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Slavonia and Transylvania (1272-1342): Oligarchs, King's Men, and the (Trans)Formation of the Local Noble Communities**

Historians have long identified the structural similarities between the positions of Slavonia and Transylvania within the conglomerate of territories bound to the Crown of St Stephen (*Archiregnum Hungaricum*), but their comparison has never surpassed the superficial level of juxtaposing the quasi-regal authorities of the ban and the voivode. Considering the period from the 1270s until the 1340s this paper primarily focuses on the general assemblies that took place in these two provinces and looks at the formation of regional identities linked to the nobility's collective action of coming together in assemblies. Through this prism, it also analyzes the functioning of composite political structures and the relationship between the center and the specific localities. Political instability triggered the first assemblies in both provinces, and from the 1270s until the 1290s local processes mirrored the decisions and actions of the royal court, as was the case with almost all the assemblies held in Slavonia during the 1270s, and it was the same with the Transylvanian cases from 1288 and 1291. However, in Transylvania, in contrast to Slavonia, the assemblies continued to be held without the incentive from the royal court, that is they became a part of the local repertoire. These different experiences in the early period had a strong impact on the nobility and its power of collective action from the 1320s when the programme of the restoration of the royal authority was carried out in both provinces by using the same mechanisms.

Keywords: Medieval Hungary, medieval Slavonia, medieval Transylvania, general assembly (*congregatio generalis*), oligarchs, nobility, regional identity

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In September 1290, shortly after his coronation, Andrew III called for a general royal assembly, in which the first formal decree of the kingdom was proclaimed. One of its decisions regulated the issue of *descensus*, which the nobility owed to the voivode (*in partibus Transilvanie*) and the ban (*in partibus Dravane*).¹ The specific position of these two provinces² within the political system of *Archiregnum Hungaricum*, which this decree also shows, has not escaped the attention of historians.³ It is practically a matter of common historiographic knowledge and thus Transylvania and Slavonia, that is Croatia, are often mentioned together when explaining the structure of the *Archiregnum* as a political entity, even though this does not imply a high level of consensus about the specific details concerning the relations within this political entity, especially when it comes to the earliest period.⁴ Parallelism between the ban and the voivode, the fact that both provinces served as appanages for the members of the royal dynasty and the fact that they were referred to as *regna* – all of these clearly point to the similarity between Slavonia and Transylvania. Even the description terms (*ultra silvas* and *ultra Dravam*) imply a similarity. To be sure, they were regions ‘beyond’ only from a specific perspective: that of the royal center. This perspective was not only characteristic of the medieval royal court, but it has also largely been adopted by modern historians as well. For this reason, specific comparisons between Slavo-

¹ *Decreta regni Mediaevalis Hungarie*, vol. 1: 1000-1301, eds. János M. Bak, György Bónis, and James Ross Sweeney (Idyllwild: Charles Schlacks, Jr., 1999) (hereafter DRMH), 42-45.

² I am using this term in a politically “neutral” sense, namely, to emphasize the territorial specificity of these two areas, rather than to define the nature of their specific relations to the political center.

³ The term *Archiregnum Hungaricum* was first used by Szabolcs de Vajay, “Das Archiregnum Hungaricum und seine Wappensymbolik in der Ideenwelt des Mittelalters”, in: *Überlieferung und Auftrag. Festschrift für Michael de Ferdinandy*, ed. Josef Gerhard Farkas (Wiesbaden: Guido Pressler, 1972); for an explication, see Mladen Ančić, “Od zemlje do kraljevstva: Mjesto Bosne u strukturi Archiregnuma” [From “land” to kingdom: The position of Bosnia in the structure of the Archiregnum], *Hercegovina* 1 (2015): 28-30.

⁴ An excellent overview of the debates between Croatian and Hungarian historians during the 19th century is that of Stanko Andrić, *Potonuli svijet. Rasprave o slavonskom i srijemskom srednjovjekovlju* [The sunken world: Debates on the Slavonian and Syrmian Middle Ages] (Slavonski Brod: Hrvatski institut za povijest – podružnica za povijest Slavonije, Baranje i Srijema, 2001), 37-65; for the opposing views in contemporary historiography, see e.g. two papers published in the same volume: Attila Zsoldos, “Hrvatska i Slavonija u srednjovjekovnoj Ugarskoj Kraljevini” [Croatia and Slavonia in the medieval Hungarian Kingdom], and Mladen Ančić, “Zajednička država: srednjovjekovna stvarnost ili povijesna utvara” [A common state: Medieval reality or historical fiction], in: *Hrvatsko-mađarski odnosi 1102.-1918. Zbornik radova*, ed. Milan Kruhek (Zagreb: Hrvatski institut za povijest, 2004), 19-26; 51-64. For the diverging positions of Hungarian and Romanian historians, see Martyn Rady, “Voivode and Regnum: Transylvania’s Place in the Medieval Kingdom of Hungary”, in: *Historians and the History of Transylvania*, ed. László Péter (New York: Columbia University Press, 1992), 88-96; and Radu Mârza, “Transylvania and Hungary or Transylvania in Hungary as Viewed by the Romanian Historiography”, in: *Slovakia and Croatia. Historical Parallels and Connections (until 1780)*, eds. Martin Homza, Ján Lukačka and Neven Budak (Bratislava: Department of Slovak History at the Faculty of Philosophy of Comenius University Bratislava, 2013), 85-96.

nia and Transylvania have usually been limited to considering the position of the ban and the voivode as intermediaries between the king and the two provinces, with specific viceregal prerogatives in the lands they administered. However, these crucial structural similarities have never been analyzed in terms of looking more deeply into the way these composite political entities operated. This means, first and foremost, that one should detach oneself from the superficial analyses based on the perspective of the center and take a broader look at the issue, including looking at the societies that the center sought to govern and the interaction between them.

In order to undertake such a comparison, one must focus on a specific time period, since such an enterprise would be difficult without a restriction. For our purposes here, this chronological framework will include the period from the 1270s until the 1340s: from the enthronement of Ladislas IV until the death of Charles I. It is a period with two different facets. The prolonged time span from the 1270s until the 1310s was marked by a decline in royal authority and the rise of oligarchic figures through the processes of localization of power and the creation of more or less well-defined territories controlled by them. Charles I managed to break these structures and to establish a firm and undisputed rule by the early 1320s, after a long period of conflicts.⁵ Besides temporal delimitation, our comparison of Slavonia and Transylvania will primarily focus on a single phenomenon: the general assembly (*congregatio generalis*). It was precisely in the 1270s that the first general assemblies took place, both royal and palatine as well as regional (ban's), and that they became a political institution through which the ruler tried to counter political instability in the kingdom, yet at the same time they were the structures in which the political power and influence of the nobility at large came to the fore. Namely, these assemblies were first and foremost the sites of gathering for a large number of noblemen, who were – owing to the social processes that took place in the 13th century – at the very end of Andrew III's rule even formally granted a say in the decision-making process through the royal council. In the 1280s, an articulation of these interests obtained its written ideological model in Simon of Kéza's *Gesta Hungarorum*.⁶ These processes in the

⁵ Pál Engel, *Realm of St. Stephen: A History of Medieval Hungary, 895-1526* (London: New York: I.B. Tauris, 2001), 107-111 and 124-134; Attila Zsoldos, "Kings and Oligarchs in Hungary at the Turn of the Thirteenth and Fourteenth Centuries", *Hungarian Historical Review* 2/2 (2013): 211-242; Erik Fügedi, *Castle and Society in Medieval Hungary (1000-1437)* (Budapest: Akadémiai Kiadó, 1986), 65-99.

⁶ On the evolution of representative institutions in general, see György Bónis, "The Hungarian Feudal Diet (13th – 18th Centuries)", *Recueils de la Société Jean Bodin* 25 (1965): 287-307; Joseph Holub, "La représentation politique en Hongrie au Moyen Âge", *Xe Congrès International des Sciences Historiques. Études présentées à la Commission Internationale pour l'Histoire des Assemblées d'États* (Rome, 1955; Louvain and Paris, 1958), 77-121; for the period before the 13th century, see also János M. Bak and Pavel Lukin, "Consensus and Assemblies in Early Medieval Central Europe", in: *Political Assemblies in the Earlier Middle Ages*, eds. Marco Mostert and P.S. Barnwell (Turnhout: Brepols, 2003), 95-113; on trends in the second half of the 13th century, see Engel, *Realm*, 119-121; Jenő Szűcs, "Theoretical

last quarter of the 13th century, and the role of assemblies within them, may essentially be best described by quoting T. Reuter, who has written that assemblies were ‘almost the only occasions when the polity could represent itself to itself,’ and that ‘it was through embodying itself as an assembly that (...) the ‘political community’ was empowered and enabled to practice politics.’⁷ The formation of a community of Slavonian and Transylvanian nobility, and their collective action as seen through the prism of general assemblies, are therefore in the focus of this study. However, considering these phenomena and processes by comparing the Slavonian and Transylvanian experiences is inseparable from exploring the strategies of the kings, the various court factions, and the local powers, that is the strategies of the oligarchs in the efforts to gain control both over the situation at the court and over the local circumstances. The second range of issues that this study seeks to address are the reactions of the local communities to these processes and changes in the center of power, and the impact it had on the formation of regional identities, as well as on the possibilities and scope of collective action of noble communities. I will be constantly referring to the experience of both provinces in order to gain a better insight into the processes and phenomena that they had in common, as well as into those that differed, even when the two territories were receiving the same impulses from the center of the kingdom.⁸

Slavonia ruled by the oligarchs

In April 1273, a *congregatio generalis regni Sclavonie* was held in Zagreb, presided by the Ban Mathew Csák, as the first known assembly of this type in medieval Slavonia. That is, Slavonia as a separate *Land* within the Croatian Kingdom – or within *tocius Sclavonia/partes ultra Dravam*, as the royal court referred to these areas throughout the 13th century – can be for the first time clearly discerned precisely with regard to this general assembly, in which the identity of the Slavonian

Elements in Master Simon of Kéza's Gesta Hungarorum (1282-1285), in: *Simon of Kéza, Gesta Hungarorum: The Deeds of the Hungarians*, ed. László Veszprémy and Frank Schaer (Budapest: CEU Press, 1999), LXXXV-IC; Z. J. Kosztolnyik, *Hungary in the Thirteenth Century* (New York: East European Monographs, Boulder, 1996), 374-384.

⁷ Timothy Reuter, “Assembly Politics in Western Europe from the Eighth Century to the Twelfth”, in: Timothy Reuter, *Medieval Politics and Modern Mentalities*, ed. Janet L. Nelson (Cambridge: Cambridge University Press, 2006), 207.

⁸ For theoretical considerations on the comparative method see Jürgen Kocka, “Comparison and Beyond”, *History and Theory* 42/1 (2003): 39-44; William H. Sewell, Jr., “Marc Bloch and the Logic of Comparative History”, *History and Theory* 6/2 (1967): 208-218; Jürgen Kocka, Heinz-Gerhard Haupt, “Comparison and Beyond: Traditions, Scope, and Perspectives of Comparative History”, in: *Comparative and Transnational History: Central European Approaches and New Perspectives*, eds. Heinz-Gerhard Haupt and Jürgen Kocka (New York: Berghahn Books, 2019), 1-32; Antoon A. A. van den Braembussche, “Historical Explanation and Comparative Method: Towards a Theory of the History of Society”, *History and Theory* 28/1 (1989): 1-24.

nobility as a political community, or a community of rights, was quite directly confirmed. On this occasion, noblemen and castle-warriors (*nobiles et iobagiones castrorum*) submitted to the ban the *iura regni et banatus* in the written form in order that he may confirm them. These rights of the Slavonian nobility were to serve as a framework for the ban's officials and thus all the procedures broadly related to the judiciary, the administration, and the taxes were defined there.⁹ At the end of the document listing the *iura regni et banatus* is a stipulation by which it is decreed that in order that these *iura* should be observed four nobles and two castle-warriors chosen by the *regnum* should assist the county counts (*župan, ispán*) of Zagreb and Križevci in the judicial proceedings.¹⁰ The term *regnum* has multiple meanings and layers, and in the second half of the 13th century one can observe its use as denoting the community of nobility.¹¹ It is precisely in this sense that we see it employed here in the list of the rights of the Slavonian nobility, that is the nobles and castle warriors were the *regnum*, and it was they who should have chosen six members among themselves to sit in judgement with the county counts of Zagreb and Križevci. A. Zsoldos is certainly right in seeing these as *iudices nobilium*.¹² These were an institution reflecting increasing self-management of the nobility that can be observed in the 13th century, expressed primarily through the right of the county nobility to appoint noble magistrates (*iudices nobilium, szolgabíró*) from their ranks who would preside over judicial hearings together with the county counts.¹³ The author also points to the fact that in the same year, probably in December, the first documented palatine *congregatio* was held, presided by Palatine Dionisius from the Pécs kindred: it took place in the

⁹ *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae*, vol. VI: 1272-1290, ed. Tadija Smičiklas (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1908) (hereafter CD), doc. 26, pp. 25-28. On the rights defined at the assembly, see Nada Klaić, *Povijest Hrvata u razvijenom srednjem vijeku* [History of the Croats in the High Middle Ages] (Zagreb: Školska knjiga, 1976), 332-339.

¹⁰ CD VI, doc. 26, p. 27: "Et quod omnia premissa debito ordine obseruentur, cum comite Zagrabicensi quator nobiles et duo iobagiones castri et totidem cum comite Crisiensi quos regnum eligendos duxerit iudicabunt".

¹¹ On the term *regnum*, see Jozsef Holub, "La Représentation politique", 84-87; Lujo Margetić, *Zagreb i Slavonija: Izbor studija* [Zagreb and Slavonia: Selected studies] (Zagreb: Hrvatska akademija znanosti i umjetnosti, 2000), 93-95; Rady, "Voivode and Regnum", 97-98.

¹² Attila Zsoldos, *The Árpáds and Their Wives. Queenship in Early Medieval Hungary 1000-1301* (Roma: Viella, 2019), 146-147. The author sees the appearance of *iudices nobilium* in Vrbaš county, their first written trace in the whole of Kingdom, in the same month as their implicit mentioning in the rights of Slavonian nobility, as a consequence of a plan reached at the court aiming at the transformation of provincial jurisdiction in a specific situation of Ladislaus IV's minority and queen mother Elizabeth's regency, Zsoldos, *The Árpáds*, 148-152. The author's arguments deserve a more thorough reconsideration, which, however, goes beyond the framework of the present paper.

¹³ Martyn Rady, *Nobility, Land and Service in Medieval Hungary* (Basingstoke: Palgrave Macmillan, 2000), 40-42; Engel, *Realm*, 120; Nora Berend, Przemysław Urbańczyk, and Przemysław Wiszewski, *Central Europe in the High Middle Ages: Bohemia, Hungary and Poland, c. 900-c.1300* (Cambridge: Cambridge University Press, 2013), 431-432.

county of Zala at the king's orders and the barons' initiative. The author stresses that both assemblies took place in the context of governance crisis following the death of Stephen V and the enthronement of Ladislas IV, who was still a minor.¹⁴ However, the context of the Slavonian assembly can be connected even more precisely to an immediate pressing need, that is it was convoked in the context of the conflict with the Czech King Ottokar II.¹⁵

After that year, the palatine and Slavonian assemblies in the late 1270s – two of them, the first held in May 1278 and the second in December 1279 – were likewise closely related.¹⁶ Both took place in the context of an increasing political crisis that caused internal strifes in the kingdom. Namely, conflicts among the elite, which flared up during the strife between father and son, Béla IV and Stephen V, continued even after the latter's death, and the enthronement of a minor paved the way for a profound crisis of the royal authority. Moreover, from the mid-1270s struggles among various factions at the court grew into conflicts that had an impact on the local level as well, which is evident in the case of Slavonia.

