



## SOME CHARACTERISTICS OF THE MEDIEVAL HUNGARIAN NOBLE FAMILY

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This article should be considered a preliminary report on the first results of a research undertaking which still needs more time to be completed. This examination was intended to be carried out in two phases. During the first phase the social system was to be established, while during the second phase the most important variables of the system were to be analyzed with the help of a "random sample" in order to describe the typical behavior. The quotation marks serve to indicate our inability to follow properly the rules of the procedure for statistical random sample investigation. I chose ten patrilineages from each of three small areas, thirty altogether, and, in addition to those, seventy more from all over the country. The sampling had to take into account the availability of sources, which necessarily led to some distortion. From the middle of the sixteenth century the central areas of the country were occupied by the Turks; consequently, fewer sources have come down to us from those areas. Genealogies and the property histories of the selected descent groups form the foundation of the quantitative investigation. Since the research, however, is not yet completed, we can only discuss the social system here. The system was analyzed by comparing the scattered records with the legal norm, i.e., the *Tripartitum*, written

in 1514 by Stefan Werböczy, a codification of Hungarian customary law, which deals in detail with the family and property matters of the nobility.

The ambassador of the King of Hungary in Milan presented a detailed report on the conditions of the country and the income of his sovereign while at the Sforza court in 1476. Fortunately, a humanist of the chancery entered this report in his diary: "Le casate dei zentilhomini che ascendano al numero de mille settecento case non pagano niente, ma sono obligati, con omne suo potere, entrare in campo per difesa del Regno" (Simonetto, 202).<sup>1</sup> If we compare this number with the results of Hungarian historical-demographic research, there were then, on an average, twenty to twenty-four persons per "house." This number seems to be consistent with the genealogical literature, although the distribution of values cannot be more precisely determined.

Italian *casa*, in the Medieval Latin of Hungary—up to the middle of the sixteenth century the written language was almost exclusively Latin—corresponds to *genus* or *generatio*. The ambassador, therefore, was not speaking of families or households in our modern sense of the word, but rather of patrilineages.

In spite of the importance of the common ancestor, members of the same

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<sup>1</sup>"The patrilineages of the noblemen, which amount to one thousand seven hundred houses, do not pay anything, but are obligated, with all their force, to enter the field for the defense of the kingdom."



lineage had no common name. According to legal regulations, the Hungarian nobleman had to be called by his own and by his father's first name, and by the name of his property, e.g. *Johannes filius Andree de X*. The third part of this name ("de X") could change several times during one lifetime because of the partition of common property, or because the nobleman owned several estates and could be called alternatively after one or the other. This system of naming causes many problems for genealogical research. Fortunately, some of the patrilineages or segments thereof had surnames distinguishing them from each other.

In addition to the general linguistic usage in Europe, that of choosing a person's surname from a salient physical or mental quality (e.g., Tall, Little, Red, Devil), there were two typically Hungarian ways of naming. The first was to form a surname by adding the suffix *-fi* (fitz, son) to the name of the progenitor. Thus *Ipolt* (the Hungarian form of the Latin *Hypolitus*) became *Ipoltfi*; in Latin documents *I-poltfi* is mentioned as *filius Hypoliti*. This type of naming caused genealogists some problems, since in the formula *Ladislaus filius Stephani filii Hypoliti de X*, "Hypoliti" does not necessarily designate the father of Ladislaus' father; this "Hypolit" may have been a more remote ancestor.

The progenitor often held a position of high national authority. Some parts of the country were administered in the name of the king by the so-called *banus*, or, in Transylvania, by the *voivode*. Both offices conferred a high measure of power and prestige on their holders. The descendants of such persons did not form their surnames from the progenitor's first name but from the official title. Hungarian *Bánfi* was translated into Latin as *filius bani*.

The second typically Hungarian way of naming a person was to give him the name

of an animal. Different segments of a lineage assumed different names of the same animal species. The patrilineage whose property was situated at the confluence of three large rivers and consisted mainly of fishponds called its three segments *Harcsa*, *Keszeg* and *Pozsár* (sheathfish, whitefish, and carp). Another lineage, whose property was situated in the dry lowland, distinguished its three segments by the names *Csirke*, *Tyuk* and *Lud* (chicken, hen, and goose). The origin of forming names with the suffix *-fi* is known. The custom of adopting different names of the same animal species remains, however, unexplained.

