

Remarks on Andrew III of Hungary

Did his recognition of the privileges of the lesser nobility, and the dynastic marriages of the Árpáds, aid Andrew III of Hungary in retaining his throne?

Et consensu uenerabilium patrum archiepiscoporum, episcoporum, baronum, procerum, et omnium nobilium regni nostri, apud Albam, in loco nostro catedrali, ... habita congregatione generali, ... nobilium a sancto progenitoribus nostris data et concessa, que in articulis exprimuntur infrascripturis, ... firma fide promissimus obseruare.
Andrew III at the Diet of 1290

Did his western upbringing, the experience his father, Prince Stephen, had gained during his sojourn at the court of his relative, James I of Aragon, or the family relations the Árpáds of Hungary had established with the ruling dynasty in Aragon during the thirteenth century, influence the domestic policies and foreign diplomacy of Andrew III of Hungary (1290—1301), determine the social constituency of the diets of 1290 and 1298, and prevent realization of Angevin claims to his throne?¹

The „family” data in the Hungarian² and non-Hungarian chronicles,³ royal writs and diplomas,⁴ the related correspondence of the Holy See,⁵ and the letter Andrew III wrote after his coronation to another Aragonese relative, James II of

¹ For text, cf. H. Marczali (ed), *Enchiridion fontium historiae Hungarorum* (Budapest, 1901), cited hereafter as Marczali, *Enchiridion*, 186ff., and 191ff.; also, St. L. Endlicher (ed), *Rerum Hungaricarum monumenta Arpadiana* (Sankt Gallen, 1849; repr. Leipzig, 1931), cited hereafter as RHM, 615ff., and 630ff.; Akos v. Timon, *Ungarische Verfassungs- und Rechtsgeschichte*, 2nd ed., tr. Felix Schiller (Berlin, 1904), 318f.; Bálint Hóman — Gyula Szekfü, *Magyar történet* [Hungarian history], 5 vols., 6th ed. (Budapest, 1939), I, 614ff.

² „Chronicon pictum,” cc. 186—87, in Emericus Szentpétery (ed), *Scriptores rerum Hungaricarum*, 2 vols. (Budapest, 1937—38), cited hereafter as SSH, I, 476f.; C. A. Macartney, *The Medieval Hungarian Historians* (Cambridge, 1953), 133ff.; Hóman—Szekfü, II, 41ff.

³ As, for instance, J. Zurita, *Indices rerum ab Aragoniae regibus gestarum* (Caesaroaugustae, 1578), vol. I, 84; *Chronica regia Coloniensis*, ed. G. Waitz, SSrG (Hannover, 1880; repr. 1978), 184.

⁴ Cf. E. Szentpétery — I. Borsa (eds), *Regesta regum stirpis Árpádianae critico-diplomatica*, 2 vols. (Budapest, 1923—87), cited hereafter as RA, nn. 537, 540, 541; also nn. 198 and 362.

⁵ See A. Potthast (ed), *Regesta pontificum Romanorum*, 2 vols. (Berlin, 1875), n. 6318: „qui cum teneantur et in sua coronatione iuraverit regni sui et honorem coronae illibata servare,” — Ae. Friedberg (ed), *Corpus Iuris Canonici*, 2 vols. (Leipzig, 1879; repr. Graz, 1959), II, 373.

Sicily, where he described the circumstances of the coronation and his goals in governing the realm, may provide an answer to the question.⁶

Most probably, Andrew III had not visited the Iberian peninsula. But the wording of the decrees of the mentioned diets, the tone, text structure of the writ addressed to King James II were nearly identical with the ideas expressed by, and the text of decisions of the thirteenth century Spanish cortes, and with the circumstances under which they were summoned.⁷ The fact that Andrew III had turned to the „knights” the service (lesser) nobility, to represent the country's common interests before the diet points to, already by employing the terminology identical with that of the Iberian cortes, to Spanish influence. On Spanish soil the representatives of towns had played a role in the debates and drafting of resolutions in the cortes. In Hungary, where town life was still stagnant, Andrew III had turned to the service knights: the (lesser) nobility. He publicly acknowledged their constitutional privileges, recognized them as the representatives of common interests in public life,— laid the foundation for constitutional representation in his country's governmental affairs.⁸

According to the report of the Hungarian chronicler, Andrew III, who had succeeded to the throne in 1290,⁹ was a late descendant, the grandson, of Andrew

⁶ See the writ of Andrew III to James II of Aragon-Sicily, RA, n. 3662, with full text; compare text to H. Finke (ed), *Acta Aragonensia: aus der diplomatischen Korrespondenz Jaymes II*, vol. III (Berlin, 1922; repr. Aalen, 1966), n. 7, a slightly shorter text; on James II, see also. Ramon Muntaner, *Chronicle*, Hakluyt Society, vol. 11 (London, 1921), 448ff., and 587ff.

⁷ „...convenimus apud Legionem.. omnes pontifices, abbates et obtimates regni Hyspaniae et issu ipsius regis talia decreta decreuimus;” cf. *Cortes de los antiguos reinos de Leon y de Castilla*, ed. M. Colmeiro, 5 vols. (Madrid, 1861—94; repr. 1990), cited hereafter as *Cortes*, I, n. I, and n. VII, a. I. H. Mitteis, *Der Staat des hohen Mittelalters*, 8th ed. (Weimar, 1968), 182, noted that the cortes in Aragon had secular beginnings, — *ibid.*, 414ff.; R. B. Merriman, „Cortes of the Spanish Kingdoms in the Later Middle Ages,” *American Historical Review*, 16 (1911), 476ff.

⁸ „... cum universi nobiles regni nostri seu servientes regales;” RA, n. 1546; I. Nagy et al (eds), *Hazai Okmánytár* [Collection of Domestic Documents], 8 vols. (Győr—Budapest, 1865—91), cited hereafter as HO, VIII, 108f.; Timon, 119ff.

⁹ RA, n. 3651; O. von Horneck, *Österreichische Reimchronik*, ed. J. Seemüller, *MGH Scriptorum qui vernacula lingua usi sunt*, vol. V, 1—2 (Hannover, 1890—93), cited hereafter as *Reimchronik*, lines 74456—74514; W. Heinemeyer, „Ottokar von Steier und die höfische Kultur,” *Zeitschrift für deutsches Altertum und deutsche Literatur*, 73 (1936), 201ff.; H. de Boor, *Die deutsche Literatur im späten Mittelalter, 1250—1350*, 3rd ed. (Munich, 1967), 195ff.; A. Lhotsky, *Quellenkunde zur mittelalterlichen Geschichte Österreichs* (Graz—Cologne, 1963), 288f.

