

Kees Tszelszky

The Holy Crown and the Hungarian Estates

Constructing Early Modern Identity in the Kingdom
of Hungary



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Translated by Bernard Adams

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For Marika, Matyi, Peti and Ágica
In memory of Ágnes R. Várkonyi and László Péter

Nationalism arises from the lack of knowledge about one's own culture.*

* “Nationalisme ontstaat bij de gratie van het ontbreken van kennis over de eigen cultuur.” in Kees Teszelszky, *De sacra corona regni Hungariae: De kroon van Hongarije en de ontwikkeling van vroegmoderne nationale identiteit (1572–1665)* [De sacra corona regni Hungarias. The crown of Hungary and the development of Early Modern national identity (1572–1665). PhD thesis (Groningen: University of Groningen, 2006) (thesis page).

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Abbreviations

| | |
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| EK | ELTE Könyvtára, Budapest, Hungary (University Library of ELTE) |
| ELTE | Eötvös Loránd Tudományegyetem (Eötvös Loránd University) |
| MOE | Magyar Országgyűlési Emlékek - Monumenta comitialia Regni Hungariae |
| MOL | Magyar Országos Levéltár, Budapest, Hungary (Hungarian National Archive) |
| MTAK | Magyar Tudományos Akadémia Könyvtára, Budapest, Hungary. (Library of the Hungarian Academy of Science) |
| ÖStA Wien, HHStA | Österreichisches Staatsarchiv Wien, Haus-, Hof- und Staatsarchiv, Vienna, Austria |
| OSZK | Országos Széchényi Könyvtár, Budapest, Hungary (Hungarian National Library) |
| SNA | Slovenský národný archív, Slovakian National Archive, Bratislava, Slovakia |

Note on personal and geographical names.

The names of kings of Hungary and important persons in this book are written in the Hungarian form. Geographical names from locations in the Early Modern Kingdom of Hungary are also written in the Hungarian spelling.

Preface

The crown of the kingdom, Crown of St István and Holy Crown of Hungary, these names alone indicate how old and important a symbol this crown jewel has been in Hungarian public thinking. The royal diadem was highly respected from the second half of the thirteenth century. It was believed that it was the headgear of the first Hungarian king, St István (reigned between 1000/1001–1038). Subsequently, at the beginning of the fourteenth century, the view developed that only those rulers who were crowned with the Holy Crown could be considered legitimate Hungarian kings. Since the fifteenth century, specifically since 1440, the Hungarian Estates considered it their own possession and therefore called it *corona regni* or Crown of the Kingdom. The crown became a symbol of state power and noble rights (and the noble constitution) in the codification of the customary law of the Hungarian kingdom compiled by István Werbőczy (ca. 1460–1541).

The importance and symbolic role of the crown increased further in the seventeenth century. During the Bocskai rebellion against Habsburg rule in Hungary between 1604 and 1606, the rebels would have liked to see the crown jewel as a symbol of legitimizing power on the head of their prince and leader, István Bocskai. They demanded that the Holy Crown, which had been in Prague for some time, be returned to Hungary. Following the Vienna Peace Treaty of 1608 between the rebellious Estates and the Habsburgs, this wish was granted. In the same year, Emperor Rudolf, who opposed the peace treaty, was forced to retreat before his brother Archduke Matthias and the Hungarian, Moravian and Austrian Estates allied with him: among other things, he abdicated the Hungarian royal throne and placed the Holy Crown at his brother's disposal. For contemporaries, the return of the Holy Crown to Hungary and the coronation of Matthias as king symbolised the reconciliation between the orders and the Habsburg court, and the enactment of religious and confessional rights. Thus, the perception was created that the crown staying "at home" in the kingdom would guarantee the country's freedoms.

Some members of the Protestant intellectual elite were the first to formulate this idea, including among others Péter Révay, the guardian of the crown, who wrote a crown history in 1613, and made the above idea (that the prosperity of the country depends on the location where the crown is kept and the degree of the crown's esteem) one of the key ideas of his work.