The ruling class of late medieval Hungary consisted of the higher stratum of the aristocracy (*barones regni*) and the lower one of the nobility (*nobiles*). The aristocracy had a say in all political questions of the country and exercised it within the royal council; the nobility exercised power in the counties. Medieval Hungary was divided into counties (*comitatus*), at the top of which a high sheriff (*comes*), appointed by the sovereign, represented the central power. He was, in most cases, an aristocrat who did not exercise his rights personally but through his representative (*vicecomes*), whom he could select from his retainers at will. The county nobility was represented by the four county magistrates (*iudices nobilium*), whom they elected, and several jurors (*iurati nobiles*). A system developed in which the central power was forced to cooperate with the self-government of the nobility. Taxes were assessed and collected by the representatives of the royal chamber and the county. The *sedria* (an abbreviation of *sedes iudiciaria*), consisting of the *vicecomes* and the four magistrates, exercised the lower jurisdiction, while the judges of the county or the sovereign himself exercised the higher jurisdiction, competent for all questions concerning the property of the nobility. The judges and



the sovereign, however, were not allowed to pass judgment without having consulted the assembled nobility. But frequently, these cases were finally adjudicated by the extrajudicial arbitration of an elected noble jury.

The nobility of the county had an important instrument of power in the procedures of collecting evidence, called *inquisitio*. There were three kinds of inquisitions. Evidence could be solicited, under oath, either from neighbors and selected, mainly older members of the county, or from county officers, or from the assembled nobility. In each case the witnesses were asked what they knew about the case (*ex scitu*), or what they had heard about it (*ex auditu*). This procedure was not only followed in criminal trials but also in cases dealing with status and property. Hence, in the last resort, it was the community of nobles who decided about noble status.

The formal way of acquiring nobility was, at least from the beginning of the thirteenth century, for the king to grant a person a piece of land or to confer the title of nobility on him. The sovereign could give property to anybody (which made this person *ipso facto* a nobleman), or he could accept a person into the "body of royal servants" (*servientes regales*). During the first half of the thirteenth century, typically conferment of the title of nobility was for distinguished military service. Enobling charters usually stress "knightly conduct" in *militari armatu* under the king's banner as the basis for the grant. In the second half of the thirteenth century, the strata of free landowners and of royal servants merged; and by the end of the century, the knight had turned into an estate owner (*homo possessionatus*). A free property, even a small one, was the determining feature.

This development had the following two consequences: first, the Hungarian nobility was an open class into which everybody

whom the county nobility recognized could rise through royal favor, the acquisition of property, or marriage; and, second, free (taxfree) property was the most distinctive characteristic of the nobility. Other features of the European nobility, such as a knightly way of life, and level of culture, did not necessarily come with nobility. It is, for example, typical that the nobility accepted and used coats of arms only when the Hungarian retainers of the king and the aristocrats came in contact with European heraldry at the Council of Constance. All this, however, did not mean a lack of prestige.

The source of prestige did not lie in the value or extent of the property, but in the presence of noble blood. If a noble daughter married a non-nobleman, her children qualified as noblemen because they came from noble blood through their mother. Only in this exceptional case, however, was a woman the transmitter of the noble blood; in all other cases the transmitter was the man.

Regarding noble landed property, we must consider the impact of an institution which was called *aviticitas* in medieval Latin. The estates taken over from the father were called inherited estates, in contrast to those which the son had either bought or otherwise acquired—with the exception of the royal donations—and had to be equally divided among the sons. Each son's duty was to pass his share of the inheritance on to his descendants undiminished. In other words, the Hungarian nobleman was not an absolute master over the disposition of his estates. If a male member of a patrilineage died without a son, the next paternal male relative inherited the latter's share of the inheritance. If there were no such relatives the estate would escheat to the crown. Thus, the patrilineage was not only held together by descent from a common ancestor, but also by the inherited property.



The patrilineage represented a social unit, a fact that is supported by the 1476 report of the Hungarian ambassador, yet it owned the inherited estate in small units. These units were in fact economic units, but they were always households as well, and after the division, nuclear family households. In a case where the brothers together administer the estate as a whole after the death of the father, a *frèreche*, a complex family household develops. We will, therefore, in the following text talk about families instead of units.