II of Hungary (1205—35).¹⁰ Upon the death of his second wife,¹¹ Andrew II had taken another wife, the daughter of the margrave d'Este. After the early death of her husband, the Queen returned home to give birth to their posthumous child in her father's house on Italian soil. The son born to her was baptized Stephen, and was regarded as the son of the Hungarian king. When his maternal grandfather was near death, Stephen attempted to take over the margravate, but the grandfather regained his strength and had the prince expelled far away from home. (Interesting is the wording of the chronicler, „avus suus prevalens ipsum remocius au-fugavit.”)¹²

Did the maternal grandfather exile Stephen „far away?” Stephen fled to Spain, to the court of James I of Aragon, whose second wife, Jolanta, was his elder half-sister, the daughter of Andrew II from his second marriage.¹³ The prince had sojourned in Aragon for a period of time, „et ibi aliquamdiu conmutatus,” then went back to Italy; there, the citizens of Ravenna elected him podesta. But he had to leave, went to Venice, where an immensely well — to — do citizen, after he had convinced himself that Stephen was, indeed, the son of the Hungarian king, gave him his daughter in marriage, and made him heir to all of his wealth; „et omnium bonorum suorum participem eum constituit.” In Venice, a son was born to him, whom he named Andrew after his father.¹⁴

Andrew was supported by the advice and aid of his immensely rich uncles, „auxilio et consilio avunculorum suorum, qui erant infinitarum diviciarum.”

During the reign of his nephew, Ladislas IV (1272—90), Andrew entered Hungary, to, as the royal prince, „quod esset dux,” the descendant of Andrew II, demand his inheritance of the realm's territory.¹⁵

¹⁰ Chronicle, c. 186, SSH, I, 475f.

¹¹ Andrew II had married his second wife after his return from the Holy Land in 1218, — *ibid.*, I, 475, 16—18, and I, 464f. The Chronicle MS, fol. 62'b, in a „P” initial depicted King Andrew II as a „crusader;” cf. *Chronicon pictum — Képes Krónika*, ed. Dezső Dercsényi, 2 vols. (Budapest, 1963), vol. I (facsimile).

¹² SSH, I, 475, 13 — 476, 5; and, „Chronicon Poseniense,” *ibid.*, II, 45, 16—30.

¹³ *Ibid.*, I, 476, 5—7; F. O. Brachfeld, *Dona Violante de Hunaria, reina de Aragon* (Madrid, 1942); J. S. Brundage, *Lax, Sex and Christian Society in Medieval Europe* (Chicago—London, 1987), 422f., and n. 27.

¹⁴ SSH, I, 476, 8—15; and, II, 46, 4—9; Mór Wertner, *Az Árpádok családi története* [The family history of the Árpáds] (Nagybecskerek, 1892), 550ff.

¹⁵ SSH, I, 476, 15—19; II, 46, 10—13; Gyula Kristó, *A feudális széttagolódás Magyarországon* [Feudal particularism in medieval Hungary] (Budapest, 1979), 32ff.

The chronicler provided no further details, but from his matter of fact assertion one may conclude that the wealth of the immensely rich uncles had made Andrew politically (that is, financially) a wholly independent claimant to the Crown. Because of his family descent, „quod esset dux”, he had claimed the right to establish, during the reign of his predecessor, a firm foothold in the country, so that he, in time, gain access to the Hungarian throne.¹⁶

Therefore, from the next sentence of the chronicler it logically follows that, after Ladislas IV had been murdered, the barons of the realm „feliciter” crowned Prince Andrew.¹⁷

The chronicler's statement reveals a twofold concept: one, that Andrew's coronation had occurred right after the assassination of Ladislas IV, — a question of principle in constitutional law in that he had to claim his inheritance.¹⁸ Two, that it was the barons of the realm, *barones regni*, who had crowned him.¹⁹ As if the chronicler had totally excluded the archbishop of Esztergom from his constitutional public function of anointing and crowning the kings of Hungary,²⁰ — in spite of the fact that, as it is clearly evident from the royal writs and from the preface of the 1290 diet, it was Archbishop Lodomér of Esztergom who had performed his coronation.²¹ As if the author of this segment of the Chronicle wished to emphasize that Andrew could not have been crowned without the support and cooperation of the country's barons; and, since it was they who had made him king, they could also deprive him from his throne.²²

¹⁶ He must have „visited” Hungary before. — „in Hungariam subintravit,” SSH, I, 476, 17, and note 7.

¹⁷ Ibid., I, 476f.; the Posen Chronicle left out „feliciter,” *ibid.*, II, 46, 10—12.

¹⁸ In one Chronicle MS, the term „barones regni” had been omitted, *ibid.*, I, 476, 22; see further RA, n. 3651; Reimchronik, lines 41263—41292; Timon, 339, and 520ff. Andrew III knew that his *regiminis potestas* depended upon receiving the Crown, — cf. RA, n. 3900 (dated it January 10, 1293); Georgius Fejér (ed), *Codex diplomaticus Hungariae ecclesiasticus ac civilis*, 42 vols. (Budae, 1842—44), cited hereafter as CD, VI—1, 237f., where it was dated Jan. 10, 1292! See further RA, n. 3880; CD, VI—1, 196f.; J. B. Tkalčić, *Monumenta historica episcopatus Zagradiensis saec. XII et XIII*, vol. I (Zagreb, 1873), 228f.; Joseph Deér, *Die heilige Krone Ungarns* (Vienna, 1966), 216f.

¹⁹ SSH, I, 476, 20.

²⁰ Cf. Potthast, nn. 3725, 1896, 2328, in Migne, PL, 216, 50, 215, 463bc, and 215, 56; Z. J. Kosztolnyik, *From Coloman the Learned to Béla III (1095—1196: Hungarian Domestic Policies and Their Impact Upon Foreign Affairs* (New York, 1987), 279, and 289, n. 124; 244, and 260, n. 134.

²¹ RA, n. 3705; RHM, 615f.; Enchiridion, 186.

²² In reference to „quidam nobiles regni,” SSH, I, 477, 4—5, see Elemér Mályusz, *A Thuróczy Krónika és forrásai* [The Thuróczy Chronicle and its sources] (Budapest, 1967), 57ff.

