

## MAIORES, OPTIMATES, NOBILES: SEMANTIC QUESTIONS IN THE EARLY HISTORY OF THE HUNGARIAN NOBILITY<sup>1</sup>

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To approach the questions of the history of the medieval nobility in Hungary, first of all, I would like to quote Erik Fügedi's opinion explained in the introduction of his *Social Mobility of the Hungarian Aristocracy during the Fifteenth Century* (1970): "Hungary, one of the Christian Kingdoms in Eastern Europe, had her particular pattern of historical development, which was very different from that of Western Europe."<sup>2</sup> Presumably, this difference can already be observed during the earlier centuries.

As a member of the "Research Project on Nobility in Medieval and Early Modern Central Europe" at CEU, I have started to investigate the system of inheritance of several medieval Hungarian noble kindreds. After some preliminary study, it seemed necessary to clarify a few semantic questions in connection with the formation and early history of medieval Hungarian nobility.

To do this, I checked both the former and the recent literature on this topic. One can begin with the famous debate between László Erdélyi and Károly Tagányi, in the second decade of our century, on the question of Árpadian society (tenth–thirteenth centuries)<sup>3</sup> or Péter Váczy's basic work about the *servientes regis* and patrimonial rulership.<sup>4</sup> In such a survey, one cannot avoid discussing, above all, the ideas of Gyula Székfü, Lóránd Szilágyi, Elemér Mályusz, György Bónis,<sup>5</sup> and partly that of Erik Fügedi, who were all deeply involved in the questions concerning medieval Hungarian nobility. Present-day scholars of the field (Pál Engel, Gyula Kristó, László Solymosi, and Attila Zsoldos) summarized their (and their predecessors') ideas in the entries of the recently published *Lexicon of Early Hungarian History: Ninth–Fourteenth Centuries*.<sup>6</sup> Due to the nature of such work, some questions remained unsettled or, from our point of view,

were not taken into consideration. In order to create a solid basis for further steps, let us survey the terms and titles concerning the Hungarian nobility.

Trying to grasp the terminology of sources, I would like (or rather, would have liked) to start with an investigation of the eleventh-century Hungarian society. The conditional form refers to the fact that the early period lacks those written sources without which it is very difficult to reconstruct the structure of a given society. Nevertheless, on the basis of St. Stephen's decrees, we can speak of a binary society, that is, the *valens et dives* (the powerful and rich) and the *pauper et tenuis* (the poor and slight). In the eleventh and early twelfth centuries, the society was advancing from this economic "terminology" towards a legal one. The penal articles of St. Stephen's lawbook report equality in terms of law,<sup>7</sup> but difference in economic situation, and dissimilarity in social position: for example, those *comites* (members of the royal retinue) who killed their wives paid 50 oxen as compensation, *militēs* 10 oxen, while *vulgares* paid only 5 oxen.<sup>8</sup>

Even if eleventh-century society was rather undifferentiated, it included a narrow stratum of the closest retinue of the king and his dignitaries. They are to be found in the sources as the *maiores natu et dignitate*, persons of higher rank due to their birth or dignity, who actually formed the early eleventh-century aristocracy. This highest segment consisted of the descendants of the former nomadic (and pagan) tribal leaders and those Western European knights who helped the consolidation of Stephen's power. Certainly, one of the most important preconditions for the former group was to be, at least formally, baptized; otherwise there was no way to join the newly forming royal retinue which overlapped with the *senatus*. Practically, these first dignitaries were more or less dependent on royal benevolence although their status originated from their former role. It seems it was very useful to stay close to the court because from the turn of the eleventh and twelfth centuries only those who were invited by the king to the royal council (*aula*, *curia*, *senatus*) were regarded as aristocrats. The others of higher rank outside this circle became impoverished during the second half of the eleventh century, as indicated in the laws of St. Ladislav.<sup>9</sup>

However, those who were able to maintain their power could play an important role concerning the equilibrium of rulership, that is, the influence of the king and that of the aristocracy in various decision-making processes. Up to the end of the twelfth century, they were called in the sources *maiores*, *magnates*, *optimates*, *proceres*,

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<sup>2</sup> Erik Fügedi, *A 15. századi magyar arisztokrácia mobilitása*. [Social Mobility of the Hungarian Aristocracy during the Fifteenth Century] Budapest: KSH Könyvtára, 1970., 195.

