is another carnivalesque inversion in which impudent pretense is savagely but comically (and, in the eyes of the executioners, appropriately) repressed.

In at least one instance the same manner of killing was performed by peasants against an unfortunate random member of the upper classes (or at least a plausible story was circulated to that effect). Peasant bands known as “Tuchins” in Artois and Picardy revolted in 1384. Among their supposed atrocities was the execution of a hapless Scottish squire named (somewhat generically) John Patrick. He had the misfortune to be caught by the rebels who had determined to kill anyone they came across who possessed courtly or urban speech, manners or affect. As a practical test, those whose hands were not calloused by manual labor were to be executed. Failing that test, John Patrick was dispatched by being “crowned” with a burning tripod.<sup>15</sup>

Peasant atrocities, or more accurately *stories* of peasant atrocities, tended

<sup>13</sup> *The Anonimale Chronicle*, ed. V. H. Galbraith (Manchester, 1927), 42: *Et le dit Jak pristrent et mistrent a sa penaunce pur sa mauveite et luy fierent sere tite new sour une treschaude et ardaunt tresde de ferre; et une autre chaude et ardaunt tresde mystrent sur sount test en lieu de coroune, et issint finyst sa mauveys vie a ensample des autres.*

<sup>14</sup> In Franjo Rački, “Hrvatsko-Slovenska seljačka buna” (The Croatian-Slovenian peasant revolt), *Starine* 7 (1875): 212: *Quendam ex ipsis, Gubecz Begum vocatum et noviter regem nominatum, ferrea eaque candenti corona, si Maiestatis V. S. voluntas accesserit, in aliorum exemplum coronabimus.* I am grateful to Oto Luthar for this reference and to Jane Miles for translating portions of Bogo Grafenauer, *Boj za staro pravdo na slovenskem 15. in 16. stoletju* (The struggle for the Old Right in 15<sup>th</sup> and 16<sup>th</sup>-century Slovenia) (Ljubljana: Državna založba Slovenije, 1974) and Ignacij Voje, *Nemirno Balkan: zgodovinski pregled od 6. do 18. stoletja* (Balkan unrest: an historical overview from the 6<sup>th</sup> to the 18<sup>th</sup> century) (Ljubljana: Državna založba Slovenije, 1994), 224-27.

<sup>15</sup> *Chronique du religieux de Saint-Denys*, ed. M. L. Bellaguet, vol. 1 (Paris: L’Imprimerie de Crapelet, 1839), 308-10: *Exequiturum facinorosum edictum* [i.e., that those with uncalloused hands be killed] *omnes jurant; et quamvis inde multos peremerint, quorum nomina non tenentur, tamen a fide dignis comperii, quod quemdam insignem armigerum, Scotum nacione, ad regem Arragonie destinatum, Johannem Patricii nomine, ceperunt, durante rabie, quem cum tripode ardenti coronantes nequiter interfecerunt.* On this revolt see Vincent Challet, “La révolte des Tuchins: banditisme social ou sociabilité villageoise?” *Médiévales* 34 (1986): 101-12.

to involve a frenzied inversion of authority in which a generally chaotic expression of supposed bestial violence was dramatized by a savage symbolism. Rapes, murder, cannibalism, roasting, are all topoi of peasant rebellion as described by literate contemporaries. Hungarian peasants in 1514 were labeled in one alarmed account *crucifixores* (crucifiers) who call themselves *cruciferos* (crusaders, those bearing the cross): perpetrators of terrible atrocities posing as defenders of Christ. This letter, by four provincial governors to a fifth, warns of the “rage” and “furor” of the peasants that will, if unchecked, not only lead to the extermination of the noble leaders but the barbarous rape and murder of their families.<sup>16</sup> The peasants’ rage is a species of natural force or innate savagery that has now, according to this letter, “boiled over” (*efferbuit*). Similarly Giovanni Vitale says that although the movement began as a sincere crusade, it degenerated into wild and random violence, especially rape and torture which are emblematic peasant atrocities. Vitale specifically mentions impaling nobles before the eyes of their wives and children, or raping the wives while their husbands were forced to watch. These are not landlords killed by their tenants but, as with the account of Tuchin violence, unfortunate members of a hated class who have fallen into the hands of the rebels.<sup>17</sup>