But the other reason for the rise in the value of the coronation jewel is now linked to the Catholic side of the Hungarian Estates. The imperial court and the Hungarian clergy used the alleged apostolic title of St István against the Holy See in order to widen their own room for maneuver in the matter of the appointment of Hungarian

bishops, a power which the Holy See wanted to secure for itself (especially in the case of the bishopric of Bosnia which was of missional importance). For the Habsburgs and the Hungarian episcopate, the main basis of argument was a legend about St István, the so-called Hartvik legend, written at the turn of the eleventh and twelfth centuries. According to this, the Pope sent a crown to Vajk, the Grand Prince of the Hungarians (the later St István), calling him “the true apostle of Christ” and entrusting him with the government of the churches in Hungary. Thus, the crown jewel also became important in the narrative of the Hartvik legend as “material evidence” of the apostolic authority granted by the Pope.

Later, the Holy Crown would become an important element in the propaganda of the Virgin Mary, Patroness of Hungary, one of the main motifs of the counter-reformation efforts in Hungary. The Medieval Hartvik legend is again the source for this, since it includes the claim, among other things, that the holy king St István, who founded the state, offered himself and his country to Mary. The scene of the dedication of the country became a popular and frequent theme in Catholic art of the period, in the iconography of which the Holy Crown embodied the offered Hungary.

In his book, Kees Teszelszky has explored this long process of the interpretation and use of the Holy Crown as a symbol, which has changed over time and according to political actors and interest groups. At the same time, an important part of his book is an examination of how the crown as an abstract concept is related to the formation of Hungarian national identity in Hungary in the Early Modern period. He also discusses the role of the crown in the representation of the state and the Hungarian Estates.

The focus of his book is to examine how the Holy Crown is used as a symbol of power and politics in the early seventeenth century. The author’s great merit lies in the fact that he accurately traces the process and stages of this growth in importance, and clarifies the driving forces behind it. The author’s detailed analysis of Péter Révay’s *Commentarius* (1613), the seminal work of Hungarian crown research mentioned above, is also a very valuable part of the book. Teszelszky rightly points out the narratives and the main message of this small volume. This main message is *concordia*, the importance of agreement between the Hungarian Estates and the Habsburg king, between one denomination and another. According to Révay, as Teszelszky points out, the pledge of this concord is respect for the crown and the constitution of the Estates it has embodied, as well as for the peace treaty of 1608. Teszelszky has also thoroughly explored the reception and impact of Révay’s work, which was fundamental to the development of views on the Holy Crown.

Kees Teszelszky’s book thus contributes a great deal to the history of the Hungarian Holy Crown as a political symbol and to the exploration of the changing views associated with it. In addition, his work always takes into account the international, European context of these views, as well as the political literature of the various

periods (e. g. Bodin, Lipsius, etc. in the sixteenth and seventeenth centuries), and indicates their influence on political thought in Hungary. His work thus also provides valuable contributions to the history of European ideas. I would therefore recommend this work to all interested readers.

Written in Székesfehérvár, the former coronation city of the Hungarian kingdom, on 28 April 2022.

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Introduction: concepts and context

We have, each of us, a life-story, an inner narrative, whose continuity, whose sense, is our lives. It might be said that each of us constructs and lives a ‘narrative’, and that this narrative is us, our identities. If we wish to know about a man, we ask ‘what is his story – his real, inmost story?’ – for each of us is a biography, a story. Each of us is a singular narrative, which is constructed, continually, unconsciously, by, through and in us – through our perceptions, our feelings, our thoughts, our actions; and, not least, our discourse, our spoken narrations. Biologically, physiologically, we are not so different from each other; historically, as narratives – we are each of us unique. To be ourselves we must have ourselves – possess, if need be re-possess, our life-stories. We must ‘recollect’ ourselves; recollect the inner drama, the narrative, of ourselves. A man needs such a narrative, a continuous inner narrative, to maintain his identity, his self.¹

Identity and the formation of identity are important parts of human personality. According to Oliver Sachs, the development of identity in the human mind is a continuous reworking of past memories and experiences, which gain new meaning according to the actual context. This book is about one of the most important elements of the political narratives in the history of Hungary in past and present: the Holy Crown of Hungary and the way in which it has been used to construct and alter a form of identity.

This book analyses the construction of an Early Modern national identity on the territory of the Kingdom of Hungary by providing a case study of the so-called Magyar Szent Korona or Holy Crown of Hungary. This object, also known as the crown of St István, is one of the most widely used symbols of modern Hungarian nationalism in our times, but has been in use for ages in the political culture of Hungary.