<sup>3</sup> László Erdélyi, "Árpádkori társadalomtörténetünk legkritikusabb kérdései." [The Most Crucial Questions of the Árpadian Society] in *Történeti Szemle* 3 (1914): 514–561., 4 (1915): 481–514., 5 (1916): 39–63.; Károly Tagányi, "Felelet dr. Erdélyi Lászlónak 'Árpádkori társadalomtörténetünk legkritikusabb kérdései'-re." [A Response to dr. László Erdélyi's "The Most Crucial Questions of the Árpadian Society"] in *Történeti Szemle* 5 (1916): 296–320., 417–448., 543–608.

<sup>4</sup> Péter Váczy, "A királyi szerviensek és a patrimonális királyság." [Royal Servientes and Patrimonial Kingship] in *Századok* 61–62 (1927/28): 243–290., 351–414.

<sup>5</sup> Gyula Székfü, *Szervientes és familiárisok*. [Servientes et familiares] *Értekezések a történeti tudományok köréből* vol. 23/3. Budapest, 1912., passim; Lóránd Szilágyi, "Az Anonymus-kérdés revíziója" [The Revision of the Anonymous-question] in *Századok* 71 (1937) 1–54.; Elemér Mályusz, "A magyar köznemesség kialakulása." [The Development of the Hungarian Lesser Nobility] in *Századok* (1942): 272–305., 407–434.; György Bónis, *Hűbériség és rendiség a középkori magyar jogban*. [Feudalism and Corporatism in the Medieval Legal System of Hungary] Kolozsvár: n.p., n.d. [1947], 122–195.

<sup>6</sup> Gyula Kristó, Pál Engel, Ferenc Makk, eds. *Korai Magyar Történeti Lexikon, 9–14. század*. [Lexicon of Early Hungarian History: Ninth–Fourteenth Centuries]. Budapest: Akadémiai Kiadó, 1994., passim.

<sup>7</sup> 110 gold *pensae* compensation for everybody in case of homicide; Stephen's Lawbook I: 14. See János M. Bak, György Bónis, James Ross Sweeney, eds. *The Laws of the Medieval Kingdom of Hungary, 1000–1301. Decreta Regni Medievalis Hungariae 1000 to 1520*. [DRMH] vol. 1. Bakerfield: Charles Schlacks Jr., 1989, p.4.

<sup>8</sup> Stephen's Lawbook I:15., *DRMH* 1:4–5.

<sup>9</sup> The Laws of St. Ladislav 2: 8/2., c.1077. *DRMH* 1:14.

*principes*, *iobagiones*, *potentes*. The members of the upper layer of society, from c.1138 onwards, started to indicate their descent, using the expression *de genere* in their names. It is difficult to produce a more precise division according to the shade of the meaning of the above terms. Nonetheless, it is likely, according to Bónis, that the *iobagiones* of the twelfth and thirteenth centuries mostly held high secular positions and offices in the royal household.<sup>10</sup> Thus, they were similar to the *principes*, who were the most frequent figures of this layer in the sources. In this respect, the term *magnates* replaced *optimates* (1070–1160) and *proceres* (1090–1140), and the word *maiores* from the time of Stephen III also might be regarded as a synonym for *iobagiones*. On the other hand, as Szilágyi pointed out, these *iobagiones* held no permanent military office. Tagányi tried to prove that the name of the category *iobagiones* originated from the castle warriors (*iobagiones castri*), who were dependent freemen and thus the loan-word probably referred to this sort of dependence on the *curia*.<sup>11</sup>

Parallel to the rise of the *maiores ministri*, a new notion of *nobilis* is to be found among Ladislas' laws.<sup>12</sup> It can be easily proved that this expression was a synonym for the terms just mentioned until the beginning of the thirteenth century. As such, the *nobiles* were equal with the *principes* up to middle of the twelfth century. Afterwards, in the second half of the twelfth century, the term was applied to a broader and, at the same time, lower stratum of the society. Szilágyi called attention to the division of the anonymous scribe of Béla III who, in his chronicle, placed the *nobiles* between the *primates* and the *milites*.<sup>13</sup> Mályusz, based on legal sources, reinforced this idea for the turn of the twelfth and thirteenth centuries.<sup>14</sup> Although at the beginning of the thirteenth century the terms *nobiles*, *iobagiones*, *principes*, *nobiliores*, and *potentes* meant persons of higher rank, a new expression appeared (c.1208), denoting exclusively the dignitaries of the royal council: the term *barones*. Unlike the term *potentes*, the Golden Bull of 1222 did not mention *barones*.<sup>15</sup> However, in the time of Andrew II (1204–1235), the expression of *baronatus maiores* was known, and during the reign of Béla IV (1235–1270), the term *barones* became quite frequent.