The noble family was just as patriarchal in Hungary as it was in Western Europe during the Middle Ages. But the characteristic Hungarian feature does not lie in patriarchy but in the extreme inequality of the sexes in favor of men, a fact which is clearly expressed in the nomenclature of relationship. Since, as mentioned before, Latin was the written language and Hungarian the spoken language, we have two nomenclatures at our disposal, one in Latin and one in Hungarian. One would expect the Latin nomenclature to follow the canon law: first, because canon law was in force in Hungary as in all those parts of the continent where the Roman Church was accepted; second, because the documents were often written by Masters and Doctors of the canon law; and third, because the canonic *arbor consanguinitas* and *arbor affinitas* ("trees" or tables of consanguinity and of affinity) were taught in the town and chapter schools. But it was not so. The Hungarian nomenclature prevailed, and the Latin texts were translated from the Hungarian legal terminology. We should mention here, however, that the Hungarian language always considered the age of the relatives in comparison to Ego, but never considered generational differences. In Medieval Hungarian there were no words for "brother" and "sister," only for "older brother" or "younger brother;"

even an "uncle" was called "older brother."

Terms for kinship positions in the paternal line were understandably more developed since this line played an almost exclusive role in the inheritance. The progenitor, who in most cases had inherited the estate, was raised above the line of descendants. Unfortunately, we only know his Latin name, *prothavus* (proto+avus), which represents a special formation of the Hungarian Medieval Latin. With the exception of the father, it seems there was no distinction between the ancestors from the progenitor to the ego. All of them were called *ös* (ancestor) in Hungarian and *avus* in Latin. The brothers of Ego were called by the collective name *frater*, Hungarian *atyámfia*, which literally means "son of my father." This term was, however, also used for "cousin" and "uncle." Nephews and third and fourth degree cousins were also "sons of the father." In Latin *frater patrualis* was used for distant relatives, a fact which again stresses the significance of the agnatic relationship. Surprisingly, the difference in age was not expressed. In its original meaning the "father's son" was a paternal relative entitled to inherit after the death of an Ego who had no son of his own. Conversely, after the death of the "father's son" (likewise sonless), the Ego was entitled to inherit. The system of the *aviticitas* brought the nomenclature of relationship into being, not only in the case of the "father's son," but also in the case of ancestors where only the progenitor had to be distinguished because the legal title of the property came from him. It may be assumed that the line of ancestors was known. In the trials, almost every nobleman was able to name five to six generations. Strangely enough, this naming was not done on the basis of written documents but oral transmission.

Since the word *frater* represented a



collective term, real brothers (in our sense of the term) were called *fratres carnales* or *fratres uterini* in Latin. *Fratres carnales* had only a common father (they were stepbrothers); *fratres uterini*, on the other hand, had both parents in common.

The relatives on the mother's side were hardly qualified in detail. In most cases they were simply called *proximi*. More often we come across a term from the relationship by marriage, namely that of the son-in-law (*gener*, sometimes *sponsus*). Interestingly enough, he was not only called so by his father-in-law but also by his brother-in-law after the death of the father-in-law. This usage most probably indicated that the son became the head of the family after the death of the father and therefore called his brother-in-law son-in-law.

The inequality of the sexes was expressed most clearly in the distribution of roles. With the exception mentioned above, the father's blood alone secured noble status for the children, within the framework of a legal Christian marriage; the status of the mother was completely insignificant. In principle, she could even be the daughter of a bondsman because the mother "only gives the form of the procreation" (Werböczy). It was the highest duty of the father to beget sons and to bring them up (i.e., provide them with food and clothes) because the "semen of a man who has no son is extinguished" (*in semine defecet*), even if he has several daughters. The father—always *pater et dominus*—had almost absolute power over his wife and children. He could punish them, throw his sons into the dungeon, or give them as hostages in his stead. But he could not expel them from the family and prevent their marriage, because this would mean preventing the reproduction of his patrilineage. As mentioned earlier, the head of the family did not have absolute power over the inherited estate; he could only sell it in case of his captivity to use the

money for his ransom. In the case of a *frèreche* the oldest son assumed the role of the father. His power, however, was considerably weaker than the father's since any brother could demand the division of the estates and thus bring about the dissolution of the extended family.