The French Jacquerie of 1358 is probably the *locus classicus* for medieval stories of peasant atrocities. According the account of the chronicler Jean le Bel, a knight was murdered by peasants who then forced his wife and children to watch as he was roasted. After raping the wife, the rebels then forced her to eat the knight’s flesh, and then she too was killed.<sup>18</sup> The story was repeated by Froissart whose chronicles would of course become known throughout Europe. Writing at some distance from the event, Froissart embellished slightly on Jean le Bel’s account, adding to the story of the roasted knight, for example, the detail that he was turned on a spit.<sup>19</sup>

The atrocious execution of Dózsa at Temesvár, therefore, mocked the pretensions to rule by means of a ghastly coronation, and mimicked what were regarded as canonical peasant atrocities, namely roasting and enforced cannibalism.

<sup>16</sup> Letter of the counts of Nógrád, Hont, Pest and Heves to the count of Abaúj, ed. *Monumenta rusticorum*, 116 (no. 73): *Quot homicidia, quot stupra et adulteria quotque cedes et incendia per maledictos sceleratissimosque crucifixores illos, que se se cruciferos appellabant, sed crucis potius Christi persecutores fuerant ...*

<sup>17</sup> *Monumenta rusticorum*, 244 (no. 200): *Evocati interdum quotquot nobilium vi apprehendere possunt, eorum corpora acutissimi studibus transfodiunt ante uxorum et liberorum oculos; neque hoc satis videtur vindictae, sed coram maritis miseras uxores stupro violant omnisque exercitus ...*

<sup>18</sup> In Marie-Thérèse de Medeiros, *Jacques et chroniqueurs: une étude comparée de récits contemporains relatant la Jacquerie de 1358* (Paris: H. Champion. 1979), 186: *Je n’oseroie escrire ne raconter les horribles faiz ne les inconveniens que faisoient aux dames; mais, entre les aultres deshonestes faiz, ils touerent ung chevalier et le mirent en hast et le rostirent, voyant la dame et les enfans. Aprez ce que X ou XII eurent enforcie la dame, il luy en voulurent fair mengier par force, puis ilz le firent morir de mal mort.*

<sup>19</sup> *Ibidem*, 189.

balism.

Whether or not such peasant atrocities really took place is unlikely to be demonstrated, these were what nobles believed peasants in rebellion customarily did. And yet there are other precedents for this aspect of the horrific drama. In 1456 a crusade was led by Hunyadi to relieve the Turkish siege of Belgrade. This anticipates the 1514 crusade in that here too peasant soldiers denounced the nobility for shirking their military and Christian obligations and continuing to levy exactions to enrich themselves rather than contributing to the crusade.<sup>20</sup> Also during this campaign, a conspiracy to betray the army to the Turks was discovered and the ringleader was burned at the stake after which his associates were forced to eat his charred remains.<sup>21</sup>

For the most part the atrocities I've described have a somewhat stereotypical post-Black Death aura. But the background to at least one of the symbolic atrocities goes back further to accounts of Christian martyrdom, reminding us, as with the iconography of Dózsa, that one side's exemplary punishment is another side's exemplary resistance. The execution of a number of saints included the imposition of a red-hot metal crown.<sup>22</sup> This is especially true of the St. Christopher legend. Christopher is best known for carrying the increasingly heavy Christ child across a river, hence his status as the protector of travelers until he was recently decommissioned by the Church. Often in the Eastern churches, and less commonly in the West, he was a dog-headed saint whose quasi-human status exhibited the care of God for even the most distant and unpromising peoples.

Christopher is one of those saints whose martyrdom was long and drawn out because tortures that kill normal people left him untouched. Among these torments was that he was placed on a glowing-hot iron stool or gridiron or covered with a glowing iron mantle, and, especially in Western iconography, his head was covered with a similarly heated helmet.<sup>23</sup> This is not necessarily a mock coronation, it should be noted, because Christopher's attributed crime was not a claim to any sort of political authority. His was a martyrdom that imitated Christ's sacrificial humiliation, so the association with the derisive crown of thorns was logical.