The occurrences of the different designations and the semantic changes witness a radical change in the social structure. While in the first third of the thirteenth century the term *nobiles* definitely referred to "persons of the highest rank," the *barones* demanded the exclusive usage of this title since they were the major royal office-holders. In contrast, in the lower social group the addition of *de genere* to the name became

widespread by this period. Of course, the barons of this period are not to be confused with those from the late thirteenth century onwards who were great landowners but not necessarily holders of "baronial offices." In the given period, both the terms *barones* and *iobagiones* indicate a title connected with office-holding. Bónis concluded that the title *nobiles*, because of its indefinite nature, became more suitable for indicating a broader social group from the first half of the century; from that time onwards, the local elite, the lower part of the upper layer, was also called *nobiles*.<sup>16</sup> Nevertheless, József Holub pointed out that as late as 1223 the *barones* and *nobiles* were in the same social layer, as, for example, they had to pay, according to customary law, the same amount of dowry.<sup>17</sup>

This may be the point to emphasize that—as opposed to Western Europe—"the nobility was a large social layer in medieval Hungary, it formed more than one percent of the total population [...]. What is more astonishing is that theoretically, every nobleman was equal (*una eademque nobilitas*), regardless of his wealth, social position and political influence."<sup>18</sup> Although, these words of Fügedi referred to the fifteenth-century situation, the origin of this figure, that is, the appearance of a relatively high proportion of noblemen is to be sought prior to the mid-fourteenth century, by which time almost all landowners were regarded nobles.

Now that I have traced the formation of the Hungarian aristocracy, let us turn our attention to the other component of nobility, namely, the one later mentioned as the lesser nobility, which appears in the sources as *veri nobiles regni*, the "true" noblemen of the realm. The meaning and reference of both *veri* and *nobiles* should be explained.

Probably, in connection with the aristocracy, I have not emphasized sufficiently that one of their most important "privileges" (*libertas*) was their jurisdictional independence from the local royal officers. They were entitled to present their affairs directly to the king or his deputy, that is the palatine. It seems that the ascending social group regarded this jurisdictional independence, along with landed properties, tax exemption, and military service as the *conditio sine qua non* of their noble status. When considering the eleventh and twelfth centuries, one could count the following among the medieval "human rights," as the criteria of liberty (*libertas*): (a) personal liberty, (b) participation in public affairs, and (c) possession of arms. These criteria became more and more precise in terms of legal thinking and so provided a solid basis for the self-perception of the nobility.

According to most scholars mentioned before, the antecedents of the lesser nobility (*nobiles regni*) are to be sought in the group of royal servitors (*servientes regis*)

<sup>10</sup> Bónis, *Hűbértség és rendiség a középkori magyar jogban*, 123–124.

<sup>11</sup> See the exchange between Szilágyi and Tagányi under the footnote no. 3.

<sup>12</sup> The Laws of St. Ladislas 3:2., c.1070. *DRMH* 1:18.

<sup>13</sup> Szilágyi, "Az Anonymus-kérdés revíziója" [The Revision of the Anonymous-question], 8–9., 21–23.

<sup>14</sup> Mályusz, "A magyar köznemesség kialakulása." [The Development of the Hungarian Lesser Nobility], 286–289.

<sup>15</sup> *DRMH* 1:34–37.

<sup>16</sup> Bónis, *Hűbértség és rendiség a középkori magyar jogban*, 129–132.

<sup>17</sup> Holub, József. "Az Atyusz-nemzettség." [The Atyusz Kindred] In *Tinud* (1937): 59–66.

<sup>18</sup> Fügedi, A 15. századi magyar arisztokrácia mobilitása. 197.

and among the *iobagiones castri* (castle warriors). Besides the aristocracy, these two strata were able to keep their right to possess arms, which was (and remained) one of the basic criteria for the liberty of freemen. As is well-known, similarly to Western Europe, it was quite expensive to obtain suitable arms or take care of them permanently, thus, only certain elements of the society could afford to act as warriors in the king's army. In contrast to the increasing number of the impoverished free elements, the group of the *servientes regis*, who held their own lands, were at the king's disposal at any time. The *servientes regis* were free landowners under the jurisdiction and military authority of the *ispán* (*comes comitatus*), and they fell under the royal power. In spite of their status, the *iobagiones castri* were not personally free, but they were similar to the royal servitors in respect to possessing arms, and their upper layer was comparable to them in wealth and social rank as well.