The latter instance must have been true, because the chronicler next reported that, although Andrew III had during the second year of his reign defeated the duke of Austria with a large force, certain nobles of the country had, out of spite toward Andrew III, approached Pope Boniface VIII with the request to send them a(nother) king.²³ In view of the fact that Boniface VIII only ascended to the papal throne in 1294, the „quidem nobiles regni” must have affronted the pope with their petition at the very beginning of his pontificate.²⁴

The pontiff recognized Charles Martel of Anjou as king of Hungary, and following the death of Charles Martel in 1295, Boniface VIII acknowledged Charles' seven year old son, Caroberto, as the Hungarian monarch.²⁵ Yet during the life of Archbishop Lodomér of Esztergom, who had crowned Andrew III, the papal curia did not even attempt to intervene in Hungarian affairs. When, however, George Bodoli, elected to succeed the deceased Lodomér as archbishop of Esztergom (whose election was also recognized by the king),²⁶ changed alliances and declared for Caroberto, — consequently, Andrew III had no alternative but to withdraw recognition from him,²⁷ — Rome intervened.²⁸

²³ Cf. RA, n. 3845, dated Dec. 31, 1291, thanking Archbishop Lodomér for negotiating on his behalf with the Duke of Austria, AÚO, X, 27ff.; SSH, I, 477, 3—13; II, 46, 14—20.

²⁴ F. X. v. Funk — K. Bihlmeyer, *Kirchengeschichte*, 2 vols., 8th rev. ed. (Paderborn, 1926—30), II, 248f.; Hans Kühner, *Neues Papslexikon*, Fischer Bücherei (Hamburg, 1965), 79ff.; F. X. Seppelt, *Geschichte der Päpste*, 5 vols. (Munich, 1949—57), IV, 24ff.; idem, in *Historische Zeitschrift*, 130 (1928), 40ff.

²⁵ See papal writ, Potthast, n. 25254; CD, VIII—7, 29f.; also, Potthast, n. 25252; A. Theiner (ed), *Vetera monumenta historiam Hungariae sacram illustrantia*, 2 vols. (Rome, 1859—60), cited hereafter as VMH, n. 635. See further, SSH, I, 478, 11—14.

²⁶ Cf. F. Knauz, *Monumenta ecclesiae Strigoniensis*, 2 vols. (Strigonii, 1873—74), II, 433f.; indeed, on two royal writs issued on Jan. 9, 1298, and one on Jan. 18, Gregory had signed as archpriest of Fehérvár and royal vice—chancellor, RA, nn. 4167, 4168 with text, and 4169. On the royal writs dated Febr. 17 and 24, 1298, Gregory signed as archbishop—elect of Esztergom, RA, nn. 4173, 4174, — CD, VI—2, 122f., and G. Wenzel (ed) *Árpádkori új Okmánytár* [New document collection of the Árpáadian age], 12 vols. (Pest, 1860—74), cited hereafter as AÚO, V, 186; on another writ, issued in 1298, — no closer date! — Gregory did, once again, sign as archpriest of Fehérvár. — AÚO, X, 300f., a writ that has an authentic seal, and is yet regarded as falsification. RA, n. 4204.

²⁷ On March 29, 1298, it was Friar Antal, OFM, bishop of Csanád, who had signed as royal vice—chancellor, — RA, n. 4176; CD, VI—2, 124f.

²⁸ Vilmos Fraknói, *Magyarország és a Szentszék* [Hungary and the Holy See], 3 vols. (Budapest, 1901—03), I, 103; Z. J. Kosztoľnyik, „In the European Mainstream: Hungarian Churchmen and Thirteenth Century Synods,” *Catholic Historical Review*, 79 (1993), 413ff.

The pope supported the election of Bodoli, an adherent of the Anjou party, and carefully recognized him as the spiritual and secular caretaker: „procurator,” of the archdiocese of Esztergom.²⁹ But the curia failed to inform Andrew III of its decision, nor did it notify Caroberto about it. Pope Boniface VIII, in his letter of January 28, 1299, turned instead to the country’s population, and, already during the reign of Andrew III, dispatched the eleven year old Caroberto to Hungary.³⁰ (The chronicler of this segment of the record, not very sympathetic to Andrew III,³¹ found it necessary to explain in a whole paragraph the family descent of the Angevin Caroberto.)³²

What were the options of Andrew III under these circumstances? The country was in turmoil, his family descent and claim to the throne had been seriously questioned; therefore, he had to prove that, legally, „ordine geniturae,” and by his coronation, he was the true ruler of the country.³³

The majority of the country’s population supported Andrew III against the barons;³⁴ in view of the fact that public liberties were identical with the liberties of the service nobility, the monarch had to establish immediate contact with them, and with members of the hierarchy who remained loyal to him.³⁵ Actually, it was a twofold problem that had kept him preoccupied. He had to rise to the challenge presented to him by the barons; and, he had to convince the Holy See of the correctness of his, and of the wrongness of Rome’s policy toward him.³⁶

In order to successfully confront his domestic opponents through constitutional means, the king, therefore, needed allies among members of the country’s hierarchy, and certain noble families. Considering the fact that in the Royal Council,

²⁹ As it is evident from a papal writ, — Potthast, n. 24773; VMH, n. 616.

³⁰ SSH, I, 477f.

³¹ Mályusz, 59f.

³² SSH, I, 478, 3—14.

³³ Andrew III to James II of (Aragon-)Sicily, RA, n. 3662, with full text

³⁴ See, e.g., RA, nn. 3989, 3991, 3992, 3996, 4000, 4008—09, 4015, etc.

³⁵ As it is evident from his letter to James II, RA, n. 3662, and from the prefatory note to the dietary acts of 1298, in Marczali, Enchiridion, 191f.

³⁶ Bishops Antal of Csanád (vice-chancellor!) and Benedict of Vác were active in Rome on behalf of the monarch, — cf. V. Fraknói (ed), *A veszprémi püspökség római levéltára* [The archives of the Veszprém bishopric in Rome], 2 vols. (Budapest, 1896—99), II, p. xliii. Peter Bonzano also sojourned in Rome, copies of whose correspondence were printed in AÚO, V, 260ff. Emma Bartoniek, „Az Árpádok trónöröklési joga [The right of inheritance of the Árpáds],” *Századok*, 60 (1926), 785ff.; Deér, *Hl. Krone*, 189ff.

— with whose membership the king had nothing to do; as the chronicler recorded it, it was the barons who had crowned him,³⁷ — the barons had the upper hand who, according to the resolutions of the diets, had met and debated among themselves separately from the nobles,³⁸ Andrew III had to seek out support among those who immediately surrounded him.³⁹ These were the knights: the lesser, or service nobles who, together with members of the hierarchy had, in 1222, called upon his grandfather, Andrew II, for the restoration of their „ancient” rights that dated back to the late ninth century, and for the king to publicly recognize them as the holders of those rights at the annual law-day held at Székesfehérvár.⁴⁰

The essence of the lesser nobles' demands and arguments were determined anew by Simon de Kéza, chronicler of Ladislas IV, who in his *Gesta Ungarorum* explained the idea of „unam eademque nobilitas,”⁴¹ as if to summarize constitutional developments under the reign of his uncle, Béla IV (1235—70). Béla IV had acknowledged, „habito baronum consilio et assensu,” the existence of the nobles' and of the knights: service (=lesser) nobles' estate; „nobiles regni Ungariae, qui universi, qui servientes regales dicuntur,” and had confirmed them in their liberties that dated back to the age of King St. Stephen (nb. 1038).⁴²

³⁷ SSH, I, 476f.; „Chronicon Poseniense,” *ibid.*, II, 46, 13—14.