An early text describing this aspect of Christopher's passion is a fragment of a martyrdom account contained in the Anglo-Saxon manuscript, BL Cotton

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<sup>20</sup> The events of this crusade were observed by Giovanni de Tagliacozzo whose letters are collected in Ludwig von Thallóczy and Antal Áldásy (eds.), *Magyarország mellékartományainak oklevéltára 2* (Budapest, 1907). On the anger against the nobles, see Tagliacozzo's account in Luke Wadding, ed., *Annales Minorum seu trium ordinum a S. Francisco institutorum* 12/3 (Quaracchi: Tipografia Barbera, Alfani e Venturi, 1932), 793.

<sup>21</sup> Bimbaum, "A Mock Calvary," 95.

<sup>22</sup> Hippolyte Delehaye, *Les passions des martyrs et les genres littéraires* (Brussels: Société des Bollandistes, 1921), 282-87.

<sup>23</sup> *Lexikon der Christlichen Ikonographie* 5, 506; Hans-Friedrich Rosenfeld, "Der Heilige Christophorus: Seine Verehrung und seine Legende," *Acta Academiae Aboensis, Humaniora* 10/3 (1937): 358.

Vitellius A. xv which also has the unique copy of *Beowulf* and the collection of exotica known as *The Wonders of the East*. In this incomplete saint's life, Christopher is tortured over several days and only dies on the third day by decapitation. The fragment in Cotton Vitellius begins with his torture, but in other early English accounts he begins as a dog-headed semi-human who is miraculously transformed by his conversion and martyrdom. On the first day of his torture he is enthroned on an iron seat set over a massive fire and crowned with a burning helm, but this has no effect.<sup>24</sup> In *The Golden Legend*, which would enshrine hagiographic images for future learned and popular culture, Christopher first is crowned with an iron helmet and then placed in an iron chair above a raging fire fed by pitch, again to no avail.<sup>25</sup> While artistic depictions of St. Christopher usually show him carrying the Christ child, the details of his martyrdom were also occasionally presented. A Romanesque painted altar frontal from twelfth-century Catalonia shows Christopher's torture and death in panels surrounding a central representation of Christopher carrying Christ. In the lower left-hand section, he is half-lying on the ground, surrounded by flames as an iron cap is placed over his head at the order of the emperor while the hand of God protects him.<sup>26</sup>

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We've seen that various elements of the multi-atrocity execution of Dózsa had separate precedents or afterlife: the iron crown, the throne, roasting, and cannibalism. These were mingled with other horrible reputed deeds (such as rape) in earlier instances. All the incidents, both official and spontaneous, were in the nature of public spectacles, the public including not only those who were supposed to take home an indelible lesson from the performance, but a smaller humiliated "participating" audience (family, followers) who had to witness the atrocious cruelty or take part in it, or be similarly victimized in sequence. These events were not simply outbreaks of frenzied peasant violence (although chroniclers of peasant wars portray them this way), nor were they solely theatrical demonstrations of established power on the order of the ceremonial penances and executions already mentioned. The elements of atrocity were borrowed and traveled back-and-forth between lower-class rebels and upper-class enforcers of state authority and so mutually referential.

The common people did not have a monopoly on the carnivalesque

<sup>24</sup> Joyce Tally Lionarons, "The Old English Legend of Saint Christopher," in: *Marvels, Monsters and Miracles: Studies in the Medieval and Early Modern Imaginations*, ed. Timothy S. Jones and David A. Sprunger (Kalamazoo: Medieval Institute Press, 2002), 180. See also the edition of an eighth-century passion of St. Christopher based on a Würzburg (Universitätsbibliothek) manuscript in Rosenfeld, "Der Heilige Christophorus," 526, which also refers to an iron helmet (*cassidis*).

<sup>25</sup> Jacobus de Voragine, *The Golden Legend*, trans. William Granger Ryan, vol. 2 (Princeton: Princeton University Press, 1993), 14.