Have these social groups, however, anything to do with the nobility in Hungary? To answer this provocative question, one should turn towards the sources to trace the steps of this "metamorphosis." In the course of investigation, almost every scholar has chosen the Golden Bull of 1222 as a starting-point. Both the terms *servientes* and *nobiles* are to be found in its text, although apparently referring to slightly different groups. Erdélyi, Váczy, and Bónis, among others, demonstrated that between 1221 and 1231 the terms *nobilis* and *serviens regis* could not have been equal notions, thus the Golden Bull contains the privileges of two dissimilar social groups.<sup>19</sup> The next step is perhaps the Golden Bull of 1231 inasmuch as the use of the term *nobiles* in its 8th article might have applied to the lower part of the highest social rank while the 15th article replaced the term *servientes* of the 7th article of the 1222 text with *nobiles*. Investigating the charters issued in the given period, one can trace the new phenomenon in smaller steps: "*nobiles de Jaku* (1233); *universis nobilibus de Scepus ... nisi ipsa collecta ad servientes regis et alios quoslibet nobiles fuerit generalis* (1243); *nobilis serviens noster* (1244); *nobiles seu servientes regni*" (1257). Parallel to this change, the term *iobagiones* was in the process of losing entirely its original meaning and was being replaced by the term *barones* which had been firmly established by this period. From at least the mid-fourteenth century the term *iobagio* meant a tenant peasant.

There is no doubt that one of the most significant moments was the issuance of the decree of Béla IV in 1267. In the narration part of the charter, the king speaks of *nobiles regni Hungariae universi, qui servientes regales dicuntur*. That is, he identified the group of the noblemen with that of the royal servitors. Moreover, the decree secured

the fundamental privileges of the *servientes regis*, that is to say, from this time onwards the privileges of the lesser nobility of the realm. To be precise, it should be emphasized that even if this decree was of primary importance, it was not a watershed in the long-term trend of legal unification up to the mid-fourteenth century. Besides Andrew II's and Béla IV's role, the decrees of Andrew III in 1290 and 1298, and that of Louis I in 1351, paved the way for the nobility to move toward a sort of equality of rights with the aristocracy.<sup>20</sup> The success of these efforts caused a strange situation, one which Fügedi called "astonishing" since it completely disregarded their "wealth, social position and political influence." Thus, similarly to the aristocrats, the lesser noblemen (1) were exempt from taxation and *descensus* (hospitality); (2) the king or the count palatine exercised jurisdiction over them; (3) they could only be arrested by court order; (4) they were supposed to go to war exclusively under the king's banner. Of course, behind these orders a noticeable new lifestyle and attitude is to be observed. In the words of Mályusz: "those who fought in the battlefields as equals, lived in the same way in peacetime, and were devoted to the same chivalrous ideals, left the framework of their respective social groups in order to be united with"<sup>21</sup> that of the barons.

One might wonder where the initiative for this social change is to be found. Many scholars accept the idea that the king, especially Béla IV after the Mongol Invasion, needed an army with fewer warriors but equipped with more efficient weaponry. According to this theory, at the king's request the wealthy royal servitors fulfilled their military duty in return for their privileged position. However, as soon as they reached the desired status, the lesser nobles turned to the king and asked for a reduction of their duties. This fact raised the question whether one can approach the problem from the opposite direction. In other words, the given social group initiated the change in the hope of receiving exemptions, and this intention suited the king's purposes. Certainly, this is an idea to be dealt with; however, it is a reasonably weaker argument than the former one. The solution might be sought in the different situations when the members of the lesser nobility acted as a body or as individuals. I think this demands further research and analysis.

Unlike the more or less straightforward process of the *servientes regis*, it was not easy or automatic for the other groups applying for similar social or at least legal status to obtain the same rights or privileges. For instance, only the upper stratum of the *iobagiones castri* could merge into the group of *servientes regis*, and thus "climb the social lad-

<sup>19</sup> László Erdélyi, "Árpádokori társadalomtörténetünk legkritikusabb kérdései." [The Most Crucial Questions of the Árpadian Society] 39–63; Péter Váczy, "A királyi *servientes* és a patrimoniális királyság." [Royal Servientes and Patrimonial Kingship], 249–251.; Bónis, *Hűbértség és rendiség a középkori magyar jogban*, 128–129.

<sup>20</sup> For the laws after 1301 see János M. Bak, Pál Engel, James Ross Sweeney, eds. *The Laus of the Medieval Kingdom of Hungary. 1301–1457. DRMH*, vol. 2. Salt Lake City: Charles Schlacks Jr., 1992. The laws of Louis I, 8–13.