³⁸ „... exclusis quibuscunque baronibus, prout moris est. ... in unum convenientes, accepta auctoritate ex consensu domini regis et baronum totius regni;” cf. Marczali, *Enchiridion*, 192; RHM, 631f.

³⁹ „... ac universis nobilibus,” says the royal letter, — cf. RA, n. 3662; „... cum universi nobiles regni nostri seu servientes regales,” reads a royal document, HO, VIII, 108f. (RA, n. 1546); Bálint Hóman, *Geschichte des ungarischen Mittelalters*, 2 vols. (Berlin, 1940—43), II, 270ff.

⁴⁰ As exemplified by the Decree of 1222 (Golden Bull) of Andrew II, and its re-issue in 1231, — cf. *Enchiridion*, 134ff., in parallel columns; RHM, 412ff., and 428ff.; Hóman—Székfi, I, 491ff., and 507ff.; Z. J. Kosztonlyk, „Triumphs of ecclesiastical politics in the 1231 *Decretum* of Andrew II of Hungary,” *Studiosorum speculum: Studies in Honor of L. J. Lekai*, ed. F. R. Swietek — J. R. Sommerfeldt (Kalamazoo, MI, 1993), 155ff.

⁴¹ Simon de Kéza, „*Gesta Ungarorum*,” SSH, I, 164ff., esp. cc. 24 — 26, 74, 76, 95 and 97; Macartney, 89ff.; do we have access to the actual manuscript?— J. Gericz, „Adalékok a Kézai—krónika problémáinak megoldásához (Some solutions to the Kéza chronicle question),” *Annales Universitatis Budapestiensis*, sectio hist., 1 (1957), 106ff.; Jenő Szűcs, „Kézai problémák [Questions concerning the work of Kéza],” *Memoria saeculorum Hungariae*, ed. Gy. Székely — János Horváth, vol. I (Budapest, 1974), 187ff. See my review of this volume in *Austrian History Yearbook*, 12—13 (1976—77), 494ff.

⁴² The cause of the nobility had greatly been aided by the fact that the country's social and constitutional developments since the 1250's led to the unification of the lesser nobility: *servientes regis*, with the nobles of the country, *nobiles regni*, in the *nobles' estate*; the Law of 1267 spoke of „universi nobiles regis nostri seu servientes regales.” Cf. RA, n. 1547. Many in servile status were elevated, for services performed, to the

The demands of the lesser nobles were voiced even earlier by the late twelfth century Hungarian chronicler, Anonymus „P. dictus magister,” who had argued that the service nobles of his age were, really, the descendants of the late ninth century conquerors of the mid-Danubian basin. Anonymus noted that the Árpáds were the people’s [national] leaders elected by the chiefs of the conquering Hungarian tribes in the late ninth century, therefore, cooperation between the Árpád dynasty and the service nobility had already been established at that early date.⁴³

One may make a note here/of the remark made by Otto of Freising, — who, admittedly, did not like the Magyars, — that the Hungarian ruler of the House of Árpád was, indeed, a Christian king, who did not assert self serving personal rule.⁴⁴

Andrew III had expressed willingness to comply with the demands of the service nobility. Soon after his coronation he had summoned a diet: *congregationem generalem convenit*, in order to listen to the grievances of his countrymen, to the complaints of the service nobles, and to correct them publicly. On the grounds that the barons had kept him under constant observation, Andrew III himself had summoned the diet in 1290, and approved of its resolutions.⁴⁵ The diet of 1290 recognized, and the monarch sanctioned the constitutional emancipation of the lesser nobility, their right to participate in the conduct of the country’s public affairs.

ranks of the royal (service) nobles, and, to that of the nobility. Since 1251, numerous fort personnel were given noble status, that of the „iobagiones nobiles castris,” — RA, n. 1546. In 1275, the fort personnel at Fehérvár were recognized as service nobles, — RA, nn. 2104, 2605; earlier, nn. 955 with text: 1155 (AÚO, VII, 452f.), and n. 1157. So were the fort guards in Zala county, — and raised to the status of nobility. Cf. RA, nn. 2598, 2635 with text: „in cetum et numerum servientum regalium... duximus transferendos.” Kings Béla IV, Stephen V, and Ladislas IV had issued numerous writs conferring status of nobility upon many. See, e.g., RA, n. 2104: „in numerum, cetum et collegium nobilium regni nostri duximus transferendos;” further, n. 2609, AÚO, VIII, 26ff.; and, RA, nn. 2635, 2637.

⁴³ SSH, I, 33ff., esp. cc. 6, 14, 57; Macartney, 67ff.; Kornél Szovák, „Wer war der Anonyme Notar? Zur Bestimmung des Verfassers der Gesta Ungarorum,” *Ungarn Jahrbuch*, 19 (1991), 1ff.; Gyula Kristó, „Szempontok az Anonymus Gesta megvilágosításához [Some remarks on Anonymus’ Gesta],” *Acta historica Szegediensis*, 66 (1979), 45ff.; Péter Váczy, „Anonymus és kora (Anonymus and his age),” *Memoria saeculorum Hungariae*, I, 13ff, argued for an early thirteenth century date of authorship. Also, Z. J. Kosztolnyik, „A view of history in the writings of Gerhoch of Reichersberg and in the medieval Hungarian chroniclers,” *Die ungarische Sprache und Kultur im Donauraum: II Internationaler Kongress für Hungarologie, Wien, 1986* (Vienna—Budapest, 1989), 513ff.

⁴⁴ Cf. *Gesta Friderici Imperatoris*, S Sr G, ed. G. Waitz — B. v. Simson (Hannover, 1912), i:32; Kosztolnyik, *From Coloman the Learned*, 171 and 177.

⁴⁵ Marczali, *Enchiridion*, 186f.; RHM, 615; RA, n. 3705 (the royal writ was dated Febr. 22, 1291!).

Thereby, the monarch granted them the opportunity to organize themselves in every county, — and, in the process, to gain control of the counties' government, — to become, together with members of the hierarchy, the main support of the ruler against those who had tried to undermine the country's royal government.⁴⁶

The diet of 1290 had followed the main line of provisions determined in the Hungarian Golden Bull of 1222, in relation to the king's domain and it recognized the liberties of the service nobility. But on two essential points it had differed from the Bull of 1222. In article 9, the diet, for instance, declared that the king will name his head officials in accordance with the nobles' consent; thereby, the service nobles had for the first time gained the right to take an active part in forming the country's government.⁴⁷

In article 14, the diet had made it clear that when the Palatine was holding his circuit of county courts of law, he be accompanied, besides the county reeve, — who was the king's and of the barons' nominee, — by four service nobles of the county concerned, who had the right to appeal to the king against any wrongdoing: handing down false sentences, by the palatine.⁴⁸

In such a manner the service nobles appeared as controllers in the judiciary establishing a personal tie with the king, the fountainhead of the country's justice system.