<sup>26</sup> Barcelona, Museu Nacional d'Art de Catalunya, MNAC/MAC 4370, Taula de Sant Cristòfol. I am grateful to Montserrat Pages Paretas for this information.



ceremonies of social reversal. We have learned from Bakhtin and of course from historians such as Natalie Davis and Robert Darnton about the complex symbolic order and representation inscribed in what were once dismissed as merely excesses of bizarre, lower-class frenzy.<sup>27</sup> The public infliction of torture and mutilation, whether at the hands of a mob or the state, fulfills in a disturbing but apposite manner the ludic qualities of the Carnival and its association with the all too malleable body.

What is perhaps more disturbing is the pleasure taken by the modern public in the ritualized mutilation, murder and/or humiliation of victims of officially sanctioned mob violence. The recent examples of Rwanda and Bosnia demonstrate this. Lynchings in the early twentieth century American South were family entertainment. Far from being secret atrocities, they spun off postcards and other memorabilia.<sup>28</sup> The 1938 *Anschluss* was marked in Vienna by forcing elderly Jews scrub the sidewalks on their hands and knees. Daniel Goldhagen's book, although flawed in its interpretations and conclusions, nevertheless presents evidence of the picnic-like atmosphere surrounding the burning of villages, the hunt for Jews and their murder reported casually by perpetrators to those back home.<sup>29</sup> The "terrible secret" of the Holocaust, as Walter Laqueur termed it, and the industrialized extermination of the camps existed alongside a hideously theatricalized world of atrocities and a not-so-secret world of public or informally publicized spectacle in which the supposed arrogance or social claims made by those considered subordinate were obsessively – symbolically as well as physically – extirpated.<sup>30</sup>

The atrocity of 1514 is fairly isolated and limited in its impact compared with modern instances of persecution and genocide, but it shows the ability of the political authorities to participate in or imitate popular carnivalesque rites of misrule and indicates that these rites were composed of multiple elements with a complicated symbolic past.

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<sup>27</sup> Mikhail Bakhtin, *Rabelais and His World*, trans. Hélène Iswolski (Cambridge Mass.: M.I.T. Press, 1968); Natalie Zemon Davis, *Society and Culture in Early Modern France* (Stanford: Stanford University Press, 1975); Robert Darnton, *The Great Cat Massacre and other Episodes in French Cultural History* (New York: Vintage Books, 1984).

<sup>28</sup> *Without Sanctuary: Lynching Photography in America*, ed. James Allen et al. (Santa Fe: Twin Palms, 2000).

<sup>29</sup> Daniel Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: Alfred A. Knopf, 1996).

<sup>30</sup> Walter Laqueur, *The Terrible Secret: An Investigation into the Suppression of Information about Hitler's "Final Solution"* (Boston: Little Brown, 1980); Inga Clendinnen, *Reading the Holocaust* (Cambridge: Cambridge University Press, 1999).

# AT THE EDGE OF THE LAW

MEDIUM AEVUM QUOTIDIANUM

SONDERBAND XXVIII

# **At the Edge of the Law:**

**Socially Unacceptable and Illegal Behaviour  
in the Middle Ages and the Early Modern Period**

Edited by

Suzana Miljan

and

Gerhard Jaritz

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## Table of Contents

Preface .....	7
Damir Karbić, The Thin Border Between Justice and Revnge, Order and Disorder: <i>Vražda</i> (Enmity) and Institutional Violence in Medieval Croatia .....	9
Marija Karbić, Women on the Wrong Side of the Law. Some Examples from Medieval Urban Settlements of the Sava and Drava <i>Interamnium</i> .....	21
Sabine Florence Fabijanec, <i>Ludus zardorum</i> : Moral and Legal Frameworks of Gambling along the Adriatics in the Middle Ages .....	31
Gerhard Jaritz, Outer Appearance, Late Medieval Public Space, and the Law .....	50
Zoran Ladić, Criminal Behaviour by Pilgrims in the Middle Ages and Early Modern Period .....	60
Paul Freedman, Atrocities and Executions of the Peasant Rebel Leaders in Late Medieval and Early Modern Europe .....	73
Lovorka Čoralić, Unacceptable Social Behaviour or False Accusations: Croats in the Investigations of the Venetian Inquisition .....	82
Slaven Bertoša, Robbers, Murderers, and Condemned Men in Istria (from the Sixteenth to the Eighteenth Century) .....	98
List of Contributors .....	132