In 1276 and 1277, the strife between the party led by the Babonići kindred on one side, and the Gut-Keleds and the Kőszegis on the other, had a serious impact on the local circumstances. It was only in 1278 that the situation was settled owing to a series of peace treaties among the warring parties, first between the Babonići and the Kőszegis (April 1278) and then between the Gut-Keled and the Babonići kindred (October 1278).¹⁷ Very soon after the first treaty, Nicholas Kőszegi held a general assembly in Zagreb, documented in a ban's charter issued on May 20, which registered the confirmation of a privilege to the community of castle warriors (*iobagionum castris Zagrabiensis*).¹⁸ According to this document, a multitude

¹⁴ Zsoldos, *The Árpáds*, 145, 148; see also Tibor Szőcs, *A nádori intézmény korai története 1000–1342* [History of the palatine institution, 1000–1342] (Budapest: Magyar Tudományos Akadémia Támogatott Kutatócsoportok Irodája, 2014), 163.

¹⁵ Mladen Ančić, "Gradu kmeti ili iobagiones castris kao element društvene strukture Hrvatskoga Kraljevstva / Gradu kmeti or iobagiones castris as an Element of the Social Structure of Croatian Kingdom", *Miscellanea Hadriatica et Mediterranea* 6 (2019): 95–98.

¹⁶ Éva B. Halász draws attention to the fact that the palatine and banal congregations were held in the same years in the 1270s, "The congregatio generalis banalis in Slavonia in the thirteenth and fourteenth centuries", in: *Reform and Renewal in Medieval East and Central Europe: Politics, Law and Society*, eds. Éva B. Halász, Suzana Miljan, and Alexandru Simon (Cluj-Napoca; Zagreb; London: Minerva, III. Acta Europaea 14), 376.

¹⁷ Klaić, *Povijest Hrvata*, 347–349; Hrvoje Kekez, *Pod znamenjem propetog lava: Povijest knezova Babonića do kraja 14. stoljeća* [Under the sign of the propped-up lion: History of the Babonići kindred until the end of the 14th Century] (Zagreb: Hrvatski institut za povijest, 2016), 84–89; Antun Nekić, "Društvene mreže i uspon oligarha: primjer Babonića (od 1270-ih do 1320-ih)" [Social networks and the rise of the oligarchs: example of the Babonići kindred (1270s–1320s)], *Historijski zbornik* 70/1 (2017): 1–34.

¹⁸ CD VI, doc. 208, pp. 242–243. In his archontology, A. Zsolods has stated that Nicholas Gut-Keled was the *ban* at the time, Attila Zsoldos, *Magyarország Világi Archontológiája 1000–1300* (Budapest:

of noblemen gathered at the assembly and the ban asked them to confirm that the castle warriors indeed had the rights that they were asking him to confirm.¹⁹ After a period of eruptive violence, an overall stabilization of affairs in Slavonia ‘*in communi consilio*’, as this assembly was also called, was certainly of foremost importance. Unfortunately, it is impossible to say more on this event, since apart from the said charter there is no information on the assembly. Nevertheless, it should be emphasized that recourse to an assembly as a forum in which the nobility could express their individual and collective interests, and which gave the ban a chance to strengthen his authority, was reflection of the processes in the political center. Namely, the period of most intense strives in Slavonia coincided with an attempt at stabilizing the situation in the kingdom by reinforcing royal authority, primarily through the intervention of the Church and by proclaiming Ladislav of age in May 1277, at the general assembly held in Rákos near Pest.²⁰ In the same year as Slavonian, palatinal assembly under palatine Mathew Csák was also held. The next year also saw intensive activities centered on holding assemblies, confirming them as an important part of Ladislav IV’s and Csák party’s policies. Presided by Ladislav IV, a general assembly for seven counties was held in January 1279 in Oradea, in February of the same year Mathew Csák held a palatine general assembly for the county of Sopron, and a royal general assembly took place in July in Tétény.²¹ At this last assembly, the Slavonian nobility participated as well, as evident in the document of Ban Nicholas Gut-Keled issued on July 25 in Tétény. On that occasion, Nicholas confirmed the privilege that Ladislav IV had issued on July 15 to the benefit of brothers Pouse and Gueche, ‘*una cum nobilibus regni Sclavonie, qui tunc nobiscum adherent.*’²² However, sometime after the assembly Nicholas lost the ban’s office to Peter Pekri from the Tétény kindred, who immediately, in December 1279, held a general assembly for Slavonia in Rovišće.²³ On that occasion, Peter *cum nobilibus regni Sclavonie* confirmed Pouse’s and Gueche’s privilege issued by Ban Nicholas Gut-Keled in July that year and some charters issued by Béla IV. This sort of confirmation clearly indicates

História – MTA Történettudományi intézete, 2011), 47. However, the document that A. Zsoldos gives as a source for the first mention of Nikola as a ban (April 20th, 1278) refers to Nicholas Kőszegi, not Gut-Keled, since it registered the treaty between the Babonići and the Kőszegis (CD VI, doc. 207, pp. 240-242). Thus, Nicholas Kőszegi was in Slavonia in April-May 1278 and the treaty between Csák and Gut-Keled was signed in June 1278, which opened the way for Nicholas Gut-Keled to the ban’s office. It is therefore far more probable that the assembly in May 1278 was presided by Nicholas Kőszegi.

¹⁹ CD VI, doc. 208, pp. 243: *universos nobiles regni, quorum multitudo adherat copiosa.*

²⁰ Engel, *Realm*, 108.

²¹ Szócs, *A nádori*, 172; János M. Bak and András Vadas, “Diets and Synods in Buda and Its Environs”, in: *Medieval Buda in Context*, eds. Balázs Nagy, Martin Rady, Katalin Szende, and András Vadas (Leiden: Brill, 2016), 327-328.

²² CD VI, doc. 256, pp. 308-309.

²³ CD VI, doc. 265, pp. 317-18: *quod cum unacum nobilibus regni Sclavonie in congregacione sedemus generali.*

the insecurity prevailing during this period: within only six months, the said royal privilege was confirmed twice, and any change in the holder of the ban's office required a reiterated confirmation. The polarization and insecurity are also evident from a formulation in the charter, where Ban Peter considered the loyal services of the two brothers '*cum sociis nostris et nobilibus regni Sclauonie*' which indicates that the ban's authority increasingly depended on and extended to those who were in relations of an alliance, or rather clientelism with him. Even though Peter's charter, as the only source of information on the assembly of 1279, does not mention the possible royal mandate, the way in which Ban Peter came to hold the office, as well as the palatine assembly of the same year, indicate that the royal court, especially under the influence of Mathew Csák as a palatine, defined the assembly as a mechanism to regain political stability, whereby the moves drawn in the center were reproduced on the local level.²⁴ However, similar to the central level with its focus on the royal court, the general assembly, as a stage intended to secure support from the nobility, that is, a mechanism of governance and a part of the political programme, did not yield fruit in Slavonia, at least not for those political groups around the Csáks that sought to maintain their dominant position in the kingdom.

Namely, from the late 1270s, Slavonia was quickly turning into an arena dominated by the Babonići and the Kőszegis. On the one hand, this meant that the royal authority was weakened and occasionally completely absent, indicating the decline of a system in which royal favour and the central authority of the royal court defined the balance of powers on the local level. Furthermore, the late 1270s saw a gradual decline in those authorities that had been the prerogatives of the ban, primarily the judiciary, precisely as a consequence of the above mentioned peace treaties between the Babonići and the Gut-Keleds. In practical terms, this meant that the oligarchs retained the judiciary authority over their social networks regardless of whether they held the office of the ban or not (and from the 1280s this office was indeed largely occupied by the members of Babonići and the Kőszegis kindreds).²⁵

The polarization of Slavonia in two parts, held by the Babonići and Kőszegis respectively, and the resulting decline in the power of the ban to impose his control on the whole of Slavonia, was a process in which the framework for the collective action of Slavonian nobility changed as well. This is most clearly evident in the first decade of the 14th century, when the members of the Babonići kindred started to envision their authority outside the framework of the Slavonian banate, in an area that they had themselves, using the current commonplaces, defined as

²⁴ Csák's role has been emphasized by Szőcs, *A nádori*, 172; on Peter's appointment with Csák's support, see Nekić, "Plemički rod Tetenj od 13. do sredine 15. stoljeća" [The noble kindred of Tetenj (13th-mid-15th c.)] (PhD diss., University of Zadar, 2017), 38-39.

²⁵ Nekić, "Društvene mreže", 5.

the territory between the German lands and Bosnia, and between the Sava River and Mount Gvozd.²⁶ The consequence was their claim to rule over this territory (*terra*), its most elucidating example being a charter that the brothers issued in 1307. On that occasion, the sons of Baboneg held court in a conflict between the Cistercian abbey of Topusko and a man called Černa, and they said the verdict was reached *una cum nobilibus terre nostre*.²⁷ Even though this is the only case in which the nobility of the Babonići's *terra* is mentioned, it is nevertheless indicative, especially regarding the fact that the preserved sources for the period from 1280 until 1310 barely mention the nobility of Slavonia. It is, namely, only in two documents in this entire period, almost identical in their wording, that one finds the expression *nobiles regni Sclavonie*.²⁸ However, neither of these two cases concerned the circumstances in which one might discern the collective action of the Slavonian nobility. In other words, there is no sign of a general assembly in this period that would have been presided by the Slavonian ban.²⁹

In the following period during which the Babonići extended their control over Slavonia, there are no indications of such an assembly either, but a certain shift is noticeable from the 1310s, at least towards establishing a stronger authority of the ban over the entire Slavonian territory. Namely, after the death of Henrik Kőszegi, Stephen Babonić took over the ban's office in 1310, which to some extent altered the scope of his activity. This can be observed, for example, in a legal case from 1311, when Ban Stephen made his decision together with *regni nobilibus presentibus*, where it is evident that the office of the ban changed his framework from the (limited) *terra* towards the *regnum*.³⁰ This change in discourse thus went hand in hand with the changes of the context in which Stephen was active, i.e. in the authority of the ban, which was increasingly bound to the royal authority. However, this modest indication remained merely that until the early 1320s, or more precisely 1320, the time in which the power of the Kőszegis in Slavonia was greatly weakened.³¹

²⁶ Antun Nekić, "Oligarchs and the King in Medieval Slavonia, 1301-1342", *Südost-Forschungen* 74/1 (2015): 9-11.

²⁷ CD VIII: 1301-1320, ed. Tadija Smičiklas (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1910), doc. 130, pp. 141-142.

²⁸ CD VI, doc. 461, p. 544 (1285); doc. 515, p. 608 (1288); the only element that changed in the content was the title of Radoslav Babonić, on whose behalf the documents were issued.

²⁹ In 1301, Henrik Kőszegi held a general assembly as the ban of Slavonia, but for the county of Somogy, not for Slavonia, see Imre Nagy, Iván Nagy and Dezső Véghely, *A zichi és vásonkeői gróf Zichy-család idősb ágának okmánytára. Codex diplomaticus domus senioris comitum Zichy de Zich et Vasonkeo*, vol. 1 (Pest, 1871), doc. 117, p. 104.

³⁰ CD VIII, doc. 226, p. 272.

³¹ Pál Engel, "Die Güssinger im Kampf gegen die Ungarische Krone", in: *Die Güssinger: Beiträge zur Geschichte der Herren von Güns/Güssing und ihrer Zeit (13./14. Jahrhundert)*, eds. Heide Dienst and Irntraut Lindeck-Pozza (Eisenstadt: Burgenländische Landesmuseum, 1989), 89-98; Nekić, "Oligarchs", 15-16.

That year, the ban issued a document that brought about a complete change in discourse: the Slavonian nobility appeared there as collectively intervening before the ban on behalf of one of its members and the ban made his decisions together with the Slavonian noblemen, and the decision was even made *iuxta regni consuetudinem approbatam, regnum* in question being certainly Slavonia.³² The document itself does not reveal on what sort of occasion it was actually issued and what sort of gathering it was. It is clear, however, that it followed the successful struggle against the Kőszegis and that it was issued in Vrbas, one of the strongholds of John Babonić. It may be concluded that the increase of resources under the control of the ban, and consequently the increase of authority for the bans from the Babonići kindred, produced a situation in which the actual partition of Slavonia into two oligarchical blocs was again blurred after a very long period of time, which had repercussions both for the discourse that placed an accent on the Slavonian nobility and for the practical level of its collective action. And yet, this conclusion should not misguide us concerning two main aspects: on the one hand, the power of the Slavonian nobility's collective action and its formation as a community, and on the other, the framework of that community as an element in the mechanisms and formation of the Babonići's governance. In other words, for the Babonići, the general assembly of the Slavonian nobility, as a form of gathering in which this community was most clearly expressed, was not a mechanism through which they sought to consolidate their power, and the nobility, as far as can be seen, did not articulate its interests through the potentially successful demand for such an assembly. Even though increasingly aspiring to have the entire Slavonia as his framework of action, John Babonić seems to have felt most secure in the area south of the Sava River, where the power of his kindred was the strongest.

This conclusion is supported by the fact that the only known general assembly in Slavonia during the period from 1280 until 1324 was the one for the Zagreb county (*in districtu Zagrabiensi*), held in Zagreb in August 1321. It was announced by John 'ex nostro officio' with '*convocatis universis nobilibus, castri iobagionibus, liberis villis, civibus et cuiuslibet condicionis hominibus.*' Concerning its composition, the assembly seems to be an exception with regard to the previous ones, as well as those from the period of Charles I, but that should not mislead us. At the moment when he made the decision in the case considered at the assembly, John did it *cum multis regni nobilibus nobis assidentibus*, which means that all those who were present did not participate in the decision-making, which once again confirms the position of the nobility as the most important social group by far.³³

³² CD VIII, doc. 467, pp. 572-73. Ban's charter also states that the recipient participated *in omnibus expeditionibus regni Sclauonie una nobiscum sacrosante corone...*

³³ CD IX: 1321-1331, ed. Tadija Smičiklas (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1911), doc. 19, pp. 27-28.

This assembly, as well as the previously considered case from 1307, should serve as a warning in one respect: the power of both the Babonići and the Kőszegis, even though normally called oligarchic, which with some scholars even assumes pejorative connotations, was not independent of the support of those whom they governed.³⁴ The latter's support by way of *consilium et auxilium* – largely manifest in the judiciary function, as seen in the above mentioned cases – was an inseparable segment of the mechanism of governance, which actually implied various forms of public gatherings. This is particularly important to emphasize since such gatherings also served as a forum for expressing hierarchy within the social networks controlled by the individual oligarchs.³⁵ Nevertheless, the general assembly as a form of public gathering, especially one that would be held for all of Slavonia, was not an element used by either the Babonići or the Kőszegis to build up their power in Slavonia while holding the office of bans. In other words, what in the brief initial period (1273) and at the very end of the 1270s (1278-1279) was a specific method in attempts at stabilizing the political situation and consolidating the power of a particular faction at the court (led by Mathew Csák) by way of general assemblies, cannot be considered as a strategy of governance after that period. One should also add that, in those few years, the general tendencies in holding assemblies influenced other office holders as well, as evident from the assembly presided by Nicholas Kőszegi in 1278. Broad support that they sought to secure in this way nevertheless did not yield fruit either at the level of the center or in the local attempts, directly influenced as they were by the decisions and practices at the center. In Slavonia, the fact that the Babonići and the Kőszegis held the local circumstances on the leash and actually divided the area among themselves played an important role in this respect, since they, as may be concluded from the preserved sources, largely managed to define and observe their respective spheres of interest until as late as 1316. By turning the perspective towards the nobility and the issue of identity and collective action of the Slavonian nobility, the first assembly of 1273 fully reveals this nobility as a community of rights, but also a community that, due to the ensuing political fragmentation, from the 1280s onwards no longer expressed itself through collective action, and until the late 1310s not even on the level of discourse.