Andrew III had revived the approach taken by Béla IV, who by granting recognition of noble status for the knights: lesser nobles, „servientes regis,” had permanently formed their estate. Béla IV had permitted them to take an active part in judicial proceedings in the county courts of law, in that they could delegate four nobles of the county to accompany the district reeve, when the latter held his circuit of law courts. In such a fashion the monarch had established control by the knights: lesser nobles of the county's administration. By inviting representatives of the knights to the annual law-day at Székesfehérvár, Béla IV had further laid a foundation for a regular meeting of the country diet: „congregatio generalis.”⁴⁹

⁴⁶ Marczali, *Enchiridion*, 186; a section: the first half of the introduction, not printed in RHM, 615!

⁴⁷ *Ibid.*, a. 9.

⁴⁸ *Ibid.*, a. 14. Gyula Kristó, *A vármegyék kialakulása Magyarországon* (Development of the Hungarian county) (Budapest, 1988), 100ff.; and, my review in *East European Quarterly*, 23 (1989), 254f.

⁴⁹ For text, see *Enchiridion*, 168f.; RA, n. 1547, and, previously, n. 955 with text, and compare to AÚO, VII, 501f. (anno 1259!); Jenő Szűcs, „Az 1267 evi Decretum és háttere [The Law of 1267 and its (socio-political) background],” *Mályusz Elemér emlékkönyv* [Studies in honor of Elemér Mályusz], ed. É. H.

Encouraged by his success, the monarch, Andrew III, went one step further. In the Diet of 1298, he had effectuated the strongest regulations against the baronial troublemakers. Andrew III had made the diet subscribe to his proposal that, henceforth, next to the barons, members of the hierarchy delegate two bishops, — representing the Esztergom and Kalocsa church provinces, — and, the knights: lesser (service) nobles send two elected delegates to the Royal Council, „toidemque et quasi omnes nobiles regni, quos elegimus.” These spiritual and secular representatives by taking turns every three months in the Royal Council, served the interests of the King and of the country.⁵⁰ At the same time, the diet under the threat of excommunication, obligated the monarch to take necessary measures against thieves, robbers and common criminals in the country.⁵¹

In such a manner the country: ... the people themselves ... were allowed to take an active role in the government. The monarch was constantly accompanied by two delegated high churchmen and two elected knights: lesser nobles. Resolutions reached by the King and the barons in the Royal Council were only sanctioned if consented to by the representative advisors. The „consent” of the latter meant the cooperation of the representative element in the Council.⁵²

The drafting of the text of these resolutions, and their meaning, were strongly reminiscent of the laws of Alfonso the Learned of Leon - Castile,⁵³ and of the pronouncements made by Spanish ruling couples (King and Queen) before (in) their cortes. The monarch, they agreed, could not reign and rule without the advice and consent of the invited members of the higher estates, and the elected representatives of their country: „fecimus concilium, — so reads the text of the cortes' resolutions, — cum episcopis et abbatibus et totius regni optimatibus,” -

Balázs et. al. (Budapest, 1984), 341ff.

⁵⁰ Enchiridion, 191ff., art. 23; in RHM, 630ff., it is art. 20! Ignatius de Batthyány (ed), *Leges ecclesiarum regni Hungariae et provinciarum adiacentium*, 3 vols. (Claudipoli, 1824etc.), II, 507, wrote „concilium mixtum,” and so did P. Palazzini, *Dizionario dei concili*, 6 vols. (Rome, 1863— 68), III, 398. Hóman, *Ungarisches Mittelalter*, II, 231ff.

⁵¹ Marczali, Enchiridion, 191ff., a. 7.

⁵² Ibid., a. 23; art. 20 in RHM!.

⁵³ In Alfonso X's resolutions, anno 1258, there occurred a reference to „omnes bonos de villas” of Castile and Leon, — *Cortes*, I, n. xiii, preface; R. B. Merriman, *The Rise of the Spanish Empire*, vol. I: *The Middle Ages* (New York, 1918; rep. 1962), 98ff., and 217ff.

(or, as on a following occasion), „cum archiepiscopis et episcopis et magnatibus regni mei, et cum electis civibus ex singulis civitatibus.”⁵⁴

In both instances, by recognizing the public constitutional rights and ancient privileges of the knights: lesser (service) nobility, and through the participation in the Royal Council of the elected delegates of the hierarchy and of the lesser nobility, Andrew III had emphasized the idea of *representation*. In 1290, members of the diet had met „ex consensu... archiepiscoporum, episcoporum, baronum, procerum, *et omnium nobilium* (italics mine!) regni nostri,” for discussion and the enactment of resolutions.⁵⁵

In 1298, it was the King with the barons (in the Council) who had summoned the diet, — they met „ex consensu domini regis et baronum tocius regni, prouti et aliorum,” — so that the prelates and churchmen, and especially the nobles, but not the barons, debate and legislate enactments; „per prelatos et viros ecclesiasticos, *nec non et nobiles* (italics mine) huius regni, exclusis quibuscunque baronibus, prout moris est.” The representatives expressed the mood of the country, addressed its needs, and represented the interests of the people in the Royal Council.⁵⁶

The application to Hungarian politico-social conditions of the idea of constitutional representation was no novelty to Andrew III. He was born and raised on Italian soil, and through his family ties, especially the personal contacts and experiences of his father had made in Aragon, he had been aware of the representative customs of the Spanish cortes, where the interests of the town were spoken for by their elected representatives.

A word of explanation will be in order here regarding Árpádián family ties with the court of Aragon. King Emery of Hungary (1196-1204), the father of Andrew II, was married to Constance of Aragon, the daughter of Alfonso the

⁵⁴ *Cortes*, I, n. iii, and n. vii, art. 3 [and, conclusion, p. 42]: or, „... cum uxore mea. ... notum, facio vobis, ... et presentibus episcopis et vassalis meis et multis de qualibet villa regni mei in plena curia,” *ibid.*, I, n. viii; J. F. O’Callaghan, „The Beginnings of the Cortes of Leon-Castile,” *American Historical Review*, 74 (1969), 1503ff.; T. N. Bisson, „Prelude to Power: Kingship and Constitution in the Realm of Aragon, 1175—1250,” in R. I. Burns (ed), *The Worlds of Alfonso the Learned and James the Conqueror* (Princeton, 1985), 23ff.