My research concentrates on the relation between the change in the meaning of the Holy Crown and the construction of an Early Modern national identity between 1572 and 1665. Using a constructivist method of research (following the work of Quentin Skinner²), an attempt is made to answer the question of how the Hungarian political community and its relation to the Holy Crown was depicted, in what way the function of the crown legitimised this depiction, how the image,

1 Oliver Sachs, *The Man Who Mistook His Wife for a Hat and other Clinical Tales* (New York: Summit Books, 1985) 110.

2 Quentin Skinner, *Visions of Politics: Volume I: Regarding Method* (Cambridge: Cambridge University Press, 2002).

function and meaning of the crown changed, and how this change can be explained. My primary sources will be texts and images in which a certain political message is disseminated through the use of a certain concept or image of the crown and the nation.

My discussion of the views of the crown and of national identity supposes, of course, that the concept of a national identity is a meaningful one in the context of Early Modern Hungary. Questions of when and how a nation, national consciousness, or a sense of national identity took shape have been topics of lively debate among historians, sociologists and political scientists in recent decades. The debate has been between primordialists, who assume that national identity is as old as mankind, and modernists, who cannot imagine the existence of nations and national consciousness before the nineteenth century.³ The ethno-symbolists, as represented by Anthony Smith, differ from this perspective, as they stress the sense of national identity as an ideology constructed by the use of symbols and images of the nation, in which these symbols played an important role.

In my research I am not so much interested in the question whether a Hungarian nation as such did exist. Instead, I will focus on how Early Modern politics on the territory of the Kingdom of Hungary was legitimised by the use of a concept of the nation and a certain meaning of the crown and its holiness, as expressed in texts, images and rituals.

The starting point of my approach is the notion of Ferenc Eckhart (1941) and László Péter (1966 and 2003): that the *Szentkorona-tan* or Doctrine (or Theory) of the Holy Crown is a modern invention, which makes it impossible to explain the meaning of the crown in Hungarian political culture in the Early Modern period. Still, the formulation of this doctrine has had a tremendous influence on the way in which the history of the crown and the nation has been written and the notion of the Holy Crown in modern-day politics in Hungary. We therefore need briefly to explain this doctrine, its origins and its reception.

3 Karl Deutsch, Eric Hobsbawm, Ernest Gellner, and Charles Tilly can be considered as the most influential modernists. Karl W. Deutsch, *Nationalism and Social Communication* (Cambridge, Mass: M.I.T. Press, 1966); Charles Tilly, "Reflections on the History of European State-Making" in Charles Tilly and Gabriel Ardant, eds., *The Formation of National States in Western Europe* (Princeton, N.J.: Princeton University Press: 1975) 3–83; Eric Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality*, 2nd ed. (Cambridge, Cambridge University Press, 1992); Ernest Gellner, *Nations and Nationalism* (Ithaca: Cornell University Press, 1983). On the debate on Early Modern collective identities in the context of Central Europe see: Balázs Trencsényi and Márton Zászkaliczky, "Towards an intellectual history of patriotism in East Central Europe in the Early Modern period," in Balázs Trencsényi and Márton Zászkaliczky, eds., *Whose Love of Which Country?: Composite States, National Histories and Patriotic Discourses in Early Modern East Central Europe* (Leiden-Boston: Brill, 2010) 1–74.

The Doctrine of the Holy Crown was invented when modern nationalism was gaining ground on Hungarian soil. The concepts of the nation and the Holy Crown were used as arguments in providing legitimacy of political power in Hungary from the end of the eighteenth century. Historians and jurists started to research the roots of their nation and the Medieval history of the Crown in order to support the claims to sovereignty on behalf of the Estates against the power of the Habsburg dynasty. These political strivings resulted in a political ideology in which a notion of the crown and an idea of the nation were combined: the famous so-called *Szentkoronatan* or Doctrine of the Holy Crown.⁴ There was also a fundamental change in the way that historians in Hungary regarded the political history of their country in Medieval times.