<sup>21</sup> Mályusz, Elemér, "Hungarian Nobles of Medieval Transylvania." in *History & Society in Central Europe* 2 (1994) 26.

der." Since they were unfree, the most practicable way to join the lesser nobility was to be granted liberty (*perpetua libertas*) or to be entitled as nobles – directly (*nobilitatio*). The process of this "social rising" started at the very end of the twelfth century and continued through the thirteenth century and beyond. This change concerned the group of *liberi*, that is, the impoverished descendants of the former elite, and the *hospites* (settlers) as well. However, by the first half of the fourteenth century, one segment of the "free elements" remained out of the circle of the lesser nobility. This was the group of free landowners (*homines possessionati*) who were able to retain their lands in the course of the fundamental social changes in the thirteenth century. Unfortunately, none of the classifications elaborated by Hungarian scholars could find the proper place for them although this group definitely belonged to the upper layer of the social stratification.

Although Tagányi put forward the idea that the lesser nobility in the various regions of the Hungarian Kingdom developed differently, Mályusz proved that in spite of the fact there were indeed temporal divergences and local peculiarities there were no radical differences between the "core" of the country and its other parts. Thus, "the lesser nobility of County Turóc and Liptó in Upper Hungary (present-day Slovakia) evolved mainly from the castle warriors"<sup>22</sup>: in the first case from the *filii iobagionium* of Turóc, and in the second, the "lancers" of Liptó. Similarly to the Transylvanian royal servitors, they became nobles on the basis of their military service, though the former group – and their "companions" in Slavonia (present-day Croatia) – acquired the right of the *veri nobiles regni* by the royal decrees of 1290, 1298, and 1324. Nevertheless, a final equality came into existence by the decree of Louis I in 1351 which provided the same right to the *coetus et universitas nobilium regni nostri*, saying that *universi veri nobiles intra terminos regni nostri constituti, etiam in tenutis ducalibus sub inclusione terminorum ipsius regni nostri existentes sub una et eadem libertate gratulentur* all true nobles established within the borders of our kingdom, including also those living on ducal territory within the borders of our kingdom, should enjoy one and the same liberty.<sup>23</sup>

Of course, as mentioned before, some participants of this social change, at a certain point of this development, had the chance to become part of the lesser nobility; nevertheless, in the end, they remained out of this circle. Apart from the above-mentioned free landowners (*homines possessionati*), those who stayed on the landed property of the Church never obtained the same *libertas* although their original status and subsequent evolution was similar in terms of duties. The upper layer of the "descendants" (in

the social sense) of the eleventh-century *equites* and *ministri* are referred to in the thirteenth-century sources as *iobagiones equites*, *exercituanes*, *bellatores*, and finally, from 1232, as *nobiles iobagiones* of the Church. They fell under the seignorial jurisdiction of some particular church organizations though they succeeded in establishing their own local authority. Moreover, they were supposed to go to war under the banner of their lords, that is, their prelates, and in return for their service, they received lands from them. They, perhaps, had a similar lifestyle to the former royal servitors but, from a legal point of view, they lacked certain rights, for instance, in regard to taxation or *descensus*. Recently László Solymosi has confirmed the observation that from the end of the thirteenth century, based on their lands of service (*praedium*), they appear in the sources as *nobiles praediales* (predial nobles), and this term becomes more and more frequent in the charters.<sup>24</sup> Other scholars, for instance Pál Engel, emphasize that as a social group the *nobiles iobagiones* should be distinguished from that of the *nobiles praediales*, despite their similar legal and economic situation. According to Engel, they stayed on lands belonging to a particular royal castle, and they rendered services to the castellan, who held the castle and its lands as a tenure (*honor*). What is more, Engel includes the previously mentioned *filii iobagionium* of County Turóc and the "lancers" of County Liptó among the predial nobles, stressing certain similarities between them but not claiming that they were identical social groups.<sup>25</sup>

Summing up what we have highlighted in the course of this short survey, we can see that the main lines of semantic change are visible and may apply to the changes that took place in the social structure of the early Hungarian aristocracy and lesser nobility. Notwithstanding, there are many minor questions still to be answered concerning the chronology, the stages of the development, the influence of these changes, or the discrepancies that have been detected. When we approach the late fourteenth and fifteenth centuries, the increasing number of sources may yield more precise results but, as the quantitative investigations of Erik Fügedi have shown, a clear-cut picture on the medieval Hungarian nobility is still far away.

<sup>22</sup> Mályusz, "Hungarian Nobles," 28.

<sup>23</sup> The Laws of Louis I., 1351:11., *DRMH* 2: 11.

<sup>24</sup> László Solymosi, "Hospeskváltság 1275-ből" [Liberty of Hospites from 1275] In *Tanulmányok Veszprém megye múltjáról*. Ed. L. Madarász, Veszprém: Veszprém Megyei Levéltár, 1984., 17–96.

<sup>25</sup> Pál Engel, In *Korai Magyar Történelmi Lexikon*, 556–557.