The situation of the woman was characterized by what was conceived to be her inferior role in reproduction and by the principle that women could never achieve the same legal capacity to act that men did. Before they married, they were under the power of the father; after their marriage, under the power of the husband. After the death of the husband, they inherited only part of the movables; their wedding gift and dowry was returned to them. The widow could live in the house of her husband; should she, however, decide to remarry, she had to move out and she then received a widow's pension. This pension was called *dos/dotatitium*, the meaning of which in Hungary was quite different from the classic meaning of the term. According to Werböczy, the woman was entitled to the widow's pension "because of the loss of her virginity." The term should then be identical with "morning gift" (*Morgengabe*). But underlying these romantic terms was a simple concept of wages (also defined as *merces* by Werböczy). A proof for this meaning may be that, after the death of the first husband, the woman could claim a complete widow's pension; after the death of the second, only half of it; and after the death of the third, only a quarter of it, apparently because she was running the greatest risk with the first child. The extent of the widow's pension was determined by the value of the estate owned by the husband. If the wife died before her husband, the widow's pension was inherited by her daughters or her own agnatic relatives. If we add that, in principle, the widow's pension was paid in cash, the picture of the role of the woman becomes clear: she



was indispensable for reproduction; for this service she received wages, yet never a share of the inheritance. If the widow did not make a second marriage, she was not only allowed to remain in the house of her late husband but also to take over the guardianship of her sons and to administer the estate while they were still underage. Only in this case was she considered an equal partner of men.

The inheritance was also stubbornly defended against the daughters. They had the right to stay in the house in case they did not marry. If they married, however, they received a daughter's share consisting of a quarter of the total value of the paternal estates, the so-called *quarta puellaris*. Yet the extent of the share did not increase with the number of daughters. The share for all daughters together, even if there were several, remained one quarter, which would then be equally divided among them and paid in cash. They only received an estate if they married a non-nobleman.

The members of the patrilineage were bound to each other by a tie of solidarity which extended to all spheres of life. With the exception of a disloyal member, no member could be expelled from the lineage. The father was not allowed to disinherit his sons, just as the sons were not allowed to renounce the agnatic unit. Such an act was considered a serious crime, and in biblical language was called "betrayal of fraternal blood" (*proditio fraterni sanguinis*). As a punishment for this crime, the traitor lost his inherited estates to those whom he betrayed. In spite of this loss, he did not lose his membership in the lineage, and the betrayed had to support him for life. If a member of a lineage became disloyal and his estate was therefore confiscated, the other members were allowed to ransom the estate from the king or the judge.

Solidarity was evident in the practice of guardianship. Every nobleman had the right to appoint by will, orally or in

writing, the guardian for his underage children. If there was no appointment, the next agnatic relative took over the guardianship. If there was no such relative, the king, as the highest patron of widows and orphans, would appoint a guardian.

Lineage solidarity also influenced the sale of the inherited estate. It had to be offered to the members of the lineage first and could only then be sold to a stranger (non-agnate) if the paternal relatives did not make use of their preemptive rights. If the king granted a member of the lineage an estate, the next relatives were included in the deed as co-beneficiaries. But even if this was not done, they were entitled to their corresponding shares of the estate. In the patronage rights, solidarity appeared rather as a question of prestige. Because of the broad influence of the proprietary church (*Eigenkirche*) in Hungary, the nobility practiced its patronage rights almost everywhere on its estates; sometimes it founded small monasteries. The patronage rights were never or only very seldom divided. They formed a common property, and the patrilineages insisted that all members be buried in the same church. It often happened, however, that one branch tried to do another out of its burial rights, a fact which led to long canonic litigation.

Inevitably, tension always accompanied the solidarity within the lineage. With the divisions, factually and rightfully, part of the common inherited estate became the property of one family, but it stayed a lineage estate in so far as the right of inheritance of the estate was secured to the male relatives. The potential heirs followed the fate of the inherited estate with great and extremely stubborn interest in order to assert their claims or to interfere if necessary. Because they hoped to inherit their property, they were especially interested in those agnatic uncles who remained childless. The sources show



clearly that each member tried to secure for himself the largest possible share of the inheritance. This explains why often, at the times of the struggle for the throne in the first decades of the fourteenth century, members of the same patrilineages could be found in the ranks of opposing parties even on opposite sides of the battlefield. After the battle was decided, the victors asked to be granted the estates of the vanquished disloyal agnatic relatives. The ruthless striving for personal advantage clothed itself in the moral form of keeping the inherited estate within the property of the patrilineage.

These tensions led to a material differentiation within the patrilineage, which could be observed mainly in the 1330s. The politically successful lineage segments bought the estates of the impoverished branches and could thus reunite the original estates into one property. During those years, intimidation, sheer violence, and often manslaughter were common even within lineages.