³⁴ For a pejorative view of the oligarchs, more precisely Ladislav Kán, see e.g. Gyula Kristó, *Early Transylvania (895-1324)* (Budapest: Lucidus Kiadó, 2003), 230.

³⁵ This, for example, must have been especially important with the Babonići, who seem not to have imitated the organizational structure of the royal court, see Nekić, "Društvene mreže"; on the oligarchs in general, see Zsoldos, "Kings and Oligarchs", 226-227.

Transylvania: A congregational regime or not?

The political developments in Transylvania in the same period followed a significantly different trajectory in comparison to Slavonia. At one point, this was manifested in an inability of any family or faction to achieve effective and long-term supremacy in the local circumstances, until Ladislav Kán, as a local player, managed to gain control due to the collapse of royal authority and the ensuing succession struggles. Unlike Slavonia, where no system of representation had been used since the 1280s that would include a call for extensive participation of the local elites in general assemblies, in Transylvania this was the very period (from the late 1280s) in which the first assemblies were held. They are difficult to bring down to a common denominator, but on principle, same as in Slavonia during the late 1270s, they resulted from an attempt at consolidating the lordship through such a forum, and expressed at the same time the interests of broad circles of nobility, empowering them for collective action. This period of Transylvanian history has been most extensively researched by T. Sălăgean, on whose results I will rely on in this paper to a degree, but with some significant divergences when it comes to interpreting its individual segments, which are in fact crucial for understanding what Sălăgean has termed 'the congregational regime.'

In the 1270s and into the second half of the 1280s, several families alternated in their efforts to gain unquestionable control and power in Transylvania. The first among them were the Csáks, who even revived the office of the *dux*, and then the members of the Aba kindred. However, the political turmoil around 1281 and 1282 thwarted their efforts, both at the court level and in Transylvania. In this period, these families were still focusing on a strategy aimed at securing positions at the court, rather than finding a firm stronghold at the local level, with huge and more or less well-defined territorial units that could have become their centers of power.³⁶ Roland Borsa, the voivode from 1282 until 1294 (with interruptions) did not have such ambitions to control the circumstances at the court, but at the same time failed to use the voivode's office, which he held for many years, to get a stronger grip on Transylvania. Namely, the center of his power was outside Transylvania, especially in the Bihor County, where most of his property was located.³⁷ Moreover, Roland's possible ambitions to gain control over the Transylvanian situation were thwarted from the late 1280s by the presence of Ladislav IV in the region. Expelled from the center, Ladislav IV tried to find a new base to build up his power, and his turn towards Transylvania was logical for two reasons: the vicinity of the Cuman territories and a sort of power vacuum in Transylvania at the time. In other words, he could count on the Cumans in

³⁶ Tudor Sălăgean, *Transylvania in the second half of the thirteenth century* (Leiden: Brill, 2016), 112-129.

³⁷ Sălăgean, *Transylvania*, 132-134; Kristó, *Early Transylvania*, 224.

this area, and moreover, there were no oligarchical figures that would act as his direct rivals, as in other parts of the kingdom, except for Voivode Roland.³⁸ It is in this context of growing political tensions, the conflict between Ladislav IV and Borsa, that one should see the first known general assembly held in Transylvania – *generalis conuocatione nobilium regni Transyluani* – which took place in Turda in June 1288.³⁹ This is also the first occasion on which *iudices nobilium* are mentioned in Transylvania (*iudices per regnum Transsiluanum constituti*).⁴⁰ Whose was the actual initiative for holding that assembly? From the fact that the assembly was presided by Ladislav from the Borsa clan, Roland's man, one could conclude that it was voivode's attempt to influence the affinities of the Transylvanian nobility. The wider context should be also emphasized. In the same period – June 1288 – palatine assemblies were also held under palatine John Kőszegi, and both came after another clash with Ladislav IV. Namely, in March of that year, Ladislav IV and the archbishop Lodomer came to terms after the king's acts of repentance, but this proved to be a short-lived reconciliation. By the beginning of May, an unsurmountable enmity again rose between the king and the influential archbishop and part of the barons, as a consequence of the king's scandalous behavior, which Lodomer vividly described.⁴¹ Besides Lodomer, at the side opposing the king we can find Palatine John Kőszegi and Voivode Roland Borsa, both of them the king's staunch enemies, as can be seen from their military clashes from the previous year.⁴² It was in this circle that the decisions for holding the assemblies must have been formulated as one of the strategies to overcome another clash with Ladislav IV, since such a situation was rather compromising, as it divested a reigning king of his authority and power attached to the royalty. Same as in Slavonia during the 1270s, the first known Transylvanian general assembly was thus influenced by the decision reached at the political center, that is it was held as an attempt by Voivode Roland Borsa to strengthen his position in Transylvania. Part of the process was acknowledging and strengthening the position of the Transylvanian nobility, which, for the first time we know of, managed to influence the judicial proceeding through *iudices nobilium*, chosen among themselves, who were turning into a stable institution of the local judiciary system, and raise their voice on a public forum such as general assembly.

³⁸ Sălăgean, *Transylvania*, 138-142; Zsoldos, "Kings and Oligarchs", 215-216.

³⁹ György Fejér, *Codex diplomaticus Hungariae ecclesiasticus ac civilis*, vol. V/3 (Budae, 1830), 434-436.

⁴⁰ András W. Kovács, "Az erdélyi vármegyék középkori szolgabírái" [The *Iudices Nobilium* of the Transylvanian Counties in the Middle Ages], *Erdélyi Múzeum* 78/1 (2016): 2.

⁴¹ Jenő Szűcs, *Az utolsó Árpádok* [The last Arpadians] (Budapest, Osiris Kiadó, 2002), 438. For the conflicts between Archbishop Lodomer and Ladislav IV also see Nora Berend, *At the Gate of Christendom: Jews, Muslims and 'Pagans' in Medieval Hungary, c.1000 - c.1300* (Cambridge: Cambridge University Press, 2001), 175-182.

⁴² Szűcs, *Az utolsó Árpádok*, 438-442.

In 1289, in Alba Iulia, Ladislas IV confirmed a privilege to the local chapter in the presence of the clergy and the *nobiles Vngaros, Saxones et Syculos partis Transiluanæ*, which indicates that the king tried to use a public gathering to secure support for himself, even though one should say that the document as such does not reveal whether this was an assembly purposely convoked by the king or an *ad hoc* gathering of those who happened to be there when the king visited St Michael's church *causa devotionis*, as the document states.⁴³ It is also difficult to assess how far such public gatherings contributed to the power and authority of the king or the voivode's man on site; it is so especially when it comes to Ladislas IV, as he was murdered shortly afterwards, in July 1290.⁴⁴ Following his death, the throne was occupied by Andrew III, who came to power with a strong support of Archbishop Lodomer, the Kőszegis, and the Borsas, which meant, in case of the latter, that there was no change of voivode after the change on the royal throne.⁴⁵

Soon after assuming the royal title, Andrew III presided over a general royal assembly in Óbuda, on which occasion, on September 1, the oldest formal *decretum* of the kingdom was issued.⁴⁶ It was based on the principle of participation of the nobility at large in the political life of the kingdom, as well as its control over the barons' actions, which was to be implemented especially through annual assemblies in Székesfehérvár. These two closely related elements – reliance on the middle and lower nobility, as well as general assemblies – would remain present throughout Andrew's rule.⁴⁷ These tendencies manifested themselves as early as the following year when Andrew visited the eastern regions of his kingdom. Early in January, a general assembly for five counties took place in Oradea, and two months later, in March, a general assembly was held in Alba Iulia.⁴⁸ The latter assembly is exceptionally important for Transylvania and also has a special place in T. Sălăgean's interpretation of the emergence of what he calls the "congregational regime" of the Transylvanian nobility. T. Sălăgean has addressed the issue on several occasions, most extensively in his book *Transylvania in the Second Half of the Thirteenth Century: The Rise of the Congregational System*.⁴⁹ The gist of his hypothesis and argumentation can be summarized in several main points:

⁴³ *Urkundenbuch zur Geschichte der Deutschen in Siebenburgen*, vol. 1: 1191 bis 1342, eds. Franz Zimmermann and Carl Werner (Hermannstadt, 1892) (hereafter ZW), vol. 1, doc. 227, p. 161; Sălăgean, *Transylvania*, 148, where he mentions the assembly, even calling it a "general assembly".

⁴⁴ Kosztolnyik, *Hungary*, 293-296.

⁴⁵ Sălăgean, *Transylvania*, 152; Zsoldos, "Kings", 216.

⁴⁶ Bak and Vadas, "Diets and Synods", 328.

⁴⁷ DRMH, vol. 1, 42-44; on Andrew's legislation, DRMH, vol. 1, li-liii; Engel, *Realm*, 110.

⁴⁸ Nagy, Nagy, and Véghely, *A zichi*, I, doc. 111, pp. 99-100; ZW, vol. 1, doc. 244, p. 177.

⁴⁹ Tudor Sălăgean, "Noble Assembly and the Congregational System in Transylvania in the Late Thirteenth and Early Fourteenth Centuries", in: *Transylvania in the Thirteenth to Sixteenth Centuries: Aspects of the Formation and Consolidation of Regional Identity*, ed. Cosmin Popa-Gorjanu (Cluj-Napoca: Mega, 2012), 27-39; Tudor Sălăgean, "Regnum Transilvanum: The Transylvanian Congregatio

- The need of organizing another assembly in Transylvania after the one in Óbuda held in September 1290 was due to the fact that in the early 1290s the kingdom 'resembled nothing more than a personal union between two almost completely distinct state entities (*regnum Hungariae* and *regnum Transylvanum*), as a consequence of the events in Ladislas the Cuman's last years of reign', i.e. the increasing self-management of nobility by way of assemblies.⁵⁰
- Upon the king's arrival in Transylvania, an assembly was held in which the nobility, the Saxons, the Székely, and the Romanians considered whether to ratify Andrew's *decretum*, which did not have the legislative power in Transylvania.⁵¹
- A series of preliminary assemblies were held, attended by the individual groups (the Saxons, the Székely, and the Romanians) in order to agree about the standpoint they would take with regard to the king.⁵²
- In order to carry out his plans successfully and reintegrate Transylvania into the kingdom, Andrew III resorted to infiltrating his men among the Transylvanian nobility by bestowing them estates there.⁵³

In considering these points, I shall start from the last one. As evidence supporting the argument for the infiltration of noblemen loyal to the king among the Transylvanian nobility, Sălăgean offers a single example of such royal donation, which can hardly be taken as proof of large-scale plans.⁵⁴ As for the preliminary assemblies preparing various groups for a general assembly presided by the king, the evidence is equally meagre: the author admits himself that there is no evidence for assemblies held for the Saxons, the Székely, and the Romanians. There was an assembly for the nobility that took place in January that year but there is no indication that this was a preliminary assembly in which the nobility discussed the adequate way of receiving the king.⁵⁵ Concerning the statement

Nobilium and its Role as a Legal Community at the End of the Thirteenth Century", in: *Government and Law in Medieval Moldavia, Transylvania and Wallachia*, eds. Martyn Rady and Alexandru Simon (London: School of Slavonic and East European Studies UCL, 2013), 21-28; Tudor Sălăgean, "The rise of the congregational regime in Transylvania at the end of the thirteenth century", in: *Reform and Renewal in Medieval East and Central Europe: Politics, Law and Society*, eds. Éva B. Halász, Suzana Miljan, and Alexandru Simon (Cluj-Napoca; Zagreb; London: Minerva, III. Acta Europaea, 14), 359-372.

⁵⁰ Sălăgean, *Transylvania*, 153.

⁵¹ Sălăgean, *Transylvania*, 153.

⁵² Sălăgean, *Transylvania*, 154.

⁵³ Sălăgean, *Transylvania*, 154.

⁵⁴ Sălăgean, *Transylvania*, 154. It was a donation to Dyonisius Losonca; another example mentioned by the author concerns Ugrin Csák and is by no means to be considered as a royal donation; see below.

⁵⁵ Zsigmond Jakó, *Erdélyi okmánytár: oklevelek, levelek és más írásos emlékek Erdély történetéhez*, (hereafter Jakó), vol. 1: 1023 – 1300 (Budapest: Magyar Országos Levéltár, 1997), doc. 467; MNL OL, DF (Magyar Országos Levéltár, Budapest [Hungarian National Archives, Budapest]), Q szekció:

that the Transylvanian nobility was to accept Andrew's *decretum* in order that it should gain legal validity in Transylvania, there is clear evidence that this interpretation – a keystone of T. Sălăgean's hypothesis – is unfounded. Immediately or soon after his arrival to Alba Iulia on February 22, Andrew III presented his *decretum*, but not in order to 'clearly flesh out the topic of the discussions,' as T. Sălăgean claims.⁵⁶ Namely, on that same day, some of the local Transylvanian noblemen brought the *decretum* to the chapter and asked for an authenticated copy in order to keep it there and thus have an easier access to the document if needed.⁵⁷ In other words, whether to accept the *decretum* could not be a subject of debate at the Transylvanian general assembly as the only forum with the 'constitutional' authority to accept it. This action of the nobility throws a completely different light to the entire visit of Andrew III and undermines, along with my previous observations, T. Sălăgean's hypothesis that the aim of the king's visit was to abolish some sort of Transylvanian autonomy and independence with regard to the center. Along with what has been said above, the very formulations of the only document registering the assembly may serve as a far more reliable guide to considering its goals. First of all, it emphasizes that the assembly was proclaimed at the initiative of the barons and prelates surrounding the king, that it was attended by all nobility, as well as the Saxons, the Székely, and the Romanians, and that it was held '*pro reformacione status eorundem*'. This expression covers a broad range of activities aimed at improving the situation in the kingdom, and must have primarily reflected the content of the *decretum*, which was in fact a sort of 'programme' at the beginning of Andrew's rule. Thereby the assembly was a forum in which the programme could be presented more solemnly than it would have been the case at the very arrival of the king in Alba Iulia. However, the 'reformation' also included elements that were far more prosaic, as noted in the case registered in the document.⁵⁸ Namely, it concerned the restitution of an estate which Ugrin Csák was illegally deprived of, as he claimed at the assembly. Ugrin supported his claim with documents, but the king, wanting to convince himself of the veracity of these claims, asked the assembled nobility, the

Mohács előtti gyűjtemény [Q section: Pre- Mohács collection], Diplomatikai levéltár (DL) [Original charters], Diplomatikai fénykéogyűjtemény (DF) [Photo collection] 277206: *in congregatione coram nobis et coram quatuor iudicibus*.

⁵⁶ For the date of arrival in Alba Iulia, see Jakó, vol. 1, doc. 470; cf. Sălăgean, *Transylvania*, 154-155.