The creators of this doctrine in the nineteenth century, Imre Hajnik and Győző Concha, based their ideas on the famous and influential codification of Hungary's customary laws by the Hungarian jurist István Werbőczy (ca. 1460–1541).⁵ Werbőczy finished his manuscript of *Tripartitum opus juris consuetudinarii inclity Regni Hungariae* in 1514. It was published for the first time in 1517 and many times since then, but was never ratified by the king.⁶

In the opinion of Hajnik and Concha, a single phrase in this work (“*membra sacrae coronae*” or members of the Holy Crown) summarised an age-old organic state concept of Hungary.⁷ On the basis of this concept king, church and nobility divided power among themselves in the mystical body of the Holy Crown. These

4 László Péter, “The Holy Crown of Hungary, Visible and Invisible,” *The Slavonic and East European Review*, 81(2003) 32; László Péter, *Hungary's Long Nineteenth Century: Constitutional and Democratic Traditions in a European Perspective*, Miklós Lojtkó, ed. (Central and Eastern Europe: Regional Perspectives in Global Context) (Leiden- Boston: Brill, 2012) 15–113.

5 Imre Hajnik, *Egyetemes európai jogtörténet a középkor kezdetétől a francia forradalomig* [General European history of law from the medieval beginning till the French Revolution] (Budapest: Eggenberger, 1875); Győző Concha, “Közjog és magyar közjog. Viszontválasz a Nagy Ernő jogtanár úr Közjogáról írt bírálatomra adott válaszra [Public law and Hungarian public law. Respond to Ernő Nagy law teacher's answer to my criticism of his Public Law],” *Magyar Igazságügy*, vol. 35/2 (1891) 46–62. See also: József Kardos, *A szentkoronatan története: 1919–1944* [The history of the holy crown doctrine: 1919–1944] (Budapest: Akadémiai Kiadó, 1985) 27–28; Barna Mezey, “Utószó [Afterword],” in Ferenc Eckhart, *Magyar alkotmány- és jogtörténet* [Hungarian constitutional and legal history], Barna Mezey, ed. (Budapest: Osiris, 2000) 423–424; Péter, “The Holy Crown of Hungary,” 481–485.

6 Stephanus de Werboecz [Werbőczy], *Tripartitum opus iuris consuetudinarii inclity regni Hungarie* (Viennae Austriae: Joannes Singrenius, 1517). Hereafter: *Tripartitum*. Modern edition and English translation: Péter Banyó, János M. Bak and Martyn Rady, eds., *The Customary Law of the Renowned Kingdom of Hungary: A Work in Three Parts Rendered by Stephen Werbőczy (The “Tripartitum”)* (The Laws of Hungary Series I: 1000–1526: Vol. 5.) (Charles Schlacks Jr Publisher and Central European University: Idyllwild and Budapest, 2005). See also: Martyn Rady, *Customary Law in Hungary: Courts, Texts, and the Tripartitum* (Oxford: Oxford University Press, 2015).

7 *Tripartitum*, Partis I. Tit 4. § 1. 58.

three words – *membra sacrae coronae* – served as historic legitimation of the modern sovereignty of the Hungarian nation. László Péter wrote about this way of thought:

It is, then, a remarkable feat of nineteenth-century scholarship that it was on Werbőczy's authority that this metaphor, used in a single instance and in a very different context, could become the main evidence for evolution towards the concept of a unified system of public law and political authority."⁸

The codification of the Doctrine of the Holy Crown as a primordial state doctrine was mainly the work of Ákos Timon (1850–1925), who was a professor of constitutional law and the history of law in Budapest and a disciple of Hajnik.⁹ His main work, in which he elaborated this doctrine, was published in 1902, six years after the celebration of the millennium of the occupation of the territory of Hungary.¹⁰ According to Timon, the ideas about the nation and the crown to be found in Werbőczy even predated this work. He stated that the Doctrine of the Holy Crown was a unique and ancient Hungarian construct, and as such the fruit of the constitutional spirit and political character of the Hungarian nation.

Despite the efforts of nineteenth century academics, the Doctrine of the Holy Crown became state doctrine only after the dissolution of the Habsburg Empire in 1919. The only time that the notorious Doctrine played a dominant role in Hungarian political and academic life was during the Twenties. This was a direct result of the Treaty of Trianon (1920), under which Hungary lost two-thirds of its territory and a large part of its ethnic Magyar population. The crown became the symbol of the claims to the lost territories of the Kingdom of Hungary.¹¹ The kingdom had lost its king, but its crown and its symbolic meaning remained at the very heart of Hungarian politics.