This tension may also explain why the father very often appointed the mother guardian; in most cases he trusted his wife more than agnatic relatives who were known to have seized somebody else's inherited share. The inherited estates, which as mentioned above had to be equally divided among the sons, formed the economic basis for the family. In this respect, the demographic situation played such a decisive role that, without taking it into consideration, the history of families and property would remain unintelligible. Noble families were characterized by a very unstable and fragile demographic structure, which in contrast with modern demographic structures, must be analyzed through the male line, since the patrilineage consisted of men and was carried on by men. Already the preliminary results show clearly that few men were born in each generation, fewer reached manhood, and even fewer had sons. Consequently,

the extinction of individual lineage segments was nothing out of the ordinary, and the significance of this fact cannot be underestimated. The majority of the lineages perished in this way; the minority consisted of prolific and fortunate lineages with many men in successive generations to carry on the line of descent.

Because of the special exigencies created by demographic structure, the inherited estate was changed into a phenomenon which can best be compared to a steam boiler. If there were many adult men in several successive generations, the pressure on the inherited estate would grow; and consequently, because of the divisions, each family owned less and less of the estate and became poorer and poorer. If besides sons there were also daughters who had to be married away with a daughter's share, the decrease of the estate threatened the prestige of the lineage. In order to avoid this threat, a valve to decrease the pressure had to be built into the boiler. In the Middle Ages not one, but two such valves existed: the religious career and the so-called *familiaritas* (Familiarität).

Through demographic investigations carried on during the early twentieth century, Hajnal determined that there were significant differences between the patterns of nuptiality in Western and Eastern Europe. In the East, the rate of participation in reproduction was much higher, and fewer adults stayed single. The Hungarian genealogies point to the fact that this difference already existed in the Middle Ages. In most cases, an adult nobleman married; only a few of them choose an ecclesiastical career. Those who did so naturally became prelates or dignitaries in the wealthy religious foundations. In other words, if a son was intended to enter a religious career, he could count on the fact that he would not remain in the lower clergy.

From the point of view of the noble



family, the advantage outweighed the disadvantage. The disadvantage lay in the fact that the family lost a potential procreator. They could therefore only afford this loss in the case where there were enough brothers left to carry on the family. But advantages also resulted. Since a clergyman could not have any legitimate descendants, the number of sons entitled to inherit decreased for the next partition, and the share per person increased. Through the clergyman, the brothers could benefit from the moral prestige of the church. He could also support them from his income. If he was talented and able to make his career at the royal court or at the other centers of power, he could establish contact between the sovereign and his brothers and thus help them to make political careers. Moreover, he could be granted an estate on which, in the sense mentioned above, his brothers would have a claim.

The other valve, *familiaritas*, was, in truth, a widespread feudal institution, but the Hungarian practices exhibited so many essential differences from the Western European pattern that retaining the original Latin expression to designate it seems justified. In medieval Hungary a fully articulated feudal hierarchy was never firmly established. Neither the aristocracy nor the nobility was bound to the king by formal feudal law. In spite of this, an aristocrat would organize his retinue on the basis of feudal law and call it *familia*, and its members, *familiares*. These noble retainers, usually sons of the lesser nobility, took the oath of allegiance to their lord (*dominus*) upon entering his service and were subject to his jurisdiction in matters of service. They were paid for their service, often in kind, receiving a certain part of the income of their lord's estate; but they were never given whole estates. The oath of allegiance and principle of jurisdiction thus followed the practice of the feudal system, but the

Western European influence stopped at this point: *familiares* did not become "vassals" in the proper sense of the word. In spite of his oath of allegiance and service, the retainer was as free a noble as his *dominus* in matters concerning his own property. The tie between the lord and his retainer could be cancelled at any time; changing one's lord was not exceptional, nor was it very difficult to accomplish. Neither obligation of service by the retainer, nor that of protection by the lord was binding for the descendants of either. While the lord retained more despotic power, the retainer had more freedom than was usual for a vassal in Western Europe in the period.

