KRISTÓF GYÖRGY VERES

THE CHARTER ISSUING PRACTICE OF THE HUNGARIAN ROYAL CHANCERY BETWEEN 1172 AND 1301

THESIS STATEMENTS

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Introduction

In my PhD dissertation, I reconstruct the charter issuing practice of the Hungarian royal chancery between 1172 and 1301 with a special emphasis on the shifts and changes in the use of the various formulae. My research encompasses all the royal charters whose full original text is preserved, i.e. the original copies as well as the transcribed ones (insertio). The privileges and the letters patent are examined together in chronological chapters, while the analysis of the royal writs and the letters missive is carried out in a separate section after the chronological blocks. In the six first chapters dedicated to the reconstruction of the formula usage, I examine the invocations, intitulati, addresses, greetings, preambles (arenga), notifications and the clauses of corroboration of approximately 2,900 royal charters.

The central working hypothesis of my dissertation is that the organizational sophistication of the chancery correlates with the level of standardization of the charter formulae, i.e. less variation in the formulae points toward higher levels of institutional maturity. Consequently, in the first six chapters of my dissertation I examine the standardization of the formulae found in the aforementioned seven charter parts. Breaking with previous tendencies in Hungarian scholarship I do not aim to paint a general picture of the formulae used in royal charters. Utilising a year-by-year chronological breakdown my goal is instead to precisely identify even the minutest shifts and fluctuations with great precision.

In separate chapters my dissertation also gives a thorough examination of the royal seals and sealing practices, and also of the chancery’s role in the administration of royal grants. The results of my inquire are presented in two separate summaries at the end of my dissertation. The first one is a concise account of the royal chancery’s organisation, functioning as well as charter issuing practice, the second contains all the historical conclusions reached during my inquiry that do not pertain to the royal chancery.

Research outcomes regarding the organization, functioning as well as charter issuing practice of the Hungarian royal chancery between 1172 and 1301

Regarding the period between 1172 and 1235, the most significant discovery is that based on their level of standardization the formulae are affected in varying degrees by political and institutional changes. Those charter parts that contain barely standardised formulae – the preamble and the clause of corroboration – react more ardently to external impulses, consequently examining these yielded more detailed results. A cyclical fluctuation of the formulae found in the preambles and in the clauses of corroboration can be unmistakably
identified, additionally the emerging new trends in these charter parts always clearly correlate with changes in the leadership of the royal chancery. This clearly indicates that during this early period the charter issuing practice of the chancery repeatedly came under substantial external influences. The conduit for these influences could have been the chancellor and/or the scribes working for him whose identity cannot be determined. The fact that the chancery’s practice could be altered so effortlessly by external influences demonstrates that between 1172 and 1235 a stable routine had not emerged yet. This in turn illustrates that before 1235 the royal chancery had not accumulated sufficient institutional memory to balance out the imported charter issuing know-how of the new chancellor and that of his scribes. All in all between 1172 and 1235 it was the constantly changing interaction between the chancellor, the destinatarius and the scribe that defined the institutional practice of the chancery and consequently it was this interaction that determined the formulae used in the specific charter.

Although a conservative turn can be identified after the accession of Béla IV (1235–1270) to the throne, the new king could not bar for long the further institutional development of the chancery that was fuelled by various forces already before 1235. During the reign of Béla IV the most significant advancement was the diversification of the chancery’s leadership. The diverging roles and duties of the chancellor and those of the vice-chancellor resulted in a clear-cut and final division of labour between the two offices in 1243. It can be inferred that the ad hoc distribution of tasks between the chancellor and his deputy, that emerged during the 1230s, proved insufficient to handle the steeply increasing administrative workload of the 1240s. It did not suffice anymore to have a cleric in charge of issuing charters and another one assisting him from time to time, the chancery needed a full-time official who managed on a daily basis the ever-expanding administrative duties of the institution. Having a permanent ‘bureaucrat’ (i.e. the vice-chancellor) on the other hand made it superfluous for the chancellor to meddle in the day-to-day operations of the institution. All in all in 1243 the representative and pragmatic functions were permanently separated, using a modern analogy the chancellor became the ‘honorary president’ of the institution with the vice-chancellor serving as the ‘secretary-general’.

During the reign of Béla IV, the new trends in the different charter parts usually emerged at the same time, but unlike the previous era these tendencies do not generally correlate with changes in the leadership of the chancery. Moreover, a cyclical fluctuation of the formulae in the preambles and in the clauses of corroboration is completely absent. Maybe the most striking development during this period is an almost total lack of new formulae in the charters. Consequently after 1235 there is no indication that the chancery came under substantial external
influences with every change in its leadership, or that its personnel was cyclically replaced with the arrival of every (vice-)chancellor. Should external influences had existed, these would have been balanced out by the emerging standard practice of the chancery which was supported by the gradually accumulated institutional memory of the organisation.