In 1931 Ferenc Eckhart (1885–1957) published an article that caused a great commotion; in it he struck a devastating blow at the historical theory represented by Timon and similar nationalists.¹² The attack came from an unexpected direction, because the author of the publication was likewise a lecturer in the history of State

8 Péter, "The Holy Crown of Hungary," 452.

9 On Timon: Kardos, *A szentkorona-tan*, 29–31; Mezey, "Útoszó," 423–424; Péter, "The Holy Crown of Hungary," 485.

10 Ákos Timon, *Magyar alkotmány- és jogtörténet különös tekintettel a nyugati államok jogfejlődésére* [The Hungarian constitutional and legal history in light of the legal development in western countries] (Budapest: Grill Károly Könyvkiadóvállalata, 1902).

11 Kardos, *A szentkorona-tan*, 38–247.

12 Ferenc Eckhart, "Jog és alkotmánytörténet [History of law and constitution]," in Bálint Hóman, ed., *A magyar történetírás új útjai* [The new roads of Hungarian historiography] (Budapest: Magyar Szemle Társaság, 1931, ²1932) 269–320.

and Law at Budapest University.¹³ The storm and opposition that broke out in Hungarian political and academic circles all but cost the author his post.¹⁴ What caused the argument was that the conservative legal expert had removed a very important ideological pillar in the demands for political rights of the Hungarian nation living in the Carpathian basin, and of their territorial claims. He demonstrated that the image which the lawyers and politicians had formed of nation, State and crown was risible in the light of foreign research. Despite the consternation in political circles, not a single academic made a serious attempt to refute Eckhart's views.

Ten years later Eckhart reworked his original article on the concept of the crown into a monograph which appeared in 1941, during the war.¹⁵ In this he stated that the concept of the crown had undergone continual change in the course of Hungarian history. Over the years more and more ideas had become attached to it without any constant and unvarying concept of the Holy Crown coming into being, as his opponents had postulated. Eckhart also demonstrated that the Hungarian conception of the crown was by no means a unique phenomenon, but that similar formulations existed everywhere in Europe, and that these too had gone through the same stages of development. Furthermore, he showed that Timon's argument for the antiquity of the Doctrine was built on the quicksands of nationalism. His final conclusion was that the Doctrine of the Holy Crown had to be regarded as a modern development.

In its time Eckhart's essay met with such criticism because it subjected to critical examination the two pillars of the Doctrine of the Holy Crown – the conception of the crown itself and the organic notion of the State. Furthermore, his essay was not based on the axiomatic principle of the nation. He had examined the original textual context of hundreds of Medieval sources in which the term *corona* appeared and analysed the variation of the semantic content of the concept on the basis of textual comparison.

Eckhart's purpose was to write an essay which would reveal the way in which thought in Hungary on the subject of the crown had varied, and to compare this with similar notions throughout Europe. In the light of semantic change Eckhart attacked Timon's reasoning, according to which the corporate organisation of the

13 For Eckhart's biography see: György Bónis, "Ferenc Eckhart," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung* 75/1 (1958) 596–600; Mezey, "Utószó," 407–439, Péter, "The Holy Crown of Hungary," 495–500; Zoltán József Tóth, *Szemelvények a Szent Korona-tan 20. századi történetéből. Az Eckhart-viták története* [Excerpts from the twentieth century history of the Doctrine of the Holy Crown] (PhD thesis, Miskolc University, 2005) 4–19.

14 László Péter, "The Holy Crown of Hungary," 496–499.

15 Ferenc Eckhart, *A szentkorona-eszme története* [The history of the Doctrine of the Holy Crown] (Budapest: Magyar Tudományos Akadémia, 1941, Máriabesnyő–Gödöllő: Attraktor, ²2003). Page numbers are those of the modern edition.