⁵⁷ Fejér, *Codex diplomaticus*, vol. VII/2, p. 147: *tamquam in loco communi, pro eo, vt recursus facilius ad ipsum habeatur, sit depositum, Nobiles praefati, per quosdam ex ipsis, nobis supplicarunt, vt tenorem huiusmodi priuilegii rescribi facientes*.

⁵⁸ During Andrew's rule, this *reformacione status* implied, for example, the abolition of unfounded tributes. Cf. Fejér, *Codex diplomaticus*, vol. VI/2, p. 72; a document issued by Ladislas IV in 1286 shows that confirming the privileges previously granted to the nobility was also considered as part of the *reformacione status regni nostri*; cf. Arnold Ipolyi, Imre Nagy, and Dezső Véghely, *Hazai okmánytár. Codex diplomaticus patrius*, vol. 6 (Budapest, 1876), doc. 230, p. 317.

Saxons, the Székely, and the Romanians to confirm them.⁵⁹ Thus, the document offers an excellent insight into the roles that the individual agencies played in the operation of the 'state': the king presided over the assembly, held at the initiative and counsel of his entourage, as the sovereign, while the assembled nobility, the Saxons, the Székely, and the Romanians had a different advisory role since they possessed the local knowledge indispensable for the correct way of handling the local public affairs. In other words, they were capable of defending their interests and of acting collectively to protect the interests of one of their members against the lords, be it the king or his representatives (the state apparatus). This is a completely different picture than the sort of constitutionality presumed by T. Sălăgean – concerning both the assembly of 1288 and the one in 1291 – and especially contrary to his hypothesis about a sort of 'statehood' separation of Transylvania from Hungary, mirrored particularly in the fact that the 'resolutions of the Buda congregations lacked legislative value by themselves in the Transylvanian *regnum*'.⁶⁰ Andrew III did not visit Transylvania because he needed to have his *decretum* confirmed at the general assembly, or out of some sort of 'constitutional' need of asserting his power. Instead, it was out of political necessity, the king's need to be visible and present and thus ensure loyalty, which in Transylvania he did by means of standard mechanisms – by granting and confirming privileges – and by appearing personally before the local elites at large, in an assembly dominated, as I have just demonstrated, by a 'ceremonial consent' rather than debate.⁶¹

The nobility's capacity for collective action was empowered by such assemblies, but not in the form as it was represented at the assembly held in March 1291, that was, besides the nobility, also attended by the Saxons, the Székely, and the Romanians, and at least some of these groups would not act together as political collectives before the mid-15th century when that action would also adopt a completely different form.⁶² Nevertheless, the nobility as a group was undoubtedly developing a capacity for collective action, which is evident in an event from May 1291, when a case discussed was presided by the deputy of the vice-voivode that concerned the same parties and the same dispute as at the general assembly held in January that year, and similarity with the general assembly of 1288 can be observed in one detail: the judges who presided on the judicial hearing together with the vice-voivode or his deputy were appointed *per regnum Transsiluanum*.⁶³

⁵⁹ ZW, vol. 1, doc. 244, p. 177.

⁶⁰ Sălăgean, *Transylvania*, 153.

⁶¹ On the distinctions, see Thomas N. Bisson, "Celebration and Persuasion: Reflections on the Cultural Evolution of Medieval Consultation", *Legislative Studies Quarterly* 7/2 (1982): 181-204.

⁶² Rady, "Voivode and *Regnum*", 98, 100; Romulus Gelu Fodor, "Constitutional Thought and Institutions in Medieval Transylvania", in: *Government and Law in Medieval Moldavia, Transylvania and Wallachia*, eds. Martyn Rady and Alexandru Simon (London: School of Slavonic and East European Studies UCL, 2013), 17.

⁶³ ZW, vol. 1, doc. 246, p. 178.

As plausibly argued by T. Sălăgean, the very expression *regnum* had nothing to do with the lordship of Roland Borsa as claimed by the previous generations of historians but refers to the community of the Transylvanian nobility.⁶⁴ We see a similarity here with regard to Slavonian case from 1273, as it was in this same meaning that the term *regnum* was used in 1273 in the list of rights of the Slavonian nobility. Both cases thus confirm what was previously stated, that in the second half of the 13th century one can observe its use as denoting the community of nobility, and that both cases reflect the increasing self-management of the nobility. However, in the case of Transylvania and Slavonia the term *regnum* has an additional dimension – it referred to the areas that also enjoyed a separate territorial status and a specific type of lordship within the political system of *Archiregnum Hungaricum*, both through the governance of the ban/voivode and through the fact that they were appanages for members of the royal family. Nevertheless, I would argue that this type of separate status and the emergence of the term *regnum* denoting the noble community cannot be interpreted in terms of autonomy as T. Sălăgean has done for Transylvania in the late 1280s and the early 1290s. This interpretation is in fact even far away from the framework which the author himself posits in the introduction of his book where he speaks of Transylvania as a ‘legal country’, which is indeed a better approach.⁶⁵ Namely, the increasingly important role of the nobility and the formation of a noble community, which is most manifest in those moments when it gathered at the assembly and participated in legal disputes, should better be viewed as a process of emergence of a separate *Land* as defined by O. Brunner: primarily as a community of law.⁶⁶ Back in 1995, L. Margetić indicated the relevance of Brunner’s work for understanding the position of Slavonia, and M. Ančić has repeatedly considered the position of medieval Bosnia within the *Archiregnum Hungaricum* through this prism.⁶⁷ Even though in the case of Transylvania there are no indications that the rights of the Transylvanian nobility had been put down in writing by this period, as in case of Slavonia in 1273, the creation of a cluster of customs and rights was certainly facilitated by the fact that the voivode and his deputies were a specific judiciary instance for the Transylvanian nobility and a framework within which a specific custom law was evolving through practice.⁶⁸ Nevertheless, I repeat, the

⁶⁴ Sălăgean, *Transylvania*, 157-158.

⁶⁵ Sălăgean, *Transylvania*, 1-2.

⁶⁶ Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria* (Philadelphia, PA: University of Pennsylvania Press, 1992).

⁶⁷ Margetić, *Zagreb i Slavonija*, 94-95; Mladen Ančić, “Politička struktura srednjovjekovne Bosne” [The political structure of medieval Bosnia], in: Mladen Ančić, *Na rubu Zapada: tri stoljeća srednjovjekovne Bosne* [On the fringe of the west: three centuries of the medieval Bosnia] (Zagreb: Hrvatski institut za povijest, 2001); Mladen Ančić, “Od zemlje do kraljevstva”. M. Rady has likewise drew a similar comparison for Transylvanian *regnum*, but only in the 15th century: Rady, “Voivode and *Regnum*”, 98-99.

⁶⁸ On the legal system of medieval Hungary, based on custom, and its formation, see Martyn Rady, *Customary Law in Hungary: Courts, Texts and Tripartitum* (Oxford: Oxford University Press, 2015).

formation of Transylvania as a *Land* should not be seen through the categories of political autonomy or 'statehood' – as suggested by T. Sălăgean's statement on distinct 'state-like entities' – since the political achievement of the Transylvanian nobility and some sort of self-management that it enjoyed did not reach further than the appointment of local noblemen as noble magistrates at the county level and their advisory role, that is their participation in state affairs on specific occasions demanding local knowledge.⁶⁹

The misjudged interpretation of Andrew III's visit to Transylvania in 1291, as I have observed above, is only the first part of Sălăgean's hypothesis. The second concerns his conclusion that the election of Ladislas Kán as the voivode 'must have been conditioned by the approval of Transylvania's nobility, which managed to impose to the king the transformation of the 'royal' voivodeship into a 'congregational' voivodeship.'⁷⁰ Here the author is primarily referring to Andrew's *decretum* of 1298 and the tendencies manifest as early as the *decretum* of 1290, according to which the broader strata of nobility had the right to participate in making decisions on the appointment of the highest offices in the royal apparatus.⁷¹ First of all, it is very difficult to interpret the decision of 1294 by way of what happened in 1298, and secondly, the royal *decretum* of 1290 does not mention anywhere explicitly that the voivode's appointment was subject to the nobility's participation in the decision-making process. Moreover, it is equally important to consider the actual scope of such decisions from 1298 on the growth of the political role of the nobility at large, which was perhaps best described by the editors of the *Decreta regni mediaevalis Hungariae* series when saying that the programme outlined in the *decretum* of 1298 was a 'rather utopian (...) program of the wide strata of nobles and clergy to curb the excesses of the oligarchical power.'⁷² For corroborating such a conclusion, it suffices to draw a parallel between such efforts and Andrew III's actions after 1298: instead of relying on the lower nobility, the king made direct agreements with the oligarchs, which resulted, among other things, in a flourishing of palatine titles in this period.⁷³ But if T. Sălăgean's conclusions are not argued strongly enough, how should one explain the appointment of Ladislas Kán as the voivode in 1294? First of all, it

⁶⁹ T. Sălăgean's statement, in fact, reminds of the political language and ideas of the elites in the Triune Kingdom of the 18th and 19th centuries, especially on the 'personal' union and the relations between the Triune Kingdom of Croatia, Dalmatia and Slavonia, and Hungary, defined by the maxim *regnum regno non prescribit leges*, for which see Zvezdana Sikirić Assouline, *U obranu hrvatskih municipalnih prava i latinskoga jezika: govori na Hrvatskom saboru 1832. godine* [In the defense of Croatian municipal rights and the latin language: orations on the Croatian Parliament of 1832] (Zagreb: Srednja Europa, 2006), 28-32.

⁷⁰ Sălăgean, *Transylvania*, 170.

⁷¹ Sălăgean, *Transylvania*, 169-170.

⁷² DRMH, vol. 1, lii.

⁷³ Zsoldos, "Kings and Oligarchs", 231-233.

must be said that it took place after Roland Borsa's rebellion against the king, which forced the latter to find a new man for this office.⁷⁴ As for the choice of Ladislav Kán as the voivode, I would argue that it must first and foremost be seen as the king's increasing awareness of the localization of power in the kingdom and the altered conditions of political negotiations. This was manifested in the rise of oligarchical structures, which significantly limited and channeled the king's actions: only the local powers could be an efficient footing for some sort of restitution of royal authority. In Transylvania, this found expression in the king's actions that year, when Peter from the Bő clan was appointed the count of the Székely, a local nobleman linked to Bishop Peter Monoszló, himself a prominent local figure with extraordinary financial resources, on whose loyalty Andrew III could count upon.⁷⁵ A similar process was at work in Slavonia. Following a conflict between the king and his former adherents, the Kőszegis, in 1292 he divested them of the title of the ban and transferred it to the only family that could act as a counterbalance to their power on the local level: the Babonići.⁷⁶ Even though Ladislav Kán did not have such extensive powers in Transylvania when becoming the voivode as the Babonići had in Slavonia in 1292, he certainly had sufficient symbolic and social capital to perform the voivode's duty with success.⁷⁷ In other words, the king – or his counsellors – was guided by the idea of having someone who would support him on the local level, rather than being under a sort of 'constitutional' pressure of the Transylvanian nobility that would have resulted in a 'congregational voivode'.

Ladislav Kán's career was determined by the general political situation, both in the kingdom as a whole and in Transylvania, and T. Sălăgean has rightfully detected that one can speak of two stages here: before and after Andrew III's death since that was the moment after which Ladislav turned into a genuine oligarchical figure.⁷⁸ The circumstances of these respective stages will serve here as the partition line for considering the general assemblies/larger gatherings in Transylvania. There were two such occasions before 1301. The first was in April 1296, when Ladislav Kán, following the king's orders and an agreement between the conflicting parties, was to make a sworn statement in a dispute with the chapter along with 150 noblemen in order to prove the rights to the debated estates, to which purpose they gathered in Turda (*in Torda, apud ecclesiam cruciferorum, videlicet sancte crucis*). In the end, the conflicting parties reached an agreement

⁷⁴ Zsoldos, "Kings and Oligarchs", 216.

⁷⁵ Andrea Fara, *La formazione di un'economia di frontiera: La Transilvania tra il XII e XIV secolo* (Naples: Editoriale Scientifica, 2010), 202-203; on the bishop's resources and position, see Sălăgean, *Transilvania*, 170-173; Kristó, *Early Transilvania*.

⁷⁶ Radoslav Babonić is mentioned as the *ban* in September 1292; Zsoldos, *Magyarország*, 48.

⁷⁷ Cf. Kristó, *Early Transilvania*, 224-227; Sălăgean, *Transilvania*, 166-169.

⁷⁸ Sălăgean, *Transilvania*, 174-177.

amicabili tractatu before John, the provost of Sibiu, and Myle, the preceptor of the Turda Hospitallers, who issued the document.⁷⁹ The second case is registered in a document issued by the voivode. The cathedral chapter was again involved in a dispute, this time with a different nobleman, and the voivode reached the verdict *unacum nobilibus partis Transsilvane nobiscum consedentibus*, who are said to have been many (*multorum nobilium*).⁸⁰ As for the first gathering, it is clear that it was not a general assembly, since Ladislav was in charge of bringing 150 noblemen with him in a specific case, and thus the meeting, even though undoubtedly featuring many noblemen, is difficult to consider as an expression of collective action by the Transylvanian nobility *stricto sensu*. Since the meeting was held at Turda this again underlies its importance, but one has to bear in mind that the case again concerned the church institution, and one of the arbiters was the preceptor of the Turda Hospitallers. The second case is somewhat clearer on this point, since the nobility is collectively referred to as the Transylvanian nobility, but it is still difficult to say whether a general assembly was held *prope villam Egrug* on that occasion. Namely, this depends on how one interprets the abovementioned expression – *unacum nobilibus partis Transsilvane nobiscum consedentibus* – whether it necessarily implies an assembly or it was another type of forum, such as the voivode's court.⁸¹ This question is very difficult to answer with certainty, and I will not discuss it any further.

What these two cases have in common, and so do the assemblies of 1288 and January 1291, as well as the court meeting from May 1291 – that is, all the assemblies and gatherings that we have considered so far beside the king's general assembly in March 1291 – is that one of the parties in dispute was always the Church, be it the chapter or the bishop. This fact imposes general caution when reaching conclusions about this period since written documents related to ecclesiastical institutions were more likely to remain preserved to the present day than the archives of noble families, whose documents were often deposited at the chapters for this reason.⁸² But even with these reservations, it is extremely significant that all preserved mentions of assemblies in this period are linked to the Church, especially if one considers that ecclesiastical institutions were exempt from the jurisdiction of the voivode and his officials.⁸³ Does this mean that the general assembly, as a forum, was particularly apt for solving disputes involving

⁷⁹ Jakó, vol. 1, doc. 543, pp. 307-309.

⁸⁰ Jakó, vol. 1, doc. 550, pp. 312-313.

⁸¹ Thus, when holding court in his residence at Deva in 1303, Ladislav Kán likewise referred to the council of the Transylvanian nobility; Sălăgean, *Transylvania*, 187.

⁸² Katalin Szende, "The Uses of Archives in Medieval Hungary", in: *The Development of Literate Mentalities in East Central Europe*, eds. Anna Adamska and Marco Mostert (Turnhout: Brepols, 2004), 114, 121.