⁵⁵ *Enchiridion*, 186ff., introduction.

⁵⁶ *Ibid.*, 191ff., introduction, and a. 23.

Troubadour and the sister of Peter II the Catholic.⁵⁷ In her train numerous Aragonese nobles had arrived in Hungary, as, for instance, the noble named Simon, who became a royal reeve under Andrew II;⁵⁸ or, the beautiful Tota, lady-in-waiting of Queen Constance.⁵⁹ (When Constance had, upon the early death of husband, married the German emperor Frederick II, Tota became the lady-in-waiting of the second wife of Andrew II.)⁶⁰

On Spanish soil, it was the royal couple: the King and the Queen, who had called upon the high churchmen and high nobles of the realm, — although in Leon, the barons had met separately from the high nobility since 1188! —,⁶¹ and the elected town representatives for a meeting (*cortes*) to debate the restoration of Christianity in the kingdom; „fecimus concilium in castro Cojanza;... cum celebrarem curiam... cum archiepiscopis et episcopis et magnatibus regni mei, et cum electis civibus ex singulis civitatibus.”⁶²

Without the consent of the bishops, nobles, barons and „good men” of the kingdom,⁶³ the Spanish sovereign could not enact laws, bring forth resolutions, declare war, or conclude peace: „promisi etiam, quod non faciam guerram vel pacem vel placitum, nisi cum concilio episcoporum, nobilium, et bonorum homi-

⁵⁷ SSH, I, 463, 9—13; „Chronicon Poseniense,” *ibid.*, II, 41, 19—20. Gabriel Jackson, *The Making of Medieval Spain* (London — New York, 1972), 82, and 118. On August 10, 1291, James II of (Aragon-)Sicily had dismissed „Amor et Gabriel de Ungaria fratres... versus partes Ungariae transituri;” they had, decades earlier, arrived in Aragon with their grandfather, — cf. Finke, III, 16, note to n. 7; on James II, *ibid.*, III, 623ff.

⁵⁸ See RA, nn. 393, 443, 495, 712, 731—32, and 746, dealing with, mentioning Reeve Simon; also, SSH, I, 190f.

⁵⁹ On Tota, see RA, n. 393; CD, III—1, 316f., and compare with RA, n. 198, CD, III—1, 318f.

⁶⁰ Cf. Zurita, I, 103; Iohannis Victoriensis *Libri certarum historiarum*, S Sr G, ed. F. Schneider (Hannover—Leipzig, 1909), 299, 312, 332f., 367.

⁶¹ *Cortes*, I, 39ff., n. vii.

⁶² *Ibid.*, I, 39ff., n. iii. Compare to „... una nobiscum venerabilium episcoporum cetu reverendo et totius regni primatum et baronum glorioso colegio, civium multitudine destinatorum a singulis civitatibus consentiente, ego Alfonsus... multa deliberatione prehabita, de universorum consensu hanc legem edidi mihi et a meis posteris omnibus observandam;” *ibid.*, I, n. x, preface. R. A. McDonald, „Law and Politics: Alfonso’s Program of Political Reform,” in Burns, *op. cit.*, 150ff.

⁶³ „Ricos hombres;” „ricos omnes” (from Latin *regere, reaens?*); „Grossvasalle, die ricos hombres... grundbesitzender Hochadel,” — Mitteis, 416. In Aragon „der Adel in zwei Stande zerfiel, ricos hombres und infanzones,” *ibid.*; J. N. Hillgarth, *The Spanish Kingdoms, 1250—1516*, 2 vols. (Oxford, 1976), I, 304.

num, per quorum consilio debeo regi."⁶⁴ The appearance of the Hungarian Golden Bull issued in 1222 by Andrew II, grandfather of Andrew III, reflected Aragonese influence upon the Hungarian court. The daughter of Andrew II, Jolanta, was married to James I of Aragon.⁶⁵

In 1222, the Hungarian lesser nobility, supported by members of the hierarchy, demanded from Andrew II recognition of their „ancient” constitutional privileges (that, they claimed, dated back to the times of King Saint Stephen [*ob.* 1038], and, even earlier, to the land-conquest by their urforefathers in the 890's), and not without success. „Nos igitur eorum petitioni satisfacere cupientes in omnibus, ... concedimus tam eis, quam aliis hominibus regni nostri libertatem a sancto rege concessam,” - had Andrew II agreed with their request.⁶⁶

On the Iberian peninsula such privileges had already been recognized in that the body of corporate function of bishops, higher nobility and barons, and the elected town representatives had consented to the king's legislation. „... et totius regni primatum et baronum glorioso colegio, civium multitudine destinatorum a singulis civitatibus consistente, ... de universorum consensu hanc legem edidi mihi et a meis posteris omnibus observandam,” - recorded the keeper of the Iberian cortes' proceedings.⁶⁷

Andrew III wrote to his relative, James II of (Aragon-)Sicily soon after his coronation, — in its terminology, the expressions used in this letter were almost identical with the wording of the prefatory note to the resolutions of the 1298 diet,⁶⁸ — that he had obtained the crown through the cooperation of his higher

⁶⁴ Cortes, I, n. xiii; *Las siete partidas del Sabio Rey don Alfonso el Nono*, ed. G. Lopez, 3 vols. (Salamanca, 1555; repr. Madrid, 1974), I:1, 18—19; II:1, 11; O'Callaghan, *op. cit.*, 358ff.; A. Ballesros Beretta, *Alfonso X el Sabio* (Barcelona, 1963).

⁶⁵ SSH, I, 476, 5—7; Burns, *op. cit.*, 211ff.; O'Callaghan, *op. cit.*, 346f.

⁶⁶ The Hungarian „Golden Bull” of 1222, preface, see Enchiridion, 134a; RHM, 412f.; J. Deér, „Der Weg zur Goldenen Bulle Andreas II von 1222,” *Schweitzer Beiträge zur allgemeinen Geschichte*, 10 (1952), 104ff.

⁶⁷ Cortes, I, n. ix, — a view held by John of Salisbury: „Princeps vero capitis in re publica obtinet locum uni subiectus Deo et his qui vice illius agunt in terris, quoniam et in corpore humano ab anima vegetatur et regitur; see his *Policraticus*, ed. C. C. J. Webb, 2 vols. (Oxford, 1909), v:2. E. H. Kantorowicz, *The King's Two Bodies: a Study in medieval political theology* (Princeton, 1957), 93ff., and 207f., and note 42, — an argument challenged by Hans Liebschutz, „Chartres und Bologna: Naturbegriff und Staatsgedanke bei Johann von Salisbury,” *Archiv für Kulturgeschichte*, 50 (1968), 3ff., eps. 18ff., and 19, n. 43; idem, *Medieval Humanism in the Life and Writings of John of Salisbury* (London, 1950), 20f.