## Preface

This publication contains selected papers from a conference held in Zagreb (Centre for Croatian Studies, University of Zagreb) in 2009, dealing with the medieval and early modern period, and translated into English for this purpose.\* The main goal was to gather papers on a topic that has not been researched enough amongst Croatian historians, that is, the socially unacceptable and illegal behaviour of individuals who were “walking at the edge of the law.” The general idea was also to present various research questions at the intersection of social and legal history, from the problem of feuding in medieval society to the various types of delinquency by pilgrims. The emphasis was put on the Croatian territory in the Middle Ages (from Slavonia to Istria and Dalmatia) and set in a broader (East) Central European context. The articles follow a chronological sequence, starting from the High Middle Ages, with a particular focus on the late medieval and early modern period.

The first paper is by Damir Karbić, who deals with the use of violence as a means of obtaining justice and re-establishing order, which was one of the peculiarities of the medieval legal system when compared with Roman law. After presenting different cases of feuds in Croatian sources, he discusses, how medieval communal legislation treated feuds as a separate legal institute, using the example of the city statutes of Split.

Marija Karbić concentrates on the ways in which women from the medieval urban settlements of the Sava and Drava *interamnium* came into conflict with the law by various criminal actions, from insults or brawls to abortion and murder. She connects those problems with the economic situation of these women, basing the analysis mainly on theft and prostitution cases. The women were sometimes punished severely, but sometimes pardoned or punished minimally.

The problem of gambling along the eastern Adriatic coast is the research subject of Sabine Florence Fabijanec. She analyses the urban statutory regulations stretching from the thirteenth to the sixteenth century. She deals with the adoption of legal provisions against gambling and shows the diversity of approach to gambling from city to city.

Gerhard Jaritz analyses the interdependence between late medieval material culture, human behaviour, religious discourse, and legal culture using the example of actions connected with *superbia* that played a role in public

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\* The Croatia version of the conference proceedings is published as Suzana Miljan (ed.), *Naribu zakona: društveno i pravno neprihvatljiva ponašanja kroz povijest*, Biblioteka *Dies historiae*, vol. 3 (Zagreb: Hrvatski studiji, 2009).

urban arguments. The secular authorities emphasized moral, national, and religious components, highlighting the necessity of averting God's wrath.

The perception of the behaviour of pilgrims is the topic of Zoran Ladić's contribution. He shows, in contrast to the idealized vision of pilgrimages and pilgrims, that pilgrimages made by average medieval or early modern believers were also considered superstition and that the pilgrims often engaged in fights, robberies, prostitution, and other forms of delinquent behaviour.

Paul Freedman offers an article on late medieval and early modern public acts of torture and execution, which were carefully choreographed events whose solemnity and meticulous preparation made the infliction of mutilation and death horrifyingly impressive. He also concentrates on the various *topoi* of peasant rebellion as described by literate contemporaries, such as rape, murder, cannibalism, the roasting of victims, and so on.

Lovorka Čoralić deals with Croats accused in the records of the Venetian Inquisition. Four types of accusation can be recognized: conversion to Islam, Protestantism, the use of magic, and conduct considered improper for clergymen (priests and other members of religious orders).

The last article is by Slaven Bertoša, dealing with poor social conditions in Istria in the early modern period that led to hunger, poverty, depopulation, and general insecurity, which in turn provoked dangerous behaviour, robbery, and murder. Capital crimes were under the jurisdiction of the *Potest* and Captain of Koper or, respectively, the Captain of Rašpor with his seat in Buzet. The village communities were also starting to organize themselves by introducing patrols, although in a modest way.

The collection of articles tries to popularise the topics for one plain purpose, that is, to erase the border between history and legal studies, since until now one cannot actually speak of "interdisciplinarity," but only of looking at many research problems from various reference points. Hopefully, this volume will be useful not only for historians dealing with this poorly researched topic of (Croatian) historiography, but also for a wider public generally interested in the functioning of the legal and social system in the past.

Finally, my special gratitude goes to Judith Rasson for copy editing the volume and to Gerhard Jaritz for offering the opportunity to publish it as a special issue of *Medium Aevum Quotidianum*, thus promoting this research on an international level.

Suzana Miljan