⁸³ For an example in which ecclesiastical estates and people living there were exempt from the voivode's jurisdiction, see ZW, vol. 1, doc. 81, pp. 72-73; doc. 200, pp. 142-143.

ecclesiastical institutions, especially because in this way they were not entirely subjected to the lordship of the voivode and his officials, but also to that of the wider circles of nobility? The choice of locality for the process for the first known assembly – Turda – which would with time become the more or less permanent site of assemblies, is likewise significant. It was an estate of the Hospitallers, a religious order, which in a way evoked the atmosphere of impartiality and was a neutral terrain for solving such disputes.⁸⁴ The assembly in January 1291 was also held on an ecclesiastical estate, Mirăslău, which belonged to the chapter, and the legal dispute in May that year was held on the estate of Galda, some ten kilometres from Alba Iulia.⁸⁵ The very location of these assemblies suggests that the cases linked to the Church were among the most important issues that these assemblies/gatherings dealt with. This perspective can therefore complement our notion of the circumstances in which the assemblies in Transylvania were held from the late 1280s onwards. However, it should be also emphasized that, even if the impulse to hold assemblies on a ‘neutral terrain’ came from the Church, the local nobility – as seen in the example of Turda, which became the almost exclusive locality for general assemblies – adopted this principle as one of the mechanisms for solving their disputes, that is, as an integral part of the tradition on which they based their identity and their collective action.

The first of the two known assemblies in the period from 1301 until the end of Ladislas’ mandate as the voivode took place in Turda as well, in September 1306.⁸⁶ Even though there are no indications that it was a general assembly of the nobility, its location and the formulation in the voivode’s document (*nos unacum nobilibus partis Transsilvane, qui tunc nobiscum erant sedentes pro tribunali*) suggest that it was. This gathering is known owing to a document that registered a duel intended to solve a property dispute, and the high rank of the involved parties – Nicholas and Peter, sons of Mikud, and Ladislaus from the clan of Borsa de Sancto Martino – suggests that it was one of the more important disputes with a strong impact on the local noble society at the time.⁸⁷ It was also a prolonged dispute, as indicated in the document, and the form of its solution – a duel – as well as its location, Turda, indicate that it was most probably a general assembly and that one of the main functions of such gathering was to voice a moral judgment and exert pressure on the parties, especially concerning the fact that it was a sensitive matter including members of the very top of the local social elite. The

⁸⁴ Thus, members of the Hospitallers and the Templars participated in the peace treaties between the Babonić and Gut-Keled and Koszeg in the 1270s; CD VI, doc. 207, p. 240; doc. 224, p. 261.

⁸⁵ Fejér, *Codex diplomaticus*, vol. V/2, pp. 223-224 (1318). A half of the estate of Galda would also pass into the hands of the chapter; Fejér, *Codex diplomaticus*, vol. VIII/2, 184-185.

⁸⁶ József Pataki, *Anjou királyaink és a két román vajdaság* [The kings of Anjou and two Romanian voivodes] (Kolozsvár: Gróf Teleki Pál Tudományos Intézet, 1944), 15-17.

⁸⁷ On the involved parties, see Sălăgean, *Transylvania*, 131.

second assembly, *congregatione nostra generali* (of the voivode), held near Niraj in June 1308, also mentions that the property dispute, which had lasted for a long time, was finally solved at the assembly '*vna cum nobilibus regni ad nos pertinentibus et alys quibuslibet in ipsa congregacione nostra sedentibus nobiscum*'.⁸⁸ The assembly took place on the margins of the Székely territory and probably they were present as well.⁸⁹ Its circumstances certainly deserve special attention. At the very end of 1307 and in January 1308, Ladislav Kán used sheer violence to bring his son to the episcopal throne, which estranged a part of the nobility and also met with resistance on the side of the Saxons. By the middle of the year, the voivode also released Otto Wittelsbach from captivity, at the time when the plans of Charles of Valois, in which Ladislav Kán was involved, came to a naught, largely marking the end of the 'international' role that the voivode had played.⁹⁰ Thus, it does not seem hasty to conclude that in the moments when the broader political network from which Ladislav had been drawing his power was in a state of collapse, and when his actions were meeting with increasing opposition in Transylvania, he resorted to a general assembly in order to have a manifestation of support. After this period, Ladislav had to face various challenges, but until his death in 1314 there is no indication that he was reaching for general assemblies in order to influence the nobility's loyalties.⁹¹

The gatherings of the Transylvanian nobility that we have analyzed so far have one element in common – all our knowledge about them comes from documents registering property disputes. This is by no means accidental, since such is the nature of our primary sources in general: they largely refer to property issues. Not wishing to enter too deeply into the manner the historians treat historical sources as traces of the past, the abovementioned fact nevertheless calls for caution and reminds us of the meagerness of our knowledge on the assemblies of this period. Were property disputes the only issues discussed there, or were there other matters to be decided upon? I am rather inclined to the second option, since looking at the broader context in which the assemblies were taking place, for example the one in 1308, reveals the political dimension of such gatherings. But emphasizing the judicial function of these assemblies does not imply diminishing their significance, as T. Sălăgean has done rather explicitly by juxtaposing the period from the 1280s until the 1310s, which he has characterized as that of a 'congregational regime', to that after 1322, when the role of the assembly was

⁸⁸ Nagy, Nagy, and Véghely, *A zichi*, vol. 1, doc. 135, pp. 117-118.

⁸⁹ Sălăgean, *Transylvania*, 195.

⁹⁰ Sălăgean, *Transylvania*, 181-182, 194, and 202-214.

⁹¹ Sălăgean also mentions an assembly in 1309 (Sălăgean, *Transylvania*, 250), but based on a document issued by *Thome wayuode*, which makes it clear that it was issued in 1329, or in 1339 as suggested by Zsigmond Jakó, *A kolozsmonostori konvent jegyzőkönyvei, 1289-1556*, I. kötet: 1289-1484 [Protocols of the Kolozsmonostor Convent, 1289-1556, vol. 1: 1289-1484] (Budapest: Akadémiai Kiadó, 1990), 187.

reduced to 'mere judicial attributions.'⁹² First of all, it should be said that, *stricto sensu*, only three assemblies are clearly identified as general assemblies in the sources – those held in 1288, 1291, and 1308 – and one more can be presumed to have been such.⁹³ These numbers in itself call for caution when trying to present this period through the prism of a 'congregational regime'. On the other hand, describing the judicial functions of these assemblies as 'mere' is quite misleading. The judiciary, that is justice and law, was one of the crucial segments of the world we are talking about. May it suffice to quote E. Fügedi, who wrote that 'judicial power was the most important aspect of self-government for the medieval counties and free royal cities' or look at the *iura* of the Slavonian nobility from 1273, where most attention was paid to the judiciary.⁹⁴ Furthermore, S. Reynolds warned that 'our understanding of law at this time may be enhanced if we recognize how indistinct was the boundary between it and politics or administration in general.'⁹⁵ Specifically, this means that property disputes in this period had potential political repercussions, or rather: property disputes overflowed into political decisions. The political influence of the Transylvanian nobility is evident in the appointment of noble magistrates and the increasing control of the nobility over legal disputes in general, through its participation in assemblies. Assemblies also gained a political dimension as the sites of 'ceremonial consents', as Andrew's assembly in March 1291 can be interpreted, as well as places to consolidate one's jeopardized authority and lordship, as can be perceived in Ladislas Kán's assembly in 1308. This moreover means that assemblies and gatherings cannot be interpreted one-sidedly, either from the perspective of the voivode's lordship or from the perspective of nobility. What unifies these two perspectives is the fact that public gatherings in assemblies, as well as decision-making in other judicial instances that asked for the participation of the Transylvanian nobility, had by the late 1280s become a part of the repertoire and the mechanism by which the local circumstances were shaped. This is an aspect in which the specificity of Transylvania with regard to Hungary, which can be observed throughout the 13th century, became all the more visible. In the process of Transylvania's formation as a specific territory, *Land* – rather than a distinct 'state-like entity' – within the *Archiregnum Hungaricum* in the late 13th century, the community of noblemen stands out especially as the holder of rights and the exponent of a specific Transylvanian identity, which implies an intensification of its collective action.

⁹² Sălăgean, *Transylvania*, 239.

⁹³ Susana Andea, *Congregații palatine și voievodale (sec. XIII-XIV)* [Palatine's and Voivodal Congregations 13th-14th Centuries] (Cluj-Napoca: Argonaut & Mega, 2013), 229-230, likewise enumerates only three general assemblies.

⁹⁴ Erik Fügedi, *The Elephánthy: The Hungarian Nobleman and his Kindred* (Budapest: CEU Press, 1998), 63.

⁹⁵ Susan Reynolds, *Kingdoms and Communities in Western Europe, 900-1300* (Oxford: Oxford University Press, 1997), 24.

In this context, parallelism with Slavonia, where the initial impulse from the 1270s concerning assemblies did not become a permanent presence, becomes particularly important. It primarily indicates the fact that Transylvania remained intact as an entity, which made it possible to hold assemblies for the Transylvanian nobility at large, as well as to make decisions in other judicial instances that called for its participation, whereas Slavonia was split into two oligarchical blocs, which prevented the organization of assemblies for all of Slavonia, even if there had been such intentions. This polarisation of Slavonia even led to the disappearance of the discourse on the Slavonian nobility as an acting community. Consequences of this would be felt even after this period, from the 1320s onwards, but this issue will be discussed in the next section. Here I would only like to underline some more elements that a comparison between these two provinces brings to light. One of them are the general circumstances that led to these assemblies. Strife and instability, triggers for general assemblies in Slavonia, especially those in the late 1270s, can be observed in Transylvania in the late 1280s. In both cases recourse to general assemblies closely followed the decisions and actions reached at the political center, as in the assemblies held in 1278, 1279, and 1288. One can say that in all these cases the oligarchs under whose direction these assemblies were held tried to strengthen their position among the local nobility, and to put in order disturbed local circumstances. Still, there is a huge difference regarding the relations towards the king. While the Slavonian assemblies were also an attempt to consolidate the shaken authority of Ladislas IV, the Transylvanian assembly was just the opposite, since Roland Borsa stood against the king. Thus, the context in which the earliest general assemblies were held brings into the foreground conflicts and instability in both provinces. It can also be observed in both provinces how the localization of power influenced the court decisions, reducing the maneuver room of the kings. Eventually, regardless of the considerable differences in the dynamics of assemblies and the fact that in Transylvania they became part of the local repertoire, in neither province did they become a regular administrative mechanism. In order to comprehend this conclusion more thoroughly, one has to take into consideration the period after 1322, when the royal court again became the true center of the kingdom, disrupting the processes of localization of power from the previous fifty years.

The role of the voivode, the ban, and the nobility in establishing a new system

Thomas Szécsényi became the voivode of Transylvania in 1321, and Mikac from the Ákos kindred the ban of Slavonia in 1325. Whereas the former held his office until 1342, Mikac remained in his until 1343. Both of them were, along with Philip Drugeth and his family, the closest confidants of Charles I and thus the

most powerful men in the kingdom.⁹⁶ Soon after his arrival in Transylvania, in April 1322, the voivode held a general assembly in Turda, where the nobility, the Saxons, the Székely, and the Romanians were present, as well as the clergy led by the Transylvanian bishop Andrew Szécsi.⁹⁷ Mikac's predecessor in the ban's office, Nicholas Felsőlendvai (1322-1325), likewise held a general assembly upon his arrival in Slavonia, in January 1324 in Križevci. In both cases, the ban and the voivode emphasized that the general assembly was first and foremost held at the king's orders, an element that is missing from the later general assemblies, which had become a regular feature both in Slavonia and in Transylvania.⁹⁸ In this respect, neither of the two provinces was an exception, since the period after 1323 was a time when this type of gathering, along with the palatine general assemblies, became an important element of the kingdom's judiciary system.⁹⁹

Two years after the first general assembly in Transylvania, in March 1324, a royal mandate abolished all exemptions from the jurisdiction of the voivode that had been, as the document states, granted by the king in the previous period: in other words, everyone in Transylvania was subject to the voivode's jurisdiction.¹⁰⁰ In July 1325, Charles proclaimed a similar decision for Slavonia, resulting from the complaints of Ban Mikac. The king stated that the exemptions granted by his predecessors had made almost all noblemen in Slavonia immune to the ban's jurisdiction, which had considerably diminished the authority of his office. For this reason, the king ordered that the ban alone could judge over the Slavonian nobility.¹⁰¹ Even though both royal charters state that such exemptions resulted from royal decisions, it should be mentioned that there are no such documents preserved either in Slavonia or in Transylvania.¹⁰² In the case of Slavonia, this

⁹⁶ Engel, *Realm*, pp. 144-145; on the Drugeth family, see Đura Hardi, *Drugeti: Povest o usponu i padu porodice pratilaca Anžujskih kraljeva* [The Drugeths: A history of the rise and fall of the companions of the Angevin kings] (Novi Sad: Filozofski Fakultet u Novom Sadu, Odsek za istoriju, 2012).

⁹⁷ ZW, vol. 1, doc. 390, p. 361; doc. 392, pp. 362-363; Jakó, vol. 2: 1301-1339 (Budapest: Magyar Országos Levéltár, 2004), doc. 428, p. 168; doc. 429, p. 168; doc. 430, pp. 168-169.

⁹⁸ CD IX, doc. 139, p. 172: *ex precepto et mandato domini nostri*; ZW, vol. 1, doc. 392, p. 363: *tam ex praecepto domini nostri regis quam etiam ex debito nominis et honoris nostri de tranquillo et pacifico statu partis Transsilvane invigilare cupientes*.

⁹⁹ Tibor Szócs, "A History of the Palatinal Institution in the Árpadian Age and in the First Half of the Angevin Period (1000-1342)", *Chronica: Annual of the Institute of History, University of Szeged* 13 (2017): 128-129; Hardi, *Drugeti*, 179-183.

¹⁰⁰ Cosmin Popa-Gorjanu, "The Nobility as Bearers of Regional Identity in Fourteenth Century Transylvania", in: *Transylvania in the Thirteenth to Sixteenth Centuries: Aspects of the Formation and Consolidation of Regional Identity*, ed. Cosmin Popa-Gorjanu (Cluj-Napoca: Mega, 2012), 48.

¹⁰¹ CD IX, doc. 206, pp. 253-254.

¹⁰² On Slavonia, see Attila Zsoldos, "Kraljevska vlast i Slavonija u prvoj četvrtini 14. stoljeća" [Royal authority and Slavonia in the first quarter of the 14th century], in: *Prekretnice u suživotu Hrvata i Mađara: Ustanove, društvo, gospodarstvo i kultura*, eds. Pál Fodor and Dinko Šokčević (Budapest: Institut za povijesne znanosti Istraživačkog centra za humanističke znanosti Mađarske akademije

royal order resulted largely from the need to break the (jurisdictional) structures created during the prolonged period of oligarchical rule, rather than from the king's exemptions.¹⁰³ Even though the same explanation need not be valid for Transylvania, in both cases the aim of the royal orders was the same: a clearer focus and fixation of the ban's and voivode's jurisdiction, with the intention of achieving full control over the areas they had been sent to govern. In other words, now it was a time to restore the royal authority and royal rights not as in the previous period, through open confrontations, but primarily through judicial instances and procedures. These were also to bring stability and justice to the nobility at large after a prolonged period of political uncertainty, which was also a sign of the king's power and authority. What we are witnessing here, and what reveals itself as an important segment of our previous argumentation, is an impulse that came from the royal court in the form of a programme consisting of a very similar mechanism of action as a response to the more or less similar structural problems in the two provinces that had a similar position and structure in the political configuration of *Archiregnum Hungaricum*.¹⁰⁴

However, parallelism between Slavonia and Transylvania in these segments does not stop at this impulse from the court – the reactions of the noble societies they had affected were also very similar. Several months after the king's charter from May 1325, three Slavonian noblemen asked the chapter of Čazma for a transcript.¹⁰⁵ The Transylvanian nobility did basically the same in May 1325, when they asked for a transcript of Charles' charter issued in March a year before. The only difference, albeit an important one, with regard to the request of the Slavonian noblemen, is that the Transylvanians asked for it on behalf *totius universitatis nobilium partis Transilvane*.¹⁰⁶ This may seem a tiny difference at the first glance, but if one takes into consideration that the Transylvanian nobility, unlike the Slavonian one, managed to obtain collective privileges in the period before 1342, one begins to notice important differences in the power of collective actions between the two noble communities. To be sure, the Slavonian nobility did acquire a capacity for collective action through general assemblies, which

znanošti; Hrvatski institut za povijest, 2015), 192; as for Transylvania, I have not been able to find charters concerning this issue.