State had come into being in Hungary in the course of the development of the feudal social system and the growing significance of the crown.¹⁶ In his opinion the Hungarian nobility had no legal say in matters of succession to the throne and legislation, and did not share power with the king. According to Eckhart the only connection between the development of the concepts of State and Crown was that the crown was the symbol of royal power within the boundaries of the Kingdom, while from the fourteenth century onwards it was used in Europe as a synonym for the Hungarian State. Treaties were made with other Medieval States in the name of the Crown of Hungary, and in making treaties the king acted as a representative of the Crown. In Eckhart's view, this special meaning of *corona* does not refer to the corporate state structure but was simply a function of kingship in international relationships.¹⁷

In introducing the development of the balance of political power in Medieval Hungary, Eckhart explains his opinion that in the Middle Ages the structure of the corporate State did not exist.¹⁸ He does not examine balances of power from the point of view of the Hungarian State or the nation-state, but concentrates on the analysis of the relationships between the King of Hungary and the nobility on the basis of the meaning of the terms *respublica* and *regnum*. In the thirteenth century the term *respublica* emerged as a concept designating the body of the Estates, and it was only much later, in a law of 1386, that it was used in the sense of "country" (*regnum*). Until that time the term *regnum* was used primarily for kingship, the rights of the ruler as a whole. The second meaning of *regnum* referred to the circle of advisers surrounding the king, but the third meaning referred to that area of territory within the boundaries of which the rights of the ruler were valid. In the said law, and in following centuries, the word *regnum* was used in the sense of *respublica*.

The election of the king by the *regnum*, or rather the Estates as a body, first occurred in 1387. In Eckhart's view, this election was the first step on the road to the formation of the dualist State, in which there existed the required equilibrium between the king and the Estates with regard to the balance of power.¹⁹ He states that in the same period royal power and the concept of *corona* became separated. In sources connected with the 1387 election of the king he encountered both *corona regia* (royal crown) and *corona regni* (crown of the country). As he sees it, after that date the *regnum* played a constantly growing role in political life, which led to the alteration in the significance of the crown. He believes that it was a result of

16 *Ibid.*, 35–41.

17 *Ibid.*, 41.

18 *Ibid.*, 42–56.

19 *Ibid.*, 44.

the enhanced political role of the *regnum* that the crown became a symbol of the Medieval Kingdom of Hungary in the eyes of the inhabitants of the country.²⁰

In his view, these changes led to the distinction that was made in the fifteenth century between the crown as a symbol of the State and the crown as a symbol of royal power. He supports this by referencing events surrounding the election of the king in 1440 and a charter issued in connection with it.²¹ Because of the view that he expressed on the Medieval State, this is the most debatable part of Eckhart's essay.

Eckhart interprets the contents of the said charter of 1440 as the formulation by the Estates of the mystery of the crown. He posits, however, that it may not be inferred from this that the king shared power with the *regnum*.²² In fact, 1440 saw the first free election of the king by the Hungarian Estates, as on this occasion, unlike in 1387, the election was conducted not on the usual basis of descent. Furthermore, the transfer of power took place not through the collaboration of the high clergy and the aristocracy, but by means of an election held by the assembled Estates. This change, states Eckhart, did not mean that the Estates had become members of the crown, but was an expression of the fact that their political presence and influence were growing, which was also revealed by the ever more frequent use of the term "crown of the kingdom" (*corona regni*).²³

As a consequence of the change in meaning, the term *corona* acquired a territorial significance.²⁴ In the fifteenth century *corona* denoted the Kingdom of Hungary, within the frontiers of which the ruler was clothed with complete power. From the fact that *corona* was conceptually linked to the idea of territorial integrity it followed that every individual piece of land taken from the Kingdom reduced the property of the crown. Loss of territory was regarded as injury to the Holy Crown. As the king regained lost territory it became once more the property of the crown. This action was deemed the recovery of the property of the crown. The property of the crown included not only territory but also towns. Certain territories and towns constituted the immediate property of the crown and were therefore inalienable, that is, the king was not able to make gifts of them or to mortgage them. In 1514 a law was enacted specifying which territories and towns enjoyed such status; which previously had been decided by the ruler. According to Eckhart, the Hungarian crown thus became synonymous with State interest and State property.²⁵

20 *Ibid.*, 57–59.

21 *Ibid.*, 58–62, for the text of the charter see *ibid.*, 205.

22 *Ibid.*, 58–59.

23 *Ibid.*, 59–60.

24 *Ibid.*, 64–65.

25 *Ibid.*, 66–68.