⁶⁸ As, for instance, the Diet of 1298, art. 1.

clergy, higher nobility, barons, and especially the service nobility and church prelates, „ac universis nobilibus, necnon ecclesiarum prelati” (italics mine), because it was they who had recognized him as the natural lord of the country! He was governing the kingdom through their consensus to restore law and order, preserve peace, and, by the grace of God, to reign and rule in the interest of his people.⁶⁹

The observation made by Bálint Hóman in this respect, that it was common consensus (that had been) reached in the country that elevated Andrew III to kingship, although his reign was only made possible through the coordination of interests of various political groups (parties?) that had previously opposed each other, is correct, and supports the explained point of view.⁷⁰

Next to the quoted chronicles, it is the letter Andrew III wrote to James II that provides decisive evidence of Iberian influence upon constitutional representative developments in the Hungarian diets of the 1290's. In this writ Andrew III, first, *announced* that he had constitutionally been crowned; „successimus... in totius regni Hungariae gubernaculum, solium et coronam iure et ordine geniturae.” As it is further evidenced by the introductory lines of the resolutions of the 1290 diet, he had obtained the crown in a constitutional manner in being crowned by the Archbishop of Esztergom at Székesfehérvár, „apud Albam, in loco nostro cathedrali, annuente domino fuissemus coronati. ”

Second, he *explained* that he had obtained the throne through the support of the higher clergy, higher nobility, barons, and especially the service nobility, - and other church prelates, „ac universis nobilibus, necnon ecclesiarum prelati.” Consequently, third, he *promised* that he will fulfill his obligations in accordance with the oath of coronation he took⁷¹ by maintaining law and order in the land, and by serving the common interests of his people; „ut regnum... in assumptione et coronatione nostra in pacem et concordiam... cupimus... conformari,”⁷² - almost to echo the words in the text of resolutions of the cortes of Alfonso X the

⁶⁹ RA, n. 3662.

⁷⁰ Hóman—Szekfi, I, 615; Fritz Kern, *Kingship and Law in the Middle Ages*, tr. S. B. Chrimes (Oxford, 1939), 188f.

⁷¹ Reimchronik, lines 41263—41292; Helene Wierunowski. *Vom Imperium zum nationalen Königtum* (Munich—Berlin, 1930), 141ff. See further the papal writs in Potthast, nn. 7443 and 9080; the oath of King Andrew II, RA, n. 224, — was re-written by Pope Innocent III, in Potthast, n. 3712; CD, III—1, 90f.

⁷² RA, n. 3651.

Learned: „per quorum consilio debeo regi.”⁷³ The Hungarian Crown was the symbol of constitutional royal power: its usage at the coronation of Andrew III (and, later, at the 1310 coronation of Charles I Anjou of Hungary) had been the prerequisite of the constitutional exercise of that power.⁷⁴

In this letter, therefore, Andrew III emphasized two arguments: first, it was the high clergy, high nobility, barons *and* the knights: service nobility⁷⁵ who had supported his rights to the crown by recognizing him as the natural, that is, constitutional lord of the kingdom: „in dominium et ut dominium naturale.”⁷⁶ Such a point of view was even supported by the writ of Pope Boniface VIII, dated May 31, 1303, where the pontiff, perhaps not so willingly, spoke highly of the family tree of the Árpáds,⁷⁷ - as if to provide living evidence of the successful diplomatic activities of the envoys Andrew III had finally dispatched to the papal curia.⁷⁸ It is known that Peter Bonzano had acted as royal ambassador in Rome representing the interests of Andrew III at the papal court, and he was aided by bishops Antal of Csanád and Benedict of Vác, also sojourning in Rome.⁷⁹

The second point of view is that since it was the members of the hierarchy, high nobility, and service nobility who had made him king, Andrew III performed his duties through the cooperation of the estates of the hierarchy, aristocracy, and the knights: service nobility, whose members had represented the realm's common interests before the king, the diet, and in society.⁸⁰

⁷³ *Cortes*, I, n. vii, a. 3; the laws were issued by the ruler with the consensus of all concerned, — *ibid.*, I, n. viii, a. 1.

⁷⁴ *Enchiridion*, 205ff.; Hóman—Szekői, II, 52f.; Kantorowicz, 339, and 355, n. 144.; compare with Friedrich Heer's idea on „Weihe und Krönung”, in his *Die Tragödie des Heiligen Reiches* (Stuttgart, 1952), 216f.

⁷⁵ On western concepts of the „lesser” — or, service nobility, „serf— knights”, see A.L. Poole, *Obligations of society in the XII and XIII centuries* (Oxford, 1946), 35ff.: on „knights;” on class distinctions among the nobility, see Marc Bloch, *Feudal Society*, tr. L. A. Manyon (Chicago, 1961), 320ff., esp. 332ff.: serjeants and serf-knights.

⁷⁶ RA, n. 3662.

⁷⁷ Cf. Potthast, n. 25254; CD, VIII—7, 29ff.

⁷⁸ Three of Peter Bonzano's letters survived, — cf. AÚO, V, 260ff.

⁷⁹ On the two bishops, see Fraknói, *Veszprémi püspökség*, II, p. xliii.

⁸⁰ Diet of 1298, art. 23 [RHM, a. 20!]

Town life in Hungary was still stagnant in the later thirteenth century.⁸¹ According to the remarks made by the Hungarian chronicler,⁸² and by earlier non-Hungarian chroniclers, such as Deo de Deogilo,⁸³ Cosmas of Prague,⁸⁴ and Arnold of Lubeck,⁸⁵ the town dwelling social burgher element of western European style had not, as yet, become firmly established in Hungary.⁸⁶ It was only King Béla IV who had begun a serious attempt at establishing towns in the kingdom.⁸⁷ By inviting foreign settlers, Italian craftsmen and merchants, Béla IV supported the development of town life.⁸⁸

Towns aided by the increase of trade, commerce, and industrial activities also began to play a role in the defenses of the realm.⁸⁹

⁸¹ Cf. RA, n. 3841; or, RA, n. 3846 to the effect that the merchants of Regensburg had to enjoy royal protection during their stay in the country. C. T. Gemeiner, *Chronik der Stadt Regensburg*, vol. I (Regensburg, 1800), 432f.; AÚO, V, 32f. Also, RA, n. 4133, on the poverty of the citizenry of Sopron: „et paupertatem, inopiam seu depressionem civium ac omnium hospitem nostrorum in eadem civitate nostra Supruniensis:” AÚO, V, 171f.; L. Gerevich, „The Rise of Hungarian Towns Along the Danube,” in his *Towns in Medieval Hungary* (Budapest, 1990), 26ff.