¹⁰³ Nekić, "Društvene mreže", 10-11, contrary to Zsoldos, "Kraljevska vlast", 193-194.

¹⁰⁴ For a parallel with the assemblies held in the context of restoring royal authority, see the Croatian processes in the 1350s in Damir Karbić, "Defining the Position of Croatia during the Restoration of Royal Power (1345-1361): An Outline", in: ... *The Man of Many Devices, Who Wandered Full Many Ways ... Festschrift in Honor of János M. Bak*, eds. Marcell Sebők and Balázs Nagy (Budapest: CEU Press, 1999), 524.

¹⁰⁵ MNL OL, DF 268069; the document is preserved in 15th-century transcripts, which were again required by the Slavonian noblemen, as Charles' charter was still used in legal disputes as an important document; see Nekić, "Plemićki rod Tetenj", 118.

¹⁰⁶ Popa-Gorjanu, "Nobility as Bearers", 48-49.

must have been held on a yearly basis after 1324, and they could use this channel to protect their individual rights in judicial terms, and also generally the rights and customs of the community, but there are no indications that they managed to obtain collective privileges.¹⁰⁷ The closest approximation comes from a period directly after Mikac occupied the ban's office, and is directly linked to his person. Namely, in May 1343 King Louis I sent a letter to Slavonia, which reveals that the Slavonian community had sent emissaries to the king with complaints on account of various violations and injustices. The king responded by sending a new ban, who was supposed to solve the problems, and in case he failed, the community (*per vestram communitatem*) was to report on this to the king.¹⁰⁸ However, even with this intervention of the Slavonian community, the fact remains that there is no evidence of collective privileges granted to the Slavonian nobility in this period, whereas in case of Transylvania there are two such examples.

The first collective privilege of the Transylvanian nobility is a royal privilege from 1324 that exempts them from the dues of billeting (*descensus*) as well as some other obligations towards the voivode.¹⁰⁹ The privilege was issued after the successful suppression of a Saxon rebellion in the first half of that year, in which the Transylvanian nobility and the *servientes* participated, as specifically mentioned in the royal privilege.¹¹⁰ The question of the voivode's (as well as ban's) *descensus* was regulated as early as 1290 in the *decretum* issued by Andrew III, in which he decreed that the voivode should not demand *descensus* from the nobility.¹¹¹ The fact that the *descensus* was the subject of the first privilege issued to the Transylvanian nobility in 1324 suggests that the noble community preserved the memory of its former privilege – it should be kept in mind that some Transylvanian noblemen had asked a transcript of Andrew's *decretum* in 1291 in Alba Iulia in order to be able to use it when needed. Thus, even though the royal privilege does not mention that the nobility based their demand on Andrew's

¹⁰⁷ It is known that assemblies were held in 1324, 1325, 1327, 1329, 1333, 1337, 1338, 1339, and 1340 (Éva B. Halász, "Generalis congregatiók Szlavóniában a 13–14. Században" [General Congregations in Slavonia in the 13th and 14th Centuries], *Történelmi szemle* 59 (2017): 297-298.) Having in mind the state of preservation of the sources, I am inclined to blame that for the *lacunae* in the series rather than interpret these as years in which no assemblies were held, even though such a possibility also exists.

¹⁰⁸ CD XI: 1342-1350, ed. Tadija Smičiklas (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1913), doc. 47, p. 62: *fidelius suis vniuersitati nobilium, iobagionibusque castris et aliis cuiuscumque status et condicionis hominibus in terra Sclauonie inter fluum Draue et Gozd constitutis et existentibus, salutem et gratiam. Vestre vniuersitatis fidelitas dimissis ad nos eorum nunciis, suas necessitates et iniurias in facto occupationis possessionum et violacionis libertatum suarum ac aliis quibuscumque modis perpessus, nostre significare curauit maiestati.*

¹⁰⁹ Popa-Gorjanu, "Nobility as Bearers", 49.

¹¹⁰ Kristó, *Early Transylvania*, 234-235; MNL OL, DL 40487: *nobilium seu regalium seruentium de terra Transilwana.*

¹¹¹ DRMH, vol. 1, 45.

decretum, the fact that the nobility asked Charles I to abolish the *descensus* of all things suggests that the memory of such a privilege was still alive (the fact that it had been registered in the form of a *decretum* was by no means a guarantee that it had been observed). The fact that this privilege was issued, and that the nobility invested efforts to preserve it, what they equally did with the abovementioned royal mandate from the same year, shows that the Transylvanian nobility had acquired a capacity for collective action in the previous period, especially from the late 1280s onwards. In order to explain the agility of the Transylvanian nobility, one should add another crucial element, which is the experience that the nobility could use as a 'model' for its demands. Throughout the 13th century, the Transylvanian Saxons as a community were building up their position through collective privileges, and in the time that is closer to 1324, namely in 1317, they obtained the royal confirmation of an exceptionally important privilege issued to their community: the so-called *Andreanum*, granted to them in 1224 by Andrew II.¹¹² Such examples would have taught the Transylvanian nobility how to formulate their demands, especially those that had precedents in the past, such as the one concerning the *descensus* (this element of 'learning' is also evident in a later period, see below).

The power and preserved tradition of the Transylvanian noble community are also evident from the fact that the general assemblies were from 1322 onwards held almost without exception in Turda, which continued the earlier practice. One can identify a series of such assemblies: in April 1322, May 1323, May and October 1326, August 1327, June 1328, January 1329, April 1330, March 1331, June 1332, April, May and December 1337, January and June 1339, and in May 1342. All the assemblies, apart from the one from 1330 which was held in Bontida, were held in Turda.¹¹³ These were not the only general assemblies held in Transylvania during this period – I will address the others later on – but this list in itself shows that the general assemblies were becoming an indispensable aspect in the shaping of the local circumstances from 1322 onwards.

There are differences when the whole period until 1342 is considered though, and three stages can be identified. The first lasted from 1322 until 1332: during this period, the assemblies were almost certainly held every year. Even though the data on the assemblies of 1324 and 1325 is missing, it may be presumed that there were assemblies in those years and that this *lacuna* is due to the loss of sources, since assemblies were held without exception in the following seven years, sometimes even twice a year. At the second stage, which lasted for four years (1333-1336), there is no information on general assemblies. This missing information can be explained by a specific circumstance: there are strong indications that the voivode did not visit Transylvania at all during this period but

¹¹² Kristó, *Early Transylvania*, 124-126; Sălăgean, *Transylvania*, 236.

¹¹³ Information on the assemblies is provided by Andea, *Congregații palatinale*, 230-239.

remained in Visegrád all the time.¹¹⁴ That is, all the known information on the voivode's whereabouts suggests that he did not visit Transylvania until 1337.¹¹⁵ It is difficult to say with certainty what caused this change in the voivode's presence in Transylvania. As befits a person having such an important office, even before the voivode often stayed at the court, but not so extensively that he would have completely stayed away from Transylvania.¹¹⁶ There are only two hints. The first is the change in the voivode's status after he married Queen Elizabeth's cousin Anna, most likely in September 1332, and thus became *proximus* of the royal

¹¹⁴ Just like the other barons the voivode Tamas owned properties in Visegrád, Orsolya Mészáros, "Spatial Representation of the Court Nobility's Urban Possessions in the 'Residence-Town' Visegrád in the Angevin Period", in: *La Diplomatie des Etats angevins aux XIIIe et XIV siècles / Diplomacy in the Countries of the Angevin Dynasty in the Thirteenth – Fourteenth Centuries: Actes du colloque international de Szeged, Visegrád, Budapest, 13-16 septembre 2007*, eds. Zoltán Kordé and István Petrovics (Rome; Szeged: Accademia d'Ungheria in Roma, 2010), 202, 206. Mészáros has discussed the same issue in her article "Topography and Urban Property Transactions", in: *The Medieval Royal Town at Visegrád: Royal Centre, Urban Settlement, Churches*, eds. Gergely Buzás, József Laszlovsky, and Orsolya Mészáros (Budapest: Archaeolingua, 2014), 177-178

¹¹⁵ The voivode's itinerary (Susana Andea compiled the itinerary of Transylvanian voivodes which served only as a starting point, since it is, at least in the case of voivode Tamás, only partially reconstructed, "Voievozii Transilvaniei și itinerariile lor (sec. XIII-1437)" [Transylvanian voivodes and their itineraries (13th century-1437)], in: *Transilvania. Studii istorice (XIII-XVII)* [Transylvania. Historical studies (XIII-XVII)], ed. Susana Andea (Cluj Napoca: Editura Academiei Române, 2006), 67-125) has been reconstructed on the basis of the location where he issued his charters as well on the basis of his *relatio* for the royal charters (I used the references provided by E. Spekner in her itinerary of Charles I, Enikő Spekner, *Hogyan lett Buda a középkori Magyarország fővárosa? A budai királyi székhely története a 12. század végétől a 14. század közepéig* [How did Buda become the capital of medieval Hungary? History of the royal seat in Bud from the end of the 12th to the middle of the 14th century] (Budapest: Budapesti Történeti Múzeum, 2015). All of the following dates refer to voivode's presence in Visegrád, except where noted otherwise; January 1333 (Jakó, vol. 2, doc. 796, pp. 281-282, Spekner, *Hogyan*, 165); April 1333 (Jakó, vol. 2, doc. 773, p. 283); June 1333 (Jakó, vol. 2, doc. 778, pp. 284-285); July 1333 (Gyula Kristó, *Anjou-kori Oklevéltár*, vol. 17 (Budapest; Szeged: Magyar Tudományos Akadémia Támogatott Kutatócsoportok Irodája, 2002) (hereafter AOKlt), doc. 363, pp. 165-166); August 1333, Pozsony (AOKlt, doc. 395, pp. 177); October 1333 (AOKlt, doc. 467, pp. 207-208); December 1333 (AOKlt, doc. 515, p. 229.); March 1334 (Spekner, *Hogyan*, 166); May 1334 (Spekner, *Hogyan*, 166), June 1334 (Jakó, vol. 2, doc. 809, p. 295); July 1334 (Spekner, *Hogyan*, 167); December 1334 (Jakó, vol. 2, doc.832/1, p. 303); February 1335 (AOKlt, vol. 19, doc. 76, pp. 41-42); March 1335 (AOKlt, doc. 95, pp. 49-50); April 1335 (AOKlt, doc. 242, p. 108); July 1335, Buda (Jakó, vol. 2, doc. 848, p. 308; Spekner, *Hogyan*, 168); August 1335 (AOKlt, vol. 19, doc. 468, p. 212; doc. 493, p. 221; doc. 507, p. 227); November 1335 (AOKlt, doc. 647, p. 290); January 1336 (Jakó, vol. 2, doc. 874, p. 316; Spekner, *Hogyan*, 169); February 1336 (Jakó, vol. 2, doc. 877, p. 317; AOKlt, vol. 20, doc. 74, pp.101-102); April 1336 (Spekner, *Hogyan*, 169); July 1336, Pozsony (Spekner, *Hogyan*, doc. 303, pp. 240-241.); November 1336 (Imre Nagy, *Anjoukori okmánytár. Codex diplomaticus Hungaricus Andegavensis*, vol. 3: (1333-1339) (Budapest, 1883), 296); March 18 1337 (AOKlt, doc. 117, pp. 65-67).

¹¹⁶ Mikac likewise alternated between the court and Slavonia in the course of the year, but was never absent from Slavonia for such a prolonged period of time, see Antun Nekić, "Road to the Royal Court: Slavonian Nobility, Royal Favour, and Ban's Brokerage (1301-1342)", in: *Reform and Renewal in Medieval East and Central Europe: Politics, Law and Society*, eds. Éva B. Halász, Suzana Miljan, and Alexandru Simon (Cluj-Napoca; Zagreb; London: Minerva, III. Acta Europaea), 14, 194-95.

couple, which must have made his standing and influence at the royal court even greater.¹¹⁷ This change would have tied Voivode Thomas even stronger to the royal court at Visegrád, that is to the royal entourage. In this respect it is important to notice that Charles I did not travel to the eastern parts of his kingdom, that is to Oradea, which he previously often did, in the period between 1333 and the second part of 1337.¹¹⁸ These could thus be the reasons for the voivode's absence from Transylvania, during which there were no general assemblies for Transylvania. The assembly was held for the county of *Zonuk exterior* though, regarding which a document from 1334 is exceptionally significant. In a charter addressed to the voivode, *iudices iurati et universi nobiles in comitatu de Zonuk exteriori* state that they had held a general assembly in his name, which is a clear indication that he had not been there at the time, and also reveals that it was the voivode's exclusive prerogative to summon a general assembly.¹¹⁹ But it also reveals something else: the voivode's absence from Transylvania opened up more possibilities for the local nobility to influence the local circumstances – not in everything, by no means, and the above correspondence shows that things happened with the voivode's approval or at his order – and a higher level of decision-making that was not directly controlled by the voivode and his men. The prolonged absence of the voivode helps us elucidate another collective action of the nobility in this period: an agreement with the bishop of Transylvania on July 9, 1335. Disputes between the nobility and the bishop largely concerned the tithe, the archdeacon's jurisdiction, and several minor matters. In the negotiations between the two parties, the nobility was represented by emissaries, who came to Buda in July.¹²⁰ The voivode was also present there, as shown by his charter issued one day earlier in Buda.¹²¹ However, the fact that he is not even mentioned in the agreement is peculiar, and one can even raise a question whether his presence might have been only the consequence of him following the king, who was at that time at Buda.¹²² In any case, the whole episode speaks of significant ability on the part of the

¹¹⁷ For the marriage see Tomasz Jurek, "Piastowie śląscy i ich rodowód" [Silesian Piasts and their lineage], in: Kazimierz Jasiński, *Rodowód Piastów śląskich* [Lineage of Silesian Piasts] (Kraków: Avalon, 2007), 19-20; for *proximus* see Mór Wertner, "Szécsényi Tamás, erdélyi vajda. (1299-1354)" [Tamás Szécsényi, Transylvanian voivode (1299-1354)], *Erdélyi Múzeum* X (1893): 128.

¹¹⁸ For Charles' itinerary the period between 1323 and 1337 see Spekner, *Hogyán*, 151-171; Susana Andea, "Itinerariile regilor în Transilvania voievodală și în comitatele vestice și nordice" [Itineraries of kings in voivodal Transylvania and the western and northern counties], in: *Transilvania. Studii istorice (XIII-XVII)*, ed. Susana Andea (Cluj Napoca: Editura Academiei Române, 2006), 19-22.

¹¹⁹ Jakó, vol. 2, doc. 815, p. 297 (1334); MNL OL, DL 40672: *in eadem congregatione vestra generali, que vice et persona vestre culminis in octavis beati Ladislai regis et pro tribunali vestre celebrissemus.*

¹²⁰ Popa-Gorjanu, "Nobility as Bearers", 50; Elemér Mályusz, "Hungarian Nobles of Medieval Transylvania", in: *Nobilities in Central and Eastern Europe: Kinship, Property and Privilege*, ed. János M. Bak (Budapest: Hajnal István Alapítvány, 1994), 34-36.