The *familiaritas* as a pressure-decreasing valve entailed advantages for both sides. The large aristocratic estate needed administrators. The more developed the estate, the more administrators were needed. The retainers were not only manorial administrators, but also functionaries of the lords or count mentioned above. As representatives of an aristocrat they could get in contact with the sovereign, a fact that sometimes opened up a separate political career. The first advantage for the noble family lay in the fact that it no longer had to bear the maintenance costs of a member; one could even count on a small special income. The inherited estate was administered by the brother who remained at home (even if it was theoretically divided). There were other advantages. *Familiares* could also hope that the lord would give their families protection and, in the worst eventuality, support underage orphans. This is the point where the selection of a lord was of importance. If the lord had his large estate in the same or neighboring county, the increase in prestige by association with him was the greatest and his protection the most successful. It might happen, however, that there was no suitable lord nearby or that the lord already had enough





retainers. In this case, the noble son was forced to look for a lord living further away; the further away the lord lived, of course, the less effective was his protection. The special income and the decrease of pressure on the estate could, however, under these circumstances also prove to be advantageous.

Of the two valves, the religious career and "familiarity," the latter proved to be more advantageous. The reason for this lies in the demographic structure. No matter how many male members were in a family, demographic catastrophes could wipe out complete generations, or decimate them. In such a case, the absent cleric could return to the estate and participate in reproduction only if he had not yet been ordained as a priest. Such a case was, however, hardly probable, and we know of such cases only in the aristocracy. To renounce the *familiaritas*, on the other hand, was not difficult. Perhaps this fact and the widespread practice of extensive nuptiality explains why the sons very seldom chose a religious career and often entered into the service of large landowners.

The pressure in the boiler of the noble estate could also decrease. At some point in the history of almost every family, the sons did not reach adulthood or only girls were born. According to the rules mentioned above, the estate was then supposed to go to a male agnate or fall to the crown. In such a case, the pressure dropped to a catastrophically low level. In order to raise it, another valve was built in, "son-making." It was within the power of the king to make the daughter or daughters of a nobleman a "male heir" of the father (*in heredem masculinum preficere*, which was called "son-making" in Hungarian). The daughter-made-son could inherit the paternal estates without any difficulty. The extinction of the old lineage could not be avoided in this way, but a new lineage was started whose found-

ing ancestor was, paradoxically, a woman. The rights of the paternal lineage were protected in any case, since the king was not allowed to make a girl an "heir" if there were male relatives in the paternal line up to the fourth degree. If there was such a relative, the royal declaration would be invalid.

In the course of the description of the system, the king and contact with him has been mentioned repeatedly. If the nobleman wanted to make a career and rise into the aristocracy, such contact was essential. For that reason the system must be viewed from this perspective.

According to the report of the ambassador in 1476, the Hungarian nobleman enjoyed complete exemption from taxes ("*non pagano niente*"), but he was obliged to campaign. Exemption from taxes was indeed the basic freedom of the Hungarian nobility. Contrary to Western European feudal practice, moreover, the king of Hungary did not grant fiefs to individuals, but rather to lineages; to these they transferred the rights over men and income on certain lands. Property and duty to serve in war was inherited within the patrilineage and remained unchanged as long as a single male member was living. This policy is completely understandable and reasonable, especially if we bear in mind the unstable and fragile demographic structure. As a result of this institutional development, however, the king renounced an important opportunity to renew the noble stratum from time to time. It is understandable (and consistent with the West European pattern) that those who carried on the lineage were the males, because the sovereign needed soldiers. Other features, on the other hand, seem incomprehensible and nonsensical: the recognition of property division continually decreased the income of the lineage and therefore prevented the purchase of equipment adequate for the heavily armed knight and the preservation



of a way of life in keeping with the lineage's social status. It is furthermore incomprehensible that the king left the recruitment of the nobility to the nobility itself. The divisions alone led to a fragmentation of the inherited estate. A bondsman who married a noble daughter received a quarter of the inherited estate. The number of noblemen who did not own more than one farm and were, economically and culturally, on the level of the farmers increased steadily. At the end of the fifteenth century, the nobility made up three to four percent of the whole population, yet only one percent of it owned large estates; the rest were farmers. This had a twofold result. First, the nobility was increasingly forced to enter the service of big landowners and therefore lost their political independence. Second, the nobility tried—successfully, it must be added—to vote to suspend the duty to serve in the war, to get rid of a duty which, under the worsening economic conditions, they were no longer able to support.

One may ask how this situation came about. The starting position of this development may be found at the beginning of the fourteenth century when the aristocrats were still called *nobiles*. Besides them, active in government and warfare were those freemen who were called "king's servants" (*servientes regis*), a term which suitably expressed their hope to keep, through the support of the king, their freedom against the pressure of the aristocrats. Originally, the social system described above was a system observed by the aristocracy. These rights, however, were claimed by the king's servants, even before the king had approved their higher status in the Golden Bull of 1222.