Thus after 1235 the (vice-)chancellor, the destinatarius and the scribe were not the only factors that determined the formulae used in the charters. During the long reign of Béla IV the standard institutional practice emerged to be the most dominant factor determining the content of the various charter parts almost completely overshadowing the previous role of the destinatarius. All things considered between 1235 and 1270 the Hungarian royal chancery was steadily progressing on the path of professionalization while showing the capability for organic institutional development as well.

With the accession of Ladislaus IV (1272–1290), the royal chancery found itself in an unprecedented situation. The institution’s central function was to execute the sovereign’s will yet with a child on the throne and without a stable regency a lasting power vacuum ensued, and consequently there was no royal directives to carry out. In spite of the bloody power struggle between the various oligarchy-coalitions that characterized the reign of Ladislaus IV, the chancery was left mostly unscathed. The reason for this must have been that the oligarchs who were wrestling with each other to seize the central government of the kingdom and hijack its powers were completely uninterested in ecclesiastical offices, and the chancellors as well as the vice-chancellors were exclusively clerics during this era. This suspected lack of interest in the institution itself must have been the central reason why the barons did not meddle in the operation of the chancery. Therefore paradoxically it was the general apathy of the centrifugal forces of feudal disintegration that protected the royal chancery from the devastations of the oligarchs’ private wars.

The relative calm stemming from the indifference of the barons as well as a succession of seasoned vice-chancellor could only temporally preserve the royal chancery in the form that it reached by 1270/1272. The reason for this is that after Ladislaus IV’s ascension to the throne most of the societal, administrative and political forces that had been the powerhouse of the chancery’s institutional development were shattered. And since the conditions for further professionalisation were absent, the stagnation of the royal chancery gradually lapsed into institutional decay.

The last Arpadian king, Andrew III (1290–1301) attempted to consolidate royal power by leaning on the nascent estates of the realm and by trying to establish a Western-European-style feudal chain. Examining the period between 1290 and 1301 the fundamental research question
was whether Andrew III’s endeavour to overhaul the constitutional framework of the monarchy managed to halt the institutional decay of the royal chancery. It seems that after his ascension to the throne, a short period of stabilisation ensued that was in turn replaced by another cycle of slow decay by the middle of decade. In early 1298, the treason of the vice-chancellor – who was also the archbishop-elect of Esztergom – plunged Andrew III’s government in such a deep crisis that a serious reorganisation of the chancery must have been inescapable. Unfortunately the untimely death of the last Arpadian king in early 1301 makes it impossible to even speculate about the potential significance of these last-ditch reforms.

To summarise, the charter issuing practice of the Hungarian royal chancery cannot be described as a linear and frozen process. Between 1172 and 1301 the augmentation of charter production was not steady, the standardization of the formulae was not without wild fluctuations. From the 1180s up until 1272, the royal chancery went through extended periods of dynamic development, which could only be briefly interrupted by external negative influences. However after 1272 most of the societal, administrative and political forces that had been the powerhouse of chancery’s institutional development were shattered. And since the conditions for further professionalisation were absent, the last three decades of the 13th century was a period of stagnation lapsing into institutional decay, which was only temporarily halted by stabilising efforts after 1290.

Miscellaneous Historical Conclusions

Examining the charter issuing practice of the Hungarian royal chancery, I reached a number of unexpected historical conclusions that do not pertain to the royal chancery. Regarding the period before the Mongol invasion, the most significant is that duke Béla (eldest son of Andrew II) did not add Cumania to his ducal intitulatio in 1233. It only appeared among his official titles after being crowned king of Hungary in 1235.

A number of my historical conclusions was related to the usage of the preambles as instruments of royal propaganda. After sporadic experimentation with preambles that carried political messages, the exploitation of the arenga as medium of royal representation switched gears in 1205. The steady and copious use of the *novae institutiones* preambles must have been deliberate, which is also corroborated by the fact that these formulae went through a number of minute adjustments during the long reign of Andrew II always fine-tuning them to the ever-changing political situation.
It seems that between 1235 and 1241, the royal chancery did not try to exploit the representative potential of the preambles. It was only after the Mongol invasion (1241) that a coherently used arenga category emerged to serve as the ideological framework for the king’s policies. However, instead of inventing a brand-new vocabulary for this new preamble category, the chancery leaned heavily on its own institutional memory when it formulated the doctrinal centrepiece of the next decades’ royal policy: loyalty precedes every other virtue and consequently its merits must receive rewards. The formulae that make up the loyalty (fidelitas) preambles borrow heavily from the texts of the novae institutiones arenga category with one significant difference between the two categories. After the Mongol invasion the fidelitas preambles always name loyalty, or loyal service – never any other merit – as the motivation for the monarch’s generous donations to his subjects.