¹²¹ Jakó, vol. 2, doc. 848, p. 308.

¹²² Spekner, *Hogyán*, 167.

Transylvanian nobility to influence the process of the decision-making in a matter of high importance for them. This is supported by a comparison with Slavonia. In the late 1320s and the early 1330s, the bishop of Zagreb also had problems with the local nobility and the ban over the collection of the tithe. However, the nobility did not negotiate concerning this conflict directly with the bishop, but the ban appears as the main person on whom the bishop's possibility of collecting the tithe depended. It is thereby very significant that Mikac's son appears at some time as the tithe collector, moreover an efficient one, which he could be only owing to his father's support. Thus, Mikac influenced the entire process with his authority, largely dictating its dynamics and not leaving the nobility any room to take collective action that would have been manifested, as in the Transylvanian case, in direct negotiations with the bishop.¹²³ This parallelism thus shows Mikac's more intense presence and control over the local circumstances in Slavonia as compared to Transylvania, where the prolonged absence of the voivode opened the gate for the nobility to further empower its capacity for collective action. In other words, the case of 1335 indicates that general assemblies *per se* did not guarantee collective action beyond the framework of that institution; instead, a more complex set of circumstances was needed to achieve that. Nevertheless, the role of general assemblies as the fundamental place where such a community existed should not be underestimated, since the very document registering the agreement of the Transylvanian nobles with the bishop states that it would be at the general assembly that the bishop would show the privilege of the Church to collect the tithe to the Transylvanian nobility.¹²⁴

What may be considered as the third stage began in 1337, when several general assemblies were held, and few of them in the following years. The first assemblies took place in April and May in Turda. The first was held on April 9,¹²⁵ while the second one was held on May 1.¹²⁶ This was also a time of change in the office of the vice-voivode, the person who had all the responsibility in Transylvania during the voivode's absence. Vice-voivode Simon, who held the office from 1333, is referred to as the former vice-voivode on April 9, in a voivode's charter issued at the assembly at Turda.¹²⁷ It would thus seem that voivode returned to Transylvania after four years of absence, bringing with him the new vice-voivode. However, the picture is complicated by the charter issued by the new vice-voivode Peter on

¹²³ On the conflicts arising from collecting the tithe, see Klaić, *Povijest Hrvata*, 568-571.

¹²⁴ ZW, vol. 1, doc. 518, p. 471.

¹²⁵ Jakó, vol. 2, doc. 927, p. 335; Andea, *Congregatii*, 235-236.

¹²⁶ Jakó, vol. 2, doc. 929, p. 336; ZW, vol. 1, doc. 539, pp. 488-489.

¹²⁷ Pál Engel, *Magyarország világi archontológiája 1301-1457* [Lay Archontology of Hungary, 1301-1457] (Budapest: MTA Történettudományi Intézete, 1996), 11; András W. Kovács, *Az Erdélyi vármegyék középkori archontológiája* [Archontology of Transylvanian counties in the Middle Ages] (Köszvár: Erdélyi Múzeum-Egyesület, 2010), 50.

June 18. Peter speaks there of *congregationem nostram generalem*, referring to the assembly from May 1, implying that he presided over the assembly even though the voivode's charter which registered the assembly naturally speaks of it as the voivode's assembly.¹²⁸ Voivode was in Visegrád on March 27¹²⁹ and May 24.¹³⁰ These dates leave the possibility of his trip to Transylvania open, but at the same time suggest this was not the case.¹³¹ Taking all of this into account the voivode's presence at the king's side in April and May 1337 is thus far more likely than his trip to Transylvania.

Voivode in the end came to Transylvania in 1337, but only in the later part of the year, when his whereabouts were to a degree connected to the royal itinerary. Voivode was in Buda on November 1, and then travelled with the king to Oradea, where he was on November 15.¹³² After that their paths diverged, since the king went to Debrecen from there, while the voivode went to Transylvania. He was in Dej on November 27,¹³³ where he held a general assembly, and another general assembly for the counties of Dăbâca and Cluj was held on December 2 in Bonțida.¹³⁴ Finally, a general assembly was held on December 10 in Turda.¹³⁵ The awareness that Turda was the most important meeting place and that there was a sort of hierarchy of places, if one may say so, where assemblies would take place is mirrored in the comparative statement that the assembly in Turda was *generaliori* with regard to the one in Bonțida.¹³⁶ After that voivode spent some short time in Transylvania, and he was back at the royal court in Visegrád in January.¹³⁷ This rather dense rhythm of holding the general assemblies during such a short period of time also points to the voivode's prolonged absence. It seems that once he was finally in Transylvania he had to respond to the needs of the nobility, since the general assemblies were important occasions for solving disputes, but were at the

¹²⁸ MNL OL, DL 29670.

¹²⁹ AOklt XXI, doc. 141, pp. 79-80.

¹³⁰ AOklt XXI, doc. 281, pp. 156-157.

¹³¹ It is even more so if it is added that Easter was celebrated on April 20 in 1337, and as a one of main liturgical feasts it was customarily a time when the kings were surrounded by their men in solemn atmosphere in medieval and early modern Europe, Marc Bloch, *Feudal Society*, vol. 1: *The Growth of Ties of Dependence* (London: Routledge, 2004), 221; Malcom Vale, *The Princely Court: Medieval Courts and Culture in North-West Europe 1270-1380* (New York: Oxford University Press, 2001), 28-30, 32-33; Jeroen Duindam, "Versailles, Vienna, and Beyond: Changing Views of Household and Government in Early Modern Europe", in: *Royal Courts in Dynastic States and Empires: A Global Perspective*, ed. Jeroen Duindam, Tülay Artan and Metin Kunt, (Leiden: Brill, 2011), 405.

¹³² Spekner, *Hogyan*, 171.

¹³³ Jakó, vol. 2, doc. 961, p. 346.

¹³⁴ Jakó, vol. 2, doc. 962, p. 347.

¹³⁵ Jakó, vol. 2, doc. 965-967, pp. 347-348; Andea, *Congregatii*, 236-237.

¹³⁶ ZW, vol. 2, doc. 539, p. 489.

¹³⁷ Andea, "Voievozii", 82-89; Spekner, *Hogyan*, 172.

same time also a forum at which voivode could solemnly present himself to the Transylvanian nobility.

The next general assemblies were held in Turda in January and June 1339, and both cases again open the question of whether the voivode was present at these assemblies, or were they presided by the vice-voivode in his name. The first assembly was held at Turda on January 13, as registered in the voivode's charter.¹³⁸ However, only three days after this charter, sealed with the voivode's hanging seal, on January 16, the voivode's charter was issued in Visegrád.¹³⁹ S. Andea from such a situation concluded that the assembly must have been held by the vice-voivode, while the voivode was in Visegrád.¹⁴⁰ Such a conclusion is also corroborated by the royal charter issued in Visegrád on January 3, made on *relacio wayuode per magistrum Petheu*, which also points towards the voivode's presence in Visegrád, and thus to the conclusion that the general assembly at Turda was held by the vice-voivode.¹⁴¹ Same conclusion can be reached for the general assembly that was held on June 13 at Turda, which is attested in voivode's charter issued at the same place on June 25.¹⁴² Namely, the charter written in voivode's name dated July 2 was issued in Visegrád, suggesting again that the vice-voivode held the assembly, while the voivode stayed in the king's presence.¹⁴³ The role of the vice-voivode in connection to general assemblies is seen more clearly in the case of the next general assembly held in Transylvania, which was held on November 8 in Bontida by vice-voivode Peter, not for all the Transylvanian nobility, but only for those from the counties of Zonuk, Dăbâca, and Cluj.¹⁴⁴ This confirms that it was only the voivode's right and prerogative, even though he was not present there in person, to summon assemblies for whole of Transylvania.

The last assembly held in Transylvania during Charles I's reign was held on May 8 at Turda, when the Transylvanian nobility managed to obtain another collective privilege, granted in response to the complaints of the Transylvanian nobility. The situation is quite peculiar since the privilege is supposed to be granted by the voivode, but there are strong indications that the voivode was not present at Turda. On the same day, May 8, voivode's charter was issued in Visegrád. The charter registered the judicial case held on May 1 when the voivode decided on a case together with the Archbishop of Esztergom Chanad, bishop of Pécs Ladislaus, bishop of Srijem Peter, bishop of Nitra Vid, provost of Fehérvár Tatamer,

¹³⁸ Jakó, vol. 2, doc. 1022, p. 367=MNL OL, DL 3209; Andea, "Voievozii", 237.

¹³⁹ MNL OL, DL 235727

¹⁴⁰ Andea, *Congregatii*, 201.

¹⁴¹ MNL OL, DL 70549.

¹⁴² Andea, *Congregatii*, 238; Jakó, vol. 2, doc. 1038, p. 373.

¹⁴³ AOKlt, doc. 394, pp. 189-190. Voivode's presence at Visegrad can be inferred also on May 25, Jakó, vol. 2, doc. 1036, p. 372.

¹⁴⁴ Jakó, vol. 3: *1340-1359*. Budapest: Magyar Országos Levéltár, 2008, doc. 14, pp. 35-36.

queen's treasurer Paul, queen's justiciar Oliver, county counts of Thurocz Nicholas and John, county count of Liptó Thomas, queen's deputy justiciar Deseu and protonothary of queen's justiciar Paul.¹⁴⁵ On the same day, May 1, voivode was also involved in another judicial case presided by the palatine William Drugeth, together with the bishop of Srijem Peter, the provost of Fehérvár and royal vice-chancellor Tatamer¹⁴⁶ and the royal master of janitors Nicholas.¹⁴⁶ It is obvious then that the voivode was at Visegrád and not in Turda, personally granting the privilege to the Transylvanian nobility.

The fact that such an important privilege was granted in the name of the voivode but without his presence is quite significant and it opens numerous questions. Was the decision to grant the privilege decided earlier and approved by the voivode, or was it spontaneously decided by the vice-voivode at the spot after he was pressured by the gathered nobility (I would opt for the former) is surely one of the most important questions. However, the source material does not provide anything that would allow the answer to this question. In any case, I think that the situation from 1342 strengthens the previous arguments. I would thus suggest that between 1337 and 1342 the only assemblies presided by the voivode in person were those from November and December 1337, and that was only because the voivode, following the king to Oradea, found himself near Transylvania, and after five years of absence decided to present himself to Transylvanian nobility and respond to their pleas for justice, as can be inferred from the fact that three general assemblies were held in such a short period of time. However, on the other two occasions, in 1339 and 1341, when the voivode was in the king's entourage at Oradea, he did not feel obliged to travel further east, meaning that the voivode visited Transylvania only once in ten years.¹⁴⁷ What was the reason for this change of policy in 1337 is hard to discern, it is only obvious that it was put into the hands of the new vice-voivode Peter to implement it. In such a way the actual scope of the vice-voivode's governmental duties was greatly extended, as he was the one who held the general assemblies, but in a such a way – in contrast to the actual practice, only in the sphere of representation – that the fiction of the voivode's presence at these assemblies was kept. This is easy to understand, especially in the case of the privilege from 1342, since it is hard to imagine that such a matter could have been presented as the vice-voivode's prerogative.

What was the content of this privilege? The first part of what was presented as complaints of the Transylvanian nobility regarded the length of the oath to be given, and the second the fact that the nobility was exposed to conflicts with criminals without any retribution. The privilege, therefore, stated that the one who captured a criminal would get a third of the fine to which the culprit was

¹⁴⁵ AOklt XXVI, doc. 198, pp.165-167.

¹⁴⁶ AOklt XXVI, doc. 221, pp. 182-183.

¹⁴⁷ 1339: Jako, vol. 2, doc. 1050-1051, pp. 377-388; 1341: Spekner, *Hogyán*, 1077.

sentenced. Moreover, the jurisdiction of the nobility over their tenant peasants was defined, as well as several other elements concerning precisely the presence of the nobility in legal processes through noble magistrates.¹⁴⁸ Complaints regarding the length of the oath were no novelty in the kingdom, since before the Transylvanian noblemen those of Veszprém and Zala, as well as Spiš, complained about the same thing.¹⁴⁹ It should also be noted that the Spiš complaint in 1328 did not concern only the length of the oath, but also the jurisdictional authority of the nobility over the tenant peasants, so that actually, as cogently observed by Cosmin Popa-Gorjanu, there is an extraordinary similarity between Charles' privilege granted to the noblemen of Spiš and the voivode's one to those of Transylvania.¹⁵⁰ A particular detail tells us that it was no mere accident: the privilege intended for the nobility of Spiš, as the very charter informs us, was issued during the king's visit to Transylvania (*in partibus Transsilvanis*), which allows us to presume that the Transylvanian nobility was informed, at least roughly, with the content of the Spiš privilege.¹⁵¹ Similar to the situation with the privilege of 1324, the Transylvanian nobility seems to have built its demands on the previous privileges and benefits, be it their own (the *descensus* issue) or those of other noble communities (here one may presume the Saxon influence concerning the demand of collective privileges, or that of Spiš). This hypothesis becomes even more plausible if these demands are compared with the collective noble privileges or royal *decreta* from the 13th century. Namely, the privilege of 1267, as well as the *decreta* of 1290 and 1298, were based on the decisions from the Golden Bull of 1222, but without explicitly referring to it as their model and source.¹⁵² One should also add that the Slavonian nobility may have relied on such experiences in their intention of having their rights and customs written down and confirmed in 1273. A whole range of examples thus reveals the processes in which the nobility built up their identity through their rights, referring to the previous tradition and privileges, both their own and those of other (noble) groups, and used them to articulate their demands. Another brief look at the royal mandate on the exclusive jurisdiction of the voivode confirms this. Namely, in 1355, following a complaint voiced by the Transylvanian nobility, Louis I ordered that all disputes concerning Transylvania, when including those noblemen and barons who had their estates yet did not reside there, were to be judged exclusively before the voivode. The complaint was a consequence of actual situations, and the nobility referred to their customs to protect their rights, but also emphasized before

¹⁴⁸ Popa-Gorjanu, "Nobility as Bearers", 52-53.

¹⁴⁹ Popa-Gorjanu, "Nobility as Bearers", 52.

¹⁵⁰ Popa-Gorjanu, "Nobility as Bearers", 52.

¹⁵¹ Franciscus Döry, *Decreta Regni Hungariae: Gesetze und Verordnungen Ungarns 1301-1457* (Budapest: Akadémiai Kiadó, 1976), 83.

¹⁵² Martyn Rady, "Hungary and the Golden Bull of 1222", *Banatica* 24/2 (2014): 87, 105.

the king that the way to the royal court is a long one.¹⁵³ Earlier on, in 1331, the Transylvanian nobility had likewise indicated, almost as a precaution measure, that the dispute was to be continued before the voivode rather than the king, since the debated landed estate was among their ones, that is in Transylvania.¹⁵⁴ Thus, after 1324 one can see that the Transylvanian nobility considered disputing before the voivode as one of their basic and crucial rights, but without directly referring to Charles I's charter from 1324, which is especially obvious in 1355, when the distance between Transylvania and Visegrád or Buda is given as a primary argument. An explanation must be sought first and foremost in the legal culture and the system of customary law in the kingdom, where – to say it in a somewhat simplified manner – only practice transformed the laws (and obviously privileges as well) into customs that the society lived by.¹⁵⁵ Regardless of the fact that they probably possessed the relevant privilege documents, as may be inferred from the transcripts that the nobility had asked for, the community identified its law with custom, which confirmed its validity in practice rather than with written evidence. This law and practice, in turn, had to be defended and preserved, which is clearly evident from the Transylvanian examples, and which also reveals the process of further formation of the Transylvanian *Land*.