The final approval of the adoption of the formerly aristocratic system was expressed by King Louis I in a Law of 1351. On the one hand, the law was intended to reward the king's servants for the heavy material sacrifices which they took upon themselves

during the campaigns to Italy; on the other hand, it was to recognize the distribution of property which had taken place between the years 1250 and 1350 and which, to a certain extent, had already solidified. At the beginning of the thirteenth century, the larger part of the country was owned by the king, yet, from the middle of the century on, the large royal estates were given away, more to the aristocrats than to the king's servants. Again and again, events in politics and war made it possible to do meritorious service. The second third of the thirteenth century was the Golden Age of the lineages. During the last third of the century the aristocrats gained more and more power, and the country was broken up into territories. Already during that time the king's servants found themselves in a difficult situation, which worsened during the fights in which the territorial lords were defeated. When in 1321 the last territorial lord died, the king was able to redistribute the landed property. Loyal followers of the king were rewarded, disloyal ones were punished, and the royal estates were organized as domains around a fortress. During the following decades, only a few royal estates were given away, which meant that, the nobility could neither expand its property at the cost of the royal estates, nor could it raise the feudal dues of the serfs. There were no other earning possibilities for increasing wealth. A free market in property could have eliminated this bottleneck. But each patrilineage tried to keep its estates, even at a great sacrifice. The nobility would rather pawn than sell, since pawning did not mean the final loss of the inherited estate. Meanwhile impoverishment continued. Besides the continuous divisions, there were also other systematic causes of this impoverishment. They played a significant negative role during the fourteenth and fifteenth centuries; their effect, however, is not quantitatively measurable.



Three obligations burdened the noble estate: military service, widow's pension and daughter's share. The heaviest of these was undoubtedly the daughter's share. It is evident that the payment value of a quarter of the whole property meant an almost unbearable burden for the owner of an estate who had his estate leased out to tenants. We have also to take into consideration that the farmers paid only a small amount of their taxes in cash, and this amount could not be raised substantially in the course of the centuries. Moreover, it was subject to the devaluation common all over Europe. In other words, the nobility had no money, above all no cash. A part of the estate would often be given in pawn to the daughter's husband in order to pay the daughter's share without having to worry about the principle that the inheritance estate should not fall into the hands of strangers—and the son-in-law was also such a stranger. The lack of cash caused similar problems with the widow's pension, yet to a much smaller extent. The obligation of military service could most easily be avoided, partly by the *familiaris* departing at the cost of his lord, partly by relief from military service because of age or sickness. Daughter's share, widow's pension, and military service burdened the estate as obligations (although the first did not apply, of course, if no daughters were born in the family).

Besides these obligations, there were other conditions which made the preservation of the estate difficult or even impossible. First, because of high mortality rates of the time, the head of the family often died at a young age. He was always called *dominus* and did, indeed, rule over the estate and secure it for his family. His early death left the family unprotected and opened the way for greedy relatives. Sometimes energetic and skillful widows were able to preserve the estate for their children in spite of all difficulties. Two

other events, however, proved to be almost always catastrophic: political miscalculation, i.e. disloyalty towards the sovereign, and captivity. Since both events are characteristic of all medieval Europe it is not necessary to expatiate on them here.