With the creation of the fidelitas preambles, the chancery of Béla IV and subsequently that of his eldest son gained a propaganda tool comparable to the novae institutiones arenga category in its complexity and sophistication. The fidelitas texts were not the only preambles having political connotations during this era that were used in a representative role. However, up until this point all of the previously discussed political preambles were designed to propagate a specific segment of the monarch’s policies. With the creation of the regimen arenga category after 1241, the chancery attempted for the first time to sketch out the abstract principles that theoretically guided the monarch’s policies. The fact that a kind of ‘state theory’ emerged at the royal chancery is significant because it reveals a substantial reception of ideas rooted in Roman law. That is, the regimen preamble category relies heavily on formulae borrowed from Roman law.

All in all, the use of the preambles as propaganda tools reached its zenith during the two decades following the Mongol invasion. It seems though that between 1272 and 1301 the representative potential inherent in the preambles was not exploited at all. Although the fidelitas arenga category was employed abundantly between 1272 and 1290, it can be argued that during the reign of Ladislaus IV these preambles stripped of their original meaning were only used as empty phrases conserved by the institutional memory of the chancery.

During the bloody power struggle between the various oligarchy-coalitions, the fidelitas preambles that praised steadfast loyalty towards the sovereign went directly against the political realities of the era. The apparent discrepancy between the fantasy world of the preambles and the harsh realities of the era could have had negative implications for the royal chancery too. It seems logical to assume that during the reign of Ladislaus IV the significance of the content of the preambles experienced a period of steep devaluation. In other words since the preambles...
tended to contradict the real world, it seems probable that after a while no one really cared about the content of this charter part with the possible exception of some scribes who wanted to show off their knowledge of Latin. If such a devaluation of the preambles had occurred that could have eliminated even the possibility to use the preambles as propaganda tools in the future.

After Andrew III (1290–1301) ascended to the throne the predominance of the fidelitas arenga category continued, but during the reign of the last Arpadian no new subcategory emerged containing fresh ideas. Consequently, the ideology of power-sharing between the monarch and the nascent estates of the realm, is completely lacking from the preambles of the royal chancery. This absence is remarkable because it was this ideological construct that served as the centrepiece of Andrew III’s political programme that attempted to consolidate royal power and weaken the oligarchy. It seems logical to assume that the government of Andrew III could have recognised the limits of the preambles as propaganda tools. It is important to stress that during the reign of Ladislaus IV the significance of the content of the preambles could have been devaluated. Consequently, when Andrew III ascended to the throne, technically there was no immediate precedent at the royal chancery to employ these charter parts as tools of royal propaganda, there was no living custom to build upon.

Apart from their employment as propaganda tools, the systematic analysis of the preambles also yielded other historical conclusions. The shifts and changes in the texts of the various subcategories as well as the gradual infiltration of new terminology can expose broader societal, economical and political progress. Among these, arguably the most important is the gradual spread of the term nobilitas in the preambles, which did not happen through the emergence of a brand-new arenga category but rather cutting across a number of the already existing ones, bearing witness to the massive societal transformation that took place during the closing decades of the 13th century. According to the terminology that emerged after 1272 it was not the king’s subjects or loyal servants whose requests the monarch needed to fulfil, but those of the nobles; it was not the king’s subjects or soldiers whose ranks needed to be increased but those of the nobility. All in all, the emerging dividing line between the societal categories of nobilitas and ignobilitas was also developing in the terminology of the royal charters.

Finally, the widespread inclusion of the loca credibilia in the administration of royal donations did not happen as a sudden result of a chancery reform in 1272. These institutions started to participate in the local proceeding much earlier. Their role in the administration of royal grants grew gradually over the course of three decades. During the final years of Béla IV’s reign, approximately 30–35% of all the donations were administered with clerics from the loca credibilia present as credible witnesses. This figure jumped to 60% during the short reign
of Stephen V (1270–1272). The administrative method that relied heavily on the *comites parochiales* carrying out royal writs on their own does not seem to rigidly precede the system typical of the 14\textsuperscript{th} century. Moreover, the *comites parochiales* does not seem to be involved in the administration of royal grants in the eastern half of the kingdom during the 1240s and 1250s. The group’s significance starts to sharply increase after 1257 in Slavonia, in Transdanubia as well as in the north-western region of the kingdom. Since both administrative systems appear to be on an upward trend during the 1260s, it seems that during this period they might have complemented each other rather than one of them being superseded by the other. The *comites parochiales* did not participate in the administration of royal grants in the *regnum* of the junior king during the 1260s, this could have been the reason why Stephen V did not utilise this administrative method after he became the monarch of the whole country in 1270. Lastly, I could identify significant territorial specificities in the counties of Zvolen, Spiš, Turňa and Šariš, the *comites parochiales* of these counties participated in the administration of royal grants very frequently, not just in their own *comitatus* but also in the surrounding ones.

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