Whereas in the period between 1273 and 1313 sixteen palatine assemblies are known, in 1341 eighteen were held in a single year.¹⁵⁶ In Slavonia after 1324, contrary to the preceding period, the general assembly became a regular occurrence: a regular (annual) gathering with a judiciary function, as far as the preserved sources go. The situation in Transylvania was somewhat different since assemblies were also held prior to 1322, but they acquired a different character after that period. Hereby I am not referring to the fact that they became 'mere' judiciary instances after 1322, since this is what they also were in the period from the late 1280s until the 1310s. What is now different is their regularity, which reveals their administrative nature. They had become a part of the routine, a fundamental forum in which legal disputes were solved. In this regard, changes came to both provinces as a consequence of an intentional programme of the royal court, but since the two societies had different experiences from the previous period, this had a strong impact on the way the programme was implemented after 1322. These differences were manifested, on the one hand, in the very location where the assemblies were held. Whereas in Slavonia it was in different places from year to year, in Transylvania it was Turda, with some exceptions, that established itself as the main locality for holding the assemblies, under the influence of practices and tradition from the time before 1322. Differences are also noticeable in terms

¹⁵³ Popa-Gorjanu, "Nobility as Bearers", 54-56.

¹⁵⁴ ZW, vol. 1, doc. 482, p. 441.

¹⁵⁵ Cf. Rady, *Customary Law*.

¹⁵⁶ Szócs, *A nádori*, 175-176.

of the nobility's power for collective action, that is, the capacity and possibility of acquiring collective privileges in the two noble communities. Although the Slavonian nobility managed to have their rights put down in writing in 1273 in the form of a written privilege, there is no indication of such privileges in the following period. The Transylvanian nobility, however, proved very agile in this respect after 1322. Quoting E. Mályusz, the Transylvanian nobility 'proved to be more inventive in the protection of their interests than their fellows in the mother country'.¹⁵⁷ An explanation of this successfulness may be sought, on the one hand, in the capacity for collective action built up through the gatherings of the Transylvanian nobility before 1322, its learning from the surrounding examples (primarily from the Saxons), and the gradualness of this process, as I have indicated above – each move influencing the next one. I would add yet another element, which concerns those who were coming from the royal court to govern these provinces. Even though they were coming from the same place and with the same intentions, there were differences among them. Mikac was a far more 'imposing' figure, starting from his continuous presence in Slavonia for the whole of the period of his office, who kept the local situation firmly in his grip, than Thomas Szécsényi, whose almost complete absence from Transylvania after 1332 created room for a broader range of influence of the Transylvanian nobility over the local circumstances and the processes of decision-making. If we start from P. Engel's observation that the bans and the voivodes "visited their respective provinces only when their presence was needed for some reason", it is Mikac who seems more peculiar than voivode Thomas (but only in the period after 1332), but that also helps to explain the peculiarity of the Transylvanian nobility E. Mályusz noticed.

These considerations offer a completely different picture than that outlined by T. Sălăgean, who has opted for a description of Transylvania after 1322 as a 'conquered country' and defined the restoration regime of Charles I and the voivode as a violent and corrupted one, which deprived the local nobility of the possibility to fill in the positions in the governing apparatus and limited the influence of general assemblies by trying to break them up into smaller gatherings.¹⁵⁸ Instead of this view of T. Sălăgean concerning the latter aspect – limited and fragmented assemblies – the primary sources paint a completely different picture, as it was argued. Although they do not directly fall within the primary scope of this paper, I will dedicate some paragraphs to two more elements, since comparison between Transylvania and Slavonia yields important results in this regard as well, and eventually allows us to see the role of the general assemblies in these two societies even more clearly.

¹⁵⁷ Mályusz, "Hungarian Nobles", 36.

¹⁵⁸ Sălăgean, *Transylvania*, 237-243.

When filling in the positions in the governing apparatus of the ban and the voivode, similar tendencies can be observed in both provinces. Whereas by the late 1320s in both provinces the local noblemen had come to hold the offices of the *comes/castellanus/familiaris*, after this period the ban and the voivode can be observed as increasingly bringing their own men to these posts, who did not have any local roots.¹⁵⁹ This is in complete opposition to the period of emerging oligarchs, when these offices were mostly held by local noblemen, which is one of the crucial elements on which T. Sălăgean has built up his hypothesis. This development is, however, completely logical, since the consolidation of efficient royal authority was preceded by a prolonged period of strife and a flicker of rebellion was still present in both provinces.¹⁶⁰ In this context, these decisions of the court, or the ban and the voivode, were very wise. However, it should be also emphasized that the local nobility was not completely excluded from ruling in either province, as it was still taken in the service of the ban/voivode.¹⁶¹ One should add two more elements. During the period of the oligarchs, not everybody was on their side: there was also an opposition, and the collapse of the closed system of service built up by the oligarchs opened the room for advancing and profiting throughout the kingdom, a perspective that was either missing or had to be purchased at a heavy price in the preceding period.¹⁶²

In terms of violence, there are also evident parallels between Slavonia and Transylvania. Let us start with an example from either province. T. Sălăgean brings a very illustrative example from 1332 when the voivode threatened a young nobleman that he should desist from a case in which he proceeded against his men, which the noblemen registered with the chapter as he wanted the reasons for his withdrawal from demanding justice to be known. The epilogue came two years later when the same nobleman had to pay out two of the voivode's men in order to preserve an estate that was even recognized as his.¹⁶³ Accidentally, that very year a nobleman in Slavonia filed an almost identical complaint before the chapter, stating that he was forced to desist from raising charges concerning an estate due to Ban Mikac's threats.¹⁶⁴ Moreover, as convincingly demonstrated by Mladen

¹⁵⁹ Ančić, *Hrvatsko kraljevstvo u doba anžuvinske vlasti* [Croatian Kingdom during the Angevin rule] (forthcoming); Sălăgean, *Transylvania*, 237-238.

¹⁶⁰ Whereas in Transylvania the sons of Ladislas Kán created problems until ca. 1330 (Kristó, *Early Transylvania*, 233-234), in Slavonia the Babonić presented a serious problem for the ban as late as the second half of the 1330s (Kekez, *Pod znamenjem*, 152-153).

¹⁶¹ Ančić, *Hrvatsko kraljevstvo* (forthcoming); Engel, *Realm*, 152.

¹⁶² On the closed system of service, see Nekić, "Društvene mreže"; on the local service and the new possibilities, see e.g. András W. Kovács, *The History of the Wass de Cege Family* (Hamburg: Edmund Siemers-Stiftung, 2005), 52, 58-60; on the consequences, see e.g. Fügedi, *Elephánthy*, 75-76.

¹⁶³ Sălăgean, *Transylvania*, 240-241.

¹⁶⁴ CD X: *1332-1342*, ed. Tadija Smičiklas (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1912), doc. 9, pp. 10-11.

Ančić, violence and violent practices were a common part of the repertoire of measures by which Ban Mikac was appropriating resources on the local level, a good part of which was then channeled towards the royal court.¹⁶⁵ Referring to the complaints against Charles I, addressed by some prelates to the papal curia in 1338, Ančić has indicated that such practices were not specific to Slavonia alone, which the Transylvanian episode confirms.¹⁶⁶ Moreover, some other examples, in which Mikac himself and the Drugeths were involved, indeed show that the situation was not much different in Hungary itself, even though this topic certainly requires further research.¹⁶⁷ Violence and oppression were obviously a part of the common repertoire of the voivode and the ban, and their men. Nevertheless, as for T. Sălăgean's hypothesis, the situation was not very uniform in this respect either, since one should take into account the fact that such practices were also typical of the oligarchs, the Babonići and Ladislav Kán among others.¹⁶⁸ It is thus difficult to accept the argument about the particularly violent and corrupted nature of T. Széchényi's rule as compared to the previous period, as implied by T. Sălăgean, not the least because it implies that such violent practices can be 'measured' precisely, almost statistically, and then compared.

A comparison between Slavonia and Transylvania regarding the appointments to the governing apparatus of the voivode and the ban, as well as their violent practices and pressures, reveals an extraordinary similarity. They were only a part of the broader process observable in both provinces, and the kingdom as a whole, where the polycentric system of extracting resources, which in the process of localization of power through the emergence of oligarchical figures remained on the local level, was substituted by one in which the resources were channeled towards the royal court.¹⁶⁹ T. Sălăgean has also identified such processes in Transylvania, but in his work, they remained without a wider contextualization and were also burdened by overly strong statements, especially when it comes to assessing the assemblies that took place after 1322. Whereas comparisons between Slavonia and Transylvania have shown that general assemblies were in itself not a warrant of gaining collective privileges, the comparison between the two cases described above, in which the ban and the voivode threatened with violence, reveals the full significance of the judiciary and the collective interests of the nobility that influenced the legal disputes. Namely, in both cases, the ban and the voivode used threats to prevent specific cases from coming before the court

¹⁶⁵ Ančić, *Hrvatsko kraljevstvo* (forthcoming).

¹⁶⁶ Ančić, *Hrvatsko kraljevstvo* (forthcoming); on the prelates' complaint see Engel, *Realm*, 142-143.

¹⁶⁷ On Mikac, see Nagy, *Anjoukori okmánytár*, vol. 3, doc. 340, pp. 507-508; information on the Drugeth can be found in the last will of Wiliam Drugeth; cf. Hardi, *Drugeti*, 302-303.

¹⁶⁸ On the Babonić, see Nekić, "Društvene mreže"; as for Ladislav Kán, it suffices to recall his actions at the episcopal appointments.

¹⁶⁹ Cf. Ančić, *Hrvatsko kraljevstvo* (forthcoming).

or to impose acceptance of a verdict to the injured party during the trial without an appeal.¹⁷⁰ This may be explained, on the one hand, as an attempt of having such procedures ratified as legal through court verdicts. On the other hand, as the Slavonian case specifically demonstrates, it was an attempt to prevent the whole thing from reaching the court in the first place, since that could mean an unwanted scenario for the ban and his protégés, as the opinion and the voice of the assembled nobility could thwart their intentions.

Conclusion

Whereas during the rule of Ladislav IV and Andrew III general assemblies on the level of the kingdom became an important political institution, after 1322 Charles I was obviously unwilling to hold such assemblies, which is evident from the prelates' complaint addressed to the papal curia in 1338; the last known assembly during Charles' rule took place in 1320.¹⁷¹ Apparently, such differences resulted from the completely opposite positions of the said kings – the weakness of the former two and the strength of Charles I, at least after 1322 – and reveal political instability as a trigger for the assemblies, in contrast to the strong ruler's (Charles I's) reluctance to call for such gatherings. Thus, taking 1322 as the breaking point, two elements may be juxtaposed on the level of central authority: political necessity and reluctance. This situation, however, is not replicated on the local level. The reluctance to hold assemblies for the entire kingdom after 1322 was counterbalanced by the flourishing of such gatherings on the local level: both palatine assemblies and those that are of primary importance for our topic, the ban's and the voivode's assemblies. These circumstances resulted from the different needs of Charles I after 1322 when the instability at the central level waned, but the king stood before the task of ordering the local circumstances, including the consolidation and restitution of royal prerogatives and the rights of various layers of nobility. It was completely inappropriate to address these issues on the central level since without written documents and lists of royal prerogatives and estates, the court and those who acted on behalf of the king necessarily had to start from the local knowledge and secure local support.

In the preceding period, from the 1270s until the 1290s, local processes mirrored the decisions and actions on the level of the royal court. Thus, local assemblies were directly linked to the decisions made at the court, as was the case with almost all the assemblies held in Slavonia during the 1270s, and it was the same with the Transylvanian cases from 1288 and 1291. However, this does not mean that the local noble communities were some sort of passive objects, which can

¹⁷⁰ ZW, vol. 1, doc. 497, pp. 453-454; CD X, doc. 9, pp. 10-11.

¹⁷¹ Engel, *Realm*, 140.

be seen from the case of Transylvania where the assemblies continued to be held without the incentive from the royal court, that is they became a part of the local repertoire. Having this in mind and also considering the different distribution of power in the two provinces, the divergence between Slavonia and Transylvania in holding assemblies becomes even clearer. While Ladislas Kán managed to preserve the voivode's office and all of Transylvania as the framework in which to unfold his activities, among them the general assemblies, in the case of Slavonia the fragmentation of power between the Babonići and the Kőszegis thwarted the collective action of the local nobility on a level of whole Slavonia. Thus, on the one hand, the specific development and the processes of localization of power yielded similar results in both provinces, albeit with somewhat different dynamics with regard to the court, while on the other they had divergent trajectories when it comes to holding general assemblies. But it was not only the period of localization of power that caused differences between Slavonia and Transylvania. Even after 1322, when assemblies were part of the royal programme, these impulses had different repercussions regarding the collective action of the nobility in the two provinces. Namely, although in both provinces assemblies were an important forum for empowering the nobility's collective identity, the Transylvanian nobility proved far more astute and decisive in gaining collective privileges and influencing important local matters. This was partly a result of their experience before 1322, consolidated through subsequent privileges, but was also due to differences in the way the two provinces were governed. Whereas Ban Mikac did not leave much room for the Slavonian nobility, the prolonged absence of Voivode Thomas created at some point the possibility for the Transylvanian nobility to increase their autonomy in regulating the issues of their immediate concern.

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*Antun Nekić**

Slavonija i Transilvanija (1272. – 1342.): oligarsi, kraljevi ljudi, i (pre)oblikovanje lokalnih plemićkih zajednica

Sažetak

Strukturalne sličnosti položaja Slavonije i Transilvanije unutar sklopa zemalja vezanih uz krunu sv. Stjepana (*Archiregnum Hungaricum*) odavna su prepoznate, no njihova komparacija nikad nije prelazila površinsku razinu usporedbe kvazi regalnih ovlasti bana i vojvode. Razmatrajući razdoblje od 1270-ih do 1340-ih s primarnim fokusom na održavanje općih shodova u tim dvama područjima ovaj rad sagledava funkcioniranje kompozitnih političkih tvorbi kroz odnos centra i lokaliteta te oblikovanje regionalnih identiteta povezanih s kolektivnom akcijom plemstva preko okupljanja na shodovima. Okidač za početak održavanja shodova u obama provincijama bila je politička nestabilnost, a od 1270-ih do 1290-ih lokalni su procesi bili odraz odluka i djelovanja kraljevskog dvora, kao što je bio slučaj sa gotovo svim shodovima održanima u Slavoniji tijekom 1270-ih, kao i u transilvanijskim slučajevima iz 1288. i 1291. Međutim, u Transilvaniji su se, naspram Slavonije, nakon tog razdoblja shodovi održavali i bez kraljevske inicijative, to jest postali su dio lokalnog repertoara. Ova različita iskustva u ranijem razdoblju imala su snažan utjecaj na plemstvo i njihovu snage kolektivnog djelovanja od 1320-ih, kada se preko istih mehanizama provodio program restauracije kraljevskog autoriteta.

Ključne riječi: Srednjovjekovna Ugarska, Srednjovjekovna Slavonija, srednjovjekovna Transilvanija, shodovi (*congregatio generalis*), oligarsi, plemstvo, regionalni identiteti, centar-periferija

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