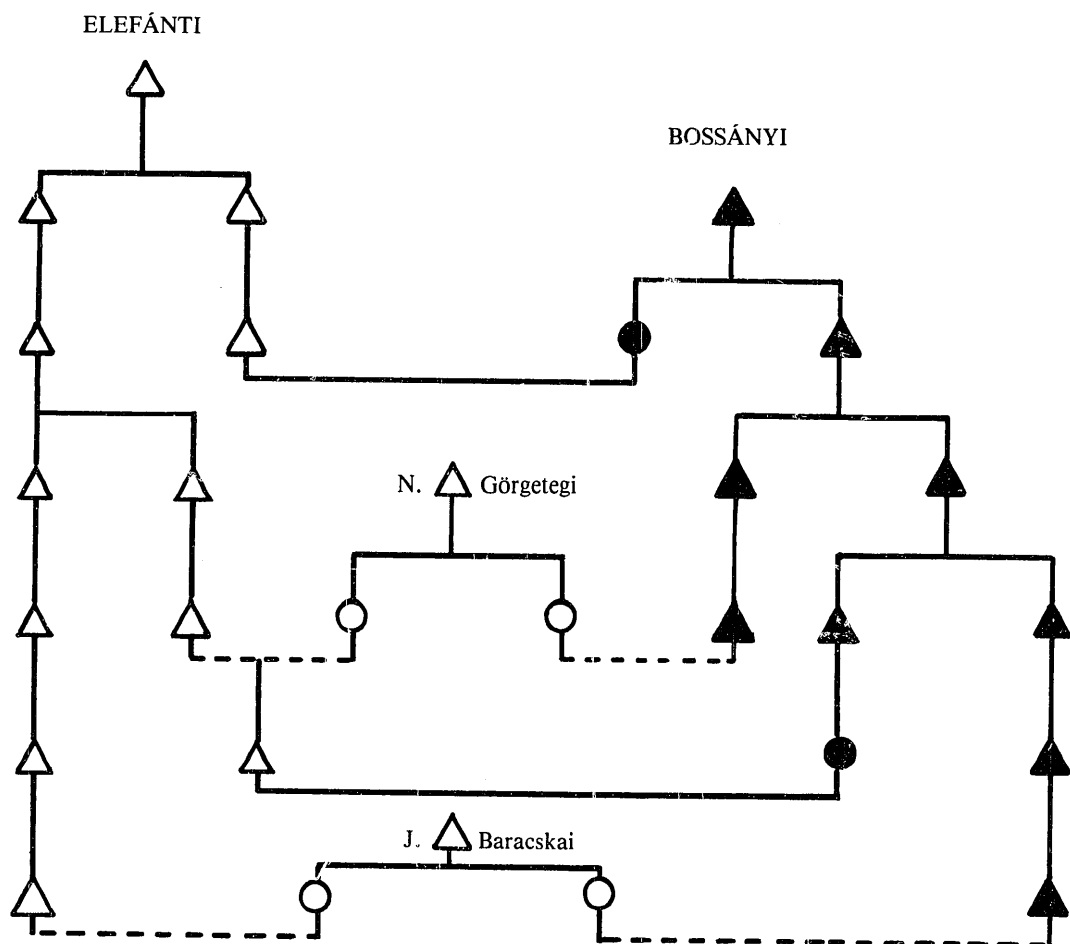
Events with a negative effect could be counterbalanced by those with a positive effect. Forms of one of them have been mentioned before, namely special arrangements (religious career or *familiaritas*); the second was the marriage of a noble daughter who, as a dowry, among other things brought in cash.

When analyzing the choice of partner, one comes to the conclusion that the stratification of the nobility—based not so much on material stratification as on prestige—played the decisive role. In spite of the principle that the status of the mother was unimportant, we have not yet found a single case in which a noble married the daughter of a serf. At the most daughters of burghers were possible choices. Yet such a case also seems to have been exceptional. Noblemen married wives from their own stratum, or, as expressed in the Latin language: *nobiles sibi similes*.

It is striking that each patrilineage seemed to have chosen a favorite partner patrilineage from which they got their wives from time to time. That may have been the reason for practicing social forms of marriage which were customary among the aristocracy. The first form I have called twin marriage. By that I mean that a son of lineage A married a daughter of lineage B at the same time as, or very shortly after a son of lineage B married a daughter of lineage A. In the second form of the "recurring marriage," every so often (generally in every other generation), patrilineage A chose a wife from patrilineage B. This second form, of course, collided with the canonic prohibition against marrying relatives up to the fourth degree. Yet the nobility was helped by the demographic structure. The continuous extinc-



FIGURE 1. LINKS OF AFFINITY BETWEEN THE ELEFÁNTI AND BOSSÁNYI LINEAGES OVER SIX GENERATIONS (1266-1450).



tion of the lineage segments made a recurring marriage possible. Figure 1 shows an embranchment due to such a form.

It is obvious that both forms had their origins in the wish to link two patrilineages to each other in every respect. It is regrettable that our sources tell very little about the women in general and about the choice of marriage partners in particular. The sources do, however, indicate that marriage was very important. This importance was not only revealed in the formalities of the wedding, but also in the fact that every single relative was invited. Once again, the wedding expressed that a marriage was not a matter of the family but of the whole patrilineage.

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Spring, 1982

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