On the basis of his research, Eckhart posits that the concept of the crown as a symbol of State integrity was brought into line with organic constitutional theory only in the sixteenth century.²⁶ He states that the organic view was known in Hungary as early as the thirteenth century, but that no political significance was attached to it. In that period the king, the great ecclesiastical and lay landowners, together with the common nobility, constituted the body of the *regnum*. The idea that every individual that took part in the Diet was a member of the *regnum* dates from the fourteenth century. A century later the royal council regarded itself as the body of the *regnum*, while its members were the magnates. At the same time, the entire nobility began to be referred to as members of the *regnum*. Eckhart states that this organic metaphor does not indicate the power of the members of the body politic but alludes to a Medieval State guided by consensus. In the course of his examination of the development of the Hungarian concept of the crown and that of the organic concept of the State, Eckhart comes to the conclusion that both concepts had a European ecclesiastical background and were not mutually linked in Hungary until the sixteenth century at the earliest.

According to Eckhart's research, the Hungarian concept of the crown and European organic constitutional theory first come together in Werbőczy's book of law of 1514. Werbőczy uses the concept of the crown in three different ways.²⁷ The first of these occurs most frequently and designates royal power in the traditional sense. The second meaning too, that relating to territory, had long been familiar in Hungary. Werbőczy uses the word *corona* in a sense other than the traditional only once, namely on the solitary occasion when he calls the nobility "members of the Holy Crown" (*membra sacrae coronae*). Eckhart, however, emphasises that Werbőczy states nowhere that the entire Hungarian nobility were members of the crown or had political power.

Eckhart makes a claim which astounded his contemporaries, namely that in the *Tripartitum* the concept of the crown had nothing to do with the Doctrine of the Holy Crown.²⁸ In the book, Werbőczy makes not a single use of the organic metaphor in writing about the crown, with the exception of the passage mentioned; he does not examine the question in detail and does not return to the concept in the remaining chapters of the book. According to Eckhart, the function of the particular section of text that touches on the crown was only to support the author's statement to the effect that all members of the nobility were equal and enjoyed the same privileges. In his opinion, Werbőczy wished to support his own earlier argument about the equality of the nobility by referring to his organic

²⁶ *Ibid.*, 97–116.

²⁷ *Ibid.*, 125.

²⁸ *Ibid.*

metaphor. Werbőczy wished to support his own earlier argument about the equality of the nobility. He further states that it is not at all clear from Werbőczy's work that the nobility had a share with the king in executive power in keeping with the organic view. These observations of Eckhart's are in direct contradiction to the dominant ideology of his time, the 1930s.

Eckhart supports his statement by examining the way in which the new conception of the crown that had been formed was received in the period following the publication of the *Tripartitum*.²⁹ In his opinion the Medieval significance of the crown was still valid in the Early Modern period too; the crown was simultaneously the symbol of royal power and the power of the State, and subjects owed it fealty. The only meaning of *corona* that acquired constantly greater significance in the Early Modern period was the interpretation of the concept that linked it to territory. The change of meaning ensued because after 1526, with the Turkish invasion and the dual election of kings, three powers were ruling the country. Eckhart also states that in this period the crown was elevated to a symbol of the integrity of the country.

Eckhart did not find a single source in which the notion of *corona* was approached on the basis of the organic notion of the State.³⁰ The concept of "members of the crown" was used nowhere except in legal proceedings where – as in Werbőczy's law book – it arose as a metaphor in the defence of the rights of the nobility.³¹ Other than usage connected with court cases, no source was found in which the nobility demanded political rights as members of the crown. In Eckhart's opinion, therefore, the Doctrine of the Holy Crown is a modern invention. His final conclusion is that Werbőczy's passage referring to "members of the crown" had served as a source of modern ideology aimed at guaranteeing the political rights of the nobility only since the eighteenth century.³²

According to Péter, Eckhart's conception of the Hungarian State in the Medieval period is problematic.³³ In his later writings Eckhart lays emphasis on the special structural characteristics of Hungarian political institutions, the way in which the powers of king and *regnum* complemented one another. In his opinion both king and *regnum* enjoyed power bases founded on independent institutional systems and mutually complemented one another on a number of points, but did not constitute a unity. The sole link between the power of the ruler and the rights of his subjects was the covenant entered into at the coronation of the new ruler. The over-arching system of law, however, which has been a distinguishing feature of the State since

29 *Ibid.*

30 *Ibid.*, 164–153.

31 *Ibid.*, 151.

32 *Ibid.*, 175.

33 László Péter, The Holy Crown of Hungary, Visible and Invisible, *The Slavonic and East European Review*, 81(2003) 498–499.