

## STUDIES TO MEDIEVAL HUNGARIAN LAWS

(A subsidy to the online DRMH)

Most of the studies reprinted here are connected to the five-volume Latin-English edition of medieval Hungarian law, *Decreta Regni Mediaevalis Hungariae: The Laws of the Medieval Kingdom of Hungary*, [DRMH] edited by J. M. Bak and many others, published by Charles Schlacks Jr. and others between 1989 and 2012.

Five of the reprints were originally prefaces to the *decreta*, summarizing background to the legislation and methodological as well as textual comments to the DRMH, now available online as [https://digitalcommons.usu.edu/lib\\_mono/4/](https://digitalcommons.usu.edu/lib_mono/4/), without these introductions. Admittedly, as quite a few of them were written a considerable time ago, they may in several points be outdated by more recent research, but in essence still useful. They are also of different value, some repeating common knowledge, others more specific to legal history. Nevertheless, I felt that they may be of interest to readers in spite of their shortcomings.

The studies also reflect the history of the project initiated in 1983 by Charles Schlacks Jr., Publisher. (On further details of this, see my Introduction to *Custom and Law*, below.) The first study, by Andor Csizmadia (1910–85) was still commissioned by the general editor-to-be, Peter Hidas of Montréal, not an expert on medieval law and history. (He then had little to do with the subsequent volumes, planning the ones for post-medieval times of which, alas, none materialized.) Csizmadia's overview is still a good summary of the history of the laws' publication, even though much has been done since the time of its writing especially about the first compilation of the *Corpus Iuris Hungarici*.

The preface to the Árpadian centuries was to be written by James Ross Sweeney (1940–2011), whom György Bónis (1914–85)—originally foreseen as editor of all the medieval laws—had suggested to the publisher. Sweeney, a pupil of Brian Tierney, worked on Hungarian history and was expected to take over from Bónis the whole medieval series. Alas, he fell ill and worked in fact only on the first two volumes. In 1984, he invited me, at that point teaching at UBC in Vancouver, and as it happened, I came to be the one who shepherded the series down to its completion. Here we reprint the study from the second, somewhat revised edition (1999), prepared in cooperation with Prof. Domonkos. An important correction should be noted: the text, referred to as *Compilation c. 1300* has been shown to have originated probably a century later and it is now styled *Comp. ante 1440*, for its surviving text comes from that year (it is in the online edition styled thus and placed chronologically to 1440). Then, the so-called Second Cuman Law, which we printed with some reservations, was in the meantime proven to be a modern forgery and dropped from the online version.

For the second volume (1992), covering 1301–1457 A.D., it became already possible to involve scholars from Hungary, above all the prematurely died leading medievalist of his generation, Pál Engel (1938–2001), best known abroad for his medieval history of Hungary, *The Realm of St. Stephen* (London: Tauris, 2001). Referring to this volume from the perspective of our later work is a short piece of mine written for a conference in Oradea about King-Emperor Sigismund in

2007, to which there are several references in the studies, but the proceedings were, to my mind, never published. I took the liberty to add it to the very end of this collection.

To the work on the third volume (1996) containing the *decreta* of King Matthias Corvinus (1458–90) a student of his reign, Leslie Domonkos (at that time at Youngstown State U), who was planning a monograph on the king, added his special knowledge. The preface to that volume has been seriously outdated by more recent studies and is not being reprinted here. In its place, a short piece of mine, written for a conference held at the 550th anniversary of the Corvinian's accession is included *faute de mieux*.

For the last two volumes (actually, already for the completion of the third), containing the laws and diatal decisions of the last decades of the medieval kingdom (1490-1526) and the famous collection of customary law by the lawyer-politician Stephen Werbőczy, the *Tripartitum* of 1517, the project moved to Hungary with my having taken up a post at the newly founded Central European University. A new team was organized, including Masaryk Professor Martyn Rady of SSEES London with a few of his English colleagues as well as students and graduates of CEU in Budapest and Szeged. Alas, the best Hungarian expert of that age, András Kubinyi (1929–2007), who was to be the main supporter of the Jagellonian volume, died unforeseen while working with us on it; it was a great loss for the DRMH as well.

With support from the British Academy, the Hungarian Research Fund OTKA, SEESS, and CEU the plan of editing the corpus of statute law of the Kingdom of Hungary and the *Tripartitum* could be completed with DRMH 5 in 2005 and DRMH 4 in 2012 and then, reformatted, revised, and partly updated, published also online by Digital Commons at Utah State University in 2019.

To these texts, I added a booklet that came out of our meeting in Cambridge in 2003 in connection with our discussions and team-work on DRMH 5. It has been online for a while at Academia (Martyn Rady), but I thought, they should be reprinted here being results of our common thinking about late medieval Hungarian laws.

The studies are mostly identical reprints of the printed version—with occasional formatting inconsistencies—and only in limits updated. So, for example, many more titles are cited in abbreviation than those included in the Abbreviations, below (reprinted from vol. 1). However, the full titles are easily retrievable with any good browsing machine. References to *decreta* are, of course, to the printed volumes, but can be found with little effort in the online version by their date.

Budapest, April, 2019

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János. M. Bak, James Ross Sweeney and Pál Engel, *Legislation in the fourteenth and fifteenth century* (from DRMH 2) [1992]

János M. Bak, "Tradition and Renewal in the *Decretum Maius* of King Matthias," (from *Matthias Rex 1458–1490: Hungary at the Dawn of the Renaissance* <http://renaissance.elte.hu/wp-content/uploads/2013/09/Janos-M.-Bak-Tradition-and-Renewal-in-the-Decretum-Maius-of-King-Matthias.pdf>) [2013]

Martyn Rady, *Jagello Hungary* (from DRMH 4) [2012]

László Péter, *The Irrepressible Authority of the Tripartitum* (from DRMH 5) [2005]

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