⁸² See Rogerius, „Carmen miserabile” about the Mongol invasion of Hungary in 1241—42, c. 39, SSH, II, 584; he spoke of the town of Pest as a German village, c. 16, *ibid.*, II, 562, and of Varad, c. 34, *ibid.*, II, 576ff. See the royal charter issued for Pest, RA, n. 781; RHM, 466ff. Compare to Alfons Dopsch, *Die Wirtschaftsentwicklung der Karolingerzeit*, 2 vols., 3rd rev. ed., ed. Erna Patzelt (Cologne—Graz, 1962), I, 95ff.: „das Stadtwesen;” further, Emma Lederer, „A legrégibb magyar iparososztály kialakulása [Formation of the oldest segment of the Hungarian manufacturing working class],” *Századok*, 62 (1928), 494ff.

⁸³ Cf. Odo de Deuil, *De professione Ludovici VII in orientem*, ed. V. G. Berry (Latin—English) (New York, 1948), 30.

⁸⁴ Cf. his „Chronica Bohemorum,” MGHSS, IX, 64, 13—14; 96, 2—3; 105, 29—33. J. Loserth, „Studien zu Cosmas von Prag: ein Beitrag zur Kritik der althöhmischen Geschichte,” *Archiv für österreichische Geschichte*, 61 (1880), Iff., esp. 29f.

⁸⁵ „... in civitatem venisse, que dicitur et metropolis:” Arnold of Lubeck, *Chronica Slavorum*, ed. G. H. Pertz, S Sr G (Hannover, 1868; repr. 1978), iv:8.

⁸⁶ An impressive study by Elemér Mályusz, „Geschichte des Burgertums in Ungarn,” *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte*, 29 (1927—28), 365ff.; Erik Fügedi, „Das mittelalterliche Ungarn als Gastland,” *Die deutsche Siedlung des Mittelalters als Problem der europäischen Geschichte*, ed. W. Schlesinger (Sigmaringen, 1975), 471ff.

⁸⁷ Ambrus Pleidell, „A magyar városfejlődés néhány fejezete [Chapters on the development of towns in Hungary],” *Századok*, 68 (1934), Iff., 158ff., and 276ff.. — a fundamental work.

⁸⁸ *Ibid.*, 13.

⁸⁹ Béla IV gave the landholdings of the fort personnel to the citizens of Sopron, RA, n. 1642; CD, IV—3, 513f. Gerevich, *Hungarian Towns*, 28ff.

The merchant social stratum in Hungary, if and where it had existed at all, had been far too preoccupied with its own affairs.⁹⁰ Its members did not have the time, nor the desire to care for public common interests.⁹¹ May it suffice here to refer to the rather uncivil confrontation between the archbishop of Esztergom and the merchants of Esztergom over taxes, business and money matters.⁹² Therefore, Andrew III had no alternative but to turn to the knights, - the service nobility of the country, instead of a non-existent „flourishing middle class” town dweller stratum.⁹³ The knights, - service nobility by their county to county organization (=the county estate!) spoke for the interests of the entire country before the king in the Royal Council, and before the diet (that had been summoned by the king).⁹⁴

In the 1298 diet, members of the higher clergy were the ones who placed into writing the issues to be debated, and the resolutions that had been enacted in the assemblies.⁹⁵ Although the King and the barons were expected to sanction the enactments of the diet, the text of those resolutions drafted by members of the hierarchy did voice, did publicly express the country's common welfare.⁹⁶ The resolutions were enacted by the diet that had assembled with the full knowledge of the monarch, but without his presence, but it was he, and the barons in the Royal Council, — that included *representatives* of the hierarchy and of the service nobility, — who had to sanction them.⁹⁷

Andrew III, the last Árpád scion, was born and raised on western soil. Through the marriage ties of his family with Aragon he had been made aware of the representative element, of the function and importance of the Iberian cortes in public

⁹⁰ Cf. RA, nn. 3659—60.

⁹¹ „... quod cum cives seu hospites nostri de Suprunio” be tax-exempt „sicut cives Albenses et Budenses, per tocius regni nostri climata;” RA, n. 4132; AÚO, V, 172f

⁹² RA, n. 3699; AÚO, V, 20ff.; Knauz, II, 354ff.

⁹³ Cf. RA, nn. 3852 with text; 3857, AÚO, V, 61f.; 3890, AÚO, V, 68f., and 269; 3908, CD, VI—1, 242f.; 3910 with text; 3939 with text; 4008 with text, and 4015 with text, etc.; Jerő Szűcs, Nationalität und Nationalbewusstsein im Mittelalter. „Acta historica Academiae Scientiarum Hungaricae.” 18 (1972). Iff., and 245ff.

⁹⁴ Idem, „Theoretische Elemente in Meister Simon de Kézas Gesta Ungarorum, 1282—85,” in his *Nation und Geschichte: Studien* (Vienna, 1981), 263ff., esp. 274ff.

⁹⁵ RHM, 631.

⁹⁶ „... tractare cepimus de his, per que regie magnificencie et statui regni tocius, ac eciam ipsarum ecclesiasticarum personarum et ordinum aliorum consueretur.” *Ibid.*

⁹⁷ *Ibid.*, 1298, art. 20; in *Enchiridion*, art. 23!

life. He had, indeed, been prepared to become the king of his country. He had brought under roof the historic trend of his country's constitutional development that had its origins in the times of Prince Géza (972-97).⁹⁸ In the tenth century, the descendants of the conquerors of the land in the 890's, — who were, or were regarded to be the urforefathers of the service nobility of the thirteenth century, — had, together with the King, played a role in the government of the public good.⁹⁹ This trend had been further revived by the issue of the Hungarian Golden Bull in 1222, that had not only smoothened the road toward representative participation in public affairs of the kingdom during the 1290's, but rightly made the last Árpád king the first constitutional monarch of his country.

⁹⁸ Anonymus, c: 57, *SSH*, I, 114, 8—11; the „Zagreb Chronicle” must have regarded Prince Géza [d. 997] as Géza the First: „primus fuit dux Geycha, pater beati Stephani regis” (ibid., I, 206, 14—15), because he spoke of King Géza I (1074—77) as Geycha (ibid., I, 209, 4), and of King Géza II (1141—62) as „Geycha tertius” (ibid., I, 210, 7).

⁹⁹ On this, see Anonymus, cc. 40 and 41, *SSH*, I, 83ff.; and, ibid., I, 114, 9—11 (c. 57); Keza, c. 42, ibid., I, 172, 5—8; the Chronicle, c. 62, ibid., I, 311, 18—20. Further, the impressive original study by Kálmán Gouth, „Eszmény és valóság árpádkori királylegendáinkban [The ideal and the real in the royal legends of the Árpáadian age],” *Erdélyi Múzeum*, 49 (1944), 304ff., esp. 325.